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CONGRESSIONAL RECORD:

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THE PROCEEDINGS AND DEBATES

OF THE

SIXTY-THIRD CONGRESS, THIRD SESSION.

VOLUME LII.

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VOLUME LII, PART I.

CONGRESSIONAL RECORD.

SIXTY-THIRD CONGRESS, THIRD SESSION.

CONGRESSIONAL RECORD.

PROCEEDINGS AND DEBATES OF THE SIXTY-THIRD CONGRESS.

THIRD SESSION.

SENATE.

MONDAY, *December 7, 1914.*

The first Monday in December being the day prescribed by the Constitution of the United States for the annual meeting of Congress, the third session of the Sixty-third Congress commenced on this day.

The Senate assembled in its Chamber at the Capitol.

The VICE PRESIDENT (THOMAS R. MARSHALL, of Indiana) called the Senate to order at 12 o'clock noon.

PRAYER.

The Chaplain, Rev. Forrest J. Prettyman, D. D., offered the following prayer:

Almighty God, we come before Thee in the spirit of our high traditions and seek Thy favor at the opening of this session of the Senate. We have come with the weight of a world-wide influence upon us and with large responsibilities for the welfare of a hundred million of Thy creatures. The State is a divine institution called into being by Thy grace to secure the freedom of Thy people and to guarantee to them their natural rights. Thou hast called into places of prominence and power these Thy servants in this honorable Senate and hast sent them forth to secure the divine purpose as a great Nation. Do Thou guide them. Give them that grace which will insure constant leadership of thought in all their great work. Grant, we pray, that our message to all the people may be that of peace and our influence in all the world that of universal brotherhood. We ask for Christ's sake. Amen.

CALLING OF THE ROLL.

The VICE PRESIDENT. Senators, the hour has arrived at which in accordance with the Constitution of the United States the Congress of the United States is to assemble in regular session. In accordance with that document I now declare the Senate of the United States to be convened. The Secretary will call the roll for the purpose of ascertaining whether there be a constitutional number of Senators present for the transaction of business.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst	Hollis	O'Gorman	Simmons
Bankhead	James	Oliver	Smith, Ariz.
Borah	Johnson	Overman	Smith, Ga.
Brandegee	Jones	Owen	Smith, Md.
Bristow	Kenyon	Page	Smith, S. C.
Bryan	Kern	Penrose	Smoot
Burleigh	Lane	Perkins	Sterling
Burton	Lee, Md.	Pittman	Stone
Chamberlain	Lewis	Pomerene	Sutherland
Clark, Wyo.	Lippitt	Ransdell	Swanson
Culberson	Lodge	Reed	Thompson
Cummins	McCumber	Robinson	Thornton
Dillingham	McLean	Root	Tillman
du Pont	Martin, Va.	Saulsbury	Walsh
Fletcher	Martine, N. J.	Shafroth	Warren
Gallinger	Myers	Sheppard	Weeks
Gore	Nelson	Sherman	White
Gronna	Newlands	Shields	Works
Hitchcock	Norris	Shively	

Mr. SHEPPARD. I wish to announce that the junior Senator from Mississippi [Mr. VARDAMAN] is unavoidably detained in Mississippi.

The VICE PRESIDENT. Seventy-five Senators have answered to the roll call. There is a quorum present.

SENATOR FROM KENTUCKY.

Mr. JAMES. Mr. President, I present the credentials of Hon. JOHNSON N. CAMDEN, elected a Senator from the State of Kentucky to fill the unexpired term of the late Senator Bradley. I ask that the credentials may be received and read.

The VICE PRESIDENT. Is there objection? The Chair hears none, and the Secretary will read the credentials.

The Secretary read the credentials of JOHNSON N. CAMDEN, chosen by the electors of the State of Kentucky a Senator of the United States for the remainder of the term ending March 3, 1915.

The VICE PRESIDENT. The credentials will be placed on file.

Mr. JAMES. Mr. CAMDEN is present in the Senate Chamber and ready to take the oath of office.

The VICE PRESIDENT. Is there any objection to the administration of the oath of office to the newly elected Senator from Kentucky? The Chair hears none, and the Senator elect will present himself at the desk.

Mr. CAMDEN was escorted to the Vice President's desk by Mr. JAMES; and the oath prescribed by law having been administered to him, he took his seat in the Senate.

LIST OF SENATORS.

The list of Senators by States is as follows:

Alabama—John H. Bankhead and Francis S. White.
Arizona—Henry F. Ashurst and Marcus A. Smith.
Arkansas—James P. Clarke and Joe T. Robinson.
California—George C. Perkins and John D. Works.
Colorado—John F. Shafroth and Charles S. Thomas.
Connecticut—Frank B. Brandegee and George P. McLean.
Delaware—Henry A. du Pont and Willard Saulsbury.
Florida—Nathan P. Bryan and Duncan U. Fletcher.
Georgia—Hoke Smith.
Idaho—William E. Borah and James H. Brady.
Illinois—James Hamilton Lewis and Lawrence Y. Sherman.
Indiana—John W. Kern and Benjamin F. Shively.
Iowa—Albert B. Cummins and William S. Kenyon.
Kansas—Joseph L. Bristow and William H. Thompson.
Kentucky—Johnson N. Camden and Ollie M. James.
Louisiana—Joseph E. Ransdell and John R. Thornton.
Maine—Edwin C. Burleigh and Charles F. Johnson.
Maryland—Blair Lee and John Walter Smith.
Massachusetts—Henry Cabot Lodge and John W. Weeks.
Michigan—William Alden Smith and Charles E. Townsend.
Minnesota—Moses E. Clapp and Knute Nelson.
Mississippi—John Sharp Williams and James K. Vardaman.
Missouri—James A. Reed and William J. Stone.
Montana—Henry L. Myers and Thomas J. Walsh.
Nebraska—Gilbert M. Hitchcock and George W. Norris.
Nevada—Francis G. Newlands and Key Pittman.
New Hampshire—Jacob H. Gallinger and Henry F. Hollis.
New Jersey—William Hughes and James E. Martine.
New Mexico—Thomas B. Catron and Albert B. Fall.
New York—James A. O'Gorman and Elihu Root.
North Carolina—Lee S. Overman and F. M. Simmons.
North Dakota—Asle J. Gronna and Porter J. McCumber.
Ohio—Theodore E. Burton and Atlee Pomerene.
Oklahoma—Thomas P. Gore and Robert L. Owen.
Oregon—George E. Chamberlain and Harry Lane.
Pennsylvania—George T. Oliver and Boies Penrose.
Rhode Island—LeBaron B. Colt and Henry F. Lippitt.
South Carolina—Ellison D. Smith and Benjamin R. Tillman.
South Dakota—Coe I. Crawford and Thomas Sterling.
Tennessee—Luke Lea and John K. Shields.
Texas—Charles A. Culberson and Morris Sheppard.
Utah—Reed Smoot and George Sutherland.
Vermont—William P. Dillingham and Carroll S. Page.
Virginia—Thomas S. Martin and Claude A. Swanson.
Washington—Wesley L. Jones and Miles Poindexter.
West Virginia—William E. Chilton and Nathan Goff.
Wisconsin—Robert M. La Follette and Isaac Stephenson.
Wyoming—Clarence D. Clark and Francis E. Warren.

NOTIFICATION TO THE HOUSE.

Mr. KERN submitted the following resolution (S. Res. 484), which was read, considered by unanimous consent, and agreed to:

Resolved, That the Secretary inform the House of Representatives that a quorum of the Senate is assembled and that the Senate is ready to proceed to business.

NOTIFICATION TO THE PRESIDENT.

Mr. KERN submitted the following resolution (S. Res. 486), which was read, considered by unanimous consent, and agreed to:

Resolved, That a committee consisting of two Senators be appointed to join such committee as may be appointed by the House of Representatives to wait upon the President of the United States and inform him that a quorum of each House is assembled, and that Congress is ready to receive any communication he may be pleased to make.

The VICE PRESIDENT appointed as the committee Mr. KERN and Mr. GALLINGER.

HOUR OF DAILY MEETING.

Mr. OVERMAN submitted the following resolution (S. Res. 485), which was read, considered by unanimous consent, and agreed to:

Resolved, That the hour of the daily meeting of the Senate be 12 o'clock meridian until otherwise ordered.

CREDENTIALS.

The VICE PRESIDENT. The Chair lays before the Senate the certificate of the governor of Kentucky certifying to the election of J. C. W. BECKHAM as a Senator from the State of Kentucky for the term beginning March 4, 1915. The same will be referred to the Committee on Privileges and Elections.

The VICE PRESIDENT presented the credentials of BENJAMIN F. SHIVELY, chosen by the electors of the State of Indiana a Senator from that State for the term beginning March 4, 1915, which were read and referred to the Committee on Privileges and Elections.

He also presented the credentials of JOHN WALTER SMITH, chosen by the electors of the State of Maryland a Senator from that State for the term beginning March 4, 1915, which were read and referred to the Committee on Privileges and Elections.

He also presented the credentials of HOKE SMITH, chosen by the electors of the State of Georgia a Senator from that State for the term beginning March 4, 1915, which were read and referred to the Committee on Privileges and Elections.

Mr. REED. Mr. President, I have the honor to present the certificate of election of Senator WILLIAM J. STONE to succeed himself for the term beginning the 4th day of March, 1915.

The credentials were read and referred to the Committee on Privileges and Elections.

Mr. ROBINSON. I present the certificate of election of JAMES P. CLARKE as United States Senator from the State of Arkansas for the term beginning March 4, 1915.

The credentials were read and referred to the Committee on Privileges and Elections.

Mr. HOLLIS. I present the credentials of JACOB H. GALLINGER, elected a Senator of the United States from the State of New Hampshire for the term beginning March 4, 1915.

The credentials were read and referred to the Committee on Privileges and Elections.

Mr. BANKHEAD. I present the certificate of election of OSCAR W. UNDERWOOD by the electors of the State of Alabama as a Senator from that State for the term beginning March 4, 1915.

The credentials were read and referred to the Committee on Privileges and Elections.

Mr. OLIVER. I present the credentials of my colleague [Mr. PENROSE], elected as a Senator from the State of Pennsylvania for the term beginning March 4, 1915.

The credentials were read and referred to the Committee on Privileges and Elections.

REPORT OF SECRETARY OF SENATE.

The VICE PRESIDENT laid before the Senate a communication from the Secretary of the Senate, transmitting, pursuant to law, a full and complete account of all property, including stationery, belonging to the United States in his possession on the 7th day of December, 1914, which, with the accompanying paper, was referred to the Committee on Printing.

He also laid before the Senate a communication from the Secretary of the Senate, transmitting, pursuant to law, a full and complete statement of the receipts and expenditures of the Senate, showing in detail the items and expense under proper appropriations, the aggregate thereof, and exhibiting the exact condition of all public moneys received, paid out, and remaining in his possession from July 1, 1913, to June 30, 1914, which, with the accompanying paper, was referred to the Committee on Printing.

REPORT OF SERGEANT AT ARMS.

The VICE PRESIDENT laid before the Senate a communication from the Sergeant at Arms of the Senate, transmitting a full and complete account of all property in his possession and in the Senate Office Building belonging to the United States Senate, which, with the accompanying paper, was ordered to lie on the table.

He also laid before the Senate a communication from the Sergeant at Arms of the Senate, transmitting a statement of the proceeds derived from the sale of certain property belonging to the United States, which was ordered to lie on the table.

NOBEL PEACE PRIZE (S. DOC. NO. 626).

The VICE PRESIDENT laid before the Senate a communication from the Secretary of State, transmitting a circular issued by the Nobel committee, furnishing information as to the distribution of the Nobel peace prize for the year 1915, which, with the accompanying paper, was referred to the Committee on Foreign Relations and ordered to be printed.

THE INCOME TAX (S. DOC. NO. 623).

The VICE PRESIDENT laid before the Senate a communication from the Secretary of the Treasury, transmitting, in response to a resolution of October 8, 1914, a part of the preliminary report of the Commissioner of Internal Revenue, showing the amount of revenue derived from the income tax classified by States for the last fiscal year, which, with the accompanying paper, was referred to the Committee on Finance and ordered to be printed.

TRAVEL PAY OF EMPLOYEES IN WAR DEPARTMENT (S. DOC. NO. 624).

The VICE PRESIDENT laid before the Senate a communication from the Secretary of War, transmitting, pursuant to law, a statement showing the number of officers or employees of the War Department who are paid from appropriations for travel on official business from Washington to points outside of the District of Columbia during the fiscal year ended June 30, 1914, etc., which, with the accompanying paper, was referred to the Committee on Appropriations and ordered to be printed.

BUREAU OF CHEMISTRY (S. DOC. NO. 625).

The VICE PRESIDENT laid before the Senate a communication from the Secretary of Agriculture, transmitting, pursuant to law, a detailed report of all sums paid by the Bureau of Chemistry for compensation or payment of expenses of officers or other persons employed by State, county, or municipal governments during the fiscal year ended June 30, 1914, which, with the accompanying paper, was referred to the Committee on Agriculture and Forestry and ordered to be printed.

INTERSTATE COMMERCE COMMISSION.

The VICE PRESIDENT laid before the Senate a communication from the Interstate Commerce Commission, transmitting, pursuant to law, a statement in regard to the purchase of typewriting machines during the first three months of the fiscal year 1915, which was referred to the Committee on Appropriations.

CIVIL SERVICE COMMISSION.

The VICE PRESIDENT laid before the Senate a communication from the Civil Service Commission, transmitting, pursuant to law, a statement in regard to the purchase of typewriting machines during the first three months of the fiscal year 1915, which was referred to the Committee on Appropriations.

REPORT OF COMMISSIONERS OF THE DISTRICT OF COLUMBIA.

The VICE PRESIDENT laid before the Senate the annual report of the Commissioners of the District of Columbia for the fiscal year ended June 30, 1914, which was referred to the Committee on the District of Columbia.

REPORT OF DISTRICT EXCISE BOARD.

The VICE PRESIDENT laid before the Senate the annual report of the Excise Board for the District of Columbia for the fiscal year ended June 30, 1914, which was referred to the Committee on the District of Columbia.

REPORT OF PUBLIC PRINTER (S. DOC. NO. 622).

The VICE PRESIDENT laid before the Senate the annual report of the Public Printer for the fiscal year ended June 30, 1914, which was referred to the Committee on Printing.

RECESS.

Mr. KERN. I move that the Senate take a recess until 3 o'clock this afternoon.

The motion was agreed to, and (at 12 o'clock and 25 minutes p. m.) the Senate took a recess until 3 o'clock p. m., when it reassembled.

SENATOR FROM GEORGIA.

Mr. SMITH of Georgia. Mr. President, I send to the desk, and thereby present to the Senate, the certificate of the governor of Georgia showing that Hon. THOMAS W. HARDWICK has been duly chosen by the electors of the State as a Senator from the State of Georgia.

The Secretary read the credentials of Hon. THOMAS W. HARDWICK, chosen by the electors of the State of Georgia a Senator of the United States for the remainder of the term ending March 3, 1919.

The VICE PRESIDENT. The credentials will be placed on file.

Mr. SMITH of Georgia. Mr. HARDWICK is in the Senate Chamber, and I suggest that he be sworn in at this time.

The VICE PRESIDENT. Is there any objection to the administration of the oath? The Chair hears none, and the Senator elect will present himself at the desk for that purpose.

Mr. HARDWICK was escorted to the Vice President's desk by Mr. SMITH of Georgia; and the oath prescribed by law having been administered to him, he took his seat in the Senate.

MESSAGE FROM THE HOUSE.

Mr. South, the Chief Clerk of the House of Representatives, appeared and delivered the following message:

Mr. President, I am directed by the House of Representatives to inform the Senate that a quorum of the House of Representatives has assembled and that the House is ready for business.

Also, that a committee of three were appointed by the Speaker on the part of the House of Representatives to join with the committee on the part of the Senate to wait on the President of the United States to notify him that a quorum of the two Houses has assembled and that Congress is ready to receive any communication that he may be pleased to make, and that Mr. UNDERWOOD, Mr. FITZGERALD, and Mr. MANN were appointed as the committee on the part of the House.

The message also announced that the House had agreed to a concurrent resolution providing that the two Houses of Congress assemble in the Hall of the House of Representatives on Tuesday, the 8th day of December, 1914, at 12 o'clock and 30 minutes in the afternoon, for the purpose of receiving such communications as the President of the United States shall be pleased to make them, in which it requested the concurrence of the Senate.

The message further communicated to the Senate the intelligence of the death of Hon. EDWIN A. MERRITT, Jr., late a Representative from the State of New York, and transmitted resolutions of the House thereon.

NOTIFICATION TO THE PRESIDENT.

Mr. KERN. Mr. President, the joint committee of the two Houses appointed to wait upon the President of the United States and inform him of the organization of the two Houses of Congress and inquire if he has any communication to make thereto, beg leave to report that we have performed our duty and waited upon the President, and he has informed us that it will be his pleasure to deliver his message in person to both Houses of Congress in joint session to-morrow at 12.30 o'clock p. m.

JOINT MEETING OF THE TWO HOUSES.

The VICE PRESIDENT laid before the Senate the following concurrent resolution (No. 53) of the House of Representatives, which was read:

Resolved by the House of Representatives (the Senate concurring), That the two Houses of Congress assemble in the Hall of the House of Representatives on Tuesday, the 8th day of December, 1914, at 12 o'clock and 30 minutes in the afternoon, for the purpose of receiving such communications as the President of the United States shall be pleased to make them.

Mr. KERN. I ask that the Senate adopt the resolution.

The concurrent resolution was considered by unanimous consent and agreed to.

MEMORIAL ADDRESSES ON THE LATE SENATOR BACON.

Mr. SMITH of Georgia. Mr. President, during the last session of Congress I gave notice that on to-morrow I would bring to the attention of the Senate resolutions commemorative of the life and services of my late colleague, Hon. AUGUSTUS O. BACON. As the message of the President will be delivered to-morrow and for other reasons I desire to change the time by postponing it until Thursday, December 17, immediately after the close of the morning business.

ALLEGED USE OF MEXICAN FUNDS.

Mr. ROBINSON. I ask unanimous consent for the present consideration of a resolution, which I send to the desk.

The VICE PRESIDENT. The Secretary will read the resolution.

The resolution (S. Res. 487) was read, as follows:

Whereas the Washington Post of this date contains the following statement:

"$75,000 PAID UNITED STATES SENATORS BY CARRANZA TO HAVE TROOPS QUIT VERA CRUZ, SAYS REPORT.

[Special cable to the Washington Post.]

"MEXICO CITY, *December 6.*

"Seventy-five thousand dollars in gold was paid by Carranza to two United States Senators for their influence in bringing about the evacuation of Vera Cruz by American troops, according to correspondence left behind in the looted national treasury by Carranzista officials, when they fled from the capital. It is impossible to ascertain from the documents containing the record of the payment the names of the Senators, but the fact remains that the books of the treasury contain an entry that this sum was paid over to two Members of the Senate about a week before November 23, when Gen. Funston led his forces out of Vera Cruz by order of the War Department.

"CABLED TO ZUBARAN, SAYS REPORT.

"When the treasury was taken over by the government that came after Carranza's brief but disastrous essay at controlling national affairs attention was called to an item of $75,000 gold disbursed by Signor Reynoso, finance minister, for 'extraordinary diplomatic expenses.' Search, impelled by curiosity, to ascertain what this extraordinary diplomatic expense might be that involved the expenditure of such a large sum revealed that the money had been transmitted by Carranza's order to Rafael Zubaran, chief of the Carranzista junta in Washington.

"Further investigation developed that apparently Zubaran had informed Carranza that it was necessary to employ 'financial stimulus' in order to render it certain that President Wilson would not recede from his expressed determination to withdraw the American troops on November 23.

"FEARED TROOPS MIGHT REMAIN.

"Carranza feared, according to an employee of the treasury, that the prospect of hostilities between his troops and those of the convention might incline the President to permit the troops to remain at Vera Cruz indefinitely. Manifestly this would prove highly embarrassing to Carranza in the accomplishment of his plan to retreat from Mexico City and establish his capital at Vera Cruz.

"Seemingly Carranza thought it well worth while to spend $75,000 to insure his avenue of escape. When the money was recorded as paid he already had abandoned the capital and could not return here should Vera Cruz remain closed to him through the presence of United States troops there.

"DOUBT CAST ON STORY.

"Doubts are held here as to whether the money ever was paid to Senators, as alleged. It is quite possible the entry might have been made on the books and the story concocted to account for the diverting of the sum in other directions, although the treasury employees who were connected with the Carranza administration insist that the money was cabled to Zubaran, to be used to influence Senators."

Resolved, That the Committee on Foreign Relations call before it the said Zubaran and investigate the report contained in the press of this instant that $75,000 is alleged to have been paid by the Carranza régime or its representatives to two United States Senators to cause or induce the withdrawal of United States troops from Vera Cruz, and that said committee report its findings and recommendations to the Senate.

The VICE PRESIDENT. Is there any objection to the present consideration of the resolution?

Mr. GALLINGER. Mr. President, I think the resolution may well go over. It strikes me that it is a matter that we ought not to dignify as is proposed in the resolution, and yet some of us may come to a different conclusion by to-morrow. I ask that it may go over.

The VICE PRESIDENT. There being objection, the resolution will go over.

Mr. STONE. Mr. President, before the resolution goes over I wish to say a word.

I doubt whether it is wise or advisable for the Senate or Senators to treat seriously an anonymous and scandalous statement of this kind. Since it has been brought before the Senate in this form, however, it may be well to let it go to a committee. I rise merely to say that I hope my friend from Arkansas will impose the duty of making this investigation upon some other committee than the Committee on Foreign Relations. There is no special reason of which I have knowledge why this resolution should go to that committee, and I object to that reference for the reason that that committee now has before it some important business which ought to have the attention of the committee without delay. The consideration of that business should not be interfered with by this proposed investigation.

Mr. PENROSE and Mr. ROBINSON addressed the Chair.

Mr. STONE. There are other committees which I am sure have not any immediately pressing business before them, and in the circumstances I should like to have the Foreign Relations Committee excused from the labor of investigating a thing like this.

Mr. ROBINSON. Mr. President——

The VICE PRESIDENT. Does the Senator from Missouri yield to the Senator from Arkansas?

Mr. STONE. In a moment. I yield first to the Senator from Pennsylvania, who rose first.

Mr. PENROSE. I should like to ask the Senator from Missouri, if he does not care to take jurisdiction over this resolu-

tion, whether he would have any objection to having it referred to the Committee on Additional Accommodations for the Library of Congress?

Mr. STONE. What committee?

Mr. PENROSE. I am surprised that the Senator has not heard of it. I am chairman of it. [Laughter.] It is the committee to consider and provide for additional accommodations for the Library of Congress.

Mr. STONE. I am perfectly willing to have it go to that committee, since the Senator seems anxious to have that course taken.

Mr. PENROSE. That committee has not had a bill or a resolution before it or a meeting during the present Congress. If we are to take notice of every scurrilous and fugitive statement in newspapers, perhaps that committee will soon have more to do than it will be able to do.

Mr. STONE. But it ought to have something to do.

Mr. PENROSE. It ought to have something. I hope the chairman of the Foreign Relations Committee will consider the suggestion I make to him.

Mr. ROBINSON. Mr. President, will the Senator yield to me for a brief statement?

Mr. STONE. I yield.

Mr. ROBINSON. First, with reference to sending the resolution to another committee than Foreign Relations, I will state to the Senator from Missouri and to the Senate that as originally prepared the resolution contemplated that the matter should be heard by a special committee; but after consultation with a number of Senators the suggestion was made to me that the resolution should properly go to the Committee on Foreign Relations, and I amended the resolution in that and in other ways before presenting it to the Senate.

The Senator from Pennsylvania [Mr. PENROSE] impliedly belittles the importance of the resolution, if I correctly understood his interruption of the Senator from Missouri, and the Senator from Missouri impliedly resents the introduction of the resolution. I will state to the Senator from Missouri and to those who are interested in the subject that the resolution was not introduced by me lightly or carelessly, but only after very careful consideration of the matter. The newspaper article, which is published in one of the leading dailies of the United States, mentions the minister of finance of Mexico, of the Carranzista régime, as having paid to a reputed lobbyist representing the Carranza government in the city of Washington the sum of money, $75,000; and the statement is also contained in the article that the books of the Carranza government show that this sum of money was paid by the minister of finance to this reputed lobbyist for the purpose of influencing two United States Senators.

Some Senators may find that a matter to be laughed at; they may think that that statement is not of sufficient importance to notice; but when the name of a public official is given, when it is claimed that the records show that such a payment was made to a lobbyist for a corrupt purpose, I think it is the duty of the Senate to call before it this lobbyist and ascertain whether such a payment was made to him, and make him divulge fully what he knows concerning the matter.

There is and there can be neither an express nor an implied reflection on the United States Senate in the introduction or the passage of this resolution. When a great newspaper which has a circulation throughout this city and in many parts of the United States makes the declaration in glaring headlines that $75,000 was paid to two United States Senators to cause the withdrawal of troops from the city of Vera Cruz, involving the foreign relations of the Government of the United States, and when the records of that foreign Government purport to show the payment to one of its lobbyists for a purpose of that character, I think the Senate may with propriety, and in justice to itself, take such action as will disclose whether the declaration is unfounded.

Mr. GALLINGER. Mr. President——

Mr. ROBINSON. I yield to the Senator from New Hampshire.

Mr. GALLINGER. I read the article in the newspaper this morning and heard it read from the desk, but I do not recall that it said that the money was sent to a lobbyist. Is that correct? Is the Senator sure of that?

Mr. ROBINSON. It uses the name of Mr. Zubaran, who, it declares, is the representative of the Carranzista government in the city of Washington. It does not use the word "lobbyist." I used the term "reputed lobbyist."

Mr. GALLINGER. Then, if that be so, I will ask the Senator if he does not think the celebrated lobby committee, which has been struggling with these momentous questions for nearly a year, ought to take up this matter and call that gentleman before it?

Mr. ROBINSON. I was just about to say in the beginning, in reply to the statement made by the Senator from Missouri, that I have no choice as to where this resolution shall be sent. I have no objection to the lobby committee investigating it, or the Committee on Privileges and Elections, or any other committee of the Senate, but I do think the Senate can not afford to ignore the statement.

Mr. STONE. Mr. President, if my friend from Arkansas will permit me——

Mr. ROBINSON. With pleasure.

Mr. STONE. My reason for asking that the resolution be referred to some other committee was the one I gave a moment ago. There is a committee, named by the Senator from Pennsylvania [Mr. PENROSE], that has nothing to do, and the chairman of the committee seems to want this business [laughter]; and then there is a committee especially named to investigate just such things as this.

Mr. ROBINSON. If the Senator will yield to me for just a moment, I have no objection whatever to the resolution going to the committee on investigation of the lobby. I should object to its going to the Committee on Additional Accommodations for the Library of Congress or the Committee on the Disposition of Useless Papers in the Executive Departments.

I ask unanimous consent that the resolution be referred to the committee on the lobby.

Mr. GALLINGER. Mr. President, in view of that request, I withdraw my objection to the present consideration of the resolution. I think it may well go to the lobby investigating committee. That committee has been so fruitful in results up to the present time that I am sure we shall derive some benefit from the investigation of this evil that is said to have been perpetrated.

The VICE PRESIDENT. Is there any objection?

Mr. SMOOT. Mr. President, as far as I am concerned, I should like to prevent the resolution from going to any committee; and it is upon that ground that I shall object to its going to the committee named.

I wonder if the time will ever come when the Senate of the United States will cease taking notice of such newspaper statements made against itself, with no basis whatever for them. I think that as long as we take recognition of such statements, and have action taken by the Senate referring them to committees, the people of the country will at least think there is something in the charges and will have less respect for the body than they ought to have.

For that reason I object to the resolution going to a committee, and I hope that this resolution and all similar resolutions will be defeated in the future.

The VICE PRESIDENT. There being objection, the resolution will lie over.

PETITIONS AND MEMORIALS.

The VICE PRESIDENT presented a memorial adopted by the Chesapeake Conference of the Seventh-day Adventists, held at Baltimore, Md., remonstrating against the enactment of legislation compelling the observance of Sunday as a day of rest, which was referred to the Committee on the Judiciary.

He also presented a petition of sundry members of Cushman's Brigade, Civil War Veterans, of Chicago, Ill., praying for national prohibition, which was referred to the Committee on the Judiciary.

He also presented petitions of Evangelical Lutheran Tennessee Synod of Virginia, North Carolina, and South Carolina; of the New England Synod of the Presbyterian Church in the United States; and of sundry citizens of West Liberty, Pittsburgh, Beaver Falls, Parnassus, Hanover, Ellwood City, Vandergrift, Beaver, New Kensington, Arnold, Valencia, and New Galilee, all in the State of Pennsylvania; of Marysville, Arkansas City, Bucklin, Spearville, Dodge City, Garnette, and Clifton, all in the State of Kansas; of Chillicothe, Dayton, and White Cottage, in the State of Ohio; of Hedrick and Cedar Rapids, in the State of Iowa; of Idaho Falls, Nampa, and Moscow, in the State of Idaho; of Nokomis and Bloomington, in the State of Illinois; of Lewiston and Billings, in the State of Montana; of Battle Creek, Midland, and Kalamazoo, in the State of Michigan; of Cleveland, Tenn.; of Newark, N. J.; of Los Angeles, Cal.; of Middletown, N. Y.; of Davis, S. Dak.; of Lafayette, Ind.; of Chicota, Tex.; of Fort Morgan, Colo.; and of Tarkio, Mo., praying for the adoption of an amendment to the Constitution to prohibit polygamy, which were referred to the Committee on the Judiciary.

Mr. GALLINGER presented petition of State Council of New Hampshire, Junior Order United American Mechanics; of Granite Council, No. 13, Order United American Mechanics, of New Boston, N. H.; and Patriot Council, No. 80, Daughters of Liberty, of Jersey City, N. J., praying for the enactment of legis-

lation to further restrict immigration, which were ordered to lie on the table.

Mr. MYERS presented a petition of the Montana Civic Association, of Billings, Mont., praying that the Crow Indian Reservation be opened to white settlement, which was referred to the Committee on Indian Affairs.

Mr. WORKS presented petitions of sundry members of Sunday schools and church organizations in the District of Columbia, praying for the enactment of legislation to prohibit the manufacture and sale of intoxicating liquors in the District of Columbia, which were referred to the Committee on the District of Columbia.

Mr. THOMPSON presented memorials of Topeka Council, No. 42, Order of United Commercial Travelers of America, of Topeka; of Parsons Council, No. 96, Order of United Commercial Travelers of America, of Parsons; and of Wichita Council, No. 39, Order of United Commercial Travelers, of Wichita, all in the State of Kansas, remonstrating against any increase in price of mileage books on railroads, which were referred to the Committee on Interstate Commerce.

Mr. McLEAN presented a petition of Leeds Council, No. 16, Order United American Mechanics, of Stamford, Conn., praying for the enactment of legislation to further restrict immigration, which was ordered to lie on the table.

Mr. LODGE presented a petition of the American Defense League, of New York City, N. Y., praying for an investigation into the military preparedness of the United States, which was referred to the Committee on Military Affairs.

Mr. ROBINSON presented a petition of the Woman's Christian Temperance Union of Paragould, Ark., praying for national prohibition, which was referred to the Committee on the Judiciary.

Mr. ROOT presented petitions of sundry citizens of New York City and Syracuse, in the State of New York, praying for the restoration of a protective tariff to all American industries, which were referred to the Committee on Finance.

BILLS AND JOINT RESOLUTION INTRODUCED.

Bills and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. POMERENE:

A bill (S. 6687) to authorize the Chesapeake & Ohio Northern Railway Co. to construct a bridge across the Ohio River a short distance above the mouth of the Little Scioto River, between Scioto County, Ohio, and Greenup County, Ky., at or near Sciotoville, Ohio; to the Committee on Commerce.

By Mr. GORE:

A bill (S. 6689) making appropriation for the arrest and eradication of the foot-and-mouth disease, and for other purposes; to the Committee on Agriculture and Forestry.

By Mr. CHAMBERLAIN:

A bill (S. 6690) to place certain officers of the Army on the retired list; and

A bill (S. 6691) to establish a council of national defense; to the Committee on Military Affairs.

By Mr. McCUMBER:

A bill (S. 6692) to facilitate farm credits and decrease interest charges on farm securities; to the Committee on Banking and Currency.

A bill (S. 6693) granting an increase of pension to Helen A. Underhill; to the Committee on Pensions.

By Mr. GALLINGER:

A bill (S. 6694) granting an increase of pension to John W. Fletcher (with accompanying papers); and

A bill (S. 6695) granting an increase of pension to Susan E. Holt (with accompanying papers); to the Committee on Pensions.

By Mr. OLIVER:

A bill (S. 6696) granting an increase of pension to Amanda E. Bateman (with accompanying papers); to the Committee on Pensions.

By Mr. WORKS:

A bill (S. 6697) granting a pension to Annie R. Chaffee (with accompanying papers); and

A bill (S. 6698) granting a pension to Ammazetta L. Nettleton (with accompanying papers); to the Committee on Pensions.

By Mr. SUTHERLAND:

A bill (S. 6699) granting a pension to Louis Hagenbucher; to the Committee on Pensions.

By Mr. KENYON:

A bill (S. 6700) appropriating $2,250,000 for the use of the Department of Agriculture in eradicating the foot-and-mouth disease; to the Committee on Agriculture and Forestry.

A bill (S. 6701) granting an increase of pension to Byron C. Davis;

A bill (S. 6702) granting an increase of pension to Walter Morrell;

A bill (S. 6703) granting an increase of pension to James W. Jacobs; and

A bill (S. 6704) granting an increase of pension to John W. Rankin; to the Committee on Pensions.

By Mr. GRONNA:

A bill (S. 6705) granting an increase of pension to Andrew J. Hall (with accompanying papers);

A bill (S. 6706) granting an increase of pension to Thomas Harrison; and

A bill (S. 6707) granting an increase of pension to Gordon H. Shepard (with accompanying papers); to the Committee on Pensions.

By Mr. BURTON:

A bill (S. 6709) to reimburse the Navajo Lumber & Timber Co. of Arizona for a deposit made to cover the purchase of timber (with accompanying papers); and

A bill (S. 6710) to reimburse the Navajo Timber Co. of Delaware for a deposit made to cover the purchase of timber; to the Committee on Claims.

A bill (S. 6711) granting an increase of pension to Robert S. Thomas; to the Committee on Pensions.

By Mr. SHEPPARD:

A bill (S. 6713) requiring railroad companies to equip passenger trains with physicians' emergency cases; to the Committee on Interstate Commerce.

A bill (S. 6714) to promote the increased consumption of cotton in the United States; to the Committee on Agriculture and Forestry.

By Mr. ROOT:

A bill (S. 6715) granting an increase of pension to Charles Wickliffe (with accompanying papers); to the Committee on Pensions.

By Mr. PENROSE:

A bill (S. 6716) to correct the military record of Daniel Graeber;

A bill (S. 6717) for the relief of Thomas H. Reed; and

A bill (S. 6718) to correct the military record of John W. Grayham; to the Committee on Military Affairs.

A bill (S. 6719) granting a pension to John Pattison;

A bill (S. 6720) granting a pension to Charles J. Steiner;

A bill (S. 6721) granting a pension to Der G. Walter;

A bill (S. 6722) granting a pension to Laura D. McIntire;

A bill (S. 6723) granting an increase of pension to Samuel C. Burkholder;

A bill (S. 6724) granting a pension to Ella E. Crouch;

A bill (S. 6725) granting an increase of pension to W. H. Musser;

A bill (S. 6726) granting an increase of pension to Egbert Hall;

A bill (S. 6727) granting an increase of pension to Isaac J. Smith;

A bill (S. 6728) granting an increase of pension to John Wonderly;

A bill (S. 6729) granting an increase of pension to George Krone;

A bill (S. 6730) granting a pension to Gottlieb Long;

A bill (S. 6731) granting a pension to Mahlon Bostwick;

A bill (S. 6732) granting a pension to Mary E. Walls;

A bill (S. 6733) granting a pension to Robert S. Smylie, jr.;

A bill (S. 6734) granting an increase of pension to Andrew B. Wagner;

A bill (S. 6735) granting a pension to N. E. Millender;

A bill (S. 6736) granting an increase of pension to Foster W. Davis;

A bill (S. 6737) granting an increase of pension to Kilian Grim;

A bill (S. 6738) granting an increase of pension to John Williams;

A bill (S. 6739) granting a pension to Margaret E. May;

A bill (S. 6740) granting a pension to Alice J. Harris;

A bill (S. 6741) granting an increase of pension to Philip Nace;

A bill (S. 6742) granting a pension to John A. Painter;

A bill (S. 6743) granting an increase of pension to Charles Stocker, jr.;

A bill (S. 6744) granting a pension to Arthur E. Lanston;

A bill (S. 6745) granting a pension to George Hanes, jr.;

A bill (S. 6746) granting an increaes of pension to Peter M. Smith;

A bill (S. 6747) granting an increase of pension to C. F. Cooken (with accompanying papers);

A bill (S. 6748) granting an increase of pension to William W. Hampton (with accompanying papers);

A bill (S. 6749) granting a pension to Ellwood C. Dixon (with accompanying papers);

A bill (S. 6750) granting a pension to James N. Ragar (with accompanying papers); and

A bill (S. 6751) granting an increase of pension to Jane C. Vansciver (with accompanying papers); to the Committee on Pensions.

By Mr. MYERS:

A bill (S. 6752) to remodel the public building at Billings, Mont., so as to accommodate the United States court, and for other purposes; to the Committee on Public Buildings and Grounds.

By Mr. SHAFROTH:

A bill (S. 6753) to regulate the quantity of coal lands which may be entered or controlled by associations or corporations; to the Committee on Public Lands.

By Mr. KERN:

A bill (S. 6754) for the relief of Jacob Davis (with accompanying papers); and

A bill (S. 6755) for the relief of Charles E. H. Braley (with accompanying papers); to the Committee on Military Affairs.

A bill (S. 6756) granting a pension to George Beals (with accompanying papers);

A bill (S. 6757) granting an increase of pension to Stephen W. Cottingham (with accompanying papers);

A bill (S. 6758) granting an increase of pension to Joseph D. Sovern (with accompanying papers);

A bill (S. 6759) granting an increase of pension to David Phillips (with accompanying papers);

A bill (S. 6760) granting an increase of pension to John M. Denton (with accompanying papers);

A bill (S. 6761) granting an increase of pension to Simeon L. Wilson (with accompanying papers);

A bill (S. 6762) granting an increase of pension to Joseph H. Wilson (with accompanying papers);

A bill (S. 6763) granting an increase of pension to John R. Thompson (with accompanying papers);

A bill (S. 6764) granting an increase of pension to Willard D. Cook (with accompanying papers);

A bill (S. 6765) granting an increase of pension to Samuel Franklin, jr. (with accompanying papers);

A bill (S. 6766) granting a pension to Richard B. Sturgeon (with accompanying papers);

A bill (S. 6767) granting a pension to Hardin Howe (with accompanying papers);

A bill (S. 6768) granting an increase of pension to William Banta (with accompanying papers); and

A bill (S. 6769) granting a pension to Sarah M. Clegg (with accompanying papers); to the Committee on Pensions.

By Mr. BANKHEAD:

A bill (S. 6770) to amend the act approved June 25, 1910, authorizing a postal savings system; to the Committee on Post Offices and Post Roads.

By Mr. McLEAN:

A bill (S. 6771) granting an increase of pension to Anna M. Holt (with accompanying papers);

A bill (S. 6772) granting an increase of pension to Harriet A. Rowe (with accompanying papers); and

A bill (S. 6773) granting an increase of pension to Fitzhugh S. Hoag (with accompanying papers); to the Committee on Pensions.

By Mr. ROBINSON:

A bill (S. 6774) granting a pension to Stephen Konicka, to the Committee on Pensions.

By Mr. LODGE:

A bill (S. 6775) further to regulate the entrance of Chinese aliens into the United States; to the Committee on Immigration.

By Mr. SHEPPARD:

A joint resolution (S. J. Res. 203) to increase and popularize the use of cotton materials in the United States by directing the executive departments to purchase same wherever practicable and to the manifest interest of the Government, and by requesting companies, firms, and individuals to make purchases with the same object in view; to the Committee on Agriculture and Forestry.

INTERNAL-REVENUE COLLECTIONS.

Mr. POMERENE. I introduce a bill to supplement the act to increase the internal revenue, and for other purposes, approved October 22, 1914, and I ask that it be read at length.

The VICE PRESIDENT. Is there objection to the reading of the bill? The Chair hears none, and the Secretary will read it.

The bill (S. 6686) to supplement an act entitled "An act to increase the internal revenue, and for other purposes," approved October 22, 1914, was read the first time by its title and the second time at length, as follows:

Be it enacted, etc., That the act of Congress entitled "An act to increase the internal revenue, and for other purposes," approved October 22, 1914, be, and the same hereby is, supplemented so as to provide as follows:

That no penalties shall be levied, assessed, imposed, or collected for failure to make such returns for taxation as by the terms of said act are required to be made on or before December 1, 1914, or for failure to affix stamps where they can not with reasonable diligence be obtained, or to pay the taxes required to be paid on or before December 1, 1914: *Provided*, That said returns shall be made and stamps affixed, where practicable, or taxes paid on or before January 1, 1915: *And provided further*, That where penalties may have been assessed on or before January 1, 1915, they shall be canceled and surrendered, and where they may have been collected or paid on or before January 1, 1915, they shall be refunded by the Commissioner of Internal Revenue.

Mr. POMERENE. Mr. President, the purpose of the bill is apparent. The act was approved the latter part of October. Certain schedules went into effect early in November, and other payments of taxes were to be made on or before December 1. Deputies were not appointed in many instances until about November 20. It was a physical impossibility for the collectors throughout the country or their deputies to visit the business people who were subject to the taxes during that time. The department has found it impossible even to furnish all the necessary stamps, and it occurs to me that it would be very unjust under these circumstances to assess penalties. The object of the bill is to prevent the collection or assessment of penalties on any taxes which may become due or collectible on or before January 1, 1915. I hope that we may have an early report from the Finance Committee upon the subject.

The VICE PRESIDENT. The bill will be referred to the Committee on Finance.

EXPORTATION OF ARMS, AMMUNITION, ETC.

Mr. HITCHCOCK. I introduce a bill which I ask to have read for the information of the Senate.

The VICE PRESIDENT. Is there objection to the reading of the bill? The Chair hears none, and the Secretary will read it.

The bill (S. 6688) to prohibit individuals, partnerships, or corporations in the United States from selling arms, ammunition, artillery, and explosives of any kind for exportation during the existence of war except upon proof that said arms, ammunition, artillery, and explosives are not to be used in said war against a country with which the United States is at peace, was read the first time by title and the second time at length, as follows:

Be it enacted, etc., That it shall be unlawful and treated as a breach of the neutrality laws of the United States for any person, partnership, or corporation to sell, or contract to sell, or deliver, or contract to deliver, during the existence of war between nations with which the United States is at peace, any arms, ammunition, artillery, and explosives of any kind whatsoever to be used against a country or nation with which the United States is at peace; and during the existence of war it shall be unlawful to sell for exportation or to export arms, ammunition, artillery, and explosives except upon filing with the Secretary of Commerce satisfactory sworn proof that said arms, ammunition, artillery, and explosives are not intended to be used in violation of this act.

Any person violating this act shall be fined not more than $100,000 and imprisoned not more than three years, and any arms, ammunition, artillery, and explosives the exportation of which is attempted in violation of this act shall be forfeited, one-half to the use of the informer and one-half to the use of the United States.

The VICE PRESIDENT. The bill will be referred to the Committee of Foreign Relations.

EMPLOYMENT OF ARMED MEN BY CORPORATIONS, ETC.

By Mr. MARTINE of New Jersey:

A bill (S. 6708) to prohibit the employment of armed men for any purpose by corporations or associations of any kind.

Mr. MARTINE of New Jersey. Mr. President, about a year ago I introduced a bill of a similar character and it was referred to the Committee on the Judiciary, but it seems to be sleeping the sleep that knows no waking. However, in view of the recent disturbances in Colorado that have aroused the feeling of the public generally and even of the President of the United States, I trust that the committee will find it wise to act upon this bill at an early date. I ask that the bill be referred to the Committee on the Judiciary.

The VICE PRESIDENT. The bill will be referred to the Committee on the Judiciary.

DEVELOPMENT OF WATER POWERS.

Mr. JONES. Mr. President, early in the present Congress I introduced a bill to regulate the development of water power on public lands in connection with nonnavigable streams. That

bill was referred to the Committee on Irrigation, and we held several meetings and several changes were suggested in it. I have also given it further consideration myself.

A bill relating to this same subject has come from the House and is now pending before the Committee on Public Lands of the Senate. I understand meetings will be held in a day or two upon it. I have prepared a bill in line with the changes suggested in the Irrigation Committee and other changes that have occurred to me. I desire to introduce a bill and have it referred to the Committee on Public Lands, so that it may be considered in connection with the bill that has come over from the House.

The bill (S. 6712) to aid and to regulate the development, operation, and maintenance of water powers on lands of the United States, and for other purposes, was read twice by its title and referred to the Committee on Public Lands.

NATIONAL SECURITY COMMISSION.

Mr. LODGE. I introduce a joint resolution which I ask may lie on the table subject to call. I ask that it be read.

The VICE PRESIDENT. Is there objection? The Chair hears none, and the Secretary will read the joint resolution.

The joint resolution (S. J. Res. 202) providing for a national security commission was read the first time by title and the second time at length, as follows:

Resolved, etc., That a commission is hereby created to be called the national security commission, consisting of three Senators, to be appointed by the President of the Senate, and three Members of the House of Representatives, to be appointed by the Speaker of the House of Representatives, and three persons to be appointed by the President of the United States. Said commission shall make full investigation, by subcommittee or otherwise, into the question of the preparedness of the United States for war, defensive or offensive. Said commission shall report to the Congress its findings and shall make such recommendations as in its judgment may seem proper.

For the purpose of said investigation said commission is authorized to send for persons and papers, to make all necessary travel, either in the United States or any foreign country, and to administer oaths. Such sums of money as may be necessary to carry out the purposes of this resolution are hereby appropriated out of any money in the Treasury not otherwise appropriated: *Provided*, That not more than one Senator and one Member of the House of Representatives appointed on said commission shall be a member either of the Committee on Military Affairs or of the Committee on Naval Affairs of their respective bodies.

Mr. LEWIS. Mr. President, will the Senator from Massachusetts permit me to suggest an amendment to his resolution?

Mr. LODGE. I asked that the joint resolution might lie on the table. I did not mean to ask for any action on it at this moment. I asked that it might lie on the table subject to call, because I desire later to say something in regard to the resolution. It will be open to amendment at any time subsequently.

Mr. LEWIS. The Senator from Massachusetts had no intention of having it considered at this time?

Mr. LODGE. None whatever.

Mr. LEWIS. Then I will not, of course, intrude any amendment now.

The VICE PRESIDENT. The joint resolution will lie on the table.

MILITARY RESERVES.

Mr. LODGE. Mr. President, on behalf of my colleague, Mr. WEEKS, I desire to give notice that on Friday next, immediately after the conclusion of the morning business, my colleague will ask permission of the Senate to address the Senate on the question of military reserves.

FOOT-AND-MOUTH DISEASE.

Mr. POMERENE. Mr. President, I send to the desk a resolution which I ask to have read for the information of the Senate.

The resolution (S. Res. 490) was read, as follows:

Resolved, That the Committee on Agriculture and Forestry of the Senate, or any subcommittee thereof duly authorized by said committee, be, and it is hereby, instructed to make inquiry concerning and report to the Senate thereon:

First. The extent and location of the territory affected by the foot-and-mouth disease and the number of cattle, hogs, sheep, and other animals affected thereby or exposed thereto.

Second. What quarantine or other measures have been adopted by the Federal or State authorities for the prevention or eradication of said disease.

Third. What changes, if any, should be adopted by the Federal or State authorities in their methods of quarantine.

Fourth. What remedy or remedies are known or used in preventing or eradicating said disease.

That said committee or subcommittee is authorized to sit during the sessions of the Senate and during any recess of the Senate; to hold sessions at such place or places as it shall deem most convenient for the purposes of the investigation; to employ stenographers and such other assistants as it may deem necessary; to send for persons, books, records, and papers; to administer oaths, and, as early as practicable, to report to the Senate the results of its investigation, including all testimony taken by it; and that the expenses of the inquiry shall be paid from the contingent fund of the Senate upon vouchers to be approved by the chairman of the committee.

Mr. POMERENE. Mr. President, I assume that this resolution will be referred to a committee, but I desire to say just a word in support of it.

The foot-and-mouth disease has spread over, in part, the States of Michigan, Illinois, Indiana, Ohio, and Kentucky, and perhaps has extended to some other States. That it is a very grave situation everyone who is familiar with the disease will admit. I am not intending, by the introduction of this resolution, to criticize anything which may have been done by the Agricultural Department or any of its bureaus. In my own State, however, the situation has been unusually grave, in this respect:

As I understand the facts as they have been disclosed to date, diseased cattle and hogs have been discovered in perhaps 31 counties out of 88. These cases are scattered. For a time the State quarantined against the shipment of cattle. Later the Federal Government forbade, by an order, the shipment of any cattle, hogs, or sheep outside of the State. The result has been that many fat cattle, hogs, and sheep now ready for market can not be marketed at all. On Saturday the Bureau of Animal Industry decided to permit the shipment of cattle beyond the State boundaries from 27 different counties in the State. They expect to make a further order permitting the shipment from some of the other counties upon proper inspection by authorized veterinarians. The State itself is now permitting the shipment of cattle to all of the markets within the State.

As a result of these restrictions the price of fatted animals has been greatly depreciated. That the Government and its officials must exercise very great care I have no doubt, because the disease is seriously contagious; but it has seemed to me, and the suggestion has been made by many people with whom I have conversed on the subject and whom I believed to be well advised, that the restrictions have been unusually severe, and that cattle and hogs and sheep, after proper and rigid inspection, could be shipped without any danger for purposes of immediate slaughter.

I hope that after proper consideration the Senate can see its way clear to adopt this resolution.

Mr. GALLINGER. Mr. President, I will suggest to my friend the Senator from Ohio that the disease is also prevalent in New England, and that herds are now being slaughtered to some extent in New England.

Mr. POMERENE. I was unaware of that fact, but I am very glad to have the information.

Mr. GALLINGER. So the disease is probably nation wide; that is, beyond question it covers the entire country to some extent.

Mr. POMERENE. I think every farmer and every stock raiser in the country, as well as every consumer of meat, is interested in this subject.

Mr. SMOOT. Mr. President——

The VICE PRESIDENT. Does the Senator from Ohio yield to the Senator from Utah?

Mr. POMERENE. I do.

Mr. SMOOT. I simply wish to ask the Senator a question. Is it the object of the resolution to secure information upon which to base legislation?

Mr. POMERENE. Yes; in part.

Mr. SMOOT. If it is not, I wish to say that most of this information can be found now in the department. I have visited the Bureau of Animal Industry, and I know that the extent of the disease as it exists to-day is marked out very plainly there by that bureau. I also know, of course, that they have remedies which they are trying to get put into effect in all the States on the basis of the information they have there. It seems to me that if the committee itself would take up the matter there with the head of the bureau and the men who have this subject directly in charge they could get more information in that way than by any hearings which may be had.

Mr. POMERENE. I may say, in reply to the Senator, that one of several reasons why I have introduced the resolution is that there is an apparent conflict between some of the State authorities and the National authorities. For instance, in my own State they have now permitted the shipment of cattle, hogs, and sheep to any and all markets within the State; but the Federal Government is absolutely refusing, or did until Saturday, the shipment of any stock outside of and beyond the State boundaries. It has seemed to me that if there is any question in the mind of either the National authorities or the State authorities as to the proper method of quarantine or the rules relating to the same this committee might be able to give us some very valuable suggestions as a result of its investigations.

Mr. KENYON. I ask unanimous consent, in view of the remarks of the Senator from Ohio, to have inserted in the RECORD

a statement showing the work of the bureau and of the Department of Agriculture with relation to the eradication of the present outbreak of the disease. I have that statement here to December 3, and I think it would be very fitting to have it appear at the conclusion of the remarks of the Senator from Ohio. I therefore ask unanimous consent that that may be done.

The VICE PRESIDENT. Is there objection? The Chair hears none, and it is so ordered.

The statement referred to is as follows:

UNITED STATES DEPARTMENT OF AGRICULTURE,
BUREAU OF ANIMAL INDUSTRY,
Washington, D. C., December 5, 1914.

Hon. W. S. KENYON,
United States Senate.

DEAR SENATOR KENYON: I am sending you herewith a statement showing the work of the bureau in connection with the eradication of the present outbreak of foot-and-mouth disease to and including December 3. Much of this information has to be gleaned from telegraphic reports, and while it is substantially accurate it will be corrected by subsequent figures procured by mail from the inspectors in the field. Of the Government's share of claims for indemnity, $935,356.78, the amount of $566,105.23 has been signed for as provisional claims in the event that Congress appropriates the money.

Sincerely, yours,
A. D. MELVIN,
Chief of Bureau.

(Inclosure.)

Recapitulation.
(To Dec. 3, 1914.)

States infected	18
Counties infected	210
Cattle slaughtered	26,653
Swine slaughtered	30,398
Sheep slaughtered	4,413
Goats slaughtered	32
Government's share of indemnity claims	$935,356.78
Cost for disposal of animals, purchase of supplies, etc	34,801.28
Salaries, traveling expenses, and subsistence (estimated)	204,880.00
Total	1,175,038.06
Number of veterinarians employed	411
Number of lay inspectors employed	259
Total	670

A report by the Bureau of Animal Industry, showing, by States, naming the infected counties, the Federal Government's share of indemnity claims for animals slaughtered on account of foot-and-mouth disease from the beginning of the present outbreak to Dec. 3, 1914, inclusive, together with other expenses incidental thereto. The animals slaughtered are classified into the several kinds.

State.	Cattle.	Swine.	Sheep.	Goats.	Government's share of claims for indemnity.	Disposal of animals, purchase of supplies, etc.	Salary, traveling expenses, and subsistence, estimated.	Bureau employees engaged in the work.	
								Veterinarians.	Lay inspectors.
Connecticut: 2 counties—Hartford and New Haven	462	71	.....	.....	$16,111.05	$1,307.83	$800.00	5	2
Delaware: 1 county—Newcastle	108	32	22	.....	3,091.13	105.00	2,000.00	3	6
Illinois: 46 counties—Champaign, Cook, Dupage, Dewitt, Edgar, Ford, Grundy, Iroquois, Kane, Kimball, Lee, Livingstone, Marshall, Menard, Mercer, Piatt, Vermilion, Whiteside, Warren, La Salle, Hancock, Will, Lake, McDonough, McLean, Henry, Henderson, Dekalb, Coles, Putnam, Peoria, Woodford, Green, Cass, Adams, Macon, Bureau, Logan, Carroll, Stephenson, Douglas, Kankakee, Fulton, McHenry, and Sangamon	10,038	16,807	379	1	321,852.04	1,860.76	45,000.00	91	37
Indiana: 16 counties—Jasper, Newton, Lake, Porter, Laporte, St. Joseph, Tippecanoe, Johnson, Davis, Cass, Howard, Whitely, Delaware, Knox, Clinton, Marion, and Morgan	1,907	3,104	571	.....	76,891.00	1,480.00	22,360.00	25	18
Iowa: 6 counties—Jones, Iowa, Clinton, Jackson, Cedar, and Johnson	574	910	11	.....	30,250.92	3,570.88	6,000.00	13	10
Kentucky: 13 counties—Bullitt, Henry, Hardin, Shelby, Larue, Barren, Allen, Woodford, Grant, Meade, Fayette, Bourbon, and Green	259	74	.....	.....	11,332.38	689.50	6,500.00	22	4
Maryland: 10 counties—Montgomery, Frederick, Baltimore, Caroline, Washington, Howard, Talbott, Queen Annes, Hartford, and Carroll	608	508	146	.....	16,622.32	1,500.00	8,500.00	22	11
Massachusetts: 9 counties—Hampshire, Bristol, Worcester, Hampden, Suffolk, Norfolk, Essex, Plymouth, and Middlesex	901	218	.....	.....	45,412.47	1,422.44	7,000.00	17	14
Michigan: 14 counties—Berrien, Ottawa, Eaton, Hillsdale, Jackson, Lenawee, Monroe, Wayne, Lapeer, Genesee, Allegan, Montcalm, Branch, and Macomb	2,709	4,063	750	31	97,967.00	2,300.92	21,000.00	35	23
Montana: 2 counties—Dawson and Custer	1,103	20	200	.....	27,552.26	1,500.00	4,500.00	12	6
New Hampshire: 3 counties—Rockingham, Hillsboro, and Cheshire (activities begun Dec. 4, 1914)	.....	.....	.....	.....	.....	.....	.....	.....	.....
New Jersey: 5 counties—Hudson, Somerset, Salem, Morris, and Middlesex	426	73	6	.....	17,489.75	500.00	2,500.00	8	.....
New York: 9 counties—Seneca, Wayne, Erie, Monroe, Kings, Queens, Cortland, Tompkins, and Cayuga	1,162	117	39	.....	49,396.00	2,295.72	25,000.00	30	51
Ohio: 32 counties—Lucas, Ottawa, Erie, Seneca, Wood, Henry, Holmes, Hancock, Belmont, Wyandot, Marion, Hardin, Union, Knox, Licking, Fayette, Huron, Cuyahoga, Williams, Franklin, Sandusky, Muskingum, Preble, Champaign, Darke, Montgomery, Auglaize, Putnam Crawford, Mahoning, Hamilton, and Richland	1,607	2,167	1,579	.....	44,825.20	2,092.13	13,000.00	38	20
Pennsylvania: 23 counties—Allegheny, Westmoreland, Chester, Bucks, Lebanon, Columbia, Montour, Perry, Franklin, Philadelphia, Berks, Adams, Lancaster, York, Montgomery, Schuylkill, Beaver, Delaware, Northampton, Carbon, Cumberland, Lycoming, and Lehigh	3,468	1,829	89	.....	119,486.84	2,629.61	25,000.00	60	31
Rhode Island: 3 counties—Providence, Kent, and Newport	664	72	1	.....	32,303.10	1,529.85	5,720.00	6	16
Washington: 1 county—Spokane	102	.....	.....	.....	2,025.00	111.64	2,000.00	3	.....
Wisconsin: 6 counties—Rock, Racine, Waukesha, Dane, Jefferson, and Langlade	529	328	620	.....	21,301.32	3,850.00	8,000.00	21	10
District of Columbia	26	5	.....	.....	1,447.00	55.00	.....	.....	.....
Washington, D. C	.....	.....	.....	.....	.....	6,000.00	.....	.....	.....

The VICE PRESIDENT. The resolution submitted by the Senator from Ohio will be printed and referred to the Committee to Audit and Control the Contingent Expenses of the Senate.

HEARINGS BEFORE COMMITTEE ON THE PHILIPPINES.

Mr. HITCHCOCK submitted the following resolution (S. Res. 489), which was read and referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That the Committee on the Philippines, or any subcommittee thereof, be authorized during the Sixty-third Congress to subpœna witnesses, to send for books and papers, to administer oaths, and to employ a stenographer at a price not to exceed $1 per printed page to report such hearings as may be had in connection with any subject which may be pending before the said committee; that the committee may sit during the sessions or recesses of the Senate; and the expense thereof shall be paid out of the contingent fund of the Senate.

EXPORTATION OF MUNITIONS OF WAR.

Mr. HITCHCOCK. I submit a resolution for which I ask present consideration.

The resolution (S. Res. 488) was read, as follows:

Resolved, That the Secretary of Commerce be, and he is hereby, directed to inform the Senate whether and to what extent arms, ammunition, artillery, and other similar munitions of war have been exported from the United States to each of the belligerent nations in the present war, and to Canada, for each month from the 1st of August to the 1st of December;

Also, that he inform the Senate to what extent contracts with American concerns are now being executed for the manufacture and exportation of arms, ammunition, and artillery, and that said statement be, so far as possible, in detail;

Also, that he inform the Senate as to the normal and natural exportation of said articles and munitions of war during times of peace.

The VICE PRESIDENT. Is there objection to the present consideration of the resolution?

Mr. OVERMAN. I think it probably ought to go to the Committee on Foreign Relations. The Senator from Nebraska is on that committee.

Mr. HITCHCOCK. I will say to the Senator from North Carolina that it is simply a resolution calling for information

from the Secretary of Commerce as to the exportations during the last few months.

Mr. OVERMAN. The chairman of the committee is not here, and in his absence I thought it ought to go to that committee.

Mr. HITCHCOCK. It requires no reference to a committee.

Mr. OVERMAN. All right.

The resolution was considered by unanimous consent and agreed to.

EXPENDITURES FOR ARMY AND NAVY.

Mr. LEWIS. Mr. President, I desire to submit a resolution, and I ask that it be read and referred to the appropriate committee.

The resolution (S. Res. 492) was read, as follows:

Whereas the records of the Army and Navy Departments disclose that since the fiscal year 1896 more than $50,000,000 has been appropriated to make up deficiencies in the organization of the Army and Navy; and

Whereas it is reported in resolutions and proceedings of the House of Representatives that there is no adequate preparation of the Army or Navy for any necessary defense of the Nation of the United States, notwithstanding the hundreds of millions of dollars appropriated for nationl defense: Therefore be it

Resolved, That the Committees on Naval Affairs and Military Affairs, respectively, make investigation as to what manner the sums referred to have been expended, and for what and by whom and to whom, and to investigate and ascertain what has been obtained by and for such moneys as have been expended for preparation for national defense.

Resolved, That such investigation and its results shall be reported to the Senate in the due course of the business of the Senate.

The VICE PRESIDENT. Shall the resolution go to the Committee on Military Affairs?

Mr. LEWIS. I suggest that the resolution go to the Committee on Military Affairs unless it be suggested that it go to another committee.

The VICE PRESIDENT. The resolution will be printed and referred to the Committee on Military Affairs.

EMPLOYMENT OF ADDITIONAL MESSENGER.

Mr. PENROSE submitted the following resolution (S. Res. 491), which was read and referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That Senate resolution 278, Sixty-third Congress, second session, authorizing and directing the Sergeant at Arms of the Senate to appoint an additional messenger at the rate of $1,050 per annum, is hereby extended until otherwise ordered or until otherwise provided for by law.

COMMITTEE SERVICE.

On motion of Mr. KERN, it was

Ordered, That the Hon. THOMAS W. HARDWICK, junior Senator from Georgia, be appointed chairman of the Committee on Expenditures in the Post Office Department to succeed Hon. William S. West, late Senator from that State, whose term of office has expired.

DEATH OF REPRESENTATIVE EDWIN A. MERRITT, JR.

Mr. ROOT. Mr. President, I offer the jollowing resolutions and ask that they be read.

The VICE PRESIDENT. The Secretary will read the resolutions.

The resolutions (S. Res. 493) were read, considered by unanimous consent, and unanimously agreed to, as follows:

Resolved, That the Senate has heard with deep sensibility the announcement of the death of Hon. EDWIN A. MERRITT, Jr., late a Representative from the State of New York.

Resolved, That a committee of six Senators be appointed by the Vice President, to join the committee appointed on the part of the House of Representatives, to attend the funeral of the deceased at Potsdam, N. Y.

Resolved, That the Secretary communicate a copy of these resolutions to the House of Representatives.

The VICE PRESIDENT appointed as the committee on the part of the Senate under the second resolution Mr. ROOT, Mr. O'GORMAN, Mr. SHERMAN, Mr. MARTINE of New Jersey, Mr. DILLINGHAM, and Mr. SAULSBURY.

Mr. ROOT. Mr. President, as a further mark of respect I move that the Senate do now adjourn.

The motion was unanimously agreed to, and (at 3 o'clock and 55 minutes p. m.) the Senate adjourned until to-morrow, Tuesday, December 8, 1914, at 12 o'clock meridian.

HOUSE OF REPRESENTATIVES.

MONDAY, *December 7, 1914.*

This being the day fixed by the Constitution for the annual meeting of the Congress of the United States, the House of Representatives of the Sixty-third Congress met in its Hall at 12 o'clock noon for its third session, and was called to order by the Speaker, Hon. CHAMP CLARK, a Representative from the State of Missouri.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

O Thou who art from everlasting to everlasting, the beginning and the end; creating, re-creating, life-giving, life-sustaining Potentate; our God and our Father, our hearts turn to Thee at this, the beginning of the end of the Sixty-third Congress, for we realize that without Thee nothing is strong, nothing enduring; that if its work lives and bears fruit, it must be in consonance with the eternal laws which Thou hast ordained.

Inspire, we pray Thee, the heart of each Member of this House with patriotic zeal and fervor; give wisdom and strength to its Speaker, that with characteristic candor and courage he may continue to preside with justice and equity in its deliberations. Let Thy favor be upon our President and his counselors, that the affairs of state may be wisely administered at home and abroad. May the people uphold and sustain him in solving the problems which confront us in the present crisis. May those who are called to sit in judgment upon the laws enacted, national and international, be guided by wisdom, that their judgments may be true and righteous altogether. Continue us, we beseech Thee, in peace among ourselves and with all nations. And now, O God our Father, our hearts touched by the death of one of the Members of this House since we last met, we pray for Thy comfort to sustain us and those to whom he was nearest and dearest. Teach us how to live now, that we may be prepared to live in the larger life which Thou hast in store for Thy children, and all praise shall be Thine, in the name of the world's great Redeemer. Amen.

SWEARING IN OF MEMBERS.

Mr. MANN. Mr. Speaker, at a special election in the ninth district of New Jersey a few days ago Hon. RICHARD WAYNE PARKER was elected. The certificate has not yet arrived, and I ask unanimous consent that he may now be sworn in as a Member.

Mr. BARTLETT. Mr. Speaker, at a special election held in Georgia for the tenth congressional district to fill the vacancy occasioned by the resignation of Senator elect THOMAS W. HARDWICK, Hon. CARL VINSON was elected. There was no opposition, and his certificate of election is in the hands of the Clerk. I ask that he be sworn in.

Mr. FITZGERALD. Mr. Speaker, I wish to ask whether we should not first ascertain if a quorum is present?

Mr. MANN. It does not require a quorum to swear in Members. They might make a quorum.

The SPEAKER. Following the precedents when the House is organized, the Chair is of the opinion that new Members ought to be sworn in before the roll is called.

Mr. LINTHICUM. Mr. Speaker, I ask that the new Member from the first district of Maryland, Mr. JESSE D. PRICE, be sworn in.

The SPEAKER. Is there objection to these requests?

Mr. HENRY. Mr. Speaker, I was unable to hear all of the requests, and I do not want any business to interfere with the regular order.

The SPEAKER. There is no business asked for except these requests to swear in Members. The gentleman from Illinois [Mr. MANN] states that the Hon. RICHARD WAYNE PARKER is here as a successor to Judge McCoy in the ninth district of New Jersey; that under the peculiar laws of New Jersey a count can not be had until a number of weeks after the election, and therefore the certificate is not here, but that there is no dispute as to his election, and he asks unanimous consent that Mr. PARKER may be sworn in without his credentials. The gentleman from Georgia [Mr. BARTLETT] asks that the successor to Senator-elect HARDWICK also be sworn in.

Mr. TALBOTT of Maryland. And I ask, Mr. Speaker, that the Member elect, Hon. JESSE D. PRICE, from the first congressional district of Maryland also be sworn in.

The SPEAKER. Is there objection to these requests?

There was no objection.

Hon. RICHARD WAYNE PARKER, from the ninth congressional district of New Jersey; Hon. CARL VINSON, from the tenth congressional district of Georgia; and Hon. JESSE D. PRICE, from the first congressional district of Maryland, appeared at the bar of the House and took the oath of office prescribed by law.

CALL OF THE ROLL OF MEMBERS.

The SPEAKER. The Clerk will call the roll of Members by States.

The roll was called, and the following Members answered to their names:

ALABAMA.

George W. Taylor.
S. Hubert Dent, jr.
Christopher C. Harris.
Fred L. Blackmon.
J. Thomas Heflin.
Richmond P. Hobson.
John L. Burnett.
Oscar W. Underwood.
John W. Abercrombie.

Thaddeus H. Caraway.
William A. Oldfield.
John C. Floyd.
Otis T. Wingo.

John E. Raker.
Charles F. Curry.
Julius Kahn.
Joseph R. Knowland.

George J. Kindel.
Edward T. Taylor.

Augustine Lonergan.
Thomas L. Reilly.

Frank Clark.
Stephen M. Sparkman.

Frank Park.
Charles R. Crisp.
William C. Adamson.
William S. Howard.
Charles L. Bartlett.

Burton L. French.

Martin B. Madden.
James R. Mann.
James McAndrews.
Frank Buchanan.
Ira C. Copley.
William H. Hinebaugh.
John C. McKenzie.
Clyde H. Tavenner.
Stephen A. Hoxworth.

Charles Lieb.
William A. Cullop.
William E. Cox.
Lincoln Dixon.
Ralph W. Moss.

Henry Vollmer.
James W. Good.
S. Kirkpatrick.
S. F. Prouty.

Daniel R. Anthony, jr.
Philip P. Campbell.
Dudley Doolittle.

Alben W. Barkley.
Robert Y. Thomas, jr.
Ben Johnson.
Swagar Sherley.
Arthur B. Rouse.

Albert Estopinal.
H. Garland Dupré.
Robert F. Broussard.
John T. Watkins.

Asher C. Hinds.
Daniel J. McGillicuddy.

J. Fred. C. Talbott.
Charles P. Coady.

Allen T. Treadway.
Frederick H. Gillett.
Calvin D. Paige.
Samuel E. Winslow.
John J. Rogers.
Augustus P. Gardner.
Frederick S. Deitrick.

Frank E. Doremus.
Samuel W. Beakes.
John M. C. Smith.
Edward L. Hamilton.
Carl E. Mapes.
Louis C. Cramton.

Sydney Anderson.
Winfield S. Hammond.
Charles R. Davis.
Frederick C. Stevens.
George R. Smith.

Hubert D. Stephens.
Benjamin G. Humphreys.
Thomas U. Sisson.

ARIZONA.

Carl Hayden.

ARKANSAS.

Henderson M. Jacoway.
Samuel M. Taylor.
William S. Goodwin.

CALIFORNIA.

C. W. Bell.
William D. Stephens.
William Kettner.

COLORADO.

Edward Keating.

CONNECTICUT.

Jeremiah Donovan.
William Kennedy.

DELAWARE.

Franklin Brockson.

FLORIDA.

Emmett Wilson.

GEORGIA.

Gordon Lee.
Samuel J. Tribble.
Thomas M. Bell.
J. Randall Walker.
Dudley M. Hughes.

IDAHO.

Addison T. Smith.

ILLINOIS.

Claudius U. Stone.
Louis FitzHenry.
Henry T. Rainey.
Martin D. Foster.
H. Robert Fowler.
Robert P. Hill.
William E. Williams.
Lawrence B. Stringer.

INDIANA.

Finly H. Gray.
John A. M. Adair.
Martin A. Morrison.
Cyrus Cline.
Henry A. Barnhart.

IOWA.

Horace M. Towner.
William R. Green.
Frank P. Woods.
George C. Scott.

KANSAS.

Guy T. Helvering.
Victor Murdock.

KENTUCKY.

James C. Cantrill.
Harvey Helm.
William J. Fields.
John W. Langley.
Caleb Powers.

LOUISIANA.

Lewis L. Morgan.
Ladislas Lazaro.
James B. Aswell.

MAINE.

John A. Peters.
Frank E. Guernsey.

MARYLAND.

J. Charles Linthicum.
Frank O. Smith.

MASSACHUSETTS.

Ernest W. Roberts.
James A. Gallivan.
John J. Mitchell.
Edward Gilmore.
William S. Greene.
Thomas C. Thacher.

MICHIGAN.

Joseph W. Fordney.
James C. McLaughlin.
Roy O. Woodruff.
Francis O. Lindquist.
William J. MacDonald.
Patrick H. Kelley.

MINNESOTA.

Charles A. Lindbergh.
Andrew J. Volstead.
Clarence B. Miller.
Halvor Steenerson.

MISSISSIPPI.

Samuel A. Witherspoon.
Percy E. Quin.
James W. Collier.

James T. Lloyd.
William W. Rucker.
Joshua W. Alexander.
Charles F. Booher.
William P. Borland.
Clement C. Dickinson.
Courtney W. Hamlin.
Dorsey W. Shackleford.

Tom Stout.

John A. Maguire.
C. O. Lobeck.
Dan V. Stephens.

E. E. Roberts.

E. E. Reed.

William J. Browning.
J. Thompson Baker.
Allan B. Walsh.
William E. Tuttle, jr.

Harvey B. Fergusson.

Harry H. Dale.
James P. Maher.
William M. Calder.
John J. Fitzgerald.
Daniel J. Riordan.
Henry M. Goldfogle.
George W. Loft.
Jefferson M. Levy.
John F. Carew.
Thomas G. Patten.
Henry Bruckner.
Joseph A. Goulden.

John H. Small.
Claude Kitchin.
Edward W. Pou.
Charles M. Stedman.
Hannibal L. Godwin.

Henry T. Helgesen.

Alfred G. Allen.
Warren Gard.
J. Henry Goeke.
Timothy T. Ansberry.
Simeon D. Fess.
J. D. Post.
Frank B. Willis.
Isaac R. Sherwood.

Robert Crosser.

Dick T. Morgan.

William H. Murray.
Claude Weaver.

William S. Vare.
George S. Graham.
J. Hampton Moore.
George W. Edmonds.
Michael Donohoe.
J. Washington Logue.
Thomas S. Butler.
Robert E. Difenderfer.
William W. Griest.
John R. Farr.
John J. Casey.
Robert E. Lee.
W. D. B. Ainey.
John V. Lesher.
Frank L. Dershem.
Aaron S. Kreider.

George F. O'Shaunessy.

James F. Byrnes.
Richard S. Whaley.
Wyatt Aiken.

Charles H. Dillon.

Sam R. Sells.
John A. Moon.
Cordell Hull.
William C. Houston.

MISSOURI.

Champ Clark.
William L. Igoe.
Michael J. Gill.
Walter L. Hensley.
Joseph J. Russell.
Perl D. Decker.
Thomas L. Rubey.

MONTANA.

John M. Evans.

NEBRASKA.

Charles H. Sloan.
Silas R. Barton.
Moses P. Kinkaid.

NEVADA.

NEW HAMPSHIRE.

Raymond B. Stevens.

NEW JERSEY.

Dow H. Drukker.
Eugene F. Kinkead.
Edward W. Townsend.
James A. Hamill.

NEW MEXICO.

NEW YORK.

Benjamin I. Taylor.
James S. Parker.
Charles A. Talcott.
George W. Fairchild.
John R. Clancy.
Sereno E. Payne.
Edwin S. Underhill.
Thomas B. Dunn.
Henry G. Danforth.
Charles B. Smith.
Daniel A. Driscoll.

NORTH CAROLINA.

Robert N. Page.
Robert L. Doughton.
Edwin Y. Webb.
James M. Gudger, jr.

NORTH DAKOTA.

George M. Young.

OHIO.

Robert M. Switzer.
Clement Brumbaugh.
John A. Key.
William A. Ashbrook.
John J. Whitacre.
Ellsworth R. Bathrick.
William Gordon.
Robert J. Bulkley.

AT LARGE.

OKLAHOMA.

Charles D. Carter.

AT LARGE.

J. B. Thompson.

OREGON.

Willis C. Hawley.

PENNSYLVANIA.

Warren Worth Bailey.
Andrew R. Brodbeck.
Charles E. Patton.
Abraham L. Keister.
Henry W. Temple.
Jonathan N. Langham.
Willis J. Hulings.
Stephen G. Porter.
M. Clyde Kelly.
James F. Burke.
Andrew J. Barchfeld.
Arthur R. Rupley.
Anderson H. Walters.
Fred E. Lewis.
Edgar R. Kiess.

RHODE ISLAND.

Ambrose Kennedy.

SOUTH CAROLINA.

Joseph T. Johnson.
J. Willard Ragsdale.
Asbury F. Lever.

SOUTH DAKOTA.

Charles H. Burke.

TENNESSEE.

Joseph W. Byrns.
Lemuel P. Padgett.
Thetus W. Sims.
Kenneth D. McKellar.

TEXAS.

Horace W. Vaughan.
Martin Dies.
James Young.
Sam Rayburn.
Rufus Hardy.
Joe H. Eagle.
George F. Burgess.
James P. Buchanan.
Robert L. Henry.
John H. Stephens.
James L. Slayden.
John N. Garner.
William R. Smith.
Hatton W. Sumners.
Daniel E. Garrett.

UTAH.

Joseph Howell.
Jacob Johnson.

VERMONT.

Frank L. Greene.
Frank Plumley.

VIRGINIA.

William A. Jones.
E. E. Holland.
Edward W. Saunders.
Carter Glass.
James Hay.
Charles C. Carlin.
C. Bascom Slemp.
Henry D. Flood.

WASHINGTON.

J. A. Falconer.
William E. Humphrey.
Albert Johnson.
William L. La Follette.

WEST VIRGINIA.

William G. Brown, jr.
Hunter H. Moss, jr.
James A. Hughes.

WISCONSIN.

Henry A. Cooper.
Michael E. Burke.
John M. Nelson.
William H. Stafford.
Michael K. Reilly.
Edward E. Browne.
James A. Frear.
Irvine L. Lenroot.

WYOMING.

Frank W. Mondell.

The SPEAKER. The roll call discloses 316 Members present, a quorum.

COMMITTEE TO NOTIFY THE PRESIDENT.

Mr. UNDERWOOD. Mr. Speaker, I move the adoption of the following resolution, which I send to the Clerk's desk and ask to have read.

The Clerk read as follows:

House resolution 661.

Resolved, That a committee of three Members be appointed on the part of the House to join the committee appointed by the Senate to wait upon the President and inform him that a quorum of the two Houses has assembled and that Congress is ready to receive any communication he may have to make

The SPEAKER The question is on agreeing to the resolution.

The resolution was agreed to.

The SPEAKER appointed the following committee: Mr. UNDERWOOD, Mr. FITZGERALD, and Mr. MANN.

NOTIFICATION OF THE SENATE.

Mr. FITZGERALD. Mr. Speaker, I move the adoption of the following resolution, which I send to the desk and ask to have read.

The Clerk read as follows:

House resolution 662.

Resolved, That the Clerk of the House inform the Senate that a quorum of the House of Representatives has appeared, and that the House is ready to proceed to business.

The SPEAKER. The question is on agreeing to the resolution.

The resolution was agreed to.

JOINT SESSION OF THE TWO HOUSES.

Mr. UNDERWOOD. Mr. Speaker, I move the adoption of the following resolution, which I send to the Clerk's desk and ask to have read.

The Clerk read as follows:

House concurrent resolution 53.

Resolved by the House of Representatives (the Senate concurring), That the two Houses of Congress assemble in the Hall of the House of Representatives on Tuesday, the 8th day of December, 1914, at 12 o'clock and 30 minutes in the afternoon, for the purpose of receiving such communications as the President of the United States shall be pleased to make them.

Mr. UNDERWOOD. Mr. Speaker, I am informed by the Secretary of the President that the hour fixed in this resolution is the hour when the President desires to deliver his message.

Mr. HENRY. Mr. Speaker, from the reading of the resolution may I ask if it is intended that the House shall not meet at 12 o'clock to-morrow, the regular hour of meeting?

Mr. UNDERWOOD. Oh, no.

The SPEAKER. It will meet at the usual hour.

Mr. UNDERWOOD. It will meet at 12 o'clock, but this gives the Senate an opportunity to get here at half past 12 o'clock.

The SPEAKER. The question is on agreeing to the resolution.

The resolution was agreed to.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Tulley, one of its clerks, announced that the Senate had passed the following resolution:

Resolved, That a committee consisting of two Senators be appointed to join such committee as may be appointed by the House of Representatives to wait upon the President of the United States and inform him that a quorum of each House is assembled and that Congress is ready to receive any communication he may be pleased to make.

In compliance with the foregoing the Vice President had appointed as said committee Mr. KERN and Mr. GALLINGER.

The message also announced that the Senate had passed the following resolution:

Resolved, That the Secretary inform the House of Representatives that a quorum of the Senate is assembled and that the Senate is ready to proceed to business.

DISTRICT OF COLUMBIA APPROPRIATION BILL.

Mr. PAGE of North Carolina, by direction of the Committee on Appropriations, reported the bill (H. R. 19422) making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1916, and for other purposes, which was read a first and second time and, with the accompanying report (No. 1204), referred to the Committee of the Whole House on the state of the Union and ordered printed.

Mr. HENRY rose.

Mr. DAVIS. Mr. Speaker, I reserve all points of order on the bill.

The SPEAKER. The gentleman from Minnesota reserves all points of order.

Mr. HENRY. Mr. Speaker, will this be regarded as intervening business, as interfering in any way with the special order?

The SPEAKER. Oh, no; this is mere routine business. The Speaker is not going to permit any business of consequence to come in to interfere with the special order.

Mr. PAGE of North Carolina. Mr. Speaker, I desire to give notice that at the first opportunity—to-morrow, if possible—I shall call the bill up for consideration.

DEATH OF REPRESENTATIVE EDWIN A. MERRITT, JR.

Mr. PAYNE. Mr. Speaker, it becomes my sad duty to announce to the House the death of my colleague, Hon. EDWIN A. MERRITT, Jr., which occurred on Friday last at his home in Potsdam, N. Y. I offer the following resolutions, and at some future time I shall ask the House to set aside a day to be devoted to the delivery of eulogies upon the life, character, and public services of the deceased.

The SPEAKER. The Clerk will report the resolutions.

The Clerk read as follows:

House resolution 663.

Resolved, That the House has heard with profound sorrow of the death of Hon. EDWIN A. MERRITT, Jr., a Representative from the State of New York.

Resolved, That a committee of the House, with such Members of the Senate as may be joined, be appointed to attend the funeral.

Resolved, That the Sergeant at Arms of the House be authorized and directed to take such steps as may be necessary for carrying out the provisions of these resolutions, and that the necessary expenses in connection therewith be paid out of the contingent fund of the House.

Resolved, That the Clerk communicate these resolutions to the Senate and transmit a copy thereof to the family of the deceased.

The SPEAKER announced the following committee:

Mr. FITZGERALD, Mr. PAYNE, Mr. BROWN of New York, Mr. O'LEARY, Mr. WILSON of New York, Mr. DALE, Mr. MAHER, Mr. CALDER, Mr. GRIFFIN, Mr. O'BRIEN, Mr. METZ, Mr. RIORDAN, Mr. GOLDFOGLE, Mr. LOFT, Mr. LEVY, Mr. CONRY, Mr. DOOLING, Mr. CAREW, Mr. PATTEN of New York, Mr. CHANDLER of New York, Mr. CANTOR, Mr. GEORGE, Mr. BRUCKNER, Mr. GOULDEN, Mr. OGLESBY, Mr. TAYLOR of New York, Mr. PLATT. Mr. MCCLELLAN, Mr. TEN EYCK, Mr. PARKER of New York, Mr. WALLIN, Mr. MOTT, Mr. TALCOTT of New York, Mr. FAIRCHILD, Mr. CLANCY, Mr. UNDERHILL, Mr. DUNN, Mr. DANFORTH, Mr. GITTINS, Mr. SMITH of New York, Mr. DRISCOLL, and Mr. HAMILTON of New York.

The SPEAKER. The Clerk will report the remaining resolution:

The Clerk read as follows:

Resolved, That as a further mark of respect, this House do now adjourn.

The resolution was agreed to; and accordingly (at 1 o'clock and 9 minutes p. m.) the House adjourned until to-morrow, Tuesday, December 8, 1914, at 12 o'clock noon.

EXECUTIVE COMMUNICATION.

Under clause 2 of Rule XXIV, a letter from the Secretary of the Treasury, transmitting copy of a communication from the Secretary of Agriculture of the 3d instant, submitting an urgent estimate of appropriation in the sum of $2,500,000 for general

expenses, Bureau of Animal Industry, for the fiscal year ending July 15, 1915, made necessary by outbreak of the foot-and-mouth disease (H. Doc. No. 1183), was taken from the Speaker's table, referred to the Committee on Appropriations, and ordered to be printed.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. PAGE of North Carolina: A bill (H. R. 19422) making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1916, and for other purposes; to the Committee of the Whole House on the state of the Union.

By Mr. SCULLY: A bill (H. R. 19423) creating an additional judge in the district of New Jersey; to the Committee on the Judiciary.

By Mr. IGOE: A bill (H. R. 19424) to extend the time for the completion of the Municipal Bridge at St. Louis, Mo.; to the Committee on Interstate and Foreign Commerce.

By Mr. McKENZIE: A bill (H. R. 19425) to extend the time for the construction of a dam across Rock River, Ill.; to the Committee on Interstate and Foreign Commerce.

By Mr. MURRAY: A bill (H. R. 19426) to create an additional judicial district in Oklahoma to be known as the southern judicial district, and to define the boundaries of the eastern and western judicial districts of Oklahoma, and to provide for the holding of court in the city of Shawnee, Okla.; to the Committee on the Judiciary.

By Mr. MONDELL: A bill (H. R. 19427) providing for an appropriation for a Government exhibit at the International Dry Farming Congress; to the Committee on Agriculture.

By Mr. FIELDS: A bill (H. R. 19428) to authorize the Chesapeake & Ohio Northern Railway Co. to construct a bridge across the Ohio River a short distance above the mouth of the Little Scioto River, between Scioto County, Ohio, and Greenup County, Ky., at or near Sciotoville, Ohio; to the Committee on Interstate and Foreign Commerce.

By Mr. GALLIVAN: A bill (H. R. 19429) providing for a site and public building for post-office and other Federal purposes at Boston, Mass.; to the Committee on Public Buildings and Grounds.

By Mr. ROGERS: A bill (H. R. 19430) appropriating money for the improvement of the Merrimac River from its mouth to Lowell, Mass.; to the Committee on Rivers and Harbors.

By Mr. BROWNING: A bill (H. R. 19431) providing for the improvement of the Delaware River at Camden, N. J.; to the Committee on Rivers and Harbors.

By Mr. TEN EYCK: A bill (H. R. 19432) to provide for a survey and estimate of cost of removing Adams Island, located in the channel in the Hudson River at Troy, N. Y.; to the Committee on Rivers and Harbors.

Also, a bill (H. R. 19433) to provide for a survey and estimate of cost of a deep-water channel in the Hudson River, N. Y., between the city of Hudson and the dam at Troy; to the Committee on Rivers and Harbors.

Also, a bill (H. R. 19434) for the improvement of the Narrows of Lake Champlain, N. Y. and Vt.; to the Committee on Rivers and Harbors.

By Mr. MURRAY: A bill (H. R. 19435) for the erection of a public building at Sapulpa, Okla.; to the Committee on Public Buildings and Grounds.

By Mr. BORLAND: A bill (H. R. 19436) for the purchase of a site and the erection thereon of a public building at Kansas City, Mo.; to the Committee on Public Buildings and Grounds.

By Mr. LEVY: A bill (H. R. 19437) directing the Secretary of the Treasury to sell not exceeding $240,000,000 of the Panama Canal bonds in order to maintain at all times a surplus of at least $100,000,000 in the general fund of the Treasury; to the Committee on Ways and Means.

By Mr. LANGLEY: A bill (H. R. 19438) to repeal the act entitled "An act to increase the internal revenue, and for other purposes," approved October 22, 1914; to the Committee on Ways and Means.

By Mr. VARE: A bill (H. R. 19439) to improve the military defenses of the United States; to the Committee on Military Affairs.

Also, a bill (H. R. 19440) to improve the naval defenses of the United States; to the Committee on Naval Affairs.

By Mr. O'SHAUNESSY: A bill (H. R. 19441) providing for an appropriation of $1,500,000 to be expended for the manufacture of torpedoes at the torpedo station, Newport, R. I.; to the Committee on Naval Affairs.

Also, a bill (H. R. 19442) improving Providence River and Harbor, R. I.; to the Committee on Rivers and Harbors.

By Mr. SWITZER: A bill (H. R. 19443) to amend an act entitled "An act to increase the pensions of widows, minor children, etc., of deceased soldiers and sailors of the late Civil War, the War with Mexico, the various Indians wars, etc., and to grant a pension to certain widows of the deceased soldiers and sailors of the late Civil War," approved April 19, 1908; to the Committee on Invalid Pensions.

By Mr. VOLLMER: Joint resolution (H. J. Res. 377) to prohibit the export of arms, ammunition, and munitions of war from the territory or any seaport of the United States; to the Committee on Foreign Affairs.

By Mr. BARTHOLDT: Joint resolution (H. J. Res. 378) to prohibit the export of arms, ammunition, and munitions of war from the territory or any seaport of the United States; to the Committee on Foreign Affairs.

By Mr. LLOYD: Joint resolution (H. J. Res. 379) providing for the continuance of the committee inquiring into the subject of increased postage on second-class mail matter and compensation for the transportation of mail; to the Committee on the Post Office and Post Roads.

By Mr. MURRAY: Joint resolution (H. J. Res. 380) withholding from allotment the unallotted lands or public domain of the Creek Nation or tribe of Indians, and providing for the sale thereof, and for other purposes; to the Committee on Indian Affairs.

By Mr. GARNER: Resolution (H. Res. 664) authorizing the employment of an additional telephone operator; to the Committee on Accounts.

By Mr. TRIBBLE: Resolution (H. Res. 665) authorizing the appointment of a committee to investigate whether or not there have been violations of the law by the New York Cotton Exchange by causing a decline in the price of cotton; to the Committee on Rules.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ANTHONY: A bill (H. R. 19444) granting a pension to Richard P. Watkins; to the Committee on Invalid Pensions.

Also, a bill (H. R. 19445) granting a pension to Jacob Schwagler; to the Committee on Pensions.

Also, a bill (H. R. 19446) granting a pension to Frank Behan; to the Committee on Pensions.

Also, a bill (H. R. 19447) granting a pension to Annie Kennedy; to the Committee on Invalid Pensions.

Also, a bill (H. R. 19448) granting a pension to Commodore P. Ellis; to the Committee on Invalid Pensions.

Also, a bill (H. R. 19449) granting an increase of pension to William G. Balls; to the Committee on Invalid Pensions.

Also, a bill (H. R. 19450) granting an increase of pension to Julius Edwards; to the Committee on Invalid Pensions.

Also, a bill (H. R. 19451) granting an increase of pension to John Powers; to the Committee on Invalid Pensions.

Also, a bill (H. R. 19452) granting an increase of pension to Harriet E. Carpenter; to the Committee on Invalid Pensions.

Also, a bill (H. R. 19453) granting an increase of pension to Valentine V. Adamson; to the Committee on Invalid Pensions.

Also, a bill (H. R. 19454) granting an increase of pension to B. F. Farley; to the Committee on Invalid Pensions.

Also, a bill (H. R. 19455) granting an increase of pension to Marion White; to the Committee on Invalid Pensions.

Also, a bill (H. R. 19456) granting an increase of pension to Andrew S. Loux; to the Committee on Invalid Pensions.

By Mr. BAILEY: A bill (H. R. 19457) for the relief of James Bookhamer; to the Committee on Claims.

By Mr. BROWNING: A bill (H. R. 19458) granting an increase of pension to Harvey D. C. Skinner; to the Committee on Invalid Pensions.

Also, a bill (H. R. 19459) granting an increase of pension to William K. Ridgate; to the Committee on Pensions.

Also, a bill (H. R. 19460) granting a pension to Clara Dodge Fielding; to the Committee on Pensions.

Also, a bill (H. R. 19461) granting a pension to Mettie Baymore; to the Committee on Invalid Pensions.

By Mr. BURKE of South Dakota: A bill (H. R. 19462) granting an increase of pension to Charles C. Moulton; to the Committee on Pensions.

By Mr. CAMPBELL: A bill (H. R. 19463) granting an increase of pension to Cyrus D. Christy; to the Committee on Invalid Pensions.

Also, a bill (H. R. 19464) granting an increase of pension to Thomas C. Morris; to the Committee on Invalid Pensions.

By Mr. COPLEY: A bill (H. R. 19465) granting a pension to Ellis Ames; to the Committee on Pensions.

Also, a bill (H. R. 19466) granting a pension to Maggie Boos; to the Committee on Invalid Pensions.

By Mr. DALE: A bill (H. R. 19467) granting an increase of pension to Leah Myers; to the Committee on Invalid Pensions.

Also, a bill (H. R. 19468) granting a pension to Adolf Hartman; to the Committee on Pensions.

By Mr. EAGAN: A bill (H. R. 19469) for the relief of Edward J. Brophy; to the Committee on Military Affairs.

By Mr. FOSTER: A bill (H. R. 19470) granting a pension to Thomas McGregor; to the Committee on Invalid Pensions.

Also, a bill (H. R. 19471) granting an increase of pension to Maria E. White; to the Committee on Invalid Pensions.

Also, a bill (H. R. 19472) granting an increase of pension to Nancy M. Gray; to the Committee on Invalid Pensions.

Also, a bill (H. R. 19473) granting an increase of pension to William H. Taylor; to the Committee on Invalid Pensions.

Also, a bill (H. R. 19474) granting a pension to Robert McConnell; to the Committee on Pensions.

Also, a bill (H. R. 19475) granting a pension to Jacob Kuntz; to the Committee on Invalid Pensions.

Also, a bill (H. R. 19476) granting a pension to Catherina Schmadel; to the Committee on Invalid Pensions.

Also, a bill (H. R. 19477) granting an increase of pension to Thomas Brassie; to the Committee on Invalid Pensions.

Also, a bill (H. R. 19478) to remove the charge of desertion from the record of Armstrong Hunter; to the Committee on Military Affairs.

By Mr. GOULDEN: A bill (H. R. 19479) granting a pension to Ruth E. Hering; to the Committee on Pensions.

By Mr. HAWLEY: A bill (H. R. 19480) granting an increase of pension to Harriet L. Ferris; to the Committee on Invalid Pensions.

By Mr. IGOE: A bill (H. R. 19481) granting an increase of pension to Emory G. Cannell; to the Committee on Invalid Pensions.

Also, a bill (H. R. 19482) granting an increase of pension to Henry Stiermann; to the Committee on Invalid Pensions.

By Mr. KAHN: A bill (H. R. 19483) granting a pension to Mary A. Brown; to the Committee on Invalid Pensions.

By Mr. KENNEDY of Rhode Island: A bill (H. R. 19484) granting an increase of pension to Harriet N. Weeden; to the Committee on Invalid Pensions.

By Mr. KEY of Ohio: A bill (H. R. 19485) granting a pension to Alzada Boulton; to the Committee on Invalid Pensions.

Also, a bill (H. R. 19486) granting an increase of pension to Edwin H. Rose; to the Committee on Invalid Pensions.

Also, a bill (H. R. 19487) granting an increase of pension to Joseph E. Crow; to the Committee on Invalid Pensions.

By Mr. KIESS of Pennsylvania: A bill (H. R. 19488) granting an increase of pension to John M. McDaniel; to the Committee on Invalid Pensions.

Also, a bill (H. R. 19489) granting an increase of pension to Squire L. Gage; to the Committee on Invalid Pensions.

Also, a bill (H. R. 19490) granting an increase of pension to Hawley J. Smith; to the Committee on Invalid Pensions.

By Mr. LANGHAM: A bill (H. R. 19491) granting an increase of pension to Henry Barkey; to the Committee on Invalid Pensions.

Also, a bill (H. R. 19492) granting an increase of pension to Reuben Axe; to the Committee on Invalid Pensions.

By Mr. LANGLEY: A bill (H. R. 19493) granting an increase of pension to Colbert Ratliff; to the Committee on Invalid Pensions.

By Mr. LIEB: A bill (H. R 19494) granting a pension to Isabell Williams; to the Committee on Invalid Pensions.

Also, a bill (H. R. 19495) granting an increase of pension to John J. Foster; to the Committee on Invalid Pensions.

Also, a bill (H. R. 19496) granting an increase of pension to Walter C. Montgomery; to the Committee on Invalid Pensions.

By Mr. McKENZIE: A bill (H. R. 19497) to amend the military record of George W. Laland; to the Committee on Military Affairs.

Also, a bill (H. R. 19498) granting a pension to Henry E. Rubendall; to the Committee on Pensions.

Also, a bill (H. R. 19499) granting an increase of pension to Elizabeth H. Brayton; to the Committee on Pensions.

By Mr. McGILLICUDDY: A bill (H. R. 19500) granting an increase of pension to Harriet C. Keyes; to the Committee on Invalid Pensions.

Also, a bill (H. R. 19501) granting an increase of pension to Nathaniel E. Peare; to the Committee on Invalid Pensions.

Also, a bill (H. R. 19502) granting an increase of pension to Mary Lucia Walker; to the Committee on Invalid Pensions.

Also, a bill (H. R. 19503) granting an increase of pension to David A. French; to the Committee on Pensions.

Also, a bill (H. R. 19504) granting an increase of pension to Hugh Kerr; to the Committee on Invalid Pensions.

Also, a bill (H. R. 19505) granting an increase of pension to Carrie A. Neal; to the Committee on Invalid Pensions.

Also, a bill (H. R. 19506) granting an increase of pension to Winfield S. Starbird; to the Committee on Invalid Pensions.

Also, a bill (H. R. 19507) granting an increase of pension to Mary E. Dowling; to the Committee on Invalid Pensions.

By Mr. MONDELL: A bill (H. R. 19508) granting an increase of pension to Margarethe Kammerling; to the Committee on Invalid Pensions.

By Mr. MOON: A bill (H. R. 19509) granting an increase of pension to Luther M. Blackman; to the Committee on Invalid Pensions.

By Mr. OLDFIELD: A bill (H. R. 19510) for the relief of the heirs of William McCreight; to the Committee on War Claims.

By Mr. ROUSE: A bill (H. R. 19511) granting a pension to Martha York; to the Committee on Invalid Pensions.

By Mr. RUSSELL: A bill (H. R. 19512) granting a pension to James Lawson; to the Committee on Pensions.

Also, a bill (H. R. 19513) granting a pension to Joseph C. White; to the Committee on Pensions.

Also, a bill (H. R. 19514) granting a pension to Nancy McClellan; to the Committee on Invalid Pensions.

Also, a bill (H. R. 19515) granting an increase of pension to Martha Gibson; to the Committee on Invalid Pensions.

Also, a bill (H. R. 19516) granting an increase of pension to Luther C. Hitchcock; to the Committee on Invalid Pensions.

Also, a bill (H. R. 19517) granting an increase of pension to T. J. Stoner; to the Committee on Invalid Pensions.

Also, a bill (H. R. 19518) granting an increase of pension to Benjamin E. Hoy; to the Committee on Invalid Pensions.

Also, a bill (H. R. 19519) granting an increase of pension to William H. Smith; to the Committee on Invalid Pensions.

Also, a bill (H. R. 19520) granting an increase of pension to William A. Reames; to the Committee on Invalid Pensions.

Also, a bill (H. R. 19521) granting an increase of pension to William M. Bass; to the Committee on Invalid Pensions.

Also, a bill (H. R. 19522) granting an increase of pension to Rachael W. Carney; to the Committee on Invalid Pensions.

Also, a bill (H. R. 19523) granting an increase of pension to Joshua T. Watson; to the Committee on Invalid Pensions.

Also, a bill (H. R. 19524) granting an increase of pension to John G. Meltabarger; to the Committee on Invalid Pensions.

By Mr. SCULLY: A bill (H. R. 19525) granting a pension to Annie F. Baurer; to the Committee on Invalid Pensions.

By Mr. SELLS: A bill (H. R. 19526) granting a pension to Quincy F. Buttry; to the Committee on Pensions.

Also, a bill (H. R. 19527) granting a pension to Frank C. Miller; to the Committee on Pensions.

Also, a bill (H. R. 19528) granting a pension to Charles E. Baker; to the Committee on Pensions.

Also, a bill (H. R. 19529) granting a pension to William M. Smart; to the Committee on Pensions.

Also, a bill (H. R. 19530) granting a pension to Sarah McQueen; to the Committee on Invalid Pensions.

Also, a bill (H. R. 19531) granting an increase of pension to Hiram H. Persell; to the Committee on Invalid Pensions.

Also, a bill (H. R. 19532) granting an increase of pension to Thomas Potter; to the Committee on Invalid Pensions.

Also, a bill (H. R. 19533) granting an increase of pension to Joseph W. Carrier; to the Committee on Pensions.

By Mr. SHERWOOD: A bill (H. R. 19534) granting a pension to Henry O. Weckle; to the Committee on Pensions.

Also, a bill (H. R. 19535) granting a pension to Leon E. Andrews; to the Committee on Pensions.

Also, a bill (H. R. 19536) granting a pension to Ann E. Swift; to the Committee on Invalid Pensions.

Also, a bill (H. R. 19537) granting an increase of pension to Peter Delamotte; to the Committee on Invalid Pensions.

Also, a bill (H. R 19538) granting a pension to Mary E. Fuller; to the Committee on Invalid Pensions.

Also, a bill (H. R. 19539) granting a pension to Fredericka Pence; to the Committee on Invalid Pensions.

By Mr. WINGO: A bill (H. R. 19540) granting an increase of pension to Albert C. Pattee; to the Committee on Invalid Pensions.

Also, a bill (H. R. 19541) granting an increase of pension to Edmund F. Burson; to the Committee on Invalid Pensions.

Also, a bill (H. R. 19542) for the relief of the heirs of Alexander M. Robertson; to the Committee on War Claims.

Also, a bill (H. R. 19543) granting a pension to George W. Oblisk; to the Committee on Pensions.

Also, a bill (H. R. 19544) granting a pension to Frank L. Mao; to the Committee on Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. DALE: Memorial of National Electrical Contractors' Association of the United States, relative to change in postal rates; to the Committee on the Post Office and Post Roads.

By Mr. DILLON: Memorial of the Synod of South Dakota of the Presbyterian Church, favoring abolishing practice of polygamy in the United States; to the Committee on the Judiciary.

By Mr. DONOVAN: Petition of citizens of Stamford, Conn., favoring Hamill civil-service retirement bill; to the Committee on Reform in the Civil Service.

By Mr. GOOD: Petition of citizens of the fifth congressional district of Iowa, favoring passage of H. R. 5308, relative to taxing mail-order houses; to the Committee on Ways and Means.

By Mr. KENNEDY of Rhode Island: Petition of Sidney F. Hoar Camp, No. 4, Department of Rhode Island, U. S. W. V., relative to national defense; to the Committee on Military Affairs.

By Mr. LLOYD: Petition of the Woman's Christian Temperance Union of Queens City, Mo., favoring national prohibition; to the Committee on Rules.

By Mr. MOON: Papers to accompany bill for the relief of Luther M. Blackman; to the Committee on Invalid Pensions.

Also, petitions from citizens of Chattanooga, Tenn., in favor of Hobson resolution; to the Committee on Rules.

Also, resolutions adopted by several Sunday schools of Chattanooga, Tenn., in support of Hobson resolution; to the Committee on Rules.

Also, petition from citizens of Winchester, Tenn., in favor of Hobson resolution; to the Committee on Rules.

By Mr. MURRAY: Petitions of sundry citizens and churches of Oklahoma, favoring national prohibition; to the Committee on Rules.

Also, petition of Oklahoma State Baptist Convention, favoring national prohibition; to the Committee on Rules.

Also, petition of the Eastern Oklahoma Conference of the Evangelical Lutheran Missouri Synod, against United States officials attending Pan American mass, as a violation of principle of separation of church and state; to the Committee on the Judiciary.

By Mr. O'SHAUNESSY: Petition of Sidney F. Hoar Camp, No. 4, Department of Rhode Island, United Spanish War Veterans, relative to national defense; to the Committee on Military Affairs.

Also, petition of E. A. Potter Co., Providence, R. I., favoring protective tariff; to the Committee on Ways and Means.

Also, petition of the Order of United Commercial Travelers of America, favoring changing day of election to first Monday in November; to the Committee on Election of President, Vice President, and Representatives in Congress.

By Mr. SELLS: Petitions of sundry citizens and church organizations of the State of Tennessee, favoring national prohibition; to the Committee on Rules.

By Mr. SIMS: Petitions of sundry citizens of Malesus and Camden, Tenn., favoring national prohibition; to the Committee on Rules.

By Mr. TREADWAY: Petition of citizens of Pittsfield, Mass., favoring national prohibition; to the Committee on Rules.

Also, petition of members of Howard and Isabella Courts, Order of Foresters, Holyoke, Mass., against the treatment of priests and nuns in Mexico and asking that the situation be investigated; to the Committee on Foreign Affairs.

By Mr. VOLLMER: Petition of business men of Victor, Ladora, North English, Parnell, Williamsburg, Oxford, Marengo, all in the State of Iowa, in support of H. R. 5308, that legislation may be enacted which will compel concerns selling goods by mail to contribute their portion of funds in the development of the local community, county, and State; to the Committee on Ways and Means.

By Mr. WALLIN: Memorial of the Schenectady (N. Y.) Board of Trade, favoring passage of H. R. 5139, relative to retirement of civil-service employees; to the Committee on Reform in the Civil Service.

By Mr. WILLIS: Petition of the city council of Bellefontaine, Ohio, favoring legislation providing for the pensioning of superannuated civil-service employees and urging the passage of House bill 5139, by Mr. Hamill; to the Committee on Reform in the Civil Service.

Also, petition of L. B. Folk and other citizens of Rawson, Ohio, in favor of House bill 5308, to tax mail-order houses; to the Committee on Ways and Means.

Also, petition of Harry Spilka and other citizens of Alger, Ohio, in favor of the passage of House bill 5308, to tax mail-order houses; to the Committee on Ways and Means.

SENATE.

TUESDAY, *December 8, 1914.*

The Chaplain, Rev. Forrest J. Prettyman, D. D., offered the following prayer:

Almighty God, the God of our fathers, every mention of Thy name brings to us a renewed sense of our obligation to all mankind. In Thee we find the common origin of our race. The measure of Thy gifts to us is the measure of our responsibilities to all men. We believe that Thou hast provided the needs of all Thy creatures, and if anyone suffers some one has come short of the divine obligation and the administration of a divine stewardship. Grant us to be clean before God and men in the discharge of every duty by the inspiration that Thy name gives to us, that we may go forth doing all that it is possible for us to do to bring peace and happiness and prosperity to men. We ask for Christ's sake. Amen.

WILLIAM HUGHES, a Senator from the State of New Jersey, appeared in his seat to-day.

The Journal of yesterday's proceedings was read and approved.

SALARIES OF FEDERAL EMPLOYEES (S. DOC. NO. 620)

The VICE PRESIDENT laid before the Senate a communication from the Secretary of the Treasury, transmitting, in response to a resolution of September 28, 1914, a statement showing the amount of money that would be saved the Government by withholding for one year from the salaries of officers and employees of the Government a certain per cent of their salaries, which, with the accompanying paper, was referred to the Committee on Appropriations and ordered to be printed.

COURT OF CUSTOMS APPEALS.

The VICE PRESIDENT laid before the Senate a communication from the Attorney General, transmitting, pursuant to law, a statement of the expenditures of the appropriation for the United States Court of Customs Appeals for the fiscal year ended June 30, 1914, which, with the accompanying paper, was referred to the Committee on Appropriations and ordered to be printed.

DEPARTMENT OF JUSTICE (H. DOC. NO. 1230).

The VICE PRESIDENT laid before the Senate a communication from the Attorney General, transmitting, pursuant to law, a statement in regard to the purchase of typewriting machines during the first three months of the fiscal year 1914–15, which, with the accompanying paper, was referred to the Committee on Appropriations and ordered to be printed.

REPAIRS OF BUILDINGS (H. DOC. NO. 1219).

The VICE PRESIDENT laid before the Senate a communication from the Secretary of the Interior, transmitting, pursuant to law, an itemized statement of expenditures made by the Interior Department and charged to the appropriation "Repairs of buildings" for the fiscal year ended June 30, 1914, which, with the accompanying paper, was referred to the Committee on Appropriations and ordered to be printed.

FREEDMEN'S HOSPITAL (H. DOC. NO. 1233).

The VICE PRESIDENT laid before the Senate a communication from the Secretary of the Interior, transmitting, pursuant to law, a statement of the appropriations for the maintenance of the Freedmen's Hospital, which, with the accompanying paper, was referred to the Committee on the District of Columbia and ordered to be printed.

GOVERNMENT HOSPITAL FOR THE INSANE.

The VICE PRESIDENT laid before the Senate a communication from the Secretary of the Interior, transmitting, pursuant to law, a report showing the receipts and expenditures of the Government Hospital for the Insane during the fiscal year ended June 30, 1914, which, with the accompanying paper, was referred to the Committee on the District of Columbia and ordered to be printed.

MARITIME CANAL CO.

The VICE PRESIDENT laid before the Senate a communication from the Secretary of the Interior, transmitting, pursuant to law, the report of the operations of the Maritime Canal Co. of Nicaragua, which, with the accompanying paper, was re-

ferred to the Committee on Interoceanic Canals and ordered to be printed.

DEPARTMENT OF THE INTERIOR (H. DOC. NO. 1223).

The VICE PRESIDENT laid before the Senate a communication from the Secretary of the Interior, transmitting, pursuant to law, a statement of the number of typewriting machines which were purchased by the Interior Department during the three months ended September 30, 1914, etc., which, with the accompanying paper, was referred to the Committee on Appropriations and ordered to be printed.

PAY PATIENTS AT FREEDMEN'S HOSPITAL.

The VICE PRESIDENT laid before the Senate a communication from the Secretary of the Interior, transmitting, pursuant to law, a statement of the receipts and expenditures on account of pay patients received at the Freedmen's Hospital in the District of Columbia, which, with the accompanying paper, was referred to the Committee on the District of Columbia and ordered to be printed.

INDIAN HOSTILITIES (H. DOC. NO. 1252).

The VICE PRESIDENT laid before the Senate a communication from the Secretary of the Interior, transmitting, pursuant to law, a report relative to hostilities of any Indian tribes having treaty stipulations with the United States, which was referred to the Committee on Indian Affairs and ordered to be printed.

HOSPITALS FOR INDIANS (H. DOC. NO. 1254).

The VICE PRESIDENT laid before the Senate a communication from the Secretary of the Interior, transmitting, pursuant to law, a report relative to the expenditures for the erection of hospitals by the Bureau of Indian Affairs, which was referred to the Committee on Indian Affairs and ordered to be printed.

ST. CROIX CHIPPEWA INDIANS (H. DOC. NO. 1253).

The VICE PRESIDENT laid before the Senate a communication from the Secretary of the Interior, transmitting, pursuant to law, a preliminary report of the condition and tribal rights of the so-called St. Croix Chippewa Indians of Wisconsin, which, with the accompanying paper, was referred to the Committee on Indian Affairs and ordered to be printed.

ENCOURAGEMENT OF INDUSTRY AMONG INDIANS (H. DOC. NO. 1218).

The VICE PRESIDENT laid before the Senate a communication from the Secretary of the Interior, transmitting, pursuant to law, a detailed report of the expenditures made for purposes of encouraging industry among Indians at various Indian reservations during the fiscal year ended June 30, 1914, which, with the accompanying paper, was referred to the Committee on Indian Affairs and ordered to be printed.

RELIEF OF DESTITUTE INDIANS (H. DOC. NO. 1234).

The VICE PRESIDENT laid before the Senate a communication from the Secretary of the Interior, transmitting, pursuant to law, a statement of the expenditures from the appropriation for the relief of destitute Indians for the fiscal year ended June 30, 1914, which, with the accompanying paper, was referred to the Committee on Indian Affairs and ordered to be printed.

EMPLOYEES IN INDIAN SERVICE (H. DOC. NO. 1231).

The VICE PRESIDENT laid before the Senate a communication from the Secretary of the Interior, transmitting, pursuant to law, a report showing the diversion of appropriations for the pay of specified employees in the Indian Service for the fiscal year ended June 30, 1914, which, with the accompanying paper, was referred to the Committee on Indian Affairs and ordered to be printed.

SIOUX INDIAN FUND (H. DOC. NO. 1232).

The VICE PRESIDENT laid before the Senate a communication from the Secretary of the Interior, transmitting, pursuant to law, a report of expenditures from the permanent fund of the Sioux Indians during the fiscal year ended June 30, 1914, which, with the accompanying paper, was referred to the Committee on Indian Affairs and ordered to be printed.

INDIAN MONEYS (H. DOC. NO. 1222).

The VICE PRESIDENT laid before the Senate a communication from the Secretary of the Interior, transmitting, pursuant to law, a report of expenditures of money carried on books of the Interior Department under the caption "Indian moneys, proceeds of labor," for the fiscal year ended June 30, 1914, which, with the accompanying paper, was referred to the Committee on Indian Affairs and ordered to be printed.

HEIRS OF DECEASED INDIAN ALLOTTEES (H. DOC. NO. 1235).

The VICE PRESIDENT laid before the Senate a communication from the Secretary of the Interior, transmitting, pursuant to law, a report of all moneys collected and deposited during the fiscal year ended June 30, 1914, under the appropriation "Determining heirs of deceased Indian allottees, 1914," which, with the accompanying paper, was referred to the Committee on Indian Affairs and ordered to be printed.

TONGUE RIVER INDIAN RESERVATION (H. DOC. NO. 1244).

The VICE PRESIDENT laid before the Senate a communication from the Secretary of the Interior, transmitting, pursuant to law, a report of the expenditures made for the purpose of encouraging industry among Indians on the Tongue River Reservation during the fiscal year ended June 30, 1914, which, with the accompanying paper, was referred to the Committee on Indian Affairs and ordered to be printed.

SUPPORT OF INDIAN SCHOOLS (H. DOC. NO. 1285).

The VICE PRESIDENT laid before the Senate a communication from the Secretary of the Interior, transmitting, pursuant to law, a statement of expenditures from the appropriation for the fiscal year 1914 for the support of Indian schools, which, with the accompanying paper, was referred to the Committee on Indian Affairs and ordered to be printed.

INDIAN SCHOOLS.

The VICE PRESIDENT laid before the Senate a communication from the Secretary of the Interior, transmitting, pursuant to law, a statement of the expenditures from the appropriation for Indian schools and agency buildings for the fiscal year ended June 30, 1914, which, with the accompanying paper, was referred to the Committee on Indian Affairs and ordered to be printed.

INDIAN RESERVATIONS.

The VICE PRESIDENT laid before the Senate a communication from the Secretary of the Interior, transmitting, pursuant to law, a statement of the cost of all survey and allotment work on Indian reservations for the fiscal year ended June 30, 1914, which, with the accompanying paper, was referred to the Committee on Indian Affairs and ordered to be printed.

CARE OF TIMBER.

The VICE PRESIDENT laid before the Senate a communication from the Secretary of the Interior, transmitting, pursuant to law, a statement of the expenditures from the appropriation for industrial work and care of timber for the fiscal year ended June 30, 1914, which, with the accompanying paper, was referred to the Committee on Appropriations and ordered to be printed.

REPORT OF SECRETARY OF AGRICULTURE.

The VICE PRESIDENT laid before the Senate the annual report of the Secretary of Agriculture for the fiscal year ended June 30, 1914, which was referred to the Committee on Agriculture and Forestry and ordered to be printed.

TRAVEL PAY OF EMPLOYEES IN AGRICULTURAL DEPARTMENT (H. DOC. NO. 1260).

The VICE PRESIDENT laid before the Senate a communication from the Secretary of Agriculture, transmitting, pursuant to law, a statement showing in detail the travel from Washington to points outside the District of Columbia of officers and employees of the Department of Agriculture during the fiscal year ended June 30, 1914, which was referred to the Committee on Appropriations and ordered to be printed.

DEPARTMENT OF AGRICULTURE (H. DOC. NO. 1229).

The VICE PRESIDENT laid before the Senate a communication from the Secretary of Agriculture, transmitting, pursuant to law, a statement in regard to the purchase of typewriting machines during the first three months of the fiscal year 1915, which, with the accompanying paper, was referred to the Committee on Appropriations and ordered to be printed.

COMMISSION ON INDUSTRIAL RELATIONS.

The VICE PRESIDENT laid before the Senate the first annual report of the Commission on Industrial Relations, which was referred to the Committee on Education and Labor.

LIST OF JUDGMENTS.

The VICE PRESIDENT laid before the Senate a communication from the Chief Clerk of the Court of Claims, transmitting, pursuant to law, a list of all judgments rendered by the court for the year ended December 5, 1914, the amounts thereof, the parties in whose favor rendered, and a brief synopsis of the nature of the claims upon which the judgments were rendered, which, with the accompanying paper, was referred to the Committee on Claims and ordered to be printed.

FINDINGS OF THE COURT OF CLAIMS.

The VICE PRESIDENT laid before the Senate communications from the assistant clerk of the Court of Claims, transmit-

ting certified copies of the findings of fact and conclusions filed by the court in the following causes:

In the cause of Mary E. Egan, administratrix of the estate of Patrick Egan, surviving partner of the firm of Donnelly & Co., *v.* United States;

In the cause of the Trustees of the Baptist Church of Tateville, Ky., *v.* United States;

In the cause of the Trustees of the Protestant Orphan Asylum at Natchez, Miss., *v.* United States;

In the cause of the Session of the Presbyterian Church of Greenwood, Prince William County, Va., *v.* United States;

In the cause of the African Methodist Episcopal Church of Gallipolis, Ohio, *v.* United States;

In the cause of the Ascension Protestant Episcopal Church, of Mount Sterling, Ky., *v.* United States; and

In the cause of Calhoun Fluker, W. S. Fluker, Mary F. Bradford, Isabelle K. Fluker, Lulu F. Uhlhorn, Lulu L. Bentley, Julia C. Logan, Martha E. Logan, Bessie B. Leake, Mabel B. Leake, David Fluker Leake, B. K. Fluker, and Jessie Fluker Evans *v.* United States.

The foregoing findings were, with the accompanying papers, referred to the Committee on Claims and ordered to be printed.

PETITIONS AND MEMORIALS.

Mr. CLARK of Wyoming presented petitions of sundry citizens of Lusk, Wyo., praying for national prohibition, which were referred to the Committee on the Judiciary.

Mr. SHERMAN presented a petition of Du Quoin Council, No. 1298, Knights of Columbus, of Belleville, Ill., praying for the condemnation of the cruel deeds committed in Mexico, which was referred to the Committee on the Judiciary.

Mr. BRISTOW presented a memorial of sundry citizens of Delphos, Kans., remonstrating against an increase in freight rates on live stock, which was referred to the Committee on Interstate Commerce.

He also presented a petition of sundry citizens of Quinter, Kans., praying for the adoption of an amendment to the Constitution to prohibit polygamy, which was referred to the Committee on the Judiciary.

He also presented a memorial of sundry citizens of Ozawkie, Kans., remonstrating against the exclusion of anti-Catholic publications from the United States mails, which was referred to the Committee on Post Offices and Post Roads.

He also presented a petition of sundry citizens of Jersey City, N. J., praying for the enactment of legislation to further restrict immigration, which was ordered to lie on the table.

Mr. McLEAN presented petitions of sundry citizens of Stamford, Conn., praying for the enactment of legislation to provide pensions for civil-service employees, which were referred to the Committee on Civil Service and Retrenchment.

He also presented a petition of the Board of Trade of Thompsonville, Conn., praying for the enactment of legislation to provide a national security commission, which was referred to the Committee on Military Affairs.

Mr. LODGE presented petitions of sundry citizens of Chelmsford, Merrimac, West Bridgewater, Quincy, Springfield, Salem, Lowell, Rosalindale, Shelburne Falls, Gilbertville, Malden, Lyon Gardner, Fall River, North Sunderland, Amherst, Hatfield, Leominster, Clinton, Pittsfield, Greenfield, Amesbury, Hingham, Revere, Milton, Worcester, Andover, Needham, Middleboro, Arlington, and Boston, all in the State of Massachusetts, praying for national prohibition, which were referred to the Committee on the Judiciary.

He also presented petitions of John Sumner Council, No. 28, Order United American Mechanics, of Newburyport; of Golden Star Council, No. 22, Order United American Mechanics, of Beverly; and of High Rock Council, No. 6, Order United American Mechanics, of Lynn, all in the State of Massachusetts, praying for the enactment of legislation to further restrict immigration, which were ordered to lie on the table.

Mr. BURTON (for Mr. WEEKS) presented sundry papers to accompany the bill (S. 6667) granting a pension to Eugene Westcott, which were referred to the Committee on Pensions.

He also (for Mr. WEEKS) presented an affidavit to accompany the bill (S. 2436) granting an increase of pension to Fritz Hedland, which was referred to the Committee on Pensions.

Mr. O'GORMAN. I present resolutions adopted at a meeting of citizens held in the Bushwick High School, Borough of Brooklyn, N. Y., which I ask may be printed in the RECORD.

There being no objection, the resolutions were ordered to lie on the table and to be printed in the RECORD, as follows:

1205 HANCOCK STREET, BROOKLYN, N. Y.,
December 4, 1914.

Hon. JAMES A. O'GORMAN,
United States Senator, 318 West 108th Street, New York City.

DEAR SIR: I take pleasure in submitting the inclosed resolutions, which were unanimously adopted at a meeting held by the citizens of the Bushwick-Ridgewood section on November 29, 1914, at the Bushwick High School.

Yours, very truly,

HENRY WERNER, *Secretary.*

Whereas the Post Office Department has in its employ a great many aged and infirm employees; and

Whereas there was pending before the late session of Congress a bill (H. R. 5139) known as the Hamill bill, the purpose of which is to make adequate provision for the retirement of superannuated and disabled Federal civil-service employees; and

Whereas the provisions of said bill are such that the efficiency of the public service would be materially increased by the constant addition of young men to replace those retired, and, entering at the minimum grades of salary, would effect a saving to the Government sufficient to initiate this plan of retirement; and

Whereas nearly all the largest corporations and railroads in the United States, as well as every large city, have inaugurated retirement systems for those who have spent the best years of their lives in service; and

Whereas the United States is the only nation in the world whose Government has not made any kind of provision for its aged employees: Therefore be it

Resolved by the citizens assembled at Bushwick High School of the Borough of Brooklyn, city and State of New York, That we heartily approve a retirement system for taking care of superannuated Government employees, and hereby indorse the provisions of the said Hamill bill (H. R. 5139), and respectfully request United States Senators Hon. ELIHU ROOT and Hon. JAMES A. O'GORMAN, and Congressmen Hon. FRANK E. WILSON, Hon. HARRY H. DALE, Hon. JAMES P. MAHER, Hon. WILLIAM M. CALDER, Hon. JOHN J. FITZGERALD, Hon. DANIEL J. GRIFFIN, Hon. JAMES H. O'BRIEN, and Hon. HERMAN A. METZ, representing the districts of Brooklyn, N. Y., to use their best efforts to resubmit said Hamill bill and effect its speedy enactment into law; and be it further

Resolved, That a copy of these resolutions be sent to our Senators from the State of New York and to our Congressmen representing the districts of Brooklyn, N. Y.

NOVEMBER 29, 1914.

REPORT OF SECRETARY OF THE SENATE.

Mr. FLETCHER, from the Committee on Printing, reported the following resolution (S. Res. 494), which was read, considered by unanimous consent, and agreed to:

Resolved, That the account submitted by the Secretary of the Senate on December 7, 1914, of all property and stationery in his possession on December 7, 1914, be printed as a Senate document (S. Doc. No. 628).

Mr. FLETCHER, from the Committee on Printing, reported the following resolution (S. Res. 495), which was read, considered by unanimous consent, and agreed to:

Resolved, That the statement of the receipts and expenditures of the Senate for the fiscal year ended June 30, 1914, as submitted by the Secretary of the Senate on December 7, 1914, be printed as a Senate document (S. Doc. No. 627).

HEARINGS BEFORE COMMITTEE ON THE PHILIPPINES.

Mr. SHAFROTH, from the Committee to Audit and Control the Contingent Expenses of the Senate, to which was referred Senate resolution 489, submitted yesterday by Mr. HITCHCOCK, reported it favorably without amendment, and it was considered by unanimous consent and agreed to, as follows:

Resolved, That the Committee on the Philippines, or any subcommittee thereof, be authorized during the Sixty-third Congress to subpœna witnesses, to send for books and papers, to administer oaths, and to employ a stenographer at a price not to exceed $1 per printed page to report such hearings as may be had in connection with any subject which may be pending before the said committee; that the committee may sit during the sessions or recesses of the Senate; and the expense thereof shall be paid out of the contingent fund of the Senate.

POSTAGE ON SECOND-CLASS MAIL MATTER (H. DOC. NO. 1257).

Mr. BANKHEAD. As chairman of the Committee on Post Offices and Post Roads I desire to submit a preliminary report of the Joint Committee on Postage upon Second-Class Mail Matter and Compensation for the Transportation of Mail. I ask that the report be printed in the RECORD.

The VICE PRESIDENT. Without objection, that action will be taken.

The report is as follows:

RAILWAY MAIL PAY (ELECTRIC AND CABLE CAR COMPANIES) AND POSTAGE ON SECOND-CLASS MAIL MATTER.

[Preliminary report of the Joint Committee on Postage on Second-Class Mail Matter and Compensation for the Transportation of Mail. Nov. 30, 1914, 63d Cong., 3d sess.]

To the Senate and House of Representatives of the United States of America in Congress assembled:

The Joint Committee on Postage on Second-Class Mail Matter and Compensation for the Transportation of Mail on August 31, 1914, submitted a report to Congress on the subject of railway mail pay (H. Doc. 1153, 63d Cong., 2d sess.). The subject matter of that report related to the transportation of mail over steam railroads. Early in our investigation hearings were granted representatives of electric lines, but as we progressed in our study we found that conditions applicable to transportation over steam roads and over electric and cable car routes were so entirely different as to necessitate independent investigations and reports.

Since our report of August 31, 1914, we have devoted our attention to the matter of transportation over electric and cable car routes, have collected a vast amount of data, and worked out a tentative plan. We find that the time has been insufficient to verify the data collected and to satisfy ourselves of the desirability of the tentative plan evolved. We therefore do not feel justified at this time in recommending to Congress the tentative plan we have evolved until we can be better assured of our premises.

For reasons indicated in our report of August 31, 1914, our investigation into the subject of compensation to steam railroads for the transportation of mail engaged our attention for a much longer period than we anticipated We were united in the opinion that the matter of compensation for mail transportation over both steam and electric and cable car routes shall be disposed of before taking up the subject of postage on second-class mail matter. This, on account of the extreme technicality of the subject of railway mail pay and the necessarily prolonged time taken for its consideration, has not received consideration for the reason just indicated.

Should Congress desire the electric and cable mail pay study completed and a study made of postage on second-class mail matter, it will be necessary to extend the life of our joint committee. In such event we respectfully recommend that the time for submission of our final report be extended from December 1, 1914, to on or before April 1, 1916.

As pointed out in our report of August 31, 1914, we had as of July 31, 1914, out of an appropriation of $25,000, a balance on hand of $18,439.50 "to defray such additional expense as may be incurred in working out a plan of mail pay to electric roads and in conducting the study of postage on second-class mail matter." Since then we have expended $928.41, leaving a balance as of November 30, 1914, of $17,511.09, as will appear from the itemized statement hereto attached.

The expenditures above mentioned do not cover printing, which, under general laws, is paid for out of the general printing appropriation bills.

Financial statement of the Joint Committee on Postage on Second-Class Mail Matter and Compensation for the Transportation of Mail.

APPROPRIATION.

By act of Congress, Aug. 24, 1912		$25,000.00
DISBURSEMENTS.		
Aug. 31, 1914, expenditure reported as of July 31, 1914 (Report on railway-mail pay, H. Doc. 1155, 63d Cong., 2d sess., pp. 123–124.)	$6,560.50	
Salary stenographer (Janie M. George), Aug. 1, 3, 4, 5, 6, and 7, 1914	$24.00	
Salary secretary (Robert H. Turner), Aug. 1, 1914, to Nov. 30, 1914, 4 months	800.00	
Salary stenographer (M. R. Gold), Aug. 1, 1914, to Aug. 31, 1914, 1 month	100.00	
Office supplies, Aug. 31, 1914, to Oct. 17, 1914	4.41	
	928.41	
		7,488.91
Balance in Treasury Nov. 30, 1914		17,511.09

List of vouchers in order of issuance.

Expenditures reported as of July 31, 1914 (For itemized statement of these expenditures, see committee's report on railway-mail pay, dated Aug. 31, 1914, H. Doc. 1155, 63d Cong., 2d sess., pp. 123–124.)		$6,560.50
Aug. 1, 3, 4, 5, 6, and 7, 1914, stenographic services	$24.00	
Aug. 1–31, 1914, services as secretary, Robert H. Turner	200.00	
Aug. 1–31, 1914, stenographic service, M. R. Gold	100.00	
Sept. 1–30, 1914, services as secretary, Robert H. Turner	200.00	
Oct. 1–31, 1914, services as secretary, Robert H. Turner	200.00	
Nov. 1–30, 1914, stationery, Charles N. Richards (Aug. 31 to Oct. 17, 1914.)	4.41	
Nov. 1–30, 1914, services as secretary, Robert H. Turner	200.00	
		928.41
Nov. 30, 1914		7,488.91

Respectfully submitted.

JONATHAN BOURNE, Jr., *Chairman.*
HARRY A. RICHARDSON.
JOHN H. BANKHEAD.
JAMES T. LLOYD.
WILLIAM E. TUTTLE, Jr.
JOHN W. WEEKS.

BILLS AND JOINT RESOLUTIONS INTRODUCED.

Bills and joint resolutions were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. SHERMAN:

A bill (S. 6776) granting an extension of time to construct a bridge across Rock River at or near Colona Ferry, in the State of Illinois; to the Committee on Commerce.

By Mr. GALLINGER:

A bill (S. 6777) for the relief of Frank Ferrin (with accompanying papers); and

A bill (S. 6778) for the relief of Maxwell Carpenter (with accompanying papers); to the Committee on Military Affairs.

By Mr. FLETCHER:

A bill (S. 6779) making appropriations to enable the Secretary of Agriculture to meet the emergency caused by the infectious nature and the continued spread of the destructive disease of citrus trees, known as citrus canker; to the Committee on Appropriations.

A bill (S. 6780) to authorize the Secretary of Commerce to transfer a portion of the lighthouse reservation, Tawas, Mich., to the Secretary of the Treasury;

A bill (S. 6781) to provide for the appointment of 11 supervising inspectors, Steamboat-Inspection Service, in lieu of 10; and

A bill (S. 6782) to provide for the appointment of certain assistant inspectors, Steamboat-Inspection Service, at ports where they are actually performing duty, but to which they are at present detailed; to the Committee on Commerce.

By Mr. BRISTOW:

A bill (S. 6783) granting a pension to Esther L. Johns (with accompanying papers);

A bill (S. 6784) granting a pension to Pauline Lane (with accompanying papers);

A bill (S. 6785) granting an increase of pension to Wyatt C. Crawford (with accompanying papers); and

A bill (S. 6786) granting an increase of pension to Jeremiah Adams (with accompanying papers); to the Committee on Pensions.

By Mr. JONES:

A bill (S. 6787) providing that the death of the soldier in the service shall be deemed, for pensionable purposes, an honorable discharge;

A bill (S. 6788) granting an increase of pension to Hugh Smith; and

A bill (S. 6789) granting an increase of pension to John C. Wilson; to the Committee on Pensions.

By Mr. BURTON:

A bill (S. 6790) granting a pension to John G. Schrock; to the Committee on Pensions.

By Mr. BURTON (for Mr. WEEKS):

A bill (S. 6791) granting an increase of pension to George Parker McCarty and Mildred Gertrude McCarty; to the Committee on Pensions.

By Mr. LIPPITT:

A bill (S. 6792) granting an increase of pension to Julia M. Sayles; to the Committee on Pensions.

By Mr. NORRIS:

A bill (S. 6793) granting an increase of pension to Maggie S. Northway;

A bill (S. 6794) granting an increase of pension to Nicholas Metzer;

A bill (S. 6795) granting an increase of pension to William H. D. Lancaster;

A bill (S. 6796) granting an increase of pension to Jay D. Morse;

A bill (S. 6797) granting a pension to Gertrude Edmonds; and

A bill (S. 6798) granting an increase of pension to John Nelson; to the Committee on Pensions.

By Mr. SMOOT:

A bill (S. 6799) granting an increase of pension to John T. Hayes (with accompanying papers); and

A bill (S. 6800) granting an increase of pension to William F. Stotts (with accompanying papers); to the Committee on Pensions.

By Mr. McLEAN:

A bill (S. 6801) granting an increase of pension to Charlotte J. Smith (with accompanying papers); and

A bill (S. 6802) granting a pension to Louise R. Baglin (with accompanying papers); to the Committee on Pensions.

By Mr. SHIVELY:

A bill (S. 6803) granting a pension to Isabell Main;

A bill (S. 6804) granting an increase of pension to Mary J. Wilcox;

A bill (S. 6805) granting an increase of pension to John F. Davis;

A bill (S. 6806) granting an increase of pension to George W. Cartwright;

A bill (S. 6807) granting a pension to Edward M. Booe;

A bill (S. 6808) granting an increase of pension to George Turnbaugh;

A bill (S. 6809) granting an increase of pension to Walter F. Davidson;

A bill (S. 6810) granting an increase of pension to William D. Bonar;

A bill (S. 6811) granting an increase of pension to Samuel Shaffer;

A bill (S. 6812) granting an increase of pension to Samuel Franklin, jr.;

A bill (S. 6813) granting an increase of pension to Edwin Forbes;

A bill (S. 6814) granting an increase of pension to James W. Toler;

A bill (S. 6815) granting an increase of pension to Warren J. Hazell;

A bill (S. 6816) granting an increase of pension to George Wort;

A bill (S. 6817) granting an increase of pension to George W. Markland;

A bill (S. 6818) granting an increase of pension to William A. Rusie;

A bill (S. 6819) granting an increase of pension to Frank B. Gillespie;

A bill (S. 6820) granting a pension to Herman W. Neistadt;

A bill (S. 6821) granting a pension to Matthew H. Jackson;

A bill (S. 6822) granting a pension to John H. Elder; and

A bill (S. 6823) granting a pension to Denver D. Barnes; to the Committee on Pensions.

By Mr. LODGE:

A bill (S. 6824) granting a pension to Edward F. Collins; to the Committee on Pensions.

By Mr. DILLINGHAM:

A bill (S. 6825) granting an increase of pension to Isaac Baker (with accompanying papers); and

A bill (S. 6826) granting an increase of pension to John Ryan (with accompanying papers); to the Committee on Pensions.

By Mr. JONES:

A joint resolution (S. J. Res. 205) to convey the thanks of Congress to Capt. Thomas Moore, master of the Alaska Steamship Co. steamer *Cordova*, and to the officers and crew for the prompt and heroic services rendered by them in rescuing 58 survivors of the United States revenue-cutter *Tahoma;* to the Committee on Commerce.

A joint resolution (S. J. Res. 206) relating to the period of pensionable service under the act of May 11, 1912; to the Committee on Pensions.

By Mr. THOMPSON:

A joint resolution (S. J. Res. 207) authorizing the Secretary of the Interior to cause the settlement of the account of Special Agents Moore and Woodson and Whitfield, under the treaty of 1854 with the Delaware Indians, etc.; to the Committee on Indian Affairs.

CONDITION OF IMPORTED CORN.

Mr. SHERMAN. I introduce a joint resolution which I ask to have read.

The VICE PRESIDENT. Is there objection to the reading of the joint resolution? The Chair hears none, and the Secretary will read it.

The joint resolution (S. J. Res. 204) directing the Secretary of Agriculture to ascertain whether imported corn is infested with weevil or other noxious or destructive insect, and for other purposes, was read the first time by its title and the second time at length, as follows:

Resolved, etc., That the Secretary of Agriculture be, and is hereby, directed to investigate the imports of corn into the United States to ascertain whether it or any part of the same is infested with weevil or other noxious or destructive insect, and if found to be so to investigate the source or sources of such imports and the origin, nature, and variety of the weevil or insect, and whether there is danger of communicating the same through such imports to corn grown in the United States so as to endanger its value, and if it be found to do so to take all necessary means to prevent such injury to domestic corn, and to cooperate with the Secretary of the Treasury to that end.

The VICE PRESIDENT. The joint resolution will be referred to the Committee on Agriculture and Forestry.

ALLEGED USE OF MEXICAN FUNDS.

The VICE PRESIDENT. The Chair lays before the Senate the following resolution, coming over from a preceding day.

The SECRETARY. Senate resolution 487, submitted yesterday by Mr. ROBINSON, proposing to instruct the Committee on Foreign Relations to investigate the report contained in the press that $75,000 is alleged to have been paid by the Carranza régime or its representatives to two United States Senators to cause or induce the withdrawal of United States troops from Vera Cruz.

Mr. ROBINSON. I ask unanimous consent for the present consideration of the resolution.

Mr. SMOOT. Of course——

Mr. ROBINSON. I will state to the Senator from Utah that if consent is given, it is my intention to move to amend the resolution by giving instructions to the lobby investigating committee instead of the Committee on Foreign Relations, the chairman of the latter committee having expressed a desire that the resolution go to some other committee, on account of the extensive matters for hearing before his committee.

Mr. SMOOT. May I ask whether the resolution involves any expenditure at all?

Mr. ROBINSON. It does not, I will say, if the request is addressed to me.

Mr. GALLINGER. I suggest to the Senator from Arkansas that he need not ask consent for the consideration of the resolution. The resolution is before the Senate.

The VICE PRESIDENT. It is regularly before the Senate now.

Mr. SMOOT. I was going to make that suggestion. What I desire to know, however, is whether the resolution involves any expenditure?

The VICE PRESIDENT. On its face it does not.

Mr. SMOOT. I stated that I had hoped that this morning the Senator from Arkansas would withdraw the resolution. I do not believe that mere newspaper reports referring to some unnamed person or Member of this body ought to be dignified by the notice of the Senate. I recognize the fact that it has been done in the past; but I think it is a practice that ought to cease, and I know of no better occasion than this to inaugurate a change. I can not see what good will come from the proposed investigation. If any good whatever could come from it, I would not object to the passage of the resolution; but it does seem to me, Mr. President, that it is uncalled for and unnecessary to so dignify a newspaper report with no basis of fact given in the report itself. As I have said, I had hoped that this morning the Senator would withdraw the resolution, and if he did not withdraw it, that the Senate would not even allow it to be referred to a committee, but would lay the resolution upon the table.

Mr. ROBINSON. Mr. President, did I understand the Senator from Utah to make a motion to that effect? If so, before he makes that motion I should like to submit a brief statement.

THE PRESIDENT'S ADDRESS.

The VICE PRESIDENT. The Senator from Arkansas will pardon the Chair. The time has now nearly arrived when, in accordance with the concurrent resolution of the two Houses of Congress, the Senate of the United States is to proceed to the Hall of the House of Representatives for the purpose of hearing such recommendations as the President of the United States may be pleased to offer to the Congress. It seems impossible to act upon the resolution now, and its consideration, therefore, will be deferred until the return of the Senate. The Sergeant at Arms will carry out the instructions of the Senate.

Thereupon (at 12 o'clock and 22 minutes p. m.) the Senate, headed by the Sergeant at Arms and preceded by the Vice President and the Secretary, proceeded to the Hall of the House of Representatives.

The Senate returned to its Chamber at 1 o'clock and 15 minutes p. m.

The address of the President of the United States this day delivered to both Houses of Congress is as follows:

ANNUAL ADDRESS OF THE PRESIDENT TO THE CONGRESS (H. DOC. NO. 1184).

Gentlemen of the Congress, the session upon which you are now entering will be the closing session of the Sixty-third Congress, a Congress, I venture to say, which will long be remembered for the great body of thoughtful and constructive work which it has done, in loyal response to the thought and needs of the country. I should like in this address to review the notable record and try to make adequate assessment of it; but no doubt we stand too near the work that has been done and are ourselves too much part of it to play the rôle of historians toward it.

Our program of legislation with regard to the regulation of business is now virtually complete. It has been put forth, as we intended, as a whole, and leaves no conjecture as to what is to follow. The road at last lies clear and firm before business. It is a road which it can travel without fear or embarrassment. It is the road to ungrudged, unclouded success. In it every honest man, every man who believes that the public interest is part of his own interest, may walk with perfect confidence.

Moreover, our thoughts are now more of the future than of the past. While we have worked at our tasks of peace the circumstances of the whole age have been altered by war. What we have done for our own land and our own people we did with the best that was in us, whether of character or of intelligence, with sober enthusiasm and with a confidence in the principles upon which we were acting which sustained us at every step of the difficult undertaking; but it is done. It has passed from our hands. It is now an established part of the legislation of the country. Its usefulness, its effects, will disclose themselves in experience. What chiefly strikes us now, as we look about us during these closing days of a year which will be forever memorable in the history of the world, is that we face new tasks, have been facing them these six months, must face them in the months to come—face them without partisan feeling, like men who have forgotten everything but a common duty and the fact that we are representatives of a great people whose thought is not of us but of what America owes to herself and to all man-

kind in such circumstances as these upon which we look amazed and anxious.

War has interrupted the means of trade not only but also the processes of production. In Europe it is destroying men and resources wholesale and upon a scale unprecedented and appalling. There is reason to fear that the time is near, if it be not already at hand, when several of the countries of Europe will find it difficult to do for their people what they have hitherto been always easily able to do—many essential and fundamental things. At any rate, they will need our help and our manifold services as they have never needed them before; and we should be ready, more fit and ready than we have ever been.

It is of equal consequence that the nations whom Europe has usually supplied with innumerable articles of manufacture and commerce, of which they are in constant need and without which their economic development halts and stands still, can now get only a small part of what they formerly imported, and eagerly looks to us to supply their all but empty markets. This is particularly true of our own neighbors, the States, great and small, of Central and South America. Their lines of trade have hitherto run chiefly athwart the seas, not to our ports but to the ports of Great Britain and of the older Continent of Europe. I do not stop to inquire why or to make any comment on probable causes. What interests us just now is not the explanation but the fact, and our duty and opportunity in the presence of it. Here are markets which we must supply, and we must find the means of action. The United States, this great people for whom we speak and act, should be ready as never before to serve itself and to serve mankind; ready with its resources, its energies, its forces of production, and its means of distribution.

It is a very practical matter—a matter of ways and means. We have the resources, but are we fully ready to use them? And, if we can make ready what we have, have we the means at hand to distribute it? We are not fully ready; neither have we the means of distribution. We are willing, but we are not fully able. We have the wish to serve and to serve greatly, generously; but we are not prepared as we should be. We are not ready to mobilize our resources at once. We are not prepared to use them immediately and at their best, without delay and without waste.

To speak plainly, we have grossly erred in the way in which we have stunted and hindered the development of our merchant marine; and now, when we need ships, we have not got them. We have year after year debated, without end or conclusion, the best policy to pursue with regard to the use of the ores and forests and water powers of our national domain in the rich States of the West, when we should have acted; and they are still locked up. The key is still turned upon them, the door shut fast at which thousands of vigorous men, full of initiative, knock clamorously for admittance. The water power of our navigable streams outside the national domain also, even in the Eastern States, where we have worked and planned for generations, is still not used as it might be, because we will and we won't; because the laws we have made do not intelligently balance encouragement against restraint. We withhold by regulation.

I have come to ask you to remedy and correct these mistakes and omissions, even at this short session of a Congress which would certainly seem to have done all the work that could reasonably be expected of it. The time and the circumstances are extraordinary, and so must our efforts be also.

Fortunately, two great measures, finely conceived, the one to unlock, with proper safeguards, the resources of the national domain, the other to encourage the use of the navigable waters outside that domain for the generation of power, have already passed the House of Representatives and are ready for immediate consideration and action by the Senate. With the deepest earnestness I urge their prompt passage. In them both we turn our backs upon hesitation and makeshift and formulate a genuine policy of use and conservation, in the best sense of those terms. We owe the one measure not only to the people of that great western country for whose free and systematic development, as it seems to me, our legislation has done so little, but also to the people of the Nation as a whole; and we as clearly owe the other in fulfillment of our repeated promises that the water power of the country should in fact as well as in name be put at the disposal of great industries which can make economical and profitable use of it, the rights of the public being adequately guarded the while, and monopoly in the use prevented. To have begun such measures and not completed them would indeed mar the record of this great Congress very seriously. I hope and confidently believe that they will be completed.

And there is another great piece of legislation which awaits and should receive the sanction of the Senate—I mean the bill which gives a larger measure of self-government to the people of the Philippines. How better, in this time of anxious questioning and perplexed policy, could we show our confidence in the principles of liberty, as the source as well as the expression of life, how better could we demonstrate our own self-possession and steadfastness in the courses of justice and disinterestedness than by thus going calmly forward to fulfill our promises to a dependent people, who will look more anxiously than ever to see whether we have indeed the liberality, the unselfishness, the courage, the faith we have boasted and professed. I can not believe that the Senate will let this great measure of constructive justice await the action of another Congress. Its passage would nobly crown the record of these two years of memorable labor.

But I think that you will agree with me that this does not complete the toll of our duty. How are we to carry our goods to the empty markets of which I have spoken if we have not the ships? How are we to build up a great trade if we have not the certain and constant means of transportation upon which all profitable and useful commerce depends? And how are we to get the ships if we wait for the trade to develop without them? To correct the many mistakes by which we have discouraged and all but destroyed the merchant marine of the country, to retrace the steps by which we have, it seems almost deliberately, withdrawn our flag from the seas, except where, here and there, a ship of war is bidden carry it or some wandering yacht displays it, would take a long time and involve many detailed items of legislation, and the trade which we ought immediately to handle would disappear or find other channels while we debated the items.

The case is not unlike that which confronted us when our own continent was to be opened up to settlement and industry, and we needed long lines of railway, extended means of transportation prepared beforehand, if development was not to lag intolerably and wait interminably. We lavishly subsidized the building of transcontinental railroads. We look back upon that with regret now, because the subsidies led to many scandals of which we are ashamed; but we know that the railroads had to be built, and if we had it to do over again we should of course build them, but in another way. Therefore I propose another way of providing the means of transportation, which must needs precede, not tardily follow, the development of our trade with our neighbor States of America. It may seem a reversal of the natural order of things, but it is true, that the routes of trade must be actually opened—by many ships and regular sailings and moderate charges—before streams of merchandise will flow freely and profitably through them.

Hence the pending shipping bill, discussed at the last session but as yet passed by neither House. In my judgment such legislation is imperatively needed and can not wisely be postponed. The Government must open these gates of trade, and open them wide; open them before it is altogether profitable to open them, or altogether reasonable to ask private capital to open them at a venture. It is not a question of the Government monopolizing the field. It should take action to make it certain that transportation at reasonable rates will be promptly provided, even where the carriage is not at first profitable; and then, when the carriage has become sufficiently profitable to attract and engage private capital, and engage it in abundance, the Government ought to withdraw. I very earnestly hope that the Congress will be of this opinion, and that both Houses will adopt this exceedingly important bill.

The great subject of rural credits still remains to be dealt with, and it is a matter of deep regret that the difficulties of the subject have seemed to render it impossible to complete a bill for passage at this session. But it can not be perfected yet, and therefore there are no other constructive measures the necessity for which I will at this time call your attention to; but I would be negligent of a very manifest duty were I not to call the attention of the Senate to the fact that the proposed convention for safety at sea awaits its confirmation and that the limit fixed in the convention itself for its acceptance is the last day of the present month. The conference in which the convention originated was called by the United States; the representatives of the United States played a very influential part indeed in framing the provisions of the proposed convention; and those provisions are in themselves for the most part admirable. It would hardly be consistent with the part we have played in the whole matter to let it drop and go by the board as if forgotten and neglected. It was ratified in May last by the German Government and in August by the Parliament of Great Britain. It marks a most hopeful and decided advance in international civilization. We should show our earnest good faith in a great matter by adding our own acceptance of it.

There is another matter of which I must make special mention, if I am to discharge my conscience, lest it should escape your attention. It may seem a very small thing. It affects only

a single item of appropriation. But many lives and many great enterprises hang upon it. It is the matter of making adequate provision for the survey and charting of our coasts. It is immediately pressing and exigent in connection with the immense coast line of Alaska, a coast line greater than that of the United States themselves, though it is also very important indeed with regard to the older coasts of the continent. We can not use our great Alaskan domain, ships will not ply thither, if those coasts and their many hidden dangers are not thoroughly surveyed and charted. The work is incomplete at almost every point. Ships and lives have been lost in threading what were supposed to be well-known main channels. We have not provided adequate vessels or adequate machinery for the survey and charting. We have used old vessels that were not big enough or strong enough and which were so nearly unseaworthy that our inspectors would not have allowed private owners to send them to sea. This is a matter which, as I have said, seems small, but is in reality very great. Its importance has only to be looked into to be appreciated.

Before I close may I say a few words upon two topics, much discussed out of doors, upon which it is highly important that our judgments should be clear, definite, and steadfast?

One of these is economy in Government expenditures. The duty of economy is not debatable. It is manifest and imperative. In the appropriations we pass we are spending the money of the great people whose servants we are—not our own. We are trustees and responsible stewards in the spending. The only thing debatable and upon which we should be careful to make our thought and purpose clear is the kind of economy demanded of us. I assert with the greatest confidence that the people of the United States are not jealous of the amount their Government costs if they are sure that they get what they need and desire for the outlay, that the money is being spent for objects of which they approve, and that it is being applied with good business sense and management.

Governments grow, piecemeal, both in their tasks and in the means by which those tasks are to be performed, and very few Governments are organized, I venture to say, as wise and experienced business men would organize them if they had a clean sheet of paper to write upon. Certainly the Government of the United States is not. I think that it is generally agreed that there should be a systematic reorganization and reassembling of its parts so as to secure greater efficiency and effect considerable savings in expense. But the amount of money saved in that way would, I believe, though no doubt considerable in itself, running, it may be, into the millions, be relatively small—small, I mean, in proportion to the total necessary outlays of the Government. It would be thoroughly worth effecting, as every saving would, great or small. Our duty is not altered by the scale of the saving. But my point is that the people of the United States do not wish to curtail the activities of the Government; they wish, rather, to enlarge them; and with every enlargment, with the mere growth, indeed, of the country itself, there must come, of course, the inevitable increase of expense. The sort of economy we ought to practice may be effected, and ought to be effected, by a careful study and assessment of the tasks to be performed; and the money spent ought to be made to yield the best possible returns in efficiency and achievement. And, like good stewards, we should so account for every dollar of our appropriations as to make it perfectly evident what it was spent for and in what way it was spent.

It is not expenditure but extravagance that we should fear being criticized for; not paying for the legitimate enterprises and undertakings of a great Government whose people command what it should do, but adding what will benefit only a few or pouring money out for what need not have been undertaken at all or might have been postponed or better and more economically conceived and carried out. The Nation is not niggardly; it is very generous. It will chide us only if we forget for whom we pay money out and whose money it is we pay. These are large and general standards, but they are not very difficult of application to particular cases.

The other topic I shall take leave to mention goes deeper into the principles of our national life and policy. It is the subject of national defense.

It can not be discussed without first answering some very searching questions. It is said in some quarters that we are not prepared for war. What is meant by being prepared? Is it meant that we are not ready upon brief notice to put a nation in the field, a nation of men trained to arms? Of course we are not ready to do that; and we never shall be in time of peace so long as we retain our present political principles and institutions. And what is it that it is suggested we should be prepared to do? To defend ourselves against attack? We have always found means to do that, and shall find them whenever it is necessary without calling our people away from their necessary tasks to render compulsory military service in time of peace.

Allow me to speak with great plainness and directness upon this great matter and to avow my convictions with deep earnestness. I have tried to know what America is, what her people think, what they are, what they most cherish and hold dear. I hope that some of their finer passions are in my own heart—some of the great conceptions and desires which gave birth to this Government and which have made the voice of this people a voice of peace and hope and liberty among the peoples of the world; and that, speaking my own thoughts, I shall, at least in part, speak theirs also, however faintly and inadequately, upon this vital matter.

We are at peace with all the world. No one who speaks counsel based on fact or drawn from a just and candid interpretation of realities can say that there is any reason to fear that from any quarter our independence or the integrity of our territory is threatened. Dread of the power of any other nation we are incapable of. We are not jealous of rivalry in the fields of commerce or of any other peaceful achievement. We mean to live our own lives as we will; but we mean also to let live. We are, indeed, a true friend to all the nations of the world, because we threaten none, covet the possessions of none, desire the overthrow of none. Our friendship can be accepted and is accepted without reservation, because it is offered in a spirit and for a purpose which no one need ever question or suspect. Therein lies our greatness. We are champions of peace and of concord. And we should be very jealous of this distinction which we have sought to earn. Just now we should be particularly jealous of it, because it is our dearest present hope that this character and reputation may presently, in God's providence, bring us an opportunity such as has seldom been vouchsafed any nation, the opportunity to counsel and obtain peace in the world and reconciliation and a healing settlement of many a matter that has cooled and interrupted the friendship of nations. This is the time above all others when we should wish and resolve to keep our strength by self-possession, our influence by preserving our ancient principles of action.

From the first we have had a clear and settled policy with regard to military establishments. We never have had, and while we retain our present principles and ideals we never shall have, a large standing army. If asked, Are you ready to defend yourselves? We reply, Most assuredly, to the utmost. And yet we shall not turn America into a military camp. We will not ask our young men to spend the best years of their lives making soldiers of themselves. There is another sort of energy in us. It will know how to declare itself and make itself effective should occasion arise. And especially when half the world is on fire we shall be careful to make our moral insurance against the spread of the conflagration very definite and certain and adequate indeed.

Let us remind ourselves, therefore, of the only thing we can do or will do. We must depend in every time of national peril, in the future as in the past, not upon a standing army, nor yet upon a reserve army, but upon a citizenry trained and accustomed to arms. It will be right enough, right American policy, based upon our accustomed principles and practices, to provide a system by which every citizen who will volunteer for the training may be made familiar with the use of modern arms, the rudiments of drill and maneuver, and the maintenance and sanitation of camps. We should encourage such training and make it a means of discipline which our young men will learn to value. It is right that we should provide it not only, but that we should make it as attractive as possible, and so induce our young men to undergo it at such times as they can command a little freedom and can seek the physical development they need, for mere health's sake, if for nothing else. Every means by which such things can be stimulated is legitimate, and such a method smacks of true American ideas. It is right, too, that the National Guard of the States should be developed and strengthened by every means which is not inconsistent with our obligations to our own people or with the established policy of our Government. And this, also, not because the time or occasion specially calls for such measures, but because it should be our constant policy to make these provisions for our national peace and safety.

More than this carries with it a reversal of the whole history and character of our polity. More than this, proposed at this time, permit me to say, would mean merely that we had lost our self-possession, that we had been thrown off our balance by a war with which we have nothing to do, whose causes can not touch us, whose very existence affords us opportunities of friendship and disinterested service which should make us ashamed of any thought of hostility or fearful preparation for

trouble. This is assuredly the opportunity for which a people and a government like ours were raised up, the opportunity not only to speak but actually to embody and exemplify the counsels of peace and amity and lasting concord which is based on justice and fair and generous dealing.

A powerful navy we have always regarded as our proper and natural means of defense; and it has always been of defense that we have thought, never of aggression or of conquest. But who shall tell us what sort of navy to build? We shall take leave to be strong upon the seas, in the future as in the past; and there will be no thought of offense or of provocation in that. Our ships are our natural bulwarks. When will the experts tell us just what kind we should construct, and when will they be right for 10 years together, if the relative efficiency of craft of different kinds and uses continues to change as we have seen it change under our very eyes in these last few months?

But I turn away from the subject. It is not new. There is no new need to discuss it. We shall not alter our attitude toward it because some amongst us are nervous and excited. We shall easily and sensibly agree upon a policy of defense. The question has not changed its aspects because the times are not normal. Our policy will not be for an occasion. It will be conceived as a permanent and settled thing, which we will pursue at all seasons, without haste and after a fashion perfectly consistent with the peace of the world, the abiding friendship of States, and the unhampered freedom of all with whom we deal. Let there be no misconception. The country has been misinformed. We have not been negligent of national defense. We are not unmindful of the great responsibility resting upon us. We shall learn and profit by the lesson of every experience and every new circumstance; and what is needed will be adequately done.

I close, as I began, by reminding you of the great tasks and duties of peace which challenge our best powers and invite us to build what will last, the tasks to which we can address ourselves now and at all times with free-hearted zest and with all the finest gifts of constructive wisdom we possess. To develop our life and our resources; to supply our own people, and the people of the world as their need arises, from the abundant plenty of our fields and our marts of trade; to enrich the commerce of our own States and of the world with the products of our mines, our farms, and our factories, with the creations of our thought and the fruits of our character—this is what will hold our attention and our enthusiasm steadily, now and in the years to come, as we strive to show in our life as a nation what liberty and the inspirations of an emancipated spirit may do for men and for societies, for individuals, for States, and for mankind.

Mr. FLETCHER. I move that 5,000 additional copies of the address of the President this day delivered to the two Houses of Congress be printed for the use of the Senate document room.

The PRESIDING OFFICER (Mr. SWANSON in the chair). If there is no objection, it will be so ordered. The Chair hears none, and it is so ordered.

ALLEGED USE OF MEXICAN FUNDS.

The PRESIDING OFFICER. Senate resolution No. 487 is before the Senate, and the Senator from Arkansas [Mr. ROBINSON] has the floor.

Mr. ROBINSON. Mr. President, when the Senate proceeded to the Hall of the House of Representatives for the purpose of hearing the President's address Senate resolution 487 was under consideration. The Senator from Utah [Mr. SMOOT] had suggested that the resolution be withdrawn; that the circumstances were not such as would warrant the Senate in authorizing or directing an investigation. The Senator from Utah also deplored the practice which he said, as I understood him, has heretofore prevailed in this body of taking notice of alleged scandalous or libelous statements reflecting upon the integrity of the Senate or of its Members.

I am always disposed to give careful attention to any suggestion the Senator from Utah makes, but I find myself unable, after consideration of his suggestion, to comply with it. I do not believe that if the Senator from Utah has read the statement upon which the resolution is based he will persist in his suggestion.

It is difficult for one who has served a long time in the United States Senate to get the viewpoint of the public. We, who are accustomed to associating with one another, who know our own methods, and who have regard for the high character of our colleagues are slow, and rightfully slow, to give credence to any report or statement which reflects upon the integrity of this body or any of its Members. If the public estimation of the United States Senate has been altered during recent years, if the United States Senate is not now held in that high esteem which formerly characterized public opinion concerning it, it may be due in part to the fact that the Senate has been slow to take notice of charges of this character.

Mr. President, the newspaper article, which is copied in full in the resolution, contains this statement:

> It is impossible to ascertain from the documents containing the record of the payment the names of the Senators, but the fact remains that the books of the treasury contain an entry that this sum was paid over to two Members of the Senate about a week before November 23, when Gen. Funston led his forces out of Vera Cruz by order of the War Department.

I agree with the Senator from Utah [Mr. SMOOT], and with other Senators here, that it is impossible, impracticable, and improper for this body to take notice of every scandalous or libelous statement which may be published in the press or currently circulated reflecting upon the integrity of this body or its membership; but I suggest to the Senator from Utah and to other Senators that if any statement printed in the public press can justify the Senate in taking action to protect its own good name and in making an investigation of this character, then this statement does that.

Mr. GALLINGER. Mr. President——

The PRESIDING OFFICER. Does the Senator from Arkansas yield to the Senator from New Hampshire?

Mr. ROBINSON. I yield to the Senator from New Hampshire.

Mr. GALLINGER. Does the Senator find in that published statement, or has he obtained from any other source, any definite information as to who is responsible for that publication?

Mr. ROBINSON. The publication purports to be a cablegram from the City of Mexico, which is published in the Washington Post. Of course I do not know what individual in the employment of the Washington Post is responsible for its publication; I have made no effort to ascertain that. I thought the investigating committee could do that.

Mr. GALLINGER. Does the Senator believe, or has he reason to know, that a cablegram of that kind was sent to the Washington Post?

Mr. ROBINSON. The Washington Post makes the statement that it was received; and it publishes it as such.

Mr. GALLINGER. Well, I do not so read it. I wish the Senator from Arkansas would read that.

Mr. ROBINSON. If the Senator from New Hampshire will pardon me, as my attention is called to the matter by the Senator from Florida, the statement was repeated in the Washington Post this morning. Not only that, but the article, repeating the statement, declared that this resolution was to find out which two Senators had received the $75,000. Now, I suggest to the Senator that if there can be a case which would appeal to him as calling upon him to protect the good name of this body as a whole, this is such a case.

The Senator from Utah [Mr. SMOOT] has suggested that the Senate ought not to take notice of it, because the names of the two Senators are not mentioned. That is the very reason, the particular reason, why the Senate ought to take notice of it. If the names of the Senators had been mentioned, those two Senators, in justification of their own integrity, would have taken this action; they would have been compelled to do so by public opinion. Here is a declaration, published and sent broadcast throughout the United States, asserting that two Senators have received a bribe, and that the evidence of it is contained in the records of the Government of Mexico, and yet the Senator from Utah and the Senator from New Hampshire impliedly say that is not sufficiently specific to warrant the Senate in taking notice of the publication.

Mr. GALLINGER. Mr. President, I do not want the Senator from Arkansas to put me in that attitude.

Mr. ROBINSON. I beg the Senator's pardon. I perhaps should not have said he "impliedly says," because the Senator from New Hampshire yesterday suggested that the resolution should go to a committee.

Mr. GALLINGER. My thought is, Mr. President, that in view of the conditions in Mexico and the various factions there, all of whom up to the present time are discredited, it would be a very natural thing for some of those men who wanted $75,000, as a matter of loot, to take it and make an entry of the kind stated on the books.

Mr. ROBINSON. If the Senator will pardon me, I was just about to make that suggestion myself; but the difficulty is that the public will not take that view of it if the Senate ignores this matter after this great newspaper has made the specific declaration. Our people here regard a statement in the "books of the treasury," as accurate and reliable; they do not under-

stand, as a whole, the system which seems to prevail in some foreign countries.

I think this investigation, if my opinion concerning the truthfulness of the charge is material, will disclose that if any money was taken from the treasury of Mexico, as is alleged in this document, it was not paid to any public officer of the United States, but that it was probably taken for some other purpose. The public, however, may be very indifferent as to my opinion concerning the matter; the public may be very indifferent as to the opinion of any individual Member of this body.

The point I make is that here is a specific charge, made by a responsible newspaper, to the effect that evidence exists that two United States Senators——

Mr. LODGE. If the Senator from Arkansas will allow me, the Washington Post does not make the charge. This is a mere cable dispatch.

Mr. ROBINSON. Very well. The Washington Post, in publishing the cable dispatch as news, assumes responsibility for it. The Senator from New Hampshire knows that if the Washington Post had published the names of two Senators as having received this $75,000, an action would lie for libel; such a publication would be libelous per se. The mere fact that the names of the two Senators are omitted perhaps relieves it from that difficulty.

The only protection that the Senate has against such statements as that, if they are unfounded, is to investigate them and vindicate its good name. You need not doubt, sir, that newspapers in many parts of the United States are to-day publishing the charge as true—publishing that the records of a foreign Government show that $75,000 was paid to two United States Senators; you need not doubt that whatever may be your viewpoint concerning the matter, however secure we may feel here in the consciousness of our own integrity, this report, uncontradicted and unrepudiated, will cast a stigma upon this body for not resenting which we ourselves will be held responsible in the future.

Mr. GALLINGER. Mr. President, the Senator from Arkansas is very courteous in yielding; I propose to make only one further observation, and then I shall not again interrupt the Senator.

I said yesterday that I was quite willing that this resolution should go to the committee known as the lobby committee; and I have not changed my mind about that, if the Senator insists upon pressing the resolution. Personally I had hoped that he would withdraw the resolution. During my term of service in the Senate I have twice been called before committees of the Senate that was investigating itself. I believe I was on both occasions put on oath to give testimony that I had not been guilty of something that had been charged in the newspapers. Nothing came of those inquiries. We vindicated ourselves so far as giving personal testimony was concerned; and I am willing to go through that ordeal again if the Senator from Arkansas thinks it necessary.

Of course if two United States Senators have been bribed to influence the President of the United States, they could not possibly belong to my party, because members of my party are not supposed to have any influence at the White House on either national or international questions. So I do not think we on this side of the Chamber need have any apprehensions as to the result of an inquiry of this kind; but to my mind it does dignify newspaper reports that are without authority, and if we continue to pursue all such attacks that may be made upon the Senate we shall be kept very busy in the future.

Having said that much, personally I have no objection to the matter going to the lobby committee, which has been struggling with other questions. I suppose they have not yet reached a conclusion on any of them; and perhaps it will do no harm to give them a little additional employment. In my opinion, however, it will not result in satisfying the public mind any more than it is now satisfied. The public mind has been poisoned with the idea—and largely through newspaper statements that have had no substantial backing—that the Senate of the United States is a corrupt body. The Senator from Arkansas knows that is not so, as I know it is not so; but if it is desirable that we should halt our business to take up this inconsequential matter in this short session, I have no particular objection to it being done by the committee which the Senator from Arkansas has agreed the resolution shall go to. Having said that much, I shall say no more.

Mr. ROBINSON. Mr. President, I do not regard it as an inconsequential matter. Under the rules of the Senate, as I understand them, it is a matter of the highest privilege. The Senator has stated that this body is in bad repute. I do not agree with that declaration, but I think it would be a serious blunder——

Mr. GALLINGER. Mr. President, if the Senator will permit me, I did not say that the body was in bad repute. I said that the public mind had been poisoned with the idea——

Mr. ROBINSON. And regarded the Senate as corrupt——

Mr. GALLINGER. The public mind had been taught to a certain extent by unauthorized newspaper interviews and statements that such is the fact. As I said, the Senator knows it is not so; I know it is not so; and I think the intelligence of the country knows it is not so.

Mr. ROBINSON. Mr. President, the Senator has said that he thinks no one upon the other side of the Chamber would be affected by the investigation. I feel sure that the same is true of this side, and I think it proper to say so. There is no man, no matter how long he may have served in this body, who has a higher regard for the traditions and for the reputation of the Senate than have I. However inefficient and however ill considered my action here may be, I know that this body has been in the past—and I hope it may prove to be more effective in the future—a bulwark against oppression and a power for good. I think that, in order to accomplish that end, it must protect its good name when it is brought in question by specific declarations of this character.

The time has come when magazines and newspapers should quit printing charges of this sort unless they are willing to produce the evidence upon which the charges are based. There is nothing more detrimental to the public service than bringing into ill repute the good name of public officers. I know what it is for an officer to have his good name traduced; I know what it is to fight on the defensive. Here is a statement which charges that the records of a foreign Government show that a sum of money was paid to two United States Senators, and that further investigation developed that apparently Zubaran had informed Carranza that it was necessary to employ "financial stimulus" in order to render it certain that President Wilson would not recede from his expressed determination to withdraw the American troops on November 23.

It would be a matter of little difficulty for any committee of this body, or for the Senate acting for itself, to ascertain the source of and the responsibility for that statement. If untrue, as we believe it to be untrue, then it ought to be repudiated, in order that the public may not misconstrue the failure of the Senate to contradict a statement of that sort when it has been made in a responsible newspaper.

Mr. CLARK of Wyoming. Mr. President, will the Senator yield for a question?

Mr. ROBINSON. With pleasure.

Mr. CLARK of Wyoming. Just upon the practical side of the question, I should like to ask the Senator how an investigation of this sort would determine whether or not the books of the Mexican treasury show that money was used for the purpose alleged or for any other purpose? We have, of course, no access to those books, and probably the proposed committee would be denied access to the books, and very properly so.

So far as what any man may say those books contain is concerned, the Senator is too good a lawyer, of course, to consider that that would be any evidence either before an investigating committee or anywhere else.

Mr. ROBINSON. Oh, to be sure, if the Senator will permit me.

Mr. CLARK of Wyoming. So I am rather inquiring as to the efficacy of an investigation of this sort, when you are met at the very threshold with the legal fact that you can not determine whether or not there is any basis for the statement.

Mr. ROBINSON. Mr. President, I do not find the difficulty that is suggested by the learned Senator from Wyoming to be insurmountable at all. The clear implication is that in the evacuation of the City of Mexico the Carranzista forces have left behind a part of the records of the government; that these fell into the hands of the Villatistas, and that it is from this source that the imputation comes. The Villa government itself would have to produce—it could not refuse to produce—the books, if such books are in existence.

Mr. CLARK of Wyoming. What is that last statement the Senator made, please?

Mr. ROBINSON. Those who claim to possess the books, the Villa government, would in good faith feel compelled to produce them, having authorized the statement, if it has authorized the statement, or else disavow it. If it disavows it, if it declares that it has no such records in its possession——

Mr. CLARK of Wyoming. Why, Mr. President, I am surprised that the Senator from Arkansas should say that there is any authority under the Senate of the United States or under the judicial power of the United States to go into a foreign country and compel the production of documentary evidence.

Mr. ROBINSON. I did not say anything of the kind. The Senator may have inferred it——

Mr. CLARK of Wyoming. No; I asked the question twice over.

Mr. ROBINSON. Just a moment—the Senator may have inferred it from my statement, but I did not intend to say that. The resolution as originally drawn by me gave the special committee authority to visit Mexico and take testimony. If this resolution goes to the lobby committee, the committee can make such investigation as it desires and can report a resolution giving itself additional authority if it is necessary and can go to Mexico or can send a messenger there for the purpose of inspecting the books. There is no difficulty about the practical feature of it.

Mr. CLARK of Wyoming. The Senator misapprehends my suggestion. We could send the committee to Mexico if we had money enough in our contingent fund, but I assert here that there is no power under the Senate of the United States or under the judicial power of the United States to compel the Government of Mexico to disclose what is upon its records.

Mr. ROBINSON. Certainly not; and if the Senator inferred from anything I said that this Government or that any committee——

Mr. STONE. Mr. President——

Mr. ROBINSON. Just a moment—that any committee of the Senate could compel the Government of Mexico or any government, either de facto or de jure, existing in Mexico to do anything, he certainly misinterpreted my statement, but the committee could investigate in its own way and reach a conclusion itself, using all available sources of information, and report to the Senate and to the country whether there was any foundation for the charge.

Mr. STONE. Mr. President, I read this article in the Washington Post yesterday morning. It purports to be a dispatch from the City of Mexico and states that certain things appear on some records belonging to the Carranza provisional government. I not only do not know of any means by which the committee could have access to those books if they could be found—I have not any idea, of course, where they are now; whether they are in the City of Mexico or in Vera Cruz—but, in addition to that, I want to say to my friend that after the committee got there and found, if we can presume that they should find, an entry on the books laid before the committee such as is detailed in the dispatch in the Post, that would not be any proof except to this extent, that $75,000 had been sent to a gentleman here by the name of Zubaran, representing the Carranza government. Zubaran is the only man that I have ever heard mentioned who knows what he did with the $75,000, if he got it. I saw in the papers yesterday afternoon, or possibly this morning, a very emphatic and somewhat heated disavowal on the part of Zubaran. He said that the thing was not only untrue, but that it was a silly lie. It seems to me we could well leave the whole subject at that point.

Mr. ROBINSON. Mr. President, the Senator from Missouri and the Senator from Wyoming, both of whom are eminent lawyers, have suggested a difficulty which is not dissimilar to that which arises in every lawsuit that has been tried involving subjects of this character. The question as to the manner of obtaining evidence would, of course, devolve upon the committee making the investigation. If the Senator wants to say, because he thinks there will be difficulty in arriving at the truth of the matter, that no investigation should be made, good and well; that is upon his own responsibility. I say that if a committee of this body, charged by the Senate with responsibility, makes the investigation and does its duty in regard to it, and makes a report to the Senate, its findings will be in law and in fact persuasive, if not conclusive, as to the truthfulness or untruthfulness of the charge. The objection that it would be difficult to prove that a United States Senator took a bribe is an objection that has arisen in every bribery case since government began. We know here that no one in this body would accept a bribe, but the public does not know it.

Mr. LODGE. They will not know it as the result of an investigation, then.

Mr. ROBINSON. It may be true, as suggested by the Senator from Massachusetts, that they will never know it, or that they will not know it after this resolution has been passed. I can not remain indifferent, I can not take the view of it that some of you do, though it may be that if I had served in this body as long as you I would have been as indifferent to the circumstances as some of you manifest yourselves.

Here is a statement which is a reflection on every Senator, by reason of the fact that it charges corruption and dishonesty against two Members, and specifically states that those two Members are unknown. Now, the matter has resolved itself into this: The opposition to the resolution object to it for two reasons. First, it is dignifying a charge for which they say there is no foundation; second, if the resolution passes it will accomplish nothing, because the proof can not be obtained.

Mr. CLARK of Wyoming. Mr. President, the Senator is assuming that I am opposing his resolution. I simply make an inquiry for the purpose of securing information.

Mr. ROBINSON. If the Senator declares that he is supporting the resolution, I accept his statement, of course; but I do not think anyone who heard his inquiry would doubt his attitude at that moment concerning the resolution.

Mr. President, I think I have consumed all the time on this subject that I should take. I am willing that the Senate shall vote upon the matter. If the Senator from Utah persists in his suggestion that a motion be made to lay the resolution upon the table, and if the Senate thinks the resolution should go upon the table, the responsibility is with the Senate.

Mr. LODGE. Mr. President, I think we have already given a great deal more attention to this matter than it deserves. Here comes a wandering story out of the whirlpool of disorder and anarchy which exists in Mexico, and now in Mexico City. It is a story evidently coming from one faction directed against another faction, with a view, probably, of injuring it. The entry on the books, according to this anonymous statement, is that it was "extraordinary diplomatic expenses" for which this money was spent.

Even if we started on this investigation, how could we possibly find out about the matter? Mexico is not bound to open her books to us. I do not know at this moment who is the government in Mexico. There are one or two presidents going on there; there are two or three governments going on there. The President of the United States, in the very interesting message which we have just heard, omitted to say anything about the Mexican situation. He did not congratulate the country on the success of our policy there, and he did not even tell us who constituted the Mexican Government at this moment. Are we going to send a subcommittee of the Senate down to Mexico City to ask them the truth about this vague, wandering newspaper dispatch?

Why, Mr. President, it seems to me that our own self-respect ought to lead us to treat this thing with perfect contempt. I do not think the Senate or any Senator in it needs the protection of an investigation against such stuff as that. Certainly there is not one of us that needs it, and surely the Senate does not need it. I think the Senate can afford to treat the thing with the silence and indifference which it deserves; and I regret that the Senator from Arkansas, whose motives and intentions I thoroughly appreciate, should have brought it before us at all. I think the best way is to lay it on the table, and get rid of it.

Mr. SMOOT. Mr. President, just a word.

I wish to call the Senator's attention to the fact that in the article itself doubts are expressed as to whether there is anything in the charge, for the last paragraph of the article says:

> Doubts are held here—

That is, in Mexico City—

> as to whether the money ever was paid to Senators, as alleged. It is quite possible the entry might have been made on the books and the story concocted to account for the diverting of the sum in other directions, although the treasury employees who were connected with Carranza's administration insist that the money was cabled to Zubaran to be used in influence Senators.

Mr. ROBINSON. Mr. President, will the Senator yield for a question?

Mr. SMOOT. Certainly.

Mr. ROBINSON. Does not the Senator from Utah think that if a committee of the Senate investigated the charge and found that statement to be true it would be more persuasive and more nearly conclusive than a suggestion made in the same article carrying the imputation? Of course we all know that it is possible; everybody knows that a thing is possible until one has been tried in court and found guilty beyond a reasonable doubt. Many possibilities exist from a legal standpoint.

Mr. SMOOT. Mr. President, I do not believe there was ever such an entry made. I do not believe there was ever such a book in existence. I do not believe a committee can possibly find the man who sent the telegram. I do not believe anything will come from an investigation except simply a report stating that there is nothing whatever in it; and I believe every Senator and every newspaper man and every other man in the country who might read the article would come to that conclusion without an investigation of any kind.

I want to say, as far as I am personally concerned, that I need no protection from such newspaper articles. I do not believe the Senator from Arkansas needs any. I am sure he does not. I am sure no Senator in this body needs it, and I

think it is magnifying a newspaper report beyond all reason. We can select such reports every morning if we desire to do so and have investigations made, and we could, if desired, have committees of the Senate do nothing else but investigate such ridiculous, untruthful reports as this, and shown to be such upon its face. I therefore move that the resolution be laid on the table.

Mr. STONE. Mr. President, before that is done I wish to say one word.

I hope the Senator will not press his motion to lay the resolution on the table. I shall vote against it if he does, although I am in no sense in sympathy with the resolution. I am sorry it was brought in; but when it comes from a Senator of such conservative feeling and judgment and for whom I have such high respect as the Senator from Arkansas, if a Senator of his standing has seen fit to bring it before the Senate I should not like simply to brush it aside in that way.

I have no objection, since the resolution is here, and I am inclined to think, perhaps, it is better since it is here to let it go to a committee. The only thing the committee can do under this resolution will be to make an investigation which entails no expense on the Senate fund. The resolution does not provide for an expense. If it did, it would have to go to the Committee to Audit and Control the Contingent Expenses of the Senate; and it was stated, when that view of the matter was before the Senate a short time ago, that the resolution would not have to go to the Committee to Audit and Control the Contingent Expenses of the Senate, for the reason that it carried no expense with it.

What I wish to say, Mr. President, is this: If the committee cares to bring Mr. Zubaran or anybody else before it and examine him and receive statements from him, let it be done. If it will better satisfy any Senator here, if one Senator here wishes it, let him be satisfied in that respect. If, however, at any time it is to entail large expense on the Treasury, if it is to result in sending a committee, at the public expense, on a sort of excursion into Mexico to make a waterhaul and return nothing to the Senate, I am not in favor of it.

Of course if the investigation made here by the committee, without expense, should develop something that indicated that some Senators had been corrupted, I would be willing then to spend any amount of money to carry it to the utmost limit. I am satisfied, however, that such investigation as can be made here and will be made will show in itself how empty this charge is; and I have no objection to that sort of investigation being held if it at all satisfies the wishes and judgment of any Senator here.

Mr. FLETCHER. Mr. President, I wish to make a suggestion just in this connection.

This resolution has been offered and is before the Senate. It does not seem to me that it ought to be disposed of by having it laid on the table. As the Senator from Arkansas has pointed out—and I think that is quite a material and important point to make—this article, published in the Washington Post, a great daily newspaper of tremendous influence throughout the country, is unquestionably quoted by the press from one end of the country to the other, at least to some extent.

Mr. SMOOT. Mr. President, will the Senator yield to me for just a moment?

Mr. FLETCHER. Certainly.

Mr. SMOOT. I really feel that the Senate has taken all the time it ought to take upon this question.

Mr. FLETCHER. I only want about 5 or 10 minutes.

Mr. SMOOT. Just a moment, and then perhaps the Senator will not want to say anything further upon it. The reason why I intended to ask that the resolution should be laid on the table was to show my utter contempt for a report like this being noticed by the Senate; but as long as there is one Senator who feels that it ought to be investigated, for his sake——

Mr. ROBINSON. Now, Mr. President——

Mr. SMOOT. Or for the Senate's sake, I certainly shall not insist upon taking that course.

Mr. ROBINSON. Will the Senator from Florida yield to me briefly?

Mr. FLETCHER. Certainly.

Mr. SMOOT. Therefore I shall not make the motion, and the resolution can go to the committee as far as I am concerned.

Mr. ROBINSON. Mr. President, in good humor, I do not quite appreciate the suggestions of the Senator from Missouri and the Senator from Utah in their last two statements. Upon my personal responsibility and official responsibility as a Senator I introduced this resolution. I have stated the reasons I think the Senate ought to take action concerning it. I make no apology to anyone for the action which I have taken or which I shall take concerning the matter, and I want Senators to do as I have done and am doing—stand upon their own responsibility. I prefer a vote now upon the motion which the Senator from Utah has indicated his purpose to make, but which, after debate, it appears he has not the courage to make.

Mr. SMOOT. If the Senator desires that, of course I shall do it. It was out of respect for the opinion of the Senator——

Mr. ROBINSON. Oh, I am not sensitive. If the Senate takes the view that it ought to take no notice of this charge, if it can afford to take that action, then let us vote on the Senator's motion to table the resolution.

Mr. SMOOT. All I wanted the Senator to know was that my suggestion was not because I had changed my mind in the least about the matter, but it was made out of the respect I have for the Senator from Arkansas.

Mr. ROBINSON. I want to say further that if this investigation is to be made I want it to be a frank and full investigation, in order that it may justify public confidence in the report which the committee may make. I am not introducing the resolution or supporting it on the theory that it will be an entire whitewash. If the charge is unfounded, as I apprehend it is, I want the conclusion of the committee to that effect to be based upon such evidence that I can justify it and that others can justify it.

Mr. SMOOT. I simply want to say to the Senator—and I ask the pardon of the Senator from Florida for interrupting him—that, as far as I am concerned, if we are going to have an investigation, we ought to have a thorough one or it will be a perfect farce. There is not a cent of money appropriated by this resolution to secure any information at all, and I submit that nothing can come from this kind of an investigation. It will be a farce, pure and simple.

I wish to say that I would not have interrupted the Senator from Florida, but I thought, of course, I would hasten matters and pay due deference to the wishes of the Senators here by simply saying that I was not going to make the motion to lay the resolution on the table; but now that the Senator from Arkansas desires it, I shall make that motion as soon as the Senator from Florida concludes.

Mr. FLETCHER. I have no disposition to take up any unnecessary time. In fact, I have made no observations before on this question, and I desire to submit just a few remarks in connection with what has been said.

Some one has said, "Give me the right to prepare the headlines for the newspaper, and you may write the article in any way you see fit." There is not any question but that nine-tenths of the people of this country ordinarily do not get beyond the headlines in reading newspapers, and the headline plays a very important part, it seems to me, in this publication. The headline is:

Seventy-five thousand dollars paid United States Senators by Carranza to have troops quit Vera Cruz—

Then the very insignificant part of the headline appears—

says report.

But the people throughout the country will read the headline and perhaps go no further. They will not learn that it is a purported cablegram from some irresponsible party connected with some irresponsible organization in some remote country to which we have not usual access; but the statement is made emphatically in this article, with such specification that it seems to me we can not ignore it, that the records in Mexico City show that there was sent to the agent in Washington of the Carranza interests down there $75,000 for extraordinary diplomatic expenses.

Let us assume—and the committee can assume—to begin with, without sending any special committee to Mexico, which is wholly unnecessary, that the records down there do show precisely what it is stated here they show; there is a party here in Washington, so the article says, by the name of Rafael Zubaran, chief of the Carranzista junta, who is said to have asked for this expenditure, to have called for this money, to have received the money, and to have disbursed it. It can not be a very expensive proposition to call Mr. Zubaran before the committee here and ascertain whether that is true or not.

The PRESIDING OFFICER. The Senator from Florida will pause. The hour of 2 o'clock having arrived, under Rule VIII of the Senate, the resolution will go to the calendar; and unless other disposition is made of business, the Senate will proceed to the consideration of the calendar under Rule VIII.

Mr. LODGE. The calendar under Rule VIII is in order. Regular order!

The PRESIDING OFFICER. The calendar is the regular order.

Mr. FLETCHER. If the regular order is called for, of course I take it, objection is made to discussing the resolution further.

The PRESIDING OFFICER. It was imperative on the Chair when the hour of 2 o'clock arrived, to state what disposition was made of the resolution under the rules of the Senate.

THE CALENDAR.

The PRESIDING OFFICER. The first bill on the calendar will be stated.

The SECRETARY. A bill (S. 1240) to establish the legislative bureau of the Library of Congress.

Mr. GALLINGER. Let that go over.

The PRESIDING OFFICER. It will go over.

The joint resolution (S. J. Res. 41) authorizing the Secretary of the Interior to sell or lease certain public lands to the Republic Coal Co., a corporation, was announced as the next business on the calendar.

Mr. GRONNA. Let that go over.

The PRESIDING OFFICER. The joint resolution will go over.

The bill (S. 2242) making it unlawful for any Member of Congress to serve on or solicit funds for any political committee, club, or organization was announced as next in order.

Mr. SMOOT. Let that go over.

The PRESIDING OFFICER. The bill will go over.

Mr. KERN. I move that the Senate adjourn.

The motion was agreed to; and (at 2 o'clock and 2 minutes p. m.) the Senate adjourned until to-morrow, Wednesday, December 9, 1914, at 12 o'clock meridian.

HOUSE OF REPRESENTATIVES.

TUESDAY, *December 8, 1914.*

The House met at 12 o'clock noon.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

O Thou great Spirit, Heart of the universe, from which light and life and love are ever going out to Thy children, cleanse us from all unworthiness that we may receive abundantly and reflect that light, life, and love wheresoever we are called to act in the affairs of men; that we may be profitable servants, worthy of the trust reposed in us and stand approved in the light of Heaven and in the hearts of our fellow men; that our harvest may be rich in the fruits of righteousness after the similitude of Him who taught us the way and the truth and the life. Amen.

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Tulley, one of its clerks, announced that the Senate had passed the following resolution:

Senate resolution 493.

Resolved, That the Senate has heard with deep sensibility the announcement of the death of Hon. EDWIN A. MERRITT, Jr., late a Representative from the State of New York.

Resolved, That a committee of six Senators be appointed by the Vice President, to join the committee appointed on the part of the House of Representatives, to attend the funeral of the deceased at Potsdam, N. Y.

Resolved, That the Secretary communicate a copy of these resolutions to the House of Representatives.

In compliance with the foregoing resolution, the Vice President had appointed as the committee on the part of the Senate under the second resolution Mr. ROOT, Mr. O'GORMAN, Mr. SHERMAN, Mr. MARTINE of New Jersey, Mr. DILLINGHAM, and Mr. SAULSBURY.

The message also announced that the Senate had passed without amendment the following resolution:

Resolved by the House of Representatives (the Senate concurring), That the two Houses of Congress assemble in the Hall of the House of Representatives on Tuesday, the 8th day of December, 1914, at 12 o'clock and 30 minutes in the afternoon, for the purpose of receiving such communications as the President of the United States shall be pleased to make them.

REPORT OF COMMITTEE APPOINTED TO WAIT UPON THE PRESIDENT.

Mr. UNDERWOOD. Mr. Speaker, the committee appointed on the part of the House to wait upon the President and inform him that the House was organized and ready to receive any communication that he might desire to make to it have performed their duty, and the President directs them to report to the House that he desires to be present and deliver his message to Congress at the hour appointed by the House this morning.

WITHDRAWAL OF PAPERS.

By unanimous consent, Mr. HAWLEY was granted leave to withdraw from the files of the House, without leaving copies, the papers in the case of Amos Dahuff (H. R. 9157, 63d Cong.), no adverse report having been made thereon.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted as follows:

To Mr. L'ENGLE, indefinitely, on account of illness.

To Mr. GARRETT of Tennessee, indefinitely, on account of illness.

To Mr. KONOP, for three weeks, on account of illness in his family.

To Mr. SELDOMRIDGE, until December 21, on account of illness in his family.

The SPEAKER. The Chair will state that these requests ought to date back to yesterday. They were on the Speaker's desk, but after the gentleman from New York [Mr. PAYNE] offered the resolution about his colleague the Chair did not feel disposed to break in on it.

REPORT OF THE CLERK OF THE HOUSE (H. DOC. NO. 1204).

The SPEAKER laid before the House the report of the Clerk of the House, which was referred to the Committee on Accounts and ordered printed.

ASSIGNMENT OF CLERKS TO COMMITTEES.

Mr. LLOYD. Mr. Speaker, I ask unanimous consent for the present consideration of the following resolution from the Committee on Accounts.

The SPEAKER. The Clerk will report the resolution.

The Clerk read as follows:

House resolution 666.

Resolved, That clerks to committees of the House during the session, provided for by the legislative, executive, and judicial appropriation act for the fiscal year ending June 30, 1915, be, and they are hereby, assigned for the present session of Congress to the following committees, to wit:

Committee on Education.
Committee on Mines and Mining.
Committee on Railways and Canals.
Committee on Reform in the Civil Service.
Committee on Alcoholic Liquor Traffic.
Committee on Invalid Pensions (assistant clerk).
Committee on the Judiciary (additional assistant clerk).
Committee on Enrolled Bills.
Committee on Disposition of Useless Executive Papers.

Mr. MANN. Is this the usual assignment?

Mr. LLOYD. It is the usual assignment—the same as the last session of Congress.

The question was taken, and the resolution was agreed to.

Mr. LLOYD. Mr. Speaker, I also offer the following privileged resolution.

The SPEAKER. The gentleman from Missouri sends up another privileged resolution, which the Clerk will report.

The Clerk read as follows:

House resolution 667.

Resolved, That the Committee on Expenditures in the Department of Agriculture, the Committee on Expenditures in the Department of Justice, the Committee on Expenditures in the Department of Commerce, the Committee on Expenditures in the Department of the Interior, the Committee on Expenditures in the Department of Labor, the Committee on Expenditures in the Navy Department, the Committee on Expenditures in the Post Office Department, the Committee on Expenditures in the State Department, the Committee on Expenditures in the Treasury Department, the Committee on Expenditures in the War Department, and the Committee on Expenditures on Public Buildings each be allowed a clerk at the rate of $125 per month; that the Committee on Rules be allowed an assistant clerk at the rate of $100 per month; and that the Joint Select Committee on Disposition of Useless Executive Papers be allowed a messenger at the rate of $60 per month during the third session of the Sixty-third Congress, the salaries of said clerks, assistant clerk, and messenger to be paid out of the contingent fund of the House.

Mr. LLOYD. Mr. Speaker, all these positions were provided for in the last session of Congress excepting one. We provide in this resolution for an assistant clerk to the Committee on Rules, in addition to the clerk which the committee now has, at a salary of $100 per month during the present session. That committee has an extraordinary amount of work, and on account of the Gardner resolution, the Hobson resolution, the woman's suffrage resolution, and numerous important matters before it they have been swamped with correspondence, and they insist that it is necessary to have additional help.

Mr. MANN. Will the gentleman yield?

Mr. LLOYD. I will.

Mr. MANN. I take it that all of these matters will be disposed of at an early date. This session of Congress is likely to devote most of its time to the appropriation bills and not to reports from the Committee on Rules. Now, what is the necessity for giving the Committee on Rules, which is likely to have less to do in this session than last session, an extra clerk?

Mr. HENRY. If the gentleman will allow me, I desire to state that we needed an extra clerk last session, and frequently I paid the expense out of my own pocket, and even after we dispose of the Gardner resolution, the woman's suffrage amendment, and the Hobson national prohibition amend-

ment, if we ever do, there will still be an abundance of work for the Committee on Rules to do. The force is not sufficient to do the ordinary work of that committee. If this is not done, I will have to employ additional clerical help for the Committee on Rules myself.

Mr. MANN. If I recall correctly, there was a long time at the last session when the Committee on Rules had no meeting at all for reasons of which I will not speak. Are those reasons likely to exist at this session?

Mr. HENRY. No; I think the Committee on Rules will meet very often during this short session.

Mr. MANN. My friend from Texas expects to be here at this session of Congress, I take it?

Mr. HENRY. I was here practically all of last session except when we were marking time.

Mr. MANN. Except when the gentleman was away.

Mr. LLOYD. Question, Mr. Speaker.

The SPEAKER. The question is on agreeing to the resolution.

The resolution was agreed to.

RECESS.

Mr. UNDERWOOD. Mr. Speaker, I ask unanimous consent that the House take a recess for 10 minutes.

The SPEAKER. The gentleman from Alabama asks unanimous consent that the House stand in recess for 10 minutes. Is there objection?

There was no objection.

Accordingly (at 12 o'clock and 15 minutes p. m.) the House stood in recess.

JOINT SESSION OF THE SENATE AND HOUSE.

At 12 o'clock and 25 minutes p. m. the House was called to order by the Speaker.

The Doorkeeper announced the Vice President of the United States and the Members of the United States Senate.

The Members of the House rose.

The Senate, preceded by the Vice President and by their Secretary and Sergeant at Arms, entered the Chamber.

The Vice President took the Chair at the right of the Speaker and the Members of the Senate took the seats reserved for them.

The Speaker announced as the committee on the part of the House to wait upon the President Mr. UNDERWOOD of Alabama, Mr. FITZGERALD of New York, Mr. HAY of Virginia, Mr. MANN of Illinois, and Mr. MURDOCK of Kansas.

The Vice President announced as the committee on the part of the Senate Senators KERN of Indiana, MARTIN of Virginia, OVERMAN of North Carolina, GALLINGER of New Hampshire, and ROOT of New York.

At 12 o'clock and 28 minutes p. m. the President of the United States, escorted by the joint committee of Senators and Representatives, entered the Hall of the House, standing at the Clerk's desk, amid prolonged applause.

The SPEAKER. Gentlemen of the Senate and the House, I present to you the President of the United States. [Prolonged applause.]

ANNUAL ADDRESS OF THE PRESIDENT TO THE CONGRESS (H. DOC. NO. 1184).

The PRESIDENT. Mr. Speaker, Mr. Vice President, and gentlemen of the Congress, the session upon which you are now entering will be the closing session of the Sixty-third Congress, a Congress, I venture to say, which will long be remembered for the great body of thoughtful and constructive work which it has done, in loyal response to the thought and needs of the country. I should like in this address to review the notable record and try to make adequate assessment of it; but no doubt we stand too near the work that has been done and are ourselves too much part of it to play the rôle of historians toward it.

Our program of legislation with regard to the regulation of business is now virtually complete. It has been put forth, as we intended, as a whole, and leaves no conjecture as to what is to follow. The road at last lies clear and firm before business. It is a road which it can travel without fear or embarrassment. It is the road to ungrudged, unclouded success. In it every honest man, every man who believes that the public interest is part of his own interest, may walk with perfect confidence.

Moreover, our thoughts are now more of the future than of the past. While we have worked at our tasks of peace the circumstances of the whole age have been altered by war. What we have done for our own land and our own people we did with the best that was in us, whether of character or of intelligence, with sober enthusiasm and with a confidence in the principles upon which we were acting which sustained us at every step of the difficult undertaking; but it is done. It has passed from our hands. It is now an established part of the legislation of the country. Its usefulness, its effects, will disclose themselves in experience. What chiefly strikes us now, as we look about us during these closing days of a year which will be forever memorable in the history of the world, is that we face new tasks, have been facing them these six months, must face them in the months to come—face them without partisan feeling, like men who have forgotten everything but a common duty and the fact that we are representatives of a great people whose thought is not of us but of what America owes to herself and to all mankind in such circumstances as these upon which we look amazed and anxious.

War has interrupted the means of trade not only but also the processes of production. In Europe it is destroying men and resources wholesale and upon a scale unprecedented and appalling. There is reason to fear that the time is near, if it be not already at hand, when several of the countries of Europe will find it difficult to do for their people what they have hitherto been always easily able to do—many essential and fundamental things. At any rate, they will need our help and our manifold services as they have never needed them before; and we should be ready, more fit and ready than we have ever been.

It is of equal consequence that the nations whom Europe has usually supplied with innumerable articles of manufacture and commerce of which they are in constant need and without which their economic development halts and stands still can now get only a small part of what they formerly imported and eagerly look to us to supply their all but empty markets. This is particularly true of our own neighbors, the States, great and small, of Central and South America. Their lines of trade have hitherto run chiefly athwart the seas, not to our ports but to the ports of Great Britain and of the older Continent of Europe. I do not stop to inquire why, or to make any comment on probable causes. What interests us just now is not the explanation but the fact and our duty and opportunity in the presence of it. Here are markets which we must supply, and we must find the means of action. The United States, this great people for whom we speak and act, should be ready, as never before, to serve itself and to serve mankind; ready with its resources, its energies, its forces of production, and its means of distribution.

It is a very practical matter, a matter of ways and means. We have the resources, but are we fully ready to use them? And, if we can make ready what we have, have we the means at hand to distribute it? We are not fully ready; neither have we the means of distribution. We are willing, but we are not fully able. We have the wish to serve and to serve greatly, generously; but we are not prepared as we should be. We are not ready to mobilize our resources at once. We are not prepared to use them immediately and at their best, without delay and without waste.

To speak plainly, we have grossly erred in the way in which we have stunted and hindered the development of our merchant marine. [Applause.] And now, when we need ships, we have not got them. We have year after year debated, without end or conclusion, the best policy to pursue with regard to the use of the ores and forests and water powers of our national domain in the rich States of the West, when we should have acted; and they are still locked up. The key is still turned upon them, the door shut fast at which thousands of vigorous men, full of initiative, knock clamorously for admittance. The water power of our navigable streams outside the national domain also, even in the Eastern States, where we have worked and planned for generations, is still not used as it might be, because we will and we won't; because the laws we have made do not intelligently balance encouragement against restraint. We withhold by regulation.

I have come to ask you to remedy and correct these mistakes and omissions, even at this short session of a Congress which would certainly seem to have done all the work that could reasonably be expected of it. The time and the circumstances are extraordinary, and so must our efforts be also.

Fortunately, two great measures, finely conceived, the one to unlock, with proper safeguards, the resources of the national domain, the other to encourage the use of the navigable waters outside that domain for the generation of power, have already passed the House of Representatives and are ready for immediate consideration and action by the Senate. With the deepest earnestness I urge their prompt passage. In them both we turn our backs upon hesitation and makeshift and formulate a genuine policy of use and conservation, in the best sense of those terms. We owe the one measure not only to the people of that great western country for whose free and systematic development, as it seems to me, our legislation has done so little, but

also to the people of the Nation as a whole; and we as clearly owe the other in fulfillment of our repeated promises that the water power of the country should in fact as well as in name be put at the disposal of great industries which can make economical and profitable use of it, the rights of the public being adequately guarded the while, and monopoly in the use prevented. To have begun such measures and not completed them would, indeed, mar the record of this great Congress very seriously. I hope and confidently believe that they will be completed.

And there is another great piece of legislation which awaits and should receive the sanction of the Senate: I mean the bill which gives a larger measure of self-government to the people of the Philippines. How better, in this time of anxious questioning and perplexed policy, could we show our confidence in the principles of liberty, as the source as well as the expression of life, how better could we demonstrate our own self-possession and steadfastness in the courses of justice and disinterestedness than by thus going calmly forward to fulfill our promises to a dependent people, who will look more anxiously than ever to see whether we have indeed the liberality, the unselfishness, the courage, the faith we have boasted and professed. I can not believe that the Senate will let this great measure of constructive justice await the action of another Congress. Its passage would nobly crown the record of these two years of memorable labor.

But I think that you will agree with me that this does not complete the toll of our duty. How are we to carry our goods to the empty markets of which I have spoken if we have not the ships? How are we to build up a great trade if we have not the certain and constant means of transportation upon which all profitable and useful commerce depends? And how are we to get the ships if we wait for the trade to develop without them? To correct the many mistakes by which we have discouraged and all but destroyed the merchant marine of the country, to retrace the steps by which we have, it seems almost deliberately, withdrawn our flag from the seas, except where, here and there, a ship of war is bidden carry it or some wandering yacht displays it, would take a long time and involve many detailed items of legislation, and the trade which we ought immediately to handle would disappear or find other channels while we debated the items.

The case is not unlike that which confronted us when our own continent was to be opened up to settlement and industry, and we needed long lines of railway, extended means of transportation prepared beforehand, if development was not to lag intolerably and wait interminably. We lavishly subsidized the building of transcontinental railroads. We look back upon that with regret now, because the subsidies led to many scandals of which we are ashamed; but we know that the railroads had to be built, and if we had it to do over again we should, of course, build them, but in another way. Therefore I propose another way of providing the means of transportation, which must needs precede, not tardily follow, the development of our trade with our neighbor States of America. It may seem a reversal of the natural order of things, but it is true, that the routes of trade must be actually opened—by many ships and regular sailings and moderate charges—before streams of merchandise will flow freely and profitably through them.

Hence the pending shipping bill, discussed at the last session but as yet passed by neither House. In my judgment such legislation is imperatively needed and can not wisely be postponed. [Applause.] The Government must open these gates of trade and open them wide; open them before it is altogether profitable to open them, or altogether reasonable to ask private capital to open them at a venture. It is not a question of the Government monopolizing the field. It should take action to make it certain that transportation at reasonable rates will be promptly provided, even where the carriage is not at first profitable; and then, when the carriage has become sufficiently profitable to attract and engage private capital, and engage it in abundance, the Government ought to withdraw. I very earnestly hope that the Congress will be of this opinion and that both Houses will adopt this exceedingly important bill.

The great subject of rural credits still remains to be dealt with, and it is a matter of deep regret that the difficulties of the subject have seemed to render it impossible to complete a bill for passage at this session. But it can not be perfected yet, and therefore there are no other constructive measures the necessity for which I will at this time call your attention to; but I would be negligent of a very manifest duty were I not to call the attention of the Senate to the fact that the proposed convention for safety at sea awaits its confirmation and that the limit fixed in the convention itself for its acceptance is the last day of the present month. The conference in which the convention originated was called by the United States; the representatives of the United States played a very influential part indeed in framing the provisions of the proposed convention; and those provisions are in themselves for the most part admirable. It would hardly be consistent with the part we have played in the whole matter to let it drop and go by the board as if forgotten and neglected. It was ratified in May last by the German Government and in August by the Parliament of Great Britain. It marks a most hopeful and decided advance in international civilization. We should show our earnest good faith in a great matter by adding our own acceptance of it.

There is another matter of which I must make special mention, if I am to discharge my conscience, lest it should escape your attention. It may seem a very small thing. It affects only a single item of appropriation. But many lives and many great enterprises hang upon it. It is the matter of making adequate provision for the survey and charting of our coasts. It is immediately pressing and exigent in connection with the immense coast line of Alaska, a coast line greater than that of the United States themselves, though it is also very important indeed with regard to the older coasts of the continent. We can not use our great Alaskan domain, ships will not ply thither, if those coasts and their many hidden dangers are not thoroughly surveyed and charted. The work is incomplete at almost every point. Ships and lives have been lost in threading what were supposed to be well-known main channels. We have not provided adequate vessels or adequate machinery for the survey and charting. We have used old vessels that were not big enough or strong enough and which were so nearly unseaworthy that our inspectors would not have allowed private owners to send them to sea. This is a matter which, as I have said, seems small, but is in reality very great. Its importance has only to be looked into to be appreciated.

Before I close may I say a few words upon two topics, much discussed out of doors, upon which it is highly important that our judgments should be clear, definite, and steadfast?

One of these is economy in Government expenditures. The duty of economy is not debatable. It is manifest and imperative. In the appropriations we pass we are spending the money of the great people whose servants we are—not our own. We are trustees and responsible stewards in the spending. The only thing debatable and upon which we should be careful to make our thought and purpose clear is the kind of economy demanded of us. I assert with the greatest confidence that the people of the United States are not jealous of the amount their Government costs if they are sure that they get what they need and desire for the outlay, that the money is being spent for objects of which they approve, and that it is being applied with good business sense and management.

Governments grow piecemeal, both in their tasks and in the means by which those tasks are to be performed; and very few Governments are organized, I venture to say, as wise and experienced business men would organize them if they had a clean sheet of paper to write upon. Certainly the Government of the United States is not. I think that it is generally agreed that there should be a systematic reorganization and reassembling of its parts so as to secure greater efficiency and effect considerable savings in expense. But the amount of money saved in that way would, I believe, though no doubt considerable in itself, running, it may be, into the millions, be relatively small—small, I mean, in proportion to the total necessary outlays of the Government. It would be thoroughly worth effecting, as every saving would, great or small. Our duty is not altered by the scale of the saving. But my point is that the people of the United States do not wish to curtail the activities of the Government; they wish, rather, to enlarge them; and with every enlargement, with the mere growth, indeed, of the country itself, there must come, of course, the inevitable increase of expense. The sort of economy we ought to practice may be effected, and ought to be effected, by a careful study and assessment of the tasks to be performed; and the money spent ought to be made to yield the best possible returns in efficiency and achievement. And, like good stewards, we should so account for every dollar of our appropriations as to make it perfectly evident what it was spent for and in what way it was spent.

It is not expenditure but extravagance that we should fear being criticized for; not paying for the legitimate enterprises and undertakings of a great Government whose people command what it should do, but adding what will benefit only a few or pouring money out for what need not have been undertaken at all or might have been postponed or better and more economically conceived and carried out. The Nation is not niggardly; it is very generous. It will chide us only if we forget for whom we pay money out and whose money it is we pay.

These are large and generous standards, but they are not very difficult of application to particular cases.

The other topic I shall take leave to mention goes deeper into the principles of our national life and policy. It is the subject of national defense.

It can not be discussed without first answering some very searching questions. It is said in some quarters that we are not prepared for war. What is meant by being prepared? Is it meant that we are not ready upon brief notice to put a nation in the field—a nation of men trained to arms? Of course we are not ready to do that; and we never shall be [applause] in time of peace so long as we retain our present political principles and institutions. And what is it that it is suggested we should be prepared to do? To defend ourselves against attack? We have always found means to do that, and shall find them whenever it is necessary without calling our people away from their necessary tasks to render compulsory military service in time of peace. [Applause.]

Allow me to speak with great plainness and directness upon this great matter and to avow my convictions with deep earnestness. I have tried to know what America is, what her people think, what they are, what they most cherish and hold dear. I hope that some of their finer passions are in my own heart—some of the great conceptions and desires which gave birth to this Government and which have made the voice of this people a voice of peace and hope and liberty among the peoples of the world, and that, speaking my own thoughts, I shall, at least in part, speak theirs also, however faintly and inadequately, upon this vital matter.

We are at peace with all the world. No one who speaks counsel based on fact or drawn from a just and candid interpretation of realities can say that there is any reason to fear that from any quarter our independence or the integrity of our territory is threatened. Dread of the power of any other nation we are incapable of. [Applause.] We are not jealous of rivalry in the fields of commerce or of any other peaceful achievement. We mean to live our own lives as we will; but we mean also to let live. [Applause.] We are, indeed, a true friend to all the nations of the world, because we threaten none, covet the possessions of none, desire the overthrow of none. Our friendship can be accepted and is accepted without reservation, because it is offered in a spirit and for a purpose which no one need ever question or suspect. [Applause.] Therein lies our greatness. We are champions of peace and of concord. [Applause.] And we should be very jealous of this distinction which we have sought to earn. Just now we should be particularly jealous of it, because it is our dearest present hope that this character and reputation may presently, in God's providence, bring us an opportunity such as has seldom been vouchsafed any nation, the opportunity to counsel and obtain peace in the world [applause] and reconciliation and a healing settlement of many a matter that has cooled and interrupted the friendship of nations. This is the time above all others when we should wish and resolve to keep our strength by self-possession, our influence by preserving our ancient principles of action.

From the first we have had a clear and settled policy with regard to military establishments. We never have had, and while we retain our present principles and ideals we never shall have, a large standing Army. [Prolonged applause.] If asked, Are you ready to defend yourselves? We reply, Most assuredly, to the utmost. And yet we shall not turn America into a military camp. We will not ask our young men to spend the best years of their lives making soldiers of themselves. There is another sort of energy in us. It will know how to declare itself and make itself effective should occasion arise. And especially when half the world is on fire we shall be careful to make our moral insurance against the spread of the conflagration very definite and certain and adequate indeed. [Applause.]

Let us remind ourselves, therefore, of the only thing we can do or will do. We must depend in every time of national peril, in the future as in the past, not upon a standing army, nor yet upon a reserve army, but upon a citizenry trained and accustomed to arms. It will be right enough, right American policy, based upon our accustomed principles and practices, to provide a system by which every citizen who will volunteer for the training may be made familiar with the use of modern arms [applause], the rudiments of drill and maneuver, and the maintenance and sanitation of camps. We should encourage such training and make it a means of discipline which our young men will learn to value. It is right that we should provide it not only, but that we should make it as attractive as possible, and so induce our young men to undergo it at such times as they can command a little freedom and can seek the physical development they need, for mere health's sake, if for nothing else. Every means by which such things can be stimulated is legitimate, and such a method smacks of true American ideas. It is right, too, that the National Guard of the States should be developed and strengthened by every means which is not inconsistent with our obligations to our own people or with the established policy of our Government. And this, also, not because the time or occasion specially calls for such measures, but because it should be our constant policy to make these provisions for our national peace and safety.

More than this carries with it a reversal of the whole history and character of our polity. More than this, proposed at this time, permit me to say, would mean merely that we had lost our self-possession, that we had been thrown off our balance by a war with which we have nothing to do, whose causes can not touch us, whose very existence affords us opportunities of friendship and disinterested service which should make us ashamed of any thought of hostility or fearful preparation for trouble. [Applause.] This is assuredly the opportunity for which a people and a Government like ours were raised up, the opportunity not only to speak but actually to embody and exemplify the counsels of peace and amity and lasting concord which is based on justice and fair and generous dealing.

A powerful navy we have always regarded as our proper and natural means of defense [applause]; and it has always been of defense that we have thought, never of aggression or of conquest. But who shall tell us what sort of navy to build? We shall take leave to be strong upon the seas, in the future as in the past; and there will be no thought of offense or of provocation in that. Our ships are our natural bulwarks. When will the experts tell us just what kind we should construct—and when will they be right for ten years together [laughter and applause], if the relative efficiency of craft of different kinds and uses continues to change as we have seen it change under our very eyes in these last few months?

But I turn away from the subject. It is not new. There is no new need to discuss it. We shall not alter our attitude toward it because some amongst us are nervous and excited. [Laughter and applause.] We shall easily and sensibly agree upon a policy of defense. The question has not changed its aspects because the times are not normal. Our policy will not be for an occasion. It will be conceived as a permanent and settled thing, which we will pursue at all seasons, without haste and after a fashion perfectly consistent with the peace of the world, the abiding friendship of states, and the unhampered freedom of all with whom we deal. Let there be no misconception. The country has been misinformed. We have not been negligent of national defense. We are not unmindful of the great responsibility resting upon us. We shall learn and profit by the lesson of every experience and every new circumstance; and what is needed will be adequately done.

I close, as I began, by reminding you of the great tasks and duties of peace which challenge our best powers and invite us to build what will last, the tasks to which we can address ourselves now and at all times with free-hearted zest and with all the finest gifts of constructive wisdom we possess. To develop our life and our resources; to supply our own people, and the people of the world as their need arises, from the abundant plenty of our fields and our marts of trade; to enrich the commerce of our own States and of the world with the products of our mines, our farms, and our factories, with the creations of our thought and the fruits of our character—this is what will hold our attention and our enthusiasm steadily, now and in the years to come, as we strive to show in our life as a nation what liberty and the inspirations of an emancipated spirit may do for men and for societies, for individuals, for states, and for mankind. [Prolonged applause.]

At 1 o'clock and 10 minutes p. m. the President and his Cabinet retired from the Hall of the House.

At 1 o'clock and 11 minutes p. m. the Vice President and Members of the Senate returned to their Chamber.

Mr. UNDERWOOD. Mr. Speaker, I move that the President's message be referred to the Committee on Ways and Means for distribution.

The SPEAKER. The gentleman from Alabama [Mr. UNDERWOOD] moves that the President's message be referred to the Committee on Ways and Means. The question is on agreeing to that motion.

The motion was agreed to.

COTTON AND TOBACCO.

The SPEAKER. The Clerk will report the motion of the gentleman from Texas [Mr. HENRY], pending as unfinished busi-

ness, to recommit with instructions. The Clerk will first report the title of the bill and then the motion to recommit.

The Clerk read as follows:

An act (S. 6398) to amend section 1 of an act approved May 30, 1908, entitled "An act to amend the national banking laws."

Mr. HENRY moved to recommit the bill S. 6398 to the Committee on Banking and Currency, with instructions to report the same with the following amendments, to wit:

"SEC. 3. That the Secretary of the Treasury shall deposit in national banking associations and in State banks situated in States producing cotton or tobacco, or both, the sum of $250,000,000, or so much thereof as may be necessary to carry out the purposes of this act. The said Secretary shall make such deposits under the terms of this act and under such rules and regulations as may be prescribed by him to carry out this act. The deposits herein directed to be made shall be apportioned among the several States in accordance with the number of bales of cotton or pounds of tobacco produced therein during the year 1913, as ascertained by the Department of Agriculture. The Secretary of the Treasury, in lieu of the securities he is now authorized or required by law to exact of the banks in which the funds of the United States are deposited, is authorized and hereby directed to accept as security for the deposits directed to be made in this act cotton-warehouse and tobacco-warehouse receipts, where the cotton or tobacco thereby represented has been fully insured, at a valuation that represents the fair market value of the cotton or tobacco covered by such receipts. The deposits herein directed to be made shall be made only on the condition that the banks accepting such deposits will loan the same, under reasonable terms and conditions, at a rate of interest not to exceed 4 per cent per annum, to the producers of cotton or tobacco, or the owners of lands upon which same was produced during the year 1914, and the said Secretary of the Treasury is hereby authorized to make all necessary rules and regulations concerning the terms and conditions under which these deposits shall be loaned by the banks that accept the same.

"SEC. 4. That the Secretary of the Treasury shall, in his discretion, either immediately cause to be prepared United States notes to the extent of $250,000,000, to be used for the purpose of making the deposits in compliance with this act, which said notes shall have all the legal qualities of the United States notes now outstanding, and shall be of such denominations as the Secretary of the Treasury may prescribe, and said notes shall bear interest at the rate of 2 per cent per annum from the date of their issuance and shall be payable in gold coin of the United States or its equivalent on January 1, 1916; or he may sell not exceeding $240,000,000 of Panama Canal bonds, heretofore authorized by law, at a rate of interest not exceeding 4 per cent per annum, and the act or acts heretofore passed authorizing the disposition of said bonds are hereby amended so as fully to authorize the disposition and use of such bonds as herein prescribed; or, in his discretion, the Secretary of the Treasury may use both the proceeds of the bonds and the notes in order to carry out the purposes of this act, not to exceed in the aggregate $250,000,000.

"SEC. 5. That the Secretary of the Treasury shall not require the repayment of any deposit made under the provisions of this act prior to December 31, 1915.

"SEC. 6. That when the deposits herein authorized are called in by the Secretary of the Treasury the same shall be and become a part of a special fund, to be kept and held separate and apart from the general funds of the Government, for the redemption and retirement at maturity of the Panama Canal bonds in such cases and to such extent as the proceeds of such bonds have been used to make the deposits herein provided."

During the reading of the motion to recommit,

Mr. BARTLETT rose and the following colloquy occurred:

The SPEAKER. For what purpose does the gentleman rise?

Mr. BARTLETT. To make a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. BARTLETT. Has the previous question been ordered on this motion, or is it subject to debate?

The SPEAKER. It is not subject to debate if the previous question is ordered on it.

Mr. BARTLETT. I asked the question if the previous question had been ordered on the motion to recommit.

The SPEAKER. Was the gentleman's question whether the previous question had been ordered?

Mr. BARTLETT. I desired to know whether the previous question on the motion to recommit had been ordered.

The SPEAKER. The recollection of the Chair is that by an order of the House certain bills, including this one, were made a special order.

Mr. MANN. There was a vote on the previous question.

Mr. HENRY. The previous question was ordered by a vote on this motion.

Mr. BARTLETT. Then it is not subject to debate at this time.

The SPEAKER. That is true.

The Clerk concluded the reading of the motion to recommit.

The SPEAKER. The question is on the motion of the gentleman from Texas to recommit, which has just been read.

The question was taken; and on a division (demanded by Mr. HENRY) there were—ayes 51, noes 116.

Mr. HENRY. Mr. Speaker, I make the point of order that no quorum is present.

The SPEAKER. The gentleman from Texas makes the point of order that no quorum is present, and evidently there is not a quorum present. The Doorkeeper will close the doors, the Sergeant at Arms will notify the absentees, and the Clerk will call the roll.

The question was taken; and there were—yeas 80, nays 237, answered "present" 2, not voting 110, as follows:

YEAS—80.

Abercrombie	Dupré	Johnson, Ky.	Saunders
Adamson	Eagle	Johnson, S. C.	Shreve
Aiken	Edwards	Keating	Sims
Aswell	Falconer	Lafferty	Sisson
Austin	Finley	La Follette	Smith, Tex.
Barkley	Flood, Va.	Lazaro	Stephens, Miss.
Bell, Ga.	Floyd, Ark.	Lee, Ga.	Stout
Blackmon	Garrett, Tex.	Lever	Sumners
Broussard	Godwin, N. C.	Lindbergh	Taylor, Ala.
Buchanan, Ill.	Goeke	McKellar	Taylor, Ark.
Buchanan, Tex.	Goodwin, Ark.	Mulkey	Thomas
Burnett	Gudger	Murray	Thompson, Okla.
Byrnes, S. C.	Hardy	Oldfield	Tribble
Byrns, Tenn.	Harrison	Park	Vaughan
Candler, Miss.	Heflin	Pou	Vinson
Carter	Helvering	Quin	Watkins
Collier	Henry	Ragsdale	Whaley
Crisp	Houston	Rayburn	Wingo
Dent	Howard	Rouse	Witherspoon
Doughton	Hughes, Ga.	Russell	Young, Tex.

NAYS—237.

Adair	Doolittle	Kindel	Reilly, Wis.
Ainey	Doremus	Kinkead, N. J.	Riordan
Alexander	Driscoll	Kirkpatrick	Roberts, Mass.
Allen	Drukker	Kitchin	Roberts, Nev.
Anderson	Eagan	Knowland, J. R.	Rothermel
Ansberry	Edmonds	Kreider	Rubey
Ashbrook	Esch	Langley	Rucker
Avis	Evans	Lee, Pa.	Rupley
Bailey	Farr	Lenroot	Scott
Baker	Fergusson	Lesher	Scully
Barchfeld	Fess	Levy	Sells
Barnhart	Fields	Lewis, Md.	Shackleford
Bartlett	Fitzgerald	Lewis, Pa.	Sherley
Barton	FitzHenry	Lieb	Slayden
Beakes	Fordney	Linthicum	Slemp
Bell, Cal.	Fowler	Lloyd	Sloan
Booher	Frear	Lobeck	Small
Borchers	Gallivan	Loft	Smith, Idaho
Borland	Gard	Logue	Smith, J. M. C.
Brockson	Gardner	Lonergan	Smith, Minn.
Brodbeck	Garner	McAndrews	Smith, N. Y.
Brown, W. Va.	Gerry	McGillicuddy	Sparkman
Browne, Wis.	Gillett	McKenzie	Stafford
Browning	Gilmore	McLaughlin	Stedman
Bruckner	Glass	MacDonald	Steenerson
Brumbaugh	Good	Madden	Stephens, Cal.
Bryan	Gordon	Maguire, Nebr.	Stephens, Tex.
Bulkley	Goulden	Maher	Stevens, Minn.
Burgess	Graham, Ill.	Mann	Stevens, N. H.
Burke, Pa.	Greene, Mass.	Mapes	Stone
Burke, S. Dak.	Greene, Vt.	Miller	Stringer
Burke, Wis.	Griest	Mitchell	Sutherland
Butler	Guernsey	Mondell	Switzer
Campbell	Hamill	Montague	Talbott, Md.
Carew	Hamilton, Mich.	Moon	Tavenner
Carr	Hamlin	Moore	Temple
Casey	Hammond	Morgan, Okla.	Ten Eyck
Clark, Fla.	Harris	Morin	Thacher
Cline	Hawley	Morrison	Towner
Coady	Hay	Moss, Ind.	Townsend
Connolly, Iowa	Hayes	Moss, W. Va.	Treadway
Cooper	Helm	Murdock	Underwood
Copley	Hensley	Nelson	Vare
Cox	Hinds	O'Shaunessy	Vollmer
Cramton	Holland	Padgett	Volstead
Crosser	Howell	Page, N. C.	Walsh
Cullop	Hull	Paige, Mass.	Walters
Curry	Humphrey, Wash.	Parker, N. J.	Weaver
Danforth	Humphreys, Miss.	Patten, N. Y.	Webb
Davis	Igoe	Payne	Whitacre
Decker	Johnson, Utah.	Peters	White
Deitrick	Johnson, Wash.	Porter	Williams
Dershem	Kahn	Post	Willis
Dickinson	Kelley, Mich.	Powers	Wilson, Fla.
Dies	Kelly, Pa.	Price	Winslow
Difenderfer	Kennedy, Conn.	Prouty	Woods
Dillon	Kennedy, R. I.	Rainey	Young, N. Dak.
Dixon	Kettner	Raker	
Donohoe	Key, Ohio	Rauch	
Donovan	Kiess, Pa.	Reilly, Conn.	

ANSWERED "PRESENT"—2.

Carlin	Gill

NOT VOTING—110.

Anthony	Davenport	Griffin	L'Engle
Baltz	Dooling	Hamilton, N. Y.	Lindquist
Bartholdt	Dunn	Hart	McClellan
Bathrick	Elder	Haugen	McGuire, Okla.
Beall, Tex.	Estopinal	Hayden	Mahan
Bowdle	Fairchild	Helgesen	Manahan
Britten	Faison	Hill	Martin
Brown, N. Y.	Ferris	Hinebaugh	Metz
Calder	Foster	Hobson	Morgan, La.
Callaway	Francis	Hoxworth	Mott
Cantor	French	Hughes, W. Va.	Neeley, Kans.
Cantrill	Gallagher	Hulings	Neely, W. Va.
Caraway	Garrett, Tenn.	Jacoway	Nolan, J. I.
Cary	George	Jones	Norton
Chandler, N. Y.	Gittins	Keister	O'Brien
Church	Goldfogle	Kennedy, Iowa	Oglesby
Clancy	Gorman	Kent	O'Hair
Claypool	Graham, Pa.	Kinkaid, Nebr.	O'Leary
Connelly, Kans.	Gray	Konop	Palmer
Conry	Green, Iowa	Korbly	Parker, N. Y.
Dale	Gregg	Langham	Patton, Pa.

Peterson	Seldomridge	Taggart	Walker
Phelan	Sherwood	Talcott, N. Y.	Wallin
Platt	Sinnott	Taylor, Colo.	Watson
Plumley	Smith, Md.	Taylor, N. Y.	Wilson, N. Y.
Reed	Smith, Saml. W.	Thomson, Ill.	Woodruff
Rogers	Stanley	Tuttle	
Sabath	Stephens, Nebr.	Underhill	

So the motion to recommit was rejected.

The following pairs were announced:

On this vote:

Mr. WALKER (to recommit) with Mr. DUNN (against).

Until further notice:

Mr. WATSON with Mr. WOODRUFF.

Mr. TAYLOR of New York with Mr. PARKER of New York.

Mr. STEPHENS of Nebraska with Mr. THOMSON of Illinois.

Mr. SHERWOOD with Mr. SINNOTT.

Mr. SABATH with Mr. ROGERS.

Mr. OGLESBY with Mr. PLATT.

Mr. NEELY of West Virginia with Mr. PATTON of Pennsylvania.

Mr. MORGAN of Louisiana with Mr. NORTON.

Mr. JACOWAY with Mr. MANAHAN.

Mr. HAYDEN with Mr. MCGUIRE of Oklahoma.

Mr. HART with Mr. LINDQUIST.

Mr. GRIFFIN with Mr. KINKAID of Nebraska.

Mr. GREGG with Mr. KENNEDY of Iowa.

Mr. GOLDFOGLE with Mr. HINEBAUGH.

Mr. GARRETT of Tennessee with Mr. KEISTER.

Mr. GALLAGHER with Mr. HUGHES of West Virginia.

Mr. FERRIS with Mr. HELGESEN.

Mr. ESTOPINAL with Mr. GRAHAM of Pennsylvania.

Mr. DOOLING with Mr. HAUGEN.

Mr. DAVENPORT with Mr. Green of Iowa.

Mr. DALE with Mr MARTIN.

Mr. BROWN of New York with Mr. SAMUEL W. SMITH.

Mr. CONRY with Mr. FRENCH.

Mr. CONNELLY of Kansas with Mr. CARY.

Mr. CLAYPOOL with Mr. FAIRCHILD.

Mr. CHURCH with Mr. CALDER.

Mr. CARAWAY with Mr. BRITTEN.

Mr. CANTRILL with Mr. BARTHOLDT.

Mr. KONOP with Mr. HAMILTON of New York.

Mr. CALLAWAY with Mr. ANTHONY.

The result of the vote was then announced as above recorded.

The doors were opened.

The SPEAKER. The question is on the passage of the bill.

Mr. GLASS. Mr. Speaker, I ask unanimous consent that the bill be recommitted to the Committee on Banking and Currency without instructions. I also ask that I may make a statement that will consume about two minutes.

The SPEAKER. The gentleman from Virginia makes two requests. One is, he asks unanimous consent that this bill be recommitted to the Committee on Banking and Currency without instructions, and, secondly, that he be allowed to make a short statement. Is there objection?

Mr. HENRY. Mr. Speaker, in regard to the first request, which is to recommit the bill S. 6398, I wish to say that this bill was considered to be of great importance at the last session just as Congress was adjourning, and it seems to me that it is of just as much importance now, and therefore I shall object, and I call for the regular order.

Mr. GLASS. Does the gentleman from Texas object to my making a short statement?

Mr. HENRY. Not after we have taken a vote, but I do object now.

The SPEAKER. The gentleman from Virginia asks unanimous consent to make a statement not to exceed two minutes.

Mr. HENRY. I shall object at present.

The SPEAKER. The question is on the passage of the bill.

Mr. MANN. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. MANN. Has the bill been read a third time?

Mr. UNDERWOOD. Mr. Speaker, I think the Clerk read the title of the bill before he read the motion to recommit.

Mr. MANN. He read the title of the bill, but the motion to recommit comes before the third reading.

The SPEAKER. The motion to recommit comes between the vote to engross and read a third time and the third reading. The Clerk will read the bill a third time.

The bill was read a third time.

The SPEAKER. The question is on the passage of the bill.

The question was taken; and on a division (demanded by Mr. HENRY) there were—ayes 3, noes 86.

Mr. HENRY. Mr. Speaker, this is a very important bill, and I make the point of order that there is no quorum present.

The SPEAKER. The gentleman from Texas makes the point of order that there is no quorum present. Evidently there is not a quorum present. The Doorkeeper will close the doors, the Sergeant at Arms will notify the absentees, and the Clerk will call the roll. The question is on passing the bill.

The Clerk called the roll; and there were—yeas 29, nays 269, answered "present" 2, not voting 130, as follows:

YEAS—29.

Abercrombie	Dent	Mulkey	Stephens, Tex.
Aiken	Edwards	Murray	Sumners
Blackmon	Garrett, Tex.	Page, N. C.	Walker
Buchanan, Tex.	Heflin	Pou	Webb
Byrnes, S. C.	Hobson	Quin	Witherspoon
Candler, Miss.	Howard	Sisson	
Clark, Fla.	Kitchin	Small	
Collier	Lee, Ga.	Stephens, Miss.	

NAYS—269.

Adair	Doremus	Johnson, Wash.	Reilly, Wis.
Adamson	Doughton	Kahn	Riordan
Ainey	Driscoll	Kelster	Roberts, Mass.
Alexander	Dupré	Kelley, Mich.	Roberts, Nev.
Allen	Eagan	Kelly, Pa.	Rouse
Anderson	Eagle	Kennedy, Conn.	Rubey
Ashbrook	Esch	Kennedy, R. I.	Rupley
Aswell	Estopinal	Kettner	Russell
Austin	Evans	Key, Ohio	Saunders
Avis	Falconer	Kiess, Pa.	Scott
Bailey	Farr	Kinkead, N. J.	Shackleford
Baker	Fergusson	Kirkpatrick	Sherley
Barchfeld	Fess	Kreider	Sherwood
Barkley	Fields	La Follette	Sims
Barnhart	Finley	Langley	Slayden
Bartlett	Fitzgerald	Lazaro	Slemp
Barton	FitzHenry	Lee, Pa.	Sloan
Beakes	Flood, Va.	Lenroot	Smith, Idaho
Bell, Ga.	Floyd, Ark.	Lesher	Smith, J. M. C.
Booher	Fordney	Lever	Smith, Minn.
Borchers	Fowler	Lewis, Pa.	Smith, N. Y.
Borland	Frear	Lieb	Smith, Tex.
Brockson	Gallivan	Lindbergh	Stafford
Brodbeck	Gard	Lindquist	Stanley
Broussard	Gardner	Linthicum	Steenerson
Browne, Wis.	Garner	Lloyd	Stephens, Cal.
Browning	Gerry	Lobeck	Stephens, Nebr.
Bruckner	Gill	Logue	Stevens, Minn.
Brumbaugh	Gillett	Lonergan	Stone
Bryan	Gilmore	McAndrews	Stout
Buchanan, Ill.	Gittins	McGillicuddy	Stringer
Bulkley	Glass	McKellar	Sutherland
Burke, Pa.	Godwin, N. C.	McKenzie	Switzer
Burke, S. Dak.	Goeke	McLaughlin	Talbott, Md.
Burke, Wis.	Good	Madden	Tavenner
Burnett	Goodwin, Ark.	Maguire, Nebr.	Taylor, Ark.
Butler	Gordon	Mann	Temple
Byrns, Tenn.	Graham, Ill.	Mapes	Ten Eyck
Callaway	Gray	Miller	Thacher
Campbell	Greene, Mass.	Mitchell	Thomas
Cantrill	Greene, Vt.	Mondell	Thompson, Okla.
Carlin	Guernsey	Moore	Towner
Carr	Hamill	Morgan, Okla.	Townsend
Carter	Hamilton, Mich.	Morrison	Treadway
Casey	Hamlin	Moss, Ind.	Tribble
Cline	Hammond	Moss, W. Va.	Tuttle
Coady	Hardy	Murdock	Underwood
Connolly, Iowa	Harris	Neely, W. Va.	Vare
Cooper	Harrison	Nelson	Vaughan
Cox	Hawley	Oldfield	Vinson
Cramton	Hay	Padgett	Vollmer
Crisp	Hayden	Paige, Mass.	Volstead
Crosser	Hayes	Palmer	Walsh
Cullop	Helm	Park	Walters
Curry	Henry	Parker, N. J.	Watkins
Danforth	Hensley	Patten, N. Y.	Whitacre
Davis	Hill	Patton, Pa.	White
Decker	Hinds	Payne	Williams
Deitrick	Holland	Porter	Willis
Dershem	Houston	Price	Wilson, Fla.
Dickinson	Howell	Prouty	Wingo
Dies	Hoxworth	Ragsdale	Winslow
Difenderfer	Hughes, Ga.	Rainey	Woods
Dillon	Hull	Raker	Young, N. Dak.
Dixon	Humphrey, Wash.	Rauch	Young, Tex.
Donohoe	Igoe	Rayburn	
Donovan	Johnson, Ky.	Reed	
Doolittle	Johnson, Utah	Reilly, Conn.	

ANSWERED "PRESENT"—2.

Lafferty	Levy

NOT VOTING—130.

Ansberry	Conry	Green, Iowa	Knowland, J. R.
Anthony	Copley	Gregg	Konop
Baltz	Dale	Griest	Korbly
Bartholdt	Davenport	Griffin	Langham
Bathrick	Dooling	Gudger	L'Engle
Beall, Tex.	Drukker	Hamilton, N. Y.	Lewis, Md.
Bell, Cal.	Dunn	Hart	Loft
Bowdle	Edmonds	Haugen	McClellan
Britten	Elder	Helgesen	McGuire, Okla.
Brown, N. Y.	Fairchild	Helvering	MacDonald
Brown, W. Va.	Faison	Hinebaugh	Mahan
Burgess	Ferris	Hughes, W. Va.	Maher
Calder	Foster	Hulings	Manahan
Cantor	Francis	Humphreys, Miss.	Martin
Caraway	French	Jacoway	Metz
Carew	Gallagher	Johnson, S. C.	Montague
Cary	Garrett, Tenn.	Jones	Moon
Chandler, N. Y.	George	Keating	Morgan, La.
Church	Goldfogle	Kennedy, Iowa	Morin
Clancy	Gorman	Kent	Mott
Claypool	Goulden	Kindel	Neeley, Kans
Connelly, Kans.	Graham, Pa.	Kinkaid, Nebr.	Nolan, J. I.

Norton	Plumley	Sinnott	Thomson, Ill.
O'Brien	Post	Smith, Md.	Underhill
Oglesby	Powers	Smith, Saml. W.	Wallin
O'Hair	Rogers	Sparkman	Watson
O'Leary	Rothermel	Stedman	Weaver
O'Shaunessy	Rucker	Stevens, N. H.	Whaley
Parker, N. Y.	Sabath	Taggart	Wilson, N. Y.
Peters	Scully	Talcott, N. Y.	Woodruff
Peterson	Seldomridge	Taylor, Ala.	
Phelan	Sells	Taylor, Colo.	
Platt	Shreve	Taylor, N. Y.	

So the bill was rejected.

The Clerk announced the following additional pairs:

Until further notice:

Mr. BROWN of West Virginia with Mr. BELL of California.

Mr. FOSTER with Mr. COPLEY.

Mr. GOULDEN with Mr. DRUKKER.

Mr. HELVERING with Mr. DUNN.

Mr. JOHNSON of South Carolina with Mr. HULINGS.

Mr. KEATING with Mr. GRIEST.

Mr. MONTAGUE with Mr. J. R. KNOWLAND.

Mr. MOON with Mr. LANGHAM.

Mr. O'SHAUNESSY with Mr. MACDONALD.

Mr. PHELAN with Mr. MORIN.

Mr. RUCKER with Mr. MOTT.

Mr. SCULLY with Mr. POWERS.

Mr. SMALL with Mr. PETERS.

Mr. SPARKMAN with Mr. SELLS.

Mr. WHALEY with Mr. SMITH of Michigan.

Mr. LOFT with Mr. ANTHONY.

Mr. MAHER with Mr. BARTHOLDT.

Mr. LEWIS of Maryland with Mr. GRAHAM of Pennsylvania.

Mr. JONES with Mr. MCGUIRE of Oklahoma.

Mr. TAGGART with Mr. PLUMLEY.

Mr. CAREW with Mr. SINNOTT.

Mr. BATHRICK with Mr. THOMSON of Illinois.

The result of the vote was announced as above recorded.

CORRECTION OF THE RECORD.

Mr. SMITH of Minnesota. Mr. Speaker, I arise for the purpose of making a statement to correct the RECORD of October 8, 1914, page 16344, from which it appears that I was paired against the Clayton antitrust bill with Representative PETER G. GERRY, of Rhode Island. The fact is I was paired with Congressman GERRY in favor of the Clayton bill, and he against it, which clearly appears from the written request, signed by both Congressman GERRY and myself, and filed with the pair clerk of the House on October 6, 1914, that I now hold in my hand.

I have been assured by the Clerk of the House that the permanent RECORD will be corrected in accordance with the facts I have stated.

I make this statement merely for the purpose of showing why the RECORD was corrected as well as the House Journal.

Mr. MANN. The pairs do not appear in the House Journal.

The SPEAKER. They appear in the RECORD.

Mr. SMITH of Minnesota. I understand that the permanent RECORD will be corrected.

The SPEAKER The statement that the gentleman from Minnesota has just made will appear in the RECORD, but will not appear in the Journal.

AMENDING SECTIONS 11 AND 16 OF THE FEDERAL RESERVE ACT.

The SPEAKER. The Clerk will report the bill (S. 6505), with amendments.

The Clerk read as follows:

An act (S. 6505) to amend sections 11 and 16 of an act to provide for the establishment of Federal reserve banks, etc., approved December 23, 1913, and commonly known as the Federal reserve act.

Mr. MANN. Mr. Speaker——

The SPEAKER. For what purpose does the gentleman from Illinois rise?

Mr. MANN. I think the bill has been disposed of, except as to the final vote or a motion for a third reading. This bill was acted upon by the House prior to action upon the other bill; that is, final action.

The SPEAKER. Well, this bill has not been disposed of by the House.

Mr. MANN. No; it is pending, as I understand, on going to the third reading, unless I am mistaken. The bill was adopted by the House; I do not know whether the amendments——

The SPEAKER. It was adopted by the House as in Committee of the Whole House on the state of the Union.

Mr. MANN. The amendments may not have been disposed of.

The SPEAKER. The Clerk says that the amendments——

Mr. GLASS. Mr. Speaker, I desire to make a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. GLASS. At what time would it be in order for me to make a motion to recommit this bill?

The SPEAKER. After the vote for the engrossment and third reading and before the third reading is the time to make the motion. What the Chair was trying to find out was what this rule means.

Mr. GLASS. My understanding is the amendments have been already agreed to.

The SPEAKER. They were acted on in the House as in the Committee of the Whole House on the state of the Union. The rule says:

At the conclusion of the debate on all said bills each bill with amendments thereto shall be voted upon separately and the previous question shall be considered as separately ordered on each bill with the amendments to final passage without intervening motion, except one motion to recommit.

The Chair is inclined to think that the motion is on the engrossment and third reading.

Mr. MANN. I take it from the reading of the rule that the amendments have not been disposed of.

The SPEAKER. Is a separate vote demanded on any amendment? If not, the Chair will put them in gross.

The question was taken, and the amendments were agreed to.

The SPEAKER. The question now is on the engrossment and third reading.

The question was taken, and the motion was agreed to.

Mr. WINGO. Mr. Speaker——

Mr. GLASS. Mr. Speaker, I desire to move to recommit this bill to the Committee on Banking and Currency.

The SPEAKER. The gentleman from Virginia moves to recommit the bill to the Committee on Banking and Currency.

Mr. WINGO. Mr. Speaker, I desire to offer an amendment to the motion to recommit.

Mr. GLASS. And I desire to move the previous question on the motion to recommit.

The SPEAKER. But the gentleman did not do it.

Mr. WINGO. My amendment is to recommit the bill to the Committee on Banking and Currency with instructions to report it back immediately with an amendment striking out all that part of the bill——

The SPEAKER. Will the gentleman send up his amendment?

Mr. WINGO (continuing). All that part of the bill after line 2, page 1, down to and including line 5, page 2.

The SPEAKER. The Clerk had better reduce that to writing. Will the gentleman from Arkansas repeat that slowly so the Clerk can reduce it to writing?

Mr. WINGO. Report the bill back with an amendment striking out all that part of the bill after line 2, on page 1, down to and including line 5, on page 2. In other words, strike out all that part of the bill with reference to reserves and leave that part with refefence to clearances.

Mr. GLASS. And on that motion I demand the previous question.

The SPEAKER. The gentleman from Virginia moves the previous question.

Mr. HENRY. Mr. Speaker, I desire to offer an amendment to or a substitute for the amendment offered by the gentleman from Arkansas.

The SPEAKER. The Chair knows, but the gentleman from Virginia was recognized first.

Mr. HENRY. Mr. Speaker, I was speaking out in meeting first, but unfortunately I did not catch the Speaker's eye.

The SPEAKER. There is a good deal of uproar and it is hard to catch the ear or eye either. The question is on the motion for the previous question on the motion to recommit.

The question was taken, and the previous question was ordered.

The SPEAKER. The question is on the amendment offered by the gentleman from Arkansas to the motion of the gentleman from Virginia to recommit.

The question was taken, and the Speaker announced the noes seemed to have it.

Mr. WINGO. Division, Mr. Speaker.

The House divided; and there were—ayes 19, noes 67.

Mr. WINGO. Mr. Speaker, I make the point of order there is no quorum present.

The SPEAKER. Evidently there is not. The Doorkeeper will lock the doors, the Sergeant at Arms will notify absentees, and the Clerk will call the roll.

The question was taken; and there were—yeas 64, nays 207, answered "present" 1, not voting 157, as follows:

YEAS—64.

Abercrombie	Bell, Ga.	Burnett	Eagle
Adamson	Blackmon	Byrnes, S. C.	Falconer
Aiken	Broussard	Candler, Miss.	Finley
Aswell	Bryan	Collier	Floyd, Ark.
Austin	Buchanan, Ill.	Crisp	Garrett, Tex.
Barkley	Buchanan, Tex.	Dent	Goodwin, Ark.

Gudger	Kitchin	Oldfield	Sumners
Harris	Lafferty	Palmer	Taylor, Ark.
Heflin	Lazaro	Park	Thomas
Henry	Lever	Quin	Thompson, Okla.
Howard	Lindbergh	Ragsdale	Tribble
Hughes, Ga.	McKellar	Russell	Vaughan
Hulings	Morgan, La.	Sisson	Vinson
Johnson, S. C.	Mulkey	Stephens, Miss.	Watkins
Keating	Murdock	Stephens, Tex.	Webb
Kelly, Pa.	Murray	Stout	Wingo

NAYS—207.

Adair	Donovan	Keister	Price
Ainey	Doolittle	Kelley, Mich.	Rainey
Alexander	Doughton	Kennedy, Conn.	Raker
Allen	Driscoll	Kennedy, R. I.	Rayburn
Anderson	Eagan	Kiess, Pa.	Reed
Ashbrook	Esch	Kinkead, N. J.	Reilly, Conn.
Bailey	Farr	Kirkpatrick	Reilly, Wis.
Baker	Fergusson	Kreider	Riordan
Barchfeld	Fess	La Follette	Roberts, Mass.
Barnhart	Fields	Langham	Roberts, Nev.
Barton	Fitzgerald	Langley	Rouse
Beakes	FitzHenry	Lee, Pa.	Rubey
Booher	Flood, Va.	Lenroot	Rupley
Borchers	Foster	Lesher	Shackleford
Borland	Fowler	Levy	Sherwood
Brockson	Gallivan	Lewis, Pa.	Sims
Brodbeck	Gard	Linthicum	Slayden
Brown, W. Va.	Gardner	Lloyd	Slemp
Browne, Wis.	Garner	Lobeck	Sloan
Browning	Gerry	Logue	Smith, Idaho
Bulkley	Gillett	Lonergan	Smith, J. M. C.
Burke, Pa.	Gilmore	McAndrews	Smith, Minn.
Burke, S. Dak.	Glass	McGillicuddy	Smith, N. Y.
Burke, Wis.	Godwin, N. C.	McKenzie	Smith, Tex.
Butler	Good	McLaughlin	Stafford
Byrns, Tenn.	Gordon	MacDonald	Stedman
Callaway	Graham, Ill.	Madden	Steenerson
Campbell	Gray	Maguire, Nebr.	Stephens, Cal.
Carlin	Greene, Mass.	Mann	Stephens, Nebr.
Carr	Griest	Mapes	Stone
Carter	Guernsey	Miller	Stringer
Casey	Hamilton, Mich.	Mitchell	Switzer
Clark, Fla.	Hammond	Mondell	Tavenner
Cline	Hardy	Moon	Temple
Coady	Hawley	Moore	Ten Eyck
Connolly, Iowa	Hayden	Morgan, Okla.	Thacher
Cooper	Hayes	Morrison	Towner
Cox	Helm	Moss, Ind.	Townsend.
Cramton	Hensley	Moss, W. Va.	Underwood
Crosser	Hill	Neely, W. Va.	Vollmer
Cullop	Hinds	Nelson	Volstead
Curry	Holland	O'Shaunessy	Walker
Danforth	Houston	Page, N. C.	Walsh
Davis	Howell	Paige, Mass.	Walters
Decker	Hoxworth	Parker, N. J.	White
Dershem	Hull	Patten, N. Y.	Williams
Dickinson	Humphrey, Wash.	Patton, Pa.	Willis
Dies	Igoe	Payne	Winslow
Difenderfer	Johnson, Ky.	Peters	Woods
Dillon	Johnson, Utah	Plumley	Young, N. Dak.
Dixon	Johnson, Wash.	Pou	Young, Tex.
Donohoe	Jones	Powers	

ANSWERED "PRESENT"—1.

Lee, Ga.

NOT VOTING—157.

Ansberry	Evans	Key, Ohio	Sabath
Anthony	Fairchild	Kindel	Saunders
Avis	Faison	Kinkaid, Nebr.	Scott
Baltz	Ferris	Knowland, J. R.	Scully
Bartholdt	Fordney	Konop	Seldomridge
Bartlett	Francis	Korbly	Sells
Bathrick	Frear	L'Engle	Sherley
Beall, Tex.	French	Lewis, Md.	Shreve
Bell, Cal.	Gallagher	Lieb	Sinnott
Bowdle	Garrett, Tenn.	Lindquist	Small
Britten	George	Loft	Smith, Md.
Brown, N. Y.	Gill	McClellan	Smith, Saml. W.
Bruckner	Gittins	McGuire, Okla.	Sparkman
Brumbaugh	Goeke	Mahan	Stanley
Burgess	Goldfogle	Maher	Stevens, Minn.
Calder	Gorman	Manahan	Stevens, N. H.
Cantor	Goulden	Martin	Sutherland
Cantrill	Graham, Pa.	Metz	Taggart
Caraway	Green, Iowa	Montague	Talbott, Md.
Carew	Greene, Vt.	Morin	Talcott, N. Y.
Cary	Gregg	Mott	Taylor, Ala.
Chandler, N. Y.	Griffin	Neeley, Kans.	Taylor, Colo.
Church	Hamill	Nolan, J. I.	Taylor, N. Y.
Clancy	Hamilton, N. Y.	Norton	Thomson, Ill.
Claypool	Hamlin	O'Brien	Treadway
Connelly, Kans.	Harrison	Oglesby	Tuttle
Conry	Hart	O'Hair	Underhill
Copley	Haugen	O'Leary	Vare
Dale	Hay	Padgett	Wallin
Davenport	Helgesen	Parker, N. Y.	Watson
Deitrick	Helvering	Peterson	Weaver
Dooling	Hinebaugh	Phelan	Whaley
Doremus	Hobson	Platt	Whitacre
Drukker	Hughes, W. Va.	Porter	Wilson, Fla.
Dunn	Humphreys, Miss.	Post	Wilson, N. Y.
Dupré	Jacoway	Prouty	Witherspoon
Edmonds	Kahn	Rauch	Woodruff
Edwards	Kennedy, Iowa	Rogers	
Elder	Kent	Rothermel	
Estopinal	Kettner	Rucker	

So the amendment was rejected.

The Clerk announced the following additional pairs:

Until further notice:

Mr. BARTLETT with Mr. AVIS.

Mr. BRUCKNER with Mr. COPLEY.

Mr. BUCHANAN of Illinois with Mr. EDMONDS.

Mr. BURGESS with Mr. FAIRCHILD.

Mr. DOREMUS with Mr. FORDNEY.

Mr. DUPRÉ with Mr. FREAR.

Mr. EDWARDS with Mr. GREENE of Vermont.

Mr. EVANS with Mr. HINEBAUGH.

Mr. HARRISON with Mr. J. I. NOLAN.

Mr. HUMPHREYS of Mississippi with Mr. PORTER.

Mr. KETTNER with Mr. PROUTY.

Mr. KEY of Ohio with Mr. SCOTT.

Mr. LIEB with Mr. ANTHONY.

Mr. PADGETT with Mr. SINNOTT.

Mr. RAUCH with Mr. SHREVE.

Mr. SAUNDERS with Mr. STEVENS of Minnesota.

Mr. SCULLY with Mr. SUTHERLAND.

Mr. TALBOTT of Maryland with Mr. MCGUIRE of Oklahoma.

Mr. HAY with Mr. KAHN.

Mr. WILSON of Florida with Mr. TREADWAY.

Mr. HAMLIN with Mr. CAMPBELL.

The result of the vote was announced as above recorded.

The SPEAKER. A quorum is present. The Doorkeeper will open the doors.

The question is on the motion of the gentleman from Virginia [Mr. GLASS] to recommit.

The question was taken, and the Speaker announced that the ayes seemed to have it.

Mr. HENRY. Division, Mr. Speaker.

The House divided; and there were—ayes 126, noes 3.

Mr. GLASS. Mr. Speaker——

Mr. HENRY. Mr. Speaker, I make the point that there is no quorum present.

Mr. MANN. This is a filibuster.

The SPEAKER. The gentleman from Texas makes the point that there is no quorum present, and evidently there is not. The Doorkeeper will close the doors, and the Sergeant at Arms will notify the absentees, and the Clerk will call the roll. The question is on the motion to recommit.

The question was taken; and there were—yeas 255, nays 9, answered "present" 1, not voting 164, as follows:

YEAS—255.

Adair	Decker	Hobson	Nelson
Adamson	Dershem	Holland	Oldfield
Aiken	Dickinson	Houston	O'Shaunessy
Ainey	Dies	Howell	Page, N. C.
Alexander	Difenderfer	Hoxworth	Paige, Mass.
Allen	Dillon	Hughes, Ga.	Palmer
Anderson	Dixon	Hulings	Park
Ashbrook	Donohoe	Hull	Parker, N. J.
Aswell	Donovan	Humphrey, Wash.	Patton, Pa.
Austin	Doolittle	Humphreys, Miss.	Payne
Bailey	Doughton	Igoe	Peters
Baker	Driscoll	Johnson, Ky.	Plumley
Barchfeld	Eagan	Johnson, S. C.	Powers
Barkley	Eagle	Johnson, Wash.	Price
Barnhart	Esch	Jones	Ragsdale
Barton	Falconer	Keating	Rainey
Bathrick	Farr	Keister	Raker
Beakes	Fergusson	Kelley, Mich.	Rauch
Bell, Cal.	Fess	Kelly, Pa.	Rayburn
Bell, Ga.	Fields	Kennedy, Conn.	Reed
Blackmon	Finley	Kennedy, R. I.	Reilly, Conn.
Booher	Fitzgerald	Kiess, Pa.	Reilly, Wis.
Borchers	FitzHenry	Kinkead, N. J.	Roberts, Mass.
Borland	Flood, Va.	Kirkpatrick	Roberts, Nev.
Brockson	Floyd, Ark.	Kreider	Rouse
Brodbeck	Foster	La Follette	Rubey
Brown, W. Va.	Fowler	Langley	Rupley
Browning	Gard	Lee, Ga.	Russell
Bryan	Gardner	Lee, Pa.	Saunders
Buchanan, Ill.	Garner	Lenroot	Scott
Buchanan, Tex.	Garrett, Tex.	Lesher	Shackleford
Bulkley	Gerry	Lever	Sims
Burke, Pa.	Gillett	Levy	Sisson
Burke, S. Dak.	Gilmore	Lieb	Slayden
Burke, Wis.	Glass	Lindbergh	Slemp
Butler	Good	Linthicum	Sloan
Byrnes, S. C.	Goodwin, Ark.	Lloyd	Small
Byrns, Tenn.	Gordon	Logue	Smith, Idaho
Callaway	Graham, Ill.	Lonergan	Smith, J. M. C.
Candler, Miss.	Graham, Pa.	McAndrews	Smith, Minn.
Carlin	Gray	McGillicuddy	Smith, N. Y.
Carr	Greene, Mass.	McKellar	Smith, Tex.
Carter	Griest	MacDonald	Stafford
Casey	Gudger	Madden	Stedman
Clark, Fla.	Guernsey	Maguire, Nebr.	Steenerson
Cline	Hamilton, Mich.	Mann	Stephens, Cal.
Coady	Hammond	Mapes	Stephens, Miss.
Collier	Hardy	Miller	Stephens, Nebr.
Connolly, Iowa	Harris	Mitchell	Stone
Cooper	Harrison	Mondell	Stringer
Cox	Hawley	Moore	Sumners
Cramton	Hayden	Morgan, La.	Sutherland
Crisp	Hayes	Morgan, Okla.	Switzer
Crosser	Helm	Morrison	Taylor, Ark.
Cullop	Henry	Moss, Ind.	Temple
Curry	Hensley	Mulkey	Ten Eyck
Danforth	Hill	Murdock	Thacher
Davis	Hinds	Neely, W. Va.	Thomas

Thompson, Okla.	Underwood	Walters	Wingo
Towner	Vaughan	Watkins	Winslow
Townsend	Vinson.	Webb	Woods
Treadway	Vollmer	Whaley	Young, N. Dak.
Tribble	Volstead	White	Young, Tex.
Tuttle	Walsh	Willis	

NAYS—9.

Abercrombie	Dent	Heflin	Kitchin
Burnett	Edwards	Howard	Quin
Campbell			

ANSWERED "PRESENT"—1.

Lafferty

NOT VOTING—164.

Ansberry	Faison	Konop	Prouty
Anthony	Ferris	Korbly	Riordan
Avis	Fordney	Langham	Rogers
Baltz	Francis	Lazaro	Rothermel
Bartholdt	Frear	L'Engle	Rucker
Bartlett	French	Lewis, Md.	Sabath
Beall, Tex.	Gallagher	Lewis, Pa.	Scully
Bowdle	Gallivan	Lindquist	Seldomridge
Britten	Garrett, Tenn.	Lobeck	Sells
Broussard	George	Loft	Sherley
Brown, N. Y.	Gill	McClellan	Sherwood
Browne, Wis.	Gittins	McGuire, Okla.	Shreve
Bruckner	Godwin, N. C.	McKenzie	Sinnott
Brumbaugh	Goeke	McLaughlin	Smith, Md.
Burgess	Goldfogle	Mahan	Smith, Saml. W.
Calder	Gorman	Maher	Sparkman
Cantor	Goulden	Manahan	Stanley
Cantrill	Green, Iowa	Martin	Stephens, Tex.
Caraway	Greene, Vt.	Metz	Stevens, Minn.
Carew	Gregg	Montague	Stevens, N. H.
Cary	Griffin	Moon	Stout
Chandler, N. Y.	Hamill	Morin	Taggart
Church	Hamilton, N. Y.	Moss, W. Va.	Talbott, Md.
Clancy	Hamlin	Mott	Talcott, N. Y.
Claypool	Hart	Murray	Tavenner
Connelly, Kans.	Haugen	Neeley, Kans.	Taylor, Ala.
Conry	Hay	Nolan, J. I.	Taylor, Colo.
Copley	Helgesen	Norton	Taylor, N. Y.
Dale	Helvering	O'Brien	Thomson, Ill.
Davenport	Hinebaugh	Oglesby	Underhill
Deitrick	Hughes, W. Va.	O'Hair	Vare
Dooling	Jacoway	O'Leary	Walker
Doremus	Johnson, Utah	Padgett	Wallin
Drukker	Kahn	Parker, N. Y.	Watson
Dunn	Kennedy, Iowa	Patten, N. Y.	Weaver
Dupré	Kent	Peterson	Whitacre
Edmonds	Kettner	Phelan	Williams
Elder	Key, Ohio	Platt	Wilson, Fla.
Estopinal	Kindel	Porter	Wilson, N. Y.
Evans	Kinkaid, Nebr.	Post	Witherspoon
Fairchild	Knowland, J. R.	Pou	Woodruff

So the motion of Mr. GLASS to recommit was agreed to.

The Clerk announced the following additional pairs:

Mr. STEPHENS of Texas with Mr. BROWNE of Wisconsin.
Mr. BRUMBAUGH with Mr. EDMONDS.
Mr. KEY of Ohio with Mr. GREENE of Vermont.
Mr. SCULLY with Mr. J. I. NOLAN.
Mr. WILSON of Florida with Mr. PORTER.
Mr. COADY with Mr. ANTHONY.
Mr. GALLIVAN with Mr. SHREVE.
Mr. GODWIN of North Carolina with Mr. CRAMTON.
Mr. GARRETT of Tennessee with Mr. STEVENS of Minnesota.
Mr. LOBECK with Mr. CURRY.
Mr. MURRAY with Mr. LEWIS of Pennsylvania.
Mr. POU with Mr. MCKENZIE.
Mr. RIORDAN with Mr. MCLAUGHLIN.
Mr. SHERLEY with Mr. VARE.
Mr. STOUT with Mr. Moss of West Virginia.
Mr. WALKER with Mr. PATTON of Pennsylvania.
Mr. WILLIAMS with Mr. STEPHENS of California.

The result of the vote was announced as above recorded.

APPROPRIATIONS AND EXPENDITURES, DEPARTMENT OF STATE (H. DOC. NO. 1259).

The SPEAKER laid before the House the following message from the President, which was read and, with the accompanying papers and documents, referred to the Committee on Expenditures in the State Department and ordered to be printed:

To the House of Representatives:

I transmit herewith a statement by the Secretary of State, with accompanying papers, of appropriations, expenditures, and balances of appropriations under the Department of State for the fiscal year ended June 30, 1914.

WOODROW WILSON.

THE WHITE HOUSE, *December 8, 1914.*

REPORT OF THE CIVIL SERVICE COMMISSION (H. DOC. NO. 1258).

The SPEAKER also laid before the House the following message from the President, which was read and, with accompanying papers, referred to the Committee on Reform in the Civil Service and ordered to be printed:

To the Senate and House of Representatives:

I transmit herewith, for the consideration of the Congress, the Thirty-first Annual Report of the United States Civil Service Commission for the fiscal year ended June 30, 1914.

The attention of the Congress is especially invited to the needs of the commission as set forth on pages 27 to 32 of the report.

WOODROW WILSON.

THE WHITE HOUSE, *December 8, 1914.*

LEAVE OF ABSENCE.

The SPEAKER. The Chair lays before the House the following requests for leaves of absence, which the Clerk will report.

The Clerk read as follows:

Mr. BEALL of Texas requests leave of absence until January 1, 1915.
Mr. HART requests leave of absence indefinitely, on account of important business.

The SPEAKER. Without objection, these requests will be granted.

Mr. MANN. Reserving the right to object, I have no doubt that these requests may be proper; but four times this afternoon, on the day when the President came before the House and addressed it, and there was a very large membership, we have had a roll call because there was lacking a quorum when the vote was taken. How far we ought to go in excusing Members who are not here I do not know, but if there is any intention of this House not to sit here all next summer we will have to have fewer points of no quorum and roll calls on account of it. That side of the House is responsible for it. [Applause.]

The SPEAKER. Is there objection to these requests?

There was no objection.

AMENDMENT TO THE FEDERAL RESERVE ACT.

Mr. GLASS. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (H. R. 15038) proposing an amendment to the Federal reserve act relative to acceptances, and for other purposes.

The SPEAKER. The Clerk will report the bill.

The Clerk read as follows:

Be it enacted, etc., That section 13, paragraphs 3, 4, and 5, of the act approved December 23, 1913, known as the Federal reserve act, be amended and reenacted so as to read as follows:

"SEC. 13. That any Federal reserve bank may discount acceptances which are based on the importation or exportation of goods and which have a maturity at time of discount of not more than three months and indorsed by at least one member bank. The amount of acceptances so discounted shall at no time exceed one-half the paid-up capital stock and surplus of the bank for which the rediscounts are made, except by authority of the Federal Reserve Board, and under such regulations as said board may prescribe.

"The aggregate of such notes and bills bearing the signature of indorsement of any one person, company, firm, or corporation rediscounted for any one bank shall at no time exceed 10 per cent of the unimpaired capital and surplus of said bank, but this restriction shall not apply to the discount of bills of exchange drawn in good faith against actually existing values.

"Any member bank may accept drafts or bills of exchange drawn upon it and growing out of transactions involving the importation or exportation of goods having not more than six months' sight to run, but no bank shall accept such bills to an amount equal at any time in the aggregate to more than one-half of its paid-up capital stock and surplus, except by authority of the Federal Reserve Board, under such regulations as said board may prescribe."

With the following committee amendments:

On page 1, line 12, after the word "paid-up," insert the words "and unimpaired"; on page 2, line 1, strike out the word "and"; in line 2, after the word "such," insert the word "general"; in line 15, after the word "paid-up," insert the words "and unimpaired"; and in line 17, after the word "such," insert the word "general."

The SPEAKER. The gentleman from Virginia asks unanimous consent for the present consideration of the bill which has just been read. Is there objection?

There was no objection.

Mr. GLASS. Mr. Speaker, I can explain the bill in a word. Under the Federal reserve act banks engaged in financing the exportation and importation of goods are restricted in the volume of their operations to an aggregate amount not exceeding one-half of their paid-up capital stock and surplus. The organization committee of the Federal reserve system, in going over the country getting information preliminary to the inauguration of the new system, found that there were a great many large acceptance houses—State banks and trust companies—throughout the country that had built up an extensive business in financing exportations of American products. These large banks and trust companies in various parts of the country are anxious to become members of the Federal reserve system; but owing to this restriction have not and can not become members because it is not to their interest to do so. Some of these houses do an immense amount of business in financing the ex-

portation of American products, and this simple amendment is designed to facilitate the financing of American exportations. The bill has been unanimously reported from the Banking and Currency Committee of the House, and I have reason to believe that there is no objection to it from any quarter.

The SPEAKER. Is a separate vote demanded on any amendment? If not, the Chair will put them in gross.

There was no demand for a separate vote, and the amendments were agreed to.

Mr. MANN. Will the gentleman from Virginia yield?

Mr. GLASS. Certainly.

Mr. MANN. I notice what I think is an error in line 7, page 1, where the words "section 13" occur. I think that ought to go out. It is very plain that this is not the beginning of the section. This is to amend paragraphs 3, 4, and 5 of section 13. Of course, the words "section 13" come at the beginning of the section and ought not to be repeated in the middle of the section.

Mr. GLASS. I think that is true. And I move to amend by striking out those words.

The SPEAKER. The Clerk will report the amendment.

The Clerk read as follows:

Line 7, page 1, strike out the words "section 13."

The amendment was agreed to.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed.

On motion of Mr. GLASS, a motion to reconsider the vote whereby the bill was passed was laid on the table.

RAILWAY MAIL PAY AND SECOND-CLASS MAIL MATTER (H. DOC. NO. 1257).

Mr. LLOYD. Mr. Speaker, I ask unanimous consent to present a report of the Joint Committee on Postage on Second-class Mail Matter and Compensation for the Transportation of Mail.

The SPEAKER. The gentleman from Missouri asks unanimous consent to present a report of the Joint Committee on Postage on Second-class Mail and Compensation for the Transportation of Mail. Is there objection?

There was no objection.

The Clerk read as follows:

Preliminary report of the Joint Committee on Postage on Second-class Mail Matter and Compensation for the Transportation of Mail.

The SPEAKER. The report will be referred to the Committee on the Post Office and Post Roads and ordered printed.

THE PRINTING LAWS.

Mr. BARNHART. Mr. Speaker, I ask unanimous consent to have printed in the RECORD three proposed amendments to section 85 of the printing bill, which will come up for consideration to-morrow. It has to do with the proposed changes in the law relative to printing Government envelopes. There have been many inquiries of the committee as to the nature of the amendments that may be offered. The committee has decided to submit three amendments for consideration by the committee to-morrow, and I ask unanimous consent to have them printed in the RECORD so that they may be readily found.

The SPEAKER. The gentleman from Indiana asks unanimous consent to have printed in the RECORD three proposed amendments to the printing bill. Is there objection?

There was no objection.

The amendments are as follows:

Amendment offered by Mr. BARNHART: Page 124, line 19, after the word "General," insert "with the approval of a board consisting of the Postmaster General, the Secretary of Labor, and the Public Printer."

Page 125, line 4, after the word "*Provided*," insert "That from and after the 30th day of June, 1915, it shall be unlawful for the Post Office Department, or any officer, head of bureau, or chief of division thereof, to print or have printed, or sell or offer to sell any stamped envelope bearing upon it a printed direction giving the name of any individual, firm, or company, or any number, or number of any post-office-box, drawer, or any street number, or the name of any building in which it shall be returned if uncalled for or undelivered; but this provision shall not apply to those envelopes printed with a return card left blank as to name, address, box, drawer, street number, or building, and which only give the name of the town or city, with the State, District, or Territory: *Provided further.*"

Page 125, line 13, after the word "heretofore," insert:

"*Provided further*, That whenever the Government Printing Office shall be equipped to manufacture and print envelopes as provided for in this section at as low a cost as the Government may then be paying for envelopes made or printed elsewhere, such work shall thereafter be done at the Government Printing Office; but this provision shall not in any way interfere with or prevent the carrying out of any contract then existing relative to the manufacture and printing of envelopes."

Mr. MANN. Mr. Speaker, reserving the right to object, under the terms of the printing bill, if I recall correctly, if the bill were a law, it would be impossible to print this very thing in the RECORD. However, I shall not object. [Laughter.]

Mr. BARNHART. Oh, the gentleman is mistaken about that.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none, and it is so ordered.

DISTRICT OF COLUMBIA APPROPRIATION BILL.

Mr. PAGE of North Carolina. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H. R. 19422) making appropriations for the expenses of the District of Columbia for the fiscal year ending June 30, 1916. Pending that motion, I would like to see if I can reach some agreement with the gentleman from Minnesota [Mr. DAVIS] as to the time to be used in general debate.

Mr. DAVIS. Mr. Speaker, I have had requests on this side for two hours and a half, and there are one or two others who, I think, would like to use a little time. I therefore suggest that we have about six hours of general debate, three hours on a side.

Mr. PAGE of North Carolina. Mr. Speaker, I have no disposition to limit the time unnecessarily, but it seems to me that that is a little bit long for general debate upon this bill, particularly in view of the fact that this is at the beginning of the session, and that we have just had an election.

Mr. MANN. My recollection is that when we were in the majority after an election, and remained in the majority, the other side of the House wanted to debate for many hours to explain why it had not succeeded.

Mr. PAGE of North Carolina. I think it would take a great many hours for that side of the House to explain why it did not succeed in the last election, but there will be other appropriation bills, and in view of the fact that there are 12 other appropriation bills to come into the House I will ask the gentleman if we can not agree on two hours on a side? The gentleman can cut down the time that he has agreed to yield, and those gentlemen who desire it can obtain time on some other bill.

Mr. DAVIS. I have two requests that will take about all of the 2 hours—one of an hour and another of 45 minutes.

Mr. PAGE of North Carolina. Perhaps the gentleman might get the gentleman who wants the full hour to cut his time down to 45 minutes.

Mr. DAVIS. The gentleman who desires an hour is really clamoring for more time. I have cut him down to an hour and the other I have cut down to 45 minutes.

Mr. PAGE of North Carolina. How much time can the gentleman use this afternoon?

Mr. DAVIS. I think we could use 45 minutes this afternoon in one speech.

Mr. PAGE of North Carolina. The gentleman is not going to insist upon six hours—three hours on a side?

Mr. DAVIS. Suppose we insist upon three hours upon this side, and then the gentleman's side can agree to use less than three hours?

Mr. PAGE of North Carolina. This side does not care to make an arrangement of that sort. I would be entirely satisfied with an hour and a half on this side if the gentlemen on that side will also accept an hour and a half.

Mr. DAVIS. The gentleman forgets that there are two parties on this side and only one, apparently, on the other.

Mr. MANN. I think it is fair to say to the gentleman from North Carolina [Mr. PAGE] that the time asked for is extended somewhat because the gentleman from Massachusetts [Mr. GARDNER] expects to address the House on Thursday, and everyone will recognize, under the circumstances, the propriety of his having time allotted to him.

Mr. PAGE of North Carolina. Mr. Speaker, I suggest to the gentleman from Minnesota that we compromise on five hours—two and a half hours on a side.

Mr. MANN. Make it two and three.

Mr. PAGE of North Carolina. Oh, no; two and a half on a side, the time to be controlled by the gentleman from Minnesota and by myself.

Mr. DAVIS. Mr. Speaker, I will consent to that.

Mr. PAGE of North Carolina. Mr. Speaker, then I couple with my motion a request that the time for general debate be limited to five hours, two hours and a half to be controlled by the gentleman from Minnesota and two hours and a half by myself.

Mr. DAVIS. However, that is upon this condition, that this side will go to the firing line but once this afternoon.

Mr. PAGE of North Carolina. That is all right. I accept that.

Mr. DAVIS. And after that the gentleman will move that the committee rise?

Mr. PAGE of North Carolina. Yes; that is agreeable.

The SPEAKER. The gentleman from North Carolina moves that the House resolve itself into the Committee of the Whole

House on the state of the Union to consider the District of Columbia appropriation bill, and, pending that, asks unanimous consent that the time for general debate be limited to five hours, two and a half hours to be controlled by the gentleman from Minnesota [Mr. DAVIS] and two hours and a half by himself. Is there objection?

There was no objection.

The SPEAKER. The question is on agreeing to the motion that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of the District of Columbia appropriation bill.

The motion was agreed to.

Accordingly the House resolved itself into Committee of the Whole House on the state of the Union for the consideration of the District of Columbia appropriation bill, with Mr. GARNER in the chair.

The CHAIRMAN. The House is in Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 19422, the title of which the Clerk will report.

The Clerk read as follows:

A bill (H. R. 19422) making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1916, and for other purposes.

Mr. PAGE of North Carolina. Mr. Chairman, I ask unanimous consent that the first reading of the bill be dispensed with.

The CHAIRMAN. The gentleman from North Carolina asks unanimous consent that the first reading of the bill be dispensed with. Is there objection? [After a pause.] The Chair hears none.

Mr. PAGE of North Carolina. Mr. Chairman, I yield 30 minutes to the gentleman from Missouri [Mr. BORLAND].

Mr. BORLAND. Mr. Chairman, the discussion of a bill relating to city affairs brings to our minds the question of the freedom of elections in the great cities of our country. Inasmuch as legislatures in all the States will be dealing with reform in the election laws during the coming winter it seems proper at this time to give some consideration to this very basic principle in American political life. The danger in politics exists in the congested centers—the cities. However much we may wish to do so, it is extremely difficult to secure absolute equality and freedom of suffrage in the cities. The larger the cities grow the more difficult this problem becomes, and they are growing larger each decade. To-day nearly 50 per cent of the population of this Nation is urban, and this condition is increasing rather than decreasing. In the cities special safeguards must be thrown around the exercise of the suffrage in order to secure anything like an expression of popular opinion.

In the last few years we have come to a new era representing the aspirations and hopes of Democracy; an era of direct action by the people upon the candidates for office and upon propositions of a legislative character. Having undertaken to submit these directly to the people, we owe it to them to safeguard the expression of their opinion so that the system may be safe and may result in a fair determination of the result. No man in or out of public life will disagree with the axiomatic statement that every man is entitled to one vote, and no man is entitled to more than one vote, and if under any system any man or set of men have or claim to have more than one vote apiece, there is something wrong with the system. There is scarcely a great city in the land where there is not some man or set of men who claim to have practically the controlling vote in any political party that may be named. The question is, How does this arise?

In my State of Missouri a few years ago we adopted a primary election law, a law with which I am in entire sympathy. I believe it was the greatest step in advance that has been taken for many, many years. It was an improvement over the convention system. It was possible to control the views of delegates to conventions, and the expenses connected with it and methods by which the delegates were chosen were such that they went into the convention practically pledged to this, that, or the other candidate for some office on the ticket. The ticket was eventually made up by a system of trading and logrolling by which no one man on the ticket could feel the ticket itself was the expression of the party's will. No one man, whatever office he may have run for, was big enough politically or personally to dominate the ticket which ran with him. A skillful trader with a mere handful of votes in the convention might easily put himself or his favorite on the ticket by a careful manipulation of a small minority of the votes. I believe in the primary system. I believe that the primary system is a vast improvement over the old convention system. That primary system has been in operation now long enough to reveal some of its weaknesses and dangers, but the fact that there are weaknesses and dangers in it does not militate against the fact that it is a vast improvement over the old convention system.

The convention system lent itself to the worst form of political manipulation. It lent itself to every undiscoverable form of corruption and manipulation which, thank heaven, the primary system does not. In the country districts or in any district where voters are reasonably well known to each other the primary system may work admirably, and yet it has suffered great criticism in the cities of the land. The reason is that no sufficient safeguards have been formed as are required for a system of that kind.

Much criticism has been leveled at the primary system. It is denounced as a failure; it is said that the so-called "bosses," with their massed and organized political strength, can control the primary as easily as they controlled the convention system, and that no candidate, however worthy, can be nominated without their support. Let us see how much of this is true, and why. Do not let us abandon the primary unless it is hopelessly defective. Let us examine it, not in a spirit of hostility but of helpfulness. The greatest question before the people of Missouri to-day is the freedom and purity of elections. The legislature must deal with it with promptness and courage. It lies at the base of all reforms. It is the lifeblood of free government.

In great cities like Kansas City and St. Louis there are wards filled with hotels and lodging houses of various kinds. Often from 50 to 200 voters are registered from a single building.

Under our election system in Missouri, a registration is made in the middle of March for the city election which takes place on the first Tuesday of April. Twenty days before the city election a registration is made. At that time in the lower wards of St. Louis and Kansas City there are hundreds and thousands of voters, the best of whom are construction-gang operators and unskilled laborers. During the working season of the year they are engaged in works on the railroads and on the construction work of the great West. They come into the cities during the winter; they remain long enough to register and possibly to vote at the spring election, and then they go away; and yet the city is their only home, and is possibly their proper place for voting. There is no additional registration between that and the first Tuesday in August, when the primaries are held to nominate the candidates for office. It is not extravagant to say that there is precinct after precinct in those great cities where not 15 per cent of the men who were there in March and registered for the city election are there in August and able to cast their vote in the primaries. The best of those men are out "on the job." Who remains? The men who are actually workingmen and good citizens and entitled to vote are away from the city a thousand miles earning their wages as unskilled laborers, and their names are on the election books, and, with hardly a single, solitary exception, they are voted at the August primary.

Mr. IGOE. Mr. Chairman, will the gentleman yield to me?

Mr. BORLAND. Yes.

Mr. IGOE. The gentleman may speak for Kansas City, and I do not want to get into any controversy as to Kansas City; but I would like to remind the gentleman that under the law of Missouri, before the August primary, there is a revision of the primary lists, and, so far as the city of St. Louis is concerned, the judges and clerks of election revise those lists, and every name on the registration books is canvassed before the August primary; and, while there is no new registration, the names on the list are canvassed and those that have moved away must, under the law, be notified and the name stricken from the lists.

Mr. BORLAND. Now, let me say in reply to my colleague that he possibly has not looked into this matter with the same care that I have, because I have in my possession a list of names in the city of St. Louis where registered letters were sent to the voters whose name were on the registration lists and whose names were actually voted, and yet were returned by the post office as dead or removed from the city of St. Louis. There were 533 of these in 15 precincts of a single ward.

Mr. IGOE. Will the gentleman yield to me a moment?

Mr. BORLAND. I realize what the law of Missouri is, and if my colleague will bear with me I will tell him where the defect exists.

Mr. IGOE. Am I correct in saying that the law provides for a revision of registration before the primary day?

Mr. BORLAND. You are; and the law so provides. The gentleman's illustration is a little unfortunate. Conditions are much worse in St. Louis than they are in Kansas City.

Mr. Chairman, I ask unanimous consent to put into the RECORD detailed information on that point and some other information also.

The CHAIRMAN. The gentleman from Missouri asks unanimous consent to extend his remarks as indicated. Is there objection?

There was no objection.

Mr. IGOE. The gentleman does not mean to say that if a registered letter is not signed for by the man to whom it is sent he is not there?

Mr. BORLAND. It is possible.

Mr. IGOE. Does not the gentleman know that letters were sent to prominent Republicans and Democrats in the city of St. Louis—the president of the police board, I think, and others—and they were not there to receive them?

Mr. BORLAND. I hardly think any of them were marked as dead or out of town. I do not think that kind of work is done by the Post Office Department.

Mr. IGOE. I do not excuse false registration or anything of that kind, but I hope the gentleman will not give the impression that ward after ward in the city of St. Louis contains lists of voters who do not live there.

Mr. BORLAND. I will assure my colleague that I will not make any statement for which I have not record evidence. I certainly would be as loath as he to make a statement that is not justified by public record, and every statement I make, if it is not justified by public record, I will be glad publicly to withdraw. But we can not by a glossing over these things get at the real evil. If the evil is there, let us know where it is and why it is, because I know that neither my colleague nor myself advocate a system that would practically deny the vote to honest citizens in St. Louis or other parts of Missouri by killing the honest vote of the country Democrat with the "ghost vote" of the lower wards of St. Louis. I contend that there are thousands of tax-paying citizens in and out of St. Louis whose votes by the system that is now in vogue are offset and canceled by ghost votes. Neither one of us wants to justify such a system. If this record or any portion of it in the contested case of Gill against Dyer is true, then there is necessity for some reform in the election laws of Missouri and in possibly other States, and I have certainly a right to speak as to Missouri.

In 1912 L. C. Dyer, a Republican, was returned as elected in the twelfth congressional district, containing the fifth ward of the city of St. Louis. MICHAEL J. GILL, the Democratic candidate, contested the election before the committee of the House of Representatives. The evidence, which is all a matter of public record, showed frauds so numerous and so gross that Dyer was unseated by Congress and GILL declared elected. It was not claimed that Dyer had personally participated in the frauds, but he was the beneficiary. The frauds were of every variety. The count was crooked. In the second precinct the judges and clerks returned 199 votes for Dyer and 5 for GILL. The recount showed 106 for Dyer and 73 for GILL. Third precinct, the judges and clerks returned 67 votes for Dyer and 49 for GILL. The recount showed 72 for Dyer and 82 for GILL, and so on. Ballots were changed openly and flagrantly. GILL'S name was scratched off and Dyer's written in. The photographic copies show that these changes were all in the handwriting of Democratic judges in the booth.

Charles A. Hanson, a voter in the third precinct, testified that he voted the straight Democratic ticket. When his ballot, No. 110, was examined on the recount GILL'S name had been scratched and Dyer's name written in.

Joe Botto, William B. Sherman, Henry Jaenecke, and Theodore Thompkins, voters in the fourth precinct, gave the same testimony. In the ninth precinct John McGuire, a Catholic priest, James Thomas, Joseph Flannery, Thomas H. Long, and Walter A. Hamilton gave similar testimony and their ballots had suffered a like fate. Each precinct revealed the same sordid story. In the sixteenth precinct Walter Pfeiffer voted the Progressive ticket; Thomas J. Cockrell voted the Socialist ticket; Thomas B. Fluke, Esau James, and Arthur L. Franklin voted the Republican ticket, but when the ballots corresponding with their numbers were examined they were all found to be Democratic tickets with GILL'S name scratched and Dyer's written in in the same handwriting. If these things can happen in the general election when the two great parties are supposed to be opposing each other, what chance is there for a fair primary? What show of nomination does a worthy Democrat stand who happens to lack the machine indorsement? There is a crying need for reform in this, as it strikes at the very root of free government.

The singular thing is that the Democratic leader, or reputed leader, of the district where all this fraud occurred, Colin Selph, was appointed to the best-paid Federal office in the State of Missouri, postmaster of the city of St. Louis. The appointment was made at the insistant demand of Senator REED. The position pays $8,000 per year, which is more than the salary of the governor of Missouri, the chief justice of the State, the mayor of St. Louis, the judge of the United States circuit court, or even the Assistant Postmaster General. Was this a reward for distinguished party service in aiding to send a member of the opposite political faith to Congress to vote against a Democratic administration? When I criticized this appointment on the floor of this House on the ground that no special fitness for the position had been shown by the appointee, the only member of the Missouri delegation to rise to the defense of Mr. Selph was L. C. Dyer, who within a short time thereafter was ousted from his seat by a vote of Congress. It is only fair to the rank and file of the Democratic Party in St. Louis to say that they protested vigorously against this appointment, and it is only fair to President Wilson to say that he has accepted no further recommendations from the same source.

Mr. SLOAN. Mr. Chairman, will the gentleman yield?

Mr. BORLAND. I prefer not to yield. The gentleman simply wants to ask me a political question.

Mr. SLOAN. No; it is not a political question.

Mr. BORLAND. The gentleman evidently wants to ask me a political question. I prefer not to yield.

Mr. SLOAN. It is not a political question.

Mr. BORLAND. I prefer not to yield.

The CHAIRMAN. The gentleman declines to yield.

Mr. BORLAND. Conditions in Kansas City, while better in a measure, are still such as to challenge the attention of Democrats to the defects of our election machinery.

[From the Kansas City Star, Wednesday, August 12.]

TAMMANY RULE IN MISSOURI.

The people of Missouri outside of Kansas City will be interested in a few sample comparisons of the voting at the primaries last week in some of the Kansas City precincts and in some of the Jackson County districts. The same candidates were voted on in both city and country. So the comparisons are significant as showing how Democratic voters might line up under normal conditions when the votes are honestly cast and honestly counted and how they are made to appear to line up in precincts where the election machinery is in the hands of the Tammany Hall of Kansas City, which is masquerading as a Democratic organization.

These comparisons show vividly how the honest country vote may be killed by the manipulations of a crooked city machine. Take the case of the candidates for Congressman, for instance. In the first ward of Lees Summit the voters evidently felt that Congressman BORLAND had made an excellent Representative. They were satisfied with his support of President Wilson, and they knew he had been in Washington long enough to be familiar with conditions and to be in a position to do his best work. So 151 Democrats voted for his renomination. Sixty voted for his chief opponent, Mr. Pew.

In the fifth precinct of the first ward of Kansas City—a North End precinct—it is doubtful whether 20 voters even knew the names of the candidates. Yet the votes there were counted 151 for Mr. Pew and not one for Mr. BORLAND. The expressed will of 151 honest country Democrats was absolutely nullified by repeaters and by the manipulation made possible by the existing election system at the mandate of the Kansas City Tammany.

Here are some sample comparisons of returns in boss-controlled precincts in Kansas City and in country districts of Jackson County. They ought to be studied by every Missouri voter. The voters in the country in particular should study them. If they do, they will not rest until the legislature provides an election system that will not lend itself to such skullduggery:

FIFTH PRECINCT, FIRST WARD.

Borland	0
Pew ("Tom" and "Joe" candidate)	151
Wayland	0

FIRST WARD, LEES SUMMIT.

Borland	151
Pew	60
Wayland	23

SECOND PRECINCT, FIRST WARD.

Borland	0
Pew	167
Wayland	0

SECOND WARD, INDEPENDENCE.

Borland	259
Pew	49
Wayland	30

TWELFTH PRECINCT, FIRST WARD.

Borland	6
Pew	202
Wayland	2

MAYWOOD.

Borland	202
Pew	46
Wayland	13

SEVENTH PRECINCT, FIRST WARD.

Borland	17
Pew	131
Wayland	4

GREENWOOD.

Borland	94
Pew	36
Wayland	36

SEVENTH PRECINCT, FIRST WARD.

Borland	0
Pew	178
Wayland	0

GRANDVIEW.

Borland	89
Wayland	7
Pew	29

FIRST PRECINCT, FIFTH WARD.

Borland	0
Pew	166
Wayland	0

FIRST PRECINCT, TWELFTH WARD.

Borland	76
Pew	7
Wayland	15

SECOND PRECINCT, FIFTH WARD.

Borland	1
Pew	158
Wayland	0

SECOND PRECINCT, TWELFTH WARD.

Borland	63
Pew	19
Wayland	9

This is a condition that affects the whole State. The good citizens of Kansas City appeal to the people of the country, who control the legislature, to help them get laws that will end this sort of thing.

Down with the Missouri Tammany!

And how does the honest voter in these wards fare? A poor man who lives in an humble neighborhood has one priceless right—the right to vote and to have his vote counted as cast. But the rights of the poor are brutally trodden underfoot. I submit this forcible letter from an old soldier, who is a strong Democrat:

427 DELAWARE STREET, KANSAS CITY, MO.,
August 10, 1914.

Hon. WILLIAM P. BORLAND.

DEAR SIR: I received a card from you a few days before the primary asking my support. You might as well have sent me a miniature pitchfork and asked me to try to change the river current—that is, as far as the ward I live in is concerned. This whole registration is a most disgraceful and scandalous fraud. I just got a list of registration in wards 1 and 2. I am familiar with the class of persons who stay in those rooming houses; three-fourths are a floating class who care nothing about local elections and have no interest whatever in voting. This is done by the gang who run things here; get a list of the names of those men, put them on the register. I find men's names on who claim unoccupied store rooms as their residence. I went up to the registration office last Saturday and asked for a list of registrations of precincts 2 and 1. I was astonished when I read it: 512 Main Street, 34 votes; 532 Main Street, 25 votes; 544½ Main Street, 18 votes; 547½ Main Street, 43 votes; 548 Main Street, 61 votes; 555 Main Street, 59 votes.

This is the most damnable fraud that possibly has been perpetrated on the citizens of Kansas City. Those men whose names are given in the register list not 10 per cent of them ever went and registered. But you and every other citizen of Kansas City is to blame for this condition. The lawyer is too busy, the merchant has no time, the clerk in the store or office can't neglect his business, the mechanic who works all day can't spare time, and the result is the very basic principle of this Government is undermined and popular elections are a failure.

Yours, very truly,

GEORGE DONEGAN.

If the registration occurs in March and no additional names are added between that time and August, and it is manifest that if a large number of voters have changed their residence, there ought to be a materially lessened vote at the August primary. In the residence districts of St. Louis and Kansas City that is the case. Even in districts where people own largely their own property a large number of people move and change their residence, or move out of the residence precinct in a single year, so that if you go into a single residence ward in St. Louis and Kansas City and can find from 60 per cent to 70 per cent of the voters there in August who were there in March you are very fortunate. That is the general average. But in some of these lower wards, particularly the lodging-house wards, where the voters are of a more transient class, there will frequently be an amazingly high percentage of the vote cast in August that was registered in March.

Now, Mr. Chairman, in the very nature of things that can not be the case. My colleague says there is a revision of the names in August. So there is.

Mr. IGOE. Mr. Chairman, will the gentleman yield for just a moment there—for just a question?

Mr. BORLAND. Yes; I will yield for a question.

Mr. IGOE. Not only was there a revision in the city of St. Louis this year—and I think it was true also two years ago—but we had a special election coming just before the primary election, and under the State laws that throws the books open to a new registration just as it did in the special election, so that in the city of St. Louis there were two revisions of the lists, and then there was an additional registration for the special election, the last being for the primary only.

Mr. BORLAND. I will tell you why that revision was not sufficient. The primary laws of the State of Missouri require that the revision shall be conducted—in fact, that the primary election shall be conducted—by the regular election officials at the regular polling places. The law provides for three Democratic officials and three Republican officials, two of whom are named as clerks, and it provides that the Democratic and Republican clerks shall go and revise the lists by calling at the houses. My observation has been that in a residential precinct those two clerks exercise their powers with fidelity and strictness, and every possible doubt it resolved against the voter. For example, if a man is a railway mail clerk, or if he is a railroad conductor, or if he is a traveling salesman, or if his wife is away for the summer and the house is locked up, or even if she is down town and does not respond to the ring of the doorbell, a notice is left to the effect that no response was had to the inquiry of the clerk, and unless the man appears on the following Saturday and shows cause his name will be stricken off the list. Names of hundreds of men are stricken off who are permanent tax-paying citizens, because the laws are enforced strictly by the clerks who feel that they ought to do so. But in the lodging-house wards a similar result does not seem to be produced. Evidently the clerks go together and hand a list of from 65 to 150 names across the bar and say, "Are these men still lodging with you?" The answer is, "Yes, sir." They say, "Thank you," and then walk out.

Now, that is no revision of the list, because the results indicate that there is no revision in the list. There should be as much slump, or more, in the voting in those precincts as there would be in other precincts in the city, and yet there is no slump whatever.

Mr. DECKER. Mr. Chairman, will the gentleman yield?

Mr. BORLAND. Yes.

Mr. DECKER. You say the list of names is handed across the bar?

Mr. BORLAND. Yes. Most of those lodging houses are conducted in a building where there is a saloon.

Mr. DECKER. Do not you think the best way to purify the ballot in Kansas City and perhaps in St. Louis would be to do away with that bar? [Laughter.] What is your idea on that?

Mr. BORLAND. I do not know but that the gentleman is at least right to that extent, that no voters ought to be registered in a place that is licensed to sell liquor.

Mr. DECKER. What would be the effect on the ballot in St. Louis and Kansas City if we would cut out the bar?

Mr. BORLAND. I could not tell exactly, but I know it would eliminate a large vote in those wards if a law were passed that no registration should occur in any place where liquor was licensed to be sold.

Mr. DECKER. I am not talking about registration from that place, but about cutting out the place, you understand—the bar, the saloon.

Mr. BORLAND. I say it would eliminate a large vote.

Mr. DECKER. An illegal vote in Kansas City?

Mr. BORLAND. Probably. In some cases it is illegal. There is evidence that it was illegal in the case of Gill against

Mr. IGOE. Was there anything in the Gill and Dyer case about registration? Was it not about the count?

Mr. DECKER. The gentleman from Missouri has been over in Kansas, has he not?

Mr. BORLAND. Yes.

Mr. DECKER. They do not take the lists in and submit them to the barkeepers there, do they?

Mr. BORLAND. I take it not, because they are not supposed to find the barkeepers there.

Mr. DECKER. Is it not a fact that, no matter how you write the laws, as long as there are places that profit by illegal registration there will be a good deal of illegality in Kansas City and St. Louis?

Mr. BORLAND. There may be a close connection between this and the liquor traffic. There is a large chance for reform irrespective of the liquor traffic. There is no doubt about that in my mind.

Mr. DECKER. If you want to get at corruption in politics, that would be the hardest lick to give it. If we had the courage to do it, to put the blow where it would kill, that would be the first place to hit, would it not?

Mr. BORLAND. I think the gentleman has a good point there. In fact, most of the nominations in some of the cities are passed across the bars.

Mr. DECKER. Is it not a fact that in that good city a man would not be so presumptuous as to run for a State office who was hostile to some of those bars that revise the registration lists?

Mr. BORLAND. I rather think that is true. I want to explain to this committee that this element that controls this massed vote are the people who, by controlling the vote as a unit, practically nominate every officer in Missouri, from the governor to constable. There is hardly a man in private life big enough, well enough known, or with a personal following sufficient to even ask for a nomination unless he be on the slate of the men who control this massed vote.

Mr. DECKER. And these slates are worked in connection with the bars in Kansas City?

Mr. BORLAND. Yes.

Mr. DECKER. These same men regulate the sending of men to the national conventions that nominate the President of the United States?

Mr. BORLAND. Yes.

Mr. MANN. Will the gentleman yield?

Mr. BORLAND. Certainly.

Mr. MANN. Are the two gentlemen from Missouri speaking from experience and information or from observation?

Mr. DECKER. From observation.

Mr. MANN. The gentleman says that no one could be nominated except by permission of this power, and yet both gentlemen have been nominated and elected.

Mr. DECKER. I never have been in Chicago but once, but it looks to me as if it is the same there.

Mr. BORLAND. Mr. Speaker, I can not yield further. Now, on the question of registration, it occurs to me that the purging of the list ought to be done by a sworn officer of the election commissioners and not by the resident clerk in the precinct. I have personally found that in St. Louis and Kansas City, where there is scarcely any real party line drawn, when it came to purging the lists——

Mr. IGOE. Will the gentleman yield?

Mr. BORLAND. I can not yield further. I have yielded courteously to the gentleman, but I must continue my argument.

Mr. IGOE. I only wanted to ask the gentleman one question.

Mr. BORLAND. I have yielded to the gentleman, and if I have time I will yield further. When we come to the primary we find that the law provides for challengers, ostensibly for the purpose of finding out what men are not qualified to vote and keeping them from voting—insisting on the enforcement of the law. But inasmuch as the primary is held for both parties on the same day, and the Republicans are busy nominating their men and the Democrats are busy nominating their men, and they ought not to be interfering with each other's nomination, the result is that the Democratic primary challenger and the Republican primary challenger are not there for the purpose of challenging anybody. Everybody that they think ought to be brought to the polls is brought there. So, instead of being challengers they are exactly the reverse—they are whips for their particular party. These challengers are in almost all cases men who are on the pay roll of the city, county, or State, and who are using their opportunities and their place on the pay roll to canvass their precincts and wards and to secure the information upon which they can put in the requisite votes on primary day.

That is not a challenge, but is the farthest distance away from a challenge. The taxpayers are made to pay out of the public treasury for the services of a man who is there for the express purpose of putting in a machine vote. In other words, the boss who has his grip on the county treasury or the city treasury has the means to pay several hundreds of these whippers-in whom the law politely designates challengers, and they, on the city or the county time, canvass their wards and get in the requisite votes. The chance of that fellow holding his job in the courthouse depends upon his delivering that precinct. If he can not deliver it, another man is put there who can deliver it. That is practical politics, as every man knows.

What chance does an independent Democrat stand who is not on the machine slate to get a nomination under these circumstances? He is met at the polls by an army of trained precinct workers, paid out of the money of himself and other taxpayers, who are busy putting in votes for the machine slate. Must he hire a similar set of workers to put in votes for him? The law bars his way from doing this. The amount which the candidate is permitted to spend for both primary and general elections is not sufficient to hire workers in half the wards of the city for the primary alone. And if he had the money, the law further bars his way by refusing to permit each candidate to have independent challengers. When there are 128 candidates on the primary ballot the right of each candidate to have independent challengers at each precinct is plainly absurd. The result is that one set should not be allowed challengers to the exclusion of the others.

It ought to be a crime in the State of Missouri or any other State for any man drawing public pay to act as a challenger or an election official in any capacity. There is no possible excuse for it.

Mr. DECKER rose.

Mr. BORLAND. Just one minute. The mere fact that the dominant party has control of the taxpayers' treasury and can hire its men at the taxpayers' expense to do that work puts on the minority party the necessity of promising to the men who will do the same work for their party a similar reward in case they win at the polls. If they win, they must pay that debt out of the taxpayers' money, because they have no other way of paying it.

Mr. IGOE. Mr. Chairman, will the gentleman yield?

Mr. BORLAND. For a question.

Mr. IGOE. The gentleman made a statement that people drawing public pay should not act as judges and clerks of election. Does not the law of Missouri disqualify those men now?

Mr. BORLAND. No.

Mr. IGOE. It does in the city of St. Louis.

Mr. BORLAND. From acting as judges and clerks, yes; but I was speaking of challengers.

Mr. IGOE. The gentleman made a statement that might mislead some of the other gentlemen present.

Mr. BORLAND. Another evil is the sample ballot. The law requires the official ballot to be printed on white paper and delivered only to the election judges.

In a primary election one official ballot of the party he calls for is given to the voter after he has entered the booth and after it is ascertained that he is duly registered in that precinct. But the law permits imitations of the official ballot printed on tinted paper to be circulated to an unlimited extent. These sample ballots are not used to stuff the ballot box, as their color would betray them. They are used in getting votes for the "slate." A "slate" is a list of candidates satisfactory to the machine. A "slate" is treason against the spirit if not the letter of the primary law. It is commonly supposed to be invincible, because it is backed by an organized force paid out of the taxpayers' treasury. At the close of the week preceding the primary word is sent down the line as to what candidates are to be on the "slate." On the Sunday preceding the eventful first Tuesday in August hundreds of precinct workers are to be found clustered in back rooms in the various wards marking sample ballots to correspond with the slate. This is the machine at work preparing "raw" material. On primary day these precinct workers, transformed by law into challengers, are at the polls passing these sample ballots to voters, or at least to those who are to be voted. The voter takes the sample ballot into the booth and marks his official ballot to correspond. If the judges are very friendly, the challenger follows him in and looks over his shoulder or helps him do it. This accounts for the miracle that 250 men in a precinct can agree on 25 names out of a list of 128 without a single mistake. Possibly a mistake of the voter in voting as he darn pleases can be corrected on the final count. If the voter does not vote "right," there is no use in his repairing afterwards to the shed in the alley in the rear of the polls, for the challenger will not be there to meet or to greet him.

Legislation is needed to forbid the printing and circulation of sample ballots. It ought to be a crime to distribute marked ballots at the polls or to have them in possession. The ordinary publication of the official ticket in the newspapers is ample for the information of the public.

These are a few of the most glaring defects of the primary law in great cities; and yet the primary law is our only hope and must be preserved. It is democratic in its very nature.

As I said at the beginning, I believe in the primary law. Defective as it is, it is much better than the old mob primaries or the convention system. We shall never go back to the old abuses. As time and trial have revealed the defects and dangers of the primary system, let us correct them. Let us give to the humblest laboring man in the humblest quarter of the great cities freedom and equality to exercise his rights as an American citizen. Let us stop paying out of the taxpayers' treasury for the defeat of the people's will.

Mr. PAGE of North Carolina. Mr. Chairman, I move that the committee do now rise.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. GARNER, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill H. R. 19422—the District of Columbia appropriation bill—and had come to no resolution thereon.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted to Mr. LANGLEY for two days, on account of illness.

ADJOURNMENT.

Mr. PAGE of North Carolina. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 8 minutes p. m.) the House adjourned until to-morrow, Wednesday, December 9, 1914, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1. A letter from the assistant clerk of the Court of Claims, transmitting a certified copy of the findings of fact and conclusions in the case of Ed. D. Steger and Jack E. Labatt *v.* The United States (H. Doc. No. 1185); to the Committee on War Claims and ordered to be printed.

2. A letter from the assistant clerk of the Court of Claims, transmitting a certified copy of the findings of fact and conclusions in the case of Melena R. Archer and others, heirs at law of Ann D. Halsey, deceased, *v.* The United States (H. Doc. No. 1186); to the Committee on War Claims and ordered to be printed.

3. A letter from the assistant clerk of the Court of Claims, transmitting a certified copy of the findings of fact and conclusions in the case of Thomas J. Hunt, administrator of Samuel Mosby, deceased, surviving partner of Mosby & Hunt, *v.* The United States (H. Doc. No. 1187); to the Committee on War Claims and ordered to be printed.

4. A letter from the assistant clerk of the Court of Claims, transmitting a certified copy of the findings of fact and conclusions in the case of Annie M. Bradshaw, Beulah B. Dingle, Clara Belle Bergeron, and George William Bradshaw, heirs of William H. Bradshaw deceased, *v.* The United States (H. Doc. No. 1188); to the Committee on War Claims and ordered to be printed.

5. A letter from the assistant clerk of the Court of Claims, transmitting a certified copy of the findings of fact and conclusions in the case of trustees of St. John's Baptist Church, of Bamberg County, S. C., *v.* The United States (H. Doc. No. 1189); to the Committee on War Claims and ordered to be printed.

6. A letter from the assistant clerk of the Court of Claims, transmitting a certified copy of the findings of fact and conclusions in the case of the Agricultural and Horticultural Association of Berks County, Pa., a corporation, *v.* The United States (H. Doc. No. 1190); to the Committee on War Claims and ordered to be printed.

7. A letter from the assistant clerk of the Court of Claims, transmitting a certified copy of the findings of fact and conclusions in the case of trustees of the First Baptist Church of Rome, Ga., *v.* The United States (H. Doc. No. 1191); to the Committee on War Claims and ordered to be printed.

8. A letter from the assistant clerk of the Court of Claims, transmitting a certified copy of the findings of fact and conclusions in the case of trustees of the Christian Church of Columbia, Tenn., *v.* The United States (H. Doc. No. 1192); to the Committee on War Claims and ordered to be printed.

9. A letter from the assistant clerk of the Court of Claims, transmitting a certified copy of the findings of fact and conclusions in the case of the trustees of St. Stephen's Church of the Evangelical Lutheran Synod of South Carolina, of Lexington, S. C., *v.* The United States (H. Doc. No. 1193); to the Committee on War Claims and ordered to be printed.

10. A letter from the assistant clerk of the Court of Claims, transmitting a certified copy of the findings of fact and conclusions in the case of Oldham County, Ky., *v.* The United States (H. Doc. No. 1194); to the Committee on War Claims and ordered to be printed.

11. A letter from the assistant clerk of the Court of Claims, transmitting a certified copy of the findings of fact and conclusions in the case of the trustees of the Cumberland Presbyterian Church of Murfreesboro, Tenn., *v.* The United States (H. Doc. No. 1195); to the Committee on War Claims and ordered to be printed.

12. A letter from the president of the United States Civil Service Commission, transmitting statement in regard to the purchase of typewriting machines during the first three months of the fiscal year 1915 (H. Doc. No. 1196); to the Committee on Appropriations and ordered to be printed.

13. A letter from the Secretary of the Treasury, transmitting copy of a communication from the president of the United States Civil Service Commission submitting an estimate of urgent deficiency in the appropriations for printing and binding for the Civil Service Commission for the balance of the fiscal year ending June 30, 1915 (H. Doc. No. 1197); to the Committee on Appropriations and ordered to be printed.

14. A letter from the Secretary of the Treasury, transmitting a report of the detailed expenses of the Revenue-Cutter Service for the fiscal year ended June 30, 1914 (H. Doc. No. 1198); to the Committee on Expenditures in the Treasury Department and ordered to be printed.

15. A letter from the Secretary of the Treasury, transmitting a detailed report of the expenditures under the appropriation "Preventing the spread of epidemic diseases" for the fiscal year ended June 30, 1914 (H. Doc. No. 1199); to the Committee on Appropriations and ordered to be printed.

16. A letter from the Secretary of War, transmitting an item of legislation to be inserted in the sundry civil bill under the appropriations for the Rock Island Arsenal, Rock Island, Ill. (H. Doc. No. 1200); to the Committee on Appropriations and ordered to be printed.

17. A letter from the Secretary of the Treasury, transmitting copy of a communication from the Secretary of Labor submitting a proposed item of legislation to provide for the payment of certain unforeseen expenses incident to the transportation of deported aliens during the fiscal year ended June 30, 1914 (H. Doc. No. 1201); to the Committee on Appropriations and ordered to be printed.

18. A letter from the Secretary of the Treasury, transmitting copy of a communication from the president of the Civil Service Commission submitting urgent estimates of deficiency in the appropriation for the Civil Service Commission for the year ending June 30, 1915 (H. Doc. No. 1202); to the Committee on Appropriations and ordered to be printed.

19. A letter from the commissioner of the Freedman's Savings & Trust Co., transmitting copy of the annual report of the commissioner (ex officio) of the Freedman's Savings & Trust Co. for the year ended December 1, 1914 (H. Doc. No. 1203); to the Committee on Banking and Currency and ordered to be printed.

20. A letter from the Clerk of the House of Representatives, transmitting report for the period July 1, 1913, to June 30, 1914, inclusive, giving detailed statement of the items of expenditure from the contingent fund of the House, amounts drawn from the Treasury, and the balance remaining on hand (H. Doc. No. 1204); to the Committee on Accounts and ordered to be printed.

21. A letter from the Secretary of the Treasury, transmitting copies of communications from the Secretary of War submitting statements of money, derived from the proceeds of public property, received by the War Department during the fiscal year ended June 30, 1914 (H. Doc. No. 1205); to the Committee on Expenditures in the War Department and ordered to be printed.

22. A letter from the Secretary of Commerce, transmitting an item of legislation to authorize the Secretary of Commerce to transfer a portion of the lighthouse reservation, Tawas, Mich., to the Secretary of the Treasury (H. Doc. No. 1206); to the Committee on Interstate and Foreign Commerce and ordered to be printed.

23. A letter from the president of the Civil Service Commission, submitting statement in detail of traveling expenses of officers and employees of the commission during the fiscal year ended June 30, 1914 (H. Doc. No. 1207); to the Committee on Appropriations and ordered to be printed.

24. A letter from the Secretary of the Treasury, transmitting copy of communication from acting president of Board of Commissioners of the District of Columbia, submitting amended estimates of appropriation for the service of the District for the fiscal year ending June 30, 1916 (H. Doc. No. 1208); to the Committee on Appropriations and ordered to be printed.

25. A letter from the Secretary of Commerce, transmitting statement regarding the purchase of typewriting machines for the firse three months of the fiscal year 1915 (H. Doc. No. 1209); to the Committee on Appropriations and ordered to be printed.

26. A letter from the Secretary of War, transmitting statement regarding purchase of typewriting machines for the first three months of the fiscal year 1915 (H. Doc. No. 1210); to the Committee on Appropriations and ordered to be printed.

27. A letter from the acting superintendent of State, War, and Navy Department Building, transmitting statement relative to the purchase of typewriting machines for the first three months of the fiscal year 1915 (H. Doc. No. 1211); to the Committee on Appropriations and ordered to be printed.

28. A letter from the Secretary of the Smithsonian Institution, transmitting statement relative to purchase of typewriting machines during the first three months of the fiscal year 1915 (H. Doc. No. 1212); to the Committee on Appropriations and ordered to be printed.

29. A letter from the chairman of the excise board of the District of Columbia, submitting annual report for the fiscal year ended June 30, 1914 (H. Doc. No. 1213); to the Committee on the District of Columbia and ordered to be printed.

30. A letter from the Secretary of Commerce, transmitting copies of letters from captains and pilots of Pacific Coast Steamship Co., Alaska Steamship Co., and Pacific-Alaska Navigation

Co., urging necessity of providing equipment for surveys of the coasts of Alaska, recommendations and references for annual report for the fiscal year ended June 30, 1914 (H. Doc. No. 1214); to the Committee on Appropriations and ordered to be printed.

31. A letter from the Secretary of the Interior, transmitting copy of report of a commission appointed by the Commissioner of Indian Affairs to investigate irrigation projects on Indian Lands in the three northern districts (H. Doc. No. 1215); to the Committee on Indian Affairs and ordered to be printed.

32. A letter from the Secretary of the Interior, transmitting itemized statement of expenditures by the Department of the Interior from contingent expense fund for fiscal year ended June 30, 1914 (H. Doc. No. 1216); to the Committee on Expenditures in the Interior Department and ordered to be printed.

33. A letter from the Secretary of the Interior, transmitting annual report of withdrawals made in connection with the Flathead Indian Reservation project during the fiscal year ended June 30, 1914 (H. Doc. No. 1217); to the Committee on Indian Affairs and ordered to be printed.

34. A letter from the Secretary of the Interior, transmitting detailed report of expenditures in encouraging industry among Indians at various Indian reservations during fiscal year ended June 30, 1914 (H. Doc. No. 1218); to the Committee on Indian Affairs and ordered to be printed.

35. A letter from the Secretary of the Interior, transmitting itemized statement of expenditures from the appropriation "Repairs of public buildings, Department of Interior, 1914" (H. Doc. No. 1219); to the Committee on Expenditures in the Interior Department and ordered to be printed.

36. A letter from the Secretary of the Interior, transmitting detailed statement of traveling expenses of officers and employees of the Department of the Interior, fiscal year ended June 30, 1914 (H. Doc. No. 1220); to the Committee on Expenditures in the Interior Department and ordered to be printed.

37. A letter from the chairman of the Interstate Commerce Commission, transmitting statement relative to the purchase of typewriting machines during the first three months of the fiscal year 1915 (H. Doc. No. 1221); to the Committee on Appropriations and ordered to be printed.

38. A letter from the Secretary of the Interior, transmitting report of expenditures for money carried on the books of the Interior Department under the caption "Indian moneys, proceeds of labor," fiscal year ended June 30, 1914 (H. Doc. No. 1222); to the Committee on Indian Affairs and ordered to be printed.

39. A letter from the Secretary of the Interior, transmitting statement relative to purchase of typewriting machines for the first three months of the fiscal year 1915 (H. Doc. No. 1223); to the Committee on Appropriations and ordered to be printed.

40. A letter from the Secretary of Labor, transmitting detailed statement of expenditures made from the appropriation "Contingent expenses, Department of Labor, 1914" (H. Doc, No. 1224); to the Committee on Expenditures in the Department of Labor and ordered to be printed.

41. A letter from the Secretary of the Treasury, transmitting estimates of appropriations, as submitted by the Commissioners of Internal Revenue, for additional salaries and expenses for the Internal-Revenue Service (H. Doc. No. 1225); to the Committee on Appropriations and ordered to be printed.

42. A letter from the Secretary of State, transmitting a copy of a circular issued by the Nobel committee, furnishing information as to the distribution of the Nobel peace prize for the year 1915 (S. Doc. No. 626); to the Committee on Foreign Affairs and ordered to be printed.

43. A letter from the Postmaster General, transmitting a memorandum of allowances granted payable from the appropriation for unusual conditions, for the fiscal year 1914 (H. Doc. No. 1226); to the Committee on Expenditures in the Post Office Department and ordered to be printed.

44. A letter from the Acting Secretary of Labor, transmitting an itemized report of the actual expenditures during the fiscal year 1914 from the appropriations "Miscellaneous expenses, Division of Naturalization, 1912," "Miscellaneous expenses, Bureau of Naturalization, 1914" (H. Doc. No. 1227); to the Committee on Expenditures in the Department of Labor and ordered to be printed.

45. A letter from the Secretary of the Treasury, transmitting report relative to purchase of typewriting machines for the first three months of fiscal year 1915 (H. Doc. No. 1228); to the Committee on Appropriations and ordered to be printed.

46. A letter from the Secretary of Agriculture, transmitting statement relative to the purchase of typewriting machines for the first three months of fiscal year 1915 (H. Doc. No. 1229); to the Committee on Appropriations and ordered to be printed.

47. A letter from the Attorney General relative to purchase of typewriting machines for the first three months of fiscal year 1915 (H. Doc. No. 1230); to the Committee on Appropriations and ordered to be printed.

48. A letter from the Secretary of the Interior, transmitting a report showing the diversion of the appropriations for the pay of specified employees in the Indian Service for the fiscal year ended June 30, 1914 (H. Doc. No. 1231); to the Committee on Indian Affairs and ordered to be printed.

49. A letter from the Secretary of the Interior, transmitting a report of expenditures from the permanent fund of the Sioux Indians during the fiscal year ended June 30, 1914 (H. Doc. No. 1232); to the Committee on Indian Affairs and ordered to be printed.

50. A letter from the Secretary of the Interior, transmitting a copy of a letter from Dr. W. A. Warfield, surgeon in chief of the Freedmen's Hospital, dated August 11, 1914, transmitting detailed statement of expenditures for subsistence, etc. (H. Doc. No. 1233); to the Committee on Expenditures in the Interior Department and ordered to be printed.

51. A letter from the Secretary of the Interior, transmitting a report showing the expenditures for the fiscal year ended June 30, 1914, from the appropriation for the relief of destitute Indians (H. Doc. No. 1234); to the Committee on Indian Affairs and ordered to be printed.

52. A letter from the Secretary of the Interior, transmitting a report of all moneys collected and deposited during the fiscal year ended June 30, 1914, under the appropriation "Determining heirs of deceased Indian allottees, 1914" (H. Doc. No. 1235); to the Committee on Indian Affairs and ordered to be printed.

53. A letter from the Secretary of the Interior, transmitting report respecting the necessity and practicability of constructing a wagon road or highway through the Standing rock Indian Reservation in Corson County, S. Dak. (H. Doc. No. 1236); to the Committee on Indian Affairs and ordered to be printed with illustration.

54. A letter from the Secretary of the Treasury, transmitting a communication of the Secretary of Agriculture submitting an urgent estimate of appropriation in the sum of $35,000 required by the Department of Agriculture to meet the emergency caused by the infectious nature and continued spread of the destructive diseases of citrous trees known as the citrus canker (H. Doc. No. 1237); to the Committee on Appropriations and ordered to be printed.

55. A letter from the Secretary of the Treasury, transmitting copy of communication from the Secretary of the Interior, submitting a supplemental estimate of appropriation for the fiscal year 1916 (H. Doc. No. 1238); to the Committee on Appropriations and ordered to be printed.

56. A letter from the Secretary of the Treasury, transmitting a communication of the Secretary of Agriculture submitting an urgent estimate of deficiency in the appropriation for general expenses, Forest Service, for the fiscal year ending June 30, 1915 (H. Doc. No. 1239); to the Committee on Appropriations and ordered to be printed.

57. A letter from the Secretary of the Treasury, transmitting copy of a communication of the chairman of the Interstate Commerce Commission submitting a supplemental estimate of appropriations for the service for the fiscal year ending June 30, 1916 (H. Doc. No. 1240); to the Committee on Appropriations and ordered to be printed.

58. A letter from the Secretary of the Treasury, transmitting a report of the contingent expenses of the Treasury Department for the fiscal year ended June 30, 1914 (H. Doc. No. 1241); to the Committee on Expenditures in the Treasury Department and ordered to be printed.

59. A letter from the Secretary of Labor, transmitting a statement relative to the purchase and exchange of typewriters by this department for the period July 1 to September 30, 1914 (H. Doc. No. 1242); to the Committee on Appropriations and ordered to be printed.

60. A letter from the Board of Commissioners of the District of Columbia, transmitting a statement of expenditures made from the appropriation for contingent expenses of the government of the District of Columbia for the fiscal year ending June 30, 1914 (H. Doc. No 1243); to the Committee on Appropriations and ordered to be printed.

61. A letter from the Secretary of the Interior, transmitting a detailed report of the expenditures made for the purpose of encouraging industry among the Indians on the Tongue River Reservation for the fiscal year ended June 30, 1914 (H. Doc. No. 1244); to the Committee on Indian Affairs and ordered to be printed.

62. A letter from the Secretary of the Treasury, transmitting statements from certain named offices and bureaus of the Treasury Department, showing in detail what officers and employees performed travel on official business outside of the District of Columbia during the fiscal year ended June 30, 1914 (H. Doc. No. 1245); to the Committee on Expenditures in the Treasury Department and ordered to be printed.

63. A letter from the Secretary of the Treasury, transmitting a statement of the number of persons employed in meat inspection, the salary or per diem of each, where they were employed, together with contingent expenses for the fiscal year ended June 30, 1914 (H. Doc. No. 1246); to the Committee on Appropriations and ordered to be printed.

64. A letter from the Secretary of the Treasury, transmitting statement of the proceeds of all sales of old material, condemned stores, supplies, and other public property for the fiscal year ended June 30, 1914 (H. Doc. No. 1247); to the Committee on Ways and Means and ordered to be printed.

65. A letter from the Postmaster General, transmitting statement relative to the typewriting machines purchased during the first three months of the fiscal year 1915 (H. Doc. No. 1248); to the Committee on Appropriations and ordered to be printed.

66. A letter from the Postmaster General, transmitting statement showing in detail traveling expenses of officers and employees of the department for the fiscal year ended June 30, 1914 (H Doc. No. 1249); to the Committee on Expenditures in the Post Office Department and ordered to be printed.

67. A letter from the Secretary of the Interior, transmitting report showing status of the water rights of the Indians and the methods of financing reclamation project in Uintah Indian Reservation (H. Doc. No. 1250); to the Committee on Indian Affairs and ordered to be printed.

68. A letter from the Secretary of the Interior, transmitting, pursuant to law, report on diversions of Indian moneys or expenditures made from appropriations for purchase of subsistence for the several Indian tribes (H. Doc. No. 1251); to the Committee on Indian Affairs and ordered to be printed.

69. A letter from the Secretary of the Interior, transmitting report of hostilities by Indian tribes with which the United States have treaty stipulations which have occurred since the next preceding report (H. Doc. No. 1252); to the Committee on Indian Affairs and ordered to be printed.

70. A letter from the Secretary of the Interior, transmitting a preliminary report of investigation as to the condition and tribal rights of the so-called St. Croix Chippewa Indians of Wisconsin (H. Doc. No. 1253); to the Committee on Indian Affairs and ordered to be printed.

71. A letter from the Secretary of the Interior, transmitting report of expenditures from the current and contingent expense fund of the Bureau of Indian Affairs, in the erection of hospitals (H. Doc. No. 1254); to the Committee on Indian Affairs and ordered to be printed.

72. A letter from the Secretary of the Interior, transmitting the thirteenth annual report of the Reclamation Service, Department of the Interior (H. Doc. No. 1255); to the Committee on Irrigation of Arid Lands and ordered to be printed.

73. A letter from the Secretary of Agriculture, transmitting a statement of the Department of Agriculture for the fiscal year ended June 30, 1914 (H. Doc. No. 1256); to the Committee on Expenditures in the Department of Agriculture and ordered to be printed.

74. A letter from the Secretary of Agriculture, transmitting a statement showing in detail the travel from Washington to points outside of the District of Columbia performed by officers and employees (other than special agents, inspectors, and employees who in the discharge of their regular duties are required to constantly travel) of the Department of Agriculture during the fiscal year 1914 (H. Doc. No. 1260); to the Committee on Expenditures in the Department of Agriculture and ordered to be printed.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, private bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the Committee of the Whole House, as follows:

Mr. SHERWOOD, from the Committee on Invalid Pensions, to which was referred the bill (H. R. 19545) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war, reported the same without amendment, accompanied by a report (No. 1205), which said bill and report were referred to the Private Calendar.

Mr. JOHNSON of Kentucky, from the Committee on the District of Columbia, to which was referred the bill (H. R. 13388) for the relief of James T. Petty, Charles W. Church, and others, executors of Charles B. Church, deceased, Jessie B. Wilson, and George T. Dearing, reported the same without amendment, accompanied by a report (No. 1206), which said bill and report were referred to the Private Calendar.

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, the Committee on Pensions was discharged from the consideration of the bill (H. R. 12571) granting a pension to Richard Thomas Lusby, and the same was referred to the Committee on Invalid Pensions.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. RAKER: A bill (H. R. 19546) making appropriation for improving the Sacramento and Feather Rivers, Cal., continuing improvement, and for maintenance, including improvement, above Sacramento to Red Bluff; to the Committee on Rivers and Harbors.

By Mr. JOHNSON of Kentucky: A bill (H. R. 19547) to provide for the manner of paying the expenses of the government of the District of Columbia; to the Committee on the District of Columbia.

By Mr. LOBECK: A bill (H R. 19548) to prohibit individuals, partnerships, or corporations in the United States from selling arms, ammunition, artillery, and explosives of any kind for exportation during the existence of war except upon proof that said arms, ammunition, artillery, and explosives are not to be used in said war against a country with which the United States is at peace; to the Committee on the Judiciary.

By Mr. JOHNSON of Kentucky: A bill (H. R. 19549) to amend an act entitled "An act making appropriations to provide for the expenses of the government of the District of Columbia for the year ending June 30, 1903, and for other purposes," approved July 1, 1902; to the Committee on the District of Columbia.

By Mr. LINTHICUM: A bill (H. R. 19550) to provide for an examination and survey of the Baltimore Harbor and approaches thereto; to the Committee on Rivers and Harbors.

By Mr. PROUTY: A bill (H. R. 19551) to provide the manner of paying the expenses of the District of Columbia and to raise revenues therefor, and for other purposes; to the Committee on the District of Columbia.

By Mr. JOHNSON of Kentucky: A bill (H. R. 19552) providing for annual assessments of real estate in the District of Columbia; to the Committee on the District of Columbia.

Also, a bill (H. R. 19553) to amend an act entitled "An act making appropriations to provide for the expenses of the government of the District of Columbia for the year ending June 30, 1903, and for other purposes," approved July 1, 1902; to the Committee on the District of Columbia.

By Mr. PARK: A bill (H. R. 19554) to fix Christmas Day a legal holiday for rural letter carriers of the United States; to the Committee on the Post Office and Post Roads.

By Mr. HULINGS: A bill (H. R. 19555) to promote the public service and the national defense, and making an appropriation therefor; to the Committee on Military Affairs.

By Mr. ASWELL: A bill (H. R. 19556) to provide for the erection of a public building at Alexandria, La.; to the Committee on Public Buildings and Grounds.

By Mr. CULLOP: A bill (H. R. 19557) to amend an act entitled "An act to regulate commerce," approved February 4, 1887; to the Committee on Interstate and Foreign Commerce.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. SHERWOOD: A bill (H. R. 19545) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war; to the Committee of the Whole House.

By Mr. ADAIR: A bill (H. R. 19558) granting a pension to Arland R. Davis; to the Committee on Pensions.

Also, a bill (H. R. 19559) granting a pension to Eliza J. Thompson; to the Committee on Invalid Pensions.

Also, a bill (H. R. 19560) granting an increase of pension to John W. Marbaugh; to the Committee on Pensions.

Also, a bill (H. R. 19561) granting an increase of pension to Lewis G. Haiston; to the Committee on Invalid Pensions.

Also, a bill (H. R. 19562) granting an increase of pension to Samuel McMillian; to the Committee on Invalid Pensions.

Also, a bill (H. R. 19563) granting an increase of pension to John Flight; to the Committee on Invalid Pensions.

Also, a bill (H. R. 19564) granting an increase of pension to Isaac Goe; to the Committee on Invalid Pensions.

Also, a bill (H. R. 19565) granting an increase of pension to Elijah Broughman; to the Committee on Invalid Pensions.

Also, a bill (H. R. 19566) granting an increase of pension to Henry T. Denius; to the Committee on Invalid Pensions.

Also, a bill (H. R. 19567) granting an increase of pension to John Buettner; to the Committee on Invalid Pensions.

Also, a bill (H. R. 19568) granting an increase of pension to Rebecca Phipps; to the Committee on Invalid Pensions.

By Mr. ALEXANDER: A bill (H. R. 19569) granting a pension to Nancy Lee; to the Committee on Invalid Pensions.

Also, a bill (H. R. 19570) granting a pension to Bertrand Cook; to the Committee on Pensions.

Also, a bill (H. R. 19571) granting an increase of pension to Horatio Ecton; to the Committee on Invalid Pensions.

Also, a bill (H. R. 19572) granting an increase of pension to William H. Corbin; to the Committee on Invalid Pensions.

Also, a bill (H. R. 19573) granting an increase of pension to James Meranda; to the Committee on Invalid Pensions.

Also, a bill (H. R. 19574) granting an increase of pension to John I. Israel; to the Committee on Invalid Pensions.

By Mr. ASHBROOK: A bill (H. R. 19575) granting an increase of pension to Daniel Jones; to the Committee on Invalid Pensions.

By Mr. ASWELL: A bill (H. R. 19576) granting an increase of pension to Violet P. Winslow; to the Committee on Pensions.

By Mr. AUSTIN: A bill (H. R. 19577) granting a pension to Mitchell Phillips; to the Committee on Pensions.

By Mr. BRUCKNER: A bill (H. R. 19578) granting a pension to Mary Walls; to the Committee on Invalid Pensions.

By Mr. CARY: A bill (H. R. 19579) granting a pension to Annie B. Schubert; to the Committee on Pensions.

Also, a bill (H. R. 19580) granting an increase of pension to John P. Murphy; to the Committee on Invalid Pensions.

By Mr. CLINE: A bill (H. R. 19581) granting an increase of pension to William P. Blackburn; to the Committee on Invalid Pensions.

By Mr. DOREMUS: A bill (H. R. 19582) granting a pension to Nettie Weidenbein; to the Committee on Invalid Pensions.

Also, a bill (H. R. 19583) granting a pension to Melissa L. Gomersall; to the Committee on Invalid Pensions.

By Mr. FOWLER: A bill (H. R. 19584) granting an increase of pension to James Lockaby; to the Committee on Invalid Pensions.

By Mr. FRENCH: A bill (H. R. 19585) granting an increase of pension to Francis J. Curtis; to the Committee on Invalid Pensions.

Also, a bill (H. R. 19586) granting an increase of pension to James J. Henry; to the Committee on Invalid Pensions.

By Mr. GILLETT: A bill (H. R. 19587) granting a pension to James E. Watson; to the Committee on Pensions.

Also, a bill (H. R. 19588) granting an increase of pension to Harry J. Symonds; to the Committee on Pensions.

By Mr. GOEKE: A bill (H. R. 19589) granting a pension to Sarah Isabelle Lowe; to the Committee on Invalid Pensions.

Also, a bill (H. R. 19590) granting an increase of pension to Sarah Sellers Langley; to the Committee on Invalid Pensions.

Also, a bill (H. R. 19591) granting an increase of pension to Isaac W. Anderson; to the Committee on Pensions.

Also, a bill (H. R. 19592) granting an increase of pension to Charles H. Hitchens; to the Committee on Invalid Pensions.

By Mr. GRIEST: A bill (H. R. 19593) granting a pension to David Graeff; to the Committee on Pensions.

Also, a bill (H. R. 19594) granting an increase of pension to Henry S. Resh; to the Committee on Invalid Pensions.

Also, a bill (H. R. 19595) granting an increase of pension to Nicholas Wolf; to the Committee on Invalid Pensions.

By Mr. HULINGS: A bill (H. R. 19596) granting a pension to Frank E. Cook; to the Committee on Invalid Pensions.

Also, a bill (H. R. 19597) granting an increase of pension to William Dougherty; to the Committee on Invalid Pensions.

By Mr. JOHNSON of Washington: A bill (H. R. 19598) granting a pension to George Knaggs; to the Committee on Invalid Pensions.

By Mr. KREIDER: A bill (H. R. 19599) granting a pension to Elizabeth Gross; to the Commitee on Invalid Pensions.

By Mr. LOBECK: A bill (H. R. 19600) granting an increase of pension to Calvin P. Elkins; to the Committee on Invalid Pensions.

Also, a bill (H. R. 19601) granting an increase of pension to William Kennedy; to the Committee on Invalid Pensions.

Also, a bill (H. R. 19602) granting an increase of pension to Amanda Krueger; to the Committee on Invalid Pensions.

Also, a bill (H. R. 19603) granting an increase of pension to Bella E. Swartzlander; to the Committee on Invalid Pensions.

By Mr. McANDREWS: A bill (H. R. 19604) granting a pension to Mrs. Friederike Bauersfield; to the Committee on Pensions.

Also, a bill (H. R. 19605) granting a pension to Laura McIver; to the Committee on Pensions.

Also, a bill (H. R. 19606) for the relief of Adolphus Witten Beecher; to the Committee on Military Affairs.

By Mr. McLAUGHLIN: A bill (H. R. 19607) granting an increase of pension to Almon W. Bennett; to the Committee on Invalid Pensions.

By Mr. MORIN: A bill (H. R. 19608) granting an honorable discharge to William Devlin; to the Committee on Military Affairs.

By Mr. NEELY of West Virginia: A bill (H. R. 19609) granting an increase of pension to Arthur C. Null; to the Committee on Pensions.

By Mr. PETERS: A bill (H. R. 19610) granting a pension to Sarah T. Welsh; to the Committee on Invalid Pensions.

Also, a bill (H. R. 19611) granting a pension to Sarah E. Crockett; to the Committee on Invalid Pensions.

Also, a bill (H. R. 19612) granting an increase of pension to James Messer; to the Committee on Invalid Pensions.

By Mr. RAINEY: A bill (H. R. 19613) granting an increase of pension to Charles O. McClain; to the Committee on Pensions.

Also, a bill (H. R. 19614) granting an increase of pension to R. L. Green; to the Committee on Invalid Pensions.

By Mr. RUPLEY: A bill (H. R. 19615) granting an increase of pension to Katharine D. Treibler; to the Committee on Invalid Pensions.

By Mr. RUSSELL: A bill (H. R. 19616) granting an increase of pension to John Hodges; to the Committee on Pensions.

Also, a bill (H. R. 19617) granting an increase of pension to Alie McGloughlin; to the Committee on Invalid Pensions.

Also, a bill (H. R. 19618) for the relief of Daniel Adams; to the Committee on Military Affairs.

By Mr. SELLS: A bill (H. R. 19619) granting a pension to W. L. Norwood; to the Committee on Invalid Pensions.

Also, a bill (H. R. 19620) granting an increase of pension to Joseph C. Brewer; to the Committee on Invalid Pensions.

Also, a bill (H. R. 19621) granting an increase of pension to Mollie Crosswhite; to the Committee on Pensions.

Also, a bill (H. R. 19622) granting an increase of pension to John K. Miller; to the Committee on Pensions.

By Mr. SHREVE: A bill (H. R. 19623) granting a pension to Leslie N. Neigenfind; to the Committee on Pensions.

By Mr. SLAYDEN: A bill (H. R. 19624) granting a pension to Oscar C. Guessaz; to the Committee on Pensions.

Also, a bill (H. R. 19625) granting a pension to George L. Porter; to the Committee on Pensions.

By Mr. SMITH of Maryland: A bill (H. R. 19626) granting a pension to Eugene Goldin; to the Committee on Pensions.

Also, a bill (H. R 19627) granting a pension to Amelia S. King; to the Committee on Pensions.

By Mr. SWITZER: A bill (H. R. 19628) granting an increase of pension to George McDonald; to the Committee on Invalid Pensions.

Also, a bill (H. R. 19629) granting an increase of pension to Solomon Goff; to the Committee on Invalid Pensions.

By Mr. THOMAS: A bill (H. R. 19630) granting a pension to John M. Judd; to the Committee on Pensions.

Also, a bill (H. R. 19631) granting an increase of pension to C. M. Brown; to the Committee on Invalid Pensions.

Also, a bill (H. R. 19632) to remove the charge of desertion from the military record of James Westbrook, sr.; to the Committee on Military Affairs.

Also, a bill (H. R. 19633) to remove the charge of desertion from the military record of J. C. Dukes; to the Committee on Military Affairs.

By Mr. VOLLMER: A bill (H. R. 19634) for the relief of Sanford Kirkpatrick; to the Committee on Claims.

By Mr. WOODRUFF: A bill (H. R. 19635) granting an increase of pension to Barbara Krause; to the Committee on Invalid Pensions.

Also, a bill (H. R. 19636) granting an increase of pension to Thomas Powell; to the Committee on Pensions.

Also, a bill (H. R. 19637) granting an increase of pension to Theresa H. Thayer; to the Committee on Invalid Pensions.

Also, a bill (H. R. 19638) granting an increase of pension to Stewart Gorton; to the Committee on Invalid Pensions.

Also, a bill (H. R. 19639) granting a pension to Mrs. Edwin D. Alger; to the Committee on Invalid Pensions.

Also, a bill (H. R. 19640) granting an increase of pension to Ann Herrendeen; to the Committee on Invalid Pensions.

Also, a bill (H. R. 19641) to remove the charge of desertion from the service record of John Winton and grant him an honorable discharge; to the Committee on Military Affairs.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. ASHBROOK: Evidence to accompany House bill 18595, for the relief of Thomas Adams; to the Committee on Invalid Pensions.

By Mr. BAILEY: Petition of business men of Gallitzin, Pa., favoring passage of House bill 5308, relative to taxing mail-order houses; to the Committee on Ways and Means.

By Mr. CARY: Petition of druggists of the State of Wisconsin, favoring the passage of the Stevens bill; to the Committee on Interstate and Foreign Commerce.

Also, petition of Wisconsin State Dental Society, protesting against process patents, etc.; to the Committee on Patents.

By Mr. FITZGERALD: Memorial of the executive committee of the National Electrical Contractors' Association, favoring 1-cent letter postage; to the Committee on the Post Office and Post Roads.

Also, memorial of the Maritime Association of the Port of New York, relative to more funds for the coast-survey work; to the Committee on Appropriations.

Also, memorial of Unity Republican Club, of Kings County, and Twenty-ninth Ward Taxpayers' Association, of Brooklyn, N. Y., favoring passage of the Hamill bill relative to retirement of aged Government workers; to the Committee on Reform in the Civil Service.

By Mr. GILMORE: Memorial of the city council of Brockton, Mass., favoring passage of the Hamill bill relative to retirement of aged Government employees; to the Committee on Reform in the Civil Service.

Also, memorial of Socialist Party of Rockland, Mass., favoring strict neutrality of the United States by forbidding the exportation of foodstuffs to warring countries; to the Committee on Foreign Affairs.

Also, petition of citizens of Massachusetts, favoring civil-service retirement; to the Committee on Reform in the Civil Service.

By Mr. GRIEST: Memorial of Philadelphia (Pa.) Drug Exchange, favoring amending the law relative to importers under the food and drugs act; to the Committee on the Judiciary.

Also, memorial of Evangelical Lutheran Synod of Eastern Pennsylvania, members of the Intermediate Endeavor Society of the First Presbyterian Church, of Lancaster, Pa., favoring national prohibition; to the Committee on Rules.

Also, memorial of Local Union No. 146 (Lancaster, Pa.) of the Operative Plasterers International Union, protesting against certain methods followed by those in charge of the employment of labor in the Canal Zone; to the Committee on Labor.

By Mr. HOUSTON: Petition of citizens and quarterly conference of Fayetteville, Tenn., favoring national prohibition; to the Committee on Rules.

By Mr. JOHNSON of Washington: Petition of various citizens of the State of Washington, favoring Lindquist pure fabric and leather bill; to the Committee on Interstate and Foreign Commerce.

By Mr. KIESS of Pennsylvania: Evidence in support of House bill 19490 for the relief of Hawley J. Smith; to the Committee on Pensions.

Also, evidence in support of House bill 10479, for the relief of Martin V. Stanton; to the Committee on Invalid Pensions.

Also, evidence in support of House bill 10655, for the relief of Samuel P. Kahler; to the Committee on Invalid Pensions.

Also, evidence in support of House bill 2386, for the relief of Charles A. Smith; to the Committee on Invalid Pensions.

By Mr. McLAUGHLIN: Papers to accompany bill granting an increase of pension to Almon W. Bennett; to the Committee on Invalid Pensions.

By Mr. MOON: Petition of the Woman's Christian Temperance Union of Hamilton County, Tenn., in favor of Hobson constitutional amendment; to the Committee on Rules.

Also, petition of the Woman's Christian Temperance Union of McMinn and Bradley Counties, Tenn., in favor of Hobson prohibition amendment; to the Committee on Rules.

By Mr. NEELY of West Virginia: Papers to accompany bill for the relief of Arthur C. Null; to the Committee on Pensions.

By Mr. J. I. NOLAN: Resolutions adopted by San Luis Obispo (Cal.) Chamber of Commerce and Baptist Convention of Northern California, favoring the passage of the Hamill bill, providing for the retirement of superannuated civil-service employees; to the Committee on Reform in the Civil Service.

Also, resolutions adopted by S. F. Lodge, No. 26, Loyal Order of Moose; S. F. Aerie, No. 5, Fraternal Order of Eagles; Pacific Athletic Association; the Indoor Yacht Club; Phelps Squadron, No. 12, U. S. V. N.; and Nelson A. Miles Camp, No. 10, U. S. W. V., all of San Francisco, Cal., and representing a membership of over 15,800, favoring the passage of the Hamill bill, providing for the retirement of superannuated civil-service employees; to the Committee on Reform in the Civil Service.

By Mr. ROBERTS of Nevada: Petition of D. A. Paul, of Lovelock, and Charles S. Larne, of Fernley, Nev., protesting against national prohibition; to the Committee on Rules.

By Mr. J. M. C. SMITH: Petition of 17 citizens of Kalamazoo, Mich., favoring Stevens bill (H. R. 13305) for uniform prices; to the Committee on Interstate and Foreign Commerce.

Also, petitions of 46 citizens of Kalamazoo, 6 citizens of Union City, 13 citizens of Vicksburg, 7 citizens of Sherwood, 26 citizens of Coldwater, 6 citizens of Tekonsha, 9 citizens of Litchfield, 6 citizens of Allen, 13 citizens of Jonesville, 8 citizens of Quincy, 4 citizens of Frontier, 5 citizens of Burr Oak, 5 citizens of Montgomery, 10 citizens of Bronson, 3 citizens of Cambria, 9 citizens of Olivet, 7 citizens of Waldron, 9 citizens of Pittsford, 5 citizens of Camden, 11 citizens of Reading, 12 citizens of Grand Ledge, 4 citizens of Scotts, 4 citizens of Potterville, 6 citizens of Schoolcraft, 10 citizens of Homer, 2 citizens of Galesburg, 6 citizens of Dimondale, 6 citizens of Augusta, 17 citizens of Battle Creek, 20 citizens of Charlotte, 13 citizens of Bellevue, 19 citizens of Eaton Rapids, 16 citizens of Marshall, 13 citizens of Albion, 16 citizens of Hillsdale, all in the State of Michigan, favoring House bill 5308, to compel nonresident concerns to contribute to the maintenance of the city where goods are sold at retail; to the Committee on Ways and Means.

SENATE.

WEDNESDAY, *December 9, 1914.*

The Chaplain, Rev. Forrest J. Prettyman, D. D., offered the following prayer:

Almighty God, we come before Thee to settle each day anew those eternal issues that can never be written into the laws of our land. Before we would strive to serve our fellow men we would receive from Thee moral and spiritual authority to say "Thou shalt" and "Thou shalt not." Unless we conform to the divine policy in our Government we shall never succeed in going onward and upward to ever-inviting fields of human progress. Give us wisdom, give us vision, give us a due discernment of the need of the hour. May we address ourselves to our tasks with a conscience void of offense. We ask for Christ's sake. Amen.

ROBERT M. LA FOLLETTE, a Senator from the State of Wisconsin, and CHARLES S. THOMAS, a Senator from the State of Colorado, appeared in their seats to-day.

The Journal of yesterday's proceedings was read and approved.

REPORT OF CIVIL SERVICE COMMISSION (H. DOC. NO. 1258).

The VICE PRESIDENT laid before the Senate the following message from the President of the United States, which was read and referred to the Committee on Civil Service and Retrenchment and ordered to be printed:

To the Senate and House of Representatives:

I transmit herewith, for the consideration of the Congress, the Thirty-first Annual Report of the United States Civil Service Commission for the fiscal year ended June 30, 1914.

The attention of the Congress is especially invited to the needs of the commission as set forth on pages 27 to 32 of the report.

WOODROW WILSON.

THE WHITE HOUSE, *December 8, 1914.*

NOTE.—Report accompanied similar message to the House of Representatives.

REPORT OF THE SECRETARY OF THE TREASURY (H. DOC. NO. 1261).

The VICE PRESIDENT laid before the Senate the annual report of the Secretary of the Treasury on the state of the finances for the fiscal year ended June 30, 1914, which was referred to the Committee on Finance and ordered to be printed.

SPRINGFIELD ARMORY AND ROCK ISLAND ARSENAL (H. DOC. NO. 1263).

The VICE PRESIDENT laid before the Senate a communication from the Secretary of War, transmitting, pursuant to law,

a statement submitted by the Chief of Ordnance, United States Army, of the expenditures and of arms, components of arms, and appendages fabricated, altered, and repaired during the fiscal year ended June 30, 1914, at the Springfield Armory, Springfield, Mass., and at the Rock Island Arsenal, Rock Island, Ill., which, with the accompanying paper, was referred to the Committee on Military Affairs and ordered to be printed.

SHOSHONE RECLAMATION PROJECT (H. DOC. NO. 1274).

The VICE PRESIDENT laid before the Senate a communication from the Secretary of the Interior, transmitting, pursuant to law, a report as to the Shoshone reclamation project showing the status of the water rights of the Indians, the method of financing the project, etc., which was referred to the Committee on Indian Affairs and ordered to be printed.

BLACKFEET, FLATHEAD, AND FORT PECK RECLAMATION PROJECTS (H. DOC. NO. 1215).

The VICE PRESIDENT laid before the Senate a communication from the Secretary of the Interior, transmitting, pursuant to law, a report relative to the Blackfeet, Flathead, and Fort Peck reclamation projects showing the status of the water rights of the Indians, the method of financing the projects, etc., which was referred to the Committee on Indian Affairs and ordered to be printed.

UINTAH INDIAN RECLAMATION PROJECT (H. DOC. NO. 1250).

The VICE PRESIDENT laid before the Senate a communication from the Secretary of the Interior, transmitting, pursuant to law, a report as to the Uintah Indian reclamation project, showing the status of the water rights of the Indians, the method of financing the project, etc., which was referred to the Committee on Indian Affairs and ordered to be printed.

INDIAN IRRIGATION PROJECTS (H. DOC. NO. 1268).

The VICE PRESIDENT laid before the Senate a communication from the Secretary of the Interior, transmitting, pursuant to law, a statement showing the cost account of all moneys expended on each irrigation project on Indian reservations, allotments, and lands, and showing the operations during the fiscal year 1914 and the total cost to June 30, 1914, which, with the accompanying papers and illustrations, was referred to the Committee on Printing.

SUBSISTENCE FOR INDIAN TRIBES (H. DOC. NO. 1251).

The VICE PRESIDENT laid before the Senate a communication from the Secretary of the Interior, stating, in compliance with law, that no diversions or expenditures were made during the fiscal year ended June 30, 1914, under the provisions of the act of March 1, 1907, relative to the purchase of subsistence for the several Indian tribes, which was referred to the Committee on Indian Affairs and ordered to be printed.

TRAVEL PAY OF EMPLOYEES IN INTERIOR DEPARTMENT (H. DOC. NO. 1260).

The VICE PRESIDENT laid before the Senate a communication from the Secretary of the Interior, transmitting, pursuant to law, a statement showing in detail the number of officers or employees (other than special agents, inspectors, or employees who, in the discharge of their duties, are required to travel constantly) of the Department of the Interior for travel on official business from Washington to points outside of the District of Columbia during the fiscal year ended June 30, 1914, which was referred to the Committee on Appropriations and ordered to be printed.

FLATHEAD INDIAN RESERVATION, MONT. (H. DOC. NO. 1217).

The VICE PRESIDENT laid before the Senate a communication from the Secretary of the Interior, transmitting, pursuant to law, a report of lands within the Flathead Indian Reservation, Mont., reserved for power and reservoir sites, which was referred to the Committee on Indian Affairs and ordered to be printed.

CONTINGENT EXPENSES, INTERIOR DEPARTMENT (H. DOC. NO. 1216).

The VICE PRESIDENT laid before the Senate a communication from the Secretary of the Interior, transmitting, pursuant to law, an itemized statement of expenditures made by the Department of the Interior and charged to the appropriation "Contingent expenses, Department of the Interior, 1914," for the fiscal year ended June 30, 1914, which was referred to the Committee on Appropriations and ordered to be printed.

STANDING ROCK INDIAN RESERVATION (H. DOC. NO. 1236).

The VICE PRESIDENT laid before the Senate a communication from the Secretary of the Interior, transmitting, pursuant to law, a report relative to the necessity and practicability of constructing a wagon road or highway through the Standing Rock Indian Reservation in Corson County, S. Dak., which, with the accompanying paper and illustrations, was referred to the Committee on Printing.

REPORT OF THE RECLAMATION SERVICE (H. DOC. NO. 1255).

The VICE PRESIDENT laid before the Senate a communication from the Secretary of the Interior, transmitting, pursuant to law, the Thirteenth Annual Report of the Reclamation Service, which was referred to the Committee on Irrigation and Reclamation of Arid Lands and ordered to be printed.

DISTRIBUTION OF PUBLIC DOCUMENTS (H. DOC. NO. 1280).

The VICE PRESIDENT laid before the Senate a communication from the Secretary of the Interior, transmitting, pursuant to law, a statement showing the documents received and distributed by the Department of the Interior during the fiscal year ended June 30, 1914, which was referred to the Committee on Printing.

REPORT OF LIBRARIAN OF CONGRESS (H. DOC. NO. 1402).

The VICE PRESIDENT laid before the Senate the annual report of the Librarian of Congress and of the Superintendent of the Library Building and Grounds for the fiscal year ended June 30, 1914, which was referred to the Committee on the Library.

FRENCH SPOLIATION CLAIMS.

The VICE PRESIDENT laid before the Senate communications from the assistant clerk of the Court of Claims, transmitting the findings of fact and conclusions of law and opinions, filed under the act of January 20, 1885, in the French spoliation claims set out in the annexed findings by the court relating to the following causes:

The schooner *Experiment*, Archibald Maxwell, master (H. Doc. No. 1289); and

The brig *Betsey*, Douglass Chapman, master (H. Doc. No. 1290).

The foregoing findings were, with the accompanying papers, referred to the Committee on Claims and ordered to be printed.

He also laid before the Senate communications from the assistant clerk of the Court of Claims, transmitting the findings of fact and conclusions of law, filed under the act of January 20, 1885, in the French spoliation claims set out in the annexed findings by the court relating to the following causes:

The schooner *Rachel*, James Lang, master (H. Doc. No. 1305);

The schooner *Columbia*, Joseph Boardman, master (H. Doc. No. 1304);

The ship *Fair American*, John C. Brevoor, master (H. Doc. No. 1306);

The schooner *President*, Thomas Eastwood, master (H. Doc. No. 1307);

The brig *Lucy*, John Gore, master (H. Doc. No. 1308);

The brig *Florida*, James Hoare, master (H. Doc. No. 1309);

The brig *Phoebe*, Moses Taylor, master (H. Doc. No. 1320);

The sloop *Hope*, Joseph Britts, master (H. Doc. No. 1310);

The ship *Little Mary*, Jacob Benners, master (H. Doc. No. 1311);

The schooner *Lark*, Edward Snow, master (H. Doc. No. 1303);

The brigantine *Centaur*, George Cutts, master (H. Doc. No. 1302);

The brig *Polly*, Samuel Makins, master (H. Doc. No. 1301);

The ship *Superb*, Josiah Barnard, master (H. Doc. No. 1300);

The schooner *Active*, Nathaniel Atkins, master (H. Doc. No. 1299);

The ship *Hero*, George F. Blunt, master (H. Doc. No. 1298);

The brig *Dove*, Friend Dole, master (H. Doc. No. 1297);

The ship *Pallas*, Absalom Z. Vernon, master (H. Doc. No. 1296);

The brig *William*, Ellis Cook, master (H. Doc. No. 1295);

The sloop *William*, George Chapman, master (H. Doc. No. 1294);

The brig *Peggy*, John Hollet, master (H. Doc. No. 1293);

The sloop *Hawk*, Joseph Hart, master (H. Doc. No. 1292);

The ship *Philadelphia*, John Dove, master (H. Doc. No. 1291);

The schooner *Mary Ann*, Jonathan Waite, master (H. Doc. No. 1322);

The schooner *Hetty*, Edward Dodsworth, master (H. Doc. No. 1321);

The snow *Charles*, Stephen Lee, master (H. Doc. No. 1323);

The ship *Phoenix*, Christian Becker, master (H. Doc. No. 1324);

The brig *Maria*, Aaron Jeffrey, master (H. Doc. No. 1312);

The schooner *Delight*, Samuel Helms, master (H. Doc. No. 1313);

The brig *Lydia*, Thomas Amsdell, master (H. Doc. No. 1314);

The schooner *Sally*, Robert Chunn, master (H. Doc. No. 1315);

The brig *Jay*, Hugh Wilson, master (H. Doc. No. 1316);

The schooner *Friendship*, Theodore Harding, master (H. Doc. No. 1317);

The ship *Willink*, James Stewart, master (H. Doc. No. 1318); and

The brig *Eliza*, Willis Whitfield, master (H. Doc. No. 1319).

The foregoing findings were, with the accompanying papers, referred to the Committee on Claims and ordered to be printed.

PETITIONS AND MEMORIALS.

Mr. KERN presented a petition of Newland Post, Grand Army of the Republic, of Bedford, Ind., praying for the enactment of legislation to provide a volunteer officers' retired list, which was ordered to lie on the table.

He also presented memorials of sundry citizens of Indiana, remonstrating against the circulation through the mails of anti-Catholic literature, which were referred to the Committee on Post Offices and Post Roads.

Mr. CHAMBERLAIN presented a petition of sundry citizens of Brogan, Oreg., praying for the enactment of legislation to secure peace in Europe, which was referred to the Committee on Foreign Relations.

Mr. LODGE presented petitions of sundry citizens of East Wareham, Boston, New Bedford, Newburyport, Ayer, Worcester, Newton Upper Falls, Lynn, Cambridge, Milford, Mattapoiset, Hopkinton, Melrose, Gloucester, Granville, Provincetown, Ware, Malden, Wareham, Fitchburg, and Lowell, all in the State of Massachusetts, praying for national prohibition, which were referred to the Committee on the Judiciary.

He also presented memorials of sundry citizens of Lowell, Mass., remonstrating against national prohibition, which were referred to the Committee on the Judiciary.

Mr. LA FOLLETTE presented petitions of sundry citizens of Wisconsin, praying for national prohibition, which were referred to the Committee on the Judiciary.

He also presented memorials of sundry citizens of Wisconsin, remonstrating against national prohibition, which were referred to the Committee on the Judiciary.

He also presented petitions of sundry citizens of Eau Claire, Wis., praying for the enactment of legislation to provide a compensatory time privilege to post-office employees, which were referred to the Committee on Post Offices and Post Roads.

He also presented petitions of sundry citizens of Eau Claire and Chippewa Falls, in the State of Wisconsin, praying for the enactment of legislation compelling the observance of Sunday as a day of rest, which were referred to the Committee on the District of Columbia.

Mr. PERKINS presented petitions of the Chamber of Commerce of San Luis Obispo; the Loyal Order of Moose, No. 509, of Alameda; the Iroquois Club, of San Francisco; the Central Labor Council of Petaluma; of Court No. 63, Federation of Labor, of Petaluma; of Hive No. 6, Ladies of the Maccabees, of Pasadena; and of the Federation of Catholic Societies, of Los Angeles, all in the State of California, praying for the enactment of legislation to provide pensions for civil-service employees, which were referred to the Committee on Civil Service and Retrenchment.

FOOT-AND-MOUTH DISEASE.

Mr. GORE, from the Committee on Agriculture and Forestry, to which was referred the bill (S. 6689) making appropriation for the arrest and eradication of the foot-and-mouth disease, and for other purposes, reported it without amendment and submitted a report (No. 831) thereon.

Mr. SHAFROTH. From the Committee to Audit and Control the Contingent Expenses of the Senate I report back favorably, with an amendment, Senate resolution 490, submitted by the Senator from Ohio [Mr. POMERENE] on the 7th instant. As it is a matter of urgency, I should like very much to have the resolution acted upon at this time.

The VICE PRESIDENT. Is there objection to the present consideration of the resolution?

There being no objection, the Senate proceeded to consider the resolution. The amendment of the committee was, on page 2, line 5, after the word "employ," to strike out "stenographers and such other assistants as it may deem necessary" and to insert "a stenographer at a cost not exceeding $1 per printed page," so as to make the resolution read:

Resolved, That the Committee on Agriculture and Forestry of the Senate, or any subcommittee thereof duly authorized by said committee, be, and it is hereby, instructed to make inquiry concerning and report to the Senate thereon:

First. The extent and location of the territory affected by the foot-and-mouth disease and the number of cattle, hogs, sheep, and other animals affected thereby or exposed thereto.

Second. What quarantine or other measures have been adopted by the Federal or State authorities for the prevention or eradication of said disease.

Third. What changes, if any, should be adopted by the Federal or State authorities in their methods of quarantine.

Fourth. What remedy or remedies are known or used in preventing or eradicating said disease.

That said committee or subcommittee is authorized to sit during the sessions of the Senate and during any recess of the Senate; to hold sessions at such place or places as it shall deem most convenient for the purposes of the investigation; to employ a stenographer at a cost not exceeding $1 per printed page; to send for persons, books, records, and papers; to administer oaths, and as early as practicable to report to the Senate the results of its investigation, including all testimony taken by it; and that the expenses of the inquiry shall be paid from the contingent fund of the Senate upon vouchers to be approved by the chairman of the committee.

The amendment was agreed to.

Mr. BURTON. Mr. President, I hope the resolution will be promptly passed; and as I see several members of the Committee on Agriculture and Forestry present, I will express the further hope that the committee will very promptly proceed with the inquiry provided for by the resolution. It relates to what is really a very serious matter.

Mr. SHAFROTH. Mr. President, I will state to the Senator from Ohio that the committee met this morning, took some testimony with relation to this matter, and reported favorably a bill providing for an additional expenditure, I think, of $1,500,000 to meet any emergency that may confront the department either in connection with this disease or with any other disease which may appear.

Mr. BURTON. Do I understand the Senator from Colorado intends to bring up that bill immediately after the adoption of the pending resolution?

Mr. SHAFROTH. No; that bill will not be in my charge. The resolution I have reported simply provides for the payment of a stenographer and for the investigation, so that it may proceed regularly. The bill to which I have referred will probably come up either this afternoon or to-morrow morning.

Mr. BURTON. I trust very early consideration may be given to it, because a most serious emergency exists in the State of Ohio and also in other States.

Mr. SHAFROTH. The committee recognize the great emergency, and therefore determined this morning as to the amount which should be added to the funds of the Agricultural Department for this very purpose.

The VICE PRESIDENT. The question is on agreeing to the resolution as amended.

The resolution as amended was agreed to.

BILLS AND JOINT RESOLUTIONS INTRODUCED.

Bills and joint resolutions were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. JONES:

A bill (S. 6827) relating to the reclamation of arid, semiarid, swamp, and overflow lands through district organizations, and authorizing Government aid therefor; to the Committee on Irrigation and Reclamation of Arid Lands.

By Mr. KENYON:

A bill (S. 6828) amending section 282 of the Judicial Code, changing the number of grand jurors; to the Committee on the Judiciary.

By Mr. BANKHEAD:

A bill (S. 6829) to provide for the construction of two revenue cutters; to the Committee on Commerce.

By Mr. LA FOLLETTE:

A bill (S. 6830) granting an increase of pension to Jasper McPhail; and

A bill (S. 6831) granting an increase of pension to Perry B. Glines (with accompanying papers); to the Committee on Pensions.

By Mr. LODGE:

A bill (S. 6832) to amend the navigation laws of the United States; to the Committee on Commerce.

By Mr. JAMES:

A bill (S. 6833) granting an increase of pension to Louisa Bendel (with accompanying papers);

A bill (S. 6834) granting an increase of pension to Stephen K. Ashley (with accompanying papers);

A bill (S. 6835) granting a pension to Mary E. Wash (with accompanying papers);

A bill (S. 6836) granting an increase of pension to Samuel McClure (with accompanying papers);

A bill (S. 6837) granting an increase of pension to M. B. Sasser (with accompanying papers); and

A bill (S. 6838) granting an increase of pension to William Bays (with accompanying papers); to the Committee on Pensions.

By Mr. OLIVER:

A bill (S. 6839) extending the time for the completion of the bridge across the Delaware River authorized by an act entitled "An act to authorize the Pennsylvania Railroad Co. and the

Pennsylvania & Newark Railroad Co., or their successors, to construct, maintain, and operate a bridge across the Delaware River," approved the 24th day of August, 1912; to the Committee on Commerce.

By Mr. SHIVELY:

A bill (S. 6840) granting an increase of pension to Earl W. Soper;

A bill (S. 6841) granting an increase of pension to Charles Frederick;

A bill (S. 6842) granting an increase of pension to Nancy J. Nicholson;

A bill (S. 6843) granting a pension to Rosalie A. Partridge;

A bill (S. 6844) granting an increase of pension to Reuben F. Longley;

A bill (S. 6845) granting a pension to Winfield Taylor; and

A bill (S. 6846) granting an increase of pension to Samuel Roberts; to the Committee on Pensions.

By Mr. BURLEIGH:

A bill (S. 6847) granting an increase of pension to John E. Saunders; to the Committee on Pensions.

By Mr. MARTIN of Virginia:

A bill (S. 6848) granting a pension to William G. Taliaferro; to the Committee on Pensions.

By Mr. SHERMAN:

A bill (S. 6849) for the relief of James Orange; to the Committee on Military Affairs.

A bill (S. 6850) granting an increase of pension to Nancy I. Williams;

A bill (S. 6851) granting an increase of pension to Charles S. Morse;

A bill (S. 6852) granting an increase of pension to James O. Anderson; and

A bill (S. 6853) granting a pension to Jane McGaughey; to the Committee on Pensions.

By Mr. SHIELDS:

A bill (S. 6854) to incorporate the Boy Scouts of America, and for other purposes; to the Committee on the Judiciary.

A bill (S. 6855) granting an increase of pension to Charles H. Flournoy (with accompanying papers); to the Committee on Pensions.

By Mr. BANKHEAD:

A joint resolution (S. J. Res. 208) continuing the Joint Committee on Postage on Second-Class Mail Matter and Compensation for the Transportation of Mail, created by the act of August 24, 1912; to the Committee on Post Offices and Post Roads.

By Mr. OWEN:

A joint resolution (S. J. Res. 209) withholding from allotment the unallotted lands or public domain of the Creek Nation or Tribe of Indians and providing for the sale thereof, and for other purposes; to the Committee on Indian Affairs.

THE MERCHANT MARINE.

Mr. STONE. Mr. President, I introduce a bill and ask that it be referred to the Committee on Commerce.

The bill (S. 6856) to authorize the United States, acting through a shipping board, to subscribe to the capital stock of a corporation to be organized under the laws of the United States or of a State thereof or of the District of Columbia to purchase, construct, equip, maintain, and operate merchant vessels in the foreign trade of the United States, and for other purposes, was read twice by its title.

The VICE PRESIDENT. The bill will be referred to the Committee on Commerce.

Mr. GALLINGER. Mr. President, the bill the Senator from Missouri has just introduced refers to a matter in which many of us are deeply interested. I should like to ask him if the bill is along the same lines as the so-called Alexander bill in the House?

Mr. STONE. It is the Alexander bill. I will say, however, that there is this difference: An amendment has been interpolated which Mr. ALEXANDER himself wrote in, and I am introducing it in that form.

Mr. BURTON. I should like to inquire what bill this is?

Mr. STONE. It is a shipping bill, a merchant-marine bill.

Mr. BURTON. What does the Senator from Missouri propose to have done with the bill?

Mr. STONE. To have it referred to the Committee on Commerce.

The VICE PRESIDENT. That action has been taken.

TEXAS STATE CLAIMS.

Mr. CULBERSON. I submit an amendment proposing to reimburse the State of Texas in full payment of all claims of any nature whatever on account of expense incurred by that State prior to February 9, 1861, intended to be proposed by me to the general deficiency appropriation bill. I ask that the amendment be printed and referred to the Committee on Appropriations.

The VICE PRESIDENT. That action will be taken.

OMNIBUS CLAIMS BILL.

Mr. JONES submitted an amendment intended to be proposed by him to the bill (S. 6120) for the allowance of certain claims reported by the Court of Claims, which was referred to the Committee on Claims and ordered to be printed.

Mr. MARTIN of Virginia submitted an amendment intended to be proposed by him to the omnibus claims bill (H. R. 8846), which was ordered to lie on the table and be printed.

EMPLOYMENT OF STENOGRAPHER.

Mr. GORE submitted the following resolution (S. Res. 496), which was read and referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That the Committee on Agriculture and Forestry, or any subcommittee thereof, be authorized during the Sixty-third Congress to employ a stenographer at a price not to exceed $1 per printed page to report such hearings as may be held in connection with any subject which may be pending before the said committee; and the expenses thereof shall be paid out of the contingent fund of the Senate.

REGULATION OF IMMIGRATION.

The VICE PRESIDENT. The morning business is closed.

Mr. SMITH of South Carolina. I move that the Senate proceed to the consideration of House bill 6060, known as the immigration bill.

The VICE PRESIDENT. The Senator from South Carolina moves that the Senate proceed to the consideration of House bill 6060, which will be read by title.

The SECRETARY. A bill (H. R. 6060) to regulate the immigration of aliens to and the residence of aliens in the United States.

The VICE PRESIDENT. The question is on the motion of the Senator from South Carolina.

The motion was agreed to; and the Senate, as in Committee of the Whole, proceeded to consider the bill, which had been reported from the Committee on Immigration with amendments.

The VICE PRESIDENT. Shall the bill be regularly read, or the formal reading of the bill being dispensed with, shall it be read for amendment?

Mr. SMITH of South Carolina. I ask that the formal reading of the bill be dispensed with.

Mr. REED. I call for the reading of the bill. If I had been here in time, I would have objected to its consideration.

The VICE PRESIDENT. The bill will be read, but the question is, Shall the amendments be considered as the Secretary proceeds with the reading of the bill?

Mr. REED. I call for the regular order, the reading of the bill in full.

The VICE PRESIDENT. The bill will be read.

The Secretary read the bill.

Mr. SMITH of South Carolina. Mr. President, I now ask that the committee amendments be acted upon in their order.

The VICE PRESIDENT. The bill is before the Senate as in Committee of the Whole and open to amendment. If there be no objection, the committee amendments will first be acted upon.

The first amendment of the Committee on Immigration was, in section 1, page 1, line 6, after the word "Indians," to insert "of the United States," so as to read:

That the word "alien" wherever used in this act shall include any person not a native-born or naturalized citizen of the United States; but this definition shall not be held to include Indians of the United States not taxed or citizens of the islands under the jurisdiction of the United States.

Mr. REED. Mr. President, I desire to inquire as to the parliamentary situation. Is this bill now before the Senate by unanimous consent or on a vote?

The VICE PRESIDENT. On a vote.

Mr. REED. The time for its consideration, then, will expire at 2 o'clock for to-day?

The VICE PRESIDENT. No; there is no unfinished business.

Mr. REED. How could it be made the unfinished business during the morning hour?

The VICE PRESIDENT. It has not been, yet.

Mr. REED. Oh, I understand the Chair.

The VICE PRESIDENT. It is simply being taken up by the Senate on motion, as the rules provide, and being considered.

Mr. REED. It may be taken up?

The VICE PRESIDENT. It is taken up.

Mr. REED. Taken up now, during the morning hour; but its right of way will expire, as I understand the Chair, at 2 o'clock?

The VICE PRESIDENT. No. There is no unfinished business. If there were unfinished business, it would expire then. There being no unfinished business, it will proceed until dis-

placed by something else. The question is on agreeing to the first amendment of the committee.

The amendment was agreed to.

The next amendment was, on page 2, line 3, after the words "Canal Zone," to insert "or any insular possession of the United States," so as to read:

That the term "United States," as used in the title as well as in the various sections of this act, shall be construed to mean the United States, and any waters, territory, or other place subject to the jurisdiction thereof, except the Isthmian Canal Zone; but if any alien shall leave the Canal Zone or any insular possession of the United States and attempt to enter any other place under the jurisdiction of the United States, nothing contained in this act shall be construed as permitting him to enter under any other conditions than those applicable to all aliens. That the term "seaman," as used in this act, shall include every person signed on the ship's articles and employed in any capacity on board any vessel arriving in the United States from any foreign port or place.

The amendment was agreed to.

The next amendment was, in section 2, page 2, line 16, after the words "tax of," to strike out "$5" and insert "$6," so as to read:

That there shall be levied, collected, and paid a tax of $6 for every alien, including alien seamen regularly admitted as provided in this act, entering the United States.

Mr. REED. Mr. President, I raise the question of the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst	Hollis	Newlands	Simmons
Borah	James	Norris	Smith, Ariz.
Brandegee	Johnson	O'Gorman	Smith, Ga.
Bryan	Jones	Oliver	Smith, Md.
Burton	Kenyon	Overman	Smith, S. C.
Camden	Kern	Page	Smoot
Chamberlain	La Follette	Penrose	Stone
Culberson	Lane	Perkins	Thompson
Dillingham	Lee, Md.	Pittman	Thornton
du Pont	Lippitt	Pomerene	Walsh
Gallinger	Lodge	Reed	Warren
Gore	McCumber	Robinson	White
Gronna	Martine, N. J.	Shafroth	Works
Hardwick	Myers	Sheppard	
Hitchcock	Nelson	Shively	

Mr. MARTINE of New Jersey. I have been requested to state that the senior Senator from Tennessee [Mr. LEA] is unavoidably detained from the Senate on public business.

Mr. THORNTON. I desire to announce the necessary absence of my colleague [Mr. RANSDELL] on public business.

Mr. LODGE. I desire to announce that my colleague [Mr. WEEKS] is unavoidably absent. He has a general pair with the senior Senator from Kentucky [Mr. JAMES].

Mr. BORAH. I desire to announce the unavoidable absence of my colleague [Mr. BRADY]. He is paired with the junior Senator from Mississippi [Mr. VARDAMAN].

Mr. CHAMBERLAIN. I have been requested to announce that the senior Senator from West Virginia [Mr. CHILTON] is unavoidably absent. He is paired with the senior Senator from New Mexico [Mr. FALL].

Mr. SMOOT. I desire to announce the following pairs:

The junior Senator from New Mexico [Mr. CATRON] with the senior Senator from Oklahoma [Mr. OWEN];

The junior Senator from Minnesota [Mr. CLAPP] with the senior Senator from North Carolina [Mr. SIMMONS];

The junior Senator from Rhode Island [Mr. COLT] with the junior Senator from Delaware [Mr. SAULSBURY];

The senior Senator from South Dakota [Mr. CRAWFORD] with the senior Senator from Tennessee [Mr. LEA];

The junior Senator from West Virginia [Mr. GOFF] with the senior Senator from South Carolina [Mr. TILLMAN];

The senior Senator from Michigan [Mr. SMITH] with the junior Senator from Missouri [Mr. REED];

The junior Senator from Wisconsin [Mr. STEPHENSON] with the junior Senator from Oklahoma [Mr. GORE]; and

The junior Senator from Utah [Mr. SUTHERLAND] with the senior Senator from Arkansas [Mr. CLARKE].

The VICE PRESIDENT. Fifty-nine Senators have answered to the roll call. There is a quorum present. The question is on agreeing to the amendment of the committee, which will be stated.

The SECRETARY. On page 2, line 16, after the words "tax of," strike out "$5" and insert "$6."

The amendment was agreed to.

The next amendment was, on page 2, line 18, after the words "United States," to insert "except that with respect to an alien accompanied by his wife, child, or children said tax shall be $4 for each such alien, wife, and child," so as to read:

That there shall be levied, collected, and paid a tax of $6 for every alien, including alien seamen regularly admitted as provided in this act, entering the United States, except that with respect to an alien accompanied by his wife, child, or children said tax shall be $4 for each such alien, wife, and child.

Mr. REED. Mr. President, do I understand that the bill is now being read in full for committee amendments?

The VICE PRESIDENT. No; it has been read in full. It is now being read for the committee amendments.

Mr. REED. It must be read in full.

The VICE PRESIDENT. It has been read in full.

Mr. REED. It must be read in full for the amendments.

Mr. LODGE. Mr. President——

The VICE PRESIDENT. There is not any doubt about it. The amendments are now being read, and that is in accordance with the rules of the Senate.

Mr. REED. I simply wanted to be sure that I understood the Chair.

The VICE PRESIDENT. There is not a question of doubt about the rule. A request was made this morning to omit the reading of the bill, and read it simply for the amendments. The Senator from Missouri objected, and asked for the regular order. The bill has now been read in its entirety. It is in the Committee of the Whole, and in accordance with the rules of the Senate it is now being read simply for committee amendments. That does not involve the necessity of rereading the bill but simply reading the amendments, so that it does not have to be read in full.

Mr. REED. I desire to ask the Senator in charge of the bill what important reason impelled the committee to raise the head tax from $5 to $6?

Mr. SMITH of South Carolina. Under the existing law and the bill as it came over from the House, the tax is $5, without any discrimination. The committee in charge of the bill raised it on such individuals as are here set forth—every adult alien, including alien seamen—to $6, and lowered it to $4 on the wives and children, so as to equalize it and make it practically the same according to the number that come in. I will state to the Senator that the wives and children do not enter into competition here; they are more or less a burden when they come in; and we therefore lowered the tax on them, while we raised the tax to $6 in the case of those of earning age.

Mr. LODGE. If the Senator will allow me one moment, of course what we desire to encourage is the immigrant with a family. The idea of the committee was to make the tax as low as it now is on a man with a family, and to increase the tax on the man who comes here without a family—the single men, many of whom are of that class which is most prejudicial in many ways, who come here in the spring, work through the summer, and go back in the autumn, and have no intention of ever becoming American citizens. They come here simply to get the benefit of our opportunities. It was never intended to make the tax fall in such a way as to burden the most desirable immigrants.

Mr. REED. What is the present head tax?

Mr. LODGE. Four dollars. The house made it $5, and it passed at $5 in the last Congress in both Houses. The House made it $5 in this bill, and we have put the tax on men with families back at the figure named in the present law.

Mr. REED. I notice that a little later in the bill the committee has amended it by striking out the clause which exempts from the tax those aliens who have declared their intention of becoming citizens. May I ask the purpose of that change?

Mr. SMITH of South Carolina. Can the Senator refer me to that particular section?

Mr. REED. It is on page 3, the lines that are stricken out—lines 14, 15, and 16.

Mr. LODGE. I will say to the Senator that those lines are not in the existing law. That is new legislation, added by the House. It was the opinion of the department that it was better not to make that exception, as it opened the door to fraud.

Mr. SMITH of South Carolina. That particular part was stricken out, as the Senator from Massachusetts has said, because one might declare his intention to become a citizen and then abuse the law, as already set forth by him, by immediately returning. If you will read further, it says:

Shall not be levied—

And then those lines are stricken out—

on account of aliens who shall enter the United States after an uninterrupted residence of at least one year immediately preceding such entrance.

Mr. REED (reading):

In the Dominion of Canada, Newfoundland, the Republic of Cuba, or the Republic of Mexico.

Mr. SMITH of South Carolina. Yes—

Nor on account of otherwise admissible residents of any possession of the United States.

Mr. REED. Yes. Of course, that leaves it that if a man has declared his intention to become a citizen he, nevertheless, must pay this tax.

Mr. GRONNA. Mr. President——

The VICE PRESIDENT. Does the Senator from Missouri yield to the Senator from North Dakota?

Mr. REED. I yield.

Mr. GRONNA. I was simply about to say that I believe this amendment should be changed by an amendment. I believe the words "accompanied by" should be stricken out, so that the amendment will read:

Except that with respect to an alien, his wife, child, or children, said tax shall be $4.

My reason for that is this: Very often it happens that the husband will come to this country, and after he has earned sufficient money will send for his family. Now, unless the family are accompanied by the husband they will not get the advantage of the reduction in the head tax. I think it was the intention of the committee—at least, it was my intention—that the desirable immigrant, whom we want, should have the benefit of the $4 tax instead of the $6 tax.

Mr. SMITH of South Carolina. Will the Senator restate his amendment?

Mr. GRONNA. It is simply to strike out the two words "accompanied by."

Mr. SMITH of South Carolina. On what page?

The PRESIDING OFFICER (Mr. POMERENE in the chair). In lines 18 and 19, page 2.

Mr. GRONNA. Yes; lines 18 and 19, so that the amendment will read:

Except that with respect to an alien, his wife, child, or children, said tax shall be $4.

There certainly should be no objection to that.

Mr. SMITH of South Carolina. I accept the amendment.

Mr. LODGE. How did the Senator word it finally—just striking out the words "accompanied by"?

Mr. GRONNA. Just striking out the two words "accompanied by."

Mr. LODGE. I agree with the Senator that it should not be limited to the occasion of being accompanied by them.

Mr. GRONNA. That was the intention of the committee.

Mr. LODGE. I think simply leaving out those words makes the amendment a little blind, but that can be remedied subsequently.

Mr. GRONNA. Do I understand that the chairman of the committee has accepted my amendment?

Mr. SMITH of South Carolina. I accept the amendment.

Mr. GRONNA. Very well.

The PRESIDING OFFICER. The amendment to the amendment will be stated.

The SECRETARY. On page 2, lines 18 and 19, in the committee amendment, strike out the words "accompanied by."

The PRESIDING OFFICER. Without objection, the amendment to the amendment will be agreed to.

Mr. O'GORMAN. Mr. President, I have a suggestion to make that, I think, will be accepted by the Senator in charge of the bill, and will make the phraseology regarding this change satisfactory. It is to strike out in lines 18 and 19 the words "an alien accompanied by his" and substitute for the word "his," in line 19, the word "the," and insert the words "of an alien" after the word "children," so that the two lines will read:

Entering the United States, except that with respect to the wife, child, or children of an alien, said tax shall be $4 for each such alien, wife, and child.

Mr. LODGE. That puts it in proper form.

Mr. GRONNA. Would not that prevent the husband from getting the low rate?

Mr. LODGE. Oh, no; he is made a special exception just the same.

Mr. O'GORMAN. It permits the wife and child or children of an alien to secure a reduced rate, whether they accompany the parent or not.

Mr. LODGE. Whether they accompany the parent or are sent for.

Mr. O'GORMAN. It accomplishes, I am sure, just what the Senator from North Dakota has in his mind.

Mr. GRONNA. Then I did not hear the Senator from New York correctly. Will the Senator restate his amendment?

Mr. O'GORMAN. Beginning with the word "except," in line 18, on page 2, the clause will read:

Except that with respect to the wife, child, or children of an alien, said tax shall be $4.

Mr. GRONNA. What will be the tax on the alien?

Mr. O'GORMAN. Six dollars.

Mr. GRONNA. I intended that the tax of $4 should apply to the husband as well as to the wife and children.

Mr. LODGE. It does, as the Senator from New York has drafted it.

Mr. GRONNA. I think not.

Mr. LODGE. It says "with respect to the wife, child, or children of an alien said tax shall be $4 for each such alien, wife, and child."

Mr. O'GORMAN. It will cover it.

Mr. LODGE. It makes the tax $4 for each of the family—father, wife, and children. I think that is just what the Senator wants to effect and it is in better language.

Mr. GALLINGER. But, manifestly, there is then a discrepancy between the $6 assessed on line 16 against an alien. That would have to be changed.

Mr. LODGE. Where?

Mr. GALLINGER. In line 16, which provides "that there shall be levied, collected, and paid a tax of $6 for every alien."

Mr. LODGE. This is an exception. It excepts a man with a family.

Mr. GRONNA. Does it not except the wife and children?

Mr. LODGE. It excepts them all, because it says "with respect to the wife, child, or children of an alien said tax shall be $4 for such alien, wife, and child." What is such alien? The alien who has a wife and children. It is as clear as it is possible to make it.

Mr. GALLINGER. Does the Senator think that it is good policy to assess a tax of $6 upon aliens who are without families and $4 upon aliens who have families?

Mr. LODGE. I think it is much better. I explained the reason why to the Senate when the Senator was out. The desirable immigrant, of course, is the man who comes here with a family and children intending to settle and become a citizen. The presence of his family is a guarantee of that intention—that he comes here meaning to remain. A large portion of the adult males who will pay the $6 tax are men who come to this country in the spring, work through the summer, and go back in the autumn, taking their wages with them. That tax affects a class that is undesirable in many respects, and the single men who come here with the intent of remaining can afford to pay the $6. The provision equalizes the tax and gives a distinct advantage to the man with a family, which the bill as it passed the House does not give.

Mr. SMOOT. May I ask the Senator a question?

The PRESIDING OFFICER. Does the Senator from North Dakota yield to the Senator from Utah?

Mr. GRONNA. I yield.

Mr. SMOOT. I wish to say to the Senator from Massachusetts that in an untold number of cases the husband comes in advance of his family.

Mr. LODGE. Certainly, and we have changed the bill so as to cover those cases by adopting the amendment of the Senator from New York.

Mr. SMOOT. Then I happened to be out of the Chamber and did not know it.

Mr. LODGE. The clause has been rephrased. I will state to the Senator it now reads "except that with respect to the wife, child, or children of an alien said tax shall be $4 for each such alien, wife, and child."

Mr. GALLINGER. That necessarily implies that the family accompany the alien; but if the alien precedes them, then what?

Mr. LODGE. It was phrased by the Senator from New York with the precise object of covering it whether the family accompanies the alien or is sent for, and it seems to me it is so plain that no distinction can be drawn. It says that the tax shall be $4 on the wife, child, or children of an alien; that is, if the wife and children be the wife and children of an alien, they pay $4, and also the tax shall be $4 on such alien—that is, the alien who has a wife and children—no matter how he comes.

Mr. GALLINGER. No matter whether they are in Europe or on shipboard.

Mr. LODGE. Of course the tax can not be levied on them if they are in Europe.

Mr. GALLINGER. But let us understand this provision. The Senator sees it very clearly. I do not. An alien comes here in advance of his family. Are you going to assess only $4 on him because he has a wife and children in Europe who are coming here? Is that the idea?

Mr. LODGE. Yes; that is the understanding.

Mr. GALLINGER. They may never come.

Mr. LODGE. He has to make proof of it, of course.

Mr. GALLINGER. I think it is not as clear as the Senator thinks it is.

Mr. LODGE. The Senator agrees with me to make the tax $4 on that alien and on his wife and children.

Mr. GALLINGER. But then it is a discrimination against the man who has not a wife and children and pays $6, provided the wife and children never come.

Mr. LODGE. I see the objection the Senator makes. On the other hand, it is undesirable to limit it to accompanying the alien, because he may come here with the intent of sending for them later, and we want to relieve him of the payment of the extra $2.

Mr. GRONNA. Do I understand that the amendment proposed by the Senator from New York was adopted?

The PRESIDING OFFICER. It has not yet been adopted. It is pending.

Mr. BORAH. Mr. President——

The PRESIDING OFFICER. Does the Senator from North Dakota yield to the Senator from Idaho?

Mr. GRONNA. Certainly.

Mr. BORAH. May I ask for a reading of the amendment proposed by the Senator from New York in order to clarify this ambiguity?

The PRESIDING OFFICER. The Secretary will read the amendment to the amendment.

The SECRETARY. Amend the proposed amendment of the committee on page 2, beginning in line 18.

The committee propose at that point, after the words "United States," to insert the words:

Except that with respect to an alien accompanied by his wife, child, or children said tax shall be $4 for each such alien, wife, and child.

The Senator from New York proposes to amend by striking out the words "an alien accompanied by his" and inserting the word "the" before the word "wife," and after the word "children," in line 19, to insert the words "of an alien," so that the amendment of the committee if amended will read:

Except that with respect to the wife, child, or children of an alien said tax shall be $4 for each such alien, wife, and child.

Mr. GRONNA. The amendment which I offered was accepted by the chairman of the committee. We will then have to reconsider that amendment before this amendment can be adopted.

Mr. SMITH of South Carolina. I do not think that is necessary if the Senator prefers the amendment of the Senator from New York.

Mr. GRONNA. I have no objection to the amendment of the Senator from New York.

Mr. LODGE. It will be open to further amendment.

The PRESIDING OFFICER. The question is on the adoption of the amendment offered by the Senator from New York [Mr. O'GORMAN] to the committee amendment.

Mr. REED. Does the Senator from Idaho desire to offer something?

Mr. BORAH. Not if the Senator from Missouri is going to discuss this particular amendment.

Mr. REED. I was not. I was going to ask for some more light as to the parliamentary situation.

Mr. BORAH. I should like to have some light also.

Mr. REED. I want to inquire if the motion to take up this bill was made in the morning hour by unanimous consent, and if unanimous consent was given to make the motion?

Mr. SMITH of South Carolina. I should like to state to the Senator from Missouri that immediately upon the announcement by the Vice President that the morning business was closed I moved to take up the bill. The question was put to the Senate, and, by a vote, it was taken up in regular order, and the Senate is now proceeding with its consideration under that agreement.

The PRESIDING OFFICER. The Senator from South Carolina has correctly stated the order that was made by the Senate, as the Chair understands it.

Mr. REED. The point on which I am making inquiry is whether the morning business had been concluded and it had been so announced.

Mr. SMITH of South Carolina. It had.

The PRESIDING OFFICER. It had been so declared.

Mr. REED. I still have the floor. If the Senator from Idaho [Mr. BORAH] desires to discuss this phase of the matter, I will yield the floor to him.

Mr. BORAH. No; I was simply desiring to satisfy my mind as to just what this amendment means. I think, as I understand it, I have no objection to it. Therefore I do not care to discuss it.

Mr. McCUMBER. Mr. President, I merely wish to make a suggestion with reference to the amendment that has just been adopted, which was offered by the Senator from New York [Mr. O'GORMAN].

The PRESIDING OFFICER. The Senator from North Dakota will permit the Chair to state that the amendment to the amendment has not yet been adopted. It is pending.

Mr. McCUMBER. Then let me make this suggestion. It is to a certain extent very obscure, as has been suggested by the Senator from New Hampshire [Mr. GALLINGER]. Suppose a married alien comes here first. He is not bringing his family with him. There must therefore be an assessment of $6 against him, although he is married. Then if we adopt the amendment offered by the Senator from New York, it will provide after you have already assessed and collected $6 the charge against that alien shall be $4, because it says "for each such alien, wife, and child." Any alien who is fit to come to the United States I think probably could stand the test of the two extra dollars; we do not need to spend a great deal of time on this question, but the law ought to be certain as to what shall be charged against the alien as he enters one of our ports. We can not fix it at $6 and then in the very last part of the amendment provide that such alien shall pay $4 whether he is accompanied by his wife or not.

Mr. LODGE. Mr. President——

The PRESIDING OFFICER. Does the Senator from North Dakota yield to the Senator from Massachusetts?

Mr. McCUMBER. I yield.

Mr. LODGE. I think the point made by the Senator from New Hampshire and the Senator from North Dakota is well taken, and it leaves a very doubtful point about the alien who comes and whose wife and children are left behind. I think we shall have to reword the amendment to reach the object that we all desire to attain. I would suggest to the chairman that we might pass over this amendment for the present and dispose of it later, when we shall have had an opportunity to put it in proper form.

Mr. GALLINGER. I hope that will be done.

Mr. McCUMBER. I will state to the Senator that if we desire to charge $6 when the alien comes alone without a family in the first instance and only $4 if he accompanies his family, that amendment could be made by striking out, in line 20, the words "such alien."

Mr. SMITH of South Carolina. I ask unanimous consent that the amendment be passed over and the committee will reword it in such form as to meet the very point now made.

Mr. SMITH of Georgia. Before it is passed over I suggest this language, which will completely cover it:

Except that the tax on the wife, child, or children of an alien shall be $4 each for such wife and child and for such alien if said wife, child, or children accompany him.

Mr. SMITH of South Carolina. That is exactly what we have now.

Mr. SMOOT. I want to say to the Senator that there are innumerable cases of aliens coming to this country unaccompanied by wife and children, but they come here to become citizens and as soon as they get money enough they send for their families.

Mr. LODGE. Certainly.

Mr. SMOOT. A man of that kind should not be taxed $6, it seems to me. I think he ought to be taxed $4, the same as the man who has his family accompanying him.

Mr. LODGE. The amendment will have to be reworded to meet those cases. I hope the Senate will pass it over so that it may be put in proper shape.

Mr. SMITH of Georgia. Mr. President, I meant to say only a word. If a man comes without his family, I want him to pay $6. I meant to put it clearly that he would pay $6 if he did not bring his family with him at the time he came. You will produce almost inexplicable confusion if you undertake to make him pay $4 when he has a wife and children abroad and says he probably will bring them in at a future time. It will be a simple proposition to say that the tax shall be $6 unless he brings his family along with him.

Mr. SMOOT. The amendment suggested by the Senator from Georgia plainly states that.

Mr. SMITH of Georgia. That is what I meant by it.

Mr. GALLINGER. I join in the request made by the Senator from Massachusetts. I am sure the chairman of the committee will see to it, if the amendment is passed over, that it shall be given proper consideration. It is a very important matter.

Mr. GRONNA. I have no objection to the amendment being passed over; but I am quite sure that by striking out the words I suggested we could dispose of it. I am quite sure that if the husband accompanied his family he would have to pay only $4. I am also quite sure that if he did not accompany his family the family would have to pay only $4. Of course

he would have to pay $6 if he came alone, and that, I understand, the committee intends to be the law.

Mr. LODGE. That is just what we want to reach. I think it needs to be worded carefully, and therefore it should be passed over.

Mr. GRONNA. I do not object.

The PRESIDING OFFICER. Without objection, the pending amendment will be passed over and the next amendment will be stated.

Mr. REED. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The absence of a quorum is suggested. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst	Hughes	O'Gorman	Smith, Ariz.
Bankhead	James	Overman	Smith, Ga.
Borah	Johnson	Page	Smith, S. C.
Bryan	Kenyon	Perkins	Smoot
Burton	Kern	Pittman	Sterling
Camden	La Follette	Pomerene	Stone
Chamberlain	Lane	Reed	Thomas
Clark, Wyo.	Lee, Md.	Robinson	Thompson
Culberson	Lippitt	Root	Thornton
Dillingham	Lodge	Saulsbury	Tillman
Gallinger	McCumber	Shafroth	Walsh
Gore	Martin, Va.	Sheppard	Warren
Gronna	Martine, N. J.	Sherman	White
Hardwick	Myers	Shively	Works
Hollis	Norris	Simmons	

Mr. SMOOT. I desire to make the same announcement of pairs that I made on the last roll call.

Mr. CHAMBERLAIN. I desire to make the same announcement with reference to the pair of the Senator from West Virginia [Mr. CHILTON] that I made a while ago. I will let that announcement stand for the present.

Mr. MARTINE of New Jersey. I was requested to announce that the Senator from Tennessee [Mr. LEA] is unavoidably absent on public business.

Mr. THORNTON. I again desire to announce the unavoidable absence of my colleague [Mr. RANSDELL] on public business. I will let this announcement stand for the day.

The PRESIDING OFFICER. Fifty-nine Senators have answered to their names. A quorum is present. The Secretary will read the next amendment of the committee.

Mr. REED. Mr. President, what became of the amendment which was pending?

The PRESIDING OFFICER. It was passed over by unanimous consent.

Mr. REED. Oh, no; unanimous consent was not asked or granted.

The PRESIDING OFFICER. The statement was made by the Chair that it would be passed over unless there was objection, and no objection was interposed.

Mr. REED. I did not hear the Chair's statement, but that would not amount to a unanimous consent.

I wish to say to the Senators in charge of this bill that I have not any desire to try to obstruct its passage, but I want an opportunity to examine it. I do not know what is in it. No one but the committee has had any opportunity to know what is in the bill. We meet here on what is substantially the first day of the session a bill of far-reaching importance, without any intimation or notice that it will be called up for action, but suddenly a motion was made only a few moments after the Senate was in session.

Mr. SMITH of South Carolina. Will the Senator from Missouri allow me?

Mr. REED. I will yield in a moment, when I finish this statement. Only a few moments after the Senate had convened a motion is made to take up the bill, and there is, it seems to me, a manifest purpose to push it through as rapidly as possible. It is a bill we have no right to pass upon hastily. It ought to be carefully examined. It ought to be thoroughly understood by the Senate.

I think the friends of the bill would be acting in accordance with the proprieties of the situation if they would not attempt to force this bill through to-day, but would take some action that would permit an examination of the bill and an understanding of it. It is rather unusual for a great bill of this kind to be brought in and not a single man representing the committee or anyone else to have a word to say about it or in any way to elucidate it or to state the reasons for the legislation or what is contained in the bill. I say it is exceedingly unusual.

The bill may be one of great merit; it may be one fraught with great evil; I do not know. So far as I am concerned, I intend to take such action as may be necessary in order to secure a reasonable time in which to examine this measure. I think that ought to be granted willingly by the committee.

I now yield to the Senator from South Carolina.

Mr. SMITH of South Carolina. If the Senator from Missouri will refer to the title-page of the bill he will see that it passed the House February 5, 1914, and came to the Senate and was sent to our committee and there considered, and it was reported from the committee last March. The bill has been printed in its present form and has been upon the calendar since some time in March. From time to time I have attempted to bring the bill up, but on account of other pressing matters its consideration was postponed.

I wish to state further that I suppose there never has been a bill introduced in the Senate that has had as much discussion as this bill. This is practically the identical bill that was introduced, discussed, and passed by both Houses and then vetoed by President Taft. It was passed by the Senate over the President's veto, but it was defeated in the House by a small majority. It was then reintroduced, and at the beginning of the present session of Congress it passed the House overwhelmingly and came to the Senate and was considered by the committee and reported nearly six months ago, with a full report made by the chairman, with the assistance of the Commissioner General of Immigration, meant to cover all the points and giving reasons for the few verbal changes that the Senate committee made, for we made none of any vital importance in the general text of the bill. We merely corrected some verbal errors, and in one instance alone did we leave out a section which was objected to and which objection appeared valid to the committee, the section in reference to putting matrons, inspectors, and surgeons on board foreign vessels bringing immigrants to our shores. We simply changed that so as to provide for inspection on this side.

Mr. BORAH. Mr. President——

The PRESIDING OFFICER. Does the Senator from Missouri yield to the Senator from Idaho?

Mr. REED. I do.

Mr. BORAH. I want to ask the Senator from South Carolina if there are any distinct or substantial differences between this bill and the bill which was previously passed by Congress?

Mr. SMITH of South Carolina. There are none. It is practically identically the same bill, with just a few verbal changes to make the meaning clearer. As I said a moment ago, the only changes were where there was strenuous objection from the representatives of foreign Governments against permitting our physicians and matrons to be put on board their vessels.

Mr. GRONNA. Mr. President——

The PRESIDING OFFICER. The Senator from Missouri has the floor. Does he yield further?

Mr. REED. I yield.

Mr. GRONNA. I wish simply to say, being a member of the committee, that, while what the chairman has said is true, of course in many respects, this is the same as the immigration bill which was passed during the last Congress, there are also some new things in the bill which are very different; there are some provisions which are entirely new. Take, for instance, the provision on page 1, which was just agreed to. It is of very great importance, but it was not in the bill which was passed during the Taft administration.

Mr. SMITH of South Carolina. But it was in the bill as it passed the other House at the last session, and substantially it is the same. The changes made by the Senate committee are very unimportant, and the changes made by the other House, so far as I have been able to ascertain by referring to the old bill and to the present law, are not vitally material.

Mr. MARTINE of New Jersey. Mr. President——

The PRESIDING OFFICER. Does the Senator from Missouri yield; and if so, to whom?

Mr. REED. I will yield to the Senator from New Jersey, unless he wishes to make some extended observations on the bill. If so, I should like to conclude this colloquy, and then I shall yield the floor.

Mr. MARTINE of New Jersey. Very well.

Mr. REED. Mr. President, what the Senator from South Carolina, who is in charge of the bill, has stated is true; and yet it is a good illustration of the fact that a man can state the exact, absolute truth, and yet the matter not be presented in a very complete form. It is true the bill was sent here by the other House on the 5th day of February, 1914; that during all of that time the bill has been here; and any Senator who desired to do so might have examined it; but it is also true that it was well understood at the last session that this bill would not be brought forward at that session; that there were other matters of more pressing importance. Accordingly, no Senator was called upon to study the bill; indeed it was his duty to

devote his time and attention to measures which were then pressing for passage. The fact that a bill has been sent here does not at all imply that it is the duty of Members to undertake its analysis and study under conditions of that kind. There are a great many bills upon the calendar, but none of us undertake to read those bills long in advance of the time they are to be brought forward, unless we are upon committees to which they have been referred or are otherwise specially concerned in them.

I have not had the opportunity to read this bill, and many other Senators, I suppose, are in the same position in which I am. It is an important bill; it affects a great many of our citizens, because many of them have left behind them their families and relatives who are dear to them. Then it affects generally the whole population of the country, because it raises the great questions always involved in matters concerning immigration. It is true an immigration bill was passed two years ago and vetoed; it is true that that bill was afterwards passed by the Senate over the veto of the President, Mr. Taft; but surely we are not going to pass this bill upon debates which took place before another Congress, two years ago, particularly when it is well known that the bill is not identical with the one which was then under consideration.

Some Senator ought to give the Senate some light as to the reasons why it is necessary to make these radical changes in our immigration laws. The bill ought not to be passed in the dark or in a hurry. I say again to the chairman of the committee that I hope he will allow the bill, under some proper agreement—I have no desire to have the bill lose its parliamentary advantage, if any it has—to be laid aside until we can have an opportunity to examine it. Otherwise we shall be compelled to take the time of the Senate in discussing various phases of the bill, as we have been during the last hour. I hope the chairman of the committee will adopt that suggestion.

Mr. SMITH of South Carolina. Mr. President, the present status of affairs is that we are now considering committee amendments to the bill. As I said before, practically all of the Senate committee amendments are not of very great importance; they are merely verbal changes. I do not know that there need be any very extended explanation of them. Such explanation, however, as is necessary I hope I can give as the committee amendments are reached. After the committee amendments are disposed of, as a matter of course each and every Senator will have ample opportunity, which the Senate always guarantees to every Member, to discuss the bill in its vital relations. I am simply trying to dispose of the Senate committee amendments in order to get the bill in the proper shape to be presented as a principle to be discussed by the Senate. The bill has proceeded thus far, and I hope the Senator from Missouri has had ample opportunity to discharge his duty as a Senator, to study the bill in its entirety, and will vote for it or against it as his judgment may dictate.

Mr. O'GORMAN. Mr. President, I am a member of the committee from which this bill has been reported, although I am not in accord with the majority of the committee regarding at least one vital feature of the bill. That feature is the so-called literacy clause. I am opposed to that clause, and I know there are other members of the committee who are opposed to it.

In common with the Senator from Missouri [Mr. REED], although a member of the committee, I was surprised that this measure was pressed upon the attention of the Senate to-day. I was engaged at a committee meeting held at 12 o'clock to-day, when, as I am informed, immediately upon the convening of the body the chairman of the Committee on Immigration sought and obtained permission to have this bill considered by the Senate. As one of the committee I think the request tendered by the Senator from Missouri is a reasonable request. No intimation has been given to this body during the two or three days that we have been together that this very important bill was going to be pressed upon our attention to-day, or, indeed, at any time during the session. On yesterday we attended with the other House in the Chamber of the House of Representatives and listened to the message of the President. The President indicated certain phases of necessary legislation which, in his judgment, ought to receive our attention during this short session. He evidently was not impressed with the need of taking up this immigration problem at this time, for he made no reference to it.

I do hope that the chairman of the committee will withhold his objection to what I conceive to be a very reasonable request made by the Senator from Missouri, that the bill be laid aside at least for a day or two.

Mr. MARTINE of New Jersey. Mr. President, it does seem to me that if ever a bill should have been referred to the Committee on Education and Labor this bill should have been so referred. Being a member of that committee, I felt an interest in the matter and had a hope that the bill might go to that committee, and that I at least might have an opportunity to express my views on the subject. For reasons I know not, however, the bill was referred to the Committee on Immigration. Of course, immigration is affected by the bill.

I am opposed to the bill, and if it has got to pass this body in the shape in which it is now presented, while I am willing to concede that there may be much of good in the measure, at the same time, according to my views and understanding, there is much of evil in it.

I am opposed in toto to that clause of the bill found on page 8, beginning at line 10, which bars "all aliens over 16 years of age, physically capable of reading, who can not read the English language or some other language or dialect, including Hebrew or Yiddish."

I am opposed to a literacy test. I claim that such a test proves nothing. The most glib-tongued scoundrel and consummate villain that God's sun ever shone upon might be able to translate all the languages known to the human tongue and yet be a man who would be evil and detrimental to a community. I claim that notwithstanding the fact that one is not able to read or translate Yiddish or Hebrew, he may be a surpassingly good citizen. I have known in the course of my life many men in the city of New York, where I was born, who were utterly and absolutely incapable of reading the English language, who could neither read nor write their own names, and yet who carved out great fortunes in that metropolis, who made of themselves splendid citizens, and who reared grand families.

To press such a proposition as this would be almost inhumane. It is un-American; it is utterly ungenerous. As I said a year ago, when a bill of a similar character, which was vetoed, was under consideration here, this proposition, carried to its finis, would have barred my good mother, from whose bosom I drank the milk of justice and liberty; and, by the eternal heavens, I shall never vote for a measure that would bar one with a clean body, a moral mind, a holy, generous, and humane purpose, from the blessings of liberty that this Government and this grand land vouchsafe.

I trust, if the bill is going to be pressed in its present shape, that it may be overwhelmingly defeated. I shall earnestly sustain any proposition to recommit this bill to the committee or which ultimately, I hope, will absolutely defeat it in its present form.

The PRESIDING OFFICER. The Secretary will state the next committee amendment.

The next amendment was, in section 2, page 3, after the word "vehicle," at the end of line 3, to insert "or when collection from the master, agent, owner, or consignee of the vessel, transportation line, or other conveyance, or vehicle bringing such alien to the United States is impracticable," so as to read:

> The said tax shall be paid to the collector of customs of the port or customs district to which said alien shall come, or, if there be no collector at such port or district, then to the collector nearest thereto, by the master, agent, owner, or consignee of the vessel, transportation line, or other conveyance or vehicle bringing such alien to the United States, or by the alien himself if he does not come by a vessel, transportation line, or other conveyance or vehicle, or when collection from the master, agent, owner, or consignee of the vessel, transportation line, or other conveyance, or vehicle bringing such alien to the United States is impracticable.

The PRESIDING OFFICER. Without objection, the amendment is agreed to.

Mr. REED. I suggest the absence of a quorum.

The PRESIDING OFFICER. The absence of a quorum is suggested. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst	Hollis	Oliver	Smith, Ga.
Bankhead	Hughes	Overman	Smith, Md.
Borah	James	Owen	Smith, S. C.
Brandegee	Johnson	Page	Sterling
Bryan	Kenyon	Perkins	Stone
Burton	Kern	Pittman	Swanson
Camden	Lane	Pomerene	Thomas
Chamberlain	Lippitt	Reed	Thompson
Clark, Wyo.	Lodge	Robinson	Thornton
Culberson	McCumber	Root	Walsh
Dillingham	Myers	Saulsbury	Warren
Gallinger	Nelson	Sheppard	White
Gronna	Newlands	Sherman	Works
Hardwick	Norris	Shields	
Hitchcock	O'Gorman	Simmons	

Mr. BRYAN. I desire to announce the necessary absence of my colleague [Mr. FLETCHER] on official business.

Mr. KERN. I desire to announce the unavoidable absence of the senior Senator from Tennessee [Mr. LEA]. This announcement may stand for the day.

The PRESIDING OFFICER. Fifty-eight Senators have answered to their names. So a quorum is present. The Secretary will state the next committee amendment.

The next amendment of the Committee on Immigration was, in section 2, page 3, line 8, after the word "vehicle," to strike out "or" and insert "of," so as to read:

The tax imposed by this section shall be a lien upon the vessel or other vehicle of carriage or transportation bringing such aliens to the United States, and shall be a debt in favor of the United States against the owner or owners of such vessel or other vehicle, and the payment of such tax may be enforced by any legal or equitable remedy.

The amendment was agreed to.

The next amendment was, in section 2, page 3, line 14, after the word "levied," to strike out "on account of aliens who have in accordance with law declared their intention of becoming citizens of the United States or," so as to read:

That the said tax shall not be levied on account of aliens who shall enter the United States after an uninterrupted residence of at least one year immediately preceding such entrance in the Dominion of Canada, Newfoundland, the Republic of Cuba, or the Republic of Mexico, etc.

Mr. REED. Mr. President, I have requested, in as courteous a manner as I am able to command, that the chairman of the committee permit this bill to lie over, in order that it may be examined. He has declined to do that. I say again that I do not desire to be put in the attitude of obstructing the consideration of any bill or of obstructing this particular bill, but if a committee insists on forcing action upon a bill without debate, without consideration, and without time for consideration, the only thing left to a Member is to insist upon getting the time in some other way.

Mr. BORAH. Mr. President——

The PRESIDING OFFICER. Does the Senator from Missouri yield to the Senator from Idaho?

Mr. REED. I yield.

Mr. BORAH. Mr. President, I sympathize with the desire of the Senator to have an opportunity to investigate and discuss so important a measure. I have thought it probable that the Senator in charge of the bill would be willing to agree upon a day certain to vote sufficiently late in the session to allow every Senator to have an opportunity to investigate the bill. I inquire if that would be satisfactory to the Senator from Missouri?

Mr. REED. Mr. President, I do not want to commit myself in regard to the measure at all. I do not know what is in it; I have had no opportunity to ascertain what is in it.

Mr. BORAH. My idea was that if the day to vote was postponed sufficiently long, even though we were not in favor of the bill, we would vote upon it at some time, and that it would be safe to agree upon a day certain to vote if the date were far enough along to enable us to know precisely what we were voting on. I merely suggested that, and thought it might facilitate the consideration of the measure.

Mr. REED. The difficulty about an agreement of that kind with reference to a bill that has not been examined, and with no opportunity afforded for its examination, is that one would be bargaining about a "pig in a poke," speaking of the bill with all due respect. It is one thing to agree on a day certain with reference to a bill that you have examined and the merits of which you understand; it is quite another thing to agree to vote on a particular day with reference to a bill that is not understood and has not been discussed.

I do not like to be put in the embarrassing position of demanding roll calls. I want it fully understood that, if I am doing so, it is because the committee is insisting upon action at this time and under these unusual and remarkable circumstances.

We have been told by the chairman of the committee that all the committee are asking is to consider the committee's amendments. How is any man to understand the importance of a committee amendment who has never read the bill and has had no opportunity to read the bill? How is he to tell whether the amendment is proper or improper until the bill has been examined? Manifestly he can not do so. Therefore it becomes necessary to get time by whatsoever method time can be obtained.

I say, Mr. President, it is a very remarkable spectacle to find a bill brought forward that affects the lives and fortunes of millions of people, that affects for good or bad the entire country, and not a single man rise to advance an argument in favor of the bill; not a single man undertake to make a statement with reference to its contents or the necessity for its enactment; and it is a very singular performance, an unusual performance, to have a bill of this character thrust forward at this period of a session. We were detained here nearly all summer. After a short recess we come back. The first day is given to a few moments confined to the matter of organization and roll call, all business awaiting the message of the President. The second day the President delivers his message, and says not a word with reference to this proposed legislation.

I arrived at the Senate to-day, I think, about seven or eight minutes past 12 o'clock, the hour of convening—I may have entered the Chamber a very few minutes later—and found this bill had been placed, by motion, in the position of unfinished business. I do not think that is the right way to bring forward a measure of this importance—I say it with great respect to the committee—and I do most sincerely trust that we shall not be compelled to gain time by insisting upon every parliamentary right.

So far as I am concerned, when I have had an opportunity to examine this bill, if I have anything to say with reference to it I shall say it, and that will end the matter. If I have nothing to say, I shall be prepared to vote when the vote is reached; but if the bill is to be brought forward in this way and no time given, I shall with very great regret do whatever I am obliged to do in order to get time.

Mr. SMITH of South Carolina. Mr. President, it is needless for me to repeat what I have already said, but I want to emphasize one fact: There was no attempt made to take snap judgment on the Senate; there was no attempt made to debar any man from discussing the bill. That goes without saying. The committee believed that every Member of this body was more or less familiar with the bill and with its intent and purposes. As I said to the Senator from Missouri in the beginning, and repeat now, the Senate amendments do not touch the vital issue in the bill. They are more or less simply verbal corrections to the general text.

The bill is now before the Senate. It can make what disposition it pleases of the bill. So far as concerns time being given to discuss its merits or demerits, I presume there will be ample time for that; but I do feel that in a way I have been derelict in my duty in not pressing it more vigorously since it has been reported out of our committee. In deference to certain other legislation, however, certain pressure here that seemed insurmountable, I yielded when perhaps I should have made a more strenuous fight. The House had expressed itself time and time again in a nonpartisan way; the Senate had expressed itself upon practically the same bill; and I was laying myself open to criticism here because of what some seemed to think were dilatory tactics or lack of interest in the bill itself.

Mr. LODGE. Mr. President, will the Senator allow me a word at this point?

Mr. SMITH of South Carolina. To be sure.

Mr. LODGE. The bill now under consideration is almost precisely the same as the bill that passed in the last Congress, as the Senator has just stated. That bill was thoroughly discussed in both Houses, was vetoed by President Taft, and was passed by the Senate over his veto. There is no essential change at all in the bill.

Mr. SMITH of Georgia. I believed it lacked less than 10 votes of passing in the House, also, over the President's veto.

Mr. LODGE. Yes; it passed here over the veto.

Mr. SMITH of South Carolina. Mr. President, I disclaim and am unwilling to be put in the attitude of attempting by indirection to do what I have a right to do directly on this floor. I gave notice before the close of the last session that at this session of Congress I should use every opportunity to bring up this bill and force it to passage. As the Senator from Georgia reminds me, two days before the session closed I gave that notice. I have used no indirection. I am not trying to railroad anything. This bill and all of its contents are more or less familiar to every man on this floor, and I do feel that I have been more or less derelict in my duty as the chairman of a committee in charge of a bill of such importance as this because I have not been more insistent in forcing it to the attention of the Senate.

This morning I came in, and when the President of the Senate announced that morning business was closed I got up and in the regular order moved to take up this bill and proceed to its consideration. The motion was put and carried, and then, when we had gotten into the bill, the Senator from Missouri came in and asked for time. As a matter of course, that is a question for him to decide. My duty, as the chairman of the committee charged with a bill that has been on the calendar for the entire session, is to see that it is given due consideration, and now that it is before the Senate to keep it before the Senate until its final disposition.

Mr. O'GORMAN. Mr. President, will the Senator from South Carolina state whether any of his colleagues on the committee have requested him to withhold consent to the request made by the Senator from Missouri?

Mr. SMITH of South Carolina. They have not. I hope they would not attempt to do such a thing.

Mr. O'GORMAN. I assume that the Senator in his action is attempting to reflect the desires and wishes of the entire

committee. As a single member of the committee, I indicated some time since that I think the request of the Senator from Missouri is a very reasonable one and ought to be granted, and I should be surprised to learn that any other member of the committee would not entertain the same view that I have expressed regarding the reasonableness of the Senator's request. No harm can be done. No one will complain that the very able and distinguished chairman of the committee has not done everything in his power to advance the bill. I know he did it at the last session, and I am sure he will do it at this session; but I think, consistently with every effort he desires to make, he might well, so far as it rests with him, yield to the request made by the Senator from Missouri to have this matter simply laid aside temporarily for a day or two, without prejudice to the parliamentary situation.

Mr. SMITH of South Carolina. Mr. President, so far as the request of the Senator from Missouri is concerned, I repeat that these amendments are not vital. Whether they are accepted or rejected will not change the general meaning and features and principles of the bill. It was in the hope of expediting the general business that I wished to get the matter out of the way. The Senate can either accept or reject the bill, as it sees fit. So far as I am concerned, I shall perhaps from time to time, if the debate justifies it, ask that the bill be temporarily laid aside without prejudice; but as far as I am able, now that the bill is before the Senate, I do not propose that it shall be displaced by any other matter until it is disposed of. I do not propose to have it lose its place as the unfinished business until it is finished.

Mr. SMITH of Georgia. Mr. President, possibly we might harmonize the conflicting views and give those who hesitate about voting now an opportunity for further consideration, if they would meet the friends of this measure halfway by a unanimous-consent agreement, fixing a day the latter part of next week, say, upon which we shall vote upon this bill.

There are a number of Senators who are very deeply interested in this measure, who brought it before the Senate a number of times at the last session, both on the floor of the Senate and in the Democratic caucus, and who were seeking to make it the very next business to be considered by the Senate at the last session. On the Thursday before the last session adjourned I had occasion on the floor of the Senate to refer to this measure and my earnest desire to see it pressed to speedy passage, and at that time the Senator from South Carolina, as chairman of the committee, assured the friends of the measure that at the first possible moment he would endeavor to take up the measure and put it before the Senate and keep it before the Senate until it could be acted upon.

I know how rapidly the Senator from Missouri masters any questions upon which he puts his mind. I would not wish to press this bill to a vote until he had had opportunity to give it careful examination. Those of us who are ready to vote are largely influenced by the result of the careful attention we gave to the measure at the last Congress, when it was fully debated, and when we had the satisfaction of passing it, despite the veto of the President; at least, we passed it through the Senate. I think a number of us have been right with the Senator from South Carolina in the purpose to make this measure the first unfinished business of the present session. I know that was the plan before the last session of Congress adjourned. We have at the first opportunity made it the unfinished business. If Senators now desire to have it temporarily laid aside, it seems to me it is as little as they can do to join with that request a unanimous-consent agreement that, say, not later than Friday or Saturday of next week we shall have a vote upon the bill, and continue to vote upon the bill and amendments until it reaches its final passage.

This is not a new matter before the Senate. It is not a new matter to any of the Senators who were here at the last Congress. The great bulk of the matter in this bill is just what we then had before us, and what was quite elaborately discussed upon the floor of the Senate and passed almost unanimously by the Senate. The real issuable feature in this bill, really the feature that is the great issue in this bill, the literacy test, was in the last bill; and with almost unanimity—with, I believe, at least a three-fourths vote—the Senate adopted the literacy test. I am myself cordially for it. I do not know a better plan than its use by which to handle the subject. There are some changes, which it seems to me are not very important, from the bill that we passed before; and surely the Senator from Missouri in two or three days will have all the time he may wish to investigate it. I, for one, would be glad to concede a request that the bill be temporarily laid aside if we could obtain a unanimous-consent agreement to vote upon it not later than the last of next week. If we can not, however, then we are going to consume time on it. This is the short session, and I am not sure that we will not make our best progress by keeping it before the Senate and consuming the time.

Mr. O'GORMAN. Mr. President, may I ask the Senator a question? Does the Senator from Georgia think that the interests of the bill can be prejudiced by having it temporarily laid aside by consent for a day or two, without exacting conditions which, of course, would not be granted?

Mr. SMITH of Georgia. I do not know but that they would be granted. My personal view was that they would be. The suggestion is merely that it be temporarily laid aside without losing its place as the unfinished business. What we would object to, speaking for myself alone, would be to having the bill lose its place as the unfinished business.

I confess that I am more interested in this measure than I am in some other measures that will be pressed during the present session of Congress, and I am quite averse to the bill losing its status as the unfinished business. Barring that, if it is not to lose its status as the unfinished business, I think without any injury at all it may be temporarily laid aside for a day or two.

Mr. O'GORMAN. That was the suggestion of the Senator from Missouri. He specifically stated that he had no desire to see the bill lose its parliamentary advantage.

Mr. SMITH of Georgia. I lost that part of his suggestion.

Mr. REED. I have not the slightest desire to obstruct the passage of this bill by any parliamentary tactics, or by seeking to cause it to lose any of its present advantages. I simply wanted time to examine the bill. I thought there would be ready acquiescence in a request for unanimous consent to lay aside the measure temporarily without prejudice, which is all I have asked. When that has been done, and the time arrives to take it up again, I shall be disposed to do all I can to facilitate its consideration, reserving to myself, of course, the right to take such action as I may deem proper at the time with reference to the merits of the bill or any amendment to it.

I have not tried to displace the bill. I have not asked that, and I do not intend to delay its progress. If it goes over until day after to-morrow, that will give us a day to look at it.

Mr. SMOOT. Mr. President, I wish to say to the Senator from Georgia that it is quite an unusual thing, when a Senator makes a request such as the Senator from Missouri has made, not to grant it, where there is evidence on his part that there is to be no effort to delay the measure when he has had an opportunity to familiarize himself with it.

Mr. SMITH of South Carolina. If the Senator from Utah will allow me, I will say, in reply to the Senator from Missouri, since he has frankly stated that he does not desire to have any other bill take the place of this bill, that if it is according to the rules of the Senate, or if the Senators here will by unanimous consent agree to laying it aside temporarily, and that no other measure shall be made the unfinished business, and state definitely the time at which it shall be taken up——

Mr. SMITH of Georgia. It will come up to-morrow at 2 o'clock.

Mr. SMITH of South Carolina. But I want an understanding to that effect, because the rules provide that if another bill, by motion, is taken up and discussed, this bill will be displaced until that bill is disposed of.

Mr. SMOOT. Let me suggest to the Senator right there that the friends of the measure could vote down any other bill that might be presented to the Senate. The matter is entirely in the hands of the Senate. It is impossible to displace this bill. I am ready to vote upon it at this very minute; but I want to say to the Senator from South Carolina that he is perfectly safe in temporarily laying aside the bill without coupling it with the different statements or conditions made by him.

I know that this is virtually the second day of the session, and the Senate has not yet gotten into working order, and I think the request of the Senator from Missouri is a very reasonable one. The Senator can ask unanimous consent that the bill be temporarily laid aside; and if that is not objected to, it becomes the unfinished business.

Mr. GALLINGER. Mr. President, just a word. This bill can not be displaced by any other measure, because the Senator knows, as I do that a large majority of the Members of the Senate are in favor of the bill. If the Senator now asks unanimous consent that it be temporarily laid aside, it will come up again to-morrow at 2 o'clock, and the Senator can then make the same request, if he thinks it desirable, and put it over another day; but it will still retain its place as the unfinished business. The Senator will be amply protected in every right under the rules by that procedure.

Mr. SMOOT. Not only that, but I can say to the Senator that I believe a majority of the Senate are in favor of the consideration of this bill, and he can make a motion at any time to take it up.

Mr. GALLINGER. That would not be necessary.

Mr. SMOOT. The Senator would be perfectly safe in taking that course.

Mr. SMITH of South Carolina. Mr. President, I have no disposition whatever to be discourteous or to refuse any reasonable request. Therefore, with the distinct understanding that this bill is to be temporarily laid aside, and that no attempt is to be made to take up any other measure——

Mr. SMITH of Georgia. That can not be done. The friends of the measure will resist any effort to displace it. I think we have the votes.

Mr. SMITH of South Carolina. Very well. Then, with that understanding, I ask that the bill be temporarily laid aside.

The PRESIDING OFFICER (Mr. PITTMAN in the chair). The Senator from South Carolina requests that the pending bill, H. R. 6060, be temporarily laid aside. Is there objection? The Chair hears none, and that course will be taken.

EXECUTIVE SESSION.

Mr. STONE. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to, and the Senate proceeded to the consideration of executive business. After 18 minutes spent in executive session, the doors were reopened, and (at 3 o'clock and 37 minutes p. m.) the Senate adjourned until to-morrow, Thursday, December 10, 1914, at 12 o'clock meridian.

NOMINATIONS.

Executive nominations received by the Senate December 9, 1914.

SECRETARY OF LEGATION.

Charles Campbell, jr., of Virginia, lately secretary of the legation and consul general to Roumania, Servia, and Bulgaria, to be secretary of the legation of the United States of America at Berne, Switzerland, to which office he was appointed during the last recess of the Senate, vice William Whiting Andrews.

COLLECTOR OF CUSTOMS.

Herbert C. Comings, of Richford, Vt., to be collector of customs for customs collection district No. 2. New office created by consolidation of customs collection districts No. 2 and No. 3 by Executive order of November 21, 1914, under the authority conferred by the act of Congress approved August 1, 1914.

ASSAYER IN CHARGE OF MINT.

Leonard Magruder, of New Orleans, La., to be assayer in charge of the mint of the United States at New Orleans, La., in place of William M. Lynch, resigned. (Mr. Magruder is now serving under a temporary commission issued during the recess of the Senate.)

ASSISTANT APPRAISER OF MERCHANDISE.

Hugh A. Barnes, of Minden, La., to be assistant appraiser of merchandise in customs collection district No. 20, in place of William J. Brophy, resigned. (Mr. Barnes is now serving under a temporary commission issued during the recess of the Senate.)

COLLECTOR OF INTERNAL REVENUE.

George Hampton, of Bridgeton, N. J., to be collector of internal revenue for the first district of New Jersey, in place of Isaac Moffett, superseded. (Mr. Hampton is now serving under a temporary commission issued during the recess of the Senate.)

PROMOTION IN THE REVENUE-CUTTER SERVICE.

First Lieut. of Engineers Harry Lansdale Boyd to be senior engineer in the Revenue-Cutter Service of the United States, to rank as such from October 24, 1914, in place of Senior Engineer Willits Pedrick, retired.

Mr. Boyd is now serving under a temporary commission issued during the recess of the Senate.

PROMOTIONS AND APPOINTMENTS IN THE PUBLIC HEALTH SERVICE.

Passed Asst. Surg. Albert D. Foster to be surgeon in the Public Health Service, to rank as such from November 28, 1914.

This officer has served the required time in his present grade and has passed the necessary examination for promotion.

Passed Asst. Surg. Holcombe McG. Robertson to be surgeon in the Public Health Service, to rank as such from November 26, 1914.

This officer has served the required time in his present grade and has passed the necessary examination for promotion.

Sanders Lewis Christian to be assistant surgeon in the Public Health Service, to fill an original vacancy.

Charles Joseph McDevitt to be assistant surgeon in the Public Health Service, to fill an original vacancy.

Royd Ray Sayers to be assistant surgeon in the Public Health Service, to fill an original vacancy.

Roscoe Roy Spencer to be assistant surgeon in the Public Health Service, to fill an original vacancy.

Paul Morton Stewart to be assistant surgeon in the Public Health Service, to fill an original vacancy.

Walter Casper Teufel to be assistant surgeon in the Public Health Service, to fill an original vacancy.

ASSOCIATE JUSTICE OF THE SUPREME COURT OF THE DISTRICT OF COLUMBIA.

Frederick L. Siddons, of the District of Columbia, to be associate justice of the Supreme Court of the District of Columbia, vice Daniel Thew Wright, resigned.

THIRD JUDGE OF THE CIRCUIT COURT.

Thomas B. Stuart, of Honolulu, Hawaii, to be third judge of the circuit court of the first circuit of the Territory of Hawaii, vice William J. Robinson, whose term has expired. (Mr. Stuart has been given a recess appointment.)

ATTORNEY GENERAL OF PORTO RICO.

Howard L. Kern, of Iowa, to be attorney general of Porto Rico, to which office he was appointed during the last recess of the Senate, vice Wolcott H. Pitkin, jr., resigned.

UNITED STATES ATTORNEYS.

John D. Lynn, of Rochester, N. Y., to be United States attorney for the western district of New York, vice John Lord O'Brian, whose term has expired. (Mr. Lynn is now serving under a recess appointment.)

John A. Fain, of Lawton, Okla., to be United States attorney for the western district of Oklahoma, vice Isaac D. Taylor, appointed by the court. (Mr. Fain is now serving under a recess appointment.)

UNITED STATES MARSHAL.

Ewing G. Bland, of Kansas City, Mo., to be United States marshal for the western district of Missouri, vice Henry C. Miller, appointed by the court. (Mr. Bland has been given a recess appointment.)

REGISTERS OF THE LAND OFFICE.

Henry P. Andrews, of Red Bluff, Cal., to be register of the land office at Sacramento, Cal., vice John F. Armstrong, whose term will expire December 19, 1914.

Frederick M. Hedger, of Walla Walla, Wash., to be register of the land office at Walla Walla, Wash., vice John H. McDonald, term expired.

RECEIVER OF PUBLIC MONEYS.

William Goodyear, of Pullman, Wash., to be receiver of public moneys at Walla Walla, Wash., vice Jesse G. Miller, term expired.

APPOINTMENTS IN THE ARMY.

GENERAL OFFICERS.

Brig. Gen. Frederick Funston, United States Army, to be major general from November 17, 1914, vice Maj. Gen. William W. Wotherspoon, retired from active service November 16, 1914.

Col. Henry A. Greene, Infantry, unassigned, to be brigadier general from November 19, 1914, vice Brig. Gen. Frederick Funston, appointed major general.

MEDICAL RESERVE CORPS.

To be first lieutenants, with rank from November 6, 1914.

Albert Thomas Cook, of Texas.
Arnott Kell Duncan, of Louisiana.
Delbert O. Smith, of Missouri.
William Walling van Dolsen, of New Jersey.

PROMOTIONS IN THE ARMY.

ORDNANCE DEPARTMENT.

Lieut. Col. Charles B. Wheeler, Ordnance Department, to be colonel from November 3, 1914, vice Col. John T. Thompson, retired from active service November 2, 1914.

Maj. Kenneth Morton, Ordnance Department, to be lieutenant colonel from November 3, 1914, vice Lieut. Col. Charles B. Wheeler, promoted.

CHAPLAIN.

Chaplain Francis B. Doherty, Third Cavalry, to be chaplain, with the rank of major, from November 6, 1914, vice Chaplain Ivory H. B. Headley, Coast Artillery Corps, who died October 29, 1914.

CAVALRY ARM.

Maj. Willard A. Holbrook, Cavalry, unassigned, to be lieutenant colonel from November 26, 1914, vice Lieut. Col. James A. Cole, Fourteenth Cavalry, retired from active service November 25, 1914.

Capt. William J. Glasgow, Cavalry (detailed in the Quartermaster Corps), to be major from November 26, 1914, vice Maj. Willard A. Holbrook, unassigned, promoted.

FIELD ARTILLERY ARM.

Maj. George Le R. Irwin, Fourth Field Artillery, to be lieutenant colonel from November 18, 1914, vice Lieut. Col. T. Bentley Mott, Second Field Artillery, retired from active service November 17, 1914.

Capt. Richard H. McMaster, Fifth Field Artillery, to be major from November 18, 1914, vice Maj. George Le R. Irwin, Fourth Field Artillery, promoted.

First Lieut. Pelham D. Glassford, First Field Artillery, to be captain from November 18, 1914, vice Capt. Richard H. McMaster, Fifth Field Artillery, promoted.

Second Lieut. Herbert Hayden, Fourth Field Artillery, to be first lieutenant from November 18, 1914, vice First Lieut. Pelham D. Glassford, First Field Artillery, promoted.

COAST ARTILLERY CORPS.

Lieut. Col. George F. Landers, Coast Artillery Corps, to be colonel from November 2, 1914, vice Col. Harry L. Hawthorne, retired from active service November 1, 1914.

Maj. Daniel W. Ketcham, Coast Artillery Corps, to be lieutenant colonel from November 2, 1914, vice Lieut. Col. George F. Landers, promoted.

Capt. Alfred S. Morgan, Coast Artillery Corps, to be major from November 2, 1914, vice Maj. Daniel W. Ketcham, promoted.

First Lieut. William T. Carpenter, Coast Artillery Corps, to be captain from November 2, 1914, vice Capt. Frederick L. Buck, detailed in the Quartermaster Corps.

First Lieut. Frank H. Phipps, jr., Coast Artillery Corps, to be captain from November 24, 1914, vice Capt. Lucian B. Moody, detailed in the Ordnance Department.

First Lieut. Thomas Duncan, Coast Artillery Corps, to be captain from December 1, 1914, vice Capt. Samuel C. Cardwell, who died November 30, 1914.

Second Lieut. Francis H. Miles, jr., Coast Artillery Corps (detailed as first lieutenant in the Ordnance Department), to be first lieutenant from November 2, 1914, vice First Lieut. William T. Carpenter, promoted.

Second Lieut. Harry T. Pillans, Coast Artillery Corps (detailed as first lieutenant in the Ordnance Department), to be first lieutenant from November 2, 1914, vice First Lieut. Francis H. Miles, jr., whose detail in the Ordnance Department is continued.

Second Lieut. Reginald B. Cocroft, Coast Artillery Corps, to be first lieutenant from November 2, 1914, vice First Lieut. Harry T. Pillans, whose detail in the Ordnance Department is continued.

Second Lieut. Kenneth B. Harmon, Coast Artillery Corps (detailed as first lieutenant in the Ordnance Department), to be first lieutenant from November 24, 1914, vice First Lieut. Frank H. Phipps, jr., promoted.

Second Lieut. Elmore B. Gray, Coast Artillery Corps, to be first lieutenant from November 24, 1914, vice First Lieut. Kenneth B. Harmon, whose detail in the Ordnance Department is continued.

Second Lieut. Herbert O'Leary, Coast Artillery Corps, to be first lieutenant from December 1, 1914, vice First Lieut. Thomas Duncan, promoted.

INFANTRY ARM.

Lieut. Col. Robert L. Hirst, Infantry, unassigned, to be colonel from November 20, 1914, vice Col. Henry A. Greene, unassigned, appointed brigadier general.

Maj. James H. Frier, Eighth Infantry, to be lieutenant colonel from November 21, 1914, vice Lieut. Col. Benjamin A. Poore, unassigned, detached from his proper command.

Capt. Marcus B. Stokes, Tenth Infantry, to be major from November 11, 1914, vice Maj. John R. M. Taylor, unassigned, retired from active service November 10, 1914.

Capt. John H. Parker, Eighth Infantry, to be major from November 21, 1914, vice Maj. James H. Frier, Eighth Infantry, promoted.

First Lieut. Clyde B. Crusan, Twenty-fifth Infantry, to be captain from September 15, 1914, vice Capt. Peter W. Davison, Thirteenth Infantry, promoted.

First Lieut. Sherman A. White, Twelfth Infantry, to be captain from September 18, 1914, vice Capt. Edwin J. Nowlen, Twenty-eighth Infantry, retired from active service September 17, 1914.

First Lieut. William H. Clendenin, Seventeenth Infantry, to be captain from September 22, 1914, vice Capt. Rhees Jackson, Ninth Infantry, who died September 21, 1914.

First Lieut. John M. Craig, Infantry, unassigned, to be captain from September 27, 1914, vice Capt. Benjamin H. Watkins, Second Infantry, who died September 26, 1914.

First Lieut. John R. Kelly, Twenty-sixth Infantry, to be captain from November 11, 1914, vice Capt. Marcus B. Stokes, Tenth Infantry, promoted.

First Lieut. William G. Ball, Second Infantry, to be captain from November 21, 1914, vice Capt. John H. Parker, Eighth Infantry, promoted.

Second Lieut. Frederick A. Barker, Second Infantry, to be first lieutenant from September 15, 1914, vice First Lieut. Clyde B. Crusan, Twenty-fifth Infantry, promoted.

Second Lieut. Agard H. Bailey, Infantry, unassigned, to be first lieutenant from September 17, 1914, vice First Lieut. William Lay Patterson, Seventh Infantry, detailed in the aviation section of the Signal Corps.

PROMOTIONS AND APPOINTMENTS IN THE NAVY.

Naval Constructor David W. Taylor to be Chief Constructor and Chief of the Bureau of Construction and Repair in the Department of the Navy, with the rank of rear admiral, for a term of four years from the 13th day of December, 1914.

Lieut. (Junior Grade) Horace T. Dyer to be a lieutenant in the Navy from the 1st day of July, 1914.

Midshipman John M. Creighton to be an ensign in the Navy from the 6th day of June, 1914.

Surg. Adrain R. Alfred to be a medical inspector in the Navy from the 20th day of November, 1913.

Commander Charles F. Hughes to be a captain in the Navy from the 10th of July, 1914.

Lieut. Commander Walter S. Turpin to be a commander in the Navy from the 20th day of December, 1913.

Lieut. Commander Thomas T. Craven to be a commander in the Navy from the 1st day of July, 1914.

Lieut. Henry G. S. Wallace to be a lieutenant commander in the Navy from the 1st day of July, 1914.

Lieut. James O. Richardson to be a lieutenant commander in the Navy from the 1st day of July, 1914.

The following-named lieutenants (junior grade) to be lieutenants in the Navy from the 1st day of July, 1914:

Charles G. Davy,
Russell S. Crenshaw,
Bryson Bruce,
William P. Williamson, and
Randall Jacobs.

The following-named ensigns to be lieutenants (junior grade) in the Navy from the 5th day of June, 1914:

Freeland A. Daubin,
Claude S. Gillette,
William C. Faus,
Oscar C. Greene, and
Arthur Barney.

The following-named midshipman to be an ensign in the Navy from the 6th day of June, 1914:

Haiden T. Dickinson.

The following-named warrant officers of the Navy to be ensigns in the Navy from the 30th day of July, 1914:

Machinist Harry J. Reuse,
Machinist Walter D. Snyder,
Boatswain John D. Pennington, and
Machinist Thomas L. Shannon.

Thomas R. Healy, a citizen of Massachusetts, to be an assistant surgeon in the Medical Reserve Corps of the Navy from the 12th day of November, 1914.

The following-named enlisted men of the Navy to be assistant paymasters in the Navy from the 13th day of November, 1914:

James P. Jackson,
Ralph W. Swearingen,
Fred C. Craig,
Russell L. Kittrelle, and
Frederick C. Beck.

Second Lieut. Ralph E. Davis to be a first lieutenant in the Marine Corps from the 15th day of June, 1914.

Second Lieut. Harry W. Weitzel to be a first lieutenant in the Marine Corps from the 12th day of July, 1914.

Chaplain Sydney K. Evans, with rank of lieutenant (junior grade), to be a chaplain in the Navy, with rank of lieutenant, from the 29th day of November, 1914.

Lieut. Commander Henry V. Butler to be a commander in the Navy from the 1st day of July, 1914.

The following-named lieutenants to be lieutenant commanders in the Navy from the 1st day of July, 1914:

Rufus F. Zogbaum, jr., and
Harry A. Baldridge.

The following-named lieutenants (junior grade) to be lieutenants in the Navy from the 1st day of July, 1914:

Vaughn V. Woodward and
Richard S. Edwards.

Ensign Mark L. Hersey, jr., to be a lieutenant (junior grade) in the Navy from the 5th day of June, 1914.

The following-named machinists to be chief machinists in the Navy from the 17th day of June, 1914:

Charles Dunne,
George J. Lovett,
Horace E. Burks,
Walter Collins, and
Frederick W. Teepe.

Lieut. Col. Theodore P. Kane to be a colonel in the Marine Corps from the 10th day of November, 1914.

Thomas F. Duhigg, a citizen of Iowa, to be an assistant surgeon in the Medical Reserve Corps of the Navy from the 24th day of November, 1914.

HOUSE OF REPRESENTATIVES.

WEDNESDAY, *December 9, 1914.*

The House met at 12 o'clock noon.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

Our Father in heaven, we pray for a profounder faith, a greater religious awakening in the hearts of men, that the moral fiber of our being may be increased and enable us to withstand the temptations which surround us and avoid the blighting effects of sin; that we may go forward to the higher civilization, which in our better moments we all long for; that the kingdom of heaven, which millions pray for, may indeed come and unite the world in the bonds of brotherhood; that the clash of arms, the roar of battle, the deadly conflict of hate and revenge may pass forever into the calm of peace and purity on earth as it is in heaven. For Thine is the kingdom and the power and the glory forever. Amen.

The Journal of the proceedings of yesterday was read and approved.

CALENDAR WEDNESDAY—CODIFICATION OF PRINTING LAWS.

The SPEAKER. This is Calendar Wednesday, and the unfinished business is the bill H. R. 15902, and the House automatically resolves itself into the Committee of the Whole House on the state of the Union, and the gentleman from North Carolina [Mr. PAGE] will take the chair.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 15902, with Mr. PAGE of North Carolina in the chair.

The CHAIRMAN. The Clerk will report the bill by title.

The Clerk read as follows:

A bill (H. R. 15902) to amend, revise, and codify the laws relating to the public printing and binding and the distribution of Government publications.

The CHAIRMAN. The Clerk will report the pending amendment.

The Clerk read as follows:

On page 108, in line 2, strike out the word "five" and insert the word "twenty."

Mr. MANN. Mr. Chairman, this is the paragraph of the printing bill providing for the publication of Consular and Trade Reports of the Department of Commerce. The law now provides, I believe, for the publication of not to exceed 5,000 copies for free distribution. I have offered an amendment to make this 20,000 copies. There has been a very large development on the part of the Department of Commerce in our foreign relations in an effort to obtain foreign trade. Their efforts are published largely in the Daily Consular and Trade Reports. I think we ought to have a sufficient number of copies of the reports to furnish information to the people of this country who may wish to engage in foreign trade. They go to great expense in gathering the information. It is desirable to make it known to the people who may engage in foreign trade. I think we might well afford, at not great expense, to increase the number of copies which may be furnished free to the people of this country.

Mr. MURDOCK. Will the gentleman yield?

Mr. MANN. Certainly.

Mr. MURDOCK. Will the gentleman explain to me how this present quota is distributed? I recollect receiving a few myself and sending them out when I received them.

Mr. MANN. They are distributed directly from the Department of Commerce, Bureau of Trade Relations, to certain people who are entitled to them, and this bill provides for a restriction of the persons to whom they may be sent. They now sell a certain number, as they are authorized to do, but people do not subscribe to them very much. In former days, a number of years ago, these consular reports were sent out very often upon the request of Members of Congress. Constituents desiring to engage in foreign trade would request the Member of Congress, who would transmit the request to the department, and they were sent out, but that scheme no longer prevails.

Mr. MURDOCK. When did that cease? I know it did cease.

Mr. MANN. I think it ceased when they commenced the daily form instead of the monthly form, but I am not sure about that.

Mr. STAFFORD. Mr. Chairman, will the gentleman yield?

Mr. MANN. Certainly.

Mr. STAFFORD. I understand the existing practice has no means by which an outside party can purchase these copies as provided in this bill.

Mr. MANN. I do not know; I was under the impression they could.

Mr. STAFFORD. I have been informed through replies of the department that there had been no means of purchasing them.

Mr. BARNHART. I oppose the amendment offered by the gentleman from Illinois for the reason that the commercial bodies of the United States have already passed favorably on this proposition. The Department of Commerce is now distributing these reports very largely on a sale basis, and it was done for the purpose that the 20,000 that were being furnished were not nearly sufficient to fill the requirements that came to Members of the House from different parts of the country. These trade reports drifted into the hands of all sorts of document collectors. The Department of Commerce realized this. And now to call your attention to the fact that the gentleman from Illinois is hardly representing the opinion of his own constituents, I want to refer to the report of the Chamber of Commerce of the United States under Referendum No. 5, published November 8, 1913. I read from it this statement:

In order to promote efficient and adequate distribution of publications, the Daily Consular and Trade Reports should be sent free of charge only to public officials, libraries, and commercial organizations, and to all other applicants they should be sold practically at cost. Other reports should be sent free only to public officials and commercial organizations, and sold practically at cost to other applicants.

Furthermore, on this proposition I will say that the gentleman from Illinois has 23 commercial organizations in his city, and on this vote the American Association of Refrigeration voted 3 for the abolishment of the free distribution of these documents. The Association of Commerce voted 10; the Board of Trade, 9; the Bureau of Barley and Malt Statistics, 1; Central Supply Association, 1; Garment Manufacturers' Association, 1; Illinois Commercial Federation, 1; Illinois Manufacturers' Association, 6; Industrial Club, 1; International Association of Manufacturing Photo-Engravers, 1; Millinery Jobbers' Association, 1; National Association of Box Manufacturers, 1; National Association of Retail Druggists, 10; National Association of Tanners, 1; National Confectioners' Association of the United States, 3; National Implement and Vehicle Association, 2; National Shoe Wholesalers' Association of the United States, 1; National Slack Cooperage Manufacturers' Association, 1; National Veneer and Panel Manufacturers' Association, 1; Tight Barrel Stave Manufacturers' Association, 1; United Typothetæ of America, 9; Western Cigar Box Manufacturers' Association, 1.

Every single one of these associations voted in favor of the proposition contained in this bill. They did it in their national meeting. The total vote in this National Chamber of Commerce was 624 yeas in favor of the provisions of the bill as against 3 nays.

Mr. TOWNER. Will the gentleman yield?

Mr. BARNHART. Not just now, but a little later.

Several Members of the House living in industrial centers asked me if it were possible to secure more of these free consular trade reports, and when I informed them that it was up to the Department of Commerce they said they hoped it would be placed on a commercial basis, on a sales basis, for the reason that they could not possibly get enough to supply the demand; that when they sent a report to one man some other man—a curious individual, possibly—would want to have one, and they could not supply him, and therefore it caused trouble; that when they got their quota exhausted there was still a demand for more. And along came these commercial organizations agreeing with the bill and agreeing with the opinion of the Department of Commerce that public officials and secretaries of these organizations should be furnished with a copy, but, further than that, any firm sufficiently interested in promoting their trade should gladly pay the cost of this publication; and that is all the committee is asking in this bill. I trust, gentlemen, for the sake of convenience, for the sake of economy, and for the sake of relieving many Members from embarrassment by reason of the fact that they can not get enough of these to supply the demand, that 5,000 be supplied to the public officials of the country, to regularly recognized commercial organizations, and to

the libraries, and that those who want additional copies can get them at cost.

Mr. TOWNER. Mr. Chairman——

The CHAIRMAN. Debate on this amendment is exhausted.

Mr. TOWNER. I move to strike out the last word.

The CHAIRMAN. The gentleman from Iowa is recognized.

Mr. TOWNER. I presume that all the Members of Congress receive, as I do, these consular reports from day to day. I presume many of the Members of Congress do as I do—send them out to persons to whom they think they will be interesting, from time to time. And I call the chairman's attention to this matter: At the close of the year I sent to the department asking them to give me a file for the year for the purposes of binding and preservation, and they informed me that they were unable to do so inasmuch as they had not a supply. Does not the chairman of the committee think that the Members of Congress, at least, ought to have a file in order that the copies for the year may be bound and preserved?

Mr. BARNHART. That is exactly what you would get under the provisions of this bill.

Mr. TOWNER. I do not so understand it.

Mr. BARNHART. Yes; it allots 5,000, and if the gentleman from Iowa would make his application to the Department of Commerce he would receive a copy, inasmuch as he is a public official.

Mr. TOWNER. Yes; but we now receive a copy from day to day.

Mr. BARNHART. Yes; but if the gentleman does not keep it, he can not now have a complete file at the end of the year. We receive copies of many other publications, but if they are not retained by us and the supply is exhausted we can not have them bound. Under this provision they now all go to the Department of Commerce, and you get your copy through the courtesy of the Department of Commerce, and others go out according to the recommendation of the various bodies that I have quoted.

Mr. TOWNER. Does not the gentleman know it would be absolutely impossible for a Member of Congress to retain a file of these reports which are issued from day to day? Some of the copies would be lost and it would be impossible to obtain any other copies, according to the gentleman's statement.

Mr. BARNHART. I have not any doubt the gentleman could have them retained.

Mr. TOWNER. Ought we not to have an opportunity to have a file that we could obtain at the close of the year?

Mr. BARNHART. If the gentleman would make the application, they would be retained for him.

Mr. TOWNER. I have told the gentleman that I have made the application and the department has said they could not supply the demand.

Mr. BARNHART. Yes; but he makes the application when the supply is exhausted instead of making it at the beginning of the year. So far as I am concerned I have had very little use for the publication. I have had, as I remember, only three requests for it, and yet I represent one of the greatest manufacturing districts in the United States.

Mr. TOWNER. The point with me is this, and it seems to me other Members will be interested as I am: We send out these daily reports from time to time as we can. It is impossible to preserve them until the end of the year or to the end of the part of the year that constitutes a volume of the publication. But at the end of the year we do want the volume, because we want to preserve it. It is a valuable thing, and we want to have it in our libraries. But under the present arrangement and under the law, as I understand it will be, if we adopt this measure, we shall be unable to obtain a copy for our own use. It seems to me that is entirely unreasonable.

Mr. BARNHART. The gentleman is mistaken about that.

Mr. TOWNER. I think not. If we are entitled to only one copy and it is sent to us from day to day, how can we obtain any others?

Mr. BARNHART. Will the gentleman yield to me?

Mr. TOWNER. Certainly.

Mr. BARNHART. The provision is that it shall be sent to such officials as ask for it. Such is clearly set forth in the bill. So far as I am concerned I do not know that I shall ask for it. I would perhaps for the sake of having it bound and put into my library so long as I am in Congress, but perhaps not otherwise.

The CHAIRMAN. The time of the gentleman from Iowa has expired.

Mr. MANN. Mr. Chairman, the law now provides for the issuance of 20,000 copies of these daily reports or bulletins for free distribution. We appropriated an additional amount of money in the last Congress to increase the work for the commercial attaché service, which is the same thing so far as this work is concerned. The department has recently organized to obtain this information, and yet you propose to close it off. Two dollars and a half a year is the price of these daily consular reports when purchased. Well, you can purchase a daily newspaper that contains ten times as much space for a dollar and a half. People will not buy these reports until they learn about them. Sending one to a commercial organization does no practical good. The members of the organization do not go to the headquarters to read these consular reports. The way to get the trade is to bring close home to the people the opportunities which we have discovered in foreign lands. The only way to do that is to keep hammering it into them. Then they will go after the trade. We ought not to decrease the number from 20,000 copies to 5,000 copies. We ought rather to increase the number now being issued. [Applause on the Republican side.]

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Illinois [Mr. MANN].

The question was taken, and the Chairman announced that the noes seemed to have it.

Mr. MANN. A division, Mr. Chairman.

The CHAIRMAN. The gentleman from Illinois demands a division.

The committee divided; and there were—ayes 53, noes 46.

Mr. BARNHART. Mr. Chairman, I demand tellers.

The CHAIRMAN. The gentleman from Indiana demands tellers.

Tellers were ordered, and the Chairman appointed Mr. BARNHART and Mr. MANN to act as tellers.

The committee again divided; and the tellers reported ayes 63, noes 68.

So the amendment was rejected.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

SEC. 73. PAR. 3. To enable the Director of the Census to compile and publish the Official Register of the United States, the Secretary of the Senate, the Clerk of the House of Representatives, and the head of each executive and judicial department, independent office, and establishment of the Government, in connection with which salaries are paid from the Treasury of the United States, shall, as of the 1st day of July, 1915, and biennially thereafter, supply to the Director of the Census the data required to be published under the provisions of this section, upon forms approved and furnished by him, in due time to permit the publication of the Official Register as herein provided; and no extra compensation shall be allowed to any officer, clerk, or employee of the Bureau of the Census for compiling the Official Register.

Mr. BARNHART. Mr. Chairman, I offer two committee amendments to make the section more complete.

The CHAIRMAN. The Clerk will report the amendment offered by the gentleman from Indiana.

The Clerk read as follows:

Amend, page 110, line 23, after the word "Representatives" insert the words "the executive office and judicial."

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

The CHAIRMAN. The Clerk will read the next committee amendment.

The Clerk read as follows:

Amend, page 110, line 23, after the word "executive" strike out the words "and judicial."

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

SEC. 73. PAR. 4. Of the Official Register there shall be printed and bound a sufficient number of copies for the following distribution to be made by the superintendent of documents: To the President of the United States, 4 copies, 1 copy of which shall be for the library of the Executive Office; to the Vice President, each Senator, Representative, Delegate, and Resident Commissioner, 2 copies, to be delivered to the document room of the Senate and the House of Representatives, respectively; to the Secretary and the Sergeant at Arms of the Senate and the Clerk and the Sergeant at Arms of the House of Representatives, 1 copy each; to the library of the Senate and the House of Representatives, not to exceed 15 copies each; to the Department of State, not to exceed 100 copies; to the Treasury Department, not to exceed 150 copies; to the War Department, not to exceed 50 copies; to the Navy Department, not to exceed 20 copies; to the Department of Justice, not to exceed 30 copies; to the Department of the Interior, not to exceed 200 copies; to the Post Office Department, not to exceed 100 copies; to the Department of Agriculture, not to exceed 25 copies; to the Department of Commerce, not to exceed 150 copies; to the Department of Labor, not to exceed 25 copies; to the Smithsonian Institution, 4 copies; to the Government Printing Office, 4 copies; to the Interstate Commerce Commission, 2 copies; to the Civil Service Commission, not to exceed 20 copies; to the Commissioners of the District of Columbia, 1 copy each; to the Public Library of the District of Columbia, 2 copies; to the Pan American Union, 2 copies.

Mr. JOHNSON of Washington. Mr. Chairman, I would like to ask the chairman of the Committee on Printing if copies of this Official Register are now sent to the libraries that are official depositories of public documents?

Mr. BARNHART. Yes; they are.

Mr. JOHNSON of Washington. I would like to ask if this section proposes a limited edition of about 2,000 copies of a very elaborate compilation? Are the State libraries to have none?

Mr. BARNHART. Why, Mr. Chairman, the gentleman is mistaken about the State libraries having none. The State libraries are supplied through the general distribution which is provided for in a previous section of the bill. They are all provided for, and some States have more than one library.

Mr. JOHNSON of Washington. Yes; certainly. I wanted information.

Mr. BARNHART. In fact, every depository library is taken care of in the bill.

Mr. JOHNSON of Washington. So that this paragraph does not limit the number of copies to the number stated here?

Mr. BARNHART. No; that applies to the general features of the bill.

Mr. FINLEY. Mr. Chairman, will the gentleman yield?

Mr. BARNHART. Certainly.

Mr. FINLEY. The Library of Congress is provided with more, is it not?

Mr. BARNHART. Oh, yes.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

SEC. 75. No report, document, or publication of any kind distributed by or from an executive department or independent office of the Government shall contain any notice that the same is sent with "the compliments" of an officer of the Government or with any special notice that it is so sent, except that a request for an acknowledgment of its receipt may be made.

Mr. BARNHART. Mr. Chairman, I offer the following amendment.

The Clerk read as follows:

Amend, page 112, in line 25, after the word "department," by striking out the word "or" and insert in lieu thereof a comma.

The amendment was agreed to.

The Clerk read as follows:

On page 113, line 1, after the word "office," insert a comma and the words "or establishment."

The amendment was agreed to.

The Clerk read as follows:

SEC. 77. PAR. 1. No printing or binding shall be done unless authorized by law and necessary to the public business, and each requisition for printing or binding shall cite the specific authority of law for its execution: *Provided*, That no publication not having to do with its ordinary business transactions shall be printed on the requisition or order of any executive department, independent office, or establishment of the Government unless the same shall have been expressly authorized by Congress.

Mr. BARNHART. Mr. Chairman, I offer the following amendments.

The Clerk read as follows:

Page 113, line 17, after the word "with," strike out the word "its" and insert the word "the."

The amendment was agreed to.

The Clerk read as follows:

On page 113, line 18, after the word "transactions," insert "of his branch of the Government service."

Mr. MANN. That does not make very good grammar. It would read, "that no publication not having to do with its ordinary business transactions of his branch of the Government service shall be printed on the requisition," and so forth.

Mr. BARNHART. The relative pronoun there is certainly misused.

Mr. MANN. The word "his" should be "its" if you follow the rest of the language.

Mr. BARNHART. Mr. Chairman, the amendment would read as follows: "That no publication not having to do with its ordinary business transactions of his branch of the Government service shall be printed on the requisition," and so forth. Now, if we strike out the words "department, independent office, or establishment of the Government," it would read all right.

Mr. MANN. Changing it in that way it would read all right.

Mr. BARNHART. There is another amendment on the desk that does that.

The CHAIRMAN. Does the gentleman from Indiana wish to withdraw his first amendment?

Mr. BARNHART. No; let it stand, and let the Clerk read the other amendment. The two go together.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Page 113, line 19, strike out the words "executive department, independent office, or establishment" and insert in lieu thereof the word "officer."

Mr. MANN. Has the word "its" been changed to "the" in line 17?

Mr. BARNHART. It has.

The CHAIRMAN. The question is on the first amendment offered by the gentleman from Indiana.

The question was considered, and the amendment was agreed to.

The CHAIRMAN. The question now is on the amendment striking out the language in line 19.

The amendment was considered and agreed to.

The Clerk read as follows:

SEC. 77. PAR. 2. Binding for Congress, the Executive Office, the executive and judicial departments, independent offices, and establishments of the Government shall be done in paper, plain sheep, skiver, book cloth, buckram, canvas, or other similar material not more expensive than half turkey morocco, the material and style of binding, except as otherwise provided, to be determined by the Public Printer, having proper regard to economy and the purposes for which the work is intended: *Provided*, That the messages and papers of the President of the United States, manuscripts and portfolios of the State Department, and valuable or rare books and manuscripts for the Library of Congress, may be bound in full morocco when the necessity therefor is certified to the Public Printer by the Secretary to the President, the Secretary of State, or the Librarian of Congress, respectively, but no such binding shall be done for the Library of Congress without the approval of the Joint Committee on Printing: *Provided further*, That record and account books may be bound in material best adapted to their preservation.

Mr. BARNHART. Mr. Chairman, I offer the following amendment.

The Clerk read as follows:

Page 113, line 23, after the word "office," insert the words "the judiciary."

The amendment was agreed to.

The Clerk read as follows:

Page 113, line 23, after the word "executive," strike out the words "and judicial."

The amendment was agreed to.

The Clerk read as follows:

Page 114, line 1, after the word "half," strike out the word "turkey."

The amendment was agreed to.

The Clerk read as follows:

SEC. 77. PAR. 3. Each committee or commission of Congress shall be entitled to the binding, for official committee use, of not to exceed 50 copies in all of any Government publication or any manuscript germane to the work of such committee or commission, in material no more expensive than buckram, except as otherwise provided by law: *Provided*, That one copy of any publication for the official use of any committee or commission may be bound in material no more expensive than half turkey morocco, and an account of all binding for committees shall be kept by the printing clerk of each House, respectively; *Provided further*, That the Public Printer shall have plainly marked on the cover of every document, report, paper, manuscript, or publication the name of the committee or commission for which such binding is done.

Mr. BARNHART. Mr. Chairman, I offer the following amendment.

The Clerk read as follows:

On page 114, line 24, after the word "half," strike out the word "turkey."

Mr. MANN. Does not the gentleman think that is a violation of the President's neutrality order? Now that Turkey has joined in the European conflict, the first thing we do is to strike a blow at Turkey. [Laughter.]

Mr. BARNHART. It might be viewed from a good many angles. There are other considerations in regard to Turkey, and the committee has duly considered them.

The amendment was considered and agreed to.

The Clerk read as follows:

SEC. 77. PAR. 4. The Vice President, each Senator, Representative, Delegate, and Resident Commissioner, the Secretary of the Senate, and the Clerk of the House shall be entitled to the binding, in material no more expensive than half turkey morocco, of but one copy of any Government publication to which he may be entitled, an account of which shall be kept by the printing clerk of each House, respectively; but the Public Printer shall not honor any requisition for such binding which does not specify by name the person or committee for whom the same is ordered, and the provisions of this paragraph shall apply to each of the persons named herein until the convening of the next session of Congress following the expiration of his term of office: *Provided*, That the Public Printer is hereby authorized to bind at the Government Printing Office any books, maps, charts, or other Government publications upon application of the Vice President, any Senator, Representative, Delegate, or Resident Commissioner upon payment of the actual cost of such binding.

Mr. BARNHART. Mr. Chairman, I offer the following amendment.

The Clerk read as follows:

Page 115, line 10, after the word "half," strike out the word "turkey."

The amendment was agreed to.

The Clerk read as follows:

Amend, on page 115, line 23, by striking out the word "payment" and inserting in lieu thereof the word "prepayment."

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

The Clerk read as follows:

SEC. 78. On and after July 1, 1915, all printing, binding, and blank-book work for Congress, the Executive Office, the judiciary, and every executive department, independent office, and establishment of the Government shall be done at the Government Printing Office, except such work as shall be urgent and necessary to have done elsewhere than in the District of Columbia for the exclusive use of any field service outside of said District, such work as can be done at the several Indian schools for the Office of Indian Affairs, or such work as is otherwise provided for by this act; and no part of any appropriation out of the Treasury of the United States shall be used in payment for printing, binding, and blank-book work done elsewhere than at the Government Printing Office, except as herein provided, unless the act making the appropriation shall specifically so authorize: *Provided*, That a copy of every bill for such work done by private contractors shall be promptly furnished the Public Printer by the officer who audits the account: *Provided further*, That no paper or material shall be used at the Government Printing Office in any printing or binding operation unless such paper or material is furnished by the Public Printer as provided for in this act: *Provided further*, That the Smithsonian Institution and the Pan American Union are authorized to have executed at the Government Printing Office any printing and binding required for their purpose, notwithstanding that payment therefor is to be made from funds other than those appropriated by the Government of the United States: *Provided further*, That the provisions of this act shall not apply to printing, binding, and blank-book work for the government of the Territories and insular possessions of the United States and the Panama Canal unless such work is done at the Government Printing Office in Washington, D. C.

Mr. BARNHART. Mr. Chairman, I offer the following amendments, which I send to the desk and ask to have read.

The Clerk read as follows:

On page 117, after the word "act," in line 6, insert:

Provided, further, That the Public Printer shall execute such printing and binding and blank-book work as shall be ordered by any establishment or officer of the Government authorized to procure the same upon payment of the cost thereof, and all moneys received from such sources shall be deposited or transferred to the Treasury of the United States to the credit of the appropriation for printing and binding for the year in which such work is done, and all sums so received and a description of the work done thereunder shall be set forth in the annual report of the Public Printer.

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

The Clerk read as follows:

Page 117, amend, after the word "Columbia," in line 17, by inserting the words "or to such engraving, printing, and binding as is authorized by law to be done at the Bureau of Engraving and Printing."

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

The Clerk read as follows:

SEC. 79. PAR. 2. No report, bulletin, or document shall be printed in excess of 2,500 copies of each in any one fiscal year for any executive department, independent office, or establishment of the Government, unless otherwise authorized by law, except that of the annual report of the head of an executive department, independent office, or establishment of the Government, without appendices, there shall be printed in any one fiscal year not to exceed 5,000 pamphlet copies for his distribution, and not to exceed 100 and 500 copies, respectively, for the use of the Senate and House document rooms, to be supplied them in pamphlet form as soon as published: *Provided*, That the Secretary of War may authorize the printing of such number of copies of the military publications of the War Department as may be necessary for the instruction of the Army and of the National Guard of the various States: *Provided further*, That the Secretary of Commerce may authorize the printing of such number of copies of the special publications of the Bureau of Corporations and the Bureau of Lighthouses and of census bulletins and reports authorized by law as he may deem for the best interest of the Government: *Provided further*, That the Civil Service Commission may print not to exceed 20,000 copies of its annual report: *Provided further*, That the Interstate Commerce Commission may print such number of its annual report and other publications incident to interstate commerce for distribution by said commission as it may deem expedient: *Provided further*, That publications printed for distribution by any executive department, independent office, or establishment of the Government shall not be bound in material more expensive than buckram: *Provided further*, That nothing in this paragraph shall be construed to prevent the head of any executive department, independent office, or establishment of the Government from printing such number of copies of laws, rules, regulations, instructions, opinions, decisions, and official notices as may be necessary to the proper administration thereof.

Mr. BARNHART. Mr. Chairman, I offer the following amendment, which I send to the desk and ask to have read.

The Clerk read as follows:

Page 119, line 7, after the word "than," strike out the word "buckram" and insert the word "cloth."

The CHAIRMAN. The question is on agreeing to the amendment.

Mr. MANN. Mr. Chairman, is not that making a reduction in binding so as to practically make a lot of these bound documents valueless?

Mr. BARNHART. It is the present law. They are bound in cloth instead of buckram, which is a higher priced material than cloth.

Mr. MANN. I supposed a good many of them were now bound in buckram.

Mr. BARNHART. Probably some of these are, but the department heads have said that cloth would be entirely satisfactory, and it would effect quite a saving.

Mr. MANN. Personally, I think a cloth-bound volume of a Government publication is just wasting that much binding. It is no better than a paper binding and of no value if you keep it very long.

Mr. BARNHART. If they are bound now in buckram, they are bound in direct violation of existing law. Cloth is satisfactory to the heads of the departments.

Mr. MANN. A cloth-bound Government publication is no better than a paper-bound Government publication.

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

The Clerk read as follows:

SEC. 81. PAR. 1. A division of publications shall be established in each executive department, independent office, and establishment of the Government, and under the immediate control of the head thereof: *Provided*, That there shall also be a division of publications in the Weather Bureau: *Provided further*, That nothing in this section shall be held to apply to the printing and distribution of orders, circulars, changes in regulations and manuals, bulletins, and blank forms for the Army, the Navy, or the Marine Corps, or of pamphlets pertaining to ordnance and ordnance material of the Army.

Mr. BARNHART. Mr. Chairman, I offer the following amendment, which I send to the desk and ask to have read.

The Clerk read as follows:

Page 120, line 25, and page 121, line 1, after the word "department," strike out "independent office and" and insert the words "and in each independent."

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

The Clerk read as follows:

SEC. 81. PAR. 2. The distribution of publications and all printing and binding for each executive department, independent office, or establishment of the Government and the Weather Bureau shall be done under the supervision of its respective division of publications. It shall be the duty of the chief of such division to require that manuscripts to be printed are properly prepared, edited, and indexed, and that all unnecessary or unauthorized matter and illustrations are excluded therefrom, to transmit to and receive from the Public Printer all matter for printing and binding, to prepare all requisitions upon the Public Printer for such work and keep an account of the estimates and charges therefor, together with the condition of all funds available and used for printing and binding, to distribute all blank books and forms and all publications for official use the distribution of which is not otherwise provided for by this act, and to prevent unnecessary duplication in the public printing and binding and the distribution of Government publications and to call such duplication on the part of other branches of the Government to the attention of his superior officer, who shall endeavor to secure a discontinuance of the same or make a report thereon to the Joint Committee on Printing. The chief of each division of publications shall make a detailed report of its work for each fiscal year to the head of his respective department, independent office, or establishment of the Government, who shall transmit the same annually to Congress. Said report shall also contain a detailed statement of the number of copies of each publication received and distributed for the preceding five years, and the number on hand. The chief of each division of publications shall also perform such other duties as may be required of him by the head of his respective department, independent office, or establishment of the Government.

Mr. BARNHART. Mr. Chairman, I offer the following amendment, which I send to the desk and ask to have read.

The Clerk read as follows:

Amend, page 121, line 11, after the word "department," by striking out "independent office, or" and inserting "and each independent."

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

The Clerk read as follows:

Page 122, lines 9 and 10, after the word "department," strike out the comma and the words "independent office."

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

The Clerk read as follows:

Page 122, lines 16 and 17, after the word "department," strike out the comma and the words "independent office."

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

The Clerk read as follows:

SEC. 82. When any executive department, independent office, or establishment of the Government shall require printing or binding to be done,

requisition shall be made on the Public Printer by the head of such department, independent office, or establishment of the Government, who may request the Public Printer to furnish an estimate of its cost by the principal items, and upon the completion of said work the Public Printer shall place the cost thereof, to be ascertained as provided in this act, to the debit of the appropriation or allotment of appropriation to which it pertains: *Provided*, That no printing or binding shall be charged to any appropriation or allotment of appropriation other than that for the fiscal year in which the work is done: *Provided further*, That for the purpose of furnishing estimates and computing and charging the products of the Government Printing Office, the Public Printer shall prescribe a uniform schedule of charges annually to be effective when approved by the Joint Committee on Printing, which schedule shall be based on all expenditures from all appropriations made under the public printing and binding, except appropriations for salaries, stores, and general expenses in and for the office of the superintendent of documents, so that the total charges for work executed shall not be less than the total amount actually expended from all of said appropriations: *Provided further*, That the Public Printer shall furnish the head of every executive department, independent office, and establishment of the Government, and the printing clerks of the Senate and the House, respectively, with a copy of each schedule of charges as soon as the same may become effective.

Mr. BARNHART. Mr. Chairman, I offer the following amendment, which I send to the desk and ask to have read.

The Clerk read as follows:

Page 122, line 24, after the word "and," strike out the words "upon the completion of said work."

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

The Clerk read as follows:

Page 123, line 11, after the word "appropriations," strike out the words "made under" and insert the word "for."

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

The Clerk read as follows:

Page 123, line 12, after the word "binding," strike out the word "except" and insert "including salaries of office force and payments for holidays and leaves of absence for the Government Printing Office, and excepting."

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

The Clerk read as follows:

Page 123, line 16, after the word "appropriations," strike out the remainder of the section and insert the words "in any fiscal year."

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

The Clerk read as follows:

SEC. 84. Heads of the executive departments, independent offices, and establishments of the Government and the superintendent of documents are authorized to exchange their publications for such other Government publications as may be required by them when the same can be done to the advantage of the public service: *Provided*, That no executive department, independent office, or establishment of the Government shall transmit any publications to any other executive department, independent office, or establishment of the Government except upon request of the latter, or in accordance with sections 62 and 65 of this act.

Mr. BARNHART. Mr. Chairman, I offer the following amendment, which I send to the desk and ask to have read.

The Clerk read as follows:

Page 124, line 17, after the word "with," strike out the words "sections 62 and 65 of."

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

The Clerk read as follows:

SEC. 85. The Postmaster General shall contract, for a period not exceeding four years, for envelopes, stamped or otherwise, designed for sale to the public, or for use by any executive department, independent office, or establishment of the Government, and may contract for them to be plain or with printed matter as may be prescribed by the officer making the requisition therefor, but no envelopes shall be sold by the Government containing any lithographing or engraving, except the stamp, or any printing or advertisement, except a printed request to return the letter to the writer: *Provided*, That the Public Printer shall contract for all envelopes required for the public printing at the Government Printing Office as provided for in section 5 of this act, said envelopes to correspond in quality to the standards of paper as fixed upon by the Joint Committee on Printing; and this provision shall become effective on the 1st day of July, 1915, until which time the departments, offices, and establishments of the Government may continue to furnish envelopes to the Public Printer as heretofore.

Mr. MOON. Mr. Chairman, I make the point of order against the section.

The CHAIRMAN. The gentleman from Tennessee makes the point of order against the section. The Chair will hear the gentleman.

Mr. MOON. Mr. Chairman, this is a bill that purports to amend, revise, and codify the laws relating to the public printing and binding and the distribution of Government publications. Section 85, I think, is not germane to the subject, because it provides that—

The Postmaster General shall contract for a period not exceeding four years for envelopes, stamped or otherwise, designed for sale to the public, or for use for any executive department, independent office, or establishment of the Government, and may contract for them to be plain or with printed matter, as may be prescribed by the officer making the requisition therefor.

It is not germane to a bill of this character to attempt to control the administrative conduct of an entire department—the Post Office Department. It is not the province of any printing law to prohibit the Postmaster General from doing that which the law permits him to do now—to contract for any period he sees fit for envelopes, stamped or otherwise, designed for sale to the public—and it occurs to me that an attempt to control by legislation the acts of the Post Office Department in the performance of a duty that is conferred upon that department expressly by law is not germane to the subject of this bill—to amend and revise the printing laws. Secondly, I object to this section because of the absence of jurisdiction of the Committee on Printing to present for the consideration of the House the question involved in section 85. The rule and the law fixes the jurisdiction of the Committee on Printing and how far it may act in the control of Government printing and how far it may not act as a joint committee. The law provides that the Postmaster General shall make the contracts for envelopes, stamped envelopes and otherwise, and it is within the jurisdiction of the Committee on the Post Office and Post Roads to say what contracts shall be made, the extent of the contracts, and whether the envelopes shall be stamped or not stamped, regardless of the question of printing. Therefore I insist that this committee, in reporting this section to the House, have encroached upon the province and jurisdiction of the Committee on the Post Office and Post Roads and that the House can not entertain this section as presented by the Committee on Printing.

Mr. BARNHART. Mr. Chairman, in reply to the argument of the gentleman from Tennessee I desire to say that this bill is to amend, revise, and codify the existing printing laws. The present printing act carries in section 96, under date of January 12, 1895, and under date of June 26, 1906, practically these same provisions. If the Joint Committee on Printing and the Committees on Printing of the two Houses have no jurisdiction over the printing of the Post Office Department, then manifestly they have no jurisdiction over any printing of the Government.

Mr. MOON. Does the gentleman insist that he has the right to say what shall be stamped or not stamped, the number of envelopes that shall be contracted for, stamped and unstamped, and that the Government Printer may do it?

Mr. BARNHART. Anything that has to do with public printing the Committee on Printing insists comes within its jurisdiction. As a matter of fact, under the present arrangement the Postmaster General recognizes the right of the Joint Committee on Printing to specify the kinds of paper that he uses in all the printing of the department except that of envelopes alone. He recognizes the kind of paper which shall be used, and the Public Printer, with approval of the joint committee, furnishes the paper for the printing of the money orders in the Post Office Department. The Postmaster General recognizes the provision, and the attorney for the Post Office Department recognizes it as being authorized by law.

Mr. MOON. That is simply a contract; that is not law authorizing that?

Mr. BARNHART. Well, it is a recognition by the Post Office Department that the Joint Committee on Printing and the Public Printer has to do with the stock which is used by the Postmaster General, all combined under the general head of the duties of the Public Printing Department. Mr. Chairman, if this law is wrong now, if this section is wrong as it is presented, it has been an infringement heretofore upon the rights and privileges of the Postmaster General. If it is wrong now, it is certainly an elimination of all the functions of the Joint Committee on Printing and the Public Printer, because it would take from the Public Printer and the Joint Committee on Printing the right to specify what kind of paper, what kind of printing, and how it shall be done, all of which would be contrary to existing law.

Mr. MANN. Mr. Chairman, the bill now pending before the House is a bill reported from the Committee on Printing without previous reference to the committee. It was not a bill which had been introduced in the House and referred by the House to the committee, but it is a bill which the committee itself has reported to the House. It has that authority to report that bill to the House, and it only had authority to report a bill containing items over which it had jurisdiction, so that if it did not have jurisdiction of this subject matter it is not too late to make the point of order. If the bill had been introduced through the basket and referred to the committee, I assume that probably it would be too late to make the point of order to any

portion of a bill which was referred by the House to a committee and reported back. Now, the rule provides:

All proposed legislation or orders touching printing shall be referred to the Joint Committee on Printing on the part of the House.

Paragraph 14 of Rule XI provides:

That to the Committee on the Post Office and Post Roads shall be referred all matters relating to the post office and post roads, including appropriations for their support.

Now, what is the pending paragraph? A portion of it relates to printing by contract, and probably would be in order on this bill as a matter in reference to printing; but here is a provision in the paragraph, beginning in line 25, page 124:

But no envelopes shall be sold by the Government containing any lithographing or engraving, except the stamp, or any printing or advertisement, except a printed request to return the letter to the writer.

That is not a paragraph relating to printing. It is not legislation upon the subject of printing. It is purely a post-office matter. It is forbidding certain things. It forbids the Government to sell certain envelopes. It is not a matter which would be referred to the Committee on Printing if it were introduced in the House through the basket as a bill. If a bill had been introduced on this subject, it would be sent to the Committee on the Post Office and Post Roads, because that committee would have jurisdiction of that subject, not as a matter relating to printing, because this does not relate to printing, but as a matter relating to the administration of the Post Office Department, to which it does relate, and hence, in my opinion, the Committee on Printing voluntarily reporting a bill to the House containing this item was without jurisdiction to include this paragraph in the bill.

Mr. BARNHART. Mr. Chairman, I would like to ask the gentleman from Illinois a question.

The CHAIRMAN. Does the gentleman from Illinois yield?

Mr. MANN. Certainly.

Mr. BARNHART. In the event this section would be stricken out of the bill and the bill should become a law, where would that leave the Government Printing Office in its relation to the Postmaster General?

Mr. MANN. It would leave it where it is now, but I do not know where that is.

Mr. BARNHART. There would be no law at all.

Mr. MOON. Yes; there would be.

Mr. BARNHART. So far as the relation to the Government Printing Office is concerned there would be no law.

Mr. MANN. The Government Printing Office does not print these now, as I understand. I am not sure but that under the other provisions of the bill they could have them printed at the Government Printing Office. I am not speaking of the printing end of it.

Mr. BARNHART. This section is already in the general printing law of the country, and if you eliminate it you remove from the Postmaster General all responsibility to the Government Printing Office and the Joint Committee on Printing. It releases him entirely from responsibility.

Mr. MANN. According to the gentleman's contention, if we keep it out of the bill, we cut out all law on the subject, and the Postmaster General could not legally print any envelopes of this kind.

Mr. BARNHART. Certainly.

Mr. MANN. That might be desirable.

Mr. MOON. Mr. Chairman, I want to say that there would be no trouble about that. The Post Office Department does not have to rely on the law under this printing section which the gentleman has. Under the general law it has full power. It has not been 10 hours since we have passed upon this very question in the committee, so far as the manufacture and sale of stamps is concerned. There is no trouble as to the law, because you do not give this committee jurisdiction. Let us see what attitude the department would be in. I am speaking of the partial merits of the case. Suppose the contention of the gentleman was right, then every form that is used in the Post Office Department, every particle of printing that is done there, would have to fall under the jurisdiction of the Committee on Printing. A large amount of this printing is done elsewhere. This would be the trouble, namely, that the Committee on Printing would assume jurisdiction, control, and dictation in a matter of administration for the Post Office Department, which is a senseless and ridiculous proposition to my mind.

Mr. BARNHART. Will the gentleman yield?

Mr. MOON. Yes.

Mr. BARNHART. The committee is simply trying to get information on this point of order, and I would like to have the attention of the gentleman from Illinois [Mr. MANN] as I read this extract.

Mr. MOON. You wanted to ask me a question.

Mr. BARNHART. I wanted to ask for your opinion as to what would occur by the repeal of the section. This is what is contained in section 96, enacted January 12, 1895:

The Postmaster General shall contract for all envelopes, stamped or otherwise, designed for sale to the public, or for use by his own or other departments, and may contract for them to be plain or with such printed matter as may be prescribed by the department making requisition therefor: *Provided*, That no envelope furnished by the Government shall contain any business address or advertisement.

In the event the point of order is sustained, what becomes of the general printing law?

Mr. MOON. The general law and power of the department remains. You are not going to repeal it if we can keep you from doing it. But for the purpose of determining whether this committee had the power or jurisdiction, or not, that question is utterly immaterial itself. Here is a committee that is clothed with the power to handle these questions, and is handling them from day to day and from term to term, and here is another that assumes jurisdiction over the question, and proposes that the department shall not even buy or advertise for anything that is to be printed in any way without the consent and dictation of that committee. It is going outside of its province and power and authority under the rules and the general law. This is the first opportunity to complain of the assumed jurisdiction on the part of the committee that we have had. General reservations and points of order and exceptions to this bill were made when it was introduced, but a point of order could not be made until now. Now, I think it is very clear that this is a matter that falls strictly within the jurisdiction of the Committee on the Post Office and Post Roads and not of the Committee on Printing. I thought the gentleman from Illinois made a very clear statement in support of the position that we take.

The CHAIRMAN. The Chair is ready to rule. The gentleman from Tennessee [Mr. MOON] makes his point of order as to the germaneness of this particular provision in the bill, and upon that point made by the gentleman the germaneness of a proposition applies only to an amendment, under the practice of the House, that is proposed to a bill. He also bases his point of order on the right of jurisdiction of the Committee on Printing as to this proposition. If this bill had been introduced in the House through the basket in the usual way, and had been referred to the Committee on Printing and no exception had been taken to that, the point of order would come too late, but no opportunity having been given for making a point of order as to the jurisdiction of committees as touching this particular proposition since this bill was reported to the House from the Committee on Printing, the Chair sustains the point of order.

Mr. BARNHART. A parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. BARNHART. The committee does not want to object to the ruling already made, but the Chair bases his ruling on the assumption that this bill came from another body. That is erroneous. This bill that is now under consideration was introduced in lieu of one that had been introduced in a regular way in the same session of Congress theretofore, and it contained the identical paragraph on which the Chair made his ruling.

Mr. MOON. And if it had been contained in that bill and another committee had jurisdiction of the subject matter, it would have gone out on a point of order when made.

The CHAIRMAN. So far as that statement of the Chair is concerned, the Chair will state to the gentleman from Indiana that the bill was reported in lieu of another bill that had already been reported from the Committee on Printing; and with that modification the decision of the Chair will stand, and the point of order is sustained on the question of jurisdiction. The Clerk will read.

The Clerk read as follows:

SEC. 86. "An act providing for the public printing and binding and the distribution of public documents," approved January 12, 1895, and all acts and resolutions, or parts of acts or resolutions, amendatory thereof, or by the said act amended or superseded; and all acts and resolutions, or parts of acts and resolutions, inconsistent with the provisions of this act, are hereby repealed: *Provided*, That this act shall become effective on the 1st day of July, 1915.

Mr. BARNHART. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 125, line 21, after the word "repealed," strike out the remainder of the section and insert a period.

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. BARNHART. Mr. Chairman, as to section 86, on page 125, I offer an amendment to the effect that that section be numbered "85" instead of "86."

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 125, line 14, strike out the figures "86" and insert "85."

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. BARNHART. Mr. Chairman, I move that the committee do now rise and report the bill and amendments to the House, with the recommendation that the amendments be agreed to and that the bill as amended do pass.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. PAGE of North Carolina, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee, having had under consideration the bill (H. R. 15902) to amend, revise, and codify the laws relating to the public printing and binding and the distribution of Government publications, had directed him to report the same back to the House with sundry amendments, with the recommendation that the amendments be agreed to and that the bill as amended do pass.

Mr. BARNHART. Mr. Speaker, I move the previous question on the bill and amendments to final passage.

The previous question was ordered.

The SPEAKER. Is a separate vote demanded on any amendment? If not, the Chair will put them in gross. The question is on agreeing to the amendments.

The amendments were agreed to.

The SPEAKER. The question is on the engrossment and third reading of the bill as amended.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed.

On motion of Mr. BARNHART, a motion to reconsider the vote whereby the bill was passed was laid on the table.

CALL OF COMMITTEES.

The SPEAKER. The Clerk will call the next committee.

The Clerk proceeded with the call of committees.

Mr. MANN (when the Committee on Elections No. 2 was called). Mr. Speaker, I make the point of order that there is no quorum present. The House ought to be informed that the House has finished this printing codification bill, so that the other committees would know.

The SPEAKER. The gentleman from Illinois [Mr. MANN] makes the point of no quorum. Evidently there is not a quorum present.

CALL OF THE HOUSE.

Mr. FITZGERALD. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The SPEAKER. The Doorkeeper will close the doors, the Sergeant at Arms will notify the absentees, and the Clerk will call the roll.

The Clerk called the roll, and the following Members failed to answer to their names:

Ainey	Ferris	Lazaro	Roberts, Nev.
Ansberry	Francis	L'Engle	Sabath
Austin	Gallagher	Lever	Scully
Baltz	Gardner	Lewis, Md.	Seldomridge
Barchfeld	Garrett, Tenn.	Lieb	Sells
Bartholdt	George	Lindquist	Sherley
Beall, Tex.	Gilmore	Lobeck	Shreve
Bowdle	Gittins	Loft	Slemp
Britten	Goldfogle	Logue	Smith, Md.
Brown, W. Va.	Gorman	McGuire, Okla.	Smith, Minn.
Bruckner	Goulden	Manahan	Smith, Saml. W.
Buchanan, Tex.	Graham, Pa.	Martin	Sparkman
Burgess	Green, Iowa	Metz	Stanley
Calder	Gregg	Miller	Stout
Campbell	Griffin	Moore	Stringer
Cantor	Hamill	Morin	Sumners
Caraway	Hamilton, N. Y.	Mott	Taggart
Carr	Hamlin	Mulkey	Taylor, Ala.
Cary	Hart	Murray	Taylor, Ark.
Clancy	Haugen	Neeley, Kans.	Taylor, N. Y.
Clark, Fla.	Hawley	Neely, W. Va.	Ten Eyck
Claypool	Hensley	Nelson	Thompson, Okla.
Cline	Hill	Nolan, J. I.	Thomson, Ill.
Connelly, Kans.	Hinds	Norton	Townsend
Conry	Houston	O'Brien	Underhill
Dale	Jacoway	Oglesby	Underwood
Davenport	Jones	O'Hair	Vare
Davis	Kennedy, Iowa	O'Leary	Vollmer
Dooling	Kent	Patten, N. Y.	Walker
Drukker	Key, Ohio	Patton, Pa.	Watkins
Dunn	Kinkaid, Nebr.	Platt	Wilson, Fla.
Edmonds	Konop	Plumley	Wilson, N. Y.
Elder	Korbly	Post	
Fairchild	Langham	Pou	
Faison	Langley	Price	

The SPEAKER. Two hundred and ninety-one Members have answered to their names. A quorum is present.

Mr. FITZGERALD. Mr. Speaker, I move to dispense with further proceedings under the call.

The motion was agreed to.

The doors were opened.

The SPEAKER. With the permission of the House, the Chair desires to make a suggestion to those present, and that is that if they do not want an extra session next year they had better remain in their seats. [Laughter and applause.] That is the only way in which we can avoid it. The Clerk will proceed with the call of committees.

EXEMPTION FROM INTERNAL-REVENUE TAX.

Mr. UNDERWOOD (when the Committee on Ways and Means was called). Mr. Speaker, I desire to call up the bill H. R. 12303 on the Union Calendar.

The Clerk read as follows:

A bill (H. R. 12303) to amend section 3246 of the Revised Statutes of the United States.

Mr. UNDERWOOD. Mr. Speaker, this is a small bill about which I do not think there is any contest. It is a unanimous report, and I ask unanimous consent that it be considered in the House as in Committee of the Whole.

The SPEAKER. The gentleman from Alabama asks unanimous consent that the bill be considered in the House as in Committee of the Whole. Is there objection?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That section 3246 of the Revised Statutes of the United States, as amended by section 5 of the act of March 1, 1879 (20 Stats., p. 327), be, and the same is hereby, amended by adding thereto the following:

"Nor shall any special tax be imposed upon manufacturing chemists or flavoring extract manufacturers for recovering tax-paid alcohol or spirituous liquors from dregs or marc of percolation or extraction, if said recovered alcohol or spirituous liquors be again used in the manufacture of flavoring extracts."

So that said section 3246 of the Revised Statutes of the United States shall read as follows:

"SEC. 3246. Nothing in this chapter shall be construed to impose a special tax upon vintners who sell wine of their own growth, or manufacturers who sell wine produced from grapes grown by others, at the place where the same is made or at the general business office of such vintner or manufacturer: *Provided*, That no vintner or manufacturer shall have more than one office for the sale of such wine that shall be exempt from special tax under this act; nor shall any special tax be imposed upon apothecaries as to wines or spirituous liquors which they use exclusively in the preparation or making-up of medicines.

"Nor shall any special tax be imposed upon manufacturing chemists or flavoring extract manufacturers for recovering tax-paid alcohol or spirituous liquors from dregs or marc of percolation or extraction, if said recovered alcohol or spirituous liquors be again used in the manufacture of flavoring extracts."

Mr. UNDERWOOD. Mr. Speaker, I ask that the report be read in my time.

The report [by Mr. KITCHIN] was read, as follows:

The Committee on Ways and Means, to whom was referred the bill (H. R. 12303) to exempt flavoring-extract manufacturers from the payment of the internal revenue tax for reclaiming alcohol—

A bill to amend section 3246 of the Revised Statutes of the United States, as amended by section 5 of the act of March 1, 1879.

Be it enacted, etc., That section 3246 of the Revised Statutes of the United States, as amended by section 5 of the act of March 1, 1879 (20 Stat., 327), be, and the same is hereby, amended by adding thereto the following:

"Nor shall any special tax be imposed upon manufacturing chemists or flavoring-extract manufacturers for recovering tax-paid alcohol or spirituous liquors from dregs or marc of percolation or extraction, if said recovered alcohol or spirituous liquors be again used in the manufacture of flavoring extracts."

So that said section 3246 of the Revised Statutes of the United States shall read as follows:

"SEC. 3246. Nothing in this chapter shall be construed to impose a special tax upon vintners who sell wine of their own growth, or manufacturers who sell wine produced from grapes grown by others, at the place where the same is made or at the general business office of such vintner or manufacturer: *Provided*, That no vintner or manufacturer shall have more than one office for the sale of such wine that shall be exempt from special tax under this act; nor shall any special tax be imposed upon apothecaries as to wines or spirituous liquors which they use exclusively in the preparation or making up of medicines.

"Nor shall any special tax be imposed upon manufacturing chemists or flavoring-extract manufacturers for recovering tax-paid alcohol or spirituous liquors from dregs or marc of percolation or extraction if said recovered alcohol or spirituous liquors be again used in the manufacture of flavoring extracts"—

having considered the same, report thereon with the recommendation that it do pass.

The amendment provided for in this measure merely extends to manufacturers of flavoring extracts the same rights and privileges now enjoyed by wholesale drug houses and manufacturing chemists to distill from their marc alcohol already used without requiring them to pay a tax on the still used in the operation. The reuse is an incident of the business, and the alcohol so recovered is not of a character that would permit of its introduction in any other business. The amount remitted involves a curtailment of approximately $600 in Government revenues. The Secretary of the Treasury reports on this amendment as follows:

"In addition to placing beyond controversy a right which is conceded by this department to attach under existing law, goes further and authorizes manufacturing chemists or flavoring-extract manufacturers to recover alcohol or spirituous liquors from dregs or marc of percolation or extraction to be again used in the manufacture of flavoring extracts without liability to special tax as rectifiers. As it is the understanding of this department that, while such reused alcohol has to some extent been refined or purified over its previous condition, it can not be so perfectly refined or purified that it may again be used on

the open market in competition with ordinary spirits, this department will offer no objection to the passage of the bill."

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

On motion of Mr. UNDERWOOD, a motion to reconsider the vote whereby the bill was passed was laid on the table.

COMPENSATION OF THE COLLECTOR OF CUSTOMS, OMAHA.

Mr. UNDERWOOD. Mr. Speaker, I desire to call up the bill H. R. 6867 on the Union Calendar.

The Clerk read as follows:

A bill (H. R. 6867) to increase and fix the compensation of the collector of customs for the customs collection district of Omaha.

Mr. UNDERWOOD. Mr. Speaker, this bill is on the Union Calendar. It is to correct a clerical error. It is a unanimous report and is recommended by the department, and I ask unanimous consent that it be considered in the House as in Committee of the Whole.

The SPEAKER. The gentleman from Alabama asks unanimous consent that the bill be considered in the House as in Committee of the Whole. Is there objection? [After a pause.] The Chair hears none, and the Clerk will report the bill.

The Clerk read as follows:

Be it enacted, etc., That the compensation of the collector of customs for the customs collection district of Omaha shall be increased from $2,500 per annum, as provided in the plan of reorganization of the customs service promulgated by the President on March 3, 1913, to $3,500 per annum, and that compensation at the said rate of $3,500 per annum shall be paid to the said collector of customs for the whole of the fiscal year ending June 30, 1914.

Mr. UNDERWOOD. Mr. Speaker, this bill is to fix the salary of the collector of customs at Omaha. There was a mistake made when President Taft made his order fixing the salaries generally throughout the United States. The Treasury Department has said that this salary ought to be $3,500, but it was fixed by this order at $2,500. The House can readily recognize the fact that $2,500 is a powerfully low salary to fix for a collector of customs of a town the size of Omaha. This is to correct the clerical error and make it $3,500 instead of $2,500.

Mr. FITZGERALD. Will the gentleman yield?

Mr. UNDERWOOD. Certainly.

Mr. FITZGERALD. Does this provide for the payment of back salary?

Mr. UNDERWOOD. That is a question for the gentleman's committee.

Mr. FITZGERALD. Oh, no; it is not. If I caught the reading correctly, this bill provides that the compensation shall be paid for the entire fiscal year of 1914. I do not think we ought to pay this increased rate prior to the time this bill becomes a law.

Mr. MANN. Will the gentleman from New York yield?

Mr. FITZGERALD. Yes.

Mr. MANN. The gentleman will remember that we reorganized the collection districts.

Mr. FITZGERALD. Yes; but a collector was appointed to this office at the salary fixed.

Mr. MANN. The gentleman from New York is mistaken. The collector was in the office before the salary was changed, and this salary was fixed through a clerical error.

Mr. FITZGERALD. But that collector has gone out since that time.

Mr. MANN. No; it is the same collector. The salary was cut down by a clerical error.

Mr. FITZGERALD. It was cut down from what he had been receiving, anyway.

Mr. MANN. It was cut down from what he had been receiving; yes.

Mr. FITZGERALD. I will ask the Clerk to report again that part of the bill which provides for the payment of the salary.

Mr. UNDERWOOD. I will give the gentleman a copy of the bill.

Mr. FITZGERALD. I wish to call the attention of the gentleman from Alabama to the fact that this bill provides that compensation shall be paid at the rate of $3,500 per annum for the whole of the fiscal year ending June 30, 1914. That would be up to the 30th of last June, and then, from that time until this bill becomes a law, he would get paid at the rate of $2,500 a year.

Mr. UNDERWOOD. No.

Mr. FITZGERALD. That is the effect of the bill as it now reads. I will move to strike that part out. The gentleman can see that as this bill is now worded he is to be paid at the rate of $3,500 up to the 30th of June, 1914, and that from July 1, 1914, until the time the bill takes effect the salary would still be $2,500.

Mr. UNDERWOOD. I will state to the gentleman that this bill, of course, was introduced some time ago.

Mr. FITZGERALD. I understand that.

Mr. UNDERWOOD. It was expected to be passed some time ago, but this is the first opportunity we have had to call it up. I will say further that we have been very liberal in the matter. The present occupant of the office is a Republican, who has been holding it all of the time.

Mr. FITZGERALD. I had hoped that he might go out when we cut the salary down. [Laughter.]

Mr. UNDERWOOD. The situation is simply this: When President Taft made his order in this matter, through a purely clerical error this man's salary was cut to twenty-five hundred dollars a year when it ought to have been thirty-five hundred dollars a year. He had been receiving the higher salary before that time.

The Treasury Department, I understand, assured him that it would recommend that the salary be placed back where it was, and he went on holding the office under those circumstances. I do not know whether he would have held the office regardless of that assurance or not. He probably would, but, nevertheless, it was cut down through a mistake, and there is no question in the world that $3,500 is not an unreasonable salary to pay the collector of customs at Omaha. It is the absolute recommendation of the Treasury Department, and there is no question about the fact that when the order of President Taft was made it was simply and purely a clerical mistake through which this man's salary was cut to $2,500. I see no reason why the man should not have the salary.

Mr. FITZGERALD. I will suggest to the gentleman from Alabama that if he thinks he should be paid at the rate of $3,500 this part of the bill to which I refer should be amended.

Mr. UNDERWOOD. I will be very glad to amend that.

Mr. MANN. It ought to cover the expired portion of the fiscal year 1915.

Mr. FITZGERALD. Why not make it read "shall be paid at the rate of $3,500 from March 3, 1913"?—although I would like to add also a proviso that this Republican either resign or be removed peremptorily from the office. [Laughter.]

Mr. MANN. Privately, and not for publication, I might say to the gentleman from New York that I think the chances are that a successor would have been appointed to this office in place of the present incumbent if it had not been for this clerical mistake, which the Treasury Department, as I believe, thought warranted his remaining in office at least until this mistake was corrected.

Mr. FITZGERALD. Oh, I have not anything against any Republican retiring to private life, but would Godspeed them all from public life. [Laughter.]

Mr. MANN. Oh, the wish is father to the thought, but the tide is running the other way, I will say to my friend.

Mr. FITZGERALD. Oh, no; it is only a temporary lull.

Mr. UNDERWOOD. Mr. Speaker, I move to amend by striking out, in lines 10 and 11, after the word "customs," the words "for the whole of the fiscal year ending June 30, 1914," and inserting in place thereof the words "from and after the 3d day of March, 1913."

Mr. MANN. I think that should be July 1, 1913.

Mr. UNDERWOOD. That is correct.

Mr. MANN. The reorganization took effect July 1.

Mr. UNDERWOOD. That is correct. It should read "from and after the 30th day of June, 1913."

The SPEAKER. The Clerk will report the amendment.

The Clerk read as follows:

Strike out, in lines 10 and 11, the following language: "for the whole of the fiscal year ending June 30, 1914," and insert in lieu thereof the following: "from and after June 30, 1913."

The SPEAKER. The question is on agreeing to the amendment.

The amendment was agreed to.

The SPEAKER. The Clerk will report the committee amendments.

The Clerk read as follows:

Line 7, strike out the figures "$4,500" and insert in lieu thereof the figures "$3,500," and in line 9, strike out the figures "$4,500" and insert in lieu thereof the figures "$3,500."

The SPEAKER. The question is on agreeing to the committee amendments.

The amendments were agreed to.

The SPEAKER. The question now is on the engrossment and third reading of the bill as amended.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

On motion of Mr. UNDERWOOD, a motion to reconsider the vote by which the bill was passed was laid on the table.

COLLECTOR OF CUSTOMS, LAREDO DISTRICT, TEXAS.

Mr. UNDERWOOD. Mr. Speaker, I call up House resolution 570 for consideration at this time.

The SPEAKER. The Clerk will report the resolution.

The Clerk read as follows:

House resolution 570.

Resolved, That the Secretary of the Treasury be, and he is hereby, directed to transmit to the House of Representatives all papers or copies thereof and all facts in his possession with reference to the conduct of the collector of customs of the Laredo district, in the State of Texas, as shown by all reports and papers received at the Treasury Department within the last 60 days.

With the following amendment:

Line 2, after the word "directed," insert the words "if not incompatible with the public interest."

Mr. UNDERWOOD. Mr. Speaker, I will ask to have the report read.

Mr. MANN. Mr. Speaker, will the gentleman yield?

Mr. UNDERWOOD. Yes.

Mr. MANN. The latter part of the resolution reads:

As shown by all reports and papers received at the Treasury Department within the last 60 days.

Of course, if that be left in the resolution, it will not produce what the author of the resolution had in mind.

Mr. UNDERWOOD. Mr. Speaker, I had overlooked that, and in view of that fact, and of the further fact that I do not see the gentleman from Texas [Mr. GARNER] present in the Chamber at this moment, I will withdraw the resolution for the present.

The SPEAKER. The gentleman from Alabama withdraws the resolution. Has the gentleman any more business from his committee?

Mr. UNDERWOOD. Mr. Speaker, that is all I desire to call up at this time.

The SPEAKER. The Clerk will call the committees.

ADDITIONAL JUDGE, SOUTHERN DISTRICT OF GEORGIA.

Mr. WEBB (when the Committee on the Judiciary was called). Mr. Speaker, I call up the bill H. R. 17869, providing for the appointment of an additional district judge for the southern district of the State of Georgia.

The SPEAKER. The Clerk will report the bill.

The Clerk read as follows:

Be it enacted, etc., That the President of the United States shall appoint an additional district judge for the southern district of the State of Georgia, by and with the consent of the Senate, who shall reside in the said district and shall possess the same qualifications and have the same power and jurisdiction and receive the same salary now prescribed by law in respect of the present district judge therein.

SEC. 2. That whenever a vacancy shall occur in the office of the district judge for the southern district of the State of Georgia senior in commission such vacancy shall not be filled, and thereafter there shall be but one district judge in said district.

SEC. 3. That the senior circuit judge of the circuit in which the southern district of Georgia lies shall make all necessary orders for the division of business and the assignment of cases for trial in said district between the several district judges therein.

The SPEAKER. This bill is on the Union Calendar.

Mr. WEBB. Mr. Speaker, I ask unanimous consent that this bill be considered in the House as in the Committee of the Whole House on the state of the Union.

The SPEAKER. The gentleman from North Carolina asks unanimous consent that this bill be considered in the House as in the Committee of the Whole House on the state of the Union. Is there objection?

Mr. MANN. Mr. Speaker, I object.

Mr. WEBB. Then, Mr. Speaker, may I ask the gentleman from Illinois if we can agree on a time in which we can dispose of the bill? I ask unanimous consent——

Mr. MANN. I do not think this side is likely to take up much time, but I do not know how much time my friend over there may desire——

Mr. WEBB. Very little over here—30 minutes or so.

Mr. MANN. I do not know how much time my friend from Indiana [Mr. CULLOP] may desire.

Mr. WEBB. I do not know whether the gentleman is going to speak on the bill.

The SPEAKER. The Chair suggests the gentleman has never made his motion.

Mr. WEBB. I thought we automatically went into the Committee of the Whole House on the state of the Union.

The SPEAKER. The House automatically resolves itself into the committee, and the gentleman from Kentucky [Mr. JOHNSON] will take the chair.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 17869, with Mr. JOHNSON of Kentucky in the chair.

The CHAIRMAN. The House is in the Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 17869, which the Clerk will report.

The Clerk read as follows:

A bill (H. R. 17869) providing for the appointment of an additional district judge for the southern district of the State of Georgia.

Be it enacted, etc., That the President of the United States shall appoint an additional district judge for the southern district of the State of Georgia, by and with the consent of the Senate, who shall reside in the said district and shall possess the same qualifications and have the same power and jurisdiction and receive the same salary now prescribed by law in respect of the present district judge therein.

SEC. 2. That whenever a vacancy shall occur in the office of the district judge for the southern district of the State of Georgia senior in commission such vacancy shall not be filled, and thereafter there shall be but one district judge in said district.

SEC. 3. That the senior circuit judge of the circuit in which the southern district of Georgia lies shall make all necessary orders for the division of business and the assignment of cases for trial in said district between the several district judges therein.

Mr. WEBB. Mr. Chairman, I do not care to take up the time of the committee to make an elaborate discussion of this bill, because its merits are set out fully in the report, which sometimes it is valid to presume we have all read and it is fair in this case to presume it. It is not a long report, but in brief the reasons why we have reported this measure unanimously, both Republicans and Democrats uniting in asking that this additional judgeship be made, is that the judgeship is needed. I have been here 12 years, and I have seen a number of these judgeships created. I have supported some and opposed others. I know I have opposed the creation of a new judge in my own circuit, because I did not think it was needed, and I have supported some in other circuits because I thought they were needed. But during that 12 years, Mr. Chairman, I do not think I have seen a more meritorious bill than this, so far as the creation of a new judgeship is concerned. The State of Georgia is the biggest State east of the Mississippi River in area. It is a large State in population. The southern district of Georgia, where this new judgeship is proposed to be created, is composed of 76 counties and has something more than a million—to be accurate, 1,354,000—population. Florida, with 700,000 population, as against Georgia's 2,609,000 population, has two judges. Alabama, with 450,000 less population than Georgia, has three district judges. Georgia has but two district judges, and this bill does not create an additional permanent judgeship.

The southern district is composed of five divisions, and the eastern division of the southern district runs clear across the big State of Georgia and takes in the entire coast line, including the important seaports of Savannah and Brunswick, and has a great deal of maritime work to do. In order to give a basis on which to form an idea as to the extent of this admiralty work, which this court is called upon to dispose of in addition to the regular run of litigation, we call attention to the fact that Savannah is the largest port for the export of cotton on the Atlantic seaboard and the second largest in the world; it is the largest naval-stores port in the world, and ranked fourth in general exports in the whole country for the year ending June 30, 1912. Courts are held at Albany, Augusta, Macon, Valdosta, and Savannah, five big cities in which there is much litigation, and I do not think that a strong, young, vigorous man could do the work that is required in this southern district. This district has 100,000 more population than the northern district, and instead of having a strong, healthy, active judge, Judge Speer, the presiding judge in this southern district, is a man whose health, as a matter of common knowledge, has been extremely bad for the last five, six, or seven years; so bad that he has found it necessary to leave his district every summer and go to the mountains of Georgia or North Carolina and not return until November or December. It is further known that we passed a resolution last June a year ago authorizing an investigation of the conduct of Judge Speer to determine whether we should ask the Senate to impeach him. The committee had that resolution under consideration for a year or more, and during that time Judge Speer did no work whatever in his district. He did not feel that he should do work while his conduct was under investigation. In the meantime the work was piling up.

The work in this district has grown as its population and wealth have increased. It has also been increased by the new equity rules promulgated by the Supreme Court. Rule 46 of the new rules makes a wide departure from the old equity practice in providing that the testimony of witnesses shall be taken orally, save in matters of account, in which case a refereuce to a master is provided for by rule 59. This imposes upon the judge of the district court a much greater burden than hitherto existed, where it had been the universal practice to have the testimony taken by a master.

Under the new rules it is also contemplated that the judge of each district court shall hold a motion day once each month in each division of his district. On account of the fact that the courts in this district are so far apart, it must necessarily follow that at least one week out of each month will be devoted to this purpose if the rule is complied with.

Hon. George W. Wickersham, then Attorney General, did his best to relieve the congestion of work in this district, and designated Judges Grubb and Sheppard to go into the southern district and help out. That helped temporarily, but the cases have piled up until there are between 500 and 700 cases on the dockets now. If he was a vigorous young judge, he could not clear up this docket within a reasonable time. It is impossible for Judge Speer to do it. He is very frail and weak, and over 66 years old now, and we recommend the appointment of this additional judge, because the business of the district demands it. The lawyers of the district, representing the several parties, all want it. The dockets are crowded, and the cases ought to be heard. Some of our friends from Georgia feel we should create a new judge entirely for Georgia, but the committee did not take that view of it. We simply create this judge and provide that when Judge Speer retires or resigns or passes away by natural causes that his successor shall not be appointed, so this is just a temporary measure to relieve the congested condition of the docket which is in a very lamentable condition at present, as Attorney General McReynolds wrote the committee some four or five months ago.

I have a letter here from the then Attorney General, Mr. McReynolds, in which he makes the statement that the condition of business in the southern district of Georgia is lamentable. The committee is unanimous in its report. I could give you further argument in favor of the creation of this judgeship. I am frank in saying I have never seen a more meritorious proposition presented to the House. It ought to be passed for the purpose of facilitating business. There is no judge there who could clean up the docket inside the next four or five years, if he should start to work now.

Mr. Chairman, I reserve the balance of my time.

Mr. CULLOP. Mr. Chairman, I would like to ask the gentleman from North Carolina a question. Is not the reason for the introduction of this bill to have litigants escape Judge Speer's court?

Mr. WEBB. Oh, no, Mr. Chairman. That is the first suggestion I have ever heard of that kind in my life.

Mr. CULLOP. Well, has there not been complaint in regard to his manner of holding court?

Mr. WEBB. Universally.

Mr. CULLOP. Universally?

Mr. WEBB. Yes, sir.

Mr. CULLOP. Then one of the objects is to have the litigants escape?

Mr. WEBB. Not at all. The litigants in his court have no more cases there——

Mr. CULLOP. The others keep away from the court because of his manner of holding court and his treatment of cases and litigants?

Mr. WEBB. There are between 500 and 700 litigants there now who brought their cases there in his court. They could not bring them elsewhere.

Mr. CULLOP. I notice there is not an extraordinary number set out in this report that would make a docket so that a court could not dispatch the business before him readily. The number of cases is not so large.

Mr. WEBB. As I said a while ago, if we had a strong, vigorous, active judge he might clean up the docket there in three or four years. The maritime business is big in Savannah, and ought to be disposed of readily, because vessels are transient. They have not tried a civil case before a jury in two years in the eastern division in this southern district.

Mr. CULLOP. Does not the gentleman think if the Judiciary Committee would report against Judge Speer, he would promptly resign, and a judge would be appointed there who would dispose of the business of the court?

Mr. WEBB. No.

Mr. CULLOP. That is the unfortunate condition, then, of the people in Georgia, but the population and the amount of business are certainly not such as would require two judges. And it seems to me that the purpose of having this bill passed is practically the retirement of Judge Speer on salary and some other judge to transact the business of the court.

Mr. WEBB. How else would my friend transact the business pending down there?

Mr. CULLOP. Now, there is another way to get at it without appointing another judge and putting an additional salary upon the taxpayers of the country.

Mr. WEBB. I wish the gentleman would suggest it.

Mr. CULLOP. I think if the people take hold of it they can in some way relieve that situation by having Judge Speer resign, and from what the gentleman has said it looks as if there is pretty strong reason for that being done.

Mr. WEBB. The gentleman rom Minnesota [Mr. VOLSTEAD], who is on the committee, and the gentleman from Illinois [Mr. FITZHENRY], and the entire Judiciary Committee, know that Judge Speer is not going to resign or retire until he reaches the age of 70.

Mr. CULLOP. If this practice should be continued, you would have two judges in all the districts of the country.

Mr. WEBB. Yes; the practice has been followed in Maryland during my term of service here and in Pennsylvania, and I believe in some other cases, but there is no other way in which you can relieve the docket. Justice Moody, of the Supreme Court, I believe was retired in the same way.

Mr. CULLOP. Yes, sir. And I believe it was a mistake to enact that legislation.

Mr. WEBB. I will say to the gentleman that if we had reported the impeachment of Judge Speer and called him up here and tried him it would have been the costliest of the two remedies, but it might have been a remedy.

Mr. CULLOP. The fact that Florida has two judges, with perhaps one-third of the population, is not any excuse for having an additional judge in this district. Florida may have too many judges. I know some States with a population of over 3,000,000 that have only one district.

Mr. HOWARD. Will the gentleman from North Carolina permit me to ask the gentleman from Indiana a question?

Mr. WEBB. Yes.

Mr. HOWARD. As a matter of fact, you will admit that all the Federal judges throughout the entire country, so far as provided for by law, are overworked, will you not?

Mr. CULLOP. No; no; not at all. That is not the case in many, many of the circuits.

Mr. WEBB. I do not wish to divert my friend from his original discussion, but I would like to put in the RECORD for his consideration and the consideration of the committee a letter of Judge McReynolds, dated August 4, this year:

OFFICE OF ATTORNEY GENERAL,
Washington, D. C., August 4, 1914.

Hon. EDWIN Y. WEBB,
Chairman Judiciary Committee,
House of Representatives, Washington, D. C.

MY DEAR MR. CONGRESSMAN: Permit me to reply to your letter of this date, inclosing H. R. 17869, providing for the appointment of an additional district judge for the southern district of Georgia, and the report to accompany the same.

Under existing circumstances it seems to me essential that there should be another judge in the southern district of Georgia. The conditions there are lamentable, and I know of no other way in which they can be speedily remedied. I hope that the bill may be promptly enacted into law.

With high regard,
Faithfully, yours,

J. C. MCREYNOLDS,
Attorney General.

I assure my friend the Judiciary Committee have gone into this matter very carefully from every possible angle. Unless my friend from Indiana wants the business to stand congested and clogged as it has been for the last three or four years, then he ought to support this bill.

Mr. CULLOP. I desire to say, Mr. Chairman, in reply to the statement of the gentleman from North Carolina on that subject, that I am not in favor, every time there is a congested court docket, of appointing an additional judge temporarily, as this bill proposes to do, for the purpose of relieving that docket. There are times when court dockets will become congested in nearly every section. There are other times when they are not congested, and if every time a docket becomes congested we are to appoint an additional judge it would simply to be to duplicate these matters over the country.

Now, if Judge Speer is not a satisfactory judge—and from the complaints I have heard here for at least three years, from what has been stated here already, and from what has heretofore been said in reference to this matter, I assume that to be largely the case—that is the misfortune of the people in that district, and it seems to me that if that is the case, some means should be devised to relieve them of that situation, instead of burdening the entire population of the country to sustain a duplicated judgeship there. That is what this means, and nothing more.

Now, many times court dockets will become congested. If every time that happens you are to go to Congress and have a new judge appointed, simply to relieve the situation, such a proceeding would be unfair to the public and unfair to the judiciary of the country.

Mr. WEBB. Well, I do not think the judiciary of the country, represented by the Attorney General—both in the person of Mr. Wickersham and that of Mr. McReynolds—would be unfair to the judiciary. They both think we ought to have another judge down there. The judiciary, I submit, is as fair to the country and to the judiciary itself as the gentleman from Indiana is, and the judiciary thinks that we ought to have another judge there.

If I had the power of physical healing and could by magic make Judge Speer a strong man of 45 years of age, this committee would not ask for a new judge; but, in fairness to the public and to a quarter of a million of people in the southern district of Georgia, we ask to have this bill passed. We can not impeach a man because he is sick, or because he is unable by reason of physical infirmities to do the work, and the people of Georgia ought not to suffer because of that situation, and the House of Representatives ought not to let a people suffer under those circumstances. [Applause.]

Mr. CULLOP. Mr. Chairman, I think, from the remarks of the gentleman from North Carolina, that he evidently has the wrong bill here. Instead of a bill appointing a judge to assist this judge in clearing the docket he ought to have a bill here for the creation of a new district in the State of Georgia.

Mr. WEBB. I will say to my friend that there is a very powerful sentiment from Georgia knocking at the doors of this Congress in favor of a new district. But in order to be economical, and in order to meet the criticisms of just such men as my friend from Indiana, we held that down and concluded not to do it at this session of Congress, at least, and hoped to get along with a temporary judgeship. I may say that there are bills pending before our committee now asking for a new district and a permanent new judge.

Mr. CULLOP. Mr. Chairman, from the showing that is made in this report, with all deference to my friend from North Carolina, I do not think this bill ought to pass. This practice of legislating in this way is not, to say the least of it, a very good one. Where there is more business than one judge can handle with reasonable effort a new district ought to be created. Some day there will be trouble about jurisdiction in matters of this kind. I do not know what the state of health of Judge Speer is, but I do know that for several years there has been more complaint about the manner of his administration of justice and the administration of his court than there has been about his bad health. It is not long since a resolution was passed by this body, or at least considered by this body, asking for his impeachment. I think consideration of it was had by the Committee on the Judiciary and a report was made. What the report was I do not know. But certainly this is a bad practice to fall into—the duplicating of the judgeships of the country—and some day serious trouble will arise over jurisdiction in matters where this practice is indulged. I hope the bill will not pass.

I reserve the balance of my time, Mr. Chairman. [Cries of "Vote!" "Vote!"]

Mr. VOLSTEAD and Mr. DONOVAN rose.

The CHAIRMAN. The gentleman from Minnesota [Mr. VOLSTEAD] is recognized.

Mr. VOLSTEAD. Mr. Chairman, I would like to say a word in reference to this bill, inasmuch as I was connected with the investigation of the charges made against Judge Speer. This bill has been brought to the judge's attention. He does not ask that another judge be appointed, but I believe there ought to be one appointed. For some time the calendar in his court has been congested. It could not help but be congested, because after the charges were brought against him he quit doing any work. He felt that he ought not to try contested cases while the charges were pending against him. In that I think he was right. During that time—and it has been a long time—there has been a great accumulation of business in his district.

Now, Judge Speer is 64 or 65 years of age.

Mr. WEBB. He is 66; pretty near 67.

Mr. VOLSTEAD. He has been on the bench for almost 30 years. Most judges when they retire have not served for any such length of time as he has, so that no injustice to the public would be done should Judge Speer be retired at his present age. This bill, while it does not retire Judge Speer, relieves him of a part of the work in his district, a thing which it seems to me we may very properly do, in view of his long service and the condition of his health. He will still be able to do considerable work in the future; but I do not believe that in the next three or four years he should be asked to take care of the business in that district in the condition in which it now is. I do not believe he has the strength to do it; he might, if it had not been for the accumulation to which I have referred, an accumulation for which we are in a measure responsible.

It is said that there is a good deal of complaint against Judge Speer. That is true, but he has his friends as well as enemies, as every strong and forceful character such as Judge Speer always has. No one questions his ability. He is one of the brightest and, I believe, cleanest and strongest men on the bench. While he has enemies, I am sure he can without the slightest difficulty try cases in any section of the district except, perhaps, at one point. There is one place perhaps where it would be less fortunate if he was compelled to try cases, and that is the city of Savannah. His enemies appear to be much more numerous there than at any other place. I believe that at Savannah some one else might serve the public better, not because Judge Speer would not be absolutely fair, nor because he lacks ability, but because of this feeling against him. I think it would be better for the public service to have some one else go there and try the cases. I think we should give the people of Georgia the best service we can.

Judge Speer has served the country more than 29 years on the bench. He has, as I believe, served it faithfully and with distinguished ability. With a task too great for his health and strength, why is it not just to give him this relief? I think in the interest of the public service it would be perfectly proper for us to do so. He has enemies because he has rendered conspicuous service with a courage that deserves commendation. I admire him and honor him for the enemies he has made. But this bill is not asked in his interest, but in the interest of the public service. I believe it should pass.

Mr. EDWARDS. Mr. Speaker, I regret very much that my friend from Indiana [Mr. CULLOP] has offered any opposition to this bill, especially in the face of the report which shows clearly and conclusively that this third judge is so badly needed in our State. As has been said by the chairman of the committee, Mr. WEBB, and as is pointed out in this report, for a number of years Judge Speer has not been a well man, and on account of his health the business in that district has been neglected.

It is pointed out in this report that the eastern division of this court is made up of 16 counties, which embrace the entire seacoast of the State of Georgia, and in it are the two important ports of Savannah and Brunswick. In consequence of that all cases coming within the admiralty jurisdiction of the United States courts and brought in this district are necessarily heard and determined in the eastern division of the southern district of Georgia.

There is no class of cases where a speedy trial is more desirable than in administering the admiralty law. If these cases are speedily tried it is possible to produce before the court witnesses who would be otherwise inaccessible, as most of them are transients. In order to give a basis on which to form an idea as to the extent of this admiralty work which this court is called upon to dispose of, in addition to the regular run of litigation, I call attention to the fact that Savannah is the largest port for the export of cotton from the Atlantic seaboard and the second largest in the world; it is the largest naval stores port in the world and ranks fourth in general exports in the whole country for the year ending June 30, 1912.

So far as the admiralty practice is concerned, for a number of years it has been neglected and has been turned away from the courts at Savannah and Brunswick, for the reason that we have not had a judge to try these cases. Judge Speer resided for a number of years at Macon, Ga., over 100 miles from the city of Savannah, and we have had no judge down there to try this class of cases. The result is that if the citizens of Georgia and the people who are interested in that class of cases wanted their cases tried they had to go to some other State.

Now, we are in a terrible fix down there. The dockets of the court are congested. Relief is absolutely demanded, and I do not want my friend the gentleman from Indiana to give the impression that this is relief for a single State, or even for an immediate district. It is relief for the country at large. It is not only the Georgia people's court, but the court of the people of the country. I am surprised that the gentleman should offer any objection whatever to the passage of this bill, because the need of it is very great, and it is apparent to any man who will study this report carefully and honestly and who is willing to do the fair thing by the people in distress, as we are, and the fair thing by his country.

As far as I am concerned, I would a great deal rather have a third district created and have in that State a third judge permanently. There is Florida, to the south of us, with not half of our population, with not half of our business in the courts, and they have two judges. Alabama, to the west of us, has

three judges. And Alabama has a population 450,000 less than the State of Georgia. I dare say that the State of Alabama has nothing like the great number of cases in its three courts that we have in the two. Now, it is not my purpose to say anything against Judge Speer. He is not on trial. For a long time the people of Georgia have been patient and suffering in waiting for the relief that they beg for to-day.

I hope, my friends, that you will come to the relief of a people who have suffered patiently and long. The question may arise in the minds of some gentlemen in this Chamber as to why Judge Speer is not gotten rid of. My friend from Indiana [Mr. CULLOP] asked the question if we can not induce him to resign. Why, you may just as well try to induce the gentleman from Indiana to resign from Congress as to try to induce Judge Speer to resign from the bench. The subcommittee that had under investigation the charges that were preferred against Judge Speer had this to say, and this is the conclusion, on page 164 of the report, that was submitted here by Mr. Chairman WEBB, and, with the consent of the committee, I will insert all of it.

The conclusion of the subcommittee, deduced from the evidence taken and from the construction of the precedents of impeachment trials, is that at the present time satisfactory evidence sufficient to support a conviction upon a trial by the Senate is not obtainable.

In the conduct of the hearings the committee was extremely liberal and did not confine the witnesses to the giving of technically legal evidence. Some evidence of a hearsay nature was received. The committee felt justified in such a course in the light of the fact that it came to the attention of the committee that many witnesses were apprehensive of the consequences of giving evidence against Judge Speer in the event of his acquittal. This feeling and the general disposition on the part of individuals to protect themselves against what was termed the "wrath" of Judge Speer kept from the committee the names of the witnesses and a knowledge of the facts in their possession. Some of the witnesses whose testimony would be absolutely necessary to sustain some of the charges made are dead. Others have removed from the southern district of Georgia and their whereabouts are unknown.

Another phase of the record is that it details a large number of official acts on the part of Judge Speer which are in themselves legal, yet, when taken together, develop into a system tending to approach a condition of tyranny and oppression. There has been an inequitable exercise of judicial discretion, many instances of which have been frequently criticized where the cases in which they were committed have been reviewed by the courts of appeal, while in others litigants were unable, financially, to prosecute appeals. That the power of the court has been exercised in a despotic and autocratic manner by the judge can not be questioned.

The Jamison case is one of many instances shown by the record where the judge, without taint of individual corruption and with the apparently laudable purpose of purifying the community and inaugurating a civic reform, disregarded the law and apparently considered that the end justified the means.

The record shows instances where the judge sitting in the trial of criminal cases, apparently forced pleas of guilty from defendants or convictions, and there is strong evidence tending to show that in one case, at least, he forced innocent parties to enter such pleas through a fear of the consequences in the event of an unfavorable verdict at the hands of a jury presided over by the judge in the manner peculiar to himself.

As was said by the Committee on the Judiciary in reporting a similar case:

"Terror to evildoers, if purchased at the price of judicial fairness and overstrained legal authority, is achieved at too great an expense, for it defeats its own high aim and warps the very fabric of the law itself.

"The temptation of an honest judge to

"'Wrest once the law to his authority,
To do a great right—do a little wrong—'

is fraught with such danger to our whole system of remedial justice that it merits the condemnation of every legal mind."

The subcommittee regrets its inability to either recommend a complete acquittal of Judge Speer of all culpability so far as these charges are concerned, on the one hand, or an impeachment on the other. And yet it is persuaded that the competent legal evidence at hand is not sufficient to procure a conviction at the hands of the Senate. But it does feel that the record presents a series of legal oppressions and shows an abuse of judicial discretion which, though falling short of impeachable offenses, demand condemnation and criticism.

If Judge Speer's judicial acts in the future are marked by the rigorous and inflexible harshness shown by this record, these charges hang as a portentous cloud over his court, "impairing his usefulness, impeding the administration of justice, and endangering the integrity of American institutions."

The special subcommittee recommends the adoption of the following resolution:

Resolved, That no further proceedings be had with reference to H. Res. 234.

E. Y. WEBB.
LOUIS FITZHENRY.

Yet my friend from Indiana [Mr. CULLOP] asked if we can not get Judge Speer to resign, and he asked if there are not people there who do not want to bring cases in his court. Mr. Chairman, the conditions there have been and are deplorable, which is a matter of common knowledge throughout that entire section. There are people who do not want to bring cases in his court, who would rather suffer great loss than bring cases in his court. As I stated a while ago, conditions down there normally require a third district and a third judge, but we see that it is not practicable at this time to get a third district; but, gentlemen, please do not deny us this relief. Think of the great port of Brunswick, the great port of Savannah, without a district judge, without courts to try the admiralty cases and other cases that arise there, with the dockets congested, some five or six hundred cases on the dockets to-day. Attorney General Wickersham, under the Republican administration, made a report that I will here insert in my remarks, with the consent of the committee, pointing out wherein a third judge is needed, which report is as follows:

The examiner who examined the office of the United States attorney for the southern district of Georgia two or three months ago reported to me, among other things, the number of civil and criminal cases pending July 1, 1910, and commenced and terminated during the fiscal year ending July 1, 1911. This data showed that the total number of cases instituted during the period from July 1, 1909, to June 1, 1912, was 360, of which 46 were civil and 314 criminal. During the same period 225 cases were disposed of, being 135 less than the number instituted. In other words, the number of cases disposed of equaled about 62 per cent of the number instituted, and at this rate, of course, the work of the office was steadily falling behind. The total number pending July 1, 1909, was 145; July 1, 1910, 157; July 1, 1911, 242; June 1, 1912, 280. On the date of the examination there were 17 civil cases that had been pending for more than two years, and 107 criminal cases that had been pending for longer than one year. As to this the examiner said:

"The fact that the number of pending cases has been increasing seems not to be due to lack of effort on the part of the attorney and his assistants to dispose of the cases, but rather to lack of time on the part of the court to try them. The records show that in numerous instances witnesses have been summoned, appeared, and both parties were apparently ready for trial, but owing to the accumulation of business before the court, or for other reasons, the cases were continued until the following term * * *."

In view of these facts, I instructed Mr. Akerman to take steps to secure some additional assistance in the district to clear up the docket, etc.

Attorney General McReynolds, now on the Supreme Court of the United States, called the condition "lamentable." How much stronger language does my friend from Indiana want from a great man like Mr. Justice McReynolds, who understands the conditions so well? What further proof does he want of the fact that we people down there need and must have relief? I beg of you, my friends, not to so much consider what a gentleman clear across the country from the section concerned, clear across the country from Georgia, thinks, not to consider so much his lack of knowledge of affairs, but to take into consideration what the chairman of this committee has stated, and take into consideration what this report says, what Attorney General Wickersham and Attorney General McReynolds have said, and give to these people relief in order that the public business may be transacted. I stand for economy also, as much as does my friend from Indiana, but at the same time I stand for justice. I want to see economy practiced on every hand, but we do not want to see it practiced at the expense of the public business nor at the expense of the rights of the citizens of the United States. To pass this bill is in the interest of economy and is demanded in order that the people of that judicial district might have relief and in order that the business of the courts might be transacted.

Mr. BRYAN. Mr. Chairman, in the last session of Congress, when a Pennsylvania judgeship proposition was up, I took occasion to oppose that bill, because I did not think it was right to follow that kind of a policy or adopt that kind of a precedent. In that particular case the matter of the health of the judge was presented in practically the identical form and fashion that it is presented now. Perhaps that feature—the sickness of Judge Holland, in Pennsylvania—was more emphasized. The honesty of the judge there was not impeached. There was no question about his integrity; but the fact that the people of that district needed another judge because of a large and crowded docket, because of the tremendous pending business, and the utter inability of the judge then sitting to perform the duties for which he was paid and which he had sworn he would perform, we were asked to appoint a Federal judge for that district in Pennsylvania to serve until the death of the nonperforming incumbent. We now have the case of Georgia. We have there not only a sick judge—and I understand the sickness is rather of recent development—that is, the acuteness of the diseases with which Judge Speer may be suffering physically is of recent development rather than of general knowledge heretofore—but we have a judge who is not performing his duty, who is violating the oath that he took to faithfully and completely perform the duties of that office. We have no pension system in this country for Federal judges less than 70 years of age. We have ruled against pensioning Federal judges before their retirement. They are permitted to serve during their life, but while they are active on the bench they are obligated to perform their duties, and on the pay roll they are in the same position as a Government employee. We go down here to the Post Office Department and we find some old soldier, northern or southern, or some one else, who gets old and incompetent, and he is booted out of the service; his family is not considered. The earning capacity of that man, and that sort of thing, and his economic necessities are given no consideration whatever. But when a Federal judge gets to a point of this kind you come

in and ask for another judge to collect full pay for life. I believe that is wrong. I believe it is wrong and it is a bad precedent to follow, merely because the pending judge is not performing his duties. I think there ought to be some kind of a way to make him make good.

Mr. HOWARD. Mr. Chairman, will the gentleman yield?

Mr. BRYAN. Yes.

Mr. HOWARD. What are you going to do in a case like this: Here is a man who is too sick to attend to the business of the court, and who is too poor to lose the money, and who will not resign. Whom are you going to make suffer?

Mr. BRYAN. I think the people who stand for that kind of thing, the people of this country, who will not provide a decent or more satisfactory method of electing judges, ought to suffer.

Mr. HOWARD. Oh, I see. The gentleman thinks that they ought to be elected by the people or recalled. I understand.

Mr. BRYAN. They ought to suffer all over the country until public sentiment demands the election of Federal judges for a definite term, so that when their six or four years, as the case may be, are up, they are compelled to give up their commissions unless they are satisfactory public servants, in the opinion of the electorate, and I think that if we provide these relief measures every time a judge gets sick or is temperamentally unfit to perform the duties of his office, and we provide another judgeship until he shall die, there never will be any opportunity for these more substantial reforms.

Mr. WEBB. I share somewhat in the views which the gentleman has been discussing, but it is not a theory we are dealing with, it is an actual condition.

Mr. BRYAN. That is what I am dealing with, too.

Mr. WEBB. And this is the very best we can do under the conditions. It might be well to change the Constitution and laws later on, and I think I will join with the gentleman myself in changing them, to some extent, but this is a condition we are met with, and we have to meet it the best we can under the imperfect conditions, as he asserts, which the gentleman has been arguing, as we can not do it now according to the way the gentleman desires to have it done. In this connection I want to call the gentleman's attention to a condition which prevails, I think, in Texas. There is a circuit judge, I believe, 83 years old in the fifth circuit. I understand he never goes on the circuit court of appeals at all, and if he does go he is rolled in sitting in a chair, but I understand he does not go at all. He will not resign and he will not or can not work. I agree with the gentleman that under those circumstances something ought to be done. He ought to be forced to resign and take the pay the Government gives him after he reaches the age of 70, or he ought to be impeached, or a new judge should be added to the circuit.

Mr. BRYAN. Well, if there is no protest made when it comes to legislative measures to relieve that condition, if these abortions are not called to the attention of the public in some way through some kind of a protest, we never will get a change. If we are going to allow Federal judges or any particular set of officers to set at naught the laws, disregard the statutes, and violate their oaths by which they pledge themselves to perform their duty, and we allow them to collect their salaries and spend the money of the people that they have not earned, we become as guilty as they. In such a case I think the only way to effect a change is to refuse to grant these temporary relief measures and to allow the people to know by actual experience what they are suffering, and depend on public sentiment to make necessary changes.

Mr. WEBB. That would be punishing the people in the district because of our dereliction here in Congress.

Mr. BRYAN. Oh, no; but the people ought to fire you and me if we do not do the right thing. One gentleman says that the proposition here presented is that this judge is old, that he is weak, and he is in bad health, and he has to go to the mountains and spend half of his time or something of that kind. If that is true and he is not performing the duties of his office, it does not make any difference if he is temperamentally unfit, and it does not make any difference if he is subject to all the charges that have been presented here and that have been incorporated in the speech of the gentleman who preceded me. The fact remains that he is simply violating his oath. The fact remains that whether he is fit or unfit temperamentally he ought to realize the moral condition in which he finds himself when he takes the money of the people for services which he does not render.

Mr. WEBB. If he does not realize this situation, the people ought not to suffer because he does not, and that does not detract from the merits of this bill.

Mr. BRYAN. The same situation was presented in Pennsylvania and the same thing is presented in case after case, and I believe if the country knows of it there will be much less chance of such system being perpetuated. I believe each and every case where a judge is doing this kind of business, every case where the judge is sitting there and pretending to mete out justice when he is unfit and unable to do it, by reason of ill health or otherwise, ought to be called to the attention of the people; and if the laws are not adequate, they will see that they are changed; and if it takes a constitutional amendment, they will force Congress to submit one.

Mr. WEBB. I will say to my friend that during the last 12 years, as far as my recollection goes, there have been only two bills of this kind presented to Congress and successors to the presiding judges have not been appointed, though very soon after the new judges were created those in office died; and, really, looking back to those bills now, our action was in the interest of economy rather than extravagance and for the best interest of the people, as I believe this case is.

Mr. BRYAN. Well, Mr. Chairman, for the reasons I have already stated, I am opposed to this kind of a remedy, and I am opposed to this bill.

Mr. CULLOP. Mr. Chairman, before the question is put I believe I have some time remaining?

The CHAIRMAN. Did the gentleman reserve his time?

Mr. CULLOP. Yes, I did; I reserved the balance of my time. In reply to the gentleman from Georgia, I desire to say that the fact that Florida only has so much population, much less than the State of Georgia, does not sustain the proposition he advocates. If a mistake was made there in giving the State of Florida two district judges that does not excuse us for giving the State of Georgia this additional judge. It does not defend the situation at all here by stating that a wrong was committed in Florida. Now, the situation here is such that the people of Georgia want relief from Judge Speer's court, and have employed this method for that purpose. I undertake to say to the gentleman from Georgia that the Attorney General did not recommend this procedure when he recommended relief was needed by the people of Georgia. No Attorney General has recommended this kind of a procedure, a duplication of judgeships in a district in some particular States, but if they have had a congested condition in their litigation in the Federal courts the remedy was by the making of a new district and not by the duplication of the judges in any district.

Mr. EDWARDS. Will the gentleman yield?

Mr. CULLOP. In a moment—and that is clearly revealed as the purpose here, to get away from Judge Speer in the trial of the cases. I think it manifest from what has transpired that such is the purpose.

It is expected that if a judge is appointed here under this proposed bill all of the litigation of that district will go into his court and not into the court of Judge Speer.

Mr. BARTLETT. Will my friend permit me? It is the same court, and the circuit judge at Atlanta designates the places where this new judge shall hold court. Judge Speer, when he is able, will hold court, or, if he is not able, the new judge will hold the court. But he does not go except where directed by Judge Pardee.

Mr. WEBB. We have safeguarded against the very thing which you say the committee had in mind to make and which I deny in most emphatic terms. We had no intention of that. This denies what my friend has intimated here:

SEC. 3. That the senior circuit judge of the circuit in which the southern district of Georgia lies shall make all necessary orders for the division of business and the assignment of cases for trial in said district between the several district judges therein.

Mr. CULLOP. Notwithstanding the provision in the bill just read, litigants can escape Judge Speer's court and go into the court of this newly appointed judge.

Mr. BARTLETT. It is the same court.

Mr. CULLOP. Yes; it is the same court, but a different judge. And while the bill ostensibly provides one thing the real purpose of it is another.

Mr. EDWARDS. Will the gentleman yield, Mr. Chairman?

Mr. CULLOP. In just a moment I will. Now, then, for all that is attempted to be done now we already have a statute. We have a statute that provides that if the business is congested in any court or the judge is unable to hold court the presiding judge of that circuit can designate the judge from some other district to hold the same; and from your neighbor, Florida, you can have one of the judges appointed, who will come over and hold the court and relieve the congested condition of the docket in this district. Now I yield to the gentleman from Georgia [Mr. EDWARDS].

Mr. EDWARDS. I want to suggest to the gentleman, first, that for the last two or three or four years, and I guess five years back, they have been getting judges from Florida and

Alabama, and Judge Newman, from the northern district of Georgia, has been coming there; but with all the help they have not been able to catch up.

Two or three times the gentleman has made reference to the fact that litigants did not want to go into Judge Speer's court. I would like for him to enlighten the House along the line of what reason he has for that statement. He seems to know something that appears to be under cover there. I would like to have him explain to the committee if he has anything up his sleeve.

Mr. CULLOP. I have not, I will say to the gentleman; but I am simply basing what I have said in this regard upon the exhibits and statements that have been made against Judge Speer's court and the manner in which he has held it for some time.

Mr. EDWARDS. If the gentleman will yield further, does not the gentleman think if the judge's conduct is such that it compels people to the inclination not to go into his court—in other words, if he drives them away from his court—it is pretty good reason to give relief?

Mr. CULLOP. It is good reason to give relief, but not in this way. This is a bad precedent. It is an unwarranted policy. We are following, on this question, a bad precedent, one made in the Pennsylvania judgeship and in one or two others in the last few years here, and I think there were one or two prior to that time. That is not the way to get it. It is not fair to set this kind of a precedent. Now, if these judges were appointed for a specific period of time instead of an unlimited time, as they are now, we would not have this kind of cases coming up here for relief. This establishes very clearly the fact that the appointment of a judge for life is wrong, a matter which can not be successfully defended.

Mr. BARTLETT. Will the gentleman permit me?

Mr. CULLOP. I have now pending before the Judiciary Committee an amendment to the Constitution upon this identical question.

Mr. BARTLETT. May I interrupt the gentleman?

Mr. CULLOP. Yes, sir. Always glad to yield to my learned friend.

Mr. BARTLETT. The gentleman knows well enough that if I had an opportunity, with the views that I entertain, I should limit the term of all judges, Federal as well as State. I do not believe in the life tenure of any judge, and I agree with the gentleman from Indiana thoroughly. If I have an opportunity, I will vote for his bill.

Mr. EDWARDS. So will I, I will add.

Mr. CULLOP. I would like to prevail on the Judiciary Committee to report my amendment to the Constitution out and let us vote on it. I have an amendment not only to take the life tenure away, but for the election of these men by the direct vote of the people. [Applause.] If the people of this country are capable of self-government and capable of electing their other officials, they are capable of electing their judges, and they can select them as intelligently as they can be appointed by any power in this country. And that is the way, in my judgment, they ought to be selected.

The Constitution ought to be amended in order to give the people the right to select their own judges, select them at the ballot box by the voters in their respective districts and circuits where they are to hold court. If we had this system, we would not have this kind of a bill pending here for the duplicating of districts and circuits, because the people then would be responsible for the election of judges and would be responsible for their conduct. They would be careful, in that event, in the way they conducted their courts. They could go back to the people for indorsement, and if the people were displeased with the manner of their holding court, the manner of their administration of justice, and the manner in which litigants were treated, they would have the right to change them. But here we are up against the system established by our Constitution, the fundamental law of the land, however grievous the case may be; and the people have no relief whatever from it, and must bear the burden, however troublesome and unsatisfactory it may be. The system is wrong and should be changed. Can anybody conceive a condition more unreasonable and unjust than the condition that we are met with here to-day in this matter, with a judge of a court unable to preside, unable to discharge the duties of his office? And yet, in a country with a hundred millions of people, we are unable to get relief from that condition of affairs, whereas if you elect these judges for a period of six or eight years, or if you appointed them for that period of time, you would have an opportunity for relief.

Mr. COOPER. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. Does the gentleman from Indiana yield to the gentleman from Wisconsin?

Mr. CULLOP. Yes; I yield to the gentleman from Wisconsin.

Mr. COOPER. Suppose that in a State the people of a State elect a circuit judge of a circuit court for 10 years, and at the end of 6 years of that term that judge is stricken with a fatal disease, thereby rendering him incapable of holding court. What relief have the people of that State and circuit?

Mr. CULLOP. In answer to the gentleman from Wisconsin, I would say that I would not make the term of office for 10 years.

Mr. COOPER. Then suppose it was six years, and the judge was stricken with a fatal disease at the end of three years. What relief has the circuit?

Mr. CULLOP. You would not have relief unless you could take some proceeding to remove the judge or supply his place. We have a provision in many of the States to the effect that if an officer is elected for a specified term, and if he becomes disqualified by illness or anything else to discharge the duties for a specified period during his term of office, the office may be declared vacant. I would have that provision enacted. To meet the exigency such a case could be provided for in both a practical and satisfactory manner.

Mr. McKELLAR. Mr. Chairman, will the gentleman yield?

Mr. CULLOP. Certainly.

Mr. McKELLAR. I will say, in answer to the question asked by the gentleman from Wisconsin [Mr. COOPER], that in Tennessee under the conditions the gentleman has named the governor would have the right to appoint a judge during the illness of the incumbent.

Mr. COOPER. Appointed during the illness of the incumbent, but not to throw the other man out of office, perhaps in penury, without a dollar to keep himself. You would not throw that man out, would you?

Mr. CULLOP. Well, I want to say with reference to putting a man out in penury, without support, I do not think that argument meets the question. There are many good citizens of this country who work in private employment and are stricken with disease when in penury and in want, and yet the public is not required to support them upon a salary. Now, is there any good reason anywhere to be found why a different treatment should be given to a public officer who has been feeding at the public crib than that which is given to the private citizen? If there is, I have never heard it.

Mr. HOWARD. Mr. Chairman, will the gentleman yield for a question?

Mr. CULLOP. Certainly.

Mr. HOWARD. Is it not a matter of fact that we every year appropriate $7,500 to the widow or legal heirs of a dead Congressman? We do that. Does the gentleman think that is wrong?

Mr. CULLOP. Certainly we do that, and if that is wrong, it certainly does not justify another. One wrong can never be pleaded in justification of another. And yet all the way through this debate in support of this bill the plea is made that we have done this thing in some other case. Now, no question ought ever to be bottomed upon such a proposition as that. Higher considerations ought to underlie every proposition, and that should be whether it is right or not, not whether a wrong has been done in some other case and that set up as a justification for action in this case.

Mr. BURKE of Pennsylvania. Mr. Chairman, will the gentleman yield for a question?

The CHAIRMAN. Does the gentleman from Indiana yield to the gentleman from Pennsylvania?

Mr. CULLOP. In one moment. Let me get through with this first. There is no reason, no good, logical reason, in order to sustain a man by the payment of a public salary because he has sought an office, fought for it, fought to hold it, and then become unable to perform the duties of the office. He could have chosen another calling in life, but he selected his highway, and he ought to abide by what it furnishes and not rest upon the other proposition at all.

Now I will yield to the gentleman from Pennsylvania.

Mr. BURKE of Pennsylvania. The gentleman says he would cure this condition by fixing a specific term of office for a definite number of years. In answer to the question propounded by the gentleman from Wisconsin [Mr. COOPER], the gentleman from Indiana stated he would not make the term longer than six years.

Mr. CULLOP. Yes; I said I would not make it longer than six years.

Mr. BURKE of Pennsylvania. I would like to know what the gentleman's idea is as to the term that a Federal judge should be chosen for by the people.

Mr. CULLOP. Not to exceed six years

Mr. BURKE of Pennsylvania. If the gentleman were writing a proposed statute, would he fix the term at six years?

Mr. CULLOP. I think I would, and I will tell you why. It is because I have practiced and lived under a system that fixes the judicial office at six years. It is more a question of what I have been used to than anything else, and we are all creatures of environment, more or less. It works well in Indiana. Let me get through with that. If a circuit judge becomes unable to discharge his duties for a reasonable period, not to exceed one or two terms of court, the law provides what officials shall meet and select a man to hold court for him and draw the salary. Now that practice works admirably. We elect our judges. We do not have any difficulty about it, and whenever a Federal judge is appointed, as a usual thing, out in that section of the country, he is taken from a State court. Usually he has been elected by the people for a judicial position. This shows they exercise good judgment, as a rule, in such matters.

Mr. BURKE of Pennsylvania. I have no controversy with the gentleman, but I want to ask him this further question: In view of the satisfaction which that local system has given in Indiana, would the gentleman say, or be willing to say, that a system that has been in vogue for 125 years in a nation which he says is now of 100,000,000 people, a system where, with probably only three exceptions, the remedy sought to be applied to-day has been invoked—would the gentleman say that system has been a failure? [Applause on the Republican side.]

Mr. CULLOP. No; I would not say it was a failure, but I do say it could be improved, and I believe it needs improvement. We have grown so much that the system needs modernizing, like many of our earlier methods of procedure.

There are hundreds of cases, doubtless, in nearly every court, or in many of them, that have fallen under our observation where, if the judge had not been appointed for life, had been answerable to the people for his tenure of office, where the people would have had some control over it, there would not have been the criticism of the administration of justice in the Federal courts that there is to-day, and there would be more litigation in them. As matters now stand in many places people hesitate about going to the Federal courts.

Instances are occurring in many States in the Union of complaints and criticisms that are bringing the Federal courts into disrepute, because, forsooth, the people have no say in the selection of the judges, and therefore avoid it, if possible, with their litigation. This is unfortunate, and the condition should be changed.

Doubtless many of us have witnessed instances where lawyers and litigants in Federal courts have been mistreated, without any excuse except that the Federal judges elect to do it and have the power to do so. They are responsible to no one.

Mr. BURKE of Pennsylvania. I do not recall that fact. My experience and knowledge from reading and observation has been to the contrary. My observation is that there is more uniform courtesy in the courts of the United States than in any other courts of this land; that there is as high, if not a higher, standard maintained in the judiciary of the United States under the present system of appointment than there is in that of any of the States in the Union.

Mr. CULLOP. What I said does not apply to all judges or all courts, but there are instances of that kind in which, if the people had the power, changes would immediately be made for the better. The Federal judge could be elected and provision could be made whereby under such circumstances as this, after a reasonable lapse of time, his place could be supplied, and there has already been some remedy supplied in the Judicial Code passed two or three years ago for the relief that is asked for in this bill.

Mr. BURKE of Pennsylvania. I appreciate the earnestness of the gentleman from Indiana, and my questions are for the purpose of information. I would like to have the gentleman from Indiana to state the notable exceptions that have justified him in asserting his belief that a general fundamental change in the method of selecting the judiciary in the United States should be put in force by the people of this country at this time. What judges, in what districts, in what States, have so demeaned themselves that the system in vogue for a century and a quarter should be changed and a new one established in its place?

Mr. CULLOP. I want to say to the gentleman from Pennsylvania that a question of that kind ought not to be settled by taking a majority of all the cases or courts. But even if there was one, then relief should be had. The administration of justice is too sacred to the people of this country for anything to in any way bring it into disrepute or place it under suspicion; every available opportunity should be used to raise it above criticism.

Mr. BURKE of Pennsylvania. The gentleman would not say that one case of violation of judicial ethics should require a change in the whole system of jurisprudence?

Mr. CULLOP. I would say that if there was one case and that matter could be remedied and the temptation taken away for the commission of the offense or a repetition of it in like cases, that it ought to be done in order to avoid criticism of the court and to keep the administration of justice above suspicion. I would not require a majority rule in such matters or even frequent instances.

Mr. BURKE of Pennsylvania. Now, I want to ask the gentleman this specific question: What would he do in this case now before the committee?

Mr. CULLOP. I would defeat this bill until a certain condition would come around whereby there would be a vacancy there by the failure to administer justice or some other reason by which the vacancy should be filled.

Mr. BARTLETT. The gentleman would abolish the district?

Mr. CULLOP. No; I would not abolish the district.

Mr. BURKE of Pennsylvania. You would create a new district?

Mr. CULLOP. If they needed a new district for the speedy administration of justice, I would be in favor of it; but I would not be in favor of the creation of a new district for the sole purpose of getting away from the court of some particular judge.

Mr. BURKE of Pennsylvania. That is not my question. Would the gentleman vote for a new district in the face of the present condition? I am not putting a hypothetical case; but in the face of the present conditions, would the gentleman vote to create a new district?

Mr. CULLOP. I do not know what the conditions are; but from the showing made here I would not vote for a new district.

Mr. BURKE of Pennsylvania. If the gentleman would not vote to create a new district, then there is no other way for relief except by the method in this Webb bill.

Mr. CULLOP. I think there is.

Mr. BURKE of Pennsylvania. That is what I want to know; what is the other method?

Mr. CULLOP. I assume that if the judge found that he was unable to hold court or that a large number of people were opposed to the manner in which he held the court, his own self-respect would require him to step out of the way. I assume that would be done by any self-respecting man.

Mr. HARRISON. Will the gentleman yield?

Mr. CULLOP. Yes.

Mr. HARRISON. If I understood the gentleman from Indiana correctly, in his State when a judge becomes ill and can not perform the duties of his office he may appoint some one to take his place and the pay comes out of the treasury?

Mr. CULLOP. He may for a short period of time, if the judge becomes disqualified from illness or any other cause—we have a provision of law naming certain officers who may select a judge to take his place for the time he is disqualified and hold the court. He is paid out of the salary of the judge.

Mr. HARRISON. Is it not a fact that the gentleman is mistaken about that? Does it not come out of the treasury of the State?

Mr. CULLOP. The salary of the judge elected comes out of the treasury.

Mr. HARRISON. But the compensation of the special judge who performs the duties of the man who is sick?

Mr. CULLOP. Not in the instance I have named. If a special judge is appointed by a judge, where the venue is changed, he is paid out of the treasury.

Mr. PETERSON. Mr. Chairman, will the gentleman from Mississippi yield for a moment?

Mr. HARRISON. Yes.

Mr. PETERSON. If a judge is disqualified by sickness for a reasonable length of time, the compensation of the other judge is paid out of the treasury of the State.

Mr. CULLOP. Certainly.

Mr. HARRISON. If in Indiana, when your State judges become ill, you have a mode of appointing some one to take up and perform those duties, does the gentleman not think that in the operation of the Federal Government, where a Federal judge is disqualified by illness, there ought to be some way whereby the people can have a judge perform their labors, and is it not a fact that this is the only way in which you can get one?

Mr. CULLOP. No.

Mr. HARRISON. Because there can not be one appointed now under the law.

Mr. CULLOP. We have already provided a way by statute.

Mr. HARRISON. What is that way?

Mr. CULLOP. The way is for the presiding circuit judge of the appellate court to appoint a judge to hold that court, and he is authorized to hold the court upon the certificate of the presiding judge. He takes a judge from some other jurisdiction. He can take him from California or New York, wherever he sees fit to get him from, and he can appoint him to hold that particular court, and they usually look over the country and find some judge who is not very busy. We have already provided for that in the bill revising the Judicial Code, so that the difficulty the gentleman mentioned is already provided for by statute. These are all practical matters which can be worked out in practical ways and produce satisfactory results.

Mr. WEBB. Mr. Chairman, I suggest that we read the bill under the five-minute rule for amendment.

Mr. MANN. Mr. Chairman, the last Democratic platform——

Mr. PAYNE. What is that?

Mr. PROUTY. Where does the gentleman find that?

Mr. MANN. The last Democratic platform contained this language—and at the beginning of a session of Congress I think that it is not amiss to remind our Democratic brethren before they commence business and while they are providing for the expenditure of money of one plank in their platform that they ought to respect:

> We denounce the profligate waste of the money wrung from the people by oppressive taxation through the lavish appropriations of recent Republican Congresses, which have kept taxes high and reduced the purchasing power of the people's toil. We demand a return to that simplicity and economy which befits a democratic government and a reduction in the number of useless offices, the salaries of which drain the substance of the people.

As I understand the present bill, the main reason that has been offered so far for its passage has been that the State of Georgia has a larger population than the State of Florida, and that the State of Florida has now an equal number of Federal judges. Instead, however, of reducing the number of offices, and probably one of the offices in Florida is a useless office, it is proposed now to increase the number in Georgia. That is the way it has been all of the time under the control of our Democratic friends. Whenever they find that there are too many places in one situation they try to even it up by creating a larger number in some other which is similar.

Two or three years ago I remember we had a great howl out in my city in reference to the number of Federal judges. They needed an additional district judge. Two and a half years ago one of the circuit judges in the northern district of Illinois resigned, and President Taft did not appoint his successor.

The matter ran along for the course of six or seven or eight or nine months, and President Taft did not appoint anyone to succeed Judge Grosscup. President Wilson has been holding office now for more than a year and a half and he has not appointed anyone to fill that vacancy, although we were told on the floor of the House by the Committee on the Judiciary in the last Congress, which brought in a bill and passed it through the House, that it was absolutely essential to the conduct of legal business in Chicago that they should have an additional judge there. Yet, having a vacancy now for two years and a half, neither the Republican President nor the Democratic President has seen fit to fill the vacancy. The Committee on the Judiciary, a Democratic committee—and I am not saying that it would have been any different if it had been a Republican committee—yielding to the pressure, reported in the last Congress in favor of creating an additional district judge in our town. Perhaps they need one. I do not know. Evidently the Presidents, two of them, did not feel the great need of this additional judge or they would not have allowed two and a half years to go by without appointing a circuit judge and assigning him to district business.

Mr. COOPER. Mr. Chairman, will the gentleman yield?

Mr. MANN. Certainly.

Mr. COOPER. As I remember it, in the Sixty-first Congress the revision of the laws known as the Moon-Sherley revision, abolished the office of circuit judge of the United States and created the circuit court of appeals.

Mr. MANN. That is true, but that does not affect the circuit judges.

Mr. COOPER. In one way possibly it would; in appointing a man specifically to fill the vacancy created by the resignation of Judge Grosscup.

Mr. MANN. Not at all, because in the same revision of the laws we provided expressly for assigning the circuit judges to perform district judge work, and the only difference in Chicago whether a man is a circuit judge or a district judge is that the circuit judge gets $500 a year more salary than the district judge, and in Chicago he needs it.

Mr. WEBB. Mr. Chairman, I want to state to my friend that since the abolition of the Commerce Court much pressure has been relieved from the work of the circuit judges, and these five Commerce Court judges——

Mr. MANN. Four.

Mr. WEBB. Yes, four—can be assigned to the various district courts.

Mr. MANN. Then why have they not assigned one to Georgia?

Mr. WEBB. I understand that Judge Mack has been assigned to the various vacancies to do the work.

Mr. MANN. They could assign Judge Mack to Georgia.

Mr. WEBB. Not at all. He does not try cases in the district court, but in the circuit court.

Mr. MANN. But Judge Mack ought to try cases in the district court, and he does.

Mr. WEBB. There is a circuit court of appeals. The judges of the circuit court have been abolished, and the circuit court judges do not try cases any more.

Mr. CULLOP. Mr. Chairman——

Mr. MANN. Mr. Chairman, I will make a correct statement; neither the gentleman from Wisconsin [Mr. COOPER] nor the gentleman from North Carolina [Mr. WEBB] seem to understand the situation. The circuit courts were abolished, but the circuit judges were not abolished. There are circuit judges who sit in the circuit court of appeals, but the law provides that any of those circuit judges may be assigned to perform district work; and where there is a superfluity of circuit judges, they do perform district court work, and it is nonsense to say in the city of Chicago, with four circuit judges and only three allowed to sit in the circuit court of appeals, that the extra circuit judge should not perform district work. That is being done and ought to be done. Now, wherever the demand comes up, it is always very strong at the beginning for the creation of an additional district judge. Nearly every portion of the country has demanded an additional judge. Well, sometimes they may be needed. We passed one for the southern district of California at the last session of Congress which seemed to me might be needed under the circumstances there, but here it is perfectly evident in this case that the purpose of creating an additional district judge is so they will not try cases before Judge Speer. A number of years ago the House of Representatives, on charges which were made against Judge Blodgett, district judge at Chicago, investigated proposed impeachment proceedings.

The House decided not to impeach Judge Blodgett, but there were protracted proceedings in the investigation which was made by the Judiciary Committee in the city of Chicago, and some young lawyers there, very bright ones, had made those charges against Judge Blodgett. There was a bitter feeling, and I can remember there was talk then that nobody would be prepared among the people to try their cases before Judge Blodgett, yet no additional judge was appointed. Judge Blodgett continued to perform the duties of district judge, and when he died he had the reputation of being the best district judge in the United States. He transacted more business without criticism than any other two judges in the United States, and the people had gotten to know that their original conceptions against him were without sufficient foundation.

Now, Mr. Chairman, I assume that my genial friend from Indiana [Mr. CULLOP] will at the proper time offer his celebrated amendment. It seems to me that it is time once again to secure a roll call in the House of Representatives on one plank, the same old plank, of the Democratic platform. Nearly every plank in that platform has been repudiated at different times by the majority side of this House. For a number of times in this Congress they voted in favor of sustaining the plank in that platform in reference to publicity of indorsements of presidential appointments, but in the end the temptation was too great, and enough of you over there followed those who believed in that principle or thing on this side to vote down the Cullop or Mann amendment, but I trust that my friend from Indiana will offer his amendment, giving us another chance at it. Let us know whether in creating an additional and unnecessary office in Georgia you are willing to make public the indorsements made to the President for the appointment which is made.

Mr. DONOVAN. Mr. Chairman, the gentleman from Illinois, the minority leader, has reminded me of my duty, or, in other words, reminded me of an article of faith in the Democratic decalogue, and that is this: Economy in public expenditures, that labor might be lightly burdened. I believe that is almost the first article of faith in the Democratic doctrine. Again, the gentleman from Illinois has reminded me of the necessity of filling these positions that possibly have been left vacant or

no services have been performed. We had in our State a judge of the lower court—the district court—who died, and the position was not filled for a year and a half. No one suffered—and the country saved the salary—except those who desired to fill the seat at the salary to be paid. They were the only ones who suffered. Mr. Chairman, let me see if I understand the chairman of the committee correctly. I understood him a few moments ago to state that it would not be possible to have Judge Speer resign or retire before he was 70 years old. Is that correct?

Mr. WEBB. Well, I think that is true. Of course, that is up to Judge Speer; but I do not believe he will resign until he is 70 years of age, and then he will retire under the present law and draw the salary that the law allows.

Mr. DONOVAN. The gentleman should have told you, Mr. Chairman, that the position is for life—or, in other words, that the Constitution reads "during good behavior," and good behavior consists in drawing the salary attached to the office. [Laughter.]

Mr. WEBB. I believe the gentleman knows that this——

Mr. DONOVAN. The chairman of the committee is a great lawyer; but I have the floor, and the gentleman should address the Chair and not set a bad example to his associates here.

Mr. WEBB. Mr. Chairman——

The CHAIRMAN. Does the gentleman from Connecticut yield?

Mr. DONOVAN. It will give me much pleasure to yield to the gentleman from North Carolina.

Mr. WEBB. Mr. Chairman, I beg the pardon of the gentleman. I did not mean to breach the rules when the gentleman was speaking, but of course we know that while these are life-tenure positions that the law provides that the judge who has served 10 years and arrives at the age of 70 years has a right to retire and draw the pay allowed by law, and it is assumed that at his arrival at the age of 70 years Judge Speer will retire on account of bad health on such pay as the law allows him. He is now 67 years of age, and it is assumed that at the end of the three-year period still remaining he will retire.

Mr. DONOVAN. I suggest, Mr. Chairman, the gentleman's knowledge of the law is a little faulty. There is no such provision of the law. The Constitution says, and says plainly, "during good behavior." Article III, section 1, says:

> The judges, both of the Supreme and inferior courts, shall hold their offices during good behavior, and shall at stated times receive for their services a compensation, which shall not be diminished during their continuance in office.

And under no circumstances is there any cause——

Mr. WEBB. Mr. Chairman——

The CHAIRMAN. Will the gentleman from Connecticut yield to the gentleman from North Carolina?

Mr. DONOVAN. I will be delighted to yield.

Mr. WEBB. We are familiar with the provisions of the Constitution which the gentleman has read, but surely the gentleman knows there is a statute enacted by Congress which gives these gentlemen the privilege, after having served to the age of 70 years, of retiring with full pay. And the average judge whose health is bad, and who has arrived at the age of 70, usually takes advantage of that law and retires and draws full pay, instead of remaining on the bench.

Mr. DONOVAN. Mr. Chairman, I was recognized for one hour, was I not?

The CHAIRMAN. You were.

Mr. DONOVAN. I will say to the gentleman from North Carolina that there is no provision that will interfere with the constitutional provision. You may pass what you wish, but the Constitution stands notwithstanding. And any lawyer knows that. The gentleman, as chairman of the committee, ought to have told his associates this, Mr. Chairman, that in the report it is stated that for three years in this particular court there were only 46 civil cases. Now, think of that. Forty-six civil cases in three years. That shows to a certain extent that it is not a court of much business. About 15 civil cases a year. Oh, the gentleman will say, if he gets the floor again, that they had a great many criminal cases. Well, criminal cases in a district court do not amount to much. They are largely technical crimes—that is to say, violations of internal-revenue laws—and you can try 50 or a hundred of them in a day. I believe up our way we have held a whole term of court in less than one hour. There is no dispute. Once I believe in this court here they did have a case that took some time to try, but probably it has been the only one in the whole Southern States in the last 15 years. Now, in all these criminal cases where they are caught and have not paid a special tax they have nothing else to do except to "pay the fiddler," and the accused is lacking in good sense if he employs a lawyer. [Laughter.] Now, the chairman of the committee took advantage of that when he kept that knowledge from his associates.

Now, as the gentleman from Illinois [Mr. MANN] stated as to the position in Chicago, for two years and a half it has not been filled. Now, in Chicago there is more business done in the United States court, no doubt, in one year than there is in all the district courts of the Southern States in 10 years. There is no doubt about that. They have some counterfeiting cases that take time; they have some civil cases that take time; but in the Eastern States and in the Southern States, where there is much less business done, it is done almost wholly in the State courts, and the gentleman, the chairman of the committee, knows that.

As a Democrat, Mr. Chairman, I will have to vote against this measure in order to keep up with the policy of the Democratic Party of economy in public expense.

I reserve the balance of my time.

Mr. SIMS. May I ask the gentleman a question?

Mr. DONOVAN. I will be pleased to yield.

Mr. SIMS. I have not heard all that has been said about the bill, either for or against it.

Mr. DONOVAN. The gentleman never will hear all that lawyers should say. They only state what is necessary to say to the case at hand.

Mr. SIMS. It is shown that this judge is unable to perform the duties of his office, and they want to appoint a new judge, and retire the old judge under the provisions of the bill?

Mr. DONOVAN. It is not so here.

Mr. SIMS. According to what the gentleman said about the very small amount of business done, and that this judge is not very well, the associate judges can come in, other judges that are not overworked, and are not ill.

Mr. DONOVAN. That is the practice of the court elsewhere. They do call in additional judges in other places.

Mr. SIMS. Why do they not do it and give this sick man a rest?

Mr. WEBB. They have called in four different judges in this court.

Mr. DONOVAN. We have in the New England States four district judges, and one died, and it was two years and a half before another was appointed in his place, and during that time no one suffered.

Mr. SIMS. Can not they put in another judge temporarily and clean up this docket?

Mr. WEBB. Was the gentleman addressing me?

Mr. SIMS. Anybody who can answer.

Mr. WEBB. I can tell the gentleman. Judge Grubb, Judge Shepherd, Judge Pardee, and Judge Newman have been in the district in the last two or three years in order to clean up this docket.

Mr. SIMS. On account of the ill health of the regular judge?

Mr. WEBB. On account of the ill health of Judge Speer.

Mr. SIMS. Is this judge unfit or unable to go ahead with his duties?

Mr. WEBB. He is absolutely; and it will take three years to clean up this docket.

Mr. SIMS. Why not appoint a new judge?

Mr. WEBB. I will say to the gentleman from Tennessee that there was quite a demand on the part of the people of Georgia for a new judicial district, with an additional judge, but the Committee on the Judiciary, knowing the sentiment and feeling of Members that it is best to be economical, and feeling that way ourselves, we did not agree to that, and said, "No; we will appoint a judge, but when Judge Speer resigns or dies no successor shall be appointed."

Mr. SIMS. That is only a temporary appointment?

Mr. WEBB. Yes.

Mr. SIMS. Then it would not give this new judge the right to retire after serving 10 years or more?

Mr. WEBB. Oh, certainly. This is a permanent judge.

Mr. SIMS. I understood the gentleman to say it was temporary.

Mr. WEBB. Judge Speer will be entitled to retire in 10 years. He is now in very feeble health, and the supposition is that he will retire in three years; that is, when he reaches the age of 70. Whether he does retire or not, he is not able now to do the work of his district. This will not cost any more to the country after three years to have that additional judge down there, for at the end of that time Judge Speer can retire.

Mr. SIMS. If he is not able to do the work, why not retire him permanently and appoint a permanent judge?

Mr. WEBB. You can not retire him until he has reached the age of 70, and then only if he chooses to retire.

Mr. SIMS. Not by an act of Congress?

Mr. WEBB. It is a life position. A special act could give him the right to retire earlier, but Congress could not force him to retire.

Mr. FLOYD of Arkansas. He could hold on until he is 90 if he wished.

Mr. SIMS. Why can you not in your act provide for that?

Mr. DONOVAN. Mr. Chairman, this is a kind of tea party. I thought I had the floor. [Laughter.]

Mr. SIMS. If he does not do the work and has already been impeached on account of what he has done, why not get rid of him?

Mr. WEBB. He has not been impeached. He has been investigated.

Mr. SIMS. I mean an effort has been made to impeach him.

Mr. WEBB. He can not do the work of two men.

Mr. SIMS. Considering the criticisms of what he has done, is it not manifest that the less work he does do down there the better it will be for the people down there?

Mr. WEBB. I would not exactly make that statement.

Mr. FLOYD of Arkansas. Mr. Chairman, I may say that it is not in the power of Congress to compel any judge to retire against his will.

Mr. PAGE of North Carolina. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. PAGE of North Carolina. Who has the floor?

Mr. FLOYD of Arkansas. Retirement must be a voluntary act on the part of the judge.

Mr. SIMS. Is it not in the power of Congress to retire him with pay?

Mr. FLOYD of Arkansas. No. He must himself consent. He must himself accept the benefits of the law.

Mr. SLAYDEN. Mr. Chairman, will the gentleman yield?

Mr. WEBB. Certainly.

Mr. SLAYDEN. You are undertaking, as I understand it, to have appointed a judge in this district in Georgia to serve during the period of the inability of Judge Speer to discharge the duties of his office and to supplement the work so as to clear up a congested docket. Is that right?

Mr. WEBB. Not quite. This judge, when appointed, will be a permanent appointment, but Judge Speer's successor shall not be appointed; or, rather, Judge Speer will have no successor.

Mr. SLAYDEN. Has the gentleman in charge of this bill given any attention to the condition in the fifth circuit, where the judge is very much more than 80 years old and physically unable to discharge the duties of his office, and who declines to exercise his constitutional right to retire?

Mr. WEBB. I will say to my friend that I have given thought to that situation he mentions, and we discussed it here a while ago—the gentleman from Washington [Mr. BRYAN] and I. I not only understood that the judge in Texas would not resign, but that he was able to do some work but refused to do so.

Mr. SLAYDEN. I do not think he is physically able to do the work. For the last year or two he was helped onto the bench.

Mr. WEBB. I think under such circumstances a judge ought to have enough self-respect to retire and let a new judge be appointed.

Mr. SLAYDEN. I think so; but I think the committee ought to give us some relief, and have an additional judge appointed in that circuit under the precise circumstances suggested in this Georgia district which we are now considering.

Mr. BARTLETT. If my friend will introduce a bill——

Mr. SLAYDEN. Your friend has already introduced such a bill.

Mr. WEBB. There has been no such statement justifying the creation of a new judge down there as has been presented in this pending case. If the gentleman from Texas will make to the committee as strong a statement as he has made here, we will look into the facts and probably recommend such legislation.

Mr. SLAYDEN. Some of my colleagues are lawyers, and perhaps they can state the situation more clearly and forcibly than I can, and perhaps they may be able to take that task off my hands.

Mr. WEBB. I think there should be another circuit judge in your circuit, and, for my part, I would be willing to recommend it. It would not increase the expense, but it would supply an able-bodied judge. We shall give the matter consideration.

The CHAIRMAN. The Clerk will now read the bill for amendment.

The Clerk read as follows:

Be it enacted, etc., That the President of the United States shall appoint an additional district judge for the southern district of the State of Georgia, by and with the consent of the Senate, who shall reside in the said district and shall possess the same qualifications and have the same power and jurisdiction and receive the same salary now prescribed by law in respect of the present district judge therein.

Mr. MANN. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Illinois offers an amendment, which the Clerk will report.

The Clerk read as follows:

Insert in line 9, page 1, after the word "therein," the following: "*Provided, however*, That the President shall make public all indorsements made in behalf of the person appointed as such district judge."

Mr. MANN. Mr. Chairman, concerning this amendment, or the original Cullop amendment, which is only being changed to make it applicable to this case, the distinguished leader of the Democratic Party, the Secretary of State, Mr. Bryan, made this statement:

Is there anything in that amendment that an honest man can object to? Why should the President desire to conceal the recommendations upon which he appoints public servants? And why should he be permitted to conceal recommendations if he does desire to do so? The amendment does not interfere with his right to appoint; it simply asks him to step out into the daylight and let the people see to what indorsements he gives weight and what indorsements he ignores. Anything wrong about that?

The opponents of the amendment say that it is unconstitutional. The objection is ridiculous; but suppose it were a doubtful question? Why not let the court decide the question of constitutionality? If the amendment is desirable, let Congress pass the bill; the Federal courts can be relied upon not to allow the people to have any more light than the Constitution permits. The 13 Democrats opposing the law give the benefit of the doubt to the predatory interests. If the 13 had their way about it, the courts would have no chance to decide the question on the side of the people.

The 13 Democrats made a mistake—a grievous mistake. With some of them such mistakes are a matter of habit, but some of the 13 are new offenders. It remains to be seen whether they have been misled or have deliberately started on a downward course. Their constituents should write them, demanding an explanation. By the time they get through explaining they will know more.

[Laughter on the Republican side.]

So, in order that we may know more, I ask the opportunity that gentlemen may vote on this amendment once more.

Mr. BARTLETT. Will the gentleman yield?

Mr. MANN. In a moment. When the Cullop amendment was first offered 13 Democrats voted against it. I do not remember whether all of the 13 are still in the House or have been promoted, while many of them who voted on the other side have been retired to private life; but there were 13 who received this scolding from the distinguished Secretary of State, who tells your President what to do. Now, I will yield to the gentleman from Georgia.

Mr. BARTLETT. The gentleman said this was the Cullop amendment. The Cullop amendment embraced all oral and written recommendations. The amendment of the gentleman from Illinois does not go that far?

Mr. MANN. I think the Cullop amendment did not say that; but it did say "all indorsements." My amendment says "all indorsements of the man who is appointed." I put it that way in order that there might be no question about its being in order.

Mr. BARTLETT. My friend from Illinois did not vote for the Cullop amendment, did he?

Mr. MANN. No; and I shall not vote for this one. I hope no one requires me to make an announcement that I am not in favor of most of the provisions of the Democratic platform. That is one provision I do not favor; will gentlemen on the other side repudiate it? It is no dishonor to me to repudiate it.

Mr. BARTLETT. As for myself, I never voted for it.

Mr. MANN. The gentleman repudiated the Democratic platform, then.

Mr. BARTLETT. I am perfectly willing to repudiate that part of it. I do not think the Democratic Party or anybody else has a right to bind me to vote for an unconstitutional provision.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Illinois.

The question was taken; and on a division (demanded by Mr. Cox) there were 51 ayes and 24 noes.

Mr. WEBB. I ask for tellers.

Mr. MANN. Oh, do not filibuster; let us have a vote in the House.

Tellers were ordered, and the Chair appointed as tellers Mr. MANN and Mr. WEBB.

The committee again divided, and the tellers reported that there were 47 ayes and 30 noes.

So the amendment was agreed to.

The Clerk completed the reading of the bill.

Mr. WEBB. Mr. Chairman, I move that the committee do now rise and report the bill with the amendment to the House, with the recommendation that the amendment be agreed to and the bill as amended do pass.

The CHAIRMAN. The question is on the motion of the gentleman from North Carolina.

The question was taken; and on a division (demanded by Mr. WEBB and Mr. CRISP) there were 49 ayes and 28 noes.

So the motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. JOHNSON of Kentucky, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill H. R. 17869 and had directed him to report the same back to the House with an amendment, with the recommendation that the amendment be agreed to and that the bill as amended do pass.

The SPEAKER. The question is on the amendment.

The question was taken; and on a division (demanded by Mr. CULLOP) there was 36 ayes and 37 noes.

Mr. CULLOP. Mr. Speaker, I make the point that there is no quorum present.

The SPEAKER. The gentleman from Indiana makes the point of no quorum, and evidently no quorum is present. The Doorkeeper will close the doors, the Sergeant at Arms will notify the absentees, and the Clerk will call the roll.

The question was taken; and there were—yeas 161, nays 103, answered "present" 1, not voting 164, as follows:

YEAS—161.

Abercrombie	Doolittle	Kirkpatrick	Sherwood
Adair	Doughton	Kitchin	Sims
Aiken	Driscoll	Lafferty	Sisson
Anderson	Eagan	La Follette	Slemp
Ashbrook	Eagle	Lenroot	Smith, Minn.
Aswell	Evans	Lewis, Pa.	Smith, Tex.
Austin	Falconer	Lieb	Sparkman
Barkley	Farr	Lindbergh	Stanley
Barton	Fergusson	Lloyd	Stedman
Borchers	Finley	Lonergan	Steenerson
Brockson	FitzHenry	McGillicuddy	Stephens, Cal.
Brown, N. Y.	Foster	McKellar	Stephens, Miss.
Browne, Wis.	Fowler	MacDonald	Stephens, Nebr.
Brumbaugh	Frear	Maguire, Nebr.	Stephens, Tex.
Bryan	Gallivan	Mahan	Stone
Buchanan, Ill.	Garrett, Tex.	Maher	Stout
Buchanan, Tex.	Gill	Mapes	Stringer
Burke, Wis.	Goodwin, Ark.	Mitchell	Sumners
Byrns, Tenn.	Graham, Ill.	Moon	Sutherland
Callaway	Gray	Morgan, Okla.	Tavenner
Candler, Miss.	Hamlin	Moss, Ind.	Taylor, Ala.
Carew	Hardy	Moss, W. Va.	Taylor, Ark.
Carter	Hayden	Murdock	Thomas
Casey	Helgesen	Murray	Thompson, Okla.
Church	Helm	Oldfield	Treadway
Collier	Helvering	Phelan	Tribble
Connolly, Iowa	Henry	Porter	Vaughan
Cooper	Hensley	Prouty	Vinson
Cox	Hoxworth	Quin	Volstead
Cramton	Igoe	Raker	Walsh
Crosser	Johnson, Ky.	Rauch	Watkins
Cullop	Keating	Reilly, Conn.	Willis
Decker	Keister	Reilly, Wis.	Wingo
Deitrick	Kelley, Mich.	Roberts, Nev.	Witherspoon
Dent	Kelly, Pa.	Rogers	Woodruff
Dershem	Kennedy, Conn.	Rouse	Woods
Dickinson	Kettner	Rubey	Young, N. Dak.
Dillon	Key, Ohio	Rucker	Young, Tex.
Dixon	Kiess, Pa.	Rupley	
Donohoe	Kindel	Russell	
Donovan	Kinkead, N. J.	Shackleford	

NAYS—103.

Adamson	Fields	Johnson, S. C.	Powers
Allen	Floyd, Ark.	Johnson, Wash.	Price
Avis	Fordney	Kennedy, R. I.	Rainey
Bailey	Gard	Knowland, J. R.	Rayburn
Barnhart	Gardner	Kreider	Slayden
Bartlett	Garner	Lee, Ga.	Sloan
Beakes	Gerry	Lee, Pa.	Smith, Idaho
Blackmon	Glass	Lesher	Smith, J. M. C.
Booher	Goeke	Logue	Smith, N. Y.
Bulkley	Good	McAndrews	Stafford
Burgess	Gordon	McLaughlin	Stevens, Minn.
Burke, S. Dak.	Greene, Mass.	Madden	Switzer
Burnett	Greene, Vt.	Mann	Talbott, Md.
Butler	Griest	Montague	Talcott, N. Y.
Byrnes, S. C.	Gudger	Morgan, La.	Thacher
Carlin	Guernsey	Morrison	Townsend
Clancy	Hammond	Mulkey	Tuttle
Coady	Harris	O'Shaunessy	Underwood
Crisp	Harrison	Padgett	Walker
Curry	Hayes	Page, N. C.	Weaver
Danforth	Hinds	Paige, Mass.	Webb
Davis	Holland	Park	Whaley
Dies	Houston	Parker, N. J.	White
Dupré	Hughes, Ga.	Patton, Pa.	Williams
Edwards	Hull	Payne	Wilson, Fla.
Esch	Humphrey, Wash.	Post	

ANSWERED "PRESENT"—1.

Browning

NOT VOTING—164.

Ainey	Beall, Tex.	Bruckner	Chandler, N. Y.
Alexander	Bell, Cal.	Burke, Pa.	Clark, Fla.
Ansberry	Bell, Ga.	Calder	Claypool
Anthony	Borland	Campbell	Cline
Baker	Bowdle	Cantor	Connelly, Kans.
Baltz	Britten	Cantrill	Conry
Barchfeld	Brodbeck	Caraway	Copley
Bartholdt	Broussard	Carr	Dale
Bathrick	Brown, W. Va.	Cary	Davenport
Difenderfer	Hamilton, N. Y.	Lobeck	Riordan
Dooling	Hart	Loft	Roberts, Mass.
Doremus	Haugen	McClellan	Rothermel
Drukker	Hawley	McGuire, Okla.	Sabath
Dunn	Hay	McKenzie	Saunders
Edmonds	Heflin	Manahan	Scott
Elder	Hill	Martin	Scully
Estopinal	Hinebaugh	Metz	Seldomridge
Fairchild	Hobson	Miller	Sells
Faison	Howard	Mondell	Sherley
Ferris	Howell	Moore	Shreve
Fess	Hughes, W. Va.	Morin	Sinnott
Fitzgerald	Hulings	Mott	Small
Flood, Va.	Humphreys, Miss.	Neeley, Kans.	Smith, Md.
Francis	Jacoway	Neely, W. Va.	Smith, Saml. W.
French	Johnson, Utah	Nelson	Stevens, N. H.
Gallagher	Jones	Nolan, J. I.	Taggart
Garrett, Tenn.	Kahn	Norton	Taylor, Colo.
George	Kennedy, Iowa	O'Brien	Taylor, N. Y.
Gillett	Kent	Oglesby	Temple
Gilmore	Kinkaid, Nebr.	O'Hair	Ten Eyck
Gittins	Konop	O'Leary	Thomson, Ill.
Godwin, N. C.	Korbly	Palmer	Towner
Goldfogle	Langham	Parker, N. Y.	Underhill
Gorman	Langley	Patten, N. Y.	Vare
Goulden	Lazaro	Peters	Vollmer
Graham, Pa.	L'Engle	Peterson	Wallin
Green, Iowa	Lever	Platt	Walters
Gregg	Levy	Plumley	Watson
Griffin	Lewis, Md.	Pou	Whitacre
Hamill	Lindquist	Ragsdale	Wilson, N. Y.
Hamilton, Mich.	Linthicum	Reed	Winslow

So the amendment was agreed to.

The Clerk announced the following pairs:

For the session:

Mr. SCULLY with Mr. BROWNING.

Until further notice:

Mr. HOWARD with Mr. FAIRCHILD.

Mr. WATSON with Mr. DUNN.

Mr. HAY with Mr. KAHN.

Mr. SHERLEY with Mr. GILLETT.

Mr. ALEXANDER with Mr. AINEY.

Mr. LEVER with Mr. WINSLOW.

Mr. BELL of Georgia with Mr. ANTHONY.

Mr. BORLAND with Mr. BARCHFELD.

Mr. BROWN of New York with Mr. BARTHOLDT.

Mr. BRUMBAUGH with Mr. BELL of California.

Mr. BRUCKNER with Mr. BRITTEN.

Mr. CANTRILL with Mr. BURKE of Pennsylvania.

Mr. CARAWAY with Mr. CALDER.

Mr. CLARK of Florida with Mr. CAMPBELL.

Mr. CLINE with Mr. DRUKKER.

Mr. CONNELLY of Kansas with Mr. EDMONDS.

Mr. CONRY with Mr. FESS.

Mr. DALE with Mr. MARTIN.

Mr. DAVENPORT with Mr. CARY.

Mr. DOREMUS with Mr. COPLEY.

Mr. FERRIS with Mr. FRENCH.

Mr. FITZGERALD with Mr. GRAHAM of Pennsylvania.

Mr. GALLAGHER with Mr. GREEN of Iowa.

Mr. GARRETT of Tennessee with Mr. HAMILTON of Michigan.

Mr. GODWIN of North Carolina with Mr. HAMILTON of New York.

Mr. GOULDEN with Mr. HAUGEN.

Mr. GRIFFIN with Mr. HAWLEY.

Mr. HAMILL with Mr. HOWELL.

Mr. HART with Mr. HUGHES of West Virginia.

Mr. HEFLIN with Mr. JOHNSON of Utah.

Mr. HUMPHREYS of Mississippi with Mr. KENNEDY of Iowa.

Mr. KONOP with Mr. KINKAID of Nebraska.

Mr. JACOWAY with Mr. HULINGS.

Mr. LEWIS of Maryland with Mr. LANGHAM.

Mr. LINTHICUM with Mr. MCGUIRE of Oklahoma.

Mr. LOBECK with Mr. MCKENZIE.

Mr. NEELY of West Virginia with Mr. LANGLEY.

Mr. O'BRIEN with Mr. LINDQUIST.

Mr. OGLESBY with Mr. MANAHAN.

Mr. O'LEARY with Mr. MILLER.

Mr. PALMER with Mr. MOORE.

Mr. PATTEN of New York with Mr. MONDELL.

Mr. POU with Mr. MORIN.

Mr. RAGSDALE with Mr. MOTT.

Mr. REED with Mr. NELSON.

Mr. RIORDAN with Mr. NORTON.

Mr. SABATH with Mr. PARKER of New York.

Mr. SAUNDERS with Mr. PETERS.

Mr. SMALL with Mr. PLATT.

Mr. TAGGART with Mr. PLUMLEY.

Mr. TAYLOR of Colorado with Mr. ROBERTS of Massachusetts.

Mr. TEN EYCK with Mr. SCOTT.

Mr. UNDERHILL with Mr. SELLS.

Mr. WILSON of New York with Mr. SHREVE.

Mr. TAYLOR of New York with Mr. SINNOTT.

Mr. CLAYPOOL with Mr. SAMUEL W. SMITH.
Mr. FRANCIS with Mr. TEMPLE.
Mr. CANTOR with Mr. VARE.
Mr. LAZARO with Mr. WALLIN.
The result of the vote was announced as above recorded.
A quorum being present, the doors were opened.
The SPEAKER. The question is on the engrossment and third reading of the bill.
The bill was ordered to be engrossed and read a third time, and was read the third time.
The SPEAKER. The question is on the passage of the bill.
The question was taken, and the Speaker announced the ayes seemed to have it.
Mr. MANN. Division, Mr. Speaker.
The House divided; and there were—ayes 113, noes 79.
So the bill was passed.
On motion of Mr. WEBB, a motion to reconsider the vote by which the bill was passed was laid on the table.

LEAVE OF ABSENCE.

By unanimous consent, Mr. DRUKKER was granted leave of absence indefinitely on account of illness in his family.

ADJOURNMENT.

Mr. WEBB. Mr. Speaker, I move that the House do now adjourn.
The motion was agreed to; accordingly (at 5 o'clock and 17 minutes p. m.) the House adjourned to meet to-morrow, Thursday, December 10, 1914, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1. A letter from the Librarian of Congress, transmitting annual report of the Librarian and the annual report of the superintendent of Library Building and Grounds for the fiscal year ended June 30, 1914 (H. Doc. No. 1402); to the Committee on the Library and ordered to be printed.

2. A letter from the Commissioners of the District of Columbia, transmitting a report of the official doings of the government of the District of Columbia for the fiscal year ended June 30, 1914 (H. Doc. No. 1392); to the Committee on the District of Columbia and ordered to be printed.

3. A letter from the Secretary of the Treasury, transmitting annual report of the Secretary of the Treasury on the state of the finances for the fiscal year ended June 30, 1914 (H. Doc. No. 1261); to the Committee on Ways and Means and ordered to be printed.

4. A letter from the Postmaster General, transmitting report of the finances of the Post Office Department for the preceding year, and also a report of the amount expended for the preceding fiscal year, including detailed statement of expenditures made from the contingent fund (H. Doc. No. 1262); to the Committees on the Post Office and Post Roads and Expenditures in the Post Office Department and ordered to be printed.

5. A letter from the Secretary of War, transmitting statements from the Chief of Ordnance, United States Army, of expenditures, etc., during the fiscal year ended June 30, 1914, at the Springfield Armory, Springfield, Mass., and the Rock Island Arsenal, Rock Island, Ill. (H. Doc. No. 1263); to the Committee on Expenditures in the War Department and ordered to be printed.

6. A letter from the Secretary of the Smithsonian Institution, transmitting a detailed statement of expenditures under the appropriation "For international exchanges," "American Ethnology," etc., for the fiscal year ended June 30, 1914 (H. Doc. No. 1264); to the Committee on Appropriations and ordered to be printed.

7. A letter from the Secretary of the Treasury, transmitting estimates of appropriations for defraying the expenses of collecting the revenue from customs for the fiscal year ending June 30, 1916 (H. Doc. No. 1265); to the Committee on Appropriations and ordered to be printed.

8. A letter from the Secretary of the Interior, transmitting copy of a letter from Messrs. Daly, Hoyt & Mason, counselors at law, of New York, embodying a report of the operation of the Maritime Canal Co. of Nicaragua (H. Doc. No. 1266); to the Committee on Interstate and Foreign Commerce and ordered to be printed.

9. A letter from the Secretary of the Navy, transmitting detailed statement of expenditures under the contingent appropriations for the Navy Department for the fiscal year ended June 30, 1914 (H. Doc. No. 1267); to the Committee on Expenditures in the Navy Department and ordered to be printed.

10. A letter from the Secretary of the Interior, transmitting statement of cost account of moneys expended on each irrigation project on Indian reservations, allotments, and lands (H. Doc. No. 1268); to the Committee on Indian Affairs and ordered to be printed, with illustration.

11. A letter from the Secretary of the Navy, transmitting statement relating to the purchase of typewriting machines for the first three months of the fiscal year ending June 30, 1915 (H. Doc. No. 1269); to the Committee on Appropriations and ordered to be printed.

12. A letter from the Secretary of War, requesting that the necessary authority be granted for the sale of the Army transports *Crook* and *Meade* (H. Doc. No. 1270); to the Committee on Military Affairs and ordered to be printed.

13. A letter from the Secretary of Agriculture, transmitting report concerning the prices paid for wheat to the producers in the State of Kansas, and the prices at which said wheat is sold for export at Kansas City, Mo., and how such prices are determined (H. Doc. No. 1271); to the Committee on Agriculture and ordered to be printed.

14. A letter from the Secretary of the Interior, transmitting detailed statement of expenditures for subsistence, etc., in the Freedmen's Hospital for the fiscal year ended June 30, 1914 (H. Doc. No. 1326); to the Committee on Expenditures in the Interior Department and ordered to be printed.

15. A letter from the Secretary of War, transmitting letter from Chief of Ordnance, United States Army, submitting statements of the cost of all type of experimental manufactured guns and other articles by the United States Government at the several arsenals during the fiscal year ended June 30, 1914 (H. Doc. No. 1272); to the Committee on Military Affairs and ordered to be printed.

16. A letter from the Postmaster General, transmitting annual report of the operations of the Postal Savings System for the fiscal year ended June 30, 1914 (H. Doc. No. 1273); to the Committee on the Post Office and Post Roads and ordered to be printed.

17. A letter from the Secretary of the Interior, transmitting a report showing status of water rights of the Indians and the methods of financing the projects of reclamation, Shoshone or Wind River Reservation (H. Doc. No. 1274); to the Committee on Indian Affairs and ordered to be printed.

18. A letter from the Attorney General, transmitting statement of expenditures of the appropriations for the United States Court of Customs Appeals for the fiscal year ended June 30, 1914 (H. Doc. No. 1275); to the Committee on Expenditures in the Department of Justice and ordered to be printed.

19. A letter from the superintendent of buildings and grounds of the Library of Congress, transmitting statement relative to typewriting machines purchased during the first three months of the fiscal year 1915 (H. Doc. No. 1276); to the Committee on Appropriations and ordered to be printed.

20. A letter from the Librarian of Congress, showing in detail the traveling expenses of officers and employees of the Library of Congress during the fiscal year ended June 30, 1914 (H. Doc. No. 1277); to the Committee on Appropriations and ordered to be printed.

21. A letter from the Secretary of the Interior, transmitting copy of a letter from Dr. William White, superintendent of the Government Hospital for the Insane, transmitting the financial report showing receipts and expenditures of said institution for the fiscal year ended June 30, 1914 (H. Doc. No. 1278); to the Committee on Expenditures in the Interior Department and ordered to be printed.

22. A letter from the clerk of the Court of Claims, transmitting statement of all judgments rendered by said court for the year ended December 5, 1914, the amounts thereof, and the parties in whose favor rendered (H. Doc. No. 1279); to the Committee on Claims and ordered to be printed.

23. A letter from the Secretary of the Interior, transmitting statement showing documents received and distributed by the Department of the Interior for the fiscal year ended June 30, 1914 (H. Doc. No. 1280); to the Committee on Printing and ordered to be printed.

24. A letter from the Secretary of the Treasury, transmitting statement of claims for damages which have been considered, adjusted, and determined by the Commissioner of Lighthouses (H. Doc. No. 1281); to the Committee on Appropriations and ordered to be printed.

25. A letter from the Postmaster General, transmitting a tabular statement showing in detail the claims of postmasters for reimbursement for losses of money order or postal funds, resulting from burglary, fire, or other unavoidable casualty, which have been acted on by the Postmaster General during the

fiscal year ended June 30, 1914 (H. Doc. No. 1282); to the Committee on Expenditures in the Post Office Department and ordered to be printed.

26. A letter from the Secretary of the Smithsonian Institution, transmitting statement showing in detail what officers or employees of the Government traveled under the direction of the Smithsonian Institution on official business during the fiscal year ended June 30, 1914 (H. Doc. No. 1283); to the Committee on Appropriations and ordered to be printed.

27. A letter from the Secretary of the Interior, transmitting statement of the expenditures from the appropriation for "Industrial work and care of timber" for the fiscal year ended June 30, 1914 (H. Doc. No. 1284); to the Committee on Expenditures in the Interior Department and ordered to be printed.

28. A letter from the Secretary of the Interior, transmitting report for the fiscal year 1914, relating to the appropriation "Indian schools" (H. Doc. No. 1285); to the Committee on Indian Affairs and ordered to be printed.

29. A letter from the Secretary of the Interior, transmitting statement of expenditures for the fiscal year 1914 from the appropriation "Indian school and agency buildings" (H. Doc. No. 1286); to the Committee on Indian Affairs and ordered to be printed.

30. A letter from the Secretary of the Interior, transmitting statement of cost of survey and allotment work, Indian Service, for the fiscal year ended June 30, 1914 (H. Doc. No. 1287); to the Committee on Indian Affairs and ordered to be printed.

31. A letter from the Secretary of the Interior, transmitting statement of the fiscal affairs of Indian tribes for the fiscal year ended June 30, 1914 (H. Doc. No. 1288); to the Committee on Indian Affairs and ordered to be printed.

32. A letter from the assistant clerk of the Court of Claims, transmitting findings of fact and conclusions of law and opinion in the French spoliation claim relating to the vessel schooner *Experiment* in the case of the Insurance Co. of the State of Pennsylvania et al. *v.* The United States (H. Doc. No. 1289); to the Committee on Claims and ordered to be printed.

33. A letter from the assistant clerk of the Court of Claims, transmitting findings of fact, conclusions of law, and opinion in the French spoliation claims relating to the vessel brig *Betsy*, in the case of James Murray Eaton and Charles S. Vann, administrators of James Grandberry, *v.* The United States (H. Doc. No. 1290); to the Committee on Claims and ordered to be printed.

34. A letter from the assistant clerk of the Court of Claims, transmitting findings of fact and conclusions of law in the French spoliation claim relating to the vessel ship *Philadelphia*, in the case of the Insurance Co. of the State of Pennsylvania et al. *v.* The United States (H. Doc. No. 1291); to the Committee on Claims and ordered to be printed.

35. A letter from the assistant clerk of the Court of Claims, transmitting findings of fact and conclusions of law in the French spoliation claim relating to the vessel sloop *Hawk*, in the case of Frederick R. Sherman et al. *v.* The United States (H. Doc. No. 1292); to the Committee on Claims and ordered to be printed.

36. A letter from the assistant clerk of the Court of Claims, transmitting findings of fact and conclusions of law in the French spoliation claim relating to the vessel brig *Peggy*, in the case of Francis R. Pemberton, administrator of John Clifford, et al., *v.* The United States (H. Doc. No. 1293); to the Committee on Claims and ordered to be printed.

37. A letter from the assistant clerk of the Court of Claims, transmitting findings of fact and conclusions of law in the French spoliation claims relating to the vessel sloop *William*, in the case of George G. King, administrator of Crowell Hatch, et al. *v.* The United States (H. Doc. No. 1294); to the Committee on Claims and ordered to be printed.

38. A letter from the assistant clerk of the Court of Claims, transmitting findings of fact and conclusions of law in the French spoliation claims, relating to the vessel sloop *William*, in the case of the Insurance Co. of the State of Pennsylvania et al. *v.* The United States (H. Doc. No. 1295); to the Committee on Claims and ordered to be printed.

39. A letter from the assistant clerk of the Court of Claims, transmitting findings of fact and conclusions of law in the French spoliation claims, relating to the vessel sloop *Pallas*, in the case of the president and directors of the Insurance Co. of North America et al. *v.* The United States (H. Doc. No. 1296); to the Committee on Claims and ordered to be printed.

40. A letter from the assistant clerk of the Court of Claims, transmitting findings of fact and conclusions of law in the French spoliation claims, relating to the vessel brig *Dove*, in the case of William B. Atkinson, administrator of William Bartlett and Edmond Bartlett, *v.* The United States (H. Doc. No. 1297); to the Committee on Claims and ordered to be printed.

41. A letter from the assistant clerk of the Court of Claims, transmitting findings of fact and conclusions of law in the French spoliation claims, relating to the vessel sloop *Hero*, in the case of J. Lamb Johnston, administrator of David Lamb, *v.* The United States (H. Doc. No. 1298); to the Committee on Claims and ordered to be printed.

42. A letter from the assistant clerk of the Court of Claims, transmitting findings of fact and conclusions of law in the French spoliation claims, relating to the vessel schooner *Active*, in the case of Stephen C. Atkins, administrator of Nathaniel Akins, et al., *v.* The United States (H. Doc. No. 1299); to the Committee on Claims and ordered to be printed.

43. A letter from the assistant clerk of the Court of Claims, transmitting findings of fact and conclusions of law in the French spoliation claims, relating to the vessel ship *Superb*, in the case of John D. Bryant, administrator of Charles Jones, et al., *v.* The United States (H. Doc. No. 1300); to the Committee on Claims and ordered to be printed.

44. A letter from the assistant clerk of the Court of Claims, transmitting findings of fact and conclusions of law in the French spoliation claims relating to the vessel brig *Polly*, in the case of James Crawford Dawes, administrator of Abijah Dawes et al., *v.* The United States (H. Doc. No. 1301); to the Committee on Claims and ordered to be printed.

45. A letter from the assistant clerk of the Court of Claims, transmitting findings of fact and conclusions of law in the French spoliation claims relating to the vessel brigantine *Centaur*, in the case of William Gray, administrator of William Gray, *v.* The United States (H. Doc. No. 1302); to the Committee on Claims and ordered to be printed.

46. A letter from the assistant clerk of the Court of Claims, transmitting findings of fact and conclusions of law in the French spoliation claims relating to the vessel schooner *Lark*, in the case of Charles F. Adams, administrator of Peter C. Brooks et al., *v.* The United States (H. Doc. No. 1303); to the Committee on Claims and ordered to be printed.

47. A letter from the assistant clerk of the Court of Claims, transmitting findings of fact and conclusions of law in the French spoliation claims relating to the vessel schooner *Columbia* (H. Doc. No. 1304); to the Committee on Claims and ordered to be printed.

48. A letter from the assistant clerk of the Court of Claims, transmitting findings of fact and conclusions of law in the French spoliation claims relating to the vessel schooner *Rachel*, in the case of Martha A. Duvall, administratrix of Archibald Stewart, *v.* The United States (H. Doc. No. 1305); to the Committee on Claims and ordered to be printed.

49. A letter from the assistant clerk of the Court of Claims, transmitting findings of fact and conclusions of law in the French spoliation claims relating to the vessel ship *Fair American*, in the case of the Insurance Co. of the State of Pennsylvania *v.* The United States, and of Samuel Bell, administrator, etc., of Stephen Dutilh, *v.* The United States (H. Doc. No. 1306); to the Committee on Claims and ordered to be printed.

50. A letter from the assistant clerk of the Court of Claims, transmitting the findings of fact and conclusions of law in the French spoliation claims relating to the vessel schooner *President*, in the cases of Henry Pettit, administrator of Andrew Pettit, and other claimants *v.* The United States (H. Doc. No. 1307); to the Committee on Claims and ordered to be printed.

51. A letter from the assistant clerk of the Court of Claims, transmitting the findings of fact and conclusions of law in the French spoliation claims relating to the vessel brig *Lucy*, in the cases of the Insurance Co. of the State of Pennsylvania and other claimants *v.* The United States (H. Doc. No. 1308); to the Committee on Claims and ordered to be printed.

52. A letter from the assistant clerk of the Court of Claims, transmitting the findings of fact and conclusions of law in the French spoliation claims relating to the vessel brig *Florida*, in the case of the Insurance Co. of the State of Pennsylvania *v.* The United States (H. Doc. 1309); to the Committee on Claims and ordered to be printed.

53. A letter from the assistant clerk of the Court of Claims, transmitting the findings of fact and conclusions of law in the French spoliation claims relating to the vessel sloop *Hope*, in the case of the president and directors of the Insurance Co. of North America *v.* The United States (H. Doc. 1310); to the Committee on Claims and ordered to be printed.

54. A letter from the assistant clerk of the Court of Claims, transmitting the findings of fact and conclusions of law in the French spoliation claims relating to vessel ship *Little Mary*, in the cases of the president and directors of the Insurance Co. of North America and other claimants *v.* The United States (H.

Doc. No. 1311); to the Committee on Claims and ordered to be printed.

55. A letter from the assistant clerk of the Court of Claims, transmitting the findings of fact and conclusions of law in the French spoliation claims relating to the vessel brig *Maria*, in the cases of Harriet E. Sebor, administratrix of Jacob Sebor, and other claimants *v.* The United States (H. Doc. No. 1312); to the Committee on Claims and ordered to be printed.

56. A letter from the assistant clerk of the Court of Claims, transmitting the findings of fact and conclusions of law in the French spoliation claims relating to the vessel schooner *Delight*, in the cases of William B. Peart, administrator of William Peart, and other claimants *v.* The United States (H. Doc. No. 1313); to the Committee on Claims and ordered to be printed.

57. A letter from the assistant clerk of the Court of Claims, transmitting the findings of fact and conclusions of law in the French spoliation claims relating to the vessel brig *Lydia*, in the cases of Caspar A. Chisholm, administrator of George Chisholm, surviving partner of La Motte & Chisholm, and other claimants *v.* The United States (H. Doc. No. 1314); to the Committee on Claims and ordered to be printed.

58. A letter from the assistant clerk of the Court of Claims, transmitting the findings of fact and conclusions of law in the French spoliation claims relating to the vessel schooner *Sally*, in the cases of Henry A. T. Granberry, administrator of John Granberry, and other claimants *v.* The United States (H. Doc. No. 1315); to the Committee on Claims and ordered to be printed.

59. A letter from the assistant clerk of the Court of Claims, transmitting the findings of fact and conclusions of law in the French spoliation claims relating to the vessel brig *Jay*, in the case of Frederick W. Brune and William H. Brune, administrators de bonis non of the estate of Ambrose Clark, *v.* The United States (H. Doc. No. 1316); to the Committee on Claims and ordered to be printed.

60. A letter from the assistant clerk of the Court of Claims, transmitting the findings of fact and conclusions of law in the French spoliation claims relating to the vessel schooner *Friendship*, in the cases of Charles Francis Adams, administrator of Peter C. Brooks, and other claimants *v.* The United States (H. Doc. No. 1317); to the Committee on Claims and ordered to be printed.

61. A letter from the assistant clerk of the Court of Claims, transmitting the findings of fact and conclusions of law in the French spoliation claims relating to the vessel ship *Willink*, in the cases of David Stewart and John E. Semmes, receivers of the Maryland Insurance Co., and other claimants, *v.* The United States (H. Doc. No. 1318); to the Committee on Claims and ordered to be printed.

62. A letter from the assistant clerk of the Court of Claims, transmitting the findings of fact and conclusions of law in the French spoliation claims in the case of David Stewart and John E. Sherman, receivers of the Maryland Insurance Co., and Henry C. Thorburn, administrator of estate of James Thorburn, surviving partner of James Donaldson & Co., *v.* The United States (H. Doc. No. 1319); to the Committee on Claims and ordered to be printed.

63. A letter from the assistant clerk of the Court of Claims, transmitting the findings of fact and conclusions of law in the French spoliation claims relating to the vessel brig *Phoebe*, in the case of the Insurance Co. of the State of Pennsylvania *v.* The United States (H. Doc. No. 1320); to the Committee on Claims and ordered to be printed.

64. A letter from the assistant clerk of the Court of Claims, transmitting the findings of fact and conclusions of law in the French spoliation claims relating to the vessel schooner *Hetty*, in the case of John N. A. Griswold, trustee of the United Insurance Co. of the City of New York, and other claimants, *v.* The United States (H. Doc. No. 1321); to the Committee on Claims and ordered to be printed.

65. A letter from the assistant clerk of the Court of Claims, transmitting the findings of fact and conclusions of law in the French spoliation claims relating to the vessel schooner *Mary Ann*, in the cases of Charles F. Adams, administrator of Peter Brooks, and other claimants, *v.* The United States (H. Doc. No. 1322); to the Committee on Claims and ordered to be printed.

66. A letter from the assistant clerk of the Court of Claims, transmitting the findings of fact and conclusions of law in the French spoliation claims relating to the vessel snow *Charles*, in the cases of Louisa A. Starkweather, administratrix of Richard S. Hallett, and other claimants, *v.* The United States (H. Doc. No. 1323); to the Committee on Claims and ordered to be printed.

67. A letter from the assistant clerk of the Court of Claims, transmitting the findings of fact and conclusions of law in the French spoliation claims relating to the vessel ship *Phoenix*, in the case of Henry Frederick Wegner, administrator de bonis non estate of Albert Seekamp, *v.* The United States, and of George F. R. Waesche, administrator de bonis non estate of George Repold, *v.* The United States (H. Doc. No. 1324); to the Committee on Claims and ordered to be printed.

68. A letter from the Secretary of the Treasury, transmitting a combined statement of the receipts and disbursements, balances, etc., of the United States during the fiscal year ended June 30, 1914 (H. Doc. No. 1325); to the Committee on Appropriations and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the several calendars therein named, as follows:

Mr. JOHNSON of Kentucky, from the Committee on the District of Columbia, to which was referred the bill (H. R. 19553) to amend an act entitled "An act making appropriations to provide for the expenses of the Government of the District of Columbia for the year ending June 30, 1903, and for other purposes," approved July 1, 1902, reported the same without amendment, accompanied by a report (No. 1207), which said bill and report were referred to the House Calendar.

He also, from the same committee, to which was referred the bill (H. R. 19552) providing for annual assessments of real estate in the District of Columbia, reported the same without amendment, accompanied by a report (No. 1208), which said bill and report were referred to the House Calendar.

He also, from the same committee, to which was referred the bill (H. R. 19549) to amend an act entitled "An act making appropriations to provide for the expenses of the government of the District of Columbia for the year ending June 30, 1903, and for other purposes," approved July 1, 1902, reported the same without amendment, accompanied by a report (No. 1209), which said bill and report were referred to the House Calendar.

He also, from the same committee, to which was referred the bill (H. R. 19547) to provide for the manner of paying the expenses of the Government of the District of Columbia, reported the same with amendment, accompanied by a report (No. 1210), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. KEY of Ohio, from the Committee on Pensions, to which was referred the joint resolution (H. J. Res. 294) providing for payment of surgeons making examination at claimant's home in connection with claim pending in the Bureau of Pensions, reported the same without amendment, accompanied by a report (No. 1211), which said joint resolution and report were referred to the Committee of the Whole House on the state of the Union.

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, committees were discharged from the consideration of the following bills, which were referred as follows:

A bill (H. R. 18695) granting a pension to Duval Johnson; Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 19268) granting an increase of pension to Frederick Brinegar; Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 19448) granting a pension to Commodore P. Ellis; Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. OLDFIELD (by request): A bill (H. R. 19642) to extend temporarily the time of filing applications for letters patent and registration in the Patent Office; to the Committee on Patents.

By Mr. LINTHICUM: A bill (H. R. 19643) to provide for an examination and survey of the Patapsco River, Md.; to the Committee on Rivers and Harbors.

By Mr. McKELLAR: A bill (H. R. 19644) to regulate promotions in the Army of the United States; to the Committee on Military Affairs.

By Mr. MORGAN of Louisiana: A bill (H. R. 19645) authorizing a survey of Bayou Lafourche, La.; to the Committee on Rivers and Harbors.

By Mr. MacDONALD: Joint resolution (H. J. Res. 381) for the appointment of a commission for the purpose of investigat-

ing the preparedness of the United States for war, defensive or offensive; to the Committee on Military Affairs.

By Mr. MONDELL: Joint resolution (H. J. Res. 382) authorizing the President to extend invitations to other nations to send representatives to the International Dry-Farming Congress to be held at Denver, Colo., September 27 to October 8, inclusive, 1915; to the Committee on Foreign Affairs.

By Mr. SMITH of New York: Joint resolution (H. J. Res. 383) declaring the intention of Congress to establish the rightful claims of American citizens to discoveries in the far north; to the Committee on Naval Affairs.

By Mr. ROBERTS of Nevada: Resolution (H. Res. 668) providing for the appointment of a committee of investigators; to the Committee on Rules.

By Mr. KEISTER: Resolution (H. Res. 669) authorizing the Clerk of the House to pay to Anna J. Oursler a certain amount of money; to the Committee on Accounts.

By Mr. UNDERWOOD: Resolution (H. Res. 670) referring to various committees such parts of the President's message as relate to the appropriation of the revenue for the support of the Government; to the Committee on Ways and Means.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ADAIR: A bill (H. R. 19646) granting an increase of pension to Elijah Broughman; to the Committee on Invalid Pensions.

By Mr. ASHBROOK: A bill (H. R. 19647) granting an increase of pension to Benjamin T. Jones; to the Committee on Invalid Pensions.

By Mr. AUSTIN: A bill (H. R. 19648) granting an increase of pension to Alfred G. Watson; to the Committee on Invalid Pensions.

By Mr. BOOHER: A bill (H. R. 19649) granting a pension to Margaret J. Sharp; to the Committee on Invalid Pensions.

Also, a bill (H. R. 19650) granting an increase of pension to Levi Chute; to the Committee on Invalid Pensions.

Also, a bill (H. R. 19651) granting an increase of pension to James P. Tindle; to the Committee on Invalid Pensions.

Also, a bill (H. R. 19652) granting an increase of pension to Mahala Burns; to the Committee on Invalid Pensions.

By Mr. BUCHANAN of Illinois: A bill (H. R. 19653) granting an increase of pension to Bridget McGarry; to the Committee on Invalid Pensions.

By Mr. BURGESS: A bill (H. R. 19654) for the relief of Mrs. C. H. Williams; to the Committee on War Claims.

Also, a bill (H. R. 19655) for the relief of Mrs. C. H. Williams; to the Committee on War Claims.

By Mr. BURKE of Wisconsin: A bill (H. R. 19656) granting an increase of pension to Benjamin F. Harris; to the Committee on Invalid Pensions.

Also, a bill (H. R. 19657) granting an increase of pension to Wallace Thompson; to the Committee on Invalid Pensions.

By Mr. CARTER: A bill (H. R. 19658) granting an increase of pension to Leon Brown; to the Committee on Invalid Pensions.

By Mr. CLINE: A bill (H. R 19659) granting a pension to Allie Truesdell; to the Committee on Invalid Pensions.

By Mr. COOPER: A bill (H. R. 19660) granting a pension to Lizzie H. Bentley; to the Committee on Invalid Pensions.

By Mr. COX: A bill (H. R. 19661) granting a pension to John Schafer; to the Committee on Invalid Pensions.

Also, a bill (H. R. 19662) granting an increase of pension to Benjamin F. Richardson; to the Committee on Invalid Pensions.

Also, a bill (H. R. 19663) granting an increase of pension to Charles Hooten; to the Committee on Invalid Pensions.

Also, a bill (H. R. 19664) granting an increase of pension to Edward T. Keithley; to the Committee on Invalid Pensions.

Also, a bill (H. R. 19665) granting an increase of pension to John W. Lamaster; to the Committee on Invalid Pensions.

Also, a bill (H. R. 19666) for the relief of Abraham Hawkins; to the Committee on Military Affairs.

Also, a bill (H. R. 19667) for the relief of Washington Lovell; to the Committee on Military Affairs.

By Mr. CRAMTON: A bill (H. R. 19668) granting a pension to Mary Jane Moore; to the Committee on Invalid Pensions.

Also, a bill (H. R. 19669) granting a pension to Goldie M. Nichols; to the Committee on Pensions.

By Mr. DOOLITTLE: A bill (H. R. 19670) granting an increase of pension to Lucinda Findley; to the Committee on Invalid Pensions.

Also, a bill (H. R. 19671) granting an increase of pension to Silas H. Fish; to the Committee on Pensions.

Also, a bill (H. R. 19672) granting an increase of pension to James Corn; to the Committee on Invalid Pensions.

By Mr. FESS: A bill (H. R. 19673) granting a pension to Jean M. Chance; to the Committee on Pensions.

Also, a bill (H. R. 19674) granting a pension to Daniel Johnson; to the Committee on Pensions.

By Mr. FOSTER: A bill (H. R. 19675) granting a pension to Mary A. Dyer; to the Committee on Invalid Pensions.

By Mr. GRIEST: A bill (H. R. 19676) granting a pension to John Paster; to the Committee on Invalid Pensions.

By Mr. HELVERING: A bill (H. R. 19677) granting an increase of pension to William Talbot; to the Committee on Invalid Pensions .

By Mr. HILL: A bill (H. R. 19678) granting an increase of pension to Samuel B. McNeill; to the Committee on Invalid Pensions.

By Mr. HOUSTON: A bill (H. R. 19679) for the relief of the heirs of Thomas J. Hill; to the Committee on War Claims.

By Mr. KEY of Ohio: A bill (H. R. 19680) granting an increase of pension to John L. Berry; to the Committee on Invalid Pensions.

Also, a bill (H. R. 19681) granting an increase of pension to Robert Carlyle; to the Committee on Invalid Pensions.

By Mr. LAFFERTY: A bill (H. R. 19682) granting a pension to Minnie Anderson; to the Committee on Invalid Pensions.

Also, a bill (H. R. 19683) granting a pension to Jane Davison; to the Committee on Invalid Pensions.

By Mr. LANGLEY: A bill (H. R. 19684) granting an increase of pension to Jesse Roark; to the Committee on Invalid Pensions.

Also, a bill (H. R. 19685) granting an increase of pension to Thomas R. Gillispie; to the Committee on Invalid Pensions.

Also, a bill (H. R. 19686) granting an increase of pension to Decatur Maynard; to the Committee on Invalid Pensions.

By Mr. LAZARO: A bill (H. R. 19687) granting an increase of pension to Richard S. Harrison; to the Committee on Invalid Pensions.

By Mr. LEWIS of Pennsylvania: A bill (H. R. 19688) to remove the charge of desertion from the record of Joseph Houser; to the Committee on Military Affairs.

By Mr. LONERGAN: A bill (H. R. 19689) granting a pension to Phoebe A. Bean; to the Committee on Invalid Pensions.

Also, a bill (H. R. 19690) granting a pension to Fannie Stewart; to the Committee on Invalid Pensions.

By Mr. McANDREWS: A bill (H. R. 19691) granting an increase of pension to Marcia Swift; to the Committee on Invalid Pensions.

By Mr. McKENZIE: A bill (H. R. 19692) granting an increase of pension to James C. Burwell; to the Committee on Pensions.

By Mr. MORGAN of Louisiana: A bill (H. R. 19693) granting a pension to Laura A. Graham; to the Committee on Invalid Pensions.

Also, a bill (H. R. 19694) granting a pension to Maggie Hall; to the Committee on Invalid Pensions.

Also, a bill (H. R. 19695) granting an increase of pension to Christian Schmalz; to the Committee on Pensions.

Also, a bill (H. R. 19696) for the relief of heirs or estate of Jean Marie Heriard, deceased; to the Committee on War Claims.

By Mr. MOSS of West Virginia: A bill (H. R. 19697) granting a pension to Harvey M. Wilson; to the Committee on Invalid Pensions.

Also, a bill (H. R. 19698) granting an increase of pension to Elizabeth Beorn; to the Committee on Invalid Pensions.

Also, a bill (H. R. 19699) granting an increase of pension to Mary E. Allen; to the Committee on Invalid Pensions.

By Mr. NEELY of West Virginia: A bill (H. R. 19700) granting an increase of pension to Thomas W. Hill; to the Committee on Invalid Pensions.

By Mr. PADGETT: A bill (H. R. 19701) granting an increase of pension to John D. Lewis; to the Committee on Invalid Pensions.

By Mr. PROUTY: A bill (H. R. 19702) granting a pension to Ellen S. Glider; to the Committee on Invalid Pensions.

By Mr. QUIN: A bill (H. R. 19703) granting an increase of pension to Martha J. Kelly; to the Committee on Pensions.

Also, a bill (H. R. 19704) granting an increase of pension to Rebecca Ramsey; to the Committee on Pensions.

By Mr. RUSSELL: A bill (H. R. 19705) granting a pension to Mary J. Jones; to the Committee on Invalid Pensions.

By Mr. SMITH of New York: A bill (H. R. 19706) for the relief of Jennie Butler; to the Committee on Claims.

By Mr. STEPHENS of California: A bill (H. R. 19707) granting an increase of pension to Michael Carroll; to the Committee on Invalid Pensions.

By Mr. SWITZER: A bill (H. R. 19708) granting a pension to Charles R. Morgan; to the Committee on Pensions.

Also, a bill (H. R. 19709) granting a pension to Robert H. Lawson; to the Committee on Pensions.

Also, a bill (H. R. 19710) granting a pension to D. H. Darling; to the Committee on Invalid Pensions.

Also, a bill (H. R. 19711) granting an increase of pension to William Hunter; to the Committee on Invalid Pensions.

Also, a bill (H. R. 19712) granting a pension to Alice V. Keeler; to the Committee on Invalid Pensions.

Also, a bill (H. R. 19713) granting a pension to Ida M. Warner; to the Committee on Invalid Pensions.

Also, a bill (H. R. 19714) granting an increase of pension to Jesse P. Earl; to the Committee on Invalid Pensions.

Also, a bill (H. R. 19715) granting an increase of pension to Hamilton Adams; to the Committee on Invalid Pensions.

Also, a bill (H. R. 19716) granting a pension to Sarah A. Bennett; to the Committee on Invalid Pensions.

Also, a bill (H. R. 19717 granting an increase of pension to James Finley; to the Committee on Invalid Pensions.

Also, a bill (H. R. 19718) granting a pension to Jennie Furrier; to the Committee on Invalid Pensions.

Also, a bill (H. R. 19719) granting an increase of pension to Clinton Miller; to the Committee on Invalid Pensions.

Also, a bill (H. R. 19720) granting an increase of pension to John Pierpoint; to the Committee on Invalid Pensions.

Also, a bill (H. R. 19721) granting an increase of pension to Henry Rundy; to the Committee on Invalid Pensions.

By Mr. TALBOTT of Maryland: A bill (H. R. 19722) granting a pension to Mary R. Ramsey; to the Committee on Invalid Pensions.

Also, a bill (H. R. 19723) granting a pension to Charles B. McConn; to the Committee on Invalid Pensions.

By Mr. THOMPSON of Oklahoma: A bill (H. R. 19724) granting an increase of pension to Thomas Boling; to the Committee on Invalid Pensions.

Also, a bill (H. R. 19725) granting an increase of pension to Joseph W. Kelly; to the Committee on Invalid Pensions.

Also, a bill (H. R. 19726) granting an increase of pension to William T. Snider; to the Committee on Invalid Pensions.

Also, a bill (H. R. 19727) granting an increase of pension to James Harvey; to the Committee on Invalid Pensions.

Also, a bill (H. R. 19728) to remove the charge of desertion from the military record of Joshua D. Ditto; to the Committee on Military Affairs.

Also, a bill (H. R. 19729) to remove the charge of desertion from the military record of Robert Curren; to the Committee on Military Affairs.

Also, a bill (H. R. 19730) to remove the charge of desertion from the military record of John Boyce; to the Committee on Military Affairs.

Also, a bill (H. R. 19731) to remove the charge of desertion from the military record of Seth A. Welch; to the Committee on Military Affairs.

By Mr. WHITACRE: A bill (H. R. 19732) granting a pension to Harper Brosius; to the Committee on Invalid Pensions.

By Mr. WHITE: A bill (H. R. 19733) granting an increase of pension to Frank Nesbaum; to the Committee on Invalid Pensions.

Also, a bill (H. R. 19734) granting an increase of pension to Alvanes P. Henery; to the Committee on Invalid Pensions.

Also, a bill (H. R. 19735) granting an increase of pension to George W. Morrison; to the Committee on Invalid Pensions.

Also, a bill (H. R. 19736) granting an increase of pension to George W. Flesher; to the Committee on Invalid Pensions.

Also, a bill (H. R. 19737) granting an increase of pension to Isabelle Porter; to the Committee on Invalid Pensions.

By Mr. WICKERSHAM: A bill (H. R. 19738) granting a pension to Sarah D. Myers; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. AUSTIN: Petition of sundry citizens of New Market, Tenn., favoring national prohibition; to the Committee on Rules.

By Mr. BAILEY (by request): Petitions of L. W. Irwin & Co., C. W. Sausser, W. B. Dysart, Lupfer & Bower, and M. J. Wiley, all of Bellwood, favoring passage of H. R. 53087; to the Committee on Ways and Means.

By Mr. BORCHERS: Petition of sundry citizens of Charleston, Ill., favoring national prohibition; to the Committee on Rules.

By Mr. CHURCH: Petition of 50 citizens of California against national prohibition; to the Committee on Rules.

Also, petition of 400 citizens of California, favoring national prohibition; to the Committee on Rules.

By Mr. CRAMTON: Petitions of A. L. Juhl and 10 others, of Marlette; Fair & Co. and 11 others, of Brown City; Palmer Bros. & Co. and 16 others, of Yale; Rathsburg & Muer and 12 others, of Imlay City; Heenan Bros. & Hibbler and 15 others, of North Branch; Barker & Walker and 5 others, of Metamora; Lang Bros. and 3 others, of Capac; William Peter, esq., and 3 others, of Columbiaville; C. H. Tuttle and 6 others, of Lapeer; W. E. McCormack and 4 others, of Otter Lake; Preston & Collins and 3 others, of Fostoria; E. T. Pedlow and 10 others, of Millington; Dr. A. Cochran and 11 others, of Almont; Streeter & Co. and 9 others, of Memphis; W. J. Dudley and 13 others, of Armada; W. & M. Dixon and 3 others, of Lum; M. A. Joslin and 11 others, of Caro; and J. A. McLean and 11 others, of Pigeon, all of the State of Michigan, in support of H. R. 5308, for taxation of mail-order concerns; to the Committee on Ways & Means.

Also, petition of Mrs. William Sammis and 5 others, of Filion, Mich., and Robert Gotts, of Caseville, Mich., against any legislation to bar anti-Catholic publications from the mails; to the Committee on the Post Office and Post Roads.

Also, petition of Methodist Episcopal Church of Carsonville, Mich., and Methodist Episcopal Church of Brown City, Mich., and Henry Van Wagnen, of Millington, Mich., favoring national prohibition; to the Committee on Rules.

Also, petition of Home Missionary Society of the Methodist Episcopal Church of Marine City, Mich., against House bill 16904, relative to running railroad tracks in front of Sibley Hospital, Washington, D. C.; to the Committee on the District of Columbia.

Also, petition of Michigan Federation of Typographical Unions, against increase in postage on second-class mail matter; to the Committee on the Post Office and Post Roads.

By Mr. ESCH: Memorial of M. C. Casberg Camp, No. 11, Department of Wisconsin, United Spanish War Veterans, favoring amending the law relating to appointment of officers for national soldiers' homes; to the Committee on Military Affairs.

Also, memorial of Superior (Wis.) Commercial Club, favoring change in postal rates; to the Committee on the Post Office and Post Roads.

By Mr. FITZGERALD: Petition of Philadelphia Maritime Exchange, New Orleans Board of Trade, and Maritime Association of Port of New York, favoring appropriation for coast and geodetic survey work; to the Committee on Appropriations.

Also, petition of Commercial Association of Pendleton, Oreg., favoring appropriation for improvement of Crater Lake National Park; to the Committee on Military Affairs.

By Mr. GOOD: Petition of business men of the fifth congressional district of Iowa, favoring passage of House bill 5308 relative to taxing mail-order houses; to the Committee on Ways and Means.

By Mr. HAMMOND: Petition of the Woman's Christian Temperance Union of Lake Crystal, Minn., favoring national prohibition; to the Committee on Rules.

By Mr. KENNEDY of Rhode Island: Petition of Branch 472, Catholic Knights of America, Providence, R. I., protesting against circulation of Menace in mails, etc.; to the Committee on the Post Office and Post Roads.

By Mr. McCLELLAN: Petitions representing 162 residents of Ulster County, N. Y., urging legislation to make illegal the use of the mails for the transmission of literature which slanders, ridicules, or insults the religious convictions and practices of any citizen of the United States; to the Committee on the Post Office and Post Roads.

By Mr. NEELY of West Virginia: Evidence in support of bill for the relief of Thomas W. Hill; to the Committee on Invalid Pensions.

By Mr. SIMS: Petition of sundry citizens of Big Sandy, Tenn., favoring national prohibition; to the Committee on Rules.

By Mr. STEPHENS of California: Petition of Charles R. Hadley Co. and Grimes-Stassforth Stationery Co., of Los Angeles, Cal., favoring bill abolishing printing of envelopes by Post Office Department; to the Committee on the Post Office and Post Roads.

Also, memorial of San Luis Obispo Chamber of Commerce and board of trustees of the city of Venice, Cal., favoring the passage of the Hamill bill for the retirement of aged Government employees; to the Committee on Reform in the Civil Service.

By Mr. WOODRUFF: Petition of citizens of Bay City, Mich., favoring bill for suppression of defamatory literature; to the Committee on the Post Office and Post Roads.

By Mr. YOUNG of North Dakota: Petition of Jamestown (N. Dak.) Council, U. C. H., No. 556, protesting against any increase in mileage on the railroads; to the Committee on Interstate and Foreign Commerce.

SENATE.

THURSDAY, *December 10, 1914.*

The Chaplain, Rev. Forrest J. Prettyman, D. D., offered the following prayer:

Almighty God, we come to Thee in the face of a great task, that we may be workmen that need not be ashamed. We are not satisfied that our Government shall be only the expression of our best philosophy of human life, but we would remember that back of all our endeavor and back of all our authority is God's will. Thy will can not be changed by human force, but it is ever responsive to human needs. We pray that Thou wilt supply us with all the graces of character and that wisdom which will fit us for the tasks of this day, and that that which we do may redound to the honor and glory of Thy name. For Christ's sake. Amen.

WILLIAM ALDEN SMITH, a Senator from the State of Michigan; JOHN SHARP WILLIAMS, a Senator from the State of Mississippi; and LEBARON B. COLT, a Senator from the State of Rhode Island, appeared in their seats to-day.

The Journal of yesterday's proceedings was read and approved.

TREATMENT OF TUBERCULOSIS.

The VICE PRESIDENT laid before the Senate a communication from the Secretary of the Treasury, transmitting, in response to a resolution of May 26, 1913, a report by the United States Public Health Service relative to the methods and practice employed by Drs. Karl and Sylvia von Ruck in treating tuberculosis and rendering persons immune from tuberculosis, which, with the accompanying paper, was referred to the Committee on Public Health and National Quarantine.

ENDOWMENT OF AGRICULTURAL COLLEGES (H. DOC. NO. 1334).

The VICE PRESIDENT laid before the Senate a communication from the Secretary of the Treasury, transmitting, pursuant to law, a report of the disbursements for the fiscal year to end June 30, 1915, made in the States and Territories under the provisions of the act to apply a portion of the proceeds of the public lands to the more complete endowment and support of colleges for the benefit of agriculture and the mechanic arts, which was referred to the Committee on Agriculture and Forestry and ordered to be printed.

MOUNT WEATHER, VA. (H. DOC. NO. 1330).

The VICE PRESIDENT laid before the Senate a communication from the Secretary of Agriculture, transmitting, pursuant to law, a report as to the present condition and value of Mount Weather, Va., a weather station established in the Blue Ridge Mountains, which, with the accompanying paper, was referred to the Committee on Agriculture and Forestry and ordered to be printed.

MARITIME CANAL CO. (H. DOC. NO. 1327).

The VICE PRESIDENT laid before the Senate a communication from the Secretary of the Interior, transmitting, pursuant to law, a further report of the Maritime Canal Co. of Nicaragua, which was referred to the Committee on Interoceanic Canals and ordered to be printed.

REPORT OF THE ATTORNEY GENERAL (H. DOC. NO. 1390).

The VICE PRESIDENT laid before the Senate the Annual Report of the Attorney General of the United States for the year 1914, which was referred to the Committee on the Judiciary.

REPORT OF THE INTERSTATE COMMERCE COMMISSION (H. DOC. NO. 1389).

The VICE PRESIDENT laid before the Senate the Twenty-eighth Annual Report of the Interstate Commerce Commission, which was referred to the Committee on Interstate Commerce.

TRAVEL OF EMPLOYEES IN CONGRESSIONAL LIBRARY (H. DOC. NO. 1277).

The VICE PRESIDENT laid before the Senate a communication from the Librarian of Congress, transmitting, pursuant to law, a statement showing in detail the number of officers or employees of the Library of Congress who have traveled on official business from Washington to points outside the District of Columbia during the fiscal year 1914, which, with the accompanying paper, was referred to the Committee on Appropriations and ordered to be printed.

LIBRARY BUILDING AND GROUNDS (H. DOC. NO. 1276).

The VICE PRESIDENT laid before the Senate a communication from the chief clerk in charge of the Library Building and Grounds, transmitting, pursuant to law, a statement in regard to the purchase of typewriting machines during the first three months of the fiscal year 1915, which was referred to the Committee on Appropriations.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by J. C. South, its Chief Clerk, announced that the House agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 6282) to provide for the registration of, with collectors of internal revenue, and to impose a special tax upon all persons who produce, import, manufacture, compound, deal in, dispense, sell, distribute, or give away opium or coca leaves, their salts, derivatives, or preparations, and for other purposes.

The message also announced that the House had passed the following bills, in which it requested the concurrence of the Senate:

H. R. 6867. An act to increase and fix the compensation of the collector of customs for the customs collection district of Omaha;

H. R. 12303. An act to amend section 3246 of the Revised Statutes of the United States;

H. R. 15038. An act proposing an amendment to the Federal reserve act relative to acceptances, and for other purposes;

H. R. 15902. An act to amend, revise, and codify the laws relating to the public printing and binding and the distribution of Government publications; and

H. R. 17869. An act providing for the appointment of an additional district judge for the southern district of the State of Georgia.

PETITIONS AND MEMORIALS.

Mr. WORKS presented petitions of sundry members of church and Sunday school organizations in the District of Columbia, praying for the enactment of legislation to prohibit the manufacture and sale of intoxicating liquors within the District of Columbia, which were referred to the Committee on the District of Columbia.

Mr. NELSON presented petitions of sundry citizens of Lake Crystal, Minn., praying for national prohibition, which were referred to the Committee on the Judiciary.

He also presented a petition of the Presbytery of Winona, Minn., praying for national prohibition and remonstrating against any effort on the part of Congress to nullify the Indian treaty of 1855, which was referred to the Committee on the Judiciary.

Mr. THORNTON presented petitions of sundry citizens of Jackson, La., praying for national prohibition, which were referred to the Committee on the Judiciary.

Mr. LODGE presented memorials of sundry citizens of Boston, New Bedford, Fall River, Lowell, Worcester, Pittsfield, Holyoke, Winchester, Dedham, Revere, Springfield, and Chelsea, all in the State of Massachusetts, remonstrating against national prohibition, which were referred to the Committee on the Judiciary.

Mr. BURLEIGH presented petitions of sundry citizens of Maine, praying for national prohibition, which were referred to the Committee on the Judiciary.

Mr. SMITH of Michigan presented petitions of the congregation of the Congregational Church of Thompsonville; of the congregation of the United Brethren Church of North Star; of the Menominee Range Ministerial Association, of Iron Mountain; and of sundry citizens of Ashley, Ithaca, and Pompeii, all in the State of Michigan, praying for national prohibition, which were referred to the Committee on the Judiciary.

Mr. SHAFROTH. I present a memorial in the form of a resolution and ask to have it read at the desk by the Secretary.

The VICE PRESIDENT. Is there objection? The Chair hears none, and the Secretary will read the memorial.

The memorial was read and referred to the Committee on the Philippines, as follows:

THE ANTI-IMPERIALIST LEAGUE,
40 Central Street, Boston.

Resolved, That the Anti-Imperial League earnestly urges the immediate passage by the Senate of the bill reforming the Government of the Philippine Islands which passed the House at the last session as an important step toward the fulfillment of the promise repeatedly made by the Democratic Party to give the Philippine Islands their independence.

MOORFIELD STOREY, *President.*
ERVING WINSLOW, *Secretary.*

GOVERNMENT OF THE PHILIPPINES.

Mr. OVERMAN. On January 19, 1914, I introduced a joint resolution, being Senate joint resolution 99, requesting the President to consider the expediency of effecting a treaty with European powers providing for the neutralization of the Philippine Islands and to protect an independent government there when established, and it was referred to the Committee on Foreign Relations. I ask unanimous consent that that committee be discharged from the further consideration of the

joint resolution and that it be referred to the Committee on the Philippines.

The VICE PRESIDENT. Is there objection? The Chair hears none, and it is so ordered.

BILLS AND JOINT RESOLUTIONS INTRODUCED.

Bills and joint resolutions were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. CHAMBERLAIN:

A bill (S. 6857) authorizing the retirement from active service, with increased rank, of officers now on the active list of the Army who served in the Civil War; to the Committee on Military Affairs.

By Mr. LODGE:

A bill (S. 6858) to amend the postal laws of the United States; to the Committee on Post Offices and Post Roads.

By Mr. JONES:

A bill (S. 6859) granting certain lands to school district No. 56, Klickitat County, Wash., and authorizing the issuance of patent therefor; to the Committee on Indian Affairs.

By Mr. STERLING:

A bill (S. 6860) granting an increase of pension to Edward Pilot (with accompanying papers); to the Committee on Pensions.

A bill (S. 6861) for the relief of Elizabeth Marsh Watkins (with accompanying papers); to the Committee on Indian Affairs.

By Mr. SHAFROTH:

A bill (S. 6863) concerning water-power plants hereafter located upon the public lands, and for other purposes; to the Committee on Public Lands.

By Mr. OVERMAN:

A bill (S. 6864) granting a pension to Minnie Lord Henderson (with accompanying papers); to the Committee on Pensions.

By Mr. THOMPSON:

A bill (S. 6865) to prohibit the sale of intoxicating liquors in the District of Columbia, and to prohibit the treating or giving of intoxicating liquors to minors in the District; to the Committee on the District of Columbia.

By Mr. NELSON:

A bill (S. 6866) for the relief of Vilhelm Torkildsen;

A bill (S. 6867) granting an increase of pension to James K. Deyo (with accompanying papers); and

A bill (S. 6868) granting an increase of pension to F. A. Heebner; to the Committee on Pensions.

By Mr. BORAH:

A bill (S. 6869) granting an increase of pension to Sanford A. Herendeen (with accompanying papers);

A bill (S. 6870) granting an increase of pension to Susan A. Manning (with accompanying papers); and

A bill (S. 6871) granting an increase of pension to John B. Way (with accompanying papers); to the Committee on Pensions.

By Mr. SHIVELY:

A bill (S. 6872) granting a pension to Guss Gurtz;

A bill (S. 6873) granting an increase of pension to Anna Mott;

A bill (S. 6874) granting an increase of pension to Juriah Cline;

A bill (S. 6875) granting an increase of pension to Thomas Shapley; and

A bill (S. 6876) granting an increase of pension to Andrew C. McCorkle; to the Committee on Pensions.

By Mr. SMITH of Michigan:

A bill (S. 6877) granting an increase of pension to William H. Brown (with accompanying papers);

A bill (S. 6878) granting an increase of pension to Benjamin F. Girdler;

A bill (S. 6879) granting an increase of pension to Annette M. Lamoreaux; and

A bill (S. 6880) granting an increase of pension to Esen Z. Guild; to the Committee on Pensions.

By Mr. BURLEIGH:

A bill (S. 6881) granting an increase of pension to Lucy A. Kimball; to the Committee on Pensions.

By Mr. GALLINGER:

A joint resolution (S. J. Res. 210) to authorize the President to invite certain Governments to send delegates to the Pan American Medical Congress; to the Committee on Foreign Relations.

By Mr. KENYON:

A joint resolution (S. J. Res. 211) requesting the nations now at war to declare a truce for 20 days; to the Committee on Foreign Relations.

WAR SUPPLIES.

Mr. WORKS. I introduce a short bill which I ask to have read.

The VICE PRESIDENT. Is there objection? The Chair hears none, and the Secretary will read the bill.

The bill (S. 6862) to forbid the furnishing of war materials to belligerent nations was read the first time by its title, the second time at length, and referred to the Committee on Military Affairs, as follows:

Be it enacted, etc., That it shall be unlawful for any person, corporation, or association, a citizen or resident of, or doing business in the United States, to contract for, sell, supply, or furnish to any nation engaged in war, or its armies or soldiers, any food, clothing, supplies, arms, ammunition, horses, or war supplies of any kind, whether the same be contraband of war or not.

SEC. 2. Any person, corporation, or association violating the provisions of this act shall be fined not less than $5,000 nor more than $100,000 for each offense.

SEC. 3. Each contract, sale, or furnishing of any such supplies shall constitute a separate and distinct offense.

SEC. 4. Any officer, agent, or representative of any corporation or association participating in any act of contracting for or furnishing any such supplies, or knowing thereof and consenting thereto, shall be liable under this act.

REGULATION OF IMMIGRATION.

Mr. NELSON submitted an amendment intended to be proposed by him to the bill (H. R. 6060) to regulate the immigration of aliens to and the residence of aliens in the United States; which was ordered to lie on the table and be printed.

REPORT OF THE SERGEANT AT ARMS.

Mr. FLETCHER. I ask unanimous consent that the report from the Sergeant at Arms of the Senate, which was laid before the Senate on the 7th instant, being a full and complete account of all property in his possession and in the Senate Office Building belonging to the United States, be taken from the table and that it be printed as a document [S. Doc. No. 638]. It is the annual report of the Sergeant at Arms required by law, and it is printed each year.

The VICE PRESIDENT. Is there objection? The Chair hears none, and it is so ordered.

Mr. FLETCHER. I ask that the statement of the Sergeant at Arms of the Senate relative to the proceeds derived from the sale of certain property belonging to the United States be taken from the table and that it be printed as a document [S. Doc. No. 639]. This is the annual statement of the Sergeant at Arms, which is required by law and which is printed each year.

The VICE PRESIDENT. Without objection, that action will be taken.

EMPLOYMENT OF ADDITIONAL STENOGRAPHER.

Mr. LA FOLLETTE submitted the following resolution (S. Res. 497), which was read and referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That the Committee on Corporations Organized in the District of Columbia be, and it hereby is, authorized and directed to employ an additional stenographer, at the rate of $100 per month, the term of service of such stenographer to conclude with the final adjournment of the third session, Sixty-third Congress.

HOUSE BILLS REFERRED.

H. R. 6867. An act to increase and fix the compensation of the collector of customs for the customs collection district of Omaha was read twice by its title and referred to the Committee on Commerce.

H. R. 12303. An act to amend section 3246 of the Revised Statutes of the United States was read twice by its title and referred to the Committee on Finance.

H. R. 15038. An act proposing an amendment to the Federal reserve act relative to acceptances, and for other purposes, was read twice by its title and referred to the Committee on Banking and Currency.

H. R. 15902. An act to amend, revise, and codify the laws relating to the public printing and binding and the distribution of Government publications was read twice by its title and referred to the Committee on Printing.

H. R. 17869. An act providing for the appointment of an additional district judge for the southern district of the State of Georgia was read twice by its title and referred to the Committee on the Judiciary.

REGULATION OF IMMIGRATION.

The VICE PRESIDENT. The morning business is closed, and the calender under Rule VIII is in order.

Mr. SMITH of South Carolina. I move that the Senate proceed to the consideration of House bill 6060, the unfinished business.

The VICE PRESIDENT. The Senator from South Carolina moves that the Senate proceed to the consideration of House bill 6060. The question is on agreeing to the motion.

The motion was agreed to; and the Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 6060) to regulate the immigration of aliens to and the residence of aliens in the United States.

The VICE PRESIDENT. The pending amendment of the committee will be stated.

The SECRETARY. On page 3, lines 14, 15, and 16, strike out the following words:

On account of aliens who have, in accordance with law, declared their intention of becoming citizens of the United States or.

The VICE PRESIDENT. The question is on agreeing to the amendment. It will be agreed to, without objection.

The next amendment was, in section 2, page 4, line 15, after the word "alien," to strike out the additional proviso in the following words:

Provided further, That the provisions of this section shall not apply to aliens arriving in Guam or Hawaii; but if any such alien, not having become a citizen of the United States, shall later arrive at any port or place of the United States on the North American Continent, the provisions of this section shall apply.

Mr. REED. Mr. President, from the very hasty examination I have been able to give this bill, which appears to be rushing forward with an unprecedented speed, I am not sure that I fully comprehend the effect of this amendment. I desire to ask the chairman of the committee if it is the purpose of the amendment to permit the landing of all kinds of aliens without restriction in the Hawaiian Islands?

Mr. SMITH of South Carolina. The object is just the opposite. It is proposed that the proviso be stricken out. Those in charge of the administration of the law recommended it to the committee, and it was agreed to. The Secretary of Labor said:

The exemption, of course, has never amounted to anything so far as Guam is concerned, and its value as an encouragement to European immigration to Hawaii—which is understood to have been the original purpose of its insertion in the law—may seriously be doubted. Its chief effect is to relieve a number of Asiatic aliens of the payment of $4 each time they enter or reenter the islands. Moreover, the Government is paying all the expense of the enforcement of the law in Hawaii, and there seems to be no sound reason why aliens entering that territory should not contribute to the "revenues" collected from immigrants.

Mr. REED. That explanation is satisfactory to me, and my only apology for asking the question is that it has been impossible for me to give the bill full consideration. I had hoped that the Senator in charge of it would be willing to let it lie over one day further, but he appears to be unwilling to do so. I examined the bill as well as I could last night, and I shall ask for no further time myself.

Mr. SMITH of South Carolina. I wish to state to the Senator from Missouri that after having perfected the bill by these committee amendments I hope all the time necessary for a full understanding and discussion of the bill will be had in this body, because it is a bill of prime importance, and I do not propose to deny to any Member of the Senate an opportunity to understand it fully. As I said yesterday, the amendments are largely verbal and do not touch the vital issues in the bill.

The amendment was agreed to.

The next amendment of the Committee on Immigration was, in section 3, page 4, line 25, after the word "previously," to insert "persons of constitutional psychopathic inferiority; persons with chronic alcoholism," so as to read:

SEC. 3. That the following classes of aliens shall be excluded from admission into the United States: All idiots, imbeciles, feeble-minded persons, epileptics, insane persons; persons who have had one or more attacks of insanity at any time previously; persons of constitutional psychopathic inferiority; persons with chronic alcoholism——

Mr. GALLINGER. Mr. President, I will venture to ask the chairman of the committee who is responsible for the phrase "constitutional psychopathic inferiority" and just what it means?

Mr. SMITH of South Carolina. All I can say is that that phrase came from that very learned, necessary, and dignified body of which the honorable Senator from New Hampshire is a member. It came, as I understand, from the American Society of Medicine.

Mr. GALLINGER. Mr. President, a psychopath is a morally irresponsible person; that is the definition that I have become acquainted with; but how we are going to determine whether an alien has a "constitutional psychopathic inferiority" that should exclude him I can not quite comprehend. What degree of inferiority will be required as sufficient to exclude him? If the phrase were "psychopathic constitutional tendency," or "constitutional psychopathic infirmity," I could understand that, but the word "inferiority" is certainly an obscure one.

Mr. SMITH of South Carolina. I presume that phraseology was incorporated by the learned body of medical doctors of this country. They incorporated it, as they do a great many other things; they cover up some very innocent and some very harmful things sometimes under a phraseology. I suppose the phrase means one whose moral inheritance renders him by virtue of his hereditary taint inferior. I do not know of any other meaning of the phrase. We incorporated the phrase believing, as I think the Senator believes, in the wisdom of that learned profession.

Mr. GALLINGER. Of course a person is mentally inferior if he belongs to that class; but when you speak of "constitutional psychopathic inferiority," you must have something to compare it with, and I do not know what it is. If the comparison is to be made with an entirely sound mind, I think that the degree of inferiority should in some way be defined.

Mr. President, my distinguished colleague, the Senator from Oregon [Mr. LANE], is fresher in the matter of medicine than I am, and I should like to ask him if he can interpret the phrase "psychopathic constitutional inferiority"?

Mr. LANE. Mr. President, in reply to the Senator from New Hampshire, I will say that I was much puzzled by that phrase in the bill when I read it. I do not know how "constitutional psychopathic inferiority" can be ascertained or who is to sit in judgment upon another man in relation to that matter; but we might get a psychopathic judge.

Mr. SMITH of South Carolina. Mr. President, as we have provided for medical examinations, and as this recommendation came from an organized medical body of this country, the committee concluded that medical men would be the best interpreters of it, and were the very best people to conserve the interests of the United States in this regard.

Mr. GALLINGER. This bill will go to conference, and doubtless the suggestion I have made will lead to an inquiry concerning the matter. I will ask the Senator from South Carolina what medical association or what medical gentlemen suggested that phraseology?

Mr. SMITH of South Carolina. I have not the letter pertaining to the matter before me at this moment, but I can produce it. The suggestion came from the leading physicians in the city of New York, I believe, and possibly from those of some other contiguous cities.

Mr. GALLINGER. I am myself so rusty in medicine that I do not pretend to understand a great many modern medical terms, but this struck me as being so peculiar that I thought I would call attention to it. However, if distinguished alienists suggested it I certainly will not contest it.

Mr. SMITH of South Carolina. I suppose the phrase is intended to mean a broader condition of inferiority than mere tendencies.

Mr. GALLINGER. Likely so, but the degree of inferiority is an important matter. Some distinguished philosopher has suggested that we are all insane, it being only a matter of degree, and there is much force in that suggestion.

Mr. REED. Before the Senator from New Hampshire takes his seat—he is not only a learned physician, but he is also a scholar—I should like also to have his opinion on the phrase "persons with chronic alcoholism." The language is not "persons afflicted with chronic alcoholism," but simply "persons with chronic alcoholism." Is there some medical refinement that might make that term plain?

Mr. GALLINGER. I will say to the Senator from Missouri that I think the language would be greatly improved if the words "afflicted with" were inserted.

Mr. REED. Mr. President, in view of the fact that the chairman of the committee does not understand the phrase, that the learned Senator from New Hampshire [Mr. GALLINGER] does not understand it, and that the learned physician, the Senator from Oregon [Mr. LANE], does not know what it means, it seems to me it would be quite in order for the Senate to accept it for the same reason that the committee has accepted it, and to pass it along, turning these people over to the tender mercies of the immigration agent who is presumptively much more intelligent than any of the gentlemen I have just named.

Speaking seriously, however, it occurs to me that the phrase ought to go back to the committee to be revamped and clarified. So I suggest that the amendment be passed over, in order that the committee may again go over it.

Mr. SMITH of South Carolina. Mr. President, it is useless to take up the time of the Senate on a matter of this kind. As I said before, this language was recommended by the physicians who have in charge the examination of these immigrants; certain of their terminology is not familiar to us; but it was incorporated in the bill, and as they are the ones charged with the duty of examining these immigrants to ascertain their physical defects and ailments the language was incorporated as recommended.

I myself think that the suggestion made that the phrase "persons with chronic alcoholism" might be improved by inserting the words "afflicted with" or "possessed of." I

think that, however, can be very easily worked out in conference.

Mr. REED. I can hardly agree to the phrase suggested by the Senator from South Carolina—"persons possessed of chronic alcoholism." I think the amendment ought to go back to the committee, and I ask the chairman of the committee to consent to the amendment being passed over. Otherwise, I shall make a motion that it be recommitted to the committee.

Mr. SMITH of South Carolina. Very well; let the amendment be passed over.

The VICE PRESIDENT. Without objection, the amendment will be passed over.

The next amendment of the Committee on Immigration was, in section 3, page 5, line 8, after the word "such," to strike out the words "mental or," so as to read:

Persons not comprehended within any of the foregoing excluded classes who are found to be and are certified by the examining surgeon as being mentally or physically defective, such physical defect being of a nature which may affect the ability of such alien to earn a living.

The amendment was agreed to.

The next amendment was, on page 5, line 10, after the word "or," to strike out the words "admit having committed" and to insert "who at the time of seeking admission to the United States are legally charged with," so as to read:

Persons who have been convicted of or who at the time of seeking admission to the United States are legally charged with a felony or other crime or misdemeanor involving moral turpitude.

Mr. REED. Mr. President, it seems to me that this raises a very interesting and important question. The language of the House bill was:

Persons who have been convicted of or admit having committed a felony or other crime or misdemeanor involving moral turpitude.

That is changed by the committee of the Senate to read:

Persons who have been convicted of or who at the time of seeking admission to the United States are legally charged with a felony.

If that phrase is so drawn that it will relate only to those acts which we ordinarily denominate crimes, which are recognized as crimes in this country, then I think I would offer no objection to it, but at several places in the bill a somewhat similar change appears, and it seems to me that it might result in this, that persons charged with political crimes and seeking refuge in this country might be denied admission and turned back to the country from which they had escaped.

Mr. SMITH of South Carolina. Mr. President, if the Senator from Missouri will allow me, if he will look on page 9, line 21, at the bottom of the page, he will find that the text of the bill reads as follows:

Provided, That nothing in this act shall exclude, if otherwise admissible, persons convicted of or legally charged with an offense purely political, not involving moral turpitude.

Mr. REED. Well, Mr. President, I still am fearful of the effect of the phraseology as to a crime purely political.

This occurs to me—and I think it is a serious matter—it has been our policy always to permit one who seeks refuge in this country, who flees from the tyranny of other lands, to enter here; and it is my understanding, although I have not had the opportunity to examine it, that such a person has hitherto been accorded the right of a trial in our courts to determine whether or not he was merely a political fugitive. Of course, such fugitives are always charged with high treason, or they are charged with some other crime which, so far as the charge is concerned, involves a great degree of moral turpitude; but, as a matter of fact, while that may be the charge, yet these people may be fleeing from oppression. The mere charge ought not to bar them from entry.

Let me illustrate that to the Senate; and I use this illustration merely to elucidate the argument. Germany has overrun and for the time being has conquered and taken possession of Belgium. Suppose, now, that a Belgian were to assail the authorities who have been established there through the force of arms; that this Belgian, believing that his loyalty and duty were still to the King of his country, who has been expelled, were to do some act which offended against the present military power; suppose that he should be legally charged with some act, the charge involving moral turpitude, whereas as a matter of fact all he had done was to contend on behalf of his stricken land, and under those circumstances he were to come to this country, seeking harbor and refuge, would it be the part of wisdom or would it be consistent with our national policies as they have heretofore existed, upon the mere presentation of a charge or indictment, to compel an immigration agent to turn him back? I do not think we should do that, and yet I believe that would be the consequence of this language.

Mr. LODGE. Mr. President——

The VICE PRESIDENT. Does the Senator from Missouri yield to the Senator from Massachusetts?

Mr. REED. I do.

Mr. LODGE. I was merely going to say to the Senator that this clause, except for the words in italics, is the existing law.

Mr. SMITH of South Carolina. Under the act of 1907.

Mr. LODGE. The only difference is the insertion by the Senate committee of the words "legally charged."

Mr. REED. That is exactly the point I am making.

Mr. LODGE. One moment. The Senator is speaking about the Belgians. Of course Belgium is now under military control. We recognize the Belgian Government's existence; the Belgian minister is here received. We take no recognition of that military control. There could be no indictment, because that territory is under military power, and I can not conceive how this provision could be so twisted as to keep out a Belgian because he fought for his country.

Mr. REED. Now, if the Senator will pardon me——

Mr. LODGE. Of course we do not want to do anything of that sort. I agree with the Senator as to that.

Mr. REED. I do not believe the Senator does want to do that.

Mr. LODGE. But I do not see how the provision can possibly be twisted in such a way as to do that.

Mr. REED. The Senator is arguing the details of an illustration, which is never the right way to arrive at a conclusion, which the illustration was simply offered to elucidate. While it is true that Belgium is to-day under military control, it does not follow that next week or next month the Imperial Government of Germany may not set up a civil government in Belgium, establish courts and forms of procedure there; neither does it follow that if a poor Belgian under those circumstances should refuse to obey some order he might not be indicted under some law or rule established by the autocratic authority which might be set up; and to say to him that, because the charge has been made, he can not come into this country, it seems to me, is going too far. He can not even be permitted to show that the charge is untrue; he can not be permitted to go back of a mere indictment or charge by some officer; but he must be bound absolutely by it, being denied the right to show the fact to be that his act was purely that of a patriot seeking to defend his country.

Mr. LODGE. Of course, we should have to recognize the German Government there first. No weight would be given to their proceedings unless we had recognized that they were the Government there.

Mr. REED. Possibly that is the case, and yet I do not think it necessarily follows. I do not believe that a mere charge ought to be sufficient to keep a man out. I believe we ought to reserve to ourselves the right to ascertain the facts for ourselves. I should not object at all to a clause imposing upon the applicant for admission the burden of showing that the charge was unfounded; but to deny him absolutely the right to enter this country would, in my opinion, if the same policy had existed in the past, have excluded the great majority of those patriotic people who fled here for sanctuary.

The chairman of the committee states to me in a remark on the side that the question would be still left to be decided. Not so. The language of the bill is language of exclusion; and incorporated in the class of people who are to be excluded are persons who have been convicted of or who at the time of seeking admission to the United States are legally charged with a felony or other crime or misdemeanor involving moral turpitude.

Mr. BORAH, Mr. President——

The VICE PRESIDENT. Does the Senator from Missouri yield to the Senator from Idaho?

Mr. REED. I do.

Mr. BORAH. Under the clause which the Senator is discussing, who is to pass upon the question whether or not the charge involves moral turpitude?

Mr. REED. Manifestly, the immigration inspector.

Mr. BORAH. I think that is as serious an objection as the other. The Supreme Court of the United States some time ago sustained the decision of an immigration inspector and the department, which had for its effect the exclusion from the United States of a native-born citizen, and he was denied the privilege of presenting to the courts of the country the question as to whether or not he was a native-born citizen. In other words, the court sustained the decision of the department as being conclusive as against a man who was prepared to prove that he was a native-born citizen of the United States, and he was excluded. I think it is a very dangerous power to lodge in a mere department officer. In the dissenting opinion, Justice Brewer said: "Such a decision is to my mind appalling." I agree with the learned justice—such a vicious principle of bureaucracy engrafted on our free institutions is appalling.

Mr. SMITH of South Carolina. Mr. President——

The VICE PRESIDENT. Does the Senator from Missouri yield to the Senator from South Carolina?

Mr. REED. I do.

Mr. SMITH of South Carolina. If the Senator from Missouri will allow me, I think it will be conceded by every Member of this body that the administrative features of the bill—and this is one of them—must be lodged in some competent body. I presume our immigration officers charged with this duty are selected with due regard for their fitness to enter into the merits of any particular case. While there may be from time to time some hardship or perhaps some injustice by virtue of the administration of the law, nevertheless it seems to me to be practically impossible so to define the law as to make it perfect in its letter without leaving something to the judgment of those charged with its administration.

The reason why we wrote in this clause was that it seemed absurd to think that anybody seeking to come to the United States would admit that he had been guilty of that which under the terms of our law would unfit him to enter; and we put in this clause, "legally charged," so that in case he came duly to trial and was cleared of the charge he could then enter, and if convicted, by the very text of the law of 1907, he could not enter.

Therefore it seemed to me that this was the very language we should use, because if he were legally charged he would be then under indictment, and if convicted under the terms of the old law he could not come in. If we are going to make the United States an asylum to which felons and those who may escape the processes of the courts may come and enter, why, then, let us leave out this language.

Mr. HITCHCOCK. Mr. President, will the Senator from South Carolina permit a question?

The VICE PRESIDENT. Does the Senator from Missouri yield to the Senator from Nebraska?

Mr. REED. I do.

Mr. HITCHCOCK. I want to ask if it is not a fact that under the treaties existing between the United States and European countries any person coming here who was under an indictment would be secured and returned?

Mr. SMITH of South Carolina. That is my understanding.

Mr. HITCHCOCK. Then, in view of that case, is there any necessity of incorporating this amendment in the bill? I am not certain that it should not be done. I am merely asking for information.

Mr. SMITH of South Carolina. I should think this language would often help expedite matters, and would largely tend to obviate the necessity of going through the process of extradition papers, and so forth, because if there is lodged against the individual a legal charge which would unfit him for entry if he should be convicted of it, it seems to me it would be only paying proper respect to other nations which have processes of courts such as ours. A culprit fleeing from this country and going abroad would be excluded there if in their immigration law they were to incorporate a provision that if he was legally charged he could not enter. It seems to me the language here is the proper language to use in the premises.

Mr. REED. Mr. President, among my early recollections is laid up this fact: Having attended a public school, the president of the school board being an old Bohemian who had fled to this country and whose estates had been confiscated because of a rebellion against the authority of Austria, I have not the slightest doubt that he was charged with high treason and charged in a legal form; nearly all of his compatriots were executed, and I have not the slightest doubt but that if this law had been in existence an immigration agent would have stopped him at the shores of our country and sent him back to his death. Yet, of all the men I have ever known upon this earth, I have regarded him as one of the most intelligent, most patriotic, most moral.

This matter ought to be approached in a grave frame of mind at this particular moment. All Europe is aflame with war. Armies are marching and countermarching across devastated countries. The King of Belgium and the remnant of the Belgium Army are fighting on soil that is foreign to them. We are told by the press—whether truthfully or not I can not say—that the spirit of revolt against what these peoples regard as oppression is aflame in many of the Provinces of Austria, or in many of the smaller subdivisions that make up Austria. Before this war is over, or when it is over, it is entirely probable that thousands and perhaps hundreds of thousands of people will seek refuge in this country, undertaking to escape from the courts and military tribunals of a conquering power; and all that will be necessary in order to compel this Government to return them, if this bill be passed in this form, will be for the monarch who has achieved victory to file with our immigration agents a list of the men against whom some charge has been lodged and the poor victim must be returned. He will have no power to go into one of our courts and assert that his offense was purely a political one, and that instead of being a crime it was an act of the highest patriotism. He will be entitled to be represented by no counsel, for, at least in some parts of this bill, it is provided that the hearing before the commissioners shall be a secret hearing. The merits of his case will not be passed upon by a judge or by a jury, but he will be taken before an immigration agent. We deny to that immigration agent any discretion whatever in the premises. Being an administrative officer, all he can do is to follow the letter of the law. The letter of the law as we write it is that if a legal charge has been filed involving a felony the immigrant must be returned to the country from which he came. That may result in sending back to their death or to long terms of imprisonment thousands of the best people of Europe.

As the phrase stood in the House bill, and as I understand it stands in the present law, the man must have been convicted, or he must admit his guilt. To be convicted of a crime or to admit guilt of a crime is a very different thing from being merely charged with a crime. To be denied access to this country because you have been convicted of a crime or admit a crime is a very different thing from being denied access to it because some officer has put a charge against you.

I am not familiar with the methods of procedure in those countries, but I think it is safe to assume that they do not more carefully guard the interests of their subject people than we guard the interests of our citizens. In many of the States of this country a mere prosecuting officer may file a charge. It may not be sustained by a single scintilla of substantial evidence. It may be false in every particular. If such an officer existed in Europe—and probably they have officers with similar and even more arbitrary powers—the mere signing of the name of that officer to a charge deprives the victim of refuge in this land, and the enactment of this law deprives our courts and our Government of any right to investigate as to the truth of the matter.

The effort to exclude foreigners—that is the purpose of this bill—those who are its authors, in my opinion, would gladly close the doors of this country forever to every man born upon foreign soil.

I beg of the committee and of the Senate, particularly at this period of the world's strife, not to enact a law that may turn back patriots, lovers of liberty, soldiers who have fought in defense of their country and their homes, thereby sending them to the prison, the scaffold, or the block.

I have no sympathy with a proposition of that kind. It ought not to be enacted at this time of all others. If the committee will recast this proposition, leaving the refugee the right to appear before some tribunal presided over by a judge, and there demonstrate the fact that he is a good citizen and a good man, and that the charge against him is a false charge, I shall make no complaint. I hope the committee will consider this matter, however; and I ask the chairman of the committee if he is not willing to have this particular amendment passed over for further consideration by the committee?

Mr. SMITH of South Carolina. Mr. President, I hardly think there is any additional comment needed on this particular paragraph. I have listened to what the Senator from Missouri has had to say. I do not think that the United States should be charged with or should assume the burden of passing upon the legal processes of other countries. I think all our treaties and laws in our relationship with them should recognize their due processes of law as we would insist that they should recognize ours. If one who is legally charged with crime desires to come here, as a matter of course the moment the case is decided, if he is convicted, the automatic operation of the law already in force debars him. If he is acquitted the doors are wide open to him. We have recognized the processes of law of other countries, and we expect them to recognize ours. I see no possible objection to this amendment.

Mr. O'GORMAN. Mr. President, though a member of the committee, I have no recollection of having been present at any hearing when this particular paragraph was under discussion. I very strongly disapprove of it. The only excuse for its insertion is to enable the immigration officers to learn something regarding the character of the alien, and from this language his character is presumed to be bad, because he has been accused of the commission of a crime. It does violence to the law on the subject of character as applied, I believe, in every State court of the United States and in the Federal courts of the Nation, because no witness will be required to answer a question regarding accusations that may have been made against

him, and all the courts hold that the mere accusation, the mere finding of an indictment, no matter how serious the crime, can not be regarded as impeaching the character of the individual. If he has been arrested, if he has been imprisoned, that may be regarded as bearing upon his character, but the bill as amended by the committee contemplates that the mere accusation against an alien charging him with some act of moral turpitude shall in itself be sufficient to stamp him as a man of unworthy character and unfit to be admitted into the United States.

I think that the provision placed in the bill by the House is a good provision and that it ought to be retained. In substance, it declares that any person convicted of a crime or who admits his guilt shall be excluded. The suggestion has just been made by the chairman of the committee that if he has been accused by a foreign government of the commission of an offense that ought to be sufficient to exclude him. If he has been indicted under foreign law and the foreign government is anxious to secure his presence to proceed with the prosecution, that can be accomplished by an entirely different law—by our treaty regulations—by which we recognize the right of extraditing a citizen of this country who has been accused and perhaps indicted under the laws of some foreign government for the commission of an offense.

If the chairman does not think it proper to defer the further consideration of this provision at this time, I shall ask to have the House provision stand and the committee amendment rejected.

Mr. WORKS. Mr. President, as I construe this amendment it in effect provides that where a subject of some other nation has been charged with a crime under the laws of his own country he shall not be admitted. I think that is a perfectly just provision. Why should this Government under those circumstances take upon itself the burden of trying a man and determining whether he is guilty or innocent? It is entirely proper that he should be returned to his own country where the charge is made against him and there have him tried. Looking at it in that way I see no objection to the amendment.

The VICE PRESIDENT. The question is on agreeing to the amendment of the committee.

Mr. REED. On that I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. WALSH. The question is on the adoption of the committee amendment?

The VICE PRESIDENT. The question is on the adoption of the committee amendment. The Secretary will call the roll upon agreeing to the amendment.

The Secretary proceeded to call the roll.

Mr. DU PONT (when his name was called). I have a general pair with the senior Senator from Texas [Mr. CULBERSON]. He is not in the Chamber, and I will withhold my vote. If I were at liberty to vote, I would vote "nay."

Mr. THORNTON (when Mr. RANSDELL's name was called). I desire to announce the necessary absence of my colleague [Mr. RANSDELL] on public business. I ask that this announcement may stand for the day.

Mr. SAULSBURY (when his name was called). I transfer my general pair with the junior Senator from Rhode Island [Mr. COLT] to the junior Senator from Virginia [Mr. SWANSON] and vote "nay."

Mr. SIMMONS (when his name was called). I transfer my pair with the junior Senator from Minnesota [Mr. CLAPP] to the Senator from Louisiana [Mr. RANSDELL] and vote "yea."

Mr. SUTHERLAND (when his name was called). I have a pair with the Senator from Arkansas [Mr CLARKE], who is absent. On that account I withhold my vote.

Mr. TILLMAN (when his name was called). I transfer my pair with the junior Senator from West Virginia [Mr. GOFF] to the Senator from Nevada [Mr. NEWLANDS] and vote "nay."

Mr. WILLIAMS (when his name was called). I transfer my pair with the Senator from Pennsylvania [Mr. PENROSE] to the Senator from Nevada [Mr. PITTMAN] and vote "yea."

The roll call was concluded.

Mr. GALLINGER. I wish to announce the following pairs:

The junior Senator from Idaho [Mr. BRADY] with the junior Senator from Mississippi [Mr. VARDAMAN];

The Senator from New Mexico [Mr. CATRON] with the Senator from Oklahoma [Mr OWEN];

The Senator from Minnesota [Mr. CLAPP] with the Senator from North Carolina [Mr. SIMMONS];

The Senator from South Dakota [Mr. CRAWFORD] with the Senator from Tennessee [Mr. LEA];

The Senator from New Mexico [Mr. FALL] with the Senator from West Virginia [Mr. CHILTON];

The Senator from Pennsylvania [Mr. OLIVER] with the Senator from Oregon [Mr. CHAMBERLAIN]; and

The Senator from Wisconsin [Mr. STEPHENSON] with the Senator from Oklahoma [Mr. GORE].

Mr. HOLLIS. I announce my pair with the junior Senator from Maine [Mr. BURLEIGH].

Mr. MYERS. I have a general pair with the Senator from Connecticut [Mr. MCLEAN]. Has he voted?

The VICE PRESIDENT. He has not.

Mr. MYERS. I transfer that pair to the Senator from Colorado [Mr. SHAFROTH] and vote "nay."

Mr. CHAMBERLAIN. I have a general pair with the junior Senator from Pennsylvania [Mr. OLIVER]. In his absence I transfer my pair to the Senator from Virginia [Mr. MARTIN] and vote "nay."

Mr. MARTINE of New Jersey. I was requested to announce the necessary absence of the Senator from Tennessee [Mr. LEA] on official business and also to state that the Senator from West Virginia [Mr. CHILTON] is paired with the Senator from New Mexico [Mr. FALL]. How those Senators would vote if present I do not know.

Mr. JAMES. I transfer the general pair I have with the junior Senator from Massachusetts [Mr. WEEKS] to the junior Senator from New Jersey [Mr. HUGHES] and vote. I vote "yea."

Mr. OVERMAN. I desire to announce that the junior Senator from Florida [Mr. BRYAN] is absent on official business of the Senate.

Mr. SMITH of Michigan. My colleague [Mr. TOWNSEND] is unavoidably detained from the Senate. If he were present, he would vote "nay."

Mr. OWEN. I wish to transfer my pair with the Senator from New Mexico [Mr. CATRON] to the Senator from Florida [Mr. BRYAN] and vote "yea."

Mr. DU PONT. I transfer my general pair with the senior Senator from Texas [Mr. CULBERSON] to the junior Senator from Michigan [Mr. TOWNSEND] and vote. I vote "nay."

The result was announced—yeas 26, nays 30, as follows:

YEAS—26.

Dillingham	Lodge	Root	Sterling
Fletcher	McCumber	Sheppard	Thornton
Gallinger	Norris	Sherman	White
Gore	Overman	Simmons	Williams
Hardwick	Owen	Smith, Ariz.	Works
James	Page	Smith, Ga.	
Jones	Perkins	Smith, S. C.	

NAYS—30.

Bankhead	Hitchcock	O'Gorman	Stone
Borah	Kenyon	Pomerene	Thomas
Camden	La Follette	Reed	Thompson
Chamberlain	Lane	Saulsbury	Tillman
Clark, Wyo.	Lippitt	Shields	Walsh
Cummins	Martine, N. J.	Shively	Warren
du Pont	Myers	Smith, Mich.	
Gronna	Nelson	Smoot	

NOT VOTING—40.

Ashurst	Clarke, Ark.	Lea, Tenn.	Ransdell
Brady	Colt	Lee, Md.	Robinson
Brandegee	Crawford	Lewis	Shafroth
Bristow	Culberson	McLean	Smith, Md.
Bryan	Fall	Martin, Va.	Stephenson
Burleigh	Goff	Newlands	Sutherland
Burton	Hollis	Oliver	Swanson
Catron	Hughes	Penrose	Townsend
Chilton	Johnson	Pittman	Vardaman
Clapp	Kern	Poindexter	Weeks

So the amendment was rejected.

The next amendment of the Committee on Immigration was, in section 3, page 5, line 13, after the word "turpitude," to strike out "polygamist" and insert "polygamists."

The amendment was agreed to.

The next amendment was, in section 3, page 6, line 6, after the word "who," to insert "directly or indirectly"; in line 6, after the word "to," to strike out "bring in" and insert "procure or import"; in line 7, after the word "or," to strike out "women or girls" and insert "persons"; and in line 8, after the word "any," to strike out "others" and insert "other"; so as to read:

Prostitutes, or persons coming into the United States for the purpose of prostitution or for any other immoral purpose; persons who directly or indirectly procure or attempt to procure or import prostitutes or persons for the purpose of prostitution or for any other immoral purpose; persons who are supported by or receive in whole or in part the proceeds of prostitution.

The amendment was agreed to.

The next amendment was, in section 3, page 6, line 17, after the word "unskilled," to insert "mental or manual," so as to read:

Persons hereinafter called contract laborers, who have been induced, assisted, encouraged, or solicited to migrate to this country by offers or promises of employment, whether such offers or promises are true or false, or in consequence of agreements, oral, written, or printed, express

or implied, to perform labor in this country of any kind, skilled or unskilled, mental or manual.

The amendment was agreed to.

The next amendment was, in section 3, page 7, line 15, after the word "existing," to strike out "treaties or," so as to read:

Unless otherwise provided for by existing agreements as to passports, or by treaties, conventions, or agreements that may hereafter be entered into.

The amendment was agreed to.

The next amendment was, in section 3, page 9, line 4, after the word "dialect," to strike out:

No two aliens coming in the same vessel or other vehicle of carriage or transportation shall be tested with the same slip.

The amendment was agreed to.

Mr. WALSH. Mr. President, the amendment just adopted, by which the words "mental or manual" were inserted in the bill, did not, as it seems to me, in giving the subject hurried consideration, receive the consideration of the Senate that its importance required. I find it exceedingly difficult to understand upon what consideration we ought to exclude a teacher from this country because he comes here under an agreement to teach. Ought not the universities of this country be permitted to engage teachers in foreign countries?

Mr. LODGE. That is in the existing law. The admission of persons of the character the Senator describes is all provided for.

Mr. WALSH. What was the suggestion of the Senator from Massachusetts?

Mr. LODGE. I say, the admission of such persons as the Senator describes is provided for in the exceptions which are now in the present law and which have been there for years.

Mr. WALSH. I should like to be advised of the qualifications.

Mr. LODGE. If the Senator from Montana will turn to the top of page 11, he will find this language:

Provided further, That the provisions of this law applicable to contract labor shall not be held to exclude professional actors, artists, lecturers, singers, ministers of any religious denomination, professors for colleges or seminaries.

Mr. WALSH. Then, I desire to inquire of the distinguished Senator from Massachusetts, with these exceptions, what is the significance of the language "mental or manual"?

Mr. LODGE. From what page is the Senator from Montana reading?

Mr. WALSH. I am reading from page 6.

Mr. LODGE. Mr. President, that is the old contract-labor law, to which those I have named are exceptions. Those three words were added on the suggestion of the department simply to make the law clear. All the rest of the language is the existing law, and has been the law for many years. They are found in what is known as the contract-labor law, which antedates any immigration legislation. The language was intended to prevent the importation of contract labor of any sort.

Mr. WALSH. If the Senator from Massachusetts will attend to the question I addressed to him, I desire to say that I observe all of the qualifications referred to on page 11. It does not extend to professional actors, artists, lecturers, or singers. I should like to know, when all those classes are excluded, what classes are included within the term "mental," as found in line 17, on page 6?

Mr. LODGE. All persons who come in under contract who are not included in the exceptions.

Mr. WALSH. But will the Senator from Massachusetts kindly indicate some who would fall within that class?

Mr. LODGE. In the first place, all manual laborers——

Mr. WALSH. Oh, yes; but I am speaking about those who would be excluded by the language added—"mental or manual."

Mr. LODGE. Well, there is a large body of manual employments that are not included in the exceptions.

Mr. SMITH of South Carolina. I have here a communication from the Attorney General asking that this language be clarified, which I find included in the notes on the amendment, saying that very often it was hard for the courts to determine where skilled labor was employed and no actual manual labor done, whether such a laborer came under the terms of the contract-labor law. He asked that the law be clarified, and therefore the committee has recommended the insertion of the words "mental or manual."

Mr. WALSH. But we do not get any answer to the question. What I want is some concrete case.

Mr. LODGE. A clerk in a bank, for instance.

Mr. WILLIAMS. I think I can give another case; at least, it looks to me like one. It looks to me as if it would exclude an engineer with whom contracts were made for the purpose of doing engineering work in the United States. Engineers might have the highest mental qualifications and their services might be of the very utmost necessity and public advantage at a certain time. So, if you are going to put the word "mental" in where it has been inserted on the page to which the Senator from Montana calls attention, the list of those who are to be exempted ought to be extended. You ought not, for example, to exclude from this country an expert accountant, nor ought you to exclude a civil or a mining or an electrical engineer. If the law is to be in spirit and in sympathy with the old contract-labor law, either the words "mental or manual" ought to be left out, leaving the language subject to the construction which it has already received, or else the list of those who are made exceptions to it on page 11 ought to be somewhat extended.

Mr. LODGE. Mr. President, the purpose of the law is to exclude labor contracted for in a foreign country at a very low rate, a lower rate than is paid in this country. As I have said, this law, with the exceptions, has been on the statute books for many years. The words "mental or manual" were inserted because there has been a great deal of trouble under the existing law in efforts to confine it to manual laborers. The purpose of the law, I repeat, is to exclude contract labor, except in certain cases, and to prevent the making of contracts abroad at lower rates than are paid in the United States. Of course it is for the Senate to say whether they will enlarge the exceptions. I think the contract-labor law is an extremely valuable law.

Mr. WALSH. Mr. President, there is no one more heartily in sympathy with the whole spirit and purpose of the contract-labor law than myself, and I do not desire to subject myself in any degree to the imputation, which seems to be suggested, of hostility to the spirit of that act by calling attention to this particular amendment proposed by the committee. I do not think we have had very much enlightenment concerning this matter. It means something; it was undoubtedly aimed at some particular class of immigrants. What was the defect in the old law? What particular class of immigrants was allowed to come into this country that ought to have been excluded?

We all know, as a matter of course, the construction that was given to the old act by the Supreme Court of the United States. A man employed to come into this country as a preacher of the gospel was held not to fall within the condemnation of the act. Let us understand clearly if it is intended now to extend the operation of the act beyond the construction given to it by the Supreme Court of the United States, so that it shall no longer be possible to introduce teachers of that character.

I observe that the exceptions are very wide, but I still am eager to be told by some Senator of the particular class of immigrants at which this provision is aimed—what particular class will be left?

The Senator from Mississippi [Mr. WILLIAMS] very pertinently suggests that a great engineer, who had distinguished himself in the conduct of great public works in one of the countries of Europe, might not come here. I recall now that the builder of the Assuan Dam upon the Nile did us the honor to pay a visit to this country only a year ago, and the hope was expressed in many quarters here that we might induce him to stay in this country, and that this Government of ours or some private individual might enter into a contract with him by which he should be assured employment in this country in the development of our great resources in one way or another. Is it intended to exclude such a man? Yet I undertake to say that some one would be heard to urge that the engineering profession is not one of the learned professions described in the exceptions? Let us assume, however, that it is; let us assume that the engineering profession would fall within the exceptions. Now, go on further, go on down the line, and tell us which is the class of immigrants that you desire to exclude by these rather cryptic words that have thus been introduced here into the bill.

Mr. LODGE. Mr. President, there is nothing very cryptic in the words "mental or manual." They are words of common knowledge. This language is not aimed at any particular class. It was, at all events, brought to the attention of some members of the committee by the representatives of the labor organizations of this country, that without the words "mental or manual" being in the present law there were being brought into this country persons with whom contracts had been made abroad, which was defeating the purpose of the contract-labor law. That was the object. It was to make the law more explicit.

Mr. WILLIAMS. What character of people would be affected?

Mr. HITCHCOCK. Can the Senator state who those persons are? I am curious to know.

Mr. LODGE. I can not do that without looking back at the hearings. I think the chairman has a copy of them.

Mr. SMITH of South Carolina. Mr. President, here is the recommendation that came from the department charged with the administration of the law.

Mr. LODGE. From the present Secretary?

Mr. SMITH of South Carolina. From the present Commissioner of Immigration. He says:

Here is repeated the definition of "contract laborer" that is contained in section 2 of the existing immigration law. Attention is called to the opinion of the Attorney General in the McNair case (27 Opinions, 383), holding that the present law excludes only manual laborers, skilled or unskilled. I am advised that always under the act of March 3, 1903, and also under the act of February 20, 1907, until the opinion mentioned was handed down, it was the practice of the administrative officers to exclude aliens as "contract laborers" without regard to whether the work to be performed by them was of a manual or a mental nature, their idea being that "labor of any kind" included mental as well as manual occupations, and that the only exceptions permissible under the law were those specifically given in the last proviso to section 2 of the existing law (repeated in this proposed measure, lines 12–18, p. 10). That construction of section 2 of the existing law seems to be approved (obiter dicta, at least) in the decision of the Supreme Court January 5, 1914, in Lapina *v.* Williams. Since the date of the opinion of the Attorney General above mentioned an effort has been made to apply the law to "manual" laborers only; but it is often practically impossible to determine whether the mental or manual elements predominate in particular occupations, especially those that are skilled; and there can be no doubt that the law was intended to protect skilled as well as unskilled laborers; in fact, it was enacted and from time to time amended largely to meet demands of the skilled laborers. The law should be made perfectly plain by inserting after the words "labor * * * of any kind," (p. 6, lines 2–3), the words "mental or manual."

That was the point made by the Commissioner of Immigration—that it would be well to clarify the law and make it perfectly plain so that the courts would not be called upon to differentiate which element, manual or mental, predominated in skilled labor. If the predominance was mental, under existing law the laborer was not included in the prohibition against "contract labor." The amendment was designed to clarify that by including in the contract-labor law those who performed mental as well as those who performed manual labor; that is all. That is the recommendation of the department, and that is the reason for the insertion of the words "mental or manual."

Mr. HITCHCOCK. Mr. President, I think it would be a very serious mistake to amend the law as proposed. There has been a recognized evil in this country, which grew out of the wholesale importation of labor from abroad, that became a menace to the labor at home. There is every reason for the public sentiment in this country against the importation of contract labor, either skilled or unskilled, of a manual character; but there is no sentiment in this country against acquiring citizens from abroad who will add to the productive capacity of this country by reason of the mental ability which they bring to us.

Mr. LODGE. Mr. President, the only limitation put on their coming in is that they should not make a contract before they come in.

Mr. HITCHCOCK. Well, there is no reason for that, Mr. President.

Mr. LODGE. I think there is a pretty good reason for it.

Mr. HITCHCOCK. There is no reason why, if a great engineer develops in Europe——

Mr. LODGE. That is covered by the exception of the learned professions.

Mr. HITCHCOCK. I doubt it. There can be no objection to bringing into this country a man who has attained great ability as a manager of a certain line of manufacturing. That man becomes an asset to this country when he comes here to promote and develop a manufacturing industry which will give employment to labor and open a new line of industry in this country. There can be no possible objection, in my mind, to bringing into this country that superior class of people who would be a distinct advantage and help to the country.

Mr. SMITH of South Carolina. Mr. President, if the Senator from Nebraska will allow me to interrupt him, he will admit, I presume, that those are rare and exceptional cases and are not so very vital to the interests of this country. An American, working up steadily to attain the mental fitness for the discharge of high functions in his employment, stands face to face with the possibility of being confronted by one of equal ability from abroad who is willing to accept the position at less wages. Such cases may and do probably occur every day. An American who wants to improve his process of manufacture can go abroad and get the benefit of any new device or new idea, while the laborer who by his own industry and his own effort has worked himself up to where he is in a position to earn a higher wage is met at the threshold of his promotion by some one from abroad who is willing to take the place under contract at a less figure. I do not think that is fair.

We have made the exceptions in the bill as broad as we could make them, and propose to leave them to the good sense and judgment of those charged with the administration of the law; but it has been deemed wise, by the insertion of the proposed amendment, to meet the requirements of that aspiring class who desire to rise from the ranks of manual labor to the grade of skilled mental and manual labor and to protect them from the competition of the overcrowded population of the old world, where by some accident a man may have the same opportunity and may come here and take advantage of what has been done by the American and get his job.

That, I think, was the idea of the committee; that, in order to protect and encourage that class, the words "mental and manual" should be put into the law.

Mr. HITCHCOCK. Mr. President, I think the Senator has answered himself when he has stated that this amendment will only affect rare cases. If it only affects rare cases, it is not necessary.

Mr. SMITH of South Carolina. Oh, no; the Senator misunderstood me. I said the cases he cited would be rare. I say that a case where some exceptional intellect discovers a new process and wants to enter into contract to come over here and give us the benefit of something we know nothing about would be rare.

In that case, if the foreigner has something that we do desire, he can come to this country and make a contract after he comes, because American ingenuity is such, and it has such a way of looking to the main chance, that when such a man does come, if he makes good, he can enter into contract after he comes; but if the manufacturers of this country, in order not to pay just compensation, or, I will say, compensation that should be the reward of one working from the manual ranks up into the mental as well as the manual, contract for similar labor at a lower price, and bring it to this country, what incentive have you held out to the American wageworker? What incentive do we hold out to a boy working as a floor sweeper and desiring to advance higher, if you leave the door wide open for the foreigner, who has already attained that skill, to come to this country under contract and compete with him? That is the point.

Mr. HITCHCOCK. The possible evil which the Senator states has, in my opinion, no existence in fact. Any man in this country who is possessed of energy and ambition, and has the real development of an idea, has no difficulty in finding a market for the services he can render. The people of this country who are unable to find a market for their services are those who have common labor and those whose labor is so unskilled as not to possess a high productive value.

This country opens an unquestioned field to the man who really has something of great value to contribute to the industrial world. I can very well imagine a case where a German chemist, for instance, possessed of the secrets of German chemistry, which are known to excel those of any other country, might be brought to this country, and that man alone introduced into an industry might result in giving employment to thousands of other people and building up in this country a great industry now monopolized by Germany.

I will follow this illustration a little further. The Senator well knows the preeminence of Germany in the matter of chemistry. It is admitted that this country is comparatively dependent upon Germany, and has been for many years, for certain dyestuffs used in our manufactures. If we transplant to this country the learning and the knowledge of those German chemists there is no reason why we can not build up those industries in this country.

Mr. SMITH of South Carolina. The Senator knows that ample provision is made on page 11 for the exemption of that class of people.

Mr. HITCHCOCK. No; I think not. I think just such a man might be excluded from this country by some inspector in New York who would hold that he was to engage in mental labor in this country.

Mr. SMITH of South Carolina. Yes; but he would have to be under contract; and any man who has a new process that he wants to promulgate in this country would have no difficulty in finding a ready market for it after getting here if it was worth the market. It is the class who are contracted for to engage in already established work who are excluded.

Mr. HITCHCOCK. The Senator is again mistaken. I will stick to my illustration. Take the German chemist employed in a German chemical works who realizes that he is assured a profitable maintenance for life. He will not come to this country upon a peradventure and give up the assurance which he has at home. He may be induced to come only when he is

assured in advance of a permanent and a lasting employment in this country at a good salary. On the other hand, the common German laborer, crushed down by conditions in his country, will come here because he can not be any worse off here than he is there. So we have found that common labor comes to this country in excessive quantities.

One of the things from which this country is suffering at the present time, and one from which it has suffered at different periods, and always at recurring periods, is the excess of common labor, while one of the reasons why Germany has been developed to such a great degree of prosperity is that during the 44 years of the Empire Germany has utterly changed her labor conditions. When the Empire was established two-thirds of all German labor was common labor, and only one-third was skilled labor. To-day two-thirds of all the labor in Germany is skilled labor, and only one-third is common labor. The productiveness of the Empire has been enormously increased; and that has been possible in part by reason of the fact that Germany has developed intellectual men who are skilled, and who may come under this title of skilled labor of a mental sort.

Mr. SMITH of South Carolina. May I ask the Senator a question? Is he advised as to whether Germany imported these skilled laborers, these chemists and professors, or did she develop them herself?

Mr. HITCHCOCK. I do not know. I am not prepared to answer that question, because I can not, but I do not think it has anything to do with the case. My opinion is this: Undoubtedly, if Germany finds that America excels in a certain line of development she will import those skilled Americans. Undoubtedly, if Germany finds that England has developed a certain art or a certain line of manufacture or a certain industry to a high point she will import the Englishman skilled in that line, or permit him to come, and come by contract. Germany has grasped all the good she found anywhere in the world for the purpose of her own development, and I think America should follow that policy. We should not shut our gates and bar our entrances to people who can come here and build up the industries of this country by the intellectual development which they have already attained.

Mr. SMITH of South Carolina. Will the Senator allow me to read him the provision that follows this very proposed amendment?—

The provision next foregoing, however—

Referring to this one—

shall not apply to persons of the following status or occupations: Government officers, ministers or religious teachers, missionaries, lawyers, physicians, chemists, civil engineers, teachers, students, authors, merchants, and travelers for curiosity or pleasure.

Mr. HITCHCOCK. That is for the very reason that this country is not suffering from an evil growing out of an excessive supply of those persons. The thing we are suffering from is an excessive supply of common labor, and sometimes of skilled labor of certain kinds. We never suffer from an excessive supply of what may be called intellectual or mental labor.

I think the amendment of the bill in this particular, whatever its purpose may be, is aimed at something which is not an evil and is likely to introduce into the bill a new provision which may be used to our detriment. Certainly there has been no showing of any existing evil which will justify a change in the present law in that respect.

Mr. GALLINGER. Mr. President——

The VICE PRESIDENT. Does the Senator from Nebraska yield to the Senator from New Hampshire?

Mr. HITCHCOCK. I do.

Mr. GALLINGER. I will venture to ask my friend the Senator from Nebraska if the fact that skilled labor has so largely increased in Germany, is not probably due to the wonderful system of technical schools in that Empire?

Mr. HITCHCOCK. I have no doubt of it. It has been the steady purpose of the German Government to develop its labor and raise it to a higher standard. The skilled laborer had an immense productiveness more than the unskilled laborer.

Mr. REED. Mr. President, when the committee come to consider this matter further, I think they will be inclined to yield somewhat. By the insertion of the word "mental" they have greatly broadened the scope of the present contract-labor law. That law was intended, as has been said, to reach manual labor. It was so broadly drawn in the first instance that a minister employed by a church in New York—Trinity Church—was under its provisions sought to be excluded. The Supreme Court of the United States held that he could be admitted, but the court, in order to reach that conclusion, went back to the purpose of the law and really worked some ravishment upon the language of the section itself. I wish, however, to call the attention of the chairman of the committee and the committee itself to one immediate effect of this proposed amendment.

We have just passed a banking and currency bill which authorizes the banks of this country to establish branch banks in foreign countries. Also we have otherwise vastly enlarged the ability of our banks to engage in international financial transactions. Already branch banks are being established in South American countries. If this amendment becomes a law, our banks maintaining branches in South America can not go to South America and employ men who are skilled in its finances and bring them here to enable them properly to carry on their South American business.

With all due respect to the committee, I do not think it wise to pass such a law. It is no answer whatever to say that somebody might drift up here from South America in search of employment, and might find his way into one of these banks and it might secure his services. What it is undoubtedly necessary for these banks to do is at once to acquire in their working forces in this country men who are familiar with the banking and financial operations of the countries in which it is proposed to establish branches. The broad language of the amendment would stop that, and the broad prohibition is made even more certain by the specific exceptions that later are written into the bill; because, under the rule that the statement of one particular exception excludes all others, it is made perfectly plain that the class of men I am referring to would be excluded.

Mr. SMITH of South Carolina. May I ask the Senator from Missouri a question? Does he think, under the illustration he uses, that the courts or the administrators of this law would construe those imported from a country in which we propose to establish a bank as coming under this provision? They are imported, not for the purpose of performing contract labor here, but for the purpose of teaching the methods by which the banks are carried on at that place. The exceptions I note here are broad enough:

Teachers, * * * chemists, civil engineers.

The word "teachers" is very flexible; and under the illustration the Senator uses it seems to me that the employment of those versed in the customs and procedures of their countries would necessarily come under that head, because it would be only temporary. They would be brought here for the purpose of teaching that which does not exist here, and not under the form of a contract to perform labor that is already well established and understood here.

I will agree with the Senator from Missouri that——

Mr. WALSH. Mr. President, before the Senator proceeds will he have the kindness to tell us where teachers are excluded?

Mr. SMITH of South Carolina. It says "teachers."

Mr. WALSH. I do not find it.

Mr. SMITH of South Carolina. If the Senator will look on page 7, he will find it.

Mr. WALSH. Oh, well, the language on page 7 is very restricted in its operation. The Senator is entirely mistaken concerning the purpose of that provision.

Mr. SMITH of South Carolina. It says "teachers, missionaries, lawyers, physicians"——

Mr. WALSH. Yes; but it says that restricts only the next preceding clause.

Mr. SMITH of South Carolina. No; the next foregoing clause.

Mr. WALSH. The next foregoing clause, which simply refers to people who can not be naturalized here; that is, Chinese and Japanese.

Mr. REED. Mr. President, answering the Senator, he does not at all meet my illustration. The man to be employed in these banks is not employed as a teacher; but, even if he were, teachers are excluded by this bill. Professors in colleges and in seminaries of learning are excepted, but not teachers——

Mr. WILLIAMS. Mr. President——

Mr. REED. I will ask the Senator just to wait until I can conclude the sentence, and then I will yield to him.

Mr. WILLIAMS. It was right on that point that I wished to interrupt the Senator.

Mr. REED. This employment that I have spoken of, in a bank, is not that of calling in a man to teach others. Even if the word "teachers" were employed it would not cover the case. The National City Bank of New York, for instance, which has already established several branches, and other banks which have or may establish foreign branches, will in my opinion find it necessary to keep in their employ men who are familiar with the language, the customs, and the financial processes of each

of the countries in which they have established a branch bank. Such an expert will not be brought into the bank to hold a school of instruction, a night school, or a day school. He is brought in to work at a desk and transact business. I do not know that they have employed such people, but I know in the course of events they must be employed. I will now vary the illustration, and let us see how unwise it might be to adopt this phraseology.

We expect, under existing conditions, to extend very vastly our foreign commerce. The President has recommended in that behalf that we shall buy ships, that the Government shall go into the transportation business, and we all believe that while the industrial activities of Germany and France and England are paralyzed we may now hope to extend our trade into South American countries and there obtain a permanent foothold. Now, who will say that the first step toward the obtaining of that permanent foothold is not to acquire an intimate knowledge of the wants, habits, and customs of those people, their trade methods, their manner of doing business, and all that multitude of facts which have been hitherto gathered by the merchants of foreign countries and to which trade experts largely ascribe the success and dominance of foreign merchants in these South American countries? Which one of us is willing to say to an American manufacturer, a cotton manufacturer in the State of Georgia, "If you desire to do business in Chile you can not employ a man from that country who understands the language, habits, and customs of that people and place him in charge of the branch of your foreign trade department which deals with the people of Chile"? Who shall say to a merchant who desires to enter some other South American country, "You can not employ a man who speaks the language of the country and who is acquainted with its trade conditions"? Why should we so cripple our American merchants?

Before I take my seat I want to make one other observation.

Mr. SMITH of Georgia. Mr. President——

Mr. REED. Then I will yield to the Senator from Georgia.

Mr. SMITH of Georgia. I do not want the Senator to take his seat. I only want to make a suggestion.

Mr. REED. I have always been an earnest advocate of the law that prohibits the bringing in of laborers under contract. I have always so believed and so voted. I have always denounced those who have gone to foreign lands and imported men under contract to take the places of American workingmen; but if you insert this word "mental" here, without any restriction upon its meaning otherwise than now appears in the bill, you will absolutely cut off both of the classes I have just referred to in my illustrations.

Mr. SMITH of Georgia. Mr. President, I was not able to be present at a part of the discussion with reference to this language. I wish to ask the Senator from Missouri his view as to the effect of the language upon a class of men that we may have an opportunity to bring here in the near future, and whose presence would be of vast benefit to the great working masses of the country. Take those classes of German scientists who have done so much in the line of developing dyestuffs and other materials, for lack of which our manufacturing enterprises have been seriously troubled during the past 90 days. Would this language prevent the employment of an expert chemist from Germany who might be needed in this country to aid in inaugurating some line of chemical process necessary to our industries for which we now depend upon Germany; and if it would, is it not probable that all the members of the committee would prefer that it should not go that far?

Mr. REED. Mr. President, the Senator is a great lawyer, and in answering his question I need only to read the language of the bill. I call his attention to the opening sentence of section 3:

That the following classes of aliens shall be excluded from admission into the United States: All idiots, imbeciles—

And so forth.

Then follows a long list, including procurers, prostitutes, and people of that class. Then follows this language:

Persons hereinafter called contract laborers, who have been induced assisted, encouraged, or solicited to migrate to this country by offers or promises of employment, whether such offers or promises are true or false, or in consequence of agreements, oral, written or printed, express or implied, to perform labor in this country of any kind, skilled or unskilled, mental or manual.

Now, if that language stands, it will exclude every person of every kind and every character who comes here under any kind of contract, solicitation, or inducement. Turning then to the exceptions which are found on page 11:

Provided, That the provisions of this law applicable to contract labor shall not be held to exclude—

What? Chemists, engineers, teachers, people of that kind? Not at all. It shall not be held to exclude—

professional actors, artists, lecturers, singers, ministers of any religious denomination, professors for colleges or seminaries, persons belonging to any recognized learned profession—

Which, I take it, means preachers, doctors, and lawyers—

or persons employed strictly as personal or domestic servants accompanying their employer.

That means, first, we exclude everybody, and then we except from the rule of exclusion certain particular classes, and in the exception there is nothing that will include the skilled chemist of Germany; there is nothing that will include the skilled engineer; there is nothing that will include the man who is skilled in banking or in merchandising or is familiar with the trade conditions of another country and is brought here because of his expert knowledge. Manifestly, if we pass this bill as recommended by the committee, we deny to this country access to these highly intelligent, scientific classes of people, who undoubtedly we ought to bring here for the purpose of gaining the benefit of their skill.

Mr. SMITH of South Carolina. Mr. President, if the Senator will look on page 10, he will find this proviso:

Provided further, That skilled labor, if otherwise admissible, may be imported if labor of like kind unemployed can not be found in this country, and the question of the necessity of importing such skilled labor in any particular instance may be determined by the Secretary of Labor upon the application of any person interested, such application to be made before such importation, and such determination by the Secretary of Labor to be reached after a full hearing and an investigation into the facts of the case.

Mr. REED. Mr. President, does that language answer the question "If labor of like kind unemployed can not be found in this country"? Who will say that among the 90,000,000 people some chemist may not be found who could make the dyestuffs? Yet who would confine the industries of the country to the employment of that one man? Besides, who will assert that a skilled chemist comes under the term "skilled laborer"?

Mr. SMITH of Georgia. Would the term "skilled laborer" be applied to a student of science?

Mr. REED. I think not. I think the term "skilled labor" has its meaning. "Skilled laborer" here is intended to be applied to mechanics.

I hold that this is true. We ought to rigidly exclude those who come here under contract to perform manual labor, skilled or unskilled, because they are brought in here to compete with thousands and tens of thousands of our citizens duly qualified to perform that task. That is the evil we are striking at, and we are striking at no other evil. But if a foreign chemist could be brought to this country to assist in the establishment of manufactures of dyestuffs so that our country would no longer be dependent upon a foreign manufacturer for its supply, would injury result to our labor? The man would take no one's place here, because if we had chemists who could do the work effectually there would be already in this country manufactures of the kind I am referring to. If such an industry were established by a skilled foreigner, it would make employment for a great many of the skilled and unskilled laborers of our land. It would generally increase employment for our labor and multiply our wealth.

Moreover, suppose we were about to erect a great building or monument and some foreign architect whose dream of utility and beauty far surpassed that of any of our own people should present his plans and offer his services; why should we deny to our country that splendid monument of genius and accept an inferior article? This very Capitol Building sprang from the brain of a man born upon foreign soil. Many, indeed the vast majority of all the works of art that have added glory and beauty to the halls and temples of our land come from the magic brush or chisel of some foreign artist.

It is unwise to put in this sweeping inhibition. Certainly if it is to be used the list of excepted employments ought to be greatly enlarged.

Suppose there is some great engineer, let us say a Belgian engineer or a German engineer or a French engineer, a man capable of conceiving the Suez or the Panama Canal, and because of the present untoward conditions in Europe he should desire to have employment here, but would not want to come simply searching from house to house for work, what objection is there to adding to the knowledge of this country the wealth of his intellectual achievement? Why not bring him?

Those men who have made countries great have not done it by the policy of exclusion. If you ask me who laid the foundations of Germany's greatness and power, who made it possible that that nation should become so great that it is feared by other nations, I would answer, Frederick the Great. No sooner had that wonderful man established peace by arms than he

invited to his court the intellect of the earth, the scholar, the statesman, the philosopher, the artist, the musician; thus he transformed his people and laid the foundation for a civilization that has advanced from that day to this and has created a country that were it not for the shadow of militarism which hangs over it would be an almost ideal land.

Mr. President, let us not adopt so narrow a policy.

My attention has just been called by the Senator from New Jersey [Mr. MARTINE] to the fact that many of those men who are now rendering great assistance to Thomas A. Edison in his wonderful inventions are Germans who came here and secured employment with him. We are so infinitely narrow in all this, we talk about people who happen to be born on the other side of the red line of a map as though they were not God Almighty's children, as though the same red blood does not flow in their veins, the same impulses thrill their hearts, the same ambitions inspire their souls, and the same tender sentiments animate their lives as thrill and sanctify our own.

Sitting now in the chair of the Senate [Mr. NELSON in the chair] is a man born under the flag of another country, who told me—and I think a repetition not indelicate—that when he arrived here he had but two or three dollars in his possession. He could not speak our language. He had no rich protectors. Yet he has been the governor of a great State and for many years its Senator. In this body he ranks in patriotism, in intelligence, and in learning with the best of its Members. When the call came for soldiers to defend the land of his adoption he took his place on the red line of battle, and it is not recorded that he did not fight as good a fight as any of the proud Americans who happened to be of the second or third generation of foreigners who located here.

This bill is framed upon the idea that if a white man happens to be born under any other flag than ours he is therefore not fit to live under this flag. I confess the doctrine nauseates me. It is narrow. It is the philosophy of cowardice. It is a cry from the lips of the man who is afraid of competition.

I see sitting across the Chamber from me another man born under the flag of a foreign country. He also has been selected by the people of his State to come here and represent them in this Senate, which we boastfully denominate the greatest deliberative body on earth. As I look at the faces of these two men I ask, What is the difference between them and some one whose ancestors emigrated here a few years earlier? Are not their countenances as clear cut, their foreheads as high, their eyes as fearless, their hearts as stout, their brains as keen, their courage as high, their patriotism as lofty as those of us whose ancestors came here a generation or two earlier? Yet when they came, at the very hour they were landing, there were proscriptionists warning the country against the pauper hordes who were invading our blessed land and about to destroy it.

When the Irish came from that stricken land where proscriptive laws denied the right to worship God according to the dictates of conscience, closed their factories, shut the doors of learning in the face of ambition; when the Irish came here, driven by want and famine and proscription and tyranny; when they came in rags and tatters; when they came holding out hands, not for bread, but for work, there were a great many of the aristocrats of America who denounced them as a pauper horde, ignorant, besotted, unfit for citizenship. Yet but a few years had passed until Irish orators were thrilling the hearts of American audiences with the music and power and force of their eloquence. Irish songsters were turning the air to melody. Irish statesmen were crowding into the Halls of Congress and into the Senate, and Irish merchants were making themselves princes in the marts of trade.

When the German tide of immigration swept into this country and when Holland poured a flood of her citizenry into our ports, the proscriptionist again stood with sour visage and denounced these people. They came and established themselves in colonies, and then it was discovered that they filled our farms with a citizenship that was superb and unsurpassed; that they crowded into our colleges and seminaries of learning; that they brought with them music and art and letters and, with all, the sturdy citizenship that maintained the law and upheld the flag. They are in my State by the thousand. There is no protest from my State.

The protest comes from States which have no foreign population to speak of. You do not hear it from the State of Minnesota. Yet if you had traveled through that State a few years ago you would have found vast and unsettled prairies, scarcely regarded as fit for the habitation of men. A few years later you would have found Swedes and Norwegians and Danes by the tens of thousands—men who could not speak our tongue, yet who were sending their children to the public schools, who were cultivating the soil, who were building homes, who were establishing industries, who were creating banks, who were becoming merchants. Travel over that State to-day and you will meet a people you can not distinguish from what we are pleased to term the American citizen. They speak our tongue; they wear the same habiliments; they think the same thoughts; they follow the same system of education; they worship at the same throne of grace; and if this country were involved in war, they would stand on the red line side by side with the American aristocrat whose ancestors happened to come here a little sooner than they did.

And now it is proposed to exclude the "mental," the intellectual, if, forsooth, some one in this country, having discovered the necessity for that particular variety of mentality, has said to its possesser, "If you will come to America, a place awaits you." That, sir, is a narrow policy. It is an un-American policy.

Mr. President, where did this American race come from? I am glad it was my privilege to be born under the Old Flag. Sometimes I feel a little pride in the fact that at least a portion of my ancestors were here before the Revolutionary War. Yet I am no prouder of that than I am of that other branch which came here at a later period and, having come, demeaned themselves as honest folk.

But when I see men with curled lip denouncing these children of misfortune who were born under other skies and who from love of liberty turn the eyes of hope toward our shores, I ask the proud aristocrat whence he came, how long it has been since his ancestors escaped from the same lands of oppression. What, pray, is his pedigree? I am reminded as I stand here of a few lines from, I think, that classical poem by John G. Saxe, entitled "The Proud Miss MacBride"—a legend of Gotham—and they run like this:

Of all the notable things on earth,
The queerest one is pride of birth
  Among our "fierce Democracie"!
A bridge across a hundred years,
Without a prop to save it from sneers—
Not even a couple of rotten peers—
A thing of laughter, fleers, and jeers,
  Is American aristocracy!

English and Irish, French and Spanish,
German, Italian, Dutch, and Danish,
Crossing their veins until they vanish
  In one conglomeration!
So subtle a tangle of blood, indeed,
No modern Harvey will ever succeed
  In finding the circulation!

Depend upon it, my snobbish friend,
Your family thread you can't ascend,
Without good reason to apprehend
You may find it waxed at the farther end
  By some plebeian vocation;
Or, worse than that, your boasted line
May end in a loop of stronger twine
  That plagued some worthy relation!

Mr. WORKS. Mr. President, the evil that we are attempting to legislate against in this section of the bill is the contracting in advance with foreign laborers to be brought to this country to compete with native or American laborers. It is not intended to prevent any citizen of any other country from coming here a free man to labor in this country at such wages as he may be able to procure. The intent of it is to prevent the bringing into this country of laborers at wages less than those prevailing in our own country. What difference does it make, sir, whether a man happens to be a skilled laborer or a common, ordinary laborer? There is no reason why a banker should be allowed to employ some skilled laborer to come into this country at a wage based upon the standard of wages of another country, less than that fixed by our own standard of wages, any more than there is why a man or a corporation should be permitted to employ a common laborer to come here for the same purpose.

The distinguished Senator from Minnesota [Mr. NELSON], whom we all love and respect, and who has been so eloquently referred to by the Senator from Missouri [Mr. REED], did not come to this country as a contract laborer; he came here a perfectly free man, at liberty to procure the wages that could be obtained in the country to which he had immigrated. He would not be excluded by the provisions of this bill; neither would anyone coming here, whether a skilled or a common laborer, who was not bound in advance to labor for wages that had been contracted for, and, we may assume, contracted for upon the basis of the standard of wages existing, not in this country, but in his own country.

In my judgment, Mr. President, the exemptions from the effects of this clause in the bill are too broad. So long as anyone comes here to enter upon a business where there is no competition, where there is no fixed standard of wages, the reason

for this sort of legislation ceases; but if there is a fixed standard of wages, for instance, in the case of engineers, there is no reason why anybody should be allowed to go to a foreign country, contract there for an engineer, and bring him into this country at a less wage than he could obtain upon fair competition in this country when he reaches it. It is that very evil, Mr. President, that we are attempting to avoid in this kind of legislation.

The illustrations presented by the Senator from Missouri, and the hardships that might result from a provision of this kind, are purely imaginary. Does anybody suppose, for example, that we can not procure the necessary ability in the way of engineering in this country without going to any foreign country to obtain it, or that we can not find competent chemists or men in any of the other lines of endeavor mentioned by the Senator from Missouri?

Mr. WALSH. Mr. President——

The PRESIDING OFFICER (Mr. NELSON in the chair). Does the Senator from California yield to the Senator from Montana?

Mr. WORKS. I do.

Mr. WALSH. I should like to inquire of the Senator from California whether he would desire to have the bill prevent the introduction into this country under employment of skilled foreign engineers?

Mr. WORKS. I should object to any kind of labor being brought into this country under a contract fixing the wage to be paid.

Mr. WALSH. Exactly. I agree with the Senator about that; but that is not the question. I thought that I had got the Senator's attitude to be—and I wanted to be assured about it—that he was specifically opposed to the introduction of foreign engineers or of foreign chemists under contract.

Mr. WORKS. It is fair to presume, Mr. President, that if a contract is made in a foreign country it will be based upon the wage to be paid in that country. The engineer, or whoever it may be, is not likely to exact a higher wage than that existing in his own country; and it is an injustice to the laborers of this country to bring anyone here, whether he be a skilled or an unskilled laborer, at a wage less than he could obtain in fair competition in our own country. I am opposed to that, whether it be in the case of a common laborer or of the man who labors mentally or a skilled laborer of any kind.

Mr. WALSH. Mr. President, the explanation originally given of the significance of this amendment was that it was exceedingly difficult to draw the line in the case of many vocations between mental and manual labor, and that it was difficult to determine which particular variety of labor predominated in the work the laborer was called upon to do. Of course, everybody must recognize that that difficulty does exist. A mining engineer, for instance, is called upon oftentimes to perform exceedingly arduous manual labor; the constructing engineer, an engineer laying out a great railroad, is often called upon to do the most severe character of manual labor, and yet it might easily be determined that in the case of both of those vocations the mental labor is the particular part for which the employment is made. It is easy to recognize that in many cases it is difficult to determine; but, Mr. President, it does seem to me that that is just exactly where we ought to draw the line; that we ought resolutely to exclude all those who come here under contract who are to engage in vocations the predominant feature of which is manual labor—that is the purpose of the contract-labor act—and that all of those who are to engage in the learned professions or in any profession or vocation where their value depends upon the intellect who can be brought into this country ought to be permitted to come under contract if it is necessary to get them in that way.

Mr. President, a number of illustrations have been given of the most desirable classes of people who would be excluded by this bill if it should become a law. I want to instance another to show the scope of this provision. In this country you have recognized for a long time how dependent the great beet-sugar industry is upon Germany for its supply of sugar-beet seed. Attention was called upon this floor some time ago to experiments—costly experiments, as I have abundant reason to know—that have been carried on in this country with a view to determine whether we could not raise in this country all our own sugar-beet seed necessary for the support of that industry. Time and again it has been disclosed upon this floor how dependent we would be if for any cause whatever the German supply should be shut off, as it was feared only a short time ago it would be.

Mr. President, extensive experiments have been carried on in my State in the last half dozen years in an effort to produce there a sugar-beet seed equal to that produced in Germany. Why should anybody who desires to go into the sugar-beet seed business in this country be denied the opportunity to contract with a skilled man who has mastered the subject over in Germany and to bring him over here to operate a sugar-beet seed farm in this country? I should like to inquire of the Senator from California if he would like to exclude that kind of a man?

Mr. WORKS. Mr. President——

The VICE PRESIDENT. Does the Senator from Montana yield to the Senator from California?

Mr. WALSH. I do.

Mr. WORKS. I should like, first, to ask the Senator from Montana if any effort has been made to procure services of that kind by special contract?

Mr. WALSH. I am able to answer the Senator. These operations are being carried on in my State now at the Billings sugar factory; they are being conducted under the direction of a graduate of one of the German universities. He has, however, other duties to perform; this is a side line upon his part. I undertake to say that if they were told to find the proper man they would be only too glad to enter into a contract with him to get him to come over here and operate that branch of their business. Why should they be denied that opportunity?

Mr. WORKS. Then I assume that kind of a contract has been made or attempted?

Mr. WALSH. I do not know.

Mr. WORKS. The Senator from Montana has asked me whether I would object to that sort of labor being brought into this country under those circumstances. I answer very frankly I should object. There is no reason why a laborer of that kind—a mental laborer, if you please to call him so—should be allowed to contract for wages in advance to come to this country any more than the smaller man or the common laborer. The principle is precisely the same, and the reason for preventing it is precisely the same. I should not be willing to make a distinction of that kind.

Mr. WALSH. Mr. President, of course there is a very clear antagonism between the views of the Senator from California and my own upon that subject. I do not desire to exclude those men; that is not my idea at all of the purpose and scope of a contract-labor law. If the Senator from California takes that position with respect to the matter, I should like to know why the exception found on page 11 is in the bill at all, which excludes——

Mr. WORKS. I have already stated that, in my judgment, the exceptions are broader than they should be.

Mr. WALSH. Exactly.

Mr. WORKS. That is one of the exceptions that I should not desire to go into the bill.

Mr. WALSH. The position of the Senator from California is entirely consistent. The exceptions on page 11 are:

> Professional actors, artists, lecturers, singers, ministers of any religious denomination, professors for colleges or seminaries, persons belonging to any recognized learned profession, or persons employed strictly as personal or domestic servants accompanying their employers.

Of course the Senator from California can not take the position consistently that these classes of immigrants ought to be permitted to come in under contract while the beet-sugar man should be excluded.

Mr. DILLINGHAM. Mr. President——

The PRESIDING OFFICER. Does the Senator from Montana yield to the Senator from Vermont?

Mr. WALSH. I do.

Mr. DILLINGHAM. May I inquire of the Senator from Montana whether the case that he mentions would not be met by the following provision of the bill:

> *Provided further*, That skilled labor, if otherwise admissible, may be imported if labor of like kind unemployed can not be found in this country.

Mr. WALSH. I will answer the Senator from Vermont very frankly about that matter. Such labor can be employed. Prof. Mendelsohn is now engaged at that labor, and he can be kept at that labor; but his duties are in an entirely different field, where he can find very profitable employment for himself and very useful employment for those who engage him. He is obliged to leave his other work in order to undertake this. He would be very glad, I undertake to say—although I do not know anything at all about that—to get some other man to handle that part of the business while he devoted himself to the general business aspects of the enterprise; in other words, Mr. President, merely because you can find a man here to take the place is no reason why the foreigner should be excluded. That is just exactly where the point comes in in the case of all manual labor. Whether it is skilled or unskilled, you find a vast body of men who do not vary much in their equipment and in their capacity; but whenever you pass that point and go into the domain of mental labor, there is no such thing as a general

dead level. Everybody recognizes that fact. Take the lawyers' profession, for instance. Would you exclude lawyers? Mr. President, I want to refer to that.

The exceptions on page 11, it will be observed, do not include any of these classes, or at least it is doubtful whether such laborers as have been spoken of by a number of those who discussed this subject would be included. The skilled chemist, the skilled agriculturist, the skilled engineer, the skilled architect—it is doubtful whether any of these would be included, because the word "profession" as used in the exception is qualified by two words. First, he must belong to one of the "learned professions," and, second, it must be not only one of the "learned professions," but it must be one of the "recognized learned professions" in order that he shall fall within the enumeration there given.

Reference was made by the chairman of the committee to an exception to be found on page 7, by which all teachers were likewise excluded from the operation of the act; but that, I think, the distinguished chairman, by a little attention to the language of the bill, will recognize is inaccurate. The bill enumerates a large number of classes of individuals who will be excluded. The class last mentioned is described in the bill on page 7, in lines 13, 14, 15, 16, and 17, as follows:

Persons who can not become eligible, under existing law, to become citizens of the United States by naturalization, unless otherwise provided for by existing treaties or agreements as to passports, or by treaties, conventions, or agreements that may hereafter be entered into.

Then follows:

The provision next foregoing, however, shall not apply to persons of the following status or occupations—

Referring, of course, to the class of persons to which I have just adverted—

Government officers, ministers or religious teachers, missionaries, lawyers, physicians, chemists, civil engineers, teachers, students, authors, merchants, and travelers for curiosity or pleasure—

And so on.

That is to say that, notwithstanding such immigrants can not be admitted to citizenship in this country, they may still come in; but that exception does not extend at all to the immigrants from countries who would under our laws eventually be entitled to naturalization, and the only exception is that contained in the language found on page 11.

I think a further word should be said in answer to the suggestion made by the Senator from Vermont [Mr. DILLINGHAM] with reference to the provision on page 10, which reads as follows:

Provided further, That skilled labor, if otherwise admissible, may be imported if labor of like kind unemployed can not be found in this country, and the question of the necessity of importing such skilled labor in any particular instance may be determined by the Secretary of Labor—

And so forth.

It will be observed, Mr. President, that that contemplates a vast body of men seeking employment in that particular vocation. It can not possibly refer to such cases as would otherwise fall within the language of the amendment proposing to insert the words "manual or mental," which contemplates the exclusion of men of exceptional equipment such as have been referred to in the debate.

Mr. DILLINGHAM. Mr. President, if the Senator will pardon me, I made that suggestion in view of what the Senator was saying in regard to the beet-sugar industry and the necessity of having skilled men to place beet-sugar factories in operation. Similar conditions have existed in New England. I have in my mind now the establishment in Connecticut of a lace factory, the machinery for which was purchased in Europe, and there was nobody in this country who was capable of putting that machinery in operation and instructing those who were to have charge of it. There was no way of determining in advance whether a person imported for that purpose would be rejected under our laws until after the person came here and the question was raised upon his arrival. For that reason when the immigration bill was drafted two or three years ago a provision was incorporated under which that question might be raised in advance and be presented to the Secretary of Commerce with the proof, so that his action might be determined before the person was imported. In that way it would save the embarrassment, and the expense as well, of bringing a person to this country and having the matter determined after he came here. Of course if the question were determined against him he would be deported, and he would not only suffer disappointment but incur expense.

It occurred to me while the Senator was speaking that that little clause was met with in this provision, and that in the case he mentioned there would be no difficulty in applying to the Secretary for permission, making a showing, and bringing in the skilled overseer or superintendent to whom the Senator has referred.

Mr. WALSH. Mr. President, I feel quite certain that the provision on page 10 was intended to cover just exactly such a case as the Senator from Vermont has indicated, but I do not think that the case that has been referred to falls within that class at all. I indicated a while ago, and, following the same line of thought, I desire to observe again, that there are all kinds of gradations. As a matter of course, when it comes to vocations and those engaged in them in which the labor is chiefly mental, the differences between separate individuals ordinarily vary very much more than in the case of vocations where the work is largely manual. In the case to which I referred we have a number of gentlemen in the Agricultural Department here in Washington who have for quite a good many years been giving some considerable attention and study to the question of sugar-beet seed, and experiments have been made by companies in other States besides my own, so that it can not be said that it is impossible to get any one in this country who would be able to do the work; certain persons can be secured; but why should we deny ourselves, and why should any particular company be denied, the opportunity to get a man of preeminent qualifications, who has established his ability by reason of the success which has attended his efforts in a foreign country, and why should we be compelled to accept some man here who has not had the opportunity, as the foreign student may have had, to follow out the business to its ultimate facts? I believe that it would be a grave error to deny to our country the services of men who have climbed to the top of their profession if they desire to come here and give us and our country the benefit of their study and their thought.

Mr. President, I move that the vote by which the last amendment was adopted be reconsidered.

Mr. SMITH of South Carolina. Mr. President, before that vote is taken I desire to say that the committee went fully into this matter. If I may repeat what I said in the beginning of the discussion of this proposed amendment of the committee, the Commissioner of Immigration and the courts have found difficulty in drawing the line between the mental and the purely manual. I understand from the argument of the Senator who has just taken his seat that his contention is that, because of the degree of excellence that may be obtained abroad, a corporation should not be denied the opportunity of contracting for and importing skilled labor, even though labor of like kind can be found in this country. He used as an illustration, I believe, the propagation of sugar-beet seed and its culture.

The committee took the view that the incentive in this country for reaching perfection was to exclude from its borders those who, already having attained a certain skill, might preempt the ground at less wages and leave no opening for those who step by step were attaining that very skill which we want to foster in this country.

There is no member of the committee who wants to deny—and there is nothing in this bill intended to deny—this country the benefit that might come to it by reason of being able to utilize some new discovery or some process of chemistry employed, for example, in the manufacture of dyestuffs. That is not the design of this bill, nor is it intended to exclude the men who might bring such benefit, for the reason that they are professional men along skilled professional lines.

I listened with a great deal of interest to the very eloquent plea that the Senator from Missouri [Mr. REED] made for a wide-open door for the importation of those who desire to come here.

Mr. POMERENE. Mr. President——

The PRESIDING OFFICER. Does the Senator from South Carolina yield to the Senator from Ohio?

Mr. SMITH of South Carolina. Certainly.

Mr. POMERENE. Referring to the illustration which was used by the Senator from Montana [Mr. WALSH] on the subject of sugar-beet seed, does the Senator contend that one who is skilled in the raising of beets or is skilled in the manufacture of dyes, and so forth, would be a professional man?

Mr. SMITH of South Carolina. I do not suppose that he would; but under the bill it is provided that if skilled labor can not be found in this country to perform a certain work and we stand in need of it, it can be imported on proper application.

Mr. POMERENE. Then let me ask a further question: Would the Senator regard one who is skilled in the production of sugar beets as a skilled laborer?

Mr. SMITH of South Carolina. I would. If he is skilled in their production, the very expression implies that he is a skilled laborer.

Mr. POMERENE. But it may be that the man who has special knowledge on that subject would take no part in the manual

labor, the producing of the beets, or the growing of the stock from which the beet seed was produced. Would you still regard him as a skilled laborer?

Mr. SMITH of South Carolina. I would not regard him as an unskilled one; I would say that his knowledge comes through his labor with that plant.

Mr. President, the whole subject under discussion resolves itself into this: We have got to make laws to conform to a rule and not to the exceptions, and here we are trying to protect the great mass of the laborers of this country, skilled and unskilled. You have no right to jeopardize the wage-earning capacity of a man who, through years of industry and application to his business, has risen to a point where he can command higher wages, by permitting the importation, in competition with him, for the benefit of some temporary need of a skilled foreign artisan to take his place, for you would then have placed a penalty on skilled labor and opened it to competition; you would be saying to the man at the bottom, "We will protect you, but when you get to where your wages reach the highest point you shall come in competition with the foreigner."

As I have said, the general purpose of this bill is to protect labor from the lowest to the highest in the enjoyment of the American standard of wages. The exceptions we try to provide for by leaving the old law stand, with the exception that if there is a certain kind of work to be done and there are men in this country to do it, but they are employed, then you can import men from other countries to do the work. If it is found that there is a certain class of work that is not being carried on in this country and it is desired to import some one under contract to teach us how to do it and to install the machinery for the purpose of carrying on that work, the right is given under this provision to do that. The amendment was suggested for the purpose of protecting an entire class and not to interfere with the larger scope of the purely professional classes. The argument this morning has been along the line of exceptions that do not enter into the question as affecting the vital interests of the great body of the laborers of this country. We were trying to make a rule and then conform the law to it. We were trying to get the rule, the general aspect, and then make the law conform to that, and not trying to make the law conform to the exception.

An illustration has been suggested to me by the Senator from Oklahoma. We have a law that one must reach the age of 21 before he can vote. There is not a man on this floor but that knows thousands of cases where young men of 19 or 20 are more capable and better qualified for the exercise of the franchise than some men of 70; and yet you do not balk at the rule, because to attempt to frame a law going into all of these minute exceptions would open the door to emasculating the general application of the rule and process by which the Senate should operate.

Mr. HITCHCOCK obtained the floor.

Mr. REED. I suggest the absence of a quorum.

The PRESIDING OFFICER. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Bankhead	Hughes	Page	Sterling
Brandegee	James	Perkins	Stone
Burton	Jones	Pomerene	Sutherland
Chamberlain	Kenyon	Reed	Thomas
Cummins	Kern	Robinson	Thompson
Dillingham	La Follette	Shafroth	Thornton
Fletcher	Lane	Sheppard	Walsh
Gallinger	McCumber	Sherman	Warren
Gore	Martine, N. J.	Smith, Ariz.	Weeks
Gronna	Nelson	Smith, Ga.	White
Hardwick	Norris	Smith, Md.	Williams
Hitchcock	O'Gorman	Smith, S. C.	Works
Hollis	Overman	Smoot	

Mr. KERN. I desire to announce the unavoidable absence, on account of sickness, of the senior Senator from West Virginia [Mr. CHILTON]. I should have made this announcement two or three days ago, but neglected to do so. He will be detained for the balance of the week. This announcement may stand for that time.

Mr. OVERMAN. I desire to announce that the junior Senator from Florida [Mr. BRYAN] is absent on business of the Senate.

Mr. MARTINE of New Jersey. I make the same announcement with reference to the senior Senator from Tennessee [Mr. LEA]. He is absent on official business. I am also requested to state that a pair exists between the senior Senator from West Virginia [Mr. CHILTON] and the senior Senator from New Mexico [Mr. FALL]. As to how they will vote on this question I have no knowledge.

The PRESIDING OFFICER. Fifty-one Senators have answered to their names. A quorum of the Senate is present.

The motion pending before the Senate is to reconsider the vote by which the amendment on page 6, line 17, was adopted. The amendment inserted the words "mental or manual," in line 17, and the motion is to reconsider the vote by which that amendment was adopted.

Mr. SMITH of South Carolina. Mr. President, I ask that in place of the vote by which the amendment was accepted that particular amendment may be passed over. I suppose I will have to have unanimous consent for that.

Mr. REED. Then it would be necessary to reconsider the vote, letting the bill stand without the amendment being acted upon, and then you would have it re-referred to the committee.

Mr. SMITH of South Carolina. Yes.

Mr. REED. If the chairman makes that request, I think it should be taken by viva voce.

The PRESIDING OFFICER. The Senator from South Carolina asks that the vote by which the words "mental or manual" were inserted may be reconsidered. Is there any objection to that? The Chair hears none, so that vote is reconsidered. What is the further request of the Senator?

Mr. SMITH of South Carolina. That that amendment may be passed over for the time being, temporarily.

The PRESIDING OFFICER. The Senator from South Carolina also asks that the amendment may be passed over for the time being. The Chair hears no objection.

The next amendment before the Senate is on page 9, the amendment being to strike out the following words, in lines 4, 5, and 6:

No two aliens coming in the same vessel or other vehicle of carriage or transportation shall be tested with the same slip.

The amendment was agreed to.

The next amendment of the Committee on Immigration was, on page 9, line 23, after the word "of," to insert "or legally charged with," so as to read:

Provided, That nothing in this act shall exclude, if otherwise admissible, persons convicted of or legally charged with an offense purely political, not involving moral turpitude.

Mr. REED. Mr. President, in view of the action of the Senate in striking out the words "legally charged with" in the preceding section, these words ought to go out now.

Mr. SMITH of South Carolina. Yes; that would naturally follow. They would be meaningless.

Mr. REED. Then, as I understand, they are withdrawn by the committee?

The PRESIDING OFFICER. The question is on agreeing to the amendment. If the Senate votes "no," the amendment will go out.

The amendment was rejected.

The next amendment was, on page 10, line 15, after the word "case," to strike out:

But such determination shall not become final until a period of 30 days has elapsed. Within 3 days after such determination the Secretary of Labor shall cause to be published a brief statement reciting the substance of the application, the facts presented at the hearing and his determination thereon, in 3 daily newspapers of general circulation in three of the principal cities of the United States. At any time during said period of 30 days any person dissatisfied with the ruling may appeal to the district court of the United States of the district into which the labor is sought to be brought, which court or the judge thereof in vacation shall have jurisdiction to try de novo such question of necessity, and the decision in such court shall be final. Such appeal shall operate as a supersedeas.

Mr. REED. Mr. President, I should like to inquire of the chairman of the committee what is the purpose in striking out that provision?

Mr. SMITH of South Carolina. The department complains of the delay and the expense incident to carrying into court these questions that are largely administrative. The committee thought the department had ample facilities for determining such matters, and they simply struck out that long and cumbersome part that has embarrassed them very greatly in the past.

The PRESIDING OFFICER. The question is upon agreeing to the amendment just read.

The amendment was agreed to.

The next amendment was, on page 11, line 9, after the word "servants," to insert "accompanying their employer," so as to read:

Provided further, That the provisions of this law applicable to contract labor shall not be held to exclude professional actors, artists, lecturers, singers, ministers of any religious denomination, professors for colleges or seminaries, persons belonging to any recognized learned profession, or persons employed strictly as personal or domestic servants accompanying their employer.

The amendment was agreed to.

The next amendment was, on page 11, line 21, after the word "Zone," to insert:

Provided further, That aliens who have declared their intention to become citizens and aliens returning after temporary absence to an unrelinquished United States domicile may be admitted in the discretion

of the Secretary of Labor, and under such conditions as he may prescribe.

The amendment was agreed to.

The next amendment was, on page 12, line 18, after the word "guests," to strike out:

Provided further, That nothing in this act shall exclude the wife or minor children of a citizen of the United States.

Mr. O'GORMAN. Mr. President, I should like to ask the Senator from South Carolina if the matter referred to in lines 18, 19, and 20, on page 12, is covered by any other provision of the bill?

Mr. SMITH of South Carolina. I think it is covered. This provision relates to cases where aliens have come into this country and have declared their intention to become citizens and then have gone out of the country and subsequently have returned to it. Under the general provisions of the bill, without this provision, they would have to go through the same process as any other immigrants.

Mr. O'GORMAN. The House bill on the lines indicated provided:

That nothing in this act—

It did not refer to this particular section—

shall exclude the wife or minor children of a citizen of the United States.

Mr. SMITH of South Carolina. Oh, the Senator is referring to that amendment?

Mr. O'GORMAN. Yes; that is the one we are now considering. The committee, of course, has advised that this provision should be eliminated. I believe it contains a very good policy, and I desire to know whether the same principle is covered by any other section of the bill. If it is not covered by something elsewhere in the bill, I think the House provision should be retained, because it is unthinkable that an alien citizen or a native citizen could have his wife or his minor children excluded from coming to this country because they did not meet the educational or some other test prescribed in this bill. In a word, can the Senator state why this provision was stricken out?

Mr. SMITH of South Carolina. If the Senator will turn to section 22, on page 47, he will find it says:

That whenever an alien shall have been naturalized or shall have taken up his permanent residence in this country and shall have filed his declaration of intention to become a citizen, and thereafter shall send for his wife or minor children to join him, and said wife or any of said minor children shall be found to be affected with any contagious disorder, such wife or minor children shall be held, under such regulations as the Secretary of Labor shall prescribe, until it shall be determined whether the disorder will be easily curable or whether they can be permitted to land without danger to other persons; and they shall not be either admitted or deported until such facts have been ascertained; and if it shall be determined—

And so forth. That is a provision whereby these persons with contagious diseases which would ordinarily cause their exclusion are to be detained until it is found whether they can be admitted without jeopardizing the lives and health of the citizens of this country.

Mr. O'GORMAN. Assuming that there are other provisions in the bill covering the part stricken out, I withdraw my opposition for the present.

Mr. SMITH of South Carolina. That was the reason for it.

Mr. REED. Mr. President, I am very much afraid there is no provision covering this proposition. Let us go back for a moment to page 7. Among those excluded are—

All children under 16 years of age, unaccompanied by or not coming to one or both of their parents.

Mr. SMITH of South Carolina. If the Senator will turn to page 48 he will see that that is amply covered.

Mr. REED. I am coming to that very matter.

Mr. SMITH of South Carolina. Look at the provision on page 48.

Mr. REED. The language stricken out is:

Provided, That nothing in this act shall exclude the wife or minor children of a citizen of the United States.

Now, we have an exclusion of all children under 16 years of age unless they are coming to their parents. Nothing is said there about the wife. Then we go to page 48.

Mr. SMITH of South Carolina. Read the proviso there in italics.

Mr. REED (reading):

That whenever an alien shall have been naturalized or shall have taken up his permanent residence in this country and shall have filed his declaration of intention to become a citizen and thereafter shall send for his wife or minor children to join him and said wife or any of said minor children shall be found to be affected with any contagious disorder—

Mr. SMITH of South Carolina. Now read the proviso on that same page.

Mr. REED. Page 48?

Mr. SMITH of South Carolina. Yes. [Reading:]

Provided, That if the person sending for wife or minor children is naturalized a wife to whom married or a minor child born subsequent to such husband's or father's naturalization shall be admitted without detention.

Mr. REED. That applies only to the naturalized citizen. It does not apply, and I call the Senator's attention to that fact, to the man who has applied for naturalization. That clause does not apply to the man who is permanently a resident here and who possibly is ineligible for naturalization. Certain classes of people are ineligible. I call the Senator's attention to the fact that it is a question worthy of consideration whether there may not be now a class of people not naturalized, who either have applied for naturalization or who for some reason are ineligible, who could not bring their wives and children here.

Mr. SMITH of South Carolina. The Senator from Missouri would not want one who could not become a citizen of this country to send for his wife and children and have them come into this country without the provisions in this section, which simply mean that they must be detained. Even here in the first section——

Mr. REED. The Senator means on account of health, or something of that kind?

Mr. SMITH of South Carolina. Yes. The bill says now, in section 22, that whenever an alien shall have been naturalized or shall have taken up his residence in this country and shall have filed his declaration of intention to become a citizen, then, if his wife and children come here, they must be detained to see whether or not they will spread disease. In this proviso, when the man has become naturalized, his wife and children are admitted.

Mr. REED. I do not desire to detain the Senate, but I am very fearful that an injustice might be worked there. As the section will come up again in some other form, however, for the present I shall make no further objection.

The VICE PRESIDENT. The question is on agreeing to the amendment of the committee.

The amendment was agreed to.

The next amendment was, on page 14, line 4, after the word "solicit," to insert "or attempt to induce, assist, encourage, or solicit," so as to read:

That it shall be unlawful for any person, company, partnership, or corporation, in any manner whatsoever, to prepay the transportation or in any way to induce, assist, encourage, or solicit, or attempt to induce, assist, encourage, or solicit the importation or migration of any contract laborer or contract laborers into the United States, unless such contract laborer or contract laborers are exempted under the provisions of section 3 of this act.

Mr. WARREN. Mr. President, I should like to ask the Senator in charge of the bill why that amendment is necessary. It seems to me the language preceding it is sufficient.

Mr. SMITH of South Carolina. To what language does the Senator refer?

Mr. WARREN. The language which the Secretary has just read, and which I believe is in lines 4 and 5, page 14.

Mr. SMITH of South Carolina. "Or attempt to induce, assist, encourage, or solicit?"

Mr. WARREN. It reads here:

That it shall be unlawful for any person, company, partnership, or corporation, in any manner whatsoever, to prepay the transportation or in any way to induce, assist, encourage, or solicit—

Then follows—

or attempt to induce, assist, encourage, or solicit.

I see no necessity for that last clause. Perhaps the Senator has some reason for it. The Senator will notice that the language preceding that is:

Or in any way to induce, assist, encourage, or solicit.

I speak of it now because the same amendment occurs in several places on the following pages.

Mr. SMITH of South Carolina. I think the idea of the committee in incorporating that amendment, as well as I recall now, was that very often attempts were made, and without this language it would be necessary to prove that the person actually did induce and bring in an alien when there might be evidence that there was an attempt made, even if there was no result found. It was inserted to shut off the possibility of their coming in even where at the time there was a failure of inducements which might ultimately bear fruit, as well as I recall.

Mr. WARREN. If there have been such cases as that, that may explain it.

Mr. SMITH of South Carolina. The commissioner called our attention to that fact.

Mr. WARREN. I may not give enough credit to the English language, but it seems to me, when it reads as it does here as it came from the House, that it is unlawful to in any way induce, assist, encourage, or solicit the immigration of contract

laborers, that covers the matter fully. I have examined the dictionary, and I do not see how anything further would be necessary to make that effective. It seems to me that this language, "or attempt to induce, assist, encourage, or solicit," is surplusage, unless it is sought to make this legislation so drastic that if an American walking along the street in a foreign country should say in response to a question that his country was a good one he might be indicted for an attempt to encourage emigration to this country.

Mr. SMITH of South Carolina. As well as I recall, cases have arisen where there has been an attempt and nothing has come of it, but later on that very attempt has borne fruit and lawsuits have grown out of it, even though there was an immediate failure. If you look at the next section you will find this language:

> That any person, including the master, agent, owner, or consignee of any vessel, who shall bring into or land in the United States, by vessel or otherwise, or shall attempt, by himself or through another, to bring into or land in the United States, by vessel or otherwise.

The advertisement of a steamship company is an attempt to induce by promise or reward, and, as well as I remember, that was put in to discourage that particular kind of advertisment by certain corporations, that labor here was desirable and could be employed at certain wages. They did not bring them in right then, but they were making the attempt to induce them to come.

Mr. WARREN. There may be places where the amendment would seem necessary, but in the place I speak of and on page 15, line 5——

Mr. SMITH of South Carolina. I think that was made to conform to the section following, so as to make it conform in both instances where it applied to the same thing.

Mr. WARREN. I am sure the Senator thinks it is necessary, but I do not see the necessity of it.

Mr. GRONNA. Mr. President, I wish to call the attention of the chairman to the fact that this matter was discussed before the committee, and that I called attention to it as being a very dangerous provision. The Commissioner of Immigration was present at the time. While I am not at liberty to quote him here, nor shall I quote him, I make the statement that there is no need of this provision in the bill.

The chairman will also remember that I called attention to the fact that a certain farmer in my State had written a letter to certain men across the border in the Dominion of Canada, when he had evidently received an inquiry or a letter asking him if work was to be had in the harvest field, having answered the letter and said that they could get labor at $3.50 a day. All this particular farmer did was to answer that letter. Later on, in the fall, an immigration agent took the case up, and that particular farmer was fined $5,000. The case has been in court. I can not recall the case just now, but it is a matter of record that for the simple offense of this farmer writing a letter and answering an inquiry as to whether labor could be had he was subjected to a fine. Whether he was imprisoned or not I do not know; but he was subject to imprisonment, and I do know that a fine was imposed.

I am opposed to this amendment. It is unnecessary, and I do not believe that the commissioner will insist upon this amendment.

Mr. WARREN. The Senator from North Dakota has well stated what I feared. In these days of neutrality under our restrictions, which we are striving to obey, we are giving particular attention to what might be the construction of our language, and it seems to me if I should be asked a question upon the streets of a foreign country or if I should answer a letter truthfully that I thought this a good country, or a good country for a laboring man, under this language I might be apprehended.

I do not feel that it is necessary, because while we want to have all due restrictions, it does not seem to me that we ought to make a law that looks as if we had an attack of hysteria at the time we enacted it and were afraid that anybody should feel that we have a country worthy of receiving respectable immigrants or a country desirable to live in.

The language is strong enough without it, and the presumption is that if it is added it must be for a restriction which I do not believe we should be submitted to. I do not believe the Senator or I should be placed where if we received a respectful letter of inquiry we could not properly answer it or that we could not answer a respectable inquiry upon a street of any city of our country or any other. I know I often receive letters from abroad from people I have met asking questions about our country, its progress, its prosperity, its plans, and so forth, and I am in the habit of answering them freely, with no thought of encouraging a man to come here in the light of bringing him against our labor-contract laws or anything of that kind.

I want to see the law restrictive. I want to see the law a reasonable one; but that kind of language interpolated into it, where it is totally unnecessary, ought to be stricken out.

Mr. SMITH of South Carolina. The Senator from Wyoming can see that in the case indicated by the Senator from North Dakota [Mr. GRONNA] this language would save the farmer from that humiliation and embarrassment if he had just written a letter. Though he did break the contract law by saying that labor could be obtained at three dollars and a half a day, this says, "to induce, assist, encourage or solicit, or attempt to induce labor to come."

Mr. WARREN. Right there will the Senator allow me to interrupt him?

Mr. SMITH of South Carolina. Certainly.

Mr. WARREN. Then we take the ground that we want to pass a law whereby we deny ourselves the right to say to any inquiring party what we think of the country, its prosperity, or its opportunities. Is that in the Senator's mind?

Mr. SMITH of South Carolina. No; the Senator will recognize that he would have the right not only to state as an individual in a foreign country or elsewhere that this is a fine field for labor but the wages paid in different occupations. However, that is quite different from me, a farmer, writing to laborers in another ountry—contract labor—that they could get three dollars and a half a day here. That is a different proposition from saying that the wages are high.

Mr. WARREN. That is a long way from contracting with a man to come here and work at lower wages than are paid in this country. The Senator knows what the law attempts to effect and what we all sustain it in, to prevent the making of contracts abroad with laborers and to bring them in to compete with our own at lower prices. On the other hand, this country has been built up very largely by a class of immigrants who have done credit to themselves and to the country, and foreigners should be able to obtain some direct information of this kind. They get some through the press and in other ways. It may so happen that the Senator or I or other Senators have met and will continue to meet persons abroad who make inquiries regarding this country. Shall we stultify ourselves and belittle the country by not answering frankly what the prospects are in this country?

Mr. SMITH of South Carolina. Oh, this proposed law does not even intimate anything of the kind. It expressly says who shall "attempt to induce." What the Senator refers to is no attempt on his part to induce labor to come at a specified price. You do not call on them to come under contract. The object is to avoid the very difficulty that the farmer in the State of North Dakota allowed himself to get into.

Mr. WARREN. Then, as I understand the Senator, the object is to avoid that by putting a ban upon and muzzling everyone in this country so that our people will not be able to answer a letter of inquiry as to the wages of the country.

Mr. SMITH of South Carolina. Surely not. No such construction can be placed on it. If the man makes an attempt, or if he invites specifically, as anyone would construe the law, a contract laborer to come here at a specified price, he is breaking the law.

Mr. WORKS. Mr. President——

Mr. WARREN. If the Senator from California will allow me just a word further, that is amply provided for in the language which precedes this proposed amendment. The whole meaning is to induce, to assist, to encourage, or to solicit. It is to favor or to help in some way, not to "attempt to encourage," carrying it to a degree that I do not understand. It may be that the English language is further away from me to-day than usual.

Mr. WORKS. Mr. President, I only want to suggest to the Senator from Wyoming that I think he is giving this clause in the bill altogether too broad a construction. It does not forbid soliciting or attempting to induce laborers to come to this country, but contract laborers. I do not very well see how a conviction could have been had against the farmer mentioned by the Senator from North Dakota [Mr. GRONNA]. Certainly there was no attempt in that case to bring in contract labor as I understand from what the Senator said about it, and I do not see very well how he was convicted under those circumstances.

Mr. WARREN. It is easier to convict him under the language of this bill than it would be probably without it.

Mr. WORKS. No; I think not.

Mr. GRONNA. I wish to call the attention of the Senator from California to the fact that all that the farmer did was

to write the letter, but he did employ the five men in the harvest field. They were employed by him later on. He entered into no contract with them except writing a letter, telling them that work was to be had.

Mr. WORKS. That would be no violation of the statute unless there was a contract in advance and he brought them in under the contract, for that is what contract labor means.

Mr. GRONNA. Then I ask the Senator if the law is rigid now, why make it still more rigid?

Mr. WORKS. I do not very well see how anyone could be convicted under those circumstances. I think there must have been some mistake about it.

Mr. WILLIAMS. Mr. President, I am thoroughly in sympathy with the general purposes of this act, but, like most laws, it goes a little bit too far, because when men undertake to do anything—get to the point of doing it—they go further than they ought. Some time ago one of the sweetest and best informed women in the State of Mississippi came to me and said that she had received an invitation to deliver certain lectures somewhere in Great Britain—principally Scotland, I believe—and she wanted to select as the subject of her lectures Dixieland—her own country. She came to me to learn to what extent she could go in telling what a real good land Dixie is, how much hog and hominy might be had in it, how pleasant the fields are, how happy the climate, how fertile the soil, and all the balance of it. She had, much to her own astonishment and mine, stumbled over certain provisions of the immigration law which prevented her at that time—I did not know what were the particular provisions, but I expect it was this language:

That it shall be unlawful for any person, company, partnership, or corporation, in any manner whatsoever, to prepay the transportation or in any way to induce, assist, encourage, or solicit.

The balance of it might stand very well without the word "encourage," and I do not see how it could have been with that alone very wrong. Then this committee has put in "or attempt to induce, assist, encourage, or solicit."

I have no objection to making a law against those who induce or assist or solicit or attempt to induce, assist, or solicit, but when you come to saying that a man has committed a crime who has encouraged immigration to the United States, that is going too far. It seems to me if you happened to meet a man under a shelter in the rain in the city of London and fell into conversation with him and told him what a good country you had, and what a good State, and what was the prevailing rate of wages, and if that man might form an acquaintance with you and afterwards come to the United States and hire himself to you, you would be guilty under this act of "encouraging" immigration. Then if you go further and say he shall be guilty of crime if he "attempts to encourage," I do not know how they would proceed against you, because the fault would have taken place on English soil in that particular case, and, of course, they could not lay the venue. But suppose the encouragement had taken place by letter in the manner indicated by the Senator from Wyoming [Mr. WARREN]. Some man over there writes to me, saying "What sort of a country have you got down in Mississippi now? What sort of encouragement is there for a farm laborer? What sort of encouragement is there for labor in the mines, or anything of that sort?" Suppose I would write back to him a general letter; tell him what a glorious country it is, what a sweet place it is to live in, how you call yourself blessed every morning whether you looked over the front porch of a mansion or the back porch of a cabin, blessed simply because you are in such a happy land under such happy skies, and then suppose you told him what sheep sold for and how much was paid for labor, and all that. Then suppose this man would come over afterwards. In that case I would not have been guilty of "inducing" or "assisting" or "soliciting," but I would have been guilty under this act of "encouraging" that man's moving into the United States, and, as far as I can see, encouraging him regardless of the fact whether he came to me afterwards and got employment from me or whether he came to that particular section and county and got it from somebody else. If after writing him that sort of a letter he came to me, when I had written to him that he could get so much per month or so much per day, a cabin, and so much garden room, and free wood, and free pasturage for work stock and milch cows, and a half holiday, and whatever the other things were that I might in truth have said to him about the country, and he said, "I got your letter and I have come over here, and I want you to make good"; I would feel pretty much like a whipped dog if I could not do it. I would feel like I was acting in bad faith.

Mr. SMITH of South Carolina. I should like to recall to the Senator from Mississippi that most of this language is placed here on account of the fact that the steamship companies encourage immigrants in order to fill up their steerage and cabin space.

Mr. WILLIAMS. It is all very well to hit them, because they are "inducing" and are in that way "assisting." They are "soliciting" people to come here, and they are doing it for selfish pocketbook purposes. But while you are doing that, it does not seem to me that you ought to adopt language which is so broad as to include other people, and to include people who have no idea of doing any unlawful act at all, and who are merely speaking well of themselves and their neighbors and their country.

I shall move, Mr. President, to strike out the word "encourage" in line 4 and the word "encourage" in line 5, so that it shall read "induce, assist, or solicit, or attempt to induce, assist, or solicit."

Mr. SMITH of South Carolina. I suppose the Senator from Mississippi knows that the word "encourage" in the roman text is already in the law of 1907. It is a part of the old law, and that has not been changed.

Mr. WILLIAMS. I understand that; and all you have done is to add the words "or attempt to induce, assist, encourage, or solicit."

Mr. SMITH of South Carolina. Yes.

Mr. WILLIAMS. You have gone further, and I am opposed to the old law in that particular, to going further back, and I am opposed to both of them for the very reason I was stating. Here is this woman who made a good record, a very intelligent woman, a lecturer, who wanted to prepare a lecture upon Dixie, the land she lived in and the land she loved, and meant thereby to tell the English and Scottish people about Dixie; and she found out that she was about to stumble into a violation of the immigration laws of the United States for doing what? By going to Scotland and telling what a great country of undeveloped and sublime resources Dixie is. I do not think we ought to have any such law capable of such construction as that upon the statute books. The language now upon the statute books makes it a crime to "encourage," and the language proposed adds to it "to attempt to encourage." I move to strike out the word "encourage" in both places.

Mr. SMITH of South Carolina. If the Senator from Mississippi will withhold his motion, I will ask that the amendment be passed over because we are now considering the committee amendments. All that we could do now would be to strike out the word "encourage" in the committee amendment, because we can not strike out the word "encourage" in the law.

Mr. WILLIAMS. I am perfectly willing to do that. At the proper time I will make that motion.

Mr. REED. Of course, if the language the Senator from Mississippi objected to is given serious consideration, then this particular amendment ought now to be made to conform.

Mr. WILLIAMS. The chairman of the committee has asked that the matter should go over until we reach the parliamentary stage where individual amendments will be in order. He has asked that the entire matter might go over. I ask that my amendment may go over with it, and another in line 5, on page 15.

The VICE PRESIDENT. Without objection, it will be passed over.

Mr. WARREN. I understand the proposition is to pass over the committee amendment.

Mr. SMITH of South Carolina. To pass over all.

Mr. WARREN. To pass it over and to leave the amendment proposed by the Senator from Mississippi in abeyance?

Mr. SMITH of South Carolina. Yes; in abeyance.

Mr. WARREN. I am assuming that we also have passed over the amendment on line 5 on page 15.

The VICE PRESIDENT. The Chair so understands.

Mr. WALSH. What was done with the amendment proposed in lines 8, 9, and 10 on page 14?

The VICE PRESIDENT. Nothing. The amendment will be stated.

The SECRETARY. After the word "act," in section 5, page 14, line 8, insert:

And have been imported with the permission of the Secretary of Labor in accordance with said section.

The VICE PRESIDENT. If there is no objection, the amendment will be agreed to.

Mr. WALSH. I desire before it is disposed of to inquire of the chairman of the committee whether the word "and" should not be "or." It is very proper to make it criminal to induce, assist, or solicit any of those not within the exceptions in section 3.

Mr. SMITH of South Carolina. I ask that the amendment be temporarily passed over and I will make a note of the Senator's suggestion.

The VICE PRESIDENT. The amendment to section 5 beginning in line 8 on page 14 and the amendment to section 6 on page 15 are passed over.

The next amendment of the Committee on Immigration was, in section 7, page 15, line 20, after the word "printing," to strike out "or"; in line 21, after the word "representation," to strike out "or by the"; in line 21, after the word "commissions," to strike out the words "or the"; in line 22, after the word "alien," to insert "or otherwise"; and in the same line, after the word "otherwise," to strike out "or by any transportation company to another transportation company participating in the transportation of any alien out of the fare of such alien."

The amendment was agreed to.

The next amendment was, in section 7, page 16, line 1, after the word "encourage," to insert "or attempt to solicit, invite, or encourage."

Mr. SMITH of South Carolina. I ask that this amendment be passed over for the reason I gave a while ago.

Mr. WILLIAMS. I beg the Senator's pardon; it applies only to persons engaged in the business of transporting. I am perfectly willing to punish them for encouraging it.

Mr. SMITH of South Carolina. Very well; let the amendment be agreed to.

The VICE PRESIDENT. Without objection, the amendment will be agreed to.

The next amendment was, in section 7, page 16, line 14, after the word "vessel," to insert "thus proceeded against," so as to read:

And no vessel thus proceeded against shall be granted clearance pending the determination of the question of the liability to the payment of such fine, or while the fine imposed remains unpaid, nor shall such fine be remitted or refunded.

The amendment was agreed to.

The next amendment was, in section 9, page 18, after the words "United States," to insert "either from a foreign country or any insular possession of the United States"; in line 7, after the word "imbecility," to insert "feeble-mindedness"; and in the same line, after the word "epilepsy," to insert "constitutional psychopathic inferiority, chronic alcoholism," so as to read:

SEC. 9. That it shall be unlawful for any person, including any transportation company other than railway lines entering the United States from foreign contiguous territory, or the owner, master, agent, or consignee of any vessel, to bring to the United States, either from a foreign country or any insular possession of the United States, any alien afflicted with idiocy, insanity, imbecility, feeble-mindedness, epilepsy, constitutional psychopathic inferiority, chronic alcoholism, tuberculosis in any form, or a loathsome or dangerous contagious disease, etc.

Mr. GALLINGER. Mr. President, I raised the question a little while ago as to that term "constitutional psychopathic inferiority." I still think it is a very awkward phrase, but I have been told that some very distinguished alienists have recommended it as a proper term to be used in this bill, and that being the fact I have no disposition to contest it at all. I think the amendment might well be agreed to. I feel sure that some other phrase would have been better had those distinguished gentlemen taken time to consider the matter carefully, but this term doubtless will accomplish their purpose. The idea is that if they find a man mentally deficient, not stating to what extent he shall be deficient, he will be excluded. The term "inferiority" is very elastic and will enable them, I think, to exclude a good many men who are merely erratic rather than mentally unsound. However, as some distinguished philosopher said, we are all crazy; it is a mere matter of degree, perhaps it is well to submit the matter to these distinguished alienists for determination.

Mr. STONE. Mr. President, it is about 4 o'clock and, if agreeable to the chairman of the committee in charge of the bill, I wish to move an executive session.

Mr. SMITH of South Carolina. I ask that the bill be temporarily laid aside before going into executive session.

The VICE PRESIDENT. Then, if there is no objection, the pending amendment will first be agreed to, and then the bill will be temporarily laid aside.

Mr. GALLINGER. That having been agreed to, I ask the chairman if it would not be well to recur to the same phraseology that previously occurs in the bill and agree to that amendment also.

Mr. SMITH of South Carolina. All right.

Mr. GALLINGER. I think that ought to be done.

The VICE PRESIDENT. Without objection, the amendment on page 4, line 25, will be agreed to. It is agreed to.

EXECUTIVE SESSION.

Mr. STONE. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to, and the Senate proceeded to the consideration of executive business. After 57 minutes spent in executive session the doors were reopened, and (at 4 o'clock and 55 minutes p. m.) the Senate adjourned until to-morrow, Friday, December 11, 1914, at 12 o'clock meridian.

HOUSE OF REPRESENTATIVES.

THURSDAY, *December 10, 1914.*

The House met at 12 o'clock noon.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

Come, Thou almighty God, with all Thy quickening power and possess our hearts that we may think wisely, act nobly our part in the great drama of life, for we realize that if we do faithfully the things of to-day we shall be the better prepared to do with greater ease and efficiency the things of to-morrow, and when the crucial test shall come, and come it will, we shall have builded a character which shall enable us to acquit ourselves like men and leave behind us a record worthy of emulation and be prepared for whatever awaits us in the great beyond. And Thine shall be the praise forever. In His name. Amen.

The Journal of the proceedings of yesterday was read and approved.

EXTENSION OF REMARKS.

Mr. WALLIN. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by printing a report made by the American Chemical Society relative to the feasibility of extending the chemical and dyestuff industry in the United States.

The SPEAKER. The gentleman from New York asks unanimous consent to extend his remarks in the RECORD by printing a report made by the American Chemical Society as to the feasibility of extending the manufacture of dyestuffs, and so forth. Is there objection?

Mr. MANN. What is the request?

Mr. FOSTER. I did not understand it.

The SPEAKER. The gentleman will restate what it is so that the gentleman from Illinois will understand.

Mr. WALLIN. It is the report made by the American Chemical Society relative to the feasibility of extending the industry of chemicals and dyestuffs in the United States. There is no politics in it at all.

The SPEAKER. Is there objection?

There was no objection.

Mr. HOWARD. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by inserting therein an editorial from the Louisville Courier-Journal of December 8.

The SPEAKER. The gentleman from Georgia asks unanimous consent to extend his remarks in the RECORD by printing an editorial from the Louisville Courier-Journal, which appeared on December 8, written by "Marse Henry" Watterson.

Mr. MANN. In relation to what?

Mr. HOWARD. In relation to the military situation in the United States.

Mr. BARNHART. Mr. Speaker, I object.

HABIT-FORMING DRUGS.

Mr. KITCHIN. Mr. Speaker, I call up for consideration conference report on the bill (H. R. 6282) to provide for the registration of, with collectors of internal revenue, and to impose a special tax upon all persons who produce, import, manufacture, compound, deal in, dispense, sell, distribute, or give away opium or coca leaves, their salts, derivatives, or preparations, and for other purposes.

The SPEAKER. The gentleman from North Carolina calls up the conference report on the bill H. R. 6282, which the Clerk will report.

Mr. KITCHIN. Mr. Speaker, I ask unanimous consent that the statement may be read in lieu of the report. It fully explains the matter.

The SPEAKER. The gentleman from North Carolina asks unanimous consent that the statement may be read in lieu of the report. Is there objection? [After a pause.] The Chair hears none.

The statement was read.

The conference report and statement are as follows:

CONFERENCE REPORT (NO. 1196).

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 6282) to provide for the registration of, with collectors of internal revenue, and to impose a special tax upon all persons who

produce, import, manufacture, compound, deal in, dispense, sell, distribute, or give away opium or coca leaves, their salts, derivatives, or preparations, and for other purposes, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendment numbered 10.

That the House recede from its disagreement to the amendments of the Senate numbered 2, 4, 5, 6, 7, 9, 11, 12, 13, 16, 18, 19, 20, 21, 23, 24, 25, 26, 27, 28, 30, 31, 32, 33, 34, and 35, and agree to the same.

Amendment numbered 1: That the House recede from its disagreement to the amendment of the Senate numbered 1, and agree to the same with an amendment as follows: Strike out the word "October," inserted by said amendment, and insert in lieu thereof the word "March"; and on page 1 of the bill, line 4, strike out the word "fourteen" and insert in lieu thereof the word "fifteen"; and the Senate agree to the same.

Amendment numbered 3: That the House recede from its disagreement to the amendment of the Senate numbered 3, and agree to the same with an amendment as follows: Strike out the word "obliged" in the matter inserted by said amendment and insert in lieu thereof the word "required"; and the Senate agree to the same.

Amendment numbered 8: That the House recede from its disagreement to the amendment of the Senate numbered 8, and agree to the same with an amendment as follows: Strike out all the matter inserted by said amendment and insert in lieu thereof the following: "keep a record of all such drugs dispensed or distributed, showing the amount dispensed or distributed, the date, and the name and address of the patient to whom such drugs are dispensed or distributed, except such as may be dispensed or distributed to a patient upon whom such physician, dentist, or veterinary surgeon shall personally attend; and such record shall be kept for a period of two years from the date of dispensing or distributing such drugs, subject to inspection, as provided in this act"; and the Senate agree to the same.

Amendment numbered 14: That the House recede from its disagreement to the amendment of the Senate numbered 14, and agree to the same with an amendment as follows: In line 3 of the matter inserted by said amendment, after the word "States," insert the following: "to any person in any foreign country"; and the Senate agree to the same.

Amendment numbered 15: That the House recede from its disagreement to the amendment of the Senate numbered 15, and agree to the same with an amendment as follows: In line 3 of the matter inserted by said amendment, after the word "territorial," insert a comma; and in line 6 of the matter inserted by said amendment, after the word "Navy" and the comma, insert the following: "the Public Health Service" and a comma; and the Senate agree to the same.

Amendment numbered 17: That the House recede from its disagreement to the amendment of the Senate numbered 17, and agree to the same with an amendment as follows: In line 15 of the matter inserted by said amendment strike out the word "interest" and insert in lieu thereof the word "intent"; and the Senate agree to the same.

Amendment numbered 22: That the House recede from its disagreement to the amendment of the Senate numbered 22, and agree to the same with an amendment as follows: In line 3 of the matter inserted by said amendment, after the word "veterinarian," insert the following: "required to register under the terms of this act"; and the Senate agree to the same.

Amendment numbered 29: That the House recede from its disagreement to the amendment of the Senate numbered 29, and agree to the same with an amendment as follows: Strike out "one-fourth" and insert in lieu thereof "one-eighth"; and the Senate agree to the same.

CLAUDE KITCHIN,
CORDELL HULL,
J. HAMPTON MOORE,
Managers on the part of the House.
F. M. SIMMONS,
JOHN SHARP WILLIAMS,
C. S. THOMAS,
P. J. MCCUMBER,
REED SMOOT,
Managers on the part of the Senate.

STATEMENT.

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 6282) to provide for the registration of, with collectors of internal revenue, and to impose a special tax upon all persons who produce, import, manufacture, compound, deal in, dispense, sell, distribute, or give away opium or coca leaves, their salts, derivatives, or preparations, and for other purposes, submit the following written statement in explanation of the effect of the action agreed upon by the conferees and recommended in the accompanying report:

Amendment No. 1: This amendment provides for the date of effectiveness of this act, and the House recedes with an amendment fixing March 1, 1915, as the date the act shall go into effect in lieu of October 1, 1914. This change in date is necessary, for before the act can take effect provision must be made for registering and issuing official order blanks to at least 250,000 manufacturers, dealers, physicians, dentists, and veterinarians.

Amendment No. 2: This amendment permits officers of the United States, the States, the Territories, the insular possessions, and the District of Columbia lawfully engaged in making purchases of the specified habit-forming drugs to do so without registering and without paying the special tax, and the House recedes.

Amendment No. 3: The act requires the registration of every person producing, manufacturing, selling, giving away, or dispensing any of these specified habit-forming drugs, and then excepts certain officers of the Federal and State Governments. This amendment therefore becomes necessary in order to obviate any question of the right of these officers to dispense or give away the drugs which they purchase without registering, and the House recedes with an amendment, changing the word "obliged" to "required."

Amendments Nos. 4, 5, 6, 7, 9, 11, 12, 13, 14, 16, 18, 19, 20, 21, 23, 24, 25, 26, 27, 28, 30, 31, 33, 34, and 35 are either changes in language making the phraseology of the act more clear and certain or correcting clerical errors, and the House recedes.

Amendment No. 8: This amendment as redrafted does not require the personal attention of a physician, dentist, or veterinary surgeon to dispense or distribute any of the aforesaid narcotics, but, in case there is not personal attention on the part of the physician, dentist, or veterinarian, a record showing the amount of the drug dispensed or distributed, the date, the name, and the address of the patient to whom such drugs are dispensed or distributed must be kept for a period of two years, subject to inspection by the officers, agents, and employees of the Treasury Department and to the State, Territorial, District, municipal, and insular officials named in this act. Physicians, dentists, and veterinary surgeons will not have to keep a record of the quantity of the drug administered, etc., when in personal attendance upon their patients.

Amendment No. 10: Section 8 of this bill makes it unlawful for any person not registered under the provisions of this act to have in his possession or under his control any of the habit-forming drugs specified in this act, but exempts employees of registered persons acting in the scope of their employment and nurses acting under the supervision of a physician, dentist, or veterinary surgeon. As nurses are often employed by the patient, in order to prevent a nurse employed by a patient having possession of the aforementioned drugs from becoming liable to the penalty for violation of this act it therefore is necessary for the physician, dentist, or veterinary surgeon to register under this act, and the Senate recedes.

Amendment No. 15: This amendment is to make it clear that it will be lawful for manufacturers and dealers to sell to the specified public officers without the official order blank. This amendment becomes necessary because previous amendments have exempted these officers from the necessity of registering and obtaining official order blanks. The House recedes with an amendment specifying among the exempted class of officers those of the Public Health Service.

Amendment No. 17: This amendment becomes necessary because in the Philippine Islands, Porto Rico, and the Canal Zone the United States internal-revenue laws do not apply and there are no Federal internal-revenue districts or collectors. Neither are there any United States district courts in the Philippines. This amendment merely bestows jurisdiction in the Philippine Islands on the local courts and gives the President authority to issue such Executive orders as are deemed necessary to carry into effect the intent and purpose of this act, and the House recedes.

Amendment No. 22: This amendment merely extends the exemption from liability under this act to persons delivering any of the aforementioned drugs prescribed or dispensed by a physician, dentist, or veterinarian, and to United States, county, municipal, District, Territorial, or insular officers or officials acting within the scope of their official duties, and the House recedes with an amendment requiring the physician, dentist, or veterinarian to register under the terms of this act.

Amendment No. 29: The House bill limited the amount of heroin that could be sold, distributed, given away, or dispensed

without coming within the terms of this act to one-twelfth of a grain. The Senate increased the amount to one-fourth of a grain, and the House recedes with an amendment limiting the amount to one-eighth of a grain.

Amendment No. 32: This amendment exempts nurses working under the supervision of physicians, dentists, or veterinary surgeons registered under the act from the provisions of the act. This provision becomes necessary because the nurse is generally employed by the patient, and is therefore not an employee of a person registered under the act, and the House recedes.

CLAUDE KITCHIN,
CORDELL HULL,
J. HAMPTON MOORE,
Managers on the part of the House.

Mr. MANN. Mr. Speaker, will the gentleman yield?

Mr. KITCHIN. Yes, sir.

Mr. MANN. I notice the conference report places the date for putting this act into effect as March 15. While doubtless that was a proper date at the time the report was agreed to in conference, it seems rather short now. I realize that it can not be very well changed now before it is agreed to, but I suggest to the gentleman to take into consideration the question of having a joint resolution passed fixing the date a little further in the future. This act affects so many people that I doubt very much whether it can be properly known and understood throughout the country by March 15.

Mr. KITCHIN. I think what the gentleman says is true, and we will do that.

Mr. Speaker, I move the adoption of the conference report.

The conference report was agreed to.

On motion of Mr. KITCHIN, a motion to reconsider the vote by which the conference report was agreed to was laid on the table.

DISTRICT OF COLUMBIA APPROPRIATION BILL.

Mr. PAGE of North Carolina. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 19422, the District of Columbia appropriation bill.

The motion was agreed to.

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 19422, with Mr. GARNER in the chair.

The CHAIRMAN. The House is in Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 19422, which the Clerk will report by title.

The Clerk read as follows:

A bill (H. R. 19422) making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1916, and for other purposes.

Mr. PAGE of North Carolina. Mr. Chairman, will the gentleman from Minnesota [Mr. DAVIS] use some time now?

Mr. DAVIS. I will. Mr. Chairman, I yield one hour to the gentleman from Massachusetts [Mr. GARDNER]. [Applause.]

OUR INADEQUATE NATIONAL DEFENSES.

Mr. GARDNER. Mr. Chairman, on the 15th day of November, about four weeks ago, Maj. Gen. William W. Wotherspoon, Chief of Staff and virtual head of the United States Army, made his report to Congress. Yesterday the chairman of the Committee on Military Affairs, Mr. HAY, of Virginia, said, in pleasantry, I hope, that Gen. Wotherspoon's report must have been written when he was "nervous and excited." The expression sounds strangely familiar. That report of Gen. Wotherspoon showed that the United States is totally and absolutely unprepared for war. Chairman HAY, of Virginia, I ask you why, instead of declaring your hearings closed, you do not summon the man who wrote that report? I challenge you to summon before your committee Maj. Gen. Wotherspoon, head of the United States Army, and his predecessor, Gen. Leonard Wood. Will you do it?

Mr. HAY rose.

The CHAIRMAN. Does the gentleman from Massachusetts yield?

Mr. GARDNER. Yes.

Mr. HAY. I will say to the gentleman that Maj. Gen. Wotherspoon is now on the retired list of the Army.

Mr. GARDNER. Maj. Gen. Wotherspoon has been for a few days on the retired list. You summoned his successor. Why do you not summon the man who wrote the report?

Mr. HAY. Because it has never been the habit or custom to summon a man who is no longer holding the office.

Mr. GARDNER. I challenge you to summon the man who wrote that report, and I challenge you to summon Maj. Gen. Wood, his predecessor. Will you do it?

Mr. HAY. I will do it if I think it is necessary, and I will not if I do not.

Mr. GARDNER. I sat at the feet of Gamaliel the day before yesterday while he discoursed on our present capacity to defend ourselves against a foreign enemy. I listened with delight to the President's dissertation on the glories of friendship, "service," and concord. How admirably he expresses those glorious truths which, so far as I know, nobody disputes! However, it is not the manner of the President's discourse, but rather its matter, which should awaken our interest. It is not to the generalities which he so brilliantly expresses, but rather to his bill of particulars that I invite your attention. It is the meat inside of the coconut which is of importance, not the shell on the outside, no matter how beautifully it may be adorned.

THE PRESIDENT'S MAN OF STRAW.

Let us see how the President states the position of those of us who differ from his views. Let me restate the wonderful dreams in which the President thinks that we indulge. Let me reconstruct the fantastic man of straw which the President erected and then proceeded to demolish with the shrapnel of his scholarly eloquence.

We will not—

Says the President—

ask our young men to spend the best years of their lives making soldiers of themselves.

Who, pray, says the contrary? Surely not I. Far from dreaming of such a thing, I am proposing a thorough investigation by an independent commission which shall recommend to the people of the United States exactly what course we ought to pursue to insure our national security. Surely it is not such "nervous and excited" persons as ex-Secretary Meyer, ex-Secretary Dickinson, ex-Secretary Bonaparte, ex-Secretary Wright, and ex-Secretary Stimson who are advocating compulsory military service. All five of those gentlemen have signified their intention to address the Committee on Rules in favor of an immediate and thorough investigation of this whole question. Four of those former Secretaries have made the strongest possible public utterances, and in not one of those utterances is there breathed one single word about compulsory military service.

My friends, I can recall only one recent public speech which deals either directly or by suggestion or by inference with compulsory military service. That address was delivered by the present Assistant Secretary of the Navy, Franklin D. Roosevelt, at a meeting of the National Civic Federation in New York. Mr. Roosevelt advised the American people to look carefully into the system of compulsory military training which the labor party in Australia has ordained for all Australians. So far as I know that is the only public word on the subject which has been reported.

The President, of course, has the power to discipline Assistant Secretary Roosevelt for his temerity, if he will, but he ought not to rely on his own subordinate's words for material with which to stuff his man of straw. Ah, Mr. President, it did not need the battery of your exquisite English to destroy your own fantastic bogie man of straw. He was but the figment, the pleasant figment, of your resourceful brain. One whiff of the healthy fresh air of reality would have dissolved him as a mist is dissolved before the sun. But the public would have been a loser, for your bogie man, sir, is the very acme of the fancy of the cloistered scholar, and woe betide the common mortal who seeks to impair his gossamer fabric with wanton touch.

THE PLUCK OF GARRISON AND FRANKLIN ROOSEVELT.

Right here let me digress a moment to take off my hat to the superb courage of the Assistant Secretary of the Navy, Franklin D. Roosevelt. He has taken this occasion, despite the administration, to tell the country that our modest Navy is already 18,000 men short, and that there are more deficiencies to follow when the vessels which are now under construction are completed. Roosevelt's pluck is equaled, but not surpassed, by that of Secretary Garrison, who this very day, in the teeth of the President's message, has recommended an increase of 25,000 men and 1,000 officers for the United States Army. In his report he tells us how a bill should be drawn to provide this increase. So I take occasion at this moment to introduce the bill which you see in my hand, in order to put his recommendation into effect.

Mr. GORDON. Would you desire to have that bill referred to a special committee also?

Mr. GARDNER. Yes; everything to a special commission, but it looks as if we could not have one.

TRAINED CITIZENRY.

"We must depend in every time of national peril"—listen, gentlemen, because I am reading your President's words—"we must depend in every time of national peril on citizenry trained and accustomed to arms," says the President. No one would venture to contradict that admirably stated truism, but how are we to get enough citizenry, as he calls us ordinary people? How are we to find all the men necessary for that arduous training in times of peace? How great an army of Regulars do we need to defend this country during the long months while that citizenry is being mobilized? All of this requires investigation, and especially impartial investigation.

In the very near future we shall have only 25,000 regular soldiers available for the far-flung battle line of our field army. That is what your Secretary of War says in his report published to-day, and he points out that the police force of New York City is about half as numerous as the Nation's Army.

Does the President realize that there are only 120,000 militiamen in this whole Nation, in spite of all the efforts which the States and the United States have made to encourage our citizen soldiery? Does he realize that of that unpretentious number 23,000 did not show up for inspection last year? Does he know that 31,000 did not appear at the annual encampment? Is he aware of the fact that 44,000, or 40 per cent of all the militiamen who are armed with a rifle, did not even appear on the rifle range? Yet all these facts are contained in the report of the Chief of Staff, and similar amazing statements appeared in the reports of his predecessor. Is not the remedy worthy of the study of men whose minds are not already made up?

There is just one way to get men to buckle down to the hard work necessary to become trained militiamen, and that is by paying them.

Mr. BLACKMON. Will the gentleman yield?

Mr. GARDNER. Providing the gentleman does not get "nervous and excited."

Mr. BLACKMON. I never do that. How long has the gentleman from Massachusetts been in Congress?

Mr. GARDNER. Twelve years.

Mr. BLACKMON. And the gentleman has just now discovered the inadequate preparation that the Congress of the United States has been making for the Army and Navy?

Mr. GARDNER. Mr. Chairman, if the gentleman from Alabama had done me the honor to read the speeches I have been making, he would know that I have confessed that I have sat like a coward for 12 years in silence because I was afraid to tell the 700 men in the National Guard in my district that I did not think they were an adequate protection.

Mr. BLACKMON. That was while the gentleman's party was in power?

Mr. GARDNER. Oh, both parties are at fault. Mr. Chairman, as I was saying, you have got to pay men if you want them to work. Does that plan appeal to the President? It certainly appeals to me, and I voted that way when the militia pay bill was up. I believe in paying the militia, but I am by no means sure that the payment of money will be sufficient of itself to attract the necessary numbers.

Just remember that all over this country amusements are at the elbow of every young man to-day as they never were before. Remember also that the income of the Carnegie Peace Endowment is some $480,000 a year—a very little less than half a million dollars spread broadcast to pay for the activity of the organizer, for the pen of the ready writer, and for the tongue of the lyceum circuiter. Why, with half of that sum expended in printer's ink you could get up a revolution in many of the nations of this hemisphere.

But where is this trained citizenry to get the weapons of war? According to the last report of the Chief of Staff we are short 316 field guns and 1,322,384 rounds of ammunition necessary to equip our militia in time of war.

Last year Gen. Wood asked for enough guns and ammunition to bring the United States up to the standard of Bulgaria. That immodest demand was gently but firmly rejected. Even the President, with his transcendental ideas, can not expect his trained citizenry to fight with their fists. It may be true that throughout our history we have depended on our trained or untrained civilians, but surely the President would expect our troops to go into battle equipped with some weapon more deadly than an historic parallel. I will not say that we have not enough field artillery ammunition to last during one single day's battle if all our guns were engaged, but I will say that an officer very high up in the United States Army has told me so.

I do not, however, hesitate to assert that if war were to break out to-day, it would be found that our coast defenses have not sufficient ammunition for an hour's fight. The report of the Chief of Staff—Gen. Wotherspoon—confirmed, I am told, by his successor, shows that for coast-defense mortars we have ammunition enough to last for one-half hour, and for coast-defense guns we have ammunition enough to last three quarters of an hour.

THE NAVY.

After all, as the President says, we must depend on our Navy. But have we an adequate Navy? I should rather give heed to the opinion of the General Naval Board on that subject, expressed year after year, than to listen to the gossip which trickles out from behind the fast-closed doors of the Naval Committee. As you know, gentlemen, except yesterday, all hearings of the Naval Committee have been private, with no reporters present. How do you expect that the public is going to get any reports of the proceedings except those colored by the views of the committeemen who give the information to the reporters?

Mr. McKELLAR. Will the gentleman yield?

Mr. GARDNER. Yes.

Mr. McKELLAR. Before the gentleman leaves the Army part of it, I take it the gentleman is in favor of building up a larger standing army.

Mr. GARDNER. Yes, indeed; I am in favor of 25,000 additional men for the mobile army, as recommended by your Secretary of War. Furthermore, I am in favor of enlisting as soon as may be 11,000 men for our coast defense, inasmuch as the report of Gen. Weaver, Chief of Coast Artillery, shows that we lack that number of men to man the coast fortresses.

Mr. McKELLAR. Mr. Chairman, will the gentleman yield for a question?

Mr. GARDNER. Yes.

Mr. McKELLAR. Before we can get into a war with a first-class nation the present European war will certainly have to close——

Mr. GARDNER. Why?

Mr. McKELLAR. Just one moment. Why should we build up a great standing army at a time when every other first-class nation is already at war, when every first-class nation is depleting its national and private resources, when it is destroying its trade and commerce, and when it is exerting every effort in the war that it is already engaged in? It will be 20 years before any first-class nation can get ready for another war with a first-class Nation like ours. It takes money and resources to carry on a first-class war. Why, then, should we get hysterical now, and prepare for a war with a bogie man, when we know no other nation can possibly go into war with us in the next 20 or 25 years?

Mr. GARDNER. That is one of the longest questions I ever heard, but if I apprehend it rightly I can answer it in this way: We want to build up our Army and Navy, which can no longer be improvised in a few months as formerly, so as to be ready to defend this Nation. So far as we can see, it is highly unlikely that we shall be involved in this present war, but we must be ready just the same, or we may be attacked or the Monroe doctrine violated at some future time after this war is over. The gentleman is making the same argument that the French Nation made in our Civil War—in fact, that all Europe made, but which France alone had the temerity to put to the test. Like the gentleman from Tennessee, France argued that the North and the South were engaged in a death struggle, that when it was over it would be easy for any foreign nation to have the better of the winner, and so the French established the Emperor Maximillian in Mexico in defiance of our Monroe doctrine. But France found that instead of being weaker at the end of the war the North was stronger; and, my friend, you will probably find that the winner in this European war is a pretty husky citizen when he gets through. What did the North do? What did we do? We just sent down an army, and we lined our men up on the Rio Grande. We stationed our men looking over that river at the Emperor Maximilian and the French army, and every enlisted man had a copy of the Monroe doctrine in his hand, and out went the French army and down went the Emperor Maximilian. As to a lack of funds for war chests, no nation ever yet was stopped by lack of funds from going to war. We heard that same talk from the pacificists in July last summer. We heard how the bankers would never lend the money for a war, yet the international peace conference at the Lac de Constance a few days later was caught in the vortex of the German mobilization.

Mr. FITZGERALD. Mr. Chairman, will the gentleman permit me to ask him a question?

Mr. GARDNER. Certainly, although I am coming to the gentleman later.

Mr. FITZGERALD. I hope the gentleman will reach me. The gentleman just a few moments ago stated——

Mr. GARDNER. One moment. Mr. Chairman, how much time have I consumed?

The CHAIRMAN. The gentleman has consumed 30 minutes.

Mr. GARDNER. I can only yield for a brief statement.

Mr. FITZGERALD. This will be brief. The gentleman stated that there was not on hand sufficient ammunition for our coast defenses to fire our guns for half an hour.

Mr. GARDNER. That was not exactly my statement, although approximately so. I did not say "for our coast defenses"; I said, "for our coast-defense mortars," and I said that there was ammunition for three-quarters of an hour for our coast-defense guns.

Mr. FITZGERALD. I hold in my hand the report of the Chief of Coast Artillery for 1914, just published.

Mr. GARDNER. Yes.

Mr. FITZGERALD. On page 16 of the report there is this statement:

Ammunition: The ammunition now on hand and under manufacture is 73 per cent of the allowance fixed by the National Coast Defense Board.

Mr. GARDNER. That is right, but the National Coast Defense Board was entirely wrong. The board fixed the ammunition supply at an amount sufficient for one hour's battle. Seventy-three per cent of an hour is three-quarters of an hour, which conforms with what I have just told you.

Mr. FITZGERALD. If this National Defense Board, which consisted of the best-equipped men in the Army and Navy, are not competent to determine how much ammunition we shall have, who will pay any attention to the conclusions——

Mr. GARDNER. Any independent commission will be competent.

Mr. FITZGERALD. Who will pay any attention to the conclusions of the gentleman from Massachusetts as against our experts?

Mr. GARDNER. Now, do not get nervous and excited. [Laughter.]

Mr. FITZGERALD. No; I will not; but the gentleman from Massachusetts is setting himself up as superior in intelligence and judgment to the men who have devoted their lives to the defense of the country.

Mr. GARDNER. And do not make a stump speech in the time allowed me for my address.

Mr. BARNHART. Mr. Chairman, will the gentleman yield?

Mr. GARDNER. No. I have been pretty patient and have only half an hour left. I shall be pleased to yield to the gentleman from Indiana after I get through. I ask the gentleman to wait until the termination of my remarks.

Mr. BARNHART. But I have a resolution here from a butchers' association which I would like to inquire about.

Mr. GARDNER. Very well.

Mr. BARNHART. I hold in my hand a petition which I received this morning——

Mr. GARDNER. Oh, Mr. Chairman, I ask the gentleman from Indiana to print that in the RECORD. I decline to yield further.

Mr. BARNHART. But I do not want to print it in the RECORD.

Mr. MURDOCK. Where is this petition from?

Mr. BARNHART. It is from the Butchers' Association of South Bend.

Mr. GARDNER. Mr. Chairman, we are aware of the fact that we are 10 battleships short of safety, because the General Board of the Navy tells us so. We know that we are 49 submarines under the standard. Admiral Badger testified to that fact in the Committee on Naval Affairs, and the newspapers managed to find it out. We know that we have no navy in the air at all—only 12 aeroplanes or so, and of those 12 only about 7 can get out of their own way. I think the Army has about the same number. Not one of them is armored, I am told. As to our Navy under the sea, it is extremely scanty for a nation with our far-reaching coast lines, and I believe that a great part of it is antiquated.

As to the condition of our fleet, in default of an investigation I hope the President will give heed to this solemn sentence recorded in the report of the General Board of the Navy.

Mr. MURDOCK. For this year?

Mr. GARDNER. No; the report for this year is not yet out. It will be out next Saturday. This is the last report published. Now listen, gentlemen:

The absence of any definite naval policy on our part, except in the General Board, and the failure of the people, the Congress, and the executive government to recognize the necessity for such a policy has already placed us in a position of inferiority which may lead to war; and this inferiority is progressive and will continue to increase until the necessity for a definite policy is recognized and that policy put into operation.

That report was signed by George Dewey. Now, of course, I suppose that the admiral himself did not pen those words. I do not know who did so, but I say to you, Chairman PADGETT, of the Committee on Naval Affairs, that I challenge you to summon before your committee the man who penned those words. I challenge you to summon before your committee Franklin D. Roosevelt, Assistant Secretary of the Navy. I challenge you to summon before your committee Admiral Willard H. Brownson. I challenge you to summon before your committee Admiral Richard Wainwright. I have sent for the gentleman from Tennessee, the chairman of the Committee on Naval Affairs. I have notified him twice that I was going to mention his name, and I particularly asked that he should be here. He is not here to answer my question, as was the chairman of the Committee on Military Affairs [Mr. HAY], but I hope he will be here later. If Chairman PADGETT seeks a fair, impartial investigation; if he wishes both sides to be heard; if he desires to open the forum to which the chairman of the Committee on Rules says we must resort, he and you, Mr. Chairman HAY, of Virginia, must summon the witnesses whom I challenge you to summon.

WHEN WILL ALL MEN AGREE?

The President says that naval authorities never agree as to the proper lines on which to develop our Navy. If the expression of that view is designed for an argument, then we should have no Navy whatever until the bright day dawns when all men think alike. Battleships may be out of date, but at all events British battleships have swept the commerce of Germany from the seas while British merchantmen continue to plow the waves in such security that we Americans do not hesitate to intrust them with our precious freight and our still more precious lives. Submarines and mines may have taken the place of battleships, but they have not restored German commerce to the seas and they have not impeded the freedom of British commerce in the Atlantic. In short, then, our officers and officials tell us that we lack men for our Navy, men for our coast defense, and men for our Army; that we lack artillery and that we lack the ammunition with which to charge that artillery; that we lack great battleships to sail the seas and little scouts to act as their messengers and their eyes; that we have a sadly deficient undersea Navy and practically no overhead fleet at all.

PITILESS PUBLICITY BEHIND CLOSED DOORS.

I have proposed that an independent commission be appointed to investigate all those things, to report to the Congress how the Army and the Navy and the coast defense may be brought up to date and may be made to cooperate with each other; to estimate the men and equipment necessary for our defense, and to report to Congress a definite policy for our future guidance. Instead of approving this commission of inquiry the President of the United States relegates us to the pitiless publicity of hearings behind closed doors. For it is behind closed doors that Chairman PADGETT, of the Committee on Naval Affairs, conducts his hearings; that Chairman SHERLEY, of the committee on fortifications, conducts his hearings; and that Chairman FITZGERALD, who has charge of the defenses of the Panama Canal, conducts his hearings. For the first time since I have been a Member of this House——

Mr. FITZGERALD. Will the gentleman yield?

Mr. GARDNER. I do.

Mr. FITZGERALD. Will the gentleman state what he means by "behind closed doors"?

Mr. GARDNER. I mean with no reporters present.

Mr. FITZGERALD. If the gentleman will permit, I will say that there is a stenographer present.

Mr. GARDNER. Yes; but he is the committee's stenographer, and there is no news value to the evidence when it is ultimately printed. The gentleman knows that he holds up the record of the evidence until his bills are reported to the House.

Mr. FITZGERALD. But if the gentleman will permit me, I will state that it is all printed and available.

Mr. GARDNER. Oh, yes; long after——

Mr. FITZGERALD. And the gentleman has obtained copies of testimony, and if there is anything that ought to be disclosed why does not he present it?

Mr. HAY. The gentleman from Massachusetts understands that the hearings before the Committee on Military Affairs are open not only to the committee stenographers but to newspaper men.

Mr. GARDNER. And I congratulate the gentleman. I did not mention the gentleman's committee when I spoke of committee hearings "behind closed doors." I mentioned the names of the other three chairmen to whom the President has referred this matter for an impartial investigation.

Mr. TALBOTT of Maryland. The gentleman is mistaken in reference to the Committee on Naval Affairs. We had hearings for three days, and all the newspaper people in the country were there.

Mr. GARDNER. I started to tell the House about that a few moments ago, when the gentleman from New York [Mr. FITZGERALD] interrupted. I think the gentleman from Maryland is

a little mistaken—yesterday for the first time your committee had an open hearing.

Mr. TALBOTT of Maryland. We have them whenever they are demanded.

Mr. SISSON. Mr. Chairman, I started to make this statement——

Mr. GARDNER. I will have to——

Mr. SISSON. That I was in the committee yesterday and to-day and the reporters were in the committee.

Mr. GARDNER. Very likely; but I have told the gentleman and I have already said twice that it happened yesterday for the first time.

For the first time in the history of this country, so far as I know, a committee of this House has refused a hearing to one of the Members of the House.

Mr. McKELLAR. Will the gentleman yield?

Mr. GARDNER. No; I can not yield again. Five of our great ex-Secretaries of War and the Navy have prepared themselves to address the Committee on Rules in favor of a thorough investigation. One of the ex-Secretaries of whom I speak has prepared a special study of the question of the cooperation between the Army and the Navy; but the chairman of the Committee on Rules has declined to give us a hearing.

Now, what am I going to do with that former Secretary? Shall I invite him first to the secret sessions of Mr. PADGETT'S Committee on Naval Affairs and ask him to wait there while the members complete their discussion of the proper locality for marine barracks? And shall I then ask that a day be assigned for a hearing before Mr. SHERLEY'S committee on fortifications in the middle of a discussion about the cost of powder? And, next, shall I express my regret that he can not avail himself of an opportunity to present his ideas openly with reporters present in Chairman HAY'S Committee on Military Affairs, because Chairman HAY, of the Committee on Military Affairs, yesterday notified his committee that all hearings for the season are over?

Mr. HAY. Will the gentleman yield?

Mr. GARDNER. Yes. After this I can yield only to gentlemen whose names I mention in debate. The time I am allowed to speak is limited.

Mr. HAY. If the gentleman is serious or was serious about having anybody heard before the Committee on Military Affairs, why did not the gentleman give me a list of the gentlemen he wanted to be heard, when every one of them would have been summoned? The gentleman himself would have been——

Mr. GARDNER. I have got the gentleman's question, and he need not complete it with a speech. The answer is that it was only yesterday that I received a notification from the chairman of the Committee on Rules that I must look for my forum to your committee, and no sooner had I received that notification than I was told that your hearings had closed. To go on with what I was saying: Imagine the delight of that ex-Secretary when he has completed his round in suddenly discovering that he has to go through it all over again with the committees of the Senate, and then imagine his further ecstasy when he finds that he has the committees of conference still to persuade.

Oh, Mr. Chairman, do you really think that four committees of the House and three committees of the Senate, all acting independently, can recommend a policy for our defense which will command the confidence and support of the country? If not, then the Speaker must enforce the rules of the House and require the chairman of the Committee on Rules [Mr. HENRY] to call his full committee together before he can refuse my request for a hearing.

Now, the President——

Mr. HENRY. Will the gentleman yield?

Mr. GARDNER. I will.

Mr. HENRY. I think there will be no difficulty about that. The Committee on Rules will be called together next Saturday, and I think the full committee will turn your request down in about half a minute.

Mr. GARDNER. Very good; but you can not do it without a yea-and-nay vote, and you will be put on record.

Mr. HENRY. I am ready to vote "yea" now.

Mr. GARDNER. I understand.

Mr. PADGETT. Will the gentleman yield for a question?

Mr. GARDNER. Yes; if the gentleman will answer the question I asked him in his absence.

Mr. PADGETT. I do not know what question you asked in my absence. [Laughter.]

Mr. GARDNER. I shall present it to the gentleman now, and we shall see whether we can make a trade.

Mr. HENRY. You were giving the gentleman the absent treatment.

Mr. GARDNER. I notified him twice.

Mr. PADGETT. I want to say to the gentleman that it is but a short time since I came into the House, and I want to say also that I received word from the gentleman that he was going to make a speech this morning, and that he desired me to be present. I sent him word that I was engaged in a very important committee meeting and it was impossible for me to leave.

Mr. GARDNER. A message which I did not get.

Mr. PADGETT. I sent it, and I sent it in writing to Mr. MANN, the leader of the minority.

Mr. MANN. I will say that I received the word after I notified the gentleman from Massachusetts.

Mr. GARDNER. That was the second message I sent. There is no harm done, because I am going to ask you the question now.

Mr. PADGETT. I understand. I understood the gentleman stated I was holding a secret meeting of the committee.

Mr. GARDNER. I said nothing of the sort. I said that until yesterday you held secret meetings of the Committee on Naval Affairs. Do you deny it?

Mr. PADGETT. I will say it is incorrect. I have never denied anybody admission that wanted to come in.

Mr. GARDNER. Do you admit newspaper men?

Mr. PADGETT. I never have denied any newspaper man.

Mr. GARDNER. Do you admit newspaper men as a matter of practice?

Mr. PADGETT. I will when they want to come.

Mr. GARDNER. If you admit them, they do not know it.

Mr. PADGETT. They never asked until yesterday or day before yesterday, and I granted their request, and I believe there was one there day before yesterday.

Mr. GARDNER. I never started to stir the matter up until the day before yesterday.

Mr. PADGETT. And there were a dozen there yesterday and to-day.

Mr. GARDNER. And there will be plenty more.

Mr. PADGETT. They will be welcome at any time.

Mr. GARDNER. They never have been welcome until yesterday.

Mr. PADGETT. They never asked until then.

Mr. GARDNER. Everybody knew you would not have them.

Mr. PADGETT. I never have refused them and never intended to refuse them. [Applause on the Democratic side.]

Mr. MANN. Is it not a fact that the messenger which the gentleman from Massachusetts sent to the Naval Committee to deliver a message to the Naval Committee was refused admission to the rooms of the Naval Committee?

Mr. PADGETT. I did not know it.

Mr. MANN. It is a fact.

Mr. PADGETT. When?

Mr. MANN. This morning.

Mr. PADGETT. I did not know it.

Mr. MANN. They refused to admit him to the room.

Mr. PADGETT. If he had brought his message to me——

Mr. MANN. I wrote out a message afterwards and sent it by the messenger.

Mr. GARDNER. Mr. Chairman, I refuse to yield further to a discussion in which I have no part.

Mr. PADGETT. My clerk delivered the message to me. The room was full of newspaper men and the members of the committee, and the fact that the messenger was not admitted while his message was admitted is immaterial.

Mr. MANN. He had a personal message, and you refused admission to the messenger.

Mr. PADGETT. My clerk received his message, and he delivered it to me, and I returned a message. Then I received your written communication, and I answered it, and you have it. [Applause on the Democratic side.]

Mr. MANN. It is true that the messenger was not permitted admission to the room.

Mr. HENRY. Mr. Chairman, I suggest that war is not in order until we are prepared. [Laughter.]

Mr. PADGETT. I may say that the reporters were in the committee room yesterday and, I believe, the day before.

Mr. GARDNER. Mr. Chairman, if the gentleman will permit, I shall now come to the question which I put to him in his absence. I read from the report of the General Naval Board—from the last one, because the current one has not been released yet—a statement to the effect that the inferiority of our Navy is progressive, and will continue to increase until a definite policy is adopted; I do not know who the officer was who penned that statement, but I challenge you to summon him before your committee. I challenge you to summon Franklin D. Roosevelt, Assistant Secretary of the Navy, before your committee. I challenge you to summon Admiral Willard H. Brown-

son before your committee. I challenge you to summon Admiral Richard Wainwright before your committee. Will you do it?

Mr. PADGETT. I want to say to the gentleman that I had Admiral Vreeland before the committee last year as the representative of the General Board, and his hearings are printed, in which, as a member of the General Board, he stated fully, completely, wholly, and absolutely his ideas and recommendations. [Applause on the Democratic side.]

Mr. GARDNER. If the gentleman will let me give him questions to ask of Admiral Wainwright, he will gain a lot of information that he did not get last year.

Mr. PADGETT. I do not propose to make the gentleman from Massachusetts a member of my committee. [Laughter and applause on the Democratic side.]

Mr. GARDNER. Oh, the gentleman from Virginia [Mr. HAY] just asked me why I did not give him a list of witnesses to summon, and he says that he would have summoned them. Now, when I give the list he begs the question. Do not you want to hear both sides?

Mr. PADGETT. Yes, sir. And I want to state that yesterday or day before yesterday we had before the committee Admiral Badger, a member of the general board of this year, who stated fully, completely, and absolutely the recommendations, and represented and spoke for the General Board. [Applause on the Democratic side.]

Mr. GARDNER. Now, Mr. Chairman, there is a very obvious answer which I could make in reply.

Mr. PADGETT. One moment. I want to say further that the recommendations of the general board this year and last year, if adopted, would require an expenditure of not less than $125,000,000 for new construction.

Mr. GARDNER. And the American people would say "Amen" to it.

Mr. PADGETT. They would not.

Mr. GARDNER. Now, Mr. Chairman, how much time have I remaining?

The CHAIRMAN (Mr. EAGLE). Ten minutes.

Mr. GARDNER. Is there any possibility of my having a few minutes more? I only ask enough time to answer some of these gentlemen.

Mr. DAVIS. I will yield the gentleman 10 minutes that I had reserved for the gentleman from Kansas [Mr. MURDOCK].

Mr. GARDNER. Thank you. Perhaps I shall not use it all.

The President, by his refusal to permit the pitiless searchlight of publicity to be turned on the question of our military security, inspires the same confidence in our Army and Navy as a bank president would inspire in his institution were he to lock the door against the bank examiner.

ARBITRATION.

One thought of the President, and only one, almost beguiled me. I confess that my bosom swelled with patriotic pride when I thought of the President or his representative sitting at the head of the council table of the peace conference after the war is over. To be sure, the picture was a little dimmed by the thought that the conditions, as the President regards them, require him to lay aside his weapons and retain the gorgeous but impotent uniform of the referee when he approaches the representatives of the warring nations. Arbitration. What a grand word. Yet the two Hague peace conventions and the declarations of London have all been torn to shreds. That is all that Carnegie so far has got to show as a result of his $10,000,000, except an unprepared England and an unprepared Belgium.

One thing more I had almost forgotten. I must concede as a scalp to Mr. Carnegie's hatchet one more trophy, even if the scalp is made of false hair. The pacificists tell us that their efforts have at least made every nation disclaim the responsibility for this war. To be sure, either the pacificists or else common sense have brought about that result. I expect that it was just common sense, because the advisability of making it appear that the other fellow started the war was taught many years ago in Bismarck's "Reminiscences," and Bismarck was surely an eminently common-sense gentleman.

Had Belgium, like Switzerland and Holland, put more confidence in her troops and less confidence in arbitration and "scraps of paper," she might to-day be free from the agonies of invasion.

Yet every "scrap of paper" to which America puts her sign manual must be redeemed from the first word to the last, cost what it may, and whether or not every other nation on earth repudiates its obligations.

But suppose that America, while adhering to its agreements, finds its path beset by nations with smaller consciences and bigger howitzers. How is it going to be then? Shall we be able to meet the situation with mammoth rolls of Sunday-school signatures or with resolutions passed at peace meetings?

LULLABIES.

Those of us who think that if we keep as still as mice we may be invited to referee the end of this European prize fight prate cheerfully of the "United States of the World" and of the organization of an international police. Well, perhaps we may be a little nearer something of the sort when there is an international language, or when we have educated our people up to arbitrating the Monroe doctrine, or when we have been successful in persuading the labor unions of California to arbitrate the question of Chinese exclusion, and not long before. Pending that day, I should like to have a few more dogs of war, and I promise not to set any of them onto innocent passers-by.

Oh, I can sit in my easy chair and dream just like any pacificist. I can dream of the day when the organization of society will be such that burglars will no longer exist. Meanwhile I live in the country 3 miles from the station and half a mile from the nearest neighbor, and I propose to continue to keep a watch dog. Furthermore, in my absence my wife has a loaded revolver in her room, and, by the way, I have never noticed that her preparedness for war has manifested itself by a murderous desire to practice her military efficiency on the chickens. Mr. Chairman, I yield back the balance of my time.

Mr. DAVIS. Mr. Chairman, how much time did the gentleman from Massachusetts occupy?

The CHAIRMAN. The gentleman occupied one minute less than his hour.

Mr. PAGE of North Carolina. Mr. Chairman, I yield five minutes to the gentleman from New York [Mr. FITZGERALD].

Mr. FITZGERALD. Mr. Chairman, some time before the session ends I expect to have something to say on the preparedness of this country for war. During the remarks of the gentleman from Massachusetts [Mr. GARDNER] I called his attention to the fact that he had said that there was ammunition sufficient only for three-quarters of an hour for the coast-defense guns. In face of that fact, in the report of the Chief of Artillery, Gen. Weaver, for the current year, at page 16, is found this statement:

> The ammunition now on hand and under manufacture is 73 per cent of the allowance fixed by the National Coast Defense Board.

Mr. GARDNER said that is right, but I think they are entirely wrong.

The National Coast Defense Board is what is known as the Taft Board. It was appointed by President Roosevelt, and its report was transmitted to Congress in a message by President Roosevelt on March 5, 1906.

Mr. GARDNER. Will the gentleman yield?

Mr. FITZGERALD. Yes.

Mr. GARDNER. I have been summoned out of the Chamber. Does the gentleman wish me to remain here?

Mr. FITZGERALD. I do not know whether the gentleman from Massachusetts desires to hear what I have to say, but what I have to say I desire to go into the RECORD with his speech, because of his statement that the board on whose report we have been expending money and preparing the defenses of the country are so ignorant that in their recommendations they are entirely wrong. I desire to put the personnel of the board in the RECORD, as well as the instructions given to them when appointed.

This is from the memorandum prepared by President Roosevelt when he appointed the board:

> THE WHITE HOUSE, *January 31, 1905.*
>
> A board, to consist of the Secretary of War and the officers hereinafter named, is appointed to revise the report of the Endicott Board, which was appointed under the provisions of an act of Congress approved March 3, 1885, to "examine and report at what ports fortifications or other defenses are most urgently required, character and kind of defenses best adapted for each, with reference to armament," and "the utilization of torpedoes, mines, or other defensive appliances," with further instructions to extend its examinations so as to include estimates and recommendations relative to defenses of the insular possessions.
>
> The report of the Endicott Board, submitted 19 years ago, was very carefully considered by its distinguished members. It enunciated sound military principles and recommended the best application of these principles with the conditions then existing. It fully deserved the generous support it has received from Congress.
>
> Nearly two-thirds of the land armament recommended by the board has been installed or provided for, but since the date of the report so many conditions then existing have been materially modified and the engines or implements of war have been so greatly improved and others untried or unknown, of undoubted value developed, giving a greater advantage to the defense that it is confidently believed our harbor defense can be completed effectively and satisfactorily with a much less expenditure of money than has been heretofore estimated. With this object in view, the board will recommend the armament, fixed and floating, mobile torpedoes, submarine mines, and all other defensive appliances that may be necessary to complete the harbor defense with the most economical and advantageous expenditure of money.

The board will also recommend the order in which the proposed defense shall be completed, so that all the elements of harbor defense may be properly and effectively coordinated.

Those were the instructions under which the board acted. In their report, speaking of the amount or the supply of ammunition that was to be provided for our coast-defense guns, they state:

The estimate for the ammunition covers the amount necessary to complete the supply that, in the opinion of the committee, should be provided in order to meet any attack that may be made and is in addition to the money already appropriated.

Who signed the report?

William H. Taft, Secretary of War, president of the board; Adna R. Chaffee, lieutenant general, United States Army; J. C. Bates, major general, United States Army, Chief of Staff; Charles M. Thomas, rear admiral, United States Navy; J. P. Story, major general, United States Army; A. W. Greely, brigadier general, Chief Signal Officer; William Crozier, brigadier general, Chief of Ordnance; A. Mackenzie, brigadier general, Chief of Engineers, Samuel M. Mills, brigadier general, Chief of Artillery, C. S. Sperry, captain, United States Navy; George W. Goethals, major, General Staff, secretary of the board.

It is upon the study and report and recommendation of these men that our coast defenses have been modernized, and in accordance with their opinions and reports Congress has been appropriating the money required. They have determined the number of guns, they have determined their position, they have determined the auxiliaries necessary, they have fixed the amount of ammunition which Congress should provide, in order to have our coasts adequately protected. And yet, in the opinion of the gentleman from Massachusetts, they are entirely wrong. These distinguished gentlemen should be eliminated and relegated to private life and the guns and their position, the searchlights and the fire control, the amount and character of the ammunition to be provided, the money to be appropriated by Congress, should be determined not by men of their caliber, training, and experience, but out of the phantoms of the imagination of the gentleman from Massachusetts, who earned well-deserved reward and encomiums by a brilliant service in the Spanish War. [Applause on the Democratic side.]

Mr. GARDNER. Will the gentleman yield?

Mr. FITZGERALD. Yes.

Mr. GARDNER. What is the date of the report from which the gentleman has been reading?

Mr. FITZGERALD. It was transmitted to Congress by President Roosevelt, who appointed the board under the date of March 5, 1906.

Mr. GARDNER. One other question.

Mr. FITZGERALD. Permit me to add one more thing.

Mr. GARDNER. May I ask one more question of the gentleman?

Mr. FITZGERALD. When I have finished this statement. In the report of the Chief of Coast Artillery, Gen. Weaver, for the present year, to which I have just referred, he states on page 16 of the report—and I have heretofore stated that all of the necessary or desirable information about our defenses is available and at hand and at the command of gentlemen, depending entirely upon whether they are seeking information or notoriety [applause on the Democratic side]—on page 16 of that report Gen. Weaver says:

All of the defensive projects for the coasts of the United States and its over-sea possessions which have heretofore been approved have been carried to completion with but few exceptions.

He points out specifically what they are, and points out specifically what is still to be provided additional. I undertake to say that anyone who will examine the report from a single page of it can tell just how much there is in this agitation about the unprotected condition of our country. Now I yield to the gentleman from Massachusetts.

Mr. GARDNER. Mr. Chairman, does the gentleman himself agree with that recommendation in 1906 that there should be only one hour's supply of ammunition in reserve for our seacoast defenses?

Mr. FITZGERALD. Did I agree with it?

Mr. GARDNER. Yes; do you?

Mr. FITZGERALD. Not having the requisite military and technical training to determine how much ammunition it is necessary to have at hand at any seacoast defense in order that that coast might be properly protected. I have acquiesced in the recommendations and determinations of the men whom we have educated to inform us on these questions, and the Congress has appropriated accordingly. So far as the coast defenses or the defenses of the canal are concerned, the gentleman made reference to me in that connection by stating that I conducted the hearings for the canal defenses.

The CHAIRMAN. The time of the gentleman from New York has again expired.

Mr. FITZGERALD. Mr. Chairman, may I have some more time?

Mr. PAGE of North Carolina. Mr. Chairman, I yield the gentleman one minute more.

Mr. FITZGERALD. And that an investigation would be an investigation of myself by myself. Let me refer the gentleman to page 1971 of the hearings, volume 1, Sixty-second Congress, second session, of the Committee on Appropriations, wherein the question of the fortifications of the canal was investigated. At that time I called attention to the fact that we had then before us an estimate for $220,200 for submarine mines as a part of the defenses of the canal that had not appeared in the report of the board originally appointed to determine what defenses were required. Upon the original board to make that report was the expert whom the gentleman wishes now to have called before the Committee on Military Affairs, Gen. Wotherspoon. And not only has the $220,000 that appeared in Congress for the first time in the estimate for 1913 for submarine defenses for the Panama Canal, as a part of the defenses of the canal, been appropriated, but $55,000 additional, which in the meantime it was said was required for additional submarine defenses. I undertake to say that the Committee on Appropriations, with the acquiescence and approval of the House and of the gentleman from Massachusetts, has recommended and has appropriated every dollar that was essential during the nine years that I have been connected with that committee for the defenses of our country. [Applause.]

Before the session of Congress ends I shall make a statement about these matters, and I shall so completely demonstrate the truth of that fact that all of the ex-Secretaries or others seeking notoriety in trying to revamp things published in their annual reports perhaps will not be so anxious to appear before the public in respect to these matters.

Mr. DAVIS. Mr. Chairman, I yield three minutes to the gentleman from Massachusetts [Mr. GARDNER].

Mr. GARDNER. Mr. Chairman, I am sorry that the gentleman from New York should say that the five ex-secretaries are seeking notoriety. I am sorry that he should imply that I am seeking notoriety. However, it is quite possible that I may be seeking notoriety. At all events, here is the fact about that ammunition. The National Coast Defense Board in 1906 recommended that we should have only one hour's ammunition in reserve for our seacoast mortars and an hour's ammunition for our seacoast guns. The gentleman is right about that—in 1906. He says that he puts trust in the recommendations of the board. Then for heaven's sake why have we not given our coast defenses that one hour's ammunition. The report which the gentleman read showed that we had only 73 per cent, or three-quarters of an hour's ammunition for our guns on the seacoast and 50 per cent, or one-half hour's ammunition for our mortars on the seacoast.

Mr. FITZGERALD. But we have not suffered anything because they have not had the ammunition.

Mr. GARDNER. Oh, no; we have not had any war.

Mr. FITZGERALD. And let me call the gentleman's attention to the fact that during the three years I have been chairman of the Committee on Appropriations we have appropriated for this reserve ammunition at about three times the rate that was appropriated in Republican Congresses. [Applause on the Democratic side.]

Mr. GARDNER. I do not deny that. I have not looked into the matter. I yield back the remainder of my time.

The CHAIRMAN. The gentleman from Massachusetts yields back one minute.

Mr. PAGE of North Carolina. Mr. Chairman, I yield 30 minutes to the gentleman from Texas [Mr. DIES].

Mr. DIES. Mr. Chairman, if I understand the gentleman from Massachusetts [Mr. GARDNER] his voice is for war. He says we are not prepared for war. I have heard that story before when an effort was being made for a larger Navy. I remember when a gentleman here said that within a twelvemonth this Republic would be flat on its back and helpless with the hands of the yellow race upon our throats. Pray, Mr. Chairman, from what quarter does the gentleman from Massachusetts behold this war cloud that frets the sky? Is he expecting the Republic of Santo Domingo to unloose its mighty Senegambian hosts upon our country? I believe they have a standing army of about 46. Does he expect our neighbor, the Anglo-Saxon people at the north, Canada, to march an army down here and menace our liberties? Canada has no standing army. She has a population about one-fifteenth that of the United States. Is my bellicose friend from Massachusetts looking for Villa or Carranza to turn their ragged, motley hosts in

this direction? Where, my colleague, is this war cloud that has disturbed your rest and darkened your vision? Mr. Chairman, this great Republic in which we live, this great Empire of brave men and faithful women does not want a large standing army. Those who found this fertile soil separated from the conflicts of Europe, and builded here a resting place for those who love peace, did not believe that a great standing army was necessary to its perpetuation. [Applause on the Democratic side.]

When they were but struggling colonies scattered over this vast expanse they managed to establish the independence of the United States without a great standing army, and while our population was but 1,000,000, 2,000,000, or 3,000,000, and while our resources were as nothing compared with what they are now, this free people, without a standing army, maintained its principles against every foe. Have we come now, a free Nation of the earth, with 100,000,000 people, the richest nation upon the earth, to reverse the policy of Washington and Jefferson and set at naught the policy of the founders of the Republic and set about to imitate the crown-worn nations of Europe? I wish I knew from what quarter my friend expects trouble. It must be from far across the sea. Why, Mr. Chairman, Napoleon could not cross the English Channel in the zenith of his power to assail England. Does my friend believe that some country in Europe is going to load its soldiers upon transports and start them in this direction? Does he believe that these 100,000,000 people, brave and true, backed by the resources of the richest country in the world, would sit supinely around their firesides while that long and tedious operation was performed of loading transports with soldiers and bringing them to this country? No, Mr. Chairman; the military spirit has been rife in all the years of all the nations of the earth. It was rife at Carthage. Hannibal wanted war. It was rife at Rome. Cæsar wanted war. It was rife at Paris. Napoleon wanted war.

The great generals, the great admirals of this earth, Mr. Chairman, have set their faces for war in all the ages of the world, but in this country, to which men have fled from compulsory military service, in this one great Republic on this earth the mothers who clasp the hands of their daring boys do not want war. The farmer in his field, content to reap an independent support from the bosom of the earth, does not want war. The merchant and the minister, those who have made this country great and who are yet in the providence of God destined to make it greater, are not crying aloud for war. But my friend from Massachusetts says we are not prepared for war, he says "I challenge you" nine times in his speech, and if our country would assume the attitude that he assumes, then, indeed, we would need an army of five or ten millions of men and a navy that dotted all the seas to challenge the world. Well, I do not know whether we are prepared for war or not, but the taxpayers of this country think that we ought to be prepared for most any kind of a war. Just last Congress we appropriated $100,000,000 for the Army and about $150,000,000 for the Navy. I believe I am correct, Mr. Chairman, in saying that this is more money than the entire revenues of the Empire of Japan for a year. Then I would like to ask my friend from Massachusetts, sometime when he gets over this present hysteria of which he seems obsessed, to tell me what has been done with all the hundreds of millions of the people's money that has been expended on the Army and Navy of this country. But he says he is not seeking notoriety here. I do not know whether he is seeking notoriety or not, Mr. Chairman, but I do know he is going to be a very notorious man after this speech. I know this speech is going to cause him greater notoriety than he himself ever dreamed of, because as every mother in this fair land reads the speech of AUGUSTUS P. GARDNER she will look with fear and trembling into the faces of her sons and she will say, "Can it be true that we face compulsory military service in this country?"

Generals may be willing to give the sons of America to the Moloch of war, but the mothers of the sons of America do not want to bestow them in that unholy cause. [Applause on the Democratic side.] There is breathed into the breasts of admirals a desire for undying fame. There are some brigadier generals who want to be Hannibals, Cæsars, and Napoleons; but in the modest precincts of the peaceful homes of this country the one prayer that is breathed, the one hope that is expressed for the destiny and welfare of this country, is that she shall remain at peace with all the world [applause on the Democratic side], to work out her peaceful destiny without great armies, without great generals, and without great wars. I hold no brief for the defense of the President of the United States; but I should think, Mr. Chairman, that in the three or four months in which the world has stood aghast at the conflicts of men in foreign lands more mothers' prayers have ascended to the throne of God for Woodrow Wilson than any other one man in this Republic. [Applause on the Democratic side.] But this is no time to talk of war. This is no time to talk of a great standing army. Great God, with fifteen or twenty millions of men in Europe grasping their swords ready to strike at their brothers and neighbors, does my friend from Massachusetts not find enough of that sort of thing? We read of the wars of the world, of the mighty Persian hosts; we read of the mighty hosts of Xerxes; we read of Napoleon's brilliant campaign with complacency; but when we look just across the ocean to-day and behold that which is occurring there, it seems to me that the martial spirit of even my friend from Massachusetts would find enough to satisfy itself. [Applause on the Democratic side.]

Not a month ago an Austrian told me that he was going to try to get back home, because, he said, he had a letter from his mother that three of her five boys had lost their lives in the war.

Mr. Chairman, great armies are never justifiable except in defense of liberty or to strike from the hands of men the shackles of oppression and of tyranny. [Applause on the Democratic side.] I would fear to trust the destiny of this Republic in the hands of admirals and generals. Their game is war. The glory that they shall get, if they get glory, is from war. I am willing to have a small army as a sort of police force. I am willing to have as good a navy as we need to protect our commerce and our country. But, Mr. Chairman, I dread the day that the military power shall take precedence over the civil power in this Republic. [Applause on the Democratic side.] Can you point to a nation of militarism that maintained the liberty of the people? Liberty can not live and breathe in an atmosphere of war and military power. O God of this world, give us this one spot upon which to maintain a free Government. [Applause.] Separated from all the warring nations of the earth by broad oceans, separated from our neighbors by almost impassable barriers, it would seem that God had planted this great people here to work out a shining example of liberty. I hope we may never again hear the tramp of soldiery upon these independent shores.

My friend referred to the war between the States. Is he looking for another war of secession? Mr. Chairman, I hope it will never come. He wants a large standing army. Does he look for a war between capital and labor? I hope it may never come, and I wish my friend might go home this night and put his head upon his pillow, read Washington's Farewell Address, and go to sleep and not disturb his brain with the thought that we need a great standing army or that we are about to be engaged in war. [Applause on the Democratic side.] The God of Nations has given us a President who loves peace and who has the courage to maintain the peace. [Applause on the Democratic side.] He has richly endowed us in this emergency not with a Mad Mullah of modern politics, not with a Rough Rider or discoverer of unknown rivers, but, thank God, He has given us a Christian gentleman, who is not to be shaken or disturbed in the execution of a great duty he owes to the American people. [Applause on the Democratic side.] And it is fitting in this great conflict in which millions are engaged that we should have no part.

We look upon their conflict with eyes full of tears and hearts full of sadness, and every mother and every son and every patriot should now and always firmly resolve that we will maintain this Republic as a republic, that it shall be an asylum for those who would escape armies and wars and conflicts and enforced military service; and instead of my friend crying, "Let slip the dogs of war" his prayer should be one of thanks that we have in the White House a President who will preserve this country from the contagion of war. [Applause on the Democratic side.]

Now, Mr. Chairman, that concludes what I wanted to say. It is a subject that I have always felt deeply about. I love this Republic; I love liberty; I hate armies; I hate despotism. I would not bunch the tears of a nation to make a diadem for a king. I am always thinking of Napoleon and the hundreds of thousands of French peasants and French soldiers that lay dying on the snow-capped hills of Russia during his retreat. I care nothing for Charlemagne and all his glory to be divided among his crazy sons. But, Mr. Chairman, I have dreamed that this Republic, standing out single and alone in the world, where men could have government based on the consent of the governed, should yet belie the history of the world and leave a proof that men are capable of this sort of government. [Applause on the Democratic side.]

I yield back the balance of my time, Mr. Chairman.

The CHAIRMAN. The gentleman used 18 minutes and yields back 12 minutes.

Mr. SISSON. Mr. Chairman, I want to be called down at the end of 30 minutes.

Mr. DAVIS. Mr. Chairman, I may be mistaken, but I thought there was an agreement that the gentleman from Wyoming [Mr. MONDELL] was to follow the next speaker.

Mr. SISSON. That was not my understanding from the gentleman from North Carolina [Mr. PAGE].

Mr. MONDELL. Mr. Chairman, I do not desire to be captious in the matter, but there was a very clear and definite understanding that at the close of the speech of the gentleman from Massachusetts the gentleman from Mississippi [Mr. SISSON] was to speak for 30 minutes, and I was to follow him. I am not at all insistent upon it, and shall not be. There was to be only one speech.

Mr. SISSON. My understanding was that the gentleman from Massachusetts was to consume an hour, which he consumed, and then I gave the gentleman from Texas [Mr. DIES] permission at that time to speak for 30 minutes, and then I was to have the other 30 minutes, making the hour's division.

Mr. DAVIS. The gentleman from Missouri [Mr. BORLAND] spoke night before last for 30 minutes.

Mr. MANN. It is true we had an agreement with the gentleman from North Carolina [Mr. PAGE].

Mr. SISSON. Well, I do not wish to violate any agreement at all. The gentleman from North Carolina is not here, and I do not make any sort of contention as to my right in his absence, if the gentleman shall insist upon it, but it was my understanding that I follow Mr. DIES. I want to assure the gentleman I was not endeavoring to take advantage of the absence of the chairman of the committee.

Mr. MANN. I will say that I had an understanding with Mr. PAGE last night, and this morning he confirmed it.

Mr. SISSON. I suppose that he expected Mr. DIES to consume his 30 minutes and that is the reason he is not here, but it was understood when Mr. DIES took the floor that I was to have the remaining 30 minutes of the hour, or I should not have given him that opportunity.

Mr. MONDELL. Mr. Chairman, as I am the only person particularly interested in this matter, I want to say that I expect, of course, the gentleman from Mississippi will go on. It was understood he was to follow the gentleman from Massachusetts [Mr GARDNER].

Mr. SISSON. Yes.

Mr. MONDELL. But it was not the understanding that there should be any intervening speeches.

Mr. SISSON. Of course I knew nothing of the understanding. I want to say to my friend from Wyoming that I do not think I shall consume all of the 30 minutes.

Mr. MONDELL. I hope the gentleman from Mississippi will consume all the time he desires. I do not make the suggestion because I do not want him to speak.

Mr. SISSON. The gentleman from North Carolina [Mr. PAGE] is not here now, and if he does not return when I shall have concluded I shall recognize the gentleman from Wyoming.

Mr. DONOVAN. Mr. Chairman, I make the point of order that there is no quorum present. We are not doing anything here. [Laughter.]

Mr. MANN. We are trying to make an arrangement among gentlemen. Of course you would not understand what that meant.

Mr. DONOVAN. Proceed to business, then.

Mr. MANN. Mr. Chairman, I wish to say——

The CHAIRMAN. Does the gentleman from Mississippi yield to the gentleman from Illinois?

Mr. SISSON. I do.

Mr. MANN. After the conclusion of the speech by the gentleman from Massachusetts [Mr. GARDNER] this morning, I saw the gentleman from North Carolina [Mr. PAGE], while the gentleman from New York [Mr. FITZGERALD] was talking, and the gentleman from North Carolina told me that the gentleman from Texas [Mr. DIES] would have 30 minutes and the gentleman from Wyoming [Mr. MONDELL] 30 minutes.

Mr. DONOVAN. Mr. Chairman, I make the point of no quorum.

The CHAIRMAN. The gentleman from Connecticut makes the point of no quorum. The Chair will count.

Mr. MANN. The gentleman from Connecticut, who will not be in the next House, wants an extra session.

The CHAIRMAN. The Chair will count.

Mr. DONOVAN. I withdraw my point of no quorum, Mr. Chairman.

The CHAIRMAN. The gentleman from Connecticut withdraws his point of no quorum. One hundred and one Members are present—a quorum. [Laughter and applause.] The gentleman from Mississippi [Mr. SISSON] is recognized.

Mr. SISSON. Mr. Chairman, I want to say that the European war presents to my mind a situation entirely different from what is presented to the minds of some other people.

In the first place, we were taught by a certain school of military philosophers that preparedness meant peace and not war. I do not suppose that anybody contends that that philosophy will longer be maintained, because the struggle going on to-day in Europe is one of preparedness that holds the world aghast. No man knows what its ultimate outcome can be, even though it is generally believed that the allies will finally win, and if they do what will be the condition of Europe then? If they do not win, then what? The wisest can not tell. As a gentleman, one of my colleagues from Mississippi, said to me the other day, when the war in Europe is over one half of the able-bodied men will be in the grave and the other half will be on crutches.

This simply carries out the position which I took some months ago, in which I stated in a speech to this House that, irrespective of which side would win in a war, both sides would be losers thereby. I do not believe that philosophy that the education and the training of all the world is lost, but I believe that this war will call the world to its senses, and that there will be evolved as a consequence of this great struggle some method of policing the seas by a common force to protect commerce, and an understanding that in proportion to the population each nation shall maintain only a certain number of standing troops to police the nation. The illustration at our very door between the United States and Canada is an evidence of what may be done. Because under a treaty over 100 years old two little boats are maintained by the United States and two small boats maintained by Canada of a type 100 years old have been rebuilt several times there is not a fort on the Canadian border, but we peacefully transact our business one with the other. If this succeeds between Canada and the United States, with over a 3,000-mile coast line, why not apply the principle to all nations?

I find no reason now why we should hasten to increase the Army or increase the Navy. On the contrary, if we have an enemy on earth, I do not know it. But if we had an enemy sufficient to justify a great increase of the Army or of the Navy, then this is certainly not the time to make the increase, because if the war critics are right about it this war will continue at least a year. Many generals say it will continue for three years, and we may learn some great lessons from that war. There may be an outcome that will mean what the world has looked for so long and what an all-wise Providence may teach the world—the folly of great armaments—and when the time is reached we shall have saved the many millions that would otherwise be expended, for use in peaceful pursuits.

Now, I will call the attention of gentlemen who heard the gentleman from Massachusetts [Mr. GARDNER] this morning to some expenditures, and to ask you whether or not we have been doing our duty, even if we believed in great armaments. There were 41 nations that belonged to The Hague conference. I have here a statement of the expenditures of 31 of those nations. I shall not name all of them, but I want to call your attention to the amount of money expended by some of the great nations and then show you what the United States did.

Russia expended last year for her army and her navy $304,000,000, in round numbers. Germany spent $303,000,000 in round numbers. France spent $289,000,000, in round numbers. Austria-Hungary spent $100,000,000, in round numbers. Japan spent $65,000,000, in round numbers.

Skipping the smaller nations, Great Britain spent $335,000,000 on her army and navy.

Mr. KAHN. Mr. Chairman, will the gentleman yield there?

The CHAIRMAN. Does the gentleman from Mississippi yield to the gentleman from California?

Mr. SISSON. Yes.

Mr. KAHN. The gentleman recognizes the fact that the United States pays the enlisted man in the Army $15 a month, and the foreign nations that he has spoken of pay only a nominal wage to the soldier?

Mr. SISSON. Yes; I recognize that fully, and in recognizing that fact I want to call attention to the fact that if you were to try to keep pace in numbers with the standing army of Russia, in numbers with the standing army of Germany, in numbers with the standing army of France, it would bankrupt this Republic to do it. [Applause on the Democratic side.]

Mr. COOPER. Will the gentleman yield?

Mr. SISSON. Certainly.

Mr. COOPER. I have heard that intimation a hundred times on this floor. Is the gentleman aware of anybody in the United States, from the foundation of the Government to this day, who has ever proposed to keep a standing army of 700,000 or 800,000 men? I never have.

Mr. SISSON. I never heard of anybody doing it either, but I am endeavoring to state to gentlemen who contend that the Government is not doing its duty by the expenditure of money for the Army and Navy that they are doing the Government in the past an injustice. They are not confining themselves to the facts, because when you take into consideration the fact that on one side we are separated by 3,000 leagues of the bounding sea, and on the other side by the 8,000 miles of ocean, from other great nations, it is not necessary that we should maintain a standing army in numbers comparable with those nations interlocked by boundaries one with the other. On the other hand, it would be stupid folly to keep pace with other nations in the size of the army.

No man contends that it is possible for a European nation to land troops here, except they do so in transports, and you hear men say that we have no Navy to prevent this. No longer ago than yesterday, sitting in the naval hearings, I heard Admiral Fletcher say that with the single exception of England the United States had by all odds the strongest and best Navy on earth. Yet you hear men say that we have no Navy. Everybody must admit the purpose of the naval defense is to prevent the landing of transports, because without a navy transports could be put in behind a naval force and our forts bombarded, and after you reduced one fort you could land shiploads of soldiery from across the sea. If we had no navy, that would be true, but if Admiral Fletcher yesterday testified to the truth, it would be utter folly for a nation to start toward our shores with large transports filled with soldiery, arms, and ammunition, even though they had an escort of battleships, for the reason that if upon the sea they should lose a naval battle they would not only lose their naval force but would lose the transports filled with the troops and arms and ammunition, which would be sent to their destruction. Therefore any man who says that we should have a standing army like anything in Europe is afflicted with hysteria.

I take it that the purpose of the agitation at this time is largely on account of the fears the timid may have, and it is got up by these people who are making enormous sums of money out of the manufacture of absorbent cotton, who are making money out of the manufacture of stretchers, out of the manufacture of powder and steel plates, and the munitions of war, kettledrums, and cannon—they are the men who profit by it and who are agitators of a great war preparation.

I want to call attention to another thing. Militarism has a hold in this country to an extent that some of us little dream of. Mr. GARDNER spoke of $500,000 being expended in the cause of peace. Do we realize that the $280,000,000 which we are expending for the Army and the Navy is enabling the war people to convert that into a great propaganda for war and for additional battleships? Has it been lost sight of that the people who make steel plates, manufacture powder and small arms, drums and fifes, gold braid, boots and shoes, and all other things that are sold to the United States to supply the Army—has it occurred to you that these are the men that are maintaining a great propaganda for this preparedness for war, and while you have expended in the cause of peace a half a million dollars you have expended many times more than that in the propaganda for war?

Mr. KAHN. Will the gentleman yield?

Mr. SISSON. Certainly.

Mr. KAHN. Of course I agree with the gentleman fully that this country does not want a large standing army. Does the gentleman mean to say that we ought not to be fully prepared for any and every possible emergency?

Mr. SISSON. I do not know what the gentleman means by "any possible emergency." I think we ought to be reasonably prepared to defend ourselves against those enemies, if such there be, that might come against us.

Mr. KAHN. Let me call the gentleman's attention to a little matter of history on the floor of the House. About two years ago there was a little controversy between a country on the other side of the Pacific and our own country about school matters, and the gentleman from Mississippi himself arose on the floor of the House and insisted that if Japan undertook to foist her propositions upon the people of California he was ready, for one, to go to war.

Mr. SISSON. My friend from California is mistaken about the occasion. I was not in the Congress at that time.

Mr. KAHN. It was in reference to the California land laws.

Mr. SISSON. It was in reference to the alien ownership of land and the passage by the California Legislature of such laws as they have in Illinois, Massachusetts, and to a certain extent in my own State, and in Oklahoma, and other States of the Union. I took the position then, as I take now, that the sovereign States under our scheme of government have the right to pass any land law they see fit and proper not in contravention with the clause of the Federal Constitution.

Mr. KAHN. I agree to that.

Mr. SISSON. We have that right, as has been decided by the Supreme Court in more than a hundred cases, that the Federal Government—that is, both Houses and the President—could not invade the sovereign right of the State. I was unwilling to concede that any alien power of any nation on earth should say through the treaty-making power that we could not pass a land law which, in my judgment, was wise for the people, and before I would surrender that right of a State to any nation on earth I would fight. That is what I said, and everybody will agree with me about that.

Mr. KAHN. Does not the gentleman feel that if he wants to fight he must be prepared to fight?

Mr. SISSON. I say Admiral Fletcher testified yesterday morning that, with the single exception of England, we had by far the strongest navy on earth. I think we are prepared for war; and if we are not prepared, then there ought to be some wholesale investigation of the honesty, integrity, and ability of those men who have been spending these $140,000,000 a year on the Navy and over $100,000,000 annually on an army.

Mr. SIMS. Mr. Chairman, will the gentleman yield?

Mr. SISSON. Yes.

Mr. SIMS. If some great power—Germany, England, or any other county—that has battleships should offer to sell them to us at this time at a low valuation, just as Germany did to Turkey, does the gentleman think a single one of these gentlemen who are so alarmed about our unprepared condition would vote to buy those ships? Would they not want to have ships built in this country, even at greater cost to the Government?

Mr. SISSON. I think that is true. I think there is a propaganda of that kind. There is a propaganda of thrift and of profit, and when a man's occupation has gone his profit ceases.

Mr. KAHN. Is it not a fact that within recent years the Congress itself has directed that battleships be built in the United States navy yards, and is not the Government itself building them?

Mr. SIMS. Out of American material, at excessive cost.

Mr. KAHN. Does the gentleman prefer to import material?

Mr. SIMS. If it is better or just as good and cheaper; yes.

Mr. SISSON. Mr. Chairman, I must decline to yield further. In answer to that question of the building of battleships, even in the Government yards, it is largely a question of assembling parts, structural steel and steel plates, which are manufactured, together with the bolts and everything else, by the Steel Trust and private companies. It is a mere assembling of the parts, that like the assembling of an automobile, where a factory gets the parts made for it. The profit on the steel plate goes on and the profit on the structural steel goes on, and all of those profits continue, and the profits are enormous, and I take it that if you were to take away from these people all of the profits, and take away the opportunity to make these vast fortunes and make them taxpayers and pay their part of it, and let the United States Government own its own mines, its own foundries, make all of its own steel, and not go into the market to buy it, and to maintain the price of Steel common—I take it there would be very much less propaganda when they became taxpayers and not tax consumers, when they became part of the Government that only paid and got no profits back. I take it that that would change their attitude somewhat. I do not say that those men are any worse than I.

If I were engaged in the manufacture of steel, I do not undertake to say that I would be absolutely blind to the profits I might make out of the business. I am assuming that human nature is practically the same all over the world. I take it that because a man puts his money in the operation of a great steel plant he has not lost any of the acquisitive desires he had prior to the time that he made the investment, and if the Government is doing business of this kind I take it that he would like to have the contract. If I were doing it, I would not hesitate a minute about trying to get the contract if I could. If the United States is to make proper progress in liberty, my belief is that it must be made along lines promulgating peace and not war. When I enter a conflict or a quarrel with one of my neighbors, and my neighbor knows that I am armed with a deadly weapon, the laws of the land say that I have done wrong in carrying my weapon concealed, because my adversary is sure to arm himself, and when we are both armed cap-a-pie, I am watching him, and the first false move that he makes to pull his handkerchief from his pocket—called the hip-pocket defense—there is man slain, and so it is in nations. When nations begin to mobilize their armies, well equipped with arms, the other nation strikes first, like the man armed with a revolver

shoots first to prevent his adversary getting in the first shot, and men en masse act like individuals do, and I believe that armed preparedness means war and not peace. [Applause.]

Mr. GREENE of Vermont. Mr. Chairman, will the gentleman yield?

Mr. SISSON. Certainly.

Mr. GREENE of Vermont. The gentleman stated that he felt human nature was pretty much alike everywhere, and I suppose he will concede also that human nature has been pretty much alike throughout all time.

Mr. SISSON. I think this, that human nature is gradually improving. I think the basic principles upon which the human being conducts his life are being gradually broadened. I believe we are making progress and advancement. I do not believe that we are still hauling our goods in sleds by oxen. [Laughter and applause.]

Mr. GREENE of Vermont. That does not change human nature's desires or ambitions; it is merely the vehicle by which those desires are accomplished. Let me put this question: The gentleman intimated, at least, that he thought some part of a so-called propaganda for war is inspired by the spirit of commercialism on the part of the people who furnish munitions of war?

Mr. SISSON. Yes; that is, the preparedness on both sides of the ocean.

Mr. GREENE of Vermont. Then how does the gentleman account for the fact that before weapons of war and munitions of war became commercialized, when there were no such great factories as there are to-day, there were more wars than there have been since this commercial age?

Mr. SISSON. Why, that is easy to answer. In the first place, in early history, according to Novicow, a great Russian expert on war, men went to war to satisfy their appetites, and many wars in the ancient world were fought for the women of the other nations. Then many wars have been fought for selfish purposes and for the purpose of making slaves of men. Wars have been fought in the past for the purpose of getting more territory. In every instance in the world's history in the past wars have always been unjustifiable on the part of the aggressor, but they were made by human beings who were steeped in ignorance, uneducated, to whom the doctrine of brotherly love had not been proclaimed, and amongst whom the doctrine of the rights of man was unknown, that men are born with certain inalienable rights, and that among those are the right to life, liberty, and the pursuit of happiness.

Not only that, but men in those days and in those hours of trouble and trial, living close to each other, were prone to live off what other people had made; but in this age, when education and training all have taught us that we ought to make it to the interest of people not to go to war instead of making it to the interest of people to go to war, and recognizing that human nature, while better trained, willing to accord to each other rights which they were not willing to accord in the past, we should restrain that acquisitive desire and take away the inducement to take from each other by war that which they have. In that way, and in that alone, will you be able to bring about a state of peace in the world—to take away from the nations of the world by a peaceful system the means of accomplishing their acquisitive desire except along the civil paths of law and righteousness made by international laws and settled by international conferences, and when the nations have policed the seas with a common navy, and when nations shall limit the number of the soldiers they shall have in proportion to the population, solely for the purpose of upholding the police power of the State itself and not for the purpose of use against other nations, when that time shall come, as it will come, when you take away the commercial side of it, and when in time of peace men are not making preparations to be ready for war when the other nations are making the same sort of preparation, it must be done by some agreement among all of the nations, just as we settled the differences between the 13 independent nations in the very beginning of this Republic. We settled it by an organization, first, of confederation, then by a Constitution; and they have a common power. The Supreme Court of the United States is arbiter of the differences between those sovereignties, and by voluntarily surrendering a certain portion of our sovereignty to this common power we have had peace, though there are 48 parts now, with the single exception of the Civil War, and that trouble perhaps was in the impossibility of agreement at the time the contract was made; that has been settled and I hope is settled for all times. Now, we have 48 sovereigns who have delegated a portion of their powers to the General Government. This magnificent system of confederated power to a degree should extend to all nations. We can begin a confederation of the nations with each other by saying each will limit the amount of armament and standing army. This can be done only by an international agreement.

Mr. GREENE of Vermont. That agreement, of course, must proceed out of the inclination of the people, taken collectively.

Mr. SISSON. Yes.

Mr. GREENE of Vermont. According to the standard recognized by the individuals who make up all the people.

Mr. SISSON. That is true.

Mr. GREENE of Vermont. International or municipal laws are supposed to represent the standard to which the people have arrived and not the standard to which they aspire.

Mr. SISSON. Yes.

Mr. GREENE of Vermont. Then the gentleman admits we have not yet reached that point.

Mr. SISSON. I did not admit that yet; but I say——

Mr. GREENE of Vermont. I thought the gentleman said a moment ago it was a point which we "in time" would reach.

Mr. SISSON. There will be some sort of confederation, and besides that confederation there must be a disarmament to the extent——

Mr. GREENE of Vermont. But you can not get a confederation in the interest of disarmament if one nation persists in arming?

Mr. SISSON. That is true if it is one great nation; but I agree with the speaker that if any three great nations agree I doubt seriously whether the rest would go to war. Certainly five great nations could control the situation. This war in Europe is bringing about a new conviction in the minds of everybody, except the admirals, generals, and those people selling munitions of war, that wars should end. War has been made so terrible, so destructive of human life and property, so destructive of morals, leaving in every fireside vacant chairs and upon every door knob crêpe, leaving oceans of tears along in the wake of it, leaving a destruction of country even worse, from the description, if possible, than at certain times of our own country during our Civil War.

Those of you who have been reared where victorious armies alone have trod, those of you who have been reared where you have not seen the sight of smoking dwellings, those of you who have been reared where you have never seen a soldier come and ruthlessly invade a private home, those of you who have lived where you have never seen a little home invaded and food taken away in the nighttime or taken away in the daytime do not know what war is. My childish eyes have looked upon a country desolate with war, and those were Christian soldiers under the Stars and Stripes who made that desolation; and if people living under the same flag can thus desolate a country, in the name of God what must go on where race hatred and race prejudice are as they are to-day in Europe. Is it possible that civilization, that education and Christianity, that a man's civilization is only skin deep? Are we still savages and brutes? I do not believe this. On the contrary, my earnest conviction is that if we could take away all the profits, if we could take away the military glory that these men are seeking, and if Germany could control her army instead of her army controlling Germany, then I believe the German people would be better off. [Applause on the Democratic side.]

If Russia, instead of the Duma and a few privileged classes with the army, could control Russia, Russia would be better off. Is England to-day in any worse condition because she had a standing army of only 200,000 men? And yet she is mobilizing now at the rate of 500,000 soldiers every three months. Do you tell me that the enormous tax which the Russian people bore and the enormous tax the German people bore and the enormous tax the French people bore for 40 years in preparing for this conflict is to be commended? Is it not better, even though you may lose a few battle fields, to prepare for war when war comes? But, however wrong you may contend I am in that position, I say this without hesitation, that Europe would have been in infinitely better condition to-day, Europe would have been in a better condition to conduct herself for the future and to build up her future greatness had it not been for these powerful engines of destruction which the war has saddled upon the people of Europe.

To-day the war debt of the five great nations of Europe is $27,000,000,000. France, owing $7,500,000,000, for the last three years was unable to pay the interest on her consols, and had to borrow money from her own people and issue new consols to pay the interest on her old ones. Therefore she has reached the point where to pay her current expenses she was bankrupt. Will you tell me what the financial world will do and how the European countries will be able to maintain themselves with this enormous indebtedness rolled upon the $27,000,000,000? And that $27,000,000,000 does not include the debt of the Balkan

States, nor the little Swiss debt, nor the debt of the Scandinavian States, but only the debts of the great nations of Europe. In the name of God, would not the condition of war, except for the loss of life, be almost as good as the conditions of peace, if the bondholders and those who are financing this trouble shall have a mortgage upon posterity and use the armies of the people in time of peace to collect from a downtrodden, debt-ridden people the interest on these consols and these bonds? [Applause on the Democratic side.]

The CHAIRMAN. The time of the gentleman has expired.

Mr. PAGE of North Carolina. I yield to the gentleman two minutes more.

Mr. SISSON. Is it possible that we propose to put ourselves in that condition where our indebtedness will be such that when we shall have paid our current expenses we will not have enough money to pay our interest on the bonds? Why, my fellow Members, I can not subscribe to that doctrine. Slavery in one form is to my mind as objectionable as slavery in another, and I am unwilling to become a slave myself to those people who shall finance the people in their expenditures for debts caused in preparing for war in time of peace.

Mr. Chairman, I want to extend my remarks by putting in the RECORD an editorial by Mr. Watterson, the editor of the Courier-Journal, of the date of December 8, as follows:

SHALL OUR AMERICAN REPUBLIC BE PRUSSIANIZED?

"Dear God and Father of us all,
Forgive our faith in cruel lies,
Forgive the blindness that denies!

"Cast down our idols! Overturn
Our bloody altars! Make us see
Thyself in Thy humanity!"

—John Greenleaf Whittier.

I.

"An inquiry into the state of the Nation's defenses"—the high-sounding sobriquet of the movement started by the plate-armor combine to rob the people and fathered by a Massachusetts Congressman—were more fitly and accurately entitled "A plan to put Woodrow Wilson in a hole," and for other purposes, the "other purposes" being a taking issue and campaign funds for the Republicans, along with galore of personal exploitation for the spread-eagle orator whose favorite stunt is "to wrap the flag around him, march down to the footlights, fire two hoss pistols and die like a son of a gun"!

The scheme presents three distinct aspects for the consideration of reflecting men; first, its fraudulent, partisan character; second, its empty patriotic appeal; and third, its untimely promulgation of a wicked principle.

"I am very much afraid," says Mr. GARDNER, eager to get in his work and unable to restrain his partisan intention, "that the President means to lay the cold hand of death upon the whole movement."

But how could the President do that? The "movement" is for the Congress, not for the Executive. Even here, however, the GARDNER prejudgment of the President is supplemented by the charge made in advance that the Rules Committee will not allow it. Thus, before the assembling of Congress, we had proof that the proposed "inquiry into the state of the Nation's defenses" was not an emanation of patriotic solicitude, but a play for party advantage.

Coincident appears a yet more sinister figure upon the scene. This is an association calling itself "The National Security League." Its arrival would be suspiciously prompt even if we did not know that every job big enough to pay its way along the turnpikes and through the tollgates of legislation always reinforces its invisible lobby with a marching club of noisy zealots—willing dupes of the drum and fife—who dearly love to carry torchlights and are ever ready to rally around bonfires and pie counters.

The Nation to all such is in perpetual peril. If it were not, what would become of the professional lifesavers? Sixty years ago, according to the Know Nothing rescript, the Pope was going some dark night to swim the Atlantic and, like a duck upon a june bug, swoop down upon the helpless Stars and Stripes. These 10 years, since Japan licked Russia, it has been the Mikado, who, like a submarine, was going to swim the Pacific and swoop down upon Chinatown. Statesmen with osculatory intellects and 22-inch collars, seeking to establish a system of paternalism, based upon woman suffrage and prohibition, have never wearied of depicting the terrors of invasion and rum. Year in and year out they have held up the Nation by the tail as a horrid example of unpreparedness and depravity. To whom the Courier-Journal has said, as it now says to Representative GARDNER and the National Security League, adopting the words which Capt. Simon Suggs on a memorable occasion addressed to Parson Jediah Bullin, "Don't crowd the mourners nor rush the growler!"

II.

Cold-storage statesmanship is the order of the day. Senator HENRY CABOT LODGE comes bravely to the support of his kinsman. When did this expert in the unfeeling arts of piousness, prejudice, and patriotism fail to note the nail on the barn door, seeing the door itself not at all? Premising that the Gardner resolution should be passed by both Houses, the Massachusetts Senator is reported in a recent interview as follows:

"We hear it said that from our Regular Army and militia combined we could not at this moment get together 120,000 men for our defense. It has been publicly stated that we have not sufficient ammunition even for such troops as we have; that our fortifications for our great cities are very insufficient; that we have few, if any, guns of greater range than those on battleships; that such troops as we have, instead of being concentrated at the points where they are needed, are scattered through the country at different posts in positions where there is no need of troops. It is said that we have nothing resembling reserves, either of men or ammunition, and no sufficient arrangements made for providing mines to protect our harbors. I for one would like to know, and I think the American people would like to know, whether or not there is truth in these statements."

This would seem to be an accusation of somebody. It reads very like an indictment. Yet, subjected to a little analysis, it misses the mark intended—that is, the present Democratic administration of the Government—because, if there be any thing wanting to our national defense, it lieth not with the Democrats but with the Republicans. For whatever is or is not they are solely responsible. From the 4th of March, 1897, to the 4th of March, 1913—16 years—the Government was in the hands of the party of which Senator LODGE is a leader. Most, if not all of the time, he has been a member of the Senate Committee on Naval Affairs. How comes it that, with vast moneys expended annually and things going to the bad, as he now describes them, this is his first warning to "the American people"? Why was he silent when at any moment the despots of Europe, having nothing else to do, might sneak into Boston and sack Faneuil Hall or crawl up through Simms Hole and cut the throats of every mother's son of us here in Kentucky? Was it his loyalty to McKinley; his love for Taft; or did he think that Teddy could frighten them away by a look? But now, now that the outer world is fighting like mad, exhausting itself, destroying itself, with nothing across the horizon to disturb the most patriotic Republican except a Democrat in the White House and a Democratic majority in Congress, Senator LODGE, at once alarmed and economical, wants to know, you know! As if the official reports were not both voluminous and accessible, he uses such terms as "we hear it said" and "it has been publicly stated."

And what is it that this veteran official, failing to inform himself, has "heard"? That the Army is short of soldiers? Whose fault is that? The Army is what the Republicans made it. That it lacks ammunition? For what? Is there an enemy anywhere in sight? That the troops we have "instead of being concentrated at the points where they are most needed are scattered through the country at different posts in positions where there is no need of troops." Where is there the need of troops? New England seems reasonably peaceable. Since Beach Hargis was sent to State prison the boys up in Breathitt have simmered down. In spite of HOBSON, "all is quiet along the Potomac." Where would Senator LODGE have President Wilson send the troops, even if they were in possession of adequate arms and sufficient ammunition?

But—horrible to relate—our cities are undefended; the fortifications are tumble-down and mounted with popguns. Again, who is to blame if not the Republicans, and what have they done with the vast sums of money they have pretended to be spending all these years?

Senator LODGE—we are quoting him as reported by the New York Sun, a friend and not an enemy of the proposed inquiry—multiplies the counts in his arraignment of his party. The Republicans have done even worse by the Navy than by the Army. Here, being of the Naval Affairs Committee, the Massachusetts statesman ought to be an authority. What could Mr. McKinley, Mr. Roosevelt, and Mr. Taft have been thinking of when they let things go to such rack and ruin? During the 10 years between 1903 and 1913—6 of them under Roosevelt and 4 of them under Taft—more than $1,200,000,000 were spent on the Navy. Now, these Republican agitators tell us that we have little other than junk to show for it and charge it to the Democrats, whilst the plate-armor people stand around and say "We don't need any foreign contracts. As soon as Congress meets we shall have plenty of American contracts. Mr. LODGE will fix it in the Senate and Mr. GARDNER in the House." But let us resume our interesting citation by a Republican of his fellow Republicans. Senator LODGE continues:

"If we turn to the Navy we can read in the newspapers almost every day statements of a similar character. I know myself that we are short of scout cruisers, having only three. A proper number of fast scout cruisers is essential to the efficiency of the fleet.

"We are insufficiently supplied with aeroplanes and hydroplanes, which are so essential to modern warfare.

"We have a large number of submarines—not enough in proportion to our fleet—but it is stated that many of those of early types are not at all up to recent standards and would be practically useless. It is said that we have only one torpedo to each torpedo tube.

"We ought to have the truth about these things, and then it is for the American people and nobody else to decide what they intend shall be done. It is not a party question in any sense, and the national defense ought never to be a party question."

No, it is not "a party question" if the Republicans are to be held responsible, but it is "a party question" where the Democrats may be held; for, as Senator LODGE concludes, "We are spending some $250,000,000 a year on our Army and Navy and we ought to know what we are getting for our money and whether for that money we are securing the highest possible efficiency," his preceding remarks tending, if not intended, to arraign the Wilson administration.

In the Senator's despite, and in defense of the administration, the Courier-Journal might with deference submit that Mr. Wilson may have his doubts about the expediency of spending great sums of money upon armament for which there will be no immediate use and which by the time it is called for may be obsolete and valueless.

Where is the urgency that excites Representative GARDNER—the exigency that impels Senator LODGE—the danger that arouses the National Security League?

To meet the dilemmas suggested by these questions, the organizers of the new war party cite the accomplished ex-Mayor George Brinton McClellan, of New York, now a professor at Princeton, who does not believe that the European war will bring about universal disarmament and peace. On the contrary, he thinks that when it is over it will be only a question of soon or late when we shall have to stand by our guns. They quote him as follows:

"No matter who wins, it is almost certain that at some not far-distant time we shall be confronted with the alternative of either abandoning the Monroe doctrine or fighting to maintain it. We have made of it a great national principle, a question of national honor, so that if we abandon it we must concede that we are not strong enough to maintain it; that we are only a second-class power, at the mercy of all the swaggering bullies of the earth. If we fight for it in our present unprepared condition, there can be but one outcome. A triumphant and victorious Germany would have little to fear from us, and while we might possibly in the end be able to check Japan by herself, we could scarcely hope to do so if she received help."

The Courier-Journal has said something like this: If the Kaiser could win, it would become a certainty. In that event Germany would rise on its hind legs and say "To hell with your Monroe doctrine." But the Kaiser can not win. When the allies have finished him they will be too much played out to think about any more fighting.

Naturally England, being our next-door neighbor and foremost competitor for markets, would be likeliest to tackle us. But the impediments are almost insuperable. Outside of trade neither wants what the other has. England was, and is, and will continue to be, in favor of disarmament. It was Germany that, requiring foreign exits and entrances, and resolved and prepared to fight her way out, forbade. With

Germany prostrate and the others exhausted—the isolation of the United States still our best defensive—it will be our own fault if we have to go to war with any nation. Hence, Prof. McClellan's appeal that Americans "awake to their present condition of unpreparedness, and that immediate steps be taken to build up a national defense," coming from the son of a soldier, if not a soldier, loses much of its force and should not be regarded especially relevant to the discussion.

III.

Backed by a self-constituted and self-styled body of exclusive patriots—the National Security League, obviously organized and financed by the plate-armor people—it is at once an effrontery and an affront, not to say a stupidity, in Representative GARDNER to sneer at the President as "a hopeless pacificist," and to turn upon dear old Andrew Carnegie as the enemy of his country and his kind.

"In my opinion," says the Massachusetts warrior, "the effect of the vast sums of money spent by Mr. Carnegie in his peace propaganda has been to blind Americans to the fact that our national security from a military point of view is undermined"; adding that "every Army and Navy officer to whom I have spoken tells me the same story of inadequate security," as if he could expect any other testimony from witnesses whose trade is war.

All this while Mr. GARDNER tells us nothing we did not know before. His proposed "inquiry" could lead to nothing not already to the hand of every Member of Congress. As well arraign Jesus Christ for preaching peace on earth, good will to men, as Andrew Carnegie for taking the word out of the mouth of the Savior and contributing millions of money to spread its blessed portent throughout the world.

Before the war in Europe the cause of arbitration as an international agency was making progress. But the voluntary disarmament of the nations was obviously a long ways off. It seemed to most people an iridescent dream. With what is going forward it becomes at least a possibility.

There have been wars and wars. As far as history reaches backward blood has been the single recourse of diseased ambition, the only balm for wounded pride. There have been wars and wars, dynastic wars, religious wars, territorial wars, but never a war like this; heroism driven from the earth, mercy vanished from the heavens, individuality lost in brutish multitudes and death-dealing machinery, pity fled, generosity dead; in place of glory the gluttony of greed and hate, the agencies of blind, unsparing destruction. Reflection stands aghast, pity appalled; yet there must be an end—it can not last forever—and when it is over, when murder has done its worst, when exhaustion hangs limp over barren fields and despair stares gaunt and silent into the cannon's mouth, mayhap thought will still hover about the scene and reason whisper to those that survive its horrors; mayhap at dead of night the Christ shall steal through the shadows to fasten His spirit upon the souls of men. Then, but not till then, our time will come.

What shall be our attitude? Shall it speak for civilization? Shall it rise for the Christian religion which we profess, standing uncovered to the sun in robes of living light, or shall we appear, like Mars, cap-a-pie, in full armor, the old dread specter of fury and force? Shall we say to Europe, "Fight no more"—henceforth the world shall be at peace and it shall be written over the portals of every people, "They shall beat their swords into plowshares and their spears into pruning hooks; nation shall not lift up a sword against nation, neither shall they learn war any more."

There is hope that something may come of it. Germany beaten—perhaps ground to the dust even as Belgium is—will be, must be, disarmed. Then, why not the rest? The debts will remain to be paid. The men will be needed in the fields. But if to get a party issue in America a group of baffled political leaders are permitted to Prussianize our Army system under the plea of national defense, laying the foundations for a militariat at Washington like that at Berlin, in the interest of corrupting murder mills and ambitious soldiers, it will be but a question of time when what is happening there will happen here. In short and in fine, a question the people should begin to consider is, Shall we fall in with Senator LODGE and Representative GARDNER to worship at the shrine of Krupp, even to the footstool that holds the Kaiser's feet, or follow the genius of the American Republic up the steps of the throne of God?

Even the Prussian militariat, with the Kaiser at its head, must begin to see the futility of its Pan German scheme of world conquest. When all is lost they will fully realize it. Forty years the Germans have been taught by their philosophers to believe that war is the state of man. Forty years their professors and historians have told them it was the hope of Germany During these years the armor makers and the saber rattlers—who derive a profit from war and for whose benefit myriads of good men are fed to powder—were preparing for war.

It will not do for any German now to put up a poor mouth and to attempt denial of this. That there was provocation—especially in England and France—may be true enough. Germany had been commercially put in a pocket. There was sore need of colonial expansion. The mistake lay in the idea that war was a remedy, that it was inevitable, and that, if it was bound to come, Germany was best prepared for it—England supposed to have her hands tied in Ireland and no one suspecting the Belgians of such power of resistance.

It was precisely the mistake that Napoleon made. Two years before his fall Napoleon could have secured world peace and the confirmation of his dynasty, with a larger France than he had found. He refused it and went to his finality. All his calculations failed him, as all the Kaiser's calculations have failed him. The very elements rose against him, as they have risen against the Kaiser. It seems a doom fixed upon God-defying ambition.

Let us agree that no such opportunity was offered the Kaiser as was offered Napoleon. Let us even allow that the Kaiser felt himself obliged to fight and that the defeat of his wondrous preparedness is not a punishment but a destiny. All things apart, to what end, if not to the substantiation of the truth that war is not a remedy for any earthly evil or wrong, that it is organized and legalized murder, and that, quite destroying its victims, it leaves its victors worse off than they were before?

This brings us face to face with what we have called our civilization, and that again brings us face to face with what we have called our religion.

Is Christendom a Christian? Are we, the American people, a Christian people? If in the green leaf we are thus to rush to our guns with Senator LODGE and Representative GARDNER, what may we not have to do in the brown? Is the Republican Party to repeat in the United States, under the guise of patriotism and the national defense, the selfsame error which lured Germany and the unknowing, unasked, unconsenting German people into their present awful plight?

Is the Republican Party, beaten on the old issues, to reconstruct and revitalize itself by a popular appeal having the alleged glory and prowess of the Nation for its text, war as its ultimatum—making a combine between the saber rattlers, the plate-armor makers, and the voters, as the German militariat, representing a feudal caste, the Kaiser at its head, made alliance with the German middle classes, embracing the money kings of Berlin and Hamburg and the infidel doctrinaires of Bonn and Heidelberg? In short, are we, the American people, to be led unconsciously into adopting the gospel of war and the setting up of an all-powerful military aristocracy, as the unhappy, the unfortunate Germans were?

Have we a Treitschke among us? Is his pseudonym HENRY CABOT LODGE? Have we a Bernhardi? Is his nickname AUGUSTUS PEABODY GARDNER? Nietzsche is dead; but his spirit liveth and roameth abroad, at the moment taking a look-in upon Congress.

Now, gentlemen, I want to say that, so far as I am concerned, I agree absolutely with the position taken by the President of the United States in his address to this House. I am unwilling that the Army should control America. I want America to control the Army. [Applause on the Democratic side.] I am unwilling that we should prostitute our liberty and that the enormous amount of money taken and wrung from those people who work in factories, fields, and in mines shall be transferred to the people of the Army and Navy, who live in luxury in time of peace, without a chance of going to war but once in a lifetime. [Applause on the Democratic side.]

The CHAIRMAN. The time of the gentleman has expired.

Mr. MANN. Mr. Chairman, in behalf of the gentleman from Minnesota [Mr. DAVIS], I yield 45 minutes to the gentleman from Wyoming [Mr. MONDELL].

Mr. MONDELL. Mr. Chairman, it had been my intention and is still my intention to introduce a complete novelty into this debate by discussing the bill now before the House for consideration. But even with so laudable a purpose as that in one's mind it is difficult in these moments of alleged "nervousness and excitement" with regard to preparedness for war to entirely overlook that tremendously important and at this time much-discussed subject. The gentleman from Mississippi, in his eloquent peroration, said he agreed entirely with the President of the United States in regard to this matter. I should have been much more enlightened as to just what he agrees to had I been able to understand just what the President's position on the subject was from what he said in his message. The President very adroitly, and in that splendid English of which he is the greatest master living, built a man of straw and then proceeded, with our entire approval, to demolish it. The President said that the American people would never agree to conscription and to making our country an armed camp. To all of that we say amen, and if there be a man under the flag who has ever suggested or proposed such an enormity let his name be anathema.

The gentleman from Texas [Mr. DIES] gave us a lovely essay on the beauties and the blessings of peace. With most of what he said, as a matter of philosophy, we all of us entirely agree. The President suggested that there was something of excitement in regard to this matter. I had not thought so until I listened to the speeches to which I have referred. Now I am inclined to think that if there is not something of nervousness and excitement, there is a very evident disposition or temptation in connection with the discussion of this very important matter to exaggerate, if not to misrepresent. There is a real problem before the American people to-day, having to do with the question of preparedness for war, but it is not any more urgent to-day than it always has been and always will be, so long as men are as they are and so long as human nature is as it is. I for one do not agree with the plan proposed by the gentleman from Massachusetts [Mr. GARDNER] for a determination of the question as to what extent we shall prepare for hostile eventualities. I think Congress and its committees quite competent to do that. But I do think the gentleman from Massachusetts has done the country a real service in challenging the attention of the Nation to the question as to what extent, if any, we should under the present circumstances modify our policy of the past with regard to our military and naval establishments.

We are not prepared for all possible eventualities, and the President very properly stated that we never would be. We never are, as individuals, fully prepared to meet every accident, fully prepared to defend ourselves against all comers, and it would be the height of folly for us to attempt to be so prepared. A considerable experience in my youthful days in regions where men were inclined to carry the munitions of war and quick to pull taught me that those who were best prepared were most frequently those who got into serious difficulty, and it was generally the peaceably disposed, who took some chances, who came out the best in the long run. But the gentleman from Texas [Mr. DIES] surely does not want us to understand, and the gentleman from Mississippi [Mr. SISSON] certainly does not desire that we should understand, that they, or either of them, or that any of their colleagues believe that we can blink or deny the

facts of history, or that we can close our eyes to the necessity of being prepared in a reasonable way to defend ourselves.

The question is, and the question has been, and the question always will be, To what length shall we, may we, should we go in preparation and in what direction shall we most press our efforts to place the Nation in such a condition that it shall be able with the least loss to meet any possible armed foe? All of those who have studied the question have realized that in the matter of reserves of war material we are probably not sufficiently prepared, looking at the matter from a reasonable standpoint. Last year there were discussions of the propriety of further increasing our reserve of certain classes of ammunition, the propriety of increasing our reserve of field artillery. There has been more or less discussion of these and like matters every year as the bills were taken up for consideration in the House and before the committees. The question has always been, How much expenditure for these purposes will our constituents approve, knowing the facts, and what expenditures are we justified in making, taking a reasonable view of the matter, based on the policy of being reasonably prepared for what may occur?

The probability is that we did not appropriate quite as much as we should have appropriated last year for fixed ammunition. I suggested that in a mild way—in my usual mild way—at the time. The probability is that we should have appropriated more last year for the reserve of field artillery. That has been something of a fad of mine for some years, and yet I do not think the Congress or the administration or anybody is open to any considerable amount of criticism because we did not appropriate more, for we appropriated more than we did the year before, and I think more than the year before that.

Now, if the agitation that has been started largely by the gentleman from Massachusetts [Mr. GARDNER] shall place the people in a frame of mind where they shall be willing to approve reasonably increased appropriations along certain lines, I think the gentleman from Massachusetts will have accomplished a very excellent purpose. But I do not think the American people are either "nervous" or "excited" about it. Probably if we could know their minds we would learn that they believe we should considerably increase the number of air craft, auxiliary to our fighting forces. Possibly we might find the people agreeable to increasing the Navy a little more rapidly than in the past, particularly in the matter of submarines. Possibly we shall find a disposition on the part of the people to somewhat increase the size of the standing Army, for reasons to which I shall call attention in a moment.

So far, however, as to there being any reason or necessity at this time or any real demand at this time for any considerable increase of our naval or military establishments, there is nothing in the condition of the world to warrant a belief that such necessity exists, and certainly the American people as a whole do not at this time believe such a necessity exists.

Mr. FESS. Mr. Chairman, will the gentleman yield?

The CHAIRMAN (Mr. MCKELLAR). Does the gentleman from Wyoming yield to the gentleman from Ohio?

Mr. MONDELL. I do.

Mr. FESS. As to the statement of the gentleman from Massachusetts about our limited ammunition, have you any facts as to our ability to supply ammunition in case a war were on, although we do not have it in possession now?

Mr. MONDELL. My understanding is—and I am not an expert, as the gentleman knows, in regard to these matters—my understanding is that most of our ammunition can be manufactured very rapidly, and that with the exception of certain classes of ammunition, such as torpedoes, certain large fixed ammunition, large quantities can be manufactured in a comparatively short time. While we should have a reasonably good reserve, it is not necessary to have such an enormous reserve, constantly deteriorating, as some people imagine. It sounds startling to say that we have only ammunition for three-quarters of an hour for our guns were they all belching at their most rapid performance. But really that is an enormous supply of ammunition, comparatively speaking, for no one can conceive a condition under which all the guns or a major portion of them, active and reserve, could be brought into action at one time and fired continuously for three-quarters of an hour. This is true with regard to most forms of ammunition. Experts all agree, and laymen who have given the matter any study at all, as well, that a larger reserve per gun is now necessary than formerly, owing to the rapidity of fire of modern guns and the rapidity with which ammunition may be dissipated; and possibly, that fact being taken into consideration, we should increase our estimates and our reserves of ammunition above the amount which has heretofore been considered necessary.

Mr. FESS. May I ask the gentleman whether that is in his mind a serious situation—our not having very much ammunition in possession?

Mr. MONDELL. I do not think, I will say to my friend, that there is any fact connected with our military situation that need disturb us now more than at other times. In fact, I am of the opinion we are now rather better prepared than we have been in the past. That is not saying, of course, that we are as fully prepared in all respects as we should be. I think we are not.

As I see it, we stand in no greater danger now than in the past. On the contrary, the probability, the chances, of our being engaged in war are lessened rather than increased by the war in Europe, and we can and may and should discuss all of these questions without regard to what has occurred or what is occurring in Europe, unless it be to this extent: That the war in Europe up to this period has seemed to tend to prove certain things. One of them is that in future wars there will be a larger proportionate use of field artillery; that men need to know how to shovel as well as how to shoot; and that our reserves in certain lines should be increased.

Mr. FESS. Does the gentleman think it does not require greater diplomacy now to remain out of the war than before the war had begun in Europe?

Mr. MONDELL. I agree with the President of the United States, but I disagree with the campaign utterances of his party on the subject. I agree with him that there is no reason on earth why we should be involved in the European struggle, and my opinion is that except through some act of stupidity unthinkable, or some act of aggression unbelievable, it is not possible that we shall be brought into this great European struggle.

I confess to a profound hatred for war. I regret the necessity for military establishments, and in that I think I feel as the great body of the American people do. But I realize, as we all do, as matters now stand in the world, the necessity of maintaining a reasonable military and naval establishment. We shall differ in the future, as in the past, as to what constitutes a reasonable naval and military establishment. If this war has taught us some lessons in regard to reserves, in regard to the character of the arms that shall be needed, we should heed those lessons. If it has taught us something with regard to the conduct of war, we should heed those lessons in the conduct of our military establishments. There is, however, no necessity of our getting at all excited over the matter at this time because of what is occurring in Europe.

Mr. FESS. Will the gentleman yield again?

Mr. MONDELL. Yes.

Mr. FESS. Does the gentleman fear that an increase of 25,000 men endangers the peaceful conditions, and that it would produce a militarism?

Mr. MONDELL. The gentleman has anticipated what I was about to say and to which I referred a moment ago. I am one of the few people who did not believe it wise to fortify the Panama Canal. I have in no way changed my mind in regard to that matter, even though since then our faith in treaties of neutrality has received something of a rude shock. But we have entered upon a policy of fortification. Our guns and mortar batteries frown from either end of the canal. We must have a force of at least 15,000 men there or we should have no force at all. It would be the height of folly to attempt to maintain an establishment there unless we maintain a reasonably adequate one, and 15,000 men, according to all of the estimates of the military authorities, is the very minimum of force with which we could make a stand if we were attacked at Panama.

I called attention at the time I discussed the matter, when I was opposing the fortification of the Panama Canal, that it meant inevitably an increase of our military force by 15,000 men, unless we were of the opinion that the force we already had was 15,000 too large. We are increasing our garrison in Hawaii, and we are maintaining a certain force in the Philippine Islands. We can not reduce those garrisons under any condition of war or peace. When we put 15,000 men in Panama, we have drained from the force we have heretofore maintained at home that number, and we must increase our force from 15,000 to 20,000 in order to carry out the policy of placing a considerable garrison in Hawaii and maintaining garrisons in Panama which we entered upon some time ago. Such an increase would not be an increase at all, so far as our forces at home are concerned.

Mr. SLOAN. Will the gentleman yield?

Mr. MONDELL. Certainly.

Mr. SLOAN. Did the gentleman oppose the fortification of the canal because of the belief that some of us entertained, that we owned the canal and had the supreme and absolute control

over it, or was it upon the later theory and recent legislation, which, in effect, surrendered very largely our ownership and control of that great piece of engineering?

Mr. MONDELL. I think I made it very clear that my opposition to the fortification of the canal was based on my opinion as to its unwisdom and not upon the theory that we did not have a right to fortify it. I did not subscribe to the doctrine which was crystallized into legislation which, as the gentleman from Nebraska very properly observed, surrendered not only our right to say what tolls should be paid but at the same time and through the same interpretation put in question our right to fortify the canal.

I said during that debate that, while I did not believe in fortifications there as a matter of policy, I would cut off my right arm before I would surrender my right to fortify. [Applause on the Republican side.]

Mr. TOWNER. Will the gentleman yield?

Mr. MONDELL. Yes.

Mr. TOWNER. Is not the corollary of the proposition which the gentleman has so well stated true—that if the European nations, and Great Britain especially, surrendered, as she did, to us the right to fortify the canal, acknowledged that we had the right to fortify it, is not that also a surrender of her position in regard to the tolls proposition?

Mr. MONDELL. The gentleman states it very clearly. Any interpretation of the treaty that denies our right to fix tolls puts in question our right to fortify. The two are effected by the same provisions of the treaty; and if we have not a right to fix or remit tolls, by the same token, as they say in the country, we have not the right to fortify it.

Mr. McKENZIE. Mr. Chairman, will the gentleman yield?

Mr. MONDELL. Certainly.

Mr. McKENZIE. The gentleman does not assume to say that we have surrendered any right to levy tolls in the Panama Canal, does he?

Mr. MONDELL. I do not like to admit surrenders, no matter how apparent they are, and therefore I will say no, even though we repealed the law differentiating in the fixing of tolls, on the argument that we had not any right so to do—that is, those of us who did not vote for the proposition did not surrender.

Mr. McKENZIE. I want to ask the gentleman if it is not a fact that the Government of the United States is the only power on earth that has the right to fix tolls on freight and passenger traffic through the Panama Canal, and have not we done it?

Mr. MONDELL. I did not think anyone else had the right to say anything about what we should do relative to our own ships until at the behest of Great Britain——

Mr. McKENZIE. Does the gentleman think so now?

Mr. MONDELL. Until at the behest of Great Britain we did, in effect, say that she had the right to say how we should fix the tolls on our own ships.

Mr. McKENZIE. But did we say it?

Mr. MONDELL. No; I did not surrender, for I did not vote for the Panama Canal surrender, I will say to my friend. My flag still flies. [Applause.]

Mr. McKENZIE. In all fairness, did not the gentleman so vote when the bill first passed the House?

Mr. MONDELL. Oh, I did not; because I stated very clearly then that I did not believe, as a matter of policy, that it was wise to remit tolls to our coastwise vessels. I thought it was better to remit the tolls to our over-sea commerce.

Mr. McKENZIE. And the gentleman was right about it, too.

Mr. MONDELL. That certainly was not a denial of our right to fix tolls, or to differentiate between different classes of vessels.

INCOME AND EXPENDITURES.

But, Mr. Chairman, I have taken very much more of my time than I intended to in discussing this very interesting subject of preparedness. There has been a good deal of talk and discussion, and because of it we will give a little more attention to the suggestions and recommendations of those who are in the position to know what we ought to do in order to be reasonably prepared, but we shall not be carried off our feet, and we shall not depart from our policy of maintaining only such an establishment as will ward off the first hostile blow and give time for the citizenship of the Nation to prepare for our perfect defense.

Mr. Chairman, I started to discuss this District bill, but it seems to be the hardest thing in the world in the House at times to discuss the matter under consideration. Some of the newspapers of this city have been inclined to express regret because the District Commissioners did not make larger estimates, because they left out some rather important projects, and because they trimmed their estimates all along the line.

I was interested in their action largely by reason of a statement made by Commissioner Siddons as to the conditions or considerations which affected their judgment. He said on behalf of the commission:

> Bearing in mind, first, that our estimated revenues show a very considerable increase over last year—

That is, the District revenues—

> the commissioners were nevertheless aware of the fact that it was not only desired but the probable necessity throughout the Government to reduce expenditures to a minimum * * * and bearing in mind the general situation in the country and what the Congress probably has to face in the matter of the necessity of reducing expenditures wherever possible, we have fallen in line with that general view and understanding.

Mr. Chairman, we all believe in economy, not only under Democratic adminstrations which are pledged to economy by their platform utterances, but at all times and under all administrations, and yet we have the very highest authority, recently given, for the fact that the American people desire Congress to make such appropriations as are reasonably necessary for carrying on the people's affairs, their only insistence being that the expenditures shall be for proper objects and that honesty and good business judgment shall be exercised in making the expenditures.

What is the condition of the country which the commissioners had in mind when they said in effect that it was such as to necessitate their bringing in a very closely clipped and cropped set of recommendations of expenditures? The ability of the Government to pay its bills depends entirely upon its revenues, and its revenues are derived from two sources in the main—internal revenue and revenue from customs duties. So far as I know, except for the extension of the wave of prohibition, and that does not seem to have had much effect, there has not occurred anything to reduce the income from internal revenue. Our other large source of income is customs duties, and there is no reason for a falling off of revenue from customs duties based on any reduction in the amount of imports. Just now in addition to ordinary sources of revenue we have this new so-called war tax, which makes it a little bit trying for the children in the matter of chewing gum, a little more difficult to get married, hard on the man who has any bank stock, and still harder, as I have recently discovered, on the fellow who wants to borrow money at the bank. Ninety million dollars, we have understood, are to be raised through this so-called war tax, necessitated, so the President assured us, by reason of a reduction of imports resulting from the war in Europe.

Mr. Chairman, I have taken the trouble to secure a table of importations for the 13 months ending October 30 last, during all of which time the Underwood bill has been in operation, the full period of its operation down to the 1st of November—it was impossible to secure complete returns for November—and I find that in that period, under the Underwood bill, we imported $2,014,088,333 worth of foreign goods. I have also looked up the figures of imports for the last 13 months of the Payne tariff, the 13 months immediately preceding the first 13 months of the Underwood bill, and I find that in that period we imported under the Payne bill $1,957,382,892 worth of foreign goods. In other words, we had an increase, an excess of imports in the first 13 months under the Underwood bill over the last 13 months of the Payne bill amounting to $56,705,441. So there is no necessity of unusual and crippling parsimony based on a reduction of imports. There is no reduction but an increase of imports. There is no necessity for a war tax based on a reduction of imports, for imports have increased, in spite of the war, $56,000,000 over a like period before the passage of the Underwood bill.

Mr. FESS. Did the gentleman notice whether the imports in these war months of this year are greater or as great as the corresponding months of the last year before the war?

Mr. MONDELL. The imports during August and September, 1914, were lower than the imports of the corresponding months of the year before, but the imports prior to the war were greater than the corresponding months of the year before, and now we have reached a condition under which the imports are increasing constantly, in spite of the war. The imports for October, 1914, were over $138,000,000, whereas for October, 1913, they were less than $133,000,000, or an increase of over five and one-half millions.

Mr. PLATT. Will the gentleman yield?

Mr. MONDELL. I will.

Mr. PLATT. I wanted to bring that out, and that is the fact, that there was an increase of almost $6,000,000 in spite of the fact of the war.

Mr. MONDELL. Yes; as between October, 1913, and October, 1914.

Mr. PLATT. In spite of the fact that October, 1913, was the first month after the passage of the tariff bill.

Mr. MONDELL. That is true.

Mr. PLATT. What effect has the war had over importations during the war months?

Mr. MONDELL. I will insert the table in the RECORD, from which you can secure that information.

The table is as follows:

Comparative statement of imports and duty collected during the 13 months from October, 1913, to October, 1914, inclusive, and during the preceding 13 months, September, 1912, to September, 1913, inclusive.

[Compiled from tables of imports of merchandise by months, Monthly Summary of Finance and Commerce, Department of Commerce.]

	Imports.	Revenue.
1913.		
October	$132,878,896	$30,138,049
November	148,216,536	21,173,628
December	184,587,571	21,510,140
1914.		
January	154,418,247	23,528,080
February	147,973,376	17,609,604
March	182,762,954	25,927,213
April	173,896,476	22,232,766
May	164,209,515	20,800,573
June	157,529,450	23,533,448
July	159,677,291	22,988,465
August	129,767,890	19,431,363
September	140,089,611	17,225,887
October	138,080,520	16,271,829
Total	2,014,088,333	282,571,045
1912–13	1,957,382,892	
Excess imports, 1913–14	56,705,441	

	Imports.	Revenue.
1912.		
September	$144,819,493	$27,475,127
October	177,987,986	30,216,824
November	153,094,898	25,666,353
December	154,095,444	24,248,161
1913.		
January	163,063,438	29,334,124
February	149,913,918	27,605,116
March	155,445,498	27,457,489
April	146,194,461	23,693,967
May	133,723,713	20,434,749
June	131,245,877	23,608,599
July	139,061,770	27,806,655
August	137,651,553	30,934,952
September	171,084,843	26,794,494
Total	1,957,382,892	345,276,610
1913–14		282,571,045
Decrease in revenue, 1913–14		62,705,565

NOTE.—Imports for September, 1913, include approximately $13,665,000 entered during the first 3 days of October under the tariff law of 1909.

Mr. MONDELL. The fact is the Underwood bill was intended to largely increase imports, and it has largely increased imports in spite of the war, and, whether the war continues or not, the imports over those of the Payne bill will be increased, and when the war ceases no man knows the amount of foreign goods that will be dumped on our shores.

Mr. FESS. Is it not a fact——

Mr. MONDELL. The fact is that the difficulty is not in decreased importations but in the fact that many articles were placed on the free list, and the duty on other articles was reduced to such an extent that with increased importations in the first 13 months of the Underwood bill of more than $56,000,000 there was a decrease in revenues in the same period of $62,705,565.

Mr. FESS. In other words, the war has not decreased importations sufficiently to necessitate a war tax, because the importations under the war are greater than the importations prior to the war——

Mr. MONDELL. That is true.

The CHAIRMAN. The time of the gentleman has expired.

Mr. MONDELL. Will the gentleman give me five minutes more?

Mr. DAVIS. I will start the gentleman out with four minutes.

Mr. MONDELL. The war tax was not necessary because of any reduction of imports. That is very clear. There has been an increase of importations for eight months prior to the passage of the war tax over the preceding eight months. The war tax was necessitated, as I said on the floor of the House some time ago, not by reason of the war in Europe but by reason of the Democratic war on sound fiscal and financial principles and policies. [Applause on the Republican side.]

Mr. COOPER. Will the gentleman yield for one question?

Mr. MONDELL. I will.

Mr. COOPER. Do not the increases which the gentleman has given as to importations under the Underwood law and the Payne law afford an absolute demonstration of the fact that the Underwood tariff law as a revenue producer was a demonstrated failure before war began, and that if there had not been a war that law must of necessity have been amended or there would have been a tax anyway?

Mr. MONDELL. That was thoroughly and abundantly demonstrated before the war began. The war was the excuse, the opportunity of the Democratic Party to get out of a hole in which its bad management had placed it and the country along with it. [Applause on the Republican side.] And it was very clear then that the bill would have to be amended, and it grows clearer every day.

Mr. SLOAN. Was not the passage of the war-revenue bill there a confession of the failure of the Underwood tariff law as a revenue producer?

Mr. MONDELL. Oh, unquestionably, and while it failed as a revenue producer the only thing that prevents a general flooding of our markets with enormously increased importations of foreign goods is the situation created by the war.

In spite of war abroad importations have increased, are constantly increasing, to the detriment of the American people, and there is a constant loss to the American Treasury by reason of the reduction in the rate of customs duties. It is now apparent that whoever shall be in control of Congress after the close of the European war it will be necessary to revise the tariff, in order to secure adequate revenue and prevent the complete overthrow of industries by a flood of foreign goods. [Applause on the Republican side.]

Mr. DAVIS. Mr. Chairman, I now yield 20 minutes to the gentleman from New Jersey [Mr. PARKER]. [Applause on the Republican side.]

Mr. PAGE of North Carolina. Mr. Chairman, will the gentleman yield to me just one minute? I wish to yield that minute to the gentleman from Texas [Mr. HARDY].

Mr. HARDY. Mr. Chairman, I will not take that much time. When I went home I met my people on the cotton situation, and I want to ask leave to extend my remarks in the RECORD on that subject.

The CHAIRMAN. The gentleman from Texas asks unanimous consent to extend his remarks in the RECORD. Is there objection? [After a pause.] The Chair hears none. The gentleman from New Jersey [Mr. PARKER] is recognized.

Mr. PARKER of New Jersey. Mr. Chairman, it is perhaps not inappropriate that we should discuss national defense upon a District of Columbia bill. It was 100 years ago the 24th of last August when a small force of about 5,000 British put our raw levies to flight at Bladensburg and came here and burned the National Capitol.

I do not believe in war. But war comes like a bolt from the blue. It is not enough that our people have always wanted peace. Some unforeseen occurrence, like the shot at Lexington or the shots at the *Chesapeake* or the massacre at the Alamo or the destruction of the *Maine* or the first shot at Fort Sumter brings war before we expect it.

We pray for peace; but if war comes we shall not have time to gather supplies and create armies as we did in 1861 and in 1898. We should be prepared.

It was one of the main objects of the Constitution, as therein stated, "to secure domestic tranquillity" and "to provide for the common defense." The two go together. Unless we provide for the common defense we are the temptation of every rapacious or irritable nation, and peace will be a dream only.

Now, I am going to speak mostly of our defenses on land. I was on the Committee on Military Affairs for some 10 years. On land, as on sea, real defense lies in the mobile forces that can attack—in speedy ships with high-power guns on the water and in men with rifles in their hands that they know how to use, like Gen. Jackson's frontiersmen, on the land. An army of sharpshooters is our real defense. Forts and slow-moving naval fortresses may be out of date, but the man behind the gun is

never out of date. [Applause.] The fathers of the Constitution understood this well. They passed a militia bill in the First Congress which enacted that every man between 18 and 45 years of age was to appear at an annual muster provided with a musket, a horn of powder, and bullets. They were not satisfied, as our present authorities are, with, at the most, 1,100,000 rifles in hand when we have 16,000,000 men that may be called on in time of war.

Even before that first militia bill a small school for officers had been established. The new Nation was surrounded by the colonies of the then great powers; Spain, England, and France owned these colonies and were aggressive. Are we in any better position to-day? The ocean that then separated us by weeks from the other side has now become the speediest and best means of transportation, and we are now even nearer than then to the great military powers.

That militia bill provided for a reserve of arms and men, and the fathers of our country also provided a small standing army. They had, in 1792, an army of 5,000 men. Our population at that time, besides 700,000 slaves, was only 3,300,000 freemen. Our free population has increased thirtyfold. If we now had a standing army in the same proportion to population, we should have 150,000 men instead of 75,000.

I stand by the principles of our forefathers. Our Army should be in the proportion that they established. I believe they had about the right number for a standing army. It was not a large army. Our Army is a school of arms, a college of military information and progress. For its size, ours is the best army in the world, because both the horse and foot are an army of sharpshooters, and no other army in the world can claim that.

But the fathers of our country did not depend on this organized army. They put their trust and dependence in the reserves, or what we call the volunteers—in a whole people that would spring to arms at their country's call. And we do this also, and rightly. No standing army can be great enough to carry on a great war. We had millions, North and South, in the Civil War, which put 4,000,000 men in arms. Ten millions or more are now engaged in the European conflict. But in peace no nation can afford to put its whole male able-bodied population in the army. Germany enlists less than one-half of her available recruits for two years, and less than one-half of her men have been trained in arms. Including not only those who are with the colors, but also the landwehr, or reserve, and the landsturm, or home guard, Germany's trained men number about five and a half millions. We do not hear that there are arms or equipment for more, or of their putting their 11,000,000 able-bodied men in arms, nor have they put any such number in the field. No other nation puts so many in the army as Germany. The tax is too terrible. The American Army costs on the average $1,000 a man per year. It costs still more to take those same men from the community and from productive pursuits. A standing army here of a million men would cost a thousand million dollars a year, and the cost is prohibitive.

But we can make provision for arms as they did in the militia bill of old times, for ammunition, equipment, and educated officers at one-fortieth of this cost, even if arms and equipment have to be entirely renewed every 10 years. The sum that will support 25,000 men in the Army will in 10 years make full provision of arms and equipment for a million men. If it is used only for arms—that is, for rifles, artillery, and gun carriages—it will in 2 years make provision for more than a million men, and would in 10 years make provision for five million men.

If we can rely upon our factories in case of emergency to supply most of the clothes, harness, wagon work, ammunition, and shoes, as we may fairly do, so that we need only put arms and part of the other material in store, we can, with the same sum or at the cost of 25,000 men, put rifles, field cannon, and gun carriages in store sufficient for 5,000,00 men within 10 years, and we can do this without withdrawing a single man from work or wages and without establishing the least show of militarism.

This is the system that was adopted by our forefathers. It is the way also by which a population of 250,000 Boers in South Africa—by providing for the common defense and having cannon, rifles, and ammunition—held Great Britain at bay with her 250,000,000 of population and her standing army of over 300,000 troops. It is the only way to provide national defense at reasonable cost.

After all, standing armies are trifles in time of war. The first necessity will be that of arms. It is an open secret that just at the present time the English forces can not go to the Continent because England has not arms with which to equip them. I know this also from private advices. France has been holding back her levies because she can not fully equip them. Arms are a necessity, and it takes months and years to provide them. Our factories are now glutted with foreign orders which they can not fill until after months or years of delay in building machinery to manufacture military rifles. Arms can not be provided immediately.

The new Springfield rifles cost $15 apiece, and a stock of them can be accumulated in 10 years at an annual cost of $1.50 for each rifle. Fifteen million dollars a year will give us 10,000,000 Springfields within 10 years, or enough to put rifles into the hands of 10,000,000 men if some great military power should attempt to invade us. I grant that no such storm cloud threatens now, but who dares warrant the chances of the next 10 years, unless we make for peace by having a rifle ready for the hands of every man as did our forefathers. We are not entitled to call for volunteers unless we can arm them.

Now, about 16 years ago, in the Military Affairs Committee, just at the outbreak of the Spanish War, I found that we had just enough repeating rifles to put in the hands of our Regulars and only old Springfields for our Volunteers. At my instance and with the aid of the War Department we finally increased the appropriation for making rifles from some $350,000 to $1,700,000, which supplied 100,000 rifles a year. Now they have gradually reduced that sum, because we have 300,000 Krags and 700,000 Springfield rifles on hand, or thereabouts (I get these figures from the appropriations which tell about what we have made), and they only estimate for $250,000 this year, which is about enough to give 16,000 rifles, or only sufficient to take care of ordinary wear and tear. We ought to put rifles in reserve for time of necessity. The War Department publications show plans for increasing the Regular Army to 120,000 and the militia to 150,000 and for volunteers to make up a first line of about 500,000, and they are making all their plans for supplying this first line only with arms and equipment. This is not right. We need supplies in store for the second and third lines as well, so that if we happen to be forced into war the whole citizen soldiery can have arms with which to fight. [Applause.]

Our Government factories can make 1,500 rifles a day, with two shifts; or, with three shifts and working every day in the year, they could make 2,200 a day or 750,000 in a year. But what is that if we get into war? Modern war is a matter of days and weeks, at most; of months, and not of years. It will take over 10 years to get our men supplied with Springfield rifles, at $1.50 per year per man. It will make for peace to have a stock of arms ready to put into the hands of our citizen soldiery. They cost little.

The machine guns, using the same ammunition, cost about $515 apiece. Four are now allotted to 1,000 men, and if that ratio continues $2.30 a man would provide the gun, or, on the 10-year basis, it is 23 cents per man per year.

The 3-inch field gun costs less than $5,000 for the gun and carriage proper, and, allowing a battery of four guns to 1,000 men, each man can be provided with these essentials of the field artillery at a cost of $20, or, on the 10-year basis, $2 a year.

The evidence taken last Tuesday shows that we have only enough field artillery for 300,000 men. The department only expects to provide 1,290 guns in all, or enough for 450,000 men. Guns and carriages can not be made in haste. Of all things that take time, artillery takes the most, and we should provide it lavishly and have it in store. This will not be done in order to have war, but in order to avoid war and keep the peace. We should see that the aggressive nations, who look greedily upon our lands and wealth, should know that we have arms and artillery for our millions and not merely for a first line.

Small arms at $15, quick firers at $2.30 per man, and field guns at $20 a man, a total of $37.30, can be provided for a million men for $37,300,000.

I am in hopes that this is all that we need to keep in store. Perhaps ammunition, clothes, shoes, harness, and equipment can be left, for the most part, to be made by our various factories in times of emergency. But if not, the total cost of full equipment for each man for artillery, ammunition, arms, and necessary equipment is something under $225, so that $22,500,000 a year would give full equipment for 1,000,000 men in 10 years.

I add a memorandum of this equipment, Mr. Chairman, which I submit, as follows:

MEMORANDUM—ARMY EQUIPMENT.

A rifle costs $14.50 to (It was $12.50 a few years ago, but before that was $17.)	$15.00
There are 100 rounds in the belt, 120 in the combat train, 120 in the ammunition train, making 340. A like amount ought to be held in reserve, or, in all 680 rounds, which cost $27 per 1,000, or about (At private factories the cost is $35 a thousand.)	18.00
Machine guns cost about $515 apiece, and each should have 21,000 rounds of ammunition, making altogether about $1,100. Four machine guns are allowed to 1,000 men, making $4,400, or, for each man	4.40

As to field guns, a little over 3 are allowed to 1,000 men. The battery of four 3-inch field guns, with limbers, caissons, harness, and every appurtenance except horses, will cost between $70,000 and $71,000. As to ammunition, they wish 1,800 rounds for each gun, making $72,000. The large 6-inch gun batteries cost nearly or quite double as much, but there will be comparatively few of these, and we might average the cost, therefore, by allowing the cost of four 3-inch guns to 1,000 men, which, with the horses, would be $150,000, or, per man	$150.00
The uniform, army shoes, and other essentials (like socks and underclothing) which could not be furnished by purchase in market without being especially ordered, amount, per man, to not over	30.00
The total cost of equipment, per man, for artillery, arms, ammunition, and necessary equipment	217.40

I am talking no secrets. All this is in the pamphlet issued as to organization.

Twenty-two dollars a man for 10 years would provide all that he needs of arms, artillery, and equipment. Is it too much to provide all this for a million men?

I prefer to provide arms alone for 5,000,000 men and to leave the manufacture of the rest of the equipment to the manufacturing power of the United States when we need it.

You will ask me whether our citizen soldiers will have training. If you have plenty of arms you can issue them lavishly to every school that desires them, under proper regulations to be adopted by the Secretary of War. Examinations should be arranged, and every schoolboy who has qualified as a marksman or sharpshooter and knows how to take his gun to pieces and put it together again should receive some prize. Men in the community who have received this education would be almost soldiers, ready, if they have learned to obey orders, to make marches and to shoot straight. Target practice at short ranges, with a diminished target, can be had against any railroad embankment. It is no matter of great expense, and will provide trained recruits for expansion of the Regular Army and National Guard in time of need, as well as for volunteers.

But some one will say, "But what of officers?" We want qualified officers, scattered through the community as they were in 1848 and 1861, when West Point graduates from civil life furnished almost the greater part of our successful commanders. We are neglecting the training of officers.

Our Military Academy has not grown with our population. In 1812 it had 250 cadets, and our population was less than 7,500,000, including slaves. We have now over thirteen times as many people. If we had the same proportion at the academy now it would be a school of over 3,300 young men instead of less than 700. That school is not able now to supply the needs of the Army. Before 1860 a large majority of the graduates went into civil life. Every graduate of the four-year course in civil life can be expected to remain available for the Volunteer Army for 30 years thereafter, and every cadet in the academy will thus represent eight officers who will be ready for volunteer service. If there be one West Point graduate allotted for every hundred men, they would be pretty well supplied; and if each West Point cadetship thus supplied 8 officers to 800 men, the annual cost of, say, $1,600 for a cadet—it is rather high—makes the cost for officers about $2 a year for each man that they command. It is a small price.

These graduates would no doubt take an interest in the National Guard and improve it greatly.

The men in civil life who had been educated in West Point were the greatest asset that the United States had in the Mexican War and in the Civil War. These graduates were specially equipped to help in time of war, and the work done by our armies in 1848 and 1861 was not like that of 1812, because we had many officers who were trained and competent.

What is the cost?

They are the cheapest investment that we ever made. A West Point (or several military academies) educating 3,300 men would in time provide an officer to every hundred men, or an army of two and a half million men.

It would take time to obtain this supply, and meanwhile we might well establish some system by which prizes could be offered to graduates of a scientific course, who should also stand a thorough examination in military science. We might establish a system of military cadets in the Army. We had it once. The Germans have it now in their one-year men, who are graduates of colleges.

We want men who will lead our forces in time of war and who in time of peace will serve their country by adding to the efficiency of the militia.

Our strength lies in the people, not in standing armies. It lies in defense and not in attack. It lies in peace and not in war. But we can only keep peace if we have a people who are not only numerous but who are provided with arms as well as with trained officers, and who from youth up know how to obey orders, march together, and shoot straight, because they have learned it in school.

Such an army would be invincible, for on the country's call its soldiers would spring up and be born like Minerva, fully armed and ready and equipped for war. [Applause on the Republican side.]

Mr. DAVIS. Mr. Chairman, how much time have I remaining?

The CHAIRMAN. The gentleman has used 2 hours and 10 minutes.

Mr. DAVIS. Mr. Chairman, I yield the balance of my time to the gentleman from Iowa [Mr. PROUTY].

Mr. PROUTY. Mr. Chairman, I want to spend a few minutes discussing this bill, and yet I think I realize that I would not be in order at this time unless I said a few things about war. [Laughter.]

I want to make my declaration now, so that you will all understand it, that I am for war; but it is for war against wrong and injustice, and not against my neighbors and friends. I am for civilization, I am opposed to barbarism, whether of nations or of individuals. It is a strange fact, as I review the history and conditions of the world, that as individuals men are largely civilized. The people of the world have made marvelous progress in civilization, but as nations we are just as barbarous as we were in the dark ages; we resort to the same methods to decide matters of right now as they did then, but as individuals we submit to the rule of right and justice.

What is civilization? I was sitting back here trying to analyze it, as my friend from Wyoming, Mr. MONDELL, was talking. Civilization is nothing more than a man surrendering the power to determine his own rights or to enforce them. I can not determine my own rights as a citizen. The community will not let me. After the right has been determined I can not go ahead and enforce it, for the community will not permit. I must surrender, in order to be a civilized man, both the power to determine my own rights and the power of enforcing them. The nations of the world will never become civilized until they surrender their right to determine for themselves the question of right, and providing a power and a means of enforcing it without the arbitrament of war.

To-day we are beholding the greatest spectacle that the world has ever seen, and what is it all about? What is the question to be determined? The question to be determined is whether or not Servia was particeps criminis with a high-school boy who shot down the prince of Austria. That is the question involved. Austria wanted to go into Servia and settle that question herself. Servia wanted to settle it for herself, but neither of them was willing to submit to a high court of right and justice to determine that question. After we have seen 17,000,000 people in arms, after we have seen three or four million men stricken down, after we have seen thousands upon thousands of widows and orphans made, after we have seen blood flow like rivers, will there be any determination of the great question that lies at the base of this conflict, and that is whether Servia was an accomplice in that transaction?

As I said, I am for war, but I am for war for right and not for war upon my neighbor. We have established a country here based not upon force, not upon power, but upon eternal right, and I undertake to say that as long as we do stand for right we will never be threatened by any other nation. I am for peace as between my neighbor and myself as to our mutual rights. You can not determine it by war. That determines only one question, and that is which is the stronger, and not which one is right. You never can determine a question of right by mere force. I know it is commonly said that might makes right. As to nations that is true, but as to individuals it is not true. But I see no reason why we should not have the same principles apply to national morals that apply to individual morals. No man would stand up and say to-day as to his civil rights that might makes right. As between men nobody would claim that, and yet good men, strong men, able men, stand up and advocate a theory that might makes right when you apply it to national morals.

I am not one of those who believe that we are in any danger. I never have become hysterical about the invasion of the yellow race, or any other race. We have lived on this portion of this little continent as a nation for a century and a quarter—125 years—and during all that time no nation has declared a war upon us, and no nation has undertaken to approach the offensive; no nation has ever, so far as authentic record goes, considered the question of making an invasion upon us. We have had two wars.

A MEMBER. Three.

Mr. PROUTY. Two wars outside of the one among ourselves, which I did not include.

Mr. KAHN. The Mexican and the Spanish Wars.

Mr. PROUTY. The Mexican War I had forgotten, and it ought to be forgotten. But no nation declared war on us. Great Britain did not declare war in 1812 and she would not do it now. Spain, with her armada, did not declare war upon the United States, and they would not now. Mexico will not declare war, nor will any other nation. All we need to do is to stay here, be men and be right, stand for high ideals, and we will have no trouble.

I agree with Abraham Lincoln when he said that all the armies and the navies of the world could not reach the Ohio River. I agree with that proposition. I have looked the thing over pretty carefully and I say that all the navies of the world could not enter the port of New York, even if there was not a battleship in New York Harbor. With our land batteries and our mines and other things all the navies of the world could not enter New York Harbor and approach New York City. There is no well-protected harbor that I know of—any approachable harbor—where they could come in.

In conversation with a gentleman back yonder a moment ago, he said that they would land their forces at some place where there was not any port. What does that mean? You can not land an armed vessel out in midocean. You can not land them where there are no ports. The very best they could do, if they could not get into any of these fortified harbors, would be to land at some place along the seacoast, and to do that they would have to anchor away out at sea and send their men in in small vessels to the shore, by boats and skiffs, and so forth; and I undertake to say that all of the armies of the world could not land enough men on the shore so that our policemen would not be able to arrest them. [Laughter.]

Mr. PETERSON. They might come by aeroplane.

Mr. PROUTY. Yes; but where are these hundred million people during this time? Suppose an army was to start now from Germany or France or England with a hundred thousand men on their transports—and that is a big amount to carry—and they would get down here at some place, and by our modern method of telegraphy we can tell where they are and what they are doing, by means of our scouts—suppose they would land there or would approach there to land, and then would get into their little boats to come to land, do you suppose one of them would ever get to shore? Why, talk about the Navy and the Army and all that—I can go down here into Arkansas, where the boys have been trained from youth to shoot out the eye of a squirrel, and get enough men to pick out every man before he got to shore. [Laughter.]

Mr. FESS. What about the battleships that would be out there with the transports?

Mr. PLATT. How would you know just where they were going to land? There is a good deal of room on the ocean, as the German cruisers have shown.

Mr. PROUTY. I would have this wireless telegraphy, established from one end of this country to the other, tell us.

Mr. PLATT. But they will be on shore by that time.

Mr. PROUTY. Oh, no; they can not land 100,000 men in a minute.

Mr. PLATT. They do not need to land over 20,000 men to get 20 miles inland.

Mr. PROUTY. Twenty thousand men would not last a breakfast spell with the outraged citizenship of America. [Laughter.]

Mr. OGLESBY. Mr. Chairman, will the gentleman yield?

Mr. PROUTY. Yes.

Mr. OGLESBY. I would like to say to the gentleman that when we went down to Cuba it took us from 10 o'clock at night until daylight to land 1,000 men in those boats, exactly the way the gentleman is describing.

Mr. PROUTY. Of course. I am not so dizzy as you fellows think I am.

Mr. OGLESBY. And I want to add that there was nobody there to stop us.

Mr. KAHN. Mr. Chairman, will the gentleman yield?

Mr. PROUTY. Yes.

Mr. KAHN. Of course the gentleman does not pretend to say that civilians could begin to snipe troops and get away with it?

Mr. PROUTY. I undertake to say that we could call out the State militia of a State like Arkansas—and I am picking the smallest State in the Union, so far as the militia is concerned—where the boys are trained to shoot the eyes out of squirrels from their youth, and I would plant them down on one of these unprotected shores that you speak of and I guarantee that no German or English could land. [Laughter.] But I did not intend to make a war speech. How much time have I remaining, Mr. Chairman?

The CHAIRMAN. The gentleman has eight minutes remaining.

Mr. SIMS. Go ahead. You are doing very well.

Mr. PARKER of New Jersey. The gentleman noticed that I spoke of Jackson's frontiersmen as being the best sort of a defense. An army of sharpshooters is the best army in the world; but we have not got it.

Mr. PROUTY. Yes; I agree with that—except in Arkansas.

Mr. PARKER of New Jersey. I wish we had them all over the country, just as you say they have them in Arkansas.

Mr. PROUTY. What I am trying to say is that I am in favor of an international court of arbitration to settle these questions and remove the tax burden that comes from settling them by war, and I want to say that it is time for the American people, as well as other people, to consider these great questions from the standpoint of the men who furnish the money and the blood to conduct wars, rather than from the standpoint of the men who owe their whole career and everything they have to the art of war. I think it is time for us to consider the orphans, the children, and the mothers of this country as well as the fellow who wants to wear epaulets.

Mr. Chairman, I now want to talk about something that is just as warlike, if we can judge from the newspapers, as this is, and that is the bill making appropriations for the District of Columbia. If you will allow your minds to calm down a little bit, I will try and bring mine down and call your attention to a real situation. You all know that it has been said ever since I have been in Congress, especially since I have been upon the District Committee, that I am a fellow who is constantly stirring up things and causing a great deal of trouble to this District.

If you will look through what I have said from time to time, you will find that I have never advocated anything except the purest, simplest justice as between the people of this District and the rest of the people of the United States. With that kind of preface, I want to call your attention to a real situation. If you will turn to the last page of this appropriation bill, you will find that it appropriates eleven million three hundred and two thousand dollars and odd; and if you will turn to the report of the District Commissioners, just filed, and of which I see my friend MONDELL has a copy, you will find that the revenues of the District of Columbia last year amounted to $7,321,000, independent of a million and a half dollars that came in under special levies or taxation. We have had in this District for more than a quarter of a century a plan by which the District furnishes a dollar——

Mr. JOHNSON of Kentucky. Over a third of a century.

Mr. PROUTY. Yes; over a third of a century—a plan by which the District furnishes a dollar and the people of the United States furnish a dollar. Since the District of Columbia has $7,321,000 as their part, to match that the United States must put up $7,321,000 on their part; otherwise you would destroy the symmetry of that sacred hallowed thing called the half-and-half principle.

Now, you will notice that if that were done that the District of Columbia appropriation bill ought to provide for the expenditure of, say, in round numbers, $15,000,000. As a matter of fact, they only find it necessary to expend $11,000,000, and while I am discussing that phase of it I want to call attention to the fact that even of that item there are $128,000 that ought not to be included. There are $128,000 appropriated in this bill for expenses of the water works which is provided for out of an entirely different fund, so you should take $128,000 from the figures which I am using, because that ought not to have been included in the sum total of those figures because that does not come out of the general revenues of the District or the United States, but comes out of what is known as the water fund. Now, the result of this, just figured coolly and calmly as if you were on a board of supervisors or an alderman in the city, you would say, What are we going to do about this? We have $2,000,000 surplus revenue. You would say one of two things: Either we would cut down the amount of the revenues to be derived or we would increase the appropriation. You would not leave a couple of million dollars of unexpended money knowing it was going to increase in the future rather than diminish, because every man who has studied this problem knows the revenues even on the present—I was going to say "sham"—basis are going to increase. There is no question about that, the commissioners so say, and everybody who has studied the question knows it is true. It is not only this year, but it is going to increase and next year it will be eight and a half or nine million dollars.

Mr. SIMS. And that is without increasing the rate of taxation?

Mr. PROUTY. Oh, yes; I am not discussing that question just now. Now, the American Congress, sitting as I feel we are, as just an arbiter between the people of the United States and the District of Columbia, should do something. Now, what shall it be? Well, some, I suppose, will say we ought to cut down the

taxes in the District of Columbia. I suppose that is really what they mean. But, on the other hand, I do not believe there is a man in this Congress who has got the nerve, in view of the record of the facts in this case, to get up on the floor of this House and state that he believes that the people of the District of Columbia ought to have their taxes reduced. What are the simple facts? I will not go into them at length, but what are the simple facts? They are that they pay now 10 mills on the dollar on actual value of real estate. Under the organic act, about which they have said so much, it was provided it should be 15 mills, but now they pay 10 mills.

The CHAIRMAN. The time of the gentleman has expired.

Mr. PAGE of North Carolina. Does the gentleman desire more time?

Mr. PROUTY. I should like a little more time.

Mr. PAGE of North Carolina. I will yield the gentleman 10 minutes additional.

Mr. PROUTY. As I say, they pay 10 mills on the dollar on real estate. I undertake to say, after having spent three years investigating that question, there is not a city in the United States of any size that does not pay a good deal more than that. You can but recall your own taxes at home. I have compiled, as you all know, the taxes of all cities of any size in the United States, based upon actual value, not upon assessed value, and the law provides upon actual value, and the average in the United States is a little over 19 mills. Therefore I say I do not believe any man has the hardihood to stand on the floor of the House and say to all the people of this Nation that the people of the District of Columbia ought to have their taxes still further reduced.

Mr. CRISP. Will the gentleman yield?

Mr. PROUTY. With pleasure.

Mr. CRISP. I just want to ask the gentleman if it is not also true that intangible personal property and articles of adornment are also exempt from taxes here, which does not apply elsewhere?

Mr. PROUTY. Well, half of that proposition is true. Moneys and credits are not assessed here at all. Congress did a few years ago correct that provision of 1892 in regard to wearing apparel—that is, articles of personal adornment. Now, I am not going to discuss the question of whether property is assessed here at the full value—that is, based upon the two-thirds proposition. I am not going to discuss that because I have not the time, but I will say in a general way from all the information I can obtain, and I have sought it honestly, because I hold no grudge against these people, they have been splendid to me personally, and I have no grudge against them, but I have been probing for the facts, and I find that property in the District of Columbia is assessed lower on the basis of the law—that is, two-thirds—than it is generally in other cities. There is no dispute about the proposition that property in the city of Washington instead of being assessed at two-thirds is only assessed one-third. Of course there are isolated cases where that does not apply, but take it as a whole; and a committee of this Congress filed their report after giving a most elaborate study of the question covering a period of more than two years of time. Then, as has been suggested, moneys and credits are not assessed at all here. Men can come here with their millions and tens of millions and twenty million dollars, as they have, and escape taxation at home and escape taxation here. Well, I am not now discussing that part of the question, but I want to say it is unfair to the people of the United States that men can take up a technical residence in the city of Washington and escape taxation at home and thereby defraud their people at home and at the same time give no benefit to the people of the District of Columbia. So I pass that proposition. I do not believe there is anybody going to get up here and say that we are in favor of reduced taxation.

Now, what are you going to do with that $3,000,000 next year, $4,000,000 the next year, and $5,000,000 the next year, assuming there is to be no change in the manner of assessment and no different rate? What are you going to do with it? Oh, give it back to the District and go out into my district and your district and levy a war tax to make the deficit good. I have seen a good deal of effort about here to find money to be economical on, and we are told we have not money enough with which to run this Government, and yet here are $2,000,000 that you are going to hand back to people who are the wealthiest people per capita of any people in the United States, and go out to our people to get the money to make it good. Now, is it not absolutely fair to say that these people themselves ought to use the money that they themselves are able to put up on an equitable, generous basis before they ask my people to contribute? These people are educating their children here by paying half taxation, and our people pay full taxation and then contribute half to the people down here. My people are getting no richer than these people here; my people have no greater revenues per capita than these people have here, and yet all this time we are paying out for my people money to support these people. Of course, some people, somehow or another, get charmed and fascinated, like a snake fascinates a bird, when they get among these people here and listen to their stories. I admit I do not get fascinated in that way. I want to determine but one question, and that is the question of what is right between my people and these people here.

Now, while I am on my feet, I will say that an amendment will be offered by my friend, Mr. JOHNSON, chairman of our committee, providing that the funds collected from the District of Columbia shall be used to pay the expenses of the government of the District of Columbia, so far as they go, and that whatever is necessary beyond that shall be paid out of the Public Treasury. Is not that fair? If they collect money by a very low rate of taxation, more than equal their half, is it anything unjust or unfair to say that they shall use the rest of that money for themselves before they go out among other people in order to collect money to make that good?

And then another thing that I expect will be suggested: When the organic law was enacted all of you who are familiar with that will remember a committee spent nearly four years in investigating the question of relations between the Federal Government and the District of Columbia. They considered very carefully the question as to what was a fair rate of taxation to be put upon these people. The distinguished Senator from Iowa, Mr. Allison, was chairman of that committee, and after making an examination of the tax rate in cities of the United States they found a 15-mill tax, or $1.50 a hundred, was a reasonable and average tax, and therefore in the organic act it was fixed at 15 mills on the dollar, or $1.50 on the hundred, actual value. That continued for 22 years, but in 1902, when they found they were getting more revenues than were necessary for the District's half, some fascination got hold of Members of Congress, which I have never been able to comprehend, by which they reduced the revenues for the District rather than reduce the part that was contributed by the United States, and they said, rather than be assessed at its full value, it should be assessed at only one-third value. So that real estate in the city of Washington and the District of Columbia is now only paying 10 mills on the actual value, while in my city and in your city it is 20 mills or more.

The CHAIRMAN. The time of the gentleman has again expired.

Mr. PAGE of North Carolina. Mr. Chairman, I yield the gentleman two additional minutes.

Mr. PROUTY. There will be an amendment striking out that two-thirds clause and leaving it as it was originally, and then there will be another amendment offered here striking out the word "tangible."

In the original act all property in the District of Columbia—I mean all kinds of property—was assessable. Moneys and credits were assessable for more than 20 years in the District of Columbia. But at the same time that this other law was passed they put in the words "tangible property," which had the effect of relieving personal property, in the form of moneys and credits, from taxation.

Now, there will be a little amendment offered here proposing just to strike out the word "tangible" and leave the act just as it was when Congress passed it after such an enormous and studied investigation. As I have already intimated, there can be no justice in allowing a man like C. W. Post to come down here from Battle Creek, Mich., and make a tentative residence in your city by buying a little house which did not cost more than $9,000. It was valued at $9,700, I believe. He put in it a little of his old household furniture from Battle Creek, Mich. He lived in Battle Creek, Mich., in magnificent style for 22 years, and, so far as I know, never lived in the city of Washington in the last 20 years except when he was visiting here and stopped at the New Willard Hotel. When his will was filed for probate it was found that he had declared that he was a citizen of Washington, and the will and the report in connection with it shows that he had pretty nearly $20,000,000 of moneys and credits. During all that time Michigan had been trying to get some taxes from him, and they have a case now pending in the court where they are trying to enforce the payment of some tax. But he came here, and under the peculiarity of our law exempting moneys and credits from taxation, he claimed a technical residence here, so that he might escape taxation both here and at home. [Applause.]

Mr. PAGE of North Carolina. Mr. Chairman, I yield one minute to the gentleman from Indiana [Mr. CULLOP].

The CHAIRMAN. The gentleman from Indiana [Mr. CULLOP] is recognized for one minute.

Mr. CULLOP. Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD.

The CHAIRMAN. The gentleman from Indiana [Mr. CULLOP] asks unanimous consent to extend his remarks in the RECORD. Is there objection?

There was no objection.

Mr. PAGE of North Carolina. Mr. Chairman, may I inquire how much time is left on either side?

The CHAIRMAN. Fifty minutes' time is left on the gentleman's side.

Mr. PAGE of North Carolina. The time is exhausted on the other side?

The CHAIRMAN. It is exhausted on the other side.

Mr. PAGE of North Carolina. Mr. Chairman and gentlemen of the committee, I am not going to consume the full 50 minutes that remain in this general debate, and the time that I shall consume will be upon the bill that is under consideration. I shall not undertake to discuss the question of whether or not the United States is adequately prepared for all the emergencies that might, in the minds of men who are looking into the future, arise. I am very much more concerned with the appropriation bill that is under consideration at this time.

The current law making appropriations for the District of Columbia appropriated $12,771,054.23 for the expenses of the District of Columbia for the fiscal year 1915. The bill now under consideration, as reported by the committee to the House, carries $11,303,048.45, or $969,611.04 less than the current law. The estimates made by the Commissioners of the District of Columbia as to the taxes, as to the available amount derived from taxes and other sources in the District of Columbia for 1916, amount to a little less than $8,000,000. The estimates that they submitted in the annual Book of Estimates for the fiscal year 1916 were, in round numbers, $12,771,000, so that the appropriation in the bill now reported to the House is $1,596,860.78 below the estimates submitted to the Congress.

The committee, in submitting this bill to the House, believes that it has recommended a sufficient amount of money for the proper conduct of the affairs of the District of Columbia for the fiscal year 1916. We have had in mind, of course, the fact that we must economize at this time, if at any time at all, in the appropriation of the public money. There were matters submitted in the estimates to the committee for new enterprises, for new projects, that did not appeal to us as being of enough importance to warrant now the appropriation for which they asked.

I have no doubt, judging the future from the past, that before this bill becomes a law the amount that it carries will be increased above the amount that has been reported to the House; and yet I am not willing to concede that it is necessary that a single dollar should be added to it, so far as the necessities of the administration of the affairs in the District are concerned.

We have tried to take care of all the District enterprises. We have increased in this bill, practically in the amounts that were submitted to us by the commissioners, the various sums for the conduct of the schools and the police department, but not for the street-extension department, because, I think, no committee has ever appropriated for the full amount asked by the commissioners for the improvement of streets. We did not in this bill, because your committee very seriously doubted whether the commissioners could, within the fiscal year, wisely expend the amount for which they asked.

Mr. STAFFORD. Mr. Chairman, will the gentleman yield there for a question?

The CHAIRMAN. Does the gentleman from North Carolina yield to the gentleman from Wisconsin?

Mr. PAGE of North Carolina. Certainly.

Mr. STAFFORD. Has any provision been made for rebuilding the destroyed Western High School?

Mr. PAGE of North Carolina. Mr. Chairman, of all the gentlemen upon the floor of the House I would say that I thought my friend from Wisconsin kept up with the matter of appropriations.

Mr. STAFFORD. I try to, and I think there was an item carried for that purpose last year.

Mr. PAGE of North Carolina. Yes. The deficiency bill passed at the last session of Congress carried an item, according to my recollection, of $150,000 for the reconstruction of the Western High School, which was destroyed by fire, and I understand that contracts have now been let for the beginning of that work. There was an estimate submitted for this bill asking an appropriation of $50,000 for the furnishing of the Western High School. I might as well at this time, since the subject has been mentioned, as well as later, in explanation why it is not carried in this bill, say that the appropriation for the reconstruction of the Western High School having been carried in a deficiency bill, the committee, after carefully considering the matter, decided that the $50,000 for its furnishing should also be carried in a deficiency bill at this session of Congress. So it is not a disposition on the part of the Appropriations Committee or the subcommittee preparing the bill to deny the amount asked for to furnish the Western High School; that is not the reason that it was not included in this bill, but merely in the interest of keeping appropriations somewhat straight that we have let it go over, to also be reported in a deficiency bill.

Mr. MOORE. Will the gentleman yield?

Mr. PAGE of North Carolina. Yes.

Mr. MOORE. I desire to ask the gentleman some questions about the department of education. Does the gentleman care to go into that now?

Mr. PAGE of North Carolina. I had just as lief go into it now as at any time.

Mr. MOORE. Several memorials from colored residents of the District of Columbia have been handed to me, mainly predicated upon an article in the Washington Sun, which appears to be an organ of the colored people, complaining of conditions in the schools in the city of Washington. The Washington Sun has an article which appears to be a report of a committee of what is known as the Oldest Inhabitants' Association of Washington, and it has these rather startling headlines:

Horrible conditions of Washington schools—Report of committee appointed by president says dissatisfaction is widespread in schools.

The memorials all seem to indicate that there is a great deal of dissatisfaction in regard to the conduct of colored schools, that there is a reason for the complaint in regard to rating of children, and a general dissatisfaction. I would like to know if the committee has any information on this subject.

Mr. PAGE of North Carolina. I will say to the gentleman a thing that he knows perfectly well, that the committee reporting this bill has no jurisdiction over matters of legislation. It is only concerned in the matter of appropriation. There has been no complaint made to the subcommittee over which I preside concerning any misappropriation of any of the funds made in the bill for the schools of the District. But, in addition to that, since the gentleman has asked the question, and while it is not a matter that immediately concerns the provisions carried in this bill, I will say, although I have not seen the paper that he reads from, that I have heard and have had statements made to me by colored people who are reliable, in my judgment, and who are greatly interested in the school system, complaining bitterly of the management of the schools in the city of Washington; that injustice is frequently done by a lack of appropriate grading and classification. There have been statements made that there is great dissatisfaction in the management and conduct of the schools of the city of Washington. To my mind there is reason for these complaints.

I want to remind the gentleman from Pennsylvania, as well as the members of this committee, that there is a condition existing in the city of Washington touching the administration of school affairs that, I dare say, does not exist in any other city in the United States or on the globe.

Mr. DAVIS. Will the gentleman yield?

Mr. PAGE of North Carolina. Yes.

Mr. DAVIS. These conditions concerning the colored schools are not due to a lack of appropriation but a lack of management, or mismanagement.

Mr. PAGE of North Carolina. Oh, not at all. It is entirely an administration matter and not of appropriation.

Mr. MOORE. It seemed to me that this was the proper place to bring up the question.

Mr. PAGE of North Carolina. I want to say that there is a condition of administration in connection with the schools of the city of Washington that, so far as my knowledge goes, does not exist anywhere else on earth, and that the law itself is responsible, in my judgment, for the lack of proper administration.

Some of you, and perhaps the gentleman from Pennsylvania, will remember that in 1906 we enacted a school law for the District of Columbia. It is generally known as the longevity law, a law that provides for additional pay for teachers merely upon service. I shall have more to say about that a little further on. This same act provided for the organization of a school board in the District of Columbia. But, strange to say, it places the appointment of a school board in the District of Columbia in the hands of the Supreme Court of the District of Columbia. The result is that we have a board of education administering the affairs of the city of Washington that is not answerable to the Commissioners of the District of Colum-

bia, and who are not answerable or responsible to the Congress of the United States. They are answerable to the people who appoint them, the Supreme Court of the District of Columbia, composed of estimable gentlemen appointed for life. Now, if anybody expects a satisfactory administration of school affairs under that state of things, he expects the impossible.

Mr. SLAYDEN. Will the gentleman yield?

Mr. PAGE of North Carolina. Yes.

Mr. SLAYDEN. Who makes the grading of which complaint is made? Is not that made by the teachers?

Mr. PAGE of North Carolina. It is made by the teachers.

Mr. SLAYDEN. Should not the complaint be made to the teachers through the superintendent who has the power to correct it?

Mr. PAGE of North Carolina. The superintendent has not the power to correct it except by sanction of the school board appointed by the Supreme Court of the District of Columbia. They have absolute management even of the detail of the school affairs of the District of Columbia and absolute control over the superintendent, even to his election.

Mr. SLAYDEN. This has nothing whatever to do with the bill.

Mr. PAGE of North Carolina. Absolutely nothing.

Mr. SLAYDEN. But it has raised a very interesting question, and I would like to know what is the injustice in grading. Why should teachers have an animus that would incline them to do an injustice in a simple step in the administration of their schools?

Mr. PAGE of North Carolina. The gentleman will have to address that inquiry to some one else, because I can not imagine why they should.

Mr. SLAYDEN. Are there negro teachers in these negro schools?

Mr. PAGE of North Carolina. There are.

Mr. SLAYDEN. They certainly would not want to do an injustice to the people of their own race?

Mr. MOORE. I think the difference is really between the colored people themselves.

Mr. PAGE of North Carolina. That is correct.

Mr. MOORE. May I take advantage of the gentleman's time just to insert one memorial that is before me?

Mr. PAGE of North Carolina. If it does not take too long.

Mr. MOORE. It is as follows:

MEMORIAL OF COLORED CITIZENS OF WASHINGTON, D. C., INVITING THE ATTENTION OF THE CONGRESS OF THE UNITED STATES TO THE VERY DEPLORABLE CONDITION EXISTING IN THE COLORED BRANCH OF THE WASHINGTON, D. C., SCHOOL SYSTEM.

To the Speaker and Members of the House of Representatives of the United States in Congress assembled:

Your memorialists, citizens of Washington, D. C., credibly informed of the bad conditions in our schools through the report of the school committee of the Oldest Inhabitants' Association (colored) of Washington, D. C., beg to invite through the disclosures of said report the attention of Congress to the very deplorable condition existing in the colored schools of Washington and which the school authorities have during the last five months continued to ignore, though the same has been called to their attention by your memorialists on more than one occasion, and also by the President of the United States, who referred to said board of education October 17, 1914, a copy of said report laid before him.

Your memorialists having vainly sought during the last four months to induce the superintendent of the schools of Washington, D. C., to take cognizance of the self-confessed delinquencies in the rating of the students in Normal School No. 2, and the continuance of said teacher on the pay roll, do now appeal to the Congress of the United States to investigate conditions in the colored branch of the Washington school system as indicated in said report, and grant your memorialists such relief as may seem proper.

Respectfully submitted.

PAUL H. JEFFERSON.
JOHN WILLIAMS.
HENRY TUDY.
OSCAR H. SMITH.
BLANCHE THOMAS.
EUPHRANZIE F. JONES.
ALFRED T. JONES.

That would seem to indicate that appeals to the superintendent are in vain. Of course these memorials are asking for an investigation by Congress. I do not know whether we want to embark on such an investigation, and I was bringing the matter to the attention of the gentleman who has charge of the appropriations to see whether he can throw any light on the subject toward obtaining relief for these memorialists.

Mr. PAGE of North Carolina. Mr. Chairman, I will say to the gentleman in that connection that when we reach the proper place in the bill—and it was not incorporated in the bill, and I did not seek to incorporate it during the time we were formulating the bill or before it was reported from the committee, because I did not really have the time to do it—it is my purpose to offer an amendment not to investigate this one particular instance to which the gentleman has reference, but for a complete survey of the organization and administration of the school affairs of the District of Columbia, and I shall ask, of course, for a small appropriation in order that this may be done, in order that a report may be made to the Congress of the United States, in the hope that out of an investigation of this sort and a report made by an impartial tribunal we may be able by legislation to so reorganize the administration of the school affairs of this District that equity and justice may be administered to every citizen interested in these schools.

Mr. MOORE. Then we may discuss the matter further during the five-minute rule?

Mr. PAGE of North Carolina. Yes.

Mr. MOORE. May I ask the gentleman one further question, and he need not answer this question if his mind is not made up on the subject? Is it the gentleman's judgment that the administration of the school system should be under the direction of the Commissioners of the District of Columbia rather than of the supreme court?

Mr. PAGE of North Carolina. I have no hesitancy in the world in answering the gentleman. I do.

Mr. MOORE. That is, the members of the board of education should be appointed by the Commissioners of the District?

Mr. PAGE of North Carolina. I think so, unquestionably.

Mr. PAYNE. Mr. Chairman, will the gentleman yield?

Mr. PAGE of North Carolina. Yes.

Mr. PAYNE. Mr. Chairman, I want to say to the gentleman that I am very much interested in his discussion of this question, and also his proposition to investigate it. I remember very well when this change was made, during a wave of reform that passed over the House. Nothing could stop it, because some gentlemen had some difficulty with the members of the old school board as it then existed, and it was claimed that everything was to be happy and lovely if they could get these appointments made by the supreme court. It seemed to me at the time that the members of the Supreme Court of the District were the last persons in the world to make these appointments, and while some of us fought it and voted against it, yet the reform, so called, prevailed.

Mr. PAGE of North Carolina. Mr. Chairman, I am very glad, indeed, to know that I shall have the support of the gentleman from New York [Mr. PAYNE] in an effort to restore the administration of the schools to the proper authorities. And now, while I am discussing the schools and this particular law enacted in 1906, which carried this provision for the appointment of a school board by the supreme court, I will say that we also enacted into law what was known as the longevity law in the principle of pay to the teachers of the District of Columbia.

I for one opposed that law at the time it was enacted. I confess that then I did not realize half the iniquity there was in it as I realize it now, and I do not believe that there has been a system placed upon the statute books that carries with it more of injustice, more of inequality, than is contained in the provisions of this act. I know that I am treading on thin ice when I make any reference to a change or any intimation that I would like to change existing conditions respecting the pay of teachers in the city of Washington, but under the present law there is absolutely no merit in promotion. It is automatic and merely means time. Teachers appointed, for instance, in a grade, when first appointed, may be appointed to a position of $600. Later there may be 25 new teachers, as this bill carries 30. Each one of these teachers receives the next year under this law an increase of $50 in their salaries, and the next year an additional $50, and so on until they have reached $800 in that particular class. The teacher who shows aptitude, industry, and capacity for promotion can not under this law be promoted any more rapidly than that teacher who merely does enough to keep from being discharged. There absolutely is no merit in promotion, and it is automatic. When they reach $800 of that particular class they are, by recommendation of this school board, put into the next class, and they start at $800 and their pay is increased $100 a year until they reach $1,200, and then again, when that is exhausted, they are put in the next class, and they advance $100 a year until they reach $1,800, absolutely without any examination or any regard paid to the efficiency of the teacher.

All you have to do under this system as a teacher of the District of Columbia is to do just well enough not to be turned out, and you are promoted just as rapidly as the most efficient and industrious teacher there is in the school. I say that a system that does that is not a good system at least and ought to be abolished. I believe that there are instances innumerable where teachers employed in the city schools of Washington at $600 a year for the first year, showing aptitude, industry, and a capacity to teach, ought to be promoted possibly the very next year to the $1,000 grade, whereas there are many, and I am afraid a majority of those who are employed at $600 ought never to receive another cent of compensation because they are

not worth it. But this system automatically carries them all up, and it is a drain upon the Treasury, and it ought not to be allowed. Why, we carried the first year this was inaugurated an extra appropriation of $43,000 to pay this excess of longevity pay. The estimate submitted to the committee and the Congress upon which this bill was prepared asked this Congress to appropriate $485,000 to pay this excess of longevity pay. There is no man on earth who can state whether it is the proper amount or some other amount. The mathematician does not live who can figure out with accuracy at the end of the school year what they shall have to pay, and no man can tell me—I have not been able to find anyone, the superintendent, the chairman of the school board, the Commissioners of the District of Columbia, all have never been able to give this committee any information as to when we are going to reach the maximum possible under this law. I believe if it were in the power of this committee handling this bill, without the provision being subject to the point of order, if we could legislate there would have been contained in this bill a provision to repeal the statute placed upon the books in 1906. I believe it ought to be repealed and a just system inaugurated into law that takes cognizance of merit of those who have charge of the children of the District of Columbia. Mr. Chairman, how much time have I remaining?

The CHAIRMAN. The gentleman has used 25 minutes and has 25 minutes remaining.

Mr. PAGE of North Carolina. Mr. Chairman, as I said before, and the questions of the gentleman from Pennsylvania [Mr. MOORE] diverted me, we have made appropriations in this bill not only for the maintenance of all the establishments of the District of Columbia in an amount which in the judgment of the committee is sufficient to meet all necessities, but we have gone even beyond that in a great many instances, and while the bill does not provide for a number of new projects that have been suggested, yet it does meet all the necessities of the proper conduct of the affairs of the District of Columbia.

Now, I want to call the attention of the committee to a situation that exists. The gentleman from Iowa [Mr. PROUTY] touched upon this just a few minutes ago. The amount of money required from the District of Columbia under existing law to meet the District's share of the appropriations provided in this bill is $5,566,764.22. The amount of taxes that are estimated for the fiscal year 1916 by the District Commissioners amounts in round numbers to $8,000,000. Here are more than $2,000,000—say two and a half million dollars—for which no provision whatever is made. Gentlemen of the committee, we have discussed, certainly in the last appropriation bill, because of that section becoming somewhat famous as section 8 in which we undertook to change the ratio of payment as between the District and the General Government in the conduct of the affairs of the District, and I want to say now, under the facts as they are presented before us by the Commissioners of the District of Columbia, who make the estimate for the needs of the District of Columbia, that the amount available under the current law is vastly in excess of the possibility of wise expenditure. Under the present law if it is met this District appropriation bill would carry, and of necessity carry, $16,000,000. I do not hesitate to make the statement, and I believe it would be agreed in by every Member of this House who has investigated in the slightest degree the necessities of the District of Columbia, that it is absolutely impossible to expend in this District without the rankest waste and extravagance $16,000,000 in the conduct of its affairs in any one fiscal year.

You must admit one of two things—that we have either got too much money or that we must be spending too much money and spending it, too, unwisely and wastefully. This has been referred to as the organic act, but there is nothing more organic about it than any other statute that is written on the books by the Congress. It is sacred in the eyes of a certain element in the District of Columbia; but I say to you that unless you change that law—and this is the responsible body for the government of the District af Columbia, and the responsibility rests with us—unless you change the law that provides that the National Government must match every dollar that is raised in taxation in the District of Columbia and expended in this District, you must make up your mind that you are going to spend money with recklessness and waste. The system has broken itself down, and it has broken itself down in spite of what the gentleman from Iowa [Mr. PROUTY] said to you is true—that the amount of taxes levied and raised upon the property in this District is less both in assessment and in rate than in any other city in the United States of America; in the face of the fact that, so far as my observation goes, no other population in the United State enjoys as great privilege as do the private citizens of the District of Columbia. The time has come, in my judgment, when this Congress should change this law and place it upon a basis of fairness and equity—fairness to the general taxpayers of the United States—and deal out nothing more than exact justice to the property owners of the District of Columbia.

If you investigate no further than to read the newspapers that are published in this city, you would suppose that no other population on earth was so burdened with taxes as the residents of the District of Columbia. The facts are all against them. As a matter of fact, I do not believe there is a Member of this House, living in any jurisdiction in the United States of America, if he owns property in that jurisdiction, that does not pay a higher rate of taxation upon it than any citizen of the District of Columbia pays upon his property. I live in a village in the State of North Carolina, a State whose taxes are possibly as low or lower than the average of the States in this Union. I live in a village of less than 1,000 people, and I pay more taxes, twice over, than are paid in the District of Columbia by any citizen in it, because I pay not only a tax upon the property that I own for the purposes of that village, but I am assessed, as are you, for the maintenance of your county and the maintenance of your State. And the tax rate in the State of North Carolina amounts to more than 2 per cent for a man who has a municipal tax to pay. I state there is not a gentleman here who has a less rate than 2 per cent, and usually on the full valuation. And yet in the District of Columbia, living here with all the advantages that have come because of the presence of the National Capital, with numbers of advantages that do not exist in most cities, at least—and I own a piece of property in the District of Columbia, and know what I am talking about—their property is assessed at about two-thirds of its value and at 15 mills, which amounts to what Judge PROUTY has said, that I am paying 10 mills, or $1, whereas in my State, or in my home, I pay more than $2. And so do you. And yet I am taxed at the rate of 20 mills to help conduct the affairs of the District of Columbia, whose citizenship pays 10 mills. And even at this extremely low rate of taxation, with only tangible property placed upon the tax books, they are raising now more money than can be wisely expended under the present law. And it is high time that there was inaugurated some other system by which we should levy taxes and administer the affairs of this District.

I am not one of those who would contend that there is no obligation upon the General Treasury, upon the National Government, for the maintenance of this District. On the other hand, I contend that we have an obligation that we should discharge. I do not believe that it can be measured by any per cent. I have never believed that any man could justify by the matter of percentages the obligations of the National Government to its Capital. It is a matter merely of the needs and not of percentages. I stand here and say unreservedly that when taxes, levied in the proper amount and at the proper rate upon the property of the citizens of the District of Columbia, are raised and exhausted, whatever amount it may be, it is the duty of this Congress and of the National Government to supplement that sum in whatever amount is necessary for the proper conduct of this District. I do not care whether it is 25 per cent or whether, in an emergency, it might be 75 per cent. It is not a matter to be measured by percentages, but, as I said awhile ago, by the necessities that exist for the expenditure of money. And I think it is a simple matter to arrange, and that it is high time that it was arranged.

I hope that the membership of this committee will lend us their aid in the quick passage of the bill under consideration. I want to say for myself, and I imagine I speak for every Member of this House, that we want to finish these appropriation bills, and, unless we do, our expectation of going home on the 4th day of March and staying there will be thwarted. There is but one way, and that is to diligently keep at work upon these bills. I hope that this committee may have the cooperation of every Member in the House in the dispatch of this bill. [Applause.]

The Clerk will read.

The Clerk read as follows:

Be it enacted, etc., That one half of the following sums, respectively, is appropriated, out of any money in the Treasury not otherwise appropriated, and the other half, out of the revenues of the District of Columbia, in full for the following expenses of the government of the District of Columbia for the fiscal year ending June 30, 1916, namely:

Mr. JOHNSON of Kentucky. Mr. Chairman, I offer the following amendment:

The CHAIRMAN. The gentleman from Kentucky [Mr. JOHNSON] offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amend, on page 1, by striking out the words "one half of," in line 3; and the words "out of the money in the Treasury not otherwise appropriated, and the other half out of the revenues of the District of Columbia," in lines 4, 5, and 6; and the word "namely," in line 9, all on page 1, and insert the following as an amendment thereto: "That all

moneys appropriated for the expenses of the government of the District of Columbia shall be paid out of the revenues of said District to the extent that they are available, and the balance shall be paid out of money in the Treasury of the United States not otherwise appropriated, but the amount to be paid from the Treasury of the United States shall in no event be as much as one-half of said expenses, and all laws in conflict herewith are hereby repealed."

Mr. STAFFORD. Mr. Chairman, I reserve a point of order on the provision.

The CHAIRMAN. The gentleman from Wisconsin [Mr. STAFFORD] reserves a point of order on the amendment.

Mr. STAFFORD. I would like to have some explanation of the amendment before withdrawing the reservation or insisting on the point.

Mr. JOHNSON of Kentucky. Mr. Chairman, the explanation of it simply is this: Under the provisions of my amendment all of the money raised by the District of Columbia from taxation and privileges would be first expended; then, whatever balance was necessary after that, in order to meet the expenses of the District Government, will be paid out of the Federal Treasury, not to exceed one-half.

Mr. FOSTER. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. Does the gentleman from Kentucky yield to the gentleman from Illinois?

Mr. JOHNSON of Kentucky. I do.

Mr. FOSTER. I did not understand that the gentleman's amendment cuts out the language "in full for the following expenses."

Mr. JOHNSON of Kentucky. It was not so intended.

Mr. FOSTER. I thought it did. It ought not to do that.

Mr. PAGE of North Carolina. Mr. Chairman, I ask that the Clerk again report the amendment.

The CHAIRMAN. Without objection, the Clerk will again report the amendment.

Mr. FITZGERALD. I will ask, Mr. Chairman, that the Clerk report the paragraph as it would read if amended.

The CHAIRMAN. The Clerk will report the paragraph as it would read if the amendment were adopted.

Mr. JOHNSON of Kentucky. I suggest, Mr. Chairman, that the word "and" be inserted, so that it will read correctly.

The Clerk read as follows:

And that the following sums——

Mr. FITZGERALD. There should be no "and" there.

Mr. BORLAND. "And" follows the word "sixteen," in line 8.

The Clerk read as follows:

That the following sums, respectively, are appropriated in full for the following expenses of the government of the District of Columbia for the fiscal year ending June 30, 1916: That all moneys appropriated for the expenses of the government of the District of Columbia shall be paid out of the revenues of said District to the extent that they are available, and the balance shall be paid out of money in the Treasury of the United States not otherwise appropriated, but the amount to be paid from the Treasury of the United States shall in no event be as much as one-half of said expenses, and all laws in conflict herewith are hereby repealed.

Mr. STAFFORD. Mr. Chairman, I wish to inquire of the chairman of the committee whether this is not, in substance, section 8, which was passed last year, with a limitation that the one-half provision that the National Government shall be paid is to be operative?

Mr. PAGE of North Carolina. I will say to the gentleman that this proposition is very different, indeed, from the proposition submitted a year ago in section 8. Section 8, if the gentleman will remember, provided that the surplus of District revenues should be converted into the Treasury to the credit of miscellaneous receipts. This proposes to expend entirely the receipts of the District revenue supplemented in whatever amount may be necessary in the proper conduct of the District, not to exceed an equal amount, from the National Treasury.

Mr. STAFFORD. The effect on the taxpayers of the District would be the same; instead of the surplus money being turned into miscellaneous receipts, they would go to the respective appropriations.

Mr. PAGE of North Carolina. They would get the benefit of all the taxes under this provision that they pay, whereas under the other provision a certain amount of the taxes might be turned into the Treasury. I think there is a considerable difference.

Mr. STAFFORD. I think it is largely a question of bookkeeping.

Mr. MANN. Mr. Chairman, evidently the amendment was not reported the way the gentleman desires it to read. I suppose the gentleman wants it to read: "The following sums, respectively, are appropriated."

Mr. CLARK of Missouri. The word "is" ought to be changed to "are."

Mr. FITZGERALD. The word "is" should be changed to "are," and I suggest to the gentleman that that be done.

Mr. JOHNSON of Kentucky. Mr. Chairman, I ask unanimous consent that the word "is" in the printed bill be changed to "are."

The CHAIRMAN. Without objection, it will be so changed. There was no objection.

Mr. STAFFORD. Mr. Chairman, I withdraw my reservation of the point of order.

Mr. MANN. I renew the point of order. The gentleman from Kentucky has not yet stated that he has any authority from the committee to offer the amendment.

Mr. JOHNSON of Kentucky. Mr. Chairman, I do not concede that that is necessary; but, to be on the safe side, I want to say that the following resolution was adopted by the committee when this matter was under consideration by the committee.

At a meeting of the committee on the District of Columbia, held on the 9th day of December, 1914, H. R. 19547 having been called up for consideration the following resolution was adopted, to wit:

Be it resolved by the committee that H. R. 19547 be reported to the House with the expression of opinion that it should pass when amended by striking out the word "exceed," in line 9, and inserting in lieu thereof the words "be as much as"; and further, that said bill as amended by the committee, or the substance thereof when put into the form of an amendment, be offered as an amendment to H. R. 19422 while said bill No. 19422 is being considered in the Committee of the Whole on the state of the Union or in the House.

Mr. MANN. I concede that that authority of the committee would authorize the gentleman from Kentucky to offer that proposition to this bill under the Holman rule, if it was offered and is germane, but that is not the proposition that has been offered. That is entirely distinct from the proposition now presented.

Mr. JOHNSON of Kentucky. There is no difference. The bill H. R. 19547, a copy of which I send to the Clerk's desk, and which I will insert in the RECORD, was before the committee for consideration. That House bill, in its exact form, could not be offered as an amendment, and therefore the committee adopted the resolution that that bill, or the substance of it, when put into a resolution which would fit the District appropriation bill, should be offered as an amendment. Under the Holman rule the report of a committee having jurisdiction of the matter, or of a commission to which has been referred the consideration of a matter to make a report to the House, upon that report the matter would become eligible as an amendment to the bill. Now, a commission could do nothing more than to make a suggestion; but the substance of this bill has been offered in this amendment, and the resolution covers that very situation.

The bill reads as follows:

A bill (H. R. 19547) to provide for the manner of paying the expenses of the government of the District of Columbia.

Be it enacted, etc., That all moneys appropriated for the expenses of the government of the District of Columbia shall be paid out of the revenues of said District to the extent that they are available, and the balance shall be paid out of the money in the Treasury of the United States not otherwise appropriated, but the amount to be paid from the Treasury of the United States shall in no event be as much as one-half of said expenses.

SEC. 2. That all laws in conflict herewith are hereby repealed.

Mr. MANN. Mr. Chairman, the gentleman from Kentucky says that the amendment which he has offered is in substance the bill which the committee authorized him to report. If that be the case, the amendment is not in order. The paragraph under consideration just read simply makes an appropriation of the sum thereafter named, and provides the funds out of which they shall be paid. We ordinarily make an appropriation of so many dollars out of any funds in the Treasury not otherwise appropriated. That is a mere definition of the funds in the Treasury out of which the appropriation is to be paid.

I concede that under the authority granted by the committee the gentleman probably might offer an amendment changing the fund out of which this appropriation is to be paid, but that is not the amendment which has been offered. The only provision in this paragraph in relation to the appropriation made in this bill for the fiscal year ending June 30, 1916, while the gentleman's amendment seeks, under pretext of amending this provision, to amend the law for all time, or until it shall be changed hereafter. That amendment is not germane to this provision of the bill. The gentleman might offer an amendment, I think, under the action of his committee fixing the fund in accordance with the action of the committee out of which this appropriation for the fiscal year 1916 is to be paid, but it is not a germane amendment to seek to hang onto this provision a provision changing the law or repealing existing law. He has endeavored to go too far, Mr. Chairman. It is perfectly patent to the Chair and every one else that where you have a provision appropriating $10,000 out of funds in the Treasury not otherwise appropriated that you could not hang onto that a

provision repealing law or changing law or adding new law which does not relate to it. It would not be germane. The only provision in this bill is in reference to the appropriations or the sums carried in this bill for the fiscal year named, and it is not in order as a matter of germaneness to seek to repeal law or change law relating to other years.

Mr. CRISP. Mr. Chairman, I ask the indulgence of the Chair to say just a few words upon this point of order. The proposer of the amendment, the gentleman from Kentucky [Mr. JOHNSON], in his statement to the Chair said that he did not concede that this amendment would not be in order offered in his individual capacity, without any authority from the committee, and in what I shall say to the Chair I shall take the position that this amendment would be in order, offered by an individual Member from the floor, without any authority from the committee having jurisdiction of the legislative subject. What is the rule? Rule XXI provides that an amendment proposing legislation on an appropriation bill is in order under certain contingencies, and one of those contingencies is by the reduction of the amount of money appropriated in the bill. This amendment seeks to repeal the act of 1878, which commits the Government to contributing one-half of the amount expended for maintaining the government of the District of Columbia. What does this amendment seek to do? It seeks to repeal that, and as it is certainly germane the question follows, Does this amendment reduce the amount covered by the bill? If the Chair will notice this amendment, he will see that it repeals the act of 1878, and provides that in no event shall the amount appropriated out of the Treasury of the United States for the District government equal one-half of the amount appropriated for the District of Columbia. Therefore it is bound to reduce the amount that the Government of the United States contributes to the support and maintenance of the government of the District of Columbia. Clearly, it does reduce the amount covered by the bill.

Mr. MANN. Mr. Chairman, will the gentleman yield?

Mr. CRISP. Certainly.

Mr. MANN. The gentleman from Georgia was, I think, absent on account of illness last year?

Mr. CRISP. Yes.

Mr. MANN. The Chair ruled on two or three occasions that an amendment substantially like this was a reduction or retrenchment of expenditures, although it did not even limit it to less than one-half. The argument was made by some of us that it was uncertain whether it was a retrenchment of expenditures. Two or three chairmen—two at least, I am sure—on substantially the same thing ruled, and I think that would be the settled construction in the House now, that it was, even if that limitation had not been placed upon it.

Mr. CRISP. As I understood and caught the reading of the amendment, it provided that in no case should the amount appropriated from the Treasury of the United States be as much as one-half.

Mr. MANN. I understand, and I suppose the gentleman did catch the amendment. I have no doubt that he prepared that part of it, but I say, irrespective of that, I think the Chair ruled twice last year, so far as that point is concerned, it would be in order.

Mr. CRISP. As the gentleman from Illinois states, I was not here last year on account of a very serious and protracted illness, and I am not familiar with the decisions referred to. But I do desire to call the attention of the Chair to an analogous case and a decision based upon this very proposition. This was a decision made in the Fifty-second Congress, based on this Holman rule, and the language of the rule, so far as this is concerned, is identical with what it is to-day. In that Congress the late Mr. De Armond, of Missouri, moved to recommit the District of Columbia appropriation bill to the Committee on Appropriations, with instructions to report it back reducing the amount or proportion that the Government of the United States was to pay toward the maintenance of the government of the District of Columbia. The point of order was made that that amendment was legislation and not in order on an appropriation bill. The Chair held that it was, and, with the indulgence of the Chair, I will read the decision. I read from page 361 of the Manual, under Rule XXI, section 825:

> Question being on the passage of the District of Columbia appropriation bill, a motion to recommit with instructions to reduce the proportion of the fund appropriated from the Public Treasury from one-half, as provided in the bill, to one-fourth of the entire appropriation is in order, since the effect of the amendment, if adopted, would reduce the expenditure of public money, although not reducing the amount of the appropriation.

Mr. Chairman, I respectfully contend that this amendment repeals the act of 1878, and it necessarily reduces the amount of money appropriated from the public funds of the Treasury of the United States for the maintenance of the District of Columbia, because under the amendment the amount appropriated from the United States funds can in no case be as much as one-half of the total amount of the bill, as the present law requires. Therefore, in my opinion, the amendment offered by an individual Member from the floor without authority from the committee having legislative jurisdiction of the subject is clearly in order under the Holman rule.

The CHAIRMAN. The Chair is of opinion that there is but one question in this, and that is the question of germaneness. The Chair will resolve that in favor of the amendment and hold that it is in order. The Chair, therefore, overrules the point of order. The question is on the amendment offered by the gentleman from Kentucky.

Mr. MANN. Mr Chairman, does the gentleman from North Carolina expect to have a vote on this amendment to-night?

Mr. PAGE of North Carolina. I would like very much if we could reach a vote on this amendment, if we can reach an agreement as to the time for discussion under the five-minute rule. How much time does the gentleman from Illinois desire?

Mr. MANN. I will not want much time, as far as I am concerned.

Mr. PAGE of North Carolina. Oh, I think before 6 o'clock we can determine this matter and reach a vote.

The CHAIRMAN. The gentleman can determine it right now by the Chair putting the question.

Mr. PAGE of North Carolina. As far as the chairman of the committee is concerned, I do not desire any time, and I am ready to vote, but I do not know about gentlemen around me.

Mr. MANN. My observation is that gentlemen who do not desire any time to begin with usually want time before they get through.

Mr. PAGE of North Carolina. I will admit that something may be said that might provoke me to consume some time, but at present I have no intention of consuming the time of the committee.

Mr. OGLESBY. Will the gentleman yield to me for a question?

Mr. PAGE of North Carolina. I yield to the gentleman.

Mr. OGLESBY. Is it not a fact that this amendment involves the repeal of the half-and-half proposition?

Mr. PAGE of North Carolina. In my opinion it repeals it, but it only repeals it for the year for which this appropriation is made. There may be some difference of opinion about that, but it certainly repeals it as far as this appropriation goes.

Mr. OGLESBY. Does the gentleman think a discussion and settlement of that proposition can be had between now and 6 o'clock?

Mr. PAGE of North Carolina. Oh, I think it could. How much time would the gentleman like to have to discuss it? We are trying to find that out.

Mr. MONDELL. Mr. Chairman, the gentleman will realize that there is no quorum present, and if somebody should insist on a quorum——

Mr. PAGE of North Carolina. Oh, if some gentleman wants people here to hear him he can force me to desist now.

Mr. MANN. That is not the point. Undoubtedly one side or the other would want a quorum when it comes to a vote.

Mr. MONDELL. My suggestion was that a quorum would be insisted on.

Mr. MANN. Would it not be the wisest thing now to see if we can not agree upon a time for debate, and then let it go over until to-morrow, because you do not want to finish debate to-night.

Mr. PAGE of North Carolina. Unless there is an indication of a desire for time, which has not manifested itself so far, I would make the proposition that debate could be concluded on this amendment in 30 minutes.

Mr. BORLAND. Will the chairman of the committee allow me to make a suggestion?

Mr. PAGE of North Carolina. I yield to the gentleman.

Mr. BORLAND. Why would it not be better to proceed with the reading of the bill and let this matter go over until after the other paragraphs are concluded?

Mr. PAGE of North Carolina. I do not think we would be in any better condition then, I will say to the gentleman, because we would have to go through the same performance when possibly we might have less people here than now.

Mr. MANN. I suggest this to the gentleman: It is quite certain the gentleman would have to have a quorum in the House, and I expect he could get them to-night at the time of the vote. Now, I have discovered that it is not wise to finish a debate on a proposition at night and then start in and vote the first thing in the morning. Let us agree upon a time for debate to-night and then quit until to-morrow.

Mr. PAGE of North Carolina. What does the gentleman suggest?

Mr. MANN. I was trying to find out from people how much time they wanted. As far as I am concerned I do not want much time. Who wants time?

Mr. PAGE of North Carolina. Mr. Chairman, in view——

Mr. MANN. I would be willing to make it 30 minutes on a side. That is a very reasonable debate.

Mr. PAGE of North Carolina. I am willing to accept that on this amendment. I realize that it is a matter of some importance to some gentlemen in the House and of some importance to the District, and if 30 minutes be consumed to-night then I will make the motion that the committee rise.

Mr. MANN. But we do not want to go ahead now.

Mr. PAGE of North Carolina. Then, Mr. Chairman——

Mr. MANN. Let us fix the time if we are going to do so.

Mr. PAGE of North Carolina. Mr. Chairman, I ask unanimous consent that debate on this paragraph and all amendments thereto be concluded in one hour—one half of the time to be controlled by myself and the other half by the gentleman from Minnesota [Mr. DAVIS].

The CHAIRMAN. The gentleman from North Carolina asks unanimous consent that debate on this paragraph and all amendments thereto close in one hour—one-half of the time to be controlled by himself and one-half by the gentleman from Minnesota. Is there objection? [After a pause.] The Chair hears none.

Mr. PAGE of North Carolina. Mr. Chairman, I move that the committee do now rise.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. GARNER, Chairman of the Committee of the Whole House on the state of the Union, reported that the committee had had under consideration the bill H. R. 19422, the District of Columbia appropriation bill, and had come to no resolution thereon.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted as follows:

To Mr. DRUKKER, indefinitely, on account of illness in his family.

To Mr. BALTZ, on account of the death of his brother.

HOUR OF MEETING TO-MORROW.

Mr. PAGE of North Carolina. Mr. Speaker, I ask unanimous consent that when the House adjourns to-day it adjourn to meet at 11 o'clock a. m. to-morrow.

The SPEAKER. The gentleman from North Carolina asks unanimous consent that when the House adjourns to-day it adjourn to meet at 11 o'clock a. m. to-morrow. Is there objection?

Mr. MANN. I object.

ADJOURNMENT.

Mr. PAGE of North Carolina. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 22 minutes p. m.) the House adjourned until to-morrow, Friday, December 11, 1914, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1. A letter from the chairman of the Interstate Commerce Commission, transmitting twenty-eighth annual report of the Interstate Commerce Commission (H. Doc. No. 1389); to the Committee on Interstate and Foreign Commerce and ordered to be printed.

2. A letter from the Secretary of the Interior, transmitting copy of a letter from Messrs. Daly, Hoyt & Mason, counselors at law, of New York, embodying a further report of the operation of the Maritime Canal Co. of Nicaragua (H. Doc. No. 1327); to the Committee on Interstate and Foreign Commerce and ordered to be printed.

3. A letter from the Attorney General, transmitting annual report of the Department of Justice, as required by law (H. Doc. No. 1390); to the Committee on the Judiciary and ordered to be printed.

4. A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, reports on preliminary examination and survey of Big Annemessex River, Md., with a view to providing a suitable channel from Clear Creek Point to Muddy Creek Point (H. Doc. No. 1328); to the Committee on Rivers and Harbors and ordered to be printed, with illustrations.

5. A letter from the Clerk of the House of Representatives, submitting a list of reports to be made to Congress by public officers during the Sixty-third Congress (H. Doc. No. 1329); to the Committee on Accounts and ordered to be printed.

6. A letter from the Secretary of Agriculture, transmitting report on present condition and value of tract of land known as Mount Weather, Va., on which there was maintained the United States weather station (H. Doc. No. 1330); to the Committee on Agriculture and ordered to be printed.

7. A letter from the Secretary of War, transmitting report of allotments from the appropriation of $20,000,000 for the preservation and maintenance of existing rivers and harbors works for the fiscal year ending June 30, 1915 (H. Doc. No. 1331); to the Committee on Rivers and Harbors and ordered to be printed.

8. A letter from the Secretary of War, transmitting statement showing expenditure of money appropriated for the collection of military records of the Revolutionary War, during the fiscal year ended June 30, 1914 (H. Doc. No. 1332); to the Committee on Appropriations and ordered to be printed.

9. A letter from the Secretary of War, transmitting statement showing the number of typewriting machines purchased by the War Department for the first three months of the fiscal year (H. Doc. No. 1333); to the Committee on Appropriations and ordered to be printed.

10. A letter from the Secretary of the Interior, transmitting report of disbursements for the fiscal year 1915 from the proceeds of the sale of public lands, for the support of the colleges for the benefit of agriculture and the mechanic arts (H. Doc. No. 1334); to the Committee on Agriculture and ordered to be printed.

11. A letter from the Secretary of War, transmitting 1,027 reports of inspections of disbursements and transfers by officers of the Army received in the office of the Inspector General during the past fiscal year (H. Doc. No. 1335); to the Committee on Military Affairs and letter only ordered to be printed.

12. A letter from the Secretary of the Treasury, transmitting copies of communications of the Postmaster General submitting revised and decreased estimates of appropriations in connection with certain items for the Postal Service for the fiscal year 1916 (H. Doc. No. 1336); to the Committee on the Post Office and Post Roads and ordered to be printed.

13. A letter from the Secretary of the Treasury, transmitting copies of communications of the Postmaster General submitting revised and increased estimates of appropriations in connection with certain items for the Postal Service for the fiscal year 1916 (H. Doc. No. 1337); to the Committee on the Post Office and Post Roads and ordered to be printed.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. LINDQUIST: A bill (H. R. 19739) providing for the labeling, marking, and tagging of all fabrics, leather and rubber goods as hereinafter designated, and providing for the fumigation of same; to the Committee on Interstate and Foreign Commerce.

By Mr. SMITH of Maryland: A bill (H. R. 19740) to amend section 857 of the Code of Laws for the District of Columbia; to the Committee on the District of Columbia.

By Mr. JOHNSON of Washington: A bill (H. R. 19741) to provide for the purchase of ground and erection of a public building thereon for an immigration station in or adjacent to the city of Tacoma, Wash.; to the Committee on Public Buildings and Grounds.

By Mr. PRICE: A bill (H. R. 19742) for the purchase of a site and the erection thereon of a public building at Easton, Md.; to the Committee on Public Buildings and Grounds.

By Mr. LA FOLLETTE: A bill (H. R. 19743) granting certain lands to school district No. 56, Klickitat County, Wash., and authorizing the issuance of a patent therefor; to the Committee on the Public Lands.

By Mr. FOWLER: A bill (H. R. 19744) to amend an act entitled "An act granting pensions to certain enlisted men, soldiers, and officers who served in the Civil War and the War with Mexico," approved May 11, 1912, by amending section four thereof so as to include soldiers in the Indian War; to the Committee on Invalid Pensions.

By Mr. BROCKSON: A bill (H. R. 19745) providing for a site and public building for post-office and other Federal purposes at Seaford, Del.; to the Committee on Public Buildings and Grounds.

By Mr. ADAMSON: A bill (H. R. 19746) to authorize aids to navigation and other works in the Lighthouse Service, and for

other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. GUERNSEY: A bill (H. R. 19747) to increase the pension of those who have lost limbs or have been totally disabled in the same in the military or naval service of the United States; to the Committee on Invalid Pensions.

By Mr. SLAYDEN: Concurrent resolution (H. Con. Res. 54) authorizing the appointment of a committee to inquire into and report concerning the equity of the existing taxing system in the District of Columbia; to the Committee on Rules.

By Mr. GARDNER: Joint resolution (H. J. Res. 384) authorizing the Secretary of War to increase the personnel of the Army; to the Committee on Military Affairs.

By Mr. BELL of Georgia: Resolution (H. Res. 671) appropriating $400 for folding speeches; to the Committee on Accounts.

By Mr. GARNER: Resolution (H. Res. 672) directing the Secretary of the Treasury to transmit to the House of Representatives all facts in his possession with reference to the conduct of the collector of customs of the Laredo district, in the State of Texas; to the Committee on Ways and Means.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ADAIR: A bill (H. R. 19748) granting a pension to Maria Routte; to the Committee on Pensions.

By Mr. ASHBROOK: A bill (H. R. 19749) granting an increase of pension to Martha Deny; to the Committee on Invalid Pensions.

By Mr. BELL of Georgia: A bill (H. R. 19750) granting an increase of pension to Louisa M. Johnson; to the Committee on Pensions.

By Mr. BRUMBAUGH: A bill (H. R. 19751) granting a pension to Elizabeth J. Craig; to the Committee on Invalid Pensions.

By Mr. CAMPBELL: A bill (H. R. 19752) granting an increase of pension to Charles H. De Moss; to the Committee on Invalid Pensions,

By Mr. CARR: A bill (H. R. 19753) granting a pension to David Forsythe; to the Committee on Pensions.

Also, a bill (H. R. 19754) granting an increase of pension to Eliza C. Miller; to the Committee on Invalid Pensions.

Also, a bill (H. R. 19755) granting an increase of pension to Lucinda Beal; to the Committee on Invalid Pensions.

By Mr. DIXON: A bill (H. R. 19756) granting an increase of pension to William L. Marshall; to the Committee on Invalid Pensions.

Also, a bill (H. R. 19757) granting an increase of pension to John W. Dashiell; to the Committee on Invalid Pensions.

Also, a bill (H. R. 19758) granting an increase of pension to William B. Sisk; to the Committee on Invalid Pensions.

Also, a bill (H. R. 19759) granting an increase of pension to George W. Smith; to the Committee on Invalid Pensions.

Also, a bill (H. R. 19760) granting an increase of pension to Elisha Thomas; to the Committee on Invalid Pensions.

By Mr. EAGAN: A bill (H. R. 19761) granting a pension to Myra Shine; to the Committee on Invalid Pensions.

By Mr. ESCH: A bill (H. R. 19762) granting an increase of pension to John Wilhelm; to the Committee on Invalid Pensions.

By Mr. FESS: A bill (H. R. 19763) granting an increase of pension to Robert Mountjoy; to the Committee on Invalid Pensions.

By Mr. FOWLER: A bill (H. R. 19764) for the relief of T. E. Gage; to the Committee on Claims.

By Mr. GARDNER: A bill (H. R. 19765) granting a pension to William G. Webber; to the Committee on Pensions.

Also, a bill (H. R. 19766) granting a pension to Frank B. Broadie; to the Committee on Pensions.

By Mr. GUERNSEY: A bill (H. R. 19767) granting an increase of pension to William R. Ladd; to the Committee on Invalid Pensions.

Also, a bill (H. R. 19768) granting an increase of pension to Samuel W. Goodwin; to the Committee on Invalid Pensions.

By Mr. HAMILTON of Michigan: A bill (H. R. 19769) granting a pension to Sarah J. Ayers; to the Committee on Invalid Pensions.

Also, a bill (H. R. 19770) granting a pension to Rose E. Wicoff; to the Committee on Pensions.

Also, a bill (H. R. 19771) granting an increase of pension to John D. McDearmon; to the Committee on Invalid Pensions.

Also, a bill (H. R. 19772) granting an increase of pension to William Ray; to the Committee on Invalid Pensions.

By Mr. JOHNSON of Washington: A bill (H. R. 19773) granting a pension to Susan E. Euston; to the Committee on Invalid Pensions.

By Mr. KIESS of Pennsylvania: A bill (H. R. 19774) granting a pension to William Lammerhirt; to the Committee on Pensions.

By Mr. KINKAID of Nebraska: A bill (H. R. 19775) granting an increase of pension to William Pickerill; to the Committee on Invalid Pensions.

By Mr. LLOYD: A bill (H. R. 19776) granting an increase of pension to Abner B. Johnson; to the Committee on Invalid Pensions.

Also, a bill (H. R. 19777) granting an increase of pension to William S. Stewart; to the Committee on Invalid Pensions.

By Mr. McKENZIE: A bill (H. R. 19778) granting an increase of pension to Mary Jane Devlin; to the Committee on Invalid Pensions.

Also, a bill (H. R. 19779) granting an increase of pension to Anna R. Laing; to the Committee on Invalid Pensions.

Also, a bill (H. R. 19780) granting an increase of pension to Rachel Pope; to the Committee on Invalid Pensions.

By Mr. MOTT: A bill (H. R. 19781) for the relief of Anthony J. Coccaro; to the Committee on Claims.

By Mr. MURRAY: A bill (H. R. 19782) granting a pension to James H. Johns; to the Committee on Invalid Pensions.

By Mr. NEELY of West Virginia: A bill (H. R. 19783) granting a pension to Jess Musgrave; to the Committee on Pensions.

By Mr. QUIN: A bill (H. R. 19784) for the relief of the heirs of William August Ahrend, deceased; to the Committee on War Claims.

Also, a bill (H. R. 19785) for the relief of the heirs of Tobias Clark, deceased; to the Committee on War Claims.

Also, a bill (H. R. 19786) for the relief of the heirs of James Franklin Ford, deceased; to the Committee on War Claims.

By Mr. ROUSE: A bill (H. R. 19787) granting an increase of pension to Emily Jane Hilton; to the Committee on Invalid Pensions.

Also, a bill (H. R. 19788) granting an increase of pension to Martin V. Hunt; to the Committee on Invalid Pensions.

By Mr. RUSSELL: A bill (H. R. 19789) granting a pension to Nathan D. Gardner; to the Committee on Invalid Pensions.

By Mr. SCULLY: A bill (H. R. 19790) granting a pension to Caroline M. Morris; to the Committee on Invalid Pensions.

Also, a bill (H. R. 19791) granting an increase of pension to George Hartsgrove; to the Committee on Invalid Pensions.

Also, a bill (H. R. 19792) granting an increase of pension to Cornelia A. Shemo; to the Committee on Pensions.

Also, a bill (H. R. 19793) granting an increase of pension to George H. Hendrickson; to the Committee on Pensions.

By Mr. SELLS: A bill (H. R. 19794) granting a pension to Daniel Owens; to the Committee on Pensions.

By Mr. SMITH of Minnesota: A bill (H. R. 19795) for the relief of Silas Overmire; to the Committee on Military Affairs.

Also, a bill (H. R. 19796) granting an increase of pension to Allen J. Phelps; to the Committee on Invalid Pensions.

Also, a bill (H. R. 19797) granting an increase of pension to John Wright; to the Committee on Invalid Pensions.

By Mr. TAVENNER: A bill (H. R. 19798) granting a pension to Elvira Russell; to the Committee on Invalid Pensions.

Also, a bill (H. R. 19799) granting a pension to Ellen Hutchins; to the Committee on Invalid Pensions.

Also, a bill (H. R. 19800) granting an increase of pension to Laura A. Norris; to the Committee on Invalid Pensions.

Also, a bill (H. R. 19801) granting an increase of pension to Martha K. Hass; to the Committee on Invalid Pensions.

Also, a bill (H. R. 19802) granting an increase of pension to W. K. Smith; to the Committee on Invalid Pensions.

Also, a bill (H. R. 19803) granting an increase of pension to James S. Hunter; to the Committee on Invalid Pensions.

By Mr. TEN EYCK: A bill (H. R. 19804) granting a pension to Adelia Vosburgh; to the Committee on Invalid Pensions.

Also, a bill (H. R. 19805) granting an increase of pension to James H. Gallup; to the Committee on Invalid Pensions.

Also, a bill (H. R. 19806) granting an increase of pension to Emil B. Koenig or King; to the Committee on Invalid Pensions.

Also, a bill (H. R. 19807) granting an increase of pension to Peter S. McIntosh; to the Committee on Invalid Pensions.

By Mr. WHITE: A bill (H. R. 19808) granting an increase of pension to John C. Brady; to the Committee on Invalid Pensions.

By Mr. WILLIAMS. A bill (H. R. 19809) granting an increase of pension to Samuel Chapman; to the Committee on Invalid Pensions.

Also, a bill (H. R. 19810) granting an increase of pension to Tapley T. Dodge; to the Committee on Invalid Pensions.

Also, a bill (H. R. 19811) granting an increase of pension to Robert N. Jessop; to the Committee on Invalid Pensions.

By Mr. WINGO: A bill (H. R. 19812) granting an increase of pension to George W. Tilman; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. ASHBROOK: Papers to accompany H. R. 11029, for relief of William Cagney; to the Committee on Invalid Pensions.

By Mr. BAILEY (by request): Petition of I. S. Miller and A. & I. Hoover, of Newry, Pa., and A. S. King, J. G. Gousman, and E. H. & B. Claar, of East Freedom, Pa., favoring H. R. 5308, to tax mail-order houses; to the Committee on Ways and Means.

By Mr. BRITTEN: Memorial of Painters' Local Union, No. 275, of Chicago, Ill., urging Congress to prohibit the exporting of all food products to Europe; to the Committee on Foreign Affairs.

Also, memorial of Local No. 143, International Union of Steam and Operating Engineers of Chicago, Ill., urging the passage of the Hamill bill, H. R. 5139; to the Committee on Reform in the Civil Service.

By Mr. CARR: Petition of citizens of Uniontown, Rockwood, Point Marion, Connellsville, Berlin, Meyersdale, Garrett, Confluence, Urside, Fairchance, all in the State of Pennsylvania, favoring passage of H. R. 5308, taxing mail-order houses; to the Committee on Ways and Means.

Also, petition of members of Local No. 520, N. A. L. C., of Uniontown, Pa., favoring the passage of the Hamill bill (H. R. 5139); to the Committee on Reform in the Civil Service.

By Mr. CARY: Petition of Milwaukee (Wis.) Typothetæ, relative to abolishing free printing of stamped envelopes; to the Committee on the Post Office and Post Roads.

By Mr. DALE: Petition of Western Association of Short Line Railroads, protesting against the passage of H. R. 17042 or S. 6406; to the Committee on the Post Office and Post Roads.

By Mr. FESS: Petitions of Esther Ganse and Rev. Joseph Shepherd, of Westboro, Ohio, favoring national prohibition; to the Committee on Rules.

By Mr. FITZGERALD: Memorial of sundry citizens of Brooklyn, N. Y., favoring the passage of the Hamill bill, relative to retirement of aged employees of the Government; to the Committee on Reform in the Civil Service.

By Mr. GARDNER: Petition of H. M. Buckley and 18 other citizens, of Newburyport, Mass., favoring bill barring certain publications from the mails; to the Committee on the Post Office and Post Roads.

By Mr. GERRY: Petitions of Frank Watson, N. B. Gardner, W. H. Lane, J. C. Brown, J. L. Batterman, J. F. Deering, G. W. Fraser, W. H. Randall, W. A. Taylor, I W. Brayton, J. H. Stutz, Philip Shippee, R. F. Spencer, G. R. La Flash, Arthur Seymour, C. E. Wilbur, jr., C. E. Wilbur, sr., J. R. Cochran, E. C. Wilbur, Chester P. Winsor, and S. K. Goff, all of North Scituate, R. I.; Mrs. L. A. Lathrop, Mrs. Helen M. C. Kendrick, Miss Ellen M. Pabodie, Mrs. M. F. Humphrey, Miss M. E. Dray, Mrs. H. J. Roworth, Miss Cynthia Potter, Miss Mary Mackie, Mrs. L. H. Barton, and Mrs. F. A. Bliss, all of Providence, R. I., urging the passage of legislation providing for national prohibition; to the Committee on Rules.

Also, petitions of the Woman's Christian Temperance Union, Carolina, R. I.; W. M. Burgess, W. E. Spencer, A. L. Sprague, W. A. Atwood, S. E. Hopkins, D. I. Cutler, E. P. Shippee, J. C. Worden, jr., R. T. Franklin, H. M. Arnold, Benjamin Wood, Pierre Carrier, Lester H. Blanchard, Walter Phillips, Deway Paul, G. H. Potter, Preston Potter, A. E. Borden, Fred Erleech, Mrs. F. J. Erleech, C. O. Geer, E. M. Spencer, D. S. Bishop, J. H. Hutchinson, B. W. Randall, George Gardner, K. A. Grover, V. T. Dimitrodf, A. K. Brison, and W. E. Turpee, all of North Scituate, R. I., urging the passage of legislation providing for national prohibition; to the Committee on Rules.

By Mr. GORDON: Petition of certain citizens of Ohio, favoring a national referendum vote on restriction of immigration; to the Committee on Immigration and Naturalization.

By Mr. GUERNSEY: Petition of citizens of Maine, favoring national prohibition; to the Committee on Rules.

By Mr. KENNEDY of Rhode Island: Petition of 275 citizens of Woonsocket, R. I., favoring national prohibition; to the Committee on Rules.

By Mr. LAFFERTY: Petition of Knights of Columbus of Astoria, Oreg., asking that charges of cruelty in Mexico made by Theodore Roosevelt be investigated by Congress; to the Committee on Foreign Affairs.

By Mr. LINDQUIST: Petition of sundry citizens of the eleventh congressional district of Michigan, favoring the passage of House bill 5308, relative to taxing mail-order houses; to the Committee on Ways and Means.

Also, petition of citizens of Brinton and of Ottawa County, Mich., protesting against the Sunday-observance bill; to the Committee on the District of Columbia.

Also, petition of 40 citizens of Breckenridge, 75 citizens of Ithaca, 40 citizens of Morley, and other citizens, all of the State of Michigan, favoring national prohibition; to the Committee on Rules.

By Mr. LLOYD: Petition of residents of first congressional district of Missouri, favoring passage of House bill 5308, relative to taxing mail-order houses; to the Committee on Ways and Means.

By Mr. McGILLICUDDY: Petition of sundry citizens and organizations of the State of Maine, favoring national prohibition; to the Committee on Rules.

By Mr. MANN: Petition of Western Association of Short Line Railroads, protesting against the passage of House bill 17042 or Senate bill 6406; to the Committee on the Post Office and Post Roads.

Also, petition of citizens of Chicago, Ill., favoring Senate resolution for Government ownership of electrical means of communication; to the Committee on the Post Office and Post Roads.

By Mr. MOON: Petition of H. F. Burns and others, of Copperhill, Tenn., in support of prohibition amendment; to the Committee on Rules.

By Mr. MOORE: Memorial of Young Friends' Association, held at Newton, Pa., protesting against any increase in armaments, fortifications, or armies; to the Committee on Military Affairs.

Also, petition of Branch No. 113, Catholic Knights of America, protesting against the ill treatment of Catholics and sisters in Mexico; to the Committee on Foreign Affairs.

By Mr. NEELY of West Virginia: Papers to accompany House bill for the relief of Jens Musgrave; to the Committee on Pensions.

By Mr. SCULLY: Petition of 110 members of the Methodist Episcopal Church at Navesink, N. J., favoring national prohibition; to the Committee on Rules.

By Mr. TAVENNER: Petition of Woman's Christian Temperance Union of Silvia and 116 citizens of Nauvoo, Ill., favoring national prohibition; to the Committee on Rules.

By Mr. THACHER: Resolutions adopted by Second Baptist Church, Second Congregational Church, Marshfield Hills; Christian Endeavor, Marshfield; Advent Christian Church, Memorial Methodist Episcopal Church, Plymouth, all in the State of Massachusetts, favorable to nation-wide prohibition; to the Committee on Rules.

By Mr. WALLIN: Memorial of common council and sundry citizens of Schenectady, N. Y., favoring the passage of the Hamill bill, H. R. 5139; to the Committee on Reform in the Civil Service.

SENATE.

FRIDAY, *December 11, 1914.*

The Chaplain, Rev. Forrest J. Prettyman, D. D., offered the following prayer:

Almighty God, all of Thy blessings wait upon Thy changeless and eternal law. Thou hast made known Thy will to us and all that Thou hast made. The earth about us and the heaven above us speak of the infinite purposes of God in man. We desire to make this land the transcript of the divine purpose. We pray for that grace and knowledge of Thy will whereby we may be workers together with God. Make this land after the pattern Thou hast revealed to us in Thy holy word. We ask for Christ's sake. Amen.

COE I. CRAWFORD, a Senator from the State of South Dakota, and JAMES K. VARDAMAN, a Senator from the State of Mississippi, appeared in their seats to-day.

The Journal of yesterday's proceedings was read and approved.

CREDENTIALS.

Mr. LANE presented the credentials of GEORGE E. CHAMBERLAIN, chosen by the electors of the State of Oregon a Senator

from that State for the term beginning March 4, 1915, which were read and referred to the Committee on Privileges and Elections.

MEMORIALS.

Mr. KERN presented memorials of sundry pupils of the Assumption School of Indianapolis, Ind., remonstrating against the transmission of anti-Catholic publications through the mail, which were referred to the Committee on Post Offices and Post Roads.

REPORTS OF COMMITTEE ON COMMERCE.

Mr. PERKINS, from the Committee on Commerce, to which was referred the bill (S. 6028) to authorize the Commissioner of Navigation to cause the rebuilt bark *Simla* to be registered as a vessel of the United States, reported it without amendment and submitted a report (No. 832) thereon.

Mr. BANKHEAD, from the Committee on Commerce, to which was referred the bill (S. 6829) to provide for the construction of two revenue cutters, reported it without amendment and submitted a report (No. 833) thereon.

BILLS INTRODUCED.

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. CHAMBERLAIN:

A bill (S. 6882) to reclassify the clerks and messengers of the mobile army and promote their efficiency; to the Committee on Military Affairs.

By Mr. NELSON:

A bill (S. 6883) to amend section 3928 of the Revised Statutes of the United States (with accompanying papers); to the Committee on Post Offices and Post Roads.

By Mr. CUMMINS:

A bill (S. 6884) granting an increase of pension to Emanuel Klepper (with accompanying papers);

A bill (S. 6885) granting an increase of pension to Hiram W. Babcock (with accompanying papers);

A bill (S. 6886) granting an increase of pension to George W. Carpenter (with accompanying papers); and

A bill (S. 6887) granting an increase of pension to William W. Olmsted (with accompanying papers); to the Committee on Pensions.

By Mr. KERN:

A bill (S. 6888) granting an increase of pension to Joanna E. Kiley (with accompanying papers);

A bill (S. 6889) granting an increase of pension to Frederick Schnetzer (with accompanying papers);

A bill (S. 6890) granting a pension to Nettie Johnson (with accompanying papers);

A bill (S. 6891) granting a pension to Jeremiah C. Foley (with accompanying papers);

A bill (S. 6892) granting an increase of pension to Barnet Hauver;

A bill (S. 6893) granting an increase of pension to Thomas B. Prather;

A bill (S. 6894) granting a pension to Isabella J. Loser;

A bill (S. 6895) granting a pension to Florence S. Myers;

A bill (S. 6896) granting an increase of pension to Anderson Myers; and

A bill (S. 6897) granting a pension to Rose Anna Nagley; to the Committee on Pensions.

By Mr. SMOOT:

A bill (S. 6898) granting an increase of pension to Theodore M. Burge (with accompanying papers); to the Committee on Pensions.

By Mr. LANE:

A bill (S. 6899) granting a pension to Allen E. Pugh;

A bill (S. 6900) granting an increase of pension to J. S. Herndon; and

A bill (S. 6901) granting a pension to Eugene Helm (with accompanying papers); to the Committee on Pensions.

By Mr. BURLEIGH:

A bill (S. 6902) granting an increase of pension to George Carpenter; to the Committee on Pensions.

By Mr. OWEN:

A bill (S. 6903) granting an increase of pension to Cleora A. Carver (with accompanying papers); and

A bill (S. 6904) granting an increase of pension to Samuel L. Hess; to the Committee on Pensions.

REGULATION OF IMMIGRATION.

Mr. GRONNA submitted an amendment intended to be proposed by him to the bill (H. R. 6060) to regulate the immigration to and the residence of aliens in the United States, which was ordered to lie on the table and be printed.

SOIL SURVEY OF NEW ORLEANS AREA, LOUISIANA.

Mr. THORNTON submitted the following resolution (S. Res. 498), which was read and, with the accompanying papers, referred to the Committee on Printing:

Resolved, That there shall be printed 1,000 copies of the Soil Survey of the New Orleans area, Louisiana, for the use of the Senate document room.

STANDING COMMITTEES OF THE SENATE.

Mr. JONES. Mr. President, I merely wish to give notice that next Wednesday after the routine morning business is disposed of I shall submit some remarks on Senate resolution 398, rearranging the committees of the Senate, and also on Senate joint resolution 163, fixing the salaries of the clerks and messengers to committees of the Senate. I especially invite the attention of the members of the Committee on Rules, to which committee these resolutions have been referred, to this matter.

The VICE PRESIDENT. The morning business is closed and the calendar under Rule VIII is in order.

MILITARY RESERVE.

Mr. WEEKS. Mr. President, in accordance with the notice which was previously given by my colleague [Mr. LODGE], I propose to address the Senate on the subject of a military reserve.

It is natural that when most of the civilized world is engaged in warfare that there should be solicitude and inquiry on the part of our citizens as to our means to defend ourselves in case of necessity. We have been spending large amounts of money on account of previous wars and to maintain the reasonable but very modest organizations which go to make up our Army and Navy. At this time it does not seem to me that it is wise or prudent to take any action which will change our policy or add to our naval equipment except by an omnibus appropriation which can be expended under the direction of the general board of the Navy with the approval of the Secretary of the Navy and the President.

The European war will undoubtedly demonstrate very many things which have been subjects of controversy in the immediate past. We know even now that while flying machines have not proven important destructive agencies, that they have easily demonstrated that they are of the greatest importance and value as scouts both on land and sea.

For many years there has been doubt and controversy about the value of the submarine. Even at this time we may feel confident that the submarine has demonstrated that it is an extremely important agency in the defense of a harbor or for aggressive action against hostile vessels near the home port or coast of the submarine.

We do not know how important the battleship is going to be in future warfare, but it has certainly been demonstrated that the very fast cruiser armed with a few high-powered guns is going to exert a marked influence in any future war.

The character of naval material development in the future must regulate the number of personnel required; and therefore at this time I have no disposition to discuss even that phase of our naval situation, except to say that, based on the experience of the past, our Naval Establishment is in a class with that of Germany and France and probably second only to that of Great Britain. The effectiveness of the Navy is going to depend on the quality of the personnel and the spirit which it displays. In this respect I am confident that no Navy excels our own. Having some familiarity with its personnel during the past 35 years, I think I can say with confidence that from the standpoint of efficiency it has never stood higher than at the present time.

On the other hand, it has been apparent to nearly everyone familiar with our needs that our military establishment could be greatly strengthened without materially increasing its cost. We have a large number of men who leave the Regular Establishment after serving one enlistment or who leave the militia under similar conditions or those who are connected with schools and colleges where military training is undertaken, all of whom might be combined into a military reserve which would be of vital importance and assistance to our relatively small Army. I hope, as do all citizens of the United States, that when this war is ended nations will see the folly of maintaining such great military establishments as European countries have done and that a general agreement may be made which will provide for at least a partial disarmament and result in a limitation to expenditures for military purposes. This war should be conclusive enough to show the folly of following the course of the

past, and if it results in so doing it will not be necessary for us to increase our military establishment in any form and we may not find it necessary to increase the Naval Establishment which we are now maintaining. That may be an idle dream, but the prayers of every good American citizen should be that this may be the last of the great wars which are going to involve civilized countries, and that reason—along the lines of arbitration, consideration for the rights of others, compromises, and so forth—may adjust the causes which have led to all wars, including the present one. However, such a result may not be obtained, and it is the part of wisdom and duty for us to consider our own condition and what course it will be advisable for us to follow in case peace is made on such terms that a recurrence of military upbuilding is to take place in Europe.

There seems to be a disposition in the press, at least, to urge publicity and a thorough examination of our condition. There is, however, little force in these suggestions. Anyone may learn about our Military or Naval Establishment by reading the reports of the Secretaries of the departments and the reports of those who are conducting the different bureaus and branches of the service. It is an open book to all citizens, and there need be no doubt about our relative position or our capabilities if one is disposed to study reports. In fact, there is and has been altogether too much publicity in such matter, in my judgment. We have had a demonstration during the present European war of the value of secrecy in conducting military operations, and there is no reason why we should spread broadcast what we are doing or what preparations we have made. I have no doubt every European country is informed in the most minute detail of our condition both on land and sea, and if any change in our methods is to be made it should not be in the direction of greater publicity, but should be to protect our operations even in time of peace from scrutiny both at home and abroad.

There has been one other requirement clearly brought out by the European war which to my mind was conclusive before existing hostilities, but it has finally been given a demonstration which must convince anyone interested in the subject, and that is the necessity of providing more officers in proportion to our military forces authorized or under enlistment. It is reported that one-sixth of the English officers who have gone to the front have been disabled, and presumably most of the competent officers of Great Britain are already engaged, so that in providing the large number of men which are now being equipped and trained for service the question of officers is of vital importance.

We should without any delay graduate from West Point at least twice as many cadets as are now being graduated, not by lowering the standard but by increasing the number of appointments. It would be an excellent investment for the country even if we are not likely to be engaged in a war for many years, because a large percentage of the graduates could be put on a reserve list as soon as they had left the Military Academy, and as such they could become connected with the existing militia organizations and greatly improve their standing and efficiency.

Our first line of defense under present conditions is our militia, which varies greatly in efficiency in different States, depending on the support which it receives.

The poet Crabbe said many years ago, after viewing an encampment of the English militia:

> And raw in fields the rude militia swarms,
> In peace a charge, in war a weak defense.

In justice to the militia it should be said it is infinitely more reliable in these days than in those to which I have just made reference, and I think it is fair to say that the militia forces of the United States were never as efficient as they are to-day; but even under the best conditions it takes time and effort to get a militia force into the field, as is demonstrated by the many weeks which have been required by Great Britain in forwarding its territorials to the battle front, and while our position would give us greater time to prepare for attack than that of European countries, we should develop the auxiliary military forces so that in case of need we would have available a large army of partially seasoned men. I know there are those who will say this will develop a military spirit and that it may be the reason for our getting ourselves involved in hostilities. I do not think that reasoning is sound, and I am confident that the young man who has had a military training in school, in the militia, or in a reserve is a better citizen and a more efficient citizen than he would have been if he had never had such training. I have followed such activities with a great deal of interest for many years, and my conclusion is that among the best elements that go to make up our active life are regularity, good health, and discipline, all of which are developed and increased by even a minimum military training, always assuming that this experience is obtained under the direction of competent officers.

It is my purpose at this time to discuss some phases of a military reserve. My reason for doing this, however, is not entirely because of the war which is now embroiling most of Europe, for I had partially prepared this statement before the war commenced.

I have not arrived at these conclusions without consultation with many of the universally recognized competent and up-to-date officers of our Army, so that these ideas, it seems to me, are entitled to the consideration of the Military Committees and might well serve as a basis for legislation.

It is contended with much force that development and commercial expansion will be resisted by other nations; that national policies which are injurious to the interests of other nations will be resisted by the nations adversely affected; that there are certain vital questions affecting the honor or life of a nation which neither diplomacy nor international courts can settle; and that in the future, as in the past, every nation which would live and grow may be called upon to fight.

There are even those who proclaim that force will ever cease to be a potent factor of national life is a Utopian dream; that while man is virile and nations develop and increase in power and wealth there will be wars. Such people claim that the history of a nation is written in the history of its armies and navies; that as long as these are sufficient to enforce its policies the nation grows.

If these theories are sound, it follows that when a nation refuses to make the sacrifices which are needed to develop its military resources into an adequate defense, and to maintain this development ever potent, it drops into insignificance and finally dies.

The founders of this Nation evidently believed that national defense is one of the cardinal duties of statesmen, and the Constitution provided that Congress should give the Nation this defense.

Gen. Richard Henry Lee, who commanded the Partisan Legion in the Revolution, said:

> A government is the murderer of its citizens which sends them to the field uninformed and untaught, where they are to meet men of the same age and strength mechanized by education and disciplined for battle.

We had a good example of the results of assembling large forces of untrained men under officers of insufficient experience in the hospital and death rolls of the Spanish-American War.

A large body of untrained and unorganized men aggregated together has manifestly no chance of success against a modern army, and a nation which pins its faith upon this sort of defense is courting certain disaster on the field of battle.

If a nation attempts to develop its military resources at all it must provide an army and navy entirely adequate for its defense, for if it stops short of this and spends large sums in developing and maintaining an army or navy which has not a reasonable chance of success against a probable foe the moneys so spent are wasted.

Quoting from the report of the Chief of Staff, 1912:

> An army is an expensive machine maintained in order to support national interests in time of emergency. The economic efficiency of an army should therefore be measured by the effective fighting power which it is proposed to develop and maintain in war. It must not only be able to develop a high fighting efficiency at the outbreak of war, but it must be able to maintain that efficiency during the progress of the campaign. As soon as war begins military forces are subject to heavy losses, and unless means are definitely provided for replacing these losses the military machine will immediately deteriorate.
>
> It is the experience of modern warfare that any given unit loses 50 per cent of its strength in the first six months of war. If this loss is not replaced, there is 50 per cent deterioration in the power of the unit, and if it is replaced by raw men the quality of the force as a highly trained team is destroyed.
>
> This problem has an important economic aspect that has been ignored throughout our military history. Military forces are maintained at great expense through long periods of peace in order to meet a brief emergency in war. Sound economics therefore demands that the peace expenditure be justified by unquestioned war efficiency.

There may be differences of opinion concerning the size of the army which a nation must support, but there are no differences among experts concerning the organization of the army and the manner in which it can be most economically and effectually maintained.

The following figures give for 1912 the population of the more important foreign nations, the peace strength of their armies, and the strength of trained men of the great reserves which

make and keep effective in war the armies they maintain in peace:

	Population.	Strength of Army—peace.	Reserves.
France	39,600,000	536,000	3,000,000
Germany	64,900,000	566,000	4,700,000
Austria	47,800,000	343,000	3,000,000
Russia	118,700,000	771,000	5,400,000
Italy	34,700,000	211,000	1,500,000
Japan	51,600,000	183,000	1,300,000
Great Britain	45,300,000	206,000	215,000
United States	99,000,000	[1] 59,000 [2] 121,000	None.

[1] Regulars. [2] Militia.

The above-named countries have trained and available for service in war—France, 1 man in every 10.7 of population; Germany, 1 man in every 11.7 of population; Austria, 1 man in every 12.4 of population; Russia, 1 man in every 18.2 of population; Italy, 1 man in every 18.5 of population; Japan, 1 man in every 40.8 of population; Great Britain, 1 man in every 103.3 of population; United States, 1 man in every 511 of population.

In all of these countries except England the reservists are unpaid, because such countries believe that there are sufficient economic advantages to the Nation to justify a general military education to its youth, and consequently military service is compulsory. In England, on the other hand, enlistment is voluntary, and accordingly she pays her reservists, as must necessarily any country in which compulsory service does not exist.

In France the liability to serving extends from 20 to 45 years of the citizen's age. Service with the colors is compulsory, and, until recently, was two years for all arms. After serving with the colors the men pass into the reserve of the active army, in which they serve for 11 years, during which time they are subject to two periods of instruction, one for 23 days and the other for 17 days. From the reserve of the active army the men pass to the territorial army, in which they serve for six years, subject to one period of seven days' instruction. The final service is with the reserve of the territorial army, and this service is for six years, the men receiving no training, but are subject to muster.

In Germany the service is compulsory, and liability extends from 17 to 45 years of the citizen's age. Until recently service with the colors was three years with the cavalry and horse artillery and two years for the other arms. After serving with the colors the men pass into the reserve, in which they serve 4 years and 6 months or 5 years and 6 months, according to the arms of the service. During their service in this reserve the majority of the men are seldom held longer than for a 20-day period of instruction.

Great Britain, Sweden, Norway, and Switzerland are confronted with conditions similar to our own. They are opposed to compulsory service, but the soldiers they have trained become a part of their developed military strength.

In three days Switzerland mobilized 200,000 perfectly equipped fighting men, most of whom are fair shots and all of whom are accustomed to using the army rifle. At the end of three days these four army corps were ready in every particular of organization, equipment, and transport to march against an enemy. In addition to this force, she can form a reserve of 300,000 men, part of whom have served their time with the active army and 50,000 of whom are always armed. In 1908 Switzerland had about 3,559,000 inhabitants; in 1910 the United States had more than 92,000,000. In 1910 Switzerland spent approximately $8,099,765 for her military establishment; in 1909–10 the United States military establishment cost $101,262,069; in other words, Switzerland is paying about two and a half times as much per capita as we are to maintain her military establishment.

With the exception of the United States, every great nation of the world has appreciated the fact that a certain class of its citizens must, while young, be trained in the use of arms at a minimum expense to the nation and, as soon as trained, passed into a great reserve where they can in peace pursue their ordinary occupations, and yet from which they may be taken with certainty in time of war and used as part of the effective defense of their country.

The United States is the only nation of any prominence which has no scientific means of developing economically and maintaining efficiently its military resources.

There are two questions which are of importance to any nation supporting an army: First. Is the army of such a size and organization as will make it reasonably effective against a probable foe? If it will not furnish the defense expected, the nation will be defeated in war, and the machine is worthless and remains worthless until so organized and brought to such strength as will give the desired and expected defense. Second. Is the army maintained at the minimum cost and maximum efficiency?

The military experts of this country and of all other countries where adequate defense is provided are a unit in saying that this can best be done by establishing and maintaining a system of reserves.

In considering, then, the question of interest to this Nation in appropriating moneys for the Army, we naturally turn first to the size of the army which the country needs. The War Department states that this country will need in war a force of 500,000 regulars and militia and from 100,000 to 200,000 volunteers.

The following facts are taken from Upton's Military Policy of the United States—F. L. Huidekoper's book:

Never in our history have we been thoroughly prepared for war. To employ untrained personnel is always dangerous and very expensive.

In the Revolution we used 231,771 regulars and 164,007 militia and volunteers against England's 150,605.

In the War of 1812 we had 56,032 regulars and 471,622 militia against the English and Canadian forces of only about 55,000 men.

In the Mexican War 31,024 regulars and 73,532 militia were required to conquer about 46,000 Mexicans.

In the Civil War the United States employed 67,000 regulars and 2,605,341 militia and volunteers to defeat about 1,000,000 Confederates.

In the Spanish-American War we were compelled to use 58,688 regulars and 223,235 militia or volunteers to subdue 200,000 Spaniards.

How many Americans have any conception of the outrageous extravagance in men and money that has characterized our past wars? How long would any properly run corporation or company tolerate any such mismanagement?

From 1791 to 1911 our War Department has cost $6,845,129,239 and the pensions $4,115,829,223.

And this vast sum for pensions is due principally to the same causes which have made us always unsuccessful in our wars—short term of service and untrained volunteers, hastily raised, badly officered, and badly supplied.

As the Nation has decided that the Organized Militia is to form part of its developed military defense, the War Department has included the militia as part of the 500,000 men considered necessary for the first line of defense. Judging from the records of our past wars, as given above, the 500,000 men will be none too many.

The second point to be considered is: How shall the Army determined upon be organized so that it may have the greatest efficiency as a fighting machine at the minimum of cost? In this organization the military experts of all countries are again unanimous.

The organization of divisions and other higher military units is based on the principle that the Army, to be an effective fighting machine, must be proportioned in accordance with its tactical, its sanitary, and its supply needs, and that all units required in war must be organized in peace. It is too late after a fire breaks out to start to organize a fire department, and the same principle applies to an army.

The infantry division is differently organized in different countries, but in all it consists of from 10,000 to 15,000 men armed with rifles, with from 4 to 6 field guns per 1,000 rifles, and with similar definite proportions of cavalry, engineers, signal troops, sanitary troops, and other auxiliaries. The infantry strength is the basis of organization, because it is the cheapest of all the arms to organize and equip and the easiest to obtain, train, and supply. (One thousand cavalry costs to equip and organize about four times what it costs to equip and organize 1,000 infantry, and a battery of light artillery costs about twice as much to equip and organize as 1,000 infantry.)

In every army except our own the number of infantrymen in the division in war remains definite and fixed, because means of replacing losses are provided in time of peace. With us, however, the infantry strength is an absolute variable. We can only predict that the effective strength of each unit will fall after war begins. Under these conditions the division is not a continuing unit. Its components are fluid and indefinite, and there can be no fixed strength of organizations under such conditions.

Most military men admit that our present Army organization is very bad; the War Department has proposed an organization which conforms to what has been adopted by all other first-class powers, but legislation is required to put it into being.

The developed military resources of the United States, so far as the Army is concerned, consists of the Regular Army and the Organized Militia.

A table showing the authorized strength of the Regular Army follows.

Authorized strength of the Army.

	Major generals.	Brigadier generals.	Colonels.	Lieutenant colonels.	Majors.	Captains.	First lieutenants.	Second lieutenants.	Chaplains	Total commissioned officers.	Enlisted men.
General officers	6	15								21	
Adjutant General's Department		1	5	7	10					23	
Inspector General's Department		1	3	4	9					17	
Judge Advocate General's Department		1	2	3	7					13	
Quartermaster Corps	1	2	12	18	48	102				183	[1] 403
Medical Department		1	15	24	105	171	[2] 280			[3] 596	([3])
Corps of Engineers		1	13	20	43	54	50	43	1	225	1,942
Ordnance Department		1	6	9	19	25	25			85	735
Signal Corps		1	1	2	6	18	18			46	1,212
Bureau of Insular Affairs		1	1		1					3	
Fifteen regiments of Cavalry			15	15	45	225	225	225	15	765	14,144
Six regiments of Field Artillery			6	6	12	66	78	78	6	252	5,513
Coast Artillery Corps		1	14	14	42	210	210	210	14	715	18,607
Thirty regiments of Infantry			30	30	90	450	450	450	30	1,530	33,107
Porto Rico Regiment of Infantry						11	10	10	1	32	591
Military Academy			2	5						7	630
Detached officers			8	9	27	77	79			200	
Additional officers			31	6						37	
Recruiting parties, recruit depots, and unassigned recruits											7,000
Service school detachments											597
United States military prison guards											320
Indian scouts											75
Total Regular Army	7	26	164	172	464	1,409	1,425	1,016	67	4,750	84,876
Additional force: Philippine Scouts						52	64	64		180	5,732
Grand total	7	26	164	172	464	1,461	1,489	1,080	67	4,930	90,608

[1] Under the act of Congress approved Aug. 24, 1912, the 6,000 authorized enlisted men of the Quartermaster Corps are not to be counted as part of the strength of the Army.
[2] Includes 19 first lieutenants of the Medical Reserve Corps on active duty and 60 dental surgeons.
[3] Under the act of Congress approved Mar. 1, 1887 (24 Stat. L., 435), the enlisted men of the Medical Department (Hospital Corps) are not to be counted as part of the strength of the Army. The authorized strength of the Hospital Corps is 3,500 enlisted men.

The Regular Army out of the country can not be considered as available for national defense against invasion; nor can the coast artillerymen in the country be regarded as an available part of the mobile defense, for they, and many more besides, will be needed in the seacoast defenses.

The President, under existing laws, can increase the enlisted strength of the Army to 100,000 men, but he can not increase or change the existing number of organizations.

The Regular Army in this country available for mobile defense consists of 31,500 men, including about 10,000 cavalry; and there are no available trained men to expand it to its fighting efficiency in case of war, and this organization is declared to be defective by all military experts.

The Organized Militia in the country available for mobile defense consists of about 104,000 enlisted men, without any available trained men to expand it to its war strength. This force is badly organized tactically and composed largely of men who have less than one year's service, and those who have had one year's service have been given, on an average, not much more than 48 hours instruction per year in their armories and, perhaps, a couple of weeks in camp. If the military experts are right that the country needs a force of 500,000 trained men supplemented by from 100,000 to 200,000 volunteers to give it a reasonable chance of protection against a probable foe, and that the 500,000 men will be needed at once on the outbreak of war—organized as fighting machines—it would appear that the defense provided at present by Congress is inadequate and practically worthless, and that the moneys spent upon this defense are largely wasted.

The following tables show the organization of the Organized Militia and the Regular Army and the strength of each arm in peace and war. The tables are elaborate and I will not take the time to read them, but will ask unanimous consent that they be incorporated in my remarks.

The VICE PRESIDENT. In the absence of objection, it is so ordered.

The tables referred to are as follows:

Table showing the organization and peace strength of the existing Regular Army within the limits of the United States; the number of organizations which should be added to this existing Regular Army so that it may be tactically organized into 3 divisions and 2 Cavalry divisions; the number of reservists needed to mobilize, and the number of reservists needed to supply depot troops; and casualties resulting from deaths, sickness, desertions and other losses incident to the first 6 months of active campaign.

	Organizations required.	Organizations existing within United States.	Organizations short.	(1) Present actual peace strength.		(2) Units which should be organized to give proper tactical organization for 3 divisions and 2 Cavalry divisions.			(3) Peace strength of Regular Army when organized into 3 divisions and 2 Cavalry divisions.		(4) War strength of organizations shown in column 3.	
				Officers.	Men.	Unit.	Officers.	Men.	Officers.	Men.	Officers.	Men.
Infantry regiments for 3 divisions[1]	27 regiments	[1] 19	8	(51) 969	(859.8) 16,336	8	(51) 408	(870) 6,960	(51) 1,377	(870) 23,490	(51) 1,377	(1,836) 49,572
Cavalry regiments in the United States[2]	Regiments	12		(53) 636	(839.3) 10,072							
Cavalry regiments for 3 divisions and 2 Cavalry divisions (under proposed tactical reorganization).[3]	8½ regiments								(36) 301	(1,012) 9,546	(36) 301	(1,012) 9,546
Field Artillery regiments for 3 divisions and 2 Cavalry divisions.	8 regiments	3½	4½	(44) 154	(846) 2,961	4½	(44) 198	(877) 3,947	(44) 352	(877) 7,016	(44) 352	(1,128) 9,024
Engineer battalions for 3 divisions and 2 Cavalry divisions.[4]	5 battalions	2	3	(15) 30	(609) 1,218	3	(15) [4] 45	(638) 1,914	(15) 75	(501 / 309) [4] 2,121	(15) 75	(501 / 309) 2,121
Signal troops battalions for 3 divisions and 2 Cavalry divisions.[5]	do	[5] 3½	1½	(11) 39	(195.1) 683	1½	(11) 17	(198) 297	(11) 56	(198) 990	(11) 56	(198) 990
Ambulance companies for 3 divisions and 2 Cavalry divisions.[6]	16 companies	3	13	(5) [6] 15	(49) [6] 147	13	(5) [6] 35	(54) [6] 792	(5) [6] 80	(54) [6] 864	(5) [6] 80	(78) [6] 1,248
Field hospitals for 3 divisions and 2 Cavalry divisions.[7]	13 field hospitals	3	13	(5) [6] 15	(40) [6] 120	13	(5) [6] 35	(36) [6] 468	(5) [6] 80	(36) [6] 576	(5) [6] 80	(56) [6] 896
Total				1,858	31,537		798	14,378	2,321	44,603	2,321	73,397

(See footnotes on following page.)

Table showing the organization and peace strength of the existing Regular Army within the limits of the United States; the number of organizations which should be added to this existing Regular Army so that it may be tactically organized into 3 divisions and 2 Cavalry divisions; the number of reservists needed to mobilize, and the number of reservists needed to supply depot troops; and casualties resulting from deaths, sickness, desertions, and other losses incident to the first 6 months of active campaign—Continued.

	(5) Needed increase of existing Regular Army to give organizations shown in column 3.		(6) Reservists necessary to mobilize; difference between columns 3 and 4.		(7) Reservists needed to supply depot troops (10 per cent of war strength) and to supply wastage of 6 months.		Percentages taken.	(8) Reservists needed to supply depot troops (10 per cent of war strength) and to supply wastage of 3 months.		Percentages taken.
	Officers.	Men.	Officers.	Men.	Officers.	Men.		Officers.	Men.	
Infantry regiments for 3 divisions[1]	408	7,154	0	26,082	688	24,786	40+10=50	550	19,829	30+10=40
Cavalry regiments in the United States[2]	Surplus.	Surplus.								
Cavalry regiments for 3 divisions and 2 Cavalry divisions (under proposed tactical reorganization).[3]	335	526	0	[7] 0	135	4,296	35+10=45	105	3,341	25+10=35
Field Artillery regiments for 3 divisions and 2 Cavalry divisions.	198	4,055	0	[7] 2,008	158	4,061		123	3,158	
Engineer battalions for 3 divisions and 2 Cavalry divisions[4]	45	903	0	[7] 0	23	636	20+10=30	19	530	15+10=25
Signal troops battalions for 3 divisions and 2 Cavalry divisions.[5]	17	307	0	[7] 0	17	297		14	248	
Ambulance companies for 3 divisions and 2 Cavalry divisions[6]	[6] 65	[6] 717	0	384	16	250	10+10=20	15	225	8+10=18
Field hospitals for 3 divisions and 2 Cavalry divisions[6]	[6] 65	[6] 456	0	320	16	179		15	161	
Total	[6] 463	[6] 13,066	0	[7] 28,794	1,053	34,505		841	27,492	

[1] Does not include 1 regiment in Alaska and 2 regiments now in United States but scheduled for service in Hawaii and Panama.
[2] The figures shown in this line are not included in totals, the tactical organization being admittedly faulty.
[3] Figures shown in this line show tactical organization of a Cavalry force of approximately the enlisted strength now in United States if organized into 2 Cavalry divisions of 2 brigades of 2 regiments of 6 squadrons of 4 officers and 150 men each.
[4] Three unmounted battalions of 501 men and 2 mounted battalions of 309 men.
[5] Does not include 1 company now in Alaska.
[6] Present authorized strength of Hospital Corps equals 3,500 enlisted men. Actual strength is 590 officers (including 85 Medical Reserve Corps on active duty and 60 dental surgeons). Total strength Hospital Corps needed for 3 divisions and 2 Cavalry divisions (this includes, in addition to the number given in table, all the personnel on duty with troops) equals 477 officers and 3,743 men, leaving to increase to war strength 32 officers and 243 men.
[7] When sufficient reserves are accumulated, peace strength of all regular organizations, except Infantry, can be materialy decreased in horses and men at great saving, and in column 6 the enlisted strength increased proportionately.

Table showing the organization and peace strength of the existing Organized Militia, the number of organizations which should be added to the existing militia so that it may be tactically organized into 12 divisions and 5 auxiliary divisions and furnish line of communication troops, the number of reservists needed to mobilize, and the number of reservists needed to supply depot troops; and casualties resulting from deaths, sickness, desertions, and other losses incident to the first 6 months of active campaign.

	Organizations required.	Organizations existing.	Organizations short.	(1) Actual peace strength at inspection in spring of 1913.		(2) Units which should be organized to give proper tactical organization for 12 divisions and 5 auxiliary divisions.			(3) Minimum peace strength of militia when properly organized into 12 divisions, 5 auxiliary divisions, and line of communication troops.	
				Officers.	Men.	Units.	Officers.	Men.	Officers.	Men.
Infantry regiments for 12 divisions	108	108		(44.5) 4,806	(641.7) 69,104				(51) 5,508	(732) 79,056
Infantry regiments for 5 auxiliary divisions	15	15		668	9,626				765	10,983
Infantry regiments for line of communication and home troops	17	17		762	11,119				867	12,444
Cavalry regiments for 12 divisions (79 troops to be organized into 7 regiments).	12	6 7/12	5 5/12	299	4,156	5 troops	20	325	(53) 636	(732) 8,784
Cavalry regiments to be organized	5					5 regiments	265	3,660		
Field Artillery regiments (59 batteries to be organized into 10 regiments).	24	10	14	(29.3) 293	(490.7) 4,907	1 battery	5	133	(44) 1,056	(877) 21,048
Additional Field Artillery regiments to be organized	14					14 regiments	616	12,178		
12 ammunition battalions for above 24 regiments of additional Field Artillery.	12		12			12 battalions	180	3,600	(15) 180	(300) 3,600
Heavy Field Artillery for 5 auxiliary divisions (10 battalions of 2 batteries each).	10		10			10 battalions	120	3,460	(12) 120	(346) 3,460
4 ammunition battalions for heavy Field Artillery	4		4			4 battalions	60	1,200	(15) 60	(300) 1,200
Engineers—to organize 23 companies into 8 pioneer battalions	12	7 2/3	4 1/3	114	1,094	1 company	4	80	(15) 180	(300) 3,600
Engineer battalions to be organized	4					4 field battalions	60	1,200		
Signal—to organize 23 companies into 12 field battalions	12	11 1/2	1/2	84	1,245	1 company	4	70	(11) 132	(180) 2,160
Hospital Corps to organize ambulance companies	53	15	38	779	3,058	38 ambulance companies.	190	1,634	(5) 265	(43) 2,279
To organize additional field hospitals	53	22	31			31 field hospitals	155	1,023	265	(33) 1,749
To organize 5 pontoon battalions	5		5			5 battalions	75	1,500	(15) 75	(300) 1,500
To organize 5 aero-wireless battalions	5		5			do	55	750	(11) 55	(150) 750
Total				7,805	104,309				10,164	152,610

Table showing the organization and peace strength of the existing Organized Militia, the number of organizations which should be added to the existing militia so that it may be tactically organized into 12 divisions and 5 auxiliary divisions and furnish line of communication troops, the number of reservists needed to mobilize, and the number of reservists needed to supply depot troops; and casualties resulting from deaths, sickness, desertions, and other losses incident to the first 6 months of active campaign—Continued.

	(4) War strength of organizations shown in column 3.		(5) Needed increase of existing militia to give organizations shown in column 3.		(6) Reservists necessary to mobilize difference between columns 4 and 3.		(7) Reservists needed to supply depot troops (10 per cent of war strength) and supply wastage of 6 months.		Per cent.	(8) Reservists needed to supply depot troops (10 per cent of war strength) and supply wastage of 3 months.		Per cent.
	Officers.	Men.	Officers.	Men.	Officers.	Men.	Officers.	Men.		Officers.	Men.	
Infantry regiments for 12 divisions	(51) 5,508	(1,500) 162,000	Infantry, 904.	12,631	.....	210,000	7,140	210,000	40+10	7,140	210,000	30+10
Infantry regiments for 5 auxiliary divisions.	765	22,500			.....	102,408	.50	.50		.40	.40	
Infantry regiments for line of communition and home troops.	867	25,500			.....	107,520	3,570	105,000		2,856	84,000	
Cavalry regiments for 12 divisions (79 troops to be organized into 7 regiments).	(53) 636	(1,188) 14,256	Cavalry, 337.	4,628	.....	14,256 8,784						
Cavalry regiments to be organized	.....	.....			.....	5,472						
Field Artillery regiments (59 batteries to be organized into 10 regiments).	(44) 1,056	(1,128) 27,072										
Additional Field Artillery regiments to be organized.	.....	.....										
12 ammunition battalions for above 24 regiments of additional Field Artillery.	(15) 180	(526) 6,312	Field Artillery, 1,123.	24,401	.....	39,360 29,308	45% of 2,052 =923	45% of 53,616 =24,127	35+10	35% of 2,052 =718	35% of 53,616 =18,765	25+10
					.....	10,052						
Heavy Field Artillery for 5 auxiliary divisions (10 battalions of 2 batteries each).	(12) 120	(364) 3,640										
4 ammunition battalions for heavy Field Artillery.	(15) 60	(584) 2,336										
Engineers—to organize 23 companies into 8 pioneer battalions.	(15) 180	(501) 6,012	Engineers +pontoon, 141.	4,006	.....	8,517 5,100	30% of 312 =94	30% of 8,496 =2,549	20+10	25% of 312 =78	25% of 8,496 =2,124	15+10
Engineer battalions to be organized	.....	.....			.....	3,417						
Signal—to organize 23 companies into 12 field battalions.	(11) 132	(207) 2,484	Signal+ aero-wireless, 103.	1,665	.....	3,534 2,910						
					.....	624						
Hospital Corps to organize ambulance companies.	(5) 265	(65) 3,445	Sanitary, 0+249.	570	.....	6,625 4,028	20% of 660 =132	20% of 10,180 =2,036	10+10	18% of 660 =119	18% of 10,180 =1,832	8+10
To organize additional field hospitals	(5) 265	(60) 3,180				2,597						
To organize 5 pontoon battalions	(15) 75	(501) 2,505	.....	.....	.....	.....						
To organize 5 aero-wireless battalions	(11) 55	(210) 1,050	.....	.....	.....	.....						
Total	10,164	282,292	2,608	48,301	.....	129,682	4,719	133,712	.....	3,771	106,721	.....

Mr. WEEKS. The table for the Regular Army shows that to properly organize it into three divisions will require an addition of 8 Infantry regiments, 4½ regiments of Field Artillery or its equivalent in battalions, 3 battalions of Engineers, 1½ battalions of signal troops, 13 ambulance companies, and 13 field hospitals, or an increase of 333 officers and 13,066 men, of which the President can now supply about 10,000 enlisted men.

The peace strength of the Regular mobile army in the United States could then be held at about 2,300 officers and 42,000 enlisted men; and when trained reservists are provided, the strength of the enlisted men serving with the colors in many of the organizations could be materially reduced. For instance, in the Field Artillery at present—because there are no trained reservists, and because the organizations in the Regular Army are so exceedingly below what is necessary for an efficient army—the existing batteries are perforce held at nearly war strength of men and horses. Even this expensive expedient will not make the Field Artillery effective in case of need, because many of the officers and trained men will be, in war, at once diverted from the batteries to form ammunition and supply batteries, as at present none of these are organized.

When a properly trained reserve is provided and the organizations all organized, the number of men in each battery could be reduced from 133 to about 70 and the horses reduced by nearly one-half. The saving in pay of the men alone would give 560 reservists per battery, or two such regiments could be provided for about one-third more than one regiment now costs. The same can be done with the Cavalry, at great saving in pay of men and cost of horses and their feed. As 1,000 Cavalry costs in equipment about four times what it costs to equip 1,000 Infantry, and as a battery of Field Artillery costs about twice as much as 1,000 Infantry, it is important to hold these arms at the minimum enlisted strength; but until trained reservists are available and until all units needed in war are organized, this can not be done. These expensive arms must be kept at nearly war strength—a very costly, uneconomic, and unwise policy.

There are many reasons, however, why these organizations should not be kept in peace at their maximum strength of privates, provided any means can be devised by which the soldier when he is once trained can be passed to a different status, where he does not cost so much to maintain as with the colors, and yet from which he can be surely and promptly returned thereto in case of war. With the exception of the United States and China, all foreign first-class nations have such a scheme—a reserve system.

ECONOMICAL REASONS FOR PROVIDING A RESERVE OF TRAINED MEN.

The cost of maintaining an efficient army is of exceeding interest to any nation, and as business men and the country's representatives we should adopt the methods which will give equal efficiency with the least cost.

There are many charges which must be paid for the soldier serving with the colors—his pay, food, clothing, shelter, light, heat, water, medical attendance, and the overhead charges of the War Department, the supply departments, and of his officers, and—with the mounted man—his horse and its forage. Leaving out all of these charges except the first three, which are fixed and can not be reduced in this country, we find that the monthly average pay is $17; the food and cooking, $7; clothing, $3.20; total, $27.20 per month, or $326.40 per year.

Counting all the expenses of the soldier serving with the colors—that is, overhead charges of the various departments, pay of officers, shelter, heat, light, medical attendance, cost of maintaining the expensive posts, transportation, wear of equipment, clothing, pay, food, and so forth—he will, with the present sized Army, cost probably $600 a year.

It is believed that men can be held in the reserve at from $36 to $40 per year. We can keep, then, in the reserve eight men for the same cost as one man can be kept with the colors, counting only his pay, food, and clothing.

From cost alone the enlisted men serving with the colors are then kept at the minimum, and as soon as they are trained they are passed to the reserve which, in most foreign nations,

is composed of several classes. The first class is used to bring existing units from their economical peace to their effective war strength. The second class is used to supply the wastage of active campaign and to furnish troops for depots, supply columns, and so forth.

No nation is rich enough to keep with the colors in peace all of the men she needs as an adequate defense against a probable foe; and, even if it could afford to keep such a professional army, it would be inadvisable to do so.

First. Because these professional soldiers would yearly cost the Government more and more money by continuous service and reenlisted additional pay, and after passing their prime of life would deteriorate as soldiers and finally pass to the retired list, where, while they are worthless as a part of the developed military resource, they yet cost the Government the price of a great many young reservists. After 30 years' service an enlisted man is entitled to retirement at three-fourths of the monthly pay allowed by law in the grade he holds when retired. He is paid $9.50 per month additional as commutation for clothing and subsistence and $6.25 per month additional in lieu of quarters, fuel, and light. Most of these men retire as sergeants or with higher grade. The number of men now on the retired list is 3,589. According to data received from the Quartermaster Corps, these men receive pay of approximately $2,440,520, or each man costs the Government $680 per year. While I believe that the enlisted man who has served faithfully should be retired and sufficiently well paid to keep him from want, still it appears that the Government has made every effort to induce the enlisted man to reenlist and become a professional or to remain in the service during his active life. This is an expensive and bad policy.

Second. Because after the man is once trained and disciplined there is no advantage to the Government in keeping him in active service. An expensive and uneconomical method is being followed if the soldier is retained in active service (at a yearly cost of $326) a day over the time necessary to train him and pass him to the reserve where he can be held at a yearly cost of $40, and where he is in case of war just as valuable a military asset as the man serving with the colors, provided laws are passed which will keep track of the reservist in peace and compel his certain and prompt return to the colors in case of war or upon call by the President.

Mr. HITCHCOCK. Mr. President, I should like to ask the Senator, then, whether he advocates conscription?

Mr. WEEKS. Not at all.

Mr. HITCHCOCK. The Senator proposes to continue the present voluntary system, and limit the man's service in the Army. What will retain the man after he has retired from active service?

Mr. WEEKS. The pay he receives as a reservist—$40 a year, or thereabouts.

Mr. HITCHCOCK. Does the Senator think that for $40 a year a man can be retained in such a relation to the Government?

Mr. WEEKS. That is my judgment, after considerable personal experience and after consultation with others. We have no trouble in Massachusetts, for instance, in keeping our militia organizations full under the limitations imposed by the law, although they are paid nothing, and although they know the conditions under which they will go into the United States service in case of need. I believe many of the men discharged from the military service will be glad to go into the reserve force, receive the $40 a year, and make themselves liable to call in case of need. They would be the men that would go into active service very largely anyway, and whatever they receive for keeping up their connection with the Army will be so much to the good.

Mr. HITCHCOCK. Has the Senator any experience except that militia experience in Massachusetts to justify the belief that for such a trifling sum as $40 a year a man after he retires to private life, and presumably has family relations and business connections, would still hold himself constantly in readiness for service?

Mr. WEEKS. Mr. President, I discuss some phases of the question which the Senator has just asked later in this paper; but nobody can have any actual experience, because there never has been anything just like this. Every country that has a reserve force imposes compulsory service, and we can not tell just exactly what would be the result or how much money would be required to carry it out; but these are the estimates which are made by competent officers, and they accord with my judgment after many years' experience in the regular and militia service.

Mr. LODGE. Do not the English pay their territorials? They have no compulsory service.

Mr. WEEKS. They have no compulsory service. I am not sure whether they pay the territorials or not. I am inclined to think they do make some payment to them.

Mr. LODGE. In that connection, is it not true that these volunteer camps have been in large part composed of men who have gone to the camps in the summer at their own expense?

Mr. WEEKS. Oh, yes; and they very seldom receive any compensation for the service in any form. They take their annual vacation of two weeks and devote substantially all of it to the military service without any compensation whatever.

Third. The time the reservist is serving with the colors takes him away from his wage-earning capacity. It is true that while being trained as a soldier he is also being made worth more commercially by having instilled into him the ideas of discipline, punctuality, and by having developed his sense of responsibility; but, so far as the Government is concerned, when he is trained to take his place in the reserve he should at once be returned to his wage-earning capacity, just as the boy in school or college is withdrawn from labor producing only during the time necessary to make of him a greater wage earner, or, in other words, to fit him to do effectively the class of work which may be demanded of him. The contention, then, that the time men are being trained in the Army is a loss to the Nation because it removes them from productive labor is not any more tenable than would be the claim that it is economically a waste to a nation to send its young men to schools and colleges. The recruit is not only being trained for a service which may be demanded of him by the Nation, but at the same time he is being trained in ways which make him a better wage earner.

Fourth. A short term with the colors will also make the officers and men all work harder, and this will be beneficial to their work and to the Army as a whole, and especially will it tend to develop habits of sustained effort and of industry at work given them to perform.

Fifth. The men sent to war must be young men, and, as far as possible, those having either none or few others depending upon their labor for their support; so men should be taken into the active Army as young as possible, kept there for the shortest time possible, and then passed to the reserve.

This question of reserves is important to every mother and father in the country. If there be no reserve, there will be no body of men to mobilize existing organizations, bringing them to war strength and maintaining them during war at this effective strength, and consequently additional volunteer regiments will have to be called for, for troops must somehow be provided. As in the past, volunteer organizations will be raised; the young boys will join and go to the front. In every war we have ever had these volunteers—green boys under inexperienced officers—will lose from 22 to 28 per cent of their regimental strength in their concentration camp before ever going into a campaign; so a regiment with 800 will in a couple of months have lost 200. In all wars the losses in camp are greater than on the battle field. It will then be ordered to the front and in six months will have lost 40 per cent and be reduced to 360 men, as there are no trained men to supply this wastage; another 800-strength regiment will be raised and go through the same losses, while the officers and men are learning the A B C's of the soldier's profession—that of keeping themselves well, properly fed, and properly supplied.

Such was the experience of our past wars, and such will be the experience of our future wars fought by these volunteer soldiers. Can mothers and fathers of this Nation appreciate that the deaths of many of their sons are due to the ignorance of their officers and to the lack of training in their boys? Many a boy has become sick and has died from preventable disease because he did not know how to take care of himself and his officers were too ignorant to show him. Many a boy has been needlessly slaughtered by bullets and exposure because led by untrained officers.

Our future wars will be fought by the young men, but if there is a body of these men who previously have become voluntarily trained not so many of the untrained ones will be needed at the front at once. The reservist will at least have the advantage of joining an organization officered by experienced men, and he will fight by the side of trained men.

From every reason it seems that the expensive personnel serving with the colors should be kept at such a minimum as will provide the instruction for the yearly increment needed to keep full the relatively inexpensive reserve, and that the expensive Army will be used to keep intact in time of peace the organizations needed at once on the outbreak of war, and be used principally as a training school for the great body of men needed to make these organizations effective upon the battle field.

To explain what is meant by an adequate system of reserves: As the infantry is the cheapest of all the arms to maintain and the easiest to supply and obtain, it must form the bulk of any army. A regiment of infantry will be used in this illustration. The base yearly pay of the officers of a regiment of infantry is as follows:

1 colonel	$4,000
1 lieutenant colonel	3,500
3 majors	9,000
15 captains	36,000
15 first lieutenants	30,000
15 second lieutenants	25,500
1 chaplain	2,400
Total	110,400

The base pay of a private is $15; therefore the base pay of the officers is equal to the base pay of 613 men serving in first enlistment. For economical reasons, then, the enlisted strength in war should be as large as can be effectively handled by the officers. The officers can handle a larger number of trained than untrained men; that is, if trained men are provided, the regiment can have in war from 2,500 to 3,000 men. If trained men are not provided, the enlisted strength will drop to about 1,500. Statistics show that, due to death, wounds, sickness, desertion, and other causes, infantry will lose in a six months' active campaign about 40 per cent of its strength, and that an additional 10 per cent will be needed for its depot troops; or, if an infantry regiment goes to war with 1,500 men, unless some means are provided to supply its wastage, at the end of a six months' campaign it will have but 750 men. All our past wars have shown that we can not by voluntary enlistment, even utilizing the draft and the vicious bounty system, get recruits to supply this wastage, and the result has been that the regiments in the field have often dwindled to less than 300 men, and these regiments remain at the front with their small number of men and large number of higher-priced officers, and that the only way to get additional men to the front was to raise new regiments. This absurd policy has resulted in the great expense of recruiting, equipping, and paying new, untrained men, and sending them to the front under untrained officers, where, when their services are required, the regiment is again only 300 men strong. This is not fancy but a fact, as shown by the records of our Rebellion.

I wish to call to the attention of the Senators who are listening to me the great battle monument in the State of Pennsylvania on the field at Gettysburg. The next time you go there, if you will note the number of organizations representing that State which took part in the Battle of Gettysburg, and the comparatively few men in those organizations, you will find that there were less than 300 men to a regiment present and on duty in the State where the battle took place. If that were true in that State, it must much more certainly be true in other States.

If trained reservists were provided to supply this wastage, the regiments at the front could be kept at their full fighting strength. Fewer men would be required, many less regiments would be raised, and our young sons and relatives would not be sent to the front under inexperienced officers.

Suppose, then, that our Infantry regiments of trained men can be held at a war strength of 2,400, it will need 1,200 trained reservists to furnish the wastage for a six months' campaign and its depot troops. What will be its economic peace strength, provided trained reservists are available to bring it from its economic peace to its effective war strength or to furnish the trained reservists to what, in military parlance, is termed "to mobilize"?

If the peace strength is 1,000 men, 1,400 trained reservists will be needed to mobilize each Infantry regiment and 1,200 to supply and keep it at a full strength of 2,400 men in a six months' active campaign, or a total of 2,600 reservists.

If the time of service with the colors is three years and the strength 1,000 men, then about 300 men will each year be available to pass to the reserve, and 300 into 2,600 equals 8⅔. As some of the 300 men passed to the reserve will desert or become disabled or unfit for service, to keep the reservists full at 2,600 will probably require nine years' service in the reserve for a three years' service with the colors and a strength of 1,000 men. If the number of men serving with the colors is increased or the time of service with the colors is decreased, then the time of service in the reserve can be shortened. From cost alone it is not advisable to increase the enlisted strength above what is absolutely needed to furnish the yearly quota of trained men to the reserve. Shortening the time with the colors is from every viewpoint the best procedure. More men can be trained; it keeps the men the shortest time from being producers; it makes the officers and men work harder during the two years of service of the enlisted men; the men, after being trained, join the reserve younger; the reservist is less apt to get married while in the reserve and thus have fewer persons dependent upon him for support; and because with the increased effort demanded he will have developed character which will make him worth more commercially; and, further, if the Government can train him in two years, it would be folly to pay the extra $326 for another year's superfluous training, when he is an equal asset to the Nation's defense without this time, whether remaining with the colors or in the reserve, and he can be held in the reserve for about one-eighth of what he costs when serving with the colors. If, then, this time is reduced to two years about 500 men will be available each year to pass to the reserve, and 500 into 2,600 equals 5⅕ or 6 years. But, as the needed reserve is over twice as large as the number of men serving with the colors, the time spent with the colors, whatever its length, will be about one-third of that spent with the reserve. Three things are, then, absolutely necessary in providing for any system of trained reservists.

First. The recruit must be trained in the shortest possible time and he must then be passed to the reserve; that is, not permitted to reenlist in the active Army unless needed as an instructor for other recruits.

Second. Whatever the length of time of service with the colors, the length of service in the reserve must be about three times as long. Hence, any law which will give an adequate reserve must provide for this proportional service.

Third. The reservist must be kept track of, have his clothes, arms, and equipment ready for him at some designated depot, be assigned to some organization, and have a means provided by which, when needed, he can promptly join his depot and be equipped and then promptly forwarded to his organization. To do this the reservist must be paid and classified.

The reservist also should be a young man with the fewest possible depending upon him for their support. The reservists needed to mobilize forming one class, and men needed to supply the six months' wastage forming another, should all be unmarried. Perhaps this is not possible, but it is desirable.

The reservists for depot troops forming a third class will not leave home territory except when other resources of war are exhausted; so they may be married or older men.

The two things which any law looking to the formation of a reserve must do with certainty are: Provide an adequate reserve of trained young men and so hold these reservists as to permit them to pursue in peace their productive labors, but compel a certain and prompt return to their organizations upon the call of the President. No law which contemplates that the return of reservist shall be optional with him can be effective. War plans can only be made when it is certain that our organizations will be at fixed strength of trained men during the continuance of the campaign. The enlistment law recently passed by Congress was good in that it recognized the importance of providing a reserve, but this law can not provide an adequate reserve, and it should be changed at once. It provided a longer time of service with the colors than in the reserve and practically discharged the man after his service with the colors, and provided no means of keeping track of the reservist, and did not pay him; and it can not therefore be effective in carrying out the War Department's plans. How can any law obtain an adequate reserve when the time of service with the colors is less than the time of service in the reserve, and yet the needed reserve is over twice as large as the peace enlisted strength? How can the volunteer reservist be kept track of in peace and compelled to return to his organization in war unless he is paid? How can any system of bounty induce a man to return to any designated organization when he will undoubtedly receive a larger bounty and easier service by going to the volunteers or militia?

Those who framed this bill have tried to justify their action by the answers given by certain of the officers of the Army serving with troops to their question: "Which would you prefer, a short or a long term of enlistment?" Of course, any officer serving with troops would answer, "A long enlistment," for this means to him less work and very well-trained men, whose personal equations are all known to their commander. If the question asked had been: "Which is best for the Nation, a short term with a reserve or a long term of enlistment without a reserve?" the answers would have been very different, even from the officers who have not given very much previous thought to this question of national policy.

It does not require much of a mathematician to see that if one man with the active Army costs as much as eight trained men in the reserve, that an active army of 100,000 men and 200,000 trained reservists can be kept for less money than an active army of 125,000 men and no reserve. The first army will have, with a two-year enlistment, an effective fighting strength when needed in war of about 150,000 trained men,

50,000 men of less than one year's service, and behind it a reserve of 100,000 trained men, sufficient to keep it at its effective strength during a six-months' active campaign. The second army, having no traind reservists, will probably be sent to war with 62,500 trained men, 62,500 men of less than one year's service, and perhaps 50,000 untrained recruits, if they can be obtained—a total of 62,500 trained men, 112,500 untrained or partially trained men—total 175,000, which in six months will be reduced to 87,500.

The War Department has plans for the reorganization of the Army, and will urge that the present organization will be ineffective in war and is very expensive and ill-advised in peace, and these opinions of the War Department are the same as those held by the military experts of all other nations.

If our child is sick, do we accept the diagnosis of the man without even a doctor's certificate, and especially if the diagnosis and remedies suggested are diametrically different from the treatment suggested and followed in similar cases by all the celebrated doctors of the world? Our country is desperately ill with nondevelopment of its military resources. The disease has been clearly diagnosed by experts and all the expert world knows it. They also know the remedy and have prescribed it. The sensible course seems to be to follow the expert treatment prescribed. Our past history shows what a different policy has resulted in military inefficiency, military disaster, immense cost in war, excessive expenditures for pensions.

If the Army is needed at all, its principal use is to furnish a reasonable defense against a probable invasion. To do this it must be of sufficient size and of such organization as will make it effective when opposed to a probable foe. Can anyone believe that our little mobile Regular Army of 31,500 men and no reserves can furnish any adequate defense against the army of any of the great powers? Moneys saved by not developing an adequate defense of size and organization and equipments sufficient for the needs of the country is not an economy. If the defense provided will not function effectively when needed, moneys spent upon it are wasted. Either make it effective in the manner prescribed by our experts or let Congress take full responsibility for its present condition.

Mr. DU PONT. I desire to say to the Senator from Massachusetts that the little mobile army of about 31,000 men of which he speaks has not an adequate number of fieldpieces as compared with muskets. There are only two guns to a thousand muskets. That is another feature which makes it very much less efficient.

Mr. WEEKS. I stated earlier in my remarks that each regiment used as a unit should have with it four to six guns.

Mr. LODGE. What is the average number of guns per thousand men in other armies?

Mr. WEEKS. I think the figures I have read will substantially cover the average number of guns with a unit of men.

Mr. LODGE. I was told that there are seven in the German Army per thousand.

Mr. WEEKS. I have given our regiments at somewhat less.

Mr. LODGE. What is the number in ours, exactly?

Mr. WEEKS. It is rather less than two, I think.

Mr. DU PONT. It is only two in our Army.

Mr. WEEKS. Mr. President, I will return for a moment to our developed military resources. The tables giving the strength of the Regular Army and Organized Militia in the United States show that the militia might, with the hearty cooperation of the State authorities, be organized into 12 tactical divisions, 5 auxiliary divisons, and 6 additional Infantry brigades; but that in order to so organize the militia which can be used in a mobile army it must be increased by about 2,600 officers and 48,000 men, or it should be expanded to the peace strength of 10,164 officers and 152,610 men.

The war strength of these organizations would be 10,164 officers and 282,292 men. It will therefore be necessary to provide a first reserve of 129,682 men in order that the militia may be sent to war at its effective strength or to mobilize it, and another, or second, reserve of 134,000 men and some 4,700 officers to keep the militia at its effective war strength during a six months' campaign.

The Regular Army in the United States can be tactically organized into three divisions and two Cavalry divisions, having a war strength of 2,321 officers and 73,397 men, by providing a slight increase in the peace strength of the Regular Army in both officers and men and providing a reserve of 29,000 men to mobilize. Another reserve of about 34,000 men is required, so that this war strength of the Regular Army may be preserved at about 73,000 men during a six months' active campaign. When the Regular Army and the militia are thus properly organized and their reserves provided, the developed military strength of the United States will be—

Regular Army	73,400
Organized Militia	282,000
Total	355,400

This force is 150,000 men short of what the military experts of the country believe should be the size of the available organized military force in the United States. While the militia may be a valuable asset and has in its ranks many earnest men with great potential as part of our effective defense, still it never can, under their militia service, become a well-trained and disciplined force, and it would be a crime to send them to the front before they had received in the field the training needed to mechanize them as a fighting force.

It would seem that it would be inadvisable to further expand the militia to obtain this needed 150,000 men—first, because the well-trained troops of the Regular Army, at even the proposed increased size, when expanded to their war strength is too small a force to furnish a sure block to a modern army for the time needed to train the militia, and until this can be done a force of 73,000 Regulars and 282,000 militia, plus the volunteers we might hastily raise, approximates the proportion and condition of the forces that have been beaten by equal numbers in every one of our past wars.

The following garrisons of the authorized Regular Army are serving out of the country, and these can not be considered as part of any developed force which is available for defense of the home territory:

In the Philippine Islands, including about 5,500 Philippine Scouts	17,000
In the Hawaiian Islands	8,000
In Alaska	1,000
In Panama, as soon as quarters are built	3,000
Total	29,000

These garrisons are too small; in fact, it is believed that with the exception of the troops in the Philippines, all the other garrisons will ultimately have to be increased.

It is certainly an altruistic policy which attempts to educate and fit for self-government the people of the Philippines, but this attempt has required the United States to send over 11,000 of its Regular Army to the Philippines and to pay for some 6,000 native troops—a yearly expenditure of some $10,000,000, if we take the cost of the soldier serving with the colors at $600 per year; an expenditure of over five and one-half millions, if we consider only the clothing, pay, and food of the soldier. Taking this latter sum, it means 139,000 reserves. I am not criticizing the policy, provided the Nation is willing to pay this cost; but if the policy means that our Regular Army in the United States will, by this altruism, be reduced below what will give the Nation a reasonable defense, the policy is not only dangerous but pernicious.

The garrison of the Sandwich Islands is 8,000, and probably should be increased to 20,000 in order to provide a navy need; that is, to secure harbor and coaling station for our fleet in the Pacific.

The garrison in the Panama Canal Zone must be sufficient to protect this great waterway. The Nation has assumed new responsibilities with reference to the world at large, and the cost of meeting these responsibilities can not be measured by the appropriations made for similar purposes in its younger national life.

It is not for me to prescribe the size of the mobile army in the United States, but rather to invite attention to what is considered by men who have made a study of this question an adequate home defense and to show, if possible, how imperfectly this home defense has been provided. The War Department tells us the country needs for this defense 500,000 trained men, supplemented by from 100,000 to 200,000 volunteers. The Nation has in the United States a mobile Regular Army of 31,500 enlisted strength and an organized mobile militia of about 104,000 enlisted strength and no available trained reserve. Certainly the War Department under these conditions can not be held responsible for the disastrous outcome of an attack made upon this country. The figures presented by the War Department appear rather stupendous, but they are not inconsistent with what this country has been obliged to put in the field in most of its past wars, and until Congress furnishes the means to approximate the demands of the War Department the responsibility for the results of any war must be borne by Congress.

I am firmly impressed with the idea that haphazard legislation has too long been indulged in with reference to the development of our military resources; that the questions of policy, of economy in maintenance, of effectiveness in the costly ma-

chine which we are forced to maintain, have not been intelligently met—certainly they have not been satisfactorily solved.

To quote from an article on "National defense":

If the United States is unwilling to follow all other great nations in their method of providing a trained army, i. e., to require every young man of the Nation to devote one or two years to the training necessary to make of him an efficient unit in the Nation's defense, then the people and Congress must not shrink from the large appropriation necessary to provide an Army by means of voluntary enlistments.

In order that any policy for national defense may be continuing and put in effect it is necessary, first, that a policy be formulated which will be approved by the Nation and by Congress; second, that means be provided so that the general policy when approved will be adhered to and carried out.

This requires some sort of national-defense council, and I am heartily in favor of seeing such a body legislated into prompt existence. Congress then would not be asked to provide for the policies and individual opinion of varying administrations and military committees, which so far have been ineffective and costly, but some definite scheme would be thought out for the economical development and maintenance of that part of our military resources considered necessary for our national defense.

A man can only be an efficient soldier by subjecting himself to that training which will make him one. The Nation lost the vast reserve of soldiers trained by five years of active service in the Civil War; it has no developed professional leaders except those trained in the Regular Army; it has failed to utilize as part of its developed military strength the men who have been trained and discharged from the Regular Army. Our militia, although composed of a fine body of capable men, can not be considered as a whole a reliable fighting force at the outbreak of war. Our Nation has neglected absolutely the lessons taught by its past defective military policy, and is persistent in the policy which our past history has shown to be foolish and exceedingly wasteful in human life and money.

Russia was unprepared for war, and was defeated by a nation less than half of its size in population.

The Turkish Army, which only a few years ago was one of the best in Europe, had been rendered an ineffective fighting machine by diverting the moneys needed to keep it efficient to other purposes; it was crumpled up and vanquished in less than three weeks by nations not considered at all in the same military class.

If the people of this country believe that this great Nation can not support an army of the size sufficient for its defense, it may be within the province of its Representatives to prescribe the size of the army the Nation believes it can afford; but they should then be prepared to assume the responsibility for the Nation's undefended condition. This is perhaps within the province of Congress, but for Congress to dictate the organization of the Army, especially when such is opposed to what all military experts of all nations say, is reprehensible; for, although Congress must assume the responsibility for the condition, it would have no power to avert the disaster which will in war afflict the Nation because of this policy.

Finally, I believe that laws should be passed at once which will reorganize the Regular Army. This reorganization should give to the mobile army the proper proportion of infantry, field artillery, cavalry, engineers, signal, sanitary troops, the needed ammunition and supply trains, and provide for properly equipped depots. The law must provide that the men serve the shortest time with the colors necessary to train them as soldiers, and then pass them as soon as trained to a reserve, and that while serving in this reserve the men must be paid. Make the enlistment age 18 to 21, with consent of parents, and 25 as limit for first enlistment. Permit no man not a commissioned officer, musician, mechanic, horseshoer, bandsman, or one specially recommended as instructor for recruits to reenlist in the line of the mobile army. Provide that soldiers have no legal right to their uniforms or clothing; what they save on the clothing allowance to pass to their credit on discharge as at present, but that upon discharge they must have a serviceable overcoat, service uniform, shoes, and other articles prescribed as field and surplus kit; these to be appraised by a board of officers and their value passed to the man's credit; these clothes to follow the reservist to the depot where he reports on mobilization. Have reservists report their address four times per year, but as the reservist is a trained man it is not necessary to recall him to the colors during the first term of enlistment in the reserve, and he should not be so recalled, but should be permitted to go anywhere in the United States upon giving notification of his new address. If regiments are assigned to certain localities near centers of population, they will draw their recruits from those centers and the reservists will return to their homes. If, however, they do desire to move away, this privilege should be accorded them as a right, the only restriction being that they report four times a year to their organization commander or to The Adjutant General of the Army, giving their addresses. To provide that service in the reserve shall be at least three times the service with the colors, and this can be best done by dividing the reserve into three classes—the first to be composed of men who will be used to mobilize the organizations, the service in this class to be about three years and the men to be preferably unmarried; second class to be composed of men who will supply the wastage of a six months' campaign, service in this class to be three years and the men to be preferably unmarried; the third class to form the depot troops, service in this class to be approximately three years.

A similar reserve to be provided for the militia, and as this reserve is a Federal and not a State asset the militia reserve should also be paid by the National Government. Laws should also be passed to provide trained commissioned officers for the reserve and for such volunteers as may be needed. A fine body of such reserve commissioned officers can probably be obtained from the discharged noncommissioned officers of the Regular Army or from the graduates at West Point, if the plan I have suggested were put into operation, by paying them such part of $300 as may be needed to purchase their uniforms and equipments.

Mr. HITCHCOCK. Does the Senator mean there that each man after discharge from the Army should serve for nine years in the reserve or for only three years?

Mr. WEEKS. He may pass on from one reserve to another, but he serves as a first reservist for three years.

Mr. HITCHCOCK. After three years in the reserve, he retires absolutely from it?

Mr. WEEKS. Yes; if he wishes to do so, or he may continue in the second reserve or the third reserve. That is to be optional.

Mr. MARTINE of New Jersey. Mr. President, the Senate has just listened to a most highly instructive and interesting address by the Senator from Massachusetts [Mr. WEEKS]. The subject of that address is one of vital importance, and one which at the present time agitates the Nation from one end of it to the other. It seems to me that it could hardly have too extensive a circulation, and I move that 2,000 pamphlet copies of the address be printed.

Mr. SMOOT. Mr. President, I dislike to interpose an objection to the request of the Senator from New Jersey that the address of the Senator from Massachusetts be printed as a public document. I am perfectly willing that it should be printed in congressional form by the Senate. It has been the rule of this body, and it is also agreed between the House and the Senate, that speeches which are delivered in the Senate or in the House shall not be printed as public documents. For that reason, and that reason only, I object now to the request.

Mr. SMITH of Georgia. Mr. President, the speech delivered by the Senator from Massachusetts is already a public document; it will be printed in the RECORD; but if we start special orders for the printing of Senators' speeches in document form we will have similarly to print every Senator's speech. I have been here three years, and nothing of that sort has ever been done during that time. So I object. I do so, however, with the highest regard for the Senator from Massachusetts and for his speech. I would object if it were a speech of the Senator from Indiana [Mr. KERN] or of any other Senator on the floor of the Senate. I do not think we ought to do it.

Mr. MARTINE of New Jersey. Very well, but I feel that the subject is one of vital importance.

The VICE PRESIDENT. Objection is made.

DEATH OF REPRESENTATIVE SERENO E. PAYNE.

A message from the House of Representatives, by J. C. South, its Chief Clerk, communicated to the Senate the intelligence of the death of Hon. SERENO E. PAYNE, a Representative from the State of New York, and transmitted resolutions of the House thereon, including an invitation to the Vice President and the Senate to attend the funeral of the deceased Representative in the House of Representatives, to be held on Sunday, December 13, 1914, at 11 o'clock a. m.

The VICE PRESIDENT. The Chair lays before the Senate resolutions from the House of Representatives, which will be read.

The Secretary read the resolutions, as follows:

IN THE HOUSE OF REPRESENTATIVES,
December 11, 1914.

Resolved, That the House has heard with profound sorrow of the death of Hon. SERENO ELISHA PAYNE, a Representative from the State of New York.

Resolved, That a committee of the House be appointed to take order for superintending the funeral of Mr. PAYNE in the House of Representatives at 11 o'clock a. m. on Sunday, December 13, 1914, and that the House of Representatives attend the same.

Resolved, That as a further mark of respect the remains of Mr. PAYNE be removed from Washington to Auburn, N. Y., in charge of the Sergeant at Arms, attended by the committee, who shall have full power to carry these resolutions into effect, and that the necessary expenses in connection therewith be paid out of the contingent fund of the House.

Resolved, That the Clerk of the House communicate these proceedings to the Senate and invite the Vice President and the Senate to attend the funeral in the House of Representatives and to appoint a committee to act with the committee of the House.

Resolved, That invitations be extended to the President of the United States and the members of his Cabinet, the Chief Justice and Associate Justices of the Supreme Court of the United States, the Diplomatic Corps (through the Secretary of State), the Admiral of the Navy, and the Chief of Staff of the Army to attend the funeral in the House of Representatives.

Resolved, That as a further mark of respect this House do now adjourn.

In accordance with the foregoing resolution the Speaker appointed the following committee: Mr. FITZGERALD, Mr. UNDERWOOD, Mr. MANN, Mr. JONES, Mr. TALBOTT of Maryland, Mr. COOPER, Mr. GILLETT, Mr. BARTHOLDT, Mr. BARTLETT, Mr. BUTLER, Mr. GREENE of Massachusetts, Mr. HAMILTON of Michigan, Mr. MONDELL, Mr. FORDNEY, Mr. MURDOCK, Mr. GARDNER, Mr. MOORE, Mr. KITCHIN, Mr. RAINEY, Mr. DIXON, Mr. HULL, Mr. HAMMOND, Mr. SLOAN, and Mr. BROWN, Mr. O'LEARY, Mr. WILSON, Mr. DALE, Mr. MAHER, Mr. CALDER, Mr. GRIFFIN, Mr. O'BRIEN, Mr. METZ, Mr. RIORDAN, Mr. GOLDFOGLE, Mr. LEVY, Mr. CONRY, Mr. DOOLING, Mr. CAREW, Mr. PATTEN, Mr. CHANDLER, Mr. CANTOR, Mr. GEORGE, Mr. BRUCKNER, Mr. GOULDEN, Mr. OGLESBY, Mr. TAYLOR, Mr. PLATT, Mr. MCCLELLAN, Mr. TEN EYCK, Mr. PARKER, Mr. WALLIN, Mr. MOTT, Mr. TALCOTT, Mr. FAIRCHILD, Mr. CLANCY, Mr. UNDERHILL, Mr. DUNN, Mr. DANFORTH, Mr. GITTINS, Mr. SMITH, Mr. DRISCOLL, Mr. HAMILTON, and Mr. LOFT, of New York.

Mr. O'GORMAN. Mr. President, I have to convey to the Senate the sad intelligence of the death of an illustrious citizen of the State of New York, who was concluding his thirtieth year of useful and distinguished service in the House of Representatives, the Hon. SERENO E. PAYNE. In connection with this announcement I submit the resolutions which I send to the desk, and ask their adoption.

The VICE PRESIDENT. The resolutions will be read.

The resolutions (S. Res. 499) were read, considered by unanimous consent, and unanimously agreed to, as follows:

Resolved, That the Senate has heard with profound sorrow the announcement of the death of Hon. SERENO ELISHA PAYNE, late a Representative from the State of New York.

Resolved, That a committee of 10 Senators be appointed by the Vice President, to join a committee appointed by the House of Representatives, to take order for the superintending of the funeral of the deceased.

Resolved, That the Senate accepts the invitation of the House of Representatives extended to the President of the Senate and the Senate to attend the funeral of the deceased, to be held in the Hall of the House of Representatives at 11 o'clock a. m. on Sunday next, December 13, 1914.

Resolved, That the Secretary communicate a copy of these resolutions to the House of Representatives.

The VICE PRESIDENT appointed under the second resolution as the committee on the part of the Senate Mr. ROOT, Mr. O'GORMAN, Mr. CLARK of Wyoming, Mr. MARTINE of New Jersey, Mr. BRANDEGEE, Mr. ASHURST, Mr. LODGE, Mr. SMITH of Georgia, Mr. NELSON, and Mr. BANKHEAD.

The VICE PRESIDENT. The Chair notices that in the resolutions of the House the Vice President, among others, is invited to attend the funeral ceremonies of the late Representative from the State of New York. That the Vice President may not be conspicuous by his absence, it is necessary to state that he has an engagement for Sunday next, which will call him out of the city on that day. The Vice President does not desire that his absence should be taken as a mark of disrespect to the deceased or of any discourtesy to the invitation.

Mr. O'GORMAN. Mr. President, I move, as a further mark of respect to the memory of the deceased, that the Senate do now adjourn.

The motion was unanimously agreed to; and (at 1 o'clock and 30 minutes p. m.) the Senate adjourned until to-morrow, Saturday, December 12, 1914, at 12 o'clock meridian.

HOUSE OF REPRESENTATIVES.

FRIDAY, *December 11, 1914.*

The House met at 12 o'clock noon.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

O Lord God Almighty, Creator and Father of all souls, Thy will is supreme, and Thy will is good will, for Thou dost love Thy children and satisfiest the longing souls with hopes and aspirations, and leadest them on in thoughts and deeds which live after them. A great sorrow has come to this House in the death of a strong man, firm in his convictions, pure in his motives, which endeared him to all who knew him, and who for years has held a conspicuous place on the floor of this House. In the committees to which he was assigned his counsel was sought. A statesman who served with all vigor and wisdom his State and Nation, SERENO E. PAYNE will live; his going will be mourned by his people and by all with whom he came in contact.

We thank Thee for his life, for his character, and what he did. Comfort us and his family in the everlasting hope of the immortality of the soul. Help us to follow his example, to emulate his virtues, and cherish his memory. And teach us the value of well doing, and guide us by Thine own counsels, that we may leave the impress of our character on those who shall come after us. "A good name is rather to be chosen than great riches, and loving favor rather than silver and gold." So keep us all in the way of righteousness, and bring us at last into Thine everlasting kingdom. In the spirit of the Lord Jesus Christ. Amen.

The Journal of the proceedings of yesterday was read and approved.

SENATE BILL REFERRED.

Under clause 2, Rule XXIV, Senate bill of the following title was taken from the Speaker's table and referred to its appropriate committee, as indicated below:

S. 2335. An act to provide for the register and enrollment of vessels built in foreign countries when such vessels have been wrecked on the coasts of the United States or her possessions or adjacent waters and salved by American citizens and repaired in American shipyards; to the Committee on the Merchant Marine and Fisheries.

HOUR OF MEETING ON SATURDAY.

Mr. FITZGERALD. Mr. Speaker, I ask unanimous consent that when the House adjourns to-day it adjourn to meet at 11 o'clock to-morrow morning.

The SPEAKER. The gentleman from New York [Mr. FITZGERALD] asks unanimous consent that when the House adjourns to-day it adjourn to meet at 11 o'clock to-morrow morning. Is there objection?

There was no objection.

RECESS.

Mr. FITZGERALD. Mr. Speaker, I ask unanimous consent that the House take a recess for 30 minutes.

The SPEAKER. The gentleman from New York asks unanimous consent that the House take a recess for 30 minutes. Is there objection?

There was no objection.

Accordingly (at 12 o'clock and 8 minutes p. m.) the House stood in recess.

The recess having expired, the House resumed its session.

SUNDAY SESSION.

Mr. FITZGERALD. I ask unanimous consent that when the House adjourns on Saturday it adjourn to meet at 10.30 o'clock a. m. on Sunday.

The SPEAKER. The gentleman from New York asks unanimous consent that when the House adjourns on Saturday it adjourn to meet at 10.30 o'clock a. m. on Sunday. Is there objection?

There was no objection.

DEATH OF REPRESENTATIVE PAYNE.

Mr. FITZGERALD. Mr. Speaker, it becomes my sad duty to announce to the House the death of my colleague, the dean of the House and one of its most distinguished Members, the Hon. SERENO E. PAYNE, who passed away last night at his residence in this city. At some future time I shall ask the House to set aside a date to be devoted to the delivery of eulogies upon the life, character, and public services of the deceased. At present I offer the resolutions which I send to the Clerk's desk.

The SPEAKER. The Clerk will report the resolutions.

The Clerk read as follows:

House resolution 673.

Resolved, That the House has heard with profound sorrow of the death of Hon. SERENO ELISHA PAYNE, a Representative from the State of New York.

Resolved, That a committee of the House be appointed to take order for superintending the funeral of Mr. PAYNE in the House of Representatives at 11 o'clock a. m. on Sunday, December 13, instant, and that the House of Representatives attend the same.

Resolved, That as a further mark of respect the remains of Mr. PAYNE be removed from Washington to Auburn, N. Y., in charge of the Sergeant at Arms, attended by the committee, who shall have full power to carry these resolutions into effect, and that the necessary expenses in connection therewith be paid out of the contingent fund of the House.

Resolved, That the Clerk of the House communicate these proceedings to the Senate and invite the Vice President and the Senate to attend the funeral in the House of Representatives and to appoint a committee to act with the committee of the House.

Resolved, That invitations be extended to the President of the United States and the members of his Cabinet, the Chief Justice and Associate Justices of the Supreme Court of the United States, the Diplomatic Corps (through the Secretary of State), the Admiral of the Navy, and the Chief of Staff of the Army to attend the funeral in the House of Representatives.

The resolution was agreed to, and the Speaker announced as the committee on the part of the House Mr. FITZGERALD, Mr. UNDERWOOD, Mr. MANN, Mr. JONES, Mr. TALBOTT of Maryland, Mr. COOPER, Mr. GILLETT, Mr. BARTHOLDT, Mr. BARTLETT, Mr. BUTLER, Mr. GREENE of Massachusetts, Mr. HAMILTON of Michigan, Mr. MONDELL, Mr. FORDNEY, Mr. MURDOCK, Mr. GARDNER, Mr. MOORE, Mr. KITCHIN, Mr. RAINEY, Mr. DIXON, Mr. HULL, Mr. HAMMOND, Mr. SLOAN, Mr. BROWN of New York, Mr. O'LEARY, Mr. WILSON of New York, Mr. DALE, Mr. MAHER, Mr. CALDER, Mr. GRIFFIN, Mr. O'BRIEN, Mr. METZ, Mr. RIORDAN, Mr. GOLDFOGLE, Mr. LEVY, Mr. CONRY, Mr. DOOLING, Mr. CAREW, Mr. PATTEN of New York, Mr. CHANDLER of New York, Mr. CANTOR, Mr. GEORGE, Mr. BRUCKNER, Mr. GOULDEN, Mr. OGLESBY, Mr. TAYLOR of New York, Mr. PLATT, Mr. MCCLELLAN, Mr. TEN EYCK, Mr. PARKER of New York, Mr. WALLIN, Mr. MOTT, Mr. TALCOTT of New York, Mr. FAIRCHILD, Mr. CLANCY, Mr. UNDERHILL, Mr. DUNN, Mr. DANFORTH, Mr. GITTINS, Mr. SMITH of New York, Mr. DRISCOLL, Mr. HAMILTON of New York, and Mr. LOFT.

ADJOURNMENT.

The SPEAKER. The Clerk will report the last resolution.

The Clerk read as follows:

Resolved, That as a further mark of respect this House do now adjourn.

The motion was agreed to; accordingly (at 12 o'clock and 38 minutes p. m.) the House adjourned until Saturday, December 12, 1914, at 11 o'clock a. m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1. A letter from the Secretary of War, submitting an item of legislation to meet requirements in the completion of the fortifications of the Panama Canal (H. Doc. No. 1338); to the Committee on Appropriations and ordered to be printed.

2. A letter from the Secretary of Commerce, transmitting detailed statements of disbursements by the Department of Commerce and Labor for 1912 and 1913, and Department of Commerce for 1914 (H. Doc. No. 1339); to the Committee on Expenditures in the Department of Commerce and ordered to be printed.

3. A letter from the Secretary of the Treasury, transmitting report of the Bureau of War-Risk Insurance, under provision of section 10, Document No. 193, Sixty-third Congress (H. Doc. No. 1340); to the Commiteee on the Merchant Marine and Fisheries and ordered to be printed.

4. A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, reports on preliminary examination and survey of Buzzards Bay, Mass., with a view to the removal of Cleveland Ledge and other obstructions to such depth as will be suitable for vessels using the Cape Cod Canal; also with a view to providing a depth of 25 feet up to the dredged channel in the harbor of New Bedford, Mass. (H. Doc. No. 1341); to the Committee on Rivers and Harbors and ordered to be printed, with illustrations.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII,

Mr. ASWELL introduced a bill (H. R. 19813) to create the Red River commission and to define its duties, which was referred to the Committee on Rivers and Harbors.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ADAIR: A bill (H. R. 19814) granting an increase of pension to Henry R. Buckmaster; to the Committee on Invalid Pensions.

Also, a bill (H. R. 19815) granting an increase of pension to Joseph A. Ellis; to the Committee on Invalid Pensions.

Also, a bill (H. R. 19816 granting a pension to Charles E. Faux; to the Committee on Pensions.

By Mr. ASHBROOK: A bill (H. R. 19817) granting a pension to Nettie B. Shores; to the Committee on Invalid Pensions.

By Mr. BOOHER: A bill (H. R. 19818) granting a pension to Mahala Burns; to the Committee on Invalid Pensions.

Also, a bill (H. R. 19819) granting an increase of pension to John T. Warburton; to the Committee on Invalid Pensions.

By Mr. BURKE of Wisconsin: A bill (H. R. 19820) for the relief of Guy C. Pierce; to the Committee on War Claims.

By Mr. CAMPBELL: A bill (H. R. 19821) granting an increase of pension to Elias Worley; to the Committee on Invalid Pensions.

By Mr. ESCH: A bill (H. R. 19822) granting a pension to George W. Stanford; to the Committee on Invalid Pensions.

By Mr. HINEBAUGH: A bill (H. R. 19823) granting a pension to Daniel Mason; to the Committee on Invalid Pensions.

By Mr. HOWARD: A bill (H. R. 19824) for the relief of the heirs of Benjamin Burdett, deceased; to the Committee on War Claims.

Also, a bill (H. R. 19825) for the relief of the heirs of William H. Clarke; to the Committee on War Claims.

By Mr. LINTHICUM: A bill (H. R. 19826) granting a pension to Martha A. Kaiser; to the Committee on Pensions.

By Mr. MOSS of West Virginia: A bill (H. R. 19827) granting an increase of pension to Lydia M. Fleming; to the Committee on Invalid Pensions.

By Mr. SLAYDEN: A bill (H. R. 19828) for the relief of the Longini Mexican Hat Co., of San Antonio, Tex.; to the Committee on Ways and Means.

By Mr. STEPHENS of Texas: A bill (H. R. 19829) for the relief of J. G. Seupelt; to the Committee on Indian Affairs.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. ASHBROOK: Evidence to accompany House bill 18949, for the relief of Jacob A. Thuma; to the Committee on Invalid Pensions.

By Mr. BAILEY: Petition of business men of Bedford, Pa., favoring the passage of House bill 5308, relative to taxing mail-order houses; to the Committee on Ways and Means.

By Mr. CARY: Petition of Order of Railway Conductors and Brotherhoods of Railroad Trainmen, Locomotive Engineers and Firemen, favoring passage of House bill 17894, relative to boiler inspection, etc.; to the Committee on Interstate and Foreign Commerce.

Also, petition of S. E. Tate Printing Co., of Milwaukee, Wis., protesting against new contract for printing return envelopes by the Government; to the Committee on the Post Office and Post Roads.

By Mr. GERRY: Petition of Sidney F. Hoar Camp, No. 4, United Spanish War Veterans, Providence, R. I., and Westerly Board of Trade, Westerly, R. I., relative to national defense; to the Committee on Rules.

Also, petition of Woman's Christian Temperance Union, Apponaug, R. I., favoring national prohibition; to the Committee on Rules.

By Mr. GRAHAM of Pennsylvania: Petition of Western Association of Short Line Railroads, protesting against H. R. 17042, changing the basis of mail transportation; to the Committee on the Post Office and Post Roads.

Also, petition of 20 citizens of Philadelphia, Pa., favoring national prohibition; to the Committee on Rules.

By Mr. HOUSTON: Petition of citizens of Petersburg, Tenn., favoring national prohibition; to the Committee on Rules.

By Mr. MAHER: Petition of citizens of Brooklyn, N. Y., favoring the passage of the Hamill bill, H. R. 5139; to the Committee on Reform in the Civil Service.

By Mr. RAINEY: Petition of Methodist Episcopal Church of Hull, Ill., favoring national prohibition; to the Committee on Rules.

By Mr. SCULLY: Petition of citizens of Ocean Grove and Barnegat, N. J., favoring national prohibition; to the Committee on Rules.

By Mr. SMITH of Minnesota: Memorial of Arthur MacArthur Camp, No. 15, Department of Minnesota, United Spanish War Veterans, indorsing House bill for inquiry into conditions of military and naval forces of the United States; to the Committee on Rules.

SENATE.

SATURDAY, *December 12, 1914.*

The Chaplain, Rev. Forrest J. Prettyman, D. D., offered the following prayer:

Almighty God, we know Thee in the renewing of our lives as we seek the center and source of all truth. Our approach into Thy presence is the gateway into that infinite calm and peace for which our spirits were made. Glorify Thyself in this moment of prayer that out of it we may carry the glory and fervor of divine inspiration. A day in Thy court is better than a thousand. A moment's lifting up of our hearts to God gives to us an outlook of infinite possibility.

The Nation is called upon to-day to mourn the loss of a statesman. We bless God for laying His hand upon men who are furnished for every good word and work. We thank Thee

that in the infinite depths of life there is a unity of brotherhood. We bless Thee that our traditions hold us not so strong as our brotherhood, and that a common loss is felt in the falling of a servant of the people. Grant, we pray Thee, still to raise up men whose character may stand the test of public life and in whose patriotism the Nation can rest secure. Add Thy blessings to us this day. For Christ's sake. Amen.

MILES POINDEXTER, a Senator from the State of Washington, appeared in his seat to-day.

The Journal of yesterday's proceedings was read and approved.

SENATOR FROM CONNECTICUT.

The VICE PRESIDENT laid before the Senate the certificate of the governor of Connecticut certifying that on the 3d day of November, 1914, Hon. FRANK B. BRANDEGEE was chosen by the electors of the State of Connecticut a Senator from that State for the term of six years beginning on the 4th day of March, 1915, which was read and referred to the Committee on Privileges and Elections.

BOARD OF ORDNANCE AND FORTIFICATION (H. DOC. NO. 1342).

The VICE PRESIDENT laid before the Senate a communication from the Secretary of War, transmitting, pursuant to law, the Twenty-fourth Annual Report of the Board of Ordnance and Fortification for the fiscal year ended June 30, 1914, which, with the accompanying paper, was referred to the Committee on Military Affairs.

PETITIONS AND MEMORIALS.

Mr. JAMES. Mr. President, I desire to have printed in the RECORD a resolution adopted by the War between the States committee of the United Daughters of the Confederacy, petitioning Congress for a designation of the War of 1861–1865 in this country as the "War between the States."

There being no objection, the resolution was read and referred to the Committee on Military Affairs, as follows:

WAR BETWEEN THE STATES COMMITTEE.

We, the undersigned committee, appointed in Richmond, Va., in 1911, and acting under the authority vested in us by article 11 of our constitution, which specifies, among other objects of our organization, that we must "collect and preserve a truthful history of the Confederate States," beg that you will give your careful attention to the reasons herein set forth why the mighty contest of the sixties should be known and designated as the "War between the States" instead of its being variously and erroneously spoken of as the "Civil War," "the War of the Rebellion," or "the War of Secession."

"Civil war" is defined by the best authorities as "a war between the citizens of a common country," "citizens of the same nation," etc. Now, for four years we maintained an entirely separate government from that of the United States, being an entity known the world over as the Confederate States.

We had an army and a navy, as well as a currency of our own. We levied and collected our own revenue, enlisted our armies, issued cotton bonds, which were accepted for "value received" in all commercial marts. And while our navy was small, its achievements were phenominal considering its resources; and if nothing else entitled it to recognition as a part of the fabric of a separate government, it had the distinction of introducing to the world a new system of naval warfare, and its existence was certainly recognized when the United States demanded and received many millions from England for the damage inflicted upon her commerce by Confederate vessels, which were built and fitted out in England's harbors. The "stars and bars" was an ensign recognized everywhere as belonging to a nation other than the United States.

We weren't fighting for possession of the Government at Washington, nor would we have fought at all if let alone. So, as we were not citizens of a "common country" during a period of four years, it could not be called a "civil war."

Hon. Charles Francis Adams, of Massachusetts, says in a recent letter that "the term civil war signifies nothing. There have been innumerable civil wars, and as a matter of general history it is manifestly absurd for us to appropriate the term to a single civil war of our own."

Mr. Ropes, also of Massachusetts, says in his "Story of the Civil War," part 1, page 98, "They effected at Montgomery, Ala., a regular organization of the Confederate States of America. * * * Twenty-two States remained united. These States, if the views we have advocated above be correct, possessed now the entire sovereignty of the Nation known as the 'United States.' Opposed to them stood 11 States which had seceded, now constituting the 'Confederate States' of America."

Mr. Bryce, in his American Commonwealth, speaks of the United States as "A union of Commonwealths; * * * they have over their citizens an authority which is their own and not delegated by the Central Government. They—that is, the older ones among them—existed before it. They could exist without it."

And the "War of Secession" is equally inaccurate. Seven States had seceded and confederated without resorting to arms. Secession was their court of last resort when all other honorable means to preserve our rights under the Constitution had failed. The right to secede happened to be involved along with our other rights.

Col. Henderson, the eminent English historian, defines secession as "a protest against mob rule."

Nor were we in any sence rebels. Unlike George Washington and the colonists, we were subjects of no power, and hence could not rebel.

Our inherent doctrine of State sovereignty was our main justification for resisting Federal aggression, and it is only in the interest of correct history that we are making this move.

The "War between the States" does not imply that it was a war between individual States. The noun "States" is used in its collective sense. And the official titles of the contending parties were the "United States" and the "Confederate States," hence our contention that the proper appellation for that great conflict is "The War between the States."

Mrs. L. E. Williams, chairman, Anchorage, Ky.; Mrs. A. L. Dowdell, Opelika, Ala.; Miss Salome Townsend, Bisbee, Ariz.; Mrs. Orlando Halliburton, Little Rock, Ark.; Mrs. S. E. Dunlap, Los Angeles, Cal.; Mrs. Deney C. Ludlow, Washington, D. C.; Mrs. J. N. Whitner, Jacksonville, Fla; Mrs. A. McD. Wilson, Atlanta, Ga.; Mrs. John W. Heatfield, Chicago, Ill.; Mrs. F. K. Roach, Evansville, Ind.; Mrs. John G. Harrison, New Orleans, La.; Mrs. F. G. Odenheimer, Jessup, Md.; Mrs. Daisy McLaurin Stevens, Brandon, Miss.; Mrs. W. S. Clagett, Kansas City, Mo.; Mrs. George W. Redmon, Minneapolis, Minn.; Mrs. George Booker, Helena, Mont.; Miss Grace L. Conklin, Omaha, Nebr.; Mrs. W. L. Rodney, Roswell, N. Mex.; Mrs. L. R. Schuyler, New York, N. Y.; Mrs. Eugene Little, Wadesboro, N. C.; Mrs. Elizabeth T. Sells, Columbus, Ohio.; Mrs. W. R. Clement, Oklahoma City, Okla.; Mrs. Harrison H. Duff, Portland, Oreg.; Mrs. William K. Beard, Germantown, Pa.; Mrs. R. D. Wright, Newberry, S. C.; Mrs. Bennett D. Hall, Gallatin, Tenn.; Miss Decca West, Waco, Tex.; Mrs. Willie Clay, Salt Lake City, Utah; Mrs. A. A. Campbell, Wytheville, Va.; Mrs. Alexander Smith, Tacoma, Wash.; and Mrs. Virginia F. McSherry, Martinsburg, W. Va.

Mr. LIPPITT presented a petition of the Board of Trade of Westerly, R. I., praying for the appointment of a national security commission, which was referred to the Committee on Military Affairs.

Mr. KENYON presented a petition of the Society of the Army of the Tennessee, praying for the enactment of legislation to establish a volunteer officers' retired list, which was ordered to lie on the table.

Mr. NELSON presented a petition of Arthur MacArthur Camp, No. 16, Department of Minnesota, United Spanish War Veterans, of Minneapolis, Minn., praying for the creation of a national security commission, which was referred to the Committee on Military Affairs.

He also presented a memorial of sundry citizens of Minnesota, remonstrating against the enactment of legislation to prohibit the transmission of anti-Catholic publications through the mails, which was referred to the Committee on Post Offices and Post Roads.

Mr. LODGE presented petitions of sundry citizens of Boston, Worcester, Danvers, Amherst, Melrose, Canton, Marion, Belchertown, Waltham, Methuen, Fitchburg, Uxbridge, Arlington, Plymouth, Blackstone, Scituate, New Bedford, and Norwood, all in the State of Massachusetts, praying for national prohibition, which were referred to the Committee on the Judiciary.

He also presented memorials of sundry citizens of Lawrence, Dedham, and Springfield, all in the State of Massachusetts, remonstrating against national prohibition, which were referred to the Committee on the Judiciary.

Mr. ROOT presented petitions of sundry citizens of New York, praying for national prohibition, which were referred to the Committee on the Judiciary.

He also presented memorials of sundry citizens of New York, remonstrating against national prohibition, which were referred to the Committee on the Judiciary.

PORT OF NYANDO, N. Y.

Mr. SHEPPARD. From the Committee on Commerce I report back favorably the bill (S. 6528) to make Nyando, N. Y., a port through which merchandise may be imported for transportation without appraisement, and I submit a report (No. 834) thereon. I ask for the immediate consideration of the bill.

Mr. SMOOT. I ask the Senator from Texas to allow the bill to go over. I believe a similar bill has been reported from the Finance Committee.

Mr. SHEPPARD. Very well.

Mr. SMOOT. I desire to see what changes have been made from the previous bill.

Mr. SHEPPARD. That course is entirely satisfactory.

The VICE PRESIDENT. The bill will be placed on the calendar.

LITTLE SCIOTO RIVER BRIDGE, OHIO.

Mr. SHEPPARD. From the Committee on Commerce I report back favorably, with an amendment, the bill (S. 6687) to authorize the Chesapeake & Ohio Northern Railway Co. to construct a bridge across the Ohio River, a short distance above the mouth of the Little Scioto River, between Scioto County, Ohio, and Greenup County, Ky., at or near Sciotoville, Ohio, and I submit a report (No. 835) thereon. I ask unanimous consent for the present consideration of the bill.

The bill was read; and there being no objection, the Senate, as in Committee of the Whole, proceeded to its consideration.

The amendment was, on page 2, line 2, to strike out the word "law" and insert:

The acts of Congress approved December 17, 1872, and February 14, 1883, authorizing the construction of bridges across the Ohio River,

and of the act entitled "An act to regulate the construction of bridges across navigable waters," approved March 23, 1906.

The amendment was agreed to.

Mr. JAMES. I should like to ask the Senator from Texas, who is in charge of the bill, a question. I could not gather from the reading of the bill just where the bridge is to be constructed.

Mr. SHEPPARD. The bill was introduced by the Senator from Ohio [Mr. POMERENE]. I ask the Secretary to read the clause describing the location.

The VICE PRESIDENT. The Secretary will read as requested.

The Secretary read as follows:

A short distance above the mouth of the Little Scioto River, between Scioto County, Ohio, and Greenup County, Ky., at or near Sciotoville, Ohio.

Mr. SHEPPARD. If the Senator from Kentucky desires to have the bill go over, I have no objection.

Mr. JAMES. No; I have no objection to it. I presume it is all right.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

BILLS INTRODUCED.

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. JONES:

A bill (S. 6906) granting an increase of pension to Van Ogle;

A bill (S. 6907) granting a pension to John F. Simonson; and

A bill (S. 6908) granting an increase of pension to Mary A. Lowry (with accompanying papers); to the Committee on Pensions.

By Mr. KENYON:

A bill (S. 6909) granting an increase of pension to Wiley Whicher; to the Committee on Pensions.

By Mr. SHERMAN:

A bill (S. 6910) granting an increase of pension to George Bateson; to the Committee on Pensions.

By Mr. BURLEIGH:

A bill (S. 6911) granting an increase of pension to Henry A. Smith; to the Committee on Pensions.

By Mr. NORRIS:

A bill (S. 6912) granting a pension to Amy Mapes; to the Committee on Pensions.

By Mr. TILLMAN:

A bill (S. 6913) for the reinstatement of Maj. Edward Rutledge Lowndes to the active list of the Marine Corps; to the Committee on Naval Affairs.

By Mr. POINDEXTER:

A bill (S. 6914) granting an increase of pension to Robert Jenkins; and

A bill (S. 6915) granting an increase of pension to George W. Hill; to the Committee on Pensions.

DISCOURAGEMENT OF REVOLUTIONS IN FOREIGN COUNTRIES.

Mr. JONES. I introduce a bill and ask that it be read at length and referred to the Committee on Foreign Relations.

The bill (S. 6905) making it unlawful to promote in the United States revolutions in a foreign country, and for other purposes, was read the first time by its title and the second time at length and referred to the Committee on Foreign Relations, as follows:

Be it enacted, etc., That it shall be unlawful for any person, partnership, association, junta, or corporation in the United States, or in any place or territory under its jurisdiction, willfully to represent, assist, or act for or on behalf of any person, association, party, junta, or faction promoting or carrying on, or seeking to cause, promote, or carry on, a revolution, or seeking by force to establish a government in any country with which the United States is at peace, and the act of the partnership, firm, association, junta, or corporation shall be deemed the act of each individual composing such partnership, firm, association, junta, or corporation. Any violation of this act shall be punishable by a fine of not more than $50,000 and imprisonment for not more than 10 years.

FUNERAL SERVICES OF LATE REPRESENTATIVE SERENO E. PAYNE.

Mr. ROOT submitted the following resolution (S. Res. 500), which was read, considered by unanimous consent, and agreed to:

Resolved, That when the hour of 3 o'clock this afternoon arrives the Senate take a recess until to-morrow, Sunday, December 13, at 10 o'clock and 45 minutes a. m., in order to proceed in a body to the House of Representatives to attend the funeral services of the late SERENO E. PAYNE.

The VICE PRESIDENT. Inasmuch as the Senator from New Hampshire [Mr. GALLINGER] was not in the Chamber on yesterday when the Chair appointed the committee on the part of the Senate to attend the funeral of the late Representative PAYNE, the Chair now desires to appoint him as a member of that committee on account of his long service in the House of Representatives with the deceased Representative.

COMMITTEE SERVICE.

Mr. SMITH of Georgia was, on his own motion, excused from further service upon the Committee on Post Offices and Post Roads.

Upon motion of Mr. KERN, it was

Ordered, That the Hon. THOMAS W. HARDWICK, junior Senator from Georgia, be assigned to membership on the following committees to fill vacancies thereon occasioned by the expiration of the term of service of the Hon. William S. West:

Immigration;
Industrial Expositions; and
Railroads.

That he also be assigned to membership on the Committee on Post Offices and Post Roads to fill the vacancy occasioned by the resignation of Senator SMITH of Georgia therefrom, and also to membership on the Committee on Public Buildings and Grounds, to fill the vacancy caused by the death of the late Senator Johnston, of Alabama.

SAFETY OF LIFE AT SEA.

The VICE PRESIDENT. The morning business is closed.

Mr. LA FOLLETTE. Mr. President, I wish to ask unanimous consent to have printed Senate Document No. 476, Sixty-third Congress, second session, entitled "Safety of Life at Sea." The copies have been exhausted. It is an analysis of the London convention, with explanatory notes, and will be useful to Members of the Senate. The fact that the edition has been exhausted shows that it has been drawn upon quite heavily.

The same is true of a memorial entitled "Welfare of American Seamen," Senate Document No. 452. I think there are a few copies of it left in the document room, but it is nearly exhausted.

I ask to have printed additional copies of each of these documents.

Mr. SMOOT. I suggest to the Senator that he had better state the number of additional copies he desires, because if they are to be printed the usual number will be only about 1,600 copies each.

Mr. LA FOLLETTE. I think perhaps that will be enough.

Mr. SMOOT. The Senator had better say 2,000 additional copies each.

Mr. LA FOLLETTE. Well, I will ask that 2,000 additional copies of each document be printed.

The VICE PRESIDENT. Without objection, it is so ordered.

EXECUTIVE SESSION.

Mr. STONE. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to, and the Senate proceeded to the consideration of executive business. After 1 hour and 15 minutes spent in executive session the doors were reopened.

ORDER OF BUSINESS.

Mr. SMITH of South Carolina. Mr. President, do I understand that those having in charge the memorial services assigned for to-day desire to proceed now? I had risen for the purpose of moving that the Senate resume the consideration of the unfinished business, but I see the Senator from Iowa [Mr. KENYON] is present, and I should like to ask him if he desires to go on with the memorial addresses at this time?

Mr. KENYON. Not unless the Senator does not desire to proceed with the unfinished business until 2 o'clock. The eulogies, I am certain, will not be extended, and if the Senator so prefers we can proceed now.

Mr. SMITH of South Carolina. I yield to the Senator from Iowa if he desires to proceed.

MEMORIAL ADDRESSES ON THE LATE REPRESENTATIVE PEPPER.

Mr. KENYON. Mr. President, I ask that the resolutions of the House of Representatives relative to the death of the late Representative IRVIN S. PEPPER be laid before the Senate.

The VICE PRESIDENT. The Chair lays before the Senate resolutions of the House of Representatives, which will be read.

The Secretary read the resolutions, as follows:

IN THE HOUSE OF REPRESENTATIVES,
May 3, 1914.

Resolved, That the business of the House be now suspended that opportunity may be given for tribute to the memory of Hon. IRVIN S. PEPPER, a Member of this House from the State of Iowa.

Resolved, That the Clerk communicate these resolutions to the Senate.

Resolved, That the Clerk send a copy of these resolutions to the family of the deceased.

Resolved, That at the conclusion of to-day's proceedings the House, as a particular mark of respect to the memory of the deceased and in recognition of his distinguished public career, do stand adjourned.

Mr. CUMMINS. Mr. President, I submit resolutions which I send to the desk and ask for their adoption.

The resolutions (S. Res. 501) were read, considered by unanimous consent, and unanimously agreed to, as follows:

Resolved, That the business of the Senate be now suspended that opportunity may be given for tributes to the memory of Hon. IRVIN S. PEPPER, late a Member of the House of Representatives from the State of Iowa.

Resolved, That the Secretary communicate these resolutions to the House of Representatives.

Resolved, That the Secretary send a copy of these resolutions to the family of the deceased.

Mr. CUMMINS. Mr. President, when a man who has traveled life's journey into old age and has been overtaken with the feebleness which comes with many years passes on to his reward upon the other shore, while his death may occasion the profoundest grief and sorrow, we feel that it is in harmony with nature and nature's designs; but when a young man who has barely touched his full maturity, a young man full of strength and vigor and hope and ambition, a young man whose work and opportunities are yet before him, is summoned by the grim messenger of death, it is impossible to avoid the consciousness that somehow his passing is not a part of the plan of the world, and to our sadness there is added a touch of protest and rebellion. It is such an instance we are considering this afternoon.

IRVIN S. PEPPER was a young man, a strong man, a man who loved life; a man who was fond of his fellow men; a man whose circle of friends was limited only by the scope of his acquaintances; a man who had thoroughly prepared and trained himself for his chosen work; a man loyal to the highest conceptions of public duty; a man faithful to the interests of the people. When such a man, so trained and equipped for a great work, a man in the first flush of mature life, is called away it is not only a source of profound grief and sorrow to those who knew him, but it inspires the deep regret of which I have already spoken. We wonder why so potent an instrument for the public good should be broken at the very moment it can render the highest and the best service to humanity.

Mr. President, Mr. PEPPER gave at all times his whole strength to the people whom he represented. He was faithful to them, persistent and efficient in performing the duties which his office devolved upon him, and his death created a vacancy that it is difficult to supply. As a friend he was without flaw; as a citizen he had the highest ideals; and as a public servant during all the time I knew him he never faltered or wavered in his course nor strayed from the path of duty which his intelligent conscience opened for him. We in Iowa appreciated the man's fine attainments, pure character, and noble qualities. Those who mourn his loss are numbered only by those who knew him.

Mr. THOMPSON. Mr. President, Hon. IRVIN S. PEPPER was one of the first Representatives in Congress that it was my good fortune to meet when I came to Washington about two years ago. I first learned of him through his brother, Mr. E. L. Pepper, who resides in Kansas. Mr. E. L. Pepper once lived in Haskell County, adjoining my home county. He and I were personal and political friends. In 1906 we were both candidates for office on the Democratic ticket. He was a candidate for county clerk, and I was a candidate for district judge. He so neglected his own campaign in looking after my interests that he was defeated, while I was elected. He virtually voluntarily sacrificed himself in my interests. This is the true character of the Pepper family, so far as I have known any of them, and I know it was a particular characteristic of the deceased. Mr. E. L. Pepper afterwards removed to Conway Springs, where he now resides, and I had the pleasure after the lapse of about eight years to repay in a small way the favors extended to me in my early political career by having him appointed postmaster.

Soon after entering the Senate I became quite well acquainted with Representative PEPPER. He was the secretary of the Democratic national congressional committee, of which I was a member, and we frequently met both before and after the committee was organized until his last illness. He was a tireless worker. After the usual day's work was done, and when most Congressmen had left their offices, you would always find Representative PEPPER at his post. He was so thoroughly devoted to duty that at his death it was generally remarked that overwork killed him.

He learned to work as a very young man. He was the youngest son in a family of 10 children, and was early obliged to shift for himself. He worked his way through college by teaching country schools in the wintertime. He was taken from the principalship of a school by Judge Martin J. Wade and made his private secretary when he was a Representative in Congress during the years 1903, 1904, and 1905. Not content with the arduous duties devolved upon him as secretary to Representative Wade, which were sufficient to keep two ordinary men busy, he attended law school in connection with his work, and graduated in law from George Washington University in 1905. He forcibly demonstrated what an able young man can do who is not afraid of hard work. He immediately entered the practice of the law at his home in Muscatine, Iowa, and soon forged to the front in his profession. After serving two terms as county attorney he was elected to Congress in 1910 on the Democratic ticket. His work was so satisfactory to all of his constituents that even the Republicans did not nominate anyone against him in 1912, and he was practically unanimously reelected, only the Socialists voting against him. It is certainly a very high compliment to a Democrat when the Republicans in a northern State, where they usually have the best chance for election, fail to nominate a candidate for Congress. This is the only instance of the kind I have ever known.

Representative PEPPER at the time of his death was the most prominent among those mentioned in Iowa as the Democratic candidate for the United States Senate, and had he lived he would no doubt have received the nomination without opposition. His death was a very great loss to his party and was deeply lamented without partisan distinction by all who knew him.

It was my privilege to accompany the body to its last resting place at Ottumwa. People gathered from all over the State to attend the funeral. Floral offerings were most profuse, beautiful, and gorgeous. Everyone, regardless of party, spoke most highly of the deceased, and expressed the greatest regret that one so young, with such a promising future, should have been carried away so early in life. Representative FRANK E. DOREMUS, chairman of the Democratic national congressional committee, at the time of Representative PEPPER's death, said:

I am completely stunned by the news of Mr. PEPPER's death. Our work on the national congressional committee, of which he was secretary, brought us in intimate contact with each other, and I came to regard him very highly. He was thoroughly honest and conscientious in all he did, both for his country and his party, and possessed a keen appreciation of the duties and responsibilities of public office. Mr. PEPPER was highly regarded in the House, and there are many of us to whom his untimely death is a personal loss.

Speaker CLARK paid him this high tribute:

He had a phenomenal political and professional career, and everybody expected that he would achieve other and higher honors. No young man in the House appeared to have brighter prospects.

He was as loyal a friend as man ever had. He was as true as steel in every relation of life; courteous, kind, considerate. He was one of my prime favorites, and he repaid my friendship in scripture measure, heaped up, pressed down, and running over.

Nothing but words of praise and kindness can be truthfully spoken of this man. The people of the State of Iowa and of the Nation were proud of Representative PEPPER, proud of his high character, his achievements, his unswerving devotion to duty and loyalty to his country, his blameless life, and his noble and patriotic purposes. His death is not only a personal loss to everyone who knew him, but also the Nation's loss.

Mr. REED. Mr. President, on such an occasion as this the poverty of our speech is made manifest. There is no voice or tongue that can express the sorrow of the human heart. Words can not paint the pangs that all men feel when death has ravished them of loved ones or of friends. We stand beside the grave with silent lips, because our words can not portray the anguish of the soul.

From life's morning to age's twilight men struggle and contend; they moil to gather wisdom, gold, and honors, yet in a moment all is gone. Before the sepulcher ambition, wealth, and power are cast aside.

The only thing that lives beyond the tomb is the sweet memory of noble aspirations nobly brought to consummation. By that high standard the life of IRVIN S. PEPPER may well be judged and rightly praised. Who judges so must grant to him the encomium of a splendid success. The story of his career is a recital of devotion to the general good. Perhaps no man has lived in his great State, engaged in life's stern battles, and struck so few blows that have given needless pain nor left behind so many memories of kindly deeds. He was one of those rare characters who fight so generously that even antagonists are not made to suffer.

He was brave, and yet his courage never crushed a foe. He was firm, but his steadfastness was so mixed and mingled with the quality of gentleness no scars were left behind. He marched straight forward, and yet his feet did not crush the weak or bring a sorrow to his fellow man. He filled the full measure of citizenship. Devoted to his home, to his county, to his State, and to his country, his ideals were as great as the Nation, his patriotism as lofty as that which inspired the hearts of the founders of liberty.

His death came as a crushing blow to those who knew him, an irremedial loss to the public, but his memory is sweet with the fragrance of nobility and kindliness and sympathy. And

so in these closing words that seem so hollow and inadequate I can do no more than pay a tribute of love and respect to his untarnished memory.

Mr. KENYON. Mr. President, I only wish to add a word to what has been said.

IRVIN S. PEPPER was born in Davis County, Iowa, June 10, 1876, and died at Clinton, Iowa, December 21, 1913. He came to Muscatine, Iowa, when a very young man; had been county superintendent of schools, secretary to Congressman Martin J. Wade, county attorney of Muscatine County, Member of Congress from the second district of Iowa, and at the time of his death was secretary of the Democratic national committee.

His home was Muscatine; his death occurred at Clinton. The funeral services were held at Ottumwa, Iowa, his father's home, and the following Sunday a great memorial service to his memory was held at Muscatine, participated in by thousands of sorrowing friends.

He passed away just a few days before Christmas. He had planned to spend Christmas with his father at the old home. I shall never forget the eloquent tributes at that funeral and memorial service, but especially the tribute of Judge Wade to his friend PEPPER. He described how, at the time of the first nomination of PEPPER for Congress, he had come home to Muscatine, after the convention or the primaries, and had been received at the train by a great outpouring of citizens, the band playing martial music as the procession passed along; and then he proceeded to describe how, a few days before PEPPER had come home again to Muscatine; that the same crowds were at the depot, but no exultant look in their eyes; that heads were bowed and eyes were dim; the same band was there, as the solemn procession moved on, with thousands following the casket, but it did not play the same strains; it played "Nearer My God to Thee." Tributes of affection were on every hand.

This untimely death just at the commencement of seemingly a great career, and just at the Christmas time—a time of happiness among people—and occurring away from home, at that last solemn moment of life, when the thought instinctively turns to home, made the surroundings of his death and funeral doubly sad. While with sorrow we said good-by to our friend, our sorrow was relieved by the thought that the devoted mother was waiting for him yonder in the fields of far away.

He was 37 years of age at the time of his death. One great advantage in life was his—the advantage of poor parents. He knew what hardship and toil meant. It is one of the splendid things of our national life that the son of poor parents has a better chance in the race of life than the son of the rich. The early sacrifices of his boyhood life developed the splendid character of the man.

He was clean in private and in public life. He had the greatness of simplicity in his soul. The Congressional Directory recites as to him probably the shortest biography written, very refreshing in this bombastic document. He became a candidate for Congress to please his mother, but it was a strange fate that she should not live to see his success; she passed away during the early months of his first campaign. His tenderness and devotion to his mother exemplified the traits of character which endeared him to his friends.

He was a man without vanity in his soul, without pride or guile, without deceit in his heart. He was a man of mercy and of truth. A wise son was he, making glad his parents. He had that righteousness which tendeth to life, that charity of spirit which edifieth. He believed in the things that are honest, the things that are pure, the things that are noble. Justice was with him a passion. He believed in the triumph of peace, the realization of human brotherhood. He believed that love worked no ill to his neighbors; therefore he loved his neighbor as himself. He believed the strong should bear the burdens of the weak; that made him a brother man and a heart man. He loved little children, helped the poor, and strengthened the weak. He kept "his father's commandments and forsook not the law of his mother."

He cared little concerning the world's riches. To him life was more than food and raiment. Life meant to him service, helpfulness. No one in want was ever turned from him. His hand reached out to the poor and unfortunate. Moral integrity was ever present with him. He believed in the great stewardship of life. He was a frank, straightforward man, and life was to him a brotherhood in the human family. To have known him intimately made one better, gave one a stronger grasp on the things that make for right, a greater faith in mankind, an enthusiasm for fellowship.

In public life he was one of the leaders of his party; a strong party man, but placing the welfare of his country above the welfare of his party. He had capacity for service and high ideals. He caught the great vision of the hour—that human rights were more important than property rights; that with men and women it was not merely a question of how to live, but how to live better and how to get more satisfaction and happiness for others out of life.

He was always a friend of the soldiers, and secured the passage of many pension bills for infirm, aged soldiers. He was always the friend of the under man.

So good a Congressman was he that at the end of his first term no nomination was made by the Republican Party against him.

It is hard to understand the purposes of the Almighty, hard to understand why he should be taken just at the sunniest hour of all the voyage. It is hard to think that we are so soon forgotten, that the world passes on, that one individual counts but little; and yet, if somewhere a little sunshine has been brought into human hearts, some hope has been revived, and some one is really sorry that we have passed away, then life has not been a failure.

In everything that goes to make real success, Congressman PEPPER'S life was a success. He honored his parents, he honored his State, he honored mankind. He was proud of Iowa, and Iowa is proud if his life work.

Mr. President, I shall not submit the customary resolution of adjournment, because of the fact that the Senate has fixed 3 o'clock this afternoon as the hour of recess until to-morrow. Hence the accustomed resolution which I should otherwise submit would not be in order.

REGULATION OF IMMIGRATION.

Mr. SMITH of South Carolina. Mr. President, the hour of 2 o'clock having arrived during the memorial exercises, I ask that the Senate now proceed to the consideration of House bill 6060, the unfinished business.

The PRESIDING OFFICER (Mr. THORNTON in the chair). The Chair lays the unfinished business before the Senate.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 6060) to regulate the immigration of aliens to and the residence of aliens in the United States.

The PRESIDING OFFICER. The pending amendment will be stated.

The SECRETARY. On page 18, line 23, the Committee on Immigration propose to strike out the words "mental or."

Mr. SMITH of South Carolina. Mr. President, I rise to a parliamentary inquiry. The Senate has ordered that at 3 o'clock p. m. a recess shall be taken until a certain hour to-morrow. That will be a continuation of the present session of to-day for a specific purpose. I wish to know if it is the ruling of the Chair that if this bill be temporarily laid aside and if the recess for the exercises to-morrow be now taken would it still be the unfinished busineses on Monday when we meet?

The PRESIDING OFFICER. The present occupant of the chair would hold that the bill does not lose its right as the unfinished business in consequence of the order of the Senate for the ceremony to-morrow any more than it lost its right when the hour of 2 o'clock arrived to-day.

Mr. SMITH of South Carolina. Because of the peculiar conditions that existed I did not interrupt the memorial exercises at 2 o'clock; but as the bill is still the unfinished business and it is held by the Chair that it will be the unfinished business after the recess, I ask unanimous consent that it be temporarily laid aside, without prejudice to its position, and that the Senate take a recess until to-morrow at 10.45 a. m. for the funeral services which will take place in the Hall of the House of Representatives.

The PRESIDING OFFICER. Is there objection to the request of the Senator from South Carolina? The Chair hears none, and it is agreed to.

Is there further business of the Senate which it is desired to have transacted at this time? If not, in pursuance of the resolution that was adopted to-day, the Senate stands in recess until to-morrow at 10.45 a. m.

The Senate accordingly (at 2 o'clock and 10 minutes p. m. Saturday, December 12, 1914) took a recess until to-morrow, Sunday, December 13, 1914, at 10 o'clock and 45 minutes a. m.

CONFIRMATIONS.

Executive nominations confirmed by the Senate December 12, 1914.

ATTORNEY GENERAL OF PORTO RICO.

Howard L. Kern to be attorney general of Porto Rico.

ASSISTANT APPRAISER OF MERCHANDISE.

Hugh A. Barnes to be assistant appraiser of merchandise in customs collection district No. 20.

ASSAYER IN CHARGE OF MINT.

Leonard Magruder to be assayer in charge of the mint at New Orleans, La.

PROMOTIONS AND APPOINTMENTS IN THE NAVY.

David W. Taylor to be Chief Constructor and Chief of the Bureau of Construction and Repair in the Department of the Navy.

Commander Charles F. Hughes to be a captain.

Lieut. Commander Walter S. Turpin to be a commander.

Lieut. Commander Thomas T. Craven to be a commander.

Lieut. Henry G. S. Wallace to be a lieutenant commander.

Lieut. James O. Richardson to be a lieutenant commander.

The following-named lieutenants (junior grade) to be lieutenants:

Charles G. Davy,
Russell S. Crenshaw,
Bryson Bruce,
William P. Williamson, and
Randall Jacobs.

The following-named ensigns to be lieutenants (junior grade):

Freeland A. Daubin,
Claude S. Gillette,
William C. Faus,
Oscar C. Greene, and
Arthur Barney.

Midshipman Haiden T. Dickinson to be an ensign.

The following-named warrant officers of the Navy to be ensigns:

Machinist Harry J. Reuse,
Machinist Walter D. Snyder,
Boatswain John D. Pennington, and
Machinist Thomas L. Shannon.

Thomas R. Healy to be an assistant surgeon in the Medical Reserve Corps.

The following-named enlisted men of the Navy to be assistant paymasters:

James P. Jackson,
Ralph W. Swearingen,
Fred C. Craig,
Russell L. Kittrelle, and
Frederick C. Beck.

Second Lieut. Ralph E. Davis to be a first lieutenant in the Marine Corps.

Second Lieut. Harry W. Weitzel to be a first lieutenant in the Marine Corps.

Chaplain Sydney K. Evans with rank of lieutenant (junior grade) to be a chaplain with rank of lieutenant.

Lieut. Commander Henry V. Butler to be a commander.

The following-named lieutenants to be lieutenant commanders:

Rufus F. Zogbaum, jr., and
Harry A. Baldridge.

The following-named lieutenants (junior grade) to be lieutenants:

Vaughn V. Woodward, and
Richard S. Edwards.

Ensign Mark L. Hersey, jr., to be a lieutenant (junior grade).

The following-named machinists to be chief machinists:

Charles Dunne,
George J. Lovett,
Horace E. Burks,
Walter Collins, and
Frederick W. Teepe.

Lieut. Col. Theodore P. Kane to be a colonel in the Marine Corps.

Thomas F. Duhigg to be an assistant surgeon in the Medical Reserve Corps.

Lieut. (Junior Grade) Horace T. Dyer to be a lieutenant.

Midshipman John M. Creighton to be an ensign.

Surg. Adrain R. Alfred to be a medical inspector.

HOUSE OF REPRESENTATIVES.

SATURDAY, *December 12, 1914.*

The House met at 11 o'clock a. m.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

Infinite Spirit, Source of all the riches of the physical, intellectual, and soul life, we would come close to Thee that we may receive the conscious baptism of the Holy Spirit, be renewed in faith and hope, and go forward to the larger life in all that the soul craves for itself, aspiring, achieving in the world of conquest, subduing our passions until we become master of self under the spiritual leadership of the Christ. Amen.

The Journal of the proceedings of yesterday was read and approved.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted as follows:

To Mr. BROWN of West Virginia, until January 4, on account of sickness.

To Mr. KEISTER, until Tuesday next, on account of sickness.

To Mr. METZ, for the month of December, on account of important business.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Carr, one of its clerks, announced that the Senate had passed the following resolutions:

Resolved, That the Senate has heard with profound sorrow the announcement of the death of Hon. SERENO ELISHA PAYNE, late a Representative from the State of New York.

Resolved, That a committee of 10 Senators be appointed by the Vice President, to join a committee appointed by the House of Representatives, to take order for the superintending of the funeral of the deceased.

Resolved, That the Senate accepts the invitation of the House of Representatives extended to the President of the Senate and the Senate to attend the funeral of the deceased, to be held in the Hall of the House of Representatives at 11 o'clock a. m. on Sunday next, December 13, 1914.

Resolved, That the Secretary communicate a copy of these resolutions to the House of Representatives.

Resolved, That as a further mark of respect the Senate do now adjourn.

And that in compliance of the foregoing the Vice President had appointed under the second resolution, as the committee on the part of the Senate, Mr. ROOT, Mr. O'GORMAN, Mr. CLARK of Wyoming, Mr. MARTINE of New Jersey, Mr. BRANDEGEE, Mr. ASHURST, Mr. LODGE, Mr. SMITH of Georgia, Mr. NELSON, and Mr. BANKHEAD.

ENROLLED BILL SIGNED.

Mr. ASHBROOK, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bill of the following title, when the Speaker signed the same:

H. R. 6282. An act to provide for the registration of, with collectors of internal revenue, and to impose a special tax upon all persons who produce, import, manufacture, compound, deal in, dispense, sell, distribute, or give away opium or coca leaves, their salts, derivatives, or preparations, and for other purposes.

DISTRICT OF COLUMBIA APPROPRIATION BILL.

Mr. PAGE of North Carolina. Mr. Speaker, I move that the House resolve itself into Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 19422, the District of Columbia appropriation bill.

The motion was agreed to; accordingly the House resolved itself into Committee of the Whole House on the state of the Union for the further consideration of the District of Columbia appropriation bill, with Mr. GARNER in the chair.

The CHAIRMAN. The House is now in Committee of the Whole House on the state of the Union for the further consideration of the bill of which the Clerk will read the title.

The Clerk read as follows:

A bill (H. R. 19422) making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1916, and for other purposes.

Mr. PAGE of North Carolina. Mr. Chairman, there is pending an amendment, with an agreement reached that upon that amendment there shall be a debate of 30 minutes on each side. I yield five minutes to the gentleman from Mississippi [Mr. SISSON].

Mr. SISSON. Mr. Chairman, on other occasions than this I have discussed this question with the House. The amendment in its present form is the amendment in the form which I have always contended it should be in to reach the desired result. There has been a great deal said in the papers within the last day or two about the injustice that is being done the District by this proposed legislation. I believe that no member of your subcommittee, I believe that no member of the committee, and, so far as I know, no Member of the House desires to do the District of Columbia any injustice. I think it would be peculiarly unbecoming a Member of Congress to make any effort to take any advantage of the taxpayers of the District of Columbia under the peculiar form of government which we have in this District.

But I contend that the taxpayer in the District of Columbia should pay taxes on his property in amount about as the taxpayer outside the District of Columbia pays taxes. I contend that the amount of taxes paid upon his property should be about the same amount paid by people living in like cities having like advantages. That proposition no man can deny, and those of us who are insisting on this amendment, and have been insisting so long on this amendment, simply desire that that condition shall prevail here. Whether you favor taxation of

invisible property or not the rule prevails generally that the people throughout all the States pay taxes upon invisible, intangible personal property. There is no reason why when a citizen moves into the District of Columbia he should be able to avoid the payment of the tax that he pays in the States.

I am totally at a loss to understand, Mr. Chairman, under what school of philosophy men can contend that the taxpayers of the various States should be called upon to pay, for example, one-half of the cost of the schoolbooks for the children of the people of the District who send their children to school in the District of Columbia; to pay one-half of the school supply bills for the pupils attending the schools. I am at a loss to understand why they should pay one-half of the school-teacher's salary. Under what theory can you say that the taxpayers of Mississippi should pay half of the cost of books for children here in the District, and then out of their own pockets pay for books for their own children and all public-school tax for the support of their schools?

These burdens that are being borne by the Federal Treasury are benefits that accrue alone to the people of this community. An examination of taxation in the cities of the United States shows conclusively that the citizen of the District of Columbia pays about an average of one-half of what the people pay in the cities of like size throughout the United States for the benefits which they get. How can a man justify himself when he goes back to his constituents and is compelled to say to them that they are paying one-half of these burdens? In most of the States the parents of the children have to buy their own schoolbooks, maintain their own streets, maintain their county, State, and municipal governments, and pay taxes for the benefit of the General Government beside. Then upon what theory will men say that these people who live here under the dome of the Capitol, in this particular city set aside for the National Capital, should have special privileges and advantages over other people of the country? I am at a loss to understand it, and at a loss to understand why men should get angry about it, unless it be that by this fair and eminently just proposition we place upon them the burden which they ought to bear and the burden which they do not now bear.

I believe that the gentleman from Iowa [Mr. PROUTY], in the chart he had before the House at the last session, convinced every Member of the House that the rule was that in all the cities outside the city of Washington they paid about twice the rate of taxation on the true actual value of the property of what they pay here in the city of Washington; that being true, no Member of Congress can justify himself in not voting for this amendment.

The CHAIRMAN. The time of the gentleman from Mississippi has expired.

Mr. DAVIS. Mr. Chairman, I yield five minutes to the gentleman from Illinois [Mr. MANN].

Mr. MANN. Mr. Chairman, I do not agree with the gentleman from Iowa that taxes are less than one-half as much in the city of Washington or the District of Columbia as they are elsewhere. On the contrary, I am unfortunate enough to own real estate in several States, although I do not own any in the District of Columbia, and my observation and experience is that property is taxed in the District of Columbia as high, on an average, as it is anywhere else in the country. I believe that the half-and-half plan has worked very well. It is practically impossible for us to tax the Government property in the District of Columbia. The Government of the United States owns an immense amount of property in the District of Columbia. It is easy to instance, as did the gentleman from Mississippi [Mr. SISSON], the purchase of schoolbooks, and say that it is unfair for our constituents to pay the cost of one-half of them in the District of Columbia. But it is just as easy to say that it would be unfair to have the people of the District of Columbia pay one-half of the cost of the sidewalk in front of the Treasury Building, and yet that is what they do. It is easy enough to cite instances one way or the other. However, my main opposition to the pending amendment is that it will produce legislative confusion. Under the proposition now before us money is to be raised in the District——

Mr. SISSON. Will the gentleman yield?

Mr. MANN. I can not yield with only five minutes.

Mr. SISSON. With reference to the sidewalks of the Treasury Department——

Mr. MANN. Well.

Mr. SISSON. I want to say that that has been made heretofore by the Federal Government.

Mr. MANN. It is made out of the District appropriation, and there is an item in this bill——

Mr. SISSON. That is true; but this is the first time it has been in the bill, too.

Mr. MANN. It says for laying sidewalks around Government buildings, paid half by the District of Columbia and half by the Government.

Mr. SISSON. And this is the first time it has been in the bill.

Mr. MANN. It is not the first time.

Mr. SISSON. The sidewalks there now were built by the Federal Government.

Mr. MANN. The bill has carried them in the provision for sidewalks around public buildings. It is on such misinformation the gentleman probably has formed his opinion. My main objection is this: We collect so much money from the people of the District of Columbia. It is proposed that any additional amount shall be paid out of the Federal Treasury, but it is inevitable after that plan is adopted that whenever any proposition is made for a new improvement in the District of Columbia it will be paid for wholly out of the General Treasury. The revenues of the District of Columbia will be considered primarily to carry the ordinary expenses of the District, and whenever a proposition is made for improvement in the District, it will be treated as though it were paid wholly out of the Treasury and not at all by the people of the District of Columbia.

Whenever a proposition is made to increase the amount in the District appropriation bill it will be considered that it is paid wholly out of the General Treasury, and I have seen enough of the temper of the House to know that that argument will be advanced and will have undue weight. Men will refuse in the House here to make public improvements which ought to be made because they will say the entire cost will be paid by the general public away from the District of Columbia, while the benefit is wholly for the people of the District of Columbia. There is no escape from such a conclusion, and there will be no escape from its effect in the House, and the result will be that the District of Columbia, the city of Washington, the Capital of the country, that ought to be viewed somewhat tenderly by the people of the country, will not receive that care that we ought to give to the Capital of our country. I am proud of the city of Washington. I believe anyone who comes here from elsewhere is prouder of the country because he sees the city of Washington. I do not know for certain how it has worked, but the half-and-half proposition was adopted by Congress after there had been long discussion for many years concerning the government of the District, after there had been many trials and some complete failures, but since that plan was adopted the city of Washington has grown beautiful, it has become the pride of our people, and I hope it will continue to be the pride of America. [Applause.]

Mr. PAGE of North Carolina. Mr. Chairman, I yield one minute to the gentleman from Mississippi [Mr. SISSON].

Mr. SISSON. Mr. Chairman, I wish to have the attention of the gentleman from Illinois [Mr. MANN]. Heretofore nothing but the District buildings have ever been provided for in the District bill, and all expenses for sidewalks around the National Government buildings have been borne out of the National Treasury, and the gentleman will not be able to show a single item in the District bill where District funds have been appropriated to pay for sidewalks around national buildings.

Mr. PAGE of North Carolina. Mr. Chairman, I now yield five minutes to the gentleman from Georgia [Mr. CRISP].

[Mr. CRISP addressed the committee. See Appendix.]

The CHAIRMAN. The gentleman from Georgia asks unanimous consent to extend his remarks in the RECORD. Is there objection? [After a pause.] The Chair hears none.

Mr. DAVIS. Mr. Chairman, I yield five minutes to the gentleman from Wyoming [Mr. MONDELL].

Mr. MONDELL. Mr. Chairman, about 35 years ago, if I recollect rightly, Congress, after careful consideration of the matter, enacted the legislation under which we have since been operating in appropriating for the District of Columbia. This bill was prepared under that legislation, under that plan. Every item in it, so far as its amount is concerned, was fixed in view of the fact that the Federal Government was expected to pay half and the District half of the expense. It is now proposed, after the bill has been reported, and reported under this law, to overturn this long-established system, the system under which the bill was drafted and formulated, by an amendment which, to say the least, would place us in a condition of uncertainty and confusion relative to the relations between the Federal Government and the District of Columbia in the matter of expenditures.

There is no time in a five-minute speech to go into the question as to the justice or propriety of the system under which we have been operating. But there is a committee of this House whose duty it is to consider such matters. The chair-

man of that committee has presented this amendment, and it has been held in order by a decision of the Chair.

The chairman of that committee could bring his committee together, could report this same legislation, could on the first day granted his committee under the rules consider this matter at length and in all of its phases, and Congress could determine after careful consideration the propriety of making this revolutionary change. That is not done. But advantage is taken of a rule of the House, questionable in its application, to overturn the long-established system in committee, with a few members present, after an hour of debate. Without regard to the question as to the wisdom of the system under which we are operating, this is neither the time nor the place to change and modify that system. My personal opinion is, based on the information I have, that the half-and-half plan is in the main a wise and a just and a reasonable one. Possibly there should be some modification of it, but no man can say that the plan proposed is fair, just, reasonable, or equitable, because no man knows to what it would lead, no man knows what its ultimate effect would be. So far as my constituents are concerned, they have never been disturbed because I felt it my duty to help build up this beautiful Capital of the Nation. Of course the people here should pay their fair and just share. My constituents are not so narrow as to begrudge the sums which the Federal Government pays toward making and maintaining this city the most beautiful in the world. What we need in the District of Columbia is larger rather than reduced appropriations. Right now this District needs a considerable number of new projects, none of which is provided for in the bill before us. Right now there are interests of the people of the District and of the people of the United States in this city that need attention and care and demand expenditure not provided for in this bill. [Applause.]

The CHAIRMAN. The time of the gentleman has expired.

Mr. PAGE of North Carolina. Mr. Chairman, I yield five minutes to the gentleman from Texas [Mr. DIES].

Mr. DIES. Mr. Chairman, in casting about for the reasons why the fathers established the National Capital out in the woods and the fields we do not have to go far. Practically in all of the old works of political economy, and especially that notable work of Montesquieu that our fathers delighted to read and study and follow, there was attributed as the reason for the fall of Republics, I believe, following that of great standing armies, the fact of a large capital. I do not wonder that they wanted to get away from the importunities of large populations, large newspapers, the favor and grace of which politicians are glad to have and the influence of which is a matter of great concern to them. Personally, I want a beautiful Capital, but I can not see why paying one-half the taxes of the butcher over on Ninth Street would glorify the Republic. I can not understand why paying one-half the moving-picture man's tax would make a great monument for the United States. And what do we get for these great amounts that are taxed out of the people for the benefit of the District? Nothing but laughs and jeers from the people of this city.

Do you want to build a post office down in Georgia or up in Maine to answer the needs of your people there? If so, the newspapers of this magnificent Capital, with its head in the public crib these many years, taxing the balance of the country, say it is a pork-barrel proposition and laugh it to scorn. Down in my district we have spent $1,900,000 of our local money to improve the waterways and make great harbors that ought to be improved by the people of the United States, and yet the newspapers of the District of Columbia say that the rivers and harbors bill is a pork-barrel bill. So accustomed is this pampered and fatted child of privilege to having its head in the public crib that it is jealous of every expenditure of public money throughout these United States.

Mr. Chairman, if all public men were like the most of us, the disposition of this petted child of the Nation would not influence them in the discharge of their public duties. I am glad that I am not upon their favored list, because it delights me to serve my district and my country without respect to the bouquets of the newspapers or of the people of the District of Columbia. [Applause on the Democratic side.]

And with all that, I want to do them justice, and I want to see a great Capital here, and I want to see great public buildings erected here, and I want to see great parks established here. I want this to be a beautiful Capital of this Great Nation, though not a populous manufacturing center. I will go as far as any man to vote money out of the Public Treasury to consummate that purpose. But oh, how tired I am of this miserable haggling, this miserable criticism, coming from the press of this city and from the people of this city about this niggardly Congress, which is giving them practically $7,000,000 a year, to be taxed from the pockets of the people of your district and of mine. They ought to be taught that they are no better than the balance of the United States. They ought to be taught that when we want money for rivers and harbors in this country and public buildings in your district and in mine it does not become them to speak of "pork barrels" and to criticize Congressmen who want to improve their districts. My district lies nearer and dearer to my heart than all this gilded Capital and all the gilded palaces in this city. I am proud of the sturdy people of my district, who have paid the taxes to make beautiful this city, and none of the sneers and criticisms of the newspapers and the people of this District will drive me from doing what I deem to be my duty to myself, my district, and the people of all these United States. [Applause on the Democratic side.]

Mr. DAVIS. Mr. Chairman, I yield five minutes to the gentleman from Ohio [Mr. FESS].

The CHAIRMAN. The gentleman from Ohio [Mr. FESS] is recognized for five minutes.

Mr. FESS. Mr. Chairman, I am opposed to this amendment. I am opposed to it because, first, it is an attempt to do a thing indirectly that failed to be done directly. The gentleman from Georgia [Mr. CRISP] referred to the fact that he had introduced a measure last year to repeal the half-and-half act and that it failed. Then there was another attempt to annul the half-and-half proposition subsequent to that, which passed this House, and it ultimately failed to become a law by action of the Senate. Now, we have brought in, in the form of an amendment, an indirect attempt or contrivance to repeal the law.

I am opposed to sitting as a Member of the House, with less than 100 Members here, to undo a legislative act that has stood since 1878, and which required a great deal of consideration by the best brain of our country to establish at that time. I think to attempt to do a thing indirectly that you can not do directly, to start with, is a confession of weakness.

In the second place, I do not believe that a rider, such as this is, should receive very much consideration on an appropriation bill, or anywhere else for that matter. This is to repeal an act which is really an organic act, which is the Constitution, so far as this city and District are concerned, guarding the welfare of the Capital City, and I do not think that it is upon the plane of proper legislation to try to eliminate that in the form of a mere incidental amendment which is nothing more than a rider. A rider is not legislation; it is a means to defeat legislation, and has no place in a legislative body.

Now, in the third place, I do not believe that we ought to undertake to do a thing of this sort suddenly or hastily, in a short time, in an hour's debate, when there is no representative at all of the people of this city and District in this Congress, except the Representatives chosen outside of the District. I am not one of the Members that believe in changing the form of the District government. I am not an advocate of that propaganda, and because I am not I believe that every Member of this House, realizing that the District does not have a representative of its own except as we represent it, ought to be cautious about doing anything that might work any detriment to the people of the Capital City until they have some one to speak for themselves.

Now, that not being probable, it seems to me that we, as the representatives of the people of this District, ought to speak for them rather than against them.

I am opposed to this bill, not because I live in the District temporarily, but I am opposed to it as a citizen of Ohio. I believe in a beautiful Capital, not because I am here but because I am an American citizen. I believe that the men were discreet and acted properly when they ordered built a great depot here, away beyond the needs of this city. A smaller structure would have sufficed, but its art effect would have been lost. They had in mind the Capital City of the Nation when the great outlay was decided upon. If any city in the world ought to be encouraged in showing works of art to the Nation, it is our own Capital City. Therefore I would justify the outlay of money on the part of railroad corporations and others responsible for the building of such a beautiful depot. The same is true of other public buildings. When we came to building a Congressional Library it was proper that it should be a building not simply to house the books, but that it should be the most beautiful building in the world. The same purpose should rule in all we do for the promotion of the growth of the Capital. [Applause on the Republican side.]

Mr. PAGE of North Carolina. Mr. Chairman, I yield five minutes to the gentleman from Iowa [Mr. PROUTY].

The CHAIRMAN. The gentleman from Iowa [Mr. PROUTY] is recognized for five minutes.

Mr. PROUTY. Mr. Chairman, I always become more or less amused at the discussion of this question. Every man that rises here on this side or on that side that is opposed to any change always refers to the patriotism of the people in regard to the city of Washington. I undertake to say that I am just as proud of the city of Washington as my friend from Illinois [Mr. MANN] is.

Mr. MANN. I do not believe it.

Mr. PROUTY. I know you do not believe it, and I do not believe what you say now.

Mr. MANN. It is true, nevertheless.

Mr. PROUTY. Well, my statement is true, too; just as true as yours, although not coming with so large and sonorous a sound.

Mr. MANN. You are making a great deal more noise than I am.

Mr. PROUTY. I have not made a great deal more noise than you have, and am incapable of making nearly as much. Now, with that personality I will pass to the discussion of the question. [Laughter.]

To be patriotic does not mean to be unjust. The people of the United States seem to have gotten the idea into their heads that Uncle Sam is rich. Uncle Sam is a pauper. Every dollar he gets he gets as a contribution from his friends. [Applause.]

Mr. MURDOCK. They hold him up, as a matter of fact.

Mr. PROUTY. Now, suppose, having collected it from all his children, one of them should say, "I want a bigger portion of that than the rest get." Suppose my friend from Illinois [Mr. MANN] was Uncle Sam himself, and I should chide him and say, "You are taking money that belongs to me and giving it to the other boy," and he should say, "Oh, yes; but I am proud of that boy!" [Laughter.] I am proud of the city of Washington.. I am proud of this Capital, as proud of it as the gentleman from Illinois is; but I am not proud enough of the city of Washington to go over to Illinois, to his city of Chicago, and take the money that the people there have contributed to pay for the bills that can justly and honestly be paid and that ought to be paid by the people living here. [Applause.]

My good friend from Wyoming [Mr. MONDELL] exhibited a trait of mind that I often find. It is common. His whole argument was based upon the fact that whatever is is right, and that because this condition has been here 33 years it must be right. Now, that is the standpat temperament, and he can not help it. [Applause and laughter.] They do not believe anything should ever be righted. They think if it ever existed it ought always to exist. But to show the folly of that, suppose that 33 years ago the gentleman had had a suit of clothes that at that time perfectly fitted his boyish form, would he contend that therefore it must exactly fit him now? At that time Washington was a little place. The first contribution by the Federal Government was less than $1,500,000, but now it has reached the point where it is $7,000,000. Conditions have entirely changed. Conditions that fitted then do not fit now. And why do we stand here and say simply because it was all right then, it must be right now?

Mr. MONDELL. The gentleman misunderstood me. If I had a suit of clothes that was old and did not fit, I would go to a tailor for a new suit, and would not go to a blacksmith. [Laughter.]

Mr. PROUTY. I did not yield to the gentleman from Wyoming, if I remember.

Mr. MANN. But you attacked him.

Mr. PROUTY. No; I did not attack him. I attacked his argument. Notwithstanding the suggestion of the gentleman from Illinois, I still think I have a right to attack the gentleman's argument.

Mr. MONDELL. Yes; but the gentleman did not state my argument correctly.

Mr. PROUTY. I suggest that the gentleman from Wyoming is not in order. He is generally in order, but not now. Now, he further said he defied any man to say that it was fair, just, right, or reasonable for the District of Columbia to pay out the money that it had raised for the purpose of paying its own expenses. I am here to say that it is just and right and fair and equitable that the people of the District of Columbia pay the money that they raise on their own property by a very low rate of taxation, as an assessment, before they should go out and levy a war tax upon the people in my district and in your district to make up the deficit, when these people already have it in their own hands to pay. [Applause.]

Mr. PAGE of North Carolina. Will the gentleman from Minnesota occupy some time?

Mr. DAVIS. I yield five minutes to the gentleman from Texas [Mr. SLAYDEN].

Mr. SLAYDEN. Mr. Chairman, I am one of perhaps too large a class in this House, in that I have probably failed to discharge my full duty to the District of Columbia. I confess that I have never taken a very active interest in legislation for the District. Of course, I should have done so. I am ready to admit that I ought to have done it; but there are a multitude of other things calling for our attention, and one finds it impossible to do everything. But in an effort to inform myself I have listened to most of the debate on this question this year, as I did last year, and I confess to great confusion in my mind as to what is proper. I want to deal with perfect justice to the people of the District of Columbia, and I am determined, if I can know how to do so, that I shall deal with perfect justice to my own constituency and to all the other people of this country. If the people of the District of Columbia are enjoying advantages in the way of lower taxes than the people of other cities in this country, then I do not believe that that is a fair condition. I think they ought to be made to contribute to the support of the government of the District of Columbia as much, certainly, as those of us do in fairly well governed cities in other parts of the country toward their support. I have heard statements made on this floor within the last day or two with reference to the percentage of taxes paid in the District of Columbia, and I looked up some receipts for taxes that I had paid in my own city of San Antonio, and I was surprised to find that I was paying more than the people pay here, if these statements are accurate. I do not think that ought to be, although, of course, it might be due to unnecessarily high taxes elsewhere.

Being convinced that this amendment, if adopted, can only be made to apply to the bill now under consideration, I have drawn and sent to the Committee on Rules—expecting, however, that it would have gone to the Committee on the District of Columbia—a concurrent resolution providing for a special joint committee to be appointed by the Speaker of the House of Representatives and the President of the Senate, to examine into this question of the equity of the existing system of supporting the government of the District of Columbia, and to report to the Congress within 12 months. I hope that it will be adopted, either as an amendment to this amendment or separately, if the Chairman shall rule that it is in order, or that it will be reported from the Committee on Rules and adopted by the House under such a report if it is held not to be in order on this bill.

I want light on this question. I want to know what is just to the people of the District of Columbia and to the taxpayers of the balance of the country. If it is true that the present system begets extravagance, the present system should be abolished. If it is true that more money is being collected than needed for the development of this marvelously beautiful city, then, by all means, we should adopt some means which would reduce the contribution of the people here and in the country at large.

I quite agree with what my colleague has said—that the people of the District of Columbia have assumed an attitude which, to some extent at least, is an insult to the self-respecting Member of Congress. They have assumed a hostility on our part to the people of this community and to the growth of the city of Washington. I feel no such hostility; in spite of their sneers, in spite of their folly, I am still prepared to do justice by all the people who live in this Capital.

The CHAIRMAN. The time of the gentleman from Texas has expired.

Mr. PAGE of North Carolina. Mr. Chairman, I yield five minutes to the gentleman from Kentucky [Mr. JOHNSON].

Mr. JOHNSON of Kentucky. Mr. Chairman, it is impossible to discuss this subject as it should be discussed within the five minutes' time allowed me; but there is one feature of it upon which everybody who is in favor of this amendment may congratulate himself, and that is that not the slightest semblance of a real argument has been advanced against it.

Originally the city of Washington was designed to become the most beautiful city in the world. It has become the most beautiful city in the world, and I am as proud of that fact as is any other man upon this floor or elsewhere. No man here or in the country more desires that Washington should be the most beautiful city in all the world than do I. But I do not desire that to be brought about by the undertaxation of the people of the District of Columbia and the overtaxation of the people in the States.

Only a few months ago I produced here a list of 40 cities, giving the rate of taxation in each and every one of those cities. That table showed that the people of the District of Columbia pay a smaller rate of taxation than the people of any other city

in all this land, notwithstanding the fact that statistics show that the people of the District of Columbia are the richest per capita in all this Nation.

As I said in the beginning of my remarks, when this city was first laid out it was bounded by Florida Avenue on the north and the Potomac River on the south. Then in that boundary there was comparatively a few number of acres to the great number of acres which you now ask the Federal Government to bear one-half of the expense in improving. The people of this Nation are not asked to bear one-half of the expense in improving the city of Washington as originally designed, but they are asked to bear one-half of the expense in beautifying the entire District of Columbia.

The city of Washington as originally laid out could now be a city of such excellence, of such beauty, that in a hundred years no city in the world could approach it, if the money had been spent in the city of Washington. But speculators beyond the original boundaries of the city of Washington have secured the expenditure of the greater portion of this money in that direction instead of in the original city of Washington proper. Originally you were asked to beautify about 4,500 acres. By the act of 1878 you were asked to beautify 45,000 acres. That was never the intention of our fathers and it is not the desire of the people of this land to-day.

I heard one gentleman offer an argument that he had never heard any complaint in his section against the half-and-half principle; but, on being questioned, said that everyone he did hear mention it admitted that he did not know before that the people of the Nation paid one-half of the expenses of the District of Columbia. This question has resolved itself into this: That you must waste the money if the United States matches every dollar raised by taxation in the District of Columbia or you must reduce the rate of taxation in the District. If you reduce the rate in order to keep within the bounds of decent expenditure, then you more and more lessen the rate of taxation upon the people that are already taxed to-day less than any other people of this Nation. In other words, just as the gentleman from Iowa [Mr. PROUTY] has said, you must still further reduce the rate, making favorites of these people who are now paying a rate already too low, in order that you may not raise more money than can be legitimately expended.

The CHAIRMAN. The time of the gentleman has expired.

Mr. PAGE of North Carolina. Will the gentleman from Minnesota use some of his time? There will be only one other speech on this side.

Mr. DAVIS. How much time have I remaining, Mr. Chairman?

The CHAIRMAN. The gentleman has 10 minutes.

Mr. DAVIS. Mr. Chairman, I yield five minutes to the gentleman from West Virginia [Mr. Moss].

Mr. MOSS of West Virginia. Mr. Chairman, it seems to me that the gentleman from Iowa [Mr. PROUTY], who I am sure is a patriotic gentleman, hardly wants to go on record with the proposition stated by him, that we are here to contribute to a pauper, and that that pauper is our own Nation. That theory is a new one to me. I thought that this great Government of ours was a government of all the people, and I thought that we all, no matter from what section we might come, so regarded it.

The argument of the gentleman, in my opinion, Mr. Chairman, is defective when he says that other parts of the country, so far as appropriations are concerned, are entitled to just as much consideration as the Capital of our Nation, and that we should not spend the money of the people for the benefit of Washington. I believe that the Capital of this Nation is entitled to the most careful consideration. It is not the capital of the District of Columbia, it is not the capital of Iowa, it is not the capital of West Virginia, but it is the Capital of all the people of our national domain—of every State in this Union. I believe that instead of regarding this nation as a pauper, to which we all contribute, we should regard it as the nation of nations, and this Capital as the beauty spot of the country. I believe that when the citizens from the State of Iowa, as well as the citizens of all the other States of the Union, come to this Capital they expect it to be grander and more beautiful than any other place in the Union.

Mr. Chairman, I do not think it is a waste of the people's money. I do not think it is an injustice to the rest of the country. I do believe that this great city of Washington, with all its beauty and grandeur, representing the greatness and vastness of our country, should be made more beautiful, and that it is only fair, inasmuch as it is the Nation's Capital, that the Nation should bear the brunt of the expense necessary to make it superior to other cities. I am opposed to this amendment to the appropriation bill which seeks to relieve us from our real responsibilities and obligations, first, because the amendment is not legitimate—it is not a proper amendment; it is an attempt to resurrect a thing that has been defeated by this House before; it is an attempt in an indirect way to defeat the will of the people; and, again, I am opposed to it because I believe it should be the duty and the pleasure of this Congress to make this Capital, the Capital of the greatest of all peoples, the garden place of all the earth, the admiration of all the world.

Mr. DAVIS. Mr. Chairman, I yield two minutes to the gentleman from Wisconsin [Mr. COOPER].

Mr. COOPER. Mr. Chairman, the act of 1878 had some good sponsors, among them being Senator Thurman, of Ohio; Senator Bayard, of Delaware, both great Democrats and honest men; Abram S. Hewitt, a very able Member of this House from New York; and George F. Hoar, then a Representative and afterwards a Senator from Massachusetts, one of the noblest men ever in either House of Congress. The act of 1878 was not a job; it was the result of profound study by statesmen.

I introduced a resolution to have an impartial commission appointed to investigate this question and see what, in justice to the Government and the District, ought to be done, because the problem is one of the most complex on the subject of taxation that I ever have studied. In order that justice may be done, there ought to be an impartial investigation by competent, disinterested investigators.

I am opposed to the pending amendment because it is a rider, and legislating by riders on appropriation bills ought at once to be stopped. By the pending amendment we are confronted with this situation: Either accept something you do not believe in or vote against an appropriation necessary for the life of the Government. In other words, if you do not take what in substance you have once defeated in the House, we will starve the District of Columbia. You shall not vote an appropriation necessary to continue the affairs of the District unless at the same time you accept an irrelevant proposition in which you do not believe and that ought never to have been placed on an appropriation bill. This is an appropriation bill. It is entitled "A bill making appropriations for the District of Columbia." But this amendment does not propose an appropriation for the District of Columbia. It makes no reference to any appropriation. It is a piece of independent legislation and one which as an original proposition was defeated here a short time ago on a fair vote after free debate. And yet here it now is offered on this appropriation bill as a rider. Attaching important riders to appropriation bills is a vicious way to legislate. It leads to legislation by coercion. There should be nothing like coercion on this floor. Each Member ought to be perfectly free to vote as he thinks right on the merits of each individual proposition. If the appropriations are what the District of Columbia need, then vote for them; but let us not be obliged to do something in which we do not believe in order that appropriations may be passed which are necessary for the support of the Government. [Applause.]

Mr. DAVIS. Mr. Chairman, I yield three minutes to the gentleman from New York [Mr. OGLESBY].

Mr. OGLESBY. Mr. Chairman, if it be believed that the so-called half-and-half plan is inequitable, the matter should be determined by inquiry into the whole subject to ascertain what proportion of the total cost of maintaining the District government should be borne by the National Government. Upon such inquiry full opportunity should be afforded all interested property owners to be heard, either personally or through their duly authorized representatives. The information thus obtained would enable us to fix the proportionate shares of the expense of the District government that should be paid, respectively, from the Federal Treasury and by the other property owners and citizens of the District.

In arriving at our conclusion every phase of the subject, including the value of all the real and personal property of the National Government located in the District; the value of all other real and personal property in the District, and of all other property owned by residents of the District, of a nature properly subject to taxation therein; what property should be exempt from taxation; and what items of expense, if any, of maintaining the District government should not be shared at all by the National Government. The proportionate shares being agreed upon and the total expenditure ascertained, it is a simple matter of arithmetic to figure the amount to be appropriated from the National Treasury, which amount being deducted from the total expenditure, the remainder is the net budget to be raised by taxation. The rate will then follow the budget as in every other city in the United States, and whether property be assessed for taxation purposes at 50 or 100 per cent of its true value would be of no interest to Congress, and for

that matter of little concern to the taxpayers of the District, provided, of course, there be no favoritism or discrimination.

There has been no argument submitted in support of the proposed amendment other than the oft-reiterated assertion that the National Government is paying more than it properly should. No facts are presented from which a finding can be made as to what proportion of the expenses of the District government should be paid from the National Treasury. Advocates of this amendment admit that they have made no attempt to ascertain such facts. They have not even given us the benefit of their best guess on the subject.

Permit me to illustrate what they do propose: Assume that I am the owner of a farm in a fertile valley adjacent to a stream which would annually overflow its banks and cause serious damage, and to prevent which temporary dikes had been constructed and annually rebuilt or repaired. Assume also that I am fortunate enough to have for a neighbor my friend the gentleman from Iowa [Mr. PROUTY], owning land in the rear, having substantially the same elevation and subject to similar damage from overflow, but with no frontage on the stream. Assume that for a number of years we have shared equally the expense of protecting our lands from overflow in the manner above indicated. Now he comes to me and says that he has carefully examined into the subject and has figured it all out, and has arrived at the conclusion that he has been paying more than his fair share of such expenses and wants a readjustment. I answer him: "Very well, in what proportions should we share such expense? Show me the figures and tell me what facts you have taken into consideration in making your estimate." He replies: "I have not figured it out that way. I have ascertained as nearly as I could the cost per front foot of maintaining similar dikes for the protection of other farms in our valley whose boundaries extend from the stream to the foothills and the expense of which has been borne wholly by the men who own the lands fronting on the stream. I have even ascertained, as near as I could from men in your employ, what it costs you annually per front foot to construct and maintain the dikes on another farm which you yourself own fronting on this stream. My proposition is that you pay over to me a sum equal to the average cost per annum per stream-foot frontage, and since I wish to be fair, yes generous, I will fix the sum which I propose that you pay at really less than I estimate the average cost to be of maintaining the dikes to protect these other farms which I have mentioned. I will use this money which you pay over to me in meeting all the necessary expense, the amount of which I shall use my own judgment in determining, of maintaining our dikes, and if, after I have used all the money which you have paid over I find it is not sufficient, I shall pay the deficit out of my own pocket. If it develops that the amount which you have paid is more than sufficient to meet all the expenses, I shall again be generous and return to you the surplus."

I have heard it repeatedly stated in discussions on this floor that real estate owners within the District of Columbia pay very much lower taxes in proportion to the actual value of their holdings than are paid by property owners in almost every other city of any importance in the Union. Based on my experience, I say that this statement is inaccurate. I pay taxes on a number of parcels of real estate distributed through four boroughs of the city of New York and in the city of Yonkers, as well as on a modest house I own within the District of Columbia, and the general average paid on my New York and Yonkers property in proportion to its true value is less than I pay on the house in the District of Columbia.

I should not consent to have my constituents pay one cent of taxes to relieve residents and property owners within the District of Columbia from the payment of any sum properly chargeable against them. The cost should be divided in proportion to the respective interests and ownerships to be maintained and protected.

I have no more fear of violating the sanctity of the so-called half-and-half plan by changing it to one more equitable than the gentleman from Kentucky [Mr. JOHNSON] has of violating the sanctity of a Saturday afternoon in August by attending a ball game, or than the gentleman from Iowa [Mr. PROUTY] has of violating the sanctity of a beautiful day in June by enjoying its sunlight and air on the golf links of the Columbia Country Club; and if I believed the half-and-half plan wrong, I would not any more recommend its change to the indefinite and inequitable proposition suggested by this amendment than would the gentleman from Kentucky [Mr. JOHNSON] suggest to the gentleman from Iowa [Mr. PROUTY] that he wean himself from the allurements of golf by substituting therefor poker and highballs in an attractive rear room of a gin mill on Fourteenth Street.

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. PAGE of North Carolina. Mr. Chairman, I had not intended to enter into this debate, so said, and I should not do so had not my friend from Illinois [Mr. MANN], who is always well informed about legislation, made a statement which I think he will not now stand for. It was to the effect that the paving around Government buildings in the District of Columbia had been paid for out of this half and half. I assert that not a single dollar has ever been appropriated in a District bill, until this one, to lay a pavement around a piece of Government property in the District of Columbia. That is the fact, in spite of the statement made by my friend from Illinois. There are other gentlemen upon the floor of this House who have admitted confessedly that they know nothing about this proposition. That is not the fault of those of us who have studied it. There are some of us who have given a good deal of time and thought to this matter of taxation in the District of Columbia, and some, excluding myself, are possibly as near statesmen as those who formulated the half-and-half plan.

There is a mistaken idea advanced here this morning that this amendment proposes in some way to change the rate of taxation for the assessment on property in the District of Columbia. There is absolutely nothing in this amendment that changes either the assessment or the rate of taxation on such property. It is purely and simply an amendment which will use all of the taxes of the District of Columbia as now levied to the extent of all of that revenue, supplemented from the National Treasury by such an amount as is necessary for the conduct of the District of Columbia. There is nothing in it except that, and any gentleman who has a conception other than that is mistaken as to what the amendment will do. It does that and nothing more.

Mr. OGLESBY. Will the gentleman yield for just a short question?

Mr. PAGE of North Carolina. I would like to yield to the gentleman, but I have not the time to yield.

Now, as to the proposition advanced by my friend from Wyoming [Mr. MONDELL]. I believe it was that the District of Columbia had no representation—no; it was my friend from Ohio [Mr. FESS]—had no representation upon this floor. I make the assertion that there is no other jurisdiction in the United States that is so ably represented by so many able gentlemen. [Applause.] It has the ablest representation of any district in the United States, and the gentleman from Ohio is one of them and there are a great many more. I do not want to place any injustice upon the taxpayers of the District. I merely want them to bear that share of the burdens of the government in this city—just that and no more—that any other people similarly situated in other cities of the Nation bear. I would not place the slightest burden upon them that anybody else in any other city does not have to endure. I am not willing to place upon my constituency and your constituency an extra burden for the purpose of relieving the District of a just taxation.

The CHAIRMAN. The time of the gentleman has expired; all time has expired. The question is on the amendment offered by the gentleman from Kentucky.

The question was taken, and the Chairman announced the ayes seemed to have it.

Mr. MANN. Mr. Chairman, I ask for a division.

The committee divided, and there were—ayes 72, noes 44.

So the amendment was agreed to.

The Clerk read as follows:

Engineer commissioner's office: Engineer of highways, $3,000; engineer of bridges, $2,250; superintendents—1 of streets $2,000, 1 of suburban roads $2,000, 1 of sewers $3,300; asphalts and cements—inspector $2,400: *Provided*, That the inspector of asphalts and cements shall not receive or accept compensation of any kind from or perform any work or render any services of a character required of him officially by the District of Columbia to any person, firm, corporation, or municipality other than the District of Columbia, assistant inspector $1,500; trees and parkings—superintendent $2,000, assistant superintendent $1,200; assistant engineers—1 $2,200, 1 $2,100, 4 at $1,800 each, 2 at $1,600 each, 4 at $1,500 each, 2 at $1,350 each, 1 $1,200; transitmen—two at $1,200 each, 1 $1,050; rodmen—4 at $900 each, 8 at $780 each; 12 chainmen, at $650 each; draftsmen—1 $1,500, 2 at $1,200 each, 1 $1,050; general inspector of sewers, $1,300; inspector of sewers, $1,200; bridge inspector, $1,200; inspectors—2 at $1,500 each, 5 (including 2 of streets) at $1,200 each, 1 $1,000, 1 $900; transitman, $1,200; foremen—12 at $1,200 each, 1 $1,050, 10 at $900 each; foreman, Rock Creek Park, $1,200; 3 subforemen, at $1,050 each; bridgekeepers—1 $650, 3 at $600 each; chief clerk, $2,250; permit clerk, $1,500; assistant permit clerk, $1,000; index clerk and typewriter, $900; clerks—1 $1,800, 2 at $1,500 each, 2 at $1,400 each, 5 at $1,200 each, 2 at $1,000 each, 1 $900, 1 $840, 2 at $750 each, 1 $600; messengers—7 at $600 each; skilled laborers—1 $625, 2 at $600 each; janitor, $720; steam engineers—principal $1,800, 3 at $1,200 each, 3 assistants at $1,050 each; 6 oilers, at $600 each; 6 firemen, at $875 each; inspector, $1,400; storekeeper, $900; superintendent of stables, $1,500; blacksmith, $975; 2 watchmen, at $630 each; two drivers, at $630 each; in all, $173,870.

Mr. JOHNSON of Kentucky. Mr. Chairman, I offer the following amendment as a separate paragraph.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Add at the end of line 9, page 9, the following:
"Hereafter the Chesapeake & Ohio Canal Co. shall make the same returns to the assessor and be taxed at the same rate on all of its property, both real and personal, which lies within the District of Columbia, just as individual persons are required to make return and be taxed."

Mr. MANN. Mr. Chairman, I reserve a point of order.

Mr. JOHNSON of Kentucky. Mr. Chairman, I would like to have the attention of the committee. The subject needs very few words of explanation. About 91 years ago the Chesapeake & Ohio Canal Co. secured from the Congress a charter by which their property in the District of Columbia was not to be taxed. That corporation has gone now for 91 years without paying any taxes. I ascertained this morning from the assessor's office that this company owns in the District of Columbia real property to the value of nearly $150,000. The only question that arises is, Should they pay taxes or not?—and that question I am willing to submit to the committee.

Mr. SLAYDEN and Mr. MONDELL rose.

Mr. SLAYDEN. Mr. Chairman, will the gentleman permit a question?

The CHAIRMAN. Does the gentleman yield; and if so, to whom?

Mr. JOHNSON of Kentucky. I do, and to the gentleman from Texas, who is nearer to me.

Mr. SLAYDEN. I was interested in the history of this canal, and I have often wondered in reference to the present business status of the canal company, as to whether it was a going business concern, and if so, to what extent.

Mr. JOHNSON of Kentucky. It is a going business concern, but to what extent I do not know. My information is that the Baltimore & Ohio Railroad owns more than 50 per cent of its capital stock and that it is operated as a subsidiary of the Baltimore & Ohio Railroad, and that their principal traffic is the coal traffic down the river to Washington and farther down the Potomac River.

Mr. SLAYDEN. That is by barge on the canal?

Mr. JOHNSON of Kentucky. It is carried over this canal and is——

Mr. SLAYDEN. I have been under the impression that usually when a railroad acquires a canal property it is done with a view to destroying it as a business concern. They own them for the purpose of controlling the traffic rather than using the canal itself in the conduct of business.

Mr. JOHNSON of Kentucky. I have no way of knowing the intention of the company which owns the controlling interest in the stock.

Mr. SLAYDEN. Except that one might judge from the volume of business.

Mr. JOHNSON of Kentucky. I gather from rumor that the railroad desires to own this canal for two reasons: One is that up above Washington, I do not know just how far, some 40 or 50 miles perhaps, the canal at great expense has been built through the mountains. There is the only place where another railroad could be built if one is ever built, and by controlling that opening in the mountain there they can preclude the building of another railroad; and, besides, they use it profitably in their coal business, according to my information.

Mr. SLAYDEN. Under the terms of their charter are they exempt from all taxes ?

Mr. JOHNSON of Kentucky. As I said, it was chartered about 91 years ago, and during that time they have been exempted from taxes and have never paid any.

Mr. SLAYDEN. All taxes?

Mr. JOHNSON of Kentucky. Yes.

Mr. PAGE of North Carolina. If the gentleman will yield to me for a moment, that being true that they are exempt by the conditions of their charter and assuming the charter is a perpetual charter exempting them from taxation, would an item carried in an appropriation bill change the situation in the judgment of the gentleman?

Mr. JOHNSON of Kentucky. My opinion is, and I am very pronounced in the view that my opinion is right, that it is a repeal by implication and will be effective.

Mr. SLAYDEN. The gentleman put precisely the question that I was going to ask, and I wanted an answer to that, too.

Mr. MOORE. Will the gentleman yield?

Mr. JOHNSON of Kentucky. I will.

Mr. MOORE. I call the gentleman's attention to line 15 on page 22. His amendment probably would have been more appropriate there.

Mr. JOHNSON of Kentucky. If the gentleman from Pennsylvania will bear in mind, I have offered it as a separate section.

Mr. MOORE. Yes; I understand the gentleman did.

Mr. JOHNSON of Kentucky. And I will say to the gentleman I did so at this particular time because of my physical inability to stay here during the consideration of the bill. I have been in bed for two days and nights now.

Mr. MOORE. On page 22, beginning with line 15, there is a paragraph which provides for reconstruction of a retaining wall, with a provision that the Chesapeake & Ohio Co. shall pay one-half, the cost to be $5,000.

The CHAIRMAN. The time of the gentleman from Kentucky [Mr. JOHNSON] has expired.

Mr. PAGE of North Carolina. Mr. Chairman, I seek recognition and will yield the time to the gentleman from Ohio [Mr. FESS] if he desires it. I wish to say to the gentleman from Pennsylvania, who was interrogating the gentleman from Ohio, that in the event this amendment is agreed to I shall ask the consent of the House, at the appropriate time, that the committee be allowed to place it in its proper place in the bill.

Mr. MOORE. I brought the question up here because it would appear that we were still indulging the half-and-half plan, which we have already discredited in this bill, and also because it would seem to answer the question of the gentleman from Kentucky [Mr. JOHNSON] as to whether or not the canal company was a going company. If you charge them one-half of $5,000, they are evidently able to pay their part for the reconstruction of a retaining wall. While the gentleman from North Carolina is on his feet, and in his time, I would like to ask whether the Chesapeake & Ohio Canal Co. is a toll company?

Mr. PAGE of North Carolina. I assure the gentleman I can not answer that. Possibly the gentleman from Kentucky can answer in my time. I have never investigated this matter at all.

Mr. JOHNSON of Kentucky. I have no information on that subject. All I know is that they own this property and pay no tax on it, and have paid none for 91 years.

Mr. MOORE. Does the gentleman know whether vessels of the public are permitted to pass through free of tolls?

Mr. JOHNSON of Kentucky. I have no information on the subject.

Mr. STAFFORD. Will the gentleman yield at that point in order to state the amount of property that would be subject to taxation if the charter did not forbid?

Mr. JOHNSON of Kentucky. I say the assessments show about $100,000 in real property.

Mr. MONDELL. Can the gentleman from Kentucky inform us as to the character of that property?

Mr. JOHNSON of Kentucky. I can not. All I have is a report from the assessor.

Mr. MONDELL. The gentleman does not know whether it consists of landed property or not?

Mr. JOHNSON of Kentucky. I just said it was real estate.

Mr. MONDELL. And not all boats?

Mr. JOHNSON of Kentucky. I have just said it was real estate only.

Mr. MONDELL. The bank of the canal?

Mr. JOHNSON of Kentucky. I do not know what it is. I understand, however, they have some warehouses and terminals, but I do not know.

Mr. MANN. Mr. Chairman, the Chesapeake & Ohio Canal has undoubtedly some valuable property as a terminal. In the report of the commission concerning the boulevard or park down Rock Creek it appeared under the act of Congress we would have to take a lot of valuable property belonging to the terminal of the Chesapeake & Ohio Canal, if I remember correctly.

Mr. JOHNSON of Kentucky. I do not know. I have learned through the newspapers and through just common rumor that the Chesapeake & Ohio Canal Co. did have some valuable property which they are seeking to sell for park purposes.

Mr. MANN. The Chesapeake & Ohio Canal was not seeking to sell the property, and the commissioners reported that the Chesapeake & Ohio Canal did not want to sell the property, but Congress had ordered it taken and the commissioners advised it be not taken.

Mr. JOHNSON of Kentucky. Mr. Chairman——

Mr. MANN. I do not wish to argue the question further. I wish to make a statement in my five minutes. The gentleman from Pennsylvania [Mr. MOORE] asked if this was a toll company. Undoubtedly it is. In riding around the city last fall and summer, when we were detained here so long, I frequently rode by the Chesapeake & Ohio Canal, and I noticed a large number of boats were laid up, and practically all of these

boats belonged to one company, which company, I think, is owned by the canal itself. I do not know whether these people ought to pay taxes or not—but very likely—although if we buy a canal, as urged by the gentleman from Pennsylvania, in Maryland, there will be no tax paid on that. The Government buys it and pays the expenses of maintenance, but it pays no taxes.

If the other gentleman from North Carolina [Mr. SMALL] has his way, we shall have some more canals down here, built by the Government, maintained by the Government, and operated by the Government, which pay no taxes. Whether it is more desirable to have this company sell out to the Government in the end and escape taxation in that way or in this way, I do not know; but if they have a charter which exempts them from taxation, it seems to me that the matter ought to be considered in the proper way.

The gentleman from Kentucky [Mr. JOHNSON], the chairman of the great Committee on the District of Columbia, can bring in a bill at any time repealing that part of the charter, and, so far as I am concerned, he can pass it; but I do not believe it ought to go into an appropriation bill without any report from a committee on the matter, and therefore I make the point of order.

The CHAIRMAN. Does the gentleman from Kentucky [Mr. JOHNSON] desire to be heard on the point of order?

Mr. JOHNSON of Kentucky. No, sir.

The CHAIRMAN. The point of order is sustained. The Clerk will read.

The Clerk read as follows:

For valuation work, as required by law, $30,000.

Mr. PAGE of North Carolina. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from North Carolina offers an amendment which the Clerk will report.

The Clerk read as follows:

Page 9, line 24, strike out "$30,000" and insert "$40,000."

The CHAIRMAN. The question is on the amendment offered by the gentleman from North Carolina.

Mr. MONDELL rose.

The CHAIRMAN. Does the gentleman from Wyoming desire recognition?

Mr. MONDELL. I do.

Mr. PAGE of North Carolina. Will the gentleman from Wyoming yield to me one moment?

Mr. MONDELL. Yes; I will be glad to. It might be well to yield to the gentleman five minutes, or possibly more.

Mr. PAGE of North Carolina. Mr. Chairman, under the act authorizing the valuation of the property of public utilities in the District of Columbia the general deficiency appropriation bill carried an appropriation of $100,000. At that time the members of the utilities commission estimated that it would require $110,000 to carry out the work as it has been prescribed by the Congress in the utilities valuation act. The estimates submitted to this Congress and the amount carried in the bill is the same—$30,000—for the completion of the physical valuation of these public utilities. After the bill was made up and reported to the House a supplemental estimate—House Document No. 1208—was forwarded through the Secretary of the Treasury, asking an additional $10,000 for the completion of this work. The statement has been made to me by the members of the public utilities commission and those who are engaged by the commission in the making of this valuation that the $40,000 would be required to complete it, and that the completion would be early in September of next year.

Mr. MANN. Mr. Chairman, will the gentleman yield for a question?

Mr. PAGE of North Carolina. Yes; I yield to the gentleman.

Mr. MANN. Of what companies have they made the valuation complete?

Mr. PAGE of North Carolina. I will read from a letter, under date of December 9, 1914, addressed to me by Dr. Edward W. Bemis, who has charge of this valuation work:

The work is being done very economically, as the commissioner will tell you, and the two big street railway systems and the electric light and power for the entire District will be appraised on the existing appropriation, but the telephone and gas can not be undertaken without the additional $40,000; and while our force is organized it will be cheaper to do the work next June, July, and August than to dismiss the force and reorganize a year or two later.

My understanding is that the work is so organized, or the present force is so organized, that the $100,000 appropriated will be expended in the completion of the street railway and electric light companies' valuation.

Mr. MANN. They have not yet completed the valuation of the street railways proper?

Mr. PAGE of North Carolina. No; they have not completed it.

Mr. MANN. I would like to see something some time where some benefit may come from this.

Mr. PAGE of North Carolina. They make the statement that they will complete the entire work by September, next year, if this appropriation is given them.

The CHAIRMAN. The question is on the amendment offered by the gentleman from North Carolina [Mr. PAGE].

Mr. STAFFORD. Mr. Chairman, will the gentleman yield for a question?

Mr. PAGE of North Carolina. Yes; I yield.

Mr. STAFFORD. I believe that these gentlemen are receiving very high salaries. I understand this Dr. Bemis is receiving a salary of $100 a day, and the engineer $50 a day, and by this appropriation you are to continue them in employment until September.

Mr. MANN. I think he used to be a college professor, glad to get three or four thousand dollars a year.

Mr. PAGE of North Carolina. In reply to the gentleman from Wisconsin [Mr. STAFFORD], I will say that in a statement submitted to Congress in the Book of Estimates the rate of compensation to Dr. Bemis is given as $100 a day, but in the contract made by the commissioners with him his service is limited to 75 days in a year. In other words, he is employed to complete this organization and supervise the proper work in the making of these valuations. In that connection we inquired very particularly into this compensation, and the statement was made to us that this particular gentleman was employed on account of the reputation that he had made in other cities, that they could not afford to have any less than the most expert of people there are in the country, because this matter will unquestionably be carried into the courts and be contested there, inasmuch as the utility companies are at the same time making a valuation of their own property.

Mr. MANN. Mr. Chairman, will the gentleman yield?

Mr. PAGE of North Carolina. I yield to the gentleman.

Mr. MANN. He is now receiving a Representative's salary for two and one-half months' work. Of course he is employed, I should judge, in many other places. But the pay that he is receiving here is similar to the pay he is receiving elsewhere at the same time, is it?

Mr. PAGE of North Carolina. I do not know about the same time, but the statement was made to us that Dr. Bemis was receiving this compensation from other cities for doing like work. Whether it is simultaneous with this, I can not answer.

Mr. MANN. It must be simultaneous.

Mr. PAGE of North Carolina. His employment here is limited by the contract to 75 days in a year.

Mr. MANN. That means that he is not here all the time.

Mr. PAGE of North Carolina. Of course he is not here all the time.

Mr. MONDELL. Mr. Chairman, we have appropriated up to this time $268,000 for valuation work under the Public Utilities Commission. The last appropriation made was in the deficiency act of the last session, and it amounted to $100,000; and I notice that the Public Utilities Commission has overlooked the requirement of law under which they are supposed to submit a detailed statement of their expenditures. They did present a detailed statement of their expenditures under the general item, but no estimate or statement of any sort or kind was before the committee, or is now before the House, as to what was done with it, and how much of the $100,000 appropriation has been expended. Neither has the committee any definite information from any source as to the amount of work which has been performed or as to just how much we have received in the way of actual accomplishment and progress from the expenditure of the large amount of money heretofore appropriated. It seems to me it is a most lamentable oversight that the commission should fail to comply with the mandatory provision of law relative to reporting its expenditures. It seems to me even more unfortunate that the commission has given us no sort of an intelligible statement as to how far it has progressed with the work.

So far as the committee are concerned, we have no sort of an idea whether this work will be completed with the appropriation we are now proposing to make or not. It is suggested that it may be completed, but we have no means of judging in the matter. So far as we know, it may cost $100,000 more. So far as any information we have to the contrary, it may take one or two years, instead of a few months, to complete this work.

Attention was called to the fact that Dr. Bemis, who has charge of this work, was receiving $100 per day.

Mr. STAFFORD. Will the gentleman yield in that connection?

Mr. MONDELL. Yes.

Mr. STAFFORD. I do not believe Dr. Bemis has charge of the work at all. He merely has charge of the selection of the experts.

Mr. MONDELL. I did not yield to the gentleman for a statement. Will he allow me to finish my statement?

Mr. STAFFORD. I thought you yielded to me for information.

Mr. HAMILTON of Michigan. Oh, no; impossible. [Laughter.]

Mr. MONDELL. I do not think the gentleman can inform me on this matter.

Mr. STAFFORD. Perhaps not.

Mr. MONDELL. I think I am fairly informed upon it.

Mr. STAFFORD. The gentleman may be better informed than I am, but he has not been giving very much information to the committee. [Laughter.]

Mr. MONDELL. The subcommittee interrogated the commissioners with regard to the compensation of Dr. Bemis. It seemed to them to be large, but they were assured by Commissioner Siddons that a large compensation was necessary, for one reason, in order that the valuation when made might have a proper standing in court. In other words, it must be a high-priced valuation, made by high-priced men, or the court would not feel inclined to give it proper weight.

Mr. PAGE of North Carolina. Will the gentleman yield?

Mr. MONDELL. I will.

Mr. PAGE of North Carolina. The gentleman is usually fair.

Mr. MONDELL. I want to be fair.

Mr. PAGE of North Carolina. Now, in fairness to the commissioners, and not in defense of myself, was it not rather upon the reputation of Dr. Bemis, instead of the price paid to him, that they were placing their reliance for its effect upon the mind of the court?

Mr. MONDELL. I do not recall that they told us what Dr. Bemis's reputation is. Dr. Bemis has a reputation as a scholar and as a very earnest and persistent advocate of public ownership of public utilities. He has a wide reputation in that regard, and he has been employed elsewhere in matters of valuation. But, as the gentleman from Wisconsin [Mr. STAFFORD] was about to say a moment ago when I checked his interruption, the fact is that Dr. Bemis is not in charge of this valuation at all.

The CHAIRMAN. The time of the gentleman from Wyoming has expired.

Mr. MONDELL. I ask unanimous consent to proceed for five minutes.

The CHAIRMAN. The gentleman from Wyoming asks unanimous consent for five minutes more. Is there objection?

There was no objection.

Mr. MONDELL. The fact is that Dr. Bemis has nothing whatever to do with the valuation, according to the statement made by Maj. Kutz to the subcommitee. Dr. Bemis is simply an organizer. He organizes the force. He does not do any of the actual work of valuation himself. He does not visit the properties or examine the buildings, plant, and equipment. He is the leader and organizer of the men. He selects the subordinates and outlines the plan of campaign. Now, I can understand how a man's services might be worth $100 a day if he were an expert in property values, if he had wide experience in valuing property of this kind; but I do not understand how a man's services can be worth $100 a day simply as the organizer of a valuation force. Any good man with ability along the line of organization and management certainly could do that. Nor do I understand how the valuation, when made, will have any more standing in court than it otherwise would have because of the fact that $100 a day was paid to the man who organized the force. It is true we are paying $30 a day to a man who has charge of the actual work of valuation. Now, it seems to me this matter of compensation has got badly twisted. The important thing here is the valuation of the property, not the organization of the force.

Mr. PAGE of North Carolina. Mr. Chairman——

Mr. MONDELL. We have either got these men wrongly placed or we have the salaries a little mixed.

The CHAIRMAN. Does the gentleman from Wyoming yield to the gentleman from North Carolina?

Mr. MONDELL. Yes.

Mr. PAGE of North Carolina. Does not the gentleman recognize the fact that the most important function that can be discharged by anyone is the proper selection of the men to do a thing?

Mr. MONDELL. Well, I realize that is important; but I do not think that function is so important that in a matter of that kind a man can well earn $100 a day, to be entirely frank about it. I am not an expert on this sort of thing, but I doubt it. I can understand how a man might be worth that if doing the actual work of valuation, if he had had a very wide and very successful experience in that sort of thing. But I did not intend to dwell particularly on this question of emoluments, although I think that it is rather extraordinary that the public is called upon to pay $100 a day for services of this character.

The CHAIRMAN. The time of the gentleman has expired. The question is on the amendment offered by the gentleman from North Carolina [Mr. PAGE].

The amendment was agreed to.

The Clerk read as follows:

For incidental and all other general necessary expenses authorized by law, $2,799.

Mr. MONDELL. Mr. Chairman, I was about to say when interrupted by the Clerk a moment ago that what I particularly wanted to emphasize on this occasion is the fact that we have no information as to what this force organized by Dr. Bemis has done. The law requires a report, and no report has been made. The committee of the House is entitled to a definite statement as to how far the work has progressed. We are entirely in the dark as to the progress that has been made. As a matter of fact, we do not know how much has been spent, and we do not know how much has been accomplished. I think the gentleman from North Carolina will not deny that.

Mr. PAGE of North Carolina. No; except in this way: The statement was made to the subcommittee and to me personally by the chairman of the utilities commission that this organization was made upon the basis of completing the work within the fiscal year of the current appropriation, and the deduction to be drawn from that is that the valuation of these properties has proceeded to about half of its completion.

Mr. MONDELL. One thing more. The work of valuation ought to be speedily completed. It is not necessary to go into detail as to reasons why the work should be speedily accomplished. My attention has been called recently to a curious view that the Public Utilities Commission takes in regard to needed and necessary extensions of the public-service facilities, particularly the extension of street car lines. I understand that the street car companies are willing and ready to make certain extensions. I know as a matter of personal knowledge that the people of the neighborhood in which I live have been long seeking a railway extension which ought to be made. The Public Utilities Commission insist that they will not even consider this matter of extension of street railway lines until they have completed this valuation. And so here we are, a work going on which ought to be helpful and beneficial to the public, and yet the present effect of it is to prevent the ordinary extension of public service, which but for the fact that the commission is making a valuation would be going on. I do not think that attitude of the commission can be justified by anyone. The people up in the northwest are entitled to certain street car extension, and the Public Utilities Commission has no business in denying them the extension while they dawdle along, or push along, or rush along, whichever they may be doing, in this important matter of the valuation of these properties.

The Clerk read as follows:

For maintenance and repair of fish wharf and market, $500.

Mr. MONDELL. Mr. Chairman, I move to strike out the last word. The District Commissioners submitted an estimate of $200,000 for buildings at the fish and produce wharf which the committee did not see fit to allow. Those buildings should be provided for in the near future, but I do not think the committee is altogether at fault in the matter, although I think they should have allowed the item. Last year we appropriated $50,000 for the construction of wharves at the fish market—something very badly needed. This year, a year later, we discover that the plans for this work have not yet been drawn. It is a little discouraging to the committee endeavoring to appropriate for the District to discover that after the committee has made appropriations they are not promptly utilized. To a certain extent the committee is justified in withholding additional appropriations until at least the plans have been drawn and agreed upon under which the appropriation of $50,000 heretofore made is to be expended. The commissioners did inform the committee clearly and in detail as to what, in their opinion, should be done, or what construction should be had in the way of buildings at the fish market. Possibly they could not know, neither could the committee intelligently judge, as to just what buildings were necessary until they had proceeded further in at least the drawing of the plans for the reconstruction of the wharf.

Now, I am one of those who believe this to be an exceedingly important matter. I think it is very regretable that we have delayed as long as we have in the reconstruction of this fish wharf and market, this produce wharf and market. This is our situation: The city of Washington fronts on the Potomac,

which opens into a splendid body of water that produces the finest, and perhaps the widest, variety of sea food to be found in any like body of water in the world. And down on the lower Potomac on either side are wide areas of agricultural lands producing all sorts of farm and garden produce. This sea food and produce when brought to the city by water is landed at this fish market. I do not know of any one thing that has more effect on the cost of living in this city than the present condition of this entrance for the sea food and a considerable portion of the product of the District.

The committee last year hesitated in making the appropriation asked for, because the committee thought that the plans provided too generously for the retail markets, and this year the subcommittee, at least, was of the opinion that they could not indorse the present plan of the commission for a large refrigerating plant in this market space.

I think it is true that the plans of last year contemplated unnecessary expenditure for the construction of a retail market, but I am heartily and enthusiastically in sympathy with the present plan of the commissioners, the plan which has been indorsed and urged by the present superintendent of markets, whom I judge to be an active and efficient man.

The CHAIRMAN. The time of the gentleman has expired.

[By unanimous consent, Mr. MONDELL was given five minutes more.]

Mr. PAGE of North Carolina. Will the gentleman yield?

Mr. MONDELL. I will.

Mr. PAGE of North Carolina. I want to know if the gentleman from Wyoming has committed himself to the municipality embarking in the business of constructing storage plants?

Mr. MONDELL. Mr. Chairman, I will say to the gentleman that he is not fair in asking me that question in that way. I am ready to commit myself to a municipality doing any proper and reasonable thing, and this is a proper and reasonable thing. This is the situation: The city owns this wharf and market space, the one place in this city where sea food which comes to the city by water can be landed. It is the point to which comes in small sloops and boats a large part of the produce coming to Washington from Virginia and Maryland. At the present time there are no adequate wharves, and boats lie there three and four deep in the busy season. It is expensive to unload them; there is no place to store the produce when it comes in superabundance, and the result is that a great deal of it deteriorates, spoils, or is lost, and that loss ultimately falls on the consumer.

Under the circumstances and conditions that exist here I am heartily in favor of the city building at that point, not an ornamental building, but a permanent structure after having first built these permanent, concrete wharves for which we have already, rather inadequately, I think, provided—a permanent concrete structure that can be used for the temporary shelter of this produce as it comes in and large refrigerating rooms into which the surplus may be stored when it comes into the market more rapidly than the market can consume it. It is in the interest of economy. It will be highly beneficial to all of the people of the District. We all realize that, living as we do so near these fishing grounds, these oyster grounds, these splendid farms in Maryland and Virginia, we ought to be able to secure the products of those waters and lands at a reasonable price, and yet it is our experience that prices in Washington are high. I think that the condition of that fish market wharf has considerable to do with it. We should provide there some space for retailing. We should not attempt to build a great retail market, and yet I assume there are 50,000 people within a half mile or three-quarters of a mile of that point that could be served there in retail markets, and some people from all over the city do go there now and buy in these little insanitary and tumble-down structures those things that they need at reasonable prices.

Mr. DAVIS. Mr. Chairman, I desire to say a few words on the subject that the gentleman has just discussed. First, let me say that in the appropriation bill of last year an appropriation of $50,000 was asked for to improve the fish wharves, and that was granted in the last appropriation bill. In fact, all that was requested and asked for in the estimate by the commissioners was granted in the last appropriation bill.

Mr. MONDELL. Mr. Chairman, will the gentleman yield?

Mr. DAVIS. Yes.

Mr. MONDELL. The estimate for building was not granted, the gentleman will recall.

Mr. DAVIS. I am referring to the fish wharves.

Mr. MONDELL. Oh, yes; for the wharves, and they have failed to use it up to date.

Mr. DAVIS. I will say that up to date it has not been used. At the same time, they requested an appropriation of $125,000 to build a wholesale and retail fish market at that point. I at least, as one member of the subcommittee that made up the bill, was inclined, and am yet inclined, to grant a very liberal appropriation for the purpose of building a wholesale fish market at and near the wharf, because I believe that is the proper place to build it. However, the information produced to the committee at that time was to the effect that the chief desire was for a retail market to supply the whole city from that point. General information, which everybody ought to know, is to the effect that an exclusive retail market at that point to supply the great city of Washington would be very unwise and inappropriate. To oblige people who live 4, 5, and 6 miles from that place to go there to receive fish from retailers is out of the question.

Mr. MONDELL. Mr. Chairman, will the gentleman yield?

Mr. DAVIS. Yes.

Mr. MONDELL. The establishment of a retail market there, of course, would not obligate anyone to go there, and it would not necessitate anyone going there.

Mr. DAVIS. Oh, the gentleman forgets that that was to be the sole retail market under the appropriation asked for, and numerous stalls were to be built, constituting the only retail market in the city of Washington.

Mr. MONDELL. There was nothing in the provision prohibiting people from selling fish elsewhere, I take it.

Mr. DAVIS. That is true, but the subcommittee and I myself at least thought that a moderate sum of from fifty to seventy-five thousand dollars to build a wholesale market would be proper, and then, if we desired to, something which in my opinion is very desirable, branch markets could be built in the various quarters of the city, to be supplied from this wholesale market, thus accommodating all the residents of the city of Washington, be the amount required $100,000 or more, because, as the gentleman has well said, the question of reducing the cost of living is affected very largely by the proper distribution of fish in the city of Washington; but to make that the sole retail market for fish in the city of Washington was and is to my mind an absurdity. The commissioners were informed at that time that whenever they will submit to the committee a well-thought-out plan and specifications for a wholesale market, and fix the amount at a reasonable sum, the committee will probably grant it without question. Instead of following the suggestion of the subcommittee last year, they increased the amount from $125,000 for a wholesale and retail market to $200,000, and added thereto a municipal storage plant.

Mr. MONDELL. Does not the gentleman think that under the circumstances that would be a mighty good thing?

Mr. DAVIS. I do not. I do not believe the municipality should be engaged in building a storage plant. I think a moderate storage plant there for taking care of the surplus fish, as the gentleman suggested a while ago, would be proper, but this contemplates a storage plant at which anyone could go there and rent cold-storage space for any purpose desired.

Mr. MONDELL. But that is not the plan.

Mr. DAVIS. Oh, that is the plan contemplated by this $200,000 that the gentleman is now talking about.

The CHAIRMAN. The time of the gentleman from Minnesota has expired.

Mr. MANN. Mr. Chairman, I ask unanimous consent that the gentleman may proceed for five minutes.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. DAVIS. I do not desire the gentleman from Wyoming [Mr. MONDELL] or any other Member on this floor to think that I am niggardly in asking for appropriations for the District of Columbia. In fact, I will voice the sentiment that has been so often voiced here, that I came to Washington believing that the Capital of the Nation should be the most beautiful spot on this continent regardless of expense, and am still of that opinion; but I do not want money expended uselessly or wastefully, but properly and judiciously. I want a wholesale fish market established near the wharves, for it is the proper place for it, and is much needed. I want a first-class wharf built, for which $50,000 has already been appropriated, all that was suggested for that purpose. It is now in process of construction, at least plans are being prepared, but I believe that is all that has been done.

Mr. MONDELL. Will the gentleman yield?

Mr. DAVIS. I will.

Mr. MONDELL. Does not the gentleman realize that in connection with a wholesale fish and produce market there that there is a lot of produce comes in, and that there should be a refrigerating plant large enough to care for the surplus that comes in by water?

Mr. DAVIS. There is no question about that, and that is what I want, too; but I do not want a general cold-storage

plant built there and run by the municipality or by the Government.

Mr. MONDELL. The gentleman does not understand that to be the plan?

Mr. DAVIS. That is what is contemplated, and that is what Mr. Sherman suggested when before the committee.

Mr. MONDELL. Why, the area that they propose would not more than accommodate the surplus of fish, oysters, and produce at times.

Mr. DAVIS. His statements were not limited to that at all. He wanted a universal cold-storage plant there, to be rented to anyone desiring it.

Mr. MONDELL. It would not be economical to take produce from elsewhere there for storage.

Mr. DAVIS. I grant the gentleman that it would not be economical, and I grant you that it would be foolhardy, if this city or any other municipality should engage in such an enterprise; but that is the only enterprise suggested. We discussed the matter very thoroughly, and I think you will find the subcommittee is in favor of a proper wholesale market and a proper storage plant to take care of the overflow of this wholesale market. Whenever that is brought before this subcommittee in proper form, I believe you will find it will be fairly met and considered and a proper appropriation made therefor.

Mr. TOWNSEND. Will the gentleman yield?

Mr. DAVIS. I do.

Mr. TOWNSEND. Did the subcommittee discover why private capital would not engage in this enterprise?

Mr. DAVIS. We discovered from the testimony given, if the gentleman will pardon me for making a statement I did not care to make, that capitalists in the city of Washington were timid about engaging in any private enterprise of this kind when they are led to believe that the Government will undertake it.

Mr. MANN. They are afraid of Congress.

Mr. DAVIS. They are afraid of something.

Mr. TOWNSEND. They are afraid of Federal competition in the fish business?

Mr. DAVIS. Not at all; but they were afraid that it possibly might not pay.

The CHAIRMAN. The time of the gentleman has again expired.

Mr. MANN. Mr. Chairman, I desire to ask the gentleman if it is not a fact that recently we took the fish wharf and market away from the lessee?

Mr. PAGE of North Carolina. Yes; that is true.

Mr. MANN. Private capital can not engage in this business. There is only one place they can have this wharf. We are maintaining a fish wharf and market there, such as is maintained.

Mr. DAVIS. Does the gentleman believe that if private capital were to build a cold-storage plant the Government would take it out of their hands?

Mr. MANN. They can not build a cold-storage plant there in connection with this wharf and fish market. I do not know, but that is what I have been told. However, I wish that what I have to say be not taken as criticism of the committee or a criticism of Mr. Sherman, whatever his title might be, or a criticism of Congress, or anybody else.

Mr. DAVIS. He tried to change his title.

Mr. MANN. The fact is we are supposed to be here to represent in a way the assembled legislative wisdom of the country. There are times when it seems to me it would be well if we would give proof to that effect. Now, everyone knows that the cost of distributing food is very large. It is not to be expected that by legislation or otherwise the cost of the production of food products is likely to be decreased, and under the present system it is not likely that the retail prices of food articles will very largely decrease.

Where we have a chance, where the Government has a chance to be of benefit, may be through the channels of food distribution, bringing the articles from the producer to the consumer more cheaply and with less waste than now is the case. I do not undertake to say whether the Government should build a cold-storage plant at the fish market or maintain a fish market or operate a fish wharf, but the Government either ought to fish or cut bait. They either ought to provide the necessary tools for the operation of the fish wharf at the place where the fish wharf is bound to be maintained on the Potomac River, or they ought to let somebody else do it.

Mr. DAVIS. It has already appropriated the sum of $50,000.

Mr. MANN. I know we appropriated some money. We cut out a lease that was down there; whether it was a desirable thing to do or not I do not know. I assume it was when we did it, but we have not done anything since. We have had lots of talk, which I sometimes read in the papers, with Mr. Sherman, who is the representative in the matter, and probably an enthusiast——

Mr. DAVIS. He is an enthusiast.

Mr. MANN. And we have the cold judgment of the committee, and I expect it requires more consideration than they yet have been able to give to it. But we ought to be able here in this House to work out some plan by which sea-food products, as well as truck-farm products, can be brought to the consumer in Washington cheaper than they now reach him. I do not know that it would affect me personally. I do not buy any of these articles at present at the market, and probably pay a price regardless of the cost of distribution. That is all right. I have no complaint to make about that. But the people of Washington and the people all over the country would be greatly benefited if we were able with our wisdom to work out some plan feasible for use here and adoption elsewhere which would bring closer connection between the producer and the consumer. That is really the great economic problem of the age. [Applause.]

Mr. DAVIS. Will the gentleman yield?

The CHAIRMAN. The time of the gentleman has expired.

Mr. DAVIS. I would like to have the gentleman yielded one minute more.

The CHAIRMAN. The gentleman from Minnesota asks unanimous consent that the gentleman from Illinois may proceed for one minute. Is there objection? [After a pause.] The Chair hears none.

Mr. DAVIS. Does the gentleman think that the Committee on Appropriations or the subcommittee of the District of Columbia ought to work out plans to accomplish that purpose, or ought it to be left to the architect and Commissioners of the District to do that?

Mr. MANN. I do not charge the responsibility upon any one person or set of persons. I say that the legislative wisdom assembled here in some way ought to be able to work out better plans than are now in existence. Far from me to make any criticism of the committee for keeping its judgment cool, because if they get excited they will not have a good plan.

Mr. DAVIS. I do not believe there is an architect on this subcommittee, but we suggested last year to the commissioners and those who appeared before us that they work out a plan along the line the gentleman suggests.

Mr. MANN. All of us working together may be able to work out a plan. I think the committee has done well.

Mr. PAGE of North Carolina. Mr. Chairman, the matter of the construction of a market on the wharves owned by the United States or the District of Columbia, the present location of the fish market, was submitted to the Committee on Appropriations in the estimates of a year ago. They asked $125,000 for the construction of a fish market on the site of the present municipal fish market on the river front. That plan as submitted to the committee at that time contemplated the construction with this appropriation of what would be largely a retail fish market on the river front at the foot of Tenth Street, a long ways removed not only from the center of population but from practically the whole population of the District of Columbia. The committee at that time decided that the proper thing to do was to not build a retail market at this location and that estimate was turned down. An estimate was made at the same time asking $50,000 for the reconstruction of wharves at the fish market, and that was carried in the last appropriation act. When the hearings were had in connection with the preparation of this bill, the subcommittee found that the plans had not even been made for the construction of this wharf for which we had appropriated. Then in the estimates submitted for next year they asked for an appropriation of $200,000 for the construction of a fish market at the same place, the $75,000 being added to the $125,000 original estimate for the purpose of constructing a cold-storage plant. A cold-storage plant, according to the testimony of the superintendent of markets, contemplated not only the care of sea foods, but his purpose, as outlined in the committee, was to transport to this place on the river front other produce, such as vegetables, etc., that come into the city to be sold to its population. For one, I desire to say that I do not concede it to be wise for the city to go into the cold-storage business. We did not make any recommendation for the construction of this building that was estimated for.

Now, I agree with the gentleman from Wyoming [Mr. MONDELL] in that a municipality having taken over the markets of the city, in view of the condition of the present buildings that are used for the distribution of fish, something should be done at this place. My own judgment is that there should be a sanitary concrete building constructed for the reception and dis-

tribution of sea products to the population of the District of Columbia. Personally, I want to say that whenever it has been worked out by the proper authorities—the commissioners, the Supervising Architect, the superintendent of markets—and they all combine on a plan that is feasible and not extravagant, and it is submitted to the committee, it shall have consideration and be reported to this House. But I can not believe that we are justified at this time, with a lack of preparation, with a lack of concentration as to what is needed or wise, and in view of the fact that plans have not yet been drawn for the construction of the wharves already appropriated for—I believe that we can not wisely make any appropriation in this bill for the improvement that at some time unquestionably should be made.

Mr. TOWNSEND. Will the gentleman yield?

Mr. PAGE of North Carolina. I yield.

Mr. TOWNSEND. In the mind of the gentleman is it contemplated that the municipality, as we have been calling the city, should occupy this cold-storage warehouse or lease it to merchants to whom eggs and poultry and beef and sea food should be consigned, and they to have market places there, as is contemplated in the very great projects of this kind now being worked out in New York?

Mr. PAGE of North Carolina. I do not express any opinion about that, but will say to the gentleman that the superintendent of markets did not contemplate the consignment of food to an individual firm in the city, but rather that the city itself should take these foods and put them in cold storage.

Now, that is the purpose of those who had this matter in charge when they submitted the plan that came in the estimates to the committee and with that your committee did not agree. That accounts largely for the fact that provision is not made in this bill for the needed improvement at the fish wharf.

Mr. TOWNSEND. Does not the gentleman think that if these food products are consigned to the city of Washington, or the District of Columbia, that he is taking a step toward a peculiar form of socialism? Would it not rather be better for this municipality, as you call it, to build and equip a first-class modern cold-storage plant and in that plant have cold-storage rooms, and, if you like, on another floor or in an adjoining building establish stalls where merchants individually can have these food products sent to them?

The CHAIRMAN. The time of the gentleman has expired.

Mr. PAGE of North Carolina. Mr. Chairman, I ask unanimous consent for three minutes more.

The CHAIRMAN. Is there objection to the gentleman's request?

Mr. PAGE of North Carolina. I ask unanimous consent to proceed for five minutes, Mr. Chairman. There are several gentlemen who wish to interrogate me.

The CHAIRMAN. The gentleman from North Carolina [Mr. PAGE] asks unanimous consent to proceed for five minutes. Is there objection?

There was no objection.

Mr. PAGE of North Carolina. Now, in answer to the gentleman's question as to the desirability of building a municipal refrigerating plant for the storing of food products, I personally think that is an enterprise for individual capital, and not for the municipality to engage in.

Mr. TOWNSEND. It seems to me that a proper cold-storage plant is a necessary part of a modern municipal market. It is being discussed very extensively by commissions and individuals in New York interested in this matter, and the plan probably to be adopted in the neighborhood of the Gansevoort Market, at the foot of Fourteenth Street, is to have near the wharf a covered-in extension of the present Gansevoort Market, which would include a large storehouse, where space will be allotted to individual markets, to which eggs and poultry and meats and fish and vegetables can be consigned and there stored, and then drawn upon for the stalls which the city also rents to them.

Mr. PAGE of North Carolina. Granting that that plan might be adopted for the city of Washington, I submit to the gentleman that the location proposed for the construction of this plant would be a very difficult one to reach for the population of the city of Washington and merchants who want to store their products.

Mr. TOWNSEND. I did not have opportunity to explain, but it is contemplated that largely the business transacted there would be by the commission men, the men to whom the produce is consigned.

Mr. PAGE of North Carolina. I think that should be done, but that is not the plan outlined here.

Mr. MANN. Mr. Chairman, will the gentleman yield.

The CHAIRMAN. Does the gentleman from North Carolina yield to the gentleman from Illinois?

Mr. PAGE of North Carolina. I do.

Mr. MANN. I understood the gentleman to say that the plan of Superintendent Sherman contemplated the consignment of these food products to the District of Columbia.

Mr. PAGE of North Carolina. I did not mean that. The gentleman either misunderstood me or I expressed myself badly.

Mr. MANN. That is what the gentleman said. I supposed, although I have not examined the hearings, that his plan was to have the Government own and operate a cold-storage warehouse, taking into it for cold storage anything that was consigned to people, commission merchants or otherwise, here, and holding them until they took them out.

Mr. PAGE of North Carolina. Yes; and he went further than that; not only consigned to the people here, but in the event that these products were consigned here and refused, as they sometimes are——

Mr. MANN. Well, yes——

Mr. PAGE of North Carolina. By the merchants, the city should take them and store them in the plant, and to that extent the municipality would hold them.

Mr. MANN. To prevent destruction for the consignor instead of the consignee?

Mr. PAGE of North Carolina. Yes; that is true.

Mr. FOSTER. Mr. Chairman, will the gentleman yield?

Mr. PAGE of North Carolina. Yes.

Mr. FOSTER. I wanted to ask the gentleman from North Carolina if we did not have a market at one time here, and it was administered in such a way that nobody got any benefit from it except those who were fortunate enough to secure space in the building?

Mr. PAGE of North Carolina. The building is leased and rentals are paid. Whether or not they are adequate rentals I can not say to the gentleman. But this market has been leased by the District of Columbia. As a matter of fact, it has recently been decided that these rentals should have been paid to the Government and not to the District. The rentals are paid for the present market facilities enjoyed by the markets in the city. It is so with respect to the fish wharf and other markets.

Mr. FOSTER. It was not proposed that the Government should go into that business in order to make a profit?

Mr. PAGE of North Carolina. No; I do not think that has been done.

Mr. FOSTER. And it has been of no particular benefit, except to the individuals obtaining the space?

Mr. PAGE of North Carolina. I believe so.

Mr. COOPER. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. Does the gentleman from North Carolina yield to the gentleman from Wisconsin?

Mr. PAGE of North Carolina. Yes.

Mr. COOPER. I wanted to ask the gentleman a question. Do I understand the gentleman from North Carolina to say that he is in favor of the Government building a structure down there and leasing it to individuals?

Mr. PAGE of North Carolina. That is just what it is doing now. We have a structure there, I will say to the gentleman from Wisconsin, and the Government owns the land and has erected certain buildings that are not what they should be.

Mr. COOPER. They are entirely inadequate and insanitary?

Mr. PAGE of North Carolina. They are not so inadequate, but they are in the wrong locality.

Mr. COOPER. I always understood that they are inadequate and insanitary.

Mr. PAGE of North Carolina. They are inadequate, and I admit freely that something ought to be done with respect to them.

Mr. COOPER. The Government, the gentleman believes, ought to retain the ownership of the wharf there?

Mr. PAGE of North Carolina. Yes; and, for that matter, the market. I think the municipality ought to own the market.

Mr. COOPER. As I understand, we appropriated $50,000 a year ago for the construction or reconstruction of the wharf?

Mr. PAGE of North Carolina. Yes.

Mr. COOPER. If the gentleman believes that the Government ought to own a structure of the kind he has described—and the rest of the committee, I take it, are of this belief—why did you not this year appropriate for the erection of a structure of that kind in connection with the wharf and have it all done at once?

Mr. PAGE of North Carolina. We did not, because the committee did not concur in the plans submitted to us by the authorities who were in charge of that matter. They submitted an estimate of $250,000, which included the erection of a cold-storage plant.

Mr. COOPER. Why did not the gentleman exclude the erection of a cold-storage plant, to which the gentleman and his

committee were opposed, and include the structures that are necessary, embracing the construction of the wharf?

Mr. PAGE of North Carolina. I will say to the gentleman that the members of the subcommittee making up this bill did not pretend to have studied this question up to the point where we were willing to say just what is necessary.

We believe that the governing authorities of the city ought to work this out and submit a workable plan to us, and not put that detail and responsibility upon the committee. I would have been perfectly willing, and I am now——

Mr. COOPER. Well, but, if the gentleman will permit an interruption——

Mr. PAGE of North Carolina. Yes.

Mr. COOPER. Various bureaus of the departments very frequently make recommendations in which they include matters of great detail. Some of those features we reject freely, without any hesitation whatever, and appropriate for the balance of the recommendation.

Mr. PAGE of North Carolina. Yes; but——

Mr. COOPER. Why not so in this instance? I see no reason at all why the same plan should not be followed.

Mr. PAGE of North Carolina. In this instance, so far as the subcommittee knows, we were not in a position to distinguish between the one and the other. They asked us for the sum of $200,000 for the construction of a fish market. That was the term placed in the estimates. When the subcommittee came to investigate what they proposed to build there it developed from the testimony that this estimate was increased from $125,000 to $200,000 for the purpose of constructing a cold-storage plant; and the $125,000 plans submitted to the committee a year ago were not accepted for the reason that they proposed then to make it largely a building for retail purposes at that location in the city, when your committee felt that it should be a building principally for the distribution of food products. It is the lack of a workable plan, the failure to submit such a plan to the committee, which is responsible for the fact that there is no appropriation in this bill.

I will say to the gentleman that I do not think any time is going to be lost. We appropriated $50,000 for the construction of this wharf.

Mr. COOPER. Nothing has been done in one year.

Mr. PAGE of North Carolina. Absolutely. No plans have been drafted.

Mr. COOPER. There is a year gone. What is the excuse for that?

Mr. PAGE of North Carolina. They do not render any excuse, and I have none to render to the gentleman.

Mr. COOPER. There is a year gone.

Mr. PAGE of North Carolina. I think a year hence will be ample time to make the appropriation for this structure to be built at the wharf already appropriated for.

Mr. COOPER. If it is the gentleman's idea that there has not been any time lost, I should like to know when time begins to be lost in the District of Columbia?

Mr. PAGE of North Carolina. I think time has been lost.

Mr. COOPER. We appropriated a year ago for the reconstruction of the wharf.

Mr. PAGE of North Carolina. If the gentleman will permit me, I did not say that time had not been lost in the utilization of the appropriation already made. I said no time would be lost by the omission from this bill of an appropriation for a building to be placed upon a wharf for which the plans have not yet been prepared.

Mr. COOPER. I should suppose that in the reconstruction of a wharf, if anything is contemplated like the building which the gentleman has referred to, the two ought to be constructed together, the market building and the wharf on which it is to be placed.

Mr. PAGE of North Carolina. I will say to the gentleman that I do not think there is that intimate connection between the two which would require that both should be constructed at the same time. The wharf must be constructed, whether any building is to be placed there or not.

The CHAIRMAN. The time of the gentleman has expired.

Mr. COOPER. I ask an extension of three minutes, or that the gentleman have five minutes more.

The CHAIRMAN. Unanimous consent is asked that the time of the gentleman be extended five minutes. Is there objection?

There was no objection.

Mr. COOPER. Is this building to be put on the wharf?

Mr. PAGE of North Carolina. This wharf is the landing place for the delivery of products into the building.

Mr. COOPER. And the building which you think ought to be constructed is to be put on that wharf?

Mr. PAGE of North Carolina. Yes.

Mr. COOPER. From my knowledge of buildings it does seem to me that the two could be more economically and a great deal better constructed if, when the foundations——

Mr. PAGE of North Carolina. I will say to the gentleman that the wharf must be constructed before the building can be started on the wharf.

Mr. COOPER. Exactly. Yet the foundations of the building are to go into the wharf, are they not?

Mr. PAGE of North Carolina. No; I think not. They are separate and distinct pieces of work. That is the contemplation of the commissioners and of the superintendent of markets.

Mr. COOPER. How far from the wharf will the building be?

Mr. PAGE of North Carolina. I have not seen the detailed plans, and I do not know. I can not answer the gentleman as to that, but I know that they are estimated for separately and not constructed one with the other.

Mr. COOPER. Mr. Chairman, just a word. Of course I defer to the judgment of the gentleman from North Carolina [Mr. PAGE], but I myself can see no reason at all why there could not have been an appropriation made of an amount of money necessary to construct that building which the gentleman from North Carolina says, in his judgment, is necessary, at the same time the wharf is being constructed and a condition put in the appropriation that plans shall first be sumbitted to and approved by Congress. Then at the next session of Congress the plans would have been completed, the money would all have been appropriated, and could have been expended, contingent upon the approval of the plans by Congress.

Mr. PAGE of North Carolina. Will the gentleman pardon an interruption?

Mr. COOPER. In one moment. That is a method often pursued by Congress. It has been done more than once, to my certain knowledge, and is a very practicable and a very expeditious way of getting a necessary improvement made.

Mr. PAGE of North Carolina. If the gentleman will allow me, in reply to that suggestion he has made, I will say that the whole provision, if placed in this bill, would be subject to a point of order. This committee is not putting any more impediments in the way of the passage of its own bill than it feels compelled to. When the Commissioners of the District of Columbia have submitted to this committee or to the Congress a plan that is workable and feasible, I for one am ready to make the appropriation to meet the needs and the demands that are made upon it.

Mr. COOPER. Suppose the commissioners do not submit to the committee a plan which the committee thinks is workable, what shall the committee do—subside quietly?

Mr. PAGE of North Carolina. That is up to the committee. They have said to the commissioners what they thought ought to be submitted.

The Clerk read as follows:

In all, Public Utilities Commission, $58,278.96.

Mr. MONDELL. Mr. Chairman, I move to strike out the last word. I do not want to unduly prolong the discussion, for which I am responsible, in regard to the fish wharf and market; but it is a very important matter, and I do not want the debate to close without correcting some errors that have crept into the statements that have been made.

As to the situation of the market, it is peculiar. As I understand, this is the only place in the city of Washington where fish and sea food can be landed by boat. All fish and all oysters and sea food coming to Washington by water by small boats must be landed at this place. It is also a wharf at which is landed in season a great quantity of produce from Maryland and Virginia towns bordering on the Chesapeake Bay and Potomac River. I think the property actually belongs to the Federal Government, but it is under the control of the commissioners. Whatever is done there must be done by the District of Columbia. What they need there is, first, a modern permanent wharf. We need more room for small boats that come in and proper landing facilities. Secondly, we need such facilities and structures as are necessary for the distribution of this produce quickly, cheaply, and without loss. That involves storage space, a part of which must of necessity be refrigerated space.

I regret that some gentlemen of the subcommittee do not take kindly to the idea of municipal ownership. I am not as much given to municipal ownership as some people, but I do not shy at a proposition because it involves municipal ownership, especially when, as in this case, it is inevitable, if you are to serve the people of the District.

I think the gentlemen of the subcommittee misunderstood the commissioners as to what they desire. I hope the commissioners will not bring in plans exactly on the lines that they suggested, because if they do we will have no place where we can

have any refrigeration, and refrigeration is absolutely necessary. I have been at this market when there was boatload after boatload of produce going to waste. The produce which comes to the market is not generally consigned. It is brought there by the owner, and it is sold by the owner to the retailer. There is no middleman ordinarily at that market. What we need is an abundant space for storage when there is a surplus of produce. Ordinarily the retailer goes there and buys from the boats the goods which are carried right to the retailer's establishment. But we need space to take care of all surplus, and some of that space must of necessity be refrigerating space. Some can be permanently rented out to people who do a regular business there, but there must be some space under the control of the District directly that can be rented out for brief periods of time to owners of produce, who bring it in their boats, in which they can store their produce until they can dispose of it.

The CHAIRMAN. The time of the gentleman from Wyoming has expired.

Mr. MONDELL. Mr. Chairman, I ask unanimous consent for two minutes more.

The CHAIRMAN. The gentleman asks unanimous consent that his time be extended two minutes. Is there objection?

There was no objection.

Mr. MONDELL. I am inclined to think that it would have been better had we provided for a wharf and buildings at the same time. That is what I hoped for last year, and I hope that when this bill becomes a law there will be an item carried in the bill—I am not going to offer an amendment—sufficient to build the sort of structure, with refrigeration, that is needed. We do not need a large retail market, and yet there should be facilities for retailing there. It is a thickly settled part of the city. There is a large population in moderate circumstances living all around it. I think there are 50,000 people living within three-quarters of a mile of the market. Others go there occasionally from other parts of the city. The principal object is to provide a place of distribution under which distribution will be cheap and which will preserve the produce from loss. I hope that before this bill becomes a law we may provide for such structures.

The Clerk read as follows:

Bridges: For construction and repairs, $20,000. This appropriation shall be available for repairing when necessary any bridge carrying a public street over the right of way or property of any railway company, and the amounts thus expended shall be collected from such railway company in the manner provided in section 5 of an act providing a permanent form of government for the District of Columbia, approved June 11, 1878, and shall be deposited in the Treasury to the credit of the United States and the District of Columbia in equal parts.

Mr. MANN. Mr. Chairman, I move to strike out the last word. I would like to ask the chairman just what would be the effect of this provision under the amendment adopted this morning. Any money that is to be collected is to be deposited in the Treasury to the credit of the District of Columbia and the United States in equal parts, although the money that is to be paid out is to be paid out of the District treasury. How will that work in connection with the Johnson amendment agreed to this morning?

Mr. SISSON. That would be a mere matter of bookkeeping.

Mr. MANN. Oh, no; certainly it would not be a matter of bookkeeping.

Mr. SISSON. If it is in the form of a tax on the railroad company, the amount of money which is expended would go into the Treasury, one-half to the credit of the District of Columbia and one-half to the credit of the Federal Government.

Mr. MANN. At present one-half is paid out of the District treasury and one-half out of the Federal Treasury.

Mr. SISSON. The act provides that the work shall be done by the railroad company in accordance with the plans and specifications submitted to it by the District engineer, and failing to do that, the District government does the work and collects from the railroad company the amount of the expenditure.

Mr. MANN. And we make an appropriation for the expenditure. It is expended, and then we collect the money back from the railway company and deposit that in the Treasury; but we do not deposit it to the credit of the same account out of which it was paid. We do so now; it goes to the credit of the same account out of which it was paid—that is, under the existing law—but under the Johnson amendment it will not be so credited.

Mr. SISSON. Even so, the District of Columbia would receive a great deal more money from the Federal Treasury than is its just proportion of what the Federal Treasury should pay toward the District government expenses.

Mr. MANN. Oh, well, that is a general statement, and has no application whatever to this proposition.

Mr. SISSON. It does apply to it, I think.

Mr. MANN. Not at all. The gentleman can not tell, nor can anyone else, at present, whether the District government wins by this proposition or whether the Treasury wins. But it is perfectly evident to anyone who can divide 2 into two parts that it is not proper on this bill in connection with the Johnson amendment.

Mr. SISSON. If the railroad company pays the money back into the Treasury, half of it going to the District and half of it to the Federal Treasury, it would simply mean that under the amendment which we adopted to this bill the Federal Government would be paid a little more, perhaps, than the Federal Government paid out. I do not know exactly what the proportion would be, but that still does not prevent this legislation being proper legislation.

Mr. MANN. It prevents it being just.

Mr. SISSON. I do not know whether it does or not.

Mr. MANN. Perhaps the District Government will get half of the money back when the $20,000 has been entirely paid out of the Federal Treasury, in which case that would not be fair to the Federal Treasury, but perhaps the Federal Treasury will get $10,000 of it back when the whole of it has been paid out of the District treasury, and that would not be fair to the District. It is one of the two. It is one of the many difficulties you will encounter in making a slight change in one part of a bill, which is intended to cover everything, but which does not.

Mr. SISSON. It is one of those difficulties you have in getting rid of a very bad system.

Mr. MANN. Well, you will not get rid of it now.

The Clerk read as follows:

Highway Bridge across Potomac River: Draw operators—2 at $1,020 each, 2 at $720 each; 4 watchmen, at $600 each; labor, $1,500; lighting, power, and miscellaneous supplies, and expenses of every kind necessarily incident to the operation and maintenance of the bridge and approaches, $8,620; in all, $16,000.

Mr. MONDELL. Mr. Chairman, I move to strike out the last word. I want to remind the chairman of the subcommittee that last year the commissioners made an estimate of $17,000 for resurfacing the Highway Bridge. They made no estimate this year. Therefore, the Highway Bridge is as yet not resurfaced. Was that expected to be taken care of under the item which the gentleman from Illinois [Mr. MANN] has just been discussing?

Mr. PAGE of North Carolina. Mr. Chairman, my recollection is that the gentleman is mistaken about an estimate having been made for resurfacing the Highway Bridge. The estimate was submitted last year for the resurfacing of the approaches to the Highway Bridge, and we appropriated $30,000 for that purpose.

Mr. MONDELL. Yes; I had reference to resurfacing the approaches.

Mr. PAGE of North Carolina. Yes; and if the gentleman would cross the Highway Bridge he would see that it does not need resurfacing.

Mr. MONDELL. I had in mind the approaches.

Mr. PAGE of North Carolina. That was appropriated for in the bill of last year.

Mr. MONDELL. Is the gentleman certain?

Mr. PAGE of North Carolina. Yes; it was appropriated for, because I prescribed the sloping part of the approach, and the $30,000 worth of asphalt will reach nearly from the Bureau of Engraving and Printing to the bridge.

Mr. MONDELL. They have not done it yet.

Mr. PAGE of North Carolina. Surely the gentleman is not blaming me, is he? The Congress appropriated the money and directed that it be done. I am not administering the affairs of the District of Columbia.

Mr. MONDELL. I have been waiting so anxiously to see that work done and avoid the bumps over there that I had forgotten that we had appropriated for it. But it is another illustration of—shall I say lack of management in expending appropriations?

Mr. PAGE of North Carolina. I think, if the gentleman will allow me to say it for him, that it is only a continuation of what has taken place in Washington under every administration since I have known anything about it. They ask for so much that they can not spend it all within the time within which it ought to be spent.

Mr. MONDELL. Is that the difficulty, or do the Commissioners of the District get busy about other things, about holding their jobs—looking for better jobs—playing politics? Is not that it? If the commissioners had nothing else to do than to look after the affairs of the District and to give those matters their undivided attention, might not these matters be expedited a little?

Mr. PAGE of North Carolina. I will say to the gentleman in all frankness that my observation is that the present board of

commissioners has expedited these things as rapidly as they have been expedited under any former board.

Mr. MONDELL. I supose there is a lackadaisical rule here that it will not do to break.

Mr. PAGE of North Carolina. There is a rule here to ask for a plenty, and they get so much that with their equipment and organization they can not do it all within the time the gentleman and I expect them to.

Mr. MONDELL. If the gentleman will permit me to amend his statement, I do not think they get so much from the gentleman's subcommittee but what they could expend it very well.

Mr. PAGE of North Carolina. As a matter of fact, they have not. Just to remind the gentleman along that line, he will remember in the appropriation bill for the current year and the law preceding that, for 1914, there was carried an appropriation of $135,000 for the construction of a bridge across Rock Creek on the line of Pennsylvania Avenue?

Mr. MONDELL. Yes.

Mr. PAGE of North Carolina. I noticed in the newspapers a week ago that the contract had just been let for that.

Mr. MONDELL. Oh, I thought they had made a start there.

Mr. PAGE of North Carolina. They have done absolutely nothing there. They are building at Q Street, but the street-car bridge on Pennsylvania Avenue has not been touched. There has not been a piece of asphalt disturbed. That bridge is standing just as it was, and within 10 days a contract has been let for the construction of the new bridge from an appropriation carried in the bill for 1914.

The CHAIRMAN. The time of the gentleman from Wyoming has expired.

Mr. MONDELL. Mr. Chairman, I ask unanimous consent that I may have five minutes more.

The CHAIRMAN. The gentleman from Wyoming asks unanimous consent that he may proceed for five minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. MONDELL. Mr. Chairman, I have noticed this delay to which the gentleman referred, and by reason of that delay in spending some of the moneys which were appropriated last year I am less inclined than I would be otherwise to offer some amendments increasing the amounts carried in the bill. I think the subcommittee has trimmed the appropriation for streets, both for paving and repairs, for sewers, and so forth, pretty closely. Rather too closely, I think. I am sure they have reduced these estimates more than they should have been reduced if the District was current with its work.

Now, Congress is frequently criticized, and the subcommittee has been criticized and the committee has been criticized for not making larger appropriations under some of these items and for omitting some appropriations or some items. The committee would have been much more inclined to have appropriated larger sums, I am sure, if the District's work in construction and repairs was more nearly current, if the authorities had hustled a little more with the expenditure of the money with which they were provided a year ago. I do not desire to unduly criticize the commissioners. I do not know who is responsible; but some one, surely some one is subject to criticism when the busines of a municipality lags as the business of this municipality seems to.

Mr. DAVIS. Will the gentleman yield?

Mr. MONDELL. I yield.

Mr. DAVIS. I have heard it repeatedly stated in the hearings that many of the officials of the government of the District of Columbia could not get around to attend to these matters because in some instances the walking was bad or the old horse that drew the cart was pretty slow. That may probably have been an excuse heretofore, but now we have given them, not Ford automobiles, but automobiles pretty cheap; and I am inclined to believe that now the commissioners and other officers will hustle the more and make more speed and attend to more affairs and expend the money appropriated a little faster.

Mr. MONDELL. If automobiles had that effect, and the subcommittee believed it would, the subcommittee should have appropriated for all the automobiles they asked for.

Mr. DAVIS. We gave them a great many, and we hope it will expedite the matter about which the gentleman is now complaining.

Mr. MONDELL. It is possible that no one is to blame for this state of affairs, that it is a natural and usual thing here in Washington. If it is just a habit, the new year will give an opportunity to resolve to drop it. It would be a splendid thing for the District. The District would get larger appropriations in certain lines, in my opinion, if when we came to consider these items we found that the District business was moving right along and that within the time within which the appropriation was available it would be entirely expended. It is a little discouraging, after having been urged and importuned to make appropriations, to learn a year after that the plans for its expenditure had not been completely drawn or that the work had not been undertaken.

The CHAIRMAN. The time of the gentleman has again expired.

The Clerk read as follows:

Highway Bridge across Potomac River: Draw operators—two at $1,020 each, two at $720 each; four watchmen, at $600 each; labor, $1,500; lighting, power, and miscellaneous supplies, and expenses of every kind necessarily incident to the operation and maintenance of the bridge and approaches, $8,620; in all, $16,000.

Mr. BUCHANAN of Illinois. Mr. Chairman, I move to strike out the last word for the purpose of obtaining some information from the chairman of the committee. I see here there is an estimate for the pay of two draw operators——

Mr. PAGE of North Carolina. Where is that in the bill?

Mr. BUCHANAN of Illinois. At the bottom of page 25, line 23. It carries an appropriation for two at $1,020 each, and two at $720 each. What is the difference in the duties of these employees?

Mr. PAGE of North Carolina. The difference in the duties of these employees, who are watchmen continuously at this highway bridge, is that the higher-priced men are there for very long hours and at night. That is the reason for the difference in compensation. I will say to the gentleman that the amounts appropriated are in exact accordance with the estimate submitted and as they have been carried in the bill for several years.

Mr. BUCHANAN of Illinois. I thank the gentleman.

The Clerk read as follows:

Bathing beach: Superintendent, $600; watchman, $480; temporary services, supplies, and maintenance, $2,250; for repairs to buildings, pools, and upkeep of grounds, $1,400, to be immediately available; in all, $4,730.

Mr. BUCHANAN of Illinois. Mr. Chairman, I move to strike out the last word for the purpose of again asking for information. I see on page 26 for watchman there is allowed the sum of $600 a year, which seems to be small enough.

Mr. PAGE of North Carolina. In what line on page 26?

Mr. MANN. That is the usual amount.

Mr. BUCHANAN of Illinois. On the first line; but there is something else I want to get at here. I see on page 28, line 9, a watchman at $480.

Mr. PAGE of North Carolina. Those people are employed for only three or four months in the summer, I will say to the gentleman.

Mr. BUCHANAN of Illinois. Just for three or four months?

Mr. PAGE of North Carolina. Just for three or four months when the bathing beach is open.

Mr. BUCHANAN of Illinois. Is that at the rate of $480 per annum?

Mr. PAGE of North Carolina. Oh, no; it is compensation for the period of three or four months when these bathing beaches are open.

Mr. BUCHANAN of Illinois. Very well; I thank the gentleman.

The Clerk read as follows:

Public scales: All public scales now owned by the District of Columbia shall be sold to the highest bidder or bidders therefor, under sealed proposals which shall be invited by the commissioners, after the value of said scales shall have been appraised and for a sum or sums not less than the appraised value of each or the total appraised value of all of them; any or all of the sealed proposals received hereunder may be rejected and new proposals invited at any time prior to July 1, 1915.

Mr. MANN. Mr. Chairman, I reserve a point of order on the paragraph. What is the reason why this new plan should be adopted with reference to public scales?

Mr. PAGE of North Carolina. Mr. Chairman, under the present law these scales are let out by bid or otherwise to some contractor. He collects the fees, and under the law he is obliged to enter into a bond to make an accounting to the commissioners for fees received, and so forth. The commissioners in the hearings represented to us that they had been utterly unable to get any accounting from the man who had these scales, and they asked the subcommittee to turn the scales over to them, with the privilege of employing weighmasters and paying them from the fees which they receive.

The committee came to the conclusion that there was no reason why the municipality should own any scales, because we had a perfect supervision of the correctness of all scales in the District of Columbia, or were supposed to have, and the time had come when the best thing that could be done to avoid some complications that were not desirable was to dispose of these scales and put them into the hands of private parties. It would be a saving to the District of Columbia. Now, if the gentleman knows any reason why the municipality should still own scales on which is weighed the load of hay that comes in from the

country, whereas the truck of coal that he or myself purchases is weighed on private scales, I would like to hear it.

Mr. MANN. Can not they be weighed on public scales?

Mr. PAGE of North Carolina. They can not, because none of these public scales is of sufficient capacity.

Mr. MANN. I think many loads of hay are heavier than many loads of coal.

Mr. PAGE of North Carolina. The gentleman would be surprised, perhaps, if I should tell him—possibly, though, he has seen it—that in the estimates submitted to us by the superintendent of weights, measures, and markets we were asked to appropriate $6,000 for the purchase of a truck for the testing of scales. It was proposed to buy a truck for the testing of scales that weighed 16 tons. I admit I doubted very seriously that there was a scale for weighing coal and other things in the District of Columbia that had a capacity of 16 tons, and I was very much surprised to find that they had scales of more than 20 tons capacity and that there were delivery trucks that were handling as many as 20 tons of coal in one delivery truck.

Mr. MANN. Since I have seen a 15-yard bucket on a dredge working at Panama I am not surprised at that. Before that I would not believe it possible. But there is one thing in this I do not like very well, and that is in the next paragraph, giving the commissioners authority, without any restriction, to locate or permit the location of scales on public spaces under their control. Of course these scales are now on public spaces?

Mr. PAGE of North Carolina. They are on public spaces now, I will say to the gentleman.

Mr. MANN. But I have seen such a variety of foolish things done at different times by people in authority, because of such an authority as this, that, while I do not apprehend they would put scales in front of some fine building, I do not know what the District Commissioners might do.

Mr. PAGE of North Carolina. Well, I will say to the gentleman that I agree with him that this is a rather broad latitude, and yet in a matter of this sort the committee did not see how they could carry this out without trusting to the commissioners.

Mr. MANN. Does the gentleman think the District Commissioners can not let these scales out to anyone who is honest enough to make an accounting and able enough to furnish a bond? I think that is a childish argument which they offer.

Mr. PAGE of North Carolina. I will not say that it is childish; but I will say to the gentleman that the commissioners say they have been utterly unable to do so; that there is not very much of this weighing on public scales any more. There are eight of these scales in the District, and practically all the weighing is done on what is known as No. 3 scale. That scale must be moved from its present location, because it happens to be on a space on which we have authorized the erection of a market shed. My own judgment is that these scales will be used practically not at all in the future.

Mr. MANN. I will withdraw the point of order.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

For salaries: Clerk (stenographer and typewriter), $900; supervisor, $2,500; to be employed not exceeding 10 months—13 directors of playgrounds or recreation centers at $65 per month each, assistant director at $60 per month; to be employed not exceeding 7 months—2 assistant directors at $60 per month each, assistant director at $50 per month; to be employed not exceeding 3 months—assistant director at $60 per month, 13 assistants at $45 per month each; watchmen to be employed not exceeding 12 months—13 at $50 per month each; general utility man at $60 per month for 7 months; in all, $23,795.

Mr. BUCHANAN of Illinois. Mr. Chairman, I move to strike out the last word for the purpose of securing information. This bill, I believe, is appropriating for one fiscal year, is it not?

Mr. PAGE of North Carolina. This is appropriating for the fiscal year ending June 30, 1916.

Mr. BUCHANAN of Illinois. My curiosity is aroused by the statement that a watchman is to be employed for not exceeding 12 months. How would it be possible to employ anyone over 12 months out of this appropriation?

Mr. PAGE of North Carolina. Will the gentleman point out the line?

Mr. BUCHANAN of Illinois. Page 29, line 16.

Mr. PAGE of North Carolina. I can not tell the gentleman. That is a matter of text that got in in some way and was overlooked by the clerk. They can not be employed for over 12 months.

Mr. BUCHANAN of Illinois. It would not be possible to employ them over 12 months?

Mr. PAGE of North Carolina. Not in one year, although I have seen people who claim they did over 12 months of work inside of 365 days.

Mr. BUCHANAN of Illinois. It is not any clearer to me now why it was put in there than it was before. It seems to me it is superfluous and unnecessary.

Mr. PAGE of North Carolina. It is superfluous; entirely so.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Two guards or swimming teachers for four months at $60 per month each, to be immediately available, $480.

Mr. STAFFORD. Mr. Chairman, I move to strike out the last word. I wish to inquire of the chairman of the committee whether there has been any demand in the District for the establishment of natatoriums for the use of people at large who can not have the advantages of baths in their respective homes. I am referring particularly to the artisan class, or poorer classes, of residents in the District. In some cities, I will say, it is quite general to establish these natatoriums in districts where the artisan class lives.

Mr. PAGE of North Carolina. Possibly the gentleman is familiar with the provision in this bill carrying an appropriation for the bathing beach, so called, and which is now maintained——

Mr. STAFFORD. That is during the summer months?

Mr. PAGE of North Carolina. That is during the summer months. There has never been any plan submitted or worked out by the commissioners or authorities in charge looking to bathing facilities other than during the summer months. No estimate of that sort has been submitted, and no plan has been inaugurated so far as I know.

Mr. STAFFORD. I thought the commissioners, who are alert, would make such recommendations for the District. It would be serviceable and sanitary as well.

Mr. PAGE of North Carolina. I will say to the gentleman that even if we had some natatoriums we might have to pass a compulsory law to make some classes of people use them.

Mr. MANN. Even the Senate has cut out its baths. It would be compulsion to require them. [Laughter.]

Mr. STAFFORD. From the experience we have of their use in other cities I do not think it would require any compulsion. That is shown by the popularity and the frequency of use of the public bathing beach here; and if they were only given the opportunity, the people would avail themselves very generously of the facilities offered.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

In all, for playgrounds, $40,665, which sum shall be paid wholly out of the revenues of the District of Columbia.

Mr. MONDELL. Mr. Chairman, the District Commissioners asked that these items for playgrounds, swimming pools, and so forth, should be appropriated for under the head of "department of recreation." Perhaps it is not important what the service is called that has charge of these affairs, but I think that an appropriate term. I think it would be well to group all of these facilities under that general head, and I hope that it will encourage the extension and enlargement of that sort of facilities in the District of Columbia.

Last year an estimate was made of $60,000 for bathing beaches on the Potomac River, or at the Tidal Basin. An appropriation of that amount would undoubtedly have been recommended by the committee except for the fact that Dr. Anderson, the director of the Hygienic Laboratory in the Public Health Service, made a report to the effect that these waters were not fit for bathing purposes; that is, the waters of Rock Creek and the waters of the Potomac River, and the committee did not see fit to take issue with so distinguished an authority on the subject.

I think it is very unfortunate that that appropriation was not made, and I can not understand why the District Commissioners overlooked this great need of the District in making up their estimates for this year. Such items of appropriation are paid for entirely by the people of the District even under the half-and-half plan. They will have something over $2,000,000 of funds remaining if this bill becomes a law in its present form, and the half-and-half plan stands, and there is no good reason why a part of their money should not be used for these exceedingly important purposes.

I venture to say that there are few cities in the civilized world more utterly and disgracefully deficient in opportunities for public bathing than is the Capital of this great Nation. Here we are with Rock Creek running through the city on one side and the Potomac River on the other, and yet conditions are such that it is almost impossible for any one to find a bathing place outside of a bathtub. I happen to be the father of a young son who is ambitious in this direction, as small boys generally are. He has been chased out of Rock Creek Park on the ground that that was not a proper place for him to bathe.

He can not find a place to bathe down on the river front, because there are no facilities and policemen stand ready to chase the boys away when they go there.

Mr. CAMPBELL. That is not bathing; that is swimming.

Mr. MONDELL. My friend from Kansas says: "That is not bathing; that is swimming." Very well. Whether you call them "bathing beaches" or "swimming pools," it is wicked to deprive the young people of this city of facilities and opportunities to learn to swim, to secure the splendid, healthful exercise that one gets in a body of water. We have two little, measly, diminutive pools down on the Mall. During the bathing season it is almost impossible for the youngsters to get to the water, much less to get into it; and yet this is the great Capital city of the Nation, of which we are all proud and for which we desire to do so much. Why, there is not a village anywhere that I know of that does not provide better facilities for its people than this city does in this respect.

Now, the committee is not to blame this year for this situation. We had no estimates. It would have been necessary for the committee to have assumed the responsibility of making an appropriation without anybody having asked for it. The District commissioners were so busy in some other way that they could not get around to determine what was needed or what was wanted or what was required in this particular.

The CHAIRMAN. The time of the gentleman from Wyoming has expired.

Mr. MONDELL. Mr. Chairman, I ask that I may have five minutes more.

The CHAIRMAN. Is there objection to the gentleman's request?

There was no objection.

Mr. MONDELL. Mr. Chairman, I hope that before this bill becomes a law it will contain an item providing for additional bathing beaches or swimming pools, or both. I am not going to offer such an item, because it would not be fair for me, as a member of the committee, to offer an item of appropriation that had not been asked for by those authorized and whose duty it is to make estimates. But it is most unfortunate that this work has been delayed so long. We ought to have additional bathing beaches and pools, open and covered, plenty of them, and in several parts of the city, so that the young people of the city can have an opportunity to learn to swim, an opportunity to exercise themselves in this healthful and helpful way.

There is no estimate in this bill for additional playgrounds. The city needs more playgrounds. It should buy some playgrounds that it is now using under sufferance and by permission of the owners. Possibly Washington does not need playgrounds as much and to the same extent as some other cities do, but we ought to have adequate playgrounds in all parts of the city, and particularly in the thickly settled parts of the city, where the children do not have many opportunities of getting out into the country. They ought to have an opportunity to enjoy themselves in a healthful, youthful way.

Mr. BUCHANAN of Illinois. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. Does the gentleman from Wyoming yield to the gentleman from Illinois?

Mr. MONDELL. Yes.

Mr. BUCHANAN of Illinois. The gentleman seems to have information or ground for believing that we do not have adequate bathing facilities, yet he says he is not going to offer an amendment to provide for them. What justifies him in his position in not offering an amendment if he has information that convinces him that the people of the city of Washington are not properly cared for in that matter? I think it is an important matter.

Mr. MONDELL. Well, I will say to the gentleman that I am a member of the committee. The committee had no estimate before it. The gentleman himself can offer an amendment. There are a number of matters that ought to be provided for in this bill that were not estimated for.

Mr. BUCHANAN of Illinois. We have not the information that the gentleman has.

Mr. MONDELL. I do not desire to put my committee in the position of being criticized when, as a matter of fact, it has done its full duty in the matter; but I think some one is subject to criticism for not having estimated for these needed enlargements and additions to the bathing beaches and bathing facilities and to the playground and recreation facilities.

We need spaces in Washington where the young people can play baseball. We need spaces that can be used for tennis and like purposes. Land could be acquired for these purposes quite cheaply now. If we delay, the land will be built up and become very expensive. But there are no estimates for items of this sort, and therefore, as a member of the committee, I do not feel justified in offering amendments to the bill, but I do hope these matters will be taken care of before the bill becomes a law.

The Clerk read as follows:

ELECTRICAL DEPARTMENT.

Electrical engineer, $2,500; assistant electrical engineer, $2,000; 4 electrical inspectors, at $1,200 each; inspector, $1,000; electrician, $1,200; 2 draftsmen, at $1,000 each; 3 telegraph operators, at $1,000 each; 4 inspectors, at $900 each; expert repairman, $1,200; 3 repairmen, at $900 each; telephone operators—3 at $720 each, 4 at $540 each, 1 $450; electrical inspectors—1 $2,000, 1 $1,800, 1 $1,350; cable splicer, $1,200; assistant cable splicer, $620; clerks—1 $1,400, 1 $1,200, 2 at $1,125 each, 1 $1,050, 1 $750; assistant repairmen—1 $620, 2 at $540 each; laborers—1 $630, 3 at $600 each, 2 at $540 each; storekeeper, $875; in all, $48,475.

Mr. BUCHANAN of Illinois. Mr. Chairman, I move to strike out the last word, for the purpose of again asking information in regard to the differences in salaries provided in lines 18 and 19, on page 30, for four electrical inspectors at $1,200 each and one at $1,000.

What is the difference in the duties of these two employees? Can the gentleman from North Carolina tell me?

Mr. PAGE of North Carolina. I do not know, except that there is a difference in the qualifications of these men in the matter of the time that they have served in their various places, and things of that sort. The salaries are the same that have been carried for these people in the current law and in past appropriation bills. There is no estimate submitted for changing the salaries.

Mr. BUCHANAN of Illinois. I see in lines 22 and 23 on the same page there is an appropriation for telephone operators, three at $720 each, four at $540 each, and one at $450. Has the gentleman any information as to the reason for this difference?

Mr. PAGE of North Carolina. It is a difference in the hours that these various operators are at the switchboard, as appears from the statement made to the committee.

Mr. BUCHANAN of Illinois. While I do not suppose it is possible at this time to get adequate or just wage scales for the employees of the District or the Government, I do believe that if in some way information is put before this Congress showing that there are employees of the Government who are not being paid a just and adequate wage we may be able at some time in the future—and I hope in the near future—to establish a wage basis that may be somewhere nearly adequate and just. All the way through the Government service you find just such differences as that, where very often there is no real difference in the service required or the qualifications and ability of those employed. I do not know whether the committee have made any inquiry or have any information on the subject. I am not criticizing this committee, but I am satisfied that it is a matter to which more consideration ought to be given than has been given. I am seeking all the information I can get, so that I may do something to adjust the matter.

The Clerk read as follows:

Western High School: Janitor, $900; laborers—one $420, three at $360 each; in all, $2,400.

Mr. MONDELL. Can the gentleman from North Carolina [Mr. PAGE] recall when the appropriation of $150,000 for the rebuilding of the Western High School became available?

Mr. PAGE of North Carolina. I do not recall the exact date, but it was passed in a deficiency bill during the last session of Congress, possibly about the 1st of October, or possibly in September. I do not recall the date. I do not have it here before me, but it was in a deficiency bill passed about that time; my recollection is in September.

Mr. MONDELL. All that has been done up to date, as I understand it, is to let one contract for about $30,000 out of the $150,000.

Mr. PAGE of North Carolina. That was true at the time the hearings were had upon this bill.

Mr. MONDELL. And the probability is that that school will not be ready for occupancy until the beginning of the school term next September.

Mr. PAGE of North Carolina. Certainly not before that time, as appears from the statements made to us by the commissioners.

Mr. MONDELL. Let us hope and pray that it may be ready by that time.

Mr. PAGE of North Carolina. I join the gentleman both in the hope and the prayer.

Mr. MONDELL. Because the pupils of the District have been most grievously discommoded through the necessity of going to other schools far distant from their homes. Here, it seems to me, is another illustration of the lack of activity or promptness in providing for the needs of the District after appropriations are made. There has been some criticism because the committee has not approved an item of $50,000 for furnishing this

building. In the first place, that is very properly a deficiency item. In the second place, there is no necessity to appropriate for these furnishings—at least until the contracts shall have been let for the reconstruction of the building.

The Clerk read as follows:

M Street High School and Douglass and Simmons Schools: Engineer, $1,500; janitor, $900; laborers—one $420, three at $360 each; in all, $3,460.

Mr. MONDELL. Mr. Chairman, I move to strike out the last word. Referring again to this delay in construction, let me call attention to the fact that, as I understand it, the contract has not yet been let for the construction of the M Street High School. Can the gentleman from North Carolina inform me when we first appropriated for that school?

Mr. PAGE of North Carolina. In the appropriation bill for the fiscal year 1914, $150,000 was appropriated. Again, in the current law $150,000, and in this bill the remainder of the limitation, $250,000, is carried.

Mr. MONDELL. At that rate a pupil in the District will grow up, and if he does not have the benefit of the school himself his children will by the time the authorities get around to construct the building. It seems to me there has been unnecessary delay in beginning and in concluding the work on these school buildings. There has been a great deal of delay in the construction of the much-needed new Central High School. It is in a district very badly in need of high-school facilities. People have sent their children, even when the Western High School was in operation, as far as 4 miles to a high school, and these high schools are crowded. This additional school is very greatly needed, yet the construction of the building, it seems to me, has moved along very slowly.

Mr. Chairman, I ask permission to insert in the RECORD at this time some memoranda with regard to this District bill, which may be interesting to those who desire to get at a glance an idea of what the bill carries and how its items compare with the estimates and with the bill of last year. I have set out the larger items which the committee did not allow, which were estimated for, and all the larger reductions below the estimates.

The CHAIRMAN. The gentleman from Wyoming asks unanimous consent to extend his remarks in the RECORD in the matter referred to. Is there objection?

There was no objection.

The matter referred to is as follows:

District of Columbia bill.

Total carried in the bill	$11,303,048.45
Less than estimates	1,606,385.78
Less than appropriation bill of last year	969,491.04
Charge against District revenues	5,607,429.23
Charge in legislative, executive, and judicial bill	231,990.00
Total charge against District revenues	5,839,419.23
Balance of District revenues	2,042,505.77

ITEMS CUT OUT.

Buildings for fish market	200,000.00
Farmers' produce market shelters	14,769.00
Street-cleaning stables	10,000.00
Public-convenience station, Fifteenth Street, Maryland Avenue, and H Street NE	18,000.00
Repairs, Washington Aqueduct	5,000.00
Emergency, Washington Aqueduct	5,000.00
Water meters	23,750.00
Altering and remodeling schools	50,000.00
Western High School equipment	50,000.00
Gallinger Hospital	150,000.00
Anacostia River Flats	200,000.00
Total	726,519.00

CONSIDERABLE REDUCTIONS—APPROXIMATE AMOUNTS.

Office of weights and measures	$10,700.00
Engineer commissioner's office	13,000.00
Municipal architect's office	5,000.00
Public utilities	12,000.00
Motor vehicles	9,000.00
Streets:	
Work on	70,000.00
Repairing certain	18,000.00
Suburban roads	109,000.00
Suburban road repairs	30,000.00
Sewers:	
Main and pipe	13,000.00
Suburban	87,000.00
Street cleaning and snow removal	37,000.00
Parking commissioner	10,000.00
Street lighting	19,000.00
Schools: Janitors and laborers	5,000.00
Prevention of contagious diseases	5,000.00
Support of convicts	30,000.00
Home for Aged and Infirm	6,000.00
Washington Asylum and Jail	6,000.00
National Training School for Boys	12,000.00
Board of Children's Guardians	20,000.00
Reformatory	60,000.00
Salaries, water department	9,000.00
Total	599,700.00

The Clerk read as follows:

For five graduate nurses, one of whom shall be colored, who shall act as public-school nurses, at $900 each, $4,500.

Mr. MOORE. Mr. Chairman, when we were having general debate on this bill the other day I made inquiry of the gentleman from North Carolina with respect to a possible investigation of complaints emanating from friends of the colored pupils. I do not desire to pursue that matter in particular to-day, except to ask the chairman of the committee whether he proposes to offer an amendment.

Mr. PAGE of North Carolina. I do propose to offer an amendment a little later on in the bill.

Mr. MOORE. That being the case, I should like to have unanimous consent to insert in the RECORD a memorial signed by a number of colored residents of the District of Columbia, and also an article, in the form of a complaint, coming from what is called the Oldest Citizens' Association—colored—as published in a paper here called the Sun.

The CHAIRMAN. The gentleman from Pennsylvania asks unanimous consent to extend his remarks in the RECORD as indicated. Is there objection?

There was no objection.

The matter referred to is as follows:

[From the Washington Sun, Friday, November 20, 1914.]

HORRIBLE CONDITIONS IN THE WASHINGTON SCHOOLS—REPORT OF THE COMMITTEE APPOINTED BY THE PRESIDENT SAYS DISSATISFACTION IS WIDESPREAD IN THE SCHOOLS—MR. DANIELS'S INTIMIDATING ADDRESS.

We have received for publication the following report of the committee on the public schools, by the Oldest Citizens' Association (colored), of Washington, D. C.:

"Gentlemen, your committee authorized by appointment of the president August 24, 1914, and especially charged to investigate conditions in our schools, have in part performed that service and submit the following report:

"That inquiry diligently prosecuted among teachers and parents in Washington, D. C., discloses a situation of utter demoralization and reign of terror among the teaching corps. So much so and so widespread did this become that as a source of mutual protection and self-defense they felt obliged to organize a teachers' protective association. This they did over the protest and opposition of the assistant superintendent.

"In view of the above, the truth of which is unquestioned, it must be confessed, on all lines, that this condition among the teaching corps in our schools is a deplorable one, and demands relentless action by this association, composed as it is of many of Washington's most intelligent and substantial citizens. The committee wishes further to state that inquiry among the parents having children in the schools discloses a widespread feeling of distrust, want of confidence, and intense dissatisfaction with school administration.

"The demoralization and reign of terror among the teachers so plainly manifest Saturday, September 26, 1914, at M Street High School, is a case in point, when Mr. Ernest Daniels, a member of the board of education, felt called upon to violently rebuke them for their attitude of dissatisfaction over school conditions, and in well-understood slang language attempted to browbeat and bulldoze the teaching body by threatening them with dire consequences unless they 'got on the band wagon,' and, by way of emphasis, repeatedly said, 'Do you get me?'

"Never before in the history of the Washington schools has such a scene been witnessed, and your committee recommend that this association formally bring this matter to the notice of the board of education, with the earnest request that such action be taken by them as will correct the conditions that appear to exist, and has led up to the same.

"While the conditions throughout the system are far from satisfactory, your committee at this time have had under consideration conditions in Normal School No. 2, developed through an investigation of the same at the close of the school term 1913–14, which exposed a situation unparalleled in school administration anywhere in the United States. It was found that the kindergarten class of 18 graduates had been rated on false premises; that students had been rated as attaining a given per cent in studies not taught in the class, or to a greater extent, during the two-year course, than the reading of a couple of chapters from a book by the teacher; that the marking of the students in the class by the kindergarten trainer were problematical and the result of guesswork, since the trainer confessed during the investigation that she had kept no records of the daily work of the class during the two years, but had relied solely on her memory. In the subjects of "principles" and the "history of education," regarded as highly essential in normal-school training, no regular lessons or individual examinations as to progress were given during the two years, and yet the 18 students were hypothetically marked by the trainer as if they had regularly pursued these studies. It was also developed that the good marks "excellent," "very good," "fair," etc., were in a measure disregarded, since the mark "very good" accorded to No. 1 was also accorded to all the intervening students in the class down to No. 17.

"As astounding as the foregoing may appear, it is exceeded by another phase. Your committee is informed that in the matter of teaching ability or aptitude, wherein the student takes a class in the model school so that the trainer may observe the student in action, many were marked whom the trainer had not seen in action from September, 1913, to February, 1914.

"In the matter of music, which forms so large a part of the work in the kindergarten, and which is rated as three-fourths part of the same, a wide difference exists between the white and colored kindergarten ratings. In the white normal the rating for musical knowledge is said to be 16, while in the colored a credit of 1½ only is given each semester, or 6 in all.

"Your committee believe this discrimination existing in the colored schools should be taken up and the reason for the same probed to the end that uniformity be secured. The importance of this effort will readily appear when your committee states that it has been ascertained that the markings of the kindergarten trainer are credited at 75 per

cent, and if they are based on problematical or false premises it can readily be seen how serious is the condition that confronts us as a people in the school opportunities of our children. The sacrifices that are being made daily by the great body of our citizens to keep their children in the schools claim our consideration, and it behooves us to demand that those set apart to teach them shall be fully qualified for the task, and that no falsification of the records be permitted.

"The committee begs further to report that they have not thus far dealt with individual cases, while cognizant of many under that head of a very flagrant character; though it is proper to say that the case of Miss Fay Hershaw, daughter of Mr. L. M. Hershaw, was the medium through which the monstrous facts concerning the conditions in the colored schools herein contained were brought to public light.

"The kindergarten trainer referred to is still in charge of that department of our school system, though the disclosures narrated above were taken stenographically last June and are doubtless now in possession of the school authorities.

"Respectfully submitted.

"DANIEL MURRAY, *Chairman.*
"JAMES W. MUSE, *Secretary.*
"JOHN W. PAYNTER,
"GEORGE LUCAS,
"AARON RUSSELL,
"RICHARD B. PETERS,
"LEONARD C. BAILEY,
"JOHN L. HICKMAN,
"SAML. W. WATSON,
"Members."

—

WASHINGTON, D. C., *December 9, 1914.*

The Hon. J. HAMPTON MOORE,
House of Representatives, Washington, D. C.

DEAR SIR: In view of the report of the Oldest Citizens' Association (colored) of Washington, D. C., a copy of which is annexed hereto, the undersigned colored residents of Washington, D. C., respectfully petition the House of Representatives to cause an investigation to be made of the administration of the colored department of the public schools of the District of Columbia for the purpose of determining whether the deplorable conditions set forth in the above-mentioned report do in fact exist, and whether other allegations of gross irregularities attributed to the school officials are well founded.

In the hope that actual conditions may be revealed and the welfare of the schools promoted, this petition is respectfully subscribed.

John Dixon, Daniel Timberlake, William L. Andrews, John M. Hardy, David Kirk, Alphonzo Countee, R. B. Brown, F. Jolie, Noble N. Snowden, George W. Hardy, Green W. Durrette, Maurice W. Farr, Wade H. Powell, J. E. Langston, T. R. Speller, jr., Jefferson Keen, J. H. Young, Oliver B. Gilmore, Florence Givens, Clarence Givens, Mrs. Cora Contee, William L. Motley, Thomas H. Robinson, Virginia Hayes, Eva J. Robinson, Rev. William D. Battle, Mrs. A. H. Battle, Robert Piper, D. D. Rogers, A. M. Rogers, R. T. Wise, Fred Brooks, A. Arthur, George Scott, George Webb, H. L. Butler.

Mr. MOORE. Mr. Chairman, by way of explanation I wish to say that the facts contained in the article and in the memorial may be worthy of investigation. I do not know. It is asserted for the memorialists that they have not had a chance to have their grievances aired. Whether there is any substantial basis for that I do not know. The article and the memorial speak for themselves. Since the discussion in the House the other day several complaints have come in from other citizens of the District, and in equal fairness I should say that this morning a letter was received from the assistant superintendent in charge of the colored schools, Roscoe Conkling Bruce, saying that so far as he is concerned he would welcome any investigation that might be started to ascertain the truth of these complaints.

The Clerk read as follows:

A detailed statement of the expenditure of the appropriation made for the purposes expressed in the foregoing paragraph shall be submitted to Congress in the Book of Estimates for the fiscal year 1916, and annually thereafter.

Mr. MANN. Mr. Chairman, the year "1916," mentioned in line 19, ought to be "1917."

Mr. PAGE of North Carolina. That is true, Mr. Chairman, and I ask unanimous consent that the word "seventeen" may be substituted for "sixteen" in line 19, page 41.

The CHAIRMAN. Is there objection?

There was no objection.

The Clerk read as follows:

For cabinetmaker for repairing school furniture, $1,000.

Mr. PAGE of North Carolina. Mr. Chairman, I offer the following amendment as a new paragraph.

The Clerk read as follows:

For the purpose of making a complete survey of the school system and school organization of the District of Columbia, to be expended under the direction of the United States Commissioner of Education, who shall report to the Congress not later than December 1, 1915, the sum of $15,000, or so much thereof as may be necessary, is hereby appropriated.

Mr. MANN. Mr. Chairman, I make the point of order that the appropriation is not provided for or authorized by existing law.

Mr. PAGE of North Carolina. Mr. Chairman, I concede the point of order.

The CHAIRMAN. The point of order is sustained, and the Clerk will read.

The Clerk read as follows:

For repairing and painting quarantine station, $400.

Mr. MANN. Mr. Chairman, I move to strike out the last word. Can the gentleman from North Carolina tell me from what appropriation is carried the sum by which lepers are maintained?

Mr. PAGE of North Carolina. It has been paid out of a lump sum that is carried for the health department, but I can not tell the specific sum.

Mr. MANN. I suppose it would be possible for the gentleman to ascertain between now and Monday?

Mr. PAGE of North Carolina. I think so.

Mr. MANN. That leads me to ask the gentleman a further question. It is quite evident that we can not pass the entire bill to-night. How far does the gentleman expect to read before he moves that the committee rise? While we have some time yet left to-day we commenced early and have worked steadily.

Mr. PAGE of North Carolina. I will say to the gentleman that I have no disposition to run to a late hour even if I controlled the matter entirely. If he will let us read through the health department to the bottom of page 69, I will move that the committee rise.

Mr. MANN. And in the meanwhile the gentleman will be able to obtain the information that I asked for?

Mr. PAGE of North Carolina. I will try to get the information by Monday.

Mr. MANN. Mr. Chairman, I withdraw the pro forma amendment.

The Clerk read as follows:

Bacteriological laboratory: For maintaining and keeping in good order, and for the purchase of reference books and scientific periodicals, $300;

In all, $3,300.

Mr. PAGE of North Carolina. Mr. Chairman, I offer the following amendment.

The Clerk read as follows:

On page 53, strike out all of line 24.

Mr. PAGE of North Carolina. Mr. Chairman, in explanation of that I will say that that was a total put in there by mistake; it was copied from an old bill and does not represent anything in this bill.

The amendment was agreed to.

The Clerk read as follows:

For rent of building at 203 I Street NW., $2,400.

Mr. FOSTER. Mr. Chairman, I move to strike out the last word. This building for the juvenile court at 203 I Street NW. is right near a public school. I beg to call attention to it, because it seems to me, in a matter of this kind, where you take in all sorts of persons to be tried, that there ought not to be a court so near as that to a public school in the city. Does the gentleman know, or can he give us any reason, why the court has been located there and whether or not it is necessary to have it located there?

Mr. PAGE of North Carolina. In answer to the gentleman's question, I personally do not know of any reason why this particular locality was selected for the juvenile court.

The court had to move from its old quarters up beyond the State, War, and Navy Building, and the judge of the court leased this building on I Street. I have understood that it was the most suitable building that he could find for this purpose. How near it is to the public school I can not say.

Mr. FOSTER. I will say it is very close to a public school in that neighborhood. It seems to me a very bad policy to locate a court of this character so near a public school.

Mr. PAGE of North Carolina. I would suggest to the gentleman that in that quarter of the city there may be need that the court shall be not very far removed from the school building. I do not know that that is true, however.

Mr. FOSTER. I hardly think that is correct; but if so, we would not improve the condition of the neighborhood by locating the court there. I think it is a very bad policy for the commissioners to locate a court of that kind so close to a public school and in a residence district of the city.

Mr. PAGE of North Carolina. I will say to the gentleman that I have had no complaints coming from those interested in the school regarding the location of this court. I have had some complaints from residents in that quarter of the city regarding the location of the court.

Mr. FOSTER. I think probably the residents have had the school in mind when they have been complaining to the gentleman.

Mr. PAGE of North Carolina. If so, they did not mention the school, and I judged it was because of their residence near the court.

The Clerk read as follows:

MEDICAL CHARITIES.

For care and treatment of indigent patients, under a contract to be made with Freedmen's Hospital by the Board of Charities, $35,000, or so much thereof as may be necessary.

Mr. SISSON. Mr. Chairman, I move to strike out the last word for the purpose of giving my views in reference to the items which follow on this page. In the subcommittee which made up this bill I was opposed to these items. First, I am opposed to the Federal Government contributing any sum of money to any private institution. Second, I am opposed to the Federal Government contributing any money to any sectarian institution of any kind, irrespective of the church that it may be under the control of. In the subcommittee I have taken this position. I take the position here now that the District of Columbia should be provided with the proper institutions to care for its own poor. The trouble about these appropriations is that when the religious proposition is discussed on the floor of the House it is always discussed and must be discussed with a great deal of care, because we desire to keep the Federal Government always separate and apart in the conduct of its business from the conduct of the business of the church. I do not believe that, under the guise of charity, it is proper to make these contributions out of public funds. Since the foundation of the Government down to the present time that has been the policy of the Government, and those of you who were in the House in 1896 will recall that quite a disturbance was raised in reference to the appropriation for certain institutions in the Territories where various churches had established universities, schools, colleges, many of them under contract with the Indians. After the Indians had moved from the Territory these appropriations continued to be made.

In 1896 there was quite a controversy about it, and the Congress of the United States passed a statute most drastic in its terms, providing that it should be the policy of the Federal Government to contribute nothing in property, money, or anything of value by appropriation directly or indirectly to any institution of any kind or character that was under sectarian control. In the District of Columbia appropriation bill of the same year a like statute was carried. You can not make an appropriation directly to these institutions without violating that statute. That was the fixed policy of the Government, as both of those statutes decided, the solemn judgment of Congress when the matter was presented and was an issue in Congress. The trouble about these items is not that they are large, but we are compelled, in order that many of these poor unfortunates may be cared for, to permit them to go into some religious institution, and only their actual care and maintenance is paid. Your committee had a provision in the last bill for plans and specfications for building an institution where all of these people could be placed, but in making the estimate for the matter the commissioners did not make the plans and specifications, or did not have time to do it, but at any rate we have not made the progress we should along that line. I do not know that the District Commissioners or that the people here in the District are opposed to the proposition. I know that there are a great many here who are in favor of it, but we are liable at almost any moment to have hurled red-hot on the floor of this House some religious discussion, and some of the papers are already discussing the vast amounts of money, exaggerating the amounts and the purposes for which they are appropriated, that are paid to religious institutions here, and we are being misunderstood.

The CHAIRMAN. The time of the gentleman from Mississippi has expired.

Mr. SISSON. Mr. Chairman, I ask unanimous consent to be permitted to proceed for five minutes.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. SISSON. Mr. Chairman, we are liable to be misunderstood because the items in the bill are for only the actual care and maintenance of these unfortunates who are committed, as a rule, by the courts to the various institutions under the care of the Board of Charities or the Board of Children's Guardians. In other words, they are charges which it is the duty of the Public Treasury to support and maintain, and not having an institution in which they can be placed, of necessity Congress has been compelled, since we require by law that they be committed to the care of these boards for the boards themselves to care for them, and the boards in turn commit them, of necessity, to these various institutions, Congress must then in turn pay the bills incurred in their care and maintenance. I have been in favor of leaving these items out of the bill for the purposes of bringing the condition sharply before Congress, showing how totally inadequate the facilities of the District of Columbia were for caring for its own poor; but if the time shall come when a discussion is rife and the religious spirit stirred up throughout the country, Congress will have these items staring it in the face and reason will be dethroned. Therefore, I want again, as I have before, to call attention of the Congress to the necessity and the duty of providing an institution so that we will not be compelled to make appropriations in spite of the law which we have passed, to sectarian institutions. I have no sort of religious prejudice of any kind or character, but I do believe strongly that we should keep the Government and the churches absolutely separate. It is a conviction with me. I have been trained to it all of my life; and feeling that way about it, I feel it my duty to call attention to the fact that these items, in my judgment, ought not to be in this bill. [Applause.]

The Clerk read as follows:

For care and maintenance of children under a contract to be made with St. Ann's Infant Asylum by the Board of Charities, $6,000.

Mr. PAGE of North Carolina. Mr. Chairman, in view of the fact that we met to-day at 11 o'clock, I move that the committee do now rise.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. GARNER, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee, having had under consideration the bill H. R. 19422, had come to no conclusion thereon.

WITHDRAWAL OF PAPERS.

By unanimous consent, Mr. KELLEY of Michigan was granted leave to withdraw from the files of the House, without leaving copies, the papers in the case of J. Cobb, of Shepherd, Mich., Sixty-second Congress, no adverse report having been made thereon.

SALE OF WASTE PAPER.

The Speaker laid before the House a letter from the Doorkeeper of the House of Representatives showing the amount of money received from the sale of waste paper from December 1, 1913, to December 1, 1914, which was ordered to be filed.

EVENING SESSION TO CONSIDER OMNIBUS PENSION BILL.

Mr. SHERWOOD. Mr. Speaker, I ask unanimous consent that on Tuesday, December 15, at the usual hour of adjournment, the House shall take a recess until 8 o'clock to consider the bill H. R. 19545—an omnibus pension bill.

The SPEAKER. The gentleman from Ohio [Mr. SHERWOOD] asks unanimous consent that next Tuesday, on the 15th of December, at 5 o'clock, the House take a recess until 8 o'clock, to have a session extending not later than 11 o'clock, to be devoted to the consideration of an omnibus pension bill.

Mr. MANN. It being the understanding, I take it, that there will be no other business transacted?

The SPEAKER. Yes.

Mr. MANN. Although I remember on a previous occasion, where the same understanding was entered into, that the House at the evening session violated that agreement, holding it had authority to do so, and I was surprised that any gentleman here would consent to it; but, on the contrary, several urged that it be done.

The SPEAKER. The understanding being in connection with the request that no other business shall be transacted at the night session; and if the present occupant of the chair presides, he will see to it that it is not; and if he does not, he will instruct whoever he may appoint that he sees that it is not. Is there objection? [After a pause.] The Chair hears none.

ADJOURNMENT.

Mr. PAGE of North Carolina. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 4 o'clock and 22 minutes p. m.) the House adjourned to meet to-morrow, Sunday, December 13, 1914, at 10.30 o'clock a. m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1. Illustrations accompanying a report concerning the prices paid for wheat in the State of Kansas, and the prices at which said wheat was sold in Kansas City, Mo., and how such prices are determined, transmitted with a letter from the Secretary of Agriculture (H. Doc. 1271); to the Committee on Agriculture and ordered to be printed as a part of said document.

2. A letter from the Secretary of War, transmitting copy of Twenty-fourth Annual Report of the Board of Ordnance and For-

tification fiscal year 1914 (H. Doc. No. 1342); to the Committee on Military Affairs and ordered to be printed.

3. A letter from the Secretary of War, transmitting report of expenditures on account of appropriation for contingent expenses of War Department, 1914 (H. Doc. No. 1343); to the Committee on Expenditures in the War Department and ordered to be printed.

4. A letter from the Secretary of War, transmitting report of expenditures on account of appropriation for contingencies of the Army fiscal year 1914 (H. Doc. No. 1344); to the Committee on Expenditures in the War Department and ordered to be printed.

5. A letter from the Secretary of the Treasury, transmitting copy of communication of the Secretary of War submitting estimates of deficiencies in appropriations for the support of the National Home for Disabled Volunteer Soldiers for the fiscal years 1914 and 1915 (H. Doc. No. 1345); to the Committee on Appropriations and ordered to be printed.

6. A letter from the Postmaster General, transmitting a report of the public property in the Post Office Department at the end of fiscal year 1914 (H. Doc. No. 1346); to the Committee on the Post Office and Post Roads and ordered to be printed.

7. A letter from the Secretary of War, transmitting item of proposed legislation for incorporation into the bill for the support of the Army for the fiscal year ending June 30, 1916 (H. Doc. No. 1347); to the Committee on Military Affairs and ordered to be printed.

8. A letter from the Secretary of the Treasury, transmitting an estimate of an urgent deficiency appropriation for "Preventing the spread of epidemic diseases" for the fiscal year 1915 (H. Doc. No. 1348); to the Committee on Appropriations and ordered to be printed.

9. A letter from the Secretary of the Interior, transmitting detailed statement of award of contract made for services, supplies, and annuity goods for the Indian Service for the fiscal year ending June 30, 1915; to the Committee on Printing.

10. A letter from the Secretary of Commerce, transmitting claims covering amounts due for damages to private property by accidents in connection with the work of the United States Coast and Geodetic Survey (H. Doc. No. 1349); to the Committee on Claims and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the several calendars therein named, as follows:

Mr. JOHNSON of Kentucky, from the Committee on the District of Columbia, to which was referred the bill (H. R. 15215) to authorize the Commissioners of the District of Columbia to adjust and settle the shortages in certain accounts of said District, and for other purposes, reported the same without amendment, accompanied by a report (No. 1212), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. TALCOTT of New York, from the Committee on Interstate and Foreign Commerce, to which was referred the bill (H. R. 19746) to authorize aids to navigation and other works in the Lighthouse Service, and for other purposes, reported the same with amendment, accompanied by a report (No. 1213), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. BARKLEY, from the Committee on Interstate and Foreign Commerce, to which was referred the bill (H. R. 18876) to provide for the construction of two revenue cutters, reported the same without amendment, accompanied by a report (No. 1214), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. LAFFERTY, from the Committee on Interstate and Foreign Commerce, to which was referred the bill (H. R. 8904), to authorize the establishment of a life-saving station at the mouth of the Siuslaw River, Oreg., reported the same with amendment, accompanied by a report (No. 1215), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. STEVENS of Minnesota, from the Committee on Interstate and Foreign Commerce, to which was referred the bill (S. 5325) authorizing the county of St. Louis to construct a bridge across the St. Louis River between Minnesota and Wisconsin, reported the same with amendment, accompanied by a report (No. 1216), which said bill and report were referred to the House Calendar.

Mr. DECKER, from the Committee on Interstate and Foreign Commerce, to which was referred the bill (H. R. 19424) to extend the time for the completion of the municipal bridge at St. Louis, Mo., reported the same without amendment, accompanied by a report (No. 1217), which said bill and report were referred to the House Calendar.

Mr. WEBB, from the Committee on the Judiciary, to which was referred the bill (H. R. 12750) relating to procedure in United States courts, reported the same with amendment, accompanied by a report (No. 1218), which said bill and report were referred to the House Calendar.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. RAKER: A bill (H. R. 19830) making appropriation for improving the Sacramento and Feather Rivers, Cal., continuing improvement, and for maintenance, including improvement above Sacramento to Red Bluff; to the Committee on Rivers and Harbors.

By Mr. POU: A bill (H. R. 19831) providing for the purchase of a site for a post-office building at Smithfield, N. C.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 19832) providing for a site and public building for post office and other Federal purposes at Louisburg, N. C.; to the Committee on Public Buildings and Grounds.

By Mr. CONNELLY of Kansas: A bill (H. R. 19833) providing for a site and public building for post office and other Federal purposes at Norton, Kans.; to the Committee on Public Buildings and Grounds.

By Mr. WINGO: A bill (H. R. 19834) to fix Christmas Day a legal holiday for rural letter carriers of the United States; to the Committee on the Post Office and Post Roads.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ADAIR: A bill (H. R. 19835) granting an increase of pension to Emery W. Clifford; to the Committee on Invalid Pensions.

Also, a bill (H. R. 19836) granting an increase of pension to John Hawkins; to the Committee on Invalid Pensions.

By Mr. ASHBROOK: A bill (H. R. 19837) granting a pension to Homer C. Dodd; to the Committee on Pensions.

By Mr. ASWELL: A bill (H. R. 19838) for the relief of the Rapides Building & Loan Association, of Alexandria, La.; to the Committee on Claims.

By Mr. AUSTIN: A bill (H. R. 19839) granting a pension to W. M. Balch; to the Committee on Pensions.

Also, a bill (H. R. 19840) granting a pension to Mary Callaway; to the Committee on Pensions.

By Mr. BATHRICK: A bill (H. R. 19841) for the relief of the Permanent Savings & Loan Co., of Akron, Ohio; to the Committee on Claims.

By Mr. BROWNE of Wisconsin: A bill (H. R. 19842) granting an increase of pension to Frank Tucker; to the Committee on Invalid Pensions.

By Mr. BRUMBAUGH: A bill (H. R. 19843) granting a pension to Thomas E. Hite; to the Committee on Invalid Pensions.

Also, a bill (H. R. 19844) to correct the military record of William R. Cassel; to the Committee on Military Affairs.

By Mr. BRYAN: A bill (H. R. 19845) granting a pension to Sophia H. Johnson; to the Committee on Pensions.

By Mr. BURKE of South Dakota: A bill (H. R. 19846) granting a pension to Bernard Christianson; to the Committee on Pensions.

By Mr. COPLEY: A bill (H. R. 19847) granting an increase of pension to Emma Evarts; to the Committee on Invalid Pensions.

By Mr. CRISP: A bill (H. R. 19848) granting a pension to Amanda Sullivan; to the Committee on Invalid Pensions.

By Mr. DILLON: A bill (H. R. 19849) granting a pension to Alma Bruce; to the Committee on Invalid Pensions.

By Mr. DONOHOE: A bill (H. R. 19850) granting a pension to Margaret A. Kennedy; to the Committee on Invalid Pensions.

By Mr. DOOLITTLE: A bill (H. R. 19851) granting an increase of pension to Nancy A. Martin; to the Committee on Invalid Pensions.

By Mr. DUPRÉ: A bill (H. R. 19852) for the relief of the Sixth District Building & Loan Association, of New Orleans, La.; to the Committee on Claims.

Also, a bill (H. R. 19853) for the relief of the Teutonia Loan & Building Co., of New Orleans, La.; to the Committee on Claims.

Also, a bill (H. R. 19854) for the relief of the legal representatives of Lapene & Ferré; to the Committee on War Claims.

By Mr. FESS: A bill (H. R. 19855) granting a pension to Fred C. Sawin; to the Committee on Pensions.

Also, a bill (H. R. 19856) granting an increase of pension to Michael Devereaux; to the Committee on Invalid Pensions.

Also, a bill (H. R. 19857) granting a pension to Charlotte Cole; to the Committee on Invalid Pensions.

Also, a bill (H. R. 19858) granting an increase of pension to Mary A. Galloway; to the Committee on Invalid Pensions.

Also, a bill (H. R. 19859) granting an increase of pension to Staley F. Stemble; to the Committee on Pensions.

Also, a bill (H. R. 19860) granting an increase of pension to Cyrus Patch; to the Committee on Invalid Pensions.

Also, a bill (H. R. 19861) granting an increase of pension to Jacob Supinger; to the Committee on Invalid Pensions.

By Mr. FERRIS: A bill (H. R. 19862) granting a pension to Martin L. Burns; to the Committee on Pensions.

Also, a bill (H. R. 19863) granting a pension to William H. Spragg; to the Committee on Invalid Pensions.

By Mr. GARDNER: A bill (H. R. 19864) granting an increase of pension to Lorenzo B. Hines; to the Committee on Invalid Pensions.

By Mr. GOEKE: A bill (H. R. 19865) for the relief of the Third Savings & Loan Co., of Piqua, Ohio; to the Committee on Claims.

By Mr. GOOD: A bill (H. R. 19866) granting an increase of pension to Charles R. Hayward; to the Committee on Invalid Pensions.

By Mr. HINDS: A bill (H. R. 19867) granting a pension to George H. Williams; to the Committee on Invalid Pensions.

By Mr. HOWARD: A bill (H. R. 19868) granting a pension to Anderson M. Beck; to the Committee on Invalid Pensions.

Also, a bill (H. R. 19869) for the relief of the heirs of Allen S. B. Pior, deceased; to the Committee on War Claims.

By Mr. HUMPHREY of Washington: A bill (H. R. 19870) for the relief of the German Savings, Building & Loan Association, of Seattle, Wash.; to the Committee on Claims.

By Mr. JOHNSON of Kentucky: A bill (H. R. 19871) granting an increase of pension to Albenna B. Sanders; to the Committee on Invalid Pensions.

By Mr. KIESS of Pennsylvania: A bill (H. R. 19872) granting a pension to John F. Schmidt; to the Committee on Pensions.

By Mr. LEE of Georgia: A bill (H. R. 19873) granting an increase of pension to Alice D. McClung; to the Committee on Pensions.

By Mr. LOBECK: A bill (H. R. 19874) granting an increase of pension to Albert Kneller; to the Committee on Pensions.

By Mr. MAPES: A bill (H. R. 19875) granting an increase of pension to Francis Sanderson; to the Committee on Invalid Pensions.

By Mr. McGILLICUDDY: A bill (H. R. 19876) granting an increase of pension to Sarah J. Newton; to the Committee on Invalid Pensions.

By Mr. McKENZIE: A bill (H. R. 19877) granting an increase of pension to Anna S. Fitch; to the Committee on Invalid Pensions.

Also, a bill (H. R. 19878) granting an increase of pension to Mary L. Reading; to the Committee on Invalid Pensions.

Also, a bill (H. R. 19879) granting an increase of pension to Mary T. Phillips; to the Committee on Invalid Pensions.

By Mr. MORRISON: A bill (H. R. 19880) granting an increase of pension to Levi Head; to the Committee on Invalid Pensions.

Also, a bill (H. R. 19881) granting an increase of pension to George S. West; to the Committee on Invalid Pensions.

By Mr. NEELY of West Virginia: A bill (H. R. 19882) granting a pension to John R. Seiler; to the Committee on Invalid Pensions.

By Mr. O'SHAUNESSY: A bill (H. R. 19883) granting an increase of pension to Bernard Boyle; to the Committee on Invalid Pensions.

By Mr. PLATT: A bill (H. R. 19884) granting a pension to Harriett Adams; to the Committee on Invalid Pensions.

Also, a bill (H. R. 19885) granting an increase of pension to Ananias Cameron; to the Committee on Invalid Pensions.

Also, a bill (H. R. 19886) granting an increase of pension to Sarah O. George; to the Committee on Invalid Pensions.

By Mr. POU: A bill (H. R. 19887) granting an increase of pension to Fred M. Hood; to the Committee on Pensions.

By Mr. ROGERS: A bill (H. R. 19888) granting a pension to Hannah Good; to the Committee on Invalid Pensions.

By Mr. RUSSELL: A bill (H. R. 19889) granting an increase of pension to Marinda Forrest; to the Committee on Invalid Pensions.

Also, a bill (H. R. 19890) granting an increase of pension to William H. McAllister; to the Committee on Pensions.

Also, a bill (H. R. 19891) granting an increase of pension to Jasper N. Massey; to the Committee on Invalid Pensions.

By Mr. J. M. C. SMITH: A bill (H. R. 19892) granting a pension to Sarah H. Benedict; to the Committee on Invalid Pensions.

Also, a bill (H. R. 19893) granting a pension to Mary A. Tilton; to the Committee on Invalid Pensions.

By Mr. SMITH of New York: A bill (H. R. 19894) for the relief of Nathan B. Wilber; to the Committee on Military Affairs.

By Mr. STEPHENS of Nebraska: A bill (H. R. 19895) granting an increase of pension to Samuel J. Caldwell; to the Committee on Invalid Pensions.

Also, a bill (H. R. 19896) granting an increase of pension to George B. Priestley; to the Committee on Invalid Pensions.

By Mr. TAYLOR of Colorado: A bill (H. R. 19897) granting a pension to Franklin L. Babb; to the Committee on Pensions.

Also, a bill (H. R. 19898) granting an increase of pension to James H. Shippee; to the Committee on Invalid Pensions.

Also, a bill (H. R. 19899) granting an increase of pension to Samuel L. Coulter; to the Committee on Invalid Pensions.

By Mr. TOWNSEND: A bill (H. R. 19900) for the relief of the Woodside Building & Loan Association of Newark, N. J.; to the Committee on Claims.

Also, a bill (H. R. 19901) for the relief of the Junior Order Building & Loan Association, of Newark, N. J.; to the Committee on Claims.

Also, a bill (H. R. 19902) for the relief of the Hilton Building & Loan Association, of Newark, N. J.; to the Committee on Claims.

Also, a bill (H. R. 19903) for the relief of the Twelfth Ward Building & Loan Association, of Newark, N. J.; to the Committee on Claims.

Also, a bill (H. R. 19904) for the relief of the Commonwealth Building & Loan Association, of Newark, N. J.; to the Committee on Claims.

Also, a bill (H. R. 19905) for the relief of the Ironbound District Building & Loan Association, of Newark, N. J.; to the Committee on Claims.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. AUSTIN: Petitions of citizens of Maryville and Knoxville, Tenn., favoring national prohibition; to the Committee on Rules.

Also, papers to accompany bill for the relief of Mary Calloway; to the Committee on Pensions.

By Mr. BAILEY (by request): Petitions of Garman & Sons, J. C. McConahy, A. A. Smith & Son, William W. Eckels, J. W. Fisher, J. C. Goheen & Bros., J. M. Borrows, H. L. Orr, and the Camp Furniture Co., all of Tyrone, Pa., favoring passage of House bill 5308, to tax mail-order houses; to the Committee on Ways and Means.

By Mr. BARTON: Petition of citizens of Hastings and Farnum, Nebr., favoring national prohibition; to the Committee on Rules.

By Mr. BURKE of South Dakota: Petition of citizens of Iowa and South Dakota, relative to deepening the channel, etc., of the Big Sioux River; to the Committee on Rivers and Harbors.

By Mr. BROWNE of Wisconsin: Petition of members of the Society of Equity of Hewitt, Wis., protesting against increase of freight rates on live stock; to the Committee on Interstate and Foreign Commerce.

By Mr. CARY: Petitions of Gillett & Co. and Alonzo Forde, of Milwaukee, Wis., protesting against printing of stamped envelopes by the Government; to the Committee on the Post Office and Post Roads.

By Mr. COPLEY: Petitions of citizens of Dupage County, Ill., favoring the passage of the Hobson resolution for national prohibition; to the Committee on Rules.

By Mr. DALE: Petition of German-Irish demonstration of Chicago, December 1, 1914, favoring the placing by the United States of an embargo on all contraband of war, foodstuffs alone excepted; to the Committee on Interstate and Foreign Commerce.

By Mr. ESCH: Memorial of Washington Board of Trade, protesting against a constitutional amendment by a rider on an appropriation bill; to the Committee on Appropriations.

Also, papers to accompany House bill 19762, granting an increase of pension to John Wilhelm; to the Committee on Invalid Pensions.

Also, petition of German-Irish demonstration of Chicago, Ill., relative to law enabling the President of the United States to lay an embargo on all contraband of war, etc.; to the Committee on Foreign Affairs.

By Mr. FESS: Petition of Clinton County Sunday-school Convention, favoring national prohibition; to the Committee on Rules.

Also, petition of students and faculty of Cedarville (Ohio) College, favoring national prohibition; to the Committee on Rules.

By Mr. GERRY: Petitions of Rev. Gideon A. Burgess and Rev. George S. Wheeler, of Providence; James K. Ralph, Emma F. Ralph, Mrs. H. E. King, Mildred A. King, Bertha Munro, Gilbert N. Pierce, H. E. Fiske, Frank F. Brown, Everett W. Adams, Gilbert N. Pierce, jr., Marcus Simmons, William W. Tucker, Henry E. Kenyon, William A. Hicks, Herbert Brayton, Esquire King, E. J. Sampson, J. W. Smith, A. W. Randall, and A. W. Barber, of North Scituate; Thomas A. Peabody, of Westerly; and Rev. Myron E. Genter, of Providence, all in the State of Rhode Island, urging the passage of legislation providing for national prohibition; to the Committee on Rules.

By Mr. GRAHAM of Pennsylvania: Petition of the National Association of Vicksburg Veterans, urging an appropriation for reunion of veterans at Vicksburg, Miss.; to the Committee on Appropriations.

By Mr. HAMILTON of Michigan: Petitions of 1,149 citizens of Benton Harbor and 17 citizens of Milburg, Mich., favoring national prohibition; to the Committee on Rules.

By Mr. KENNEDY of Rhode Island: Petition of Rev. A. B. Cristy, of Providence, R. I., and Anti-Saloon League of Rhode Island, favoring national prohibition; to the Committee on Rules.

Also, petition of Branch No. 507, of the Catholic Knights of America, protesting against the transmission of the Menace through the mails; to the Committee on the Post Office and Post Roads.

Also, resolutions of Embury Brotherhood (400 people), of Central Falls, R. I.; Rev. George S. Wheeler, of Providence, R. I.; and Rev. Gideon A. Burgess, of Providence, R. I., favoring national prohibition; to the Committee on Rules.

By Mr. KIESS of Pennsylvania: Evidence in support of House bill 19054, for the relief of Charles L. Burnham; to the Committee on Invalid Pensions.

Also, evidence in support of House bill 2382, for the relief of John Yoder; to the Committee on Invalid Pensions.

By Mr. MURRAY: Petitions of citizens of Ralston, Yale, and Skedee, Okla., favoring national prohibition; to the Committee on Rules.

By Mr. NEELY of West Virginia: Papers to accompany bill granting a pension to John A. Seiler; to the Committee on Invalid Pensions.

By Mr. O'SHAUNESSY: Petition of members of second division, Rhode Island Naval Battalion, favoring passage of bill regarding attendance of Naval Militia organizations at the Panama-Pacific Exposition; to the Committee on Naval Affairs.

By Mr. PAIGE of Massachusetts: Petition of citizens of Clinton, Mass., favoring national prohibition; to the Committee on Rules.

By Mr. PETERS: Petitions of sundry citizens of Anson, Ashland, Augusta, Amherst, Bingham, Calais, Castine, Cherryfield, Dedham, East Bluefield, Ellsworth, Freedom, Gardiner, Hancock, Lubec, Lamoine, Litchfield, Lincolnville Center, Machias, Mercer, Monroe, Monmouth, Madison, North New Portland, South Bluefield, Sidney, Searsmont, Solon, South Lubec, Winthrop, and Winter Harbor, all in the State of Maine, asking for the passage of legislation favorable to national constitutional prohibition; to the Committee on Rules.

By Mr. PLATT: Papers to accompany a bill for the increase of pension of Sarah O. George; to the Committee on Pensions.

Also, papers to accompany a bill for the increase of pension of Ananias Cameron; to the Committee on Pensions.

Also, papers to accompany a bill for a pension to Harriett Adams; to the Committee on Pensions.

By Mr. THACHER: Petition of Rock Brotherhood, Middleboro, Mass., favoring national prohibition; to the Committee on Rules.

By Mr. TUTTLE: Petitions of Scotch Plains (N. J.) Baptist Church, the Presbyterian Church and sundry citizens of Stirling, and 180 people of Plainfield, N. J., favoring national prohibition; to the Committee on Rules.

By Mr. YOUNG of North Dakota: Memorial of German-Irish demonstration at Chicago, Ill., urging Congress to lay an embargo upon exportation of all contraband of war excepting foodstuffs; to the Committee on Foreign Affairs.

SENATE.

SUNDAY, *December 13, 1914.*

(Legislative day of Saturday, December 12, 1914.)

The Senate reassembled at 10 o'clock and 45 minutes a. m. on the expiration of the recess.

FUNERAL OF THE LATE REPRESENTATIVE SERENO E. PAYNE.

The PRESIDING OFFICER (Mr. THORNTON in the chair). In conformity with the resolution of the Senate accepting the invitation of the House of Representatives to participate in the funeral services of the late Representative SERENO E. PAYNE, of New York, to take place to-day, the Senate will proceed in a body to the Hall of the House of Representatives. At the conclusion of the ceremonies there the Senate will return to its Chamber, when the proper motion for an adjournment will be made. The Sergeant at Arms will execute the order of the Senate.

Thereupon (at 10 o'clock and 47 minutes a. m.) the Senate, headed by the Sergeant at Arms and preceded by the Presiding Officer and the Secretary, proceeded to the Hall of the House of Representatives.

The Senate returned to its Chamber at 11 o'clock and 46 minutes a. m. and Mr. THORNTON resumed the chair.

Mr. O'GORMAN. I move that the Senate adjourn.

The motion was agreed to, and (at 11 o'clock and 47 minutes a. m.) the Senate adjourned until to-morrow, Monday, December 14, 1914, at 12 o'clock meridian.

HOUSE OF REPRESENTATIVES.

SUNDAY, *December 13, 1914.*

The House met at 10 o'clock and 30 minutes a. m.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

Thy blessing descend upon us, O God our Father, as the dews of Hermon as we thus gather in the solemn presence of the dead, that our hearts may be mellowed, our faith lifted up to a higher altitude, and our hopes strengthened for the service which is to follow; in the name and spirit of the Lord Christ, Amen.

THE JOURNAL.

The SPEAKER. The Clerk will read the Journal of yesterday.

Mr. PAGE of North Carolina. Mr. Speaker, I move that the reading of the Journal be dispensed with.

The SPEAKER. The gentleman from North Carolina moves that the reading of the Journal be dispensed with. If there be no objection it will be so ordered.

There was no objection.

RECESS.

Mr. PAGE of North Carolina. Mr. Speaker, I ask unanimous consent that the House recess until 10 o'clock and 50 minutes a. m.

The SPEAKER. The gentleman from North Carolina asks unanimous consent that the House stand in recess for 15 minutes. Is there objection?

There was no objection.

Accordingly (at 10 o'clock and 35 minutes a. m.), the House took a recess.

FUNERAL OF THE LATE REPRESENTATIVE PAYNE.

The recess having expired, the House was again called to order by the Speaker.

The remains of the late Mr. PAYNE lay in state in the space in front of the Clerk's desk.

At 10 o'clock and 54 minutes a. m. the Doorkeeper announced the Senate, and they took the places assigned to them on the right of the Speaker, the President pro tempore [Mr. THORNTON] occupying a seat at the Speaker's desk.

The following were then announced and took the places assigned to them:

Ambassadors to the United States and members of the Diplomatic Corps.

The New York delegation in Congress.

The Chief Justice and the Associate Justices of the Supreme Court of the United States.

Members of the President's Cabinet.

The Chaplain, Rev. Henry N. Couden, D. D., recited selections from the Scriptures, as follows:

The heavens declare the glory of God; and the firmament showeth His handiwork.

Day unto day uttereth speech, and night unto night showeth knowledge.

There is no speech nor language where their voice is not heard.

Their line is gone out through all the earth and their words to the end of the world. In them hath He set a tabernacle for the sun.

Which is as a bridegroom coming out of his chamber, and rejoiceth as a strong man to run a race.

His going forth is from the end of the heaven, and his circuit unto the ends of it; and there is nothing hid from the heat thereof.

The law of the Lord is perfect, converting the soul; the testimony of the Lord is sure, making wise the simple.

The Lord is my shepherd; I shall not want.

He maketh me to lie down in green pastures: He leadeth me beside the still waters.

He restoreth my soul: He leadeth me in the path of righteousness for His name's sake.

Yea, though I walk through the valley of the shadow of death, I will fear no evil: for Thou art with me; Thy rod and Thy staff they comfort me.

Let not your heart be troubled: ye believe in God, believe also in me.

In my Father's house are many mansions: if it were not so, I would have told you. I go to prepare a place for you.

And if I go and prepare a place for you, I will come again, and receive you unto myself; that where I am, there ye may be also.

For none of us liveth to himself, and no man dieth to himself.

For whether we live, we live unto the Lord; and whether we die, we die unto the Lord: Whether we live therefore, or die, we are the Lord's.

For to this end Christ both died, and rose, and revived, that he might be Lord both of the dead and living.

But some man will say, How are the dead raised up? and with what body do they come?

Thou fool, that which thou sowest is not quickened, except it die.

And that which thou sowest, thou sowest not that body that shall be, but bare grain, it may chance of wheat, or of some other grain:

But God giveth it a body as it hath pleased Him, and to every seed His own body.

All flesh is not the same flesh: but there is one kind of flesh of men, another flesh of beasts, another of fishes, another of birds.

There are also celestial bodies, and bodies terrestrial: but the glory of the celestial is one, and the glory of the terrestrial is another.

There is one glory of the sun, and another glory of the moon, and another glory of the stars; for one star differeth from another star in glory.

So also is the resurrection of the dead. It is sown in corruption, it is raised in incorruption.

It is sown in dishonor, it is raised in glory: it is sown in weakness, it is raised in power:

It is sown a natural body, it is raised a spiritual body. There is a natural body, and there is a spiritual body.

For we know that if our earthly house of this tabernacle is dissolved, we have a building of God, a house not made with hands, eternal in the heavens.

For in this we groan, earnestly desiring to be clothed upon with our house which is from heaven:

If so be that being clothed we shall not be found naked.

For we that are in this tabernacle do groan, being burdened: not for that we would be unclothed, but clothed upon, that mortality might be swallowed up of life.

Now he that hath wrought us for the selfsame thing is God, who also hath given unto us the earnest of the Spirit.

For I am persuaded, that neither death, nor life, nor angels, nor principalities, nor powers, nor things present, nor things to come,

Nor height, nor depth, nor any other creature shall be able to separate us from the love of God, which is in Christ Jesus our Lord.

The Chaplain then offered the following prayer:

"Lord, Thou hast been our dwelling place in all generations. Before the mountains were brought forth, or ever Thou hadst formed the earth and the world, even from everlasting to everlasting, Thou art God."

From time immemorial, amid the changing scenes and conflicts of life, the heart of man has ever turned to Thee, O God our Father, for light to guide, strength to sustain, and courage in every time of trouble. So we turn to Thee in this hour of sorrow. Open Thou our spiritual eyes, that we may see the glories round about us; our spiritual ears, "that we may hear the rustle of wings," the song of angels; our spiritual hearts, that we may feel the warm currents of Thy love and be reassured in our longings, hopes, and aspirations.

A friend, a colleague, a servant of the people, has passed from the scenes of the Now to the realms beyond. Time and space are nothing. Life in Thee alone is life. So we believe, so we aspire, so we pray. Our coming together to-day in memory of a great man is the earnest of that immortality which springs spontaneously from the soul and lifts us to the realms of high heaven, source of all good.

His deeds speak more eloquently than tongue or pen of his worth to State and Nation. It is well thus to commemorate them, that he may live again in those who shall come after him.

Comfort those who knew and loved him, especially his bereaved family, in the undying hope of the eternal and everlasting life in a risen and glorified Christ. For Thine is the kingdom, and the power, and the glory forever. Amen.

The quartet choir of Calvary Baptist Church, Washington, D. C., sang "Nearer, my God, to Thee."

Rev. Samuel H. Greene, D. D., pastor of Calvary Baptist Church, Washington, D. C., spoke as follows:

Men die, but sorrow never dies;
The crowding years divide in vain,
And the wide world is knit with ties
Of common brotherhood in pain.

This solemn sense of relationship is ours to-day as we come to pay our tribute to the memory of one whose long and distinguished service has made us all his debtors. It seems fitting that this manly form should be brought again within these walls where for nearly a third of a century he was a conspicuous figure in national legislation. Pausing tenderly and reverently beside our dead, let us pray—

So teach us to number our days that we may apply our hearts unto wisdom.

Consciously or unconsciously, we are recognizing God in hours like this, the Greater Life that must be behind our own, in whose favor alone we find peace and hope; the Source of all Authority, at whose summons we pass to the great beyond. This center fact of the universe finds emphasis in all the crucial hours of human life. Its call sounds when we grope helplessly in the darkness; it sounds when on the mountain top our vision is largest, and it sounds when at last our little boat puts out to sea.

Jesus, lover of my soul,
Let me to thy bosom fly,
While the nearer waters roll,
While the tempest still is high.
Hide me, O my Savior, hide,
Till the storm of life is past;
Safe into the haven guide,
Oh, receive my soul at last.

There are some hours when the sense of common loss is so great that we forget our little differences, and in that hallowed light stand face to face with our better selves. It is one of the compensations of sorrow. This remarkable gathering, the place, and the hour are a splendid tribute to the memory of a great and good man, and an equal tribute to the better qualities of American manhood as represented here to-day.

Mr. PAYNE seemed the natural product of the family whose name he bore. For generations they had been a sturdy, industrious, prosperous, religious people. He was born in the university town of Hamilton, N. Y. In its fine atmosphere of culture his early life was spent. Here he began a college course which was completed in Rochester University, from which he graduated in 1864. Two years later he commenced the practice of law in the city of Auburn. His thoroughness as a student, his rare good judgment, his unquestioned integrity and marked ability soon won for him wide and abiding popularity. His townsmen hastened to honor him with the evidences of their esteem and confidence. As city clerk, district attorney for Cayuga County, and as president of the board of education he served with distinction. In a city of wealth and culture he became one of its foremost citizens. His home life was ideal, his church life happy, the Sunday school he superintended prosperous, and his friends an ever-increasing multitude. Thus early in his young manhood he was crowned with the favor of God and men.

Out of such homes and such lives can a nation build strongly and securely. It is not strange that from such a place and such endeavors his fellow citizens should call him as their representative at the National Capital.

Mr. PAYNE'S long and conspicuous career here is a fine illustration of the worth of character in public life. Deep down in the American heart, whatever may be its own shortcomings, there is an abiding reverence for honesty, purity, and courage. It is not the wish of our people that promotions come shadowed by political dishonor or tricks of trade. When the people are persuaded that in the face of temptations a man is too honest to do wrong, too good to be untrue, too near to God to speak falsely, even for personal gain, then they mean to honor him with more than a temporary allegiance. It is an abiding witness to the high character of our departed friend that the people who knew him best were his stanchest friends and ardent admirers.

And here in the stress and storm of political debate and changing conditions this strong, fearless man, standing sometimes in the front of the fray, never ceased to be manly or stooped to conquer. For the purity and strength of his character he was honored and loved by all.

Around this casket all bitterness dies as we bear our tearful tribute to American manhood and American statesmanship.

Those who differed with him most were quick and glad to recognize his great learning, wide experience, splendid courage, and absolute honesty.

These high qualities of character commanded the admiration and loyalty of his constituency at home and an acknowledged position among his colleagues here. If from this sad place the message may go to the young men of our Nation that character and service are the conditions of place and permanency in public life, our friend and brother will have added yet another contribution to the life of the country he loved and served so long and well.

Mr. PAYNE was a man of deep religious convictions. Reared in a Christian home, uniting early with the church, called to its activities, he soon became recognized as a devoted and efficient leader. He gave generously of his time, his means, and his influence.

On coming to this city he immediately identified himself with a church of his own denomination, and few were more regular or loyal attendants on its public services. On many occasions he there bore tender and eloquent testimony to his Christian faith.

It was but natural that at last he should be found with the open Bible beside him. The noble and devoted wife had passed to her reward three years ago, the son was in another city, no kin were near when that last hour came on, but the One Book that had so long been a light to his pathway was beside him as he entered the valley and the shadow of death.

At the end of a long and honored career he rests from his labors in the blessed hope of the resurrection and the life everlasting. In this distinguished presence we pay this grateful tribute to his memory, and pray that the God of all grace may comfort this sorrowing family and the many whose hearts are heavy with sense of great and personal loss.

So live, that when thy summons comes to join
The innumerable caravan that moves
To that mysterious realm where each shall take
His chamber in the silent halls of death,
Thou go not, like the quarry slave at night,
Scourged to his dungeon, but sustained and soothed
By an unfaltering trust, approach thy grave
Like one that wraps the drapery of his couch
About him, and lies down to pleasant dreams.

The choir sang "Lead, Kindly Light."

The Chaplain, Rev. Henry N. Couden, D. D., pronounced the following benediction:

And now, Almighty God, our heavenly Father, sanctify our hearts by this service, and let the spirit which has come into them lead us all the journey of life, and at last bring us to Thee; in the name of the Lord Jesus Christ, our Savior. Amen.

The members of the President's Cabinet, the Chief Justice and the Associate Justices of the Supreme Court of the United States, the Ambassadors to the United States and the Diplomatic Corps, the Senate, and the committee appointed on the part of the Senate and House to escort the remains withdrew from the Chamber in the order named.

ADJOURNMENT.

Mr. FITZGERALD. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to.

Accordingly (at 11 o'clock and 45 minutes a. m.) the House adjourned until Monday, December 14, 1914, at 12 o'clock noon.

SENATE.

MONDAY, *December 14, 1914.*

The Chaplain, Rev. Forrest J. Prettyman, D. D., offered the following prayer:

We come before Thee, Almighty God, that we may enter into communion and fellowship with the Lord God Almighty. We remember that justice and judgment are the habitation of Thy throne. Thou hast set an exceeding high standard of life, but Thy grace is sufficient for every duty that confronts us. We pray Thee to speak to us. Speak through the precious memories of our own innocent childhood. Speak to us through the pressing call of the world about us and the various language of nature. Speak to us by Thy grace in our hearts and through Thy word, that we may know the divine will and may have the purpose of heart to execute all that Thou dost require at our hands. For Christ's sake. Amen.

WILLIAM E. CHILTON, a Senator from the State of West Virginia; MOSES E. CLAPP, a Senator from the State of Minnesota; LUKE LEA, a Senator from the State of Tennessee; CHARLES E. TOWNSEND, a Senator from the State of Michigan; and THOMAS B. CATRON, a Senator from the State of New Mexico, appeared in their seats to-day.

The Journal of the proceedings of Saturday last was read and approved.

WAR SUPPLIES TO BELLIGERENT NATIONS.

Mr. STONE. Mr. President, at this point I wish merely to call the attention of the Chair and of the Senate to the reference of the bill (S. 6862) to forbid the furnishing of war materials to belligerent nations, introduced by the Senator from California [Mr. WORKS] on the 10th instant. The bill was by the Chair referred to the Committee on Military Affairs. I am not going to ask that any change of reference be made at this moment when the Senator from California [Mr. WORKS] or the Senator from Oregon [Mr. CHAMBERLAIN], who is chairman of the committee, are not present, both of whom seem to be absent now; but clearly the bill should have been referred to the Committee on Foreign Relations.

A similar bill, introduced by the Senator from Nebraska [Mr. HITCHCOCK], relating to almost identically the same subject matter was referred to the Committee on Foreign Relations, and properly so referred. The reference to the Committee on Military Affairs was evidently an oversight, or it was probably marked on the bill when it was introduced by the Senator from California.

The VICE PRESIDENT. It was a request on the part of the Senator from California that the bill be referred to the Committee on Military Affairs, and, there being no objection, it was so referred.

Mr. STONE. Then, of course, that reference naturally followed in the absence of objection, but now we have two bills relating to the same subject pending before two separate committees, and the matter covered by each of the bills relates to subjects that almost exclusively affect our relations with foreign countries. There is no more reason for sending such a bill to the Committee on Military Affairs than to the Committee on Naval Affairs or the Committee on Public Lands. It is a matter which belongs to the jurisdiction of the Committee on Foreign Relations. For that reason, as well as to prevent confusion in having the same subject matter considered by two committees, I am going to ask, when the Senators interested are present, that the reference be changed.

Mr. CHAMBERLAIN subsequently said: Mr. President, some days ago the junior Senator from California [Mr. WORKS] introduced a bill (S. 6862) to forbid the furnishing of war materials to belligerent nations. It was referred to the Committee on Military Affairs, although I think it ought to have been referred to the Committee on Foreign Relations. I therefore ask that the Committee on Military Affairs be discharged from the further consideration of the bill and that it be referred to the Committee on Foreign Relations.

The VICE PRESIDENT. Is there any objection? The Chair hears none, and it is so ordered.

GOVERNMENT OF THE PHILIPPINES (H. DOC. NO. 1350).

The VICE PRESIDENT. The Chair lays before the Senate a communication from the Secretary of War, which will be read.

The Secretary read the communication, as follows:

WAR DEPARTMENT,
Washington, December 10, 1914.

The honorable the PRESIDENT OF THE SENATE,
Washington, D. C.

SIR: I beg to transmit herewith an official copy of a resolution of both houses of the Philippine Legislature, received in the last mail from Manila, expressing appreciation and satisfaction to the House of Representatives for the passage of the Jones bill and requesting approval thereof by the President and Senate.

Very respectfully,

LINDLEY M. GARRISON,
Secretary of War.

[Third Philippine Legislature, third session.]

Resolution of both houses of the legislature in joint session assembled expressing their high appreciation to the House of Representatives of the United States for the passage of the Jones bill and requesting the same approval thereof by the President and Senate.

The Philippine Commission and Philippine Assembly, in joint session assembled in the marble hall of the Ayuntamiento, have

Resolved, That they express their highest appreciation and satisfaction to the House of Representatives of the United States for the favorable action taken in the matter of the Jones bill, notwithstanding the difficulties encountered, and that they earnestly request the Presi-

dent and Senate of said Nation to likewise approve said bill, so that, in extending the powers of government confided to the Filipinos and in opening up new paths to their national liberty, the Filipino people may be in condition to work out their own welfare and prosperity and may in every other respect be responsible for their own destinies;

And resolved further, That the honorable the Governor General be, and he hereby is, requested to transmit this message by cable to the United States.

Adopted October 16, 1914.

We hereby certify that the foregoing resolution was unanimously adopted by both houses of the legislature sitting in joint session on October 16, 1914.

GEORGE L. LOGAN,
Secretary Philippine Commission.
TEODORO M. KALAW,
Secretary Philippine Assembly.

The VICE PRESIDENT. The communication and accompanying paper will be referred to the Committee on the Philippines.

AMERICAN VESSELS AND WATCH OFFICERS (S. DOC. NO. 640).

The VICE PRESIDENT. The Chair lays before the Senate a communication from the Secretary of Commerce, transmitting, in further response to a resolution of October 16, 1914, a list of foreign-built vessels admitted to American registry under the act of August 18, 1914, together with certain information relative to the construction, ownership, and licensed officers on such vessels, and also a partial list of licensed officers for ocean steamers now out of employment and which are available for employment.

Mr. REED. Will the communication just submitted be printed in the RECORD?

The VICE PRESIDENT. It will be printed in the RECORD and referred to the Committee on Commerce.

The communication referred to is as follows:

AMERICAN VESSELS AND WATCH OFFICERS.

DEPARTMENT OF COMMERCE,
OFFICE OF THE SECRETARY,
Washington, December 12, 1914.

SIR: The department received on October 17 the following resolution of the Senate of the United States:

IN THE SENATE OF THE UNITED STATES,
October 8 (calendar day, October 16), 1914.

Resolved, That the Secretary of Commerce be requested to furnish to the Senate, if not incompatible with the public interests, the following information:

First. How many Americans were shown by reports from the various customs districts to be available for watch officers, including masters, mates, and engineers, when the order suspending the requirements of the navigation laws relating thereto for a period of seven years was issued.

Second. A list of the vessels admitted to American registry under the emergency act, with a statement as to where and when built, by whom owned, what flag heretofore flying, and the number of American vessels and watch officers employed.

Attest: JAMES M. BAKER, *Secretary.*

Supplementing the partial compliance with this request on October 20, I now transmit:

1. Copies of replies from collectors of customs to the following inquiry of the department:

AUGUST 7, 1914.

Collector of Customs, ——— ———:

Notify press your district department wishes to learn as soon as possible number of officers licensed for ocean steamers now out of employment and available for service to Europe, Asia, Africa, South America, and Australia. Wire not later than Saturday midnight your estimate for your district of such number under heading, masters, chief mates, second mates, third mates, chief engineers, first, second, third assistant engineers. Ask press to advise officers licensed for ocean service, especially with trans-Atlantic experience, to get in touch with you.

E. F. SWEET, *Acting Secretary.*

Following is a summary of the replies:

Ports.	Masters.	Deck officers.			Engineers.				Total.
		First mates.	Second mates.	Third mates.	Chief.	First assistant.	Second assistant.	Third assistant.	
ATLANTIC, NORTH.									
Baltimore, Md	5	.....	1	.....	6	4	3	.....	19
Boston, Mass	36	10	10	1	20	7	13	10	107
Bridgeport, Conn	3	1	1	1	6	3	1	5	21
New York, N. Y	95	7	11	2	132	47	11	5	310
Norfolk, Va	7	2	2	.....	33	12	6	16	78
Philadelphia, Pa	17	[1]15	1	.....	19	6	.....	.....	58
Portland, Me	20	21	31	40	33	28	40	40	253
Providence, R. I	.....	.....	1	.....	1	.....	.....	.....	2
ATLANTIC, SOUTH.									
Charleston, S. C	.....	.....	.....	.....	7	5	6	12	30
Jacksonville, Fla	10	2	.....	.....	12	1	4	5	34
Savannah, Ga	1	.....	.....	1	2	1	.....	1	6
Wilmington, N. C	3	1	.....	.....	.....	[2]15	.....	.....	19
GULF.									
Galveston, Tex	8	1	3	.....	3	1	3	1	20
Mobile, Ala	10	[2]1	.....	.....	6	4	5	2	28
New Orleans, La	17	1	.....	.....	20	9	12	7	66
Port Arthur, Tex	2	.....	.....	.....	.....	1	.....	.....	3
PACIFIC.									
Los Angeles, Cal	10	.....	.....	.....	7	3	1	.....	21
Portland, Oreg	1	.....	.....	.....	3	.....	.....	.....	4
San Francisco, Cal.[3]	60	160	300	40	120	100	25	20	[2]825
Seattle, Wash	20	20	20	20	20	20	20	20	160
GREAT LAKES.									
Buffalo, N. Y	.....	1	.....	.....	18	1	1	1	22
Chicago, Ill	.....	.....	.....	.....	7	2	2	.....	11
Cleveland, Ohio	.....	.....	.....	.....	1	1	.....	.....	2
Detroit, Mich	.....	1	.....	1	5	.....	.....	.....	7
Duluth, Minn	.....	.....	.....	.....	1	.....	.....	.....	1
Milwaukee, Wis	10	10	.....	.....	10	.....	.....	.....	30
Ogdensburg, N. Y	.....	.....	.....	.....	.....	.....	.....	.....	.....
Toledo, Ohio	.....	.....	.....	.....	.....	[2]1	.....	.....	1
Total	335	254	381	106	492	272	153	145	2,133

[1] Fourteen of these not classified by the collector as to grade.
[2] Unclassified by the collector as to grade.
[3] See Shipowners' Association dispatch attached to that of collectors.

2. List of vessels admitted to American registry under the emergency act, with statement as to when and where built, by whom owned, and what flag heretofore flying.

The number of American vessels documented at customhouses on June 30, 1914, was 26,943, of 7,928,688 gross tons. The number of these which were employed on the date of the Senate resolution it has not been found practicable to ascertain.

The number of outstanding licenses to officers on June 30, 1914, was as follows:

	Year of issue.					Total.
	1910	1911	1912	1913	1914	
Masters of steam vessels	1,806	1,698	4,550	4,497	2,407	14,958
Masters of steam yachts	1	2	1	1	2	7
Mates of ocean steamers	416	439	425	579	565	2,424
Mates of inland steamers	321	330	316	360	428	1,755
First-class pilots	703	804	1,169	1,256	838	4,770
Second-class pilots	711	592	924	1,110	588	3,925
Chief engineers	1,759	1,894	6,275	6,991	2,925	19,844
Assistant engineers	1,570	1,625	1,789	1,296	1,203	7,483
Special engineers	93	56	73	104	47	373
Joint pilots and engineers	159	32	31	27	15	264
Engineers, motor vessels	588	633	649	736	717	3,323
Operators of motor vessels	4,607	5,653	11,671	9,410	8,989	40,330
Masters, sail, over 700 gross tons	342	191	134	91	111	869
Mates, sail, over 700 gross tons	62	47	23	14	18	164
Masters, barges over 100 gross tons	18	10	6	10	8	52
Total	13,156	14,006	28,036	26,482	18,871	100,551

These figures do not cover the officers not required to be licensed on 11,452 sail vessels, barges, etc., who would amount to upward of 14,000.

The number of officers actually employed at the date of the passage of the Senate resolution the department is unable to determine.

EXPLANATORY NOTE.—The number of outstanding licenses exceeds, of course, the number of men. Licenses are valid for five years, and the feasible way to approximate the number of licensed men (short of writing letters to all) is to take the total licenses issued during the past five years. Licenses may be renewed on written application at the end of each five years. Many men thus keep up their licenses as a matter of pride long after they have ceased going to sea (e. g., the list of available men in New York is headed by a master 73 years old). Some, of course, have died in five years and others become disabled, while still others have found more satisfactory employment ashore. The total contains duplicates in cases where in the earlier years named a man has been licensed for a lower grade and subsequently licensed for higher grades.

Respectfully,

E. F. SWEET,
Acting Secretary.

The SECRETARY UNITED STATES SENATE.
Washington, D. C.

Foreign-built vessels admitted to American registry under the act of Aug. 18, 1914.

Rig.	Name of vessel.	Gross tons.	When built.	Where built.	Name of owner.	Former nationality.
Steamship	Oceana	7,796	1891	Dumbarton, Scotland	Morse Dry Dock & Repair Co	British.
Do	Moldegaard	2,852	1906	Bergen, Norway	Ocean Freight Line (Inc.)	Do.
Bark	Windrush	1,531	1892	Sunderland, England	Windrush Shipping Co. (Ltd.)	Do.
Steamship	Yivives	5,017	1911	Belfast, Ireland	Yivives Steamship Corporation	Do.
Do	Trinidadian	2,450	1892	Newcastle, England	Gulf Refining Co	Do.
Schooner	Roseway	291	1907	Shelburne, Nova Scotia	Alfred L. Staples	Do.
Steamship	Santa Rosalia	5,409	1911	Port Glasgow, Scotland	United States Steel Products Co	Do.
Do	Kentra	4,682	1906	....do	....do	Do.
Do	Bantu	4,188	1901	Wallsend on Tyne, England	....do	Do.
Do	Crofton Hall	5,773	1913	Port Glasgow, Scotland	....do	Do.
Bark	Annie M. Reid	2,165	1892	Glasgow, Scotland	James Rolph, jr	Do.
Steamship	San Francisco	5,102	1914	Londonderry, Ireland	United States Steel Products Co	Do.
Do	Buena Ventura	4,881	1913	Newcastle, England	....do	Do.
Do	Charlton Hall	4,749	1907	Port Glasgow, Scotland	....do	Do.
Do	Craster Hall	4,319	1909	....do	....do	Do.
Do	Howick Hall	4,922	1910	....do	....do	Do.
Do	Zacapa	5,012	1909	Belfast, Ireland	Zacapa Steamship Corporation	Do.
Do	Cartago	4,937	1908	....do	Cartago Steamship Corporation	Do.
Do	Sixaola	5,017	1911	....do	Sixaola Steamship Corporation	Do.
Do	Brabant	2,773	1890	Newcastle on Tyne, England	The Texas Co	Belgian.
Do	Foxton Hall [1]	4,246	1902	Sunderland, England	United States Steel Products Co	British.
Do	Limon	3,297	1904	Belfast, Ireland	Limon Steamship Corporation	Do.
Do	Panuco	2,556	1888	Walker on Tyne, England	Freeport & Tampico Fuel Oil Transportation Corporation.	Do.
Do	Pinar Del Rio	2,504	1895	South Shields, England	American & Cuban Steamship Line (Inc.).	Do.
Schooner	C. W. Mills	371	1904	Granville, Nova Scotia	John George Murphy	Do.
Steamship	Suriname	3,274	1908	Amsterdam, Holland	Suirname Steamship Corporation	Do.
Do	Brindilla	4,170	1894	Bredow, Germany	Standard Oil Co	German.
Do	Turrialba	4,952	1909	Belfast Ireland	Turrialba Steamship Corporation	British.
Do	Metapan	5,011	1909	....do	Metapan Steamship Corporation	Do.
Do	Heredia	4,943	1908	....do	Heredia Steamship Corporation	Do.
Do	Esparta	3,297	1904	....do	Esparta Steamship Corporation	Do.
Ship	Avon	1,572	1884	Glasgow, Scotland	Avon Shipping Co. (Inc.)	Do.
Steamship	Abangarez	4,954	1909	Belfast, Ireland	Abangarez Steamship Corporation	Do.
Barkentine	Everett G. Griggs	2,577	1883	....do	Sterling Ship Co	Do.
Steamship	Coppename	3,191	1908	....do	Coppename Steamship Corporation	Do.
Bark	Snowden	1,111	1877	Port Glasgow, Scotland	Snowden Shipping Co. (Inc.)	Do.
Steamship	Platuria	3,445	1892	Low Walker on Tyne, England	Standard Oil Co	German.
Do	C. A. Canfield	6,350	1913	Newcastle on Tyne, England	Petroleum Transport Co	British.
Do	Parismina	4,937	1908	Belfast, Ireland	Parismina Steamship Corporation	Do.
Do	Almirante	5,010	1909	....do	Almirante Steamship Corporation	Do.
Do	Atenas	4,961	1909	....do	Atenas Steamship Corporation	Do.
Do	San Jose	3,296	1904	....do	San Jose Steamship Corporation	Do.
Do	Montano	2,730	1890	Low Walker on Tyne, England	Standard Oil Co	German.
Do	Caloria	4,095	1906	Newcastle on Tyne, England	....do	Do.
Schooner	Louise M. Richard	441	1906	Port Greville, Nova Scotia	Ernest H. Richard	British.
Steamship	Marowijne	3,191	1908	Belfast, Ireland	Marowijne Steamship Corporation	Do.
Do	Saramacca	3,283	1908	Amsterdam, Holland	Saramacca Steamship Corporation	Do.
Do	Norman Bridge	4,288	1913	Newcastle on Tyne, England	Petroleum Transport Co	Do.
Do	Santa Marta	5,013	1909	Belfast, Ireland	Santa Marta Steamship Corporation	Do.
Do	Carrillo	5,012	1911	....do	Carrillo Steamship Corporation	Do.
Do	Pastores	7,781	1912	....do	Pastores Steamship Corporation	Do.
Do	Calamares	7,782	1913	....do	Calamares Steamship Corporation	Do.
Do	Tenadores	7,782	1913	....do	Tenadores Steamship Corporation	Do.
Ship	Brynhilda	1,502	1885	Glasgow, Scotland	Brynhilda Shipping Co. (Inc.)	Do.
Do	Pass of Balmaha	1,571	1888	....do	Pass of Balmaha Shipping Co. (Inc.)	Do.
Do	Rhine	1,690	1886	Greenock, Scotland	Rhine Shipping Co. (Inc.)	Do.
Steamship	Orleanian	2,293	1880	Whitewich, Scotland	Orleanian Steamship Corporation	Do.
Barge [2]	Glenlui	1,934	1884	Liverpool, England	The Texas Co	Belgian.
Do [2]	France Marie	1,994	1900	Havre, France	....do	Do.
Steamship	Wico	2,748	1888	Low Walker on Tyne, England	Standard Oil Co	German.
Do	Dochra	4,309	1906	Newcastle, England	Barber & Co	British.
Do	Llama	3,189	1890	Newcastle on Tyne, England	Standard Oil Co	German.
Do	Edward L. Doheny	6,170	1913	Walker on Tyne, England	Petroleum Transport Co	British.
Do	Sacramento	5,692	1900	Newcastle, England	Northern & Southern Steamship Co	German.
Barge [2]	Tuxpam	869	1881	Port Glasgow, Scotland	The Texas Co	Belgian.
Do [2]	Panuco	646	1868	Sunderland, England	....do	Do.
Steamship	Herbert G. Wylie	4,292	1912	Newcastle, England	Petroleum Transport Co	British.
Barkentine	Skoda	744	1893	Kingsport, Nova Scotia	Charles S. Bodden	Do.
Bark	Pilgrim	1,629	1893	Port Glasgow, Scotland	Pilgrim Shipping Co. (Inc.)	Do.
Ship	Timandra	1,579	1885	....do	Timandra Shipping Co. (Inc.)	Do.
Steamship	Santa Clara	2,584	1896	South Shields, England	American & Cuban Steamship Line (Inc.).	Do.
Do	Javary	1,249	1907	Birkenhead, England	L. C. Gillespie & Sons	Do.
Do	Charles E. Harwood	3,178	1913	Walker on Tyne, England	Petroleum Transport Co	Do.
Bark	Anna Maria d'Abundo	954	1903	Castellammare, Italy	McIntyre Lumber & Export Co	Do.
Steamship	Greenbrier	3,331	1893	West Hartlepool, England	Coast Steamship Co	Do.
Schooner	W. H. Baxter	399	1893	Windsor, Nova Scotia	J. C. Peterson	Do.
Barkentine	Stranger	622	1893	Bridgewater, Nova Scotia	Edward L. Whitney	Do.
Steamship	Robert Dollar	5,356	1911	Port Glasgow, Scotland	Dollar Steamship Line	Do.
Do	Streaua Romana	5,275	1914	Einswarden, Germany	Union Petroleum Steamship Co	Roumania.
Barkentine	St. Paul	471	1890	Newport, Nova Scotia	George J. Santa Cruz	British.
Steamship	Cushing	6,894	1903	Jarrow, England	Standard Oil Co	German.
Do	Colusa	5,732	1913	Port Glasgow	W. R. Grace & Co	British.
Do	Oregon	727	1890	Paisley, Scotland	Andrew Olsen	Norwegian
Do	Cacique	6,202	1910	Sunderland, England	W. R. Grace & Co	British.
Ship	Vincent	1,904	1894	Dumbarton, Scotland	New England Ship Co	Do
Steamship	Mundale	3,285	1906	Port Glasgow, Scotland	Munson Steamship Line	Do.
Ship	Dunsyre	2,149	1891	....do	Eschen & Miner	Do.
Steamship	Baton Rouge	4,973	1913	Newcastle, England	Standard Oil Co	German.
Do	Bayway	5,084	1913	Kiel, Germany	....do	Do.
Schooner	Delta	317	1892	Cheverie, Nova Scotia	A. F. Dantzler	British.
Steamship	Petrolite	3,710	1894	Stettin, Germany	Standard Oil Co	German.
Do	Corning	5,073	1913	Kiel, Germany	....do	Do.
Ship	Ploltalloch	2,254	1893	Belfast, Ireland	Eschen & Minor	British.
Do	Britiish Yeoman	1,953	1880	Southampton, England	....do	Do.
Steamship	Gargoyle	4,433	1903	Greenock, Scotland	Vacuum Oil Co	German.
Bark	Edna M. Smith	816	1903	Harvey Bank, New Brunswick	Alfred L. Staples	British.
Steamship	Princeton	5,081	1912	Kiel, Germany	Vacuum Oil Co	German.
Do	Somerset	5,080	1913	....do	....do	Do.
Do	Maracas	2,925	1887	Wallsend on Tyne, England	New York Transatlantic S. S. Co	British.
Do	Georgiana	4,596	1909	West Hartlepool, England	Union Sulphur Co	Do.
Do	Caddo	6,330			Standard Oil Co	Do.

[1] Burned at Watling Island, Bahamas, Sept. 22, 1914.

[2] Schooner rigged.

To al December 12, 1914, 101 vessels, 361,078 gross tons.

The following telegram was sent to the collectors of customs at the following ports:

AUGUST 7, 1914.

COLLECTOR OF CUSTOMS:

Notify press your district department wishes to learn as soon as possible number of officers licensed for ocean steamers now out of employment and available for service in Europe, Asia, Africa, South America, and Australia. Wire not later than Saturday midnight your estimate for your district of such number under heading, "Masters, chief mates, second mates, third mates, chief engineers, first, second, third assistant engineers." Ask press to advise officers licensed for ocean service, especially with trans-Atlantic experience, to get in touch with you.

E. F. SWEET, *Acting Secretary.*

Repeat to collectors of customs at: Portland, Me.; Boston, Mass.; Providence, R. I.; Bridgeport, Conn.; Ogdensburg, N. Y.; Buffalo, N. Y.; New York, N. Y.; Philadelphia, Pa.; Baltimore, Md.; Norfolk, Va.; Wilmington, N. C.; Charleston, S. C.; Savannah, Ga.; Jacksonville, Fla.; Mobile, Ala.; New Orleans, La.; Port Arthur, Tex.; Galveston, Tex.; Los Angeles, Cal.; San Francisco, Cal.; Portland, Oreg.; Seattle, Wash.; Duluth, Minn.; Milwaukee, Wis.; Detroit, Mich.; Chicago, Ill.; Cleveland, Ohio.

The following replies were received:

BALTIMORE, MD., *August 8, 1914.*

SECRETARY OF COMMERCE, *Washington, D. C.:*

Replying to your telegram 7th instant for number of licensed officers available this district, we have applications from three masters, one second mate, five chief engineers, and two first assistant engineers, all licensed for ocean service.

WM. F. STONE, *Collector.*

—

BALTIMORE, MD., *August 10, 1914.*

Honorable SECRETARY OF COMMERCE,
Washington, D. C.:

In addition to telegram Saturday night we now have application from two masters, one chief engineer, two first assistant engineers, three second assistant engineers.

WM. F. STONE, *Collector.*

—

BOSTON, MASS., *August 8, 1914.*

SECRETARY OF COMMERCE,
Washington, D. C.:

Press notified throughout district about number licensed officers out of employment; every effort made to obtain desired information; can furnish now names and addresses chiefly trans-Atlantic experienced men, 22 masters, 5 chief mates, 8 second mates, 8 chief engineers, 5 first assistant engineers, 2 second assistant engineers. Accurate estimate impossible to state.

BILLINGS, *Collector.*

—

BOSTON, MASS., *August 10, 1914.*

SECRETARY OF COMMERCE,
Washington, D. C.:

In addition to report of Saturday, licensed officers have registered to-day as follows: Fourteen masters, 5 first mates, 2 second mates, 1 third mate, 12 chief engineers, 2 first assistant engineers, 11 second assistants, 10 third assistants.

BILLINGS, *Collector.*

—

BRIDGEPORT, CONN., *August 8, 1914.*

SECRETARY OF COMMERCE,
Washington, D. C.:

One master, 1 chief mate, 1 chief engineer, 5 third assistant engineers licensed for ocean steamers to Europe, Asia, etc. Probably others will apply. Time since receipt of your telegram very short.

FRED ENOS, *Collector.*

—

BUFFALO, N. Y., *August 8, 1914.*

E. F. SWEET,
Acting Secretary Department of Commerce,
Washington, D. C.:

Number of licensed officers available as far as known to local steamboat officers are 1 chief mate, 18 chief engineers, 1 first assistant engineer, 1 second assistant engineer, and 1 third assistant. Estimate about 8 engineers; 1 mate who would accept.

BRADISH, *Special Deputy.*

—

CHARLESTON, S. C., *August 8, 1914.*

SECRETARY DEPARTMENT OF COMMERCE,
Washington, D. C.:

To best of my knowledge there are no masters, chief, second, or third mates with ocean licenses in this customs district. From best information obtainable it is estimated that there are 7 chief engineers, 5 first assistant, 6 second assistant, and 12 third assistant engineers with ocean-going licenses in district. Few, if any, of these have had trans-Atlantic experience.

PETERS, *Collector.*

—

CHICAGO, ILL., *August 8, 1914.*

SECRETARY OF COMMERCE,
Washington, D. C.:

Only 2 chief engineers, both employed ashore, responded in answer to call contained in your telegram of 7th instant published in all Chicago papers. Twenty chief engineers, 5 assistant engineers, 20 masters licensed for ocean steamers by local inspectors steam vessels in this district during last five years. All supposed to be employed. Names and addresses will be furnished if desired.

MCNEILL, *Collector.*

—

CLEVELAND, OHIO, *August 8, 1914.*

SECRETARY OF COMMERCE,
Washington, D. C.:

Can make no estimate of officers with ocean licenses here. One chief, one first assistant engineer reported to this office.

MASCHKE, *Collector.*

CLEVELAND, OHIO, *August 8, 1914.*

COMMISSIONER OF NAVIGATION,
Washington, D. C.:

Following message received from Erie: "No American seamen having license for ocean service at Erie."

COLE, *Collector in Charge.*

—

DETROIT, MICH., *August 8, 1914.*

SECRETARY OF COMMERCE,
Washington, D. C.:

Available for service to countries mentioned in your telegram: 5 chief engineers with ocean experience; 5 chief engineers with lake, bay, and sound license; 1 third mate; 1 first mate. No masters. Possibly a number of others holding chief engineer's license for lake, bay, and sound who would be eligible to receive salt-water license upon examination.

WHELAN, *Collector.*

—

DULUTH, MINN., *August 8, 1914.*

SECRETARY DEPARTMENT OF COMMERCE,
Washington, D. C.:

One chief engineer for ocean steamers of 750 tons reported to this office out of employment. Possibly more names will be submitted later.

BURNETT, *Collector.*

—

ERIE, PA., *August 8, 1914.*

DEPARTMENT COMMERCE,
Washington, D. C.:

No American citizens holding a license for service on ocean steamers at Erie.

T. H. COLE,
Deputy Collector in Charge.

—

GALVESTON, TEX., *August 8, 1914.*

SECRETARY COMMERCE,
Washington, D. C.:

Your telegram 7th. Add following names licensed officers: Nils Sjostrend, master, unlimited ocean vessels, 1522 Avenue G, Galveston; W. E. Towne, second assistant engineer, ocean vessels, 2621 Avenue P, Galveston; C. W. Solman, master, unlimited ocean, Texas City, Tex.; Gustavus Enell, master, unlimited ocean, care fire boat, Galveston.

PABST, *Collector.*

—

GALVESTON, TEX., *August 8, 1914.*

SECRETARY COMMERCE,
Washington, D. C.:

Your telegram 7th instant. Following names and addresses: Guyon E. Barron, second mate unlimited ocean-going license; address, 2005 Avenue N-and-half, Galveston. Louis Kleiper, third assistant engineer, ocean steamers, unlimited; address, care steamship *Denver*, Galveston. William Bierschenk, second mate, unlimited license; address, care Seamen's Bethel, Galveston. Alexander Williamson, first mate, unlimited license, ocean steamers; address, care steamship *City of Macon*, Galveston. I. M. Petersen, master, ocean going, unlimited, with American, British, and Norwegian license; address, 214 Thirteenth Street, Galveston. A. L. Davis, master, unlimited, ocean-going steamers; address, 101 Fourteenth Street, Galveston. Samuel M. Holt, master, ocean-going steamers, unlimited; address, till Tuesday next, Ocean Hotel, Galveston. T. J. Wilson, second assistant engineer, ocean steamers, unlimited; address 312 Tremont Street, Galveston. All the above open for employment for any service mentioned your telegram.

PABST, *Collector.*

—

GALVESTON, TEX., *August 11, 1914.*

SECRETARY COMMERCE, *Washington, D. C.:*

Your telegram 7th. Following additional names of licensed officers: James Bateman, chief engineer, ocean, unlimited, 3421 Avenue H, Galveston; J. H. Loomis, first assistant engineer, ocean, unlimited, U. S. transport *Sumner*, Galveston; L. Le Febre, master, ocean, unlimited, care steamship *Saltilla*, Texas City, Tex.; Thomas H. Riley, second assistant engineer, ocean, unlimited, care Acme Hotel, Galveston; James P. Stevenson, late master U. S. transport *McClellan*, ocean, unlimited, with lot license, New York, Tampa, Key West, and Gulf coast, care Mr. Coleman, 1115 Twenty-second Street, Galveston, or care B. Schellenberger & Sons, 99 Myrtle Avenue, Brooklyn, N. Y.; A. J. Balter, second mate, unlimited, care transport *Kilpatrick*, Galveston. Capt. Stevenson specially recommended; out of employment because *McClellan* used without master as refrigerating plant, Vera Cruz.

PABST, *Collector.*

—

GALVESTON, TEX., *August 12, 1914.*

SECRETARY COMMERCE, *Washington, D. C.:*

Your telegram 7th. Add following names: Ira Martin Benford, chief engineer, unlimited, ocean, address care steamship *Liberia*, Galveston, or 4615 Third Avenue, Brooklyn; Edo B. Eben, chief engineer, ocean, unlimited, care steamship *Denver*, Galveston.

PABST, *Collector.*

—

JACKSONVILLE, FLA., *August 8, 1914.*

SECRETARY DEPARTMENT OF COMMERCE,
Washington, D. C.:

Licensed officers reporting as available to this office as follows: Ten masters, 2 chief mates, 12 chief engineers, 1 first assistant, 4 second assistants, 5 third assistant engineers, of which most have had trans-Atlantic experience.

GRIGGS, *Collector.*

—

LOS ANGELES, CAL., *August 8, 1914.*

SECRETARY OF COMMERCE, *Washington, D. C.:*

Replying your telegram 7th instant, following licensed officers now available for service: Ten masters, 7 chief engineers, 3 first assistant engineers, 1 second assistant engineer.

ELLIOTT, *Collector.*

MILWAUKEE, WIS., *August 8, 1914.*

Honorable SECRETARY OF COMMERCE,
Washington, D. C.:

Licensed officers ocean steamers available this district, estimated, best authority, 10 masters, 10 pilots, 10 chief engineers.

SCHULZ, *Collector.*

—

MOBILE, ALA., *August 8, 1914.*

SECRETARY OF COMMERCE, *Washington, D. C.:*

Officers available service ocean merchant vessels this district: Masters, 3; chief engineers, 2; first assistant engineers, 3; second assistant engineers, 5; third assistant engineers, 2; total, 15.

MAER, *Collector.*

—

NEW ORLEANS, LA., *August 8, 1914.*

SECRETARY OF COMMERCE,
Washington, D. C.:

The following have registered this office as available for service on ocean steamers mentioned your telegram 7th instant: Masters, 4; chief engineers, 4; first assistant engineers, 2; second assistant engineers, 2; pursers, 2.

FOSTER, *Collector.*

—

NEW ORLEANS, LA., *August 10, 1914.*

SECRETARY OF COMMERCE,
Washington, D. C.:

In addition to those reported in telegram 8th instant, the following have registered for service on ocean steamers: Eight masters, 8 chief engineers, 4 first assistant engineers, 7 second assistant engineers, 2 third assistant engineers, 1 first officer, 1 electrical engineer, 1 steward.

FOSTER, *Collector.*

—

NEW ORLEANS, LA., *August 11, 1914.*

SECRETARY OF COMMERCE,
Washington, D. C.:

In addition to those reported previously, 2 masters, 3 assistant engineers, and 2 third engineers have registered here for service on ocean steamers.

FOSTER, *Collector.*

—

NEW YORK, N. Y., *August 8, 1914.*

SECRETARY OF COMMERCE,
Washington, D. C.:

After fullest publicity in press and maritime associations, report the following officers licensed for ocean steamers now out of employment and available for service indicated: Sixty-five masters, 6 chief mates, 8 second mates, 2 third mates, 117 chief engineers, 45 first assistant engineers, 5 second assistant engineers, 4 third assistant engineers.

DUDLEY FIELD MALONE, *Collector.*

—

NEW YORK, N. Y., *August 10, 1914.*

SECRETARY OF COMMERCE,
Washington, D. C.:

Add following to list of officers furnished you Saturday: Masters, 30; chief mate, 1; second mates, 3; chief engineers, 15; first assistant engineers, 2; second assistant engineers, 6; third asssistant engineer, 1.

DUDLEY FIELD MALONE, *Collector.*

—

NORFOLK, VA., *August 8, 1914.*

The honorable the SECRETARY OF COMMERCE,
Washington, D. C.:

Replying to your telegram August 7 requesting number officers for ocean-going steamers now out of employment available for service to Europe, Asia, Africa, South America, and Australia. Press widely and promptly notified, and following have been listed upon application this district: Seven masters, 2 chief mates, 2 second mates, 33 chief engineers, 12 first assistant engineers, 6 second assistant engineers, 16 third assistant engineers; total, 78. Names and addresses available on file this office awaiting further instructions. Trans-Atlantic experience of availables secured in all cases possible.

HAMILTON, *Collector of Customs.*

—

OGDENSBURG, N. Y., *August 8, 1914.*

SECRETARY OF COMMERCE,
Washington, D. C.:

Referring to your wire August 7 as to number of officers in this district licensed for ocean steamers now out of employment and available for service, I have complied with your request and have received no replies in response thereto.

DANIELS, *Collector.*

—

PHILADELPHIA, PA., *August 8, 1914.*

SECRETARY OB COMMERCE,
Washington, D. C.:

Have names of 11 masters, 14 mates, 15 chief engineers, and 6 first assistant engineers available, able for service on ocean steamers.

BERRY, *Collector.*

—

PHILADELPHIA, PA., *August 10, 1914.*

SECRETARY OF COMMERCE,
Bureau of Navigation, Washington, D. C.:

Six masters, 1 chief mate, 1 second mate, 4 chief engineers registered in addition to those reported on Saturday.

BERRY, *Collector.*

—

PORT ARTHUR, TEX., *August 8, 1914.*

SECRETARY OF COMMERCE,
Washington, D. C.:

Estimate licensed officers for ocean steamers available for service to Europe, Asia, Africa, South America, and Australia in the district of Sabine: Masters, 2; first assistant engineers, 3.

DUNN, *Collector.*

PORTLAND, ME., *August 8, 1914.*

SECRETARY OF COMMERCE,
Washington, D. C.:

Available in this district for ocean steamship force, 20 masters, 21 first mates, 31 second mates, 40 third mates, 33 chief engineers, 28 first assistant engineers, 40 second assistants, and 40 third assistants.

WILLIS T. EMMONS, *Collector.*

—

PORTLAND, OREG., *August 8, 1914.*

SECRETARY OF COMMERCE,
Washington, D. C.:

As a result of the publication of your telegram following applications have been filed with this office: One master and three chief engineers, available for service to Europe, Africa, South America, or Australia. Owing to short time after publication, I am of opinion quite a number additional applications will be filed.

BURKE, *Collector.*

—

PROVIDENCE, R. I., *August 6, 1914.*

SECRETARY OF COMMERCE,
Washington, D. C.:

Press notified regarding licensed officers; wide newspaper publicity secured. Responses show one second mate and one chief engineer out of employment and available. Letter follows.

FITZSIMMONS, *Collector.*

—

SANDUSKY, OHIO, *August 8, 1914.*

COMMISSIONER OF CUSTOMS,
Washington, D. C.:

No licensed officers available here for ocean service.

CALDWELL, *Deputy.*

—

SAN FRANCISCO, CAL., *August 8, 1914.*

SECRETARY OF COMMERCE,
Washington, D. C.:

Answering department telegram August 7, I estimate officers licensed for ocean steamers out of employment and available, based on report of Masters, Mates, and Pilots' Association and Marine Engineers' Association, is, masters, 60; chief mates, 160; second mates, 300; third mates, 40; chief engineers, 120; first assistants, 100; second assistants, 25; and third assistants, 20; total, 825. Shipowners' Association state they will show department by wire Monday above estimate greatly exaggerated.

J. O. DAVIS, *Collector.*

—

SAN FRANCISCO, CAL., *August 11, 1914.*

Hon. WILLIAM C. REDFIELD,
Secretary of Commerce, Washington, D. C.:

Shipowners' Association of Pacific Coast, after such investigation and inquiry as time allowed, protest that number of masters unemployed having licenses for ocean-going steamers of 2,000 tons and upward is about 50; mates of all grades, about 250; engineers of all grades, about 200; some of mates have masters' licenses, but have never had commands. Some of masters, mates, and engineers are temporarily out of employment owing to coasting steamers being laid up during present business depression, but will soon be in former jobs as vessels resume coasting trade. Of these men holding licenses listed as unemployed some have voluntarily left the sea for shore occupations; others are unfit for sea duty by reason of age and other disabilities.

SHIPOWNERS' ASSOCIATION OF PACIFIC COAST,
By W. F. SULLIVAN, *Secretary.*

—

SAVANNAH, GA., *August 8, 1914.*

SECRETARY DEPARTMENT OF COMMERCE,
Washington, D. C.:

In compliance with your wire of 7th, report as follows: One master and probably one other, two chief engineers, one first assistant engineer, one third assistant engineer, one third mate.

DAVID C. BARROW, Jr., *Collector.*

—

SEATTLE, WASH., *August 8, 1914.*

SECRETARY OF COMMERCE,
Washington, D. C.:

Your telegram 7th. Approximately sufficient available masters, first, second, and third mates, chief engineers, first, second, and third engineers, with ocean certificates to man 20 vessels, good many of them with trans-Atlantic experience.

HARPER, *Collector.*

—

TOLEDO, OHIO (VIA CLEVELAND, OHIO), *August 8, 1914.*

COMMISSIONER OF CUSTOMS,
Washington, D. C.:

Papers published substance your telegram of 7th. No returns. Has been suggested those available for service communicate direct with you since time limit is too brief for results here.

REED, *Deputy Collector in Charge.*

—

TOLEDO, OHIO, *August 8, 1914.*

SECRETARY TREASURY,
Washington, D. C.:

In response to your telegram to collector at Cleveland relative to unemployed officers of vessels having had ocean service, one engineer has filed notice of desire to serve. Will mail particulars.

REED, *Deputy Collector in Charge.*

—

WILMINGTON, N. C., *August 8, 1914.*

Hon. E. F. SWEET,
Assistant Secretary, Washington, D. C.:

Replying your wire 7th. My estimate at this hour would be three masters, one chief mate, and five engineers.

WALKER TAYLOR, *Collector.*

TREASURY DEPARTMENT,
UNITED STATES CUSTOMS SERVICE,
Duluth, Minn., August 8, 1914.

The honorable the SECRETARY OF DEPARTMENT OF COMMERCE,
Washington, D. C.

SIR: Complying with request in your telegram of August 7, 1914, concerning number of licensed officers for ocean steamers unemployed in this district, I have the honor to confirm telegram of even date as per copy inclosed.

I succeeded in getting this notice in the extra evening edition of the Duluth Evening Herald for August 7, and in the morning edition of the Duluth News-Tribune August 8, and in the Superior Telegram evening of August 8.

It is quite probable that additional names will be tendered from day to day, and if so, I will notify your department by letter or by telegram if you request it.

The one presenting himself at this office to-day is Henry S. Elliott, age 56, chief engineer for steamers of 750 tons. He has had 30 years of service as a sailor and is now out of employment and willing to accept a position on ocean steamers. His address is General Delivery, Duluth, Minn.

Services were also tendered by Stewart L. Woodford, of Lake City, Minn., who has recently been discharged from the Navy after four years of enlistment, holding the position of a noncommissioned officer with a good record. He is 22 years of age. During his four years of service he has been assigned to duty on the *Tennessee*, *Washington*, and *Arkansas*, and for some months engaged in the electrical department on the *Washington*, and was in the Paymaster's Department at the time of his discharge. He is consequently simply a common sailor.

Ben Alfthan, 512 West Superior Street, Duluth, Minn., a subject of Finland, with 10 years' experience as sailor on ocean vessels representing various nationalities and 5 years of service on American vessels. His position on American vessels has been that of a wheelsman.

These are all the names that have been presented to date.

Respectfully,

HARRIS BENNETT,
Collector of Customs.

—

TREASURY DEPARTMENT,
UNITED STATES CUSTOMS SERVICE,
Duluth, Minn., August 10, 1914.

Honorable SECRETARY DEPARTMENT OF COMMERCE,
Washington, D. C.

SIR: Referring further to the matter of securing names of unemployed licensed officers willing to serve in the ocean traffic, concerning which this office wrote you on the 8th instant, I have the honor to submit the name of William T. Comerford, 27 years old, chief engineer, licensed for steamers up to 150 tons on the ocean, and third assistant engineer for ocean steamers of unlimited tonnage. His address is B–7 St. Regis, Duluth, Minn. He states that he would not accept position unless tendered him by next Saturday and he would want to have his expenses paid to port of service.

Respectfully,

N. N. HENDERBERG,
Special Deputy Collector.

—

TREASURY DEPARTMENT,
UNITED STATES CUSTOMS SERVICE,
Port of Providence, R. I., August 8, 1914.

To the honorable the SECRETARY OF COMMERCE,
Washington, D. C.

SIR: Supplementing telegram of even date, "Press notified regarding licensed officers. Wide newspaper publicity secured. Responses show one second mate and one chief engineer out of employment and available. Letter follows," I have to say that in the opinion of this office a considerable number of well-trained commanding and supervisory officers would be readily available if offers of employment of an attractive character were definitely made. The department will understand that in a small district, such as ours is, the number of men out of employment is never large unless the circumstances are exceptional. In ordinarily prosperous times licensed shipping officers are pretty certain to be busy either in their own line or in some other lucrative employment.

Awaiting the further instructions of the department, I am,

Respectfully,

FRANK E. FITZSIMMONS, *Collector.*

—

TREASURY DEPARTMENT,
UNITED STATES CUSTOMS SERVICE,
Port of Toledo, Ohio, August 10, 1914.

The honorable the SECRETARY OF THE TREASURY,
Washington, D. C.

SIR: Steamship officers available for ocean service.

Confirming my telegram to you of the 8th instant, in the matter above outlined, I transmit list obtained of the local steamboat inspectors of officers in this inspection district who are qualified for ocean service. Owing to time limit fixed by department for this reply I am unable to state who of those named are unemployed. All have kept their licenses renewed, and as far as the records show are fit for ocean service.

Respectfully,

CHAS. REED,
Deputy Collector in Charge.

Chief engineers, ocean: Barnhart, Guy L., chief engineer, 2,000 gross tons, 520 Broad Street, Elyria, Ohio; Cunningham, John H., chief engineer, 4,000 gross tons, 316 Collingwood Place, Toledo, Ohio; Jones, William, chief engineer, 2,500 gross tons, Toledo, Ohio; Riebel, Clarence, chief engineer, 2,500 gross tons, Toledo, Ohio (general delivery); Saltonstall, George W., chief engineer, any tons, Flat D, the Highlands, Toledo, Ohio.

Third assistant engineer, ocean: Rake, Martin, third assistant engineer, ocean, 415 Platt Street, Toledo, Ohio.

—

WILMINGTON, N. C., *August 10, 1914.*

Hon. E. F. SWEET,
Acting Secretary of Commerce, Washington, D. C.

SIR: Supplementing my wire of the 8th, I desire to revise my estimate as follows: Three masters, 1 chief mate, and 15 engineers.

Yours, respectfully,

WALTER TAYLOR, *Collector.*

WILMINGTON, N. C., *August 7, 1914.*

Hon. E. F. SWEET,
Acting Secretary, Washington, D. C.

SIR: I have the honor to acknowledge receipt of your telegram of even date relative to licensed officers for ocean steamers now out of employment, etc.

Have taken this up with the subports in my district, and also through the press of the prominent cities in my district, and will advise you later.

Respectfully,

WALKER TAYLOR, *Collector.*

—

BRIDGEPORT, CONN., *August 17, 1914.*

Honorable SECRETARY OF COMMERCE,
Washington, D. C.

SIR: Since my telegram of August 8, 1914, I have had applications from 2 masters, 1 second mate, 1 third mate, 5 chief engineers, 3 first assistant engineers, and 1 second assistant engineer holding ocean licenses; the majority of these have had trans-Atlantic experience.

Respectfully,

FRED ENOS, *Collector.*

—

NEW ORLEANS, LA., *August 17, 1914.*

The COMMISSIONER OF NAVIGATION,
Department of Commerce, Washington, D. C.

SIR: In addition to the number of persons who have registered in this office as available for service on ocean steamers, as reported by telegraph, the following have signified a desire to be considered in that connection: Chief engineer, 1; electrical engineer, 1.

Respectfully,

MURPHY J. FOSTER, *Collector.*

—

NEW ORLEANS, LA., *August 18, 1914.*

The COMMISSIONER OF NAVIGATION,
Department of Commerce, Washington, D. C.

SIR: In addition to the number of persons who have registered in this office as available for service on ocean steamers, as reported by telegraph, the following have signified a desire to be considered in that connection: Master, 1; chief engineers, 2.

Respectfully,

MURPHY J. FOSTER, *Collector.*

—

MOBILE, ALA., *August 14, 1914.*

The honorable the SECRETARY OF COMMERCE,
Washington, D. C.

SIR: With further reference to department telegram of the 7th instant and reply of this office of the 8th instant, relative to officers available for service on merchant vessels, I have the honor to advise that there are available since the forwarding of this message 7 masters, 4 chief engineers, 1 first assistant engineer, and 1 mate.

By direction of the collector.

Respectfully,

H. S. SHAUGHNESSY,
Special Deputy Collector.

—

CHICAGO, ILL., *August 14, 1914.*

The SECRETARY OF COMMERCE,
Washington, D. C.

SIR: Since telegraphing you August 8 in answer to your telegram of August 7 relative to the number of officers licensed for ocean steamers and available for service to Europe, Asia, Africa, South America, and Australia, 1 master, 5 chief engineers, 2 first-class assistant engineers, and 2 second assistant engineers have made application to this office for positions on ocean steamers. Several others who are not citizens of the United States, who hold a license issued by a foreign Government, and several who are citizens of the United States and hold a license by a foreign Government for ocean steamers, have also made application. The names and addresses of the above can be furnished, if desired.

Respectfully,

RIVERS MCNEILL,
Collector of Customs.

—

NEW ORLEANS, LA., *August 15, 1914.*

The COMMISSIONER OF NAVIGATION,
Department of Commerce, Washington, D. C.

SIR: In addition to the number of persons who have registered in this office as available for service on ocean steamers, as reported by telegraph, the following have signified a desire to be considered in that connection: Second assistant engineers, 2; purser, 1.

Respectfully,

CALHOUN FLUKER,
Special Deputy Collector.

—

NEW ORLEANS, LA., *August 14, 1914.*

The COMMISSIONER OF NAVIGATION,
Department of Commerce, Washington, D. C.

SIR: In addition to the number of persons who have registered in this office as available for service on ocean steamers, as reported by telegraph, the following have signified a desire to be considered in that connection: Masters, 2; chief engineers, 5; second assistant engineer, 1; third assistant engineers, 3; steward, 1.

Respectfully,

MURPHY J. FOSTER, *Collector.*

—

PHILADELPHIA, PA., *August 20, 1914.*

The honorable SECRETARY OF COMMERCE,
Washington, D. C.

SIR: Referring to department's telegram of the 7th instant, wherein this office is instructed to submit the lists of officers licensed for ocean steamers, and now out of employment, I have the honor to state that, in addition to those already submitted, 19 persons have registered, their classification being as follows: Eleven masters, 2 chief mates, 5 chief engineers, and 1 second assistant engineer.

Respectfully,

H. K. LATHY,
Special Deputy Collector.

NEW ORLEANS, LA., *August 19, 1914.*

The COMMISSIONER OF NAVIGATION,
Department of Commerce, Washington, D. C.

SIR: In addition to the number of persons who have registered in this office as available for service on ocean steamers and whose names have been reported by telegraph and letter, the following have signified a desire to be considered in that connection: Masters, 2; second officer, 1; third assistant engineer, 1.

Respectfully, MURPHY J. FOSTER, *Collector.*

NEW ORLEANS, LA., *August 20, 1914.*

The COMMISSIONER OF NAVIGATION,
Department of Commerce, Washington, D. C.

SIR: In addition to the number of persons who have registered in this office as available for service on ocean steamers and whose names have been reported by telegraph and letter, the following have signified a desire to be considered in that connection: Master, 1; chief engineer, 1; electrician, 1.

Respectfully, MURPHY J. FOSTER, *Collector.*

TREASURY DEPARTMENT,
UNITED STATES CUSTOMS SERVICE,
Galveston, Tex., August 31, 1914.

Hon. EUGENE TYLER CHAMBERLAIN,
Department of Commerce, Washington, D. C.

SIR: The following navigating officers have called at this office and desire to make it known that they are ready for service on vessels of the United States:

G. Peterson, unlimited master's license, ocean-going vessels; pilot license for the Gulf of Mexico; address, 1114 Avenue B, Galveston.

Andrew Hanson, Norwegian license, first mate, unlimited; is citizen of the United States; address, care Gulf Fisheries Co., Galveston.

H. P. Hanson, master from Brazos Santiago to Miami, Fla., with pilot license in same waters; address, 1001 Market Street, Galveston.

P. A. Ostra holds unlimited chief mate license of the United States; address, 724 Broadway, Galveston.

Respectfully, A. J. ROSENTHAL,
Special Deputy Collector.

FRENCH SPOLIATION CLAIMS (H. DOC. NO. 1353).

The VICE PRESIDENT laid before the Senate a communication from the assistant clerk of the Court of Claims, transmitting, pursuant to the order of the court, a list of cases filed under the French spoliation act of January 20, 1885, which cases were dismissed by the court for want of sufficient evidence, which, with the accompanying paper, was referred to the Committee on Claims and ordered to be printed.

CREDENTIALS.

The VICE PRESIDENT laid before the Senate the certificate of the governor of South Dakota certifying that on the 3d day of November, 1914, Ed S. Johnson was chosen by the electors of the State of South Dakota a Senator from that State for the term of six years beginning on the 4th day of March, 1915, which was referred to the Committee on Privileges and Elections.

He also laid before the Senate the certificate of the governor of Colorado certifying that on the 3d day of November, 1914, CHARLES S. THOMAS was chosen by the electors of the State of Colorado a Senator from that State for the term of six years beginning on the 4th day of March, 1915, which was referred to the Committee on Privileges and Elections.

Mr. BRISTOW presented the credentials of Charles Curtis, chosen by the electors of the State of Kansas a Senator from that State for the term beginning March 4, 1915, which were read and referred to the Committee on Privileges and Elections.

Mr. SHAFROTH presented the credentials of CHARLES S. THOMAS, chosen by the electors of the State of Colorado a Senator from that State for the term of six years beginning March 4, 1915, which were read and referred to the Committee on Privileges and Elections.

PETITIONS AND MEMORIALS.

Mr. GRONNA. I present a telegram in the nature of a petition from P. A. Pickett, of Leal, N. Dak., and a communication from the Woman's Christian Temperance Union of Towner, N. Dak., relative to the adoption of an amendment to the Constitution to prohibit the importation, manufacture, and sale of intoxicating liquors. The communications are short and I ask that they may be printed in the RECORD.

There being no objection, the petitions were ordered to lie on the table and to be printed in the RECORD, as follows:

LEAL, N. DAK., *December 12, 1914.*

Senator A. J. GRONNA,
Washington, D. C.:

Undersigned petition Congress to submit amendment prohibiting importation, manufacture, and sale of intoxicating liquors. J. W. Widdifield, P. A. Pickett, J. O. Jensen, R. H. Arthur, C. S. Treaster, H. C. Smith, E. B. Willson, L. Johnston, A. L. Willson, J. C. Hilborn, H. M. Pickett, Howard Willson, and T. W. Twisleton.

P. A. PICKETT.

TOWNER, N. DAK., *December 9, 1914.*

Hon. A. J. GRONNA,
Washington, D. C.

DEAR SIR: At the regular meeting of the Woman's Christian Temperance Union, held the 8th of December, with some 20 members present, it was unanimously voted to send letters to our Representatives at Washington to ask them to vote for constitutional prohibition. We have been proud of the stand taken by our North Dakota Representatives, and we feel confident they will stand by the principles of our State, both in the House and Senate.

Sincerely, yours,

LOTTIE ROSENCRANS, *President.*
MARY BROOKS, *Vice President.*
CLARA MCDONALD, *Secretary.*
VIOLO FOUTS, *Treasurer.*
Per MRS. VIOLA FOUTS.

Mr. THOMPSON presented a petition of the Industrial Association of Fort Scott, Kans., praying for the reduction of the present rate on first-class mail matter from 2 to 1 cent per ounce, which was referred to the Committee on Post Offices and Post Roads.

He also presented petitions of sundry citizens of St. Francis and Bison, in the State of Kansas, praying for national prohibition, which were referred to the Committee on the Judiciary.

Mr. BRISTOW presented memorials of sundry citizens of Wichita, Thayer, Emporia, Hutchinson, Wellington, Udall, Chanute, Florence, and Galena, all in the State of Kansas, remonstrating against the enactment of legislation to exclude anti-Catholic publications from the mails, which were referred to the Committee on Post Offices and Post Roads.

He also presented a petition of sundry citizens of Udall, Kans., praying for national prohibition, which was referred to the Committee on the Judiciary.

Mr. BURLEIGH presented a petition of sundry citizens of Lubec, Me., praying for national prohibition, which was referred to the Committee on the Judiciary.

Mr. SMITH of Arizona. I have a communication in the nature of a memorial from the Western Association of Short Line Railroads, remonstrating against the passage of certain bills affecting mail transportation. I ask that the communication may be printed in the RECORD and referred to the Committee on Post Offices and Post Roads.

There being no objection, the memorial was referred to the Committee on Post Offices and Post Roads and ordered to be printed in the RECORD, as follows:

WESTERN ASSOCIATION OF SHORT LINE RAILROADS,
San Francisco, December 3, 1914.

Hon. MARCUS A. SMITH,
United States Senate, Washington, D. C.

DEAR SIR: At a meeting of the short-line railroads of the States of Arizona, California, Colorado, Idaho, Montana, Nevada, New Mexico, Oregon, Utah, Washington, and Wyoming, held in San Francisco on November 16 last, for the purpose of securing more equitable compensation for the handling of railway mail, and which resulted in the formation of a permanent organization known as the Western Association of Short Line Railroads, the following resolutions were adopted:

"Whereas there are two bills—H. R. 17042, known as the Moon bill, and S. 6405, known as the Bourne bill—now under consideration in the Senate Committee on Post Offices and Post Roads of the United States Senate, the former already having passed the House; and

"Whereas House bill 17042 changes the basis of mail transportation rates from a weight to practically a space basis and invests the Postmaster General with autocratic power in regulating the compensation, character of service, form of equipment, even to compelling the use of steel cars for mail carrying, and gives him the power to impose a fine of $5,000 per day for refusal of a railroad to carry the mail at the rates of compensation and in the manner specified by him; and

"Whereas Senate bill 6405 provides exclusively a space basis to determine the rate of payment for carrying the mail and leaves the designation of the limit of space and the character of equipment wholly to the Postmaster General to determine and gives him the power to impose a fine of $5,000 per day in the same manner and for the same reasons as in H. R. 17042: Now therefore be it

"*Resolved*, That the short-line railroads operating in the States of Arizona, California, Colorado, Idaho, Montana, Nevada, New Mexico, Oregon, Utah, Washington, and Wyoming most earnestly protest against the enactment of either H. R. 17042 or S. 6405 as being grossly unfair to such railroads, in that their mail revenue, which at present is entirely inadequate for the service rendered, will be arbitrarily reduced thereby in the face of an ever-increasing weight of postal matter.

"The rates of compensation provided for in these bills were based on data gathered all over the length and breadth of the United States and their rates fixed, according to their proponents, upon the averages so obtained.

"The short-line railroads of the States west of the Rocky Mountains, due to the sparsely settled condition of the country, the heavy mountain grades, and long hauls between stations, are operating under conditions far more expensive than those existing in other parts of the United States, and the majority of these railroads operate but one mixed train per day each way, so that it should be apparent that no such average can be fairly applied to the western roads, where all operating costs are excessive, as compared with those in the densely populated East.

"An exclusive 'space' or an exclusive 'weight' basis is unadapted to service which requires weight for the transportation of the mail itself and space for the distributing post-office service in cars as an incidental factor. The weight determines the actual mail carried; also determines what transportation service is rendered the Government. It is the very basis upon which the Government accepts mail from the public for transportation, even to a single letter; also that an exclusive space basis would give the employees of the Post Office Department absolute control over the amount of compensation to be paid railroads according to their opinions or inclinations, and might be used for personal advantage or political gain.

"The Bourne bill further provides that the Postmaster General shall not have authority to authorize the payment for more than 7 lineal feet of space for closed-pouch service in any one train. It is immaterial how much space the postal matter delivered to the railroad for transportation will occupy, be it 10, 15, or 20 feet. Only 7 feet will be paid for, and when such railroad operates but one train per day it has no opportunity to equalize this burden.

"Radiating from the termini and from points on the line of most of the short-line railroads of the States mentioned, numerous star routes carry the mail by wagon or motor to the small towns and ranches not reached by the railroad. These star routes are a continuation of the railroads in so far as the mail is concerned, and the retail merchants of the communities off the railroad are profiting by this fact, because the parcel-post rates, including wagon haul, are less in many instances even than the freight rates on the railroads; consequently the wagon haul from the railroad to destination is accomplished at no cost to the shipper. In this manner immense shipments of foodstuffs and other matter, in the aggregate running into tons and carloads in each consignment, and consisting of flour, bran, canned goods, cement, coal, pressed brick, etc., are sent by parcel post, the Government paying out for the team haul alone in many instances more than the total sum received by it for the entire haul by rail and team, and the railroad receives little or nothing for a tonnage that legitimately belongs to it and for the transportation of which it was formerly paid for as freight or express.

"Since the last quadrennial weighing of the mail in the West the packers have reduced the standard weight of merchandise packages to about 48 pounds. Mail contractors, builders, and merchants have been quick to take advantage of this, which has not benefited the consumer, and as a consequence the railroads are hauling a tonnage of postal matter for which they receive no pay whatever.

"It is a matter of common knowledge that most of the short-line railroads in the Western States are struggling for a mere existence, and if the carrying of the United States mail is to become a heavy burden it will mean that freight and passenger rates will have to be advanced, to the detriment of the public in the communities served, in order to make up the loss caused by the transportation of the mail for which the Government will not pay a just compensation.

"We are not condemning the parcel-post act in principle, but we object to a condition which permits these freak and unintended shipments as outlined, and if the same are permitted to continue we ask for a fair compensation for carrying them: Now, therefore, be it further

"*Resolved*, That the short-line railroads in the States mentioned urge as a solution to the mail-pay question, fair to both the Government and the railroads alike, that the present law regulating railroad mail pay be amended so as to provide for annual instead of quadrennial mail weights, pay for apartments in cars used as traveling post offices, and relief from carrying the mail between railroad stations and post offices.

"In the event that Congress shall not deem it advisable to amend the present law as suggested, we then urge most strongly against the passage of either Senate bill No. 6405 or House bill 17042 for the reasons stated and because they will make a serious situation still worse, and that the entire matter of fixing rates of compensation for the railroads for carrying United States mail be placed in the hands of the Interstate Commerce Commission with full power to act."

We respectfully request your careful consideration of the foregoing necessarily lengthy resolutions, and we will greatly appreciate an expression of your opinion in reference to the same.

Very truly, yours,

WESTERN ASSOCIATION OF SHORT LINE RAILROADS,
By D. M. SWOBE, *President*.
By CLARENCE M. ODDIE, *Secretary*.

REPORTS OF COMMITTEE ON COMMERCE.

Mr. FLETCHER, from the Committee on Commerce, to which were referred the following bills, reported them severally without amendment and submitted reports thereon:

A bill (S. 6780) to authorize the Secretary of Commerce to transfer a portion of the lighthouse reservation, Tawas, Mich., to the Secretary of the Treasury (Rept. No. 836);

A bill (S. 6781) to provide for the appointment of 11 supervising inspectors, Steamboat-Inspection Service, in lieu of 10 (Rept. No. 837); and

A bill (S. 6782) to provide for the appointment of certain assistant inspectors, Steamboat-Inspection Service, at ports where they are actually performing duty but to which they are at present detailed (Rept. No. 838).

INTERNAL-REVENUE COLLECTIONS.

Mr. SIMMONS. From the Committee on Finance I report back favorably with an amendment the bill (S. 6686) to supplement an act entitled "An act to increase the internal revenue, and for other purposes," approved October 22, 1914, and I submit a report (No. 839) thereon. I ask unanimous consent for the immediate consideration of the bill.

Mr. SMOOT. May I ask the Senator from North Carolina to explain briefly what is the proposed amendment of the act?

Mr. SIMMONS. It is the bill introduced by the Senator from Ohio [Mr. POMERENE] a few days ago, and it provides that if the returns are made on the taxes paid on or before the 1st day of January instead of on or before the 1st day of December, as required in the act, the penalty shall not be imposed.

Mr. SMOOT. From the reading of the title of the bill I did not understand what the bill proposes, but with that explanation I have no objection to it.

The VICE PRESIDENT. Is there objection to the present consideration of the bill?

There being no objection, the bill was considered as in Committee of the Whole.

The amendment was, beginning on page 1, line 6, after the words "so as to provide as follows," to strike out the remainder of the bill and insert:

That no penalty or additional tax shall be collected on account of the failure of any person, firm, or company to make return or to pay any tax imposed by said act on or before the 1st day of December, 1914, provided such return and payment shall be made on or before the 1st day of January, 1915; and the Commissioner of Internal Revenue shall, upon the filing of such return and upon the payment of such tax on or before the said 1st day of January, 1915, abate or refund any penalty or additional tax assessed or collected on account of failure to file such return or to pay such tax prior to the said 1st day of December, 1914.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

TREATMENT OF TUBERCULOSIS (S. DOC. NO. 641).

Mr. RANSDELL. On the 10th instant there was received a communication from the Secretary of the Treasury transmitting, in response to a resolution of May 26, 1913, a report by the United States Public Health Service of its investigation of the methods and practices employed by Drs. Karl and Silvio von Ruck in treating tuberculosis and rendering persons immune from tuberculosis, which was referred to the Committee on Public Health and National Quarantine. On behalf of that committee I report the following order and ask unanimous consent for its present consideration.

The order was read and agreed to, as follows:

Ordered, That the letter of the Secretary of the Treasury transmitting, in response to a Senate resolution of May 26, 1913, a report by the United States Public Health Service relative to the methods and practices employed by Drs. Karl and Silvio von Ruck in treating tuberculosis and rendering persons immune from tuberculosis be printed as a document.

BILLS AND JOINT RESOLUTION INTRODUCED.

Bills and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. HOLLIS:

A bill (S. 6916) to amend section 857 of the Code of Laws for the District of Columbia; to the Committee on the District of Columbia.

A bill (S. 6917) granting a pension to David Roach; to the Committee on Pensions.

By Mr. OVERMAN:

A bill (S. 6918) to increase the limit of cost of the Federal building authorized at Wilson, N. C.; to the Committee on Public Buildings and Grounds.

By Mr. POMERENE:

A bill (S. 6919) to authorize aids to navigation and other works in the Lighthouse Service, and for other purposes; to the Committee on Commerce.

By Mr. SMITH of Arizona:

A bill (S. 6920) granting a pension to George L. Hollis; to the Committee on Pensions.

By Mr. BRISTOW:

A bill (S. 6921) granting an increase of pension to Amos Poe (with accompanying papers); to the Committee on Pensions.

By Mr. LODGE:

A joint resolution (S. J. Res. 212) for a commemoration of the second inaugural of Abraham Lincoln; to the Committee on Rules.

COPIES OF PATENTS.

Mr. BRISTOW submitted the following resolution (S. Res. 502), which was read, considered by unanimous consent, and agreed to:

Resolved, That the Commissioner of Patents be, and he is hereby, authorized and directed to furnish the Committee on Cuban Relations of the Senate of the United States copies of the following patents, issued to Daniel B. Luten from the year 1900 to the present time:

No. 649643, dated May 15, 1900. Arch bridge.
No. 785676, dated March 21, 1905. Arch.
No. 802004, dated October 17, 1905. Centering for and method of constructing arches.
No. 818386, dated April 17, 1906. Arch structures.
No. 830483, dated September 4, 1906. System of reinforcement.
No. 864224, dated January 1, 1907. Arch and analogous structure.
No. 852970, dated May 7, 1907. Bridge of concrete or other analogous material.
No. 852971, dated May 7, 1907. Masonry and concrete structure.
No. 853183, dated May 7, 1907. Concrete or similar arch.
No. 853202, dated May 7, 1907. Arch structure.
No. 853203, dated May 7, 1907. Arch.
No. 853204, dated May 7, 1907. Arch structure.
No. 923058, dated May 25, 1909. Bridge or arch of concrete or other analogous material.
No. 933771, dated September 14, 1909. Concrete bridge.
No. 934411, dated September 14, 1909. Wall.
No. 979776, dated December 27, 1910. Reinforced structure.
No. 989272, dated April 11, 1911. Reinforced structure.

No. 998704, dated July 25, 1911. Surface drain.
No. 999663, dated August 1, 1911. Reinforced concrete construction.
No. 1004051, dated September 26, 1911. Skew arch.
No. 1005051, dated October 3, 1911. Arch center.
No. 1009676, dated November 21, 1911. Arch vault and conduit, etc.
No. 1027742, dated May 28, 1912. Arch viaduct.
No. 1048843, dated December 31, 1912. Masonry and reinforced concrete structure.
No. 1060917, dated May 6, 1913. Arch.
No. 1060918, dated May 6, 1913. Arch.
No. 1060919, dated May 6, 1913. Clamp for concrete reinforcing members.
No. 1060920, dated May 6, 1913. Concrete bridge.
No. 1060921, dated May 6, 1913. Concrete bridge.
No. 1060922, dated May 6, 1913. Arch.
No. 1070707, dated August 19, 1913. Reinforced structure.
No. 1070903, dated August 19, 1913. Reinforced bar.
No. 1078365, dated November 11, 1913. Beam.
No. 1078510, dated November 11, 1913. Concrete reinforce.
No. 1106880, dated August 11, 1914. False work.
No. 1089487, dated March 10, 1914. Beams.
No. 1089488, dated March 10, 1914. Building reinforced concrete arches.
No. 1090081, dated March 10, 1914. Bridge construction.
No. 13833, dated November 24, 1914. Concrete bridges.
No. 885386, dated April 21, 1898. Bridge construction, W. Sharp.

REPORT OF ISTHMIAN CANAL COMMISSION.

The VICE PRESIDENT laid before the Senate the following message from the President of the United States, which was read, and, with the accompanying papers and illustrations, referred to the Committee on Printing:

To the Senate and House of Representatives:

I transmit herewith, for the information of the Congress, the annual report of the Isthmian Canal Commission and the Panama Canal for the fiscal year ended June 30, 1914.

WOODROW WILSON.

THE WHITE HOUSE, *December 14, 1914.*

FOOT-AND-MOUTH DISEASE.

Mr. GORE. Mr. President, I ask unanimous consent for the present consideration of the bill (S. 6689) making appropriation for the arrest and eradication of the foot-and-mouth disease, and for other purposes.

Mr. STONE. Mr. President, I hope the Senator from Oklahoma will not attempt to have that done at this time. It is very important that we should proceed with the consideration of the safety-at-sea convention, and I feel constrained to make a motion to go into executive session.

Mr. GORE. I should like to say to the Senator from Missouri that if the consideration of the bill leads to any extended debate I shall consent that it be laid aside. It is a bill to make an appropriation for the suppression of the foot-and-mouth disease. The Agricultural Department will have exhausted within this week all the money available for the use of the Bureau of Animal Industry. It is a matter of the highest urgency that this appropriation shall be made at once. I repeat, if the bill occasions any extended debate, I shall not insist upon its consideration.

Mr. STONE. Very well, Mr. President. On the statement of the Senator from Oklahoma that if the bill leads to debate he will not press it I shall not object; but I wish to say in yielding for the consideration of this one bill that it shall not be taken as a precedent for the consideration of other measures, and I desire to give notice that I intend, after this bill is disposed of, to press the motion for an executive session.

Mr. GORE. I sympathize with the purpose and plan of the Senator from Missouri.

The VICE PRESIDENT. Is there objection to the present consideration of the bill?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill, which was read, as follows:

Be it enacted, etc., That the sum of $2,500,000, or so much thereof as may be necessary, be, and it is hereby, appropriated, out of any money in the Treasury not otherwise appropriated, to be expended by the Secretary of Agriculture in the arrest and eradication of the foot-and-mouth disease, and to supply a deficiency in the appropriation "General expenses, Bureau of Animal Industry," of $1,597,996 in the "Act making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1915," approved June 30, 1914.

Mr. STONE. I desire to ask the Senator from Oklahoma whether such an appropriation bill as this seems to be can properly originate in the Senate?

Mr. GORE. Mr. President, I would not undertake to give a definite answer to that question. Within the last few days I have read the Senate document printed at the request of the Senator from Mississippi [Mr. WILLIAMS], which reviews this subject generally. The weight of opinion evidently is that general supply bills can not originate in the Senate, while other appropriation bills can. This is to meet a deficiency, and I confess I can not answer the Senator's query; it is a mooted question.

Mr. STONE. I make no point against the bill.

Mr. SMOOT. Mr. President, it seems to me this is rather a strange way to pass a deficiency appropriation bill. The bill has never been referred to the Appropriations Committee; it was introduced in the Senate and referred to the Committee on Agriculture and Forestry. This is the first time in my experience that I have ever seen a deficiency of a million and a half dollars appropriated for by the action of the Senate without the bill having been referred to the Appropriations Committee.

I will also say to the Senator from Oklahoma that such bills have always first passed the House of Representatives, have come to the Senate, been referred to the Committee on Appropriations, reported, and then acted upon by the Senate.

Mr. GORE. Mr. President, there is no doubt that general deficiency bills and urgent deficiency bills, considered as supply measures, originate in the other House; that is the uniform procedure. This bill is in part a deficiency bill and in part it is not so. In part it anticipates future expenses, and as the Committee on Agriculture and Forestry is the committee to consider appropriations for the expenditures of the Department of Agriculture, I assume that there is no impropriety in the bill having been referred to that committee, since it applies to anticipated expenses.

Mr. SMOOT. Mr. President, the amount of appropriation provided in the bill other than the deficiency is only about a million dollars.

Mr. GORE. Yes, sir.

Mr. SMOOT. I think, if we are going to pass this bill at all, we ought to make it apply to the foot-and-mouth disease and not include a deficiency appropriation. We should let the House deal with that subject and then pass the appropriation in its regular order in the Senate.

Mr. GORE. Mr. President, it is the extreme urgency and need of this appropriation that constitutes my reason and my excuse for pressing the bill.

Mr. SMOOT. I will say to the Senator that if he will amend the bill so that it will provide for the appropriation of a million dollars, and have it so framed that the sum will be expended by the Secretary of Agriculture in the arrest and eradication of the foot-and-mouth disease, and stop there, I shall have no objection at all to the passage of the bill; but I certainly do object to passing a bill here to take care of a deficiency.

Mr. SHAFROTH. Mr. President, I hope the Senator from Utah will not object to the passage of this bill. It is intended to meet an extreme urgency. It is a bill for the passage of which people have been sending telegrams here in large numbers. The necessity for the passage of the bill is extremely urgent, and it ought to be promptly passed.

Mr. SMOOT. Mr. President, the Senator from Colorado need not tell me that; I know it; but I say that the $1,597,996 proposed to be appropriated in the bill has already been expended; there is no particular hurry in having a bill passed to cover that deficiency; but there is an urgency in appropriating a million dollars now to continue this work. To that I have no objection. I will agree that the bill shall now be passed with an amendment providing for the appropriation of a million dollars.

Mr. SHAFROTH. The sum which has been expended in excess of the appropriation has been spent at the urgent solicitation of the agricultural departments of the various States which have been affected by the foot-and-mouth disease. This is unquestionably a good measure in the sense of the expenditure having been proper and necessary, and it seems to me, and so the committee thought, that one bill ought to cover the entire matter.

Mr. SMOOT. Mr. President, that may be the opinion of the Senator from Colorado, but it is not my opinion. I am perfectly willing, as I have said, that the bill shall be amended carrying the sum of a million dollars to be expended for this purpose, and stop there; but I do not believe that there ought to be added to the bill a deficiency appropriation, because that is not the way such deficiencies are provided for.

Mr. WILLIAMS. Mr. President——

The VICE PRESIDENT. Does the Senator from Oklahoma yield to the Senator from Mississippi?

Mr. GORE. I do.

Mr. WILLIAMS. I wish to supplement what the Senator from Utah [Mr. SMOOT] has just said by this, that it has not only been the uniform practice of the Government for the other House to originate all general supply bills, but it is unconstitutional for the Senate to originate one. All deficiency bills are general supply bills, and, in so far as this is a deficiency bill, it falls within that rule; in so far as it is a specific appropriation for a specific purpose it does not, and I express the hope

that the Senator from Oklahoma will accept the suggestion made by the Senator from Utah.

Mr. WARREN. Mr. President——

The VICE PRESIDENT. Does the Senator from Oklahoma yield to the Senator from Wyoming?

Mr. GORE. Certainly.

Mr. WARREN. Mr. President, under the circumstances I wish to add my request to that of the Senator from Utah, that for the present the chairman of the Committee on Agriculture and Forestry accept the proposition which has been made. I feel sure that the deficiency which has already been incurred will be provided for—and it ought to be provided for—by the Committee on Appropriations; but it is true that the Committee on Agriculture in the main always controls its own appropriations; and there is no question that it ought to control the amount proposed to be appropriated for the eradication of the foot-and-mouth disease. Of course, there is some question as to whether this measure should originate in the House, but I feel sure that that will be overlooked. I hope the Senator will accept this proposition, and we will take care of the deficiency very soon.

Mr. SMOOT. Mr. President, the suggestion I make to the Senator is this: Strike out "$2,500,000," in line 3, and insert "$1,000,000"; and strike out all after the word "disease," in line 7, so that the bill will simply provide $1,000,000 for the arrest and eradication of the foot-and-mouth disease.

Mr. SHERMAN. Mr. President, may I make an inquiry of the Senator from Utah?

Mr. SMOOT. Certainly.

Mr. SHERMAN. Does the Senator know whether the deficiency that is mentioned was caused in large part by the expenditure of money for the emergency that had to be met by the breaking out of this disease?

Mr. SMOOT. There is no doubt, Mr. President, that the money was expended for that very purpose; but it is a deficiency, and the Constitution of the United States plainly provides how such deficiencies shall be provided for. There is not any doubt, I will say to the Senator, that the deficiency will be provided for, but it should be provided for in the proper way.

Mr. SHERMAN. I should like to inquire, further, if there would be any objection to increasing the amount of the appropriation so as to make it two and a half million dollars instead of a million dollars, and make no reference whatever to the deficiency?

Mr. SMOOT. I will say to the Senator that the department say a million dollars is all they want. There would be objection to having the appropriation increased to $2,000,000 with the idea that a part of that appropriation should be applied to pay the deficiency, because the Secretary of Agriculture would not have any authority to do that.

Mr. POMERENE. Mr. President——

Mr. SHERMAN. Mr. President, I wish to state, with the consent of the Senator from Oklahoma——

The VICE PRESIDENT. The Senator from Oklahoma has the floor. There are several Senators on the floor, and the Chair does not know to whom the Senator from Oklahoma yields.

Mr. GORE. I will yield for a moment to the Senator from Ohio.

Mr. POMERENE. Mr. President, in view of the amendment which has been proposed by the Senator from Utah, I desire to make a suggestion. As I recall, the Agricultural appropriation bill of a year ago authorized the department to direct the killing of animals which might have been exposed to the disease and to reimburse the owners to a certain amount. Now, it would seem that, as the Senator has sought to limit the appropriation to $1,000,000 and to strike out the latter part of the pending bill referring to the deficiency in the appropriation for "General expenses" under the act of 1915, approved June 30, 1914, the authority conferred by the bill as it is proposed to amend it would not be broad enough; in other words, I believe the bill, if it is to be amended, should further be changed so as to authorize the payment of a part of this money to the owners of animals which the Bureau of Animal Industry may order killed.

Mr. GORE. I have an amendment which I think will meet that suggestion.

Mr. SMOOT. Mr. President, I will say to the Senator that that is part of the law now, and so it would not be necessary.

Mr. POMERENE. Well, Mr. President, I understand that to be the law now, but, under the phraseology which the Senator from Utah has suggested, the expenditure of this $1,000,000 would be limited simply to the arrest and eradication of the disease. I doubt whether the language would be broad enough to authorize payments from this particular appropriation for animals killed.

Mr. SMOOT. Mr. President, I will say to the Senator that that is exactly what the Secretary of Agriculture has asked for. He wants a million dollars, to be expended hereafter, for the eradication of the foot-and-mouth disease. The bill, if amended as I have suggested, will appropriate a million dollars for that purpose.

Mr. POMERENE. But the Senator does not provide that it shall be expended under the existing law; he simply provides that it shall be expended in the arrest and eradication of the foot-and-mouth disease. There should be some reference to the existing law, so as to permit of the payment of any portion of this sum which the department might find necessary to the owners of cattle which may be killed.

Mr. SMOOT. Mr. President, I am not going to object to having the bill read "under the act making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1915, approved June 30, 1914."

Mr. POMERENE. That would avoid any question.

Mr. SMOOT. I am perfectly willing that those words should remain in the bill, though I do not believe they are necessary.

The VICE PRESIDENT. The question is on the amendment offered by the Senator from Utah, which the Secretary will state.

The SECRETARY. On page 1, line 3, after the words "sum of," it is proposed to strike out "$2,500,000" and in lieu thereof to insert "$1,000,000," and in line 7, after the word "disease," to strike out the comma and the words "and to supply a deficiency in the appropriation 'General expenses, Bureau of Animal Industry,' of $1,597,996 in," and insert the word "under," so as to make the bill read:

Be it enacted, etc., That the sum of $1,000,000, or so much thereof as may be necessary, be, and it is hereby, appropriated, out of any money in the Treasury not otherwise appropriated, to be expended by the Secretary of Agriculture in the arrest and eradication of the foot-and-mouth disease, under the "Act making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1915," approved June 30, 1914.

The VICE PRESIDENT. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. GORE. I send to the desk an amendment which I desire to offer.

The VICE PRESIDENT. The amendment will be stated.

The SECRETARY. After the word "disease," in line 7, it is proposed to insert "and in the payment of claims arising out of past and future purchases and destruction of animals affected by or exposed to the foot-and-mouth disease."

Mr. SMOOT. Mr. President——

Mr. GORE. That may require an amendment, in view of the amendment adopted at the suggestion of the Senator from Utah. I should like to ask the Senator from Utah if that conforms to his amendment, or does it require a change?

Mr. SMOOT. I do not think the amendment of the Senator as just offered is necessary, since we have retained the language in the latter part of the bill.

Mr. GORE. This amendment was suggested by the department, but I rather think it is unnecessary in view of the change made in the bill.

Mr. SMOOT. I will say to the Senator that I included in the amendment offered by myself the words "under the act making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1915, approved June 30, 1914," which cover virtually the same matter that the Senator proposes to cover by his amendment.

Mr. GORE. Very well. Then I withdraw the amendment.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill making appropriation for the arrest and eradication of the foot-and-mouth disease."

EXECUTIVE SESSION.

Mr. STONE. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to, and the Senate proceeded to the consideration of executive business. After 4 hours and 40 minutes spent in executive session the doors were reopened.

REGULATION OF IMMIGRATION.

Mr. SMITH of South Carolina. I move that the Senate proceed to the consideration of House bill 6060, the unfinished business.

The PRESIDING OFFICER (Mr. WHITE in the chair). The Senator from South Carolina moves that the Senate proceed to the consideration of House bill 6060. The question is on agreeing to the motion.

The motion was agreed to; and the Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 6060) to regulate the immigration of aliens to and the residence of aliens in the United States.

Mr. SMITH of South Carolina. I ask that the bill be temporarily laid aside.

The PRESIDING OFFICER. Without objection, the bill will be laid aside temporarily.

Mr. STONE. I move that the Senate adjourn.

The motion was agreed to; and (at 5 o'clock and 22 minutes p. m.) the Senate adjourned until to-morrow, Tuesday, December 15, 1914, at 12 o'clock meridian.

NOMINATIONS.

Executive nominations received by the Senate December 14, 1914.

CONSULS.

Thomas D. Bowman, of Missouri, now vice and deputy consul at Nogales, to be consul of the United States of America at Fernie, British Columbia, Canada, vice Frank C. Denison, nominated to be consul at Prescott.

José de Olivares, of Missouri, now consul at Madras, to be consul of the United States of America at Hamilton, Ontario, Canada, vice James M. Shepard, resigned.

James H. Goodier, of New York, now consul at Tahiti, to be consul of the United States of America at Niagara Falls, Ontario, Canada, vice Edwin W. Trimmer, resigned.

Milton B. Kirk, of Illinois, now consul at St. Johns, Quebec, to be consul of the United States of America at Orillia, Ontario, Canada, vice Harry P. Dill, resigned.

Frank C. Denison, of Vermont, now consul at Fernie, to be consul of the United States of America at Prescott, Ontario, Canada, vice Martin R. Sackett, resigned.

John Fowler, of Massachusetts, now consul at Foochow, to be consul of the United States of America at Rimouski, Quebec, Canada, vice Frederick M. Ryder, nominated to be consul general at Singapore.

Nelson T. Johnson, of Oklahoma, now vice and deputy consul general and interpreter at Shanghai, to be consul of the United States of America at Chungking, China, vice E. Carleton Baker, nominated to be consul at Nagasaki.

Albert W. Pontius, of Minnesota, now consul at Newchwang, to be consul of the United States of America at Foochow, China, vice John Fowler, nominated to be consul at Rimouski.

Albro L. Burnell, of Maine, now vice and deputy consul general at Rio de Janeiro, to be consul of the United States of America at Rouen, France, vice Lucien Memminger, nominated to be consul at Madras.

Thomas B. L. Layton, of Louisiana, to be consul of the United States of America at Tahiti, Society Islands, vice James H. Goodier, nominated to be consul at Niagara Falls.

John Q. Wood, of Hawaii, now consul general at Adis Ababa, to be consul of the United States of America at Chemnitz, Germany, vice Frank Deedmeyer, resigned.

Carl F. Deichman, of Missouri, now consul at Nagasaki, to be consul of the United States of America at Bombay, India, vice Henry D. Baker, resigned.

Lucien Memminger, of South Carolina, now consul at Rouen, to be consul of the United States of America at Madras, India, vice José de Olivares, nominated to be consul at Hamilton, Ontario.

Lucien N. Sullivan, of Pennsylvania, now consul at La Paz, to be consul of the United States of America at Newcastle, New South Wales, Australia, vice George B. Killmaster, resigned.

E. Carleton Baker, of California, now consul at Chungking, to be consul of the United States of America at Nagasaki, Japan, vice Carl F. Deichman, nominated to be consul at Bombay.

CONSULS GENERAL.

Edwin S. Cunningham, of Tennessee, now consul general at Singapore, to be consul general of the United States of America at Hankow, China, vice Julean H. Arnold, resigned.

Frederick M. Ryder, of Connecticut, now consul at Rimouski, to be consul general of the United States of America at Singapore, Straits Settlements, vice Edwin S. Cunningham, nominated to be consul general at Hankow.

REGISTER OF THE LAND OFFICE.

Henry A. Meier, of Lincoln, Nebr., to be register of the land office at Lincoln, Nebr., vice Charles F. Shedd, deceased.

PROMOTIONS IN THE ARMY.

CAVALRY ARM.

Lieut. Col. George H. Sands, Seventh Cavalry, to be colonel from December 10, 1914, vice Col. Charles A. P. Hatfield, unassigned, retired from active service December 9, 1914.

Maj. Lewis M. Koehler, Fifteenth Cavalry, to be lieutenant colonel from December 10, 1914, vice Lieut. Col. George H. Sands, Seventh Cavalry, promoted.

Capt. Frank S. Armstrong, Cavalry, unassigned, to be major from December 8, 1914, vice Maj. Arthur Thayer, Seventh Cavalry, detailed in the Quartermaster Corps.

Capt. James G. Harbord, First Cavalry, to be major from December 10, 1914, vice Maj. Lewis M. Koehler, Fifteenth Cavalry, promoted.

First Lieut. Grice P. Disque, Third Cavalry, to be captain from December 8, 1914, vice Capt. Walter M. Whitman, Eighth Cavalry, detailed in the Quartermaster Corps.

First Lieut. Alvin S. Perkins, Cavalry, unassigned, to be captain from December 8, 1914, vice Capt. Edward A. Sturges, Fifth Cavalry, detailed in the Quartermaster Corps.

First Lieut. Robert M. Barton, Fifth Cavalry, to be captain from December 10, 1914, vice Capt. James G. Harbord, First Cavalry, promoted.

PROMOTIONS IN THE NAVY.

Lieut. Commander Daniel W. Wurtzbaugh, an additional number in grade, to be a commander in the Navy from the 10th day of July, 1914.

Lieut. Commander Ralph Earle to be a commander in the Navy from the 10th day of July, 1914.

Ensign Ralph E. Sampson to be a lieutenant (junior grade) in the Navy from the 5th day of June, 1914.

Machinist Axel V. Kettels to be a chief machinist in the Navy from the 23d day of December, 1913.

Lieut. (Junior Grade) Robert T. S. Lowell to be a lieutenant in the Navy from the 1st day of July, 1914.

Lieut. (Junior Grade) Clyde R. Robinson to be a lieutenant in the Navy from the 1st day of July, 1914.

REJECTION.

Executive nomination rejected by the Senate December 14, 1914.

UNITED STATES ATTORNEY.

John D. Lynn to be United States attorney for the western district of New York.

HOUSE OF REPRESENTATIVES.

MONDAY, *December 14, 1914.*

The House met at 12 o'clock noon.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

O Thou eternal One, by whom and through whom are all things, we thank Thee for life and its attendant blessings. "As the rain cometh down and the snow from heaven, and returneth not thither, but watereth the earth and maketh it bring forth and bud, that it may give seed to the sower and bread to the eater," so let Thy spirit descend in full measure upon us, that the sunshine of Thy love may fill our hearts and quicken our lives, that they may bring forth abundantly of rich fruits, that the world may be a little better that we have lived and wrought, and Thine be the praise through Jesus Christ our Lord. Amen.

The Journal of the proceedings of yesterday was read and approved.

THE PHILIPPINE ISLANDS (H. DOC. NO. 1350).

The SPEAKER laid before the House a letter from the Secretary of War, transmitting an official copy of a resolution of both houses of the Philippine Legislature, received in the last mail from Manila, expressing appreciation and satisfaction to the House of Representatives for the passage of the Jones bill, and requesting approval thereof by the President and Senate, which was ordered to be filed and printed. The resolution was read, as follows:

[Third Philippine Legislature, third session.]

Resolution of both houses of the legislature in joint session assembled expressing their high appreciation to the House of Representatives of the United States for the passage of the Jones bill, and requesting the same approval thereof by the President and Senate.

The Philippine Commission and Philippine Assembly, in joint session assembled in the marble hall of the Ayuntamiento, have—

Resolved, That they express their highest appreciation and satisfaction to the House of Representatives of the United States for the favorable action taken in the matter of the Jones bill, notwithstanding the difficulties encountered, and that they earnestly request the President and Senate of said Nation to likewise approve said bill, so that, in extending the powers of government confided to the Filipinos and in opening up new paths to their national liberty, the Filipino people may be in condition to work out their own welfare and prosperity and may in every other respect be responsible for their own destinies.

And resolved further, That the honorable the Governor General be, and he hereby is, requested to transmit this message by cable to the United States.

Adopted October 16, 1914.

We hereby certify that the foregoing resolution was unanimously adopted by both houses of the legislature sitting in joint session on October 16, 1914.

GEORGE L. LOGAN,
Secretary Philippine Commission.
THEODORE M. KALAW,
Secretary Philippine Assembly.

POST OFFICE APPROPRIATION BILL.

Mr. MOON, chairman of the Committee on the Post Office and Post Roads, by direction of that committee, reported the bill (H. R. 19906) making appropriations for the service of the Post Office Department for the fiscal year ending June 30, 1916, and for other purposes (H. Rept. 1219), which was read a first and second time, and, with accompanying papers, was ordered printed and referred to the Committee of the Whole House on the state of the Union.

Mr. STAFFORD reserved all points of order on the bill.

Mr. MOON. Mr. Speaker, I ask unanimous consent that the minority members of the committee who desire to file views in opposition to those of the majority may have two days in which to do so.

Mr. STAFFORD. Will the gentleman from Tennessee yield for a moment?

Mr. MOON. I will.

Mr. STAFFORD. I did not catch the number of days that the members of the minority were to have to file their views.

Mr. MOON. I ask unanimous consent that they have two days in which to do so.

Mr. STAFFORD. Could not the gentleman make it three days?

Mr. MOON. Well, this is a pretty big report, and the chairman of the committee had 18 hours in which to make it.

Mr. STAFFORD. When does the gentleman intend to take the bill up?

Mr. MOON. At the first opportunity that I can call it up.

The SPEAKER. The gentleman from Tennessee asks unanimous consent that the minority may have two days in which to file its views. Is there objection?

There was no objection.

LEAVE OF ABSENCE.

Mr. WILSON of Florida, by unanimous consent, was granted leave of absence, indefinitely, on account of sickness.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Tulley, one of its clerks, announced that the Senate had passed bill of the following title, in which the concurrence of the House of Representatives was requested:

S. 6687. An act to authorize the Chesapeake & Ohio Northern Railway Co. to construct a bridge across the Ohio River a short distance above the mouth of the Little Scioto River between Scioto County, Ohio, and Greenup County, Ky., at or near Sciotoville, Ohio.

The message also announced that the Senate had passed the following resolutions:

Resolved, That the business of the Senate be now suspended that opportunity may be given for tribute to the memory of Hon. IRVIN S. PEPPER, late a Member of the House of Representatives from the State of Iowa.

Resolved, That the Secretary communicate these resolutions to the House of Representatives.

Resolved, That the Secretary send a copy of these resolutions to the family of the deceased.

SENATE BILLS REFERRED.

Under clause 2, Rule XXIV, Senate bills of the following titles were taken from the Speaker's table and referred to their appropriate committees, as indicated below:

S. 1373. An act for the relief of the estate of John Stewart, deceased; to the Committee on Claims.

S. 6687. An act to authorize the Chesapeake & Ohio Northern Railway Co. to construct a bridge across the Ohio River a short distance above the mouth of the Little Scioto River between Scioto County, Ohio, and Greenup County, Ky., at or near Sciotoville, Ohio; to the Committee on Interstate and Foreign Commerce.

MESSAGES FROM THE PRESIDENT OF THE UNITED STATES.

Sundry messages, in writing, from the President of the United States were communicated to the House of Representatives by Mr. Latta, one of his secretaries.

DISTRICT OF COLUMBIA APPROPRIATION BILL.

Mr. PAGE of North Carolina. Mr. Speaker, I move that the House resolve itself into Committee of the Whole House on the state of the Union for the purpose of further considering the bill H. R. 19422, the District of Columbia appropriation bill.

The motion was agreed to; accordingly the House resolved itself into Committee of the Whole House on the state of the Union, with Mr. GARNER in the chair.

The CHAIRMAN. The House is now in Committee of the Whole House on the state of the Union for the further consideration of the bill of which the Clerk will read the title.

The Clerk read as follows:

A bill (H. R. 19422) making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1916, and for other purposes.

The Clerk, proceeding with the reading of the bill, read as follows:

For the condemnation of small park areas at the intersection of streets outside of the limits of the original city of Washington, from such areas shown on the map on file in the office of the engineer commissioner, in the discretion of the Commissioners of the District of Columbia, to be acquired in accordance with the provisions relating to small parks contained in the act approved July 21, 1914, entitled "An act making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1915, and for other purposes," $25,000.

Mr. PAGE of North Carolina. Mr. Chairman, I offer the following amendment.

The Clerk read as follows:

On page 75 strike out lines 2 to 12, inclusive, and insert in lieu thereof the following: "For the condemnation of small park areas to be acquired in accordance with the provisions relating to small parks in the District of Columbia, contained in the sundry civil appropriation act approved August 1, 1914, $25,000."

Mr. PAGE of North Carolina. Mr. Chairman, I feel that I had better say a word in relation to this amendment. It is offered in order that the language may conform with the law in the last sundry civil appropriation act.

The CHAIRMAN. The question is on the amendment.

The amendment was agreed to.

The Clerk completed the reading of the bill.

Mr. PAGE of North Carolina. Mr. Chairman, I move that the committee rise and report the bill to the House, with the recommendation that the amendments be agreed to and the bill as amended do pass.

The motion was agreed to.

The committee accordingly rose; and the Speaker having resumed the chair, Mr. GARNER, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill (H. R. 19422) making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1916, and for other purposes, and had directed him to report the same back with sundry amendments, with the recommendation that the amendments be agreed to and that the bill as amended do pass.

Mr. PAGE of North Carolina. Mr. Speaker, I move the previous question on the bill and amendments to its final passage.

The motion was agreed to.

The SPEAKER. Is a separate vote demanded on any amendment?

Mr. JOHNSON of Kentucky. Mr. Speaker, I demand a separate vote on the first amendment to the bill.

Mr. PAGE of North Carolina. Mr. Speaker, I ask unanimous consent that the other amendments be adopted.

The SPEAKER. Is a separate vote demanded on any other amendment? If not, the Chair will submit the balance in gross.

There was no demand for a separate vote on any other amendment, and all the amendments except the first were agreed to.

The SPEAKER. The question now is on the first amendment.

Mr. MANN. And on that, Mr. Speaker, I demand the yeas and nays.

The yeas and nays were ordered.

Mr. BURKE of Wisconsin. Mr. Speaker, I ask unanimous consent that the amendment may be again reported.

The SPEAKER. Without objection, the Clerk will again report the amendment.

There was no objection, and the Clerk read as follows:

Amend, on page 1, by striking out the words "one half of," in line 3; and the words "out of the money in the Treasury not otherwise appropriated, and the other half out of the revenues of the District of Columbia," in lines 4, 5, and 6; and the word "namely," in line 9, all on page 1, and insert the following as an amendment thereto: "That all moneys appropriated for the expenses of the government of the District of Columbia shall be paid out of the revenues of said District to the extent that they are available, and the balance shall be paid out of money in the Treasury of the United States not otherwise appropriated, but the amount to be paid from the Treasury of the United States shall in no event be as much as one-half of said expenses, and all laws in conflict herewith are hereby repealed."

The SPEAKER. The Clerk will call the roll.

The question was taken; and there were—yeas 186, nays 100, answered "present" 4, not voting 138, as follows:

YEAS—186.

Abercrombie	Difenderfer	Jacoway	Rubey
Adair	Donovan	Johnson, Ky.	Rucker
Adamson	Doolittle	Johnson, S. C.	Russell
Aiken	Doughton	Keating	Sabath
Allen	Eagle	Kelly, Pa.	Saunders
Anderson	Edwards	Kennedy, Conn.	Shackleford
Ashbrook	Evans	Kettner	Sherley
Aswell	Fergusson	Key, Ohio	Sherwood
Bailey	Ferris	Kindel	Sinnott
Baker	Fields	Kirkpatrick	Sisson
Barkley	FitzHenry	Kitchin	Slayden
Barnhart	Flood, Va.	La Follette	Small
Bartlett	Floyd, Ark.	Lazaro	Smith, Tex.
Barton	Foster	Lenroot	Stafford
Bathrick	Fowler	Lesher	Stanley
Bell, Cal.	Francis	Lever	Stedman
Bell, Ga.	Garner	Lieb	Stephens, Cal.
Booher	Garrett, Tex.	Lindbergh	Stephens, Miss.
Borchers	Gill	Linthicum	Stephens, Nebr.
Borland	Godwin, N. C.	Lobeck	Stephens, Tex.
Brockson	Goeke	Lonergan	Stone
Brumbaugh	Goodwin, Ark.	McAndrews	Stout
Buchanan, Ill.	Gordon	McGillicuddy	Sumners
Bulkley	Goulden	McKellar	Taggart
Burgess	Graham, Ill.	MacDonald	Tavenner
Burke, Wis.	Gray	Maguire, Nebr.	Taylor, Ark.
Burnett	Green, Iowa	Manahan	Taylor, Colo.
Byrnes, S. C.	Gudger	Mapes	Thomas
Byrns, Tenn.	Hamlin	Mitchell	Thompson, Okla.
Callaway	Hardy	Moon	Townsend
Candler, Miss.	Harris	Morgan, La.	Tribble
Cantrill	Harrison	Morgan, Okla.	Tuttle
Caraway	Haugen	Moss, Ind.	Vaughan
Carter	Hayden	Mulkey	Vinson
Casey	Heflin	Murray	Vollmer
Church	Helm	Neely, W. Va.	Walker
Clark, Fla.	Helvering	Oldfield	Walsh
Collier	Henry	Page, N. C.	Webb
Connelly, Kans.	Hensley	Palmer	Whaley
Cox	Holland	Park	White
Cramton	Houston	Peterson	Wingo
Crisp	Howard	Phelan	Witherspoon
Crosser	Hoxworth	Quin	Woodruff
Cullop	Hughes, Ga.	Rauch	Young, N. Dak.
Decker	Hulings	Rayburn	Young, Tex.
Dickinson	Hull	Reed	
Dies	Igoe	Rouse	

NAYS—100.

Alexander	Farr	Lee, Pa.	Scott
Anthony	Frear	Lindquist	Sells
Austin	French	Lloyd	Slemp
Barchfeld	Gallagher	McKenzie	Sloan
Bartholdt	Gardner	McLaughlin	Smith, Idaho
Beakes	Gillett	Madden	Smith, J. M. C.
Blackmon	Good	Mann	Smith, Minn.
Broussard	Greene, Vt.	Miller	Smith, N. Y.
Browning	Hawley	Mondell	Steenerson
Bryan	Hay	Montague	Stevens, Minn.
Butler	Hayes	Moss, W. Va.	Stringer
Campbell	Helgesen	Nelson	Switzer
Carlin	Howell	Padgett	Taylor, Ala.
Clancy	Hughes, W. Va.	Paige, Mass.	Temple
Copley	Humphrey, Wash.	Parker, N. J.	Thacher
Curry	Humphreys, Miss.	Patton, Pa.	Towner
Danforth	Johnson, Utah	Peters	Treadway
Davis	Johnson, Wash.	Plumley	Vare
Deitrick	Kelley, Mich.	Post	Volstead
Dent	Kennedy, Iowa	Powers	Watson
Dillon	Kennedy, R. I.	Ragsdale	Weaver
Donohoe	Kinkaid, Nebr.	Raker	Williams
Edmonds	Knowland, J. R.	Roberts, Mass.	Willis
Esch	Langham	Roberts, Nev.	Winslow
Falconer	Langley	Rogers	Woods

ANSWERED "PRESENT"—4.

Burke, S. Dak.	Cline	Kahn	Lee, Ga.

NOT VOTING—138.

Alney	Dooling	Griffin	Maher
Ansberry	Doremus	Guernsey	Martin
Avis	Driscoll	Hamill	Metz
Baltz	Drukker	Hamilton, Mich.	Moore
Beall, Tex.	Dunn	Hamilton, N. Y.	Morin
Bowdle	Dupré	Hammond	Morrison
Britten	Eagan	Hart	Mott
Brodbeck	Elder	Hill	Murdock
Brown, N. Y.	Estopinal	Hinds	Neeley, Kans.
Brown, W. Va.	Fairchild	Hinebaugh	Nolan, J. I.
Browne, Wis.	Faison	Hobson	Norton
Bruckner	Fess	Jones	O'Brien
Buchanan, Tex.	Finley	Keister	Oglesby
Burke, Pa.	Fitzgerald	Kent	O'Hair
Calder	Fordney	Kiess, Pa.	O'Leary
Cantor	Gallivan	Kinkead, N. J.	O'Shaunessy
Carew	Gard	Konop	Parker, N. Y.
Carr	Garrett, Tenn.	Korbly	Patten, N. Y.
Cary	George	Kreider	Platt
Chandler, N. Y.	Gerry	Lafferty	Porter
Claypool	Gilmore	L'Engle	Pou
Coady	Gittins	Levy	Price
Connolly, Iowa	Glass	Lewis, Md.	Prouty
Conry	Goldfogle	Lewis, Pa.	Rainey
Cooper	Gorman	Loft	Reilly, Conn.
Dale	Graham, Pa.	Logue	Reilly, Wis.
Davenport	Greene, Mass.	McClellan	Riordan
Dershem	Gregg	McGuire, Okla.	Rothermel
Dixon	Griest	Mahan	Rupley
Scully	Sparkman	Ten Eyck	Watkins
Seldomridge	Stevens, N. H.	Thomson, Ill.	Whitacre
Shreve	Sutherland	Underhill	Wilson, Fla.
Sims	Talbott, Md.	Underwood	Wilson, N. Y.
Smith, Md.	Talcott, N. Y.	Wallin	
Smith, Saml. W.	Taylor, N. Y.	Walters	

So the amendment was agreed to.

The Clerk announced the following pairs:

Until further notice:

Mr. WILSON of New York with Mr. SHREVE.

Mr. SPARKMAN with Mr. KAHN.

Mr. DALE with Mr. MARTIN.

Mr. FITZGERALD with Mr. GRAHAM of Pennsylvania.

Mr. HOWARD with Mr. FAIRCHILD.

Mr. WILSON of Florida with Mr. CARY.

Mr. SCULLY with Mr. GREENE of Massachusetts.

Mr. BROWN of New York with Mr. KIESS of Pennsylvania.

Mr. O'SHAUNESSY with Mr. CALDER.

Mr. UNDERWOOD with Mr. FORDNEY.

Mr. WATKINS with Mr. AINEY.

Mr. BRODBECK with Mr. AVIS.

Mr. BROWN of West Virginia with Mr. BRITTEN.

Mr. BRUCKNER with Mr. BURKE of Pennsylvania.

Mr. BUCHANAN of Texas with Mr. CHANDLER of New York.

Mr. CARR with Mr. COOPER.

Mr. CLAYPOOL with Mr. DRUKKER.

Mr. COADY with Mr. DUNN.

Mr. CONRY with Mr. GRIEST.

Mr. DAVENPORT with Mr. GUERNSEY.

Mr. DIXON with Mr. HAMILTON of Michigan.

Mr. NEELEY of Kansas with Mr. NORTON.

Mr. DOOLING with Mr. HAMILTON of New York.

Mr. DOREMUS with Mr. HINDS.

Mr. DUPRÉ with Mr. HINEBAUGH.

Mr. ESTOPINAL with Mr. KEISTER.

Mr. FINLEY with Mr. KREIDER.

Mr. GALLIVAN with Mr. LEWIS of Pennsylvania.

Mr. GARRETT of Tennessee with Mr. MCGUIRE of Oklahoma.

Mr. GERRY with Mr. MOORE.

Mr. GLASS with Mr. MORIN.

Mr. GOLDFOGLE with Mr. MOTT.

Mr. HART with Mr. J. I. NOLAN.

Mr. PATTEN of New York with Mr. PARKER.

Mr. POU with Mr. PLATT.

Mr. RAINEY with Mr. PORTER.

Mr. TALBOTT of Maryland with Mr. SAMUEL W. SMITH.

Mr. WHITACRE with Mr. SUTHERLAND.

Mr. JONES with Mr. WALLIN.

On the vote:

Mr. PROUTY (for amendment) with Mr. BURKE of South Dakota (against).

Mr. BROWNE of Wisconsin (for amendment) with Mr. FESS (against).

Mr. AVIS. Mr. Speaker, I desire to vote "no."

The SPEAKER. Was the gentleman in the Hall listening?

Mr. AVIS. No; I was out in the lobby.

The SPEAKER. The gentleman does not qualify.

Mr. ANSBERRY. Mr. Speaker, I desire to vote.

The SPEAKER. Was the gentleman in the Hall listening?

Mr. ANSBERRY. I was right on the edge of the gallery, Mr. Speaker; I do not know whether that is considered in the Hall or not.

The SPEAKER. The gentleman does not bring himself within the rule.

Mr. ANSBERRY. Mr. Speaker, if I were permitted to vote, I would vote "no."

The SPEAKER. It does not make any difference how the gentleman would vote; he can not vote.

The result of the vote was announced as above recorded.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed.

On motion of Mr. PAGE of North Carolina, a motion to reconsider the vote by which the bill was passed was laid on the table.

LEGISLATIVE, EXECUTIVE, AND JUDICIAL APPROPRIATION BILL.

Mr. JOHNSON of South Carolina, by direction of the Committee on Appropriations, reported the bill (H. R. 19909) making appropriations for the legislative, executive, and judicial expenses of the Government (H. Rept. 1221), which was read the first and second times and referred to the Committee of the Whole House on the state of the Union.

Mr. GOOD. Mr. Speaker, I reserve all points of order on the bill.

The SPEAKER. The gentleman from Iowa reserves all points of order on the bill.

Mr. JOHNSON of South Carolina. Mr. Speaker, I ask unanimous consent that the House resolve itself into the Committee of the Whole House on the state of the Union for general debate on the legislative, executive, and judicial appropriation bill, and pending that I would like to see if we can agree upon a time for general debate.

Mr. JOHNSON of Kentucky. Mr. Speaker, I object.

The SPEAKER. The gentleman from Kentucky objects.

Mr. JOHNSON of South Carolina. Then, Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of the legislative, executive, and judicial appropriation bill.

The SPEAKER. The gentleman from South Carolina moves, notwithstanding the rule that requires a day for printing, that the House resolve itself into the Committee of the Whole House on the state of the Union——

Mr. JOHNSON of South Carolina. And pending that, I would like to see if we can agree upon a time for general debate.

Mr. GOOD. How much time would the gentleman from South Carolina suggest?

Mr. JOHNSON of South Carolina. Would the gentleman be satisfied with an hour and a quarter on a side?

Mr. GOOD. No; I have requests for more time than that, but I would suggest that we take up the bill and agree upon four hours' general debate—that would consume the day—as we can not take up the reading of the bill under the five-minute rule, anyway, to-day.

Mr. JOHNSON of South Carolina. Mr. Speaker, very well; I will agree upon four hours, two hours to be controlled by the gentleman from Iowa [Mr. GOOD] and two hours by myself. Mr. Speaker, I ask unanimous consent that, pending the motion to go into the Committee of the Whole House on the state of the Union, general debate be confined to four hours, two hours to a side, two hours to be controlled by the gentleman from Iowa and two hours by myself.

The SPEAKER. The gentleman from South Carolina moves, notwithstanding the rule that requires a bill be printed one day in advance——

Mr. MANN. There is no such rule.

The SPEAKER. But the bill has never been printed. The gentleman from South Carolina moves that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of the legislative, executive, and judicial appropriation bill, and pending that he asks unanimous consent that general debate be limited to four hours, two hours to be controlled by himself and two hours by the gentleman from Iowa [Mr. GOOD]. Is there objection to the request? [After a pause.] The Chair hears none. The question is on going into the Committee of the Whole House on the state of the Union to consider this bill.

The question was taken, and the motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 19909, the legislative, executive, and judicial appropriation bill, with Mr. FOSTER in the chair.

The CHAIRMAN. The House is in Committee of the Whole House on the state of the Union for the consideration of the bill, which the Clerk will report by title.

The Clerk read as follows:

A bill (H. R. 19909) making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1916, and for other purposes.

Mr. JOHNSON of South Carolina. Mr. Chairman, I ask unanimous consent that the first reading of the bill be dispensed with.

The CHAIRMAN. The gentleman from South Carolina asks unanimous consent that the first reading of the bill be dispensed with. Is there objection? [After a pause.] The Chair hears none, and it is so ordered.

Mr. GOOD. Mr. Chairman, I yield 30 minutes to the gentleman from Massachusetts [Mr. GILLETT].

Mr. GILLETT. Mr. Chairman, to-day all over the world individuals, institutions, and Governments are endeavoring to curtail their expenditures and reduce their obligations, because they recognize it as a period of stringency and reduced income. As I listened to the President's message I thought that he felt the spirit of the time and was inculcating upon us the economy which everyone else is practicing. I have since read several times that portion of his message, and while it has the charm which invariably characterizes his speeches to Congress, I find it has also a quality of vagueness and indefiniteness which is almost as invariable, and while he introduces this subject by saying that "it is highly important that our judgments should be clear, definite, and steadfast," yet I think the most extreme advocate of a huge pork-barrel appropriation bill or the strictest economist could with equal effect quote in their support the President's attractive phrases. It seems to me that the times demand not simply a vague intention to avoid increased extravagance but an immediate reduction of expenses, a pruning of all nonessentials, a postponement of whatever is not indispensable. We were told at the last session that our revenues were so precarious that special taxes must be imposed. Such emergency taxes should be used for emergencies, and the Government should not in such times of stress continue living on the same scale as in times of ease and prosperity and a full Treasury. Perhaps one reason the Democratic platforms have always preached economy and tried to make that seem a Democratic principle is because they realized that economy was more necessary and imperative in Democratic times than in Republican times. I assent to that theory, and I believe in the typical Democratic time of to-day a strict and unsparing economy is necessary.

But in studying the estimate I see little indication of any such purpose in this administration. You would think we were in the midst of plenty. Instead of economizing and reducing expenses the administration asks for more money than we ever spent up to last year, and as you study the figures you find that some of the reductions are not real ones and that the estimates really call for more than last year, which was the high tide of national expenditure, and this at a time when everyone else in the world is lopping off expenses and when we are paying most onerous and vexatious emergency taxes.

The regular estimates last year were $1,108,000,000; this year they are $1,090,000,000, an apparent reduction of $18,000,000. But the Secretary of the Treasury tells us—page 58 of his report—that the estimate for the Postal Service under existing laws is $320,000,000, but if the legislation recommended by the department is enacted the cost will be only $297,000,000, a saving of $23,000,000. He refers, I suppose, to the change from rural carriers to star-route service, and accordingly, in the Book of Estimates, he figures the cost of the Postal Service as $297,000,000. Under existing law, which is the basis on which the estimates should be figured, that should be $23,000,000 larger, and the apparent reduction of $18,000,000 over last year is wiped out, and these estimates supplant those of last year as the largest sum any administration has ever asked any Congress to appropriate. That seems to be the interpretation in administration figures of the meaning of the paragraph about economy in the President's message. That means that in this time of depression and suffering the administration recommends that the Government be run on a more lavish and expensive scale than ever before in its history. I think that, on the contrary, now is a time to pare close to the lowest possible limit.

You gentlemen know probably better than the administration whether that legislation reducing the Post Office appropriations $23,000,000 will go through or not.

Mr. STAFFORD. Will the gentleman yield right there?

Mr. GILLETT. Certainly.

Mr. STAFFORD. Is the gentleman aware of the fact that the Post Office Committee has reported a bill negativing the recommendation of the department and appropriates a total of $322,000,000?

Mr. GILLETT. I was not aware of that fact, but I was perfectly confident that that would be the fact. If the gentleman says it is $322,000,000, there is $25,000,000 already reported larger on the Post Office bill than it is estimated for. So that the estimates, instead of being $18,000,000 less than last year, are really $7,000,000 larger, and that in this period of stress and depression.

Mr. MANN. Would it divert the gentleman if he yielded to me for a question?

Mr. GILLETT. Certainly not.

Mr. MANN. What are the total estimates of appropriations and the total estimates of receipts for the next fiscal year?

Mr. GILLETT. The total estimates of appropriations are $1,080,000,000, calling the Post Office bill $297,000,000.

Mr. MANN. What is the total estimate of receipts made by the Secretary of the Treasury?

Mr. GILLETT. There are about seven hundred and odd millions without the Post Office bill. They are about the same as the expenditures.

Mr. MANN. I have not examined the letter of the Secretary of the Treasury, but I saw a newspaper statement the other day that the estimates of receipts were about $60,000,000 less than the estimates submitted of expenditures. If so, of course the administration has not complied with the law as carried in the Smith amendment.

Mr. GILLETT. I think they make the receipts equal the expenditures by this unjustified reduction of the $25,000,000 in Post Office expenses and by deducting the $60,000,000 of the

sinking fund, and they also subtract the $18,000,000 for Panama, which I assume they expect to pay out of bonds instead of paying it out of current receipts, as we have been doing for many years.

Mr. MANN. They do not comply with the law that requires the President, when he makes estimates of receipts and expenditures, if the expenditures exceed the receipts, to make recommendation as to the methods of raising additional money. That is the law. Possibly they have not discovered it up there yet.

Mr. GILLETT. It seems to me, as I study the figures and the Secretary of the Treasury's report, that there is staring us in the face a tremendous deficit not only in 1916 but in this very fiscal year, and that the narrowest economy is our plain duty.

The Secretary says in his report:

The European war seriously and adversely affected the revenues of the Government from imports. The revenue from customs for the month of October, 1914, was $16,000,000 and for the month of October, 1913, it was $30,000,000, showing a decrease in one month of $13,000,000. I have taken the month of October for the purpose of comparison, as the new tariff went into effect October, 1913, and duties were therefore the same. The reduction in revenues is due solely to the falling off in importations.

But if you look at the statement of the Department of Commerce for the month which the Secretary selects for his comparison you find that the importations in October did not fall off at all, but increased. For October, 1913, they were $133,000,000 and for the month of October, 1914, they were $138,000,000. And yet the Secretary of the Treasury says:

The reduction in revenues is due solely to the falling off in importations.

How can he make a statement which the figures of his fellow Cabinet officer so absolutely contradict? If he is so wrong in his reasoning there it increases one's suspicion that he is wrong when he attributes our diminished revenues to the European war rather than to the Democratic tariff.

He goes on to say:

To keep the Treasury in strong condition in these abnormal times was obviously the first duty of the hour. Upon it largely depended the safety of business and finance in this country. If the emergency revenue act had not been passed, the surplus in the Treasury would have constantly diminished and might have disappeared altogether.

Inasmuch as that surplus has shrunk from $145,000,000 on the 1st of last July to $74,000,000 to-day, the danger which the Secretary points out is a very real one, and inasmuch as the emergency revenue is only estimated at $54,000,000 for the rest of this year, an apprehension is not unreasonable that even with the emergency revenues our Treasury may be dangerously empty before the end of this fiscal year.

Mr. STAFFORD. Will it embarrass the gentleman to ask him a question right there?

Mr. GILLETT. It will not embarrass me. I only hate to take so much time.

Mr. STAFFORD. Can the gentleman inform the committee whether the revenues returned under the emergency act passed two months ago have been brought into the Treasury and added in the daily returns?

Mr. GILLETT. I can not tell the gentleman; but we have this fact—which should be considered and which makes us even more concerned about the Treasury—that during this administration the expenditures have always run in excess of the estimates made by the administration and the revenue has always been below their estimates; so that it seems to me the outlook for this fiscal year is very blue, even under the statement of the Secretary of the Treasury himself. He says:

As long as the expenditures of the Government exceed its income there is always danger. To maintain such a condition is both unsound and imprudent. The corollary of a weak Treasury is impaired confidence.

I heartily indorse these sentiments, and it seems to me they should naturally have led to a cutting down of the estimates, and that instead of recommending expenditures on a vaster scale than ever before suggestions of a reduction should have been made.

He says:

It is, I think, unfortunate that this emergency measure is made to expire December, 1915. I venture to suggest that this limitation should be removed and the act amended so as to provide that it shall remain in force until peace is restored in Europe.

A more logical suggestion would have been that it remain in force until the Democratic tariff is repealed. In times of depression the people do not submit cheerfully to unusual and vexatious taxation, and it seems to me it would have been more natural and satisfactory for the administration to have recommended that this Government do what the rest of us are doing—cut down expenses—and even then, and with the emergency revenues, I do not believe the Treasury would be any too strong.

I understand that the revenues of the Post Office Department are falling off, and, as the Secretary has pointed out, in such times we should run no risks. That there is no disposition even now to stint is shown by the fact that on the very first day of the session four different recommendations, in addition to the regular estimates, amounting to over $4,000,000, were made, besides deficiency estimates of several millions.

It is always difficult to decide what is extravagance, what is economy, what is parsimony—men's minds will differ—but it seems to me clear that in times like these, as depicted by the Secretary of the Treasury, with the revenues decreasing, the surplus diminishing, importations uncertain, and when a full Treasury is indispensable, it is extravagant to send in estimates which show no serious attempt at retrenchment.

And now, Mr. Chairman, I wish to avail myself of the latitude of general debate to make a few observations not germane to this bill.

During the last campaign a member of the Cabinet came to my home city to address a Democratic rally, and in language too caustic for me to care to advertise it by repeating it denounced me because of my partisanship. I had a great regard and respect for the gentleman, and though it was naturally somewhat diminished by his uncomplimentary remarks and poor judgment of me, it was not extinguished; and it has occurred to me that it would be a fair retaliation to his criticism to show by a few specimens that the administration of which he is a distinguished and ornamental part had committed acts of partisanship beside which anything I had done would look like austere and judicial impartiality.

Partisanship is not a crime, but there are degrees of it—some commendable, some pardonable, some inexcusable. My partisanship I naturally think belongs to the first class, for I understand it consists in criticizing the Democratic administration, and inasmuch as Republicans in this Congress have been deprived of all effectual participation in legislation by the secret caucus system of the Democrats, it would be hard if they could not indulge in the only weapon left them—debate. But I think I can cite plenty of instances of partisanship by this administration which clearly belong to the third degree—inexcusable.

The very appearance of the gentleman so far from the scene of his duty for the purpose of belaboring and defeating Republicans was hardly the act of a nonpartisan, and he added to the partisanship of it by taking along with him from his duties another official, the collector of customs in New York, who did not know me, but who spent an hour in criticizing me in what I was told was a very entertaining and eloquent and effective speech.

The collector of the port of New York receives the largest salary of any United States official in the country outside of Washington. Formerly the collector was looked upon as the head of a New York machine, and his thousands of subordinates were considered an organized army for the party in power; but of late years that abominable system has been abolished, the force has been put under civil service, and the last collector found sufficient scope for his great abilities in watching and administering the interests of the Government. When the present collector was installed by this administration I noticed that he published in the papers that while in office hours he should attend to public business, his other hours would be devoted to politics—a broad hint to his subordinates and an apparent effort to again establish the collector as a party boss.

I do not believe the Government would get any more than its money's worth if the collector devoted all his time to the duties of the office instead of going out of the State in vain attempts to defeat Republicans; but apparently this was no unusual incident, for I remember a Democratic Congressman from the President's own State felt obliged to introduce a resolution in Congress asking the Secretary of the Treasury to tell how he could secure a reply to letters from the collector and where his office was located and what were his hours for conducting public business, and the health officer of New York—another good Democrat—retorting upon the collector, cruelly said:

The health officer of the State of New York wishes to state that he is not running his department from a summer resort or in the newspapers.

Now, I am perfectly willing that a member of the Cabinet and the collector of the port of New York should abandon their official duties and go up to my district to defeat me—particularly in view of the result—but I must be excused for thinking that it does not make a good introduction to a speech denouncing me for partisanship.

Let me refer to a few acts of this administration which I think are not commendable or excusable, but are unpardonable acts of partisanship, and which I think ought to estop members

of the administration from criticizing others for that disposition.

By the new banking act the Reserve Board was given enormous power over the financial interests of the country. It would not seem reasonable that all seven of the members of that board should belong to one party, and if any administration—particularly one which represented a minority of the voters—should select the whole seven from its own followers, I think it might be defined as an act of narrow and inexcusable partisanship. All of the seven originally selected for the present board were Democrats. One of them, you remember, was not confirmed by the Senate because he had the manliness to repudiate the special plea made for him by the President that he became a director of an indicted trust in order to reform it. That left a vacancy, to which another Democrat was promptly nominated. So the administration made eight selections for the board, and every one of them was a Democrat. As far as we can judge, it would have made no difference how many the board contained, they would all be Democrats. The duties and power of the board make it particularly desirable and natural that it should be nonpartisan—that all appearance of partisanship should be avoided. I am told that at the bankers' convention, when considering the proposed law, the suggestion was made that it should contain a provision that the minority party should always have representation on the board, but they all thought that no administration would ever show such bigoted partisanship as not to recognize its opponents on the board, and so the motion was withdrawn as superfluous. And yet this administration selected eight members for this board at the most crucial formative period of its existence, and every one of them was a Democrat. Should such an administration denounce others for partisanship?

One member of the Reserve Board has already given an instance both of his power and of his partisanship. A Democratic Senator of a Southern State, whose record for paying its obligations was not stainless, complained to the Secretary of the Treasury that his State was not able to borrow $1,000,000 in New York on satisfactory terms. A borrower with a bad record often finds terms unsatisfactory, especially in periods of financial disturbance. But the Secretary of the Treasury issued a public statement that if the Senator could not raise the loan on satisfactory terms, "I will myself see if banks can not be found to take up this loan." With that threat and by an inducement in the shape of a deposit of United States funds it was not strange that he quickly found an accommodating bank. The Democratic national platform said:

> We condemn the present methods of depositing Government funds in a few favored banks, and we pledge our party to provide by law for their deposit by competitive bidding.

The Secretary of the Treasury not only deposits in a favored bank, but he favors the bank in order to induce it to lend money to his political friends. Is such an administration in a position to criticize partisanship? When their party is the beneficary their national platform is but a scrap of paper.

Mr. BYRNS of Tennessee. I want to say to the gentleman that the loan to which he refers was granted for the purpose of helping out a Republican administration in the State of Tennessee rather than a political friend.

Mr. GILLETT. It was a Democratic Senator who came and asked for it. I believe temporarily the State of Tennessee did happen to have a Republican governor, but he was not the agent who went to the Secretary of the Treasury.

Mr. BYRNS of Tennessee. There are many others in the State of Tennessee who think the fact that the loan was needed was because Tennessee had a Republican governor.

Mr. GILLETT. I know nothing about the local conditions. Did you have a Republican legislature, too?

Mr. BYRNS of Tennessee. Oh, yes; we had what was called a fusion legislature.

Mr. GILLETT. I do not know anything about your local politics. I only know what I saw in the paper—that it was a Democratic Senator, and that it was at his urgent insistency that it was granted.

Mr. MANN. Will the gentleman yield for a question?

Mr. GILLETT. Yes.

Mr. MANN. Is it not quite probable that this bribe which was given by the Secretary of the Treasury to a Democratic Senator was one of the reasons for the State of Tennessee recently going Democratic?

Mr. GILLETT. Another specimen of the nonpartisanship of this administration is furnished by its conduct toward fourth-class postmasters. An Executive order was issued by the President setting aside the orders of Presidents Roosevelt and Taft which had covered all fourth-class postmasters into the civil service, and this new order provided that the postmasters already holding office must submit to a competitive examination. This order was accepted by Congress as a satisfactory substitute for its proposition to return all fourth-class postmasters into the old patronage system, and apparently they have not been disappointed in their expectations of its practical workings. Suspiciously contemporaneous with this order came a reorganization of the Civil Service Commission by whom this new examination of the postmasters was to be made.

In the 20 years that I have been here appointments to that commission have been singularly free from any taint or charge of partisanship. The law provides that the commission shall consist of three persons, not more than two of whom shall be adherents of the same political party. As the main purpose of the commission was to eliminate partisanship from appointments, care was taken that the commission itself should not be partisan. That spirit was so recognized and obeyed throughout the administrations of Presidents Roosevelt and Taft that two of the three commissioners, including the president of the board, were Democrats, although the administrations that appointed them and retained them and had full power of removal were Republican. Ever since Theodore Roosevelt resigned from the commission in 1895 the president of the commission has been a Democrat, and during these administrations no changes occurred in the board except by the voluntary resignation of a commissioner. But although two of the three commissioners were Democrats, this administration in its eagerness for patronage at once removed two of them, one Republican and one Democrat. It is not often that an administration can dispose for a useful partisan purpose of an office which must be filled by a member of the opposite party, but the Republican commissioner, whom I had always found an exceptionally able and efficient official, was removed and his place filled by a constituent of a Progressive Senator, and that Senator's vote has supported administration measures more reliably than many Democrats. Gratitude has been defined as a lively appreciation of favors to come, and I presume the Senator secured the appointment of his constituent by appealing to the gratitude of the administration.

The place of the Democrat who was removed was given to the secretary of a Senator from South Carolina, whose training as the political representative of his employer one would not expect to fit him preeminently for this nonpartisan position.

This reorganized commission proceeded with its appointed task of examining fourth-class postmasters, and then the administration made the appointments. The law forbids that in the selection political faith shall be even considered. It is a violation of the law to select a man or be influenced in the selection by his politics. Do you think that either the letter or spirit of the law has been observed? To be legal here the administration must be nonpartisan. Do you think it has been either nonpartisan or legal? Let me cite two cases from my own district which recently came to my notice. In one town two men took the examination for postmaster. One was a Republican who had held the office for many years; who had the respect and confidence of the whole town; who had a long petition signed by many Democrats as well as Republicans. The rival candidate was a Democrat backed by no petition of his fellow citizens. I was told that only one man in the town besides himself wanted his appointment, but that may have been an exaggeration. The Republican was marked 90 on his examination and the Democrat 83. Did the Republican, who had the highest mark, in addition to his experience and his petition, receive the office? Oh, no; it was given to the Democrat. And yet the law demands that partisan considerations shall be ignored.

Mr. BARTLETT. May I interrupt the gentleman?

Mr. GILLETT. Yes.

Mr. BARTLETT. Does not the law in reference to the civil service require that the three highest on the eligible list shall be certified, and from those three highest the Postmaster General, or the head of the department, shall select one of the three?

Mr. GILLETT. Yes; but the law forbids in making that selection the consideration of politics.

Mr. BARTLETT. Probably politics were not considered in the gentleman's case.

Mr. GILLETT. That is where I differ from the gentleman from Georgia. I do not believe that politics were not considered, and neither do I believe the gentleman believes it.

Mr. BARTLETT. The fact that he was a Democrat ought to give him a majority in this administration.

Mr. GILLETT. Probably it does; and that is where I say that the Democratic administration is not only partisan but illegal, because the law makes it illegal to take into consideration the politics of the candidate.

In another neighboring place the Republican, who had held the office for a dozen years, ranked three points higher than his opponent in the examination, but he was turned down and his Democratic rival given the place.

That process is going on in all our districts, and yet they criticize us for being partisan, when they are showing their bigoted partisanship not only in ignoring the rank in examination, but in violating the law, which forbids considering a man's politics. I can at least assert that my partisanship has never prevented me from advocating every extension of the merit system and every lessening of Congressional patronage, much less has it led me to flagrant disregard of the law.

Mr. BARKLEY. Will the gentleman yield?

Mr. GILLETT. Yes.

Mr. BARKLEY. How does the gentleman explain the fact that under the Republican administration 97 per cent of all the civil-service appointees were Republicans?

Mr. GILLETT. It was not so. That is the way I explain that. [Laughter.]

Mr. BARKLEY. One question more, if the gentleman will yield.

Mr. GILLETT. I will yield.

Mr. BARKLEY. How does the gentleman explain away the fact that out of 400 post-office inspectors only 32 were Democrats?

Mr. GILLETT. I do not believe that is true.

Mr. BARKLEY. It was so.

Mr. MANN. That was not so.

Mr. SMITH of Minnesota. Will the gentleman yield?

Mr. GILLETT. Yes.

Mr. SMITH of Minnesota. Is it not true that most of the post-office inspectors are now Democrats, or claim to be?

Mr. GILLETT. I do not know, but that is aside from the point I am making. What I am saying is that under this civil-service law all over the country the same sort of thing is going on—not only is the administration partisan, but its partisanship leads them to perform acts that are illegal. I do not think it lies in the mouth of this administration to condemn for partisanship men who criticize it.

The selection of ambassadors has always been partisan and personal. Although I have always favored putting our whole Diplomatic Service on a merit basis and promoting as a reward for efficiency, yet I have never thought it was vital, because it seemed to me that in these days of cables and wireless an ambassador was only the mouthpiece of an administration, and his personal ability was of no great moment if he creditably upheld the dignity of his country. The present war has led me to revise my opinion in this as in some other matters. It teaches me how valuable it might be to a country to have an ambassador who had friendly and intimate personal relations with the leading men of the country to which he was accredited, and who could analyze accurately their prevalent opinions and purposes. How invaluable to Germany, for instance, last summer to know exactly the purposes and probable action of England and Italy. But ordinarily an ambassador's duties and opportunities are less important. During the trying times of this war our foreign representatives have met with ability and wisdom the unusual emergencies. I do not think, however, it is partisanship which makes me feel that one above all the others has distinguished himself and won the unlimited admiration and gratitude both of the people among whom he was stationed and of his own fellow countrymen. With no desire to disparage anyone, I think Ambassador Herrick won for himself a unique position, and we all in this country may take pride in the fact that when the French Government fled from Paris it was to our representative that President Poincaré said: "I commit to your charge the people of Paris." [Applause on the Republican side.] He had won a position of distinction and usefulness which fortune seldom permits to any man, and it was with great regret that I learned of his recall. I have the warmest regard and respect for his successor. We learned in this House to appreciate his ability, his refinement, his courtesy. But Gov. Herrick has attained such an unusual prestige that I felt he might well have been retained until the emergency was over, and this feeling was vastly intensified when the current rumor reached me that he was withdrawn not in the ordinary routine, but because of selfish partisanship, because Ohio politicians demanded it, because Gov. Herrick was rendering too splendid service, was making America and himself too useful, was making himself a too popular and dangerous opponent, and so the very glory of his service was the secret and vital reason of his recall. And yet an administration which can stoop to this rebukes others for being partisan.

Mr. SHERLEY. Mr. Chairman, will the gentleman yield?

Mr. GILLETT. Yes.

Mr. SHERLEY. What basis has the gentleman for that statement?

Mr. GILLETT. That is current report; I have it on very good basis, and I thoroughly believe it.

Mr. SHERLEY. Does not the gentleman think that, making a charge of that kind, in view of the fact that the present ambassador had been appointed months before and was over in France, he ought to give something more than rumor as the basis for his statement?

Mr. GILLETT. It has something more than rumor for its basis.

Mr. SHERLEY. Then let us have it.

Mr. GILLETT. I can not give it, and will not give it; but I believe it is true, and I do not believe it will be contradicted by those who know about it.

That heroic old Democrat whose birthday is still celebrated by his degenerate party descendants, Andrew Jackson, is said to have asked a friend who was urging him to give an office to an editor in New York, "Does he loyally support me?" To which the friend replied, "He always supports you when he thinks you are right." The prototype of Democracy responded, "That's just when I can get along without him. What I want is a friend who will support me when he knows I am wrong." I presume that orthodox Democratic doctrine is held by this administration. Of course its friends will be kept very busy if they support it whenever they know it is wrong, but I have no doubt the rewards will be convincing and sufficient. But I do not think the text for its speeches should be the offensive partisanship of its opponents. [Applause on the Republican side.]

Mr. GOOD. Mr. Chairman, I yield 45 minutes to the gentleman from Wisconsin [Mr. FREAR].

Mr. FREAR. Mr. Chairman, I believe it is very proper that I should follow the gentleman from Massachusetts [Mr. GILLETT] who has just spoken, because I, too, was selected for the attention of a distinguished member of the Cabinet, who traveled not 300 miles, as he did to Massachusetts, but over 1,300 miles, up into my own district, in order to tell my people whom they ought to support. It is needless to say it was not a Republican candidate whose candidacy he urged. I may further suggest that the gentleman from Massachusetts [Mr. GILLETT] who has just spoken did what he could for this administration prior to adjournment by holding up to public gaze the extravagant appropriations which had been made and suggesting that public economy ought to be practiced at this time. In a smaller and in an humble way I, too, endeavored to do what I could to save an extravagant appropriation by this administration.

In the river and harbor bill which passed the House at forty-three million, some of you may remember I endeavored to point out imperfections and defects which, in my judgment, ought to have defeated it. But that bill went over to the Senate and there had added to it $10,000,000 more, making a total of $53,000,000. After a long period the bill was defeated, and a substitute bill carrying $20,000,000 was passed, which with the $6,990,000 carried by the sundry civil appropriation bill made $27,000,000 appropriated for waterways at the last session. We were criticized at that time for being niggardly over waterways, when, as a matter of fact, that amount was almost equal to the total appropriations 10 years ago, for the years 1904 and 1905. But I had no expectation of discussing that phase of the subject at this time. The argument which was raised when that bill was before the House, in response to every criticism of every project, was that the Army engineers had approved the project, that they had passed upon it, and that therefore Congress was supposed to accept it without any further questioning. I realize that when the new bill comes before the House time will be extremely limited, and for that reason I do not desire to encroach upon the time of the committee, excepting under the five-minute rule, if I may then be permitted; but I desire at this time to briefly point out to the House why the judgment of Army engineers ought not to be taken at its reported value. I believe that they have indorsed, within the past year, one of the most objectionable propositions ever brought before the American people so far as Government support is concerned, and that it is not the only one with which they have been connected, in my judgment. In order that I may not misstate any of the facts in regard to their position I desire to present one or more projects which they have approved, giving reasons for their approval, and I ask your attention to those reasons.

Before doing so, however, I desire to refer to another matter connected with river and harbor appropriations.

No public-spirited man questions the policy of extending Government aid to legitimate waterway improvements. No well-informed man can also close his eyes to scores of scandalous projects that receive many millions of dollars annually from Government waterway appropriations. No thinking man should

support a miserable, wasteful pork barrel because of some legitimate project it contains.

At the lobby carnival held in this city last week, I am informed, opponents to the lobby's wasteful policy were severely criticized. The same expression of indignation came from the railway lobby of my own State 10 years ago, when the State legislature demanded to know what returns the people were getting for their money. There we were met with the same denunciation and misrepresentation, the weapons of the lobby.

I have shown to the House by RECORD evidence that dredgers, railways, and contractors are contributing to the support of the $50,000,000 river and harbor lobby. All these facts were set forth in the RECORD for October 8. Why will not men occupying conspicuous positions in both Congress and the river and harbor lobby insist upon an investigation? Let it be thorough and include the opposition as well. Why do we investigate Mulhall and not the river and harbor lobby? Why do we investigate conditions in West Virginia, Michigan, and Colorado mines and yet ignore national scandal at our doors? Why do we investigate the promotion of a gold mine in North Carolina and yet refuse to dig into the looting of a Federal Treasury that is annually worked by water-power interests, land reclamationists, railways, dredgers, and contractors who demand an annual $50,000,000 "barrel."

Good-intentioned people who are inveigled into this greedy combination may well inquire into the character of the organization.

A yellow-colored circular was mailed to every Member of Congress last week, on both sides of which appeared the sensational statement:

War has been declared against the waterways of the United States.

This foolish and barefaced misstatement, an insult to the intelligence of every Representative, was sent to all of us over the signature of the river and harbor lobby's president and secretary.

The yellow document contained a pathetic appeal for the largest convention ever held by the lobby, and in bold, black type was an announcement that "the President of the United States has been invited to speak." That brought the crowd. But the President did not appear, neither did the Kaiser nor the Sultan of Sulu, for good and sufficient reasons. But the virtues of several lame-duck projects that had been repudiated by Congress were extolled by fervid orators to willing ears, and it was unanimously resolved to support an annual $50,000,000 Treasury raid.

Think of the proposal: In the presence of a huge war tax, of a President's plea for economy, of a defeated infamous "pork barrel," and of the lobby's exposed efforts to roll it through Congress this $50,000,000 lobby demands $50,000,000 more, to include scores of projects, shown to be "humbug and steals," masquerading as navigable waters.

On December 8 the fearless Chicago Tribune, one of the world's great newspapers, in a comprehensive editorial answered the lobby's declaration of war on the Treasury as follows:

[From the Chicago Tribune, Dec. 8, 1914.]

IMPROVING NAVIGATION V. STEALING PUBLIC MONEY.

Throughout the United States navigation improvements are in danger of being prevented by their undisciplined advocates just as they were prevented in Illinois.

No informed person doubts that the reasonable waterway program of the State administration would have been put into effect before now but for the intemperate demands of an active clique, who disgusted the people of the State with the entire waterway propaganda.

At one time the Lakes to the Gulf Deep Waterway Association was an influential body. It included in its membership a large number of highly disinterested men, but it fell under the control of the fanatics, the "pork" hunters, the salaried secretaries, and disappeared into oblivion.

The National Rivers and Harbors Congress is in serious danger of traveling the same road.

An organization formed for the purpose of fostering healthy public sentiment and legitimate financial support for water navigation will find a ready response throughout the Nation. But an organization conducted for the purpose of lending nonpartisan and nonpolitical support to "pork-barrel" schemes in which water transportation has the least part and in which a raid upon the National Treasury is the leading motive will soon atrophy.

The National Rivers and Harbors Congress, which meets in Washington to-morrow, will meet a hard test. Its president is an out-and-out "porker." Its salaried secretary is a hired demagogue, who has attempted to deceive the members of the congress to their own and the Nation's injury.

The "pork" representatives in the United States, in Congress, and before the Rivers and Harbors Congress have two planks in their platform.

Plank No. 1 is affirmative. There shall be dishonest river and harbor appropriations.

Plank No. 2 is negative. There shall be no honest appropriations without dishonest appropriations.

It has two battle cries.

In support of dishonest appropriation it attacks all critics as opposed to waterway improvements.

If defeated in its attempts to rob the Treasury, it attacks all legitimate improvements as extravagances.

It did both of these things to Illinois. It will do both of these things throughout the Nation.

The "porkers," fortunately, call attention to the navigation improvements of Europe.

In Europe great improvements have been obtained for water transportation at a minimum of cost. Taxes upon the transportation companies benefited defray the greater part of the expenses.

The river and harbor policy of the United States has been to obtain a minimum of benefit to navigation at a maximum of public expense. Where navigation has been benefited the navigation companies have been given the benefit free. They have become the beneficiaries of special privilege and discrimination. They take an active part in legislation and politics.

There are two main questions before the National Rivers and Harbors Congress. First, will it be used as an instrument to pass the infamous "pork-barrel" bill rejected at the last session of Congress?

Second, can it organize itself into a body conducted for the benefit of navigation instead of being a body conducted to obtain Federal appropriations?

Its unorganized members may expect a hard drive from the gang who believe that the present Congress offers the last chance for large stealing and who are willing to sacrifice all future claims on public sympathy in waterway improvements for this one great prize.

A great part of the sincere workers for improved navigation are entirely taken in by the suave manners of the spoilsmen. They are in danger of being led to their own undoing.

If they participate in the deliberations of the Rivers and Harbors Congress, let them bear in mind that a large element of the Nation is already disgusted with anything going under the name of "river and harbor improvement."

There is another large element which is thoroughly disgusted with the extravagance of Congress, especially this Congress.

A little more greed, a little more "pork," and the Nation will turn away from navigation improvement for a generation to come.

The sincere and systematic workers for navigation improvement must discover that the way to obtain the results they are seeking is by a rigid elimination of "pork" in appropriation bills. This should be done through the medium of the existing organizations if possible. But if the existing organizations remain in control of the Treasury raiders, the sooner they are destroyed the sooner honest river and harbor improvements will come.

The Tribune speaks to over 300,000 daily readers. Its advice is valuable.

From New York comes this editorial utterance, which went to nearly a million subscribers of another high-class educational medium that in like manner hits hard at fakes and frauds:

[From Collier's, December 5, 1914.]

STILL HUNGRY FOR "PORK."

The staves and hoops are ready for the new river and harbor "pork barrel" which the backers of the discredited old method of appropriating Government money for waterways hope to shove through Congress this winter. Undismayed by the smashing a few weeks ago of the $53,000,000 barrel—for which a lump sum of $20,000,000, to be used at the discretion of the War Department's engineers, was substituted—distinguished "pork" getters and their friends are determined to obtain an appropriation of approximately $45,000,000. They are going into the fight with the same arguments that have been used ever since the barrel was the size of a tomato can. For instance, the officials of the National River and Harbor Congress, in their call for an annual meeting to be held in Washington next week, characterize the condemnation heaped upon the present system as "a declaration of war on the whole policy of waterway improvement." Some of the members of the River and Harbor Congress may believe that statement; nobody else will. The people are more than willing to spend their money to facilitate water transportation, but are tired of seeing millions wasted on unusuable creeks, rivers, and inlets. And the sooner the advocates of the pork-barrel system abandon it and insist upon the enactment of a law placing the river and harbor problem in the hands of a national commission, thereby removing it as far as possible from the reach of bartering politicians, the better it will be for all of us.

I could quote from other high-standard publications to the same effect, but now desire to present facts that every Member of Congress should examine for himself before voting away Government moneys for another scandalous measure.

On December 8 President Wilson said to Congress and to the country:

PRESIDENT WILSON ON NATIONAL ECONOMY.

It is not expenditure, but extravagance, that we should care being criticized for; not paying for the legitimate enterprises and undertakings of a great Government, whose people command what it should do, but adding what will benefit only a few or pouring money out for what need not have been undertaken at all or might have been postponed or better and more economically conceived and carried out. The Nation is not niggardly; it is very generous. It will chide us only if we forget for whom we pay money out and whose money it is we pay. These are large and general standards, but they are not very difficult of application to particular cases.

If a business man found his expenses in any branch of the business increasing out of all proportion to the returns, he would drive from his employ those who persist in wasteful extravagance.

No record of inefficiency in the entire Government service can equal that which greets us from a casual study of appropriations for rivers and harbors. In private business a general house cleaning would follow such an exposition. Why, then, should we as public servants, representing the interests of the people who pay the tax, adopt any different rule?

The history of a phenomenal decrease in navigation on inland waters, apart from traffic on the Great Lakes, is startling in character, but that decrease has been accompanied by reck-

less, wasteful expenditures that in recent years are being diverted into land reclamation, water power, and other schemes for private interests, as I have attempted to show in the past, and shall continue to present to those who make the appropriations.

The following statement, taken from Army engineers' reports, contains food for thought when we realize that a war tax in times of peace is not caused by European troubles but by inexcusable waste and inefficient management of our own affairs.

River and harbor appropriations, 1875–1914.

1875	$5,218,000.00
1876	6,643,517.50
1877	5,015,000.00
1878	None made.
1879	8,201,700.00
1880	7,846,600.00
1881	8,951,500.00
1882	11,441,300.00
1883	18,738,875.00
1884	None made.
1885	13,949,200.00
1886	None made.
1887	14,473,900.00
1888	None made.
1889	22,397,616.90
1890	None made.
1891	25,136,295.00
1892	2,951,200.00
1893	21,968,218.00
1894	14,166,153.00
1895	20,043,180.00
1896	11,462,115.00
1897	16,244,147.00
1898	20,832,412.91
1899	14,627,449.56
1900	25,110,038.94
1901	16,285,605.75
1902	7,046,623.00
1903	32,540,199.50
1904	20,233,150.00
1905	10,872,200.00
1906	28,726,007.21
1907	17,252,052.04
1908	43,500,813.00
1909	18,092,945.00
1910	29,196,264.00
1911	49,380,541.50
1912	40,558,620.50
1913	51,115,889.00
1914	26,990,000.00

The force of the above table will be gained by comparisons. Taking biennial appropriations, in order to meet the former practice, we find—

1883, 1884	$18,738,875
1893, 1894	36,134,371
1903, 1904	52,773,349
1913, 1914	78,105,889

A diminishing river traffic and a 400 per cent increase in appropriations in 30 years are facts that deserve serious consideration.

We should remember also that a reduction in the 1914 appropriation was brought about after widespread public protest had been dinned into the ears of Congress, coming as it did from the press throughout the country. The river and harbor bill of 1914, including new projects and sundry civil items, reached the astounding sum of $93,000,000, a great part of which was waste. Notwithstanding the strenuous fight and secret back fire conducted by the rivers and harbors lobby during last session the barrel was smashed in the Senate and a $20,000,000 fund was placed in the hands of the Army engineers for emergency work in addition to $6,990,000 appropriated by the sundry civil bill.

THE LOBBY DEMANDS ANOTHER $50,000,000.

Again the lobby has met and by resolution last week arrogantly demands of Congress another $50,000,000. War taxes, national financial embarrassment, nothing weighs with the Treasury raiders, and I desire to show briefly on what projects a great part of the last $53,000,000 barrel, and presumably the new bill, would be wasted.

Senator TILLMAN called the bill a "humbug and steal" many years ago, when the principle was the same but the amount of loot was far less. Yet never before has the lobby audaciously demanded a $50,000,000 direct tax in order to float its barrel. That remained for the present administration to face. Avoided during the last session it devolved upon a handful of high-minded, courageous men in the Senate to save the country $66,000,000 by their defeat of that waterway fraud. All honor to them and to a fearless press that became aroused and supported the fight.

I desire to discuss some projects frankly and impersonally, and for those who care to pursue their own investigation on the subject I ask attention to speeches relating to different phases of the 1914 bill, found in the RECORD for April 10, June 3, June 8, June 19, and October 8, together with many illuminating discussions in the Senate last session. It is a large subject to try and cover, but the enormous amount of annual loot taken from the Treasury, together with the acknowledged stultifying influences of the barrel, justifies a careful scrutiny by every Representative into scores of indefensible items that have made up the larger part of annual waterway bills.

I desire to particularly discuss one project that has been recommended by Army engineers for immediate construction and received a preliminary appropriation in the last bill, a project so vicious and scandalous in character that the country has reason to demand a full explanation for such recommendation. Possibly an attempt will be made to railroad the project through Congress at this session or commit us to a vicious policy, and as only a few minutes will be given by the committee to the discussion of any one item when the bill is before us the present time affords my only means of setting forth the true character of this project in advance of the bill's passage.

WHAT THE BILL MEANS.

Vote for such bills if you will, but vote understanding they are spurious waterway bills largely devoted to private water-power, land-reclamation, and other schemes, behind which are grouped dredgers, contractors, land interests, certain railways, and the Water Power Trust. I have shown the direct connection of many interests in my remarks in the RECORD for October 8, but desire to present other irrefutable evidence to show additional influences behind this proposed barrel and to point out a few vicious projects it has contained in the past and is expected to contain before it passes both Houses.

Army engineers have been quoted to us repeatedly in support of vicious, worthless projects. They are required to approve every project in order to prevent the cupidity of Congressmen from walking off with too large loot barrels. We have been repeatedly informed that Army engineers are the watchdogs of the Treasury, and their sensibilities have been injured, according to common report, because of criticism leveled against the "barrel." I believe the engineers, as a class, are honorable and able men, and do not wish to do any of them injustice; but am convinced, I am about to discuss one of the worst cases of Government loot ever attempted under the guise of "navigation"—with the engineers' indorsement.

ENGINEERS URGE A PARTICULARLY BAD PROJECT.

If this project is once begun it will open the door immediately to Government expenditures running into hundreds of millions of dollars to be expended for private special interests. Never before has the disguise been completely thrown off nor have Army engineers surrendered unconditionally to powerful political interests, so far as my knowledge goes. Heretofore they have made a pretense of opposing "humbugs and steals," but they now recommend immediate allowance of a gigantic fraud—war taxes or no war taxes. This is vigorous language, but I hope it may arouse Members to the true character of vicious waterway legislation which the people are called upon to pay for by a direct war tax.

The careful attention of every Member is invited to Document No. 20 of the Committee on Rivers and Harbors, Sixty-third Congress, relating to the Tennessee River between Browns Island and the railroad bridge below the city of Florence, Ala.—Muscle Shoals. The document contains 84 pages and several maps that should be carefully examined by those who are being urged to vote for waterway projects on the ground that they have received the approval of Army engineers.

Mr. NELSON. Will the gentleman permit a question?

Mr. FREAR. Certainly.

Mr. NELSON. What river is this?

Mr. FREAR. The Tennessee River, in the State of Alabama.

WHAT IS BEHIND AN EIGHTEEN MILLION FRAUD?

The 1914 bill contained a preliminary $150,000 appropriation for this item. On Saturday, December 12, another hearing before the House committee was held on this same project, and I quote a paragraph from the press account of that hearing:

Members of the Rivers and Harbors Committee queried the witnesses as to whether they believed the railroads were back of the movement to oppose the development of navigation at Muscle Shoals. The witnesses said they felt that the railroads were strongly opposed to such development.

What was the purpose of asking such foolish questions concerning a proposed filching from the Treasury of $18,701,000 with which to finance a water-power company? Did any member of the committee demand the names of the powerful inter-

ests that are forcing this high-handed proposal through Congress?

AN $18,000,000 PRESENT TO THE TRUST.

Heretofore projects, however wasteful or ridiculous in character they may appear to be, have offered some pretense of being intended for navigation. Muscle Shoals, new project recommended by the Army engineers, to be begun by January 1, 1915, and to be completed by 1920, calls for $18,701,000 to finance a water-power proposition for the Alabama Power Co. that already controls all the power along the Tennessee and Coosa Rivers.

Pursuant to the proposal of Army engineers, this $18,701,000 is to be expended at once, and the money is to be spent in building dams, locks, and power plant for the Muscle Shoals Hydroelectric Power Co., a branch of the Alabama Power Trust. This Government, with the approval and recommendation of its own Army engineers, according to their report, is about to help build a water-power plant for the Alabama Power Co. at a cost of $18,701,000, and to give a lease for 100 years to this Water Power Trust. Holding the bag, financially speaking, the Government tries to get back $8,376,000 of the amount, during the course of a hundred years. The remaining $10,325,000, however, is to be given over as a Christmas present.

To be fair in the statements of facts, I will say that $8,575,000 is ostensibly for navigation, but through a pretense is as hypocritical in character as the offer for public bids between a straw man and a Water Power Trust.

As Document No. 20, throughout its whole astonishing text of 84 pages, does not give a solitary fact from which to determine why $8,575,000 is to be spent for navigation, I have undertaken some investigation of the subject.

Army engineers, who were educated by the Government and have ever since been its confidential paid advisers, have determined that of the $18,701,000 to be expended for water power mathematical exactness requires that a contract with the Water Power Trust should be so apportioned that our Government will pay $8,575,000 of the amount and charge it up to a profit and loss account of "navigation," and $1,750,000 additional for "easements."

FARCICAL RIVER TRAFFIC.

In a published statement Senator BURTON mercilessly dissects scores of projects contained in the 1914 "pork barrel." Turning his attention to Muscle Shoals, Senator BURTON's article says:

For the Muscle Shoals improvements on the Tennessee River, about 150 miles below the Chattanooga, the appropriations to-day have been $3,191,726. Commerce through this canal in 1912 was 5,520 tons of all types. Each year shows a decrease in traffic. The commerce through this canal in 1906 amounted to 26,878 tons, in 1909 it was 17,353 tons, and in 1911 it was 8,962 tons. For the last fiscal year it cost $48,292 to operate and maintain this canal. Interest on the investment at 3 per cent was $95,751.78. Including interest and cost of maintenance the Government last year spent $26.09 for every ton of freight of all classes going through the Muscle Shoals Canal.

Mr. NELSON. Will the gentleman permit an inquiry?

Mr. FREAR. Certainly.

Mr. NELSON. What is the cause of the decline after the expenditure of these funds?

Mr. FREAR. Competition due to railroads that have gone into that country very largely, according to the reports.

Mr. NELSON. Will the gentleman permit another question?

Mr. FREAR. Certainly.

Mr. NELSON. Do they expect in some way to reverse that competition? How do they expect to get it back?

Mr. FREAR. If the gentleman will listen to me for a moment, I will give him a statement of the condition of affairs that is in reply to that very question. It is interesting, if not instructive.

The Army engineers have recommended an expenditure of $3,191,726 to secure 5,520 tons of freight. But it does not tell the whole story. On page 2510 of the Engineer's Report for 1913 appears the character of the 5,520 tons, which cost the Government over $140,000 for 1912. Therein it appears 2,473 tons were fertilizer, floatable logs, or timber, leaving a balance of 3,047 tons of miscellaneous freight, including coal, grain, and hay.

A GOVERNMENT EXPENSE OF $26 PER TON FOR FERTILIZER.

These figures are taken from the Army Engineers' Report, which report the same Army engineers prepared prior to making their recommendations contained in Document No. 20. Yet with facts staring them in the face from their own reports, proving that after an expenditure of $3,191,726 commerce of Muscle Shoals diminished from 26,878 tons in 1906 to 5,520 tons in 1912, with further facts disclosed by their own reports showing that practically half of this insignificant traffic is composed of fertilizer or floatable material and the balance of miscellaneous freight, with all this array of facts to condemn incompetence responsible for a waste of $3,191,726 and an annual Government cost of $26 a ton for putting fertilizer through the Muscle Shoals locks—I say, with all this record of its own poor judgment spread before its gaze from its own official records, the Army board now recommends an immediate expenditure by the Government of $8,575,000 more for the accommodation of this 5,520 tons of fertilizer and other cheap freight.

SCANDALOUS WATER-POWER PROJECTS.

More scandalous, it recommends immediate enactment into law of an additional advancement of over $10,000,000 more with which the Government is directed to build a water-power plant for the Water Power Trust, extending a trust franchise for 100 years and giving exclusive grasp to a monopoly that already controls all other water powers in Alabama.

Have I made this much plain? If so, it is not the whole case, because the report demonstrates this Government has been persuaded by its engineers to dump millions into the Coosa River, ostensibly for navigation, but for the Alabama Power Co. monopoly as is shown by pages 82, 83, and 84 of the report contained in Document No. 20.

Mr. MOON. May I interrupt the gentleman?

Mr. FREAR. Certainly.

Mr. MOON. I would like for the gentleman to state his figures as to the traffic in tons on the Tennessee River.

Mr. FREAR. At Muscle Shoals it is 5,520 tons.

Mr. MOON. What was the tonnage of the entire river last year; does the gentleman know?

Mr. FREAR. That is all that is given by the engineers for that place.

Mr. MOON. I want to inform the gentleman the tonnage was about 1,300,000 tons, to the value of about $13,000,000.

Mr. FREAR. In reply to that let me say to the gentleman I have given a great deal of attention to the method of preparation of engineers' statistics. I can convince him or any other man, I believe, in a short time that but very little reliance is sometimes to be placed upon the estimate received from them and from their own admission at times.

Mr. MOON. Will the gentleman permit me to ask him this: If there is no reliance to be placed upon the reports of engineers gathered over the United States along the rivers as to the traffic, where can we look and to whom for such facts?

Mr. FREAR. I wish the gentleman would listen to me for a few moments, and I will endeavor to enlighten him as to my own views of that and say that they have arrived at this exact measurement because the freight was carried through the lock and an exact determination made. I am not criticizing their efforts, but traffic statistics should be carefully examined from their own admissions.

Mr. MOON. The gentleman does not include, then, any tonnage that passes along other parts of the river that does not go through Muscle Shoals?

Mr. FREAR. I will say this, the Army engineers show that 5,500 tons have gone through this lock. That is all they show at this point.

Mr. MOON. Does the gentleman know a commission on waterways of the United States, composed of six Senators and six Representatives, have reported that the Tennessee River had maintained its tonnage as the fourth river in the United States?

Mr. FREAR. I am glad the gentleman said that, because if he had been listening to me he would have learned that inside the period of six years, according to the Army engineers themselves, the traffic on that river has decreased from 26,000 tons to 5,500 tons. Beyond that, the chairman of that great waterways committee, the best acknowledged expert in the United States, is the gentleman from whom I have been quoting.

Mr. MOON. The report was signed by that gentleman and shows for itself. As a matter of fact, it does not show any such figures, because in a hearing before the Rivers and Harbors Committee only a few days ago they are shown to be thoroughly erroneous.

Mr. BRYAN. Will the gentleman yield?

Mr. FREAR. Yes.

My BRYAN. The gentleman spoke a while ago about the Alabama water-power trust.

Mr. FREAR. Yes.

Mr. BRYAN. Has the gentleman investigated, and is it not a fact that the Alabama corporation is principally foreign owned?

Mr. FREAR. It is part of the General Electric. It is in the general trust.

Mr. BRYAN. And owned by Canadian owners, very largely, is it not?

Mr. FREAR. I am not sure, but it is part of the General Electric Trust.

A GOVERNMENT EXPENSE OF $100 PER TON FOR FERTILIZER—SAME STREAM.

We learn that after an investment of $3,191,726 only 5,520 tons of fertilizer is shipped annualy at a cost to the Government of $26 per ton. It is equally illuminating to learn that after spending $8,575,000 more on Muscle Shoals, or $11,766,726 in all "for navigation," the average cost to the Government for conveying this fertilizer through Muscle Shoals will be approximately $100 per ton, based on a 5 per cent charge for interest, maintenance, and depreciation.

By a singular coincidence this water traffic rate is estimated to be the approximate cost to the Government per ton on the Missouri when present expenditures of $27,000,000 shall have been completed.

By a further coincidence decrease in traffic quoted on the Muscle Shoals, Missouri, and lower Mississippi Rivers, after all this prodigious shower of gold into these trafficless streams, has been an approximate 80 per cent loss in every case, according to the engineers' reports.

So much for Army engineers who control Government purse strings for statesmen who are expected to approve indefensible recommendations.

Is this statement a slander on the judgment or reliability of Army engineers? We have been given repeated shocks when discussing the 25 projects for North Carolina; streams dry eight months in the year in Florida; of artesian well proposals for the $10,000,000 Trinity River; of the $20,000,000 future expenditures for a bankrupt 13-mile canal. All of these schemes have weakened public confidence in recommendations of Army engineers. Let us study the Muscle Shoals $18,701,000 project.

CHIEF KINGMAN SAYS IT IS A GOOD THING.

Quoting briefly from the report on Muscle Shoals, signed by Dan C. Kingman, Chief of Engineers, Document No. 20, pages 1 and 2, we find:

The cost of providing 6-foot navigation under a plan contemplating a water-power development satisfactory to this company is estimated by the special board at $18,701,000. Of this approximately $8,575,000 may properly represent the value of the proposed improvement to navigation, the remainder being chargeable to power development and to be reimbursed to the United States with interest under a definite schedule of payments, the first to be a cash payment of $3,000,000 upon the completion of the structures at site No. 2, to be followed by 99 annual cash payments in amounts which, with the first payment, will return the entire part of the cost chargeable to power development with compound interest at 3 per cent. In addition the company proposes to pay each year an amount equivalent to 35 cents per horsepower of installed capacity, beginning as soon as this exceeds 200,000 horsepower, and in any case not later than 20 years after first power is developed. The lease period proposed is 100 years.

THE $18,701,000 GIFT SHOULD NOT BE DELAYED.

The Board of Engineers for Rivers and Harbors has carefully considered this plan and is in general accord with the views and recommendations of the special board, though believing that a due regard of public interests requires that some equitable provision should be made whereby the United States may terminate the lease at any time after the end of 50 years in case it should become apparent that such action is desirable. With this provision the board is of opinion that it is advisable for the United States to adopt the project outlined by the special board for combined navigation improvement and power development on the Tennessee River at Muscle Shoals, Ala., in cooperation with the Muscle Shoals Hydroelectric Power Co., at a total estimated cost of $18,701,000 under the conditions specified by the special board. The first appropriation should provide at least $1,000,000 in cash and contract authorization for the balance, with a view to completion of the work in five years. In case Congress does not adopt the project at once the board recommends an appropriation of $150,000 to provide for completion of the detailed surveys, foundation borings, and preparation of plans, so that there need be no unnecessary delay in active prosecution of the work whenever it is authorized.

THE FIRST VERY LARGE PRIVATE JOB RECOMMENDED.

After due consideration of the above-mentioned reports I concur with the views of the special board and the Board of Engineers for Rivers and Harbors. Attention is particularly invited to the general comments made by the latter board in the final paragraph of its report relative to the economic questions involved in the financing of joint navigation and water-power developments, of which the one herein proposed is the first to be recommended on a very large scale.

DAN C. KINGMAN,
Chief of Engineers, United States Army.

Hon. S. M. SPARKMAN,
Chairman Committee on Rivers and Harbors,
House of Representatives.

Possibly it may be said the Chief Engineer does not reflect the views of the Army board, to which fulsome praise has been awarded by those who have projects awaiting favorable action by this supreme court of Army engineers. That the court appears to be of one mind is apparent from Document 20, which is signed by several distinguished officials.

FINANCING A MONOPOLY.

On page 5, paragraph 12, the board justifies its efforts to create a water-power monopoly at the expense of Uncle Sam, instead of permitting independent plants to supply legitimate demands, as follows:

The Muscle Shoals Hydroelectric Power Co. has interests in other power developments on the Tallapoosa, the Coosa, and the Little River. Connecting these developments with the proposed Muscle Shoals development will make up deficiency in power at the latter place during seasons of low water. This fact alone enables the power company to plan for an ultimate installation at Muscle Shoals of 680,000 horsepower measured at the switchboard. The special board states that such a combination of power plants, if suitably regulated by State or Nation, will be of far greater public benefit than a number of independent power plants with incomplete development of each plant.

The cat is out of the bag, and the straw-man bidder exists gracefully.

On page 6, paragraph 18, occurs an X-ray view into the peculiar understanding of official responsibility possessed by this board and the complete dominance of judgment by interests antagonistic to the public welfare and helpless millions who are paying a war tax to cover past extravagance. I quote:

The Board of Engineers for Rivers and Harbors has carefully considered this plan and is in general accord with the views and recommendations of the special board. The project contemplates primarily the conservation of one of the great natural resources of the Nation by the development of power in large amount and incidentally the improvement for navigation throughout the year of a reach of about 82 miles of the Tennessee River. An expenditure by the United States of $18,701,000 within a period of five years is contemplated. Of this total, $8,575,000 is estimated as the cost of the portion of the work which properly may be considered as an improvement of navigation.

To this should be added another gift of $1,750,000 for power purposes, as I shall later show.

Eight million five hundred and seventy-five thousand dollars is to be added to the $3,191,000 already spent on this project, which has lost 80 per cent of its traffic within eight years, and amounts to a grand total at this point of 5,520 tons, largely of fertilizer. What is this vast amount of money to be spent for?

Mr. MOON. The gentleman understands we are not agreeing that is true?

Mr. FREAR. Of course the gentleman has the privilege of answering in his own time. Besides that $8,575,000 spent for navigation, $1,750,000 is recommended by the Army engineers for water easements for this water-power company, and that is after a minority report of protest was filed by one engineer. I must read it in order to give you the facts to show how even an Army engineer felt it improper to throw away Government money in this way, notwithstanding he consented to the $8,750,000 for navigation for this insignificant tonnage.

Mr. MOON. May I ask the gentleman how much money it would take to put in repair the United States canal that now runs along Muscle Shoals and through which the tonnage must now go?

Mr. FREAR. I am going to read from the report the conditions given in the documents, and the gentleman will understand that my time is limited, unless I can be yielded more time.

Mr. MOON. I want to suggest to the gentleman the cost of repairs there will amount to nearly as much money as it will take to put locks and dams in that place, and the power company proposes to turn back to the Government any money expended except that expended for navigation purposes.

Mr. FREAR. We will discuss what the power company proposes to do before we get through, because I have the official document in which they make the proposal and the cause of the straw bid at that time.

Here is the minority report of the engineer.

Let me point out explicitly one or more features of this remarkable report, the first of the kind, according to its own statement, ever presented, by calling attention to a dissenting report of Lieut. Col. Riché, who says, on page 57, paragraph 24:

In conclusion, I recommend that all lands and easements needed for this improvement be required to be donated to the United States, and do not fear that such delay as this may cause will result in loss to the United States or will prevent the combined improvement of Muscle Shoals for adequate navigation and maximum power developments, even if the loss of the present offer of the Muscle Shoals Hydro-Electric Power Co. should result. In other respects, except where herein stated to the contrary, I concur in the report signed by the other members of the board.

He refuses to consent to an expenditure of $1,750,000 for easements for the water-power company, because he can find no justification. That is an Army engineer.

Mr. MOON. Will the gentleman yield?

Mr. FREAR. If the gentleman will give me further time, I will do so.

Mr. MOON. I shall be glad to see you get all the time you want. I ask you if that is the minority and not the majority report?

Mr. FREAR. I will give you the majority report now, reading from page 6. This is a report of the board. Just listen to this, please:

THE BOARD REPUDIATES AN "INNOVATION."

Riché dissented from buying up lands and easements for the purpose of creating this water power. The whole purpose is disclosed by the Board of Engineers when, on page 6, paragraph 16, the minority report of Lieut. Col. Riché is overruled, as follows:

One member of the special board submitted a minority report, advocating the view that by reason of special benefits enjoyed by local interests they should be required to furnish to the United States free of cost all necessary lands and flowage rights, estimated to cost about $1,750,000. The majority of the special board, while in general sympathy with the adoption of such a policy on river and harbor work, considered it inadvisable to make the innovation in this case, as it would doubtless lead to considerable delay and would be apt to defeat the present opportunity to make this improvement on favorable terms."

This is signed by the board.

For whom? For the water-power company.

And would be apt to defeat the present opportunity to make this improvement on favorable terms.

To whom? To the water-power company, with only a straw man to bid against it.

Mr. MOON. That is your statement about it.

Mr. FREAR. Can a man come to any different conclusion after reading the engineer's report?

Mr. MOON. You ask a question and answer it, and put it in the mouth of the engineers. They do not make it at all.

Mr. FREAR. I say that this is a most novel report. The engineers themselves say so.

Mr. MOON. You should not put it in the mouths of the engineers to say that it is a scandalous report.

Mr. FREAR. No; I do not wish to be so understood. The gentleman can interrupt. I have admiration for his ability and interest in this project. I realize it comes home. I am not speaking from any personal feeling except I do not like to see $18,000,000 thrown away by the Government for a water-power company. [Applause.]

FLOATING SCHEMES, NOT BOATS.

What must be the logical conclusions drawn from such proposals by our guardians of creeks and rivulets and of our collective legislative conscience. The Alabama Power Trust is about to take over Muscle Shoals and the Government is about to spend $18,701,000 to float the scheme. That is the only thing that can ever be floated at Muscle Shoals, and that is the only kind of commerce involved in the tremendous expenditure proposed by the Army board.

Returning to document 20, we find this recommendation by the Board of Engineers, on page 8, paragraph 24:

The board therefore reports that in its opinion it is advisable for the United States to adopt the project recommended by the special board for combined navigation improvement and power development on the Tennessee River at Muscle Shoals, Ala., in cooperation with the Muscle Shoals Hydroelectric Power Co., at total estimated cost of $18,701,000, under the conditions specified by the special board and with the additional provisions suggested above for possible recall of the franchise after the lapse of 50 years. The first appropriation should provide at least $1,000,000 in cash and contract authorization for the balance, with a view to completion of the work in five years.

When the 1914 river and harbor bill of $76,000,000—counting new projects—was presented to the House, the distinguished chairman of the Rivers and Harbors Committee made use of this remarkable language:

BILLIONS OF DOLLARS DEMANDED BY WHOM?

But what of the cost? That is another pertinent question.

If we enter upon other works having no direct or necessary relation to navigation there is no telling where we will land. Why, there are propositions advanced, some of them now before Congress, advocated and supported by men of national repute, the adoption and carrying out of which would cost billions of dollars.

We have on the books to-day, including those taken on in this bill, about $300,000,000 of projects, $150,000,000, in round figures, or half of it, being for four rivers—the Mississippi, the Ohio, the Missouri, and the East River in New York, the last named, however, only requiring about $13,000,000 to complete. The work on these four streams, if the plans laid down by the engineers are followed, is to extend over a period ranging from 8 to 25 years; perhaps a little beyond that. The other $150,000,000 will likely be required during the next 8 years; that is, if the plans of the engineers are carried out. Of course there will be other projects; but we must remember that there are yet other projects still on hand and yet to be considered. There were before our committee about $50,000,000 of projects submitted within the past two years besides the $38,000,000 we have adopted in this bill. I do not know that all of those will meet with favorable consideration in the future; the chances are they will not; but if they should all be adopted, the amount, including those adopted or recommended in this bill, will reach $350,000,000.

In that connection I call special attention to the following sentence I have quoted from Chairman SPARKMAN's speech:

Why, there are propositions advanced, some of them now before Congress, advocated and supported by men of national repute, the adoption and carrying out of which would cost billions of dollars.

What projects did he refer to? Can any project for waterways come before Congress without the approval of Army engineers? The chairman should give to the House all particulars regarding water-power projects which in the aggregate, presumably, will take billions of dollars to finance. We further ask, Who are the men of national repute standing behind these extravagant projects? Are they standing behind the Muscle Shoals project? If so, who are they?

BILLIONS OF DOLLARS FOR WATER-POWER INTERESTS.

No intelligent man will question the proposition that if our Government is to finance all the water-power propositions that have been optioned by the General Electric Power Trust, including its subsidiary, the Alabama Power Light & Water Co., and innumerable deputy subsidiaries like the Muscle Shoals Hydroelectric Co., that billions of dollars may be abstracted from the Federal Treasury to finance these projects.

Aside from political pull exercised by men behind the Muscle Shoals proposition, as suggested by the remark of the chairman of the Rivers and Harbors Committee, why should not the Government, with equal propriety, finance every water-power project from New England to the Pacific coast?

And why not extend the field of Government gifts to all corporate bodies, great and small, that have some place in our industrial system?

Let the people who pay the income tax and the war tax and other taxes, directly or indirectly, understand that this is proposed to be a Government to support privilege and they will then awaken to the danger of this pretended waterway improvement recommended by Army engineers.

It hardly seems necessary to quote further from this illuminating 84-page water-project report, and in ascertaining responsibility I do not overlook letters of instruction from the Rivers and Harbors Committee dated June 14, 1910, and February 24, 1914, respectively. The character of the Engineers' report and its effort to give to a water-power trust $8,575,000 for fake navigation can not be explained by any action of the Rivers and Harbors Committee, however objectionable such action of that committee may appear to many Members.

Mr. COX. How much is that dam going to cost?

Mr. FREAR. Eighteen million seven hundred and one thousand dollars is the project. I have forgotten how many there were.

Mr. MOON. There are two of them. The gentleman does not recollect about it.

Mr. FREAR. Only $18,701,000 for two dams. Read the document. I do not ask you to take my interpretation as to what it contains.

HIGH FINANCING BY THE GOVERNMENT.

In order that Congress may have some further light on the way it has been hoodwinked into throwing away money on Alabama water-power projects I quote extracts from pages 82, 83, and 84 of this same document 20:

While it can not be said at this time whether the operation of the proposed plants on the Coosa River will or will not increase the amount of power which can be commercially generated at Muscle Shoals, these plants will be considered here in a general way to show the ultimate relation between the Coosa system and the Muscle Shoals-Tallapoosa system.

The following plants are proposed on the Coosa: Lock 12 (now under construction), Lock 7, Lock 14, Lock 15, and Lock 18. In the place of Lock 14 and Lock 15 we proposed to raise the Lock 18 dam to a height which will back the water up to Duncans Riffle and to build a dam at Duncans Riffle which will back the water up to Lock 12. The total amount of fall between the pool level of Lock 12 and the tail-water of Lock 18 is 230 feet; the distance between them is 32.8 miles. Diagrams Nos. A–3457, A–3458, and A–3459 show the amount of power available at these sites. The pools above these dams are of no great extent, being 5,200, 3,500, and 3,600 acres in extent above Lock 12, Duncans Riffle, and Lock 18, respectively. These pools are of sufficient area for storage of water during fluctuations covering several days, but will be of little benefit in storing water for extended periods.

The Lock 18 site has been studied in detail and subsurface conditions have been investigated by diamond drilling. It is an admirable site, foundations are good, quantities of masonry required being comparatively low, and construction materials being near at hand.

No study has been made of the Lock 7 site.

Here is where the engineers do a stroke for navigation when they demand a 150-foot dam at Cartersville. Think of this proposal for Etowah Creek when they say:

150-FOOT HIGH FINANCING.

The Army engineers propose to build a dam and reservoir on the Etowah River at Cartersville, Ga., which will add an immense amount to the primary power of the plants on the Coosa. The project will consist of a dam 150 feet high, impounding 30,000,000,000 cubic feet of water. The object of this reservoir is primarily to increase the flow of water in Alabama River below Montgomery for the aid of navigation, the available draft to be used to amplify the low flow being variously estimated from 4,000 to 5,000 second-feet. The dam site is 3 miles above Cartersville and the entire reservoir is in Georgia. Surveys of reservoir have been made by the Army engineers, and their findings are in a report on the Coosa River prepared by Maj. Ferguson, which has not been published. The dam site is now owned by the Georgia Railway, Light & Power Co., who own an amount of land within the reservoir.

A MYSTERY EXPLAINED.

I quote from my remarks on the Coosa River proposition, appearing on page 7073 of the RECORD, made at the time the last rivers and harbors bill was before this House. Some

of the mystery surrounding that project which was incomprehensible six months ago is as clear as the noonday sun when the X-ray of Document 20 is placed in proper position.

CANALIZATION NIGHTMARES.

Another mythical scheme is the Coosa River, Ga., which only gets $65,000, page 23 of the bill. Nothing startling appears in this item until we read the engineer's report and learn that a project for the canalization of this river started in 1890, 24 years ago, was modified in 1892, and provides for 23 locks and dams of the Coosa River, Ga., at an estimated cost of $5,106,422. By June 30, 1909, the intelligent engineers' office had expended $401,372 and had only 4 per cent of the project completed. This was doing fairly well for the engineers' office, which had been so many years on the job. Like a thrifty storekeeper, the engineer took an accounting of 19 years' progress, and in 1909 the waiting public was informed by his report:

"On account of the numerous rapids, this part of the river has never been navigable. As yet (after 19 years) no benefit has been derived from this improvement, and its value is entirely dependent on the completion of the entire system."

Amount required for the completion of the existing project is $6,059,913. This statement, issued 19 years after the project had been started, shows an expenditure of $401,372 and a jump in estimates of $953,481. And after 19 years the stream was as worthless as ever. Taking up the intelligent Engineers' Report for 1913 I find, on page 2134, that—

"a small commerce in the rafting of logs and square timber can only be carried on when the river is about 12 feet above low water, and no reliable estimate of its value can be ascertained."

And this is the progress made in 24 years with a worthless project. Congress appropriates $65,000 in 1914, although the engineer says, page 2133:

"No appropriation is recommended for the fiscal year ending June 30, 1915."

At the rate of progress made on the Coosa River we may reasonably expect navigation will be opened up by the year 2014, provided the engineers do not disgust Congress with this stupid, reckless, senseless, wasteful proposition. It will take a century to complete, and it will be as valuable as a toy balloon when the $6,000,000—or, possibly, $10,000,000—has been sunk in the Coosa River. In addressing ourselves to the indictment of criminal incompetence in the handling of this project we may well ask, Who is to blame?

At that time it was strenuously contended this enormous expenditure was for future navigation. The hypocritical mask has been torn off by Document 20, from which I have quoted. Private water powers and not public navigation appear to be involved in this project.

Mr. CALLAWAY. Is it not a fact that many of these engineers that have this infallible judgment have time and time again turned them down and then finally recommended them?

Mr. FREAR. The gentleman has just struck what I am going into.

Mr. CALLAWAY. Has the gentleman ever looked into why these Army engineers change their mind as to the commercial importance of navigability of these rivers after years of opposition to them?

Mr. FREAR. I have prepared an answer for the gentleman. He understands the value, the persuasive value, as it commercially bears on the Trinity River, better than anybody else who spoke on the bill at the last session, and his judgment agrees with mine on the general proposition.

ELEVEN HEAVY GUNS TURN THE ENGINEERS' FLANK.

A bare statement of the Muscle Shoals and other water-power cases may not do exact justice to Army engineers. I have been much impressed with their efforts to do right, and the apparent reason sometimes offered for their surrender to constant pounding by powerful interests.

Take, for instance, the Cumberland River project above Nashville, found in Document No. 10, River and Harbor Committee, Sixty-third Congress, second session. The report covers 140 pages and is worthy of careful study.

In 1882 an experimental canalization scheme to cost $8,500,000 was authorized. It provides for 28 locks and dams, but after building a few locks and spending about $3,000,000, without aid to traffic, the rest of the project was abandoned on the report of the Army Board of Engineers in 1906. Persistent hammering brought a second adverse report from Maj. Harts in 1910, and a third refusal, in response to local demands, was filed by Maj. Burgess on October 29, 1912. All of these reports disapproved of further expenditures on a bad investment.

Then came to notice a "booster" club of Nashville, which proceeded to furnish rainbow statistics of possibilities, as glittering in character as the inconsiderable and rapidly decreasing river traffic would permit the booster conscience to present. Thereupon Maj. Burgess cogitated, modified his report, but while falling in this one-sided battle, the major declared that $4,500,000 must not be expended by the Government unless local communities contributed one-half of that amount. In view of the small and decreasing river traffic shown by the report, after deducting floatable timber, this report is significant of a sudden and inexplainable change of heart. By a surprising coincidence the division engineer adopted the new Burgess report of 1913, conditional upon the localities contributing one-half of the $4,500,000.

THE MILITARY ADVANTAGE OF MASSED FORMATIONS.

After following this interesting reversal of action through the report, it becomes doubly instructive to watch a siege campaign prosecuted against the Army engineers. Two United States Senators and nine Congressmen, with some lesser lights, confronted the Army board on both flank and center, from pages 5 to 38, in an assault to determine why this project, so frequently disapproved, should not be given an official O. K. and $4,500,000 surrendered unconditionally.

The struggle of Col. Black to save his hospital corps before surrendering is related on page 9, when he faces heavy artillery with the remark, "This money belongs to all the people of the United States, and it is perfectly well known that there are many more improvements urgently asked for than there is money to pay for." To clinch his argument he declares:

Now, on the basis of the return by the distribution of fair costs to the whole people of the United States there does not seem to be a return commensurate with an investment of $4,500,000.

Mr. BYRNS of Tennessee. Will the gentleman yield?

Mr. FREAR. Let me suggest before I answer the gentleman from Tennessee that my proposal is not original with me. It is the proposal of many who see the wickedness of the present system—that a high-grade commission should pass upon this question. We all believe in waterway improvement, and we all believe in improvements for proper navigation. We want to see it done properly. But under the present condition of affairs it is wasteful, as I have shown in other cases, where after an expenditure of $3,000,000 it costs $26 a ton to ship 5,000 tons through the locks, and now they are asking $8,575,000 more for those two locks. Now I will yield.

Mr. BYRNS of Tennessee. The gentleman stated a moment ago that the change in the report of the engineers in regard to the upper Cumberland was due to the activities of a certain booster club of Nashville. I want to ask the gentleman what authority he has for that statement?

Mr. FREAR. The report of the engineer himself. He says he first formed his judgment—that is, Maj. Burgess—upon the character of the traffic upon that stream, but that he had received the report of the 'Nashville Booster Club'—and he gives the title of the club—and they furnished additional data in regard to the traffic. Based upon that, I understand, he changes his report, but with this modification, that he asks that the local community shall contribute at least one-half. That was the form of the question when the 11 Members of Congress went before the Army engineers to have removed that provision for $2,250,000 conditional local aid.

Mr. BYRNS of Tennessee. I want to say to the gentleman, with all respect, that I hope the other statements he has made in the course of his address have been founded more upon fact than his statement that the change of the district engineer with reference to the upper Cumberland was due to the activities of any booster club, or any club, of the city of Nashville. If the gentleman will pardon me for just a moment, I happen to know personally——

Mr. FREAR. I hope the gentleman, if he is going to make a statement, will make it in his own time and not in mine.

Mr. BYRNS of Tennessee. I think the gentleman has done the engineers a very gross and grave injustice, and I am sure the gentleman does not want to do that. Mr. Myers, accompanied by the gentleman from Tennessee, Judge HULL, and myself appeared before the board here in Washington, and succeeded in convincing them that a grave injustice had been done to the upper Cumberland River in the report as to the amount of commerce that was carried on from year to year upon that river. Thereupon the matter was referred to the district engineer. He made a careful investigation and later made a report.

Mr. FREAR. Mr. Chairman, I can not yield further.

Mr. BYRNS of Tennessee. Will the gentleman yield to me for a question?

Mr. FREAR. I feel that I can not yield any further. I have not the time.

Mr. BYRNS of Tennessee. Will the gentleman from Iowa [Mr. GOOD] yield to the gentleman from Wisconsin two minutes?

Mr. GOOD. Yes.

Mr. BYRNS of Tennessee. Now will the gentleman yield?

Mr. FREAR. Surely.

Mr. BYRNS of Tennessee. The gentleman made a remark a few minutes ago to the effect that the district engineer had reported a proposition that the States of Tennessee and Kentucky should contribute one-half to the improvement of the upper river. I want to ask the gentleman if in all the history of former projects any project was ever put through Congress where any States were required to pay half of the cost of the improvements?

Mr. FREAR. I do not know what the experience has been except in the last bill. In the case of Taniger Island and other communities that could not do the work themselves, that was done.

Mr. BYRNS of Tennessee. My question was whether or not, with respect to any other river, other States had ever been required to contribute any portion of the expense of improving rivers within their borders?

Mr. FREAR. I can not enumerate them.

Mr. STAFFORD. If my colleague will yield, I could enlighten my good friend from Tennessee. The State of Pennsylvania, for example, was obliged to contribute to the improvement of the Delaware River. The city of Milwaukee was required to contribute to the improvement of the inner harbor.

Mr. BYRNS of Tennessee. In what amount?

Mr. STAFFORD. Something like half a million dollars.

Mr. BYRNS of Tennessee. Does the gentleman know that the $500,000 contributed by the city of Milwaukee to the improvement was anything like one-half of the whole amount required?

Mr. STAFFORD. I know that formerly it was frequently the case with regard to rivers and harbors, but that policy has apparently been abandoned by the present leaders.

Mr. BRYAN. The State of Washington, I may say, contributed a very large sum in the improvement of the Washington Canal.

Mr. FREAR. The people of Massachusetts have appropriated more than $9,000,000 for the improvement of Boston Harbor.

Mr. BYRNS of Tennessee. That may be true with regard to a river or harbor located in one State, but not in the case of a river flowing through two or more States.

Mr. FREAR. I would be glad to have members of the committee spend the time to take up this report, No. 10, of the Committee on Rivers and Harbors of the Sixty-third Congress, and read on page 55 the report of the Nashville Booster Club, and notice the exhibits they filed and presented to the engineer before he changed his opinion. I am not criticizing him. I do not see how he could have done differently. Think of it. Nine Congressmen and two Senators. And I may say among them are some of the ablest men in this House and some of the ablest men on the other side.

Both the district and division engineers had so declared after a thorough investigation.

That is what Col. Black said on January 28, 1914, before 11 able lawyers, incidentally all United States Senators and Congressmen, who made their convincing argument for $4,500,000.

On February 4, just one week later, the board and Chief of Engineers saw light, pulled down the flag, and all contributions were waived. I do not venture to criticize the right of any delegation or of any number of delegations to boost any project, irrespective of past deliberate and repeated rejections by the engineers. But in exposition of a bad system, let me ask, when 11 able lawyers and concededly influential statesmen appear before the Army board in favor of a local project, bearing the record found in this case, can any reasonable man doubt the necessity of having the Government represented at such hearings or that a high-class independent board should be substituted for the supreme court of Army engineers?

I speak of this case because it is one of many that illustrates a demonstrated weakness of the present system.

Army engineers, however high minded they may be, are subordinates and human, and they have no more chance before an onslaught from 11 heavy howitzer political guns than the proverbial bovine has in fly time.

What a formidable battery for any force of green recruits to face in either House after the project has passed engineers, and what a big stake to fight for, $4,500,000. It is beyond belief that such a miserable makeshift system as we now practice is either legisaltively or economically safe for any nation.

Mr. CALLAWAY. Will the gentleman yield for a question?

Mr. FREAR. Yes; certainly.

Mr. CALLAWAY. Do you understand how nine Congressmen and two Senators could furnish an engineer with the technical information that would give him light on a great proposition like that?

Mr. FREAR. Unquestionably, yes. It is technical information of the same character that was suggested by the gentleman who preceded me [Mr. GILLETT], who was explaining how a person makes a choice from three names that are placed before him on a civil-service certification, and possibly for the same reason.

Mr. CALLAWAY. If he was really making an investigation, and basing his report, as an engineer should, on the commercial importance and navigability of the stream, the information that 9 Congressmen or 90 Congressmen could give him would not be worth anything.

Mr. FREAR. That is a question which the gentleman can answer as well as I can.

A MEMBER. Might they not give some political information?

Mr. FREAR. I assume that such an able body of men—11 of them—and others there present gave all the information they could; and if you will examine the document you will see that practically all of them took part in the discussion, and an able discussion it was.

Mr. BYRNS of Tennessee. Has not the gentleman already stated that they went up there on the one proposition—whether the States of Tennessee and Kentucky should contribute?

Mr. FREAR. Yes; that is my understanding of the record.

EIGHTY MILLIONS LARGELY WASTED.

One of the most convincing testimonials to political power relating to waterways is afforded by the Mississippi River land reclamation project.

Over $80,000,000 has been appropriated to date for the lower reach of the Mississippi River below the mouth of the Ohio River. This is a pet project with the organizers of the $50,000,000 lobby, as a brief investigation will show. The traffic on the lower Mississippi River has decreased over 80 per cent in recent years, notwithstanding a steady stream of golden oxygen which we have patiently poured into this waterway cadaver in an endeavor to resuscitate a lost river commerce.

DENUNCIATION FROM THOSE WHO KNOW.

The RECORD of April 10 contains Government statistics on which this traffic loss is based. In the RECORD of October 8 will be found statements of engineers and other corroboration of wasteful expenditures now being made on the Mississippi. The New Orleans Item of September 28, 1914, says definitely:

> We told you a year ago that the feeling of the Nation against the abuses of the "pork barrel" was approaching a climax. We warned you that the country would not allow many more pork barrels to be opened.

Of equal significance is its editorial declaration that—

> The National Rivers and Harbors Congress conducts a national lobby for the "pork-barrel" bill.

Also this piece of interesting information:

> The Mississippi River Levee Association was organized by some railway interests who do not want genuine and permanent stream control, because it threatens competition; by levee board politicians and levee contractors whose jobs and profits depend upon the perpetuation of the stupid and vicious old system.

The river lobby is known from New Orleans to Washington.

In a clean-cut editorial from the Memphis Scimitar this statement occurs:

> The old brutal logic that we must "get some of that Yankee money down here" is no longer appealing. The Mississippi River Commission has been discredited by the people. We must have a new deal and a square deal.

That message comes to Congress from Memphis, and the old plea that they are to get some of that "Yankee money" no longer appeals. It is needless to say such conscientious scruples have no part in the sessions of the rivers and harbors lobby.

"TRAITORS TO THE REPUBLIC."

An extract from the Memphis Press of September 12, 1914, is as hot and sizzling as anything handed out by the rivers and harbors lobby. In part the editorial says:

> We have told our readers on many occasions that the conscience of the Nation was revolting against the "pork barrel." The method of the rivers and harbors bill is indefensible, and the results of that method, pursued through generations, are its own damnation. The would-be perpetrators of the "pork barrel" are the enemies of a comprehensive program, the enemies of real safety, the enemies of revised navigation. It is not going too far to say they are, in effect, "traitors to the Republic."

The foregoing sentiment of able editorial writers of the lower Mississippi Valley, who have seen $80,000,000 of "Yankee money" wasted on the lower Mississippi, is respectfully referred to those distinguished Members of Congress who fail to find any "pork" in the rivers and harbors bill and to the river and harbor $50,000,000 lobby, "the enemy of a comprehensive program."

For detailed appropriations for the Mississippi prior to 1914 I cite page 3391 of the Engineers' Report for 1913, wherein the amount at that time appropriated for the lower Mississippi had reached $77,265,851.

PRESENT RIVER TRAFFIC UNIMPORTANT.

Navigation on the Mississippi River is almost a joke, notwithstanding the Government has spent $80,000,000 on the lower

stretch of the river alone. This is evidenced by official reports. In an extract from a resolution passed by the New Orleans delegates to the international conference at Memphis on November 18, 1914, less than a month ago, it is stated:

New Orleans has no rail and water rates available between New Orleans and a single available point of consumption or production, and no water rates, and thus no cooperation of railroads and river and literally no use of the rivers.

After an expenditure of $80,000,000 on the lower Mississippi, is it not a matter of widespread concern to learn that at the only large port on the lower river "literally no use of the river" is to be had?

The following editorial extract from a Memphis paper might naturally be attributed to the Trinity of Texas, the Kissimmee of Florida, or Northeast Creek of North Carolina, where similar conditions exist:

The News-Scimitar printed a story the other day about steamboats that walk. They will soon have to learn to fly to enable them to get over the Memphis Harbor.

That does not seem to afford large dividends for an $80,000,000 outlay. A letter from a man who has studied the Mississippi problem for many years has this to say of the present plan:

MEMPHIS, TENN., *October 9, 1914.*

Formerly, up to the years 1875 to 1880, there was deep water and no trouble in the whole of our harbor on the river front of Memphis. Now, since the War Department and the United States River Commission has "monkeyed" with our river here, large "cavings off" of the high red clay bluffs on the eastern side of the river, right on the valuable city front, have occurred. Our Riverside Park, losing 62 acres valued at $4,000 per acre, equals $248,000. In addition, now, a large sand-bar island, a very short distance off of the small remainder of our wharf, is about to "choke out" steamer navigation altogether.

L. S. LAKE.

Of equal significance is the following statement of the Commissioner of Corporations as to shipments down the river from St. Louis when he says:

Shipments (in 1906) to the lower Mississippi have fallen to less than 7 per cent of the shipments in 1890.

I can not do better than offer a brief statement from a comprehensive article written by Senator BURTON concerning the 200-mile section of the Mississippi River between the mouth of the Missouri and the mouth of the Ohio, wherein he says of this 200-mile stretch:

We have expended approximately $16,894,000. * * * After $12,000,000 had been expended some eight years ago another board made an official estimate and declared it would cost $20,000,000, or $4,000,000 more than was originally estimated. Now, after $16,894,000 have been spent there, it is estimated that $17,250,000 more will be required to complete the work.

The Government has spent $84,470 per mile on this stretch, and the engineers ask under present estimates $170,970 per mile. Continuing, he says:

In 1887, before expensive improvements were installed, the traffic on this stretch of the river, as measured by shipments entering and leaving St. Louis, was 1,537,562 tons. In 1912 it was 265,720 tons, or one-sixth of the amount in 1887. * * * In 1871, 44 per cent of the freight shipped out of St. Louis went by river. In 1909 that proportion had dropped from 44 to one-half of 1 per cent.

We have expended more money on this stretch of the Mississippi River than the Prussian Government has spent on the whole Rhine, where they carry an average of 45,000,000 tons a year, one hundred and eighty times the traffic of the Mississippi.

Where is the Representative who, outside of a river and harbor lobby, will defend such inexcusable waste of public funds?

Can any criticism of traffic conditions on the lower Mississippi compare with the bare statement of facts?

APPROPRIATIONS JUMP 80 PER CENT IN TWO YEARS.

To show the Mississippi's growth in appropriations I call attention to the fact that the annual lower Mississippi appropriations reached $4,500,000 in 1912. In 1913 the land reclamation lobby's pressure was too great to resist and the appropriation was jumped to $6,000,000. On page 1433 of the Engineers' Report for 1913 it appears that the Mississippi River Commission, so roundly denounced by the southern press, went after Government money in real earnest by asking $7,000,000 in the 1914 bill. Engineers refused to recommend over $6,000,000, but before the bill was pushed through the House committee by the rivers and harbors lobby the amount had been increased to $7,000,000 for the lower Mississippi River, and in order to not be outdone in generous giving the Senate committee added another $1,000,000 just for luck, or $2,000,000 more than was recommended by the Army engineers. This is all a matter of record—an increase of about 80 per cent in wasteful appropriations in two years for a traffic that has fallen 80 per cent. The total appropriations carried for the Mississippi River in the 1914 bill was $10,500,000, of which $9,000,000 was for the Mississippi River below St. Louis. What powerful influences are behind this extravagant project? When questioned on the subject by other Senators the president of the Rivers and Harbors Congress stated in another legislative body on September 14, 1914:

RAILROADS DEMANDING APPROPRIATIONS.

I beg to say that the railroads of the Mississippi have aided materially in a propaganda for the protection of the land of that valley from overflow. In the congressional district in Mississippi represented by Mr. HUMPHREYS there are upward of 1,000 miles of railroad belonging to one system—the Illinois Central. It costs money to carry on that kind of a campaign, showing the people of the United States the facts, and the railroads, being as great sufferers as any persons or corporations in the valley, have contributed in proportion to their property interests to carry on that educational propaganda.

How much?

RAILROAD CONTRIBUTIONS.

On June 3, on pages 10591 to 10599 of the RECORD, appear my remarks before the House wherein I pointed out secret efforts to influence Congress on rivers and harbors bills from subscriptions of money to the use of threats against business men. At that time I presented the following subscriptions, running for five years, taken from what purported to be a photographic copy of a typewritten statement made by Col. John A. Fox, secretary and manager of the Mississippi Levee Association:

It has been estimated that a minimum fund of $30,000 per annum is necessary for this organization to do its work in a complete and thorough manner, and already a considerable portion of this sum has been pledged annually for five years (of $150,000 in all). The subscriptions are as follows:

Southern Railway Co	$1,000
Mobile & Ohio R. R	1,000
Frisco R. R	1,000
Missouri Pacific R. R	1,000
Chicago, Rock Island & Pacific Ry	1,000
St. Louis Southwestern Ry	1,000
Illinois Central	1,000
Yazoo & Mississippi Valley R. R	1,000
Chicago Mill & Lumber Co	1,000
Caldwell & Smith, Memphis	1,000
International Harvester Co	1,000

Assurance has been given of other substantial amounts.

As I have before stated, on June 3 I called the attention of the House to contributions made by eight railways for the purpose of aiding in the passage of a river "pork barrel." It will be remembered that contributions approximating $150,000 for the five-year period were given in the RECORD, and it was further shown that $40,000 of this amount was guaranteed by eight railroads for the purpose of influencing Congress to pass the bill. At that time I asked why an investigation was not had of this remarkable situation, and I further demanded in my resolution that all interests engaged in lobbying through such bills should be compelled to come out in the open.

THE LOBBY'S EDUCATIONAL PROPAGANDA.

The country is informed that the railways of the Mississippi Valley are engaged in an "educational propaganda" in order that their interests may be protected by what the Memphis News-Scimitar frankly says is "Yankee money." But the Scimitar refuses to be a party to the looting proposition, and demands a new and a square deal. If that be brought about, what will be the necessity of longer continuing the Rivers and Harbors Congress which the New Orleans Item declares is a national lobby for the "pork-barrel" bill? Will the owners of 20,000,000 acres of land to be reclaimed by the Mississippi River project submit to this sudden conclusion of the "educational propaganda" now being financed in part by the railway interests along the river? What a theme for discussion is afforded by this one Mississippi River item that, due to political pull, jumped engineers' estimates $2,000,000 in the 1914 "barrel." Condemned by leading journals in the Mississippi River Valley as a "scheme of railroad interests that do not want genuine and permanent stream control."

What can be said in answer to the Memphis Press, which declares—

the would-be perpetrators of the "pork barrel" are the enemies of the comprehensive program, the enemies of real safety, the enemies of revived navigation—they are, in effect, traitors to the Republic.

These are matters which were not discussed by the lobby that has now adjourned. Do the gentlemen who orated before the rivers and harbors lobby find fault with the judgment of the Memphis Press? To charge a public servant or public official with "treason" is to charge he is an enemy of his country. To betray a public trust is to invite the scorn of right-thinking men.

I do not desire to question the motives of any man nor to impute improper influences, but the country is jealous of its

strong box and more jealous of the honor standards of its trustees. We will not invite public confidence by training with a lobby that declares it demands an annual $50,000,000 appropriation for a policy not a project. No man is big enough to link himself with such a brazen proposal or with the secret practices of that lobby without suffering some degree of self-reproach for the contact.

A THOROUGH INVESTIGATION IS DEMANDED.

What will the Mississippi River get in the new bill for land reclamation? The lobby is particularly interested in this project, and so are the railways which have been generously contributing from railway treasuries to the "educational propaganda" that has for its object an annual grab of millions of Government money. How much is going into the new bill for the Mississippi River land reclamation scheme? More to the point, how much is coming out of the committee for the Mississippi River land reclamation when the "pork barrel" rolls its way through congressional committees and through both Houses, if it does?

The committees increased the 1914 reclamation fund $2,000,000 over engineers' recommendation during the short period it was in their hands. What will be done with the new bill?

Last session I was charged with failing to object to any large slices of "pork" contained in the barrel. Has my objection to the $9,000,000 for land reclamation along the Mississippi River been made sufficiently definite? A further discussion of this project occurred in the October 8 RECORD.

In my humble judgment, not one dollar of Government money should be expended for land-reclamation purposes, either along the Mississippi River or elsewhere, nor should more money be expended on the Mississippi River until we have the opinion of an expert board on charges filed that the present plan is unscientific, wasteful, and of no value.

I have offered a resolution asking that a high-class engineering board investigate and report on the Mississippi River problem and have presented evidence of engineers and influential journals in the valley calling for the appointment of such board. Nearly 100 letters received on this subject from some of the highest authorities in the country approve my proposal. These letters are subject to examination by the committee whenever it considers my resolution. Many plans are proposed. I am not concerned with any of them, whether they refer to the Newlands $600,000,000 plan, the Riker spillway plan, the present project, or any of the others. Let the President appoint a high-class board to consider the whole question and have the board advise Congress before another dollar is wasted on the present plan. Genuine progress in meeting this river problem can be had by passing a resolution concerning the Mississippi River which is now awaiting action from the Rivers and Harbors Committee:

[H. Con. Res. 50. Sixty-third Congress, second session. In the House of Representatives. September 21, 1914. Mr. FREAR submitted the following concurrent resolution, which was referred to the Committee on Rivers and Harbors and ordered to be printed.]

Whereas about $200,000,000 have been expended in attempt to control the Mississippi River below Cairo, principally by the use of levees and revetments, which as a means for that purpose are deemed by many to be impracticable and futile; and

Whereas by the present rivers and harbors bill further great sums of money are proposed to be appropriated to continue this questionable attempt by the same means: Therefore be it

Resolved by the House of Representatives (the Senate concurring), That no appropriation made by the present rivers and harbors bill shall be available for use upon the Mississippi River below Cairo until the feasibility and advisability of plans which depend upon levees and revetments for control of the Mississippi River below Cairo have been approved, or other plans substituted by an advisory board of consulting engineers, in accordance with the provisions of H. R. 18169, now before the Committee on Rivers and Harbors.

Resolved further, That the members of such advisory board of consulting engineers, appointed by the President in conformity with the provisions of said bill, shall require to be confirmed by the Senate.

THE MISSOURI RIVER PROJECT.

We may confidently look for $2,000,000 in the new bill to help contractors on the Missouri River from Kansas City to its mouth, a distance of some 400 miles. This is part of a $20,000,000 project, although the Missouri River has lost 80 per cent of its traffic within the past two decades. It has been calculated that every ton of actual freight shipped on the Missouri River, after this wasteful appropriation has been completed, will cost the Government over $100 per ton.

Distinguished men, defenders of uncertain projects, declare trafficless river expenditures are "freight regulators." Few people will be misled by such specious arguments. Railroad rates are controlled by commissions to-day, and no rate heretofore lowered by water competition can be raised without State or Federal authority. Rivers carrying insignificant traffic are not freight regulators, but commercial jokes.

Facing the fact that 80 per cent of the Missouri River traffic is gone, after an expenditure on the river of over $7,000,000, we find, after deducting sand, gravel, and revetment material, that the actual commerce on this river between Kansas City and the mouth is trivial. Does it not seem monstrous folly to dump $2,000,000 annually into this part of the stream? The traffic is now carried by railways on both sides of the river and it will continue to be carried by the railways unless we subsidize and build a line of steamboats to run the river. The facts regarding this river were considered in the discussion of April 10, and Government statistics were presented to show the character of the Missouri River project.

I quote briefly from one of the statements there submitted after the lower Mississippi appropriations have reached approximately $80,000,000.

BILLS THE GOVERNMENT HAS PAID.

No weather barometer more accurately measures the pressure of air than does St. Louis the falling off of navigation in the Mississippi Valley. Assuming that navigation has held its own since 1906, a violent assumption, an interesting story is related by the table quoted, which reads as follows:

St. Louis River traffic.

	Missouri.	Upper Mississippi.	Lower Mississippi.	Total river.	Total rail.
	Tons.	*Tons.*	*Tons.*	*Tons.*	*Tons.*
1890	31,385	151,507	765,880	1,265,855	15,240,141
1906	6,050	67,140	141,575	416,855	44,964,623
Approximate loss for 16 years.	80%	55%	81%	66%	.....

This table shows that after all the tremendous artificial stimulation by Government appropriations, amounting to $1 for every man, woman, and child in the country, on the average, during that period the Missouri traffic shows 80 per cent loss, the upper Mississippi 55 per cent loss, the lower Mississippi 81 per cent loss, and the total river tonnage a loss of two-thirds within 16 years.

Is Missouri concerned in the annual expenditure of $2,000,000 of Government money to keep river dredges and river contractors busy? What portion of the $9,000,000 to be given by the last river bill for land reclamation purposes on the Mississippi River was to go to Missouri land-reclamation interests? Would Missouri appropriate in one year $1,750,000 for a 200-mile stretch of the Mississippi and $2,000,000 for a defunct river traffic on the Missouri and one million more for its private land-reclamation interests on the Mississippi River? That is what Missouri gets out of their annual bills. If Missouri is not contributing, why should the Government embark in such wasteful, unbusinesslike proposals?

THE OHIO $64,000,000 CANALIZATION PROJECT.

The Ohio River received $4,176,000 in the sundry civil bill and asked for $5,000,000 more in the defeated 1914 river bill, or $9,176,000 in one year for its $64,000,000 canalization scheme.

Statistics affecting this project were offered in the RECORD for April 10 and June 8. It is unnecessary to repeat the statements there shown, but from Government reports the Ohio River traffic amounted to 13,163,656 tons in 1905 and in 1912 it fell to 8,618,396, or 34 per cent loss in seven years. The most significant fact shown by its lockages is that only 2 per cent of lockage traffic is of high-class freight, while 90 per cent of the total river traffic goes by the open river, as it has done for the past hundred years, and for the reason given by practical river men, that through traffic will never permit barge tows to use or wait for 60 locks, or 10 per cent of that number. Allowing full railway freight charges for the coal locked through the canal, it indicates an eventual cost to the Government for the remaining 2 per cent freight of from $34 to $45 per ton, depending upon the lock where measurements are made. As a business venture, Missouri River commerce at $100 per ton cost to the Government on an investment of only $27,227,935 looks like a better proposition than Ohio River freight at $45 per ton cost to the Government on an investment of $64,000,000. However, this is a matter for the expert opinion of Army engineers, who have approved both projects, each of which will confront us in the new bill about to be presented by the Rivers and Harbors Committee.

After spending a dozen millions on the Ohio, with more than fifty millions more in prospect, the importance of securing an opinion of a high-class board as to the value of present plans is

emphasized by the following clipping under date of October 7, 1914:

[From the News-Scimitar, of Memphis, Tenn.]

NEWS OF THE RIVERS.

River bulletin.

MEMPHIS, TENN., *October 7, 1914.*

Observations taken at 7 a. m., local standard time.

Stations.	Feet second.	Height.	Change.	Precipitation.
Pittsburgh	22	6.1	.....	0.54
Parkersburg	36	.8	[1] 0.3	.....
Cincinnati	50	11.4	[2] .4	.....
Louisville	28	7.9	.....	.....
Evansville	35	2.0	.....	.....
Nashville	40	7.1	[1] .1	.....
Chattanooga	33	5.6	[2] .2	.....
Johnsonville	31	.3	[1] .1	.....
Paducah	43	.5	[1] .1	.....
St. Paul	14	3.6	[2] .1	.24
Davenport	15	4.5	[1] .2	.....
Omaha	19	6.1	.....	.62
Kansas City	22	6.5	.....	.01
St. Louis	30	7.4	[1] .3	.....
Cairo	45	10.5	[1] 1.0	.....
Memphis	35	7.7	[1] .5	.....
Helena	42	7.6	[1] .7	.....
Fort Smith	22	3.5	[2] .1	.....
Little Rock	23	1.6	[1] .6	.....
Vicksburg	45	10.4	[1] .5	.....
Shreveport	29	2.7	[1] .1	.....
New Orleans	18	5.0	[1] .1	.....

[1] Fall. [2] Rise.

Traffic on the lower part of the Ohio River has been entirely suspended, owing to the lowest water ever known. There is not enough water on Sharps Bar, between Paducah and Cairo, to float a skiff, according to reports, and the steamer *Rapids*, running in the Paducah and Cairo trade, has been withdrawn until a rise comes.

REAL WATERWAY TRAFFIC.

The Ohio River still carries on important river traffic, although far less than before the present $64,000,000 canalization project was first proposed, at a time when the commerce was all carried by the open river. Nine-tenths of it is now carried by the open river, and will be so carried. After many millions of dollars have been expended, we now learn that the Ohio will not float a skiff—not because the channel is absent, but water is non est.

Nature, and not Army engineers, controls the amount of water in the Ohio, for while men may dig ditches and build dams the Creator determines the fall and flow of water.

REAL TRAFFIC.

I have before me several letters on the Ohio project, including one from Madison, Ind., in which the writer says:

There is no business on the Ohio River to justify the building of locks and dams, and new dams will make no change in shipping or passenger travel. Dredge boats would be sufficient to keep the channel of the Ohio River open for all commerce. We have two boats running between Cincinnati and Louisville that belong to the Louisville & Nashville Railroad.

The Muskingum River and the Kanawha and the Kentucky Rivers all have locks from the mouth to the headwaters, but no boats nor business can be found on these rivers. That river and harbor bill is certainly a "pork barrel."

During the debate on the last river bill a distinguished member of the Rivers and Harbors Committee from Missouri [Mr. BOOHER], amid applause from his colleagues on the committee, suggested that I came from a country where waterways are unknown. When the curriculum of Missouri schools which graduated Representatives in Congress is complete it will include a short course in geography, so inquiring Missouri Members may learn that the Father of Waters, which gets $9,000,000 on its lower stretch and only $1,500,000 on the equally long and important upper stretch, forms the western boundary of Wisconsin and over 100 miles of my own district, as it does the eastern boundary of Missouri. The upper river has shown less loss in traffic than the lower river, and its commerce is of far more importance than the 13,016 tons of actual traffic carried by the Missouri in 1912. This latter traffic, it has been demonstrated, will probably cost the Government over $100 per ton when $20,000,000 more has been poured into the Missouri, in addition to the $7,227,935 previously spent. But while kicking the Missouri "houn' dawg" around it may properly be stated that Wisconsin has many harbors on Lake Michigan, including one that annually handles 500 tons of actual commerce for every 1 of the 13,000 tons carried on the lower Missouri River. To extend the comparison further, a Lake Superior harbor on our northwestern border handles 41,474,776 tons annually, or approximately 3,000 tons of actual commerce for every 1 of the 13,000 tons of actual freight carried on the Missouri.

RIVERS GET LIBERAL "PORK" ALLOWANCE.

The Duluth-Superior harbor tonnage for 1912 was several times as large as the combined traffic of the Mississippi, Missouri, and Ohio Rivers, yet the sundry civil bill waterway items and 1914 river bill carried $21,676,000 for these three rivers, or more than one-third of the total amount of proposed waterway expenditures.

With this fact before us, it is passing strange to read a statement of the president of the Rivers and Harbors Congress made in another legislative body on September 14, as follows:

It does seem strange to me, and I have been thinking about it, not only now but for 16 years—ever since I entered Congress—that harbors could get all the money they needed while rivers had to struggle along and could get very little.

With approximately $80,000,000 spent by the Government on the lower Mississippi and $21,676,000 for three rivers in the 1914 bills, we may well weigh such utterances, because $21,676,000 is more than the amount carried for all river and harbor appropriations in 1904, or more than double the total appropriations of 1905, when TILLMAN declared the "pork barrel" was a "humbug and steal."

OTHER RIVER PROJECTS.

While I have briefly alluded to the enormous expense to the Government because of nominal traffic on certain rivers, it must not be supposed that I have attempted to discuss many of the scandalous projects that have received the approval of Army engineers. Let me mention several others to keep them company:

THE ARKANSAS RIVER.

The Arkansas River has received over $3,000,000 and an annual maintenance of $30,000 is also paid by the Government. Deducting floatable timber it took $95 of Government money in 1912 to convey every ton of miscellaneous freight an average distance of 34 miles. This computation allows only 3 per cent on the original investment. Compared with $100 per ton on the Missouri and an equal amount on the Tennessee when the Muscle Shoals water power is completed, it will be observed that the Arkansas River is a better proposition, because the Arkansas has stood the test of time and saves $5 per ton on the $100 per ton estimates offered on the Missouri and Tennessee. But what a travesty!

THE RED RIVER.

The Red River below Fulton carries an appropriation every year for part of a stream that, according to the Engineers' Report, has received $2,768,377 of Government money. Apart from floatable timber this river floated 1,227 tons of general merchandise during the year 1912—page 2314, report 1913—or an average of $68 per ton cost to the Government, figuring interest on the investment at 3 per cent.

Another project appears in the Red River above Fulton that carried 236 tons of freight in 1913, aside from floatable timber, at a cost to the Government of $59.50 per ton on an appropriation of $465,729.

"The Red River above Fulton, Ark., is not navigable at ordinary low water for floating craft," says page 835, Engineers' Report 1913. Where did the $465,729 go? Echo answers, Where?

THE BLACK WARRIOR.

In the RECORD, of June 19, page 11720, I gave a brief statement of the Black Warrior's absorption of $9,151,295 of Government money. A computation was offered showing that approximately 5,450 tons average traffic through the various locks cost the Government $396,546 in 1912, or a tidy sum of $73 per ton. The Ouchita, Coosa, and many other streams tell the same tale.

I will only offer one more that comes in every bill:

THE BIG SANDY INVESTMENT.

Big Sandy River is one of the shining marks of waterway frauds that has received the approval of the engineering department. Deducting floatable timber, its 465 tons of miscellaneous freight in 1912 cost the Government in good Government money for interest and maintenance $89,000, or a trifle over $191 per ton.

I will not repeat facts surrounding many of the 26 North Carolina projects or of the twenty-odd Florida projects, including the Kissimmee and Oklawaha, or of Matawan Creek, Shoal Harbor, and other projects, including the never-to-be-forgotten Trinity and Brazos, that are found in every "pork barrel"—wasteful, indefensible projects, discredited by the engineers' reports that are offered in their support.

Newark Bay terminals, Jamaica Bay, and other real estate projects in the North evidence the fact that all of the successful promoters do not live in the South. Human nature appears to be much the same, and the protest against these projects and

exposure of their character comes from people of high standing familiar with the different propositions.

WASTEFUL CANALIZATION COMPARED TO PANAMA.

We are constantly reminded by the optimist waterway enthusiast that the Panama Canal shows possibilities of modern waterway extension, and we are invited to keep our eyes on the Panama Canal. The promoter of fake gold mines never fails to compare his projects with one having merit, and thousands of abandoned projects are ignored by gullible investors.

It may be said that while opinions differ as to the ultimate value of the Panama Canal to this country, it is now built, and between three and four hundred million dollars have been appropriated, because the American people were persuaded freight rates would be materially reduced by competing coastwise traffic.

After building the canal we have suddenly throttled all promised relief by repudiating our legislative pledge to the people and taxing the tonnage of our coastwise vessels. I am not here concerned with the political question, nor with charges of railway influences behind the repeal, but I am considering the Panama argument when applied to our inland waterways.

A reduction of freight rates is the premium held out to-day by dredgers and contractors, expressed through the lobby in return for waterway expenditures. What would these worthies say if we placed a tonnage tax on every steamboat or vessel that uses our waterways? And these waterways have cost more than double the amount expended on the Panama Canal, and all have been improved in expectation that the benefit, if any, would extend to the general public that pays the bills.

Great Lakes and ocean traffic grow, but rivers and creeks that absorb most of the barrel have lost their traffic and are no more feared by the railways than a seasoned veteran fears a child's toy whistle. Both are equally harmless and of equal value under present conditions. Notwithstanding our unsystematic, wasteful, political-pull methods, we are constantly referred to the possibilities of the Panama Canal and European canals, and when we question the infallibility of Army engineers, we are directed to Goethals. If he indorses the Muscle Shoals or other wasteful proposals, then we may well inquire what kind of an engineering school of instruction our Government supports.

I do not believe Goethals would approve such projects; but, if so, it adds nothing to the merit of the proposals.

ARGUMENTS FAVORING THE "PULL" SYSTEM.

My attention has been called to an article in the bulletin of the Atlantic Deeper Waterways Association charging that a Government report issued in 1909 has been discredited by changed conditions during the present year and says:

> This is the sort of stuff the American people are expected to swallow about their priceless inheritance of waterways.

And the writer conclusively adds:

> To put it plainly, most of the case against the Government river and harbor work that has appeared in print is reducible to one word—piffle.

Do the people who pay the tax believe the Muscle Shoals $18,701,000 water-power proposition or the Coosa River $6,000,000 water-power project or the Chattanooga water power or the Black Warrior water-power projects, which are being largely financed by the Government, are "piffle"?

Do the American people believe the president of the waterways congress, who admits on the floor of the Senate that a railway with 1,000 miles along the Mississippi is a contributor to the waterway lobby seeking to advance the "educational propaganda" for a land reclamation scheme along that river? If so, do they say "piffle" to the contributions of eight railway companies toward the same lobby for the same purpose?

BILLIONS PROPOSED IN WASTEFUL PROJECTS.

A writer complains in the same waterway magazine because of attacks on the pork barrel "just at a time when the restoration of traffic to our waterways is on the verge of accomplishment." Such defenders of the barrel should study Army engineers' reports and other records before asserting that waterway traffic on rivers is about to be restored. River traffic has steadily decreased, notwithstanding expenditures have amounted to $80,000,000 on the lower Mississippi and proportionate expenditures on practically every other river and creek in the country.

It was proposed to appropriate $21,676,000 in 1914 for three rivers that have been rapidly losing their commerce, as I have shown from the official reports. About $80,000,000 more will be required for the Ohio and Missouri Rivers for a decreasing traffic, to be thereafter increased for new projects on the same rivers, while an unlimited amount will be required for the Mississippi land-reclamation project. Countless millions of dollars are required for hundreds of other streams that have hopeful new projects knocking at the Treasury doors with estimates reaching into hundreds of millions of dollars. The restoration of river traffic is indefinitely removed from "the verge of accomplishment," and if a halt is to be called in the present reckless haphazard, wasteful lack of system now is an opportune time when people who pay war taxes are scrutinizing appropriations.

INVESTIGATE THE WHOLE SUBJECT.

I am inclined to offer a further suggestion regarding arguments made in defense of such bad bills. Champions of the bill in the recent lobby session professed to find improper purposes behind those who fight against this annual waste. They object to a careful, systematic investigation of the subject by a competent board for fear some local project may not get past the board. Special interests whisper their suspicions and they are embraced by those who should know better. Ignoring the fact that every State now has or should have a railway commission which, in conjunction with the Interstate Commerce Commission, regulates freight rates and prevents unreasonable earnings, we continue to hear of the railway bugaboo and are told that opposition to a wasteful pork barrel probably springs from railway influences. Blind to the fact or ignorant of the fact that railways own or control many of the waterway lines on river and sea and practically all terminals at many points, these critics profess to believe that such improvements by the Government, primarily for railways, are in some unaccountable way for the benefit of the public.

With equal disregard for the logic of the situation such critics profess to believe that railways are opposed to wasteful river projects, notwithstanding subscription lists showing amounts subscribed by different railways are published showing railways and other special interests are among the most generous contributors to the lobby.

Dredgers, contractors, land reclamationists, water-power interests, and railway companies all join in pushing the lobby, yet their aid is accepted by highly respectable people in this copartnership carnival for Government money.

High-class journals are advised that some local project may be imperiled by a defeat of the "pork barrel" or by opening up the subject, and so heavy editorials from distinguished writers are aimed at opponents of the bill. What matters it if the $21,000,000 and over contained in the 1914 bill for the Mississippi, Missouri, and Ohio is largely wasted? What matters it if the Alabama Water Power Co. has received millions for the Coosa and Black Warrior and other streams, and is about to get $18,701,000 more for Muscle Shoals? What matters it that real estate, water-power, and reclamation projects jostle each other throughout the $50,000,000 "humbug and steal," providing the local project is kept in?

And these same highly respectable journals that denounce Congress for acts of omission or commission are found criticizing opposition to the "pork barrel" because some local project is in the barrel or some day is to be placed there.

Personally, I am not disturbed over charges of railway influence behind the opposition. For many years I aided in a small way to secure the passage of laws which gave my own State complete control of public carriers, and laws which also broke up a disgraceful secret lobby that had haunted the State capitol for years, as bad and vicious as the "pork-barrel" lobby which haunts the National Capitol to-day.

No railway official in my own State nor anyone familiar with that legislation will question the motives that prompt me now.

The railways of that State are now free from sandbagging and unjust legislative treatment and find in the very laws which control their activities the protection to which they are entitled. And what applies to railways in that State applies with equal force to the proposal to place waterway improvements of the country in the hands of a high-class board that shall be substituted for political pull.

WHO ARE THE RAILROADS HIDING BEHIND?

When Colliers, Harpers, La Follettes, Piersons, Saturday Evening Post, National, World's Work, Outlook, and other journals of recognized high public purpose open their columns to the truth about "pork barrels" or editorially condemn the present system we may fairly question the character of men who charge unworthy motives lie behind opposition to a scandalous diversion of public funds.

When the Chicago Tribune in the West, the Christian Science Monitor in the East, and scores of journals of equally high character throughout the country lambast that same infamous bill and the legislative easy conscience that finds apology for its existence, what are the standards of $50,000,000 lobby orators who question the motives of the opposition? Misrepresenta-

tion by those ignorant of the facts or by men convicted of a perversion of truth are not calculated to deceive thinking people. In order that no one may be misled by this patent attempt to distract attention from the real issue I have tried to secure an investigation of the lobby's influence. A resolution to that end has been referred to the committee. In my remarks appearing in the October RECORD of the 8th abundant evidence was offered of improper influences from dredgers, contractors, railways, and other interests to put through the 1914 barrel.

FIND OUT WHAT THE RAILROADS ARE SUPPORTING.

Now, let us get together and demand that the resolution be reported and that investigators further be instructed to ascertain what influences, if any, other than a sense of legislative responsibility, exists behind the opposition. Let us have no more hypocritical cant about improper influences alleged to actuate men and journals now engaged in this warfare against a gigantic waste of public funds. To use a common homely expression, the $50,000,000 champions should lay their cards on the table and demand an investigation that will include themselves and the opponents of the barrel. If they refuse, how can they avoid the legitimate conclusion?

The country is entitled to facts, and facts may easily be had through an investigation. I have shown that special interests are largely responsible for the lobby and have presented irrefutable evidence on the subject. Why answer direct testimony with idle talk that it is "piffle," when an investigation will disclose the facts and influences surrounding both the supporters and opponents of this bad bill?

A THANKLESS JOB.

Many people believe the Rivers and Harbors Committee has made mistakes in judgment, and I feel sure that such is the opinion of the general public that pays the wasteful $50,000 000 bills; but the fault is not individual. It is due to a pernicious system fastened on to Congress by years of placid acquiescence. I further realize that the committee is made up of a hard-worked body of men who try to do justice between different clamoring interests, and that it is composed of able men who are responsible to the House and who perform a difficult and unenviable task to the best of their ability. It is equally unquestioned that the chairman of the Rivers and Harbors Committee is filling an arduous position with great skill and fairness, and further, that Congress, and not the committee, is responsible for the system. I make this acknowledgment because criticism of the system and of projects is intended to be impersonal. Possibly the high opinion I have of the chairman and members of the committee is not reciprocated because of my attacks on the result of their labors. If not, it is a matter of personal regret, but can not affect my desire to expose waste, as I view it, nor my efforts, however feeble, to try and urge a better legislative system.

CHANGE THE LEGISLATIVE SYSTEM.

No difficulty ought to be experienced in finding a better plan than the present one, but before Congress will consent to a change it is necessary to make the present system so odious that Members will be anxious to repudiate it. Human nature is selfish, and as long as the insistence of getting something for nothing prevails it will be useless to look for a thorough reform. With safety locks on vault doors and carefully guarded plates from which Government money is printed, the burglar and the counterfeiter are constantly engaged, seeking to avoid law and the protection afforded by public servants. The system of compelling Army engineers to approve projects was once of some value in staying the greed of local communities, but it has illy served its purpose when in recent years so many notoriously bad projects receive the approval of the Army board. Admitting, for argument's sake, that the board is only carrying out the demands of Members or Senators for allowance of unworthy projects, the situation is not helped by present conditions. How can political pull, vicious schemes, and special interests be blocked? Evils can be reduced by having the Engineer Department perform its proper function of reporting upon and constructing engineering projects. An administration which is responsible for governmental expenditures, including those for the post office, Army, and Navy, for instance, makes recommendations from the heads of departments. The President is held responsible for wasted Government money, for improper Government expenditures, and properly so, because, through his Secretaries or heads of departments, he can control the amounts to be expended and to be submitted to Congress by his subordinates.

A HIGH-CLASS WATERWAY BOARD.

Such recommendations are largely followed by Congress, and, although Philadelphia, Brooklyn, and Podunk Creek may squabble over local shipyards and gnaw over bones thrown into bills calling for local improvements, as a whole bills are accepted largely as recommended. In order to give the administration a right to have a voice in such expenditures and an intelligent part in the national budget system, we might authorize the appointment of a board of waterways by the President, to which board all proposed projects should be submitted before being placed on the bill. Such board might properly include the Secretary of Labor and two other Cabinet officers, possibly the Secretary of Commerce and the Secretary of the Interior. This board should be supplemented by two or more engineers, preferably from both civil and Army life. A board of this character would invite confidence, and its approval of a project could reasonably be credited to public service and not to special interests. All projects should thereafter be passed upon by Congress as in other appropriation bills.

CONTRIBUTION SHOULD BE COMPELLED.

Pressure now brought to bear on the engineering department and upon Congress will be minimized by insisting that communities, with rare exceptions, be compelled to contribute their share to any improvement. Why should the Dakotas, Wyoming, and many other States contribute to a waterway calculated only to benefit a particular locality or possibly some transportation company? More specifically stated, why should not the people of Missouri be asked to pay their part of a $20,000,000 burden for a Missouri River project?

In suggesting this illustration I am engaged in a violent assumption that there is merit in a project that will cost $100 per ton to accommodate traffic. That question having been determined in the affirmative, why should not Kansas City, which is expecting particular local benefits, pay for that benefit? The dredgers, contractors, and special interests now behind different projects would then use their activities toward convincing the good people of Kansas City that there is genuine merit in such a project. If Missouri contributed $5,000,000 to the project and Kansas City and communities along the river contributed an additional $5,000,000, the Government would be saved half of the project cost, and improvements would be for actual waterways. The principle of contribution applied to road highways should govern Federal aid to waterways.

A high-class board would seek to aid any community that had a project of value. Where a public use is had that is of national importance the proposition of contribution could be modified, but taking the largest harbor and most generally recognized public waterway of international importance—New York Harbor—and we find the city of New York received $4,500,000 annually from its terminal privileges and could presumably fairly make some contribution to that part of the public work which is primarily of local benefit. To-day it contributes liberally to all wasteful projects contained in "pork barrels" and fights to secure appropriations for the greatest harbor in the world.

ECONOMY AND EFFICIENCY.

These are suggestions to indicate how the vicious system can be avoided and how every legitimate waterway improvement may receive aid from the Government. A saving in the amount of vicious waterway improvements reaching from $20,000,000 to $30,000,000 could probably be brought about, most of the present waste eliminated, and we may well believe no legitimate waterway would suffer because of the change.

Every existing project ought to be critically examined by this expert board. Projects that are of no commercial or actual value, like the Hennepin Canal, Muscle Shoals, Trinity River, and scores of other wasteful Government investments, would be subjected to business instead of political considerations.

The Appropriations Committee could presumably handle the whole budget system far better than a number of committees working without coordination or a common purpose. However, I would not complicate the proposal by suggesting changes that every business man realizes should be made in a wasteful system. Any action along the line I have suggested will improve present conditions, and until such action is had we will be constantly menaced by a "pork barrel" and a "pork-barrel" lobby. These few remarks have been offered to call attention particularly to a few of the bad projects that have been approved by Army engineers and to urge upon Members generally the desirability of demanding a thorough investigation of the merit of every item before the measure is again railroaded through the House. Let us not admit that the Senate is more careful in its legislative methods than ourselves. Whatever the facts may be, let us not be prevented from doing our full duty either through the influence of a $50,000,000 annual lobby or through any mistaken sense of legislative courtesy for bad projects or their supporters.

I have monopolized more time than I expected to take on this subject, but I desire to say that I am not opposed, nor is any Member whom I have heard, who has criticized items or criticized the bill—we are not opposed to waterway projects. We are not opposed to Government aid to waterway projects. We believe a high-class commission should be appointed, so as to do away with the present system, which brings 11 high-grade Members of Congress before a board of Army engineers. I could give other illustrations where engineers' decisions have been changed, necessarily so, and we as men all know it. I am not criticizing the men who go there, because they are all anxious about particular projects; but I criticize the system, and trust that with these expositions we may at some time get a different system. And I am offering it with that idea; and while personalities have been directed at me, and unfairly so when I could not reply, I will not engage in them at this time nor at any other time, because there is no personal feeling with me on this matter. I believe the system is wrong. I know it is wrong, and every Member in this House knows it is wrong. Whether we can correct it I do not know. I believe we may improve it, and that is the purpose of the suggestions which have been made here at different times by myself. [Applause.]

Mr. JOHNSON of South Carolina. Mr. Chairman, I yield 10 minutes to the gentleman from Tennessee [Mr. MOON].

Mr. MOON. Mr. Chairman and gentlemen, I was not surprised to hear the gentleman from Wisconsin [Mr. FREAR] close his remarks by protesting his innocence of any feeling against any portion of the people or section of country in any of these matters. It always happens that when the virus is in a man's heart, he protests its absence.

I have been a Member of this House a number of years, and I have never in all my life heard the discussion of a bill from so purely a sectional standpoint as the gentleman has discussed this measure here to-day. I have never heard a statement attempted upon this floor in reference to the situation as to certain rivers and harbors in the country so thoroughly erroneous in all my life as this. I have never heard in all my life such an unjust, such an unfair arraignment of the rivers and harbors as we have just heard upon this floor, and of the Army engineers of the United States.

Mr. NELSON. Will the gentleman yield?

Mr. MOON. Not now. I was once a member of the Rivers and Harbors Committee. I have voted on every bill that has been in the House for 17 or 18 years. I am sure it has always afforded me pleasure to vote for the improvement of the rivers in the North and of the West. The South has had but little of this improvement through all of the Republican Congresses, and but little since. I do not believe this is "Yankee money" that has been referred to. It is the money of the people of the United States that we are to expend.

Mr. FREAR. That was not my expression; it was in a southern editorial.

Mr. MOON. It is the money of the United States. The people of the United States have a right and ought to place it wherever it will do the most good. I have long since grown weary and tired of either the direct or the inferential sectionalism displayed on the floor of this House. If this was not an Alabama or a Tennessee proposition we would not have heard from the gentleman in regard to it.

Mr. FREAR. I spoke about the Ohio River.

Mr. MOON. I am coming to the Ohio River. The gentleman spoke of the Ohio River, when he knew, if he knew anything, that of a $60,000,000 project for the Ohio every dollar is practically secured under a continuing contract, and nothing that he could do or say would alter it. The gentleman did not tell this House that the objections he makes against the improvement of the southern rivers was not made against the Monongahela, the Allegheny, the Delaware, or the Ohio, or the upper part of the Mississippi River which lies in the Western and Northern States. But whenever we ask something, after his section has gotten all it wants, after it has gotten all that it needs, then he is obsessed of that infernal idea that has always cursed this country—that nothing good can come out of the Treasury for anything south of Mason and Dixon's line. That is the attitude that the gentleman puts himself in.

Now, I am not going to discuss all these matters, but I am going to take up one. The gentleman talks about the Tennessee River not being worthy of improvement.

Mr. FREAR. I did not say so.

Mr. MOON. You oppose it. We have many obstructions in that river which destroy its commerce and navigation and which ought to be removed. But the gentleman speaks against the judgment and the sentiment of Congresses for 50 years, against the judgment of engineers of the United States, and the gentleman assumes a wonderful superiority of knowledge of commercial statistics, and a wonderful knowledge of engineering and navigation superior to every engineer of the United States. The whole trend of his argument is that way, and it means nothing else. He sets up his judgment against these men of experience, these men of judgment, these men of ability, these men of business—men who know more about these great questions in 1 minute than he could in 10 years—and he asks this House to follow his judgment along these lines.

Now let us see about the Tennessee River for a moment. There was a stretch below Chattanooga of this river of some 40 miles that was navigable, but very dangerous, only a few months in the year. The cooperative plan, similar to that proposed for the Muscle Shoals, was invoked, and this Congress, when Mr. BURTON was chairman, passed a bill for the improvement of that section of the river. The Government made a slight contribution, and the power company made possible the navigation that could not have existed without it; and that company spent $10,000,000, which under the law of this country the Government ought to have expended in the interest of navigation.

The gentleman makes the absurd and ridiculous proposition that only 5,500 tons of phosphate passes through the canal, assuming that this is all the commerce of that river or on that stretch of the river. How utterly nonsensical a suggestion that is is shown by the fact that the tonnage is 1,300,000 tons annually, worth more than $13,000,000 of money, that passes over the river. The river is cut in two by obstruction that must be removed. The gentleman says that Mr. BURTON agrees with him about this, but I do not think he does. But Mr. BURTON was the chairman of the committee that recommended the river improvement. What do you expect, gentlemen? Do you expect the river to be already improved before you offer any contributions to it? If that were true, it would not be necessary to make the appropriation. Here is a river upon which commerce is practicable between given points, but it has obstructions that must be removed to make it all available. Why, on that river there are coal fields of seven States. There is enough coal, according to the geological report, along this river and States tributary to it that if you could market the whole of it would support a population of a hundred million people in the lavish use of it for a thousand years. What are you going to do with the agricultural products along the river? What are you going to do with the immense marble interests, the immense timber interests, the great ore and manufacturing interests all along the river? If it is not improved, they can not get to the world. Mankind can not have the benefit of them. We have a short period in the year when you can pass through the whole river two boats running to St. Louis. You know that the reduction on account of those boats during that brief period in the railroad freight rates is about one-third.

When the river is not open the railroad puts up its rates, and when the river is open so that a partial commerce can pass through, it puts down its rates. And what sort of a river is this that I am talking about? It is a river which with main stem and tributaries would benefit and put into navigation, with the improvements asked for, 2,260 miles of navigable water—a river that empties more water by 60,000 gallons per minute into the Ohio River than the Ohio and the Cumberland Rivers both have together. Then talk about it not being worthy of improvement!

Now, let us talk of the Muscle Shoals matter. I am not willing to see any unfair arrangement made in reference to the Muscle Shoals proposition, one in which the Government can not possibly lose anything; but that is an obstruction that must be gotten rid of. The United States canal, a long and tortuous canal, is inefficient, ineffective in its work, and has to be replaced either by locks and dams or by a new canal.

The CHAIRMAN. The time of the gentleman from Tennessee has expired.

Mr. JOHNSON of South Carolina. Mr. Chairman, I yield five minutes more to the gentleman from Tennessee.

Mr. MOON. Mr. Chairman, it will take $9,000,000 of money to put that canal in shape. Is the gentleman willing to have $9,000,000 of money thrown away on that river? That is the proposition, not for the benefit of Tennessee alone, but for the benefit of the commerce of the world. Are you going to throw it away? I think not. Is it better to put $9,000,000 into the restoration of an ineffective system than to put $9,000,000—$8,000,000 the engineers say—into the construction of locks and dams? Is it unwise if the power plant must be constructed to the extent of twenty-odd millions of dollars, for the Government, when it gets the full benefit of the navigation, to contribute $8,000,000? Is it not best that the Government do that rather than restore this old canal? The gentleman says that

$3,000,000 will be advanced for the construction of this project outside of the $8,000,000. Grant that that is true. It is to be returned, and the interest upon the whole project paid to the Government of the United States.

I think that in view of the fact that on a project at Hales Bar the Government of the United States was given by the people who constructed it $10,000,000, it comes with poor grace for any man to say that a people who are willing to make such contributions to the Government, when you in the North were getting it all without any contribution, should not have the benefit of appropriations that are necessary for that interest there. Of course, the details of the bill in reference to this matter can not be discussed at this time. The proposition ought to be carried through as the engineers have said, in my judgment, at the Muscle Shoals. The Government ought to be protected in every respect as it is at Hales Bar. If you want to do it, you can take over the whole of the project at Hales Bar either upon its valuation at the present time or upon its cost. It is useless for gentlemen to be obsessed of an idea in opposition to a policy and to see nothing except that which is in the line of vision they want to see. If there is a river in these United States that is to be improved, if there is one that is worthy of improvement, it is the Tennessee River. All of the reports and the statistics show it, and the idle suggestion that Muscle Shoals is intended for nothing, and has accomplished no other purpose than the carrying through of a few thousand tons of phosphate, must be apparent when lying along the banks of that great river in seven States tributary to it, are the greatest resources in all this great Republic. The gentleman must not go to the engineers' reports and garble statements from them and put his interpretation upon those statements. He must not put into the mouths of the engineers of the United States that which would falsify their written reports. It is neither just to them nor is it just to this House. Truly there could be no higher board, one more efficient or competent, to pass upon the great questions involved here than the engineers of the United States.

Mr. FREAR. Mr. Chairman, will the gentleman yield?

Mr. MOON. Yes.

Mr. FREAR. I was going to ask is not this the first case, according to the report of the engineers, where they have ever made such a proposition to the Government?

Mr. MOON. As what?

Mr. FREAR. That they would enter into partnership with a water-power company for the promotion of this enterprise.

Mr. MOON. No; the water-power proposition is only incidental.

Mr. FREAR. I am asking if that is not the first case?

Mr. MOON. No; the Hales Bar case was one.

Mr. FREAR. That is what they say in their report.

Mr. MOON. I drew the bill for the Hales Bar proposition, and it passed this House and I know what was in it, and the record there shows the Government's participation—small, it is true.

Mr. FREAR. I accept the gentleman's statement in preference to that of the report.

Mr. MOON. It is almost impossible, to get down to practical questions, to get great projects of this sort through without the cooperation of these motor-power companies. I am not in favor of the Government making any bad contract with anybody. I am in favor of a provision in this bill which would turn over all this water power to the Government, if the Government wants to use it, and I am in favor of a proposition that would secure to the people protection against exorbitant rates. You speak of conservation. The greatest conservation proposition on the face of the earth is the Muscle Shoals proposition.

The CHAIRMAN. The time of the gentleman from Tennessee has again expired.

Mr. JOHNSON of South Carolina. Mr. Chairman, I yield the gentleman five minutes more.

Mr. MOON. Mr. Chairman, that is the greatest conservation proposition in the world—560,000 horsepower. Not only to light, but to operate the machinery in thousands of factories in all that great Tennessee Valley, and you say it ought not to be conserved, do you, because the Government itself has not the power nor the interest at this time to promote it? You would let it run to waste as it has for centuries, when these power companies ask us to conserve it in order that they may give rates 40 to 50 per cent cheaper than power generated by coal would give to the people in the great manufacturing centers of that section. Are you unwilling to have that great power developed and promoted?

Mr. FREAR. Is it not true that in the statement made before the committee by gentlemen behind this proposition they admitted there is no demand at this time for the use of this power? That is the statement made, according to the press account. It is simply preliminary?

Mr. MOON. I heard the gentleman make the statement. He said there would be a demand; that there was in part a demand now. Just like the improvement of rivers, you can not tell what the commerce of a river is going to be until you open it up to navigation. You can not tell what the electric power will be until you are in a position to develop it. He believes, and I believe, and I have heard Mr. Worthington say time and again the benefits that would come from it would be incalculable. If they are willing to put in twenty-odd millions of money in cooperation with the Government, it surely argues that they believe there is an outcome to it. Do you suppose private persons would put twenty-odd millions of dollars in cooperation with the Government without power rights when the Government is to put in nothing more finally than necessary for the purpose of navigation?

Mr. NELSON. Will the gentleman yield?

Mr. MOON. I do.

Mr. NELSON. Does the gentleman believe that is a good policy for the Government, to go into partnership with corporations and extend it throughout the country?

Mr. MOON. I believe, as President Roosevelt said when the lock-and-dam bill passed, that it is the best possible means for conservation of these powers in the whole country. You have got it to-day. Under the Hales Bar law the Government not only controls the plant, but inspects it regularly, has its men over the locks to be operated for the purpose of navigation free to the Government, with the provision that the Government may, if it sees fit, take over the whole thing, auxiliaries and all, That is the only way you are going to develop this country. You can not get this Government to put thirty millions of money in a plant of that sort, but if the Government needs an expenditure of $8,000,000 of money for the purpose of creating navigation where it will make proper return to the people, it is wise that you take in connection with it a power plant or any others that will serve the great public interest there and prevent it from being destroyed, because it all rests in the Government hands at last. I agree very readily with those ideas that we should separate our Government from all individual or corporate interest everywhere. I do not agree, however, that the Government is not capable of taking care of itself if in the legislation it enacts it gives an advantage and benefit to the Government that it ought to have. We can not keep ourselves as a government and an institution here at Washington, the Congress and the Executive, aloof and away from the people. We have to go down to the people and help in these matters, that benefit may come to the country. It is not a benefit that is to come to one State only, nor to the seven States that are tributary to that river. It is a benefit that is to come to your whole country. Where you bring from the West to the South small grain and other crops over this river, now in part open for a short time, an immense tide might flow from the West of your crops for distribution to the South, and might carry back some of the products of the South if this waterway was open the year around. You can not justify yourselves under any circumstances in a parsimonious or narrow view of a great public question like this. I do not care if it is in one section; our whole country will get the full benefit of the result of the improvement. [Applause.]

The CHAIRMAN. The time of the gentleman has again expired.

Mr. GOOD. Mr. Chairman, I yield five minutes to the gentleman from Illinois [Mr. MANN].

Mr. MANN. Mr. Chairman, the engineers in the Army, in my opinion, constitute the most select body of professional men of ability that can be found anywhere in the world. They are appointed as cadets at West Point and go through services there. The poorest in the class are not selected as engineers, and their training, when they become engineers, is to act upon the merits of a proposition, wholly disregarding pressure and political influence. It may be and probably is the fact that sometimes they yield to the pressure of circumstances, but when they do it is entirely from having their opinions changed by facts which are brought before them. It is a great mistake, in my judgment, for anyone opposed to a river and harbor bill to base the opposition to it upon the lack either of ability, integrity, or knowledge of affairs on the part of the engineers. I have been up against them on a number of occasions when I thought I had a perfect case, and I was not able to convince the engineers; and I simply wish to express my opinion, in connection with the remarks which have been made here to-day, that the Engineer Corps of the United States Army, among the professional bodies which I know of, in my judgment stands the highest. But I hope there

will be no river and harbor bill this year. There was not very much of a one last year. On computations which I have recently made, and which I think are fairly accurate, it seems to me almost a certainty that the Government is likely to issue bonds before the 1st of next July to pay the current expenses. I presume the Government would be able to sell 3 per cent Panama bonds by threatening the banks with destruction in some form if they did not buy them. They can not sell them on the market as a matter of purchase of securities, because the 3 per cent bonds without the circulation privilege are not worth par. Would not it be the part of wisdom in Congress, with the threat and almost certainty of a deficit before it, to postpone the consideration of propositions which can, at least, wait without injury? That it may be desirable to make public improvements in places can be granted without at the same time assuming that there will be any special injury to the public by the postponement of such public works. There are many public improvements desirable; there are many public buildings desirable; there are many harbor improvements and river improvements desirable; but we have gotten along fairly well up to date without those which have not yet been started.

I think we will find it better, and probably more popular, to postpone these improvements than to a year from now continue the war-tax law and increase the taxes at the same time. [Applause on the Republican side.]

The CHAIRMAN. The time of the gentleman from Illinois [Mr. MANN] has expired.

Mr. JOHNSON of South Carolina. Does the gentleman from Iowa wish to use any more of his time now?

Mr. GOOD. May I inquire how much time I have remaining.

The CHAIRMAN. The gentleman from Iowa has 10 minutes remaining.

Mr. GOOD. I yield five minutes to the gentleman from Illinois [Mr. MADDEN].

Mr. MADDEN. Mr. Chairman, I am not sure I ought to impose myself on the committee, and I will do so only for a short space of five minutes, in order to say that I am opposed to reckless and extravagant expenditure of public funds. But wherever there is a meritorious project, or where navigation can be created by Government expenditure, and sufficient evidence can be adduced to show that the improvement is one which will enhance the facilities for the movement of the products of the field and the farm and the mine and the factory, the Government ought not to hesitate to make that improvement; and if, perchance, while the Government is creating means for transporting the commodities of the country, it can at the same time create by the expenditure of private capital hydroelectric energy which will encourage the investment of capital in new enterprises on account of the cheapness of the electrical energy that can be supplied for the operation of factories, there ought not to be any reason why the Government should not expend its contribution in connection with the expenditure of money by private individuals; for, after all, it seems to me the best way to conserve the resources of the country is to develop these resources so that they may be placed at the disposal of the people of the country.

We have a great waterfall here and an abundant quantity of water running down to the sea every day unharnessed which might well be utilized for the operation of the factories between here and Baltimore and the lighting of this great city as well as the lighting of the city of Baltimore. And it can not well be said that the resources that are embraced in this waterfall, while they are being allowed to run to the sea, are being conserved. I believe it should be the policy of the Government, including the Congress, to utilize, and by utilizing thus conserve our resources in order to create hydroelectric energy everywhere that can be sold at a low price, giving the Government officials the right to regulate the price, and that if this hydroelectric energy can not be created in any other way than by the expenditure of private money in cooperation with the Government in its attempt to create navigation for the transportation of the Nation's commodities, the Government ought to cooperate, but no expenditure of public money should be made in an attempt to create navigation in places where navigation never can be possible. But wherever navigation is possible by water the Government should do its part to enable the development of resources bordering on the waterway to be improved and thereby give to the people of America that kind of conservation which means the utilization of the forces of nature and an opportunity to develop what mankind may be able to produce out of nature. [Applause.]

The CHAIRMAN. The time of the gentleman has expired.

Mr. JOHNSON of South Carolina. Does the gentleman want to use any other time now?

Mr. GOOD. No.

Mr. JOHNSON of South Carolina. Mr. Chairman, I shall not occupy more than a few moments of the time of the committee for the purpose of explaining briefly the report that has been submitted. The legislative bill for the current year carries $37,625,789.70, which includes $246,860 carried in the deficiency and other appropriation bills and which are taken up in this bill. The estimates upon which this bill is based called for $40,727,518.27. The bill as reported carries $38,744,753.50. It provides for 16,708 salaries, and includes $2,286,100 for the purpose of taking an agricultural census. Under section 31 of the act of July 22, 1909, which provided for the Thirteenth Decennial Census, it was provided that in the year 1915 and every 10 years thereafter there should be taken a census of agriculture and live stock. As this item must be provided for only one time in each 10 years, it is but fair to the committee that made up this bill that it should be eliminated from our comparisons. Eliminating this item and comparing the bill as we present it to the House with the bill for the current year providing for similar Government expenditures the bill appropriates $1,167,156 less than was appropriated for the same service for the present fiscal year.

Mr. GILLETT. Will the gentleman allow me a question?

Mr. JOHNSON of South Carolina. Yes, sir.

Mr. GILLETT. How does it compare with the bill of last year as reported from the committee?

Mr. JOHNSON of South Carolina. I have not the figures before me as the bill was reported from the committee last year, but I think as the bill finally passed it carried at least $800,000 more than it did when the committee reported it.

Mr. GILLETT. My impression is that the bill as reported this year is larger than the bill reported last year.

Mr. JOHNSON of South Carolina. No; it is not larger than the bill reported last year, in my judgment, though I have not the figures before me

Mr. GILLETT. I will get the figures.

Mr. JOHNSON of South Carolina. The bill as reported now carries $1,165,000 less than the current law. I am sure that much was not added to the bill in the House or in the Senate. This bill provides for 187 fewer salaries than the bill for the current law provides for and 270 less than the estimates called for. In the Post Office Department there has been a marked and a gratifying decrease. Notwithstanding the usual and rapid growth of the Postal Service the clerical force asked for in the Post Office Department for the next fiscal year is $75,680 less than we appropriated for the current year. A further substantial reduction is found in the office of the Auditor for the Post Office Department under the Secretary of the Treasury. We appropriate $28,850 less and for 40 less places. Since 1913, notwithstanding the very great increase in the amounts that must be audited by the Auditor for the Post Office Department there has been a reduction of 355 statutory places and a total reduction of $134,120 in the amount used in that office. A year ago we were asked for a very large increase in the office of the Treasurer of the United States, due to the new method of accounting inaugurated by Mr. MacVeagh in February, 1913. The system at first threw the Treasurer's office into great confusion. The Committee on Appropriations did not, however, grant the increase asked for, and we are now pleased to report to Congress that the work in the office of the Treasurer of the United States is current, and instead of asking for an increase there is a decrease of 26 persons, and a total decrease of $22,000 in the amount appropriated.

Mr. STAFFORD. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. Does the gentleman yield to the gentleman from Wisconsin?

Mr. JOHNSON of South Carolina. I yield.

Mr. STAFFORD. Can the gentleman inform the committee as to the means whereby these economies were obtained, whether by the installation of labor-saving devices in the Post Office Department or not?

Mr. JOHNSON of South Carolina. In the Post Office Department it was by use of the electric tabulating machines for the auditing of money orders, which amount, I think, to more than three millions a year.

Mr. STAFFORD. What was the occasion for the diminution in the Treasury Department?

Mr. JOHNSON of South Carolina. As I stated a moment ago, about a year ago the new system which Mr. MacVeagh put into operation just before he retired from the office of Secretary of the Treasury had not been tried out, and there was necessarily more or less confusion; but since the plans have all been perfected, and new methods and business improvements have been adopted, they have not only been enabled to get along with the force they had a year ago, but they have asked, as I

said a moment ago, for 26 persons less for the next fiscal year, and the work of the office is growing.

Another reduction of $126,200 is due to the largely decreased work in the Pension Office. We appropriate for 88 persons less than were appropriated for in the current year. We made no reduction below the estimates in the Pension Office for this year, although we were accused of having done so. We provided for the Pension Office just the number of people that the Commissioner of Pensions asked for. We have provided in this bill for all that he asked for except five places. The five places that were omitted by the Committee on Appropriations are five places that are outside of the classified service, and the persons who hold them are appointed for one year only, so that when they are appointed they have no assurance of being retained longer than that fiscal year.

Now, Mr. Chairman, I think that with that statement, together with what information I shall be able to give as we proceed under the five-minute rule, it is not necessary for me to trespass longer upon the attention of the committee. I may say, though, for the benefit of Members, that in the State Department, the Navy Department, the War Department, and the Department of Justice there is not a single change from the current law. There is nothing that will provoke discussion or call for amendment. The only changes of consequence made in the bill are in the two Departments of Commerce and Labor. The appropriations for both of those departments are increased over the appropriation for the current year. In the office of the Comptroller of the Currency, in the Treasury, it was also found necessary slightly to increase the force on account of the increased activities of that office by reason of the Federal reserve law. With those exceptions the bill is practically current law. [Applause.]

The CHAIRMAN. The Clerk will read the bill for amendment.

The Clerk read as follows:

Be it enacted, etc., That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, in full compensation for the service of the fiscal year ending June 30, 1916, namely.

Mr. MANN. Mr. Chairman, I move to strike out the last word.

Mr. JOHNSON of South Carolina. Mr. Chairman, there was a quasi understanding before we went into Committee of the Whole House on the state of the Union to the effect that this bill would be discussed in general debate for the balance of the day. The time was not all taken up, and I did hope that we could read a few pages of the bill to-day; but I do not care that it should be done without the consent of everybody, and I therefore move that the committee rise.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. FOSTER, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill (H. R. 19909) making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1916, and for other purposes, and had come to no resolution thereon.

REPORT OF ISTHMIAN CANAL COMMISSION.

The SPEAKER laid before the House the following message from the President of the United States, which was read and, with the accompanying documents, referred to the Committee on Interstate and Foreign Commerce and ordered to be printed:

To the Senate and House of Representatives:

I transmit herewith for the information of the Congress the Annual Report of the Isthmian Canal Commission and the Panama Canal for the fiscal year ended June 30, 1914.

WOODROW WILSON.

THE WHITE HOUSE, *December 14, 1914.*

PURCHASE AND EXCHANGE OF TYPEWRITING MACHINES, STATE DEPARTMENT (H. DOC. NO. 1355).

The SPEAKER also laid before the House the following message from the President of the United States, which was read and, with the accompanying documents, referred to the Committee on Appropriations and ordered to be printed:

To the House of Representatives:

I inclose herewith a statement submitted by the Secretary of State, in compliance with the requirements of section 4 of the legislative act approved July 16, 1914, of typewriting machines purchased and exchanged for the first three months of the current fiscal year.

WOODROW WILSON.

THE WHITE HOUSE, *December 14, 1914.*

REPORT OF THE DOORKEEPER, HOUSE OF REPRESENTATIVES (H. DOC. NO. 1356).

The SPEAKER laid before the House the annual report of the Doorkeeper of the House, transmitting an inventory of all property in his charge belonging to the United States, which was read and referred to the Committee on Accounts for filing.

REIMBURSEMENT TO ARMY OFFICERS.

The SPEAKER also laid before the House the following communication from the Secretary of War, which was read and referred to the Committee on Claims:

WAR DEPARTMENT,
OFFICE OF THE QUARTERMASTER GENERAL OF THE ARMY,
Washington, December 10, 1914.

The SPEAKER,
House of Representatives.

SIR: There were submitted with the estimates for the support of the Army for the fiscal year ending June 30, 1916, the following measures for reimbursement of the officers named of the amounts sets opposite each for the loss of mounts by fire and other causes, viz:

Relief of Lieut. H. E. Miner	$160
Relief of Maj. H. E. Ely	200
Relief of Lieut. Sloan Doak	150
Relief of Lieut. J. A. Barry	135
Relief of Lieut. Waldo C. Potter	375
Relief of Lieut. J. F. Taulbee	200

These items will be found on page 336 of the Book of Estimates, 1916.

During the hearing of the Quartermaster General before the House Committee on Military Affairs on the Army bill for 1916 the chairman of the committee stated that, in his opinion, these measures could not properly be acted upon by that committee, but should be presented to the Committee on Claims. It is therefore requested that the estimates in question be withdrawn from the House Committee on Military Affairs and transmitted to the House Committee on Claims.

Respectfully,

LINDLEY M. GARRISON,
Secretary of War.

Mr. MANN. This letter should be referred, Mr. Speaker. I think that is sufficient. Claims have no place in the estimates, anyhow.

The SPEAKER. Yes. The letter is referred to the Committee on Claims.

HOUR OF MEETING TO-MORROW.

Mr. JOHNSON of South Carolina. Mr. Speaker, I ask unanimous consent that when the House adjourns to-day it adjourn to meet at 11 o'clock to-morrow.

The SPEAKER. The gentleman from South Carolina [Mr. JOHNSON] asks unanimous consent that when the House adjourns to-day it adjourn to meet at 11 o'clock a. m. to-morrow. Is there objection? [After a pause.] The Chair hears none, and it is so ordered.

Mr. JOHNSON of South Carolina. Mr. Speaker, I want to give notice that we would like to pass this legislative bill to-morrow, if we can keep the Members on the floor.

Mr. MANN. You can not expect to pass it to-morrow.

Mr. STAFFORD. The gentleman is aware of the fact that we are to take a recess before dinner to-morrow.

Mr. MANN. We have a night session to-morrow.

Mr. JOHNSON of South Carolina. Very well.

ADJOURNMENT.

Mr. JOHNSON of South Carolina. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 3 o'clock and 56 minutes p. m.) the House adjourned until to-morrow, Tuesday, December 15, 1914, at 11 o'clock a. m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1. A letter from the chairman of the Interstate Commerce Commission, transmitting statement showing the travel of all officials and employees who have traveled on official business to points outside of the District of Columbia during the fiscal year ended June 30, 1914 (H. Doc. No. 1351); to the Committee on Appropriations and ordered to be printed.

2. A letter from the Secretary of the Treasury, transmitting copy of a communication of the Acting Secretary of the Navy reporting list of claims for damages for which the vessels of the Navy were found to be responsible (H. Doc. No. 1352); to the Committee on Appropriations and ordered to be printed.

3. A letter from the assistant clerk of the Court of Claims, transmitting list of cases filed under the French spoliation act (Jan. 20, 1885) which have been dismissed by the court for want of sufficient evidence (H. Doc. No. 1353); to the Committee on Claims and ordered to be printed.

4. A letter from the Secretary of War, transmitting report of the annual inspection of the several branches of the National Home for Disabled Volunteer Soldiers made by Maj. W. P.

Jackson, inspector general (H. Doc. No. 1354); to the Committee on Military Affairs and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII,

Mr. WEBB, from the Committee on the Judiciary, to which was referred the bill (S. 94) to amend an act entitled "An act to codify, revise, and amend the laws relating to the judiciary," approved March 3, 1911, reported the same without amendment, accompanied by a report (No. 1222), which said bill and report were referred to the House Calendar.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII,

Mr. McKENZIE, from the Committee on Military Affairs, to which was referred the bill (H. R. 19497) to amend the military record of George W. Laland, reported the same without amendment, accompanied by a report (No. 1220), which said bill and report were referred to the Private Calendar.

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, committees were discharged from the consideration of the following bills, which were referred as follows:

A bill (H. R. 15382) granting a pension to Harry V. Hafner; Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 17001) granting an increase of pension to Albert Kneller; Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. MOON: A bill (H. R. 19906) making appropriations for the service of the Post Office Department for the fiscal year ending June 30, 1916, and for other purposes; to the Committee of the Whole House on the state of the Union.

By Mr. CARLIN: A bill (H. R. 19907) to incorporate the Boy Scouts of America, and for other purposes; to the Committee on the Judiciary.

By Mr. FRENCH: A bill (H. R. 19908) to provide for an additional authorization of money to be used in the construction of a public building at Coeur d'Alene, Idaho; to the Committee on Public Buildings and Grounds.

By Mr. JOHNSON of South Carolina: A bill (H. R. 19909) making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1916, and for other purposes; to the Committee of the Whole House on the state of the Union.

By Mr. DALE: A bill (H. R. 19910) to increase the Navy; to the Committee on Naval Affairs.

By Mr. GILLETT: Joint resolution (H. J. Res. 385) for a commemoration of the second inaugural of Abraham Lincoln; to the Committee on Rules.

By Mr. LONERGAN: Resolution (H. Res. 674) to print 2,000 additional copies of the soil survey of the Connecticut Valley; to the Committee on Printing.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ADAIR: A bill (H. R. 19911) granting an increase of pension to Samuel Allen; to the Committee on Invalid Pensions.

By Mr. ANTHONY: A bill (H. R. 19912) granting a pension to America Bailey; to the Committee on Invalid Pensions.

Also, a bill (H. R. 19913) granting an increase of pension to Giles Swan; to the Committee on Invalid Pensions.

By Mr. AUSTIN: A bill (H. R. 19914) granting a pension to James M. Smith; to the Committee on Pensions.

By Mr. BRUMBAUGH: A bill (H. R. 19915) granting a pension to Malinda A. Brooks; to the Committee on Pensions.

Also, a bill (H. R. 19916) granting a pension to Jennie Armstrong; to the Committee on Invalid Pensions.

Also, a bill (H. R. 19917) granting an increase of pension to Butler Bond; to the Committee on Pensions.

Also, a bill (H. R. 19918) granting an increase of pension to Charles L. Dutoit; to the Committee on Invalid Pensions.

By Mr. CAMPBELL: A bill (H. R. 19919) granting a pension to Joseph Nelson; to the Committee on Invalid Pensions.

By Mr. CANTRILL: A bill (H. R. 19920) granting a pension to W. B. Showalter; to the Committee on Invalid Pensions.

Also, a bill (H. R. 19921) granting an increase of pension to John W. Ogden; to the Committee on Invalid Pensions.

Also, a bill (H. R. 19922) granting an increase of pension to B. Franklin Harrod; to the Committee on Invalid Pensions.

Also, a bill (H. R. 19923) granting an increase of pension to J. S. Blackwell; to the Committee on Invalid Pensions.

By Mr. COX: A bill (H. R. 19924) granting an increase of pension to William Jenkins; to the Committee on Invalid Pensions.

By Mr. CULLOP: A bill (H. R. 19925) granting a pension to Theodore E. Barnes; to the Committee on Invalid Pensions.

Also, a bill (H. R. 19926) granting a pension to Thomas F. Cole; to the Committee on Pensions.

Also, a bill (H. R. 19927) granting an increase of pension to Emiline R. Caldwell; to the Committee on Invalid Pensions.

By Mr. DIXON: A bill (H. R. 19928) granting a pension to Eliza Bridges; to the Committee on Invalid Pensions.

Also, a bill (H. R. 19929) granting an increase of pension to Harry Wildey; to the Committee on Pensions.

Also, a bill (H. R. 19930) granting an increase of pension to James Scroggins; to the Committee on Pensions.

Also, a bill (H. R. 19931) granting an increase of pension to Eugene L. Sheftall; to the Committee on Invalid Pensions.

Also, a bill (H. R. 19932) granting an increase of pension to Sylvester D. Adams; to the Committee on Invalid Pensions.

Also, a bill (H. R. 19933) granting an increase of pension to David Reeder; to the Committee on Invalid Pensions.

Also, a bill (H. R. 19934) granting an increase of pension to Hudson Lamkin; to the Committee on Invalid Pensions.

Also, a bill (H. R. 19935) granting an increase of pension to John M. Dixon; to the Committee on Invalid Pensions.

Also, a bill (H. R. 19936) granting an increase of pension to John Schmaltz; to the Committee on Invalid Pensions.

Also, a bill (H. R. 19937) granting an increase of pension to Singleton Albert; to the Committee on Invalid Pensions.

Also, a bill (H. R. 19938) granting an increase of pension to Mary McKee Smith; to the Committee on Invalid Pensions.

Also, a bill (H. R. 19939) granting an increase of pension to William L. Webber; to the Committee on Invalid Pensions.

By Mr. FAIRCHILD: A bill (H. R. 19940) granting an increase of pension to Elizabeth A. Case; to the Committee on Invalid Pensions.

Also, a bill (H. R. 19941) granting an increase of pension to Richard Dunmore; to the Committee on Invalid Pensions.

Also, a bill (H. R. 19942) granting an increase of pension to Elizabeth A. Grant; to the Committee on Invalid Pensions.

By Mr. FOSTER: A bill (H. R. 19943) granting a pension to Sarah E. Wirth; to the Committee on Invalid Pensions.

Also, a bill (H. R. 19944) to remove the charge of desertion from the record of Bennett C. Fuller; to the Committee on Military Affairs.

By Mr. GARDNER: A bill (H. R. 19945) granting an increase of pension to Carl F. Jensen; to the Committee on Invalid Pensions.

By Mr. GILLETT: A bill (H. R. 19946) for the relief of Dennis Frenyer; to the Committee on Military Affairs.

By Mr HULL: A bill (H. R. 19947) granting a pension to Hiley Underwood; to the Committee on Invalid Pensions.

By Mr. JOHNSON of Washington: A bill (H. R. 19948) granting an increase of pension to David Pratt; to the Committee on Invalid Pensions.

By Mr. KEATING: A bill (H. R. 19949) granting an increase of pension to Frances J. Carr; to the Committee on Invalid Pensions.

By Mr. KINKAID of Nebraska: A bill (H. R. 19950) granting an increase of pension to John Elsbury; to the Committee on Invalid Pensions.

By Mr. LANGHAM: A bill (H. R. 19951) granting an increase of pension to John Richards; to the Committee on Invalid Pensions.

By Mr. LANGLEY: A bill (H. R. 19952) granting a pension to Willie E. Terry; to the Committee on Pensions.

Also, a bill (H. R. 19953) granting an increase of pension to Cornelius Meek; to the Committee on Pensions.

By Mr. LESHER: A bill (H. R. 19954) granting an increase of pension to Andrew D. Seely; to the Committee on Invalid Pensions.

By Mr. LINTHICUM: A bill (H. R. 19955) for the relief of the West Baltimore Building Association; to the Committee on Claims.

By Mr. LONERGAN: A bill (H. R. 19956) granting an increase of pension to Margaret Hoary; to the Committee on Invalid Pensions.

By Mr. McANDREWS: A bill (H. R. 19957) granting an increase of pension to Stephen B. Garrigus; to the Committee on Invalid Pensions.

Also, a bill (H. R. 19958) granting an increase of pension to Amanda Tichenor; to the Committee on Invalid Pensions.

By Mr. PARKER of New York: A bill (H. R. 19959) granting a pension to Ellen Morris; to the Committee on Invalid Pensions.

By Mr. PROUTY: A bill (H. R. 19960) granting an increase of pension to James T. Thrasher; to the Committee on Invalid Pensions.

By Mr. REED: A bill (H. R. 19961) granting a pension to Fred M. Austin; to the Committee on Invalid Pensions.

Also, a bill (H. R. 19962) granting an increase of pension to William B. Jenness; to the Committee on Invalid Pensions.

By Mr. RUCKER: A bill (H. R. 19963) granting a pension to Mary E. Roseberry; to the Committee on Invalid Pensions.

Also, a bill (H. R. 19964) granting an increase of pension to John Canote; to the Committee on Invalid Pensions.

By Mr. SCULLY: A bill (H. R. 19965) granting an increase of pension to Erick Lawson; to the Committee on Invalid Pensions.

By Mr. SELLS: A bill (H. R. 19966) granting a pension to Charles E. Hilliard; to the Committee on Pensions.

Also, a bill (H. R. 19967) granting an increase of pension to William S. Brown; to the Committee on Invalid Pensions.

Also, a bill (H. R. 19968) granting an increase of pension to Joseph W. Coleman; to the Committee on Invalid Pensions.

Also, a bill (H. R. 19969) granting an increase of pension to William A. Turner; to the Committee on Invalid Pensions.

Also, a bill (H. R. 19970) granting an increase of pension to Preston C. Walker; to the Committee on Invalid Pensions.

Also, a bill (H. R. 19971) granting an increase of pension to Daniel H. Hampton; to the Committee on Invalid Pensions.

By Mr. SMITH of Idaho: A bill (H. R. 19972) granting an increase of pension to Minor M. Webb; to the Committee on Invalid Pensions.

By Mr. SMITH of Texas (by request): A bill (H. R. 19973) for the relief of the legal representatives of Robert G. Crozier; to the Committee on War Claims.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. AUSTIN: Memorial of Woman's Christian Temperance Union of Kingston, Tenn., favoring national prohibition; to the Committee on Rules.

By Mr. BAILEY (by request): Petitions of William McKillip, O. J. Fay, T. H. Suckling, F. J. Wolf, Frank Glessner, and the Diamond Hardware Co., all of Hollidaysburg, Pa., favoring passage of House bill 5308, taxing mail-order houses; to the Committee on Interstate and Foreign Commerce.

By Mr. BELL of California: Memorial of Long Beach (Cal.) Chamber of Commerce, favoring House joint resolution 372, providing for a national security commission to inquire into the question of the preparedness of the United States for war; to the Committee on Rules.

By Mr. BRODBECK: Petition of 118 people of Delta, Pa., favoring national prohibition; to the Committee on Rules.

By Mr. CARY: Petition of the Badger Press, of Milwaukee, and the Lakeside Printing Co., of Racine, Wis., protesting against the Government printing return envelopes; to the Committee on the Post Office and Post Roads.

Also, petition of Wisconsin Laundrymen's Association, of Fond du Lac, Wis., relative to Chinese labor and competition; to the Committee on Labor.

Also, petition of M. L. Boyce, of Milwaukee, Wis., protesting against the Menace being sent through the mails; to the Committee on the Post Office and Post Roads.

By Mr. GORDON: Petition of International General Fishermen's Association, protesting against the passage of the Flood bill, relative to the kind of nets used by fishermen; to the Committee on the Merchant Marine and Fisheries.

Also, petition of Stella B. Hatch and 360 others, in support of a law to protect calves and cattle from freezing in transit on the railroads; to the Committee on Interstate and Foreign Commerce.

By Mr. GRAHAM of Illinois: Petition of citizens of Pana, Ill., favoring national prohibition; to the Committee on Rules.

Also, petitions of sundry citizens of the twenty-first district of Illinois, favoring national prohibition; to the Committee on Rules.

By Mr. HOUSTON: Petition of citizens of Howell, Tenn., favoring national prohibition; to the Committee on Rules.

By Mr. KENNEDY of Rhode Island: Petitions of Samuel W. Irwin, of East Greenwich, and Rev. P. A. Canada, of Barrington, R. I., favoring national prohibition; to the Committee on Rules.

By Mr. McKENZIE: Petitions of citizens and church organizations of Freeport and other cities in the thirteenth Illinois district, favoring national prohibition; to the Committee on Rules.

By Mr. MOON: Petition of citizens of Salt Creek, Tenn., favoring national prohibition; to the Committee on Rules.

By Mr. MURRAY: Petition of citizens of Coyle and Perkins, Okla., favoring national prohibition; to the Committee on Rules.

Also, petition of the Christian Church of Nowata, Okla., favoring national prohibition; to the Committee on Rules.

By Mr. O'SHAUNESSY: Petition of Gideon A. Burgess, of the State of Rhode Island, favoring national prohibition; to the Committee on Rules.

By Mr. PARKER of New Jersey: Petition of sundry citizens of Newark, N. J., protesting against the use of the mails by a publication called the Menace; to the Committee on the Post Office and Post Roads.

By Mr. PROUTY: Petition of citizens of Dexter, Iowa, favoring national prohibition; to the Committee on Rules.

Also, petitions of citizens of Slater, Polk City, Cambridge, Maxwell, Collins, Sheldahl, Elkhart, Altoona, Bondurant, Pella, Mitchellsville, Gilbert Station, Ames, Nevada, and Colo, in the State of Iowa, in favor of H. R. 5308, providing for regulation of mail-order concerns; to the Committee on Interstate and Foreign Commerce.

By Mr. SCULLY: Petition of 250 members of the First Baptist Church of New Market, and congregation of the First Presbyterian Church of Perth Amboy, N. J., favoring national prohibition; to the Committee on Rules.

By Mr. SMITH of Idaho: Papers to accompany H. R. 9955, granting a pension to John B. Bishop; to the Committee on Invalid Pensions.

By Mr. STEPHENS of California: Petition of members of regiments serving in past Indian wars, relative to pensions for said survivors, etc.; to the Committee on Pensions.

Also, petition of Western Association of Short Line Railroads, protesting against the passage of House bill 17042, changing the basis of mail transportation rates; to the Committee on the Post Office and Post Roads.

Also, petitions of the Norwegian-Danish Methodist Episcopal Church, Woman's Christian Temperance Union, and the Olivet congregation, Los Angeles, Cal., favoring national prohibition; to the Committee on Rules.

Also, petitions of William L. Hovis Co., Reliable Print Shop, and Classy Printing Co., all of Los Angeles, Cal., protesting against the printing of stamped envelopes by the Government; to the Committee on the Post Office and Post Roads.

Also, memorial of Angel City Court, of Catholic Order of Foresters, of Los Angeles, Cal., favoring the passage of the Hamill bill—H. R. 5139; to the Committee on Reform in the Civil Service.

By Mr. STEPHENS of Nebraska: Petition of 30 citizens of Monroe, Nebr., favoring national prohibition; to the Committee on Rules.

By Mr. THOMAS: Petition of sundry citizens and church organizations of the State of Kentucky, favoring national prohibition; to the Committee on Rules.

SENATE.

TUESDAY, *December 15, 1914.*

The Chaplain, Rev. Forrest J. Prettyman, D. D., offered the following prayer:

Almighty God, we come before Thee that we may be possessed with the passion of eternity. The pressing duties of this little world and this little life bring us constantly to the thought of things that pertain to time. Within this sphere our whole duty lies, but in the upper range and reach of life are our aspiration and our destiny. Preserve us from that littleness of life that would keep us constantly with our eyes on this earth only. May not our appetites, starved small by the continual view and use of this world, rob us of our higher aspirations and the hopes that are eternal. Speak to us out of Thine own eternity that we may live the larger life. For Christ's sake. Amen.

The Journal of yesterday's proceedings was read and approved.

TRAVEL OF EMPLOYEES IN INTERSTATE COMMERCE COMMISSION (H. DOC. NO. 1351).

The VICE PRESIDENT laid before the Senate a communication from the Interstate Commerce Commission, transmitting, pursuant to law, a statement showing the travel of all officials and employees (other than special agents, inspectors, or employees who in the discharge of their regular duties are required to constantly travel) who have traveled on official business from Washington to points outside of the District of Columbia during the fiscal year ended June 30, 1914, which, with the accompanying paper, was referred to the Committee on Appropriations and ordered to be printed.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by D. K. Hempstead, its enrolling clerk, announced that the House had passed a bill (H. R. 19422) making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1916, and for other purposes, in which it requested the concurrence of the Senate.

ENROLLED BILL SIGNED.

The message also announced that the Speaker of the House had signed the enrolled bill (H. R. 6282) to provide for the registration of, with collectors of internal revenue, and to impose a special tax upon all persons who produce, import, manufacture, compound, deal in, dispense, sell, distribute, or give away opium or coca leaves, their salts, derivatives, or preparations, and for other purposes, and it was thereupon signed by the Vice President.

CREDENTIALS.

Mr. BRYAN presented the credentials of DUNCAN U. FLETCHER, chosen by the electors of the State of Florida a Senator from that State for the term of six years beginning March 4, 1915, which were read and referred to the Committee on Privileges and Elections.

PETITIONS AND MEMORIALS.

Mr. BRISTOW presented petitions of sundry citizens of St. Francis, Satanta, Bison, and Florence, all in the State of Kansas, praying for national prohibition, which were referred to the Committee on the Judiciary.

Mr. THORNTON presented a petition of sundry citizens of Belcher, La., praying for national prohibition, which was referred to the Committee on the Judiciary.

Mr. FLETCHER presented a petition of the Junior Order United American Mechanics of Putnam County, Fla., praying for the enactment of legislation to further restrict immigration, which was ordered to lie on the table.

Mr. SHEPPARD presented a petition of sundry citizens of Portland, Oreg., and a petition of members of the Methodist Preachers' Meeting of New York, N. Y., praying for national prohibition, which were referred to the Committee on the Judiciary.

Mr. LODGE presented a petition of sundry citizens of West Newbury, Mass., praying for national prohibition, which was referred to the Committee on the Judiciary.

Mr. LEE of Maryland presented petitions of sundry citizens of Maryland and of the District of Columbia, praying for national prohibition, which were referred to the Committee on the Judiciary.

Mr. WEEKS presented a petition of the Municipal Council of Taunton, Mass., praying for the enactment of legislation to provide pensions for civil-service employees, which was referred to the Committee on Civil Service and Retrenchment.

He also presented a petition of the Board of Trade of Everett, Mass., praying for the creation of a national security commission, which was referred to the Committee on Military Affairs.

Mr. BURLEIGH presented petitions of sundry citizens of Kennebunk, Me., praying for national prohibition, which were referred to the Committee on the Judiciary.

Mr. OWEN presented petitions of sundry citizens of Skedee, Yale, and Ralston, all in the State of Oklahoma, praying for national prohibition, which were referred to the Committee on the Judiciary.

Mr. LIPPITT presented petitions of the congregation of the Tabernacle Methodist Episcopal Church, of Providence; of the Delta Alpha Class of the Tabernacle Methodist Episcopal Church, of Providence; and of the Frances Willard Class of the Tabernacle Methodist Episcopal Church, of Providence, all in the State of Rhode Island, praying for national prohibition, which were referred to the Committee on the Judiciary.

Mr. ROOT presented petitions of sundry citizens of New York, praying for national prohibition, which were referred to the Committee on the Judiciary.

BILLS INTRODUCED.

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. CLAPP:

A bill (S. 6922) for the relief of Mrs. George A. Miller; to the Committee on Claims.

A bill (S. 6923) granting a pension to Anna Buck; to the Committee on Pensions.

By Mr. TOWNSEND:

A bill (S. 6924) granting an increase of pension to John E. Darrah (with accompanying papers); to the Committee on Pensions.

By Mr. BRISTOW:

A bill (S. 6925) granting a pension to Henry Scott (with accompanying papers); to the Committee on Pensions.

By Mr. STERLING:

A bill (S. 6926) granting an increase of pension to Charles P. Harmon (with accompanying papers); to the Committee on Pensions.

By Mr. CUMMINS:

A bill (S. 6927) granting a pension to Francis Hendricks (with accompanying papers); to the Committee on Pensions.

By Mr. SHAFROTH:

A bill (S. 6928) granting an increase of pension to James Inman; and

A bill (S. 6929) granting an increase of pension to George O. Miller; to the Committee on Pensions.

By Mr. THOMPSON:

A bill (S. 6930) granting an increase of pension to John H. Masterson (with accompanying papers);

A bill (S. 6931) granting an increase of pension to William Carter (with accompanying papers); and

A bill (S. 6932) granting an increase of pension to Maria T. Jones (with accompanying papers); to the Committee on Pensions.

By Mr. McCUMBER:

A bill (S. 6933) granting an increase of pension to Peter P. Chocey; and

A bill (S. 6934) granting a pension to Anna Irwin; to the Committee on Pensions.

By Mr. TOWNSEND:

A bill (S. 6935) granting an increase of pension to Martin Perkins (with accompanying papers); to the Committee on Pensions.

By Mr. WEEKS:

A bill (S. 6936) to provide for commissioned officers for the reserve and volunteer forces of the United States in time of actual or threatened war; to the Committee on Military Affairs.

A bill (S. 6937) for the relief of Thomas F. Veno; to the Committee on Claims.

By Mr. SMOOT:

A bill (S. 6938) granting an increase of pension to Eloise Warner (with accompanying papers); and

A bill (S. 6939) granting a pension to Sarah A. Boll (with accompanying papers); to the Committee on Pensions.

By Mr. LANE:

A bill (S. 6940) making an appropriation to investigate the insects attacking clover plants in the States of California, Oregon, Washington, Idaho, Montana, Nevada, and Utah; to the Committee on Agriculture and Forestry.

By Mr. PENROSE:

A bill (S. 6941) to correct the military record of Jacob Nice (with accompanying papers); to the Committee on Military Affairs.

A bill (S. 6942) granting a pension to Augustus O. Hartel;

A bill (S. 6943) granting a pension to Daniel S. Gilbert;

A bill (S. 6944) granting an increase of pension to John W. Hendrickson;

A bill (S. 6945) granting a pension to Albert J. Emery;

A bill (S. 6946) granting a pension to Sarah A. Spriggle;

A bill (S. 6947) granting an increase of pension to William Fenner;

A bill (S. 6948) granting an increase of pension to George Swisher (with accompanying papers); and

A bill (S. 6949) granting an increase of pension to Mary M. Stuard (with accompanying papers); to the Committee on Pensions.

By Mr. THOMAS:

A bill (S. 6950) granting a pension to Blanche F. Nash; to the Committee on Pensions.

By Mr. RANSDELL:

A bill (S. 6951) for the relief of the heirs and legal representatives of Jules Lapené and Auguste Ferré; to the Committee on Claims.

By Mr. CHAMBERLAIN:

A bill (S. 6952) granting a pension to Jesse J. Lamkin (with accompanying papers); and

A bill (S. 6953) granting an increase of pension to Joseph S. Herndon (with accompanying papers); to the Committee on Pensions.

By Mr. OWEN:

A bill (S. 6954) granting an increase of pension to George W. Case (with accompanying papers); to the Committee on Pensions.

By Mr. LIPPITT:

A bill (S. 6955) granting an increase of pension to Ellen M. Bellows; to the Committee on Pensions.

By Mr. THOMAS:

A bill (S. 6956) granting an increase of pension to Victoria S. Day; to the Committee on Pensions.

THE JUDICIAL CODE.

Mr. McCUMBER submitted an amendment intended to be proposed by him to the bill (H. R. 15578) to codify, revise, and amend the laws relating to the judiciary, which was referred to the Committee on the Judiciary and ordered to be printed.

Mr. OWEN submitted an amendment intended to be proposed by him to the bill (H. R. 15578) to codify, revise, and amend the laws relating to the judiciary, which was referred to the Committee on the Judiciary and ordered to be printed.

AMENDMENTS TO APPROPRIATION BILLS.

Mr. CLAPP submitted an amendment intended to be proposed by him to the bill (H. R. 19422) making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1916, and for other purposes, which was referred to the Committee on Appropriations and ordered to be printed.

Mr. STERLING (by request) submitted an amendment intended to be proposed by him to the bill (H. R. 19422) making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1916, and for other purposes, which was referred to the Committee on Appropriations and ordered to be printed.

Mr. OWEN submitted an amendment proposing to appropriate $10,000 on deposit to the credit of the Creek Indians and pay the same to the trustees of the Henry Kendall College, intended to be proposed by him to the Indian appropriation bill (H. R. 20150), which was referred to the Committee on Indian Affairs and ordered to be printed.

HOUSE BILL REFERRED.

H. R. 19422. An act making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1916, and for other purposes, was read twice by its title and referred to the Committee on Appropriations.

WAR SUPPLIES TO BELLIGERENT NATIONS.

Mr. WORKS. Mr. President, yesterday morning, when I was absent from the Senate on committee service, the chairman of the Committee on Foreign Relations asked that the bill (S. 6862) to forbid the furnishing of war materials to belligerent nations, introduced by me, be transferred from the Committee on Military Affairs to the Committee on Foreign Relations. The Senator, I understand, acted upon the supposition that the bill had been referred to that committee upon my request. That was a mistake. The reference was made by the Chair without direction from me, and I think very properly, to the Committee on Military Affairs. I inquired about it later and was so informed, and expressed my willingness that it should remain in that committee, giving as my reason that it would probably be acted upon more speedily by that committee than by the Committee on Foreign Relations. So the Chair, no doubt, understood that the reference was made at my request. I have no objection, however, if the chairman of the Committee on Foreign Relations thinks it should go to his committee that the transfer should be made.

Mr. STONE. I will state to the Senator that that was done yesterday.

Mr. WORKS. I understood that the Senator very courteously allowed the matter to go over until I might be present in the Senate. Am I mistaken in that?

Mr. STONE. I will say to the Senator that when I called it up yesterday morning in the first instance neither the Senator from California nor the Senator from Oregon [Mr. CHAMBERLAIN], the chairman of the Committee on Military Affairs, was present, and I asked that the matter might be deferred until one or both of them should be present. Afterwards I had a conference with the Senator from California, and he said, substantially, what he has said now. Still, I waited until the chairman of the Committee on Military Affairs came in, when I asked him his opinion of it. He concurred with my view, and on his request the Committee on Military Affairs was discharged from the further consideration of the bill and it was referred to the Committee on Foreign Relations.

Mr. WORKS. Mr. President, that was done in my absence.

Mr. STONE. I had no idea the Senator objected to that disposition, from what he had said to me.

Mr. WORKS. I am not complaining of the chairman of the Committee on Foreign Relations. I do desire, however, to say a word respecting the bill and its transfer from one committee to the other.

It is important, in my judgment, that the bill should be speedily considered. My only fear was that the Committee on Foreign Relations, being engaged in what may be regarded as more important business, should allow this bill to remain unacted upon.

I may say, Mr. President, that the bill has evidently been misunderstood by some people, judging from the letters I have received respecting it. It seems to be understood that it would prevent the aid that is being extended now to innocent noncombatants who have suffered on account of the war. That was not intended, and the bill should have no such effect as that.

But, sir, we were not responsible for the beginning of this war. We have not been responsible for any lives that have been lost or property destroyed; but if the people of this country prolong the war by the aid that is being extended to the belligerents, or any of them, we will be responsible for the lives that are lost and the property destroyed by the continuance of the war.

We are claiming to be in favor of universal peace. We are not acting up to our pretensions. If the business men of this country are not patriotic enough and humanitarian enough to withhold the supplies that are being sent by the millions of dollars worth to the contending armies, I submit the Government should prevent the sale and furnishing of these materials to the belligerents. It was only with that object in view that the bill was introduced, and I think it extended no further than the supply of materials directly to the nations concerned or their armies.

I have here the proof of an editorial that is to appear or may have appeared, in the Journal of the Knights of Labor, which expresses some views upon this subject that I think may well be considered, and I ask leave to print it in the RECORD as a part of my remarks, without reading.

The VICE PRESIDENT. Is there objection? The Chair hears none, and it is so ordered.

The matter referred to is as follows:

[From the Journal of the Knights of Labor.]

BOYCOTT WAR; A PRACTICAL PLAN FOR PEACE—WE CAN STOP EUROPEAN WAR, IF OUR PRAYERS ARE HONEST—SENATOR WORKS'S BILL.

The Chief Executive and the people of this Nation are constantly proclaiming their intense desire that the war shall end in Europe and that peace shall prevail everywhere. That is the right sort of feeling to have and maintain, but to a considerable extent the attitude and doings of the American people toward this war and concerning the bringing about of peace in the world seem to be mere hypocritical pretense. Our actions belie our words.

Ever since this war began we find everywhere expressed the faith and hope of the people that we are to gain great prosperity thereby and are to become richer by the vast trading which it is claimed is thereby opened up to us. Now, this is all very well and proper under certain conditions. But if the sending of our exports abroad has a tendency to aid the combatants and to continue warfare in Europe, then, if we square our actions with our words, we will not send these warring peoples a dollar's worth of our products until they stop fighting. We are a lot of greedy hypocrites as long as we express our desire for peace in Europe and at the same time continue to send to the nations at war there munitions of war or provisions which enable them to continue their warfare.

What is the actual situation to-day in this regard? We are daily reading in the press statements of vast contracts entered into by great manufacturing concerns in various parts of the country made with the different Governments now carrying on this war for bullets, for swords, for cannon and rifles, for bayonets, for powder, for submarines and aeroplanes—for every sort of implements and supplies used in carrying on modern warfare. We read also of vast numbers of horses and mules gathered up in the far and near sections of the country and shipped abroad to be tortured and shot to death in bloody warfare. We read of contracts made to furnish vast supplies of clothing and uniforms and everything that soldiers need. And we are congratulating ourselves and shaking hands and telling each other about the prosperity to come to us because of these contracts. The more we read and think about these contracts the greedier we become, and the great masters of industry are planning to make great gains out of these contracts, and American wageworkers are filled with hope and joy at the prospect of gaining work in the production of these things.

Now, if we stop to think about it we would at once realize that if we should carry out our protestations for peace we would at once cease to make these contracts, to make these implements of warfare, cease to furnish these supplies, and would show ourselves to be an honest and great people thereby. For it is plain that if these warring nations

could not secure these things they could no longer carry on this monstrous and hideous warfare. Probably the shutting off of these munitions and supplies on part of our country would end this war within less than 30 days. There is no place in all the world where the nations can get these necessary weapons and supplies except from this country. From sheer inability to continue fighting every nation would shortly be obliged to make peace, and the war would soon be ended.

Will we do this thing? The answer is we shall not do this thing because our protestations and prayers for peace are in the main sheer hypocrisy, and beneath them all lies unbounded greed. Even the neutrality to which as a Nation we are pledged is to-day a mere sham. Our claim of national neutrality has been made in such terms which, if we were honest and just toward all the nations engaged in this war, we would be bound to hold that none of these munitions and supplies could be sent, no matter by what sort of subterfuge they may be shipped and disguised or by what roundabout ways forwarded to the particular nation to whom they have been sold. As it is the very spirit and form of an honest neutrality is being daily violated and set at naught by our great producers and exporters of munitions of war, some of them the very men whose protestations and demands for peace and the cessation of warfare are the loudest. This is a sham through and through, and, of course, we will keep it up as long as there is a dollar in it.

The principle of all this thing, and the possibility of maintaining the same, is also embodied in the furnishing of food products to the nations at war. Our wheat and corn and flour and meat and scores of other things which we are sending to these nations, in result, perpetuate this warfare and enable them to continue their fighting. Without our products, some of the chief nations engaged in war to-day would be speedily brought to starvation point. It would be utterly impossible for their armies to be fed, and so great would be the needs and necessity of the working masses there that the cry for bread would drown out all thought of war. It may be said that this would be a severe measure to take in the name of peace, but it would be merciful indeed compared to the atrocities and destruction and death which the furnishing of such food products enables these countries to continue in this abominable warfare.

Of course we would lose, on the surface of things, much money by shutting off the volume of our food supplies in this way. But in the long run we could well afford to do this very thing, for a large share of the destruction and poverty due to this warfare has been and will be distributed to us now and in years to come. We have already levied a huge "war tax" against ourselves on account of this European war. As for our own needs and necessities, we are not obliged to buy a dollar's worth of anything from Europe to-day. We can provide from our own broad areas and magnificent resources everything of absolute need for our own welfare and necessity.

If commerce between this country and the warring nations should be absolutely brought to a standstill, for the reasons above referred to, we should show ourselves to be the noblest nation that ever existed on this earth—and the present European warfare would be ended and a long step taken toward the establishment of universal peace.

Under our Constitution no export taxes nor duties can be laid. Whether or not Congress could make a law forbidding the furnishing of munitions of war and supplies of any or of all nature to the warring nations is a thing which has never yet been determined nor discussed. But that question will soon come up, and the manner in which it is discussed and decided will test the sincerity and honesty of the American people in this their almost universal prayers here being expressed for the cessation of European warfare.

The question will come up in the consideration to be made in Congress upon Senate bill 6862, just introduced by Senator WORKS, of California, the main feature of which is outlined in the following clause:

"*Be it enacted, etc.*, That it shall be unlawful for any person, corporation, or association, a citizen or resident of, or doing business in the United States, to contract for, sell, supply, or furnish to any nation engaged in war, or its armies or soldiers, any food, clothing, supplies, arms, ammunition, horses, or war supplies of any kind, whether the same be contraband of war or not."

Mr. WORKS. In view of the consequences of delay and the continued supply of these munitions to the armies of the belligerent nations, I simply want to appeal to the chairman of the Committee on Foreign Relations to bring this matter to the attention of his committee at an early date so that it may receive fair and prompt consideration.

The VICE PRESIDENT. The morning business is closed.

ORDER OF BUSINESS.

Mr. STONE. Mr. President, I move that the Senate proceed to the consideration of executive business.

Mr. SMITH of South Carolina. I should like to inquire of the Senator from Missouri before he makes a motion to go into executive session if it is his opinion that the executive session will consume the balance of the day. The reason why I ask the question is because I am very anxious to get the unfinished business, the immigration bill, before the Senate and to push it to a speedy conclusion, whatever that may be. If we can get the executive matter out of the way speedily, I will be very glad to conserve all the time that is possible. I should like to know what the Senator's opinion is as to whether it would consume the balance of the day.

Mr. STONE. I hope not. The condition, the Senator understands, is such that I can not speak with any great degree of certainty in reply to his question. I think the matter ought to be disposed of at once, and I think we had better proceed with it.

Mr. CUMMINS. Before the motion of the Senator from Missouri is put I should like to make a suggestion to him. I do not believe very much progress could be made to-day upon the treaty, for reasons that were understood last night. While I do not intend to put any undue obstruction in the way, I had hoped that the Senator from Missouri would see his way clear to allow this day to pass without an executive session and take up the treaty to-morrow morning, with the idea then of going right through with it and reaching a vote. I fear that a good deal of time to-day might be, in a sense, wasted.

Mr. STONE. Mr. President, of course I do not wish to waste time. I know that the Senator from South Carolina and other Senators are anxious to proceed as speedily as may be with the bill to which he refers. I have no wish to stand in the way or to obstruct the consideration of that measure. I can not understand why there should be any long delay in getting a vote upon the convention or treaty. I asked yesterday that we should agree upon a time to vote, and I was unable to get unanimous consent for the day I named—Thursday, I think it was. I will ask now if I can have unanimous consent for a vote. I will ask unanimous consent that we shall take a vote on the resolutions pending or any amendments thereto on Saturday next, beginning at 3 o'clock. If that is done, I shall not ask for an executive session to-day and will let the matter go over until to-morrow, awaiting the presence of the Senator from Wisconsin [Mr. LA FOLLETTE], who, as I am informed, desires to be heard on the subject before action is taken. I have every wish in the world to accommodate him. If this unanimous consent is given, the Senate will have, and the Senator from Wisconsin will have, Wednesday and a part of Thursday, such part of it as is not taken up by the special order which I think the Senator from Georgia [Mr. SMITH] has had fixed for that day, Friday, and Saturday until the time of voting. That would practically give three days for the consideration of the matter. Will the Senator from Iowa agree to that?

Mr. CUMMINS. Mr. President, the first suggestion I have to make is that the request, under the vote which the Senate passed a day or two ago, ought to be made in executive session rather than in open session. I should be very glad to have this matter considered in open session, but the Senate has voted otherwise.

Mr. STONE. I think the criticism of the Senator from Iowa is well taken, and that that ought to be done.

Mr. CUMMINS. I have no objection to telling the Senator from Missouri exactly how I feel about the matter.

This treaty affects directly and very substantially the bill we passed last October known as the seamen's bill. Everybody recognizes that; everybody admits it. The Senator from Wisconsin [Mr. LA FOLLETTE] is the author of that bill; he is not here, but will be here to-night; and I feel that no such agreement should be made in his absence. I am sure the Senator from Missouri will understand my position about that. So far as I am concerned nothing could please me more than to have an agreement to take a vote next Saturday; indeed, I see no reason for prolonging it even that far, but I do not feel under the circumstances that an agreement should be entered into until we have the presence of the Senator from Wisconsin, assuming that he will be here to-morrow morning.

Mr. STONE. Mr. President, I have not any doubt the Senator from Iowa is addressing the Senate with the utmost good faith and sincerity, and I think under the circumstances——

Mr. SMITH of South Carolina. May I ask the Senator from Missouri what is his proposition—that we begin on Thursday at 3 o'clock and reach a vote not later than when?

Mr. GALLINGER. Mr. President, I rise to a question of order.

The VICE PRESIDENT. The Senator from New Hampshire will state his point of order.

Mr. GALLINGER. It is that a matter that is purely executive is being discussed in open session.

The VICE PRESIDENT. The Chair has been so impressed, and would have long ago so ruled had the question been raised. This discussion is not in order in the open session of the Senate.

Mr. STONE. I think the Chair is entirely correct in that. Therefore I was about to remark, Mr. President, that under the circumstances I shall not move an executive session at this time.

REGULATION OF IMMIGRATION.

Mr. SMITH of South Carolina. Mr. President, as the Senator from Missouri does not intend to make the motion to proceed to the consideration of executive business, I move that the Senate proceed to the consideration of the immigration bill.

The motion was agreed to; and the Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 6060) to regulate the immigration of aliens to and the residence of aliens in the United States.

The VICE PRESIDENT. The pending amendment will be stated.

The SECRETARY. In section 9, page 18, line 23, before the word "physical," the Committee on Immigration propose to strike out the words "mental or," so as to read:

It shall also be unlawful for any such person to bring to any port of the United States any alien afflicted with any physical defect of a nature which may affect his ability to earn a living, as contemplated in section 3 of this act.

The VICE PRESIDENT. Without objection, the amendment is agreed to.

Mr. REED. Mr. President, one moment, before that amendment is adopted.

The VICE PRESIDENT. The statement of the Chair in reference to the amendment is withdrawn.

Mr. REED. Mr. President we have previously had under discussion a provision somewhat similar to this, and it was referred back to the committee, I believe, at the committee's request. I wish to ask the chairman of the committee, before we pass upon the amendment——

Mr. SMITH of South Carolina. There is a difference in this case, Mr. President. The other clause had reference to the contract-labor law, while this has reference to the examination of aliens who come in. It imposes a restriction on those who bring them in, whereby under certain circumstances they are excluded. This provision has reference entirely to the fitness of such aliens physically and has no reference to the contract-labor law at all. The words "mental or" are proposed to be stricken out because there are already incorporated in the bill certain provisions with reference to the mental fitness of aliens proposed to be brought to this country. It will be remembered that previously we had some discussion in reference to "psychopathic inferiority," and so forth. This comes under that clause. Therefore, that having been provided for, the words "mental or" are proposed to be stricken out, and this clause is restricted purely to physical fitness.

Mr. REED. Mr. President, the physical features of this section, or, to state it more correctly, the provisions of the section relating to the physical conditions, are as much covered by the clauses in the preceding section to which the Senator from South Carolina has reference as are the mental qualifications covered by that same section. If it is necessary to have this section in order to protect us against those who are physically deficient, it ought to be equally necessary to have it in order to protect us against those who are mentally deficient.

Mr. SMITH of South Carolina. I beg to call the attention of the Senator from Missouri to the fact that this applies to transportation companies, and that there is ample provision made in the different sections of the bill, iterating and reiterating the fact that aliens will be examined to ascertain their mental capacity. It is hardly fair to impose upon the steamship companies, as set forth in this provision, the penalty for bringing in aliens who are mentally defective that would accrue in cases where there are physical defects which can easily be detected and are detected at the port of embarkation. Therefore, as I say, if the Senator from Missouri has properly read and digested the bill, he will realize that ample provision is made for the exclusion of those mentally deficient as well as those who are physically deficient.

Mr. REED. Now, Mr. President, I do not agree with the Senator. Reading the context——

Mr. SMITH of South Carolina. I suggest that the Senator read section 9.

Mr. REED. The section is directed against the transportation companies, and it provides that it shall be unlawful to bring from a foreign country to this country—

Any alien afflicted with idiocy, insanity, imbecility, feeble-mindedness, epilepsy, constitutional psychopathic inferiority, chronic alcoholism, tuberculosis in any form, or a loathsome or dangerous contagious disease.

That is the prohibitive clause. The second clause, the one now under consideration, provides:

It shall also be unlawful for any such person to bring to any port of the United States any alien afflicted with any mental or physical defect of a nature which may affect his ability to earn a living, as contemplated in section 3 of this act.

Mr. SMITH of South Carolina. Now, if the Senator from Missouri——

Mr. REED. Just one moment, Mr. President. With all the courtesy in the world to the Senator, I should like to finish my sentence. The prohibitive clauses which precede this, so far as they apply to mental conditions, are limited to insanity, imbecility, feeble-mindedness, epilepsy, and constitutional psychopathic inferiority, and also relate to physical defects.

Mr. SMITH of South Carolina. Now, Mr. President, if the Senator from Missouri will allow me——

Mr. REED. Mr. President, I will allow the Senator when I have concluded my sentence.

The VICE PRESIDENT. The Senator from Missouri has the floor, and has twice refused to yield.

Mr. REED. I will yield in a moment, but not just now.

Mr. SMITH of South Carolina. Take all the time you want.

Mr. REED. Mr. President, I intend to take all the time I want if the Senator desires to be discourteous, because he is proceeding by my courtesy and I am not proceeding by his.

If the term "mental" is stricken out in this provision, there may be a doubt introduced into the bill as to certain ailments. The question may arise whether or not they are covered by the terms of the bill. If the clause is left in as it was written in the House, that doubt will be removed. If the clause here is to be stricken out as to mental defects, then the whole of the clause relating to physical and mental defects should be stricken out for the same reason.

The Senator has stated that the reason the word "mental" is stricken out is because it may be difficult to discover a mental ailment. It certainly is no more difficult to discover an ordinary mental ailment than it is to discover constitutional psychopathic inferiority, which is left in the bill and which, if I understand the term or if the committee understands the term or if anybody understands the term—and nobody appears to understand the term—is in some vague, indefinite, and nebulous manner intended to refer to some sort of hereditary taints. So that it seems to me the term "mental" ought to be left in this bill at this point or else we ought to exempt these aliens entirely from any examination with reference to any character of mental diseases, whether psychopathic or whatever kind they may be.

Now I will yield to the Senator very gladly for any interruption he desires to make.

Mr. SMITH of South Carolina. Mr. President, I am very much obliged to the Senator for his courtesy, and I most abjectly apologize to him for my failure to draw the proper line of demarcation in interrupting him. I was a little hasty, perhaps, a moment ago in seeking to make the explanation.

I should like to state to the Senator that the reasons given for striking out the words "mental or," on page 5, line 5, are these: The committee in its report, after having gone over all these matters, makes this statement:

On page 5, line 8, strike out the words "mental or," so as to make the factor that determines rejection of the mentally defective the mere existence of the defect, not, as with the physically defective, the question whether the defect affects earning capacity.

An alien coming into this country when he is mentally defective is rejected because of the mere existence of the defect. He may not be afflicted with a loathsome or contagious disease; he may be physically defective, but yet not to the extent of affecting either his mental or earning capacity. In that case he is admitted. If he is so physically defective that he is likely to become a public charge, then he is rejected; but the words "mental or" in this case were stricken out so as not in any way to raise a question or jeopardize the preceding clauses and sections of the bill which provide for the rejection of an immigrant who is at all mentally defective.

The amendment is recommended for the purpose of clearness, and is designed to restrict that provision to the physically defective, giving the right to determine whether the physical defect affects the immigrant's earning capacity. If it does not, as I have said, he comes in, while if it does he is rejected; but if he is mentally defective, as set forth in the first part of the bill where ample provision is made concerning those mentally defective, he is rejected.

Mr. REED. Mr. President, that does not follow at all. There are many forms of mental ailments that are not covered by the specifications found in lines 5 and 6, which I read a few moments ago. The word "mental" ought to remain in the bill. It does not militate against nor limit, but rather extends, the meaning of the preceding phrase. Striking it out must mean that the committee is of the opinion that we ought to receive into this country all kinds of mentally defectives, unless they are afflicted with constitutional psychopathic inferiority, or insanity, or imbecilty, or feeble-mindedness. At the same time that we are writing into the bill a provision excluding those who are not educated, we propose by this amendment to admit those who are mentally unsound if they do not come within the specific classification set forth in lines 5 and 6.

It seems to me that it introduces an element of doubt into the bill; it weakens the bill; and while I am opposed to the educational test I certainly am opposed to admitting into this country persons afflicted with any form of mental disease. I do not think we ought to make the United States the harbor and refuge and dumping ground of those who may be afflicted with some form of mental disorder that is not specifically named in the bill. If we are going back to exclude those who are afflicted with constitutional psychopathic inferiority, we ought

to exclude those who are afflicted with any other kind of mental inferiority; for it is as bad to be feeble-minded or idiotic by your own act or by your own misfortune as it is to be by heredity and by virtue of the sins of your ancestors or their misfortunes. So I think the word ought to stay in.

Mr. SMITH of South Carolina. Mr. President, in order that the Senate may not be confused at all, I hope every Senator will read section 9. It is very apparent that the section covers all possible cases of such mental defects as might perpetuate themselves after the alien has come into this country. It does not appear that physical disability, such as contagious disease, and so forth, has been so fully covered that one physically unable to earn a living would be excluded. He is not afflicted with any mental disease; he is not afflicted with any contagious disease, but has a physical defect which might result in his becoming a public charge; and that clause was put in simply for the purpose of being sure that such persons shall not be admitted. It is already in the existing law.

> It shall also be unlawful for any such person to bring to any port of the United States any alien afflicted with any mental or physical defect.

Now, the mental part is already amply provided for, and the repetition of it rather confuses the purport of this clause. Its purport is that when one is neither mentally nor physically incapacitated, from the standpoint of a disease or otherwise, except in such a way as might incapacitate him from earning a living and render him likely to become a public charge, then it is unlawful for him to come in. Our immigration officials have inspected him; he has passed the mental test; he has passed the disease test, but upon examination he is found to have some physical defect that is neither a disease nor a mental aberration and therefore is likely to become a public charge.

The committee and those in charge of framing this bill were doing their best to preserve as nearly as possible the standard of citizenship from a mental and physical standpoint. Striking out the words "mental or" does not in any sense of the word show any disposition to allow one mentally defective to come into the country, in that we have amply provided for it elsewhere and have restricted this clause to what might have been overlooked in the preceding clauses—that some one otherwise admissible might possibly become a public charge.

The VICE PRESIDENT. The question is on agreeing to the amendment.

Mr. REED. I ask for a roll call, Mr. President.

Mr. GRONNA. Mr. President, before the vote is taken, if I may be permitted, I wish to make just a few observations.

I think the provision in this bill excludes any person with any physical defects. I desire to ask the chairman if it is not his understanding that the provision which we now have under consideration simply means that a person may have an affliction and yet, if he is able to earn a living, the Commissioner of Immigration or the Secretary of Labor may permit such a person to enter. That was my understanding when this provision was discussed, and I should like to ask the chairman of the committee if I correctly understand it.

I will put my inquiry in another form. When this provision was taken up I understood that it was simply a limitation. A person may have a physical defect, but if it is believed that he is capable of earning a living he may be permitted to enter. Is not that correct?

Mr. SMITH of South Carolina. Why, of course; that is right.

Mr. REED. Mr. President, I should like to ask the Senator a question, and I will make a preliminary statement. A reading of the section will make plain the effect of this amendment:

> It shall also be unlawful for any such person to bring to any port of the United States any alien afflicted with any mental or physical defect of a nature which may affect his ability to earn a living.

If you should strike out the word "physical," then a man physically unable to earn a living could come in. If you strike out the word "mental," then one mentally unable to earn a living could come in. By striking out the word "mental," you leave it open to admit to this country those who are mentally unable to earn a living, while excluding those who are physically unable to earn a living.

That is the effect of this amendment. If it is fully covered before, it is not more fully covered than the physical requirements are fully covered.

I am opposed to striking out any provision of this bill which requires a man to be of sound mind, sound brain, sound intellect, when he comes to this country. The effect of this amendment is to exclude the physically deficient and admit the mentally deficient, all of which is in the interest of a higher civilization.

Mr. CHAMBERLAIN. Mr. President, it seems to me the position taken by the Senator from Missouri [Mr. REED] is eminently correct. I think it will be found that at most of the ports of entry many foreign vessels that come in bring those who are mentally defective and land them on our shores. I know it has been our experience in Oregon.

Mr. SMITH of South Carolina. If the Senator from Oregon will read section 9 in its entirety, together with other sections, he will find that ample legislation is proposed to be enacted to exclude the mentally defective. Such ample legislation is not proposed as to exclude all the physically defective. Therefore this provision is put in.

We have already provided for all possible mental contingencies. Now we say that those who are mentally sound and physically sound, who have not a disease that is contagious or dangerous, who have not any mental defects, but who may be physically unable to earn a living from the loss of an arm, the loss of a leg, or something of that kind, shall be excluded. If in the judgment of the inspecting officer the person is physically defective in such a way that he is likely to become a public charge, he is to be excluded.

I hope the Senator from Oregon will not get the idea that we have not made all possible provision for the inspection and rejection of all mentally defective persons. In order to have it clear-cut that we wanted to exclude from this country those who were physically unable to earn a living we put in this provision.

Mr. CHAMBERLAIN. But I should like to ask the Senator why he makes an exception in that particular part of the section in favor of those who may be mentally defective?

Mr. SMITH of South Carolina. Because the committee were of the opinion that we had already covered every possible mental contingency.

Mr. CHAMBERLAIN. Then it certainly can do no harm to leave it in there as a matter of precaution. I hope the committee amendment will be rejected.

Mr. GRONNA. Mr. President, if the Senator will refer to section 3, on page 4 of the bill, he will find that the matter is fully covered. It reads:

> That the following classes of aliens shall be excluded from admission into the United States: All idiots, imbeciles, feeble-minded persons, epileptics, insane persons—

And so on. Now, an alien sound in mind, but who may have lost a limb, a finger, or who may have some other defect or ailment, yet may be perfectly capable of earning a living. That is the reason why the provision was put in the bill; but we struck out the word "mental." The committee were of the opinion that any person who was not mentally sound should not be admitted; that if his mind was defective he should not be admitted; but he may have lost a limb or lost a finger or a hand and still may be capable of earning a living. That is what this amendment means, and all this provision means.

Mr. LANE. Mr. President, if you intend to keep out of this country people who are mentally defective, I do not see why you should strike out the provision which does exclude them.

It is known to be a fact—not susceptible of proof, however, I guess—that quite a large number of mentally defective persons are shipped into this country. They are rather encouraged to emigrate from other countries, and New York and other seaboard States receive quite a number of such immigrants whom they soon have to place in insane asylums and take care of for the remainder of their lives. There are some States so unkindly as to ship their insane persons into adjoining States, and we have passed laws in Oregon putting a stop to that. It has become a great burden.

If there is any doubt that this bill will exclude that class of immigrants, the words under discussion should be left in the bill. Why do you strike out the words that specifically exclude mentally defective persons if you are trying to exclude them?

Mr. GRONNA. If the Senator will read the whole clause, he will find that even if these words are stricken out those who are mentally unsound can not be admitted.

Mr. LANE. Yes; such persons as you define are excluded. Here, however, is a broader term, which covers all defects of mentality; and when you come to that broader term it takes in all of the others, and is the only term necessary for you to use. I am not speaking to the Senator personally, but impersonally. The committee strikes out that comprehensive term and confines itself to certain specific definitions of the types of mental defect against which it wishes to pass a law of exclusion.

It seems to me that if you are to strike out anything you should begin on your psychopathic constitutional inferiority, epileptics, feeble-minded persons, imbeciles, idiots, and other forms and types of mental defects, some of which are hard to

define, and cover the matter with the broad and comprehensive term of a mental defect. That will cover them all.

That attracted my attention. The chairman says that a man may be mentally defective, and yet, provided he can earn a living, he can still come into this country; but if he can not earn a living, or has failed to show his ability to do so, the bill will exclude him. If the ability to accumulate money is to be a test, neither Thomas Jefferson nor George Washington, if they had tried to emigrate to this country, could have been admitted, for they lost money in their business; and the blessed Savior himself never would have gotten within the 3-mile limit.

Mr. SMITH of South Carolina. Mr. President, I am sure the Senator from Oregon wants to quote me correctly. I did not say that a person might be mentally defective and yet earn a living. However, I do not desire to discuss that phase of the question longer, but simply to add the testimony of a member of the splendid profession of which the Senator from Oregon [Mr. LANE] is also a member.

Some of the leading physicians in New York and Massachusetts, as well as in the Northern and New England States, have compiled statistics to show that the increase of insanity among immigrants is appalling, and has become a tremendous burden upon the taxpayers of the States in which are located the large ports where these immigrants come. In order that the immigration officials might have ample authority of law to reject anyone who has in him a hereditary taint that might at any time reproduce itself in a violent form, they incorporated in the bill this term, so very appalling and startling to the layman, "constitutional psychopathic inferiority."

With the permission of the Senate, I should like to read a statement from Dr. Salmon, of the National Committee for Mental Hygiene, explanatory of a quite lengthy document that has been sent in, using very numerous technical terms, all of which I am quite sure are to the point when properly understood. At any rate, I take it for granted that these physicians, who came in contact with the appalling conditions that the committee were convinced exist in the hospitals of the insane and mentally defective in the States and in the places to which I have referred, have collaborated with the committee in order to protect to the fullest possible extent the continuance of this very burdensome and dangerous immigration. Dr. Salmon says:

THE NATIONAL COMMITTEE FOR MENTAL HYGIENE,
50 Union Square, New York City, December 12, 1914.

Hon. ELLISON D. SMITH,
United States Senate, Washington, D. C.

MY DEAR SENATOR SMITH: My attention has been called to the debate in the Senate December 10, 1914, on the proposed amendment to the immigration law which adds "constitutional psychopathic inferiority" to the excludable conditions.

This is one of the amendments which was suggested by a number of officials dealing with insanity and mental deficiency in the different States and by bodies of alienists last winter. It has been urged by the National Committee for Mental Hygiene, the American Medico-Psychological Association, the New York Psychiatrical Society, the National Association for the Study of Epilepsy, the mental hygiene committee of the New York State Charities Aid Association, and a number of State medical societies. It was also recommended by Dr. Spencer L. Dawes in his report to the governor of New York as special commissioner on the alien insane; by Dr. L. Vernon Briggs, representing the Massachusetts State Board of Insanity; by Dr. Frank Woodbury, representing the committee in lunacy of the Pennsylvania State Board of Charities; and by Dr. Hugh Young, representing the Maryland State Lunacy Commission.

It is felt by all who have devoted especial study to the matter that the elimination of any of the amendments proposed for the exclusion of insane and mentally defective immigrants would be a distinct loss, for all of them were suggested only after very careful study of the problem at ports of entry and in public institutions of the United States which bear the heavy burden of the care of insane and mentally defective aliens.

Respectfully, yours, THOMAS W. SALMON.

Therefore, as they know more perfectly than I, or any layman, the proper terms to use to exclude that class who come under their observation as placing a burden upon the taxpayers and upon the charity commissions and become a menace to the future population of this country, we have incorporated it at their suggestion and upon their assertion that it is sufficient.

Mr. LANE. Mr. President, in reply I will say I am not objecting to the incorporation of those terms, but later along the larger and more full term which covers all mental defects is stricken out.

It shall also be unlawful for any such person to bring to any port of the United States any alien afflicted with any—

The words "mental or" are stricken out—

physical defect of a nature which may affect his ability to earn a living.

It seems to me that by leaving in the word "mental" it would enlarge the scope of the bill. If it was intended to exclude mentally defective persons, why not leave it in?

Mr. GRONNA. Mr. President——

The VICE PRESIDENT. Does the Senator from Oregon yield to the Senator from North Dakota?

Mr. LANE. Certainly.

Mr. GRONNA. The Senator, I think, misapprehends the meaning of this language. It was intended to give to the immigration authorities some discretion with reference to physical defects, but by striking out the words "mental or" they will be given no discretion, but will have to exclude all who are mentally defective. That is provided for in section 3. If the word "mental" which is in the bill is not stricken out, then aliens whose minds are defective may be permitted to land. By striking it out, they will not be permitted to land in this country. That is the effect of this language.

Mr. LANE. One of the most intelligent men I ever knew, one of the most accomplished and kindly men, a man who could earn his living anywhere, for 11 months in the year was as sane as anybody, but the other 30 days in the year he was the handiest and most accurate person with a butcher knife at a jugular vein that there was extant, and such a man could pass the immigration authorities under the terms of this bill. That man could earn a living, but he was an expensive proposition and dangerous withal. He was not suffering from any psychopathic constitutional inferiority. He was born as good as the next man, and with real blue blood in his veins, but at certain periods a form of circular insanity seized him and he was an interesting neighbor.

Mr. GRONNA. This provision simply seeks to keep out such men as that. We want immigrants who are sane for 12 months during the year and not for only 11 months. That is the idea.

Mr. LANE. He was mentally defective, but not under the terms of this bill. I think you had better leave in the word "mentally." That is my impression. I may be mistaken.

Mr. DILLINGHAM. Mr. President, the discussion has proceeded to some extent upon the theory that section 9, on page 18, is the section which recites the classes which are to be excluded; but that is not the fact. Section 3 of the bill contains a list of the excluded classes. Section 9 treats wholly upon the question of the examination of those making application for admission into the United States. I should like to call attention to a fact which has been overlooked to some extent, that this relates to the examination which is to be made on the other side of the water by the steamship companies before bringing immigrants to this country. Section 9 reads:

That it shall be unlawful for any person, including any transportation company other than railway lines entering the United States from foreign contiguous territory, or the owner, master, agent, or consignee of any vessel, to bring to the United States either from a foreign country or any insular possession of the United States any alien afflicted with idiocy, insanity, imbecility, feeble-mindedness, epilepsy, constitutional psychopathic inferiority, chronic alcholism, tuberculosis in any form, or a loathsome or dangerous contagious disease, and if it shall appear to the satisfaction of the Secretary of Labor that any alien so brought to the United States was afflicted with any of the said diseases or disabilities at the time of foreign embarkation—

This is the clause to which I wish to call attention—

and that the existence of such disease or disability might have been detected by means of a competent medical examination at such time, such person or transportation company, or the master, agent, owner, or consignee of any such vessel, shall pay to the collector of customs of the customs district in which the port of arrival is located the sum of $200 for each and every violation of the provisions of this section.

It will be seen that this provision relates to the duty of the steamship company in making the examination at the port of embarkation and is limited to the diseases which are mentioned in the clause from which I have read.

Now, then, we come to the second proposition, which is that—

It shall also be unlawful for any such person to bring to any port of the United States any alien afflicted with any mental or physical defect of a nature which may affect his ability to earn a living, as contemplated in section 3 of this act.

In that case a penalty of $25 is imposed. This section defines the two classes of cases. The former section covers every kind of mental defect, and if that might have been discovered by a competent medical examination at the port of embarkation and yet the person is brought in here the steamship company is fined $200.

Now, we come to the second proposition. The committee thought it best to strike out the word "mental" and make it apply to purely physical defects of a nature which might affect the ability to earn a living in order to make it certain, clear, and distinct, and so that there should be no misapprehension as to the nature of it. For that reason I favored the amendment.

I wish to say in this connection that there are no provisions in the bill that I feel are more important than those contained in this section, because, with the more than a million of immigrants who are coming to this country every year, the burden of the examination at all our ports becomes not only expensive but difficult. It has to be conducted with a certain degree of haste, particularly when we have from 3,000 to 4,000 to be examined

in a single day at Ellis Island. We have here a proposition that is better than having Government officers stationed at the ports abroad, because with this penalty of $200 upon every steamship company that violates the provision and brings a person whose condition might have been discovered by competent medical examination, we have compelled them to establish a corps of medical officers at every port of embarkation in Europe. Not only that, but the effect of it has been that these examinations have left at those ports such large numbers that the German Government has been compelled, in order to protect itself from caring for such people, to establish along the border of Germany control stations, so called, at which persons coming from Russia or Austria or Italy or any other country to take German lines of steamers coming to the United States are compelled to pass an examination by surgeons who are paid for by the steamship companies. The result has been that in a single year we have excluded of the defective classes through those examinations 40,000 intended immigrants.

Now, with this explanation it will be seen why the committee struck out the word "mental." They laid a penalty of $200 upon the steamship company bringing in any of that class, and here they are laying a penalty of $25 for bringing in any person who has a physical defect, the nature of which might affect the ability of the alien to earn a living.

I do not consider this particularly important. It is a matter of definition, and one which we thought would make more clear the judgment and the duty of the medical officers who make the examinations abroad.

Mr. LANE. If it does make it more plain, I have no objection to it. It impressed me that it was a restriction. The very interesting lunatic of whom I spoke a few moments ago was an immigrant to this country. He passed the authorities at Ellis Island, and when he made his escape he passed the English authorities and went back home again to make more trouble. I think the provision ought to be made broad and general. If it covers the ground, well and good. It seems to me that we are using restrictive terms instead of broad and general terms which would cover the entire situation.

Mr. REED. Mr. President, I am very sure that I can convince the Senator from North Dakota [Mr. GRONNA] that these words ought to remain in the bill and that his process of reasoning is erroneous.

Every lawyer knows that the greatest danger in the preparation of any instrument in law is in undertaking to particularize, because when you have particularized you are likely to have omitted some of the very evils you desire to reach. Hence, it is always regarded as the part of wisdom to employ a general term which embraces all the particulars.

Holding that thought in mind a moment, this bill undertakes to particularize. It names idiocy, insanity, imbecility, feeble-mindedness, epilepsy, constitutional psycopathic inferiority, and chronic alcoholism. Unless an immigrant is afflicted with one of those specific ailments, he can not be excluded under the terms of the bill. If the bill had contained the general language "or other mental inferiority of such degree as to render him incapable of earning a living," you would then have covered the case as you intended to cover it.

I undertake to say that the terms employed, broad and sweeping as they may appear to be, do not cover all the cases the committee desires to reach and which I, at least, want to have covered. Idiocy is a well-defined term and is indicative of a degree of mental inferiority which renders its victim practically helpless. Feeble-mindedness also is indicative of a condition so low that a man can not be said to be feeble-minded until he is in a condition where he is almost incapable of even taking care of his ordinary physical wants. Epilepsy, of course, we understand, is a well-defined disease or manifestation of a disease, doctors differing upon that. Insanity I need not pause to speak of. As near as I understand the term "constitutional psychopathic inferiority," it covers an inherited taint.

With those terms before the immigration commission, and with nothing else before it, when the officer examines a subject he must find the ground for his exclusion in one of those specific ailments. I do not think he should be so circumscribed. I think that if he discovers a creature is so inferior mentally, from any or all causes or combinations of causes, that he can not earn a living, that individual ought not to be permitted to land upon this soil.

Mr. GRONNA. Mr. President——

The PRESIDING OFFICER (Mr. ASHURST in the chair). Does the Senator from Missouri yield to the Senator from North Dakota?

Mr. REED. I do.

Mr. GRONNA. If the Senator will continue reading on page 5, he will find this language:

> Persons not comprehended within any of the foregoing excluded classes who are found to be and are certified by the examining surgeon as being mentally or physically defective.

Mr. REED. Very well; that is the absolute prohibition. Now we come to a penalty section and you omit that language from that section which penalizes the steamship company if it does bring in that class of people. You add the language found in the section which in general terms is already in other sections, and you then seek to fix a penalty upon the steamship company bringing in these defectives. If you had included in this section the language which the Senator from North Dakota has just read, there would be no objection, but instead of including that you are actually striking it out or striking out its equivalent. So you are left in the position of having, in the section to which the Senator referred, excluded all who are mentally inferior; but when you come to penalizing the steamship company you limit the penalty to a violation by it not of the general sweeping clause, but of certain specific inhibitions. You are traveling in a direction exactly opposite to that from which you desire to go.

If the committee will incorporate after the words "chronic alcoholism," or in any other place in this section, the language which the Senator from North Dakota has just read, then I shall make no complaint; but it is not now found there.

Mr. GRONNA. Mr. President, I believe the Senator from Missouri is correct in that statement; I think that language should be added after the word "alcoholism," in line 8, page 18; but certainly it should not be included in line 23, because it is a limitation; it simply gives the authorities a certain discretion. It is certainly my opinion that we should exclude all of those who are mentally unsound; and I believe the Senator is right in saying that the words "mentally defective" should be added after the word "alcoholism," or in some other place.

Mr. REED. If the words to which the Senator has referred are there inserted, I have no further objection, because that leaves the broad, sweeping inhibition of mental defectives, and the penalty which it is the purpose of this section to add, complete.

Then the second provision, which relates only to physical defects, provides a mild penalty. If it is in order, I suggest that the Senator from North Dakota might at this time offer the language he has just read. I have it not before me and did not catch the phrase as the Senator read it.

Mr. SMITH of South Carolina. Mr. President——

The PRESIDING OFFICER. Does the Senator from Missouri yield to the Senator from South Carolina?

Mr. REED. I yield.

Mr. SMITH of South Carolina. If the Senator from North Dakota [Mr. GRONNA] will refresh his memory a bit, he will recall that this very phase of the question was discussed in committee. It was suggested that there might possibly be some mental defect that would escape observation either at the time of the foreign inspection or of the American inspection which the steamship company hereby proposed to be mulcted could not possibly detect, but which might manifest itself after the immigrant arrived. I hardly think it would be fair to incorporate a confusing and bungling provision under which a defect which it was practically impossible for those abroad to detect should be made the basis of a penalty when in all good faith the transportation company was attempting to comply with the provisions of the law.

Mr. REED. Mr. President, I hope the Senator from South Carolina will not characterize the phraseology which the committee itself has put into this bill, and which the Senator from North Dakota [Mr. GRONNA] is about to offer as an amendment, as bungling language. It was good enough for the committee to put into the bill at another place, and it ought to be sufficiently clear and lucid to adopt at this point.

So far, however, as the question of hardship to the steamship companies is concerned, I will say it is very much easier to discover a general condition of mental inferiority and stupidity and deficiency than it is to discover insanity, because insanity manifests itself in a thousand forms. Men walk the streets of every city of the United States and transact business who are afflicted with well-known forms of insanity.

It is also much easier to discover a condition of mental inferiority and stupidity, which is manifest all the time, than it is to discover epilepsy. There is no test known to the medical world that will enable any physician on earth to say whether a man is afflicted with epilepsy, particularly during its earlier stages, except the manifestation of a seizure itself. You can

not get at it by feeling the pulse or looking at the tongue or examining the eye or the blood of the patient. Indeed, it is disputed to-day among the most learned physicians whether epilepsy is not merely a symptom of some other disorder, and what that disorder may be has never been determined. About all the medical world knows is that at recurring intervals the patient is seized with what we commonly denominate a fit. So the reason given by the Senator from South Carolina that the steamship company might be overreached and misled and might err through inadvertence and mistake applies a thousandfold more to the language which the committee has already adopted, and for the violation of the provisions of which the steamship company is to be heavily mulcted, than it does to the mere question of general stupidity and inferiority.

Mr. POINDEXTER. Mr. President——

The PRESIDING OFFICER. Does the Senator from Missouri yield to the Senator from Washington?

Mr. REED. I yield.

Mr. POINDEXTER. As to the question which the Senator from Missouri is discussing, the injustice to the steamship company of penalizing them for bringing over a mentally defective person, which the Senator from South Carolina [Mr. SMITH] says they might not be able to discover, I should like to call attention to the fact that it is all covered by the language of section 9, beginning in line 10. This condition is attached to the provision:

> And if it shall appear to the satisfaction of the Secretary of Labor that any alien so brought to the United States was afflicted with any of the said diseases or disabilities at the time of foreign embarkation, and that the existence of such disease or disability might have been detected by means of a competent medical examination at such time—

That would apply to mental defectives if the amendment suggested by the Senator from Missouri and by the Senator from North Dakota were adopted.

Mr. REED. I think the Senator's observations are absolutely just, and I suggest that the Senator from North Dakota might well offer that amendment at this time. If it is adopted, I shall have no further objection.

Mr. GRONNA. I wish to say that we are considering the amendment on line 23, and while I should be very glad to vote for an amendment adding the words "mentally defective," after the word "alcoholism," I hardly think it would be in order at this time.

Mr. REED. It would be in order unless somebody should make a point of order against it.

Mr. GRONNA. I will be very glad to offer it, and I offer it now.

Mr. SMITH of South Carolina. Mr. President, I suggest that the amendment be passed over, and in the regular order of business, when the committee amendments have been disposed of, then any amendment will be in order.

The PRESIDING OFFICER. The Chair will state that the amendment proposed by the Senator from North Dakota, in line 8, would be an amendment to the committee amendment, and therefore would be in order.

Mr. GRONNA. The chairman of the committee has asked that the whole section go over, as I understand, with all amendments. That is perfectly satisfactory to me.

Mr. SMITH of South Carolina. I ask simply that the amendment now pending may be passed over.

Mr. REED. Mr. President, before it is passed over I wish to suggest to the Senator who is in charge of the bill that if the amendment suggested by the Senator from North Dakota is not hereafter adopted, then the section could be made very clear by adding, after the word "mental," in line 23, the words "defect other than those above specifically named," so that it would read:

> It shall also be unlawful for any such person to bring to any port of the United States any alien affected with any mental defect other than those above specifically named or physical defect of a nature which may affect his ability to earn a living.

That would make the language clear, and I suggest it at this time for the consideration of the committee.

The PRESIDING OFFICER. If there be no objection, the amendment will be passed over for the present. The Secretary will state the next amendment.

The SECRETARY. In section 9, page 19, line 5, before the word "physical," it is proposed by the committee to strike out the words "mental or."

Mr. SMITH of South Carolina. I ask that that amendment may also be passed over.

The PRESIDING OFFICER. The amendment will be passed over, in the absence of objection.

The next amendment was, in section 9, page 20, line 3, after the word "fine," to strike out "and costs, such sum to be named by the Secretary of Labor," so as to read:

> And no vessel shall be granted clearance papers pending the determination of the question of the liability to the payment of such fine, or while the fine remains unpaid, nor shall such fine be remitted or refunded: *Provided*, That clearance may be granted prior to the determination of such questions upon the deposit of a sum sufficient to cover such fine.

The PRESIDING OFFICER. The question is on agreeing to the amendment proposed by the committee.

Mr. REED. Mr. President, I should like to ask the chairman of the committee why those words should be stricken out?

Mr. SMITH of South Carolina. For the simple reason that no costs are involved in assessing an administrative fine.

Mr. REED. I am not sure but that the Government might be put to great expense. However, I do not desire to make a point as to the amendment.

The PRESIDING OFFICER. In the absence of objection, the amendment is agreed to.

The next amendment was, in section 10, page 20, line 5, after the word "the," to strike out "mandatory and unqualified"; in line 7, after the word "lines," to strike out "other than those lines"; in line 10, after the words "alien to," to insert "or providing a means for an alien to come to"; in line 15, after the word "such," to insert "person"; in line 22, after the word "the," to insert "person"; and in line 23, before the word "penalty," to strike out "pecuniary," so as to read:

> SEC. 10. That it shall be the duty of every person, including owners, officers, and agents of vessels or transportation lines, or international bridges or toll roads other than railway lines which may enter into a contract as provided in section 23 of this act, bringing an alien to or providing a means for an alien to come to any seaport or land border port of the United States to prevent the landing of such alien in the United States at any time or place other than as designated by the immigration officers, and the failure of any such person, owner, officer, or agent to comply with the foregoing requirements shall be deemed a misdemeanor and on conviction thereof shall be punished by a fine in each case of not less than $100 nor more than $1,000, or by imprisonment for a term not exceeding one year, or by both such fine and imprisonment; or, if in the opinion of the Secretary of Labor it is impracticable or inconvenient to prosecute the person, owner, master, officer, or agent of any such vessel, a penalty of $1,000 shall be a lien upon the vessel whose owner, master, officer, or agent violates the provisions of this section, and such vessel shall be libeled therefor in the appropriate United States court.

The amendment was agreed to.

The next amendment was, on page 21, after line 2, to strike out:

> SEC. 11. That whenever he may deem such action necessary the Secretary of Labor may, at the expense of the appropriation for the enforcement of this act, detail immigrant inspectors and matrons of the United States Immigration Service for duty on vessels carrying immigrant or emigrant passengers, or passengers other than first and second cabin passengers, between ports of the United States and foreign ports. On such voyages said inspectors and matrons shall remain in that part of the vessel where immigrant passengers are carried. It shall be the duty of such inspectors and matrons to observe such passengers during the voyage, and report to the immigration authorities in charge at the port of landing any information of value in determining the admissibility of such passengers under the laws regulating immigration of aliens into the United States. It shall further be the duty of such inspectors and matrons to observe violations of the provisions of such laws and the violation of such provisions of the "passenger act" of August 2, 1882, as amended, as relate to the care and treatment of immigrant passengers at sea, and report the same to the proper United States officials at ports of landing. Whenever the Secretary of Labor so directs, a surgeon of the United States Public Health Service, detailed to the Immigration Service, not lower in rank than a passed assistant surgeon, shall be received and carried on any vesssel transporting immigrant or emigrant passengers or passengers other than first and second cabin passengers between ports of the United States and foreign ports. Such surgeon shall be permitted to investigate and examine the condition of all immigrant and emigrant passengers in relation to any provisions of the laws regulating the immigration of aliens into the United States and such provisions of the "passenger act" of August 2, 1882, as amended, as relate to the care and treatment of immigrant passengers at sea, and shall immediately report any violation of said laws to the master or commanding officer of the vessel, and shall also report said violations to the Secretary of Labor within 24 hours after the arrival of the vessel at the port of entry in the United States. Such surgeon shall accompany the master or captain of the vessel in his visits to the sanitary officers of the ports of call during the voyage, and, should contagious or infectious diseases prevail at any port where passengers are received, he shall request all reasonable precautionary measures for the health of persons on board. Such surgeon on arrival at ports of the United States shall also, if requested by the examining board, furnish any information he may possess in regard to immigrants arriving on the vessel to which he has been detailed. While on duty such surgeons shall wear the prescribed uniform of their service and shall be provided with first-class accommodations on such vessel at the expense of the appropriation for the enforcement of this act. For every violation of this section any person, including any transportation company, owning or operating the vessel in which such violation occurs, shall pay to the collector of customs of the customs district in which the next United States port of arrival is located the sum of $1,000 for each and every day during which such violation continues, the term "violation" to include the refusal of any person having authority so to do to permit any such immigrant inspector, matron, or surgeon to be received on board such vessel, as provided in this section, and also the refusal of the master or com-

manding officer of any such vessel to permit the inspections and visits of any such surgeon, as provided in this section, and no vessel shall be granted clearance papers pending the determination of the question of the liability of such fine, or while it remains unpaid, nor shall such fine be remitted or refunded: *Provided*, That clearance may be granted prior to the determination of all such questions upon the deposit of a sum sufficient to cover such fine and costs, such sum to be named by the Secretary of Labor.

And in lieu thereof to insert:

SEC. 11. That for the purpose of determining whether aliens arriving at ports of the United States belong to any of the classes excluded by this act, either by reason of being afflicted with any of the diseases or mental or physical defects or disabilities mentioned in section 3 hereof, or otherwise, or whenever the Secretary of Labor has received information showing that any aliens are coming from a country or have embarked at a place where any of said diseases are prevalent or epidemic, the Commissioner General of Immigration, with the approval of the Secretary of Labor, may direct that such aliens shall be detained on board the vessel bringing them, or in a United States immigration station at the expense of such vessel, as circumstances may require or justify, a sufficient time to enable the immigration officers and medical officers stationed at such ports to subject such aliens to an observation and examination sufficient to determine whether or not they belong to the said excluded classes by reason of being afflicted in the manner indicated: *Provided*, That, with a view to avoid undue delay in landing passengers or interference with commerce, the Commissioner General of Immigration may, with the approval of the Secretary of Labor, issue such regulations, not inconsistent with law, as may be deemed necessary to effect the purposes of this section: *Provided further*, That it shall be the duty of immigrant inspectors to report to the Commissioner General of Immigration the condition of all vessels bringing aliens to United States ports and whether such vessels conform in their arrangements to the requirements of the passenger act approved August 2, 1882, and amendments thereto.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

Mr. REED. Mr. President, I observe there is a very radical difference between the amendment proposed by the committee and section 11, for which it is a substitute. From the somewhat hasty examination I have been able to give these two sections, it seems to me they are worthy of very careful consideration by the Senate. Section 11 as passed by the House provided:

That whenever he may deem such action necessary the Secretary of Labor may, at the expense of the appropriation for the enforcement of this act, detail immigrant inspectors and matrons of the United States Immigration Service for duty on vessels carrying immigrant or emigrant passengers, or passengers other than first and second cabin passengers, between ports of the United States and foreign ports. On such voyages said inspectors and matrons shall remain in that part of the vessel where immigrant passengers are carried. It shall be the duty of such inspectors and matrons to observe such passengers during the voyage, and report to the immigration authorities in charge at the port of landing any information of value in determining the admissibility of such passengers under the laws regulating immigration of aliens into the United States. It shall further be the duty of such inspectors and matrons to observe violations of the provisions of such laws and the violation of such provisions of the "passenger act" of August 2, 1882, as amended, as relate to the care and treatment of immigrant passengers at sea, and report the same to the proper United States officials at ports of landing. Whenever the Secretary of Labor so directs, a surgeon of the United States Public Health Service, detailed to the Immigration Service, not lower in rank than a passed assistant surgeon, shall be received and carried on any vessel transporting immigrant or emigrant passengers or passengers other than first and second cabin passengers between ports of the United States and foreign ports. Such surgeon shall be permitted to investigate and examine the condition of all immigrant and emigrant passengers in relation to any provisions of the laws regulating the immigration of aliens into the United States and such provisions of the "passenger act" of August 2, 1882, as amended, as relate to the care and treatment of immigrant passengers at sea, and shall immediately report any violation of said laws to the master or commanding officer of the vessel, and shall also report said violations to the Secretary of Labor within 24 hours after the arrival of the vessel at the port of entry in the United States. Such surgeon shall accompany the master or captain of the vessel in his visits to the sanitary officers of the ports of call during the voyage, and, should contagious or infectious diseases prevail at any port where passengers are received, he shall request all reasonable precautionary measures for the health of persons on board. Such surgeon on arrival at ports of the United States shall also, if requested by the examining board, furnish any information he may possess in regard to immigrants arriving on the vessel to which he has been detailed. While on duty such surgeons shall wear the prescribed uniform of their service and shall be provided with first-class accommodations on such vessel at the expense of the appropriation for the enforcement of this act. For every violation of this section any person, including any transportation company owning or operating the vessel in which such violation occurs shall pay to the collector of customs of the customs district in which the next United States port of arrival is located the sum of $1,000 for each and every day during which such violation continues, the term "violation" to include the refusal of any person having authority so to do to permit any such immigrant inspector, matron, or surgeon to be received on board such vessel, as provided in this section, and also the refusal of the master or commanding officer of any such vessel to permit the inspections and visits of any such surgeon, as provided in this section, and no vessel shall be granted clearance papers pending the determination of the question of the liability of such fine, or while it remains unpaid, nor shall such fine be remitted or refunded: *Provided*, That clearance may be granted prior to the determination of all such questions upon the deposit of a sum sufficient to cover such fine and costs, such sum to be named by the Secretary of Labor.

Mr. President, that provision is stricken out of the bill, and in lieu of it is inserted the mere right of detention of the immigrant when he arrives—a right which exists under the present law and has been exercised for many years.

I have the temerity to suggest to the Senate that this provision which has been stricken out is the best provision that was in this bill for the purpose of protecting the people of this country against the admission of aliens who ought not to be allowed to land. It gives an opportunity for real observation and real inspection. It gives the Secretary and the immigration inspectors the opportunity to place their agents immediately among these emigrants when they leave the other side, to keep them there during the entire voyage, to observe the condition of their health, their sanitary condition, their general fitness for citizenship, their disposition toward this country. A multitude of facts can be thus gathered which would be of the greatest service and value to our immigration inspectors in passing finally upon the right of an applicant for admission. Indeed, this is the first practical suggestion I have ever heard of being offered which goes to the very root of the discovery of the fitness or unfitness of an emigrant to land in this country.

Under the conditions as they exist a swarm of emigrants come down to a European dock, are hastily examined, bundled into the vessel, carried across the ocean, and here they are examined, so we have been informed this morning, at the rate of 40,000 a day. An inspection of that kind can not be a close inspection. An inspection of that kind can not determine, in the very nature of things, any question that does not lie immediately upon the surface.

The proposition of the committee, who have brought forward here a bill which they frankly confess is intended to limit immigration into this country, is to strike out of the bill the chiefest safeguard against the admission into the United States of improper characters, because their action takes away from our officials the opportunity for a genuine and thorough inspection.

There is another side of the matter which appeals to me even more strongly. We have been told for years that these poor human beings seeking harbor and refuge in our land are crowded as cattle might be crowded by a cruel owner into quarters that are filthy, foul, unhealthful; that they are mistreated; that they are half fed; and that altogether—and summing it all up in a few words—they are subjected to treatment which would not have been accorded to prisoners upon a felon ship in the sixteenth century. In protest against that kind of treatment this Government passed a law tending to an amelioration of these evil and distressing conditions. This bill as it came from the House provided the means by which this Government could ascertain whether or not these poor people were being granted the protection accorded to them by the letter of the law. It gave to our immigration authorities the right to place on board these vessels their agents, and to place on board these vessels not only ordinary immigration authorities, but men skilled in the knowledge of disease, of sanitation, and of all those questions which affect the health and welfare of the emigrant; and it gave to the medical officials the right to challenge the attention of the commander of the vessel to the conditions, to demand a compliance with the statutes, and inflict a proper punishment of a thousand dollars a day for each day that the laws were defied after notice had been given.

If you pass that sort of a law, there will be no longer any doubt as to the treatment accorded these poor human beings; but the committee strikes it out—the only provision I have seen in this bill that is of a humanitarian character; the only provision I have discovered in this bill that proposes to extend the protecting arm of the Government over poor, helpless human beings; the only provision that will compel obedience by steamship companies to the demands of our law.

Mr. President, I should like to have some good reason given to the Senate for striking out this wholesome provision found in the House bill.

Mr. SMITH of South Carolina. Mr. President, the very good reason is that we do not own the shipping of other countries and have no jurisdiction upon the high seas; and they have objected to this provision as being in contravention of international law. Among those who flatly refused to accede to the exercise of this authority I might mention Austria-Hungary, Denmark, France, Germany, Italy, the Netherlands, Norway, and Spain. They did not object to our having rigid inspection here, and imposing fines, and leaving it to them to determine whether or not they would conform to the requirements; but they did object to our putting quasi American officers aboard foreign ships to interfere with the discharge of official duties by those charged with their performance. We have gone over this section thoroughly, and these objections were transmitted to us through the State Department; and upon the solicitation of our administration, as well as in view of the manifest right of these countries to object to our putting our uniformed officers aboard their vessels, we had to make the best provision we could

to conform to the very humane and patriotic and tender-hearted sympathies of the Senator from Missouri by restricting as much as possible on this side.

Mr. REED. Mr. President, we are engaging in a somewhat absurd performance. We are solemnly discussing a question with 12 Senators in the Chamber. I raise the question of a quorum.

The PRESIDING OFFICER. The Senator from Missouri having raised the question of a quorum, the Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst	Gronna	Oliver	Smith, Md.
Bristow	Hardwick	Overman	Smith, S. C.
Bryan	Hitchcock	Owen	Smoot
Burton	Hollis	Page	Sterling
Camden	Hughes	Perkins	Sutherland
Catron	James	Pittman	Swanson
Chamberlain	Johnson	Poindexter	Thomas
Chilton	Jones	Ransdell	Thompson
Clapp	Kenyon	Reed	Thornton
Culberson	Kern	Robinson	Townsend
Cummins	Lane	Saulsbury	Vardaman
Dillingham	Lea, Tenn.	Shafroth	Walsh
du Pont	Lodge	Sheppard	Warren
Fletcher	McCumber	Shields	Weeks
Gallinger	Martine, N. J.	Simmons	White
Gore	Nelson	Smith, Ga.	Williams

Mr. THORNTON. I wish to announce the necessary absence of the junior Senator from New York [Mr. O'GORMAN]. I ask that this announcement may stand for the day.

The PRESIDING OFFICER. Sixty-four Senators have answered to their names. A quorum of the Senate is present.

Mr. REED. Mr. President, the Senator in charge of the bill states that the reason why the provision of the House bill which provided for reserving the right to our immigrant authorities to place upon board vessels carrying immigrants inspectors who would accompany the immigrants and ascertain whether they were proper to be admitted into this country, and, further, to ascertain whether they were being humanely treated, had been stricken out was because "we," to quote his language, "do not own the vessels, and because foreign Governments have protested." In this summary way the chairman of the committee disposes of the interrogatory I propounded.

Mr. President, he pays but a poor compliment to the House of Representatives and to its committee when he takes the position that this bill is so absurdly contrived that section 11 was bottomed upon the idea that this Government owned the vessels carrying immigrants to this country. No such absurdity is involved in section 11 as passed by the House. This Government has the right beyond all question, if it sees fit so to do, to deny the right of any vessel to land any immigrant upon our shores; and if it has that right, it has the corresponding right to name the terms and conditions upon which that immigrant shall come. It can require him to be inspected in a foreign country, and yet that does not imply that we own the foreign country. It can require him to come bearing the certificate of an American surgeon granted to him, showing an examination in a foregin country, and prohibit him from landing unless he bears that certificate, and yet that does not imply that we are either the proprietors of the foreign country or that we have invaded its soil. It can require him to be examined aboard the vessel before the vessel enters a harbor of the United States, or it can provide, if that examination is not made, that the immigrant *shall not* land. It already inspects these individuals while they are aboard a vessel, and the inspection of that vessel in a harbor of the United States no more implies a proprietary interest in it and is no more bottomed upon the principle of ownership than is an inspection 3,000 miles away in the port of a foreign country.

All our rights of every kind and character are bottomed on our primary and sovereign rights to say that no man shall land here unless he comes under certain conditions. We could provide, if we wanted to do it, that he should come here with his head shaved. We could provide, if we wanted to do it, that he should come here wearing a certain character of clothing. We could provide, if we wanted to do it, that he should come here in a suit of clothes made by an American tailor. We can provide for an inspection in our own ports and we can provide for an inspection before the vessel reaches our ports, and while we can not force our officers on that vessel we can say to the owner of the vessel that it shall not touch an American wharf unless it comes here in compliance with the regulations we have laid down, and the vessel owner will then have the option either to comply with our regulations or not to carry immigrants to our shores.

There is no attempt in this bill either to take the command of the vessel away from the captain of the vessel. We have already provided in our law that a vessel carrying immigrants shall provide certain accommodations for them. Is that an assertion of authority to run the vessel? Not at all. It is the assertion of our authority to say under what conditions people may land on our soil. All our rights are bottomed upon that right, which this Government undoubtedly has, and when we undertake to protect a poor creature coming across the ocean by providing that he shall not be landed unless he comes in a certain way it is utterly absurd to assert that we have thereby trenched upon the authority of the owner of a vessel or upon any right it may have upon the high seas. We simply name the condition upon which these vessels can land passengers in our ports.

Now, so far as the protests of foreign Governments are concerned, I am very little concerned in them, because I know that this Government has the right to name the conditions under which an immigrant shall come. If a foreign Government, probably instigated by a foreign shipowner who wants to make a profit out of human agony and to speculate upon the woes of humanity, has uttered a protest, that is no reason why we should open our doors for the reception of people who may be infected with disease. That is no reason why so wise a provision as is found here in section 11, which I shall read, should be stricken out. I call attention to this language:

> Such surgeon shall accompany the master or captain of the vessel in his visits to the sanitary officers of the ports of call during the voyage, and, should contagious or infectious diseases prevail at any port where passengers are received, he shall request all reasonable precautionary measures for the health of persons on board.

Mr. President, does anyone claim that we do not have the full right to say that no immigrant shall be landed upon our shores who comes from a port that is infected with cholera or with the bubonic plague or with any other disease that might spread over our country? If we have the authority to close that port entirely, surely we have the authority to say to any vessel owner who proposes to haul people from that port: "You shall not load them until an American officer has passed upon the question as to whether they are proper to receive and to dump in our country or not."

Suppose that in Mexico the cattle fever was destroying the cattle of that country, and suppose that they were shipping large numbers of them from the port of Vera Cruz to the port of New York, would anyone doubt for a moment that this Government would have the right to say no cattle should be landed from the port of Vera Cruz unless they had been inspected by an American officer in the port of Vera Cruz? It is true that the authorities at Vera Cruz could refuse to allow the officer to act in that port and we would have no redress, but it is also true that when that vessel lands in the port of New York we can say to the master of it: "You shall not unload a single head of cattle because you did not permit the inspection." To deny that is to deny the plain rule of common sense. If it was a question of cattle instead of men and women, if it was a question of veal calves instead of children in arms, I take it that the protests of these foreign Governments and shipowners would not be so readily heeded.

I insist, Mr. President, that the only real inspection there can be, the only inspection that does determine the question of disease or insanity or imbecility, the only inspection that can rightfully determine the habits and conditions of the people, the only inspection that can compel the furnishing of proper accommodations in accordance with the terms of our statute, is that kind of inspection which begins at the foreign port and continues every hour of the day and night until the immigrant is landed upon our shores. The provision in the House bill was a wise, a humane, and a legal provision, and the striking of it from the bill is the emasculation of the measure.

Mr. President, if no one else desires to discuss this matter, I shall ask for a yea-and-nay vote.

Mr. SMITH of South Carolina. Mr. President, attention was called in the remarks of the Senator from Missouri to the fact that this provision had been incorporated by the House and it was stricken out by the Senate committee. It is very well for me to say in this connection that the foreign Governments could have no knowledge of what was proposed to be the legislation until such time as it was reported as a bill. This, from the Secretary of Labor, is explanatory of that situation:

> In connection with this amendment attention is directed to a letter (H. R. Doc. No. 703) written the committee of the House by the Secretary of Labor, but apparently received too late to be considered before the bill was reported to the House, and also to a letter written this committee by the Secretary (S. Doc. No. 451, p. 16). On carefully considering this matter the committee concluded that most of the objects contemplated by the section as originally drafted can be accomplished more conveniently under the section proposed as a substitute.

The position taken by the Senator from Missouri and the argument he has used is exactly the argument that governed

the committee, that as we had no power to enforce our regulations aboard ship on the high seas, and that being objected to, our only recourse—as we did not wish to totally prohibit the importation of aliens—was to simply exercise what right and power we have within the territorial waters. We are treating these human beings on the same basis, as far as disease is concerned, to protect from maladies, as that on which we treat cattle.

The PRESIDING OFFICER. The question is on the amendment proposed by the committee.

Mr. REED. On that I call for the yeas and nays.

The yeas and nays were ordered.

Mr. GALLINGER. Let the amendment be stated.

The PRESIDING OFFICER. The Secretary will read the pending amendment.

The SECRETARY. It is proposed to strike out section 11 in the House print and to insert——

Mr. SMITH of South Carolina. If the Senator from New Hampshire will allow me, the committee proposes to strike out section 11, which the House incorporated in the bill, providing that matrons, inspectors, and surgeons shall be placed upon foreign vessels at the port of embarkation to inspect and to exercise quasi official power in regard to the sanitation and inspection of immigrants. I think the Senator was absent at the time when I read the list of the countries who protested against this procedure, in that it was interfering with the exercise of their rights on the high seas. In view of the protests that came to us from those Governments, sent through the proper department of our Government, the committee thought it was best to strike out the section and insert a substitute, as we have no power to enforce the section as passed by the House, as we could do nothing except to prohibit immigration or to fine the vessel, which would lead to international complications. There are letters here from the State Department, and they were placed before the committee, that the House committee, before it incorporated this language, had no way of obtaining, because those Governments were not advised of what was proposed in the legislation until such time as the bill was reported to the House.

Therefore our committee, wishing to put into force the provision, the object being to reach these undesirable and diseased individuals, just rewrote section 11 under the advice of the Immigration Bureau of the Department of Labor, together with the advice of our Department of State. We rewrote the section so as to accomplish really what we intended by placing proper restrictions at the port of entry within our territorial waters, where we have jurisdiction over the subject matter.

Mr. REED. May I ask the Senator a question?

The PRESIDING OFFICER. The Senator from New Hampshire has the floor.

Mr. GALLINGER. I presume I correctly understood the Senator from South Carolina to say that, in the judgment of the committee, we have no constitutional right to place those inspectors or matrons, or whatever they may be, on board foreign vessels.

Mr. SMITH of South Carolina. No; I do not say so. We have a right to demand it, but a foreign Government has the right to refuse it, and some of them have refused to allow our uniformed officers aboard their vessels.

Mr. GALLINGER. Possibly I am not well informed, because I have not taken any special interest in this debate, but as I understand the law we have officers of our Government at the ports of departure. Have we not?

Mr. SMITH of South Carolina. I have before me the facts pertaining to that. We have it by the consent of foreign Governments. When any of them would consent, such action could be taken. I will read to the Senator a list of those that have protested.

Mr. GALLINGER. No; it is sufficient that the Senator should state the fact that protests have been made. I have been wondering why, if they protest against placing these people on the ships to ascertain the important facts concerning immigrants, they do not object to our officials being at the port of departure where they give them an examination that I suppose rejects a greater or less number.

Mr. SMITH of South Carolina. It must be perfectly apparent to the Senator from New Hampshire, as it is apparent to me, that there is quite a distinction between allowing an officer of this Government to inspect the proposed immigrant in a country from which he is to embark and putting officers on board a ship bringing them here. I am not advised as to why some Governments should allow the one and reject the other, but I know, as the Senator knows, that they have that right. In the one case they had to give their consent to put our inspection officers at their ports, and wherever they agreed to it it was all well and good. If they had refused, we would have had no power to enforce it. They refused in this case, and our only recourse was to write such a modification of the section as would reach the object sought to be attained.

Mr. GALLINGER. There is a difference, and yet it seems to me that, so far as foreign Governments are concerned, we are trenching more upon their rights, if they have such rights, to station our officers at the port of departure than on board ship. However that may be, the Senator knows much more about it than I do. My solicitude is that we should surround these incoming emigrants with all the safeguards we possibly can, so as to exclude the undesirable to as great an extent as possible. I have not examined the matter carefully. I hope that the committee, in its wisdom, taking counsel, of course, with the officials of the Government, has surrounded this bill with as many safeguards as the laws and the Constitution and our relations with other Governments enabled them to accomplish.

Mr. SMITH of South Carolina. I should like to reiterate what I said at the beginning of the discussion of this bill, that the committee having in charge the bill, as well as the committee in the House, I believe, all agree that we have used every means that we knew how to employ to protect the individual as to his comfort and to protect the citizens of the United States from being jeopardized by bringing in contagious diseases and otherwise. To that end the House wrote this section, and when we found that it was impracticable or impolitic and not in accord with the wishes of all the nations with whom we are friendly, we rewrote it, and we rewrote it in such a way as to exercise the fullest authority that we might have within the territorial waters of the United States.

Mr. GALLINGER. I will ask the Senator if these protests were lodged with the other body during the consideration of the bill there?

Mr. SMITH of South Carolina. As I said a moment ago, I am advised that they were not. It was after the bill had assumed its form in the House that the protests were made.

Mr. BORAH. Mr. President——

The PRESIDING OFFICER. Does the Senator from South Carolina yield to the Senator from Idaho?

Mr. SMITH of South Carolina. I do.

Mr. BORAH. Without asking for a reading of the protests, I should like to know in a brief way what were the grounds of the protests. What was the ground of objection to having respectable American citizens on board a foreign vessel?

Mr. SMITH of South Carolina. I will read to the Senator an extract here which covers that point. I will state that this is from a letter transmitted by the proper official to the committee:

> These countries have represented that the placing of inspectors, matrons, and surgeons by the Government of the United States on foreign vessels on the high seas would, first, be contrary to international law, in that it would violate the exclusive jurisdiction which a government exercises over its vessels on the high seas; second, be incompatible with the authority of the master of the ship.

If the Senator will read section 11, he will see that the master of a vessel is required under the House provision to admit the authorities to exercise certain authority on board ship by our surgeons, inspectors, and matrons.

Mr. BORAH. May I ask the Secretary to read the bill as it will be if we should adopt the proposed amendment of the committee?

The PRESIDING OFFICER. The Secretary will read the proposed amendment.

Mr. SMITH of South Carolina. Let me ask the Senator if it would not be well, although it would take some time, to read the House provision and then read the Senate amendment, so as to show just what the difference is between the two provisions.

Mr. BORAH. I am particularly anxious to know what it would be if we should make it as the Senator desires.

Mr. SMITH of South Carolina. Very good.

Mr. BORAH. That is, as the Senate will be likely to make it.

Mr. SMITH of South Carolina. That would save some time.

The PRESIDING OFFICER. The section as proposed by the committee will be read.

The Secretary read as follows:

> SEC. 11. That for the purpose of determining whether aliens arriving at ports of the United States belong to any of the classes excluded by this act, either by reason of being afflicted with any of the diseases or mental or physical defects or disabilities mentioned in section 3 hereof, or otherwise, or whenever the Secretary of Labor has received information showing that any aliens are coming from a country or have embarked at a place where any of said diseases are prevalent or epidemic, the Commissioner General of Immigration, with the approval of the Secretary of Labor, may direct that such aliens shall be detained on board the vessel bringing them, or in a United States immigration station at the expense of such vessel, as circumstances may require or justify, a sufficient time to enable the immigration officers and medical officers stationed at such ports to subject such aliens to an observation and examination sufficient to determine whether or not they belong to

the said excluded classes by reason of being afflicted in the manner indicated: *Provided*, That, with a view to avoid undue delay in landing passengers or interference with commerce, the Commissioner General of Immigration may, with the approval of the Secretary of Labor, issue such regulations, not inconsistent with law, as may be deemed necessary to effect the purposes of this section: *Provided further*, That it shall be the duty of immigrant inspectors to report to the Commissioner General of Immigration the condition of all vessels bringing aliens to United States ports and whether such vessels conform in their arrangements to the requirements of the passenger act approved August 2, 1882, and amendments thereto.

Mr. WALSH. Mr. President, this amendment as I view it presents very much more than the mere question of the advisability as a matter of policy of the adoption of the House provision or the substitute offered by the committee. It presents the question as to whether this Government has the right to lay down the conditions upon which a ship plying to one of our ports may bring immigrants to this country from abroad. The House apparently proceeded upon the assumption that there could be no question at all about the right of the Government of the United States to prescribe every detail of the conditions under which a ship might be entitled to enter our ports bringing immigrants to this country.

I understand that the wisdom of the House provision apparently was not questioned nor controverted by the Senate committee; if the power existed the propriety of the House provision seems to have been conceded, but the Senate committee apparently receded from that position upon a suggestion that it was impossible for us to put officers of this Government aboard foreign ships.

Mr. SMITH of South Carolina. Mr. President, will the Senator from Montana permit me to interrupt him?

The PRESIDING OFFICER. Does the Senator from Montana yield to the Senator from South Carolina?

Mr. WALSH. I do.

Mr. SMITH of South Carolina. I do not think the Senator from Montana was present when I gave my explanation of this matter. The reason the Senate committee reported to strike out the House provision was because of foreign Governments refusing to accede to the proposition. I stated fully the reasons, as set forth in communications to the committee, and read them to the Senate. The protests, as I am advised, did not come from foreign Governments until after the bill had been received from the other House and had been reported to the Senate. Then the Secretary of Labor sent a document to the committee, to which the committee referred in its report as follows:

> In connection with this amendment attention is directed to a letter (H. R. Doc. No. 703) written the committee of the House by the Secretary of Labor, but apparently received too late to be considered before the bill was reported to the House.

Then when the bill came over to the Senate the proper department, the Department of State, transmitted to us through the proper channel the protests of foreign Governments. We felt that we had the power to forbid the entry of vessels that did not conform to our requirements, but did not wish to debar all immigration or to attempt to force on foreign vessels the presence of uniformed officers, as contemplated by the House provision, who were to exercise certain authority on board ship. By the advice of the administrative branch of the Government having this matter in charge, the Senate committee rewrote the section, having before it certain advices and protests which the House committee apparently did not have; and the section as rewritten was incorporated in the bill. We thought it would accomplish the same result and avoid any friction with foreign Governments.

Mr. WALSH. I understood the Senator from South Carolina substantially in the same way in his earlier statement concerning these matters. The point I desired to make was that apparently some foreign Government has protested against our prescribing just such conditions as we care to prescribe to permit immigrants to enter our ports. It may well be conceded that we can not introduce upon foreign vessels plying to ports other than our own any of our officers. As a matter of course, such vessels would have a perfect right to exclude them. We could not overhaul their ships upon the high seas nor as they were departing from a foreign port and install our officers aboard them. That is not the question at all. Here is a ship that is about to enter an American port bringing immigrants to our country. We may say to her, "You can not come into our ports at all unless you conform to the conditions we prescribe; you shall not be permitted to land any immigrants upon our shores unless you conform to certain requirements." It is not, as it seems to me, quite sufficient, Mr. President, simply to say that some foreign Governments have protested against this provision in the form in which it came to the Senate unless the protest is accompanied by some reasons which address themselves to us as just and equitable.

I can not for the life of me see why foreign Governments should object to the House provision and at the same time feel satisfied with the other provision, except that thus some of the classes of immigrants that it is desired to exclude might be permitted to enter; and I should hardly think——

Mr. SMITH of South Carolina. Was the Senator present when I read the grounds upon which the foreign Governments based their objection? Was he present when I read to the Senate the statement transmitted to our committee?

Mr. WALSH. No; I heard no statement concerning the basis of their protest.

Mr. SMITH of South Carolina. Here is the basis as given to the committee:

> In this relation it is proper to refer to the remonstrances against section 11 which have been presented by the Governments of Austria-Hungary, Denmark, France, Germany, Italy, the Netherlands, Norway, and Spain, and which have been transmitted to your committee. In some instances the remonstrances have been repeated.
>
> These countries have represented that the placing of inspectors, matrons, and surgeons by the Government of the United States on foreign vessels on the high seas would (1) be contrary to international law, in that it would violate the exclusive jurisdiction which a Government exercises over its vessels on the high seas.

Mr. WALSH. I do not admit the force of that contention at all.

Mr. SMITH of South Carolina. The statement continues—that it would "be incompatible with the authority of the master of the ship."

Mr. BORAH. Mr. President——

The PRESIDING OFFICER. Does the Senator from South Carolina yield to the Senator from Idaho?

Mr. SMITH of South Carolina. If the Senator from Idaho will permit me, I think it would be very well for me to read the next clause, which sets forth the reasons as stated by the Government of the country from which we receive a greater number of immigrants than from any one nationality:

> In the case of Italy it has been pointed out that the Italian Government provides an efficient system of inspection of Italians of the immigrant class departing from or returning to Italy, and that the Italian Government does not permit foreign ships to carry Italian emigrants from Italian ports without having on board Italian commissioners who are physicians in the Royal Navy. This practice may be said to have, aside from any legal view, a certain justification, in that it is desirable for immigrants of a particular race or nationality to be served by physicians or others of their own race or nationality who speak their language and understand their habits and ways of life. It is proper to add that in the case of Italian ships the placing on board of American inspectors, matrons, and surgeons might easily create a conflict of authority, since the Italian Government itself provides for inspection.

Mr. BORAH. Mr. President——

The PRESIDING OFFICER. Does the Senator from South Carolina yield to the Senator from Idaho?

Mr. SMITH of South Carolina. I do.

Mr. BORAH. Mr. President, I do not disagree at all with the view which the Senator from Montana [Mr. WALSH] has expressed as to the authority of this Government, but I do not understand—at least it is not necessary to have that understanding in order to support the Senate committee amendment—that the Senate yielded because of the want of authority. It was rather in the hope of adjusting the situation so that there might not be any embarrassment between the powers or any difficulty in executing the law or anything which might give rise to friction. That was the view I supposed the committee took of it. Certainly those of us who are disposed to favor the committee amendment would not want to concede here that it is an acknowledgment of the want of power to do what we are undertaking to do; but if we can accomplish the same thing in a way which will not be calculated to cause ill feeling on the part of other nations, I do not see any reason why we should not do it.

Mr. SMITH of South Carolina. If the Senator from Idaho will permit me, I wish to say that I am sorry I appear to have been so unfortunate in expressing what was uppermost in my mind. It was not a question of our power to say, "You shall do this or we will not allow you to enter our ports." The committee did not question our power to enact the legislation proposed or that we had the right to enact it. It was a question of our relations with foreign Governments. If we can find a means of accomplishing the same ends without embarrassing ourselves or creating unpleasantness, we thought that the better and proper way to do, and we have so done.

Mr. REED. Mr. President, the Senator from South Carolina now expresses his position, I think, quite differently from the way he expressed it when I asked him the question, in reply to which the Senator said the reason for this legislation was, first, that we did not own these vessels, and, second, that we had no right to enact the House provision, because foreign Governments had protested. As I now understand the Senator—the RECORD will show what took place, and I do not care anything about the

form of statement—he takes the position at least that we are accomplishing the same end without giving offense. That is the very question in dispute. The Senate committee amendment does not give to the immigration officials a single substantial right which they do not possess under the present law. This bill is substantially a reenactment of the present law. It was because the present law has been found ineffective, because it has been discovered that the inspections in our own ports do not bring the desired result, that it was sought to place aboard these vessels agents who would have an opportunity of observation during the voyage.

It was further deemed advisable to so place the immigration agents in order that there might be an observation as to whether or not the vessel was equipped in accordance with the laws of the United States and the passengers accorded that treatment which we all sought to guarantee them by the laws of the United States.

Now, the Senator states that we are accomplishing the same end without giving offense. Manifestly an inspection in a port of the United States, made with the haste that such inspections must be made when there are as many as 40,000 immigrants landing in a day, can not be the equivalent of an inspection aboard ship during an entire voyage; neither can it take the place of the inspection at a port of entry by an officer of the United States, as provided by the House bill.

Mr. BORAH. Mr. President——

The PRESIDING OFFICER. Does the Senator from Missouri yield to the Senator from Idaho?

Mr. REED. I do.

Mr. BORAH. I want to ask the Senator from Missouri if it is a fact that the present law has been found inefficient and unsatisfactory with reference to these inspections? I have the impression that that was not the defect of the present law. I should be glad to be enlightened if the Senator has information to that effect, I have no definite information on the subject; but I had the impression that the inspection was sufficient and efficient under the present law, and that, although this is practically the reenactment of a present law, the present law in that respect has not been found inefficient. I could imagine, however, that a man traveling with another man for 30 days would know more about him than he would if he merely saw him come into port in a hurry. Whether I shall support the Senate amendment depends upon whether I conclude it is efficient, but not upon the question of lack of power.

Mr. DILLINGHAM. Mr. President——

The PRESIDING OFFICER. Does the Senator from Missouri yield to the Senator from Vermont?

Mr. REED. I do.

Mr. DILLINGHAM. I think that the evidence taken before the Immigration Commission, and which is contained in one of the volumes of their report, very clearly indicates that the steerage conditions on certain lines of steamboats were very bad, indeed. There is what we call the "old steerage" and the "new steerage." On the modern vessels the arrangements are very good and the discipline is good also; but there were certain other lines upon which the agents of the commission went as immigrants—they were not known as being connected with the commission, but went as immigrants, dressed as immigrants—and their report made to the commission indicated that the steerage conditions were simply horrible, in very many instances, particularly in relation to sanitation, the treatment of women immigrants by the crews on the vessels, the familiarities that were indulged in, the lack of protection that was given, and things of that character The recommendation of the commission was that matrons should be provided who would have some knowledge of and be able to report conditions such as I have indicated, with a view to the Government taking action to have them reformed.

The original draft of the bill as it was introduced provided for matrons, who should live in the steerage and who should have no power to interfere with the discipline of the vessels in any way, but might report to the commanding officers of vessels things they did not know in relation to conditions on board, and especially report when they landed as to any information which they might have received.

Then there was another provision that where the Secretary saw fit he might assign medical officers. I think the original draft gave them no power to interfere with the discipline of the vessel, but gave them power to observe and to report, and so forth.

Mr. BORAH. I take it from the Senator's suggestion that he rather favors the House provision?

Mr. DILLINGHAM. I had a good deal to do with drafting it, and I thought that it was within reason.

Mr. BORAH. I have no doubt about our right to exercise this power. The only question that arose in my mind was whether we could accomplish the same thing in another way which would be satisfactory. If we can not, if after the thorough investigation which I know the Senator has given to the subject he feels that the other is a proper way to do it, I would have no doubt about our authority.

Mr. DILLINGHAM. I am perfectly satisfied with this amendment as a beginning. I think that probably we can accomplish practically the same result under the amendment that we could under the original draft, but I think the time may come, unless conditions are improved on certain lines of steamships, when we may be compelled to adopt more drastic legislation.

Mr. REED. Mr. President, I wish to ask the Senator from Vermont what right there is reserved in the amendment proposed by the Senate committee which is not in the present law?

Mr. DILLINGHAM. I do not know that there is any right; but the purpose of this amendment, as I understand it, is to bring to light violations of existing law.

Mr. REED. But there is no clause of that kind that is not in the present law.

Let us understand this matter. Under the present law when a vessel arrives in an American port the immigration officers board it; they are authorized to make an inspection; they determine who may land and who may not land; they can send a portion or all of the immigrants into quarantine; they can detain the vessel in quarantine; all of those things can be done. Now, the provision that is brought in here by the Senate committee does not go, as far as I have been able to observe, one hair's breadth beyond the present law; so that the question that is now presented to the Senate is whether we shall retain the present law or whether we shall enact the House provision, which goes much further than the present law.

If I may have the indulgence of the Senate for a moment, I think that one or two matters could be cleared up. First, the Senator in charge of the bill tells us that we have no right to take charge of a foreign vessel. Granted. We can not put our officers aboard a foreign vessel and take charge of it until it arrives in our ports; but is there any attempt to do that in this bill? You can read section 11, as it passed the House, with a microscope and you will not find where it undertakes to confer the slightest authority upon any American official in any way, shape, manner, or form to interfere with the officers of the vessel until that vessel has arrived in one of our ports. So that we might as well wipe that out.

The Senator speaks of putting uniformed officers aboard vessels. The nurses are not compelled to wear uniforms; the inspectors are not compelled to wear uniforms. It is provided that if a surgeon be detailed he shall wear a uniform, but the kind of clothes he wears makes no difference. He is given no authority under this bill except that it is made his duty to call the attention of the captain of the vessel to any condition which he thinks is wrong. Therefore there is no attempt to assume authority, and let us get that out of our heads. The bill was carefully drawn.

As to the question whether anything is to be gained by the more thorough inspection made possible by keeping aboard a vessel as it crosses the ocean those who are there to observe, the Senator from Vermont has already asserted that that has been done, although without authority of law, by putting agents among the steerage passengers. Those agents discovered unspeakable conditions—that the women were subjected to improper treatment by the members of the crew, and, without going into detail, other horrible conditions. This bill proposed to provide a means whereby that kind of inspection could be carried on. It is stricken out and, in substance and effect, nothing substituted for the present law.

The House report has this to say:

> Another change of the old law provided for by this bill is that which permits the Secretary of Labor, when he deems it necessary, to detail immigrant inspectors and matrons for duty on vessels carrying immigrants or immigrant passengers to or from the United States. This is not made imperative but is left to the option of the Secretary of Labor. We think this is in the interest of better and more humane treatment of the immigrants or immigrant passengers.

That is the only reference I find, in a somewhat hasty examination of the report, to this matter. But, Mr. President, that is a humane purpose, and it is a purpose that we have the right to carry out, because it is now conceded that we can say to a vessel, "You shall not enter here and unload aliens unless you come in conformity with the regulations which we have prescribed"; and having the power, why should it not be exercised for the protection of humanity?

In regard to the right of inspection we are told that some foreign Governments have protested. Well, Mr. President, foreign Governments are in the habit of protesting against nearly

everything. They have been protesting against our present immigration laws. One foreign Government has insisted that its citizens can come here and, in defiance of the laws of a sovereign State, can own property. They have made protests of various kinds. Here is a reference to the particular subject in the House report, which I want to read:

It must be remembered that foreign countries look with favor upon the emigration to America of diseased and defective persons. Examination by American officials at the ports of embarkation in Europe has been strenuously opposed by certain foreign Governments—

Why, Mr. President, they are opposed to the very things we are now doing. Why do we not supinely yield and permit them to continue to send the halt, the lame, the blind, the insane, the diseased, and the crippled to our shores? They are already protesting, and why should they not protest, if we propose to place an obstacle in the way of the landing of undesirables upon our shores? I read:

And it is a notorious fact, commented upon in every annual report of the Commissioner General of Immigration, that the steamship companies make only the most perfunctory medical examination of passengers upon their departure for America. Thus there are no obstacles in the way of diseased persons embarking for this country. In the case of those returning, however—

Now the shoe is on the other foot—

the conditions are reversed. The passengers are carefully scrutinized by ships' surgeons at the gangway as they embark at the port of New York, and those who do not satisfy the steamship officials or the representatives of foreign Governments stationed on such ships are peremptorily refused passage, even although they have been only a short time away from the countries to which they still owe allegiance.

Thus it appears that foreign Governments maintain upon certain vessels their own officers, who exercise exactly the same kind of serveillance and jurisdiction over people traveling from this country to Europe which the House bill proposed that our officials should exercise over people coming from Europe to this country, and at the same moment foreign countries are found protesting against the exercise of that right by the United States they are exercising it against the United States, and the committee yields under these circumstances. I read on, going back for a moment to give the context:

In the case of those returning, however, the conditions are reversed. The passengers are carefully scrutinized by ships' surgeons at the gangway as they embark at the port of New York, and those who do not satisfy the steamship officials or the representatives of foreign Governments stationed on such ships are peremptorily refused passage, even although they have been only a short time away from the countries to which they still owe allegiance. Cases are not decided individually upon their merits, but as soon as it is learned that an applicant for passage has been in an institution for the insane he is at once rejected. It can be seen that with an unimpeded flow of inferior immigrants to this country, and with an outflow which is so carefully regulated that only the prosperous and sound can return, we must ultimately become the asylum for an increasing number of those unable to sustain themselves.

On page 22 of the same report is the following:

For the first few years after the commencement of that remarkable migration of the races of southern and eastern Europe to this country—to which Austria-Hungary, Italy, and Russia have contributed nearly 500,000 persons a year—it is noted that the increase of patients of those nationalities in the State hospitals was gradual. By 1905, however, it was possible to predict that when the effects of the "new immigration" commenced to be felt the "old immigration"—of Germans, Irish, and Scandinavians—would be outdone in the numbers of insane added to the foreign-born population of our State hospitals. To-day that prediction is fulfilled, and during the year more than 55 per cent of the aliens deported by the United States Immigration Service were natives of those three countries.

Mr. President, how absurd it is to stand here in the Senate and say that the United States can not adopt, with reference to people coming to this country, the same character of inspection that is adopted by foreign countries with reference to their own subjects returning from this country and that we infringe upon the authority and sovereignty of foreign nations by doing toward their subjects exactly the same thing that they themselves do in the ports of this country. How ridiculous is the assertion!

Moreover, I challenge the attention of the chairman of the committee and the Senate to the fact that if he be correct in saying that an inspection of these people aboard a vessel is an infringement upon the rights of the vessel owner or upon the authority of the foreign government, then this entire bill will fall upon the same process of reasoning, for it is proposed here in the bill to fine a vessel landing in this country for an act committed in the port of its own country, clear across the ocean. That fine can be levied, but it can be levied because our jurisdiction attaches over the vessel when it undertakes to land the individual in our country, but the same legal right covers the case of an inspection aboard the vessel. We have the right to say to all ship owners, "You can not enter our ports and land a passenger who was not loaded and transported and inspected as we see fit to determine."

I think the House provision is a wise one. I think these protests amount to nothing. I think it is due the sovereignty and majesty of the United States to assert now, once and for all, that we propose to name the conditions under which people shall land upon our shores. I appeal, in the name of humanity, for that miserable class who, compelled to take passsage in steerage, are subjected to every kind of insult, every sort of infamy, every character of abuse, and all the hardships that human beings may be subjected to by the cruel and the avaricious. Why not give them the protection of an accompanying matron who may report this treatment? Why not give to our people the protection of an inspection in the ports of foreign countries to determine whether disease is being imported into our land to devastate its population?

The PRESIDING OFFICER. The question is on agreeing to the amendment of the committee.

Mr. REED. On that I ask for the yeas and nays.

The PRESIDING OFFICER. The yeas and nays have been ordered. The Secretary will call the roll.

Mr. SMITH of South Carolina. Mr. President, there seems to be some misapprehension as to the nature of the proposed amendment. As I understand, the question is directly on the Senate amendment; that is, Shall the Senate amendment be adopted?

The PRESIDING OFFICER. That is correct; that is the question.

Mr. SMITH of South Carolina. Therefore an affirmative vote is to retain the Senate amendment and a negative vote is to reject it?

The PRESIDING OFFICER. That is correct.

The Secretary proceeded to call the roll.

Mr. CHILTON (when his name was called). I have a general pair with the senior Senator from New Mexico [Mr. FALL]. In his absence I withhold my vote.

Mr. GALLINGER (when his name was called). I have a general pair with the junior Senator from New York [Mr. O'GORMAN]. In his absence I withhold my vote.

Mr. GRONNA (when his name was called). I have a pair with the senior Senator from Maine [Mr. JOHNSON]. I therefore withhold my vote.

Mr. HOLLIS (when his name was called). I announce my pair with the junior Senator from Maine [Mr. BURLEIGH] and withhold my vote.

Mr. SUTHERLAND (when his name was called). I am paired with the senior Senator from Arkansas [Mr. CLARKE], who is absent. On that account I withhold my vote.

Mr. VARDAMAN (when his name was called). I have a general pair with the junior Senator from Idaho [Mr. BRADY]. I transfer that pair to the senior Senator from Nevada [Mr. NEWLANDS] and will vote. I vote "nay."

The roll call was concluded.

Mr. FLETCHER. I wish to state that my colleague [Mr. BRYAN] is absent on business of the Senate.

Mr. CLAPP. I have a general pair with the senior Senator from North Carolina [Mr. SIMMONS]. Being advised that he would be indifferent in this matter, I desire to vote. I vote "nay."

Mr. GALLINGER. I transfer my pair with the junior Senator from New York [Mr. O'GORMAN] to the senior Senator from Connecticut [Mr. BRANDEGEE] and will vote. I vote "nay."

Mr. STONE (after having voted in the negative). I desire to withdraw my vote, as I have a pair with the senior Senator from Wyoming [Mr. CLARK].

Mr. MYERS. I inquire whether the junior Senator from Connecticut [Mr. MCLEAN] has voted?

The PRESIDING OFFICER. He has not.

Mr. MYERS. I transfer my pair with that Senator to the senior Senator from Virginia [Mr. MARTIN] and will vote. I vote "nay."

Mr. CHILTON. I transfer my pair formerly announced to the senior Senator from Illinois [Mr. LEWIS] and will vote. I vote "yea."

Mr. STONE. I am informed that the senior Senator from Indiana [Mr. SHIVELY], who is temporarily absent, would vote as I voted in the first instance on this roll call. I therefore transfer my pair with the senior Senator from Wyoming [Mr. CLARK] to the senior Senator from Indiana [Mr. SHIVELY] and will vote "nay."

Mr. GRONNA. Has the senior Senator from Maine [Mr. JOHNSON] voted?

The PRESIDING OFFICER. He has not voted.

Mr. GRONNA. I have a general pair with that Senator, and I therefore withhold my vote.

Mr. LODGE (after having voted in the affirmative). I neglected to announce that I have a general pair with the senior Senator from Georgia [Mr. SMITH]; but as he would vote as I do on this question, I shall allow my vote to stand.

The result was announced—yeas 33, nays 25, as follows:

YEAS—33.

Camden	Kern	Perkins	Sterling
Chamberlain	Lea, Tenn.	Pomerene	Thomas
Chilton	Lippitt	Robinson	Thompson
Culberson	Lodge	Root	Weeks
Dillingham	Oliver	Shafroth	White
Fletcher	Overman	Sheppard	Williams
Gore	Owen	Sherman	
Hughes	Page	Smith, Ariz.	
James	Penrose	Smith, S. C.	

NAYS—25.

Ashurst	du Pont	Norris	Vardaman
Borah	Gallinger	Poindexter	Walsh
Bristow	Jones	Ransdell	Warren
Catron	Kenyon	Reed	Works
Clapp	Lane	Smoot	
Crawford	Martine, N. J.	Stone	
Cummins	Myers	Townsend	

NOT VOTING—38.

Bankhead	Goff	McLean	Smith, Ga.
Brady	Gronna	Martin, Va.	Smith, Md.
Brandegee	Hardwick	Nelson	Smith, Mich.
Bryan	Hitchcock	Newlands	Stephenson
Burleigh	Hollis	O'Gorman	Sutherland
Burton	Johnson	Pittman	Swanson
Clark, Wyo.	La Follette	Saulsbury	Thornton
Clarke, Ark.	Lee, Md.	Shields	Tillman
Colt	Lewis	Shively	
Fall	McCumber	Simmons	

So the amendment of the committee was agreed to.

The PRESIDING OFFICER. The next amendment of the committee will be stated.

The next amendment of the Committee on Immigration was, on page 29, line 21, after the word "and," to strike out "oral" and insert "mental," so as to read:

Each list or manifest shall be verified by the signature and the oath or affirmation of the master or commanding officer, or the first or second below him in command, taken before an immigration officer at the port of arrival, to the effect that he has caused the surgeon of said vessel sailing therewith to make a physical and mental examination of each of said aliens.

The amendment was agreed to.

The next amendment was, in section 15, page 32, line 21, after the word "hereof," to strike out the word "to" and insert the word "shall," so as to read:

Any refusal or failure to comply with the provisions hereof shall be punished in the manner specified in section 18 of this act.

The amendment was agreed to.

The next amendment was, in section 16, page 33, line 13, after the words "Secretary of Labor," to insert "All aliens arriving at ports of the United States shall be examined by two such medical officers."

The amendment was agreed to.

The next amendment was, on page 33, line 18, before the words "ports of entry," to strike out "large," so as to read:

Medical officers of the United States Public Health Service who have had especial training in the diagnosis of insanity and mental defects shall be detailed for duty or employed at all ports of entry.

The amendment was agreed to.

The next amendment was, on page 33, line 18, after the words "ports of entry," to insert "designated by the Secretary of Labor," so as to read:

Medical officers of the United States Public Health Service who have had especial training in the diagnosis of insanity and mental defects shall be detailed for duty or employed at all ports of entry designated by the Secretary of Labor.

The amendment was agreed to.

The next amendment was, on page 34, at the end of line 5, after the words "special inquiry," to insert "All aliens arriving at ports of the United States shall be examined by at least two immigrant inspectors."

The amendment was agreed to.

The next amendment was, on page 39, line 20, after the word "vessel," to insert the words "so proceeded against," so as to read:

And no vessel so proceeded against shall have clearance from any port of the United States while any such fine is unpaid, nor shall such fine be remitted or refunded.

The amendment was agreed to.

The next amendment was, on page 41, line 3, after the word "unless," to strike out "with the express permission of the Secretary of Labor," and insert "the Secretary of Labor is satisfied that the existence of the disease could not have been detected by a competent medical examination at the time of foreign embarkation, and that to refuse treatment would be inhuman or cause unusual hardship or suffering," so as to read:

No alien certified, as provided in section 16 of this act, to be suffering from tuberculosis in any form, or from a loathsome or dangerous contagious disease other than one of quarantinable nature, shall be permitted to land for medical treatment thereof in any hospital in the United States, unless the Secretary of Labor is satisfied that the existence of the disease could not have been detected by a competent medical examination at the time of foreign embarkation, and that to refuse treatment would be inhumane or cause unusual hardship or suffering.

Mr. REED. Mr. President, in view of the fact that so many Members of the Senate are absent, and that the habit is to come in and ask how the committee is voting, and vote with the committee—which I unhesitatingly say was the determining factor in the last vote—I hesitate to call attention to this particular provision with so few Members present. Nevertheless, I dislike to call for a quorum.

I wish to read from line 23 of page 40:

No alien certified, as provided in section 16 of this act, to be suffering from tuberculosis in any form, or from a loathsome or dangerous contagious disease other than one of quarantinable nature, shall be permitted to land for medical treatment thereof in any hospital in the United States, unless the Secretary of Labor is satisfied that the existence of the disease could not have been detected by a competent medical examination at the time of foreign embarkation, and that to refuse treatment would be inhumane or cause unusual hardship or suffering.

It will be noted that a consumptive would not be permitted to land under any circumstances or conditions whatsoever unless two things concur: First, the disease must have been in such a state at the time of embarkation that it could not have been detected by a competent medical examination, and, second, that to refuse treatment would be inhumane. It is not enough that the refusal would be inhumane; it is not enough that the refusal would kill the patient; but the patient absolutely can not be landed, even by the authority of the Secretary, in the event that some foreign surgeon blundered or some ship surgeon blundered when the patient undertook passage.

To put it by illustration, a man not even knowing that he is afflicted with tuberculosis comes to a port and is examined by the ship's physicians. They are careless or incompetent. He takes passage. When he arrives here a surgeon finds that he has tuberculosis. The surgeon finds that he will die unless taken off the vessel; but he also finds that the disease is in such condition that by a proper inspection it could have been discovered before the patient took passage. Thereupon this poor creature, who is without fault, and simply because there has been a blunder by one or the other of these physicians, is to be condemned to death, or to the horrible torture incident to being confined aboard a vessel, and he can not be taken off for treatment even in quarantine.

That provision is absolutely barbarous. Surely the committee do not mean it. I should like to know whether they do or not.

Mr. LODGE. Mr. President, the existing law of the United States provides:

No alien certified, as provided in section 16 of this act, to be suffering from tuberculosis in any form, or from a loathsome or dangerous contagious disease other than one of quarantinable nature, shall be permitted to land for medical treatment thereof in any hospital in the United States unless with the express permission of the Secretary of Labor.

That is the present law. It has been the law for many years. That is as it is in the bill, unchanged. It was put there by previous Congresses because they believed that their first duty was to protect the people of the United States against the spread of the awful scourge of tuberculosis and against loathsome and contagious diseases other than those of a quarantinable nature for which the quarantine laws provide.

Hitherto the only exception has been the express permission of the Secretary of Labor, or the Secretary of Commerce and Labor, as it was under the law when it was passed. The department wrote to the Senate committee as follows:

Page 37, lines 20 to 26: After the words "United States," in line 25, eliminate the words "unless with the express permission of the Secretary of Labor" and insert in lieu thereof "unless the Secretary of Labor is satisfied that the existence of the disease could not have been detected by a competent medical examination at the time of foreign embarkation, and that to refuse treatment would be inhumane or cause unusual hardship or suffering."

Then the department says:

As the provision is now worded it merely encourages the violation of section 9 by aliens and steamship companies and causes undue congestion in the hospitals at immigrant stations. The discretion to allow hospital treatment in this class of cases should be restricted as closely as possible.

In other words, the object of this amendment was not to make the law less humane but more humane. It was to prevent the inhumanity of transportation companies in bringing to this country persons afflicted with tuberculosis or with loathsome and contagious diseases and imposing them upon our hospitals, forcing us to take care of them, and bringing those diseases into the country. The inhumanity begins with the people who take them on board. But all these things can be detected by a proper medical examination.

The department desiring to make the law as humane as possible suggested this amendment of the House language to the committee as an amendment of the existing law. The existing law is far more stringent than is proposed. This gives the Secretary the discretion to relieve in cases where humanity requires it, and that is what is asked for by the department.

Mr. REED. Will the Senator yield for a question?

Mr. LODGE. Certainly.

Mr. REED. Under the present law does not the Secretary of Labor have the authority in all cases to permit hospital treatment?

Mr. LODGE. Under his express permission. The case has to be laid before him, of course.

Mr. REED. Under the law as proposed could the Secretary permit hospital treatment if the examining surgeon in Europe had made a mistake and passed one who should not have been passed?

Mr. LODGE. Undoubtedly he could under the present law.

Mr. REED. Under this language?

Mr. LODGE. Under the existing language.

Mr. REED. But I am talking about the new language.

Mr. LODGE. He could not, and that is exactly what the Secretary wants to stop.

Mr. REED. Therefore the Senator states that whereas the present law does permit the Secretary of Labor to allow hospital treatment in the interests of humanity in all cases, a law which proposes to deny him the right to permit it if a surgeon happened to make a mistake over in Europe is the more humane law.

Mr. LODGE. As a matter of fact, it is the purpose of the amendment to give the Secretary that power. He himself asks for it. It is not the suggestion of the committee; it is the request of the Secretary, because in the opinion of the department it does not result as it is now in competent examination on the other side. It results in bringing here many cases where the Secretary is forced to decline permission to send them back.

Mr. REED. Mr. President, if this is humanity and is the humanitarian doctrine which would characterize this bill, then may the good and kindly God save me from that kind of humanity! Let us see. The present law is to this effect: There shall be an inspection at European ports, but if a physician there makes a mistake and an immigrant is brought here and surgeons discover it and if treatment in a hospital is necessary, the Secretary of Labor may in the interests of humanity permit hospital treatment. But this amendment says that if there was a mistake made by that surgeon the Secretary of Labor can not permit hospital treatment even though it condemns the poor victim to his death. And you call that humanity!

> Man's inhumanity to man
> Makes countless thousands mourn—

was evidently a prophetic glimpse of this particular phase of our present legislation.

I say that the proposition is horrible. Take a concrete example: An immigrant who may think he is afflicted with a bad cold and may not know there is anything the matter with him comes down to take passage at a European port. The ship has provided physicians. They examine and pass him. In a 20 or 30 days' passage, or a 10 days' passage, the disease rapidly develops. He lands in New York. A surgeon there discovers he has tuberculosis, and he further finds that the physician in Europe might have discovered it. This physician also reports that unless the man is given treatment he will die. That fact is laid before the Secretary of Labor and the Secretary of Labor says, "Congress passed a law which does not permit me to send that poor creature to a hospital for a single day. You may stay there and die while that vessel lies in dock waiting for a load." And we call that humanity! Tears of sympathy must have rolled down the cheeks of the committee as they wrote that humane provision into this bill.

Moreover, it is not necessary that there should have been a mistake by the physician in Europe. Everybody who knows anything about the medical profession knows that doctors disagree, and they disagree honestly. How is a physician upon this side to determine accurately whether the conditions were such 30 days before, when that immigrant was examined, that the physician should have discovered that fact? The physician here may be mistaken in his diagnosis. The physician there may have been correct in his diagnosis; but if the physician here finds that the disease might have been detected over there there is no power to be left on earth to rescue that poor, suffering, inoffensive creature who came here in the best of faith, who conformed to every regulation of law, who submitted to an examination. There is no means on earth provided whereby he can have the ministering care of a physician or the humane surroundings of a hospital.

It will be a matter, I doubt not, of grave regret by the Members of this Senate if this bill is passed as proposed and some one of their constituents who may have a wife and child coming to this country appeals to them and says, "My wife and my child are detained aboard the vessel. For God's sake get them off where they can have proper treatment for a few days, so that I may put them in a shape to save their lives. I will send them back if necessary. I do not want to infect this country with disease. I do not want to imperil anybody's life; but do not murder my wife or my child." You go down and appeal to the Secretary of Labor. He says, "I would like to let them in; I would like to give them treatment; I would like to give them a chance for life; but Congress said I could not do it, if a doctor here said that a doctor over there ought to have discovered the disease."

Mr. President, that is all I care to say about it. If the Senate wants to write that kind of a law, let it be done.

Mr. LODGE. Mr. President, the last pathetic case the Senator drew the committee felt ought to be provided for. If the Senator will turn to page 48, he will find that the Senate committee has introduced this proviso:

> *Provided*, That, if the person sending for wife or minor children is naturalized, a wife to whom married or a minor child born subsequent to such husband or father's naturalization shall be admitted without detention for treatment in hospital, and with respect to a wife to whom married or a minor child born prior to such husband or father's naturalization the provisions of this section shall be observed even though such person is unable to pay the expense of treatment, such expense to be paid from the appropriation for the enforcement of this act.

Mr. REED. That admits the whole case.

Mr. LODGE. Oh, no, Mr. President.

Mr. REED. If it should be done for the wife or child of a man who happens to have acquired the right to vote here, then should it not be done for the sister or the mother or the father of a man who as acquired the right to vote? And if we should do it for those who have the right to vote and jeopardize the lives of our people—for that is the theory of this provision—by allowing treatment for that class of people, why not allow it on the broad ground of humanity to the individual who does not happen to have a husband or a father in this land? Why condemn that individual to a lingering death?

Mr. LODGE. Mr. President, the argument does not work both ways. It can not be cruelty to keep them out and also cruelty to keep them in.

Mr. REED. I have not so asserted.

Mr. LODGE. I have shown that in the case of a family we have made provision not only for taking care of them in hospital until cured, but we have provided that we shall pay their expenses of treatment. That is a new provision of law which the Senate committee suggested.

Now, as to the inhumanity, the Senator draws a picture of a person afflicted with tuberculosis who has developed it within 10 days, so that a competent physician on the other side could not detect it, and it has increased so much that our Government physician on this sides does detect it. That is a rapid progress of disease, and the man is hardly a subject for hospital treatment. But the Senator overlooks that it is not only tuberculosis against which we are waging a great fight everywhere to prevent its introduction and spread, but it covers also loathsome and contagious diseases. The Senator knows what that reference is without my entering into a description. I do not think it is desirable that loathsome and contagious diseases should be taken in the ship and admitted to this country unless humanity demands it or it causes undue hardship and suffering.

The language of the Senate committee amendment is broad, and we may rest assured, I think, that the Secretary of Labor is not an inhumane man. He asked for this amendment for his own guidance. It is not the invention of the committee; it is asked for by the Secretary himself. He certainly is a humane man and he knows what is best in dealing with these cases. He has seen the inhumanity that has been caused and necessarily caused by ship companies allowing or winking at the bringing on board of people who they knew ought to be excluded and congesting our hospitals with them, and it is that which he aims to stop. The cruelty begins in bringing them across the ocean, and it is the desire of the department to stop that practice and leave them on the other side. It is believed that this is the most humane way of doing it. He has asked for this change of language because he thinks that is the proper and the right way to deal with it. I do not think he is an inhumane man any more than the committee is inhumane. The object was to make the law such that a steamship company would not be tempted to bring here people whom they ought not to bring.

Mr. REED. Mr. President, if you are trying to reach the company, then penalize the company that attempts to bring the man here.

Mr. LODGE. We have done that. That is done in the bill.

Mr. REED. That is the way to reach it. If it is right to allow the consumptive child or wife of a man who is already residing in this country to come, regardless of the question whether it is necessary for them to have hospital treatment or not, then it is not right to consign all others to the doom which this bill provides, namely, that they shall not be allowed hospital treatment under any circumstances or conditions, but must be detained to their misery and their death.

Mr. President, I am willing to trust the Secretary of Labor. I am willing to trust to his discretion. I have said nothing to reflect upon him; and because I am willing to trust to his discretion and want him to have a discretion and not be denied a discretion I move to amend the amendment of the committee by striking out in lines 5, 6, and 7 the following words——

Mr. MARTINE of New Jersey. On what page?

Mr. REED. On page 41:

That the existence of the disease could not have been detected by a competent medical examination at the time of foreign embarkation, and—

So that the clause as amended would read:

Unless the Secretary of Labor is satisfied that to refuse treatment would be inhumane or cause unusual hardship or suffering.

Mr. SMITH of South Carolina. Mr. President, as chairman of the committee I accept that amendment to the amendment.

The VICE PRESIDENT. The Chair did not catch the observation of the Senator from South Carolina.

Mr. SMITH of South Carolina. I say the committee accepts that amendment to the amendment.

The VICE PRESIDENT. Then the question is on the amendment as amended. It is agreed to without objection. The next amendment will be stated.

The SECRETARY. In section 19, page 42, line 3, strike out the words "any alien" and the comma.

The amendment was agreed to.

The SECRETARY. On the same page, line 4, after the word "entry," strike out "who shall enter the United States in violation of law" and insert:

Any alien who shall have entered the United States in violation of this act or of any law of the United States or who at the time of entry was a member of one or more of the classes excluded by law.

The VICE PRESIDENT. The amendment will be agreed to without objection.

Mr. REED. Just one moment. That it seems to me on a cursory examination is retroactive. Under it men could be deported who have legally entered heretofore. Is not that the case?

Mr. LODGE. It runs over the five years. That is the reason.

Mr. REED. Is it so intended?

Mr. LODGE. The law applies now to any time within five years after entering. He may have entered at any time during the five years.

Mr. REED. The inquiry that I wanted to address, if the Senator pleases, is this: The bill now adds a number of prohibitions and qualifications which have not hitherto been in the law, and by the clause which we are considering at the present moment, which operates back to cover a period of five years, would it not be possible to exclude and deport some of those who have legally emigrated to this country? That is the question I am asking.

Mr. LODGE. Oh, surely not, under that language. Of course at any time within five years, as the law is at present, any person who shall be found doing certain things or who shall be found to have violated the law can be deported.

Mr. REED. That is hereafter?

Mr. LODGE. It is not intended to make it retroactive in any way. It is only one class, those who shall enter the United States in violation of law. That of course covers every case. This is another administrative amendment asked for in order to make the law more explicit.

Mr. REED. I am very loath to insist upon the view that I confess comes to me just on a mere reading of the amendment, but it strikes me that under this language any alien who would be excluded under the terms of this act might be deported if he came here at any time within five years prior to the filing of the complaint, and that complaint might be filed the day after this bill was enacted. It seems to me the committee might, by taking this back, adopt some language which would make it plain that it was not intended to be retroactive.

Mr. LODGE. I will read the recommendation of the Secretary:

On page 42, lines 3, 4, and 5, strike out "any alien" and "who shall enter the United States in violation of law" and insert, immediately following the latter, "any alien who shall have entered the United States in violation of this act or of any law of the United States, or who at the time of entry was a member of one or more of the classes excluded by law." The change thus effected in the arrangement of the words of the section is made in the interest of perspicuity. The insertion of the phrase "or of any law of the United States" is for the purpose of restoring to the measure a provision which appeared in section 21 of the act of 1907, where it was placed in response to recommendations of the Commissioner General of Immigration (see his reports for 1905, p. 99, and 1906, pp. 89, 107), which phrase evidently was inadvertently omitted from this act.

It was left out inadvertently in the House. It is a mere question of language. The committee put it in because the department requested it.

Mr. REED. Does the committee object to passing over the amendment until to-morrow?

Mr. LODGE. I have no special interest in the amendment myself, except that I think we ought to keep what is now in the law.

Mr. REED. Certainly; we ought to keep what is in the law.

Mr. SMITH of South Carolina. As the Senator from Massachusetts says, it is in the interest of fairness that the suggestion was made. It seems the practice of the department has been along these lines, and it was simply to make it more definite and insert what was inadvertently left out.

Mr. SUTHERLAND. Mr. President, it does not seem to me that the provision could possibly be given a retroactive effect—

Any alien who shall have entered the United States in violation of this act or of any law of the United States.

Of course his entry of the United States before this law was passed could not be a violation of the law. It might be a kind of an entry which would be contrary to the terms of the law, but you can not violate the law until it is in existence. So the language "who shall have entered the United States" can not be given a retroactive effect, because it also applies to any other law. There are laws which are in existence, and so it is necessary to use that language to apply to both laws, but, it seems to me, it can not possibly be given a retroactive effect.

Mr. WALSH. Mr. President, I think that the observations of the Senator from Utah [Mr. SUTHERLAND] must receive the concurrence of all who listened to them. The only clause which could by any possibility have any retroactive effect is the concluding clause of the amendment, "who at the time of entry was a member of one or more of the classes excluded by law," and it is to that class that I understand the observations of the Senator from Missouri are directed. But I am very sure that the Senator from Missouri on reflection will not deem the matter of sufficient importance to ask that the amendment be passed over, because it is conceivable, of course, that a man might have been admitted in conformity with law some three years ago but that he will now fall within one of the classes whose entry is prohibited by this law, and upon a strained construction it might be held that he was liable to be deported. But such a construction could hardly be given to it, because of the concluding language, "who at the time of entry was a member of one or more of the classes excluded by law," which undoubtedly refers to the classes excluded by the law as it existed at the time of his entry.

Mr. REED. If the Senator will pardon me, I said at the time this amendment came up that I had had no opportunity really to examine it. I suggest after the word "classes," in line 8, to insert the word "then," so that it would read:

Or who at the time of entry was a member of one or more of the classes then excluded by law.

Mr. LODGE. I see no possible objection to that amendment. I think it makes it clearer. The committee accepts it?

Mr. SMITH of South Carolina. Yes.

The VICE PRESIDENT. The amendment as modified, if there be no further discussion, will be agreed to.

The next amendment of the Committee on Immigration was, in section 19, page 42, line 14, after the word "causes," to strike out "existing prior to the" and insert "not affirmatively shown to have arisen subsequent to," so as to read:

Any alien who within five years after entry becomes a public charge from causes not affirmatively shown to have arisen subsequent to landing.

The amendment was agreed to.

The next amendment was, in section 19, page 42, line 25, after the word "who," to insert "manages or," and, on page 43, line 4, after the word "assists" to insert "any prostitute or," so as to read:

Any alien who manages or is employed by, in, or in connection with any house of prostitution or music or dance hall or other place of amusement or resort habitually frequented by prostitutes, or where prostitutes gather, or who in any way assists any prostitute or protects, or promises to protect from arrest any prostitute.

The amendment was agreed to.

The next amendment was, in section 19, page 43, line 15, after the word "hereof," to strike out "any alien"; in line 16, after the word "entry," to insert "any alien"; in the same line, after the word "shall," to strike out "enter" and insert "have entered"; and in line 21, after the word "officials," to insert "or who enters at any time or place without inspection," so as to read:

At any time within three years after entry, any alien who shall have entered the United States by water at any time or place other than as designated by immigration officials, or by land at any place other than one designated as a port of entry for aliens by the Commissioner General of Immigration, or at any time not designated by immigration officials, or who enters at any time or place without inspection, shall, upon the warrant of the Secretary of Labor, be taken into custody and deported.

The amendment was agreed to.

The next amendment was, in section 19, page 43, after line 23, to insert the following proviso:

Provided, That for the purposes of this act, the marriage to an American citizen of a female of the sexually immoral classes the exclusion or deportation of which is prescribed by this act shall not invest such female with United States citizenship.

The VICE PRESIDENT. Without objection, the amendment is agreed to.

Mr. REED. One moment. I am not going to object to the amendment, but I think it is going to raise some interesting questions.

The VICE PRESIDENT. The amendment is agreed to without objection.

The next amendment was, in section 19, page 44, line 19, after the word "final," to insert the following proviso:

Provided further, That the provisions of this section shall also apply to the cases of aliens who come to the mainland of the United States from the insular possessions thereof.

The amendment was agreed to.

The next amendment was, in section 20, page 45, line 12, after the word "If," strike out the word "effected" and insert "deportation proceedings are instituted," so as to read:

If deportation proceedings are instituted at any time within five years after the entry of the alien, such deportation, including one-half of the entire cost of removal to the port of deportation, shall be at the expense of the contractor, procurer, or other person by whom the alien was unlawfully induced to enter the United States.

The amendment was agreed to.

The next amendment was, on page 46, line 16, after the word "attendance," to strike out "he may" and to insert "the said Secretary shall when necessary," so as to read:

Provided, That when in the opinion of the Secretary of Labor the mental or physical condition of such alien is such as to require personal care and attendance, the said Secretary shall, when necessary, employ a suitable person for that purpose.

The amendment was agreed to.

The next amendment was, in section 21, page 47, line 10, before the word "may," to insert "the said Secretary," so as to read:

SEC. 21. That any alien liable to be excluded because likely to become a public charge or because of physical disability other than tuberculosis in any form or a loathsome or dangerous contagious disease may, if otherwise admissible, nevertheless be admitted in the discretion of the Secretary of Labor upon the giving of a suitable and proper bond or undertaking, approved by said Secretary, in such amount and containing such conditions as the said Secretary may prescribe.

The amendment was agreed to.

The next amendment was, in section 22, page 47, line 21, after the word "alien," to insert "shall have been naturalized or"; in line 25, before the word "said," to strike out "if" and insert "and"; on page 48, line 1, before the word "children," to insert "minor"; and in line 2, before the word "children," to insert "minor," so as to read:

SEC. 22. That whenever an alien shall have been naturalized or shall have taken up his permanent residence in this country and shall have filed his declaration of intention to become a citizen, and thereafter shall send for his wife or minor children to join him, and said wife or any of said minor children shall be found to be affected with any contagious disorder, such wife or minor children shall be held.

The amendment was agreed to.

The next amendment was, on page 48, line 14, after the word "admitted," to insert:

Provided, That, if the person sending for wife or minor children is naturalized, a wife to whom married or a minor child born subsequent to such husband or father's naturalization shall be admitted without detention for treatment in hospital, and with respect to a wife to whom married or a minor child born prior to such husband or father's naturalization the provisions of this section shall be observed even though such person is unable to pay the expense of treatment, such expense to be paid from the appropriation for the enforcement of this act.

The amendment was agreed to.

Mr. REED subsequently said: I want to call the attention of the committee to the amendment which was adopted on page 48, which reads:

Provided, That, if the person sending for wife or minor children is naturalized, a wife to whom married or a minor child born subsequent to such husband or father's naturalization shall be admitted without detention for treatment in hospital, and with respect to a wife to whom married or a minor child born prior to such husband or father's naturalization the provisions of this section shall be observed even though such person is unable to pay the expense of treatment—

As to the amendment thus far I raise no objection, but it continues—

such expense to be paid from the appropriation for the enforcement of this act.

It would seem to me that that language would compel the United States Government to defray such expenses even though the husband were abundantly able to do so. I want to ask the chairman of the committee if that is not the construction that is likely to be given to that language?

Mr. SMITH of South Carolina. I think that the context, the line just preceding, is explanatory of that, though it may be a little awkwardy expressed. It reads:

The provision of this section shall be observed even though such person is unable to pay the expense of treatment, such expense—

That is, if they are unable to pay "such expense."

Mr. LODGE. The lines above read, "and if it shall be determined that the disorder is easily curable and the husband or father or other responsible person is willing to bear the expense of the treatment," they may be admitted. This enlarges it, so that if such person can not bear the expense the Government undertakes it.

Mr. REED. The Senator from Massachusetts, I think, was otherwise engaged when I made my observation and did not catch its import.

Mr. LODGE. Possibly I did not.

Mr. REED. The provision that if the individual or the relative is not able to bear the expense the Government shall do so is all right, but the last four lines read:

The provisions of this section shall be observed even though such person is unable to pay the expense of treatment, such expense to be paid from the appropriation for the enforcement of this act.

It occurs to me that that throws the burden upon the Government regardless of the ability to pay, and I beg to suggest that the amendment ought to be amended to read "in which case the expense shall be paid from the appropriation for the enforcement of this act."

Mr. LODGE. I see I did not catch the point which the Senator from Missouri made, which is a very sound point. I think the change he suggests ought to be made.

Mr. REED. I make the suggestion, then, to strike out in line 22, on page 48, the words "such expense to be" and to insert "in which case such expense shall be," so that the clause would read:

In which case such expense shall be paid from the appropriation for the enforcement of this act.

Mr. SMITH of South Carolina. I accept the amendment.

The VICE PRESIDENT. Without objection, the vote whereby the amendment was agreed to will be reconsidered. The question is on agreeing to the amendment to the amendment.

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The next amendment was, in section 23, page 50, line 18, after the words "Secretary of Labor," to insert:

Provided, That no person, company, or transportation line engaged in carrying alien passengers for hire from Canada or Mexico to the United States, whether by land or water, shall be allowed to land any such passengers in the United States without providing suitable and approved landing stations, conveniently located, at the point or points of entry. The Commissioner General of Immigration is hereby authorized and empowered to prescribe the conditions, not inconsistent with law, under which the above-mentioned landing stations shall be deemed suitable within the meaning of this section. Any person, company, or transportation line landing an alien passenger in the United States without compliance with the requirement herein set forth shall be deemed to have violated section 8 of this act, and upon conviction shall be subject to the penalty therein prescribed.

The amendment was agreed to.

The next amendment was, in section 24, page 51, line 25, after the word "laborers," to insert "and induced and assisted immigrants," and on page 52, line 1, after the word "employ," to insert "for such purposes and for detail upon additional service under this act when not so engaged," so as to read:

Provided, That said Secretary, in the enforcement of that portion of this act which excludes contract laborers, and induced and assisted immigrants, may employ, for such purposes and for detail upon additional service under this act when not so engaged, without reference to the provisions of the said civil-service act, or to the various acts relative to the compilation of the official register, such persons as he may deem advisable and from time to time fix, raise, or decrease their compensation.

The amendment was agreed to.

The next amendment was, on page 52, line 9, after the word "act," to strike out "$50,000" and to insert "$100,000," so as to read:

He may draw annually from the appropriation for the enforcement of this act $100,000, or as much thereof as may be necessary.

The amendment was agreed to.

The next amendment was, in section 28, page 54, line 12, after the word "organization," to strike out "entering" and to insert "entertaining," so as to read:

SEC. 28. That any person who knowingly aids or assists any anarchist or any person who believes in or advocates the overthrow by force or violence of the Government of the United States, or who disbelieves in or is opposed to organized government, or all forms of law, or who advocates the assassination of public officials, or who is a member of or affiliated with any organization entertaining and teaching disbelief in or opposition to organized government.

The amendment was agreed to.

Mr. REED subsequently said: Mr. President, before the amendment in section 28, on page 54, line 12, is finally adopted I have a suggestion to make to the committee. I understand, of course, that the amendment has been made to correct the misprinting of a word. As corrected the language reads:

Or who is a member of or affiliated with any organization entertaining and teaching disbelief in or opposition to organized government.

I think the word "entertaining" only weakens the sentence, and that if it were stricken out, so that the sentence would read "teaching disbelief," it would be a stronger sentence. Though it is not very material, I make the suggestion.

Mr. SMITH of South Carolina. Mr. President, as stated by the Senator from Missouri, this amendment has been made to correct a misprint; but to strike out the word "entertaining" would change the present law, for the language of the present law is "entertaining and teaching."

Mr. REED. Very well; though I think it should be merely "teaching." If you have got to prove both entertaining and teaching, you are not as strongly situated as if you simply had to prove teaching.

I move, however, in accordance with a suggestion which has been made to me by the Senator from Mississippi [Mr. VARDAMAN] to change the word "and," in line 12, to the word "or," so that the clause would read:

Or who is a member of or affiliated with any organization entertaining or teaching disbelief in or opposition to organized government.

Mr. SMITH of South Carolina. The committee accepts the amendment.

The VICE PRESIDENT. If there be no objection, the vote whereby the amendment was agreed to will be reconsidered. The question now is on agreeing to the amendment to the amendment.

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The next amendment of the Committee on Immigration was, in section 30, page 56, line 2, after the words "Bureau of Immigration," to strike out "and Naturalization," so as to read:

SEC. 30. That there shall be maintained a division of information in the Bureau of Immigration.

The amendment was agreed to.

The next amendment was, in section 33, page 58, line 21, after the word "reshipping," to insert "under such regulations as the Secretary of Labor may prescribe to prevent aliens not admissible under any law or treaty from remaining permanently in the United States," and, on page 59, line 3, after the word "given," at the end of line 2, to insert "by the master or the seaman himself," so as to make the proviso read:

Provided, That in case any such alien intends to reship on board any other vessel bound to any foreign port or place, he shall be allowed to land for the purpose of so reshipping, under such regulations as the Secretary of Labor may prescribe to prevent aliens not admissible under any law or treaty from remaining permanently in the United States, and may be paid off, discharged, and permitted to remove his effects, anything in such laws or treaties or in this act to the contrary notwithstanding, provided due notice of such proposed action first be given by the master or the seaman himself to the principal immigration officer in charge at the port of arrival.

The amendment was agreed to.

The next amendment was, in section 34, page 59, line 5, after the word "shall," to strike out "desert his vessel" and to insert the word "land"; and, in line 6, after the words "United States," to strike out "or who shall land therein," so as to make the section read:

SEC. 34. That any alien seaman who shall land in a port of the United States contrary to the provisions of this act shall be deemed to be unlawfully in the United States, and shall, at any time within three years thereafter, upon the warrant of the Secretary of Labor, be taken into custody and brought before a board of special inquiry for examination as to his qualifications for admission to the United States, and if not admitted said alien seaman shall be deported at the expense of the appropriation for this act as provided in section 20 of this act.

Mr. REED. Mr. President, I have no desire to be pestiferous or troublesome, but before we adopt this amendment I wish to ask the chairman of the committee or some other member of the committee if the object of these sections is not to prohibit what is commonly called desertion by seamen?

Mr. LODGE. Not at all, Mr. President. The sections are very carefully drawn to avoid that. That is the reason why we propose to eliminate the word "desert." One of the most prolific sources of evasion of the immigration laws, however, has been by reason of people coming to this country occupying some position on a ship. Having failed, perhaps, in many cases to come in as immigrants, they come as seamen, shipping for merely the voyage here as stewards or stokers. They merely land on the wharf from the ship and never pass through the immigration inspection at all. Over 15,000 such cases occurred two years ago.

The VICE PRESIDENT. Without objection, the amendment is agreed to.

The next amendment was, in section 35, page 60, line 7, after the words "sum of," to insert "$25, and pending departure of the vessel the alien shall be detained and treated in hospital under supervision of immigration officials at the expense of the vessel," so as to make the section read:

SEC. 35. That it shall be unlawful for any vessel carrying passengers between a port of the United States and a port of a foreign country, upon arrival in the United States, to have on board employed thereon any alien afflicted with idiocy, imbecility, insanity, epilepsy, tuberculosis in any form, or a loathsome or dangerous contagious disease, if it appears to the satisfaction of the Secretary of Labor, from an examination made by a medical officer of the United States Public Health Service, and is so certified by such officer, that any such alien was so afflicted at the time he was shipped or engaged and taken on board such vessel and that the existence of such affliction might have been detected by means of a competent medical examination at such time; and for every such alien so afflicted on board any such vessel at the time of arrival the owner, agent, consignee, or master thereof shall pay to the collector of customs of the customs district in which the port of arrival is located the sum of $25, and pending departure of the vessel the alien shall be detained and treated in hospital under supervision of immigration officials at the expense of the vessel; and no vessel shall be granted clearance pending the determination of the question of the liability of the payment of such fine and while it remains unpaid: *Provided*, That clearance may be granted prior to the determination of such question upon the deposit of a sum sufficient to cover such fine: *Provided further*, That such fine may, in the discretion of the Secretary of Labor, be mitigated or remitted.

The amendment was agreed to.

The next amendment was, in section 36, page 61, line 5, after the word "has," to strike out "deserted" and insert "illegally landed from," so as to read:

SEC. 36. That upon arrival of any vessel in the United States from any foreign port or place it shall be the duty of the owner, agent, consignee, or master thereof to deliver to the principal immigration officer in charge of the port of arrival lists containing the names of all aliens employed on such vessel, stating the positions they respectively hold in the ship's company, when and where they were respectively shipped or engaged, and specifying those to be paid off and discharged in the port of arrival; or lists containing so much of such information as the Secretary of Labor shall by regulation prescribe; and after the arrival of any such vessel it shall be the duty of such owner, agent, consignee, or master to report to such immigration officer, in writing, as soon as discovered, all cases in which any such alien has illegally landed from the vessel, giving a description of such alien, together with any information likely to lead to his apprehension, etc.

The amendment was agreed to.

Mr. LODGE. Mr. President, I desire to call the attention of the Senator from Missouri to the amendment which has just been agreed to, and very properly agreed to, which shows the purpose which I was indicating to him. The House bill employed the word "deserted," which was a technical word arising under treaty. We struck it out, and put in the words "illegally landed from," which have reference only to the provisions of this act.

Mr. REED. I think the committee is right in its contention.

The VICE PRESIDENT. That completes the committee amendments, save those which have been passed over.

Mr. REED. Mr. President, it may be a little out of order, but I desire to recur now to the much-discussed amendment on page 41, which was amended so as to read, "unless the Secretary of Labor is satisfied that to refuse treatment would be inhumane or cause unusual hardship or suffering."

I suggest to the committee that there be added to that amendment as now adopted a clause similar to the one found on page 60, which provides that an alien detained and treated in the hospitals under the supervision of immigration officials shall be kept there at the expense of the vessel. I think if that clause were added to the provision on page 41 it would have a tendency to bring about the very object the committee had in view, namely, to penalize the vessel owner for bringing over those who are afflicted with disease which could have been detected.

Mr. LODGE. The amendment on page 60 includes the words "and pending departure of the vessel."

Mr. REED. We will have to modify that language.

Mr. LODGE. Yes; that will have to be modified. Of course, if an alien is not admitted to hospital treatment he remains on the vessel under treatment of the ship's surgeon.

Mr. REED. I suggest this language to come in after the word "suffering," in line 9, page 41:

If, under the order of the Secretary of Labor, such immigrant shall be admitted to the hospital, he shall be treated under the supervision of the immigration officials and at the expense of the vessel transporting such immigrant.

Mr. SMITH of South Carolina. I accept that amendment.

Mr. REED. Mr. President, the Senator from Montana [Mr. WALSH] makes a suggestion to me which will improve the wording of the amendment and accomplish the same result, namely, to add, after the word "suffering," the words "in which case the alien shall be treated in the hospital under the supervision of immigration officials at the expense of the vessel transporting him." I suggest that as an amendment.

Mr. SMITH of South Carolina. The committee will accept that.

The VICE PRESIDENT. That does not affect the amendment as adopted in Committee of the Whole.

Mr. LODGE. It is practically a new amendment.

The VICE PRESIDENT. The Chair so understands. The Secretary will state the amendment.

The SECRETARY. On page 41, line 9, after the word "suffering," it is proposed to insert "in which case the alien shall be treated in the hospital under the supervision of immigration officials at the expense of the vessel transporting him."

The VICE PRESIDENT. The question is on agreeing to the amendment.

The amendment was agreed to.

The VICE PRESIDENT. There are certain amendments which, the Chair understands, were passed over. The Secretary will state the first amendment passed over.

The SECRETARY. In section 2, page 2, line 18, after the words "United States," the committee proposes to insert "except that with respect to an alien accompanied by his wife, child, or children said tax shall be $4 for each such alien, wife, and child." Mr. O'GORMAN has proposed an amendment to the amendment, as follows:

In line 18 strike out the words "an alien accompanied by his" and insert the word "the," and after the word "child" insert "of an alien," so as to read: "except that with respect to the wife, child, or children of an alien said tax shall be $4 for each such alien, wife, and child."

Mr. REED. Mr. President, the Senator from New York [Mr. O'GORMAN] is absent to-day, and I suggest that that amendment be allowed to go over.

Mr. SMITH of South Carolina. Mr. President, I think that what the Senator from New York seeks to accomplish will perhaps be better accomplished by an amendment proposed by the Senator from Minnesota [Mr. NELSON], which, in lieu of the amendment of the committee in lines 18, 19, and 20, proposes to insert these words:

Provided, That children under 15 years of age who accompany their father or their mother shall not be subjected to said tax.

After hearing his statement, in view of the fact that the Senator from Minnesota is not present, and it is acceptable to the committee, I suggest that as an amendment.

Mr. REED. Mr. President, I do not know whether or not it would be acceptable to the Senator from New York. I would not undertake to pass on that.

Mr. SMITH of South Carolina. I am perfectly willing that the amendment shall go over.

Mr. REED. I think it ought to go over.

Mr. LODGE. The Senator from Minnesota, who has offered the amendment which the Senator from South Carolina has just described and which I think is very good, is not present, either.

The VICE PRESIDENT. In the absence of objection, the amendment will be passed over. The Secretary will state the next amendment passed over.

The next amendment passed over was, in section 3, page 6, line 17, after the word "unskilled," to insert "mental or manual."

The VICE PRESIDENT. The question is on agreeing to the amendment.

Mr. REED. That amendment was passed over at the request of the committee, and I had assumed that the committee would probably have something to suggest.

Mr. SMITH of South Carolina. Mr. President, the committee, having gone very thoroughly into this matter, and being of the opinion that no other wording would so accurately reach the object which this clause was intended to reach, has seen no reason at all to recede from the proposed amendment. The chairman of the committee took occasion the other day to try to explain fully just why it was necessary to use this phraseology.

Mr. WALSH. Mr. President, getting no very definite information as to the classes at which this particular provision was directed in the course of the discussion the other day, I took the matter up with the Department of Labor, and I have here a memorandum showing some typical cases of alien contract laborers admitted to the United States on the ground that they were engaged in labor the predominant feature of which was mental rather than manual. I will ask that the memorandum be printed as a part of the discussion without reading, but I will refer to a few of the cases to which it adverts:

CASE OF HENRY STOWE.

An English-Canadian railroad section hand, imported by the New York Central Railroad for service as a section foreman on its tracks. Admitted by the Department of Commerce and Labor on January 8, 1912, as a "mental laborer."

I should be disposed to differ from the construction placed upon the act by the Department of Labor. I think it is going a long way to hold that a section foreman is engaged in labor the predominant feature of which is mental in character.

CASE OF CHARLES EDWARD CLARKE.

English-Canadian loom repairer; rejected by the board of special inquiry at Port Huron, Mich., on September 21, 1911, the record being forwarded to the department on September 26 by the officer in charge with recommendation that the appeal be sustained, as the claim had been made, and not disproved, that the alien was to be employed as foreman in a woolen mill that had advertised for an employee of that kind in a foreign newspaper, and that the mental elements would predominate in such employment. The alien, without awaiting for the decision of the appeal, entered the United States surreptitiously, and was later found in the employ of the mill in the capacity of an ordinary workman, showing that he was being imported under the guise of a foreman, a subterfuge quite frequently resorted to; whereupon he was arrested and deported.

So you will observe that the gentleman did not succeed in getting into this country on the ground that he was a mental laborer.

CASE OF ANDRE PIGNARD.

A French silk-tulle weaver, admitted by the department on March 5, 1912, it appearing from the record that he was to occupy the position of foreman in a silk-manufacturing mill—it also being claimed that labor of like kind unemployed could not at the time be found in the United States.

So this particular individual came in under the provision which has been adverted to covering cases where it is impossible to find laborers to do the work in this country.

CASE OF GEORGE DAVIES.

English golf links "green keeper," admitted by the department on March 11, 1912, because it was found that the alien was to supervise the work of the ordinary laborers in keeping the golf links of the club importing him in proper condition.

And so on through this list, Mr. President, which convinces me that the evil that exists, so far as it does exist at all, is due to an unwarrantable construction which has been given by the Department of Labor in certain instances to the present act. The relief is sought simply because in some particular instances the Department of Labor extends the list of those embraced within the class of mental laborers to limits that are entirely unwarranted by the law.

I do not find that there has ever been any authoritative adjudication holding a man to be engaged in labor the predominant feature of which is mental where there was any particular reason why the man should be excluded from this country as a laborer. I freely admit that by an erroneous and absurd construction of the present act some people can get into this country upon the ground that they are engaged not in manual labor but in mental labor; but under any proper construction of the act I do not think there is any evil whatever to be remedied.

It has been suggested that musicians sometimes are brought into this country under contract, and the question is raised as to whether the members of a band are engaged in mental labor or in manual labor. It may be that some cases of that kind do arise—I dare say they do—in which we all agree that they ought not to be admitted if they come here under contract, or by the inducement or solicitation against which the bill is aimed. The solicitor for the department suggests that instead of the language used in the amendment certain language used by him might be employed. I read from the letter:

The department fixed upon the insertion of the words "mental or manual," in line 17, page 6, as the briefest and most direct manner of accomplishing the purpose in view, because the distinction between mental and manual labor is the gist of the Attorney General's opinion. Of course, however, it has no pride of authorship in this matter, and would be glad to see the purpose accomplished in any way that might seem acceptable to you and other Senators interested in the subject. Thus you might think that the object can be accomplished just as well, and the use of the words to which exception has been taken avoided, by inserting in lieu of such words some such expression as this, "except

only as hereinafter provided," thus specifically indicating the connection between the excluding provision and the exceptions later appearing in the proposed law.

But, of course, to incorporate language such as that would exclude everybody except those specifically mentioned in the subsequent clause. I find, however, that greater liberality has been exercised by the department in the construction it gives to the words "recognized learned profession," because it appears that persons belonging to almost all of the so-called professions, whether heretofore denominated as learned professions or whether they are recognized learned professions, are regarded as being entitled to admission under the exception. For instance, I am told in the letter from the department as follows:

In United States *v.* Laws (163 U. S., 258) the Supreme Court held that a chemist being brought to the United States under contract for employment in a sugar factory was undoubtedly a member of a recognized learned profession; and the department has never hesitated to admit all kinds of chemists coming to the United States to follow that vocation. Reference was also frequently made to engineers. The department has repeatedly held that all branches of the engineering profession are to be regarded as a "recognized learned profession." The case that you had particularly in mind, to wit, the importation of a man skilled in the propagation of sugar beets for seeding purposes, I have no doubt whatever would be regarded, if it ever arose, as falling within the exception in favor of the importation of labor on the ground that labor of like kind unemployed could not be found here if, indeed, the alien would not belong to some branch of the chemistry profession, a soil chemist, for instance.

In view of these considerations, Mr. President, I do not feel like pressing the objection I made to this portion of the bill. I ask, however, that the entire communication be printed as part of the discussion.

The VICE PRESIDENT. Is there any objection? The Chair hears none.

The matter referred to is as follows:

DEPARTMENT OF LABOR,
OFFICE OF THE SECRETARY,
Washington, December 1½, 1914.

Hon. THOMAS J. WALSH,
United States Senate, Washington, D. C.

MY DEAR SENATOR: Referring to our conversation of Friday last, regarding the debate in the Senate on Thursday with respect to the proposal of the Immigration Committee to insert in section 3 of the pending immigration bill, on page 6, line 17, after the word "unskilled," the words "mental or manual," I have the honor to hand you herewith a memorandum furnishing briefly the facts in a number of cases selected hurriedly and somewhat at random from among hundreds of similar cases, the records of which are on file in the Bureau of Immigration, illustrating the difficulty in the administration of the law which the department desires to overcome, and in pursuance of which desire the amendment mentioned was suggested by the department to the Senate Committee on Immigration. The facts of these cases speak for themselves to a considerable extent, but in order to make their illustrative character perfectly clear there has been inserted in the memorandum, following some of the statements of fact, brief comment with regard to the particular case covered. I also wish to set forth the reasons which, in the department's judgment, render it imperative that the amendment proposed by the Senate committee, and passed over temporarily by the Senate on Thursday last, or some other amendment calculated to effect the purpose in view, shall be adopted before the immigration act is passed.

It seems to me that most, if not all, of the objections voiced by you and several of the other Senators who took part in the debate would not have been raised if the several disjointed provisions of section 3 relating to alien contract laborers had been brought together and their joint effect considered. Because of the manner in which section 3 is constructed, obviously they could not conveniently be so joined in the draft. As a preliminary to my discussion of them I bring them together as follows:

"SEC. 3. That the following classes of aliens shall be excluded from admission into the United States (p. 4, lines 21–22): Persons hereinafter called contract laborers, who have been induced, ASSISTED, ENCOURAGED, or solicited to migrate to this country by offers or promises of employment, WHETHER SUCH OFFERS OR PROMISES ARE TRUE OR FALSE, or in consequence of agreements, oral, written, or printed, express or implied, to perform labor in this country of any kind, skilled or unskilled, *mental or manual* (p. 6, lines 10–17): *Provided further*, That skilled labor, if otherwise admissible, may be imported if labor of like kind unemployed can not be found in this country, AND THE QUESTION OF THE NECESSITY OF IMPORTING SUCH SKILLED LABOR IN ANY PARTICULAR INSTANCE MAY BE DETERMINED BY THE SECRETARY OF LABOR UPON THE APPLICATION OF ANY PERSON INTERESTED, SUCH APPLICATION TO BE MADE BEFORE SUCH IMPORTATION, AND SUCH DETERMINATION BY THE SECRETARY OF LABOR TO BE REACHED AFTER A FULL HEARING AND AN INVESTIGATION INTO THE FACTS OF THE CASE (p. 10, lines 6–15): *Provided further*, That the provisions of this law applicable to contract labor shall not be held to exclude professional actors, artists, lecturers, singers, ministers of any religious denomination, professors for colleges or seminaries, persons belonging to any recognized learned profession" (p. 11, lines 2–8).

So much of the above as appears in ordinary type is the existing law (sec. 2, act of Feb. 20, 1907; 34 Stat., 898); so much as appears in capitals represents changes of language placed in the measure by the House of Representatives in the interest of clearness and exact consistency with other provisions of the proposed law and in conformity with recommendations growing out of the work of the congressional Immigration Commission and of the Bureau of Immigration; and only the words "mental or manual," italicized, are suggested by the Senate committee. The law constituted of the provisions above quoted is what is commonly known as the alien contract-labor law, passed first in 1885 (23 Stat., 332), slightly amended in 1888 (25 Stat., 565), again in 1891 (26 Stat., 1084), again in 1893 (27 Stat., 569), and finally brought into substantially the form now proposed in 1903 (32 Stat., 1213). From 1903, if not even an earlier date, until June, 1909, the alien contract-labor law was construed by the Bureau of Immigration and the department of which that bureau was a part to include all kinds of labor, whether mental or manual, or a combination of the two, the theory of such construction being that the use in the law of the words "labor of any kind, skilled or unskilled," or, as they appeared in the earlier statutes, "labor or service of any kind," and the insertion in the statute of special exceptions to this broad and general provision, justified the conclusion that Congress intended that the law should reach all classes of aliens induced to come to this country by an offer or promise of employment, except such as Congress had seen fit to specifically except from said general provision. But on June 2, 1909, the Attorney General rendered an opinion (27 Ops., 383) holding that an alien who was being imported under contract to serve an American employer as superintendent of a lumbering camp was not excluded by the alien contract-labor law, and based such holding upon a theory argued largely from the decision of the Supreme Court, construing the original contract-labor law of 1885, in Church of the Holy Trinity *v.* United States (143 U. S., 457). Thereupon the Bureau of Immigration and the Department of Commerce and Labor—and, commencing with its formation, this department—adopted an application of the law under which the effort was made to distinguish between cases of manual labor and cases of mental labor, which application of the law was continued until January, 1914, when the Supreme Court rendered its decision in Lapina *v.* Williams (232 U. S., 78), construing provisions of the law other than those relating to contract labor, but holding, broadly, that, inasmuch as section 2 of the act of 1907 "contains its own specific provisos and limitations," such provisos and limitations, "on familiar principles, strongly tend to negative any other and implied exception" (p. 92), and also pointing out that after the Supreme Court rendered its decision in the Holy Trinity case the law was changed so as to specifically except from the operation of the contract-labor provisions "ministers of any religious denomination" (pp. 88–89). Having learned by actual experience that it was so difficult as to be practically impossible to distinguish in many instances between mental and manual vocations or to determine which of the two elements predominated in any particular calling, and having found that because of this difficulty and because of the tendency toward widening which always occurs once that a breach has been made in the administration of a statute of this kind, that many American workers of classes undoubtedly intended to be protected by the contract-labor provisions were not receiving due protection, this department welcomed the decision of the Supreme Court in the Lapina case, although merely obiter dicta for the particular purpose in mind, as a means of escaping from the ill effects of the Attorney General's opinion and of the effort to enforce the law in accordance with the terms of such opinion, and it accordingly gave instructions to the immigration officials to return to the construction of the law which had been followed uniformly prior to the handing down of the said opinion.

The suggestion made to the Senate Immigration Committee in the letter of the Secretary of Labor (S. Doc. No. 451, p. 5), adopted by the Senate committee, as shown on page 5 of its report (S. Rept. No. 355), was merely with the purpose of clarifying the situation and making it certain that the construction of the law followed by the bureau and department prior to June, 1909, and since January, 1914, and intimated by the Supreme Court, obiter dicta, to be correct, should obtain in applying the new law instead of the construction given the statute in the Attorney General's opinion. Obviously if Congress should pass the pending measure without inserting therein some expression indicating that it does not approve of the construction placed upon the law by the Attorney General, those who wish to narrow the application of the statute or gradually to break it down will be afforded the strongest kind of an argument with which to support the contention that the law applies only to manual laborers, and that in every case where it is shown that the mental element predominates over the manual the department must admit the alien contract laborer, and the Government can not proceed against the person or corporation making the importation.

Without including in this letter a specific reference to each of the cases covered by the inclosed memorandum, it seems desirable at this time to set up several illustrations. Take the very case to which the Attorney General's opinion relates. There was nothing in the record to show that there were not in the United States unemployed at the time the alien McNair applied for admission a number of skilled logging and lumbering men who through aptitude and experience and the possession of inherent executive ability were perfectly capable of filling the position of superintendent of a logging camp. Were not those unemployed American skilled workmen entitled to believe that the law protected them against the importation of a foreigner to take the job which they were qualified to fill and anxious to obtain? Again, take the case of lithographers. Can men following that vocation be classed as manual laborers without doing violence to common sense? They are of so high a class that it has been contended that they are artists (26 Ops. Atty. Gen., 284, 285–286); yet everyone familiar with the history of contract-labor legislation knows that the lithographers' union has always supposed that American lithographers were protected against the importation of foreigners, and have always insisted that they be given such protection; in fact, in the very case in which the opinion just cited was rendered the union complained of the action of the department in admitting the two foreign lithographers on the theory that labor of like kind unemployed could not be found here. Take again the case of musicians—members of bands and orchestras—who have not yet attained that standing in the musical world which would entitle them to be regarded as artists. The union having in its membership many American musicians of this character was one of the most active advocates of the contract-labor law, and naturally has always supposed that its members were protected by such law. Yet who would undertake to hold that such a musician is a manual laborer? Who could do so without making himself ridiculous? The opinion in the McNair case resulted, of course, in the admission of the alien and in the establishment of a precedent under which all manner of superintendents, foremen, and overseers, whose work is of a directory nature, requiring the use of the brain to a greater extent than the use of the brawn, could be admitted. The admission of a lithographer or a musician establishes a precedent which can readily be used by members of the large numbers of trades and occupations in which the performance of the work requires a mental training and aptitude which predominates over the manual dexterity and is necessary to the exercise of the latter. Are not these high-class American operatives and workmen entitled to the same protection that is afforded by the law to the common manual laborer and the skilled mechanic working mostly with his hands?

It seems to me that when the law as proposed and its exceptions are read together every case suggested during the course of Thursday's debate can readily be taken care of. At any rate, it can be stated most positively that during the long period when the law was given the construction which it is proposed to have the Senate approve by inserting the words "mental or manual" there was not the least difficulty in admitting to the United States peculiarly skilled foreign workmen, whether their vocation was mental or manual, or a combination of both, in every instance in which the establishment here of a new industry or a scarcity here of skilled men to be engaged as employees in an established industry was shown to exist and in which the aliens whom it was desired to employ came to a port of the United States and applied for admission. The only difficulty that was encountered in cases of this kind arose from the fact that the law contained no provisions under which the right of the employer to make the importation could be determined in advance of the aliens' application for admission, men belonging to the higher-class vocations often not being willing to leave their foreign homes unless they could be assured in advance that they would be promptly landed on reaching a United States port. This difficulty is taken care of by the provision inserted in the law by the House appearing on page 10 (lines 6–15) of the bill as reported by the Senate committee, which has been amended by the Senate in its adoption of the recommendation of the committee for the elimination from the provision of the words stricken through in the reported print of the bill, lines 15 to 25, page 10, and 1 to 2, page 11. The reasons for eliminating this awkward and, it is believed, unworkable plan are briefly shown on page 6 of Senate Report No. 355, and in more detail on page 6 of Senate Document No. 451, the latter being this department's letter to the chairman of the committee, recommending the striking out of the words in question.

In the debate reference was frequently made to chemists, several of the Senators apparently being of the opinion that a chemist is not a member of a "recognized learned profession." In United States *v.* Laws (163 U. S., 258), the Supreme Court held that a chemist being brought to the United States under contract for employment in a sugar factory was undoubtedly a member of a recognized learned profession; and the department has never hesitated to admit all kinds of chemists coming to the United States to follow that vocation. Reference was also frequently made to engineers. The department has repeatedly held that all branches of the engineering profession are to be regarded as a "recognized learned profession." The case that you had particularly in mind, to wit, the importation of a man skilled in the propagation of sugar beets for seeding purposes, I have no doubt whatever would be regarded, if it ever arose, as falling within the exception in favor of the importation of labor, on the ground that labor of like kind unemployed could not be found here, if, indeed, the alien would not belong to some branch of the chemistry profession—a soil chemist, for instance. There is no trouble in taking care of these exceptional cases. Probably the law could not be so drawn as to include within its exceptions, in terms, every variety of exception that might be encountered in practice; but, of course, the statute must be prepared so as to lay down a positive and broad rule and keep the exceptions closely enough confined to prevent their negativing the effect of the general provisions, leaving a reasonable application of the measure to specific cases to the discretion of the department charged with the enforcement of the law.

I note also from the debate that several of the Senators seem to have been laboring under the impression that decision of all these matters is vested by the statute in "the immigrant inspector or agent." They have overlooked the fact that no alien can be excluded from the United States by an immigrant inspector. All the inspector can do is to admit or, if he is not satisfied that the applicant is entitled to admission, to have such applicant set aside from the inspection line and held for examination by a board of special inquiry. The board is composed of three inspectors, always selected because of long experience and demonstrated capacity for this kind of work, and even the board can not finally say that the alien has no right to enter, in cases of the nature under discussion, the alien having the right of appeal to the Secretary of Labor, before whom every reasonable opportunity is afforded for the presentation of evidence and the submission of argument by or on behalf of the alien and by or on behalf of the person or corporation that is attempting to make the importation. Under the law as now proposed, anyone desiring to import a skilled laborer from abroad could lay his entire case before the Secretary of Labor in advance of sending for the alien, present his evidence, make his argument, and, if the permission is granted, send for the alien, with the assurance that on arrival he would be admitted, so far as the contract-labor provisions were concerned, immediately on landing from the ship. Surely no plan better calculated properly to enforce the law, with fairness to all concerned, could possibly be devised than that proposed in the bill now pending before the Senate and the report of the committee thereupon.

The department fixed upon the insertion of the words "mental or manual," in line 17, page 6, as the briefest and most direct manner of accomplishing the purpose in view, because the distinction between mental and manual labor is the gist of the Attorney General's opinion. Of course, however, it has no pride of authorship in this matter and would be glad to see the purpose accomplished in any way that might seem acceptable to you and other Senators interested in the subject. Thus you might think that the object can be accomplished just as well and the use of the words to which exception has been taken avoided by inserting in lieu of such words some such expression as this, "except only as hereinafter provided," thus specifically indicating the connection between the excluding provision and the exceptions later appearing in the proposed law, and also now standing in the existing law, and showing that the Senate is following the obiter dicta suggestion of the Supreme Court in the Lapina case, supra, that the insertion of exceptions shall "negative any other and implied exception." I trust, however, that upon reading the foregoing you may reach the conclusion that the Senate committee amendment should be adopted as proposed.

Very truly, yours,

J. B. DENSMORE,
Acting Secretary.

MEMORANDUM SHOWING SOME TYPICAL CASES OF ALIEN CONTRACT LABORERS ADMITTED TO THE UNITED STATES ON THE BASIS OF THE OPINION OF THE ATTORNEY GENERAL DATED JUNE 2, 1909 (27 OPS., 383).

CASE OF HENRY STOWE.

An English-Canadian railroad section hand, imported by the New York Central Railroad for service as a section foreman on its tracks. Admitted by the Department of Commerce and Labor on January 8, 1912, as a "mental laborer."

CASE OF CHARLES EDWARD CLARKE.

English-Canadian loom repairer, rejected by the board of special inquiry at Port Huron, Mich., on September 21, 1911, the record being forwarded to the department on September 26 by the officer in charge with the recommendation that the appeal be sustained, as the claim had been made, and not disproved, that the alien was to be employed as foreman in a woolen mill that had advertised for an employee of that kind in a foreign newspaper, and that the mental elements would predominate in such employment. The alien, without waiting for the decision of the appeal, entered the United States surreptitiously and was later found in the employ of the mill in the capacity of an ordinary workman, showing that he was being imported under the guise of a foreman, a subterfuge quite frequently resorted to, whereupon he was arrested and deported.

CASE OF ANDRE PIGNARD.

A French silk-tulle weaver, admitted by the department on March 5, 1912, it appearing from the record that he was to occupy the position of foreman in a silk-manufacturing mill, it also being claimed that labor of like kind, unemployed, could not at the time be found in the United States.

NOTE.—The above cases sufficiently illustrate the effect of the Attorney General's opinion upon the admission of superintendents, overseers, and foremen, and skilled laborers employed in like capacity.

CASE OF GEORGE DAVIES.

English golf links "green keeper," admitted by the department on March 11, 1912, because it was found that the alien was to supervise the work of the ordinary laborers in keeping the golf links of the club importing him in proper condition.

CASE OF HARRY HOUGHTON.

English-Canadian car weigher, admitted by the department on October 31, 1910, having been imported by one of the railroad companies for employment as a weigher of cars. The opinion of the Attorney General was relied upon and the conclusion reached that the weighing of railway cars was more mental than manual in character.

CASE OF EUGENE PARE.

French-Canadian telegraph operator, admitted by the department on February 28, 1911, being imported by a railroad company to work at his trade, the decision being that such occupation is of a more mental than manual nature.

CASE OF WILLIAM JOHN SELDON AND FREDERICK CHARLES BROWN.

English-Canadian musicians (members of a band), admitted by the department on May 19, 1910, being under contract to serve as musicians with "Kemp's Wild West Show" at $8 per week. In this case the bureau recommended exclusion, but the department overruled the recommendation and ordered the aliens landed, it being considered that the playing of music did not involve manual labor, or, at least, that the mental element predominated.

CASE OF ANTONIO CAYOL AND MANUEL FERREIRA PEREZ.

Spanish boys, attempting, in March, 1910, to enter Porto Rico to accept employment previously contracted for in retail merchandise houses. The bureau recommended exclusion, holding that, inasmuch as the boys were mere apprentices and would be obliged, for some time at least, to perform the ordinary heavy work around the store, the manual element predominated; but such recommendation was overruled by the department and the aliens landed upon the theory that the occupation of salesman in the store is a mental occupation.

CASE OF JOHN A. WATSON.

Scotch-Canadian clerk, admitted by the department on December 3, 1909, being under contract to accept employment as clerk in a dry-goods house. The bureau recommended exclusion, expressing the view that selling dry goods over a counter was an occupation in which the manual elements exceeded the mental, but the department ruled otherwise.

CASE OF ALBERT LEVY.

Turkish boy, imported by a post-card house in St. Louis to fill the position of salesman or "hawker" of picture post cards. Secured admission on primary inspection by not disclosing the facts regarding the offer of employment, but was subsequently arrested. Finally released by the department on March 9, 1912, the holding being that the occupation was mental rather than manual.

NOTE.—The above cases sufficiently illustrate how efforts to administer the law in such a way as to follow the distinction laid down in the Attorney General's opinion necessarily constantly tend toward the cutting down of the provisions of the statute and the admission to the country of all alien workmen with respect to whom it is not clearly shown that the occupation is of a strictly manual nature.

CASE OF OMER DUBE AND JEAN DESAUTELS.

French-Canadian organ mechanics, rejected by the department in May, 1912, on the ground that the claim that the aliens were to be employed as foremen in an organ factory was not established by the evidence; later admitted on the basis of additional evidence showing that the work they were to perform was of a peculiarly skilled nature and that men capable of performing it could not be found unemployed in the United States.

NOTE.—The case last given illustrates not only the fact that employers are every ready to seize upon the pretext that alien employees are being brought in for supervisory work, that being a claim easy to set up and difficult to disprove, but also the fact that it is perfectly easy for employers to import foreign skilled help when there is a real scarcity or nonexistence of such help in the United States, the department being willing to admit upon the second claim, although the importers had failed to prove the first claim to its satisfaction.

The VICE PRESIDENT. The question is on agreeing to the amendment of the committee.

The amendment was agreed to.

The SECRETARY. The next amendment passed over is on page 14, line 4, after the word "solicit," to insert the words "or attempt to induce, assist, encourage, or solicit."

Mr. REED. Mr. President, has the committee some suggestion to make with reference to this amendment?

Mr. SMITH of South Carolina. Mr. President, the committee has no suggestions to make. This language was put in at the

suggestion of the solicitors charged with the legal administration of the provision. They asked that we insert it in order to avoid certain difficulties they had already experienced in the interpretation of the provision, and at the worst it can only be a strained construction. I think it is all right as it is. The committee has no suggestions to make.

Mr. REED. Mr. President, it has been repeatedly said by Senators who have debated this bill that under the law as it is here proposed, if a citizen of this country were merely to write a letter to an alien stating the advantages of this country he would thereby become liable to punishment. The Senator from North Dakota [Mr. GRONNA] mentioned a case which, as he stated it, was a very aggravated one.

I have not had an opportunity to examine these phases of the bill. If it is susceptible of such a construction as that, it ought not to be enacted. If it is not susceptible of that construction, the fact ought to be known. So far as I am concerned, I am making these remarks now in order that if there is any Senator who has any further light to give us we may have it.

I want to prohibit contract labor being brought into this country, but I do not want to help pass a law that will result in the punishment of a man for merely stating the advantages of this country.

Mr. GRONNA. Mr. President, I am opposed to this amendment, and I hope the amendment of the committee will not prevail.

The contract-labor law is very drastic now. The law as it was passed in 1907—and that was the law for some years, I believe—provides as follows:

That the following classes of aliens shall be excluded from admission into the United States: * * * persons hereinafter called contract laborers who have been induced or solicited to migrate to this country by offers or promises of employment or in consequence of agreements, oral, written, or printed, expressed or implied, to perform labor in this country of any kind, skilled or unskilled.

I believe that provision is about as drastic as it ought to be. I believe the language used in the proposed amendment goes even further than the Senator from Missouri has stated. I believe it would be possible to construe it so that if some friend of a prospective immigrant should go to a bank and ask for a loan to assist his friend to purchase a ticket, that could be construed to be a violation of law.

I think it is wholly unnecessary to embody in the law a provision so drastic as this one is, and I ask for a roll call on the amendment because I shall vote against it.

The VICE PRESIDENT. The Senator from North Dakota calls for the yeas and nays.

The yeas and nays were ordered.

Mr. JONES. Mr. President, I ask that the amendment may be stated.

The SECRETARY. On page 14, lines 4 and 5, after the word "solicit" and the comma, it is proposed to insert "or attempt to induce, assist, encourage, or solicit."

Mr. SMITH of South Carolina. Mr. President, before the roll call begins, do I understand that the Senator from North Dakota has moved to strike out, and that a vote in the affirmative is a vote in favor of striking out?

The VICE PRESIDENT. Oh, no. The Senator from North Dakota asks for the yeas and nays on the committee amendment. The question will be on agreeing to the committee amendment. Those who are in favor of the amendment will vote "yea"; those who are opposed to it will vote "nay." The Secretary will call the roll.

The Secretary proceeded to call the roll.

Mr. GALLINGER (when his name was called). I have a general pair with the junior Senator from New York [Mr. O'GORMAN]. I transfer that pair to the senior Senator from Connecticut [Mr. BRANDEGEE] and will vote. I vote "yea."

Mr. THORNTON (when Mr. O'GORMAN's name was called). I desire to announce the necessary absence of the junior Senator from New York [Mr. O'GORMAN].

Mr. THORNTON (when Mr. RANSDELL's name was called). I desire to announce the necessary absence of my colleague [Mr. RANSDELL] on public business.

Mr. SAULSBURY (when his name was called). I transfer my pair with the junior Senator from Rhode Island [Mr. COLT] to the junior Senator from Florida [Mr. BRYAN] and will vote. I vote "yea."

Mr. TILLMAN (when his name was called). I transfer my pair with the junior Senator from West Virginia [Mr. GOFF] to the junior Senator from Maryland [Mr. LEE] and will vote. I vote "yea."

Mr. VARDAMAN (when his name was called). I have a general pair with the junior Senator from Idaho [Mr. BRADY]. I transfer that pair to the senior Senator from Nevada [Mr. NEWLANDS] and will vote. I vote "yea."

The roll call was concluded.

Mr. STONE. I have a general pair with the senior Senator from Wyoming [Mr. CLARK]. I do not see him present, and I therefore withhold my vote.

Mr. CHILTON. I have a pair with the senior Senator from New Mexico [Mr. FALL], which I transfer to the senior Senator from Illinois [Mr. LEWIS] and will vote. I vote "yea."

Mr. CLAPP. I have a general pair with the senior Senator from North Carolina [Mr. SIMMONS]. I am informed that if he were present he would vote as I shall vote. I therefore vote "yea."

Mr. DU PONT. I wish to inquire whether the senior Senator from Texas [Mr. CULBERSON] has voted?

The VICE PRESIDENT. He has not.

Mr. DU PONT. As I have a general pair with him, I withhold my vote.

Mr. GRONNA. I inquire whether the senior Senator from Maine [Mr. JOHNSON] has voted?

The VICE PRESIDENT. He has not.

Mr. GRONNA. I have a general pair with that Senator, which I transfer to my colleague [Mr. MCCUMBER] and will vote. I vote "nay."

Mr. JAMES. I have a general pair with the junior Senator from Massachusetts [Mr. WEEKS]. I am informed by his colleague [Mr. LODGE] that if the junior Senator from Massachusetts were present he would vote as I shall vote. I therefore vote "yea."

Mr. POINDEXTER. I desire to state that the senior Senator from Maine [Mr. JOHNSON] and the junior Senator from Florida [Mr. BRYAN] are engaged on business of the Senate at a hearing before the subcommittee of the Committee on Naval Affairs.

Mr. WALSH. I transfer my pair with the senior Senator from Rhode Island [Mr. LIPPITT] to the junior Senator from Tennessee [Mr. SHIELDS] and will vote. I vote "yea."

Mr. SMITH of Michigan. My colleague [Mr. TOWNSEND] is temporarily absent from the Chamber. If he were present, he would vote "yea."

The result was announced—yeas 45, nays 6, as follows:

YEAS—45.

Chamberlain	Kern	Reed	Thomas
Chilton	Lane	Robinson	Thompson
Clapp	Lea, Tenn.	Root	Thornton
Cummins	Lodge	Saulsbury	Tillman
Dillingham	Martin, Va.	Shafroth	Vardaman
Fletcher	Norris	Sheppard	Walsh
Gallinger	Oliver	Sherman	White
Gore	Overman	Smith, Ariz.	Williams
Hardwick	Page	Smith, Ga.	Works
James	Penrose	Smith, Mich.	
Jones	Perkins	Smith, S. C.	
Kenyon	Poindexter	Smoot	

NAYS—6.

Catron	Gronna	Pomerene	Sterling
Crawford	Martine, N. J.		

NOT VOTING—45.

Ashurst	Colt	Lippitt	Simmons
Bankhead	Culberson	McCumber	Smith, Md.
Borah	du Pont	McLean	Stephenson
Brady	Fall	Myers	Stone
Brandegee	Goff	Nelson	Sutherland
Bristow	Hitchcock	Newlands	Swanson
Bryan	Hollis	O'Gorman	Townsend
Burleigh	Hughes	Owen	Warren
Burton	Johnson	Pittman	Weeks
Camden	La Follette	Ransdell	
Clark, Wyo.	Lee, Md.	Shields	
Clarke, Ark.	Lewis	Shively	

So the amendment of the committee was agreed to.

The SECRETARY. The next amendment passed over is, on page 14, line 8, after the word "act," to insert: "and have been imported with the permission of the Secretary of Labor in accordance with said section."

The amendment was agreed to.

The SECRETARY. The next amendment passed over is, on page 15, line 5, after the word "solicit," to insert "or attempt to induce, assist, encourage, or solicit."

The amendment was agreed to.

The SECRETARY. The next amendment passed over is, on page 18, line 23, after the word "any," to strike out the words "mental or."

Mr. REED. Mr. President, I move, as a substitute for the committee amendment, to insert, after the word "mental," the words "defect other than those above specifically named," so that, if amended, the clause will read:

It shall also be unlawful for any such person to bring to any port of the United States any alien afflicted with any mental defect other than those above specifically named, or physical defect of a nature—

And so forth.

Mr. SMITH of South Carolina. On behalf of the committee, I accept that amendment.

The VICE PRESIDENT. The amendment will be stated.

The SECRETARY. On page 18, line 23, after the word "mental," it is proposed to insert the words "defect other than those above specifically named."

The VICE PRESIDENT. The committee amendment will be disagreed to, then, without objection. The question is on the amendment of the Senator from Missouri, which proposes to insert, after the word "mental," the words "defect other than those above specifically named."

The amendment was agreed to.

The SECRETARY. The next amendment passed over is on page 19, line 5, after the word "such," to strike out the words "mental or."

Mr. LODGE. That is the same thing.

Mr. REED. The words "mental or" ought not to be stricken out there. They ought to remain in. The committee amendment simply ought to be withdrawn, in order to make it conform to the language previously used.

Mr. SMITH of South Carolina. Mr. President, the subsequent amendment, after the adoption of the amendment of the Senator from Missouri, would be simply accepting the Senate amendment striking out the words "mental or."

Mr. REED. No; you want "mental" here. We have provided for a "mental defect other than those above specifically mentioned," and therefore the word "mental" ought to remain in the bill.

Mr. SMITH of South Carolina. Very well, Mr. President. I accept the amendment, and the committee recedes from its amendment.

The VICE PRESIDENT. Let the Chair understand the situation. Is the same language to be inserted on page 19 that was inserted at the foot of page 18?

Mr. SMITH of South Carolina. No; just leave out the amendment.

The VICE PRESIDENT. The question is on agreeing to the committee amendment.

The amendment was rejected.

The VICE PRESIDENT. All the committee amendments have been disposed of now save the amendment on page 2, which has been passed over to await the return of the Senator from New York and the Senator from Minnesota.

Mr. GALLINGER. Mr. President, a few days ago I raised a question as to the phrase "constitutional psychopathic inferiority." I afterwards withdrew any objection to it. I desire to have read, for the information of the Senate, a letter which discusses that somewhat peculiar phrase.

The VICE PRESIDENT. Is there objection? The Chair hears none.

Mr. SMITH of South Carolina. I should like to have the attention of the Senator from Missouri for a moment.

Mr. GALLINGER. Let the letter be read that I sent to the desk.

Mr. SMITH of South Carolina. Very well.

The Secretary read as follows:

THE NATIONAL COMMITTEE FOR MENTAL HYGIENE,
50 UNION SQUARE, NEW YORK CITY, *December 12, 1914.*

Hon. JACOB H. GALLINGER,
United States Senate, Washington, D. C.

MY DEAR SENATOR GALLINGER: My attention has been called to the debate in the Senate—December 10, 1914—on the proposed amendment to the immigration law which adds "constitutional psychopathic inferiority" to the excludable conditions.

This is one of the amendments which was suggested by a number of officials dealing with insanity and mental deficiency in the different States and by bodies of alienists last winter. It has been urged by the National Committee for Mental Hygiene, the American Medico-Psychological Association, the New York Psychiatrical Society, the National Association for the Study of Epilepsy, the Mental Hygiene Committee of the New York State Charities' Aid Association, and by a number of State medical societies. It was also recommended by Mr. Spencer L. Dawes in his report to the governor of New York as special commissioner on the alien insane; by Dr. L. Vernon Briggs, representing the Massachusetts State Board of Insanity; by Dr. Frank Woodbury, representing the committee in lunacy of the Pennsylvania State Board of Charities; and by Dr. Hugh Young, representing the Maryland State Lunacy Commission.

It is felt by all who have devoted especial study to the matter that the elimination of any of the amendments proposed for the exclusion of insane and mentally defective immigrants would be a distinct loss, for all of them were suggested only after very careful study of the problem at ports of entry and in public institutions of the United States which bear the heavy burden of the care of insane and mentally defective aliens.

Respectfully, yours, THOMAS W. SALMON.

Mr. GALLINGER. Inclosed in that letter from Dr. Salmon, who is a very distinguished physician, is a memorandum entitled "Reasons for adding 'constitutional psychopathic inferiority' to the excludable classes named in the immigration law." This is a very interesting memorandum, which I think possibly the conference committee might want to examine if there is any controversy over this matter, and I ask that without reading it be printed in connection with the letter just read.

The VICE PRESIDENT. Is there objection? The Chair hears none.

The memorandum referred to is as follows:

REASONS FOR ADDING "CONSTITUTIONAL PSYCHOPATHIC INFERIORITY" TO THE EXCLUDABLE CLASSES NAMED IN THE IMMIGRATION LAW.

The Government medical officer who is examining immigrants must certify diseased conditions which he finds in the precise language of the immigration law. In no other way can the question of the admission or exclusion of the immigrant be brought before the boards of special inquiry which have the power of deciding the matter. For this reason it is absolutely necessary that medical terms in the immigration law should admit of only one interpretation. In order to do this such terms must be those in recognized use in medicine in this country at the present time. Thus, the term "tuberculosis," which has been in the immigration law since 1907, was used instead of "consumption," because it had a more precise meaning.

The amendments to the immigration bill now under consideration were urged upon Congress to afford this country better protection against the admission of insane or mentally defective immigrants and those likely to become insane than it has at the present time. If this purpose is to be accomplished, the law must name the conditions which it is desired to exclude by terms which will be incapable of misinterpretation by the examining medical officers upon whom the great responsibility of diagnosis rests.

If, as has happened in this case, a term unfamiliar to laymen and unfamiliar to some physicians not engaged in the special field of the alienist has to be used, it is an unfortunate but unavoidable necessity. The term "constitutional psychopathic inferiority" has a definite meaning in that branch of medical science which devotes itself to diseases of the mind.

Definitions are often less illuminating than descriptions, but this term can be defined with approximate correctness as a congenital defect in the emotional or volitional fields of mental activity which results in inability to make proper adjustments to the environment.

The present immigration law specifically mentions idiots, imbeciles, and feeble-minded persons as those whose exclusion is mandatory, and also mentions insane persons and those who have had former attacks of mental disease. Between those enumerated there is an important class which can best be described by the term "constitutional psychopathic inferiority." This condition, while not properly described as insanity or as mental deficiency, in which term we include idiocy, imbecility, and feeble-mindedness, is nevertheless the foundation for most of the types of mental disease. In many instances it is quite impossible, even with the most careful examination, to recognize the existence of constitutional psychopathic inferiority. The life history of the patient is often required for this purpose, but this is not a satisfactory reason for failing to make use of the term in an immigration law, for it is equally true that prostitutes, contract laborers, and persons belonging to many other excludable classes can not all be detected by an examination at the port of entry. It is true, however, that a competent medical examination can detect many cases of constitutional psychopathic inferiority, and that the present medical examination at Ellis Island and other ports of entry does detect such cases, but without avail, as there is no provision in the law for their exclusion.

It is necessary that persons with this condition should not be confounded from those who suffer from a purely intellectual defect. Many persons with marked evidence of constitutional psychopathic inferiority acquire knowledge with ease, and some graduate from college. Their inability to make use of acquired knowledge in governing their lives or meeting the various difficult situations which laws, social customs, and other environmental factors impose characterize the persons who possess constitutional psychopathic inferiority. Inability to make satisfactory adjustment to these factors often results in crime, and thus we find large numbers of persons in this class in the correctional institutions of this country. Those in whom constitutional psychopathic inferiority is shown, particularly in volitional fields, constitute a considerable proportion of habitual petty criminals, vagrants, tramps, and ne'er-do-wells, whose management is an important social problem. They yield readily to temptations of various kinds, and thus we find that a very large proportion of prostitutes, drug habitues, and alcoholics have constitutional psychopathic inferiority. The acquisition of information which would enable a normal person to support himself and his family and become a useful citizen is entirely wasted upon those who lack the power to make a proper choice in conduct or who lack the motive force to carry out any project requiring consecutive effort.

This term is in constant use as a classification of patients admitted to public hospitals for the insane. It means a very definite condition to those who are engaged in the special field of psychiatry. It has its place in textbooks on this subject, and a number of articles have appeared in current medical literature dealing with this condition.

The two following medical articles are general in their treatment of the subject and give very clear pictures of the condition which is described by this term:

"Constitutional inferiority and its psychoses," by Dr. C. P. Oberndorf, Journal of the American Medical Association, vol. 58, pp. 249–252. "Psychic constitutional inferiority—some fundamental conceptions," by Dr. Morris J. Karpas, New York Medical Journal, vol. 97, pp. 594–598.

Mr. SMITH of South Carolina. The committee amendments having been completed, I ask that the bill be temporarily laid aside.

Mr. GALLINGER. There is one amendment which was not agreed to.

Mr. SMITH of South Carolina. That is understood. There is one amendment that went over.

Mr. KERN. I move that the Senate adjourn.

The motion was agreed to, and (at 5 o'clock and 2 minutes p. m.) the Senate adjourned until to-morrow, Wednesday, December 16, 1914, at 12 o'clock meridian.

HOUSE OF REPRESENTATIVES.

TUESDAY, *December 15, 1914.*

The House met at 11 o'clock a. m.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

We thank Thee, our Father in heaven, for that mysterious providence which shapes our ends, rough-hew them how we may; for that wonderful patience and that love which suffereth long and is kind.

In our supremest moments Thou art with us; in our moments of defeat Thou dost wait upon us. When we stand on the mountain top of hope Thou art with us; when we are cast down into the valley of despair Thou dost wait upon us. When we are strong to resist temptation Thou art with us, and when we fall into sin Thou dost wait upon us. When our hearts are filled with the love of dear ones Thou art with us, and when they are taken from us Thou dost comfort and sustain us.

Though the mills of God grind slowly, yet they grind exceeding small;
Though with patience He stands waiting, with exactness grinds He all.

The end justifies the means, for in the dispensation of Thy providence Thou art working out for us a more exceeding weight of glory.

Help us to be true to ourselves, to others, and to Thee. In the spirit of the Master. Amen.

The Journal of the proceedings of yesterday was read and approved.

HOLIDAY RECESS.

Mr. UNDERWOOD. Mr. Speaker, I move the adoption of the resolution which I send to the Clerk's desk.

The SPEAKER. The gentleman sends up a privileged resolution, which the Clerk will report.

The Clerk read as follows:

House concurrent resolution 55.

Resolved by the House of Representatives (the Senate concurring), That when the two Houses adjourn December 23, 1914, they stand adjourned until 12 o'clock meridian on Tuesday, December 29, 1914.

Mr. UNDERWOOD. Mr. Speaker, I will say to the House that I have consulted the majority leader of the Senate in reference to this resolution and have agreed with him to this time of adjournment. He states that the terms of the resolution will be satisfactory to the Senate.

Mr. FITZGERALD. Is it intended to take any adjournment over New Year's?

Mr. UNDERWOOD. I do not think it is necessary to take any adjournment over New Year's by concurrent action of the two Houses. When we get to that day we can determine that matter.

Mr. FITZGERALD. So that there may be some knowledge given to the Members of what the intention is, will the gentleman state just what it is?

Mr. UNDERWOOD. I will say to the gentleman from New York that I think if appropriation bills are ready and pushing when we reach New Year's Day we ought to go ahead with them. If they are not, why, as far as I am concerned, I shall be perfectly willing to adjourn over the day; but I think if there are appropriation bills here that require attention we ought to go on and dispose of them.

Mr. FITZGERALD. The purpose is not to adjourn for more than one or two days at the most?

Mr. UNDERWOOD. No; not at all.

Mr. MANN. Will the gentleman yield?

Mr. UNDERWOOD. I yield to the gentleman from Illinois.

Mr. MANN. Why not adjourn on Thursday preceding New Year's until the following Monday? The appropriation bills are getting along pretty fast, and I think we will get along faster with that understanding than we will without it.

Mr. UNDERWOOD. I will say to the gentleman from Illinois that when that time comes, as far as I am concerned, I shall be glad, as I always am, to follow the wishes of the House; but I find a very strong sentiment on this side of the House, among a large majority of the Members here, in favor of having a short Christmas holiday and disposing of the appropriation bills as rapidly as possible.

Mr. MANN. I suppose gentlemen on that side of the House may talk a little bit differently to the gentleman from Alabama than they do to me, and different gentlemen talk differently. I have had a great many protests from that side of the House.

Mr. UNDERWOOD. Well, I have had a few, but I have found in talking to Members on this side of the House that a very large majority of them are anxious to dispose of the appropriation bills and be assured that we will get them through at an early date and have no cause for an extra session.

Mr. FITZGERALD. Why should anybody protest to the gentleman from Illinois? He is not running the House.

Mr. MANN. There are so many who think they are that they protest generally.

Mr. STAFFORD. Has the gentleman considered adjourning early enough so as to give Members who live in the Middle West time to get to their homes before Christmas?

Mr. UNDERWOOD. This adjournment on Wednesday evening will allow every man who lives this side of the Mississippi River to get home if he wants to, and Members who live on the other side of the Mississippi River do not usually go home for the Christmas holidays.

Mr. STAFFORD. If we are in session until late Wednesday night previous to Christmas, it will not permit men living this side of the Mississippi River to get home until Christmas Day, and that is not a very opportune time to begin the celebration of the Christmas holidays at home.

Mr. UNDERWOOD. Wednesday is Calendar Wednesday, and, as a general rule, the attendance is not very full on that day. I have no doubt that the Members who have to get away on Wednesday afternoon can make arrangements so that they can get away.

Mr. STAFFORD. I understood that a special rule was going to be brought in to take up the prohibition amendment on Tuesday and provide 10 hours' debate, which would run over into Calendar Wednesday.

Mr. UNDERWOOD. I will say to the gentleman from Wisconsin that one reason why I desire not to adjourn until Wednesday night is that I want to give an opportunity for the Rules Committee to bring out the rule for the consideration of the prohibition amendment on Tuesday. Personally I am opposed to the constitutional amendment, and when the time comes to vote on the amendment I intend to vote against it; but there are a large number of people in the United States who are demanding a vote on that question, and it has been the policy of the Democratic Party since it has been in control of this Government not to suppress votes on great questions when there are a large number of people demanding consideration, even if they are in the minority, as I think they will be on this question. I think that question ought to be disposed of, and it will be better to dispose of it before the Christmas holidays and have it out of the way before we settle down to the work of the session afterwards.

Mr. MADDEN. The gentleman intends to give them that for a Christmas present?

Mr. UNDERWOOD. Although I intend to vote against the constitutional amendment, I will vote for the rule for its consideration, and I hope the Rules Committee may give an opportunity to take up the resolution and dispose of it on to-day week.

Mr. STAFFORD. Does not the gentleman think that a week from Tuesday is an opportune time for Members to leave for home and escape voting on an important constitutional amendment?

Mr. UNDERWOOD. I will say to the gentleman that probably some Members may not want to vote on that resolution. If they do not, they will find an excuse on any day in the year not to be here. But Members who want to go on record, I have no doubt, will all be here on Tuesday unless some unforeseen event keeps them away.

The SPEAKER. The question is on the resolution offered by the gentleman from Alabama.

The question was taken, and the resolution was agreed to.

LEGISLATIVE, EXECUTIVE, AND JUDICIAL APPROPRIATION BILL.

Mr. JOHNSON of South Carolina. Mr. Speaker, I move that the House resolve itself into Committee of the Whole House on the state of the Union for the further consideration of the legislative, executive, and judicial appropriation bill.

The motion was agreed to.

Accordingly the House resolved itself into Committee of the Whole House on the state of the Union, with Mr. FOSTER in the chair.

The CHAIRMAN. The House is now in Committee of the Whole House on the state of the Union for the further consideration of the bill of which the Clerk will read the title.

The Clerk read as follows:

A bill (H. R. 19909) making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1916, and for other purposes.

The CHAIRMAN. The Clerk will read the bill.

The Clerk read as follows:

For compensation of Senators, $720,000.

Mr. MANN. Mr. Chairman, I move to strike out the last word. We adjourned until 11 o'clock this morning, and I presume that a large share of the membership of the House may have failed to get the notice that the House was to meet at 11 o'clock. Why not pass over the mileage item until later in the day when Members will have come in?

Mr. JOHNSON of South Carolina. Mr. Chairman, I ask unanimous consent that we pass over the provision for mileage until about 12.30 o'clock to-day.

Mr. MADDEN. Reserving the right to object, it seems to me that it is the duty of Members to be here, and that this is an item in which all Members are interested. They will not be here until 12 o'clock unless we have a call of the House, and we will have to have a call of the House anyway. I make the point of no quorum.

Mr. MANN. I do not think we would have to have a call of the House.

Mr. MADDEN. Very well, then, Mr. Chairman, I will withdraw the point of no quorum, but if they are not in at that time, I shall renew the point.

Mr. JOHNSON of South Carolina. I ask unanimous consent, Mr. Chairman, that we pass over lines 4 to 11 until 12.30 o'clock.

The CHAIRMAN. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

The Clerk read as follows:

For mileage of Representatives, Delegates, and expenses of Resident Commissioners, $43,750.

Mr. JOHNSON of South Carolina. Mr. Chairman, I ask unanimous consent that that paragraph be passed over until it can be taken up in connection with the like provision that we have already passed over for mileage.

The CHAIRMAN. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

The Clerk read as follows:

Under Superintendent of the Capitol Building and Grounds: Chief engineer, $1,900; assistant engineers—3 at $1,300 each, 1 at $1,200; 24 elevator conductors, including 14 for service in the House Office Building, at $1,200 each, who shall be under the supervision and direction of the Superintendent of the Capitol Building and Grounds; machinist, $1,300; electrician, $1,200; 3 laborers, at $800 each; in all, $40,700.

Mr. HAMLIN. Mr. Chairman, I offer the following amendment: On page 14, line 1, strike out the word "three" at the beginning of the line and insert the word "four," and strike out in the same line the word and figures "one at $1,200," so that it will read "assistant engineers, 4 at $1,300 each."

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 14, line 1, strike out the word "three" at the beginning of the line and insert the word "four." Strike out in the same line the figures "$1,200," so that the line will read "assistant engineers, 4 at $1,300 each."

Mr. JOHNSON of South Carolina. Mr. Chairman, I reserve a point of order against the amendment.

Mr. HAMLIN. Mr. Chairman, I do not think it is subject to a point of order. I would like to make a statement to the committee as to why I offer the amendment. The man who now occupies the office as fourth assistant engineer has been in the service for about 29 years. He is a very competent man, and Congress, very kindly, a few years ago promoted him from fireman to assistant engineer, on the recommendation of the superintendent of public buildings and grounds. He is doing the same work as the other assistant engineers. I simply offer the amendment in the interest of justice and right between man and man. I feel that he is entitled to the same pay that the other three assistant engineers are receiving.

It only means an increase of a little over $8 a month, but that means a whole lot to this man. Aside from the question of dollars and cents, I feel that, inasmuch as he holds the same position, has the same responsibilities, and does the same work that the other assistant engineers do, he is entitled to the same pay. It is true that they use him sometimes as an elevator conductor. He never complained at any assignment that is made. Only recently, during this last session—and I am registering no complaint about it—he was designated to run the elevator on a usual shift, working the usual number of hours, and then notified that when his shift was up as conductor he should report at the heating and ventilating department and continue his work there as assistant engineer. He was not to draw any more money than the elevator man who would get off after his shift was up and go home. But this man does not complain and is not complaining. I feel it is a matter of right and justice that, inasmuch as he occupies the position of assistant engineer and does the work and is subject to call at any time, that he ought to have the same pay that the other engineers have. I submit it to the committee and appeal to their judgment to treat this man as they are treating the others.

Mr. GOULDEN. Mr. Chairman, will the gentleman yield?

Mr. HAMLIN. Certainly.

Mr. GOULDEN. How long has he been occupying this position as assistant engineer?

Mr. HAMLIN. I think this is his second year as assistant engineer, but he has been in the department over 29 years. He used to shovel coal down there. He has given the best part of his life to this work, and I only ask for him equal treatment with the others.

Mr. JOHNSON of South Carolina. Mr. Chairman, we increased the salary of this particular man from $800 to $1,200 two years ago in the legislative bill, and, in view of the very generous action of the Committee on Appropriations in dealing with him, I think I must insist on the point of order at this time. We are not increasing any salaries.

The CHAIRMAN. Is this salary fixed by law?

Mr. FITZGERALD. Mr. Chairman, every salary in this bill is the salary fixed by law under the provision of the last legislative bill.

Mr. MANN. Mr. Chairman, this amendment is clearly not subject to the point of order.

Mr. HAMLIN. I think not.

Mr. FITZGERALD. It is.

Mr. MANN. Not at all. Here is a proposition to increase the number of assistant engineers from three to four. The number is not fixed by law. It may be said by some that striking out the provision for an engineer at $1,200 and adding one to the $1,300 class is raising a man's salary; but that is a presumption indulged in by the man, and the chances are that he would not hold the job.

The CHAIRMAN. Does the law fix the number at three?

Mr. MANN. The law does not fix the number. Every appropriation bill has to be left so that the number of the ordinary employees can be increased. Take the Post Office bill, for example, which is soon to be considered in the House. We constantly increase the number of employees in one class and reduce the number of employees in another class, although some of them may thereby be promoted. A proposition to raise the salary of a man from $1,200 to $1,300 would be subject to the point of order, but an amendment to increase the number of employees at a particular salary, where the number is not fixed by law, is not subject to the point of order.

The CHAIRMAN. The Chair overrules the point of order.

Mr. FITZGERALD. Mr. Chairman, the Chair has ruled, but I desire to call the attention of the Chair to the fact that the amendment in terms provides for the increase of the salary.

Mr. MANN. Oh, no; it does not.

Mr. FITZGERALD. The gentleman explained that was the purpose of it. It increases the number receiving $1,300 by one and strikes out the provision for one at $1,200.

Mr. MANN. The gentleman knows that one of these appropriation bills would not last 15 minutes if we could not increase the number of employees receiving certain salaries. That is done all through this bill. Does the gentleman want a point of order made every time we respond to the needs of the department and increase the number of employees in a certain class where the number is not fixed by law?

Mr. FITZGERALD. Three years ago the gentleman from Missouri [Mr. HAMLIN] made a very pathetic appeal to the Committee of the Whole House on the state of the Union requesting that the compensation of this particular man be increased from $800 to $1,200, and he stated that while he was classified as a fireman, yet in effect he was doing the work of an assistant engineer—that he was a man of long and faithful service; and it was stated then that the matter would be inquired into at the following session. I think it was at the following session that the matter was looked into carefully, and it was ascertained that the man had been employed for a number of years, had rendered faithful service, and was performing other duties than those strictly of an assistant engineer. Upon the recommendation of the Committee on Appropriations the compensation was increased from $800 to $1,200 a year, and we have now a repetition of the old story. Let the camel get his nose under the tent and he will soon have his entire body under it, if he is once given the opportunity. It is urged here now that there are three assistant engineers who receive $1,300 a year each, and that this man's work is really similar to theirs, and that, therefore, he should get $1,300 a year. His work is not similar and the services rendered are not similar. He is paid fairly for the services that he renders. There is no request or recommendation that any further increase be granted to him, and I hope the committee will not agree to the amendment.

The CHAIRMAN. The question is on agreeing to the amendment.

Mr. HAMLIN. Mr. Chairman, just one word. There is no criticism that I offer of the Appropriations Committee. They did raise the salary of this man, after we waited a year, from $800 to $1,200 on the statement, as just made by the gentleman from New York [Mr. FITZGERALD], that he was really doing the work of an assistant engineer and only drawing $800 a year. It was a tardy recognition of this poor fellow's services. There is no question in the world about that, but they ought to have made it $1,300 at that time. They did not do it.

Mr. PAGE of North Carolina. Mr. Chairman, will the gentleman yield?

Mr. HAMLIN. Yes.

Mr. PAGE of North Carolina. Mr. Chairman, the gentleman makes the statement that this man is performing exactly the services of the other three men, although by the gentleman's former statement he is not. He is also put at other things, which would tend to show that they do not need four assistant engineers at this place.

Mr. HAMLIN. They do need him, and he takes his shift as an assistant engineer whenever they call upon him to do so. As I stated a while ago, when they need an extra elevator man and they do not need the services of this fourth assistant engineer they put him on the elevator, and they make him work the full time of an elevator man and then require him to report down at the other department and put in extra hours as an assistant engineer.

Mr. FITZGERALD. Oh, no.

Mr. HAMLIN. Oh, yes. I beg the gentleman's pardon, but that is correct. That has occurred within the last three or four months.

Mr. MANN. Mr. Chairman, will the gentleman yield?

Mr. HAMLIN. Yes.

Mr. MANN. If we should increase this man's salary from $1,200 to $1,300 while he is performing the duties of an elevator man, would we not then be required to increase the salaries of the other elevator men from $1,200 to $1,300?

Mr. HAMLIN. I think not, but I am glad the gentleman has raised that question.

Mr. MANN. They would surely think so.

Mr. HAMLIN. I want this fully understood before the vote is had. I think not, because this man not only performs the work of an elevator man when he is assigned to an elevator—and he is not assigned to an elevator every day by any means, his work is primarily that of an assistant engineer—but when they need an extra man they assign him to do that work. They not only require him to do the work of an elevator man, but they tell him, "When you have finished your hours as an elevator man you can report back down to our department and we have work for you there." That has not only occurred once, but day after day where he has worked as an elevator man during the hours assigned to the elevator men and then has gone to work as an assistant engineer.

Mr. FITZGERALD. Mr. Chairman, the truth of the matter is——

Mr. HAMLIN. That is true, if the gentleman will permit me.

Mr. FITZGERALD. The elevator men were permitted to go home in order to register, and arrangements were made that some other men employed in other positions be detailed to do their work.

Mr. HAMLIN. Oh, no.

Mr. FITZGERALD. I know what I am talking about, because I had something to do with it. This man is a sort of general utility man——

Mr. MANN. Oh, no.

Mr. FITZGERALD. I beg the gentleman's pardon, but I know.

Mr. HAMLIN. I beg the gentleman's pardon also, and I know that he has done elevator work and he has been required to report down there and do other work after elevator hours were over when there was no registration on at no time near election time.

Mr. ADAIR. Will the gentleman permit me a question?

Mr. HAMLIN. Yes.

Mr. ADAIR. Is this gentleman you refer to working more than eight hours a day?

Mr. HAMLIN. He sometimes works more than eight hours a day; but I am not making a point on that.

Mr. ADAIR. Then it is in violation of the law, is it not?

Mr. HAMLIN. He has done it, I am told.

Mr. LANGLEY. Under the present administration?

Mr. HAMLIN. Under the supervision of the Superintendent of Buildings and Grounds. It is only in justice to this man I am pleading. I do not care—if the committee wants to turn it down, of course they have a right to do it—but I say it is only fair and just to this man that he should get $1,300, the same as the other assistant engineers.

Mr. JOHNSON of South Carolina. Mr. Chairman, just a word. We increased the salary of this man from $800 to $1,200 just a year or two ago. The superintendent has not asked for any increase. The Committee on Appropriations had no request to increase his salary, and no evidence on which to base such an increase, and I hope that the committee will not pile up this appropriation bill so that we will be criticized when it gets through the House.

The question was taken, and the amendment was rejected.

The Clerk read as follows:

Clerks, messengers, and janitors to the following committees: Accounts—clerk, $2,500; assistant clerk, $1,800; janitor, $1,000. Agriculture—clerk, $2,500; assistant clerk, $1,800; janitor, $1,000. Appropriations—clerk, $4,000, and $1,000 additional while the office is held by the present incumbent; assistant clerk and stenographer, $2,500; assistant clerks—1, $1,900; 1, $1,800; janitor, $1,000. Banking and Currency—clerk, $2,000; assistant clerk, $1,200; janitor, $720. Census—clerk, $2,000; janitor, $720. Claims—clerk, $2,500; assistant clerk, $1,200; janitor, $720. Coinage, Weights, and Measures—clerk, $2,000; janitor, $720. District of Columbia—clerk, $2,500; assistant clerk, $1,800; janitor, $720. Election of President, Vice President, and Representatives in Congress—clerk, $2,000. Elections No. 1—clerk, $2,000; janitor, $1,000. Elections No. 2—clerk, $2,000; janitor, $720. Elections No. 3—clerk, $2,000; janitor, $720. Enrolled Bills—clerk, $2,000; janitor, $720. Foreign Affairs—clerk, $2,500; assistant clerk, $1,800; janitor, $720. Immigration and Naturalization—clerk, $2,000; janitor, $720. Indian Affairs—clerk, $2,500; assistant clerk, $1,800; janitor, $720. Industrial Arts and Expositions—clerk, $2,000; janitor, $720. Insular Affairs—clerk, $2,000; janitor, $720. Interstate and Foreign Commerce—clerk, $2,500; additional clerk, $2,000; assistant clerk, $1,500; janitor, $1,000. Irrigation of Arid Lands—clerk, $2,000; janitor, $720. Invalid Pensions—clerk, $2,500; stenographer, $2,190; assistant clerk, $2,000; janitor, $1,000. Judiciary—clerk, $2,500; assistant clerk, $1,600; janitor, $720. Labor—clerk, $2,000; janitor, $720. Library—clerk, $2,000; janitor, $720. Merchant Marine and Fisheries—clerk, $2,000; janitor, $720. Military Affairs—clerk, $2,500; assistant clerk, $1,500; janitor, $1,000. Naval Affairs—clerk, $2,400; assistant clerk, $1,500; janitor, $1,000. Patents—clerk, $2,000; janitor, $720. Pensions—clerk, $2,500; assistant clerk, $1,600; janitor, $720. Post Office and Post Roads—clerk, $2,500; assistant clerk, $1,400; janitor, $1,000. Printing—clerk, $2,000; janitor, $1,000. Public Buildings and Grounds—clerk, $2,500; assistant clerk, $1,200; janitor, $720. Public Lands—clerk, $2,000; assistant clerk, $1,200; janitor, $720. Revision of the Laws—clerk, $2,000; janitor, $720. Rivers and Harbors—clerk, $2,500; assistant clerk, $1,800; janitor, $1,000. Roads—clerk, $2,000; janitor, $720. Rules—clerk, $2,000; janitor, $720. Territories—clerk, $2,000; janitor, $720. War Claims—clerk, $2,500; clerk to continue Digest of Claims under resolution of March 7, 1888, $2,500; assistant clerk, $1,200; janitor, $720. Ways and Means—clerk, $3,000; assistant clerk and stenographer, $2,000; assistant clerk, $1,900; janitors—1, $1,000; 1, $720. In all, $168,750.

Mr. WATKINS. Mr. Chairman, I offer the following amendment.

The CHAIRMAN. The gentleman from Louisiana offers an amendment, which the Clerk will report.

The Clerk read as follows:

Page 15, between lines 20 and 21, insert the following: "To pay the salary of the reviser of the United States Statutes for the Committee on Revision of the Laws from June 30, 1915, to June 30, 1916, as authorized and provided by House resolution No. 555, Sixty-third Congress, second session, agreed to on July 3, 1914, $4,000."

Mr. WATKINS. Mr. Chairman, on July 3, 1914, as reported by the Committee on Accounts, House resolution No. 555 was adopted. The resolution is as follows:

Resolved, That the Committee on Revision of the Laws of the House of Representatives is hereby authorized to employ a competent person to assist the committee in codifying, revising, and compiling the statutes of the United States under the direction and supervision of the committee.

The resolution provided that until the compensation was otherwise provided for the compensation should be paid out of the contingent fund of the House, and when the deficiency bill was up an effort was made to have this compensation provided for in that bill, because the contingent fund was running rather short, and this was the statement of the chairman of the Committee on Appropriations when that question was under consideration:

Mr. FITZGERALD. I do not know what the resolution is that has been adopted. The practice has been that the compensation is paid out of the contingent fund, and if the position is continued after the time when the next legislative bill is under consideration, the position will be provided for in that bill.

And a little farther down he said:

If the place is to be continued beyond this session of Congress, provision will be made for it in the legislative bill.

Now, in pursuance of that statement, as chairman of the Committee on the Revision of the Laws, I appeared before the subcommittee having this matter in charge, the subcommittee of the Committee on Appropriations, and that subcommittee reported to the full committee in favor of placing $4,000, as provided for in this resolution 555, in the appropriation bill. The first report printed on this bill, which we now have under consideration, stated that that item had been allowed. The daily newspapers of the city of Washington yesterday reported the same thing, but on examining the bill I find that it is omitted.

Now, Mr. Chairman, as to the necessity for this position, I will state that for two years the Committee on the Revision of the Laws, making every possible effort to proceed with that work, found obstacles in the way to such an extent it was impossible to proceed to codify and revise the laws as they were required to do under the law providing for that committee. At the last session of Congress the codification bill on the remainder of the judicial title was presented, which was quite a voluminous document and required a good deal of work and technical and expert knowledge to do the work, and at this session of Congress the Committee on Revision of the Laws have prepared and have ready, with the assistance of this reviser, the common-carrier code, which is one of the most complicated in our law. It can not be for a moment contended that the work of this reviser is not worth $4,000, because this work had cost under former systems from $15,000 to $20,000, and more frequently $20,000 a year. I do not think there is a member of the Committee on Appropriations who will oppose the allowance of this amount if he understands the work that is absolutely necessary to be done.

We are getting further and further behind all the time with our statutes. They are in such a confusion it is almost impossible to tell what the law is on any subject matter. At the last session of Congress there was a commission appointed for the purpose of revising the land laws of the United States. They are nothing like as voluminous, complicated, or intricate, nor do they require the technical knowledge that this revision work does, and that commission was allowed to spend $25,000 on that alone. We now present to the Congress a work of more value, the codification of the common carrier's code, which requires more work and more technical knowledge than that, and only costs a part of the $4,000 that has been allowed to this reviser.

Now, Mr. Chairman, I will be glad, if there is any opposition to this allowance, to hear from those who are opposed to it.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Louisiana.

Mr. JOHNSON of South Carolina. Mr. Chairman, there is no dispute about the facts. This man is provided for by a resolution of the House. He is now in the service of the committee, and is being paid out of the contingent fund. The subcommittee incorporated the provision in the bill, but the full committee, after discussing the matter, decided that it was not necessary to bring it into the legislative bill and provide a statutory salary, which might never cease, but that we would continue to allow this man to be employed under the resolution of the House and to be paid out of the contingent fund of the House. He is not being deprived of the services of this clerk or reviser. It is only a question as to whether the House will continue to pay him out of the contingent fund or whether we will put him into the statutory salaries, which are so hard, once established, ever to abolish. And inasmuch as our genial friend from Louisiana has the help, I think it makes little difference to him whether the man is paid by the Clerk of the House of Representatives or by the Treasurer of the United States.

Mr. COX. Will the gentleman yield?

Mr. JOHNSON of South Carolina. Yes.

Mr. COX. Is he getting his $4,000 a year now?

Mr. JOHNSON of South Carolina. He is getting his $4,000 a year.

The CHAIRMAN. The question is on the amendment of the gentleman from Louisiana [Mr. WATKINS].

Mr. WATKINS. Mr. Chairman, I reserve my time.

The CHAIRMAN. The gentleman can not reserve time, but will be heard if he so desires.

Mr. WATKINS. This resolution provides for a permanent position. To take up this law by piecemeal and hash it up, and take a part one session and let the reviser work during that session and drop it there, would amount to nothing at all. We want to go ahead regularly with the work, and the resolution provides for a regular position. It does not provide for a temporary position. There is nothing temporary about it, except that the payment shall be made out of the contingent fund until it goes into a regular appropriation bill. If we should let the reviser wait now and not proceed with his work after the session of Congress and not proceed under the resolution, which is a permanent statute and creates a position, then we could make no headway whatever with the work. In other words, if we take it up by piecemeal, one part of a statute or subject matter at one session and another part at another session, and only work during sessions of Congress and take chances of his being paid out of the contingent fund, the work would not only be unsatisfactory but inefficient, and amount to nothing whatever. The resolution provides for a permanent position.

Mr. MANN. Will the gentleman yield for a question?

Mr. WATKINS. Certainly.

Mr. MANN. Is the gentleman able to inform the House whether the committee in the Senate has taken up for consideration in committee the codification bill that we passed?

Mr. WATKINS. They had quite a controversy in the Senate some time ago. It was referred to the Joint Committee on the Revision of the Laws, and then referred to the Committee on the Judiciary, and they have been proceeding as expeditiously as they could with the amount of work before them.

Mr. MANN. Have they had any hearings on it at all?

Mr. WATKINS. I do not know. A hearing on a bill like that amounts to nothing at all.

Mr. MANN. Have they taken any action in the committee at all?

Mr. WATKINS. I have been informed they are having it examined and going through it to see whether there are any changes to be made in the bill; and they have promised they will report back the bill as soon as they get through.

Mr. MANN. The gentleman said they were having it examined. To whom do they send it for examination? I thought it was legislation. Do they send it to some clerk for examination?

Mr. WATKINS. I do not know what individual they have doing the work, but I know they have said they were going to report the bill back as soon as they get through.

Mr. MANN. Well, it is customary to send such things to the White House, but I assume the President does not have time to pass on bills of that character and tell the Senate whether he agrees to them or not.

Mr. WATKINS. It is a piece of work that the President is not encumbered with.

Mr. MANN. I was told by Senators that it was as dead as it could be.

Mr. WATKINS. The facts are that they have promised to proceed with the consideration of the bill and report it out just as soon as they can get through with the clerical work and get an opportunity to present it to the Senate.

Mr. MANN. Does the gentleman think there is any chance of its being passed by the Senate during this session of Congress?

Mr. WATKINS. After they get through with the appropriations, if there is any time left they will take it up in the regular order.

Mr. MANN. If they do not take it up until after the appropriation bills, which will not be passed before half past 11 o'clock on March 4, there will not be much time.

Mr. WATKINS. If they do not get through with it, the work is there just the same.

Mr. MANN. In the next Congress the House will have to pass it over again.

Mr. WATKINS. With the gentleman from Illinois commending the work and every Member on both sides of the House having voted for it, I do not think it will take much time to go over it again.

Mr. MANN. I hope not.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Louisiana [Mr. WATKINS].

Mr. JOHNSON of South Carolina. One word, please, Mr. Chairman. I want to be fair to the House. I now understand under the resolution the reviser would go off the roll on the 4th of March. I was under the impression that he was permanent. I just want to make that statement, because I do not want to misstate any fact.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Louisiana.

The question was taken; and the Chairman announced that the noes seemed to have it.

Mr. WATKINS. I ask for a division, Mr. Chairman.

The CHAIRMAN. A division is demanded.

The committee divided; and there were—ayes 30, noes 49.

Mr. WATKINS. Mr. Chairman, I ask for tellers.

The CHAIRMAN. Tellers are demanded. The Chair will count. All those in favor of taking this vote by tellers will rise and stand until they are counted. [After counting.] Sixteen Members have arisen, not a sufficient number.

So the amendment was rejected.

Mr. WATKINS. Mr. Chairman, I make the point that there is no quorum present.

The CHAIRMAN. The Chair will count.

Mr. WATKINS. I withdraw the point, Mr. Chairman.

The CHAIRMAN. The gentleman withdraws the point that there is no quorum present. The Clerk will read.

The Clerk read as follows:

Office of Doorkeeper: Doorkeeper, $5,000; hire of horses and wagons and repairs of same, $1,200, or so much thereof as may be necessary;

special employee, $1,500; superintendent of reporters' gallery, $1,400; janitor, $1,500; messengers—16 at $1,180 each, 14 on soldiers' roll at $1,200 each; laborers—15 at $720 each, 1 in the water-closet $720, 1 $680, 2 known as cloakroom men at $840 each, 8 known as cloak room men, 2 at $720 each and 6 at $600 each; female attendant in ladies' retiring room, $800; superintendent of folding room, $2,500; foreman, $1,800; 3 clerks, at $1,600 each; messenger, $1,200; janitor, $720; laborer, $720; 32 folders, at $900 each; 2 drivers, at $840 each; 2 chief pages, at $1,200 each; 2 messengers in charge of telephones, 1 for the minority, at $1,200 each; 46 pages during the session, including 2 riding pages, 4 telephone pages, press gallery page, and 10 pages for duty at the entrances to the Hall of the House, at $2.50 per day each, $23,920; superintendent of document room, $2,900; assistant superintendent, $2,100; clerk, $1,700; assistant clerk, $1,600; assistants—7 at $1,280 each, 1 $1,100; janitor, $920; messenger to press room, $1,000; in all, $157,220.

Mr. MANN. Mr. Chairman, I ask unanimous consent that the word "entrances," on line 16 of page 17, be correctly spelled.

The CHAIRMAN. Without objection, the Clerk will be authorized to make the proper correction.

There was no objection.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

For assistant department messenger authorized and named in the resolution of December 7, 1897, $2,000.

Mr. MANN. Mr. Chairman, I move to strike out the last word. As to the assistant department messenger, would the gentleman from South Carolina [Mr. JOHNSON] have any objection to making that read, "For department messenger, $2,000"? There is not any messenger. Here is an assistant. I think under the resolution that has been changed. Why not make that read, "Department messenger, $2,000"?

Mr. JOHNSON of South Carolina. The clerk of the committee informs me that the resolution has not been changed, and that the department messenger has been dropped out of the law, but that this man is holding as assistant under that resolution.

Mr. MANN. Why not change it now and make it read, "For department messenger, $2,000," instead of having an assistant to something that does not exist? That would make it in order hereafter.

Mr. JOHNSON of South Carolina. Then they would name some other man. This particular man was legislated into office by this resolution, and if we changed the office they would change the officeholder.

Mr. MANN. I do not think so. This bill provides that the change of the officeholder be made by the House itself.

Mr. JOHNSON of South Carolina. They would name an assistant and this man, too.

Mr. MANN. Is it the same man that has been holding the office all the time?

Mr. JOHNSON of South Carolina. I think it is the same man—Col. C. W. Coombs.

Mr. MANN. I think it ought to read, "For department messenger," instead of having an assistant. That would not change the man, because the House reserves the right to make a change in the law itself.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Law Library: Librarian, $3,000; assistants—2 at $1,400 each, 1 $960, 1 $540, 1 (evening service) $1,500; junior messenger, $420; in all, $9,220.

Mr. TOWNER. Mr. Chairman, I desire to offer an amendment.

The CHAIRMAN. The Clerk will report the amendment offered by the gentleman from Iowa [Mr. TOWNER].

The Clerk read as follows:

Page 24, line 12, at the end of the line, add the following: "To enable the Librarian of Congress to employ competent persons to prepare such indexes, digests, and compilations of law as may be required for Congress and other official use, pursuant to the law approved June 30, 1906, $25.000."

Mr. JOHNSON of South Carolina. Mr. Chairman, I reserve a point of order against that amendment.

Mr. TOWNER. Mr. Chairman, the purpose of my amendment is to continue the organization and work of the Legislative Reference Bureau in the Library of Congress. It will be an unpleasant surprise to Members of the House that the work of this bureau, so well begun, shall be so soon abandoned unless my amendment is adopted. My amendment merely reenacts the provision of last year and continues the work of the bureau. Why provision for the continuance of the bureau was not included in the bill we are unable to determine. There is no reason stated in the hearings and no indication given that the bureau was to be discontinued except the absence of the provision for its continuance. Members of the committee, when asked why such action was taken, say that an independent, comprehensive bill is necessary to organize and determine the work of the bureau. But when asked if the work already begun is not fairly satisfactory they admit that it is, and have no criticism to make of either the scope or progress of the work of the bureau.

It may be admitted that the language authorizing the appropriation last year was limited and inadequate. But that may be remedied without an abandonment of the work. As interpreted by the librarian, progress may be made and great benefit result from a continuance of the work under the authorization until further legislation can be secured.

The librarian, in the inauguration of this work, has exercised the utmost care in the selection of men to carry it on. This has necessarily resulted in some delay. But the work has been inaugurated. The force has been secured and is organized. Referring to this in the hearings, Mr. Putnam, the librarian, says:

We have been cautious, Mr. Chairman, in appointing to it for two reasons: First, we wanted to be sure to get the most effective people available; and, secondly, we wished to husband the appropriation, realizing that when Congress should convene the demands might be heavy and that we would have to add summarily to the force. There are now, however, already 15 people upon that roll, and before Congress adjourned, and in some cases since, and have had specific inquiries directed to that service. For instance, we have had calls for the compilation of foreign laws relating to coal lands and the royalties reserved by the State; we have had requests for digests or copies of the laws passed by the Southern States during the Civil War limiting cotton acreage. Incidentally, we were able to reproduce some of those statutes by the use of the photostat. We have had many requests for translations.

Again, Mr. Putnam says:

The demand upon this service will fluctuate and vary at different periods of the year. There will be always, however, during the intervals or during the recesses, work that will go on currently. For instance, the indexing of the Statutes at Large, which we are resuming work upon. We are bringing down the indexes to the general laws from 1907, where we left it, and we are beginning the work on the local and private acts, of which there are 18,000 pages to be treated. We are gathering together information of all the indexes, digests, and compilations that may be in process in the offices of bureaus and commissions. We are getting together systematic lists of sources that may be useful. There will be current work throughout the year in the preparation of information and material in anticipation of a demand for it. We have taken up, for instance, the preparation of material that relates to bills that have already passed one House and may come up at this session. We are subdividing among several people the committees of Congress with reference to the subject matter that they may be interested in. For instance, the question as to the control of water power may come up this year, and also the questions of marine subsidies and a budget.

They have commenced work, Mr. Chairman, and have made great progress. They have given special attention to subjects that are now vital and pending in Congress, such as immigration, merchant marine, ship subsidies, and many other subjects. I have before me a number of monographs prepared by the bureau containing much information with regard to the merchant marine and other subjects, which show that very careful attention has been given to the work. Much of this information has been furnished to Members who have asked for it.

At the request of the Committee on Appropriations Mr. Putnam prepared and presented a full statement of the work already accomplished and an outline of the work proposed. It will be of interest to the committee, I am sure:

The staff for this work has barely been organized. The appropriation became available July 1, but apart from one or two translators, stenographers, and research assistants appointed between August 1 and October 1 the appointments were deferred until the past few weeks. This appears from the dates of appointment set against the names in the above list.

No statement, therefore, at this date of "work accomplished" would be significant. The main work thus far has been that of preparation. This has consisted in—

(1) The organization of a corps of indexers to bring to date the Index to the Statutes at Large, previously completed through 1907, and to undertake the index to private and local acts not before treated.

(2) The selection and equipment of a room at the Capitol available for this corps of indexers and also conveniently accessible to Members of Congress desiring the aid of the division in any relation.

(3) The preparation for each foreign country of lists of its official publications which embody its statute law (example herewith, France, Exhibit B); completion of sets.

(4) The collection of whatever indexes, digests, and compilations of law (especially any that may relate to pending legislation) are already in print and available.

(5) An inquiry as to any such indexes, digests, or compilations in the possession of or in course of preparation in any department or bureau of the Government (and not yet printed).

(6) Probable subjects of legislation at the coming session: Anticipation of these—

(a) By special attention to subjects dealt with by bills that have passed one House and are pending in the other; and

(b) By similar preparation of material on subjects that from some other indication are likely to receive attention in Congress.

Examples of (a): Immigration, convict-made goods, railroad securities, etc.

Examples of (b): Merchant-marine subsidies and the budget. Upon these latter two exhibits herewith of compilations actually made.

(7) Assignment to certain members of the staff with special experience of the fields covered in general by committees in Congress—e. g., immigration, labor—with special duty on those officials to keep in touch with the projects before and intended by such committees and, so far as practicable, anticipation of their demands.

As to all of the above, a fuller statement, as invited by the chairman, is appended.

In the meantime some requests already dealt with may be illustrative, e. g.: For compilations or digests—one upon the State control of coal mines in the United States and the system of royalties reserved to the State; the laws passed by the Southern States during the Civil War limiting the acreage in cotton; for translations—the law of Denmark as to agricultural holdings; the law of France as to liquor licenses; a résumé of the Code of Geneva as to juvenile courts; and certain provisions of the constitution of Roumania.

As was emphasized above, however, the staff has just been organized. Its existence and facilities have not yet been called to the attention of Congress, and they did not effectively exist prior to adjournment. There has therefore been no test of the service. A partial test will be offered during the coming session, but owing to its brevity, no more than a partial one.

INDEX OF FEDERAL STATUTES.

Resumption of the work of indexing the Federal Statutes from the point reached four years ago when the appropriation for this purpose was discontinued was the most obvious thing to be undertaken under the new provision—indeed, the reference in the appropriation act to the statute which authorized and directed the preparation of such an index implied its continuation.

Previous work: Volume I (Scott and Beaman; published 1908) covered the permanent general law down to 1907, i. e., to the end of the Fifty-ninth Congress. The private and local acts had been indexed in the Revised Statutes and in only a few of the volumes of the Statutes at Large prior to this date. The cards had, however, been kept on file in the expectation that its continuation would ultimately be made possible.

Permanent general law, 1907 to date: Provision has accordingly been made for bringing the index of the permanent general law down to date with a view to preparing either a new edition of Scott and Beaman's *index or a supplement to it*, whichever may be considered the more desirable when the work is finished. It is estimated that this piece of work can be accomplished by one law indexer and an assistant in about a year.

Temporary consolidated index: For use in the meantime a temporary consolidated index for this period is being made by clipping and mounting in one alphabet the separate indexes of the session laws. If desired, this can be reproduced by photostat for the use of any committee which has need of it.

Private and local laws: The indexing of the private and local acts from the Revised Statutes to date has also been resumed, and the cards for the portion previously done have been checked up and arranged for continuation. An outline of instructions indicating the manner of indexing the various topics of local legislation (e. g., river and harbor improvements, bridges and dams, post roads, Indian tribes, land grants, lighthouses, judicial districts, etc.) has been prepared and tentatively adopted, subject to change as the result of criticism by the various committees and bureaus interested in these subjects, with whom we are conferring in order that the index, when completed, may meet their needs most effectively. As there are about 18,000 pages of local law to be treated, this section of the indexing will occupy between two and three years with the force at present allotted.

Legislative forms, etc.: A new feature has been added in the compilation of a classified collection of legislative forms, standard paragraphs, and clauses actually found in the statutes as they are read for indexing. It is hoped that Members will find this reference material useful in the preparation of bills.

Indexing force: The force already organized consists of chief indexer, in charge of the work (lawyer), general law indexer (lawyer), local law indexer (lawyer), private law indexer and file clerk, two clerical assistants (accurate and rapid typists), two messengers (for subclerical work).

As chief indexer we have the person who was in charge of the actual work of indexing the Federal Statutes four years ago and who has since been engaged in a similar undertaking at Albany for the laws of the State of New York. Two others from the former index force have also been reappointed. With this nucleus of workers familiar with the plan of indexing and its actual application, it has been possible to get the work into smooth running order with minimum delay.

Office location: The indexing of the Federal Statutes is being carried on in the new room in the Capitol assigned for legislative reference purposes and in an office in the law library, so that the results may be conveniently used by Members while the work is in progress.

RESEARCH ASSISTANTS AND TRANSLATORS.

For the work of preparing digests and compilations of law a corps of research assistants and translators with auxiliary stenographic and clerical help has been organized.

Cooperation with law and documents divisions: As the law division has the custody of American and foreign statutes, court reports, and other legal literature, and the documents division is responsible for the official publication containing data concerning the actual operation of laws, this section of the work must necessarily be carried on in close cooperation with these divisions. Desk space has accordingly been provided for research assistants and translators in the rooms occupied by these divisions in the main Library.

Representatives' reading room: One research assistant, however, has been assigned to a desk in the Representatives' reading room in order that the legislative reference division may be in touch with the service there and make the results of its work directly available for Members using that room. Vertical filing cases of appropriate design and finish to harmonize with the scheme of decoration and furnishing in the congressional reading rooms have been procured and will be used to accommodate legislative reference apparatus (other than books) relating to proposed legislation.

Survey of source materials: A systematic survey of texts of laws and other source material in the collections has been in progress throughout the summer and deficiencies have been reported to the divisions concerned with acquisition.

Index of existing digests and compilations: To facilitate searches and avoid waste of effort a subject index of digests and compilations of law and comparative legislation studies already available in print is being prepared.

Material available in Government bureaus: To avoid duplication and overlapping where the subject matter is within the field of any Government bureau, inquiries are being made to ascertain what indexes, digests, and compilations of law are at present available in manuscript or are in course of preparation in the various Government offices. For example, we find that the Bureau of Labor Statistics has completed compilations of the labor laws of Great Britain, Norway, Sweden, Denmark, Austria, and Germany, which it has not yet had an opportunity to publish, and also has partial compilations for France, Italy, Belgium, and the Netherlands in manuscript; the Children's Bureau has in press a compilation of child-labor laws; and so on.

Requests from Senators and Representatives: In addition to this preparatory work, which has occupied a considerable part of the time of several members of this force since their appointment, various requests for translation of foreign laws and compilations on special subjects have been received from Senators and Representatives and given immediate attention. The translations requested have included the law of Denmark relating to agricultural holdings and the size of landed estates, the law of France relating to liquor licenses, a résumé of the code establishing a system of juvenile courts in the Canton of Geneva, Switzerland, articles of Roumanian constitution, etc. These requests have not been restricted to translations of foreign law. For example, one of the House committees needed a translation of certain statistical information relating to prices of commodities and ocean freight rates, and various Members have requested assistance in interpreting letters in foreign languages received from constituents relating to relatives in difficulty in the war area in Europe, or other matters. We have considered that, a translating force being now available in the Library of Congress, its services might be legitimately used for any translation required by Members or committees of Congress in connection with their work.

Two compilations of laws which were furnished to Members may be noted, namely: (1) State laws in regard to the leasing of coal lands and the amount of royalty reserved by the State; (2) laws passed by the Southern States during the Civil War limiting acreage in cotton. The latter is an example of the use of the photostat as an auxiliary to the work of compilation, the actual texts of the laws being reproduced photographically direct from the volumes containing them.

Program of work: It is our aim to develop this work in such a way that we shall be able to respond to demands from Members and committees of Congress as promptly as possible. In order to accomplish this we plan to prepare material in anticipation of possible demands. Such material may be divided into three groups:

1. Digests and compilations likely to be serviceable in connection with the work of particular committees in general; for example, a digest showing the essential features of the preparation, ratification, and execution of the British budget has recently been completed in rough draft, which is likely to be of interest to the appropriations and revenue committees of both Houses; in fact, in previous years the Library has frequently received requests for information on this very topic. It is intended to utilize in this connection the service of members of the Library staff who are specially equipped to assist particular committees. For example, Dr. Borchard, law librarian, who has made a specialty of international law and has served as assistant solicitor in the Department of State, will give attention to the field covered by the Committees on Foreign Relations in both Houses; Dr. Harris, chief of the division of documents, formerly of the Bureau of Labor, will give attention to the needs of the Committees on Labor and Immigration, etc.

2. Digests and compilations on special subjects which party platforms or party leaders have indicated as matters on which bills will be presented for consideration and action by Congress; for example, President Wilson's letter to Representative UNDERWOOD shortly before the recent election indicated that the development of the merchant marine and conservation of natural resources, particularly water-power control, would be two important subjects on the program of the next session. We are accordingly preparing information as to foreign legislation on (a) merchant marine and (b) water power.

3. Digests and compilations on the subjects of bills on the calendar which have been favorably reported by a committee in either House of Congress or of bills on which hearings have been held indicating that some committee action is likely to be taken on them. This furnishes an indication of a number of subjects on which information will probably be called for by some Member or committee. As only a short session remains of the present Congress, we have given particular attention to the subject matter of bills which have already passed one House and are pending in the other.

General public bills which have passed the House and are now on the Senate calendar favorably reported, with or without amendments:

H. R. 6060, immigration; H. R. 14330, convict-made goods; H. R. 16586, railroad securities; H. R. 10735, bureau of labor safety; H. R. 11686, Federal aid in road making; H. R. 8428, publicity of campaign contributions.

General public bills which have passed the House and are now pending before Senate committees:

H. R. 16136, coal, phosphate, oil, etc., lands; H. R. 16673, water-power development; H. R. 18459, Philippine government.

OFFICE OF THE LEGISLATIVE REFERENCE DIVISION IN THE CAPITOL.

The Speaker has assigned to the Library for legislative reference purposes the only room in the Capitol Building at present available, viz., room 74, on the ground floor (west side, near the center of the building). In this room, as previously stated, the indexing of the permanent general laws is being carried on, and the results in card form, together with the printed indexes, will constitute parts of its equipment for the service of Members. We have also assembled here a small office collection of books for ready reference primarily on questions of law which may arise in connection with bills before Congress.

It includes the United States Statutes (annotated and compiled editions); Digest of United States Supreme Court Reports; Words and Phrases; the leading treaties on constitutional law, statutory construction, and subjects within the field of Federal legislation (e. g., interstate commerce, taxation, public officers, etc.); latest editions of special compilations of United States laws issued by the various departments and bureaus, including administrative rules, regulations, and decisions thereunder; Government document catalogues and other useful indexes; latest issues of statistical annuals and general reference manuals.

The last named are included for the purpose of answering inquiries which can be met at once by the facts and figures found in such books.

With this collection, supplemented by the index apparatus and a file of bibliographic lists, memoranda, briefs, etc., the lawyer in charge of this office may aid to answer such questions as the following:

(1) Where can a given law be found in the statutes?
(2) What is the existing Federal law on a given subject?
(3) How has a given law been construed by the courts or what rules, regulations, and decisions have been made under it by any executive department?
(4) What bills have been introduced during the present Congress on a given subject, and what is their status?
(5) What is the usual form for any bill, clause, or paragraph of common occurrence?
(6) What interpretation has been given by the Federal courts to words and phrases used in a particular bill?

(7) What existing laws would be affected by the enactment into law of a proposed bill, and what acts of Congress should be specifically mentioned in its repeal clause?
(8) Have recent changes in titles, salaries, powers, and duties, etc., been properly incorporated in a proposed bill and are the references to existing laws correctly given?
(9) Are the administrative features of a given bill conformable with existing departmental machinery?
(10) What constitutional questions are raised by a proposed bill, and what opinions of the Supreme Court have a direct bearing on them?

The purpose of this service at the Capitol will be to aid the Senator or Representative in his efforts to make the law what he desires it to be, not to indicate what the law should be. It will be primarily concerned with the legal side of the law, and not with the economic, social, or political policy involved. Inquiries relating to the latter received in this office will, however, be communicated immediately to the appropriate division of the library service for prompt attention; this attention consisting, as heretofore, in the indication of literature that may bear upon the subject and the actual supply of the books themselves.

(a) Instructions to indexers of the private and local acts.
(b) Finding list of texts of foreign laws, decrees, decisions, etc. (France).
(c) Digest relating to the British budget (six parts).
(d) Digest relating to foreign legislation on merchant marine (three parts, others in preparation).
(e) Members of the force employed under the lump-sum appropriation for legislative reference, with statements of their qualifications.

In view of this record of satisfactory accomplishment and the comprehensive program outlined for the future, which has not been adversely criticized by any Member, and which is exactly what the House said a year ago they desired, it is difficult to understand why at this time it is proposed to abandon the entire project. It has not been said, and can not be said, that there is not need for this bureau.

We need it to furnish us exact knowledge of existing conditions to which contemplated legislation is to apply.

We need it to inform us of State legislation on same or analogous matter, and of legislation in foreign countries and the effects of such legislation.

We need it to ascertain whether or not such contemplated legislation has been before the courts, and if so, how interpreted.

We need it to have references made available of discussion by publicists, jurists, and specialists in books, magazines, and reports, both domestic and foreign.

We need it to know the legal definition of words and phrases used in bills introduced, as given by authority and by the decisions of courts; we need it in a thousand ways to aid us in our work.

If it be said that this work is now to be abandoned from motives of economy, there are a score of appropriations in this bill that could better be dropped than this one. It will be a penny wise and pound foolish policy to drop this work. There is no other one thing that in the long run will save more from foolish, unwise, or useless expenditures than the continuance and development of the work of this bureau.

Not only will it prove a wise economy to continue this work, but it is the belief of its friends that its development will be an effective influence for good on the general character and trend of national legislation; that it will discourage hasty and illy considered measures; that it will furnish the advocates of worthy measures effective arguments in their favor; that it will furnish the opponents of dangerous and unwise bills facts and arguments to defeat them. It is the believe of those who favor the continuance and development of this work that really to enlighten the understanding is to make more certain the success of the desirable and meritorious, and the defeat of the unwise and vicious. I sincerely hope the committee will adopt the amendment.

Mr. SLAYDEN. Mr. Chairman, I think it would be a great mistake if the Congress, having once undertaken to provide a reference library and a corps of assistants to supplement the work of Members, to do a lot of the drudgery for them, to facilitate legislation and the quick comprehension of measures before Congress, and to furnish in convenient form data bearing on these questions, should abandon it at this stage of the proceedings.

Mr. Chairman, in justice to the Committee on the Library I feel that I ought to say a few words in explanation of why no legislation along this line was brought into the House from that committee during the present Congress. We have had the question under consideration for a number of years, but there has been a strange fatality in connection with the members of the Committee on the Library. This year, for example, every member of that committee except myself will go out of Congress. Practically the committee has had to be reconstructed entirely each two years, and that has militated against the bringing into the House of such measures, for example, as that proposed by the gentleman from Wisconsin [Mr. NELSON], modified, of course, to meet the views of the committee. I believe that ultimately it will make for economy, and certainly will make for clarity of expression in the writing of the laws.

I have on my desk a number of articles, gathered from time to time from eminent jurists, from distinguished lawyers, and from great public writers, all declaring that the work done in Wisconsin, in California, and elsewhere, as reflected in the statutes, has been of great advantage to the people, and that this advantage is largely due to an efficient reference library corps and bill drafters. It has resulted in less litigation, in clearer and quicker decisions of the courts, and altogether in the interest of economy.

Now, Mr. Chairman, it happened that last year, in an endeavor to save to the Congress and the country the services of a useful Member, I was absent for some time. During that time this measure was taken away from our committee and adopted by the Congress, by what vote I am not advised. I think if I had been here I should have resisted the effort to rob the Committee on the Library of its functions, but now the reference bureau is established, in embryo at least, and I think it would be a great mistake, a great legislative blunder, to abandon it, because I believe that from this beginning we can develop a system which will prove satisfactory to the Congress and ultimately prove of great economy in the transaction of the business of this legislative body. While I think the Committee on the Library ought to have been given time to prepare and bring in a more complete bill, possibly the way in which it was begun will result in some money saving. I quite agree with the remarks of the gentleman from Iowa [Mr. TOWNER] that to abandon it now would be a waste of the appropriation already made and of the energies that have been exerted in the construction of this useful bureau, and that altogether it is an undesirable thing to do, and I hope that the House will permit the maintenance of this bureau until, as I believe will be the case, its usefulness shall be established to the entire satisfaction of the Members of this and of the other House.

The CHAIRMAN. Does the gentleman insist on his point of order?

Mr. JOHNSON of South Carolina. Yes. I want to make a statement, though, before I do so.

The amendment that has just been offered refers to the law of 1906. That was simply an appropriation that authorized the indexing of the laws, and I have a copy of that work in my hand. It cost the Government $31,680.

Mr. SLAYDEN. Will the gentleman pardon me?

Mr. JOHNSON of South Carolina. Certainly.

Mr. SLAYDEN. Was there not an amendment offered by the gentleman from Iowa to the paragraph just ahead, the congressional reference library, and not the one below.

Mr. JOHNSON of South Carolina. No; this item was first placed in an appropriation bill and was carried for a number of years in language similar to the language that it is proposed to insert in the bill. This index, as I say, cost $31,680. It is so highly technical as to be useless. The Congressional Library itself is a reference library for Congress. It is the creature of Congress. In the beginning the books were assembled for the use of Congress. We now have in that library that is costing $630,000 a year a reference library with a small force costing about $5,000.

The Committee on Appropriations is not unfriendly to the suggestion embodied in this amendment, but the Committee on Appropriations is not a legislative committee. This question is before the Committee on the Library, presided over by my friend from Texas. We would be delighted if he would take the information he has gathered, bring in a proper bill, with appropriate limitations, to establish this reference library. But to appropriate a lump sum of money, with absolutely no limitation as to how it shall be spent, seems to the committee to be an unwise thing to do.

Mr. SLAYDEN. The gentleman will realize that Congress took it away from the committee and enacted the legislation without consulting us.

Mr. JOHNSON of South Carolina. Now, gentlemen, how is this money to be spent? There is no limitation provided. Any Member of Congress can prefer a request to the Librarian of Congress and ask that several thousand dollars be spent in getting certain information that he may want, and yet no other man in Congress may care anything about it. We are not opposed to appropriating the money if the Committee on the Library will formulate a plan under which it is to be spent. This reference library force ought not to be put in operation except under a resolution passed by the House of Representatives and the Senate.

Mr. TOWNER. Will the gentleman yield?

Mr. JOHNSON of South Carolina. Yes.

Mr. TOWNER. Pending that, does not the gentleman think it would be wise for us to continue the work that the Librarian

is doing rather than lose the results of the $25,000 that has already been used? And let me ask him a further question: Would it not be wise for us, in view of what we know he has already done—and I do not think the gentleman will criticize it—to continue it?

Mr. JOHNSON of South Carolina. I will answer the gentleman's first question. If we were to make the lump-sum appropriation, then the Committee on the Library, or Congress, would never legislate. But we have dropped this appropriation, and that will call it sharply to the attention of people who want this kind of legislation, and you will get the legislation in shape. If I were in a conference on this question, and I had a carefully drawn bill by the Committee on the Library——

Mr. FITZGERALD. I hope the gentleman would not agree that it might go into an appropriation bill.

Mr. JOHNSON of South Carolina (continuing). I would be in a position to give it intelligent consideration. This is not a question that comes within our jurisdiction, and I have not studied it.

Mr. TOWNER. I think there is a great deal in the gentleman's point that we should have a more comprehensive form of legislation. But the proposition now is under the appropriation bill of last year and the organization of the work which the gentleman so well knows, and will approve of, because it is directly in line with the comprehensive form of legislation that is so necessary. Would it not be wise to continue this until we can secure the passage of a more comprehensive law? Ought we not to continue it, knowing that the money has not been improperly used?

Mr. JOHNSON of South Carolina. I think the Committee on the Library has had hearings, had bills before it, and that is the proper committee to consider this question and put it in proper shape.

Mr. SLAYDEN. If the gentleman will permit me for an instant, if the gentleman has given much attention to the hearings and to the bills he will realize that in each instance there was a comprehensive proposition and a proportionately expensive one. As chairman of the committee I hesitated to recommend or push legislation which would involve an initial annual expense of from $100,000 to $125,000 a year, because I doubted whether such a bill would pass. I believe it ought to be established, and I believe it would be useful and ultimately result in a saving to the people; but the gentleman knows as well as I do that in all human probability, notwithstanding we did not make the finest record for economy ever known—in all human probability no such measure could have been gotten through the House. I was doing my best to hold down all the expenses and refrain from recommending legislation that would involve any considerable appropriation.

Mr. PAGE of North Carolina. Will the gentleman yield?

Mr. JOHNSON of South Carolina. Yes.

Mr. PAGE of North Carolina. Would it not be within the power of the Committee on the Library to draw a bill sufficiently comprehensive and yet not so very expensive as to accomplish the work?

Mr. SLAYDEN. Not a bill that would meet the view of gentlemen who have given the most attention to it. I will say that I shall endeavor to do so. It is a difficult thing to cut down to the limit fixed by Congress when they took control of the matter of appropriating sufficient to create an effective bureau.

Mr. JOHNSON of South Carolina. Mr. Chairman, I make the point of order.

The CHAIRMAN. The point of order is sustained.

Mr. TOWNER. I did not understand that the gentleman made the point of order. I understood he reserved it.

Mr. JOHNSON of South Carolina. I reserved it in order that my genial friend from Iowa might address the House, and after he addressed the House I made the point of order. Mr. Chairman, the hour has arrived at which by consent of the House we were to recur to the first section of the bill in relation to mileage.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Hereafter Senators, Representatives in Congress, Delegates from Territories, and Resident Commissioners shall be entitled to receive in lieu of all other allowances for mileage or expenses for attending the sessions of Congress, mileage at the rate of only 5 cents per mile, to be estimated by the nearest route usually traveled in going to and returning from each regular session.

Mr. HAMLIN. Mr. Chairman, I desire to offer an amendment to that paragraph.

Mr. HUMPHREY of Washington. Mr. Chairman, I make the point of order against the paragraph.

Mr. GORDON. Mr. Chairman, I also desire to make the point of order.

The CHAIRMAN. The gentleman from Washington and the gentleman from Ohio make the point of order against the paragraph.

Mr. JOHNSON of South Carolina. Mr. Chairman, in view of the fact that some of the Members here are very much interested in the Library of Congress, I ask unanimous consent that we conclude the items relating to the Library of Congress before we return to this mileage proposition.

Mr. BUTLER. Oh, no; let us dispose of it now.

The CHAIRMAN. The gentleman from South Carolina asks unanimous consent that the items relating to the Library of Congress be disposed of before taking up the items concerning mileage. Is there objection?

Mr. HUMPHREY of Washington. Mr. Chairman, I shall have to object to that.

Mr. HAMLIN. Mr. Chairman, will the gentleman reserve his point of order?

Mr. HUMPHREY of Washington. Mr. Chairman, does the gentleman from Missouri desire to discuss the point of order?

Mr. HAMLIN. No; I do not desire to discuss the point of order.

Mr. HUMPHREY of Washington. Mr. Chairman, I will not reserve the point of order for discussion of the general question of mileage at this time.

The CHAIRMAN. The gentleman from Washington makes the point of order. The Chair will hear the gentleman from Washington.

Mr. HUMPHREY of Washington. Mr. Chairman, I make the point of order against that portion of the bill just read, lines 4 to 10, inclusive, page 2.

Mr. JOHNSON of South Carolina. Mr. Chairman, I would like to inquire if we can not agree upon some time to debate this amendment?

Mr. HUMPHREY of Washington. Mr. Chairman, we have not yet reached the amendment. We are now discussing the point of order. The point of order I make against the paragraph is that it is new legislation, and it comes from a committee that has no jurisdiction over the subject matter. There can not be any question about the fact that it is new legislation, so the only other point that could be possibly urged making it in order would be that it comes within the terms of the Holman Rule. I think the reading of that rule will satisfy the Chair that it does not come within its provisions, which reads:

Nor shall any provision in any such bill or amendment thereto changing existing law be in order except such as, being germane to the subject matter of the bill, shall retrench expenditures by the reduction of the number and salary of the officers of the United States—

It clearly does not do that—

by the reduction of the compensation of any person paid out of the Treasury of the United States, or by the reduction of amounts of money covered by the bill.

It does not reduce the amount covered by the bill, so the only provision of the rule which it could be contended would cover this would be the words—

By the reduction of the compensation of any person paid out of the Treasury of the United States.

If the Chair will recall, during the discussion of this proposition when it was up before, some of the gentlemen who have always been opposed to the present mileage cited a decision of the Court of Claims, which I do not have, to the effect that it was not compensation, so that if the Chair follows that judicial determination of the Court of Claims there is only one thing to do, and that is to sustain the point of order.

Mr. FITZGERALD. Mr. Chairman, this question has been discussed frequently and has been determined often. The law fixing the compensation of Members provides that the compensation of Members of Congress should be at the rate of $5,000 per annum, and in addition thereto mileage at the rate of 20 cents per mile going to and returning from each session of Congress, by the nearest route. It has been repeatedly held that the mileage of Members of the two Houses of Congress is a part of their compensation. That being so, the provision is clearly within the rule of the House making legislation of this character in order upon an appropriation bill.

Mr. GORDON. Mr. Chairman, will the gentleman yield?

Mr. FITZGERALD. Yes.

Mr. GORDON. Has the gentleman available the language of the statute changing the compensation of Members to $7,500 per annum?

Mr. FITZGERALD. I have not; but there have been rulings to the effect that the effect of that statute merely increased the $5,000 to $7,500, and did not affect the fact that the mileage was additional to and a part of the compensation. I do not think that it is necessary to take up any time with extended

discussion of this question. It has been repeatedly debated and ruled upon, and it has been held that this provision is in order.

Mr. GOOD. Mr. Chairman, will the gentleman yield?

Mr. FITZGERALD. Yes.

Mr. GOOD. Would the gentleman contend that it would be in order upon this bill to offer an amendment to repeal section 31 of the act of July 2, 1909, which provides for taking an agricultural census?

Mr. FITZGERALD. I am not sufficiently familiar with the act to answer that question.

Mr. GOOD. The same proposition of law is involved here.

Mr. FITZGERALD. If it would result in decreasing the expenditures in the bill, it would clearly be in order, and, in my opinion, it would be a good thing to do.

Mr. GOOD. Possibly; but I do not believe the Committee on Appropriations would have authority to report that kind of legislation, and yet it would obviate the necessity of making an appropriation of $2,286,000. Here the proposition is to change existing law, and the bill comes from a committee that does not have jurisdiction of that subject, and because it is followed by a reduction in that particular item, I think, as the gentleman from Washington [Mr. HUMPHREY] has pointed out, it does not come within the provisions of the Holman rule any more than an amendment to amend the law striking out the provision that makes it necessary to take an agricultural census in 1915 would be in order and germane to this appropriation bill.

Mr. FITZGERALD. Mr. Chairman, section 17 of the act approved July 28, 1866, is as follows:

That the compensation of each Senator, Representative, and Delegate in Congress shall be $5,000 per annum, to be computed from the first day of the present session, and in addition thereto mileage at the rate of 20 cents per mile, to be estimated by the nearest route usually traveled in going to and returning from each regular session.

That is the only provision for the payment of mileage to Members of Congress. Section 4 of the act of February 26, 1907, provides:

That on and after March 4, 1907, the compensation of the Speaker of the House of Representatives, the Vice President of the United States, and the heads of executive departments who are Members of the President's Cabinet, shall be at the rate of $12,000 per annum each, and the compensation of Senators, Representatives in Congress, Delegates from the Territories and the Resident Commissioner from Port Rico, shall be at the rate of $7,500 per annum each.

It has been held, the question having been raised in the House, that this section of the act of February 26, 1907, providing for the compensation of Members of Congress at the rate of $7,500 a year, did not repeal that portion of the act of 1866 which provided, in addition, the lump-sum mileage at a fixed rate. If it did repeal that portion of the act of 1866, then there is no authority in law for the payment of mileage to Members of Congress. The House, following repeated rulings, has held that that portion of the act of 1866 was not repealed, and that the compensation of Members of Congress is $7,500 per annum and, in addition thereto, the mileage at the rate of 20 cents per mile. This provision in the bill provides for a reduction of the rate of mileage to be paid to the Members. It affects the compensation being paid out of the Treasury to officers of the Government of the United States and comes within the provisions of Rule XXI, known as the Holman rule, which was adopted for the express purpose of permitting the House to enact such legislation upon appropriation bills as would enable it to retrench in the expenditures of the Government. The various questions involved have been raised frequently since 1907 and the uniform rulings of the Chair have been, first, that compensation of Members of Congress is at the rate of $7,500 per annum and, in addition, mileage of 20 cents per mile, and that an amendment or legislative provision purporting to change the law, in so far as it reduces the amount of mileage to be paid Members of Congress, is in order within the rule.

Mr. GORDON. Mr. Chairman, the gentleman from New York [Mr. FITZGERALD] has discussed the very point to which my point of order was directed, but I do not agree with his construction of the statute. The last legislative expression fixed the compensation of Members of Congress at $7,500 a year. Now, the gentleman from New York says it has been uniformly held we are entitled to more than that, but the gentleman did not cite the authorities and I have not seen them. It seems to me the very language of the statute itself fixing the compensation at $7,500 a year would end it. It repeals all prior legislation upon the subject. I would like to see the authorities where it has been held that it leaves that statute in force. The gentleman did not cite them. He said it has been so held repeatedly, and that is the very point I desired to urge for the consideration of the Chair, that when the Congress fixed the compensation of Members at $7,500 per annum that it repealed all other statutes upon the subject of compensation and mileage as part compensation of Members. That statute was repealed by the enactment of the statute of 1907. I think the plain language of the statute he has read to us would warrant that interpretation.

The CHAIRMAN. The gentleman from Washington [Mr. HUMPHREY] makes the point of order that this paragraph reducing the mileage of Senators and Representatives to 5 cents per mile is not in order under the Holman rule. The Chair thinks that counting mileage as part of the compensation of Senators and Representatives and a reduction under present law that it is in order and therefore overrules the point of order.

Mr. HUMPHREY of Washington. Mr. Chairman, I offer an amendment to strike out the paragraph.

Mr. JOHNSON of South Carolina. Mr. Chairman, I would like to see if we can not agree upon a time for debate. How much time does the gentleman desire?

Mr. GOOD. I would suggest we have 20 minutes on a side.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Strike out the paragraph, page 2, beginning line 4 and ending line 10.

Mr. FITZGERALD. Mr. Chairman, we are trying to fix a time for debate upon this amendment.

Mr. JOHNSON of South Carolina. Mr. Chairman, I ask unanimous consent that debate be limited to 20 minutes on a side, 20 minutes to be controlled by the gentleman from Iowa [Mr. GOOD] and 20 minutes by myself.

The CHAIRMAN. The gentleman from South Carolina asks unanimous consent that debate upon this amendment be fixed at 40 minutes, 20 minutes to be controlled by himself and 20 minutes by the gentleman from Iowa.

Mr. MANN. That is not on this amendment to the paragraph and all amendments thereto?

Mr. JOHNSON of South Carolina. On this amendment to the paragraph and all amendments thereto.

Mr. HAMLIN. Mr. Chairman, reserving the right to object, I rose a while ago to offer an amendment, but the Chair recognized the gentleman from Washington, who raised the point of order. I will not object, provided I am given permission to offer my amendment and have five minutes in which to discuss it, or some such time.

Mr. HUMPHREY of Washington. Why does not the gentleman offer his amendment now?

Mr. BARTLETT. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. BARTLETT. Is it not proper that amendments to perfect the paragraph should be offered before a motion to strike out is put?

The CHAIRMAN. Certainly.

Mr. BARTLETT. Then, the gentleman from Missouri has a right to offer his amendment.

Mr. HAMLIN. I understand that perfectly; but if we make an arrangement here for 40 minutes' debate I am to be shut out entirely.

Mr. BARTLETT. The gentleman can protect himself, of course, and I hope he will.

The CHAIRMAN. The gentleman could not be deprived of offering his amendment.

Mr. HAMLIN. And have five minutes in which to discuss it. I understand the gentleman from South Carolina says I can have time.

The CHAIRMAN. Is there objection to the request of the gentleman from South Carolina? [After a pause.] The Chair hears none.

Mr. HAMLIN. Now, Mr. Chairman, I will offer the following amendment, namely, in line 8, page 2, strike out the figure "5" and insert "10."

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amend, on page 2, in line 8, by striking out "5" and inserting "10."

Mr. JOHNSON of South Carolina. Now, Mr. Chairman, I yield five minutes to the gentleman from Missouri [Mr. HAMLIN].

Mr. HAMLIN. Mr. Chairman, I have offered this amendment for the following reasons: During last session of Congress, when this proposition was up, I voted three times to reduce this mileage. While I believe that it was originally fixed as part of the compensation of Members of Congress I also know that it was fixed at a time when the mode of travel was very different from what it is now. We know it was fixed back in 1816, when there were no railroads in the country and when Members attending sessions of Congress were compelled to travel by stage or by water in a very roundabout way and at a very great expense, and I believe that this mileage was intended at that time to cover approximately the expense of Mem-

bers attending Congress. I do not believe it costs Members 20 cents a mile at this time under our present mode of travel to attend sessions of Congress; that is, coming to and returning from a session of Congress. But I do believe that it ought to be intended, if it were not intended at the time, that Members should not only have enough to pay their own individual expenses in coming here and returning from the sessions of Congress, but they ought to have an allowance sufficient to permit them to bring their wives, at least, with them. Now, I do not believe that 5 cents a mile will cover that expense, will pay the railroad fare, the Pullman fare, and the dining-car fare. Therefore I believe that the rate fixed in the bill ought to be more than 5 cents; but I believe that 10 cents a mile for coming to and returning from the sessions of Congress will be sufficient, and I have therefore offered this amendment to strike out the 5 cents a mile and make it 10 cents a mile. I believe that 10 cents a mile will cover the expense of Members with their wives or some other member of their family, or perhaps two members of their family, in coming to and returning from sessions of Congress. That is all I believe Congress ever intended should be allowed as mileage, and I believe it is all we ought to ask in this instance.

Mr. BURKE of South Dakota. Will the gentleman yield?

Mr. HAMLIN. Yes.

Mr. BURKE of South Dakota. I would like to call the gentleman's attention to the fact that almost the universal mileage paid in the States to members of the legislature and officials who are required to travel is 10 cents a mile, and in very few cases is it as low as 5 cents a mile, and therefore the amendment of the gentleman would conform to the mileage rate that is allowed to officials who are required to travel in connection with their official duties.

Mr. HAMLIN. I thank the gentleman from South Dakota for making that suggestion, because I think he is entirely correct. I reach this basis, though, not on the idea suggested by the gentleman, but from my own experience and what I honestly believe would be a fair allowance for mileage in covering the expenses of Members in coming to and returning from sessions of Congress. I care nothing especially, so far as I am individually concerned, but I think in adjusting this matter we ought to reach a fair and just conclusion. I am quite convinced in my own mind that 10 cents a mile would be a fair adjustment of this mileage proposition, and I believe it ought to be adopted.

The CHAIRMAN (Mr. CRISP). The time of the gentleman has expired.

Mr. JOHNSON of South Carolina. I hope the gentleman from Iowa will use some time now.

Mr. GOOD. May I ask if we are to vote on all these amendments at the end of the discussion or dispose of this amendment now?

The CHAIRMAN. The present occupant of the chair was not in the chair when this matter came up, and he is unable to answer, but if there was no general agreement he would say that general debate should first be consumed.

Mr. GOOD. The parliamentary situation is that the gentleman from Washington [Mr. HUMPHREY] offered an amendment to strike out the paragraph, and the gentleman from Missouri [Mr. HAMLIN] offered an amendment to perfect the paragraph. It seems to me a vote ought to be taken on the amendment of the gentleman from Missouri before there is a discussion.

The CHAIRMAN. Undoubtedly under parliamentary law an amendment to perfect the text will first be voted on before the amendment to strike out, but what the Chair had reference to was that he understood that all votes were to be postponed until the 40 minutes' general debate was consumed.

Mr. GOOD. It is immaterial. I yield five minutes to the gentleman from Washington [Mr. HUMPHREY].

Mr. HUMPHREY of Washington. Mr. Chairman, I offer the motion to strike out the entire paragraph. I do not think there is anything in the argument made by the gentleman from Missouri [Mr. HAMLIN] when he wishes to place it at 10 cents per mile on the theory that it will bring the families of the Members here. Ten cents will not be sufficient to bring the members of families from the Pacific coast. Now, I prefer to strike out the entire proposition. So far as I am individually concerned, I would rather be guilty of grand larceny than petty larceny, and if 20 cents is a graft, 5 cents is a graft. It will not cost 5 cents for any man to go to his home and return if he does not include his family. If he does include his family and he lives on the Pacific coast or in the far South, and there are three or four members in his family, it will not be sufficient. Now, the whole proposition of this mileage is a proposition by those who live near Washington to make a little cheap political capital at the expense of the Members who live far distant. I will at least not mix hypocrisy with the taking of the mileage. I have never yet stood upon the floor of this House and condemned it as graft, nor have I been one of the first Members at the wicket, after speaking against it, to get my portion of it. Many who oppose the mileage talk one thing upon the floor of the House and another in the cloakroom. Now, you might as well face this fact. You are not deceiving the people of this country. They know the cheap hypocrite that stands up here and wants to make a little political capital at the expense of some of the other Members. The proposition is squarely this: If this mileage is wrong, strike it out; and if you want to punish me because I live on the Pacific coast, have the courage and honesty to do it.

Now, another thing about it, if a man has only his wife, the mileage is sufficient compensation, coming from the Pacific coast, to cover the expense. You take the case of two of my colleagues, Mr. FALCONER and Mr. LA FOLLETTE, and the mileage is not sufficient in either case to pay them to bring their families here. Do you want them to leave their families at home, or do you want to penalize them for having a family?

You either want to penalize the Members of the House who have large families or you want to penalize them because they live far away from the Capital. Which is it? But if we are going to parade before the country our patriotism and our righteousness, then let us strike it all out. If it is a steal to take 20 cents, it is a meaner and more contemptible steal to take 5 cents. [Applause.]

The CHAIRMAN. The time of the gentleman from Washington has expired. The question is on agreeing to the amendment offered by the gentleman from Missouri [Mr. HAMLIN].

Mr. GOOD. Does the gentleman from South Carolina desire to use any more of his time?

Mr. JOHNSON of South Carolina. No time is asked for on this side.

Mr. GOOD. Mr. Chairman, I yield three minutes to the gentleman from Georgia [Mr. BARTLETT]. I do not see him here just now.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Missouri [Mr. HAMLIN].

Mr. HARDY. Mr. Chairman, is it in order to offer an amendment to the amendment?

The CHAIRMAN. Yes.

Mr. HARDY. I would like to offer an amendment to the amendment.

The CHAIRMAN. The gentleman from Texas [Mr. HARDY] offers an amendment to the amendment.

Mr. HARDY. I can reduce it to writing. I would like to amend the amendment by making the provision read so that each Member would be paid the actual expenses paid by him for bringing himself and the dependent members of his family to Washington.

Mr. FITZGERALD. Mr. Chairman, I will ask that the gentleman reduce his amendment to writing, so that we can have it properly before the House.

The CHAIRMAN. Does the gentleman from Texas desire to offer an amendment to the amendment offered by the gentleman from Washington [Mr. HUMPHREY]?

Mr. JOHNSON of South Carolina. I yield three minutes to the gentleman from Indiana [Mr. COX].

Mr. COX. Mr. Chairman, I take issue with a part of the argument made by Members this morning, wherein the statement is made that mileage is a part of the compensation of Members of Congress; and I take issue with them upon that proposition because the Court of Claims has expressly decided that it is not a part of the compensation of Members of Congress.

Mr. MANN. Mr. Chairman, will the gentleman yield?

Mr. COX. Yes.

Mr. MANN. Did the gentleman just hear the distinguished chairman of the committee in this House decide that it was a part of the compensation, and is not that latest authority or statement of the law?

Mr. COX. That might be a controversy between the distinguished gentleman and the Court of Claims; but the Court of Claims, as I recall reading the decision—and I read it last spring—expressly decided upon the proposition that mileage allowed to Members of Congress was not a part of their compensation; that it was originally designed and intended to reimburse the person for travel. That was not a side issue of the case, but a question squarely in issue, where the Delegate from New Mexico or Arizona—I am not sure which—brought a suit in the Court of Claims for his salary, and the Court of Claims expressly so held.

Now, I agree that you will never get this mileage made exactly equal between all Members of this House; but when you

come to actually equalizing the law between man and man, the mortal mind of man has never yet been able to devise that kind of a law, and he will never be able to do it.

As the gentleman from Missouri [Mr. HAMLIN] well said a moment ago, it is perfectly patent and absolutely plain as to what the original intention of the forefathers was when they fixed the rate of mileage at 20 cents a mile in 1789. Those times and those conditions and those modes of travel have long since come and gone.

Now, if the Court of Claims is right in holding that this is not a part of the compensation of Members of Congress, but is intended to reimburse the Members for money that they have actually paid out and expended for travel, the 5 cents a mile, in my judgment, comes nearest to being absolute and equal justice between all the Members of Congress, and I hope that the amendment of the gentleman from Missouri [Mr. HAMLIN] will be voted down. [Applause.]

Mr. GOOD. Mr. Chairman, I yield three minutes to the gentleman from Georgia [Mr. BARTLETT].

The CHAIRMAN. The gentleman from Georgia [Mr. BARTLETT] is recognized for three minutes.

Mr. BARTLETT. Mr. Chairman, I have voted for the proposition of 5 cents and for the proposition for 10 cents, and I have voted for the proposition that Members be paid the actual traveling expenses of themselves and the members of their families. I have voted for it because it was a matter of indifference to me. But I am tired of this opera bouffe performance every time we reach the question of mileage. [Applause.] Men vote for it and pray that the Senate will not agree with their vote; and the Senate does not, and the Senate strikes it out. [Applause.]

Now, my vote upon this proposition does not affect me one way or the other. I believe that if I take the mileage allowed by law, fixed for over a hundred years, as a part of the compensation allowed by law for my services here, I am not guilty of "graft" or any other immoral or wrong thing, and I never was afraid to say so or to vote so. The people do not care what we do with reference to paying or accepting pay for ourselves as the law allows. The people can well measure up the men, if there be such, who, in order to gain a little cheap notoriety or to escape probable criticism from the press, vote differently from what they think with respect to things that concern themselves; the men who make profit of their great professions of economy by beginning with themselves and attempting to take something from themselves do so when they know that the attempt will be futile. [Applause.]

So far as I am concerned, I am going to vote for the proposition of the gentleman from Missouri [Mr. HAMLIN], because I think that would be sufficient. But I do not vote for it because I believe that any man who does not vote as I do, or who votes to keep it as it is, is guilty of petty "graft" or anything of the sort, and the people do not think so. The people are not caring what we do with reference to being paid for our services as the law provides for it. What the people want us to do is to pass laws that will best administer this Government for them, and the men who think that by this cheap demagogy they can get something will, in my judgment, be disappointed. [Applause.]

The CHAIRMAN. The time of the gentleman from Georgia has expired.

Mr. HARDY. Mr. Chairman, I am ready now to offer an amendment, as a substitute for the amendment and for the paragraph, the following:

That in lieu of all mileage each Senator, Representative, Delegate, or Resident Commissioner shall be allowed his actual traveling expenses for himself and the dependent members of his family in coming from and returning to his home at each session of Congress.

Mr. MANN. Mr. Chairman, this is not an amendment to the amendment.

Mr. BARTLETT. It is a substitute.

Mr. MANN. It is a substitute for the paragraph.

The CHAIRMAN. It is a substitute for the paragraph.

Mr. MANN. So that the vote on the Hamlin amendment would come before the vote on this substitute.

The CHAIRMAN. The gentleman is correct.

Mr. JOHNSON of South Carolina. I yield three minutes to the gentleman from Texas [Mr. HARDY].

Mr. HARDY. Mr. Chairman, I wish to say that, as I understand and remember it, the substitute which I have offered is precisely the provision which was tendered by the committee at a former session of Congress, and if I can get the attention of the House I wish to say just exactly why I offer it and why I believe this substitute ought to be adopted.

In the first place, gentlemen, it is just. The salary of every Member of Congress was intended to be $7,500 per annum, and every Member's salary was intended to be equal to that of every other Member.

Mr. MANN. If it will not interfere with the gentleman, will he yield for a moment?

Mr. HARDY. Certainly.

Mr. MANN. You say at the end of each "term" of Congress, I suppose you mean at the end of each "session" of Congress.

Mr. HARDY. Yes. I meant each session.

Mr. MANN. I suggest to the gentleman that he ask unanimous consent to change his amendment in that respect.

Mr. HARDY. I would like to have it changed in that way, and ask that it be done by unanimous consent.

Now, Mr. Chairman, there is no question that a 20-cent mileage rate for a Member who lives in Texas, and who comes here by himself, is a considerable addition to his salary as a Congressman over the salary of a Member who brings his family with him, expending as much as 20 cents a mile, and perhaps more, or one who lives near by and gets no mileage. When I first came to this Congress I had seven in my family—my wife and five children and myself—and I believed that in the interest of my people, as well as of myself, I ought to bring those members of my family with me, and I did so. It cost me just about the full amount of 20 cents to bring them and pay their traveling expenses, very little more or less, and considering the fact that I sometimes took trips that were not included in the mileage and yet were necessary; I think my necessary traveling expenses have been about what I have received. Now I have only five members in my family. Two of the seven members are not with me, do not come with me. Probably one of the present members will not come in the future. Now, I do not believe I ought to be paid for traveling expenses as much now as I was then, and as I ought to have been paid then. Gentlemen, if you want to have the pay of Members of Congress precisely $7,500 a year, then you should pay them the actual necessary and reasonable traveling expenses for them to come here and to bring with them the members of their families, if the good of the country is better served by a Member being here with his family than it is by his leaving them at home—and I know many Members of Congress who, if they are forced to bear the expense, will be strongly tempted to leave the members of their families at home. I do not believe that ought to be done. I believe this is a great Government. I do not think it is necessary for us to be petty in our expenditures, but I do think it is necessary for us to be just, and I should like every man to be put on an equal footing. It seems to me this is the only way to put them all on an equal footing.

Mr. GOOD. Mr. Chairman, there are some honest differences of opinion between members of the subcommittee that reported this bill on the question of mileage. There is absolutely no difference of opinion on what this legislative bill will contain when it is signed by the President, so far as the mileage provision is concerned. We all know that this is mere boys' play.

Mr. BARNHART. Every year.

Mr. GOOD. It was only a few months ago that for days and weeks the House conferees were engaged with the Senate conferees in attempting to settle this question. Irrespective of what this House does, every Member of the House who knows anything about the subject knows that the Senate will write the provision with regard to mileage; and it ought to, until the day arrives when we are brave enough and honest enough with the country and ourselves to bring before this House a bill from a committee that has thoroughly investigated the subject and thoroughly digested it, fixing the mileage of Members. Why, we all know that when this bill is enacted into law the mileage will be 20 cents a mile, irrespective of what this House does to-day, and it seems to me that it is folly for which the Members of this House ought to be condemned, when session after session they bring up this question in this way, especially at a short session of Congress. Everybody, at least on this side of the House, wants to aid in expediting legislation through Congress in order that there may be no special session. To take up the time of the House with propositions of this kind is, it seems to me, inexcusable. I do not care, therefore, to take any more time of the committee discussing the subject. I yield the remainder of the time to the gentleman from Illinois [Mr. MANN].

Mr. MANN. How much time?

The CHAIRMAN. The gentleman is recognized for nine minutes.

Mr. MANN. Mr. Chairman, I want only a minute. This is a short session of Congress, which will expire at 12 o'clock on March 4, except so far as the clock may be turned back. It is invariably the rule and practice in the short session of Congress to have a large number of conference reports come in at the very end of the session.

It has been stated in the newspapers—and I have heard gentlemen on the other side of the House state—that both the administration of the Government and the administration in the House desired not to have a special session of Congress. I have questioned that statement, and I question it now. The only way a special session of Congress can be avoided is by passing the appropriation bills and having them signed by the President; because if one of the supply bills fails, it will be necessary to have a special session of Congress in order that the Government may continue to run. Yet here is a proposition that was thrashed out last year, when we had time to burn, when we could remain in session as long as we pleased and make such fight as we pleased, so long as we had the backbone to do it, and we yielded then. Now it is interjected again. There can be but one purpose in interjecting propositions like this into appropriation bills at the short session of Congress, and that is in the hope that they may defeat the passage of an appropriation bill in the end, in order to have a special session. I am not sure whether it is being done because the President wants a special session of Congress, or whether it is being done because the President does not want a special session—whether it is to aid him or to embarrass him. It is one or the other; and it comes from the other side of the House. [Applause on the Republican side.]

Mr. JOHNSON of South Carolina. Mr. Chairman, I yield five minutes to the gentleman from New York [Mr. FITZGERALD].

Mr. FITZGERALD. Mr. Chairman, I have always been reluctant to discuss the question of mileage of Members of Congress. My reluctance comes from the fact that the mileage paid to me under the law amounts to $92. It is so small a sum that it makes little difference whether I receive it or not, while other Members receive substantial sums, which many of them believe essential. My expenses in coming to and returning from sessions of Congress are relatively all out of proportion to the expense of most Members of Congress, because I have seven children in my family, for six of whom I pay railroad fares, and with myself, wife, and one servant my expenses are proportionately much larger than those of the ordinary Member of Congress.

Of course nobody takes seriously the argument of the gentleman from Illinois [Mr. MANN]. He is just entertaining himself and the House by his suggestion that the proposition to change the mileage is a deliberate attempt, a deep-seated plot on the part of some one to try to embarrass the administration by defeating an appropriation bill and thus forcing an extra session of Congress.

It is a matter of considerable regret that the gentleman from Washington [Mr. HUMPHREY] should become so unduly excited in discussing the matter that he should attribute to those who differ with him the aspersion of his motives and characterization of his action in a manner that could not properly be applied either to gentlemen or to honest men. No one charged anyone who differed as to the provisions in the bill with being grafters or thieves, or desiring to take money to which they were not entitled. The distinguished gentleman should not picture himself in any one of these categories when it is not charged against him.

Mr. HUMPHREY of Washington. Will the gentleman yield?

Mr. FITZGERALD. Yes.

Mr. HUMPHREY of Washington. The gentleman has heard the discussions heretofore, and all the adjectives that he has now mentioned were used against those who were in favor of the present law.

Mr. FITZGERALD. We can not resurrect all the arguments, good and bad and indifferent, either by the gentleman from Washington or other gentlemen in the House, from the dead past every time a question is presented to the House. What is the situation about mileage paid to Members of Congress? We might as well be honest with ourselves. Whatever differences of opinion we may have as to whether 20 cents a mile each way at each session is a proper sum to cover the traveling expenses of Members of Congress, the truth is that a large part of the citizens of this country believe that it is an excessive sum and that it would not be fixed at that sum if it were not for the fact that those who fix the rate are the beneficiaries of the rate. In other words, that while officials of the Government in every other department are compelled to travel upon official business of the Government, the rate fixed to cover the travel of Members of Congress, which they themselves fix, is two and a half times larger than the largest rate fixed for any other official of the Government.

I know that gentlemen differ on this question, but these are the facts that appeal to the public; they do not believe that we are justified in fixing this rate to cover the traveling expenses of Members of Congress.

Mr. BARNHART. Will the gentleman yield?

Mr. FITZGERALD. Yes.

Mr. BARNHART. Why not fix it at the actual traveling expenses, the same as that of all other officials of the Government, at 10 cents a mile?

Mr. FITZGERALD. But they are not fixed that way.

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. JOHNSON of South Carolina. Mr. Chairman, I yield to the gentleman from New York three minutes more.

Mr. FITZGERALD. I have jotted down my traveling expenses as they would be under the proposition to pay the actual traveling expenses of the Members and of those depending upon him, and I would receive more than $92 to bring my family to Washington and return once each session under such a law. I do not believe that we should fix the mileage of Members of Congress by what a Member under unusual conditions would get, any more than I believe it is fair to charge that an unmarried man who had no dependent relatives with receiving an undue amount when he receives the fixed rate. What should be done is to fix a fair amount for the average Member of Congress.

There are differences of opinion upon this matter. Some believe 10 cents an adequate sum, some think 5 cents is an adequate sum, and others believe that the Member should receive the traveling expenses of himself and the members of his immediate family. I believe, Mr. Chairman, that the Congress of the United States, as a matter of self-respect, ought to pay some attention to the sentiment of the country and reduce the rate of mileage. During the 16 years I have been in the House the same controversy has taken place in every session. It is not creditable to the dignity of this body. The mere fact that another body has resisted the attempts to reduce the mileage does not, in my opinion, justify Members showing indifference to what the actual facts are, or to the sentiment of the country. We should do whatever is necessary to place the membership of this House upon such a plane that it would reflect the dignity and self-respect which become a body representative of 90,000,000 of free American citizens. For these reasons I shall vote for any proposition which will tend to remove from the minds of a large number of our citizens the conviction that the mileage is excessive and at the same time reduce mileage from an excessive rate.

Mr. MANN. Will the gentleman yield?

Mr. FITZGERALD. Yes.

Mr. MANN. Is the gentleman aware that a committee of this House has recently reported a bill to give certain officials of the Government, in lieu of actual expenses which they now receive, 20 cents a mile for traveling expenses going and coming?

Mr. FITZGERALD. I was not aware of it, but I venture the prophecy that that bill has no more chance of being enacted into law by Congress than I have of being translated into heaven. If there is any one who believes otherwise, I should like him to rise and say so.

Mr. MANN. It has been reported by a very distinguished committee of this House.

Mr. FITZGERALD. They do not mean it.

Mr. JOHNSON of South Carolina. Mr. Chairman, all Members of the House have decided convictions on this question. We are making an honest effort to reduce the expenses of this Government. We are "cutting every department of the Government to the bone."

It will take better with the country if we show a disposition to practice some economy in our own expenditures. Let us have a vote.

Mr. GOOD. Mr. Chairman, I yield two minutes to the gentleman from Washington [Mr. HUMPHREY].

Mr. HUMPHREY of Washington. Mr. Chairman, I wish to say just a word in reply to the statement of the gentleman from New York [Mr. FITZGERALD], if I can have his attention for a moment. The gentleman, by telling about his own family, illustrates the inequalities of this mileage proposition.

Mr. FITZGERALD. But I am not complaining and I am not objecting to the reduction.

Mr. HUMPHREY of Washington. I said the statement of the gentleman illustrates the inequality of which I complain. If the gentleman lived in Seattle instead of in New York and brought his family with him it would cost him $500 more each session than he would receive in the way of mileage. The proposition is: Is it fair to punish a man or to take from his compensation in proportion to the distance he lives from the Capital?

Mr. FITZGERALD. A man with seven children living on the Pacific coast has not time to come to Congress. [Laughter.]

Mr. HUMPHREY of Washington. Oh, the gentleman is very much mistaken in that. He is not the only man who has seven

children. Two of my colleagues can equal him in that respect, and they bring their families here, too. New York is not the only prolific place in the United States. If we could have a proposition here which we could honestly and economically administer of paying the actual expenses of a Member in bringing his family I would favor it, because this other proposition does bear unequally. Some of us get mileage more than we are entitled to. I get more mileage than I expend, but, on the other hand, my colleagues do not, and we ought in some way, if we could, equalize the matter. In other words, what I am protesting against is that while you take from the gentleman from New York perhaps $40 you take from one of my colleagues $500. It costs the gentleman from New York $20 to bring a member of his family to Washington and return and it costs my colleague $200 to bring each member of his family to Washington.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Missouri.

The question was taken, and the amendment was rejected.

The CHAIRMAN. The question now is on the amendment offered by the gentleman from Texas.

Mr. HAMLIN. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. HAMLIN. There was so much confusion that I do not think Members generally understood. Do I understand that the vote has been taken upon my amendment?

The CHAIRMAN. The committee just voted on the amendment of the gentleman from Missouri and rejected it.

Mr. BARTLETT. Mr. Chairman, I ask unanimous consent that the vote be taken over again.

The CHAIRMAN. The gentleman from Georgia asks unanimous consent that the vote be taken over again on the amendment offered by the gentleman from Missouri. Is there objection?

Mr. JOHNSON of Washington. Mr. Chairman, I object.

The CHAIRMAN. The question now is on the amendment offered by the gentleman from Texas [Mr. HARDY].

Mr. HARDY. Mr. Chairman, may we have the amendment reported again?

The CHAIRMAN. Without objection, the Clerk will again report the amendment?

There was no objection, and the Clerk again reported the amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Texas.

The question was taken; and on a division (demanded by Mr. GARRETT of Texas and Mr. HUMPHREY of Washington) there were—ayes 50, noes 76.

Mr. MANN. Mr. Chairman, I demand tellers.

Tellers were ordered, and the Chair appointed the gentleman from Texas, Mr. HARDY, and the gentleman from South Carolina, Mr. JOHNSON, to act as tellers.

The committee again divided; and the tellers reported—ayes 78, noes 52.

So the amendment was agreed to.

Mr. HUMPHREY of Washington. Mr. Chairman, I ask unanimous consent to withdraw my amendment.

The CHAIRMAN. Without objection, it is so ordered.

There was no objection.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

For mileage of Representatives, Delegates, and expenses of Resident Commissioners, $43,750.

Mr. HARDY. Mr. Chairman, a parliamentary inquiry. It has been suggested to me that another amendment ought to be offered.

Mr. FITZGERALD. No; the gentleman is mistaken.

Mr. HARDY. I withdraw the parliamentary inquiry.

The CHAIRMAN. The Clerk will continue the reading of the bill.

The Clerk read as follows:

The Librarian of Congress is authorized to appoint a disbursing clerk, who shall also act as assistant superintendent of the library building and grounds and perform the duties of disbursing clerk under the aforesaid act and the act approved July 19, 1897 (30 Stat. L., p. 136). The disbursing clerk shall give bond in such sum as the Secretary of the Treasury shall determine and shall receive a salary of $2,500 per annum.

Mr. SLAYDEN. Mr. Chairman, I offer the following amendment, which I send to the desk and ask to have read.

The Clerk read as follows:

Page 27, line 15, after the word "of," strike out "$2,500" and insert "$3,000."

Mr. SLAYDEN. Mr. Chairman, as all Members of the House know, the late superintendent, Mr. Green, died a few weeks ago, and the Committee on Appropriations are confronted with the problem of determining how the office which he had occupied should hereafter be filled, and the compensation thereof. I think there is no doubt about the truth of the common impression that Mr. Green received a salary of $5,000, or $2,000 more than the salaries given to the division chiefs in the Library, partly because he had been associated with the construction of the building and had rendered long, valuable, and distinguished services. I think the suggestion of the committee of consolidating the control of the Library Building, of merging in the office of Librarian the duties of the superintendent, is a wise one. I think the committee is right in that, and I think it is right to take advantage of the occasion to make a saving; and although I appear to be offering an amendment to increase the appropriation, I invite the attention of the House to the fact that following my suggestion, in cooperation with the suggestions of the committee, there will be an important saving in the administration of the Library Building; but I am seriously afraid, as I know the Librarian is, that in the administration of the Library as proposed we will not find the same degree of satisfactory and efficient work that we have had. It is proposed to appoint an assistant superintendent, with a salary of $2,500 a year.

I inferred from conversations that I had with members of the committee that it was their impression that the man who was next in rank to Mr. Green during his long term of service as superintendent would be promoted to this place, and that the assistant superintendent, of course, would receive a very much smaller salary. Now, it happens that in the personnel of the Library there is really no one to whom the Librarian could turn to secure a satisfactory and efficient conduct of the affairs of that office. The assistant superintendent is also made the disbursing clerk of the Library. There are about 430 people, as I remember it, in the Library. Their accounts have all to be paid by his check. They must be audited; they must be carefully examined into. There are any number of other accounts also that require personal attention, and the time of one clerk while Mr. Green was superintendent was completely occupied in doing this work.

Mr. BYRNS of Tennessee. Will the gentleman yield?

Mr. SLAYDEN. Yes; but I will have to obtain more time.

Mr. BYRNS of Tennessee. The gentleman suggests that there is no one now connected with the office to perform the duties of disbursing clerk and assistant superintendent. I want to ask the gentleman whether the chief clerk at the present time, who is now drawing a salary of $2,000, can not perform those duties?

Mr. SLAYDEN. Well, it is not a pleasant thing to make these comparisons, but I will say to the gentleman that there is not, for the chief clerk was promoted to the position two years ago from the position of stenographer, and lacks the necessary technical education and experience. The Librarian is a busy man with large administrative duties and little time to give to the work that was done by the late Mr. Green. The assistant superintendent ought to possess to some degree the peculiar qualifications that Mr. Green had. He ought to be a man professionally trained along the lines of engineering and building, if such a person can be had for the salary provided.

Mr. BYRNS of Tennessee. Well, is it the gentleman's idea that in addition to the disbursing clerk and assistant superintendent we should continue the present chief clerk in the division?

Mr. SLAYDEN. As clerk; I do not believe we ought to have any chief clerk at all in the office of the superintendent.

Mr. BYRNS of Tennessee. Well, is it the gentleman's idea to increase the force of clerks beyond what it is now?

Mr. SLAYDEN. No; but you reduce it very much below that.

Mr. BYRNS of Tennessee. No; we do not.

The CHAIRMAN. The time of the gentleman has expired.

Mr. BYRNS of Tennessee. Mr. Chairman, I ask unanimous consent that the gentleman from Texas may have five minutes additional.

The CHAIRMAN. Is there objection to the request of the gentleman from Tennessee? [After a pause.] The Chair hears none.

Mr. SLAYDEN. Mr. Chairman, the present organization of the Library, I will say in reply to the gentleman from Tennessee, consists of a superintendent to be appointed by the President, who also acts as disbursing officer, and who, under the law, has been receiving $5,000 a year, and one chief clerk in his office at $2,000 a year. Now, that chief clerk has been the man who has looked after these accounts and attended to that sort of thing, requiring, of course, Mr. Green's signature, which office it is proposed to abolish; and the Librarian himself says that he thinks that there is no occasion for keeping the title of chief clerk, but they do need a clerk. Then one captain of the watch, who receives $1,400, who, perhaps because of his experience and because of his training, is better suited to be promoted to the

office of assistant superintendent than any other man in his office, but, it seems, is disqualified because of his age. Then there is a chief engineer at a salary of $1,500 and a chief electrician at $1,500 and 125 subordinate employees. Now the bill proposes to abolish the superintendent, which is proper. I quite agree to that, and then the chief clerk——

Mr. BYRNS of Tennessee. We make him disbursing clerk.

Mr. SLAYDEN. But you also make him assistant superintendent. Now, his time as disbursing officer in the supervision of accounts, in the making of computations and things of that sort, will be entirely occupied, and for that position a $2,000 salary is adequate, but a $2,500 salary is not adequate to obtain the services of the sort of man who should be assistant superintendent and on whom would practically devolve the major portion of the work done by the late Mr. Green.

Mr. TOWNER. Will the gentleman yield for a question?

Mr. SLAYDEN. Yes.

Mr. TOWNER. The language now is as you change it that the disbursing clerk shall receive $2,500 per annum?

Mr. SLAYDEN. Yes.

Mr. TOWNER. Would you really mean that the disbursing clerk should receive only $2,000 per annum?

Mr. SLAYDEN. If the gentleman will wait a moment, there are some other amendments to be offered. In this next line you will see under the Library Building, "Disbursing clerk and assistant superintendent." We are going to leave the title of disbursing clerk.

Mr. TOWNER. Let me call the gentleman's attention to this fact. The language in the clause which the gentleman is now seeking to amend is legislative language; it is the language of the law——

Mr. SLAYDEN. Yes.

Mr. TOWNER. As I understand it. The subsequent provision is merely for the appropriation. Now, it seems to me that the gentleman, if he desires to present the matter as it should be, would reduce this salary from $2,500 to $2,000 in his amendment and increase the salary of the assistant superintendent to $3,000.

Mr. SLAYDEN. But the gentleman overlooks the fact that the committee proposing the legislation says it is not at all improper that the assistant superintendent shall also be the disbursing clerk. The assistant superintendent will need and should have a clerk to do this work of auditing, computation, and things of that kind, as has been the case heretofore. Mr. Green was the disbursing officer.

Mr. TOWNER. Is it the gentleman's idea that the $3,000 will pay the salary of the assistant superintendent and the disbursing clerk also?

Mr. SLAYDEN. They are to be the same person.

Mr. TOWNER. I know they are to be the same person. And you would not have any other officer?

Mr. SLAYDEN. Yes; I think there ought to be a clerk also.

Mr. TOWNER. Let me state the question, if I understand it, and see if I am right, if the gentleman will pardon me. You believe the superintendent as such ought to receive a salary of $3,000?

Mr. SLAYDEN. The assistant superintendent.

Mr. TOWNER. The assistant superintendent; yes. And you also desire there shall be an officer, who shall be the disbursing clerk, at $2,000?

Mr. SLAYDEN. No, sir. The assistant superintendent is expressly made the disbursing clerk, but I would also give them a clerk, not the chief clerk, not the disbursing officer, but a clerk at $2,000 that will do the work of that man.

Mr. TOWNER. Then you propose to follow that up with another amendment?

Mr. SLAYDEN. Two other amendments.

The CHAIRMAN. The time of the gentleman from Texas [Mr. SLAYDEN] has expired.

Mr. JOHNSON of South Carolina. Mr. Chairman, just a few words ought to satisfy the committee. Col. Green was provided for by law as superintendent of the Library of Congress before it was finished at a salary of $5,000 a year to complete the building. He rendered very notable service in connection with the construction of the Library, and we retained him in his place until the day of his death. It is not now necessary to have a great engineer like Col. Green as superintendent of that building. When it was first constructed it had a lighting plant and a heating plant, and it was part of the duties of the superintendent of the building to have charge of that heating plant and lighting plant. We now have a central power plant, and from that central power plant are supplied the heat and light for the Library of Congress. As superintendent of the building certain duties are no more arduous and responsible than are the duties of the superintendent of the Senate Office Building and the superintendent of the House Office Building, both of whom receive a salary of $2,400 a year. As the disbursing officer his duties are not arduous. The disbursing officer in the Navy Department——

Mr. SLAYDEN. Will the gentleman permit me a question?

Mr. JOHNSON of South Carolina. Certainly.

Mr. SLAYDEN. There is a person known as the superintendent of the House Office Building, is there?

Mr. JOHNSON of South Carolina. Yes, sir; at a salary of $2,400 a year—an assistant superintendent.

Mr. SLAYDEN. And he works generally under the direction of Mr. Elliott Woods, does he not?

Mr. JOHNSON of South Carolina. Yes, sir.

Mr. SLAYDEN. Who provides plans and gives orders and that sort of thing, and who generally supervises the work and directs it?

Mr. JOHNSON of South Carolina. I suppose the Librarian of Congress will have exactly the same control over his assistants that Supt. Woods has over his assistants.

Mr. SLAYDEN. If the gentleman will permit me, he realizes that in a building which has more cubic feet of area than this building has they are constantly employed in making little repairs and keeping things up. A good deal of those repairs may perhaps be done by contract. A great deal certainly was done by the force of the Library itself under the direction of Col. Green because he was a capable man to see to the execution of repairs. Perhaps you could not get so distinguished an engineer, and no one asks that; but for the salary I propose you could get a young man thoroughly well trained and technical, to some extent, who could do that and who could more than save the difference in the salary by making repairs without resorting to the more expensive system of contract.

Mr. JOHNSON of South Carolina. I was going to state the duties, comparatively speaking, of the disbursing officer. The disbursing officer in the Navy Department has 603 people on his rolls. He disburses $861,890 and gets a salary of $2,250. The disbursing officer of the Post Office Department has 1,402 people, disburses $1,186,695, and receives a salary of $2,250. The Treasury has a roll of 1,392 persons, and the disbursing officer there disburses $1,837,608 and receives a salary of $3,000. The Library of Congress has only 491 persons on its rolls, and the total amount disbursed a year is $630,205. The committee, comparing the work of this new officer with the work that other men do in the public buildings in the District, thought that they were fair in fixing the salary of $2,500.

The CHAIRMAN. The time of the gentleman has expired.

Mr. GOULDEN. Mr. Chairman, I ask unanimous consent that the gentleman be allowed five minutes more. I want to ask him a few questions myself.

The CHAIRMAN. The gentleman from New York asks unanimous consent that the gentleman from South Carolina have five minutes more. Is there objection?

There was no objection.

Mr. SLAYDEN. Mr. Chairman, by the courtesy of the gentleman from New York [Mr. GOULDEN], I am permitted to ask the chairman another question. Those disbursing officers in these other departments of the Government that you speak of have an abundance of clerical help, have they not?

Mr. JOHNSON of South Carolina. So have we clerical help in the Library.

Mr. SLAYDEN. I have read you a list of the officers in the Library.

Mr. JOHNSON of South Carolina. There are a number of clerks there who were under Col. Green. I do not know what they are doing, but they are there.

Mr. SLAYDEN. This man who was known there as clerk—I do not think they called him chief clerk?

Mr. JOHNSON of South Carolina. Yes; they called him chief clerk, and he received $2,000.

Mr. SLAYDEN. By the way, let me say, in passing, that there ought not to be another man of that kind, because there is a chief clerk of the Library—Mr. Boyd, I think his name is. But that aside, the Library is open all but two days in the year; it runs on a double shift, and the contention is that this man's time will be occupied almost entirely—we may say, completely—with the clerical duties pertaining to the office. Now, if he were made assistant superintendent, coupling the duties of the two places, and he is given general supervision of the building, and has to go about and watch all the laborers employed there and keep them up to the mark, and has to make little daily repairs without first putting the Government to the expense of letting contracts and going out and getting the work done, he would have his time well occupied. He would be bound to neglect his other duties here. The Librarian is strongly of the

opinion that for a salary of $3,000 a high-class, thoroughly trained, and fairly technical young man can be secured. The gentlemen of the committee should not forget that we are endeavoring to cooperate with them in this saving, not to the extent that we think will impair efficiency but in order that a material saving in the appropriations for the Library may be made.

Mr. GOULDEN. Mr. Chairman, will the gentleman yield?

Mr. JOHNSON of South Carolina. Yes, sir.

Mr. GOULDEN. I notice on page 27, line 7, you provide that the Librarian of Congress is authorized to appoint a disbursing clerk who shall also act as assistant superintendent of the Library building and grounds, and then you go down to line 16 and say, under the head of "Library building and grounds," what is a repetition of that, as it seems to me, and you say, "Disbursing clerk and assistant superintendent, $2,500." How many disbursing clerks and assistant superintendents do you intend to have?

Mr. JOHNSON of South Carolina. Only one. The first paragraph creates the office and the second one appropriates for it.

Mr. GOULDEN. Do you propose to give him two salaries of $2,500 each?

Mr. JOHNSON of South Carolina. No. The first paragraph fixes the salary and the second appropriates for it.

Mr. GOULDEN. I asked that question because on a casual reading of the bill it looked as if you were providing for two disbursing clerks and two assistant superintendents. With that explanation I am fully satisfied.

Mr. JOHNSON of South Carolina. No. The one, as I say, creates the office and the other appropriates for it.

Mr. GOULDEN. That clears up the situation.

Mr. JOHNSON of South Carolina. I may say that Col. Green for a number of years had been in very feeble health, and this Library is as well provided for in the bill you have before you as it has been in the years that have passed.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Texas [Mr. SLAYDEN].

Mr. TOWNER. Mr. Chairman, the difficulty in my mind is that the combination of these two offices into one seems to me to be so incongruous that I do not see how it is possible for you to secure the proper kind of a man, especially for $2,500 a year.

Mr. BYRNS of Tennessee. The gentleman will pardon me. He says it is "incongruous." I will state to the gentleman that the superintendent of the building was also the disbursing officer, so that we are doing nothing more in this than has been the rule heretofore.

Mr. TOWNER. I understand; but I also understand that, as a matter of fact, while that was true, the superintendent performed only the duties of superintendent, and that a man who had a salary as chief clerk did almost exclusively the duty of disbursing officer.

Mr. BYRNS of Tennessee. This disbursing officer and assistant superintendent has the clerical force that he can use.

Mr. TOWNER. That is the proposition at issue. It might be true that if the disbursing officer had a qualified clerk the work might be done. But it occurs to me, Mr. Chairman, that now is the time when we ought to separate these offices. The consolidation of the disbursing clerk and the assistant superintendent of the building is certainly not a happy one, and it can result in no good. It would appear evident that an entire separation of these offices should be made. Under the old system the difficulty was met by the superintendent doing the work of superintendence, and by the chief clerk doing exclusively the work of disbursing officer. Here you combine the offices again, but you do not provide for the disbursing clerk.

It is said that the work will be done by subordinate officers. I do not know whether that is true or not. I presume gentlemen speak advisedly when they say so. But the disbursing officer is rather an important officer. While it is true, as suggested by the chairman of the committee, that it is not necessary that he should be paid a very large salary, yet it certainly seems to me that provision should be made for such an officer, and I judge that it would be unwise to give to an ordinary clerk, receiving a salary of $800 or $900 a year, the important duty of disbursing officer, even for the disbursement of $600,000 a year to about 500 employees.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Texas [Mr. SLAYDEN].

The question was taken, and the Chairman announced that the noes seemed to have it.

Mr. SLAYDEN. A division, Mr. Chairman.

The committee divided; and there were—ayes 4, noes 24.

So the amendment was rejected.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Library building and grounds: Disbursing clerk and assistant superintendent, $2,500; clerks—1 $1,600, 1 $1,400, 1 $1,000; messenger; assistant messenger; telephone switchboard operator; assistant telephone switchboard operator; captain of watch, $1,400; lieutenant of watch, $1,000; 16 watchmen, at $900 each; carpenter, painter, and foreman of laborers, at $900 each; 14 laborers, at $540 each; 2 attendants in ladies' room, at $480 each; 4 check boys, at $360 each; mistress of charwomen, $425; assistant mistress of charwomen, $300; 58 charwomen; chief engineer, $1,500; assistant engineers—1 $1,200, 3 at $900 each; electrician, $1,500; machinists—1 $1,000; 1 $900; 2 wiremen, at $900 each; plumber, $900; 3 elevator conductors, and 10 skilled laborers, at $720 each; in all, $74,345.

Mr. GOULDEN. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from New York [Mr. GOULDEN] moves to strike out the last word.

Mr. GOULDEN. Mr. Chairman, I desire to ask the chairman of the committee if he has gone into the matter of the watchmen at $900 each? You know they are obliged to wear uniforms bought at their own expense, the same as our Capitol police, and the latter receive $1,050. It seems to me that the same salary should prevail for these uniformed watchmen. I am asking for information of the chairman of the committee to ascertain if he has gone into the matter thoroughly and if he is satisfied that that $900 is a sufficient compensation for good, respectable men to receive?

Mr. JOHNSON of South Carolina. Mr. Chairman, after a very hard fight during the last session of Congress we increased the salary of watchmen in the Library of Congress from $60 a month to $75, and they are happy.

Mr. GOULDEN. Well, if they are satisfied, then I am. My thought is that they, as well as the Capitol police, should receive $1,200 per annum to enable these men to live and maintain their families decently.

The CHAIRMAN. The Clerk will read.

MESSAGE FROM THE SENATE.

The committee informally rose; and the Speaker having resumed the chair, a message from the Senate, by Mr. Tulley, one of its clerks, announced that the Senate had passed bills of the following titles, in which the concurrence of the House of Representatives was requested:

S. 6686. An act to supplement an act entitled "An act to increase the internal revenue, and for other purposes," approved October 22, 1914; and

S. 6689. An act making appropriation for the arrest and eradication of the foot-and-mouth disease.

LEGISLATIVE, EXECUTIVE, AND JUDICIAL APPROPRIATION BILL.

The committee resumed its session.

The Clerk read as follows:

Collecting the cotton-futures tax: The unexpended balance on June 30, 1915, of the appropriation of $50,000 provided by section 19 of the act approved August 18, 1914, entitled "An act to tax the privilege of dealing on exchanges, boards of trade, and similar places in contracts of sale of cotton for future delivery, and for other purposes," is reappropriated and made available for like purposes during the fiscal year 1916.

Mr. BARTLETT. I should like to inquire of my colleague from South Carolina with reference to this item of the unexpended balance on June 30, 1915, of the appropriation of $50,000 provided by section 19 of the act approved August 18, 1914, known as the cotton-exchange tax. I want to know what we have spent on it to date, and what for?

Mr. JOHNSON of South Carolina. No part of it has been expended up to this time, Mr. Chairman. We simply reappropriate it in order that it may be made available; but not one dollar of it, I understand, has been expended so far.

Mr. BARTLETT. Does the gentleman know whether it is probable that any of it will ever be expended or not?

Mr. JOHNSON of South Carolina. I can not answer that question.

Mr. BARTLETT. Mr. Chairman, it occurs to me to suggest that we have had a great deal of discussion, some attempted legislation, and finally some legislation with reference to dealing in cotton futures. It was believed by some people, and stated in evidence before the committee which investigated the question, that this country could not get along without a cotton exchange, and as an evidence of that the low price of cotton prevailing from the time that the European war began down to a few weeks ago, when the cotton exchange in New York reopened, was cited in support of that argument. It was said that the price of cotton was low because there was no cotton exchange, and with a great blare of trumpets and some exultation on the part of newspapers the cotton exchange was reopened. The result was that the very first day or two after it was reopened, instead of aiding the price, cotton fell about $2.50 a bale.

Mr. MANN. Will the gentleman yield?

Mr. BARTLETT. Yes.

Mr. MANN. Fell from what?

Mr. BARTLETT. The price at which cotton opened on the cotton exchange went down about $2.50 a bale.

Mr. MANN. I heard gentleman after gentleman on the floor of this House, from the South, say that cotton was selling for 6 cents a pound, for 4 cents a pound, for 2 cents a pound, and that people brought it into town and could get no bid on it and carried it back home.

Mr. BARTLETT. And I understand that was absolutely true.

Mr. MANN. That is not true now anywhere.

Mr. BARTLETT. What is not true?

Mr. MANN. That you can not sell cotton in the South.

Mr. BARTLETT. But very little of it is being sold.

Mr. MANN. That may be; but a man who has it and takes it to town can sell it, and he can find out what he can get for it from the price on the cotton exchange.

Mr. BARTLETT. He can get about 6¾ cents a pound for it. It costs about 8 cents a pound to raise it.

Mr. MANN. Oh, that is like saying it costs a dollar a bushel to raise corn. I used to raise it at 25 cents a bushel, and made money on it.

Mr. BARTLETT. The gentleman is a very expert farmer.

Mr. MANN. I thought I was going into a better business, but the fellows who have continued to raise corn have gotten rich at it.

Mr. BARTLETT. My proposition is that the cotton exchange does not help the price of cotton.

Mr. MANN. I know; and that is the statement that I am challenging. I think it does help it. When the cotton exchange was closed you could not sell cotton, and now when it is open you can sell it.

Mr. BARTLETT. We are not selling much of it. There is no market for it.

Mr. MANN. You are not very hard up then.

Mr. GARRETT of Texas. I want to suggest to my colleague from Georgia that the day the cotton exchange opened spot cotton was 8 cents a pound in the city of Houston, my home town, and that it went down $2.30 a bale.

Mr. BARTLETT. I said $2.50 a bale.

Mr. SLAYDEN. I want to say also that the day the cotton exchange closed the price of cotton went down 3 cents a pound. I do not think it is a case of cause and effect in either instance.

Mr. BARTLETT. I do not assert that it is, but I do deny the proposition that because the cotton exchange was opened the price of cotton went up, or that the cotton exchange was any benefit to the farmer in fixing the price of cotton or keeping up the price. Now, this bill which taxes the business of carrying on the cotton exchange was passed some time in the last session. There are two reasons why we are not getting a higher price for cotton. One is because the markets are closed. Another is because we have raised more cotton than we have raised before in quite a number of years.

Mr. SISSON. Ever in the world.

Mr. GARNER. Ever in the history of the country.

Mr. BARTLETT. Almost as large as in the history of the country. The gentleman from Illinois refers to the fact, as stated on the floor of the House, that cotton could not be sold. The gentleman will acquit me of making any such assertion when that matter was up. As far as I am concerned, I am not engaged in any effort to have the Government buy any cotton from my people, and I was not back of any such proposition. The cotton farmer is not benefited by the cotton exchange, and I do not believe it is necessary to have this large sum of money appropriated for the purpose of enforcing the act known as the cotton-exchange act. And while I make no motion to strike it out, you will find that this $50,000 will finally be converted back into the Treasury and no use made of it.

Mr. MANN. Mr. Chairman, during the time when we were being regaled daily in this House with the stories of hardship among the cotton producers of the South I bought a bale of cotton and paid 10 cents a pound for it, or $53 for the bale. I knew at the time that cotton sold in the market at not over 5 cents a pound, and my action was purely a matter of friendship and charity. I still have the bale of cotton, and if it were not for putting it on the market and thereby throwing an extra bale of cotton on the market I would sell it quickly at 7 cents a pound, which I could now get for it, which I could not have gotten at the time I bought it. We were told every day in the House that cotton could not be sold; that we must have the Government buy the cotton; that the States must buy the cotton if the Government did not.

Every day we had a filibuster carried on in the House. The cotton exchanges were closed and the wheat exchanges were open. While cotton could not be sold or find a purchaser, wheat was going up in price. Have we heard anything in the last few days about the necessity of the Government furnishing money to buy cotton? Has anything further been done in reference to the $125,000,000 or the $150,000,000 which the bankers were going to raise in order to furnish capital to the South? Since the Cotton Exchange opened all of these things have disappeared in the air. The man who has cotton to-day can sell the cotton. Of course, he can not sell it at 15 cents a pound. No sane man would expect him to sell it at 15 cents a pound under the circumstances. But if the cotton exchanges were not open he could not sell it for 5 cents a pound; not only could not sell it for 5 cents a pound, but every gentleman from the South would be begging and imploring for aid and shedding tears to show how necessary it was for the Government to furnish the money to buy the cotton.

Of course, I do not know which set of gentlemen is stating the facts. I decline to discriminate between those reputable gentlemen, and when one set says that cotton has been reduced in price 3 cents a pound and is now only 7 cents a pound, and the other says that they could not sell it to begin with at 7 or 6 cents a pound, I wonder which one knows the facts. One side is mistaken; that is the charitable construction of it.

Mr. HEFLIN. Mr. Chairman, cotton is now selling far below the cost of production. The South will not make any such crop as some of the gentlemen here say it will make. There will in all probability be a million bales that will not be gathered. Last year at this time cotton was a precious item, and farmers were bending every energy to gather the last boll, because cotton was then selling at 13 cents per pound. Now, the cotton remaining in the field, a great deal of it, will not be gathered because some of it has been damaged, and the low price obtaining will not justify the farmers in gathering it. Gentlemen from all sections of the country are beginning to realize how the farmer of the South is being oppressed on account of the low price of cotton. If he can not get the cost of production for this product, he is in a woeful fix, and that is the condition of the farmers of the South to-day. He needs relief to-day and he needed relief before we adjourned in October. The amount of money that the bankers sought to raise I understand has been secured and will soon be ready to loan to the farmer. I saw a statement in the Post this morning that $135,000,000 has been raised, and various committees to look after these loans in the South have gone south to take charge of the work. It is stated that this money will be ready to loan to the farmers by or before the 1st of January, 1915. This, of course, will do some good, but we ought to have had relief in September or October.

A billion-dollar product—and that is what this cotton would be—bought at a reasonable figure, will, if the present price obtains, sell for less than half that amount. Our farmers bought mules for $250 apiece from the western mule dealers, and many have sold them in my district for $125 to $135, and the agents buying them have been shipping them to Europe to be used in the war. The low price of cotton is responsible for this deplorable condition among the cotton farmers of the South. Let me inform gentlemen here that cotton acreage will be greatly reduced. There was more wheat shipped into my town within six weeks in the early fall than has come there before in the last seven years. We are going to be forced to raise grain to compete with other parts of the country. We were content to raise cotton and let our northern and western brethren raise grain.

Mr. Chairman, our people will live through this distressing period somehow. There is a great demand for wheat. Everything in the way of foodstuffs is in great demand in Europe, while all the countries of Europe that use American cotton have not taken our cotton as heretofore, and this has hurt us tremendously. I am glad to state, however, that the Secretary of State has arranged for the shipping of cotton to Germany and Austria. American cotton in Germany to-day is selling for about 18 or 20 cents a pound; but we have not been able to get our cotton there before this time. The price of cotton is 7 cents a pound here, and it costs 10 cents to produce it. Germany and Austria will take about 3,000,000 bales, and this will help the price of cotton here. Grain and foodstuffs of every kind are in great demand, and I repeat that the southern cotton producer is harder hit by the European war than any other section of the country. If this country could aid the producer in holding this cotton until it sold at a fair price it would be doing a great service to thirty-odd millions of patriotic American people.

I want to make a prediction here now, and that is that some of this very cotton crop will sell for 15 cents a pound. It will be in the hands of somebody, but I fear that the most of it will be out of the hands of those who produced it. The man who toiled in the heat of the day, the man who picked it in the cold of winter, will not get the benefit of that good price; but some of the cotton grown in the South in 1914 will sell for 15 cents or more. [Applause.]

Next year the crop will be greatly reduced, probably one-half, and in the next fall the spinners abroad will pay a greater price for it than they have ever paid. There were 146,000,000 spindles in operation in the world in 1914—4,000,000 more than ever were operated before.

Mr. HAMLIN. Will the gentleman yield?

Mr. HEFLIN. Yes.

Mr. HAMLIN. The gentleman stated that some of this cotton would sell for 15 cents a pound, and said the most of it would be out of the hands of those who grew it. Is it not true that all of the cotton has passed out of the hands of those who grew it?

Mr. HEFLIN. Oh, no; a large portion, a great deal of it, is yet in the hands of the producer.

Mr. HAMLIN. I ask purely as a matter of information, for I heard a gentleman say who had been traveling through the South recently that the planters who grew the cotton had disposed of it.

Mr. HEFLIN. No; a great many of those who produced it have had to sell because they could not hold it. In many instances they were forced to sell. But mark my prediction: Some of this cotton crop will bring 15 cents per pound. [Applause.]

The Clerk read as follows:

Independent Treasury.

Mr. PLATT. Mr. Chairman, I offer the following amendment, which I send to the desk and ask to have read.

The Clerk read as follows:

Amend, on page 57, line 15, by striking out the words "Independent Treasury."

Mr. FITZGERALD. Mr. Chairman, on that I reserve a point of order.

Mr. MANN. Mr. Chairman, I object to the gentleman's reserving the point of order. No point of order lies against it.

Mr. FITZGERALD. Oh, yes; it would lie if it should make an appropriation for something that was not authorized—by the striking out of these words.

Mr. MANN. But it would not make an appropriation.

Mr. FITZGERALD. I am not objecting to the gentleman talking.

Mr. MANN. Then let the gentleman withdraw his point of order.

Mr. FITZGERALD. Oh, I decline to do that.

Mr. MANN. Then I ask for a ruling.

The CHAIRMAN (Mr. RUSSELL). The gentleman from New York makes the point of order?

Mr. FITZGERALD. Yes.

The CHAIRMAN. The Chair would like to have the gentleman state his point of order.

Mr. FITZGERALD. I just make the point of order. [Laughter.]

The CHAIRMAN. The amendment is to strike out simply the headline "Independent Treasury."

Mr. FITZGERALD. Well, I make the point of order against the motion.

The CHAIRMAN. Has the gentleman any reason to state why the point of order should be sustained?

Mr. FITZGERALD. It is so apparent that I do not want to take up time. [Laughter.]

Mr. MANN. The reason is that the gentleman is the very distinguished chairman of a very distinguished committee, and he thinks the House has not any right to dot the "i's" or cross the "t's" after the bill has been reported.

Mr. FITZGERALD. But the gentleman from Illinois orders me to withdraw my point of order. I decline to do so, and I still make it.

Mr. MANN. Far be it from me to be put in the attitude of ordering the gentleman to do anything.

The CHAIRMAN. The Chair overrules the point of order.

Mr. PLATT. Mr. Chairman, I want to say that my object in moving to strike out these two words is to call attention to the fact that the appropriations for subtreasuries, three pages and a half of them, are still carried in this bill, although we were informed when the Federal reserve act was passed that when the Federal reserve system got into working operation the subtreasuries would be abolished, and the money taken in by the collectors of customs and the collectors of internal revenue would be deposited in the Federal reserve banks where it ought to go. Here is a chance to save at one fell swoop about half a million dollars in salaries—$478,820—paid for utterly useless offices that are now continued which we were told would be abolished when the Federal reserve system was put into operation. The offices ought to be abolished. There are nine of these subtreasuries located in Boston, Baltimore, Chicago, Cincinnati, New Orleans, New York, Philadelphia, St. Louis, and San Francisco. I suppose the Representatives from those various cities are opposed to the abolishment of these offices.

Mr. TOWNSEND. Why?

Mr. PLATT. Because there are $479,000 worth of jobs there. That is the only reason I can see for keeping these offices still in commission.

Mr. GOOD. Mr. Chairman, I think it is to be regretted that while we continue to create new offices, new boards, and commissions we never abolish any of the old offices nor dispense with the salaries. As has been pointed out here, about half a million dollars in salaries is contained in this bill for persons to do work that it was intended the reserve banks should perform. The chairman of the subcommittee is to be commended for attempting at least to bring about the abolishment of these useless offices, and the answer of the Treasury officials to the question of the gentleman from South Carolina [Mr. JOHNSON] respecting what steps had been taken to abolish these offices is very illuminating. Mr. Malburn says:

No steps have been taken as yet, but the future policy of the Treasury Department toward the subtreasuries and the Federal reserve banks has been under consideration for some time. At the Secretary's request I have prepared for him a suggested plan of depositing the funds which are now in the Treasury and the subtreasuries, and which the Federal reserve act provides that the Secretary of the Treasury may, in his discretion, deposit with the Federal reserve banks, with these banks. It contemplates the deposit of a considerable part of the free money in the Treasury with the reserve banks, retaining, however, a sort of emergency fund of, say, $25,000,000 in gold, which would be held in the Treasury in order to prevent an entire cessation of its activities in case the whole financial condition of the country should go to smash, and so that we would still have that much money in gold.

When the Federal reserve banking bill was before the House it was pointed out on this side of the House that the system was capable of too great inflation, and the ultimate results might be that it would go to the wall. Now, here comes a great official of the Treasury Department, and by his testimony says that we must always keep at least $25,000,000 in gold in the Treasury, because if it was deposited in the reserve banks they might go to smash, and therefore it would be better to retain this organization. Obviously this organization ought not to be continued. We are making appropriations for the fiscal year ending June 30, 1916, and it seems to me that long before that time will have been reached the subtreasuries should be abolished, and the work that is being performed by the independent treasuries of the United States should be performed by the Federal reserve banks of the country, as was in contemplation at the time that law was passed.

Mr. FITZGERALD. Mr. Chairman, will the gentleman yield?

Mr. GOOD. Yes.

Mr. FITZGERALD. Does the gentleman from Iowa believe that the Committee on Appropriations should report a provision on a bill which repeals a law establishing an Independent Treasury system?

Mr. GOOD. In view of the fact that we have already passed a law creating Federal reserve banks that are to do the work of the independent treasuries, I do not believe the Committee on Appropriations ought to report out a bill carrying a half million dollars in salaries for the work that is to be performed by the Federal reserve banks.

Mr. FITZGERALD. But that is not the question I asked the gentleman. I am repeating a question that he asked me earlier in the day, and that is, does the gentleman believe that the Committee on Appropriations should report a legislative provision in an appropriation bill which repeals the law which created the Independent Treasury system, and in that way eliminate the appropriations contained in the bill?

Mr. GOOD. In the first place, that is not the question at all which I propounded to the gentleman from New York.

Mr. FITZGERALD. The gentleman asked me if I thought the Committee on Appropriations should report a provision in the bill repealing an act requiring an agricultural census to be taken every five years, and thereby save an appropriation of over $2,000,000. The question I asked the gentleman from Iowa is exactly the same, except it substitutes the act creating the Independent Treasury system for the act creating an agricultural census to be taken every five years.

Mr. GOOD. Oh——

Mr. FITZGERALD. And I desired to ascertain if what is sauce for the goose is sauce for the gander, and whether one rule should apply when I speak on a matter and another rule should apply when the gentleman from Iowa speaks.

Mr. GOOD. Then the gentleman from New York must agree with me that the Committee on Appropriations, in this case, ought to have refused to report out this appropriation of half a million dollars.

Mr. FITZGERALD. I think not. The gentleman from Iowa will recall that not until this session did the committee wait to inquire into this matter, but at the last session of Congress, about a year ago, the committee took up the question as to the necessity of continuing the Independent Treasury system and subtreasuries. It was then stated by officials of the Treasury Department that it had been impossible to determine the effect upon the Independent Treasury system of the operation of the Federal reserve act. I understand that no one lives who can tell just what effect the Federal reserve act will have upon the subtreasuries or the Independent Treasury system until it is in working order and those connected with it have an opportunity to determine what is to be done. I think it would be great foolhardiness to abolish the Independent Treasury system without making ample provision for the continuance of its functions.

The CHAIRMAN. The time of the gentleman has expired.

Mr. FITZGERALD. Mr. Chairman, I ask unanimous consent that the gentleman's time may be extended five minutes.

The CHAIRMAN. The gentleman from New York asks unanimous consent that the time of the gentleman from Iowa may be extended for five minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. FITZGERALD. The gentleman from Iowa must agree that until it is possible to say definitely whether there is necessity to continue the subtreasuries or whether it is necessary to modify the law in some way, so as to fit in the independent treasury system with the new financial system resulting from the Federal reserve act, it would not be the part of wisdom to refuse to appropriate for the compensation of officials necessary to continue the fiscal operations of the Government so far as they are controlled by the Independent Treasury system. I have not hesitated to advocate the abolition of offices. I helped to abolish the Court of Commerce, to abolish certain officials in connection with the mints and assay offices——

A MEMBER. And the Tariff Commission.

Mr. FITZGERALD. And to reorganize the customs service, to abolish pension agencies, and I could enumerate a long list of other officials who were abolished by a Democratic Congress which Republican Congresses for 16 years failed to abolish.

Mr. SISSON. Will the gentleman yield?

Mr. GOOD. Not just now.

Mr. SISSON. I want to ask the gentleman one question.

Mr. GOOD. But I desire to answer the gentleman from New York first. I did not intend to say anything in criticism of the Committee on Appropriations in reporting out this provision. Possibly nothing else could be done in view of the estimates and in view of the urgent request of Treasury officials, as was shown by the hearings. What I did intend to do was to criticize a department of the Government having this matter in charge for not terminating these independent treasuries, so that it would be unnecessary to make appropriations for them for 1916.

Mr. SISSON. Will the gentleman yield right there?

Mr. GOOD. Not just yet. I certainly would not want to criticize the committee for reporting out a provision, in view of the fact that on page 59 there is an item of $171,660 for continuing the office in New York. Now, I assume, of course, my friend from New York has considerable patronage there——

Mr. FITZGERALD. No; I should be glad to see it abolished, because there is not a Democratic holding office in it.

Mr. GOULDEN. Amen.

Mr. GOOD. Let us abolish all of them, then.

Mr. FITZGERALD. I favor retaining the office. So far as the personnel of the office is concerned——

Mr. MANN. They were supporters of Wilson, but not Democrats.

Mr. FITZGERALD (continuing). Any official who is necessary for the fiscal operations of the Government should be retained. I suppose we will have to continue to do the best we can with Republican officeholders instead of Democrats.

Mr. GOOD. The gentleman realizes they are supporters of the President, but he says they are not Democrats. The gentleman makes a distinction that is not apparent to some of us.

Mr. FITZGERALD. No; I do not. That is another misfortune that these employees are neither Democrats nor supporters of the administration.

Mr. GOOD. What are they?

Mr. FITZGERALD. They are of the same party as the gentleman from Iowa and the gentleman from Illinois—Republicans.

Mr. MANN. Who is the subtreasurer at New York?

Mr. FITZGERALD. There is one, I beg pardon, the assistant treasurer at New York.

Mr. MANN. He is a subtreasurer appointed by the present President?

Mr. FITZGERALD. He is.

Mr. MANN. But all the employees are not Tammanyites.

Mr. FITZGERALD. I do not think he is a member of Tammany Hall, although I do not know. I am not a member myself, yet I am a good Democrat; but the assistant treasurer is an appointee of the President, and he receives $8,000 of the $171,000, and I think it is a safe statement to make that 99 per cent of the other employees are Republicans. If I had my way they would not continue in office, and there would be no necessity of abolishing the office to get rid of them.

Mr. MANN. And if these places were filled with Democrats the service would be so inefficient that they would have to abolish the office.

Mr. FITZGERALD. Oh, no; they would be the same kind of Democrats as myself. The gentleman from Illinois has so repeatedly complimented me on my efficiency that it is not necessary to compliment me on those I recommend for office.

Mr. SISSON. I tried to get an opportunity to ask the gentleman from Iowa a question, but he declined to yield. But I would like to ask him now if he recalls a provision in the new Federal reserve act which provides that the independent treasuries will be dispensed with as soon as the Federal Reserve Board is organized and ready to abolish them?

Mr. GOOD. No; I think the provision is not in those words. There is some provision in the Federal reserve act that I recall providing that the work of the Independent Treasury may be transferred to the Federal Reserve Board.

Mr. SISSON. Is it not true that the deposits are to be made in these 12 regional reserve banks, and that as soon as the Secretary of the Treasury ascertains that he can dispense with the independent treasuries under the old system he has the authority to abolish all of these systems now?

Mr. GOOD. I think that is true.

Mr. SISSON. Therefore the Committee on Appropriations, under the testimony as taken here, were not warranted in ruthlessly abolishing these various subtreasuries until the Federal Reserve Board and the Secretary of the Treasury could take care of Government deposits and transact the business of the Government under the new system.

Mr. GOOD. How long is it to take the Government to do that?

Mr. GARNER. Will the gentleman yield?

Mr. SISSON. Yes.

Mr. GARNER. The committee will be authorized, however, after a thorough investigation of this matter at the next session of Congress, in 1916, to determine for themselves whether or not this can be abolished; and if they determine it can be abolished regardless of the opinion of the Treasury Department they can do it.

Mr. SISSON. It can be done. I do not believe there is a Member of Congress, irrespective of what party is in power, who would assume the responsibility of abolishing these adjuncts of the old system, necessary as they were to the proper administration of the old system. I do not believe there is anyone who would take the responsibility of abolishing these subtreasuries until this new financial system was in working order and when they could do it without disturbing the finances of the country.

Mr. PLATT. I think the Federal reserve act provides that the general funds of the United States, the funds arising from the collection of customs and revenues, shall be deposited in the Federal reserve banks, but that the Secretary of the Treasury can also use the national banks. I do not think it gives him definite authority to abolish the subtreasuries.

Mr. SISSON. My recollection is that that bank act provides in so many words the plenary power to the Secretary of the Treasury and Federal Reserve Board to abolish these subtreasuries when they in their discretion see fit and proper.

Mr. PLATT. I think the gentleman is mistaken about that. My colleague [Mr. WINGO] possibly can explain that.

Mr. SISSON. I can not say the extent of that power, because I looked for the act and could not find it. I want to say to the gentleman that, so far as I am concerned, as a member of the Appropriations Committee, when the next bill is before Congress, unless they make a showing as in these hearings, unless they make a strong showing as to the necessity of keeping them,

unless they make a showing that it is absolutely essential, I shall be as strongly in favor of abolishing these propositions, irrespective of the Treasury, as the gentleman, because I think 12 months will give them ample time to take care of these funds.

Mr. WINGO. The gentleman is in error as to the act providing as he said. Section 15 of the act provides:

SEC. 15. The moneys held in the general fund of the Treasury, except the 5 per cent fund for the redemption of outstanding national-bank notes and the funds provided in this act for the redemption of Federal reserve notes, may, upon the direction of the Secretary of the Treasury, be deposited in Federal reserve banks, which banks, when required by the Secretary of the Treasury, shall act as fiscal agents of the United States; and the revenues of the Government or any part thereof may be deposited in such banks, and disbursements may be made by checks drawn against such deposits.

Mr. SISSON. Now, the gentleman is on that committee, and it is possible that I may have gotten it out of the debates, but during the time this bill was being discussed it was clearly stated that these subtreasuries would be dispensed with.

Mr. PLATT. It was clearly stated, and they ought to be.

The CHAIRMAN. The time of the gentleman from Mississippi has expired.

Mr. SISSON. Mr. Chairman, I ask unanimous consent for one minute more.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. SISSON. They ought to be dispensed with, but I am unwilling to take the responsibility of doing it at this time in view of the statement made from the office of the Secretary of the Treasury.

Mr. WINGO. Mr. Chairman, I move to strike out the last word. The question of whether or not the Independent Treasury system should be abolished I do not think is a proper one to consider as a provision of an appropriation bill. The Committee on Appropriations could not do other than make the necessary provisions for the carrying on of these subtreasuries during the coming year. It should be borne in mind that the Federal reserve act gives three years time for the shifting of the reserves in the national banks to these regional reserve banks, and it certainly would not be the part of wisdom for the Government to undertake to abolish all these subtreasuries and depositories in 30 days after you put these banks into operation.

I do not think the gentleman from Iowa [Mr. GOOD] caught the drift of the testimony of Mr. Malburn. I do not think he did him justice, although I think he misinterpreted his testimony unintentionally. There was nothing in his testimony to the effect that he thought these banks would go to smash. He said, "In case the whole financial condition of the country should go to smash." It is nothing unusual for a man connected with the Treasury Department to take into consideration the fact that there might arise such a condition as has arisen two or three times in years past. In the latter part of this testimony I think he states the position of the Treasury Department very correctly, and I think it is the sound position for the Treasury Department to take. This is his statement before the committee:

Mr. MALBURN. No steps have been taken as yet, but the future policy of the Treasury Department toward the subtreasuries and the Federal reserve banks has been under consideration for some time. At the Secretary's request I have prepared for him a suggested plan of depositing the funds which are now in the Treasury and the subtreasuries, and which the Federal reserve act provides that the Secretary of the Treasury may, in his discretion, deposit with the Federal reserve banks, with these banks. It contemplates the deposit of a considerable part of the free money in the Treasury with the reserve banks, retaining, however, a sort of emergency fund of, say, $25,000,000 in gold, which would be held in the Treasury in order to prevent an entire cessation of its activities in case the whole financial condition of the country should go to smash, and so that we would still have that much money in gold.

The plan which I have outlined and presented to the Secretary also includes the withdrawal of the funds now on deposit with the national banks which have been designated as depositories throughout the country to the extent, possibly of nine-tenths of those banks, and depositing that money in the Federal reserve banks. A number of the national-bank depositories in the country will have to be retained as depositories, and Government funds will have to be retained in those banks, for the reason that under the law collecting officers of the Government are required to deposit the moneys which they have actually received and are not permitted to convert them into drafts for the purpose of making remittances to a distant point. Consequently I have suggested or advised that where the deposits of collecting officers exceed a certain sum—of, say, three or four hundred thousand dollars per annum—the depositories shall be maintained in those cities, as otherwise the burden on the collecting officers of remitting to the reserve banks would be considerable in the way of transportation charges. So that it will be necessary to retain those depositories in certain cities for that purpose as well as for the purpose of providing funds to enable those depositories to cash the checks issued by the different disbursing officers of the Government.

Beyond that point of depositing the available Government funds with the reserve banks, no definite plan of dealing with the reserve banks has been worked out that I know of, although the Secretary may have something in his mind. I have felt that it would be necessary to await the opening of these reserve banks and to make an investigation of how they are succeeding and also an investigation of the question of whether they can handle this business after they do open up, without too much expense to themselves, before it would be advisable to work out any very complete plan of transferring all of the Government's business from the subtreasuries to these banks, if, indeed, it should be deemed desirable to transfer all of that business to those banks at all. It may be, as time passes by, that it will be demonstrated that the subtreasuries can not be done away with entirely.

Mr. JOHNSON. Do you think it well to make appropriations for them for the next fiscal year anyway?

Mr. MALBURN. I do not think that it would be possible for the Federal reserve banks to take over the duties of the subtreasuries to any consequential degree at all, so as to make any difference in their expenses prior to the close of the fiscal year 1916. At any rate, it is now too soon after the opening of the banks for me—or, I believe, for anybody else—to say that the subtreasury business will be reduced at all on account of the opening of the reserve banks before the end of that year.

Now, the question of whether or not the subtreasuries should be abolished should not be determined until the Federal reserve system is thoroughly tested. The Federal reserve banks have just been opened. The Treasury Department would certainly be unwise to undertake to do in 1 month's time with the Government funds what you have given the banks of the country 36 months' time in which to do with their reserves.

Mr. GOOD. It is true that Mr. Malburn states that $25,000,000 in gold should be held in the Treasury to prevent cessation of its activities in case the whole financial condition of the country should go to smash. Now, if that $25,000,000 in gold were not kept in the Treasury but were deposited in some place elsewhere, under the law it would have to be with the Federal reserve bank, would it not?

Mr. WINGO. Not necessarily.

Mr. GOOD. Where could it be deposited?

Mr. WINGO. At any of the Government depositories.

Mr. GOOD. It would naturally be deposited in the Federal reserve banks if they were the soundest.

Mr. WINGO. If the Secretary of the Treasury exercised the discretion vested in him under the law, he could put it there.

Mr. GOOD. If he had complete faith in the soundness of the Federal reserve system, why would he want to keep $25,000,000 in the Federal Treasury instead of depositing it in the Federal reserve banks?

Mr. WINGO. The $25,000,000 that the gentleman refers to is separate from the trust funds in the Treasury. The only fund that Mr. Malburn referred to was $25,000,000 in gold taken from the general fund and not from the trust funds. It would naturally appear, although it does not appear in the hearings, that it would be reasonable for the Secretary of the Treasury, under his discretion, to deposit all the Government funds, if he thought fit, in these banks, and to retain the sum of $25,000,000 in the Treasury. It is thought by those in favor of the Federal reserve banks that there will not be a recurrence of conditions that occurred heretofore under the old system, but it is proper to assume that that would not be absolutely sure, and if the Secretary of the Treasury thought that there would be danger, in spite of these reserve banks, of a financial crash, it might be the part of wisdom to keep $25,000,000 of the general funds in the Treasury.

Mr. GOOD. Obviously Mr. Malburn had not in mind the 5 per cent required to be deposited in the Treasury—in the trust fund—but he had in mind the money that would naturally be deposited in the Federal reserve banks. A careful reading of that—and I have read it several times—will convince one that he had in mind only the Federal reserve banks when he spoke of "the financial institutions."

The CHAIRMAN. The time of the gentleman from Arkansas has expired.

Mr. MANN. Mr. Chairman, I think it idle to expect a Democratic Congress to practice economy or to expect a Democratic administration to encourage economy.

The gentleman from Arkansas [Mr. WINGO] just stated that we gave three years to the banks to deposit their reserves in the Federal reserve banks, and said we ought to give as long a time to the Government. Why, the three years given to the banks is because the banks are loaning money. They have credits and debits. The Government has a little money in the subtreasuries, and it does not concern a single person on earth, so far as credits are concerned, whether the money is in the Subtreasury at Chicago or in the Federal reserve bank at Chicago——

Mr. MADDEN. Except that it would get into circulation if it went into the Federal reserve bank at Chicago.

Mr. MANN. Now, what are the facts? The Federal reserve banks were exploited with great expectations of what they were going to do. There is no one here who would know of their existence, for anything that they have done so far; but they did have the chance to do one thing. They had the chance to take the money of the Government, now in the vaults of the subtreasuries, and put it into the Federal reserve banks, acting as the fiscal agents of the Government, and have the Government checks paid by the Federal reserve banks instead of by the

subtreasuries through the clearing house. That could be done with a saving of half a million dollars in salaries, because the expenses of the Federal reserve banks are not paid by the Government, while those of the subtreasuries are. Of course it could not be done in a moment.

Last year I raised this question in the House, but the Federal reserve banks were not then in operation. When the estimates were made the Federal reserve banks were not in operation, and no one was certain when they would be in operation. But now that the Federal reserve banks are in operation, why should we keep up a separate establishment of the Government, at the cost of half a million dollars, in order to retain possession of a few million dollars—and that is all there is to be retained possession of—in the subtreasuries instead of placing it in the Federal reserve banks or putting the gold reserve where it belongs, in the Federal Treasury here.

It is purely a matter of influence on the part of the men who hold the jobs. There is $31,500 to be disbursed in Baltimore, with a Democratic subtreasurer. There is $46,570 to be disbursed in Boston, and I presume with a Democratic subtreasurer. There is $71,420 to be disbursed in Chicago, with a Democratic subtreasurer, and so forth; and each dollar to be expended is a strong argument against abolishing the offices. Each subtreasurer is a strong argument in favor of the appropriation. But the business of the Government could better be handled by the Federal reserve banks, and the interests of the country would be better subserved by having the business handled by the Federal reserve banks.

Why do you, when all the country is wondering whether the Feredal reserve banks will make good, want to give them a black eye? Why do you want to show distrust of this creature that you claimed came through the President of the United States? Why are you not willing to show confidence in the Federal reserve banks? Why are you afraid to deposit the money in those banks? Are you afraid the banks can not make good?

Well, I can understand why some gentlemen are not particularly enthusiastic over this pet of the Secretary of the Treasury; but after all, in the interest of economy, you ought not to strike at the Government's interests simply because you do not like Mr. McAdoo. [Applause on the Republican side.]

The CHAIRMAN. The time of the gentleman has expired. The question is on agreeing to the amendment.

Mr. JOHNSON of South Carolina. Mr. Chairman, I am just as anxious that all useless governmental activities shall cease as anybody. When we were making up this bill, I asked the Assistant Secretary of the Treasury whether we might discontinue the appropriations for the Independent Treasury. The administration is not unmindful of the possibilities under the Federal reserve law. Assistant Secretary Malburn says that they have that question under consideration. But you must understand that the estimates for the fiscal year 1916 were made up before the Federal reserve banks were in operation, and when the representative of the Secretary of the Treasury came before the committee, he was asked what steps had been taken for the discontinuance of the Independent Treasury. He states in his testimony that the matter had been considered and is being considered, but that neither he nor any other man at this time can say just when we shall be able to transfer all the Government's fiscal business to the Federal reserve banks and abolish the Independent Treasury.

The Federal reserve banks have only been opened 30 days to-day. Now, in order to take care of this very situation I propose to offer an amendment to this bill that will authorize the Secretary of the Treasury at any time before the close of the fiscal year 1916, if it can be done, to discontinue any one or all the independent treasuries.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York [Mr. PLATT].

The question being taken, on a division (demanded by Mr. MANN) there were—ayes 13, noes 32.

Accordingly the amendment was rejected.

Mr. JOHNSON of South Carolina. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from South Carolina offers an amendment which the Clerk will report.

The Clerk read as follows:

Page 57, after line 15, insert:

"The Secretary of the Treasury shall determine and report to Congress at its next session what, if any, necessity exists for a continuance of the Independent Treasury or any subtreasury thereof, and if in his judgment the same or any subtreasury can be discontinued before the close of the fiscal year 1916 he is authorized and directed to discontinue them and cover the appropriations therefor into the Treasury."

Mr. WINGO. Mr. Chairman, I want to reserve a point of order on that amendment.

Mr. FITZGERALD. The amendment is in order. It effects a reduction in the bill. It will affect the number of employees and their compensation.

Mr. MANN. I do not see why it is not just as much in order as the mileage proposition was.

Mr. WINGO. I do not think it is in order. It is an original proposition to abolish the Independent Treasury.

Mr. MANN. That is in order.

Mr. FITZGERALD. It would be in order to offer an amendment to abolish the whole Treasury Department.

The CHAIRMAN. Does the gentleman make the point of order?

Mr. WINGO. Yes; I make the point of order, Mr. Chairman.

The CHAIRMAN. On what ground does the gentleman base his point of order?

Mr. WINGO. It is new legislation, which is not in order on an appropriation bill.

Mr. FITZGERALD. Under the provision of Rule XXI, which makes in order legislation on an appropriation bill that reduces the number of officials or their compensation, or reduces the amount carried by the bill, this provision is in order. It may reduce the number of officials. It may reduce their compensation, and may affect the amount carried in the bill. It is in order under all three propositions.

The CHAIRMAN. The Chair will ask the gentleman from New York if this amendment reduces the amount of money appropriated in the bill, or does it reduce the compensation paid to any official?

Mr. FITZGERALD. If it has any effect at all, it will do all of those things. If it does not have any effect, it can not do any of them; but it is legislation which is designed to abolish certain existing offices for which provision is made in the bill. It is just as much in order as the provision abolishing the pension agencies in the pension appropriation bill. That is the manner in which they were abolished.

Mr. WINGO. Mr. Chairman, in addition to that it puts new duties on the Secretary of the Treasury, and it does not reduce this appropriation bill a single dollar. There is a possibility that in the future it may cut down the expenses of the Government, but it does not reduce this appropriation. But it is subject to the further point of order that it is new legislation imposing new duties upon the Secretary of the Treasury and requiring him to investigate and make a report, which will entail expense and place another burden upon the Treasury.

Mr. FITZGERALD. That is a matter of argument.

Mr. WINGO. There is no assurance that under the Federal reserve act, if the Secretary of the Treasury should transfer the general fund to the reserve banks, as he may do under the law, it would reduce the expenses of the Government. If you will remember how the expenses of the Federal Reserve Board are met, you will see that in the end the Federal Government must pay indirectly, it is true, some of the expenses of these Federal reserve banks.

Mr. FITZGERALD. Under the law the Government does not pay any of those expenses.

Mr. WINGO. You will see that in the end it does. I am talking about the ultimate effect. I am not talking about direct appropriations therefor.

Mr. MANN. You are guessing, instead of following the law.

Mr. WINGO. The whole thing is a guess as to what is going to be the effect of it. That is one reason why I oppose further action now. These banks opened 30 days ago, and before the system is fairly started you propose by an amendment hastily drawn and given no consideration by the proper committee to abolish the Treasury of the Government and place all these funds in the banks. The present law was carefully drawn, was fully considered, and it is unwise to make further change without consideration. Let us give the new system a trial first.

Mr. MANN. Mr. Chairman, I do not think the question is free from difficulty at all. The provision of the Holman rule is:

Nor shall any provision in any such bill or amendment thereto changing existing law be in order, except such as being germane to the subject matter of the bill shall retrench expenditures by the reduction of the number and salary of the officers of the United States—

And so forth.

The rest is not applicable. That is the rule. The question is whether this amendment retrenches expenditures by a reduction in the number of offices. It does not affect the salaries of those offices unless the offices are abolished. Now, plainly the amendment would be in order if it provided that at the end of a year, or in the middle of the next fiscal year, these offices should be abolished, because that would be a reduction in the number of the offices. Now, what the amendment does is to give to

the Secretary of the Treasury the power to abolish these offices, as I understand the amendment, in which case the amount appropriated shall be covered back into the Treasury. I do not recall when such a question came up before, though I would be inclined to think that giving the power to the Secretary of the Treasury to do a thing was no broader than doing it ourselves, and that where we could do it and be in order it would be in order for us, by an amendment, to give the authority to the Secretary of the Treasury to abolish the offices.

The CHAIRMAN. The Chair thinks it is problematical whether this amendment will reduce the number of offices or not in the course of the fiscal year for which the appropriation is made; that it may do it or may not do it, as the Secretary of the Treasury may direct. So the Chair does not think it comes within the Holman rule, and the Chair sustains the point of order.

The Clerk read as follows:

Assay office at Salt Lake City, Utah: Assayer in charge, who shall also perform the duties of melter, chief clerk, and cashier, $1,800.
For wages of workmen and other employees, $1,500.
For incidental and contingent expenses, $500.

Mr. HOWELL. Mr. Chairman, I offer the following amendment.

The Clerk read as follows:

Amend, on page 64, by striking out lines 18, 19, and 20 and inserting in lieu thereof the following:
"Assay office at Salt Lake City, Utah: Assayer in charge, who shall perform the duties of melter, $1,800; chief clerk, who shall also perform the duties of cashier, $1,200; in all, $3,000. For wages of workmen or other employees, $2,000. For incidental and contingent expenses, $1,000."

Mr. HOWELL. Mr. Chairman, the amendment I have offered simply restores the provision for the maintenance of the Salt Lake office found in the existing law. I have consulted the hearings and I fail to find any explanation for discrimination which seems to have been provided for the support of the office. I have consulted the Book of Estimates, and I find that the Secretary of the Treasury has asked for the appropriation that I have enumerated, and has asked for an increase in the number of workmen and other employees of the office. I have confined my amendment simply to the restoration of the provisions of the current law, and I hope that the committee will consent to the adoption of the amendment.

Mr. BYRNS of Tennessee. Mr. Chairman, the bill carries one assayer in charge, who shall be chief clerk and cashier, at $1,800. If the amendment of the gentleman from Utah is adopted, it will result in having two men—one at $1,800 and one at $1,200 to supervise the work of one workman, who draws $1,500.

Mr. HOWELL. Will the gentleman yield?

Mr. BYRNS of Tennessee. Certainly.

Mr. HOWELL. Is it not a fact that the Secretary of the Treasury has asked for a sufficient fund, $2,400, for the employment of workmen needed there in the office?

Mr. BYRNS of Tennessee. It is true that the Secretary of the Treasury did submit an estimate of $2,400 to provide for one workman at $1,500 and one at $900. The work of the office heretofore has been done by one man at $1,500, and I think that has been the case for two or three years. The committee saw no reason and had no facts before it which would justify it in increasing the force of workmen in the assay office at Salt Lake City.

In addition to that, the gentleman's amendment asks for a thousand dollars for incidental and contingent expenses, whereas there was expended in 1914 only the sum of $257.30. The committee thought it was giving an ample amount when it allowed $500. The gentlemen on the other side have talked economy this afternoon, and it seems to me that here is one place where they can show some real economy, and we ask them to join those on this side in voting down the amendment.

Mr. MANN. This happens to be a Republican State, and so you take a crack at it.

Mr. BYRNS of Tennessee. That is a charge by the gentleman from Illinois which is not justified by anything in this bill. If the gentleman will look over this part of the bill relating to the assay offices, he will find that the committee has consistently made reductions in all of the States where the expenditures made heretofore showed that they were justified.

Mr. MANN. The gentleman has given no facts to justify this.

Mr. FITZGERALD. Mr. Chairman, the statement of the gentleman from Illinois that the committee has taken a crack at this assay office because it is in a Republican State is due to pique at the people of that State for what they did to the Republican Party in the last campaign.

Mr. MANN. Oh, no; we have no pique at the State.

The CHAIRMAN. The Chair will call the attention of the gentleman from Utah to the fact that his amendment ought to provide for striking out lines 21 and 22 also.

Mr. MANN. If the amendment prevails, a motion will be made to strike those out.

Mr. HOWELL. I will ask unanimous consent that the amendment may be modified so as to provide for striking out lines 21 and 22 also.

The CHAIRMAN. The gentleman from Utah asks unanimous consent to modify his amendment. Is there objection?

There was no objection.

The CHAIRMAN. The question now is on the amendment of the gentleman from Utah as modified.

The question was taken; and on a division (demanded by Mr. HOWELL) there were 6 yeas and 19 noes.

So the amendment was lost.

The Clerk read as follows:

Hereafter the accounts and vouchers relating to the expenditure of the appropriations for government in the Territories shall be transmitted to the Secretary of the Interior for administrative examination and by him passed to the Auditor for the Interior Department for settlement.

Mr. MANN. Mr. Chairman, I reserve a point of order on the paragraph. What is the reason for changing the practice and policy of the Government as provided in this paragraph?

Mr. JOHNSON of South Carolina. I will say that in regard to the items coming in from Alaska and Hawaii there was nobody who had supervision of them and nobody who could come before the Committee on Appropriations and give us any information. All the committee had in the world was the printed requests. We provided in the last legislative bill that the estimates from these outlying territories should come through and be submitted through the Department of the Interior. In order to make the whole thing uniform we have put a provision in this bill that their accounts and vouchers shall pass through the same channel.

Mr. MANN. Will not that result in creating in the Interior Department a department of accounts of Territories?

Mr. JOHNSON of South Carolina. We will hesitate a long time before we give them any additional force for that small duty.

Mr. MANN. I do not know how small it may be; however, I withdraw the point of order.

The CHAIRMAN. The gentleman withdraws the point of order, and the Clerk will read.

The Clerk read as follows:

Office of Chief of Ordnance: Chief clerk, $2,250; chief of division, $2,000; principal clerk, $2,000; clerks—5 of class 4, 7 of class 3, 12 of class 2, 26 of class 1, 9 at $1,000 each, 4 at $900 each; two messengers; assistant messenger; messengers—1, $780; 1, $720; laborer; in all, $91,610.

Mr. MONDELL. Mr. Chairman, I move to strike out the last word. A few moments ago, during my unavoidable absence from the Chamber, an amendment was offered providing for a legislative reference corps and an appropriation of $25,000 therefor, and I ask that I may discuss that matter for five minutes out of order. The amendment went out on a point of order. I very much regret that this bill does not contain, and will not contain when it passes the House, an appropriation for this purpose. My understanding is that objection was made that we had no legislation on the subject, and that in the absence of legislation an appropriation would not only be out of order but it would be unwise to make an appropriation without legislative direction as to the work and the scope of the activities of the corps which the appropriation would provide for.

The last legislative bill provided an appropriation of $25,000 for the purpose of organizing a legislative reference corps. A small corps was organized, and they now have offices in the Capitol. I am of opinion that it would be very difficult in advance of experience under a corps of this kind for any committee of the House to determine just what its duties should be or to provide legislation properly limiting its activities. I believe we can only develop that by actual practice, and that is why I regret the appropriation was not made in order that this corps might be continued. I do not believe that we should have a large corps engaged in this legislative reference work, but I do think that we ought to have a small, well-equipped, competent corps, such as has been organized for work of the character contemplated. Just what matters Members of Congress might desire to bring before them, just what matters it might be proper for them to become informed on, we can not well judge until we have had some experience in the matter. I know, as one Member of Congress, that I very frequently need information which such a corps as this could furnish—need it in the discharge of my public duties—and I believe that every Member

frequently finds reason to call for or to seek the services of some one qualified to give information with regard to legislation already enacted, in its relation to legislation proposed, and also information touching and bearing upon the legislation before Congress. I think that it is true that at times in the past this matter of legislative reference bureaus has been overdone, but I believe that we could organize a corps which would be very useful and valuable to Members. I believe we have such a corps already organized, and it would be a most unfortunate thing, I think, if that corps were now disbanded, and I hope that when the bill becomes a law it will contain this item for the legislative reference corps.

The Clerk read as follows:

For miscellaneous expenses, including stationery, furniture, telegraph and telephone service, and necessary printing and binding, $3,200, which sum, together with the foregoing amounts for salaries and rent, shall be paid from the permanent appropriation for militia under the provisions of section 1661, Revised Statutes, as amended, and no other or further sums shall be expended from said appropriation for or on account of said Division of Militia Affairs during the fiscal year 1916.

Mr. JOHNSON of South Carolina. Mr. Chairman, I offer the following amendment, which I send to the desk and ask to have read.

The Clerk read as follows:

On page 72, line 8, after the word "salaries," strike out the words "and rent."

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

The Clerk read as follows:

Of the foregoing amounts appropriated under "Public buildings and grounds," the sum of $35,275 shall be paid out of the revenues of the District of Columbia.

Mr. MANN. Mr. Chairman, I move to strike out the last word. How is the amount to be paid by the District of Columbia out of these items under the public-buildings provision arrived at?

Mr. JOHNSON of South Carolina. It does not include the clerical force. It does include the watchmen in the parks.

Mr. MANN. What does it include? How do you get at it?

Mr. JOHNSON of South Carolina. It includes all of the people provided for beginning on line 3, page 74.

Mr. MANN. But I see the first item on page 74 is for foremen, gardeners, mechanics, and laborers employed in the public grounds, $31,200; and then there is an item for watchmen of $17,640, another item of $15,960, besides an item in advance of $16,140. Thirty-five thousand two hundred and seventy-five dollars is much less than these items.

Mr. JOHNSON of South Carolina. That is only half of it.

Mr. MANN. Oh, the Committee on Appropriations in this bill is continuing the half-and-half proposition which the Committee on Appropriations yesterday abolished in the District bill?

Mr. JOHNSON of South Carolina. We are appropriating in accordance with existing law and not in accordance with what may be law.

Mr. MANN. That was not done in the District bill.

Mr. JOHNSON of South Carolina. We did not have that bill.

Mr. MANN. Oh, the Committee on Appropriations supported the proposition.

Mr. JOHNSON of South Carolina. The House did that.

Mr. MANN. But that committee put it through the House.

Mr. JOHNSON of South Carolina. The Committee of the Whole House on the state of the Union changed the District bill after it came from the Committee on Appropriations.

Mr. MANN. With the aid of the majority members of the Committee on Appropriations. Why did they not change it here?

Mr. FITZGERALD. It may be changed before it is finished.

The Clerk read as follows:

Hydrographic Office: Hydrographic engineer, $3,000; assistants—1 $2,200, 1 $2,000; chief clerk, $1,800; nautical experts—1 $1,800, 1 $1,600, 1 $1,400, 3 at $1,200 each, 3 at $1,000 each; clerks—1 of class 2, 1 of class 1; custodian of archives, $1,200; copyists—3 at $900 each, 1 $840, 2 at $720 each; compiler, $1,400; editor of Notice to Mariners, $1,800; computer, $1,400; draftsmen—4 at $1,800 each, 4 at $1,600 each, 4 at $1,400 each, 4 at $1,200 each, 10 at $1,000 each, 1 $900; 3 apprentice draftsmen, at $700 each; engravers—chief $2,000, 2 at $1,800 each, 3 at $1,600 each, 1 $1,400, 6 at $1,200 each, 2 at $1,000 each, 1 $720; apprentice engravers—1 $800, 1 $700; plate printers—chief $1,400, 1 $1,200, 1 $1,000, 2 at $900 each, 1 $800; apprentice plate printers—1 $700, 1 $600; lithographers—chief $1,800; 2 at $1,000 each, apprentice $700; process photographer, $1,600; lithographic transferrer, $1,400; lithographic pressman, $1,400; photographic printer, $1,200; 2 negative cutters, at $1,000 each; 2 feeders, at $480 each; electrotyper and chart plate maker, $1,400; assistant messenger; 4 laborers; helpers—2 at $720 each, 2 at $660 each, 1 $600, 1 $500, 1 $480; in all, $123,660.

Mr. JOHNSON of South Carolina. Mr. Chairman, I move that the committee do now rise.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. FOSTER, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill (H. R. 19909) making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year 1916 and had come to no resolution thereon.

EXTENSION OF REMARKS.

Mr. BARNHART. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD.

The SPEAKER. The gentleman from Indiana [Mr. BARNHART] asks unanimous consent to extend his remarks in the RECORD. Is there objection?

Mr. HUMPHREY of Washington. Reserving the right to object, Mr. Speaker, I would like to ask what about.

Mr. BARNHART. Mr. Speaker, it is an insertion of some letters in the RECORD relative to the method of sending out petitions of organizations throughout the country and inciting what I consider unnecessary and an unstatesmanlike alarm.

Mr. HUMPHREY of Washington. Mr. Speaker, I am in sympathy with the undertaking.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

Mr. CLINE. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by incorporating a speech delivered before the National Rivers and Harbors Congress by our colleague, Mr. TEN EYCK, of New York.

The SPEAKER. The gentleman from Indiana asks unanimous consent to extend his remarks in the RECORD. Is there objection? [After a pause.] The Chair hears none.

SENATE BILLS REFERRED.

Under clause 2, Rule XXIV, Senate bills of the following titles were taken from the Speaker's table and referred to their appropriate committees, as indicated below.

S. 6686. An act to supplement an act entitled "An act to increase the internal revenue, and for other purposes," approved October 22, 1914; to the Committee on Ways and Means; and

S. 6689. An act making appropriation for the arrest and eradication of the foot-and-mouth disease; to the Committee on Agriculture.

ENROLLED BILL PRESENTED TO THE PRESIDENT FOR HIS APPROVAL.

Mr. ASHBROOK, from the Committee on Enrolled Bills, reported that this day they had presented to the President of the United States for his approval the following bill:

H. R. 6282. An act to provide for the registration of, with collectors of internal revenue, and to impose a special tax upon all persons who produce, import, manufacture, compound, deal in, dispense, sell, distribute, or give away opium or coca leaves, their salts, derivatives, or preparations, and for other purposes.

OMNIBUS PENSION BILL.

Mr. SHERWOOD. Mr. Speaker, an order has been made for a special session this evening to take up for consideration an omnibus pension bill. In order to avoid calling the Members back I ask unanimous consent that the bill be taken up now.

The SPEAKER. The gentleman from Ohio [Mr. SHERWOOD] asks unanimous consent to set aside the unanimous-consent agreement by which we are to have a night session to-night. Is there objection to that?

Mr. MANN. Put it altogether and ask to consider the pension bill in the House as in the Committee of the Whole House on the state of the Union.

The SPEAKER. And to consider the pension bill in the House as in the Committee of the Whole House on the state of the Union. Is there objection. [After a pause.] The Chair hears none, and the Clerk will report the bill.

The Clerk read as follows:

A bill (H. R. 19545) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war.

Mr. SHERWOOD. Mr. Speaker, I ask unanimous consent that the first reading of the bill be dispensed with.

The SPEAKER pro tempore (Mr. Cox). The gentleman from Ohio asks unanimous consent that the first reading of the bill be dispensed with. Is there objection? [After a pause.] The Chair hears none.

Mr. SHERWOOD. Mr. Speaker, this bill has been waiting action for eight months. I gave way on different occasions during the last session and on last Friday. This bill carries an aggregate increase over the present pensions of $37,980 in the whole bill. The average age of the beneficiaries of the bill is: Soldiers, 75 years; widows, 74 years—and there are 77 widows pensioned in the bill.

The Clerk read as follows:

The name of Frances Dewese, widow of Francis M. Dewese, late of Company D, First Regiment Tennessee Volunteer Mounted Infantry, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

Mr. SHERWOOD. Mr. Speaker, on page 26 I move to strike out the lines 3 to 6, inclusive, the beneficiary, Frances Dewese, being dead.

The SPEAKER pro tempore. The Clerk will report the amendment.

The Clerk read as follows:

Amend, page 26, by striking out lines 3, 4, 5, and 6.

The SPEAKER pro tempore. The question is on agreeing to the amendment.

The amendment was agreed to.

The Clerk read as follows:

The name of George W. Lavery, late of Company C, One hundred and eighty-eighth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

Mr. SHERWOOD. Mr. Speaker, on page 26 I move to strike out lines 19 to 22, inclusive, the beneficiary, George W. Lavery, being dead.

The SPEAKER pro tempore. The Clerk will report the amendment.

The Clerk read as follows:

Amend, page 26, by striking out lines 19, 20, 21, and 22.

The SPEAKER pro tempore. The question is on agreeing to the amendment.

The amendment was agreed to.

The Clerk resumed and concluded the reading of the bill.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, was read a third time, and passed.

On motion of Mr. SHERWOOD, a motion to reconsider the vote by which the bill was passed was laid on the table.

The foregoing bill is a substitute for the following House bills referred to the Committee on Invalid Pensions:

H. R. 230. Elmer B. Pool.
H. R. 632. William G. Selvidge.
H. R. 870. Frederick Strasburg.
H. R. 952. John T. Langley.
H. R. 1022. William Boyer.
H. R. 1026. David Jewell.
H. R. 1031. John W. Clark.
H. R. 1221. James S. Miller.
H. R. 1387. Samuel Dale.
H. R. 1397. William Clark.
H. R. 1574. William H. Owen.
H. R. 1596. Mary J. Hatfield.
H. R. 2013. Eliza E. Harris.
H. R. 2029. Thomas E. Nason.
H. R. 2796. Calaway Roberts.
H. R. 2845. Jonathan Milbourn.
H. R. 3199. Samuel S. Van Wye.
H. R. 4187. George H. Jackson.
H. R. 4191. Sarah Aggett.
H. R. 4466. James A. Cochran.
H. R. 4572. Ludlow Walker.
H. R. 4596. Joshua Pryor.
H. R. 4787. Andrew J. Thomasson.
H. R. 4818. Benjamin O. Getter.
H. R. 4892. Sarah A. Gould.
H. R. 4953. Thomas D. Bumgarner.
H. R. 6311. Patrick Gallagher.
H. R. 6511. John W. Scott.
H. R. 6521. Alonzo Dyke.
H. R. 6529. Nellie C. Downes.
H. R. 7106. Wheaton Baker.
H. R. 7195. Isaac Lint.
H. R. 7392. Elam M. Odell.
H. R. 7864. John E. Iman.
H. R. 7888. John Travis Mathews.
H. R. 8114. John L. Hefling.
H. R. 8160. Joseph W. Brown.
H. R. 8257. Mary C. Tingley.
H. R. 8459. William Bone.
H. R. 8624. Chrildy Bridwell.
H. R. 8825. William H. Struble.
H. R. 9098. Benjamin S. Barnard.
H. R. 9103. Nathaniel T. Hoover.
H. R. 9133. James Scannell.
H. R. 9477. Andrew B. Campbell.
H. R. 9747. John R. Rogers.
H. R. 10185. Rufus G. Blanchard.
H. R. 10378. Frank Hartwell.
H. R. 10379. Louisa Eckwall.
H. R. 10439. Grove E. Jarvis.
H. R. 10573. Henry B. Miller.
H. R. 10605. David Lightcap.
H. R. 10688. Charles Muhlbach.
H. R. 10698. Moses Davison.
H. R. 10780. Eliza J. Adams.
H. R. 10900. Cesarine Fraser.
H. R. 10974. George Gans.
H. R. 11139. Joseph M. Ashcraft.
H. R. 11202. Christina E. Higgins.
H. R. 11493. Malcolm G. Parsons.
H. R. 11948. Isaac Montgomery.
H. R. 12067. Rachel E. Howard.
H. R. 12197. Franklin Cozine.
H. R. 12207. Milo B. Stewart.
H. R. 12447. Orrin J. Wells.
H. R. 12480. John C. Winterringer.
H. R. 12560. John M. Wilson.
H. R. 12567. David Henry.
H. R. 13061. Jackson Stansbury.
H. R. 13071. Adam C. Brown.
H. R. 13110. Paul Stang.
H. R. 13216. Amos Baccus.
H. R. 13394. George W. Nance.
H. R. 13505. John M. Jones.
H. R. 13634. Emily Brine.
H. R. 13905. John W. Fisher.
H. R. 14009. John F. Messick.
H. R. 14076. Mandavill Bush.
H. R. 14146. Benjamin C. Wood.
H. R. 14185. George Roth.
H. R. 14292. Hiram Bucey.
H. R. 14573. Joshua H. Reynolds.
H. R. 14608. Butler Kelley.
H. R. 14652. Benjamin R. Cox.
H. R. 14655. William T. Brown.
H. R. 14721. David Henderson.
H. R. 14735. Salome A. Nelson.
H. R. 14761. John H. Jones.
H. R. 14860. John H. Perry.
H. R. 14919. Barnett Cunningham.
H. R. 14958. Sarah A. Carpenter.
H. R. 15030. George W. Everman.
H. R. 15053. Joseph A. Potts.
H. R. 15058. Charles B. Bonnell.
H. R. 15117. John Fildes, jr.
H. R. 15149. Mary A. Agle, now Bennett.
H. R. 15201. Edmund A. Fahnestock
H. R. 15203. Oliver D. Norton, insane; William A. Titcomb, guardian.
H. R. 15226. Mollie E. Hayes.
H. R. 15298. John Lamott.
H. R. 15364. Francis M. White.
H. R. 15367. Thomas Fitzpatrick.
H. R. 15409. Martha P. Clingerman.
H. R. 15437. Lydia F. Stewart.
H. R. 15478. Mary K. Banks.
H. R. 15485. Elijah Sager.
H. R. 15509. William H. Haughawout.
H. R. 15512. James C. Wilkinson.
H. R. 15520. Moses D. Damron.
H. R. 15558. Isabella Hess.
H. R. 15573. Isabella W. Williams.
H. R. 15594. William S. Mason.
H. R. 15597. Edgar C. Hamilton.
H. R. 15615. Mathias J. Hoover.
H. R. 15639. Sophia Stengel.
H. R. 15651. Nettie Livingston.
H. R. 15672. Samuel M. James.
H. R. 15689. Letitia A. Mowers.
H. R. 15708. Mary E. Wilkins.
H. R. 15711. Albert F. Ward.
H. R. 15719. Samuel Sparrow.
H. R. 15723. Erwin D. Bulen.
H. R. 15756. Linden Batten.
H. R. 15780. John Morgan.
H. R. 15793. John N. Hall.
H. R. 15818. Smith C. Ferguson.
H. R. 15823. William B. Dudley.
H. R. 15850. Francis M. Van Tress.
H. R. 15856. Alfred C. Lee.
H. R. 15858. William Burnell.
H. R. 15859. George Sharp.
H. R. 15868. William H. Sprague.
H. R. 15886. Caroline Oaks.
H. R. 15894. William Ragan.
H. R. 15919. John M. Starks.
H. R. 15931. William H. Hempshire.
H. R. 15946. Benjamin N. James.
H. R. 15966. Martin P. Bush.
H. R. 15993. Wilson Rounds.
H. R. 15996. Frances Dewese.
H. R. 16009. William J. Ladd.
H. R. 16034. Lucretia J. Loomis.
H. R. 16042. Theodore P. Touville.
H. R. 16046. George W. Lavery.
H. R. 16086. Jennie Parker.
H. R. 16100. Martha Rodgers, now Bodine.
H. R. 16102. Maryetta Wilson.
H. R. 16128. Eli Frazier.
H. R. 16138. John S. Williams.
H. R. 16146. Charles L. Van Newkirk.
H. R. 16177. Ottoway Bryant.
H. R. 16186. Nancy C. McCurdy.
H. R. 16189. Mary Sanford.
H. R. 16191. Zalva W. Chase.
H. R. 16209. Calvin A. Eason.
H. R. 16220. Edward K. Hill.
H. R. 16228. Edward G. Booz.
H. R. 16263. Thomas Haggard.
H. R. 16271. Nancy Gould.
H. R. 16276. John T. Hetherlin.
H. R. 16284. Levi M. Dort.
H. R. 16291. Richard B. Winn.
H. R. 16310. Nelson Ransier.
H. R. 16336. Charles Black.
H. R. 16361. Lewis S. Goshorn.
H. R. 16363. George A. Kogle.
H. R. 16382. Gilbert R. Whitbeck.
H. R. 16384. Samuel Fox.
H. R. 16386. Martha A. Hardin.
H. R. 16394. Martha Hutchings.
H. R. 16419. John H. Smith.
H. R. 16434. Levi Walker.
H. R. 16446. Charles Goth.
H. R. 16465. Augustus T. Spence.
H. R. 16500. John Martin.
H. R. 16538. Lewis H. Pierce.
H. R. 16563. Emily Elliott.
H. R. 16589. John E. Colvin.
H. R. 16610. Ira L. Knull.
H. R. 16611. James M. Riley.
H. R. 16616. Isaiah P. Reynolds.
H. R. 16625. Eliza A. Seaburn.
H. R. 16652. Nathan C. Calhoon.
H. R. 16661. Martin L. Pembleton.
H. R. 16668. Joseph M. Adair.
H. R. 16671. Birney Dutton.
H. R. 16689. Thomas Fox.
H. R. 16700. Nels B. Olson.
H. R. 16734. Harrison Bishop.
H. R. 16768. John W. Petley.
H. R. 16772. Harriet A. Parker.
H. R. 16800. George R. Harrison.
H. R. 16803. Ezra M. Heald.
H. R. 16804. Josiah C. Dodds.
H. R. 16814. Amelia Brundage.
H. R. 16817. John Hill.
H. R. 16822. Thomas H. Caley.
H. R. 16866. Marion MacDonald.
H. R. 16867. Alfred Foreman.
H. R. 16873. Hezekiah H. Turner.
H. R. 16889. Emma L. Ackley.
H. R. 16895. William A. Badger.
H. R. 16910. Thomas C. Rodgers.
H. R. 16941. Josephine B. Culver.
H. R. 16960. John Gore.
H. R. 16970. Porter H. Campbell.
H. R. 16974. Charlotte Easton.
H. R. 16979. Elizabeth Walsh.
H. R. 17002. Marshall Cox.
H. R. 17010. Eliza A. Scull.
H. R. 17032. Cyrus Gere.
H. R. 17038. Luther A. Barnard.
H. R. 17047. Mary Johnson.
H. R. 17060. Sophia Fitzpatrick.
H. R. 17084. Rudolph A. Linsenhoff.
H. R. 17117. Anna M. Meissner.
H. R. 17130. Nannie A. Mann.
H. R. 17131. Peter Miexsell.
H. R. 17136. Georgiana Moran.
H. R. 17178. Albert T. Chapin.
H. R. 17181. Elijah N. Cronan.
H. R. 17202. Hermann J. Kiebel.
H. R. 17204. Calvin Wheelock.
H. R. 17227. Alexander Boyd.
H. R. 17264. Francis E. Dutoit.
H. R. 17275. Katie A. Armstrong.
H. R. 17315. Francis A. Baldwin.
H. R. 17394. Benjamin D. Smith.
H. R. 17426. Annie Smith.
H. R. 17428. Sophia W. Frahm.
H. R. 17454. Henry B. Stone.
H. R. 17455. Mary E. Wilson.
H. R. 17486. Frederick J. Miller.
H. R. 17487. Eli C. Baker.
H. R. 17501. Alfred Fredericks.
H. R. 17532. Lymus Wallace.
H. R. 17564. Charles W. Childers.
H. R. 17609. William W. Cook.
H. R. 17616. Charles W. Perkins.
H. R. 17707. George W. Bransford.
H. R. 17713. John A. Wanless.
H. R. 17756. George P. Clark.
H. R. 17792. Margaret Lloyd.
H. R. 17819. John F. Clark.
H. R. 17840. Michael D. Aker.
H. R. 17847. John G. Woolley.
H. R. 17862. Angeline E. Strong.
H. R. 17863. Biddey C. Wolff.
H. R. 17868. Joseph Bartlett.
H. R. 17881. Harriet I. Dagwell.
H. R. 17915. Edom G. W. Moon.
H. R. 17945. Amelia Heidel.
H. R. 17961. Homer A. Bidwell.
H. R. 17974. John Ramsey.
H. R. 17980. John M. Duncan.
H. R. 18016. Alexander R. Olds.
H. R. 18021. Henry M. Seitzinger.
H. R. 18026. William H. Cook.
H. R. 18035. Aaron Markle.
H. R. 18040. Adison H. Vanderbergh.
H. R. 18048. Martin Stoneking.
H. R. 18050. Henry M. Roley.
H. R. 18059. James Toulin.
H. R. 18070. Jacob R. Truckenmiller.
H. R. 18210. Henry S. Merrill.
H. R. 18211. Edward A. Duncan.
H. R. 18233. William Hovey.
H. R. 18248. Henry Doll.
H. R. 18257. John S. Mays.
H. R. 18263. John G. Hibbs.
H. R. 18320. Stephen G. Garlock.
H. R. 18331. William Howell.
H. R. 18341. John C. Short.
H. R. 18344. Erasmus D. Miller.
H. R. 18354. James Patrick.
H. R. 18362. Katherine Baxter.
H. R. 18393. Melissa E. Dickinson.
H. R. 18407. James Wiginton.
H. R. 18414. Robert Farmer.
H. R. 18448. Preston M. Guild.
H. R. 18451. Susanna Rankin.
H. R. 18463. William A. Wallace.
H. R. 18466. James W. Harnden.
H. R. 18467. George H McIntyre.
H. R. 18472. William A. Myers.
H. R. 18476. Patrick Hayes.
H. R. 18480. Jonathan R. Downing
H. R. 18508. Jasper M. Stebbins.
H. R. 18526. Christian Martin.
H. R. 18547. Anna Robbins.
H. R. 18569. William Boston.
H. R. 18571. James F. Kilburn.
H. R. 18582. John W. Hudelson.
H. R. 18585. Adelaide F. Brewer.
H. R. 18604. William MacKinnell.
H. R. 18614. Archibald F. Bottoms
H. R. 18621. Allen Sigler.
H. R. 18626. Mary E. Miller.
H. R. 18634. William W. Jones.
H. R. 18638. John M. Morgan.
H. R. 18646. Jacob F. Frey.
H. R. 18674. Sarah Foster.
H. R. 18700. John N. Berry.
H. R. 18753. John K Collins.
H. R. 18758. Charles H. Muncaster.
H. R. 18772. Rudolphus W. Gunter.
H. R. 18776. David Kinzer.
H. R. 18788. Anna W. Hawk.
H. R. 18805. Harvey M Wilson.
H. R. 18815. Isaac Johnson.
H. R. 18844. Charlotte Reagin.
H. R. 18846. William H. Johnson.
H. R. 18883. Shadrach Waters.
H. R. 18917. Thomas E. Stallard.
H. R. 18937. John Schultz.
H. R. 18949. Jacob A. Thuma.
H. R. 19003. Henry C. Rand.
H. R. 19021. Charles S. Elliott.
H. R. 19029. George Adams.
H. R. 19047. Ella A. Buckley.
H. R. 19082. Henry H. Smith.
H. R. 19089. James T. Darnell.
H. R. 19093. Henry Engle.
H. R. 19106. Jonathan Witman.
H. R. 19145. Londoree F. Owens.
H. R. 19150. Wilson Labold.
H. R. 19178. William Clock.
H. R. 19212. James Wilson.
H. R. 19225. Milton Turner.
H. R. 19231. Albert A. Derrick.
H. R. 19274. Nicholas McKenzie.
H. R. 19289. Martin Smith.
H. R. 19295. George S. Brown.
H. R. 19302. David E. Stanwood.
H. R. 19323. Carthene Rosencrantz.

H. R. 19379. Martha E. Williams.
H. R. 19406. Pinkney Carter.
H. R. 4957. Andrew W. Duggan.
H. R. 15329. Thomas S. Harrell.
H. R. 15393. Thomas B. Forbs.
H. R. 15626. Charles Laswell.
H. R. 16548. Lewis Bockoven.
H. R. 18967. Henry Schnarr.
H. R. 19292. Jeremiah W. Pickering.
H. R. 19455. Marion White.
H. R. 19536. Ann E. Swift.
H. R. 19537. Peter Delamotte.
H. R. 19539. Frederica Pence.

ADJOURNMENT.

Mr. UNDERWOOD. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 27 minutes p. m.) the House adjourned until Wednesday, December 16, 1914, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1. Illustrations to accompany report of a commission appointed to investigate irrigation projects on Indian lands in the three northern districts, transmitted with a letter from the Secretary of the Interior (H. Doc. 1215); to the Committee on Indian Affairs and ordered to be printed as a part of said document.

2. A letter from the Secretary of War, transmitting copy of items from page 336 of the Book of Estimates, 1916, and requesting that the same be withdrawn from the Committee on Military Affairs and referred to the Committee on Claims (H. Doc. No. 1357); to the Committee on Claims and ordered to be printed.

3. A letter from the Secretary of War, transmitting item of legislation, requesting that it be inserted in the sundry civil appropriation bill under appropriations for the Rock Island Arsenal, Rock Island, Ill. (H. Doc. No. 1358); to the Committee on Appropriations and ordered to be printed.

4. A letter from the Secretary of the Treasury, transmitting copy of a communication of the Commissioner of Internal Revenue submitting urgent estimates of deficiencies in appropriations for the Internal-Revenue Service for the fiscal year ending June 30, 1915 (H. Doc. No. 1359); to the Committee on Appropriations and ordered to be printed.

5. A letter from the Secretary of the Treasury, transmitting copy of communication of the Chief of Division of Printing and Stationery of that office submitting an estimate for authority to transfer from the appropriation for "Collecting the income tax" for the fiscal year 1915 the further sum of $12,000 to the credit of the appropriation for "Contingent expenses, Treasury Department, stationery," for the fiscal year 1915 (H. Doc. No. 1360); to the Committee on Appropriations and ordered to be printed.

6. A letter from the Secretary of the Treasury, transmitting copy of communication from Postmaster General submitting urgent estimates of deficiencies in appropriation for the service of the Post Office Department for the fiscal year ending June 30, 1915 (H. Doc. No. 1361); to the Committee on Appropriations and ordered to be printed.

7. A letter from the Secretary of Agriculture, transmitting a detailed report showing documents received and transmitted by the Division of Publications of the Department of Agriculture during the fiscal year ended June 30, 1914 (H. Doc. No. 1362); to the Committee on Expenditures in the Department of Agriculture and ordered to be printed.

8. A letter from the Board of Managers of the National Home for Disabled Volunteer Soldiers, transmitting report of the Board of Managers of the National Home for Disabled Volunteer Soldiers for the fiscal year ended June 30, 1914 (H. Doc. No. 1363); to the Committee on Military Affairs and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the several calendars therein named, as follows:

Mr. BARKLEY, from the Committee on Interstate and Foreign Commerce, to which was referred the bill (H. R. 19428) to authorize the Chesapeake & Ohio Northern Railway Co. to construct a bridge across the Ohio River a short distance above the mouth of the Little Scioto River, between Scioto County, Ohio, and Greenup County, Ky., at or near Sciotoville, Ohio, reported the same with amendment, accompanied by a report (No. 1223), which said bill and report were referred to the House Calendar.

He also, from the same committee, to which was referred the bill (S. 6687) to authorize the Chesapeake & Ohio Northern Railway Co. to construct a bridge across the Ohio River a short distance above the mouth of the Little Scioto River, between Scioto County, Ohio, and Greenup County, Ky., at or near Sciotoville, Ohio, reported the same without amendment, accompanied by a report (No. 1225), which said bill and report were referred to the House Calendar.

Mr. MONTAGUE, from the Committee on Interstate and Foreign Commerce, to which was referred the bill (H. R. 16637) to provide divisions of mental hygiene and rural sanitation in the United States Public Health Service, reported the same without amendment, accompanied by a report (No. 1224), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, committees were discharged from the consideration of the following bills, which were referred as follows:

A bill (H. R. 15633) granting a pension to Axel O. Carlson; Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 19525) granting a pension to Annie F. Baurer; Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 19658) granting an increase of pension to Leon Brown; Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 18487) granting a pension to Marie Johnson; Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. JOHNSON of Washington: A bill (H. R. 19974) to provide for the purchase of ground and erection of a public building thereon for an immigration station in or adjacent to the city of Tacoma, Wash.; to the Committee on Public Buildings and Grounds.

By Mr. OLDFIELD: A bill (H. R. 19975) authorizing the construction of a bridge across Little Red River near Snell, Ark.; to the Committee on Interstate and Foreign Commerce.

By Mr. RAGSDALE: A bill (H. R. 19976) to amend an act entitled "An act relating to the liability of common carriers by railroads to their employees in certain cases," approved April 22, 1908, and amended by an act approved April 5, 1910; to the Committee on Interstate and Foreign Commerce.

By Mr. MONTAGUE: A bill (H. R. 19977) for the erection of a public building at West Point, Commonwealth of Virginia; to the Committee on Public Buildings and Grounds.

By Mr. YOUNG of North Dakota: A bill (H. R. 19978) to provide for the construction of an additional building at the Indian School, Bismarck, N. Dak., and making an appropriation therefor; to the Committee on Indian Affairs.

By Mr. VARE: A bill (H. R. 19979) appropriating $500,000 for the erection and equipment of a shell and projectile factory for the Navy Department at the Philadelphia Navy Yard; to the Committee on Naval Affairs.

By Mr. GOULDEN: Concurrent resolution (H. Con. Res. 56) authorizing the printing of the Journal of the National Encampment of the Grand Army of the Republic; to the Committee on Printing.

By Mr. MORRISON: Joint resolution (H. J. Res. 386) proposing an amendment to the Constitution of the United States; to the Committee on the Judiciary.

By Mr. LAFFERTY: Resolution (H. Res. 675) requesting the Committee on Banking and Currency to report to the House of Representatives the specific reasons necessitating delay in the reporting of a bill providing for rural credits; to the Committee on Rules.

By Mr. MOON: Resolution (H. Res. 676) authorizing the consideration of certain new legislation in H. R. 19906, a bill making appropriations for the support of the Post Office Department for the fiscal year 1916; to the Committee on Rules.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ASHBROOK: A bill (H. R. 19980) granting a pension to Martha Derry; to the Committee on Invalid Pensions.

By Mr. BROUSSARD: A bill (H. R. 19981) for the relief of the Iberia Building Association, of New Iberia, La.; to the Committee on Claims.

By Mr. BYRNS of Tennessee: A bill (H. R. 19982) for the relief of the estate of John A. Gilbert; to the Committee on War Claims.

By Mr. CAMPBELL: A bill (H. R. 19983) granting an increase of pension to William A. Walker; to the Committee on Invalid Pensions.

By Mr. CARR: A bill (H. R. 19984) granting an increase of pension to Eliza C. Miller; to the Committee on Invalid Pensions.

By Mr. COOPER: A bill (H. R. 19985) granting an increase of pension to Samuel W. Barr; to the Committee on Invalid Pensions.

By Mr. DERSHEM: A bill (H. R. 19986) granting an increase of pension to Luther Detwiler; to the Committee on Pensions.

By Mr. DOOLITTLE: A bill (H. R. 19987) granting an increase of pension to Henry H. Klock; to the Committee on Invalid Pensions.

By Mr. EAGAN: A bill (H. R. 19988) granting an increase of pension to John Baker; to the Committee on Invalid Pensions.

By Mr. GILMORE: A bill (H. R. 19989) granting an increase of pension to Henry L. Cushing; to the Committee on Invalid Pensions.

Also, a bill (H. R. 19990) granting an increase of pension to Catherine A. O'Donnell; to the Committee on Invalid Pensions.

Also, a bill (H. R. 19991) to remove the charge of desertion against Asa Bean; to the Committee on Military Affairs.

By Mr. GOEKE: A bill (H. R. 19992) granting an increase of pension to Margaret A. Hageman; to the Committee on Invalid Pensions.

By Mr. HAMLIN: A bill (H. R. 19993) granting an increase of pension to Henry H. Saylor; to the Committee on Invalid Pensions.

By Mr. HAUGEN: A bill (H. R. 19994) granting a pension to Frank Smidt; to the Committee on Invalid Pensions.

By Mr. HELVERING: A bill (H. R. 19995) granting a pension to Mamie Bashaw; to the Committee on Invalid Pensions.

Also, a bill (H. R. 19996) granting a pension to John O. Lind; to the Committee on Pensions.

By Mr. HOWELL: A bill (H. R. 19997) for the relief of the Western Loan & Building Co.; to the Committee on Claims.

By Mr. KENT: A bill (H. R. 19998) for the relief of Rudolph Ponevace; to the Committee on Claims.

Also, a bill (H. R. 19999) authorizing the reinstatement of Maj. Edward Rutledge Lowndes to the active list of the Marine Corps; to the Committee on Naval Affairs.

By Mr. J. R. KNOWLAND: A bill (H. R. 20000) to place Bvt. Brig. Gen. James Clark Strong upon the retired list of the United States Army; to the Committee on Military Affairs.

By Mr. McKENZIE: A bill (H. R. 20001) granting an increase of pension to Mary A. Bender; to the Committee on Invalid Pensions.

Also, a bill (H. R. 20002) granting an increase of pension to Clara F. Wiley; to the Committee on Invalid Pensions.

Also, a bill (H. R. 20003) granting an increase of pension to Laura R. Parmely; to the Committee on Invalid Pensions.

By Mr. MONTAGUE: A bill (H. R. 20004) granting an increase of pension to James Glover; to the Committee on Invalid Pensions.

By Mr. MOSS of West Virginia: A bill (H. R. 20005) granting a pension to Jerusha Battin; to the Committee on Invalid Pensions.

Also, a bill (H. R. 20006) granting an increase of pension to John P. Overton; to the Committee on Invalid Pensions.

Also, a bill (H. R. 20007) granting an increase of pension to Sarah A. Bryan; to the Committee on Invalid Pensions.

By Mr. REILLY of Connecticut: A bill (H. R. 20008) granting an increase of pension to John Murphy; to the Committee on Invalid Pensions.

By Mr. REILLY of Wisconsin: A bill (H. R. 20009) granting an increase of pension to Mary Older; to the Committee on Invalid Pensions.

Also, a bill (H. R. 20010) granting an increase of pension to Esclaim Sanville; to the Committee on Invalid Pensions.

By Mr. ROBERTS of Massachusetts: A bill (H. R. 20011) granting a pension to John L. Beere; to the Committee on Pensions.

By Mr. ROGERS: A bill (H. R. 20012) granting an increase of pension to Thomas F. Muldoon; to the Committee on Pensions.

By Mr. RUSSELL: A bill (H. R. 20013) granting an increase of pension to William H. Seese; to the Committee on Invalid Pensions.

By Mr. SLEMP: A bill (H. R. 20014) granting an increase of pension to Nathaniel L. Lawrence; to the Committee on Pensions.

Also, a bill (H. R. 20015) granting a pension to James B. Russell; to the Committee on Pensions.

Also, a bill (H. A. 20016) granting a pension to Thomas Swallow; to the Committee on Pensions.

Also, a bill (H. R. 20017) granting a pension to Charles M. Walters; to the Committee on Pensions.

Also, a bill (H. R. 20018) granting an increase of pension to William S. Shupe; to the Committee on Invalid Pensions.

By Mr. SMITH of Maryland: A bill (H. R. 20019) granting an increase of pension to Edward Fitzhugh Daniels; to the Committee on Invalid Pensions.

By Mr. SMITH of Minnesota: A bill (H. R. 20020) granting a pension to Anna Bryson; to the Committee on Invalid Pensions.

Also, a bill (H. R. 20021) granting an increase of pension to Peter P. Swensen; to the Committee on Invalid Pensions.

By Mr. SMITH of New York: A bill (H. R. 20022) granting an increase of pension to Catharine Bucher; to the Committee on Invalid Pensions.

Also, a bill (H. R. 20023) granting an increase of pension to Joseph E. White; to the Committee on Pensions.

Also, a bill (H. R. 20024) granting an increase of pension to Jacob Horner; to the Committee on Invalid Pensions.

Also, a bill (H. R. 20025) granting an increase of pension to Christian Humbert; to the Committee on Invalid Pensions.

By Mr. STEENERSON: A bill (H. R. 20026) for the relief of Vilhelm Torkildsen; to the Committee on Claims.

By Mr. SWITZER: A bill (H. R. 20027) granting an increase of pension to Sarah A. Bennett; to the Committee on Invalid Pensions.

By Mr. THACHER: A bill (H. R. 20028) granting a pension to Frank A. Kendall; to the Committee on Pensions.

Also, a bill (H. R. 20029) granting an increase of pension to George C. Peterson; to the Committee on Pensions.

By Mr. WOODS: A bill (H. R. 20030) granting a pension to Simon V. Fritcher; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. BAILEY: Petitions of H. F. Gump & Sons, J. B. Wehn, Everett Hardware Co., A. H. Whetstone, L. C. Mann & Co., F. H. Herman & Son, W. A. Alexander, and D. F. Whetstone, all of Everett, Pa., favoring passage of House bill 5308, to tax mail-order houses; to the Committee on Ways and Means.

By Mr. BEAKES: Petition of 321 business men of the second congressional district of Michigan, favoring the passage of House bill 5308, for taxing mail-order houses; to the Committee on Ways and Means.

By Mr. BORCHERS: Petitions of citizens and church organizations of the State of Illinois, favoring national prohibition; to the Committee on Rules.

By Mr. BROWNING: Memorial of members of the First Presbyterian Church of Haddonfield and citizens of Salem, N. J., favoring national prohibition; to the Committee on Rules.

By Mr. BYRNS of Tennessee: Petitions of citizens of Davidson and Robertson Counties, Tenn., favoring national prohibition; to the Committee on Rules.

Also, papers to accompany bill for the relief of John A. Gilberts; to the Committee on War Claims.

By Mr. CARY: Petition of the Commercial Press Co., of Racine, Wis., protesting against the printing of return envelopes by the Government; to the Committee on the Post Office and Post Roads.

Also, petition of S. F. Burch, of Milwaukee, and the Wisconsin Federation of Catholic Societies, protesting against the publication of the Menace and circulation of same through the mails; to the Committee on the Post Office and Post Roads.

By Mr. CLARK of Florida: Petition of citizens of Greenville, Fla., favoring national prohibition; to the Committee on Rules.

By Mr. DONOVAN: Petition of sundry citizens of Stamford, Conn., favoring the passage of the Hamill bill (H. R. 5139); to the Committee on Reform in the Civil Service.

By Mr. DRUKKER: Petitions of Woman's Christian Temperance Union and sundry church organizations of the State of New Jersey, favoring national prohibition; to the Committee on Rules.

By Mr. ESCH: Petition of Wisconsin Federation of Catholic Societies, protesting against the publication called the Menace

and circulation of same through the mails; to the Committee on the Post Office and Post Roads.

By Mr. GERRY: Petitions of Epworth League of Methodist Episcopal Church of East Greenwich, R. I.; Phillips Memorial Church, of Cranston, R. I.; Harry F. Fairchild; Frances Willard Class of Tabernacle Methodist Episcopal Church; Pearl Street Baptist Church; Delta Alpha Class of Tabernacle Methodist Church; Epworth League of Washington Park Methodist Episcopal Church; Washington Park Methodist Episcopal Church; Washington Park Sunday School, of Providence, R. I.; William H. Fido; United Baptist Church of Providence, R. I.; Swedish Congregational Church and Sunday School of Cranston, R. I.; Warwick Central Baptist Church; Hillsgrove Methodist Episcopal Church, of Warwick, R. I.; Congregational Church of River Point, R. I.; Second Hopkinton Seventh-day Church, of Hopkinton, R. I.; First Congregational Church; Pawcatuck Seventh-day Baptist Church; L. D. B. Sabbath School, of Westerly, R. I., urging the passage of legislation providing for national prohibition; to the Committee on Rules.

Also, petition of Branch 399, Catholic Knights of America, urging the protection of Catholic sisters and priests in Mexico; to the Committee on Foreign Affairs.

By Mr. KENNEDY of Rhode Island: Resolutions favoring national prohibition from the King's Daughters, of Woonsocket, R. I.; the Berkeley Methodist Episcopal Church, of Berkeley, R. I.; the Zion Primitive Methodist Church, of Pascoag, R. I.; the Laurel Hill Methodist Episcopal Church, of Bridgeton, R. I.; the Young People's Society Christian Endeavor, of Slatersville, R. I.; Trinity Baptist Church, Providence, R. I.; the Friends Sunday school, Woonsocket, R. I.; to the Committee on Rules.

Also, petitions favoring national constitutional prohibition from the Washington Park Methodist Episcopal Church, of Providence, R. I.; the Epworth League, Washington Park Methodist Episcopal Church, of Providence, R. I.; the Sunday school, Washington Park Methodist Episcopal Church, of Providence, R. I.; C. W. Calder, of Providence, R. I.; E. Louise King, of Central Falls, R. I.; William H. Fido, of Providence, R. I.; Miss M. Estelle Newell, of Central Falls, R. I.; the First Congregational Church of Chespachet, R. I.; the Epworth League of Laurel Hill Methodist Church, of Bridgeton, R. I.; the Arnold Mills Methodist Episcopal Church, of Arnold Mills, R. I.; the Sunday school of the Methodist Church, of Bridgeton, R. I.; the Broad Street Baptist Church, of Central Falls, R. I.; the Quarterly Conference Primitive Methodist Church, of Lonsdale, R. I.; and J. Henry Weaver, of Central Falls, R. I.; to the Committee on Rules.

Also, petition of members of the Catholic Knights of America, relative to protection for the Catholic priests and sisters in Mexico; to the Committee on Foreign Affairs.

Also, petitions of the Methodist Episcopal Church of Mapleville, R. I.; the Park Place Congregational Church, of Pawtucket, R. I.; Rev. James E. Springer, of Providence, R. I.; James Cranshaw, of Barrington, R. I.; E. M. Cranshaw, of Barrington, R. I., favoring national prohibition; to the Committee on Rules.

By Mr. LEVY: Petition of German-Irish demonstration at Chicago December 1, 1914, favoring observance of strict neutrality by United States Government; to the Committee on Foreign Affairs.

Also, petition of Western Association of Short Line Railroads, relative to House bill 17042, the Moon railway mail pay bill; to the Committee on the Post Office and Post Roads.

Also, petition of Philip Hiss, of New York, favoring proper armament for national protection; to the Committee on Military Affairs.

By Mr. MOTT: Petition of citizens of Manchester, N. Y., and Madison County, N. Y., favoring national prohibition; to the Committee on Rules.

Also, petition of Chamber of Commerce of Washington, D. C., relative to an American merchant marine; to the Committee on the Merchant Marine and Fisheries.

Also, petition of Board of Trade of Washington, D. C., relative to Johnson amendment to District of Columbia appropriation bill; to the Committee on the District of Columbia.

Also, petition of citizens of Carthage, N. Y., favoring national prohibition; to the Committee on Rules.

By Mr. O'SHAUNESSY: Petitions of sundry church organizations of Providence and Newport, R. I., favoring national prohibition; to the Committee on Rules.

By Mr. RAINEY: Petition of 1,052 residents of the twentieth congressional district of Illinois, favoring national prohibition; to the Committee on Rules.

Also, petition of 46 churches and church organizations in the twentieth congressional district of Illinois, favoring national prohibition; to the Committee on Rules.

By Mr. SMITH of Idaho: Papers to accompany House bill 19972, to increase the pension of Minor M. Webb; to the Committee on Invalid Pensions.

By Mr. THACHER: Memorial of Pleasant Street Methodist Episcopal Church and Sunday School, of New Bedford, Mass., favoring national prohibition; to the Committee on Rules.

By Mr. TUTTLE: Petition of official board of First Methodist Episcopal Church, of Westfield, N. J., and Methodist Episcopal Churches at Plainfield, German Valley, and Chester, N. J., favoring national prohibition; to the Committee on Rules.

By Mr. WALTERS: Petition of citizens of Johnstown and 186 citizens of Meckinsburg, Pa., favoring national prohibition; to the Committee on Rules.

By Mr. WILLIS: Petition of First Methodist Sunday School of Findlay, Ohio, favoring national prohibition; to the Committee on Rules.

Also, petition of the Retail Merchants' Association of Bellefontaine, Ohio, in favor of the adoption of House joint resolution 372, providing for a national security commission; to the Committee on Rules.

SENATE.

WEDNESDAY, *December 16, 1914.*

The Chaplain, Rev. Forrest J. Prettyman, D. D., offered the following prayer:

Almighty God, at the beginning of a new legislative day we desire to record Thy name and to acknowledge our allegiance to Thee. Thou art the Supreme Ruler of the universe. We can not annul Thy commandments or stay Thy hand or thwart Thy purpose. Thou art the author of our liberty. Thou art the giver of every good and perfect gift. If we know not Thy way, we know not the path of progress. If we are not obedient to Thy will, we can not guide into the path of happiness. So we pray that with humble spirit we may walk in Thy way and do Thy commandments as Thou hast revealed them to us. For Christ's sake. Amen.

The Journal of yesterday's proceedings was read and approved.

FINDINGS OF THE COURT OF CLAIMS.

The VICE PRESIDENT laid before the Senate communications from the assistant clerk of the Court of Claims, transmitting certified copies of the findings of fact and conclusions filed by the court in the following causes:

In the cause of Alla L. Bryant, daughter and sole heir of Stephen L. Bartholomew, deceased, *v.* The United States (S. Doc. No. 658);

In the cause of William R. Brink *v.* The United States (S. Doc. No. 642);

In the cause of Jane Pemberton, widow of Richard Pemberton, deceased, *v.* The United States (S. Doc. No. 643);

In the cause of Minnie L. Benson, widow of George R. Benson, *v.* The United States (S. Doc. No. 644);

In the cause of Mary E. Rowell, Clara T. Dillon, children, and Florence O. Robertson, Grace O. McMahon, Edward F. Overn, and Caroline A. Overn, grandchildren, sole heirs of John J. Overn, deceased, *v.* The United States (S. Doc. No. 645);

In the cause of Sallie Neal Bartol, one of the heirs of John E. Awbrey, deceased, *v.* The United States (S. Doc. No. 646);

In the cause of P. W. Chelf, administrator of Andrew J. Bailey, deceased, *v.* The United States (S. Doc. No. 647);

In the cause of Alvin C. Austin, executor of Henry E. Austin, deceased, *v.* The United States (S. Doc. No. 648);

In the cause of Arowline Ball, widow of Henry C. Ball, deceased, *v.* The United States (S. Doc. No. 649);

In the cause of Laura V. Gaines, widow (remarried) of Oliver L. Baldwin, deceased, *v.* The United States (S. Doc. No. 650);

In the cause of Turner Anderson *v* The United States (S. Doc. No. 651);

In the cause of John H. Brewster *v.* The United States (S. Doc. No. 652);

In the cause of John T. Harris, executor of Thomas M. Harris, deceased, *v.* The United States (S. Doc. No. 653);

In the cause of Clinton L. Barnhart *v.* The United States (S. Doc. No. 654);

In the cause of Wesley L. Bandy *v.* The United States (S. Doc. No. 655);

In the cause of Ossian Ward and John H. Ward, executors of John E. Ward, *v.* The United States (S. Doc. No. 656); and

In the cause of Sarah A. Bailey, widow of Gustavus Bailey, deceased, *v.* The United States (S. Doc. No. 657).

The foregoing findings were, with the accompanying papers, referred to the Committee on Claims and ordered to be printed.

CREDENTIALS.

The VICE PRESIDENT laid before the Senate a certificate of the Governor of Arizona, certifying that on the 3d day of November, 1914, Hon. MARCUS A. SMITH was chosen by the electors of Arizona a Senator from that State for the term of six years beginning on the 4th day of March, 1915, which was read and referred to the Committee on Privileges and Elections.

He also laid before the Senate the credentials of LAWRENCE Y. SHERMAN, chosen by the electors of the State of Illinois a Senator from that State for the term of six years beginning on the 4th day of March, 1915, which were read and referred to the Committee on Privileges and Elections.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by J. C. South, its Chief Clerk, announced that the House had passed a bill (H. R. 19545) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war, in which it requested the concurrence of the Senate.

The message also announced that the House had agreed to a concurrent resolution (No. 55) providing for an adjournment of the two Houses of Congress from Wednesday, December 23, 1914, to Tuesday, December 29, 1914, in which it requested the concurrence of the Senate.

PETITIONS AND MEMORIALS.

Mr. GALLINGER presented petitions of Charles E. Peaslee, of Gonic; of the Prentice Bros., of Winchester; of the congregation of the First Free Baptist Church, of Laconia; of F. W. Jackson, superintendent of schools, of Whitefield; and of the congregation and the Sunday School of the Methodist Church of Chesterfield, all in the State of New Hampshire, praying for national prohibition, which were referred to the Committee on the Judiciary.

Mr. TOWNSEND presented a memorial of Subordinate Lodge, No. 597, International Brotherhood of Boiler Makers and Iron Ship Builders and Helpers of America, of Escanaba, Mich., remonstrating against the enactment of legislation to change the present method of inspection of locomotive boilers, etc., which was referred to the Committee on Interstate Commerce.

He also presented a petition of the congregation of the Washington Avenue Methodist Episcopal Church, of Port Huron, Mich., praying for national prohibition, which was referred to the Committee on the Judiciary.

Mr. THOMPSON presented petitions of members of the Friends' Sunday School of Haviland, the Christian Sunday School of Lyons, and the Baptist Sunday School of Belpre, all in the State of Kansas, praying for national prohibition, which were referred to the Committee on the Judiciary.

Mr. PERKINS presented a petition of the Chamber of Commerce of Los Angeles, Cal., praying for the appointment of a national marketing commission, which was referred to the Committee on Public Health and National Quarantine.

He also presented a memorial of Stereotypers and Electrotypers Local Union, No. 58, of Los Angeles, Cal., remonstrating against national prohibition, which was referred to the Committee on the Judiciary.

He also presented a petition of Aerie No. 1076, Fraternal Order of Eagles, of Alameda, Cal., praying for the enactment of legislation to grant pensions to civil-service employees, which was referred to the Committee on Civil Service and Retrenchment.

Mr. GRONNA. I present a telegram in the form of a petition from Mrs. G. W. Hanna, secretary of the Woman's Christian Temperance Union of Valley City, N. Dak., with reference to the prohibition amendment now pending before the Senate. I ask that it be printed in the RECORD.

There being no objection, the telegram was ordered to be printed in the RECORD, as follows:

VALLEY CITY, N. DAK., *December 14, 1914.*

Senator A. J. GRONNA,
Washington, D. C.:

At the request of the Woman's Christian Temperance Union of Valley City, the Protestant churches, both American and foreign speaking, took a vote on the question of national constitutional prohibition, which resulted 800 strong for the same.

Mrs. G. W. HANNA,
Secretary Woman's Christian Temperance Union.

Mr. SHEPPARD. I ask to have three telegrams read at the desk.

The VICE PRESIDENT. Is there objection? The Chair hears none.

The telegrams were read, as follows:

YOAKUM, TEX., *December 14, 1914.*

Hon. MORRIS SHEPPARD or RICHMOND HOBSON,
Washington, D. C.:

The Protestant Pastors' Association of Yoakum, Tex., urges the Texas Representatives in Congress to vote for the proposed amendment to the National Constitution providing for nation-wide prohibition.

C. P. CRAIG, *Secretary.*

—

BARTLETT, TEX., *December 14, 1914.*

Hon. MORRIS SHEPPARD,
Washington, D. C.:

Three churches heartily indorse Sheppard-Hobson bill for national constitutional amendment now before Congress. A vast majority of another church in line. We commend you for the effort, and wish for victory.

HOME A. MCCARTY,
Pastor Central Christian Church.
J. B. BERRY,
Methodist Episcopal Church.
J. C. RHODES,
Baptist Church.
J. F. MCKENZIE,
Presbyterian Church.

—

DONNA, TEX., *December 14, 1914.*

Hon. MORRIS SHEPPARD,
Washington, D. C.:

Each of the organized churches in Donna—Methodist, Christian, Presbyterian, and Baptist—voted unanimously yesterday urging on Congress the passage of the Sheppard-Hobson bill.

B. E. SHEPPARD.

THE MERCHANT MARINE.

Mr. FLETCHER. I am directed by the Committee on Commerce to report back favorably, with amendments, the bill (S. 6856) to authorize the United States, acting through a shipping board, to subscribe to the capital stock of a corporation to be organized under the laws of the United States or of a State thereof or of the District of Columbia to purchase, construct, equip, maintain, and operate merchant vessels in the foreign trade of the United States, and for other purposes, and I submit a report (No. 841) thereon. I ask to have the amendments read, and I shall file a more complete report on the bill at a later day.

The VICE PRESIDENT. The amendments will be read.

The SECRETARY. The amendments proposed are as follows:

On page 2, line 4, after the word "States," insert the following: "or to charter vessels for such purposes and to make charters or leases of any vessel or vessels owned by such corporation to any other corporation, firm, or individual, to be used for such purposes: *Provided*, That the terms and conditions of such charter parties shall first be approved by the shipping board."

Page 4, line 14, after the comma and the word "islands," insert the words "the Hawaiian Islands."

Page 5, lines 5 and 6, strike out the words "vessels purchased or constructed under the provisions of this act and."

Page 5, line 10, after the word "vessels," insert the words "belonging to the War Department, suitable for commercial uses and not required for military transports in time of peace, and vessels."

Page 5, lines 14 and 15, strike out the words "or to any other corporation or corporations now or hereafter organized."

Mr. FLETCHER. I also ask for a reprint of the bill with the amendments indicated.

Mr. BURTON. On account of the confusion in this part of the Chamber I have been unable to hear the Senator from Florida.

Mr. FLETCHER. I ask for a reprint of the bill with the amendments reported by the committee to be indicated in the reprint.

The VICE PRESIDENT. That is the usual order, of course, of the Senate. It will be done.

Mr. SHEPPARD, from the Committee on Commerce, to which was referred the bill (H. R. 16392) to better regulate the serving of licensed officers in the merchant marine of the United States and to promote safety at sea, reported it without amendment and submitted a report (No. 840) thereon.

BILLS INTRODUCED.

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. GALLINGER:

A bill (S. 6957) to establish the board of university regents of the District of Columbia, and defining its duties; to the Committee on the University of the United States.

A bill (S. 6958) granting a pension to Emma Perkins (with accompanying papers); and

A bill (S. 6959) granting an increase of pension to Lucy W. Osborne; to the Committee on Pensions.

By Mr. HUGHES:

A bill (S. 6960) granting an increase of pension to John C. Simpson; to the Committee on Pensions.

By Mr. SMOOT:

A bill (S. 6961) granting an increase of pension to Theodore M. Burge; to the Committee on Pensions.

By Mr. CHAMBERLAIN:

A bill (S. 6962) to better provide for the care and protection of property furnished by the United States for the use of the Organized Militia;

A bill (S. 6963) to increase the efficiency of the United States Army by creating an Army transportation reserve corps;

A bill (S. 6964) to increase the number of officers in the Signal Corps of the United States Army;

A bill (S. 6965) to increase the efficiency of the Regular Army of the United States and to provide a reserve force of enlisted men;

A bill (S. 6966) to authorize the maintenance of organizations of the mobile army at their maximum strength and to provide an increase of 1,000 officers;

A bill (S. 6967) to increase the authorized strength of the Coast Artillery Corps of the Army; and

A bill (S. 6968) to increase the efficiency of the Army of the United States by creating a reserve of officers, and for other purposes; to the Committee on Military Affairs.

By Mr. DU PONT:

A bill (S. 6969) granting an increase of pension to Aquilla M. Hizar; to the Committee on Pensions.

By Mr. WARREN:

A bill (S. 6970) to amend "An act to protect the birds and animals in Yellowstone National Park, and to punish crimes in said park, and for other purposes," approved May 7, 1894; to the Committee on the Judiciary.

By Mr. BURLEIGH:

A bill (S. 6971) granting an increase of pension to Addie M. Higgins; to the Committee on Pensions.

CENTRAL DISPENSARY AND EMERGENCY HOSPITAL.

Mr. SMOOT submitted an amendment proposing to appropriate $50,000 toward the construction of a new building for the Central Dispensary and Emergency Hospital erected on the site purchased and owned by the hospital, etc., intended to be proposed by him to the District of Columbia appropriation bill (H. R. 19422), which was referred to the Committee on Appropriations and ordered to be printed.

GEN. ANSON MILLS, MEXICAN BOUNDARY COMMISSIONER.

Mr. THOMAS. Mr. President, last March I took occasion to address the Senate on Senate joint resolution 117, in which I made some references to Gen. Anson Mills, then a member of the Mexican Boundary Commission. In July following a letter was read into the RECORD, at the request of the Senator from New York [Mr. ROOT], from Gen. Mills, relating to that subject, to which I at the time made some response. A result of that episode has been some correspondence between Gen. Mills with the State Department and myself. I ask unanimous consent to have the correspondence printed in the RECORD.

The VICE PRESIDENT. Is there objection? The Chair hears none, and it is so ordered.

The matter referred to is as follows:

WASHINGTON, D. C., *December 5, 1914.*

Hon. CHARLES S. THOMAS,
United States Senate, Washington, D. C.

SIR: I beg to refer to your remarks in the Senate on July 20, 1914, by way of rejoinder to my letter to Senator ROOT.

Your frank and fair statement, "If I shall have given or shall give utterance to anything that is offensive, I shall, if it proves to be incorrect or unwarranted, at all times be ready to make due reparation" (p. 13480), encourages me to hope that if I lay before you directly certain facts and suggestions in addition to those set forth in my letter to Senator ROOT you may see your way, after investigation, to withdraw the remarks contained in your speech in the Senate of last March, in so far as they reflect upon my personal honesty or official integrity.

You say that before making your speech of last March you "availed yourself of almost every known avenue of information." In view of this statement, I feel justified in again calling your attention to the fact that Dr. Boyd's charges, which you appear to have substantially adopted, have already been several times investigated by competent officers of the Department of State, and once by Chief Wilkie, of the Secret Service, and have uniformly been found to be wholly groundless and unworthy of credence. The reports of these officers, I have no doubt, are either on file with the State Department or the department could advise you where they are filed. I can not believe that you have examined them.

To this I may add that I was informed by Mr. Gaines, the present secretary of the International Boundary Commission, since the delivery of your original speech, that the Boyd charges have again been investigated by the present Solicitor of the Department of State, Mr. Cone Johnson, and that he, too, has made a report fully exonerating me in the premises.

Turning again to your rejoinder, you say:

"Mr. President, Gen. Mills does not contradict many of my facts; he confines himself to denying the justice of my conclusions, and particularly as they concern his own conduct" (p. 13479).

Of course, in so far as your statement of facts consisted in a reading from the official documents—as it did in large part—there was no possibility of an issue of fact between us. I closed my letter to Senator ROOT, however, with the following statement: "I assert the absolute honesty and integrity of each and every one of my official and personal acts, and stand ready at all times to vindicate my integrity before any competent tribunal" (p. 13426). By this I meant to challenge in the most sweeping and emphatic terms each and every allegation or inference in your speech which directly or by implication affected my personal honor or official integrity, irrespective of whether or not I was able to touch upon all these matters specifically in the course of a necessarily brief communication intended to appear in the CONGRESSIONAL RECORD. Moreover, I did specifically challenge certain of your statements of fact, and I desire again to direct your attention to two of these issues of fact so joined—one because of its fundamental importance and the other because it has become important on account of the nature of your rejoinder.

The first and fundamental issue is raised by my unequivocal denial that I had anything to do with the treaty of 1906 or that I ever approved the construction of the Government dam at Engle. (See RECORD, p. 13425.) You do not notice this denial in your rejoinder, and yet, so far as I can see, your case against me appears to rest very largely upon inferences which you draw from my assumed inconsistency in favoring the Government dam at Engle, after having opposed the Boyd dam at Elephant Butte—an inconsistency which does not exist, since I did not favor either one in any way whatsoever.

Whatever you may have which you may consider in the nature of evidence—I do not mean argument based on inference—to support your charge of dishonest motives on my part, obviously I can not answer it, for I do not know what it is.

The second issue of fact to which I desire to call your attention was in its original form comparatively unimportant. Merely as an incident to your main attack upon me, you charged me in your March speech with "waste and prodigality" in the expenditure of the Chamizal appropriation, of which, according to your information, I had the disbursement and control. In my reply I denied that I had anything whatever to do with the disbursement or control of the Chamizal appropriation, to which you say in your rejoinder of July 20:

"Gen. Mills also declares that he had nothing to do with the expenditure of the appropriation of $50,000 for the Chamizal arbitration, which I criticized. That may be so. My information comes, however, from the State Department, and until I am satisfied of its incorrectness I shall insist that my statements are in accord with the facts" (p. 13479).

This rejoinder makes this matter, in my opinion, important. I am not mistaken, and I could hardly be honestly mistaken, as to whether or not I controlled or disbursed the $50,000 Chamizal appropriation in 1911. And yet the Department of State, which you invoke in support of your original statement, is presumably in a position to speak authoritatively in the premises.

I was in the West at the time of your remarks of July 20, but as soon as possible thereafter, namely, August 16, I wrote the Department of State, calling the department's attention to the issue between us with respect to the disbursement and control of the Chamizal appropriation and asking for an official statement, based on the records of the department, as to whether or not I disbursed or controlled said appropriation.

I inclose herewith copies of my somewhat protracted correspondence with the department. I believe that a perusal thereof will leave you in no doubt as to the real situation.

Toward the close of your rejoinder you offer to waive your constitutional immunity from suit for remarks spoken in the Senate and assume responsibility for your statements in all respects, as though you had been in a private capacity. I have consulted counsel as to this offer, and have been advised that it is, to say the least, very doubtful whether you can waive your constitutional privilege. Besides, I am not seeking to pursue a Senator, but to protect and defend in the most direct way my honor as an officer and a gentleman.

I therefore make the following counter proposition: I ask you to reread your speech of last March carefully in the light of this letter, to examine the official reports to which I have referred herein, and to consider each and every allegation which you made against me, even by implication or innuendo, which involves more than mere error of judgment on my part, and search your heart as to whether you still really believe them to be true. And where you can conscientiously do so I ask you to withdraw them and make the amends you so honorably propose. Should you, however, after this reconsideration, still find acts of mine which you deem unbecoming an officer and a gentleman, I ask that you state them clearly in an official communication to The Adjutant General of the Army, sending me a copy of this communication, to the end that I may request a court of inquiry, under article 115 of the Articles of War, a Federal court not inferior as a forum for the trial of questions of honor to any other authorized by the Constitution and laws of the United States.

I further request—something which I have no doubt your own sense of justice would suggest in any event—that in case you are unable fully to acquit me of all conduct unbecoming an officer and a gentleman and have occasion again to refer to this matter in the Senate, as you suggest you intend to do, you ask to have this letter and its inclosures printed in the RECORD to accompany your remarks.

I am, sir, your obedient servant,

ANSON MILLS,
Brigadier General, United States Army (Retired),
Late Mexican Boundary Commissioner.

DECEMBER 15, 1914.

Gen. ANSON MILLS, *Washington, D. C.*

MY DEAR SIR: I am in receipt of your letter of the 5th instant with inclosures and relating to some references to yourself in my speech of March last in support of Senate joint resolution No. 117. I have at spare intervals of time since your letter to Senator ROOT appeared in the RECORD reexamined some of my sources of information, that I might retest the accuracy of my statements.

With regard to the treaty of 1906, your statement that you had nothing to do with it is surprising in view of your negotiations and labors conjointly with Señor Osorno under the concurrent resolution of 1890, leading up to the framing of a proposed treaty for the construction of an international dam at El Paso, shortly previous to the ratification of the treaty of 1906 having reference to the same general subject matter. The terms of the treaty of 1906 are, of course, different, although quite as obnoxious to the interests of my State as that which you probably assisted in formulating; but if you did not negotiate nor approve of it, you are to be acquitted of responsibility for same.

With regard to the disbursement and control of the Chamizal appropriation of 1911, I did you an injustice, and take pleasure in retracting the statements I made in that connection concerning you. The explanation is that you were made, I think in December, 1893, the disbursing officer of the previous appropriation under the treaty of 1889. Under that treaty you were required in 1894 to consider, and did consider, the Chamizal case, but the commissioners, of which you were one, failed to agree. This necessitated the Chamizal treaty of

1911, under which the appropriation, some of whose terms of disbursement I criticized, was made.

I originally examined the contracts and vouchers representing the disbursements of these appropriations at the same time, and inasmuch as they related to the same subject I incorrectly assumed them to have been made by the same authority. I also assumed these documents to have belonged to the State instead of the Treasury Department. I should not have charged you with any responsibility for the disbursements of the Chamizal appropriations of 1911, and will read this letter into the CONGRESSIONAL RECORD in correction thereof.

Very respectfully, yours,

C. S. THOMAS.

CORRESPONDENCE BETWEEN GEN. MILLS AND THE DEPARTMENT OF STATE.

[Gen. Mills to the Secretary of State.]

EASTERN POINT, GLOUCESTER, MASS.,
August 16, 1914.

The honorable the SECRETARY OF STATE.

SIR: I have the honor to inclose herewith a copy of the CONGRESSIONAL RECORD for March 27, 1914, containing (pp. 5984–6006) a speech of Senator THOMAS, of Colorado, delivered in the Senate March 23 and 24; a copy of the CONGRESSIONAL RECORD of July 18, 1914, containing (pp. 13424–13426) a letter which I wrote to Senator ROOT, dated June 25, 1914, replying to Senator THOMAS, together with a statement of my military record, both of which were inserted in the CONGRESSIONAL RECORD on the request of Senator ROOT; and a copy of the CONGRESSIONAL RECORD of July 20, 1914, containing (pp. 13479–13480) some remarks of Senator THOMAS, made in the Senate, July 20, by way of rejoinder to my letter to Senator ROOT.

The department will observe that Senator THOMAS attacks the entire course of the United States Government and the Department of State during the past quarter of a century with regard to the equitable distribution of the waters of the Rio Grande, and that he is particularly severe in his animadversions upon my conduct in that connection as Mexican boundary commissioner and in other official capacities under the general direction of the Department of State.

The merits of Senator THOMAS's charges are sufficiently discussed in my letter to Senator ROOT. But I wish to call the department's attention to the fact that Senator THOMAS in his rejoinder invokes the Department of State as his authority for certain of his statements. In my letter to Senator ROOT I say:

"Toward the close of the Senator's speech (RECORD, p. 6002) he states that if he is 'correctly informed' I 'disbursed and controlled' the $50,000 appropriation for the Chamizal arbitration; and he thereupon proceeds to criticize (most unjustly, as I am advised) an item of expenditure out of this appropriation. The Senator has not been correctly informed. I neither disbursed nor controlled this appropriation nor a single penny thereof." (RECORD, July 18, p. 13425.)

To this Senator THOMAS made the following response in his remarks of July 20:

"Gen. Mills also declares that he had nothing to do with the expenditure of the appropriation of $50,000 for the Chamizal arbitration which I criticized. That may be so. *My information comes, however, from the State Department, and until I am satisfied of its incorrectness I shall insist that my statements are in accord with the facts.*" (RECORD, July 20, p. 13479; italics mine.)

Here the Senator uses language which, when read in connection with its context, can only be interpreted as an assertion on his part that either the Department of State or some responsible official thereof had informed him that I had the disbursement and control of the $50,000 appropriation for the arbitration of the Chamizal case. Inasmuch as the Senator's "information" is not only wholly erroneous, but is absolutely contradicted by the records of the department, I can only conclude that Senator THOMAS must be in some way mistaken as to its source.

It is absolutely immaterial, so far as I am concerned, whether Senator THOMAS's criticism of an item of expenditures of the Chamizal appropriation is well or ill founded. I was in no wise responsible for this expenditure. I am entitled to show this, and leave Senator THOMAS to debate the merits of his criticism thereof with those who may be interested in that subject. And I respectfully submit that I am entitled to show this by the best evidence and the only evidence which will be satisfactory to Senator THOMAS, namely, a statement from the Department of State itself as to what its records show in the premises.

In justice to me, therefore, and in view of the unquestionable facts as they appear on the records of the department, and in order that Senator THOMAS may be satisfied as to the incorrectness of his statement, and may therefore be enabled, if he so desires, to correct it, I respectfully request the department to write me a letter advising me of the fact that the records of the Department of State show that I neither disbursed nor controlled the disbursement of the $50,000 appropriation for the arbitration of the Chamizal case or any part thereof. I have the honor to be, sir,

Your obedient servant,

ANSON MILLS,
Brigadier General, United States Army (Retired),
Late Mexican Boundary Commissioner.

[Assistant Secretary Osborne to Gen. Mills.]

DEPARTMENT OF STATE,
Washington, August 28, 1914.

ANSON MILLS,
Brigadier General, United States Army (Retired),
Eastern Point, Gloucester, Mass.

SIR: Your letter of the 16th instant was not brought to my attention until yesterday.

In reply I have the honor to inform you that since Mr. John Wesley Gaines, the present secretary of the International Boundary Commission (United States and Mexico), has by direction of the department recently had occasion to examine all of the papers on file in connection with the Chamizal case, it has been deemed advisable to have him furnish in detail the information you desire.

Mr. Gaines is at present out of the city, but immediately upon his return your request will be given prompt attention.

I am, sir, your obedient servant,

JOHN E. OSBORNE,
Assistant Secretary.

[Gen. Mills to the Secretary of State.]

WASHINGTON, D. C., *October 16, 1914.*

The honorable the SECRETARY OF STATE.

SIR: I have the honor to refer to my letter of August 16 last, in which I inclosed to the department copies of the CONGRESSIONAL RECORD of March 27, July 18, and July 20, 1914, containing respectively a speech of Senator THOMAS, of Colorado, delivered in the United States Senate on March 23 and 24, 1914, in which he criticized the whole policy of the United States for the last quarter of a century with regard to the equitable distribution of the waters of the Rio Grande, and particularly my official conduct in that connection; a letter which I wrote Senator ROOT, dated June 25, 1914, replying to Senator THOMAS; and a rejoinder by Senator THOMAS to my letter.

I called the department's attention more especially to the discussion between Senator THOMAS and myself in so far as it related to a criticism which he made in the course of his speech of an item of expenditure of the appropriation for the arbitration of the Chamizal case. Senator THOMAS said in his original speech that if he was "correctly informed," I "disbursed and controlled" this appropriation. In my reply I denied having had anything to do with disbursing or controlling this appropriation or any part thereof, and Senator THOMAS in his rejoinder, while stating his readiness to make due reparation for any statement of his which should prove to be incorrect, asserted (mistakenly I must assume) that his "information" with respect to my conncetion with the Chamizal appropriation came from "the State Department," and said that until he was satisfied of "its incorrectness" he would insist that his statements were "in accordance with the facts."

In my letter to the department I pointed out that the Senator's information was not only wholly erroneous but absolutely contradicted by the records of the department, and in order that Senator THOMAS might be satisfied as to the actual facts by the best evidence and the only evidence which apparently he would be willing to accept, I respectfully requested the department to write me a letter "advising me of the fact that the records of the Department of State show that I neither disbursed nor controlled the disbursement of the $50,000 appropriation for the arbitration of the Chamizal case or any part thereof."

My letter was acknowledged, under date of August 28, by the Assistant Secretary of the department, who informed me that my letter had only been brought to his attention the day before, and that inasmuch as Mr. Gaines, the present secretary of the International Boundary Commission (United States and Mexico), had recently had occasion to examine all the papers on file in connection with the Chamizal case, it had been deemed advisable to have Mr. Gaines furnish in detail the information which I desired. Mr. Osborne further stated that Mr. Gaines was at that time out of the city, but that upon his return my request would be given prompt attention.

Of course, it is peculiarly and absolutely within the discretion of the department to determine who shall verify by examination of the official records the statement which I have requested the department to make. Moreover, it is a matter of entire indifference to me who makes this examination, provided it is seasonably and accurately made and the result thereof is officially communicated to me by the department. Nevertheless, I deem it proper that I should point out that the information which I have requested pertains to a departmental matter, and in no wise concerns the accounts or business of the International Boundary Commission (United States and Mexico), of which commission Mr. Gaines is now the secretary for the United States. And as I am anxious to obtain the statement requested as soon as possible, I venture furthermore to suggest that if it is not convenient for Mr. Gaines to take the matter up at this time, the information necessary to verify the statement I have requested could be obtained from a very brief examination of the appropriate records by any of the officers or clerks of the department familiar with the general departmental accounting system.

I am sorry to trouble the department again in this matter, particularly at a time when I realize that there are so many important questions demanding its attention, but since Senator THOMAS's statement as it now stands appears to tax me on the alleged authority of the Department of State with a misstatement as to whether or not I disbursed or controlled the disbursement of a $50,000 appropriation—a matter as to which I could hardly be honestly mistaken—and inasmuch as Senator THOMAS has indicated his willingness to make reparation for his statement on being convinced that he is mistaken, I respectfully request that the department furnish me the statement which I have requested at the earliest practicable moment.

Very respectfully,

ANSON MILLS,
Brigadier General, United States Army (Retired),
Late Mexican Boundary Commissioner.

[Assistant Secretary Osborne to Gen. Mills.]

DEPARTMENT OF STATE,
Washington, October 20, 1914.

ANSON MILLS,
Brigadier General, United States Army (Retired),
2 Dupont Circle, Washington, D. C.

SIR: Referring further to your letter of August 15, I beg to state that the papers on file in the department disclose the following facts:

1. That in the latter part of 1893 you were appointed the American commissioner of the International Boundary Commission (United States and Mexico), authorized by the treaty of March 1, 1889; and that on December 12, 1893, you were designated as special disbursing officer of the American section of that commission, and filled both offices until your resignation, June 30, 1914.

2. That in 1894 the "Chamizal case" arose and was referred to this commission, composed, under said treaty, of an American commissioner (Gen. Anson Mills) and a Mexican commissioner (F. Javier Osorno), and this commission failed to "agree" on the "differences" or questions involved.

3. The preamble of the treaty proclaimed January 25, 1911, between Mexico and the United States recites that "The United States of America and the United States of Mexico, desiring to terminate, in accordance with the various treaties and conventions now existing between the two countries, and in accordance with the principles of international law, the differences which have arisen between the two Governments as to the international title to the Chamizal tract, upon which the members of the International Boundary Commission have failed to agree, and having determined to refer these differences to the

said commission, established by the convention of 1889, which for this case only shall be enlarged as hereinafter provided, have resolved to conclude a convention for that purpose," which provides:

"ART. 2. The difference as to the international title of the Chamizal tract shall be again referred to the International Boundary Commission, which shall be enlarged by the addition, for the purposes of the consideration and decision of the aforesaid difference only, of a third commissioner, who shall preside over the deliberations of the commission. This commissioner shall be a Canadian jurist and shall be selected by the two Governments by common accord."

Thus "enlarged," the International Boundary Commission again tried this Chamizal case in 1911, the commissioners then acting being Brig. Gen. Anson Mills, Señor Don Fernando Beltran Y. Puga, and E. J. Lafleur, the "third commissioner," added by article 2 just quoted.

By the Diplomatic and Consular act approved March 3, 1911, the Congress of the United States appropriated $50,000 to continue the work of the International Boundary Commission (United States and Mexico), authorized by the treaty of March 1, 1889, aforesaid, and also appropriated $50,000 "for the expenses of the arbitration of the international title to the Chamizal tract." Of the former $50,000 you were the special disbursing officer, but you were not the special disbursing officer of the latter $50,000 thus supplied; but another citizen was such officer, and you are so advised.

I am, sir, your obedient servant,

JOHN E. OSBORNE,
Assistant Secretary of State.

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[Gen. Mills to the Secretary of State.]

WASHINGTON, D. C., *October 24, 1914.*

The honorable the SECRETARY OF STATE.

SIR: I have the honor to acknowledge the receipt of the department's letter of October 20, 1914 (signed by the Assistant Secretary), with reference to certain information which I requested under date of August 16, last, in connection with an issue between Senator THOMAS, of Colorado, and myself as to whether or not I disbursed and controlled the $50,000 appropriation for the arbitration of the Chamizal case.

After reciting various well-known antecedent facts as to which there is no dispute, the department says:

"By the Diplomatic and Consular act approved March 3, 1911, the Congress of the United States appropriated $50,000 to continue the work of the International Boundary Commission (United States and Mexico), authorized by the treaty of March 1, 1889, aforesaid, and also appropriated $50,000 'for the expenses of the arbitration of the international title to the Chamizal tract.' Of the former $50,000 you were the special disbursing officer, but you were not the special disbursing officer of the latter $50,000 thus supplied, but another citizen was such officer and you are so advised."

Of course no question had been raised with respect to the regular annual appropriation of $50,000 to continue the work of the International Boundary Commission, the issue between Senator THOMAS and myself as to this matter being, as I pointed out to the department in my former letters, simply whether or not I disbursed and controlled the $50,000 appropriation for the arbitration of the Chamizal case, the Senator having criticized specifically an item of expenditure of that appropriation. Senator THOMAS correctly states the issue and my position upon it in his rejoinder, quoted in my letter to the department of August 16, when he says: "Gen. Mills declares that he had nothing to do with the expenditure of the appropriation of $50,000 for the Chamizal arbitration, which I criticized."

While I understand the delicacy of the department's position when called upon to give information with respect to a matter in controversy, I submit, with all deference to the department's judgment as to what fairness requires, that this mingling of unsought information with respect to matters not in dispute with the information requested tends unduly to destroy the usefulness of the department's letter in clearing up the very simple point with respect to which I have requested an authoritative statement based upon its records.

Moreover, while I recognize that the department's letter does contain a statement that the records show that I did not disburse the $50,000 appropriation for the arbitration of the Chamizal case, it leaves unanswered the more important question at issue between Senator THOMAS and myself, as to which I also requested a statement from the department in my letters of August 16 and October 16, namely, whether I controlled the disbursement of this appropriation. I say more important because Senator THOMAS's criticism was apparently directed not so much at the mere clerical matter of disbursement as at the alleged "waste and prodigality" which he said characterized the disbursement, and for which, if they in fact existed, of course those who controlled the disbursement, and not the disbursing officer, were responsible.

I therefore again have the honor to request the department to advise me that the records of the department show that I did not control the disbursement of this appropriation.

And since, in order that the information furnished me by the department may be conveniently available for use, it is desirable that it should all be contained in one instrument, instead of being distributed through a considerable correspondence, I respectfully suggest that the department's compliance with my request take the form of a letter which shall comprise a statement of the fact that the records of the Department of State show that I neither disbursed nor controlled the disbursement of the $50,000 appropriation for the arbitration of the Chamizal case (i. e., the appropriation carried by the Diplomatic and Consular act of March 3, 1911, "for the expenses of the arbitration of the international title to the Chamizal tract"), or any part thereof.

I am, sir, your obedient servant,

ANSON MILLS,
Brigadier General, United States Army (Retired),
Late Mexican Boundary Commissioner.

—

[Assistant Secretary Osborne to Gen. Mills.]

DEPARTMENT OF STATE,
Washington, November 9, 1914.

ANSON MILLS,
Brigadier General, United States Army (Retired),
2 Dupont Circle, Washington, D. C.

SIR: In answer to your letter of October 24 last, in which you ask to be advised that the records of the department show that you did not control the disbursement of the $50,000 appropriated by the diplomatic and consular act of March 3, 1911, for the expense of the arbitration of the international title to the Chamizal tract, you are advised that the record of the disbursement of this fund, so far as disbursed, shows that you were not the special disbursing officer of it, but that another citizen served as such officer, and you were so informed in the department's letter of October 20 last.

You are now further advised that the only papers on file in the department indicating the manner in which the money supplied by the above mentioned appropriation was expended, are the vouchers covering the several items of expenditure, which are signed by a disbursing officer other than yourself.

I am, sir, your obedient servant,

JOHN E. OSBORNE,
Assistant Secretary of State.

—

[Gen. Mills to the Secretary of State.]

WASHINGTON, D. C., *November 13, 1914.*

The honorable the SECRETARY OF STATE.

SIR: I am in receipt of the Department's letter of November 9, signed by the Assistant Secretary, covering a statement of what the department's files show with respect to my controversy with Senator THOMAS, as to whether or not I disbursed or controlled the appropriation for the arbitration of the Chamizal case.

The department, in addition to repeating the assurance contained in its letter of October 20 last, that I was not the special disbursing officer of the appropriation in question—in other words, that I did not disburse the appropriation or any part thereof—makes the following statement in response to my repeated inquiry as to what the records show as to whether or not I controlled the disbursement of the appropriation or any part thereof:

"You are now further advised that the only papers on file in the department indicating the manner in which the money, supplied by the above-mentioned appropriation, was expended, are the vouchers covering the several items of expenditure, which are signed by a disbursing officer other than yourself."

I must confess my surprise at the statement that the departmental files show nothing except the vouchers covering the items of expenditure with reference to the control of the disbursement of an appropriation required by statute "to be expended under the direction of the Secretary of State."

Moreover, I can not quite understand what seems to me to be the implication of the department's statement that the vouchers covering the appropriation in question are signed only by the disbursing officer as such (said officer being other than myself). From my acquaintance with governmental accounting during my many years of service, I supposed that each voucher would also bear on its face the name of the officer (also other than myself) under whose direction and control the particular expenditure in question was incurred; otherwise I hardly see how these vouchers were passed by the proper accounting officers.

I do not, however, desire to trouble the department for any further statement on this point at this time, since it appears to me that the negative statement contained in the department's letter is in the particular circumstances of this case ample for the immediate purpose I have in view, and I have no doubt Senator THOMAS will agree with me.

Senator THOMAS criticized an item of expenditure of the Chamizal appropriation, and said that, according to his "information," I had the disbursement and control of that appropriation. I thereupon denied having anything to do with the disbursement or control of that appropriation. The Senator replied that while I might be right he would maintain his position until he was convinced he was wrong, because his "information" came from the Department of State.

It now appears from the department's statement, in its letter of November 9, giving it the strictest possible interpretation, first, that its records show that I did not disburse the appropriation as alleged; second, that there is nothing in the department's records to indicate that I controlled the disbursement thereof.

Under these circumstances I believe that I am in a position to take the matter in question up with Senator THOMAS, taking advantage of his frank offer to make amends in case he was in error on any point, and call upon him to withdraw his statement that I disbursed the Chamizal appropriation, and to withdraw his statement that I controlled the disbursement thereof, unless, now that the department has failed him, he can produce some other evidence to contradict my unqualified statement made, of course, upon my personal knowledge, and easy to disprove if it were not true, that I did not control said disbursement.

I have felt compelled to assume that the Senator must have been in some way mistaken in thinking his information came from the department. But in view of his explicit statement on the floor of the Senate, and in view of the course which my correspondence with the department has taken, I feel that before taking this matter up with Senator THOMAS I ought to request the department to inform me whether or not the Senator has been misled in this matter by some inadvertent statement from the department or some responsible officer thereof If he has been so misled, I can not in justice blame him for relying on such high authority, and my attitude toward him as respects this issue must in fairness be modified accordingly.

I have no desire to make unnecessary trouble about an inadvertent error by whomsoever it may have been committed. I realize that such errors are constantly made by everyone. I merely desire to set myself straight on the record with respect to a matter as to which I have been most unjustly assailed.

I therefore appeal to the department as a matter of fairness to all parties—to the Senator, to the department, to myself, and even to the public, which has an interest in small as well as large matters relating to official conduct—to tell me frankly whether the Senator's attack upon me for alleged waste and prodigality in the expenditure of the Chamizal appropriation was based upon any inadvertent statement emanating from the department or any responsible officer thereof inconsistent with the official statement which the department has now given me, that I did not disburse this appropriation, and that there is nothing in the files of the department to show that I controlled the disbursement of any part thereof.

I should appreciate an early reply, as I desire to take this matter up promptly with Senator THOMAS.

I am, sir, your obedient servant,

ANSON MILLS,
Brigadier General, United States Army (Retired),
Late Mexican Boundary Commissioner.

[Gen. Mills to the Secretary of State.]

No. 2 DUPONT CIRCLE,
Washington, D. C., December 3, 1914.

The honorable the SECRETARY OF STATE.

SIR: I beg to refer to previous correspondence, and particularly to my letter of November 13 last.

Senator THOMAS, in the course of a speech in the Senate last March in connection with a serious attack upon my official integrity, charged me with waste and prodigality in the expenditure of the Chamizal appropriation, and said that he would in the near future "dissect the disbursement of these appropriations more extensively."

I denied, in a letter to Senator ROOT, having anything to do with the appropriation in question. Senator THOMAS replied that while this might be so his information came from the State Department, that he should maintain its correctness until satisfied he was wrong, and that he should later on "take up the Mills' letter in extenso."

In view of all this, I have through correspondence for nearly four months past, assiduously endeavored to obtain an official statement from your department that I neither disbursed nor controlled the Chamizal appropriation. And having obtained a statement that I did not disburse said appropriation, but failing to obtain more than a mere negative statement with respect to the control of the disbursement thereof, I then, in my letter of November 13, endeavored as a last resort to clear up the misunderstanding under which Senator THOMAS is evidently laboring, by ascertaining whether or not he could have been misled by any inadvertent statement from the department.

I have as yet received no answer to my letter of November 13, but inasmuch as Congress meets on next Monday, I deem it proper that I should on that date send Senator THOMAS copies of my correspondence with the Department of State to date, in order that when he recurs to this matter he may have before him such information as I have been able to obtain from the State Department in my lengthy correspondence.

I am, sir, your obedient servant,

ANSON MILLS,
Brigadier General, United States Army (Retired),
Late Mexican Boundary Commissioner.

DEPARTMENT OF STATE,
Washington, December 9, 1914.

ANSON MILLS,
Brigadier General, United States Army (Retired),
2 Dupont Circle, Washington, D. C.

SIR: Replying to your letters of November 13 and December 3, 1914, the department begs to advise you that it does not know the source of any information Senator THOMAS may have had as a basis for the alleged statement concerning your connection with the Chamizal appropriation. He will, no doubt, be pleased to furnish you, upon request, any information which you may desire on this subject.

I am, sir, your obedient servant,

JOHN E. OSBORNE,
Assistant Secretary of State.

REPORT OF LINCOLN MEMORIAL COMMISSION.

Mr. MARTIN of Virginia. Mr. President, I ask unanimous consent to have printed Senate Document 965 (62d Cong., 3d sess.), which is the Lincoln Memorial Commission report. It has been printed once, but the copies are exhausted, and the chairman of the commission, ex-Senator Blackburn, says there is a great demand for it, and he would like to have it printed. I ask unanimous consent that it may be printed.

The VICE PRESIDENT. Is there objection?

Mr. SMOOT. I should like to call attention to the fact that if the request is granted then copies of the reprint of this document will be sent to all the libraries. I do not believe that is what the Senator from Virginia wishes. If he will modify his request by asking that 1,500 copies be printed for the use of the Senate they will then be for the use of those who desire them and will not be sent around to all the libraries again.

Mr. MARTIN of Virginia. There should be some copies for the use of the commission.

Mr. SMOOT. The commission can get them very easily.

Mr. MARTIN of Virginia. I am satisfied that 1,500 copies will be an abundance.

Mr. GALLINGER. Before this matter is disposed of I wish to ask the Senator from Utah if when a reprint is made other copies are sent to the libraries and to the departments, they having been once supplied? It seems to me that it is absurd to do that.

Mr. SMOOT. It is absurd, but, in fact, they are sent that way.

Mr. FLETCHER. If the Senator from Virginia will ask for a print as a Senate document that will cover it.

Mr. SMOOT. I suggest that 1,500 copies be printed for the use of the Senate.

Mr. FLETCHER. Then they will go to the document room instead of to the folding room.

Mr. SMOOT. Of course, if they are printed for the use of the Senate, they will go to the document room. If they go to the folding room, then, of course, there will be only two copies for each Senator; but if printed for the use of the Senate, they go to the document room and as many as are desired can be obtained for the commission.

Mr. MARTIN of Virginia. It is perfectly agreeable to me to modify the request, and I ask that 1,500 copies be printed for the use of the Senate document room.

Mr. JONES. What is the document?

Mr. MARTIN of Virginia. It is the report of the Lincoln Memorial Commission.

Mr. JONES. If they go to the document room, then the first Senators who send there get the document.

Mr. MARTIN of Virginia. I do not suppose any Senator will want a great supply of them. It is just to supply the requests he may have.

Mr. JONES. We have requests from all over the country for such a document. I have a great many requests for such documents, and often when I go to get them I find that the supply is exhausted.

Mr. MARTIN of Virginia. These requests come to the commission. Ex-Senator Blackburn, the chairman of the commission, has had a great many requests for copies, and they are unable to supply the demand. My object is simply to have the document printed. I do not suppose there will be any trouble as to the distribution. If they go to the document room, every Senator will get an abundant supply of them if 1,500 copies are printed.

Mr. JONES. I will not object at this time, but if I have the same experience with this document that I have had with other documents I shall probably object hereafter to such a proceeding.

The VICE PRESIDENT. The Chair hears no objection, and it is so ordered.

SALE AND SHIPMENT OF COTTON.

Mr. CULBERSON. Mr. President, I present in the form of a memorial a letter from the governor of Texas addressed to the Senators from Texas. I ask that it be read and referred to the Committee on Commerce.

The VICE PRESIDENT. Is there objection? The Chair hears none, and the Secretary will read.

The Secretary read as follows:

GOVERNOR'S OFFICE,
Austin, Tex., December 12, 1914.

Hon. CHARLES A. CULBERSON,
Hon. MORRIS SHEPPARD,
United States Senate, Washington, D. C.

GENTLEMEN: I have been discussing with Hon. F. C. Weinert, formerly State senator and until recently secretary of state, now general manager of the Permanent Warehouse System of Texas, conditions affecting the price of cotton. He has made a careful inquiry, and writes me the result of his investigations, as follows:

DECEMBER 12, 1914.

Hon. O. B. COLQUITT,
Governor of Texas, Capitol.

DEAR GOVERNOR: Since accepting the position of general manager of the Permanent Warehouse System and Cooperative Marketing Bureau, established by law, I have found conditions which I think have a direct bearing upon the constant decline in the price of cotton.

Some time ago the belligerent nations now at war with each other agreed with our Government that cotton should not be treated as a contraband of war. This news was received with great satisfaction throughout the South, for the reason that it was thought that a market would be established for the South's greatest product. The result of this agreement was that cotton advanced immediately and simultaneously with this news.

Since then, however, and especially recently, the price has again declined and continues to decline because shipments to the European Continent are hampered by an inadequate understanding between all foreign Governments and ours

According to reports only two cargoes of cotton have left American ports for the European Continent since this lamentable war began. Each of these cargoes left our shores under great difficulties. The last cargo, according to newspaper reports, left New York on yesterday, after an agreement with the shipowners that the ship should pass through the Straits of Dover on its way to Germany and be subjected to a thorough inspection for contraband of war. This is some concession, and if this course is pursued it would create a better market than at present.

The restrictions, however, that have been in force have necessarily increased rates of shipping and maritime insurance to that extent that exportation of cotton has become practically impossible, hence the market can not be supplied that is now open to the people of the South.

I understand that the cargo of cotton which left Galveston was sold to Germany at the delivered price of 18 cents a pound, while middling cotton is quoted at 6¾ cents in Texas; thus you will see that there is a margin of practically 12 cents difference between the price of cotton in Texas and the price at which it is delivered abroad. This great margin between the price established and the price at which it is delivered is sufficient for anyone to appreciate the difficulties that exist between the buyer and the seller of this product.

I respectfully suggest for your consideration that you, as governor of the State of Texas, appeal to the Federal Government for a more satisfactory understanding and method by which the South's greatest product may be exported.

It seems to me that the Federal Government could supervise the loading of cotton and see that the proper clearance certificates would be given to the departing ships, and, if required, an officer of the Federal Government accompany such cargo to its point of destination, and that such an arrangement with the Federal Government would practically insure all the belligerent nations that no contraband of war was carried in these cargoes.

This or a similar plan might be acceptable to the foreign nations in order to insure the good faith of those who are engaged in the shipping industry. At any rate, I think an attempt should be made to facilitate and improve the present methods, as they are now practically prohibitory.

I realize that you are fully aware of the distressing conditions that are now prevalent not only throughout the great State of Texas but

throughout the entire South, and that you will give the matter such consideration as you think is to the best interests of our people. Believe me, to be

Sincerely, yours, F. C. WEINERT,
General Manager.

I am writing you both to suggest the importance of urging the immediate passage of laws by Congress which will insure a supply of ships to carry our cotton to the nations that are now so badly in need of it. Senator Weinert understands that cotton which can be shipped to Germany is now bringing 18 cents per pound in that country.

The price of cotton would be greatly increased, in my opinion, if Congress would enact laws for insuring the cargoes and for the securing of ships to carry the cotton to the nations of Europe, who are so much in need of it. Bills for this purpose were pending in the recent special session of Congress, and I urge the importance of definite action on them. I shall be glad to hear from you.

Yours, truly,

O. B. COLQUITT, *Governor.*

Mr. CULBERSON. I ask that the letter be referred to the Committee on Commerce.

The VICE PRESIDENT. It will be so referred.

STANDING COMMITTEES OF THE SENATE.

The VICE PRESIDENT. Morning business is closed.

Mr. STONE. I move that the Senate proceed to the consideration of executive business.

Mr. JONES. If the Senator from Missouri will withhold the motion for just a moment, I desire to say that I had announced that I would submit some remarks this morning on Senate resolution 398 and Senate joint resolution 163. The Senator from Missouri, however, is anxious to proceed with executive business in connection with the safety-at-sea convention, and I yield to him for that purpose. But I desire to give notice that I shall address the Senate to-morrow after the routine morning business or at some other convenient time.

EXECUTIVE SESSION.

Mr. STONE. I am very much obliged to the Senator.

I move that the Senate proceed to the consideration of executive business.

The motion was agreed to, and the Senate proceeded to the consideration of executive business. After 2 hours and 15 minutes spent in executive session the doors were reopened.

REGULATION OF IMMIGRATION.

Mr. SMITH of South Carolina. Mr. President, I presume that automatically, an executive session having intervened and been concluded, the unfinished business will now come before the Senate. However, I move that the Senate proceed to the consideration of the unfinished business.

The motion was agreed to; and the Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 6060) to regulate the immigration of aliens to and the residence of aliens in the United States.

The PRESIDING OFFICER (Mr. CHILTON in the chair). The pending amendment will be stated.

The SECRETARY. In section 2, page 2, line 18, after the name "United States," the Committee on Immigration reported to insert "except that with respect to an alien accompanied by his wife, child, or children said tax shall be $4 for each such alien, wife, and child."

To the committee amendment Mr. O'GORMAN has moved as an amendment to strike out, in lines 18 and 19, the words "an alien accompanied by his," and to insert the word "the"; and after the word "child," in line 18, to insert the words "of an alien."

Mr. SMITH of South Carolina. There is also an amendment submitted by the Senator from Minnesota [Mr. NELSON].

The PRESIDING OFFICER. The amendment submitted by the Senator from Minnesota and referred to by the Senator from South Carolina will be stated.

The SECRETARY. In lieu of the amendment as proposed to be amended, Mr. SMITH of South Carolina offers, in behalf of Mr. NELSON, the following amendment:

Provided, That children under 15 years of age who accompany their father or their mother shall not be subject to said tax.

The PRESIDING OFFICER. The question is on the adoption of the amendment to the amendment offered by the Senator from Minnesota [Mr. NELSON].

Mr. REED. One moment, Mr. President.

Mr. SMITH of South Carolina. Several members of the committee have had the amendment proposed by the Senator from Minnesota under consideration, and in their judgment it meets the requirements of the case and may offer a possible solution of the difficulty.

The PRESIDING OFFICER. Is the Chair to understand that the Senator from South Carolina has temporarily withdrawn the committee amendment?

Mr. SMITH of South Carolina. I have agreed to accept the amendment as proposed by the Senator from Minnesota as a substitute for the committee amendment; but, of course, the matter will have to be put to a vote of the Senate.

The PRESIDING OFFICER. The question, then, is upon the adoption of the amendment offered by the Senator from Minnesota.

Mr. GALLINGER. How will the text read if that amendment is agreed to? I ask that it may be stated.

The PRESIDING OFFICER. The Secretary will read as requested.

The SECRETARY. If amended as proposed, the text would read:

SEC. 2. That there shall be levied, collected, and paid a tax of $6 for every alien, including alien seamen, regularly admitted as provided in this act, entering the United States: *Provided*, That children under 16 years of age who accompany their father or their mother shall not be subject to said tax. The said tax shall be paid to the collector of customs of the port or customs district to which said alien shall come.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. REED. Mr. President, in view of the fact that the Senator from New York [Mr. O'GORMAN] offered an amendment touching this same section, and because he is absent, I take the liberty of reserving the right for further amendment in the Senate with reference to this matter. I do so simply in order to preserve the rights of the Senator from New York.

Mr. SMITH of South Carolina. Mr. President, it is not necessary to comment any further on that matter, except to say that the amendment proposed by the Senator from Minnesota was exactly in line with the amendment proposed by the Senator from New York; but the committee thought that this was a clearer and better form in which to express it.

Mr. REED. I have no doubt that is correct, but I make the reservation out of abundance of caution.

The PRESIDING OFFICER. The Senator from Missouri, on behalf of the Senator from New York, reserves the right to move to amend the bill in the Senate.

Mr. GRONNA. Mr. President, I offer the amendment which I send to the desk.

The PRESIDING OFFICER. The amendment proposed by the Senator from North Dakota will be stated.

The SECRETARY. In section 3, page 11, line 9, after the word "servants," it is proposed to insert "or farm machinists, mechanics, or farm laborers skilled in farm work, if employed in good faith by farmers."

Mr. GALLINGER. Mr. President, I suggest to the Senator from North Dakota that if he propose to insert his amendment after the word "employer," in line 9, it would be better. The language reads, "domestic servants accompanying their employer."

Mr. GRONNA. I accept that change.

The PRESIDING OFFICER. The amendment proposed by the Senator from North Dakota is modified so as to come in after the word "employer," in line 9, instead of the word "servants." That change will be made.

Mr. GRONNA. Mr. President, I do not know whether or not there will be any objection to this amendment. It will perhaps be charged that it is a discrimination, and to a certain extent that may be true, but I find that this bill in its various provisions is full of discriminations.

There is a certain provision to the effect that skilled labor, if it can not be found in this country, may be imported from foreign countries. I do not know of any work or any labor that requires more skill than that of the farm. We hear a great deal said about assisting the farmer and to the effect that agriculture is the basis of all wealth, and yet agriculture is the first industry to be discriminated against.

There is another clause in the bill, which reads:

Persons belonging to any recognized learned profession, or persons employed strictly as personal or domestic servants.

Mr. President, that means that one who can afford to go to Europe or to go to some other foreign land and have a valet or a butler is permitted to import with him such domestic servants. In my State we are living right up against the Canadian border, and I again want to call the attention of the Senate to the case to which I referred the other day.

I was not exactly correct in my statement that the farmer who was prosecuted for a violation of the contract-labor law had only written a letter to some men across the line. There was more to it than that. I have since examined the case more thoroughly, and I find that this farmer, who was trying to find men to work in the harvest fields, took his team, drove across the Canadian line, and in the Province of Manitoba found five or six Austrians. He hired them, took them back home with him, and they worked for him in the harvest fields at least for a few days. After a short time, however, an immigration agent came

to the farm and arrested the Austrians and the farmer. They were taken to jail and kept there until the December term of court. The case was tried before one of the most eminent judges in this country, a learned man, a man with broad ideas, and he practically nullified the law by his decision. He imposed only a nominal fine of $5 on the farmer; but the immigration agent was so outraged by this decision that he entered a civil suit against the farmer for $5,000, the maximum amount prescribed by law. Then he ordered the Austrians deported to Austria and not to the place whence they came.

I am not in favor of repealing the contract-labor law. I think we all agree that labor should be protected. We perhaps disagree only as to the methods which should be employed to protect labor Organized labor does not seek farm work; organized labor will never control farm labor. In the first place, they are not willing to work the number of hours that are required on the farm.

We have nearly 10,000,000 farmers now; more than a third of the entire population of this country live on the farm, and I am only asking by this amendment that the farmer shall be given the same opportunity that is given the rich man who can afford to go abroad and secure a valet or a butler. I am only asking for the farmer the same opportunity which is given to the manufacturer who wants to employ skilled labor in some other country.

But it may be said that farm labor is not skilled labor. With modern machinery, we need machinists, we need mechanics; and I repeat that there is no labor which requires more skill and science than that of the farm. I am fearful, of course, that those who come from that section of the country where organized labor is strong may fall under the misapprehension that this amendment is intended as an onslaught on the contract labor law.

Mr. GALLINGER. Mr. President, the last seven words in the Senator's amendment trouble me somewhat, and I will ask the Senator if he can suggest how the amendment, if it is agreed to, can be made operative. The last seven words of the amendment are "if employed in good faith by farmers." Immigrants may come to the port of Boston, or to the port of New York, and claim to be farm mechanics or farm machinists or farm laborers skilled in certain farm work. If the requirement is that they must be "employed in good faith by farmers," how can they be allowed to enter?

Mr. GRONNA. If this amendment should be adopted and should become the law, I presume they could enter just as certain other classes of laborers are permitted to enter.

Mr. GALLINGER. They can not be employed in good faith by farmers unless they are brought in under contract and they can show that they are under obligation to perform this labor. If they come individually, they can not show to the satisfaction of the officials that they are employed in good faith by farmers, because they are not employed in good faith by farmers. They may say that they are intending to engage in farm work or farm machinists' work or to act as mechanics on some farm in the great West, but it seems to me that under the terms of the amendment the officials would not allow them to enter. I may be wrong about it, but it strikes me so.

Mr. GRONNA. Mr, President, I think if this amendment were adopted the immigration officials would be obliged to permit farm laborers to enter, just as they are now required to permit skilled laborers to enter. Under the present law if anyone who has a factory can show to the satisfaction of the Secretary of Commerce or the Secretary of Labor or the immigration officials that the kind of labor he desires to import can not be had in this country, he can import under contract skilled laborers. For the reasons I have indicated I offer the amendment.

Mr. McCUMBER. Mr. President, answering the suggestion of the Senator from New Hampshire [Mr. GALLINGER], I assume that this amendment would particularly apply to and affect laborers from Canada, and probably very few from any other country. I assume also that under the operation of this amendment there would be letters or other written evidence of employment before the immigrant would be admitted. I think there would be no difficulty whatever in securing the adoption by the department of the proper character of rules to safeguard against the improper importation of laborers, and also to secure what my colleague seeks to secure by the amendment.

I can not let the opportunity pass without saying another word in favor of this amendment. If Senators could have seen northwest Minnesota, all of North Dakota, and all of eastern Montana covered with shocks of grain in the early part of November on account of the impossibility of getting thrashing done because of the lack of laborers, they would realize the immense damage done to that section because of the law prohibiting us from getting labor from the Canadian side. A great snowstorm came on in the early part of November, when three-fifths of the grain was unthrashed. The snow covered the shocks and deteriorated the grain at least two to four grades, and it cost in thrashing three or four times as much the next spring, because of our inability to thrash in the fall, all due to our failure to obtain labor.

We need not be much afraid of immigrants coming in too great numbers to the farming sections. If I had the power in my own hands to shape the law, I would make it much broader even than as suggested by my colleague. I would provide that as to aliens who agreed to go to the agricultural sections of our country and do farm work only even a guaranty of employment would not be necessary.

Mr. GALLINGER. Mr. President——

Mr. McCUMBER. In just a moment I will yield to the Senator. I want to call attention to what my colleague has said about the effect of unionized labor upon farm employment in this country. The one great effect is that it has shortened the hours of labor so much in the cities that it is almost impossible to get any man to go out into the country to labor, as the hours of labor there are almost twice as long as the hours of labor in employments in the cities; otherwise, the farmer could not afford to employ labor at all. This is largely responsible for the tendency to stay in the cities if it is possible to get any kind of employment there. The shortening of the hours of labor and the higher prices which undoubtedly have been brought about by organized labor in the cities have made the employment of labor in the country almost prohibitive, and there ought to be some relief. If we have not people in the United States who can be hired to perform farm labor, then we ought to be entitled to get that labor elsewhere. I hope the amendment will be adopted.

I now yield to the Senator from New Hampshire.

Mr. GALLINGER. Mr. President, I am not as well informed on the details of our immigration laws as I might wish to be, but I will ask the Senator from North Dakota, who has just taken his seat, if farm laborers are not now at liberty to come into the United States from Canada without reference to the contract-labor law if they come as individuals to secure employment in the western wheat fields or corn fields?

Mr. GRONNA. They are allowed to come, of course, of their own volition, but we are not now permitted under our laws to advertise for them. Even under the amendment adopted last night I believe that if a farmer were simply to write a letter inviting a laborer to come to this country it would be a violation of the contract-labor law.

Mr. McCUMBER. Certainly it would; and it would render him liable to imprisonment in the penitentiary.

Mr. GRONNA. Yes; it would render him liable to a penitentiary sentence and to pay a fine of $1,000.

Mr. GALLINGER. Mr. President, it has seemed to me—I may be mistaken about it—that, as the State of North Dakota, for instance, is in juxtaposition with Canada, if there was a shortage of farm labor in that State and there was a surplus of it in the Dominion, laborers would be very apt to find their way across the border and seek employment without being advertised for. It strikes me in that way.

Mr. President, I am in sympathy with anything designed to turn the tide of immigration to the agricultural portions of our country; and if I had my way, and it could be done, I would have our immigration laws so changed that a certain proportion of those landing at the ports of Boston, New York, Philadelphia, and our other great seaports should be obligated not to settle in the great cities, but to go to the western fields, where they could secure agricultural employment.

Mr. McCUMBER. Mr. President, I will suggest to the Senator that those in Canada who might be willing to come here and perform farm labor are not very well acquainted with our laws, and it is generally understood by them that they are not entitled to come into this country to secure employment. They have seen their colaborers arrested on coming over; they do not know just what the law is, and they will be very careful not to come over the boundary unless they can be convinced that they are absolutely safe in doing so. There should be something in the law itself which would allay the fears of those who would naturally drift over the line, something which would let them know that it would be legal for them to accept employment on this side and that the penitentiary would not be staring them in the face if they did so. The Senator must remember that those who perform this kind of labor are not the most highly educated class, and yet they are able to do everything the farmer wants of them.

Mr. GALLINGER. Mr. President, I am in great sympathy with anything that will give relief to the great States where the people are largely engaged in agriculture, and if this amendment can be shown to be a wise one I certainly shall not oppose it; but it has seemed to me that the amendment strikes a pretty severe blow at the contract-labor law now on our statute books. I may be mistaken about it. I apprehend that under this provision, if it shall become a part of the law, it will not be only from the Dominion of Canada that these people will be seeking entrance into our country, but that from European countries as well they will come claiming that they are farm machinists, mechanics, or farm laborers. If they are admitted upon that representation, I think we may well reflect as to exactly what influence that will have upon the manufacturing States of our country; whether we may not get an influx of people from Europe, coming in under the provisions of this amendment, that we would not allow to come in under the provisions of existing law so far as the manufacturing sections of the country are concerned.

I wish some Senator who is better informed than I am in the matter of the contract-labor laws of our country and the operation of those laws will take the time, if any Senator is present who chooses to do so, to explain his view as to just what effect this amendment might have upon sections of the country where we are not engaged in agricultural pursuits. Perhaps the chairman of the committee will take the trouble to do that.

Mr. SMITH of South Carolina. Mr. President——

The PRESIDING OFFICER. Does the Senator from New Hampshire yield to the Senator from South Carolina?

Mr. GALLINGER. I yield to the Senator for that purpose or any other purpose.

Mr. SMITH of South Carolina. I will state that this matter was brought before the committee and thoroughly discussed. There is not a Senator on this floor who does not recognize the necessity for ample labor on the farm; but a mere glance at the amendment, bearing in mind the provisions of the present contract-labor law, must convince every Senator that the moment such an amendment is adopted you might as well repeal the contract-labor law. For the reasons set forth by the Senator from North Dakota he has put the word "skilled" here; but everyone knows that when it comes to importing labor to handle the shocks of wheat and grain to which he referred in the fields of the West, almost any man is already skilled. His muscles may not be hardened to the work, but certainly he could perform that crude form of labor to the satisfaction of the farmer, and be a skilled laborer in that respect. You have opened the door for a little temporary employment, and then the host that have come over for that purpose are here to seek other employment until another grain crop is ready.

That is one objection. The next is this: Any farmer could import people who would not come alone from across the Canadian border, but in every port, and everyone else would have the same right. This committee or the Senate could not make the distinction here sought to be made without according the same right to every railroad and every corporation which might come before Congress and state that there was difficulty in securing certain kinds of labor.

The whole heart of the contract-labor law is involved in this amendment. It is one of those unfortunate cases that may occur from time to time; but the Senate, as I said a few days ago, is attempting to legislate on a general rule, and not to ruin the rule by fitting it to these peculiar cases. The committee almost unanimously rejected a similar provision when it was sought to be incorporated in the bill while it was pending before the committee. It needs no extended argument to show that if we are to have a contract-labor system, and you are going to make an exception such as this, where the most unskilled men can perform the work sought to be performed, you have opened the doors to flood this country with the very things that our contract-labor law has sought to obviate. I sincerely hope the Senate will not even seriously consider this amendment.

Besides that, I want to state before I conclude that I am a farmer myself. It is the only vocation I have aside from the duty I am now performing, and I myself would not come before the Senate and ask for the adoption of this amendment in order to permit me to gather my own cotton crop which to-day is open to the weather for the lack of proper hands to gather it. We know the conditions, and rather than open the door to what I believe is not a fair deal to the laborers already in this country I myself would not vote for any such proposition.

Mr. McCUMBER. Mr. President, if the Senator will give the matter a little more serious consideration, and if his mental attitude is right on the subject, I think he can find some way to grant the relief desired without the danger he anticipates.

Let me say first to the Senator that although he may consider that all farm work requires no study and no skill we who are acquainted with the character of work in the Northwest are convinced that it requires as much skill and as much intelligence to run a modern binder and separator or to build a wheat stack that will shed rain and at the same time will not tip over as it does to drive a nail into a board. With the skill that is required, I do not think we need have a great deal of fear about all classes coming in any more than you would have that all classes would come in under the building trade.

Let me say further that you have made an exception in this bill, as stated by my colleague. Whenever one of your institutions or business interests requires labor and it can not get the skilled labor and so certifies, then it is allowed to introduce it into this country. Now, that skilled labor may be a man that lays a brick or a man that mixes mortar or a man that puts plaster upon a building or a man that lays paper upon the inside wall of a building. He is called a skilled laborer and receives skilled laborers' prices, and you can import him into the country if the business itself demands it and that character of labor can not be found in the country.

It so happens that we need the character of skilled labor that is described here, some one who is skilled in farming, because that is what it says. It does not say somebody who may become a skilled farmer, but some one who in the old country has obtained his skill in farming, and not the ordinary roustabout who never has done any work in the farming line. It is limited, as I say, to those particular persons.

If the Senator really believes we ought to have the extra help, I can see no reason why he can not modify this amendment, in conference or here, so that it will fit the case, without creating the disturbance that he thinks will be created if it is adopted. Suppose a provision were incorporated in the bill, either in the Senate or in conference, which would prohibit persons who came in under such employment from performing services in any other line of business except that for which they had been employed, and if they disobey that requirement make them subject to the same penalties to which they otherwise would be subjected.

I believe we can secure the good results that are intended by my colleague in this amendment without endangering the whole structure of the bill.

Mr. LODGE. Mr. President, let me say in the beginning that the Senator from North Dakota invited us to give more attention to this subject. I have been working on this subject now for some 25 years, and I have tried to give attention to all these points. The committee has given especial attention to this point among others.

All skilled labor, no matter whether it is skilled labor for the farm or skilled labor for the factory, can be brought in under the proviso on page 10:

> That skilled labor, if otherwise admissible, may be imported if labor of like kind unemployed can not be found in this country.

That is not confined to the building trades or to factories or to any other industry. It applies to any skilled labor. The skilled labor of the farm can be brought in under the law as it now exists—for that is the existing law—if labor of like kind, unemployed, can not be found. This is a proposal to take off that limitation, "if labor of like kind can not be found," and permit the introduction of farm machinists, mechanics, or farm laborers skilled in farm work, if employed in good faith by the farmer. Put in that form it opens the door to the complete overthrow of the contract-labor laws. Persons brought in under this amendment could go into any other industry for which they were fitted; and the result would be that the railroads, the factories, and all the industries of the country would suddenly find that they needed farm labor, and they would bring it in as mechanics and machinists. They would all come in.

The contract-labor laws antedated the immigration laws. They were passed in response to a widespread demand that labor should not be brought into this country under a contract made abroad—a contract which would result in bringing in a large body of laborers under an obligation to work for a period of years at lower wages than our own people work in similar employment. If we should open the doors—and this amendment opens them, for it can not possibly be confined—the result would be that the whole purpose of the contract-labor laws would be destroyed.

There are hardships, no doubt, in every employment, and difficulty of getting labor at certain times. It is impossible to meet all those individual cases by law; but I think it would be a very great misfortune to break down the contract-labor laws of this

country, which have been long on the statute books. This amendment in my opinion, throws wide open the door for bringing in contract labor under contracts made in foreign countries at lower rates of wages, because the definitions are necessarily so vague that there is no method of controlling them.

I sincerely hope the contract-labor laws will not be impaired.

Mr. McCUMBER. Mr. President, the Senator's statement that he has given this matter a quarter of a century of careful consideration leads me to ask him a question concerning it, for information only. What method has been adopted by the department to ascertain whether or not skilled laborers can be found to fulfill any demand in the manufacturing sections of the country?

Mr. LODGE. Application has to be made to the Secretary of Labor—or the Secretary of Commerce and Labor, as it was before—and the applicant has to furnish proof that he can not get that labor in this country.

Mr. McCUMBER. What is the character of the proof? That is really the gist of my question.

Mr. LODGE. It has to be very conclusive, for very little comes in. The only cases where persons have been brought in under that law are where new industries have been started, where it could be proved beyond a doubt that there was nobody in the country who understood how to run a given machine, for example, or how to do the work involved, and that we could not start the industry without importing some one. The number of people brought in in that way has been perfectly trifling, owing to the extreme difficulty of the proof. It would be very hard to prove that there was no like farm labor unemployed in this country.

Mr. McCUMBER. The Senator has reached just the point I wanted to make, and in which I agree with him. I thought he was arguing, from what he stated a short time ago, that the farming sections had now about the same opportunity that the other industries have to obtain skilled farm labor.

Mr. LODGE. They have.

Mr. McCUMBER. Now, upon the face of it that might appear to be true; but if the Senator should start any kind of a manufacturing business in his own State, whether it were the steel business or whether it were the manufacture of fabrics, he could easily put a little advertisement in the paper saying that he desired so many men of a certain character to do a certain kind of work and so many to do other kinds of work, and he could tell in a reasonably short time whether or not he would be able to secure those persons; and that and other efforts might satisfy the department that the labor could not be obtained. That condition, however, could not hold in a farming section.

Mr. LODGE. No; and it does not hold in the industrial sections. There is no such condition.

Mr. McCUMBER. There may be somebody in Massachusetts who is skilled in farming, but that would not help the man out in Montana about getting that help there. The man in Massachusetts would not know where to go; the great farming public would not know how to get word to him; and therefore, without some such provision as this, it would be impossible for the farming section to obtain that labor, even though they did not have a tenth of the labor that was necessary to perform what was required to make the farming a success.

Mr. LODGE. Practically, in the administration of the law, in any established industry no men are allowed to come in. It is not enough to show that the employers can not get them by advertising. They are not allowed to come in. As a matter of fact, none are brought in in that way. It is just as impossible for manufacturers to get them as it is for farmers to bring them in in that way, as the Senator says. It has only occurred, as I have said, in a very, very few cases, and that is where the industry did not exist in the country. Where the industry exists, as in the steel and textile industries, ever since these contract-labor laws were passed, any bringing in of contract labor has absolutely ceased. It can not be done. The department has been extremely strict in regard to the law, and almost no one comes in under it.

Mr. McCUMBER. Whatever may have been the effect of that exception upon contract labor in the manufactures, it is certain that no benefit could be obtained by the farming sections through that provision in the law. A case has been cited by my colleague where a farmer knew he could not get labor in the United States. He had tried it. He did not know it was wrong to go over to Canada, across the line, where there were some people ready to come and work for him, but he knew that there was not any labor in this country that could do his work. He went over the line. It cost him some few thousand dollars, I believe, for that attempt to save his crop. There ought to be some means devised in this bill by which he could get labor of that kind, for the little time he would need it, without opening the gate so wide that that labor may remain here for all time and go into any other employment.

Mr. LODGE. I know the case to which the Senator refers. The farmer could not get labor, and the situation was a hard one. He went across the border, and he contracted with nine men, as I remember the number. They happened to be Hindus, as I understand, that he brought in.

Mr. McCUMBER. These were Austrians.

Mr. LODGE. In the case I heard they were Hindus He brought them in, and it was a clear violation of the contract-labor law. The door is as wide open to the farmer for getting skilled labor under this clause as it is to anybody else, because it says, "skilled labor * * * may be imported if labor of like kind unemployed can not be found in this country." This is a proposal to take off that limitation and let in the persons described in this amendment. It would result in bringing contract labor in ultimately to every industry.

Mr. GRONNA. Mr. President, I do not believe it would throw the gates wide open to labor. My amendment follows the provision on page 11.

Mr. LODGE. Certainly; I know that. It puts them under the excepted classes.

Mr. GRONNA. Yes; under the provision which says that persons employed strictly as personal or domestic servants, accompanying their employers, may be admitted.

Mr. LODGE. Yes.

Mr. GRONNA. Then my amendment follows.

Mr. LODGE. I understand that. It was put in there because there is no limitation.

Mr. GRONNA. That would not throw the gates wide open. These men would have to accompany an employer, just the same as they have to under the provision which is embodied in this bill. I can see no difference in that respect.

Mr. LODGE. Does the Senator propose to put it in after the word "servants"?

Mr. GRONNA. No; after the word "employer."

Mr. LODGE. Exactly. The amendment says after the word "servants."

Mr. GRONNA. Yes; but it was modified. At the suggestion of the Senator from New Hampshire [Mr. GALLINGER], it is inserted after the word "employer."

Mr. LODGE. Of course, if it is inserted after the word "employer," it takes off that limitation.

Mr. GRONNA. Yes; I will say to the Senator that it does. It has been modified.

Mr. LODGE. It takes off the limitation.

Mr. GRONNA. Yes; it does.

Mr. LODGE. It opens the door wide.

Mr. GRONNA. Now, if we permit aliens to come into this country accompanying their employers, to be employed——

Mr. LODGE. But you have taken off that limitation by putting it where you have now placed it. Under this amendment the people do not have to accompany the employer—not that I think that makes it a good amendment.

Mr. GRONNA. If the Senator would rather have the amendment come in after the word "servants," I should have no objection to that.

Mr. LODGE. No; I think that puts a limitation on it, of course, but I do not think it is a valuable limitation.

Mr. GRONNA. That was my impression, but it was suggested by the Senator from New Hampshire——

Mr. LODGE. There would be plenty of farmers to go abroad and make contracts and bring labor in here as farm labor that never had seen a farm.

Mr. GRONNA. I do not think so. My experience has been that a farmer is very anxious to hire men who know something about farming. The great trouble is that the farmer has to employ the labor that comes from the slums, men who never have learned to perform work, and he has to pay them the same wages that are paid to men who know something about the scientific methods of doing work on the farm.

There is no work to be done by labor anywhere that is more scientific than the work on the farm. I will make that statement. Of course there are certain specific things which can be done by almost anybody, but when it comes to the modern method of farming, with all the intricate machinery, with petrol power and with steam, it requires skilled labor to do the work.

I am simply asking that this industry be accorded the same treatment that is accorded to other industries as provided by this bill. We say that in other industries where this class of labor can not be found they shall be permitted to employ men

in other countries. More than that, we provide on the next page, page 11, that persons employed strictly as personal or domestic servants, accompanying their employers, may be admitted into this country. There are two exceptions; and yet you say you are afraid that if we insert this provision that will throw the gates wide open to foreign labor and it will be an onslaught upon the contract-labor law.

I am not here pleading especially for any industry unless I know that it is a matter of justice to it. Why should not a farmer who lives close to the border line be permitted to cross the line and get labor, when it can not be had in this country, just as well as we permit men engaged in the manufacturing industry to import that class of labor?

Mr. SMITH of South Carolina. Mr. President——

The VICE PRESIDENT. Does the Senator from North Dakota yield to the Senator from South Carolina?

Mr. GRONNA. Certainly.

Mr. SMITH of South Carolina. I should like to ask the Senator if he does not believe that if this amendment were adopted the Canadian and Mexican borders would become the dumping ground for all kinds of immigrants, all kinds of persons seeking entrance into this country, and that you would make it possible for anyone seeking labor in other ways to send his agent across the border and bring it in under the guise of seeking farm labor? What would prevent it, and how would you discriminate?

Mr. GRONNA. In reply to the Senator's query I want to say that I know he is as familiar with the immigration laws of Canada as I am, but I will say to him that the immigration laws of Canada permit them to advertise as much as they please. They permit the people of Canada to send for as many people as they please, and I do not entertain any fear that the border will become a dumping ground any more than it is at the present time.

Mr. SMITH of South Carolina. The Senator has strengthened my argument. For that very reason if Canada advertises at certain periods and brings in from all the foreign countries labor, then, if we allow this amendment to pass, when that labor is not employed one of the agents would come across the border to this country with the very persons we are seeking to keep from coming here in competition with the labor of this country.

I do not think it is worth while to take up the time of the Senate any further unless those who desire this amendment to pass have further arguments to advance. I want to state here and now that I believe the man who works on the farm for a wage is as much entitled to the protection of this Government from competition as the man who works in the machine shop or works at any other form of manual labor, corporation work, such as on railroads, in our great manufacturing establishments, and other kindred enterprises; but when there is a scarcity of labor we should put the muscle and the brain of our own country on the market, and by virtue of the law of supply and demand, demand a higher wage and receive it, as in the case of those we have already legislated for or whose condition brought about this form of legislation. I believe it would be an inducement for boys to go to the farm. I saw an advertisement the last harvest time——

Mr. GRONNA. May I ask the Senator——

Mr. SMITH of South Carolina. Just one moment. Let me finish the sentence. I saw the last harvest time where they were offering splendid wages for young men to go out and engage in harvesting the crops, and boys went from college and engaged in the work and in that way helped pay their tuition and became better qualified for the exercise of citizenship in this country. The account of the per diem wages they received was amazing to some of us from the South.

Now, in order to cheapen that process this amendment is introduced to flood this country with immigrants from those who have come into Canada and deny the boys of this country the privilege of going out and earning money and acquiring health in the healthful exercise of harvesting the splendid crops grown in the Senator's part of the country.

I am unalterably opposed to this amendment being put into the bill. I believe the time has come for us to face resolutely against allowing the lower orders of a European or any other foreign country to be dumped here, and by virtue of their low scale of morals to make it distasteful to the young men of this country to engage in that kind of work. We have had that curse in the South. We have had that curse spread by virtue of our lax immigration laws all over the country. I would infinitely rather have higher wheat and higher manhood and morality than to have cheaper wheat and lower manhood and morality.

Mr. GRONNA. The first part of the Senator's statement is absolutely correct and shows exactly what the conditions are in my part of the country. It is true that the college boys were required in order to meet the demand for labor in the harvest field. It is also true that little children, boys and girls from 10 years up, had to perform farm labor, and not only that, but the American women had to go out into the harvest fields in order to save the crop.

I wish to ask the Senator if he has ever heard that there was any competition in labor so far as farm labor is concerned? In my section of the country it does not exist. It does not exist in the western country, I will say to the Senator.

Mr. SMITH of South Carolina. I want to say that I am glad that it does not exist. The Senator is seeking to bring it about now, and it is that that I want to avoid. I want to let the competition be among the boys and the girls and the women if necessary.

I wish to state further, Mr. President, and then I am through with this discussion, that of all occupations which induce to health and do not contribute in any way to the degradation of the morals of people, farm work is the one. I would dislike to see the Senator's part of the country invaded with that element which has been a blight on my section since I can remember and practically through the history of the development of the South. The very labor that ought to employ the hand and the brain of the young men of the South by virtue of the very racial contest has been preempted by the class of people we do not want to come in competition with. But it is there. We are entitled to the highest and the best, and for that reason we have a contract-labor law. As I stated the other day, we ought to build not from the top down, but from the bottom up.

Mr. GRONNA. Mr. President, I thoroughly sympathize with the statement the Senator makes, but let me ask the Senator does he consider the labor he referred to as skilled labor?

Mr. SMITH of South Carolina. Mr. President, the word "skilled" is a relative term. I should think that there are occupations on the farm—and I have discussed it personally with the Senator—that are skilled. I do not believe that the ordinary labor as I know it can take care of the modern machinery that is necessary on the farm. I do not believe such labor can do it; and for that reason I believe in the provision of the bill which provides that where skilled labor can not be found in this country it can be contracted for abroad by applying to the Bureau of Immigration for their permission and setting forth the facts.

The term "skilled" is very elastic and comparative. I believe that under certain conditions some degree of relief could be gotten in the case described by the Senator, but I think that with the hosts of unemployed in America and the demand incident to the harvest time, with the proper inducement and the proper advertisement throughout the country, you could get all the labor you want to gather the crop.

Mr. GRONNA. We allow more than this skilled labor to come into this country under the provisions of the bill. The Senator knows that on page 11 it is provided that persons employed strictly as personal or domestic servants, accompanying their employers, are to be admitted into the country. Will the Senator explain to me what that means? It may be that I do not understand it.

Mr. SMITH of South Carolina. I think it explains itself. An individual traveling abroad may, under the necessities of the case, employ a domestic servant, a maid or some individual to look after personal affairs in transit, and when he gets to this country, as he is already in the employment and has been brought here, he is allowed to come in. According to the testimony of the Commissioner of Immigration we ought not in any way to jeopardize the terms of the bill; and as that was such a matter of necessity, the servants being employed and coming along with their employers, we admitted those persons. I think just a glance at that provision explains it.

Mr. GRONNA. The Senator thinks there is no danger of this provision being abused when persons may be employed in foreign countries as servants. Those immigrants will be brought in, of course, by rich men; it will not be done by farmers. It will be done by those who can afford to travel in foreign countries and take with them such persons as they like for their personal attendants.

Mr. SMITH of South Carolina. I think it would be a pretty costly experiment, Mr. President, for an individual traveling abroad to bring in a sufficient number to abuse it to the extent that the Senator's provision would abuse it, where he wants sufficient to gather the wheat crop of the West. This merely applies to those who are accompanied by their personal servants.

Mr. GRONNA. Is it not possible that farmers may take advantage of that provision and go abroad and bring back these servants and then employ them as farm laborers?

Mr. SMITH of South Carolina. I would suggest to the Senator to offer that as a remedy in place of his proposed amendment.

Mr. GRONNA. At any rate, it is a discrimination. I believe the Senator will admit that it is a discrimination.

Mr. President, I shall not detain the Senate any longer. I have offered this amendment in good faith and I am in hopes that it will be adopted.

Mr. McCUMBER. Mr. President, I wish to correct two errors made by the Senator from South Carolina a few moments ago.

I do not know what the conditions in his own part of the country may be, but he speaks of farm laborers in this country. There is not any such thing as a farm laborer in the entire Northwest. There is no labor that may be designated properly as farm labor. The only labor that we are able to get at all is the overflow from the cities after employment in the cities has been exhausted. They are not farm laborers. They remain only a short time, until the crop is harvested or a little of the plowing done. It is almost impossible to get labor on a farm by the year, as we used to get it 20 or 30 years ago, or to get anyone who knows anything about farming in general. Every farmer in the Northwest will give you that as his experience.

Another error the Senator makes is in the supposition that there is such a thing as competition in farm labor. We can not get half the labor that we need. We could absorb all the farm labor we have now and we could multiply it by 2 and 3 and yet the demand would not be filled in the northwestern section of the country.

The Senator says that he wishes to protect the young men who want to go out and do labor upon the farm from competition that strikes down their wages. Mr. President, I believe in the Senator's own State, and I know in my State and in all the northwestern section of the country, the farmer pays all he is able to pay and considerably more than he ought to be required to pay. If you were to give those men the wages they earn in the city you would turn over the entire crop to them and you would have to give a mortgage upon your farm for the next year's crop in order to pay your hired help. There is no such condition as the Senator describes in any part of the United States that I know anything about.

Now, if the Senator is afraid of dumping the cheap labor of the old countries upon our farms, let me say that we are equally afraid of dumping the cheap products produced by the cheap labor of the old countries into this country. You throw down your bars of protection and you say that all the food products produced anywhere in the world may come into the United States free, but at the same time you say to the farmer who has to compete with the entire world in his produce, "We do not intend to let you get any labor to work your farm unless you pay the price that is paid by the protected manufacturer," and in that is the great injustice.

Mr. SMITH of South Carolina. Mr. President, I am just a bit amazed that the Senator, being the good protectionist he is, should declare to the Senate that he is in favor of protecting the product but not the producer.

The VICE PRESIDENT. The question is on the amendment proposed by the Senator from North Dakota [Mr. GRONNA].

The amendment was rejected.

Mr. THOMAS. Mr. President, I offer the following amendment.

The VICE PRESIDENT. The proposed amendment will be stated.

The SECRETARY. In section 3, page 9, lines 6 to 12, in lieu of the words—

That the following classes of persons shall be exempt from the operation of the illiteracy test, to wit: All aliens who shall prove to the satisfaction of the proper immigration officer or to the Secretary of Labor that they emigrated from the country of which they were last permanent residents solely for the purpose of escaping from religious persecution—

Substitute the following words:

That the following classes of persons shall be exempt from the operation of the literacy test, to wit: All aliens who shall prove to the satisfaction of the proper immigration officer or to the Secretary of Labor that they are seeking admission to the United States to avoid religious or political persecution, whether such persecution be evidenced by overt acts or by discriminatory laws or regulations.

Mr. THOMAS. Mr. President, I think the importance of this proposed amendment is manifest, but I am physically unable to present any views in support of it at this time. I have a letter from Hon. Louis Marshall, one of the very able lawyers of the New York bar and a member of one of its most eminent firms, bearing upon this subject. It is not very long, and I ask permission that the Secretary may read it to the Senate as the argument in support of the proposed amendment.

The VICE PRESIDENT. Is there any objection? The Chair hears none. The Secretary will read as requested.

The Secretary read as follows:

The differences between the two clauses are as follows:

(a) The Burnett bill limits the exemption to those who seek admission to the United States "solely" for the purpose of escaping from religious persecution. This limitation would deprive the provision of all possible value. No matter how severe the persecution may be, the refugees, who are usually stripped of their belongings or are deprived of the opportunity of earning a livelihood by reason of persecution, would naturally come to this country, not only for the purpose of seeking that asylum which we have always granted to the oppressed but incidentally and of necessity to earn a livelihood here. Hence it can not be truthfully said that they come here "solely" to avoid persecution. Naturally they also seek to save themselves from starvation, which, though frequently an incident to the persecution which they have suffered, would confront them in this country if they do not find an opportunity to earn a living by their labor.

As the exemption clause now reads, the only persons who would have the benefit of it would be those individuals who could show not only that they were persecuted but that they have sufficient means to make it unnecessary for them to labor or are willing to pursue a life of idleness. Surely the intention of the framers of this clause, who are actuated by the most humane of motives, must be to enable the victims of persecution not only to seek an asylum but also to become useful members of the community while here.

Those who have been strong in their advocacy of the illiteracy test admit that an exemption should be accorded to these victims of persecution. Messrs. Jenks and Lauck, in their recent work on The Immigration Problem, say at page 334:

"The chief objection raised at the present time against further restrictive measures has come from the Jews, who fear that any restrictive measure will tend to keep many of their people, especially those in Russia, under conditions of political and religious oppression. The answer to such an objection, of course, is found in the first principle laid down (in the commission's report) which makes it clear that, in the judgment of the commission, as well as of most other enlightened citizens, the United States should remain in the future, as in the past, a haven of refuge for the oppressed, whether such oppression be political or religious. Any restrictive measure should contain a provision making an exception of such cases."

(b) The clause in the Burnett bill merely exempts those who seek admission for the purpose of escaping from religious persecution. The substitute adds "political" persecution. As a matter of fact, the persecutions to which the Jews have been subjected in Russia and Roumania, while founded on religious intolerance and animosity, are in part also political, and, as Secretary Nagel pointed out, it is sometimes difficult to draw the exact line between religious and political persecution. The student of history knows that wherever there has been religious persecution it has been ordinarily commingled with political elements, and that, as a matter of fact, persecution is a dual monster, partaking both of a political and a religious character. In Russia and Roumania, it is difficult to say where religious persecution ends and political persecution begins. The two run into one another. It is one of the glories of our country, that it has during its existence as an independent power, opened its doors to those fleeing from political as well as from religious persecution.

The present Mexican situation does not affect the question, because it partakes of the nature of a civil war or rebellion and not of a political persecution.

(c) The clause in the Burnett bill contents itself with granting exemption to those who seek admission for the purpose of escaping "from religious persecution." There is no definition of that term in the act. The phrase is vague and indefinite, and for that reason is apt to receive an interpretation which would render it of but slight value. As a matter of fact, the religious persecution from which the Jews in Russia and Roumania are now suffering occurs principally through the operation of discriminatory laws and regulations. There are occasional outbursts, which are known as pogroms, where violence is used. But those are only symptoms of a disease which is much more insidious and fatal than these momentary physical phenomena. By these laws the Jews are prevented from receiving education. A people which, during the darkest of the Middle Ages, taught its children assiduously, so that education was a religious precept, has been restrained by law from sending them to the schools. Hence, the illiteracy which exists among the Jews in Russia and Roumania is directly due to the operation of discriminatory laws. There is a multitude of employments and activities in which they are not permitted to engage. They are restricted as to the territory in which they may reside. In fact, in Russia they may not live beyond the Pale of Settlement, and even within its boundaries they are confined to cities and towns. So that in reality they may not live or carry on business in 1999/2000 of the area of the Russian Empire. They are precluded from owning land, from living in the country, from carrying on agricultural pursuits, and from practicing professions, except to a very limited extent. In other words, they are in every way hounded and persecuted by methods more far-reaching and lasting in their effects than they would be if actual violence were inflicted.

This is clearly shown, so far as Russia is concerned, in the recent pamphlet of Lucien Wolf, entitled "The Legal Sufferings of the Jews in Russia," and the introduction thereto, by Prof. Dyce, of Oxford University; and as to Roumania, by the facts collated in the speech of Congressman CHANDLER delivered on October 10, 1913.

A clause, descriptive of the character of persecution which is to be the ground of exemption, embodied in the words, "whether such persecution be evidenced by overt acts or by discriminatory laws or regulations," is therefore proposed. That clearly defines what undoubtedly is intended by those who recognize the necessity for an exemption. To decline to make such a definition is practically to give with one hand and to take away with the other.

This amendment imposes the burden of proof upon the imigrant and not upon the Government, and leaves the determination of the question as to whether there has been religious or political persecution of the character specified to the proper immigration officer or to the Secretary of Labor. The public interests are therefore fully safeguarded, and this clause merely becomes a safety valve for the purpose of protecting those whom it has been the policy of our country to take into its keeping ever since our Government began. It would be retrogression if this historic policy were now changed.

The reasonableness of this amendment is demonstrated by the fact that it is susceptible of absolute demonstration that the illiteracy of the Russian and Roumanian Jews is due entirely to the persecution which they have endured, and it would therefore be the very irony of fate if they were prevented from coming to this country because of the illiteracy thus conduced.

In a pamphlet by Mr. Max J. Kohler on "The Immigration Problem and the Right of Asylum for the Persecuted," it appears that the English aliens act contains an exemption clause similar in terms to that contained in the Burnett bill. He shows, however, that that clause has reference only to a provision excluding those who are "likely to become a public charge," and has no bearing on the illiteracy test. The leading members of Parliament were, however, of the opinion that the clause as framed was ineffective. But inasmuch as it was believed that there was no likelihood that the Jews who came to England from Russia by reason of religious persecution would be permitted by their English brethren to become public charges it was felt that, in that connection, the phraseology of the exemption clause was of comparatively small importance.

When one considers, however, that we now are dealing with the illiteracy test, and that the exemption clause is of importance, because an illiterate is not apt speedily to become literate, there is every reason for couching the exemption clause in such terms that it will carry out the benevolent purposes which it avows. Otherwise it would prove not only a snare and a delusion but the withdrawal of the last gleam of hope from those who are the victims of religious and political persecution.

Mr. McCUMBER. Mr. President, I wish to ask a question not only about this last proposed amendment, but about the bill itself on that very subject. The amendment differs, I understand, from the original bill in that it includes political persecution as well as religious persecution. I read over that provision when the bill came from the House, and it seemed to be designed for only one purpose. Under this amendment there can be no question that all the Jews in Russia, if the statement just read is correct, and I assume it is, could immediately come into the United States. It opens the door for all those persons, whether they are illiterate or not, and you discriminate in favor of what you call the Jews and against the Christians, because in Russia, where perhaps nine-tenths of all our Jewish immigration now is coming from, there is no question that there has been both religious and political persecution. Therefore, we would open the gates wide to them.

So also with reference to the Armenians and the Turks. The Turks have persecuted the Armenians and the Armenians have persecuted the Turks, both religiously and politically. Under this provision there would be no difficulty whatever in all the Armenians and all the Turks getting into this country, because they had persecuted each other.

I call the attention of the Senator in charge of the bill to the particular wording on page 9. It is in reality just as broad as this language, for it provides that—

All aliens who shall prove to the satisfaction of the proper immigration officer or to the Secretary of Labor that they emigrated from the country of which they were last permanent residents solely for the purpose of escaping from religious persecution.

All those can come in under the bill as it is now presented to the Senate. It seems as though the committee had adopted the word Jewish, for instance, in another instance as meaning a nationality, and not a religion. If I understand the proper phraseology and the definition of Jewish, it is a religion just as much as the Christian religion is a religion, and not a nationality.

If we use the word "Israelite" generally, then we would speak only of the nationality or of the particular race; but so long as the word "Jew" pertains to a religion and so long as this bill provides that if there is religious persecution—and the persecution mentioned here is toward the Jew because of his religion—in either instance, under the bill itself or under the amendment, it throws the door wide open for the entire Jewish religionists, which would permit the Israelitish race in Russia, and possibly in Poland, in Armenia, and in other Slavic countries, to come into this country, whether they are illiterate or not.

It seems to me to be hardly treating the Christian population of the Old World as fairly as we do the Jewish population. I have no objection to all of the Jews coming here from Russia or from any part of the Old World, if they are proper persons, but I want to see our coreligionists treated just as fairly.

Mr. SMITH of South Carolina. Mr President, the modifying word here, "solely," is the very word about which there has been most contention from those who have desired to have the fullest freedom given to the Russian Jews. The letter just read complains that the word "solely" would restrict them to prove the affirmative, would make it necessary for them to establish that that was the object of their coming.

Mr. McCUMBER. Could they not prove that by the Russian statutes themselves? Do not the Russian statutes provide that those of the Jewish faith—I am not now speaking of the Israelites, but those of the Jewish faith—can not hold land? Do they not also provide that those of the Jewish faith and religion can not live in certain places? Is not that discrimination a persecution of those of the Jewish faith? Therefore, does not this bill allow anyone of the Jewish faith from Russia, whether he be illiterate or otherwise, upon the presentation of the Russian statute, to come into this country?

Mr. SMITH of South Carolina. That may be a discrimination, without persecution. I should think that our administrative officers in charge of the interpretation of this proposed statute would take just what the Senate committee meant or the House committee meant and the old law meant by inserting the word "solely." If the interpretation placed upon it by the Senator from North Dakota were correct, I presume those who would be the beneficiaries of it would call attention to it and ask that it be stricken from the bill. The committee was flooded with requests from all over the country, from those who were friendly toward the Russian Jew, to have this very word stricken out, because it seems to have been pretty well established that the persecution of the Jews was not on account of their religion; that it was racial antipathy, not religious antipathy. I think every student of conditions as they exist in Russia to-day will admit that, so far as the Russian officers and the Russian Government are concerned, they care nothing about the religion of the individual, but it is the racial antagonism. I do not think it is a question as to their religion, so far as I have been able to ascertain.

Mr. McCUMBER. What I wanted to direct the Senator's attention to was the fact that the Russian statutes are leveled against those of the Jewish faith and not against Israelites; not against the race, but against the religion. If the word "Jew" designates a religion and not a race, it must apply to the religion. Therefore it must be religious persecution, and the citation of the Russian statute would be all that would be necessary to admit such an immigrant.

Mr. SMITH of South Carolina. I do not think it is necessary to discuss just what would be the terminology necessary to define what is the particular faith of a member of a race and say that because he has a certain racial name that, therefore, that is the name of the faith that he holds. The point that we are making here is that the Jews of this country have protested against the insertion of the word "solely." If we remove that, the doors would be wide open to anyone claiming that he was religiously persecuted. We wanted to discriminate so as to give an asylum to those who really for the faith that was in them were being persecuted, and not as a race. The point which the Senator from North Dakota is making is that these Jews are being persecuted because of their faith. They are being discriminated against there because of their race and not because of their peculiar religious belief. I am not familiar with the Russian statute in its terminology, but I know that the Jews themselves have protested against this very word "solely," and the committee of the House, the committee of the Senate, and those charged with the formulation of this legislation were attempting to restrict it to those who were persecuted for their individual faith and not for their racial characteristics.

Mr. McCUMBER. Allow me to ask the Senator this question, so that we may not misunderstand each other: Suppose that one of those who belong to the Jewish faith should recant that faith and become a member of some Russian church, would the law of Russia then apply to his case?

Mr. SMITH of South Carolina. I am not sufficiently familiar with the Russian statute to answer that question yes or no, but I can use an illustration. We have in our section of the country a race toward which there is a racial antipathy or a racial difference, such as to amount to a chasm across which we can not go. The mere fact that a negro in the South should become a Methodist or a Baptist, as a great many of them do, does not at all change the fact that he is a negro, nor does it lessen the racial antipathy. I should imagine that the same would be true in Russia.

Mr. McCUMBER. That would be true if the word "Jewish" referred to a race and not to a religion; but I have insisted—and I challenge that to be refuted—that the word "Jewish" refers to a religion and not to a race, and that if one recanted his Jewish faith and became an orthodox Christian of the Greek Church, he would no longer be a Jew and amenable to the Russian statutes to which I have referred. Therefore the statutes are directed not against the Israelite, but against a religion, and it is the persecution of the religionist. Under the terms of your bill, no matter if 90 per cent of them were illiterates, they could come in, because they are persecuted in Russia, while 90 per cent of certain portions of the population of Italy could not come in because they were illiterates and they were only Christians.

Mr. SMITH of South Carolina. Mr. President, I think that perhaps the Senator from North Dakota would find that in the practical administration of the law the interpretation which

I have attempted to give to it would be the one that would prevail, because those who have studied the matter most closely assert—and the argument presented by the Senator from Colorado [Mr. THOMAS] establishes that fact—that the Jews themselves are seeking an asylum for the race, as now outlined by the Senator, and this word "solely" excludes the possibility of that.

Mr. THOMAS. Mr. President, I have no intention, as I before stated, of even attempting to discuss this important amendment. I am in hearty accord with those who are supporting and desire to secure the enactment of this bill into a law, but I have never sympathized with that narrower view concerning immigration which would exclude from our shores men and women who are the victims of either religious or of political persecution.

One of the proudest boasts of our country since its establishment has been the fact that it is a refuge for the victims of religious and political persecution from all countries. We believe that under our institutions it is a political duty to give them a haven where they can be free from the exactions of either or of both. If it be true that the word "Jew" is one which indicates a widely extended religious belief instead of a race of people, I would not for that reason limit the application of the rule in the slightest degree.

I think perhaps the suggestion may be true, in a general sense, that a man who is known as a Jew generally professes a religion which is peculiar to that people. If, therefore, the entire race of Hebrews in Russia or in any other country is the subject of religious or political persecution in the accepted sense of that term, I would make no limitation upon their right collectively any more than I would upon their right individually to seek the shores of America to the end that they might escape the further endurance of such intolerable conditions; and what I say of the Jew I would say equally as to any other form of religious belief or as to any other form of religious persecution or political persecution, always provided that the persecution exists in fact and not merely in imagination.

The word "solely" which appeared in the draft of this bill as it came from the House has unquestionably received the most serious and ample consideration; indeed, I presume that the so-called literacy test provided by that measure and the exceptions to it have been the subject of more consideration and more discussion than all the rest of the bill besides. Hence I am not prepared to say that there are not excellent reasons why it should be continued in the bill. Nevertheless, it is my conviction that it imposes a limitation which in effect will exclude or have a tendency to exclude many people from our shores who are the victims of an intolerable persecution carried on, perhaps, not with directness, but nevertheless so effectively as to be quite as intolerable as though it were direct.

The substitute which I propose goes very far. It not only eliminates the word "solely" but it adds the word "political," and by that means continues a policy of which we have boasted for a great many years.

I think the junior Senator from New York [Mr. O'GORMAN], from what I have heard, is interested in this matter. I am sorry it became necessary to introduce it at a time when comparatively few Senators are in their seats, and when perhaps their interest and the interest of all of us has palled under the previous discussions to which the measure has been subjected. But I believe that this substitute, not perhaps in its entirety but in its substance, ought to be enacted into any immigration law which the Congress of the United States shall pass unless it be our purpose to alter our entire policy with reference to the subject to which this substitute relates.

Mr. STONE. Mr. President, I should like to ask the Senator from Colorado whether, in his opinion, any exception should be made in favor of those who are persecuted for racial reasons where, of course, the person is otherwise eligible to admission into our country as an immigrant?

Mr. THOMAS. Mr. President, my views upon that subject are somewhat positive. I have long believed that racial prejudices and differences were constitutional with mankind, and therefore ineradicable. I do not believe that races which are not likely to assimilate and merge themselves can endure with safety to a nation as component parts of it.

The Senator from South Carolina [Mr. SMITH] has just referred to the well-known racial prejudices and differences which exist between the black man and the white man in the South. We have had two or three apprehensions of difficulty with Asiatic countries, even since this administration began, consequent upon their presence in numbers sufficiently large on the Pacific coast to excite grave apprehension, and it is a matter of history that for many years American sentiment has been overwhelmingly against Chinese immigration to this country. Canada has had similar trouble with the inhabitants of the East Indies, who have sought to find an abiding place in the domain of that country, and the effort has resulted not only in vigorous opposition but in bloodshed.

I am not in favor of the immigration into this country of men differing racially in such wise as that it is practically impossible, and, of course, highly improbable, that they shall ever merge themselves into a composite nationality.

Now, if the Senator asks me to draw the line between those races with whom we can not assimilate and those races with whom we can assimilate, he asks me a very difficult question; but, broadly speaking, the fundamental constitutional differences, intellectual and physical, between the Asiatic races, the African races, and the Caucasian races are such that I wish we could by some means and at some time, without giving too great offense to other nations, limit all immigration into this country to members of the Caucasian race and exclude all others—or, perhaps I should say, to the white race—so as to distinguish it from the black and from the yellow races—not because I have any prejudice of a personal character that forbids me getting along with people of those races in a way, but because, nationally speaking, I believe that the intrusion of those races into America will constitute, if it does not already constitute, one of the gravest dangers that menace our future. Hence, so far as the racial question is concerned, I think it is fundamentally different from the religious or political question; and of course that makes it necessary that I should also limit my contention that this country should continue to be the refuge of those who flee from religious and political persecution by insisting that it should be the refuge of the white race, as distinguished from the Asiatic and the African races, who are the victims of such persecution.

Mr. SMITH of South Carolina. Mr. President, as it is probable that this will be the only time that the clause involving the question of the Russian Jew will come up, I wish to state that not only do the characteristics of the Hebrew race as we know them here—their thrift, their economy, and their general love of learning—appeal to us, but in looking over some tables I have here I think it becomes apparent that the proposed literacy test, even if Jewish immigrants are unable to establish that their coming is solely upon grounds of religious persecution, will not operate against them. The tables referred to show that they have a better chance than any other immigrants seeking admission to our shores, and constitute a splendid testimonial to the Jewish love for intellectual development.

The tables furnished by the Bureau of Immigration show that for the Austrian nation at large the per cent of illiteracy amongst those over 10 years of age is 22.6. Another table shows the per cent of illiteracy among the different races in that country, and I find that among the Hebrews in Austria the per cent of illiteracy is only 11.4. In Hungary the national illiteracy amongst those over 10 years of age is 40.9 per cent, while for the Hebrews of Hungary it is 3.5 per cent. That very marked difference runs all through, until I come to Russia; and I wish to call attention to the fact that even there, under all the adverse circumstances that surround them, or which are alleged to surround them, the Hebrew race compares very favorably with others as to intellectual development. For the Russian Empire, including Finland, the per cent of illiteracy is 70, while the per cent among the Hebrews is 40.

Mr. REED. From what figures is the Senator reading?

Mr. SMITH of South Carolina. I am reading from tables recently compiled and furnished to the committee by the Bureau of Immigration. They are brought up to date.

Therefore in this country there is no antipathy, racial, social, political, or otherwise, toward the Jew. I think the best specimen of manhood, from the standpoint of moral and mental integrity and every other standpoint, that I ever knew in my life was Altamont Moses, of Sumter, who was a colleague of mine in the legislature; a man who loved the right and lived it, and from whom it emanated—the highest type of American citizenship. Take the Hebrews as a class in this country, and in every department of industrial, social, and political life they will rank with any citizens we have. Therefore it can not be said that the committee has attempted in any way to restrict the immigration of the Jew. We have attempted to bring this bill in conformity with our treaties and conventions and at the same time, so far as possible, to preserve the integrity and the highest possible scale of citizenship here.

At the proper time, when we have proceeded further along, I propose to give the Senate the benefit of what research I have been able to make explanatory of the contested phases of this bill. In my opinion the measure is the result of as honest and as impartial work as was ever done in the execution of the duties of a committee. We have tried to restrict immigration

because we thought the time had arrived when there should be some restriction.

I have before me a table—to which at another time I shall refer more particularly—which shows that from 1900 to 1910 the increase in population in this country, in round numbers, was 15,000,000. During that period there were 5,000,000 people who came to our shores as immigrants. The children of foreign-born parents were 3,000,000. The children of parents one of whom was foreign born were 2,000,000. So the native born were only 5,000,000. Two-thirds of the increase in a decade was either directly foreign by importation or born of parents born in foreign countries. Therefore we have now arrived at the point where every legitimate method of exclusion has to be exercised, or it will be a question not of our assimilating our immigration but of our immigration assimilating us. Already some of the States of this Union are face to face with the question whether they are American or foreign. Already the powerful influence of the foreigner is putting its hand upon the political thought and movement of this country. It is entering into the domain of our commercial life and influencing that.

As a nation of people we are proud of the fact that from northern Europe the spirit that has characterized America since it became distinctly America was inherited from those who resisted the encroachments upon the sovereignty of the individual and came here to set up a government according to their own ideals. I think we, the sons of those men, would be derelict in our duty if, after having achieved that for which our fathers fought and labored, we should swing wide open the door to those who by race, heredity, and their very mental and moral constitution can not have the ideals that we have, can not have the motives that actuate us, and, from a morbid sentiment or worse, jeopardize those who by blood and inheritance and association have built this country to what it is, and allow them to be submerged by an avalanche of those who, when they come, have preconceived notions, ideas, habits, and thoughts that may not be properly regulated.

Referring to the table from which I quoted a moment ago, 10,000,000 were either directly foreign born or had parents of foreign birth. Take the 5,000,000 immigrants that come in—they come here as adults, 80 per cent of them. As a matter of course, having arrived at maturity they begin or continue the increase of their families, while the 5,000,000 of native born have to go a period of years to maturity, an average, perhaps, of 20 or 21 years. So in the mere matter of natural increase your native-born citizen is handicapped by the time that must elapse from infancy to maturity, while your imported citizen is already a matured member of a family, the head of a family. Therefore the number of native-born Americans is measured exactly by the number of adults imported, and, referring to the matter of the natural increase you would not have two to one. The ratio in that respect would go pari passu. You would have, in the course of a few years, an absorption of the native-born American, preempting him in every field of endeavor, and modifying and influencing every institution of this country.

In place of the antagonism that seems to exist on this floor to certain tests that we have thought out and worked out in order to let in the best, if forsooth we must let in any, in place of having an antagonism to restricting the importation of immigrants, I think the committee has a right to appeal to the patriotism and moral and mental support of this entire body. There is something in this country that is of more value to us than rapid material advances and the bringing to wealth producing of our resources, and that is the maintenance of the standard of our citizenship.

Some Senator on this floor said the other day that after years of experience he believed that the progressive process has to come from the bottom up, and not from the top down. I think we have enough evidences of that for it to be axiomatic. We can not be charged with being inhuman; we would be unhuman if we did not seek to preserve the moral, intellectual, and political standard that characterizes this country. I have a right to protect my family against contact and association with those who I believe do not tend to perpetuate the ideals that have been inculcated in them and in their forebears.

We may have undeveloped mines and fields and forests. Better let them lie fallow and undeveloped, and await the natural increase of the natural Americans, than rush to individual and personal wealth at the jeopardy of our Government and her institutions.

It is along this line that the committee has worked. It is no argument to stand here and say that the fathers of us all were immigrants. Tables are before me here to show that the spirit that characterized those who laid the foundations of this Government is asserting itself even in this question of immigration. Since the flood tide started from southern Europe and the countries grouped in that political division, northern European immigration has shrunk to insignificance. The Norwegian, the Englishman, the Frenchman, the German is not going to come in contact and competition for a livelihood with those who, he knows by contact with them in his own country, are preempting the ground in America. So, in order to get the best immigrants, we have to prescribe the test that characterizes the best people. If education is not an essential for good citizenship, if it is not a test, we have been guilty, as the Senator from Oklahoma suggests, of a great deal of waste.

I took occasion to cite the condition of the Jew, so far as education is concerned, in the different countries from which he came. Even in Russia, under all the terrible conditions he has to suffer, in spite of the lurid pictures that have been painted, which perhaps are true, the national illiteracy is 70 per cent, the Jewish illiteracy 40 per cent. Even under those conditions he has struggled to a point where he has lowered the percentage of his illiteracy 30 per cent below that which characterizes the nation as a whole.

Mr. POMERENE. Mr. President, does the national illiteracy in Russia include the Jews?

Mr. SMITH of South Carolina. It includes the Jews; yes.

Mr. POMERENE. So, excluding the Jews, the percentage of illiteracy would be larger than 70 per cent?

Mr. SMITH of South Carolina. Oh, to be sure. The Jew lowers it to 70 per cent. In Hungary the national illiteracy is 40 per cent; the illiteracy of the Jews in that nation is 3.3 per cent.

I use that to show that where a nation is inspired, as every nation should be in this day of transportation and communication and elbow touch with the world, with an intimate knowledge, by hearsay if not by ability to read, of that which characterizes all which is best and highest and how obtained, under the most adverse circumstances the Jew has kept pace with the progress of the world in that essential particular. I do not believe this country is called upon to furnish a free-school system for the nations of the earth where they have the opportunity, with cheap printing and cheap travel, to better their own condition at home.

Mr. THOMAS. Mr. President——

The VICE PRESIDENT. Does the Senator from South Carolina yield to the Senator from Colorado?

Mr. SMITH of South Carolina. I do.

Mr. THOMAS. I think the illiteracy of the Jew in Russia is due entirely to the prohibitory processes of unfriendly Russian legislation and practices; and that the discrepancy which is shown by these tables between the intellectual progress of the Jew in Hungary and other countries and the Jew in Russia would long ago have disappeared, and in fact would never have existed if it had not been for the racial and religious persecution to which the Jew has been subjected in that despotic country.

Mr. SMITH of South Carolina. Judging from the logic of these tables, I think, as a matter of course, that conclusion is correct.

Mr. President, this bill has so appealed to the country at large, regardless of party affiliation, regardless of any question of party, that at its last introduction it passed the House and it passed the Senate. It was vetoed, and to the honor and credit of this patriotic body it was passed over that veto, and failed by only a few votes in the House. I predict that it will pass this body, as it has already passed the House, by an overwhelming majority. In view of all the startling figures that can be and will be read on this floor to prove that our civilization and our institutions are being jeopardized, I should hate to be the one who would dare deny the right of the American Congress to protect America in Americanism.

Mr. STONE. Mr. President, a moment ago I asked the Senator from Colorado [Mr. THOMAS] what his opinion is with respect to excepting from the operation of that provision of the bill now under consideration people who have been persecuted for racial reasons as well as excepting those who have been persecuted for religious or political reasons, and his answer was clear and lucid, as whatever the Senator says invariably is. I apprehend, however, from what he said, that he did not quite catch the full import of my question with its qualifications. What I asked was to know if any reason occurred to the mind of the Senator why an immigrant who had been persecuted for racial reasons should not be admitted equally with immigrants who had been persecuted for religious or political reasons, provided the immigrant was not otherwise subject to exclusion for special reasons outside and independent of the provisions of this bill. For example, Chinese are now excluded by virtue of our public policy, crystallized into law. A Chinaman might be persecuted for racial reasons, but he would be excluded as an immigrant to this country specifically because he is of the Chinese

race. In like manner the people of any other particular race could be excluded from our citizenship by a direct enactment for that purpose, or any class of people could be specifically excluded for any reason we may care to act upon. But there is no intention on the part of any to exclude the Jews from emigrating to the United States because of their race. It never has been and is not now our policy to apply any test of that kind to the Hebrew people, the Jewish race. Now, with this qualification, I would like the opinion of the Senator from Colorado or the Senator from South Carolina [Mr. SMITH] as to whether there is any greater or better reason for admitting immigrants, whether illiterate or not, if they are fleeing from religious or political persecutions than for admitting those who are fleeing from a purely racial persecution.

The Senator from South Carolina stated a moment ago, and he was very emphatic in his views, that the persecution of the Jews in at least one of the chief countries of Europe is because of racial prejudices and that it had nothing to do with the religious convictions or practices of those people. If that be the fact, and if they suffer humiliations and discriminations, and if they are denied rights that obtain generally among their fellow countrymen solely because they are Jews, in a racial and not in a religious sense, then a Jew could not avail himself of the exception in the text of the bill, which relates only to religious persecution. I will ask the chairman of the committee whether an illiterate Jew could be admitted under the exception in the bill as it now stands upon the ground that he was persecuted because of his religion when, in fact, he would only be able to show that he was persecuted solely because of his race? Manifestly he could not, if the position taken by the Senator from South Carolina is correct. If he is not persecuted solely because of his religion, then he can not invoke the protection of the exception as it now stands in the bill. So I again propound the question whether a man, otherwise qualified, ought not to come under the shelter of an exception like that now in the bill, if he is persecuted for the reason that he belongs to a particular race of human beings.

I think the word "racial" ought to be added to the pending amendment. We could at this time, even in this bill if we wish, escape the danger the Senator from Colorado apprehends with reference to the Asiatic races or any other undesirable people whom we do not wish to enter into our political life because of the race to which they belong by appropriate legislation to that end.

Mr. President, I hold a letter in my hand from Mr. Louis Marshall, of New York, an eminent lawyer of that city and one of the foremost Jews of this country, which I intended to have read; but the Senator from Colorado, seeing the letter, informs me that he has already had it read in the hearing of the Senate. If Senators paid attention to what Mr. Marshall says in this letter, they will agree that the reasons he urges for the amendment now pending are very strong, if not wholly convincing.

Mr. President, I came into the Senate while this particular matter was under discussion. I do not know, therefore, whether the Senator from South Carolina and his committee are opposed to the amendment now pending. The Senator now informs me in undertone that they do oppose it. Mr. President, I have great respect for this committee and for its chairman. The committee is composed of capable and conscientious men, and I have no doubt that they have endeavored to present a measure representing the best thought of which they are capable; but with all due respect, I can not see why a man who can not meet the literacy test should be permitted to come in because he has been made a victim of religious persecution in his native land, and yet in the case of another man who has perhaps been made the victim of even a harsher persecution for political reasons, should be excluded; nor can I understand, along the same line of reasoning, why one who has been persecuted solely because of the race he belongs to should be excluded.

Mr. President, there are numerous instances in history where men have arisen in some organized form and fought battles for the sake of liberty and for the enjoyment of larger rights and privileges, even imperiling their lives in the struggle. Such uprisings have been overcome by the organized power of Governments, and these men and even their children have been persecuted, many being compelled to flee for their lives. They have been stripped of their possessions, they have been ostracized, discriminated against, disfranchised, and even deprived of liberty. That is political persecution. Political persecution always obtains when men are denied the prerogatives that freemen and lovers of liberty have their hearts forever set upon. If a man, although an humble follower, has fought a battle of this kind, he fought for mankind against governmental tyranny, and when such a man comes to our shores seeking an asylum and higher and better opportunities and is denied entrance and our doors are shut in his face solely because he happens to be illiterate, I feel that this Nation of ours would by that act slap liberty and human hope in the face. What better reason has an illiterate who is persecuted because of his religious faith to enter our doors than such a man as I have described? That sort of thing does not appeal to me. A Jew may come and be able to show satisfactorily that he has been persecuted because he is a Jew, because he belongs to that race, and that he has been denied the right to engage in professions, denied the right to teach, that his children have been denied the right to enter the public schools of his country, that he has been despoiled of his property and, it may be, thrown into prison—all this because he is a Jew; not because of his religion, but because of his race, and he would be shut out. If only he could show that these persecutions were because of his religion, not of his race, he would be admitted. A distinction and a discrimination of that nature is beyond me.

Mr. President, I believe that is all I care to say on this subject at this time. I may have something further to say along the same line later on.

All that I have said is without reference to the literacy test itself in its general application. I have been addressing myself to the question of exceptions to that test. I desire later to submit my views upon the literacy test itself in its larger aspects. I would prefer, however, to do that on some other day that would be agreeable to the Senator from South Carolina, who is directing the bill upon the floor.

Mr. SMITH of South Carolina. We are not really on the discussion of the literacy test per se. It came up incidentally in this discussion. As the hour is getting late, I had thought of asking to have a day certain fixed for a vote, such time to be fixed as would give ample opportunity to Senators to discuss this or any other part of the bill that they may deem worthy of serious consideration.

Mr. STONE. I have been so occupied with other matters that I have not been present during the day while this measure has been under consideration, and if it has not been done I desire to offer an amendment to that particular part of the bill and address myself to it and have a vote upon it. Of course when that is acted upon my chief interest, so far as any exceptions to the bill go, will have been disposed of.

Mr. SMITH of South Carolina. I assure the Senator that so far as the committee is concerned he will be given an ample opportunity to introduce that amendment. As the bill is now in Committee of the Whole, and it will be in the Senate before it is disposed of, he will have ample opportunity to introduce the amendment and to speak to it.

I had hoped this afternoon that we might be able to fix a day for voting, but under the new rule such an agreement would require the presence of a quorum. I want to give notice now that to-morrow, between the conclusion of the morning business and the time set aside for the memorial exercises, as already indicated on the calendar, I shall endeavor by unanimous consent to fix a day for the final disposition of the bill, for the reason that I think all Senators are practically acquainted with the vital features of the bill; and in fixing the time, I, of course, will have due regard to a full discussion of the vital points, one of which has been indicated by the Senator from Missouri [Mr. STONE]. As we have now come to what is the real heart of the measure—the proposed amendment to the literacy test—I ask that the unfinished business be temporarily laid aside.

Mr. WILLIAMS. Before the Senator makes that request, I want to give notice of an amendment that I propose to offer and have pending. Between the word "persecution," on line 12, page 9, and the semicolon following it I propose to insert the following:

Or for five years after the passage of this act, because of the military conquest of their country.

Cases are imaginable where a country without any act of its own has been dragged into war, invaded and overrun, its cities destroyed, its industries ruined, itself depopulated, its people fugitives, and where a man must either remain away or go back and take an oath of allegiance to a foreign power which has overrun the country without any cause of war, merely for military or strategical purposes. I think if there be such cases, and such cases are easily imaginable, the door of the United States ought to be thrown wide open to those persons, regardless of the literacy test. So I shall offer that amendment. I ask the Secretary to take it down. Between the word "persecution" and the semicolon, line 12, page 9, insert "or for five years after the passage of this act, because of the military conquest of their country."

Mr. SMITH of South Carolina. Now, Mr. President, I ask that the unfinished business be temporarily laid aside.

The VICE PRESIDENT. Without objection, it will continue as the unfinished business to-morrow. The Chair lays before the Senate a bill from the House of Representatives.

HOUSE BILL REFERRED.

H. R. 19545. An act granting pensions and increase of pensions to certain soldiers and sailors of the Civil War, and certain widows and dependent children of soldiers and sailors of said war, was read twice by its title and referred to the Committee on Pensions.

HOLIDAY RECESS.

The VICE PRESIDENT. The Chair lays before the Senate a concurrent resolution of the House of Representatives, which will be read.

The Secretary read the concurrent resolution (No. 55), as follows:

Resolved by the House of Representatives (the Senate concurring), That when the two Houses adjourn December 23, 1914, they stand adjourned until 12 o'clock m. on Tuesday, December 29, 1914.

Mr. KERN. I ask that the Senate concur in the resolution.

The concurrent resolution was considered by unanimous consent and agreed to.

EXECUTIVE SESSION.

Mr. STONE. If there is nothing more that is pressing in legislative session, I ask that the Senate proceed to the consideration of executive business for a short session. I make that motion.

The motion was agreed to, and the Senate proceeded to the consideration of executive business. After three minutes spent in executive session the doors were reopened and (at 5 o'clock and 18 minutes p. m.) the Senate adjourned until to-morrow, Thursday, December 17, 1914, at 12 o'clock meridian.

NOMINATIONS.

Executive nominations received by the Senate December 16, 1914.

COLLECTOR OF INTERNAL REVENUE.

Edgar M. Harber, of Trenton, Mo., to be collector of internal revenue for the sixth district of Missouri, in place of Charles G. Burton, resigned.

UNITED STATES MARSHAL.

John Hugh Kirkpatrick, of Homer, La., to be United States marshal for the western district of Louisiana, vice Ben Ingouf, whose term has expired.

PROMOTIONS IN THE ARMY.

CAVALRY ARM.

Lieut. Col. Joseph T. Dickman, Second Cavalry, to be colonel from December 14, 1914, vice Col. Walter L. Finley, unassigned, who died December 13, 1914.

Maj. Robert E. L. Michie, Cavalry, unassigned, to be lieutenant colonel from December 14, 1914, vice Lieut. Col. Joseph T. Dickman, Second Cavalry, promoted.

Capt. John O'Shea, Fourth Cavalry, to be major from December 14, 1914, vice Maj. Sedgwick Rice, Third Cavalry, detached from his proper command.

First Lieut. Walter J. Scott, Sixth Cavalry, to be captain from December 14, 1914, vice Capt. John O'Shea, Fourth Cavalry, promoted.

CONFIRMATIONS.

Executive nominations confirmed by the Senate December 16, 1914.

SECRETARY OF LEGATION.

Charles Campbell, jr., to be secretary of the legation at Berne, Switzerland.

COLLECTOR OF CUSTOMS.

Herbert C. Comings to be collector of customs for customs collection district No. 2.

PROMOTION IN THE REVENUE-CUTTER SERVICE.

First Lieut. of Engineers Harry Lansdale Boyd to be senior engineer.

HOUSE OF REPRESENTATIVES.

WEDNESDAY, *December 16, 1914.*

The House met at 12 o'clock noon.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

Eternal and ever-living God, Spirit of our spirits, Father of our souls, whose mercies are from everlasting to everlasting, the riches of whose blessings are above our comprehension, we praise and magnify Thy holy name, and especially do we thank Thee for those rich and varied endowments of mind and soul which enable us to contemplate the majesty of Thy glory and the beauty of holiness. Help us, we beseech Thee, to develop these endowments unto the perfected manhood, in Christ Jesus our Lord. Amen.

The Journal of the proceedings of yesterday was read and approved.

HOUR OF MEETING TO-MORROW.

Mr. UNDERWOOD. Mr. Speaker, in order to expedite the passage of the appropriation bills, I ask unanimous consent that when the House adjourns to-day it adjourn to meet at 11 o'clock to-morrow.

The SPEAKER. The gentleman from Alabama [Mr. UNDERWOOD] asks unanimous consent that when the House adjourns to-day it adjourn to meet at 11 o'clock to-morrow. Is there objection?

Mr. STAFFORD. Mr. Speaker, reserving the right to object, is there any possibility of having some understanding whereby unanimous-consent day—next Monday—can be put over until after the Christmas recess, so as to bring up the prohibition amendment for consideration on Monday, and thus permit Members living in the Mississippi Valley to get home in time to enjoy their Christmas Day?

Mr. UNDERWOOD. I will say to the gentleman that I think the Unanimous Consent Calendar is the calendar in which more Members of the House are interested than any other calendar in the House, and I would not like to ask unanimous consent to dispense with it or put it off until after Christmas. If it is agreeable to the House, I would be perfectly willing to have an order made to swap Monday for Tuesday and Tuesday for Monday. If that would be satisfactory to gentlemen on this side, I will ask the gentleman from Illinois [Mr. MANN] if it would be satisfactory to him?

Mr. STAFFORD. I think that will be satisfactory to a great number of Members, some of whom live as far away as Texas.

Mr. ADAMSON. I do not see how you can make anything by that swap.

Mr. STAFFORD. Why can not the unanimous-consent day be swapped for Saturday of this week or next Tuesday?

Mr. UNDERWOOD. I do not think it could be Saturday of this week, because we have appropriation bills to dispose of. But if there are no objections from other sources, I have no objection to swapping Monday for Tuesday or Tuesday for Monday.

Mr. ADAMSON. I shall have to object.

The SPEAKER. Is there objection to the request of the gentleman from Alabama [Mr. UNDERWOOD] that when the House adjourns to-day it adjourn to meet at 11 o'clock to-morrow morning?

Mr. STAFFORD. I object for the time being.

The SPEAKER. Objection is made.

CHANGE OF REFERENCE.

Mr. FITZGERALD. Mr. Speaker, I ask unanimous consent that the reference of the bill (S. 6689) making appropriations for the arrest and eradication of the foot-and-mouth disease be changed from the Committee on Agriculture to the Committee on Appropriations. On its face it provides for a deficiency.

The SPEAKER. The gentleman from New York [Mr. FITZGERALD] asks unanimous consent that a change of reference be made of Senate bill 6689 from the Committee on Agriculture to the Committee on Appropriations, it being a deficiency appropriation. Is there objection?

Mr. GARNER. Reserving the right to object, Mr. Speaker, I would like to ask the gentleman from New York if this is the bill that proposes to make an appropriation for the foot-and-mouth disease?

Mr. FITZGERALD. Yes; a larger sum of money is said to be needed than is carried in the current agricultural bill.

Mr. GARNER. Reserving the right to object, Mr. Speaker, I want to ask the gentleman if he thinks the Senate, under his construction of the Constitution, has the right to initiate an appropriation of this kind?

Mr. FITZGERALD. The Senate has not the right. A much larger sum is suggested as being needed than is now provided.

Mr. CARLIN. Mr. Speaker, will the gentleman yield?

Mr. FITZGERALD. Yes.

Mr. CARLIN. May I inquire, Mr. Speaker, how the bill found its way to the Committee on Agriculture?

The SPEAKER. The manner in which it found its way to the Committee on Agriculture is that the chairman of the committee asked me if it should go to the Committee on Appropriations or not, and I forgot it; and inasmuch as it seemed to be an agricultural bill, I referred it to the Committee on Agriculture, although it is clearly a deficiency bill. Is there objection to the request for a change of reference?

There was no objection.

MENTAL HYGIENE AND RURAL SANITATION.

Mr. ADAMSON. Mr. Speaker, on yesterday a report on the bill (H. R. 16637) to provide divisions of mental hygiene and rural sanitation in the United States Public Health Service (Rept. No. 1224), through inadvertence, was placed in the basket prematurely, the author having not quite completed what he intended to put in the report. I ask unanimous consent that a reprint be made of the report itself.

The SPEAKER. The gentleman from Georgia [Mr. ADAMSON] asks for a reprint of the report which he names. Is there objection?

There was no objection.

PRINTING AND BINDING, COMMITTEE ON ACCOUNTS.

Mr. LLOYD. Mr. Speaker, I ask for the present consideration of the following resolution, which I send to the Clerk's desk.

The SPEAKER. The gentleman from Missouri [Mr. LLOYD] asks for the present consideration of a resolution, which the Clerk will report.

The Clerk read as follows:

House resolution 677.

Resolved, That the Committee on Accounts shall be, and is hereby, authorized, during the Sixty-third Congress, to have such printing and binding done as may be required in the transaction of its business.

The SPEAKER. The question is on agreeing to the resolution.

The resolution was agreed to.

QUESTION OF PERSONAL PRIVILEGE.

Mr. BARTHOLDT. Mr. Speaker, I rise to a question of personal privilege.

The SPEAKER. The gentleman will state it.

Mr. BARTHOLDT. The New York Sun of yesterday, under big headlines, published the following, which I ask the Clerk to read.

The SPEAKER. The Clerk will read it.

The Clerk read as follows:

Intimations that Congressmen fathering bills to stop all contraband exports are in reality agents of Germany acting under advice of German diplomats in this country were made yesterday by Maurice Leon, of 60 Wall Street. Mr. Leon in discussing the Sun's report of Representative BARTHOLDT'S advocacy of legislation forbidding all shipments to belligerents, declared that "such an unequivocal espousal of Germany's interests calls for immediate exposure, inasmuch as duplicity in such important matters affects the vital interests and even the permanent safety of the American people."

Mr. Leon gave his views of the activities of Congressmen of German descent, as follows:

"Representatives BARTHOLDT, LOBECK, and VOLLMER, when they speak of forcing an end to the war by cutting off all supplies from belligerents, know well that no supplies in any case can reach Germany. Therefore, by 'belligerents' they mean 'allies.'

"This is a characteristic German maneuver. I have no doubt but that these three Congressmen are carrying out the expressed wishes of Count von Bernstorff, the German ambassador to this country, and Dr. Bernard Dernburg, the German publicist.

"In view of the activities of Representatives BARTHOLDT, LOBECK, and VOLLMER, it is important to consider whether the allegiance of these gentlemen is primarily to the United States or to Germany. Their silence is transparent. They are acting as agents of the German Government in Congress. What they do dovetails with the activities of the German ambassador.

"A true explanation of the whole matter is found in the principle laid down in the German imperial and state citizenship law, article 25, paragraph 2.

"This law sanctions the following practices: A German desiring to exercise the franchise of this country goes to the German consul, and from him obtains the written consent of the German authorities to retain his German citizenship, notwithstanding his naturalization.

"Having done that, he goes before a court in this country and takes an oath of allegiance which, according to our laws, requires him expressly to forswear allegiance to the German Empire. But that oath is not taken by him in good faith. He is not engaged in reality in becoming an American citizen, but in acquiring the right to use the American franchise although remaining a German subject.

"In this way the German Government connives at wholesale deception on the American Government, and does so with the sanction of a law duly adopted by the Reichstag and bearing the signature of the German Emperor.

Mr. BARTHOLDT. Mr. Speaker, during my long service in this House I have heard read from the Clerk's desk many an accusation against Members of this body, but none more serious than the one just reported. The gentleman from Iowa [Mr. VOLLMER], the gentleman from Nebraska [Mr. LOBECK], and myself are practically charged with high treason against the Government of the United States by the unequivocal assertion that "we are acting as agents of the German Government in Congress." My colleagues will no doubt speak for themselves, though we all could probably well afford to leave the whole matter, without saying another word, to the judgment of the House and the country, considering the fact that the charge emanates from the New York spokesman of a foreign belligerent Government which, according to reports, would be at its rope's end but for the contraband supplies it receives from the United States. Certainly I shall not dignify the libel with an affirmation of loyalty to my country in a body of which I have had the honor of being a Member for 22 years and which knows my record, no matter how humble, to be an open book. It is true I am an American citizen of German birth, but this means, if I do not differ from all other American Germans, that I am a man who is loyal to the Stars and Stripes [applause] and who is for America against England, for America against Germany, for America against the world. [Applause.] Indeed, if the Star-Spangled Banner is not my flag, then I have no flag. But true to my bride I shall not be faithless to my mother, and you would have a right to despise me if I were. Therefore, as the United States is not an English dependency, I can reconcile it with my Americanism to give my sympathy to the Fatherland just as well as so many newspaper editors evidently reconcile their Americanism with the open espousal of the cause of the allies. But this sympathy has no more to do with the Government of Germany than with the Government of Siam. Lord Shaftesbury once said that the human heart can not possibly be neutral, that it constantly takes part one way or the other. However that may be, it is a man's private affair. In my capacity as a Representative I have never yet given utterance to an unneutral word, nor have I done an unneutral act.

When lies were published or misstatements were made I have, with the lights I had, endeavored to correct them, for as between truth and falsehood I can not be neutral, nor can you. What I have done in the present instance, referring to the introduction of a resolution to stop the sale of war materials to the belligerent nations of Europe, I have done with my full responsibility as a Member of the American Congress, not at the behest of the German or any other ambassador, but in response to a growing public sentiment as expressed in a number of mass meetings of good and loyal American citizens, some of which I have attended. And let me say, incidentally, that I have not seen the German ambassador for nearly a year except for a few minutes at an accidental meeting when I took breakfast at one of the local hotels, nor have I heard from him either directly or indirectly, in writing or otherwise. Knowing him to be one of the best informed and most high-minded diplomats, I should have greatly enjoyed his company, but I carefully avoided it just because I wished to guard against such infamous misrepresentations as are now made by enemies of his country, and to me as a Representative the German ambassador was and is no more than the diplomatic envoys of Russia, of France, or of England. As to Dr. Dernburg, I have not the pleasure of knowing him except by reputation.

So much for the personal side of the matter. But there is a more serious side, a graver accusation, involving an insult, not only to the millions of Germans who have acquired citizenship in this country, but also to the German Government. I refer to the assertion that there was a law on the statute books of Germany which makes it possible for a man to become naturalized in the United States and yet to retain his German citizenship, an assertion coupled with the insinuation, almost incredible in its mendacity, that the Germans are taking advantage of this situation, and when taking the oath of allegiance do not do it in good faith. This wholesale indictment is probably without a parallel in history, unless we compare it with the one hurled by France against England, which forever fastened the epithet "perfidious" to the name of Albion. It is an example of the fanatical hatred engendered by war, and a sample of the desperation of crooks who have been caught with the goods. [Applause.]

The facts are simply these: Germany, like every other country, has a law which makes it possible for those who are away from the fatherland to retain their citizenship by reporting within 10 years to a German consul, but when so reporting they must make oath that they have not acquired or taken steps to acquire citizenship in any other country. The period within which they must register used to be only 2 years, but was extended to 10 years when it was found that many persons had innocently forfeited their citizenship owing to the shortness of

time. That is all. I hold that to charge a country which can justly boast of its aversion to duplicity and hypocrisy, of the incorruptibility of its judiciary and of the honor of its officials, with connivance at a common fraud, and to accuse of a like crime an element of our population whose unfaltering loyalty has been proven upon every battle field from Lexington to Appomattox, and whose civic virtues have made for it an honored name in our Republic, is in itself a criminal wrong, for which the guilty party should be called to account. [Applause.]

Yet, Mr. Speaker, Emerson said that our antagonists are our friends. It may prove so in this case, as their cowardly attack affords me an opportunity to say some things which otherwise I might not have been able to say, namely, in reference to the resolution which I have introduced and the motives which prompted it. It must be apparent by this time that the German Nation can not be conquered. Then why not stop the horrible slaughter that is going on from day to day? It is my deliberate judgment that the United States now has it in its power to stop it by withholding from the belligerent nations the sinews of war. Surely the advantages of hastening the time when the markets of the whole world will again be thrown open to our cotton and all other American products will outweigh a hundred times the temporary profits which a few manufacturers of war materials are now reaping, and, besides, we will give proof to the world of the sincerity of our desire for peace, a sincerity which can be justly questioned while we are merely praying for peace and at the same time manufacturing dumdum bullets to kill Germans and Austrians and to prolong the war. There is a hereafter, too; and is not, I ask you, the friendship of the 110,000,000 people who now constitute the population of Germany and Austria worth infinitely more than what we can make out of our one-sided bargains? At the behest of England, Japan has driven Germany from the Pacific, to clear the road, so to speak, for the action which will be taken on that ocean as soon as the Anglo-Japanese alliance is ready for business, and maybe the friendship of Germany will come in mighty handy when that time approaches. And another thing: The President in his neutrality proclamation said that "the United States must be neutral in fact as well as in name," and that we "should put a curb on every transaction that might be construed as a preference of one party to the struggle before another." Are not the manufacturers of war materials obliged, I ask you, to observe this injunction the same as all other citizens; and will anybody contend that selling to one party alone is not a transaction that will be construed as a preference of one party above the other? Therefore, in the name of peace, in the name of humanity, in the name of our material welfare, and in the name of the true spirit of neutrality, as proclaimed by both the President and the Secretary of State, we ask that a halt be called to the feeding of the belligerents with the sinews of war. And now I leave it to the judgment of the House to say whether these considerations, the real motives behind our action, are other than exclusively American and other than purely patriotic. I thank the House for the time and attention accorded to me. [Applause.]

Mr. VOLLMER. Mr. Speaker, I rise to a question of personal privilege.

The SPEAKER. The gentleman will state it.

Mr. VOLLMER. Mr. Speaker, the article that has just been read to the House not only reflects on my legislative conduct but it amounts to a charge of high treason against my distinguished colleagues, Messrs. BARTHOLDT and LOBECK, and myself, in the performance of our official duties.

Being such, I deem it a duty not only to myself but to my colleagues and this House to rise in my place and publicly reply to these infamous charges which have been given such wide notoriety by the great newspaper in which they appeared.

I am charged with being an agent of the German Government, and that acting as such I introduced a resolution against the export of contraband.

The statement is a lie, manufactured out of whole cloth. I am in no relation or connection whatsoever with the German Government. [Applause.]

That my resolution was inspired by the German ambassador and Dr. Dernburg is also a lie. I have never met either of these gentlemen. I have never met anyone acting for them in this connection. I have never had any communication with either of them, directly or indirectly, in regard to my resolution. The only person with whom I conferred on the subject was my esteemed colleague, Dr. BARTHOLDT, when we agreed that he as a Republican and I as a Democrat would introduce resolutions on the subject on the opening day of this session.

That I am a naturalized citizen, who, with the connivance of the German Government, took the oath of citizenship in this country with a "purpose of evasion and mental reservation" is another unmitigated, conscienceless, soul-damning lie. Every word of the statement is false. [Applause.]

I was born in this country, in the good old State of Iowa, to which I will soon return to stay. I am not given to boasting about my American patriotism, but I will back it against that of any dirty, purchasable penny-a-liner who ever tore to tatters the reputation of honest men. [Applause.]

I have looked it up, and there is no such law in Germany, or anything like it, providing for retention of German citizenship after taking the oath of allegiance in another country.

This dishonest charge is a slur on the loyalty and honesty of all of our naturalized citizens of German birth. Has not the German name been a synonym for good faith and square dealing and absolute honesty between men since the days of the Roman Tacitus? [Applause.]

One-third of the American people have German blood in their veins.

They need no defense at my hands. Their record in this country speaks for itself. They have done their full share in the wonderful development of this splendid land. In all the walks of peace they have done their duty, and when war came the statistics show that they invariably furnished more than their numerical proportion of men for the defense of the flag. [Applause.] That is their record in the past, and, from an intimate knowledge of them and their innermost ideas and habits of thought, I tell you that this will continue to be their attitude here in future, no matter with what country we may chance to become embroiled, even if it should be—which God forbid!—with the country which has always been the friend of the United States—Germany. [Applause.] Fortunately, there is not the slightest probability of such a thing, but if it should come, though it would tear their very heartstrings, I say to you that they would stand like a solid wall for America against Kaiser and Fatherland and kin across the sea; for this people have had the idea of duty—das Pflicht—bewustsein—the "categorical imperative," deeply implanted in their natures by centuries of religious and philosophical teaching at the hands of the profound masters of thought, and if such a terrible crisis should come, you would find them rallying to a man about Old Glory, the most beautiful flag that floats. [Applause.]

I introduced the resolution in question as an American Representative, knowing my duty as such, and trying to fulfill it in both letter and spirit.

In that resolution I voice America's highest moral obligation as I see it—to observe absolute, genuine, and not merely sham, neutrality in the spirit of the good old American sporting maxim of fair play.

I do not want my native land to stand as the arch hypocrite among the nations of the earth, praying for peace in response to a presidential proclamation and then furnishing the instruments of murder to one side only of a contest in which we pretend that all the contestants are our friends, thus—a national Pecksniff—assisting part of our dear friends to kill others of our dear friends. [Applause.]

I have been taught that the morality of a people is its highest interest, but in this case the economic interest of this country is also opposed to the practice.

A few may make money out of the sale of contraband, whose effect is only to prolong this wicked war; but as a whole people and in the long run it is to our overwhelming interest to have it brought to a speedy close.

No nation can hope to escape its share of the disastrous consequences sure to flow from this world-wide destruction of wealth and human beings.

In the ultimate analysis the peoples of this earth all share in a common fund. We can not hope to thrive if our customers are killed or impoverished. [Applause.]

And hence it is money in our pockets, ultimately, to stop this war by stopping this infamous trade, because that would stop it.

But I did not rise to make an argument for my resolution. I rose merely to throw back into the teeth of the scoundrel who concocted it this miserable falsehood aimed at my two distinguished colleagues and myself in particular and the American citizens of German birth or descent in general. [Applause.]

Mr. LOBECK. Mr. Speaker, when I came on this floor to-day I had no intention to speak on this subject; but after consultation with my colleagues, the gentleman from Missouri [Mr. BARTHOLDT] and the gentleman from Iowa [Mr. VOLLMER], it was thought fitting that I should say a few words.

I am an American citizen, born in the State of Illinois, my father of German parentage, my mother of Swedish parentage, and I can truly say for them they were genuinely American in their views. Born in that great State, I breathed the air of Illinois, later in Iowa and Nebraska, and I believe I know something about the free air of America and American patriot-

ism; and I believe in the superiority of the American flag—what it stands for—to any flag on earth. [Applause.] I suppose the reason this newspaper in New York has published the charge that I am working together with the German ambassador, in the interest of Germany against the allies and against this Government, is because on the second day of the meeting of this session I introduced a bill for the prevention of the exportation of war materials to warring nations.

I believe in peace. I have understood that there is a dove that has been fluttering around in this country for a number of years in the interest of peace. Well, now, I am willing to assist that dove by stopping the exportation of munitions of war to the countries that are engaged in war. If I am to pray for peace, I believe in doing something to stop war. I believe that if I am to pray for a hungry man or woman, the best thing to do is to follow up that prayer with a loaf of bread. [Applause.] If we believe in peace in this country, let us follow it up by stopping the men who want to make some money out of war—that there may be widows across the sea; that there may be orphans across the sea; that there may be misery across the sea. Let us stop the opportunity that causes these orphans and these widows and this misery.

Mr. Speaker, I am a pretty fair American citizen. It is more than probable that the man who ascribes to me the position of being a traitor to this country is not himself an American citizen. The chances are that if Uncle Sam called us to follow the flag he would be the first one to duck into the Atlantic Ocean and get away. [Applause.]

I was a little boy when the Civil War broke out in this country, but I can remember that very few of the German-Americans and Swedish-Americans in Illinois at that time were born in this country, but they went to fight for the flag to preserve the Union, and they fought bravely side by side with their comrades, regardless of birth or nationality. The German-American citizen is good enough to help defend this country and to do his share toward upbuilding this country, and he has done it. I am proud of the German-American. I know his loyalty to this country. I am proud of every man who comes across the sea and then takes his oath of allegiance to support our flag, because in my experience of a lifetime passed in their companionship I have found them to be worthy citizens in every line of human activity.

So far as this resolution is concerned, my own people at home asked me to introduce it. Why? I was elected on a peace platform. I told my people at home that I was for peace. I am for peace now, and the only way to secure it is to do our part in preventing shipments of munitions of war to warring nations. I have noticed in the papers this morning that we in this country have the privilege of shipping food supplies to neutral countries provided it is done under the supervision of the British consul. It is about time that America took notice, as she did 100 years ago, and if I mistake not the American people will take notice now. [Applause.]

Mr. SMITH of Minnesota. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by printing a telegram bearing upon this same subject.

The SPEAKER. The gentleman from Minnesota asks unanimous consent to extend his remarks in the RECORD by printing a telegram on this same subject. Is there objection?

There was no objection.

The telegram is as follows:

MINNEAPOLIS, MINN., *December 15, 1914.*

Hon. GEORGE R. SMITH, M. C.,
Washington, D. C.:

In the name of Christianity, humanity, and the spirit of neutrality we beg your support for BARTHOLDT's bill aiming to stop munitions of war from America reaching Europe.

GERMAN-AMERICAN ALLIANCE OF MINNEAPOLIS,
OTTO HUEBNER, *President.*
HUGO YETTER, *Secretary.*

The SPEAKER. This is Calendar Wednesday, and the Clerk will call the committees.

TERMS OF COURT AT STEUBENVILLE, OHIO.

The Clerk called the Committee on the Judiciary.

Mr. WEBB. Mr. Speaker, I call up the bill H. R. 5849 on the House Calendar.

The Clerk read the bill as follows:

The bill H. R. 5849, to amend section 100 of an act entitled "An act to codify, revise, and amend the laws relating to the judiciary," approved March 3, 1911.

Be it enacted, etc., That section 100 of the act entitled "An act to codify, revise, and amend the laws relating to the judiciary," approved March 3, 1911, be, and the same is hereby, amended so as to read as follows:

"SEC. 100. The State of Ohio is divided into two judicial districts, to be known as the northern and southern districts of Ohio. The northern district shall include the territory embraced on the 1st day of July, 1910, in the counties of Ashland, Ashtabula, Cuyahoga, Carroll, Columbiana, Crawford, Geauga, Holmes, Lake, Lorain, Medina, Mahoning, Portage, Richland, Summit, Stark, Tuscarawas, Trumbull, and Wayne, which shall constitute the eastern division; also the territory embraced on the date last mentioned in the counties of Auglaize, Allen, Defiance, Erie, Fulton, Henry, Hancock, Hardin, Huron, Lucas, Mercer, Marion, Ottawa, Paulding, Putnam, Seneca, Sandusky, Van Wert, Williams, Wood, and Wyandot, which shall constitute the western division of said district. Terms of the district court for the eastern division shall be held at Cleveland on the first Tuesdays in February, April, and October, and at Youngstown on the first Tuesday after the first Monday in March; and for the western division, at Toledo on the last Tuesdays in April and October. Grand and petit jurors summoned for service at a term of court to be held at Cleveland may, if in the opinion of the court the public convenience so requires, be directed to serve also at the term then being held or authorized to be held at Youngstown. Crimes and offenses committed in the eastern division shall be cognizable at the terms held at Cleveland or at Youngstown, as the court may direct. Any suit brought in the eastern division may, in the discretion of the court, be tried at the term held at Youngstown. The southern district shall include the territory embraced on the 1st day of July, 1910, in the counties of Adams, Brown, Butler Champaign, Clark, Clermont, Clinton, Darke, Greene, Hamilton, Highland, Lawrence, Miami, Montgomery, Preble, Scioto, Shelby, and Warren, which shall constitute the western division; also the territory embraced on the date last mentioned in the counties of Athens, Belmont, Coshocton, Delaware, Fairfield, Fayette, Franklin, Gallia, Guernsey, Harrison, Hocking, Jackson, Jefferson, Knox, Licking, Logan, Madison, Meigs, Monroe, Morgan, Morrow, Muskingum, Noble, Perry, Pickaway, Pike, Ross, Union, Vinton, and Washington, which shall constitute the eastern division of said district. Terms of the district court for the western division shall be held at Cincinnati on the first Tuesdays in February, April, and October; and for the eastern division at Columbus on the first Tuesdays in June and December, and at Steubenville on the first Tuesdays of March and October: *Provided*, That suitable rooms and accommodations for holding court at Steubenville shall be furnished free of expense to the Government until the completion of the Federal building: *And provided further*, That terms of the district court for the southern district shall be held at Dayton on the first Mondays in May and November. Prosecutions for crimes and offenses committed in any part of said district shall also be cognizable at the terms held at Dayton. All suits which may be brought within the southern district, or either division thereof, may be instituted, tried, and determined at the terms held at Dayton."

The Clerk read the committee amendment, as follows:

On page 3, line 15, strike out the colon after the word "October" and insert in lieu thereof a period and the following:

"Grand and petit jurors summoned for service at a term of court being held at Columbus may, if in the opinion of the court the public convenience so requires, be directed to serve also at the term being held or authorized to be held at Steubenville. Crimes and offenses committed in the eastern division shall be cognizable at the terms held at Columbus, or at Steubenville, as the court may direct. Any suit brought in the eastern division may, in the discretion of the court, be tried at the term held at Steubenville."

Mr. MANN. Mr. Speaker, I make the point of order that this is a Union Calendar bill and improperly on the House Calendar.

The SPEAKER. What reason does the gentleman from Illinois give for that?

Mr. MANN. It provides a charge on the Treasury in providing an additional place for holding court. Another thing, it provides that the jurors summoned shall be directed to serve at a term being held at Steubenville, which directly involves a charge on the Treasury.

The SPEAKER. The Chair thinks the gentleman's point is well taken. The House, under the rule, will automatically resolve itself into Committee of the Whole House on the state of the Union for the consideration of this bill, and the gentleman from Indiana [Mr. COX] will take the chair.

Accordingly the House resolved itself into Committee of the Whole House on the state of the Union, with Mr. COX in the chair.

The CHAIRMAN. The House is now in Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 5849.

Mr. WEBB. Mr. Chairman, I ask unanimous consent that the first reading of the bill be dispensed with.

The CHAIRMAN. The gentleman from North Carolina asks unanimous consent to dispense with the first reading of the bill. Is there objection?

There was no objection.

Mr. WEBB. Mr. Chairman, I yield to the gentleman from Arkansas [Mr. FLOYD].

Mr. FLOYD of Arkansas. Mr. Chairman, this is a bill to amend section 100 of the Judicial Code, so as to provide for an additional court at Steubenville in the eastern division of the southern district of Ohio. Ohio is divided into two judicial districts, the northern and southern, each subdivided into an eastern and western division. The northern district includes 40 counties, 21 in the western division, where United States courts are held exclusively, at Toledo, and 19 in the eastern division, where courts are held both at Cleveland and Youngstown. In the southern district there are 48 counties, 18 being in the western division, where courts are held in Cincinnati and Dayton, and 30 in the eastern division, which includes such large counties as Jefferson and Belmont, in the eastern section of the division, and Franklin, near the western boundary; the only place for holding United States courts being at Columbus,

in Franklin County, 150 miles westward from the Ohio River, which forms the eastern boundary of this division.

Centering at Steubenville are large railroad, manufacturing, mining, and other commercial interests owned largely by foreign and interstate corporations, and it is therefore an initial point for much necessary litigation which reaches the Federal courts, either by removal from the State courts or by original commencement in the court at Columbus, and the increased burden thus put on the litigants in having to travel 150 miles with their lawyers and witnesses amounts in many instances, especially to parties of limited means, to a practical denial of justice.

Now, Steubenville is situated in the extreme eastern part of the eastern division of the southern district of Ohio. Your committee after carefully considering the case has arrived at the conclusion that the establishment of a court at Steubenville was necessary not only in the interest of litigants but in the interest of economy, as far as the Government is concerned. It is nearly 150 miles from Columbus to Steubenville, and the topography of the country is such that Steubenville is much more accessible from a number of large counties lying along the Ohio River than is Columbus.

The only change that we propose to make in the statute commences on line 16, where we amend by adding the following words:

And at Steubenville on the first Tuesdays of March and October. Grand and petit jurors summoned for service at a term of court being held at Columbus may, if in the opinion of the court the public convenience so requires, be directed to serve also at the term being held or authorized to be held at Steubenville. Crimes and offenses committed in the eastern division shall be cognizable at the terms held at Columbus or at Steubenville, as the court may direct. Any suit brought in the eastern division may, in the discretion of the court, be tried at the term held at Steubenville: *Provided*, That suitable rooms and accommodations for holding court at Steubenville shall be furnished free of expense to the Government until the completion of the Federal building.

This language that I have just read constitutes the only change made. It simply provides for holding an additional term of court at the time designated at Steubenville in the eastern division of the southern district of Ohio. We think the bill ought to pass.

Mr. FOSTER. Will the gentleman yield?

Mr. FLOYD of Arkansas. Certainly.

Mr. FOSTER. Will the gentleman state whether a public building has been authorized at Steubenville?

Mr. FLOYD of Arkansas. It has.

Mr. FOSTER. For a court; and has the building been built?

Mr. FLOYD of Arkansas. I do not think it provides for a court building. It has not been constructed. But that is a question with which we have nothing to do.

Mr. FOSTER. If a court is to be held at Steubenville it would be necessary that a building should be provided in which to hold it.

Mr. FLOYD of Arkansas. The Judiciary Committee considers only the necessity of establishing the term of court, and has nothing to do with providing buildings.

Mr. FOSTER. I am aware of that. They now hold a term of court at Columbus and what other place?

Mr. FLOYD of Arkansas. They only hold a court at Columbus in the eastern division of the southern district. They hold court at Cincinnati and Dayton, in the western division of the southern district. The courts at Dayton and Cincinnati have no jurisdiction over the eastern division. This is the proposition. Now there is only one court held in the eastern division; it is held at Columbus, and it is 150 miles from Columbus to Steubenville.

Mr. FOSTER. How far is Steubenville from the line?

Mr. FLOYD of Arkansas. It is close to the State line, but the topography of the country is such that the railroads running through a number of the counties strike Steubenville, and you have to go quite a circuitous route to get to Columbus.

The evidence before our committee was that in marshals' fees and witness fees it would actually be an economy to the Government to have a division of the court held there. That is the conclusion we reached from the hearings before the committee. It is not only in the interest of the convenience of litigants, but at this long distance of travel—150 miles and farther from some of those lower counties along the Ohio River, which are that distance from Steubenville—its establishment would be in the interest of economy. There are a number of instances where the railroads run up to Steubenville and across to Columbus, and we arrived at the conclusion that these eastern counties actually need this court, and, having much litigation, it would be actually an advantage to the Government from an economic standpoint to save these fees; and it will be of no expense to the Government, unless some future Congress should provide a Federal building there.

Mr. FOSTER. How much business is there in the Federal district in Columbus?

Mr. FLOYD of Arkansas. Mr. Chairman, I had some data upon that subject, but I mislaid it during the recess. I am sorry that I can not give it to the gentleman. Perhaps the gentleman from Ohio [Mr. FRANCIS] may be able to do that.

Mr. MADDEN. Mr. Chairman, will the gentleman from Arkansas yield to me to permit me to give the gentleman from Illinois [Mr. FOSTER] some information?

Mr. FLOYD of Arkansas. I yield to the gentleman.

Mr. MADDEN. I will just read a letter which was written to Mr. FRANCIS by one of the judges presiding over one of the courts.

Mr. FOSTER. Who was the judge? What is his name?

Mr. MADDEN. Sater. This letter appears in the RECORD, on page 6599, of April 6, 1914, when this bill was under consideration before. The letter reads:

UNITED STATES DISTRICT COURT,
SOUTHERN DISTRICT OF OHIO,
JUDGE'S CHAMBERS,
Columbus, March 9, 1914.

Hon. W. B. FRANCIS, *Washington, D. C.*

MY DEAR SIR: Your letter of March 3 was on my desk on my return from Cincinnati, where I have been holding court. The clerk also handed me your letter to him in reference to the bill now pending in Congress entitled H. R. 5849, relative to the establishment of a Federal court at Steubenville, Ohio.

It is a judge's duty to perform his allotted task and if additional court centers are created I shall endeavor to meet requirements imposed. Your letters call for an expression of my views and I shall therefore give them after having, with the aid of the clerk, gathered the information sought by you.

I am just about to close 7 years of service on the bench, in which 14 terms of court have been held at Columbus. In those 14 terms there have appeared on the civil trial dockets as originating in Jefferson, Belmont, Monroe, and Harrison Counties but 35 cases. Of that number 27 were settled without a trial. Only 8 were tried. This gives an average of 2½ a term; the number actually tried is slightly over 1 a year. In addition to those which were formally placed upon the trial docket there were 3 injunction cases that were tried and disposed of soon after the filing of the bills. Two of these were strike cases and one involved an oil lease. This brings the total number of cases actually tried in 7 years up to 11. In the same 7 years 26 indictments have appeared on the criminal docket. Of this number only 6 cases went to trial. In all of the others there was either a plea of guilty or for some other reason the cases fell by the wayside without coming to trial. The net result of trials, therefore, in 7 years from the above-named counties is 17. There have been a few cases brought—usually personal-injury cases—which have been settled before they were placed upon the trial docket.

The above indicates the small amount of business coming to the Federal court from the four mentioned counties, and that if a court were established at Steubenville it would involve great expense to the Government and little benefit to litigants or others concerned.

I appreciate that the distance from Steubenville to Columbus is considerable, and that at times it involves some hardship to the parties, their counsel, and witnesses to try a case in the Federal court at Columbus. On the other hand, to construct a court room with other suitable conveniences necessary to the operation of a court—such as offices for the clerk, marshal, and district attorney; chambers for the judge, grand and petit jury rooms and witness rooms—means a large expenditure for the Government. The mere opening of a term of court also involves quite an expenditure. Almost all of those connected with the court are allowed, and properly so, their traveling expenses and some of them a per diem for living expenses. Their compensation is such that they could not be induced to accept a position which requires much traveling about if they were to pay out of their own funds on the several trips their railroad fare and living expenses. Jurors are allowed a mileage and $3 per day. To say nothing of the interest on the investment for proper quarters for the conduct of the business of a court, the operating expense is great.

The question therefore is, Shall the United States bear the burden incident to the cost of such quarters and to the maintenance of a court which, if history repeats itself, will have so little to do? If it be conceded that there will be some increase in business resulting from the establishment of a court, I dare say it will not be seriously contended that it will come from either Monroe or Harrison County, for the reason that the employment of the people of such counties is not of the character which brings litigation to any appreciable extent into the Federal courts.

The history of the effort to maintain a court at Dayton ought to be helpful. That is a much larger city than Steubenville and, reckoning such city and the country tributary, the population is much greater from which business may be drawn than that of the four counties named in your letter. Personally I have endeavored to satisfy those who do or would do business in the Federal court at Dayton. It is fair to them to say that some of the cases originating in Dayton or adjoining territory have been tried at Cincinnati, but they have been pressed by counsel for trial at that place instead of Dayton. This in itself is a significant fact. The largest number of cases ever tried at Dayton at one term was three. There were but four cases on the docket at that term. There have been terms at which there were none for trial. On one occasion I did all the business that was offered or could be done within 20 minutes, adjourned the term of court, and took the next train home. As a jury had been brought in and was entitled to its mileage and per diem, the court officers to their costs, and the Government employees to their mileage and maintenance, those 20 minutes were quite expensive. I finally last fall declined to allow a jury to be called when there was but one case on the docket for trial. This was on account of the abnormal expense which would be incurred in the trial of that one case. It was subsequently placed on the Cincinnati February docket for trial and soon after the opening of the term was settled. In the course of time, on account of the importance and continued growth of Dayton, Springfield, Xenia, and minor towns in the

vicinity of Dayton, with their large manufacturing interests, there will be an increased business, but it will be a long time, in my judgment, before it will assume importance.

I am of the opinion that the business in the four counties named in your letter, to wit, Jefferson, Belmont, Monroe, and Harrison, is insufficient to warrant the establishment of a court at Steubenville, and that the locating of a court there will be a costly and disappointing experiment.

If a court should be established there, there should be no October term. There are now seven terms of court to be met by the judges in this district, and frequently both of them are working at the same time on the docket. There are terms in February, April, May, June, October, November, and December. The February term usually laps well into March. Last month my juries were working just about 20 full days, and we got rid, in one way or another, of 29 cases. There is practically a full month's work yet on that Cincinnati term, but I was compelled to suspend temporarily on account of work here and in the circuit court of appeals, while Judge Hollister is going on with equity work. He will take the April term at Cincinnati, which usually runs until about the 1st of July, while I take the May term at Dayton, which this year will have a few cases, and the June term here, the jury work of which has sometimes run quite well into July, but is usually finished late in June. The equity work is ordinarily cleared up in the summer months. The October term at Cincinnati is the big term of the year. Usually one judge works the law side and the other the equity side. The November term at Dayton has sometimes fallen down entirely, but more frequently has had one or two, but never more than three cases for trial. The December term here more frequently runs into January than otherwise. The business in this eastern division has grown in volume and importance greatly since the location of a judge at this point most of the year. If there is to be a court at Steubenville, the terms should be in March and September, and even then there is danger of a conflict as regards the March term and the February term at Cincinnati.

I can not quite understand why you should want in your bill the last two sentences. I can not believe that you appreciate their significance. They were embodied verbatim or in substance in the original bill establishing a court at Dayton, and it was the subject of careful consideration by my late associate, Judge Thompson, and myself. Under those clauses your clients in Steubenville, Bridgeport, Bellaire, or elsewhere along the Ohio River, if the act is to be literally construed, can be dragged all the way to Dayton to try their cases—can be forced to pass through Columbus, where a court is in session the greater part of the year, and be forced into trials at the still more remote point of Dayton. Citizens of Ironton, Portsmouth, Lancaster, Newark, and Cincinnati may be compelled to go to Dayton to have their cases tried, even though in so doing they are compelled to pass through other points in the district which are much nearer and at which courts are sitting almost continuously. Your clients, thus called upon to try cases at Dayton have no protection, except such as a trial judge may in the exercise of a possible discretion afford. Instead of giving the litigants the opportunity of trying their cases at the nearest point to their homes, they may be taken in many instances the greatest distance possible within the district. Instead of perpetuating such an anomalous situation, would it not be well entirely to eliminate it from the law?

In the foregoing I have made no mention of bankruptcy matters, for the reason that it is only occasionally a contest arises in a bankruptcy proceeding which calls for a hearing before a district judge. The referee in bankruptcy works out successfully almost all cases.

Yours, very truly,

So that it seems to me, in the face of the facts set forth by one of the judges of the Federal court in Ohio, there is no real necessity for the establishment of a term of court at Steubenville, and that to establish it would be but a small species of reckless and extravagant waste of the public money.

Mr. FLOYD of Arkansas. Mr. Chairman, in reply to the gentleman from Illinois [Mr. MADDEN], I will state that Dayton is in the western division of the southern district of Ohio. Dayton is only 40 miles from Cincinnati, so that his argument in regard to the court at Dayton and the effect of it there has no relevancy to this situation. Here is a map of the southern district. Dayton and Cincinnati are shown here, and here is Columbus, and it is 150 miles from Steubenville. With all of those counties tributary to Steubenville, the people have to go very long distances, and that is the complaint. They complain of the expense of litigation involved in carrying their cases to Columbus. Perhaps the presiding judge does not want that additional burden put upon him; but the people of the entire eastern division of the southern district of Ohio, who are representative men, who appeared before the committee, have made to the satisfaction of your committee a case against the contention of the judge. It will inconvenience the judge, no doubt, to go those 150 miles; but rather than inconvenience the litigants, the people of those populous counties, with mining and railroad interests, and suits pending, we think it is more equitable to give those people a court at Steubenville.

I now yield to the gentleman from Ohio [Mr. FRANCIS], who represents that district and who is more familiar with the details than I.

Mr. FOSTER. Mr. Chairman, before the gentleman yields, how many counties do I understand are in this district? This judge speaks of four counties that furnished very little business.

Mr. FLOYD of Arkansas. He was talking of the court over at Dayton, which is only 40 miles from Cincinnati, and in the vicinity of Cincinnati, but that is no answer to this argument that these people are 150 miles away.

Mr. FOSTER. I understand.

Mr. FLOYD of Arkansas. Ohio is divided into two judicial districts, the northern and the southern, each of which is divided into an eastern and a western division. The northern district includes 40 counties, 21 in the western division—the United States court being held at Toledo—and 19 in the eastern division, where court is held at Cleveland and Youngstown. In the southern district there are 48 counties, 18 being in the western division, where court is held at Cincinnati and at Dayton, and 30 in the eastern division, with only one court at Columbus. There are only 18 counties in the western division and 30 in the eastern division.

Mr. FOSTER. Is it not a fact that sometimes judges get the idea that they do not like to travel any distance to hold court, and usually encourage business to come to the place where they happen to be located? That might account for a lot of this business not being taken to these different divisions.

Mr. FLOYD of Arkansas. They could not hold the court at Steubenville until we establish a court there.

Mr. FOSTER. I understand; but take, for instance, Dayton.

Mr. FLOYD of Arkansas. Yes.

Mr. FOSTER. I do not believe litigants should be compelled to travel a long distance, because many times I think that prevents people getting justice.

Mr. FLOYD of Arkansas. I think it often does. It often prevents the bringing of proper suits in the proper court, and people are therefore denied their rights on account of those conditions.

I now yield to the gentleman from Ohio [Mr. FRANCIS].

Mr. FRANCIS. Mr. Chairman, in the course of my remarks I shall make answer to the letter which the gentleman from Illinois has just read to the committee. The State of Ohio has very few sittings of the United States district court. I am told that the little State of West Virginia, less than half the size of Ohio, has 11 places where United States courts are held. The northern district of the State of Ohio is very well and conveniently provided with sittings of the district court—one at the city of Youngstown, a populous manufacturing center, and one at Cleveland, and one at Toledo; the southern district, in the western division, having a sitting at Dayton and one at Cincinnati. The eastern division has its sitting far removed from the eastern center, it being at Columbus, Ohio, being 150 miles from the populous district in which I reside, and from those counties which have been referred to here. The counties of Belmont, Harrison, Jefferson, and Monroe, and I might say a part of Washington, would be tributary to a district court at Steubenville. These represent a population of about 250,000 people, who would have a district court within 60 miles, while now they have to go all the way to Columbus, Ohio, and take their witnesses there, and in effect it amounts to a denial of justice on the part of the litigants because of the great expense entailed by reason of witness fees and traveling expenses.

In a case taken up to Columbus from Steubenville the fee of a single witness will cost $15. The man of moderate means can not take his witnesses to Columbus. It is impossible for him to do so; so that in a class of cases where the maximum amount for which he can sue and prevent removal to the United States district court is $3,000, largely personal injury cases or cases against foreign corporations or where persons resident in different States are concerned, he is denied the opportunity of going in that court and must go into our common-pleas court and there submit to its jurisdiction of $3,000. So that, as I have said, it denies a man a right which he should have under the Constitution. It has been said here by Mr. MADDEN, the gentleman from Illinois—who, by the way, refers to this case as having formerly been up before the House, and it was up, as a matter of fact, by unanimous consent, and was objected to by the gentleman from Illinois and went out on his objection; and I might add that in the Sixty-first Congress a similar bill was introduced here by my predecessor, which passed this House, and provided for the establishing of a court at Steubenville, and I am not quite sure but what the gentleman on that side was one of the men who voted for it—now, the letter which he has read from Judge Sater states that in seven years on the bench there have been 11 cases in that court. I wanted to say here that I have not the biggest practice in eastern Ohio, but I have had in that court myself, evidently, 4 of those cases within that time from my home town of Martins Ferry and 2 bankruptcy proceedings. I have here a letter which I received from the secretary of the Chamber of Commerce of Steubenville, Ohio, and he investigated the court docket for civil cases alone there, in answer to my letter to him after I was informed that this letter had been entered on record, and he says—this is under date of April 24, 1914:

MY DEAR MR. FRANCIS: I beg to advise that I have made a search of the records of the United States court at Columbus, Ohio, for the

southern district of Ohio, eastern division, and I find that since January, 1911, there has been filed in this court a total of 22 cases. Of this number 18 were from Jefferson County and 4 from Belmont County.

Now, here from two counties alone there are 22 civil cases, to say nothing about the criminal business and to say nothing of the cases taken there under the insolvency law, business which ought to be done there at home in the city of Steubenville. As has been said on account of the topography of that country and on account of the railroads leading to Steubenville it makes it a most desirable point at which a sitting of the court ought to be held. This bill entails no new expense upon the Government, no additional expense for judges, no additional expense for rooms or anything of the kind, but it does entail a greater inconvenience to a judge to travel to and from there and to sit at that court, and I want to say, and give it as my opinion, that the most likely reason which prompted Judge Sater's letter is that he does not like to move out of his quarters at Columbus to come all the way to Steubenville to hold court.

Mr. GOULDEN. Will the gentleman yield there for just one question?

Mr. FRANCIS. I will.

Mr. GOULDEN. What is the distance from Steubenville to Columbus?

Mr. FRANCIS. The distance is 150 miles.

Mr. GOULDEN. Will the gentleman permit one more question, and that is, What is the population of Steubenville? I have been there and know the town very well, but I do not know in reference to the population.

Mr. FRANCIS. In 1900 it was nearly 23,000, and since that time with the building of the La Belle Iron Works and the Pope Tin Works it is estimated they have about 32,000.

Mr. GOULDEN. I know it is a very enterprising city, because I have been there frequently in times gone by.

Mr. FRANCIS. And just below the city of Steubenville is another large city of probably between 3,000 and 5,000, Mingo Junction, in which is located the great Carnegie mill. North of it at Toronto are the great clay works, a town of between 3,000 and 5,000 people. My home town of Martins Ferry, together with Bridgeport and Bellaire, which are within 20 miles of Steubenville, represent a population of 35,000 people, and as I have said this court sitting there would be at a place where it would accommodate a population of over 200,000 people. I think this bill is a very deserving measure, and I hope that it may pass.

Mr. MANN. Mr. Chairman, there are now two districts in Ohio, the northern and the southern. The northern district has two divisions, the western and the eastern. They have court held at two or three places in one division; I believe at Toledo in the western division. In the southern division there is a western division and an eastern division. The western includes Cincinnati, where court is held. I do not know whether court is still held at Dayton, Ohio, in the western division, or not, and I will ask the gentleman from Ohio whether it is.

Mr. GARD. It is.

Mr. MANN. Well, there is one good feature about this bill, because this bill would abolish the court at Dayton. That is an inadvertency not known to the Judiciary Committee probably, but that would be the case. I suppose the Dayton court was probably created after the passage of the original act, and probably was an amendment to it.

Mr. FLOYD of Arkansas. I will state to the gentleman it is not the intention of the committee to abolish the court at Dayton. Whether the gentleman is correct in his statement I do not know. I will investigate the question and ascertain whether or not the criticism is correct.

Mr. MANN. I take it that the committee, without having called to its attention the fact that the law had been amended, I presume, to hold court at Dayton, provided in this bill where court shall be held in the western division in the southern district of Ohio, and they only provided for court being held at Cincinnati. So that would abolish the court at Dayton. That is the only good feature of the bill.

The report on this bill is very illuminating. The gentleman from Arkansas [Mr. FLOYD] a few moments ago called the attention of the House to a statement that gentlemen appeared before the Judiciary Committee and refuted the contentions of the district judge, which my colleague read; but the committee had reported this bill long before the district judge had considered it at all, though I take it it would have been somewhat difficult to have refuted the contentions of the judge months before the judge had any contentions to make.

Mr. FLOYD of Arkansas. If the gentleman will yield, I wish to say that I did not intend to make that statement. They gave a statement of facts which was contrary to those contained in the letter.

Mr. MANN. I do not know what state of facts was presented to the committee, but the report of the committee, referring, I suppose, to all the facts presented by the committee, is:

> The committee report the same back with the recommendation that it be amended as follows, and that, as amended, the bill do pass.

That is all the information that is contained in the report, and I question very much whether the committee had any hearings upon the bill, unless the gentleman says they did have hearings. Of course I would not question the statement made by the gentleman. It has been quite customary when any Member of Congress asked for the holding of a court in a new place to authorize it. A good many Members of Congress are lawyers, and the rest of the Members are somewhat disposed to make it a little easier for a lawyer who is a Member of the House to go into court a little nearer home—a little more convenient for the lawyer—and the expense to the Government does not make much difference. That is paid out of the Federal Treasury, while the expense to the lawyer is paid out of his own pocket. Now, my friend from Arkansas says it was not the design to accomplish the meritorious feature of the bill—to abolish the holding of court at Dayton.

Mr. FLOYD of Arkansas. Will the gentleman permit me right there?

Mr. MANN. Certainly.

Mr. FLOYD of Arkansas. In looking that up, I find in the bill the language that occurs in the original statute in a proviso on line 4, page 4, that—

> *Provided further*, That the terms of the district court for the southern district shall be held at Dayton on the first Mondays in May and November.

That is the language of the original statute.

Mr. MANN. I was incorrect. That good feature which I thought was in the bill is not in the bill. Let us see if the gentleman can explain this, then: It is now provided that there be a session of court at Cincinnati on the first Tuesday in October. This bill provides that there shall be a session at Steubenville on the first Tuesday in October. Oh, I suppose judges can be omnipresent, though it is sometimes difficult.

However, I arose mainly to reiterate some of the things that were called to the attention of the House by my colleague [Mr. MADDEN]. The distinguished gentleman from Ohio [Mr. FRANCIS], the author of the bill, did what the committee did not do apparently, attempted to obtain some information about the bill and wrote to the clerk of the court and the judge of the court as to what, in their judgment, were the merits of the bill. Judge Sater in a letter to Mr. FRANCIS, which was inserted in the RECORD by the gentleman from Ohio [Mr. BRUMBAUGH] in April last when the bill was on the Calendar for Unanimous Consent, said:

> It is the judge's duty to perform his allotted task, and if additional court centers are created I shall endeavor to meet requirements imposed. Your letters call for an expression of my views, and I shall therefore give them after having, with the aid of the clerk, gathered the information sought by you.

And I presume he was the only person who endeavored to gather the information. It makes no difference to the judge particularly, but he was asked to furnish information to the gentleman from Ohio for the benefit of Congress. And after other matter—I shall not quote the letter in full, as it is too long—he says:

> The above indicates the small amount of business coming to the Federal court from the four mentioned counties, and that if a court were established at Steubenville it would involve great expense to the Government and little benefit to litigants or others concerned.

I know it is almost idle to talk economy in this House, except for the mere purpose of talking, but here is the deliberate expression of the judge after giving facts which the committee never obtained, even if it sought them, that this would involve great expense to the Government and little benefit to litigants. The judge goes on:

> The mere opening of a term of court also involves quite an expenditure. Almost all of those connected with the court are allowed, and properly so, their traveling expenses and some of them a per diem for living expenses.

The judge that goes to this court is allowed his traveling expenses—$10 per day—in addition to his salary, while he is holding court at this new place.

Then the judge recites some of the history. We provided for a court at Dayton, each one of these requests for the convenience probably of some Member of Congress. We had no such information presented to the House at that time as we have now in reference to that court. Here is what the judge says about holding the court at Dayton—the judge who holds the court:

> The largest number of cases ever tried at Dayton at one term was three. There were but four cases on the docket at that term. There have been terms at which there were none for trial. On one occasion I did all the business that was offered or could be done within 20 min-

utes, adjourned the term of court, and took the next train home. As a jury had been brought in and was entitled to its mileage and per diem, the court officers to their costs, and the Government employees to their mileage and maintenance, those 20 minutes were quite expensive.

And he goes on to say, in effect, that there is as much or more business to be done at Dayton than there is or would be at Steubenville. He disposed of the business in 20 minutes at Dayton on one occasion, at a considerable expense to the Government; the highest number of cases ever tried at a session of court at Dayton was three. Now, what is the object or the necessity of creating the expense of holding court at Steubenville because four counties find it might be a little more convenient? Why, it would be more convenient to the lawyers of the litigants if you would have the court travel around and go to the witnesses instead of bringing the witnesses to the court, but it would also be a great deal more expensive.

Mr. FRANCIS. Will the gentleman indulge a question?

Mr. MANN. Oh, certainly; or a statement, if the gentleman wishes to make one.

Mr. FRANCIS. Our appellate court in Ohio has seven judges, who go to every county in the State and hold court.

Mr MANN. Is that the Supreme Court of Ohio?

Mr. FRANCIS. That is the appellate court of Ohio, next to the supreme court, and they do it for the convenience of the litigants.

Mr. MANN. I never heard that court quoted, or its opinions, and I presume that is the reason I did not know. The opinions of the court are not quoted. Even the churches have gotten over the idea of keeping a minister traveling all the time on the theory that he would know more by traveling.

This is the judge's deliberate opinion, expressed at the request of the gentleman:

> I am of the opinion that the business in the four counties named in your letter, to wit, Jefferson, Belmont, Monroe, and Harrison, is insufficient to warrant the establishment of a court at Steubenville, and that the locating of a court there will be a costly and disappointing experiment.

This letter of the judge was written after the Committee on the Judiciary had reported the bill. That committee did not have the benefit of the information or the opinion of that judge. The judge says further:

> If a court be established, there should be no October term.

The bill provides for an October term on the first Tuesday of October both at Cincinnati and at Steubenville in the same district. Of course that will be a matter of great convenience to the active lawyers and to the judge who has to try the cases.

If we are going to have any economy it can not come in saving hundreds of millions of dollars at one clip. The only way you can have any economy is by practicing the economy in the particular case which arises. We shall keep after the extravagance of the Democratic Congress. We will ring it on every stump and every public place in the United States. There has been no occasion yet, or there has been very seldom, when there has been any desire, as expressed in their acts, for the Democratic Congress to be economical. I sympathize greatly with some of the Members on the Democratic side who do believe in carefully considering the needs before they vote for a proposition. But the great majority on that side of the House vote the way a committee has recommended, and outside of the Committee on Appropriations there has been no indication of a committee being in favor of practicing any economy.

Mr. WEBB. Mr. Chairman, will the gentleman permit a suggestion?

Mr. MANN. Certainly.

Mr. WEBB. This identical bill, as I understand, was introduced by a Republican Member of Congress and passed by the House.

Mr. MANN. That may be.

Mr. WEBB. So far as economy is concerned, the Committee on the Judiciary does not see how it will be uneconomical or expensive to carry justice to the people's doors. We have held down as much as possible propositions for the creation of new judges. I have always opposed them here. But we have always favored the policy of getting the court as near as possible to the people, because we think that is a fundamental policy for the House and for the people to rely upon.

Mr. MANN. The only justification that the gentleman offers is that a Republican House passed a bill identical with this on a former occasion.

Mr. MADDEN. No; that a Republican Member introduced the bill originally.

Mr. MANN. I grant that that may be a powerful argument. But if on this side of the House we are willing to see a new light and not stand by what we did before, why should you be bound by it? Why should you feel that you should support a measure simply because it was good enough to have received Republican support in a prior Congress?

Every time a proposition is presented here some gentleman on the Democratic side of the House says, "Why, here is something you did or did not do. Why should you criticize us if we are not better?"

Mr. WEBB. I assure my friend that I am not using such an argument as that.

Mr. MANN. That is just the argument that the gentleman made.

Mr. WEBB. Not at all.

Mr. MANN. That is the argument that the gentleman from Arkansas [Mr. FLOYD] made. With what other object was your suggestion made?

Mr. WEBB. I was showing to the Member now speaking that a Republican Member of Congress from the identical district in which this court is sought to be established thought it ought to be established.

Mr. MANN. That was in a former Congress; or was it in the next Congress that the gentleman is referring to—the Sixty-fourth Congress? [Laughter on the Republican side.]

Mr. WEBB. No; in a former Congress.

Mr. MANN. I thought the gentleman was perhaps referring to the future, to the Sixty-fourth Congress.

Mr. WEBB. I was trying to convey the idea to the mind of the gentleman from Illinois that a Republican from out there thought a new place for holding court ought to be created, and a Democratic Member thought the same thing. One reason for prejudice—I do not know whether such a prejudice exists in the gentleman's district or not—against the Federal courts—it certainly exists in some States—is that to the average person it is so far away that it seems a foreign court to which he must go either as witness or litigant. I am in favor of establishing additional places for holding courts and in favor of bringing them as nearly as possible to the litigants, witnesses, and jurors, and to the people of the States, even though it may be at a slight inconvenience to the judges. I think Steubenville ought to have a court.

Mr. MANN. The gentleman thinks that just now, because his committee reported the bill without information.

Mr. WEBB. No. The fact that Dayton has not enough cases for trial to warrant the maintenance of a court there is no reason why a court should not be established at Steubenville. I can see how a judge might prefer to sit in his court in comfortable and magnificent quarters at Cincinnati and draw all the Dayton business into his own court, and the consequence is that when he goes down to Dayton there may be only 20 minutes' work, because all the rest of the work has been done in Cincinnati. I think there should be divisions, and all courts should be held in the division and cases arising in the division tried in the court for such division, and a stop should be put to this practice of judges and lawyers drawing all witnesses and cases to one big city, instead of the judges and lawyers going to the courts in the vicinity of where the cases arise.

Mr. MANN. My friend from North Carolina is one of the gentlemen in the House for whom I have a great regard. He is a very young man to be chairman of the Committee on the Judiciary, and I think he is doing able work as chairman of that committee. But the argument that he has just made about the judges sitting in their palaces and wishing to draw all public business to themselves is beneath his reputation and beneath his ability. There is nothing in all that. That is all rot. Judges are willing to perform their duties.

The business of the Steubenville court is not so hard to ascertain. There is practically no Federal business in the four counties which this bill is designed to be of service to. There has not been. If the purpose of the bill is to encourage the creation of more Federal business, then I am that much more against it. I think we have too many cases now in the Federal courts. I think we ought to restrict the jurisdiction of the Federal courts, instead of increasing it. [Applause.] But while you applaud the proposition you are constantly adding to the jurisdiction of the Federal courts and passing acts which are designed to increase the litigation in those courts. There is no occasion for this court being held at Steubenville. It is a useless, unwise, extravagant expenditure of money, and it will be of no benefit to the litigants. It may be a trifle more convenient for some of the local lawyers, who do not wish to be put to any expense or time in traveling to a near-by place.

I hope the bill will be defeated.

Mr. FOSTER. Will the gentleman permit a question?

Mr. MANN. Certainly.

Mr. FOSTER. If there is so little business to be transacted at Dayton, is it not the gentleman's opinion that the court there ought to be abolished?

Mr. MANN. I think it ought to be abolished.

Mr. FOSTER. I think if this bill passes it ought to be so amended.

Mr. MANN. If somebody else does not offer it, I expect to offer an amendment to strike out the Dayton court.

Mr. FOSTER. I am glad the gentleman intends to do it. That is the way I feel about it.

Mr. GARD. Mr. Chairman, something having crept into this debate outside of the matter germane to it, which is the holding of court in Steubenville, I beg to inform the Members of the committee somewhat with respect to the situation in Dayton, Ohio.

The holding of the Federal court in Dayton, Ohio, was arranged for by the Hon. Robert M. Nevin, a Republican Representative from the third congressional district of Ohio, an able lawyer and a brilliant Representative in Congress, who had three terms of service in this body.

Dayton is a city of about 150,000 population, rapidly growing, a city which is seeking to better itself upon its own merits and by its own ability, after the disastrous flood of March, 1913. Under previous legislation a magnificent Federal building for the housing of the post office and the Federal court has just been practically completed. In this building the Federal court is to be held, under a bill passed by Congress and introduced in this House by Mr. Nevin, of my district.

Something has been said about a letter written by Judge Sater, referring to the limited number of cases. I desire to inform this committee about one case which was tried in the city of Cincinnati, the regular sitting place of Judge Hollister, a member of the bench for the southern district of Ohio. That case was tried in Cincinnati over the express objection of the parties defendant. I refer to the case of the United States against the National Cash Register Co., of Dayton. This company, a native of the county of Montgomery and the city of Dayton, was compelled to defend itself in a court 70 miles distant from its place of residence, because the judge decided that he wanted to hold the court in that particular case in the city of Cincinnati and not in the city of Dayton. That one case required the time of the United States court in the city of Cincinnati for nearly four months before it was finally concluded.

And that case is not the only one. I do not profess to be advised particularly of the exact number of cases filed there, but there has come to be in the past a recognition of the fact that it is necessary to try cases where the sitting judges are located, for instance, in Columbus, where Judge Sater lives, and in Cincinnati, where Judge Hollister lives; but the idea of this bill and the idea of all laws pertaining to Federal courts should be, in my opinion, that the places of hearing should be brought reasonably near to the people. Now, I am making no complaint. This is simply a matter of comparison. I call the attention of the members of this committee to the enormous expense borne by the National Cash Register Co. in defending themselves in a court 70 miles away from their home, when the case would naturally have been tried in their home city. They were compelled to take their entire office force and all of their books and files, and they were practically compelled to suspend their office operations until this case could be concluded in the United States court at Cincinnati.

Dayton is a city of 150,000 people, struggling against a great natural calamity, and now by their own splendid efforts they are on their feet again. Dayton is in the center of the great Miami Valley, an agricultural garden spot in the United States. It is within 25 miles of Springfield, within a few miles of Xenia and Urbana, near Hamilton and Middletown, and within a few miles of the cities of Troy and Piqua, which are all connected with Dayton by trolley lines. Dayton is the natural place where the great bulk and body of the Federal business in the south interior of the State of Ohio should naturally be transacted. There is no reason why more cases are not heard there save the desire of the judges to remain in the immediate county of their residence. I say this in no offensive sense.

The criticism most frequently made against the administration of justice in the Federal courts is that the expense precludes a hearing and that it is sometimes a denial of justice. We are all familiar with the rule which requires the deposit of a sum of money in the court where the case is to be heard to insure the payment of witness fees. It seems to me it is not reasonable to require cases to go to a far-distant court, where men are compelled to pay the mileage of witnesses, bringing them from 75 to 100 miles, when their testimony might be taken in a court held in or near their home city. Surely that is not within the province of justice as it should be administered among men. That is the Dayton situation. Of course it is a matter extraneous to the one under consideration since it has been established and is working out itself in a proper manner. The court already established in Dayton is just beginning to see its usefulness. As Judge Sater has said in his letter, which was read by the gentleman from Illinois, Mr. MADDEN, and referred to by the other gentleman from Illinois, the court at Dayton is situated right in the center of a region which will draw to it increased business. While possibly there may not have been many cases, the cases which are there are those of persons living directly in the city of Dayton. Outside, as I have said, there is a territory of at least 300,000 people within the radius of 25 miles where the Federal court should be held.

Now, the Federal court is held there, as I said in response to a question asked me by the gentleman from Illinois [Mr. MANN], and it has been held there and is intended to be held there again. I may say that the situation immediately in Dayton, the reason given by the judges of United States courts heretofore for not trying Dayton cases in Dayton, was the fact that they had no proper court room—that no proper facilities were at hand. The court rooms in the courthouse have been occupied by the county courts and the appellate court. I call attention to the fact that a new Federal building has been provided, and that it contains a splendid court room and all other rooms necessary for court, officers, litigants, and witnesses. The other day I received a letter from Judge Hollister, of the district court at Cincinnati, concerning the arrangement and decoration of this new court room at Dayton, and there is now absolutely no reason why cases arising in or near Dayton may not most properly and conveniently be heard there. This is a matter of which I would be pleased to answer directly any question from any gentleman of the committee. I have brought it to your attention so that you may be fully advised about it. I do not want any amendment which will take Dayton out of the present plan of being a place where a Federal court shall be held. There is nothing to be gained by it; everything which ought to be done has been done, and to deprive the city of Dayton at this time of a Federal court, when it has just begun to be able to show the beneficial effect of holding courts there, is not, in my judgment, wise. I trust that when consideration is given to this Steubenville matter that there will be nothing done detrimental to Dayton. I have simply desired to inform you of what the Dayton situation is, and I sincerely trust that no change be made there, but, on the contrary, that it be permitted to develop as the proper place for the hearing and trial of Federal cases in that populous territory.

Mr. DONOVAN. Mr. Chairman, I had expected that the chairman of the committee would answer the charge made by the minority leader from Illinois. I believe that on the floor and in the Democratic platform we have charged the party we succeeded—the Republican—with extravagance in the management of affairs. After listening to the gentleman from Illinois, especially in this matter, I think that we are extravagant and not they. If I understand the chairman of the committee correctly, he justifies this act by what some Republican Members from Ohio have done in some other Congress. That is a strange thing to me—strange for a great Democrat and a great lawyer to do—to justify wrongdoing by wrong some other men have done.

Is it not strange that this great army of lawyers, presumably rising to address the Chair, should not give us the information about the volume of business done in that court? Not a word. I submit in all fairness the inquiry, How are we going to vote intelligently? The fact is that the amount of business done in all the counties in that district is not of much moment. That is the fact if the report of the Attorney General is to be believed. From his report it appears that there was commenced during the year a total number of 95 cases; that there were terminated during the year 74 cases—that is, in the civil cases where the United States was a party. The total of criminal cases terminated during the year was 81; commenced during the year, 95. The total amount of money involved in these cases was less than $10,000—that is to say, the judgments amounted to that.

There is only a small amount of business there; and still Members here wish to divide the business and create more expense, whereas the court at the present time does not have much business. Out of all the criminal cases there were only three trials by jury during the year. Still we want to divide it up and create a term of court in some other place in the State, which means a new public building and a whole retinue of officials attached to the court. Think of it, only three trials by jury. How can we charge the Republicans with extravagance and waste of the public money; they could not get this bill through; we are going to get it through.

Mr. Chairman, the committe does not treat its associates fairly when they withhold this information. Being a Democrat and remembering the Democratic articles of faith as to economy

in public expense, so that labor may be lightly burdened. I am going to vote against the measure.

The CHAIRMAN. The Clerk will report the bill for amendment.

The Clerk read the bill.

The CHAIRMAN. The question is on the committee amendment.

The committee amendment was agreed to.

Mr. FLOYD of Arkansas. Mr. Chairman, in line 17, page 3, strike out the word "October" and insert the word "September."

The Clerk read as follows:

Page 33, line 17, strike out the word "October" and insert the word "September."

The amendment was agreed to.

Mr. MANN. Mr. Chairman, I move to strike out the enacting clause.

Mr. WEBB. Is that a preferential motion? I want to move that the committee rise.

Mr. MANN. It is a preferential motion; the gentleman can not make his motion as long as any amendment is offered.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 1, lines 1 and 2, strike out the enacting clause.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Illinois.

The question was taken; and on a division (demanded by Mr. MANN) there were—ayes 14, noes 19.

So the amendment was rejected.

Mr. MANN. Mr. Chairman, I move to amend, on page 4, by striking out all after the word "building," in line 4, striking out the provision for a court at Dayton.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 4, line 4, after the word "building," strike out the remainder of the paragraph.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Illinois.

The question was taken; and on a division (demanded by Mr. WEBB) there were—ayes 13, noes 30.

So the amendment was rejected.

Mr. WEBB. Mr. Chairman, I move that the committee do now rise and report the bill with the recommendation that the amendments be agreed to and that the bill as amended do pass.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. Cox, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill (H. R. 5849) to amend section 100 of an act entitled "An act to codify, revise, and amend the laws relating to the judiciary," approved March 3, 1911, and had directed him to report the same back to the House with sundry amendments, with the recommendation that the amendments be agreed to and that the bill as amended do pass.

The SPEAKER. Is a separate vote demanded on any amendment? If not, the Chair will put them in gross. [After a pause.] The question is on agreeing to the amendments.

The amendments were agreed to.

The SPEAKER. The question now is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER. The question is on passing the bill.

The question was taken; and on a division (demanded by Mr. MANN) there were—ayes 45, noes 21.

Mr. MANN. Mr. Speaker, I make the point of order that there is no quorum present.

The SPEAKER. The gentleman from Illinois makes the point of order that there is no quorum present. Evidently there is not. The Doorkeeper will close the doors, the Sergeant at Arms will notify the absentees, and the Clerk will call the roll.

The Clerk called the roll; and there were—yeas 199, nays 96, answered "present" 2, not voting 131, as follows:

YEAS—199.

Abercrombie	Bathrick	Burke, Wis.	Collier
Adair	Beakes	Burnett	Connelly, Kans.
Adamson	Bell, Ga.	Byrnes, S. C.	Conry
Aiken	Booher	Byrns, Tenn.	Cox
Alexander	Borland	Callaway	Crisp
Ashbrook	Brockson	Candler, Miss.	Crosser
Aswell	Brodbeck	Caraway	Curry
Austin	Broussard	Carew	Danforth
Baker	Bruckner	Carlin	Decker
Barkley	Buchanan, Ill.	Church	Deitrick
Barnhart	Buchanan, Tex.	Clark, Fla.	Dent
Bartlett	Bulkley	Coady	Dershem
Dickinson	Hammond	Lobeck	Steenerson
Dies	Hardy	Logue	Stephens, Miss.
Difenderfer	Harris	Lonergan	Stephens, Nebr.
Dixon	Harrison	McGillicuddy	Stevens, N. H.
Doolittle	Hay	McKellar	Stout
Doremus	Hayden	Maguire, Nebr.	Stringer
Dupré	Heflin	Mitchell	Sumners
Eagle	Helm	Montague	Switzer
Edwards	Helvering	Morgan, Okla.	Taggart
Estopinal	Henry	Morrison	Taylor, Ala.
Farr	Hensley	Mulkey	Taylor, Ark.
Fergusson	Hill	Murray	Taylor, Colo.
Ferris	Holland	Nelson	Ten Eyck
Fields	Houston	Oldfield	Thacher
Finley	Howard	O'Leary	Thompson, Okla.
Fitzgerald	Hoxworth	Palmer	Townsend
FitzHenry	Hughes, Ga.	Park	Tribble
Flood, Va.	Hull	Peterson	Tuttle
Floyd, Ark.	Humphreys, Miss.	Phelan	Underhill
Francis	Igoe	Plumley	Underwood
French	Jacoway	Post	Vaughan
Gallagher	Johnson, Ky.	Quin	Vinson
Gard	Keating	Rainey	Vollmer
Garner	Kinkead, N. J.	Raker	Volstead
Garrett, Tex.	Kirkpatrick	Rauch	Walker
Gerry	Kitchin	Rayburn	Walsh
Gill	Korbly	Reilly, Wis.	Watkins
Gittins	Lafferty	Rubey	Watson
Glass	Lazaro	Russell	Weaver
Godwin, N. C.	Lee, Ga.	Sabath	Webb
Goeke	Lee, Pa.	Shackleford	White
Goodwin, Ark.	Lesher	Sisson	Whaley
Gordon	Lever	Smith, Idaho	Williams
Goulden	Levy	Smith, Md.	Willis
Graham, Ill.	Lewis, Md.	Smith, N. Y.	Wingo
Griffin	Lieb	Smith, Tex.	Witherspoon
Gudger	Linthicum	Sparkman	Young, Tex.
Hamlin	Lloyd	Stedman	

NAYS—96.

Allen	Falconer	Kiess, Pa.	Patton, Pa.
Anthony	Fordney	Kinkaid, Nebr.	Platt
Avis	Frear	Knowland, J. R.	Powers
Bailey	Gillett	Kreider	Prouty
Barton	Good	La Follette	Roberts, Nev.
Bell, Cal.	Gray	Langham	Rogers
Borchers	Green, Iowa	Langley	Rouse
Browne, Wis.	Greene, Mass.	Lenroot	Scott
Bryan	Griest	Lewis, Pa.	Sloan
Butler	Hamilton, Mich.	Lindbergh	Smith, J. M. C.
Calder	Haugen	McKenzie	Smith, Minn.
Campbell	Helgesen	McLaughlin	Stafford
Carr	Hinds	MacDonald	Stevens, Minn.
Cary	Hinebaugh	Madden	Stone
Cline	Howell	Manahan	Sutherland
Cooper	Hughes, W. Va.	Mann	Temple
Cramton	Hulings	Mapes	Thomas
Cullop	Humphrey, Wash.	Mondell	Towner
Dillon	Johnson, Utah	Moon	Treadway
Donovan	Johnson, Wash.	Moss, W. Va.	Walters
Doughton	Kahn	Mott	Winslow
Drukker	Kelly, Pa.	Norton	Woodruff
Dunn	Kennedy, Iowa	Paige, Mass.	Woods
Esch	Kent	Parker, N. J.	Young, N. Dak.

ANSWERED "PRESENT"—2.

Foster Moss, Ind.

NOT VOTING—131.

Ainey	Edmonds	Konop	Reilly, Conn.
Anderson	Elder	L'Engle	Riordan
Ansberry	Evans	Lindquist	Roberts, Mass.
Baltz	Fairchild	Loft	Rothermel
Barchfeld	Faison	McAndrews	Rucker
Bartholdt	Fess	McClellan	Rupley
Beall, Tex.	Fowler	McGuire, Okla.	Saunders
Blackmon	Gallivan	Mahan	Scully
Bowdle	Gardner	Maher	Seldomridge
Britten	Garrett, Tenn.	Martin	Sells
Brown, N. Y.	George	Metz	Sherley
Brown, W. Va.	Gilmore	Miller	Sherwood
Browning	Goldfogle	Moore	Shreve
Brumbaugh	Gorman	Morgan, La.	Sims
Burgess	Graham, Pa.	Morin	Sinnott
Burke, Pa.	Greene, Vt.	Murdock	Slayden
Burke, S. Dak.	Gregg	Neeley, Kans.	Slemp
Cantor	Guernsey	Neely, W. Va.	Small
Cantrill	Hamill	Nolan, J. I.	Smith, Saml. W.
Carter	Hamilton, N. Y.	O'Brien	Stanley
Casey	Hart	Oglesby	Stephens, Cal.
Chandler, N. Y.	Hawley	O'Hair	Stephens, Tex.
Clancy	Hayes	O'Shaunessy	Talbott, Md.
Claypool	Hobson	Padgett	Talcott, N. Y.
Connolly, Iowa	Johnson, S. C.	Page, N. C.	Tavenner
Copley	Jones	Parker, N. Y.	Taylor, N. Y.
Dale	Keister	Patten, N. Y.	Thomson, Ill.
Davenport	Kelley, Mich.	Peters	Vare
Davis	Kennedy, Conn.	Porter	Wallin
Donohoe	Kennedy, R. I.	Pou	Whitacre
Dooling	Kettner	Price	Wilson, Fla.
Driscoll	Key, Ohio	Ragsdale	Wilson, N. Y.
Eagan	Kindel	Reed	

So the bill was passed.

The Clerk announced the following pairs:

For to-day:

Mr. STEPHENS of Texas with Mr. BURKE of South Dakota.

Until further notice:

Mr. TALBOTT of Maryland with Mr. SAMUEL W. SMITH.

Mr. SLAYDEN with Mr. FESS.

Mr. WILSON of Florida with Mr. FAIRCHILD.

Mr. DALE with Mr. MARTIN.
Mr. BLACKMON with Mr. AINEY.
Mr. BROWN of West Virginia with Mr. ANDERSON.
Mr. BURGESS with Mr. BARCHFELD.
Mr. CANTRILL with Mr. BARTHOLDT.
Mr. CARTER with Mr. BRITTEN.
Mr. CASEY with Mr. BURKE of Pennsylvania.
Mr. DAVENPORT with Mr. CHANDLER of New York.
Mr. DOOLING with Mr. COPLEY.
Mr. DRISCOLL with Mr. EDMONDS.
Mr. EAGAN with Mr. DAVIS.
Mr. GALLIVAN with Mr. GREENE of Vermont.
Mr. GARRETT of Tennessee with Mr. HAMILTON of New York.
Mr. GREGG with Mr. HAWLEY.
Mr. HAMILL with Mr. GUERNSEY.
Mr. JOHNSON of South Carolina with Mr. HAYES.
Mr. HART with Mr. KEISTER.
Mr. JONES with Mr. KELLEY of Michigan.
Mr. KETTNER with Mr. LINDQUIST.
Mr. KEY of Ohio with Mr. MCGUIRE of Oklahoma.
Mr. KONOP with Mr. MILLER.
Mr. MCANDREWS with Mr. KENNEDY of Rhode Island.
Mr. MORGAN of Louisiana with Mr. PARKER of New York.
Mr. NEELY of West Virginia with Mr. J. I. NOLAN.
Mr. O'SHAUNESSY with Mr. PETERS.
Mr. PADGETT with Mr. ROBERTS of Massachusetts.
Mr. PAGE of North Carolina with Mr. SHREVE.
Mr. POU with Mr. SINNOTT.
Mr. RAGSDALE with Mr. PORTER.
Mr. RIORDAN with Mr. SLEMP.
Mr. RUCKER with Mr. STEPHENS of California.
Mr. SAUNDERS with Mr. VARE.
Mr. SHERLEY with Mr. WALLIN.
Mr. SHERWOOD with Mr. MOORE.
Mr. SIMS with Mr. MORIN.
Mr. PATTEN of New York with Mr. SELLS.
Mr. SMALL with Mr. GRAHAM of Pennsylvania.
For the session:
Mr. SCULLY with Mr. BROWNING.

The result of the vote was announced as above recorded.

On motion of Mr. WEBB, a motion to reconsider the vote by which the bill was passed was laid on the table.

LEAVE OF ABSENCE.

By unanimous consent, Mr. BRUMBAUGH was granted leave of absence for one week, on account of illness in a hospital.

CERTIFICATION TO THE SUPREME COURT.

Mr. WEBB. Mr. Speaker, on behalf of the Committee on the Judiciary, I desire to call up for consideration the bill S. 94, on the House Calendar, No. 217.

The SPEAKER. The Clerk will report the bill.

The Clerk read as follows:

An act (S. 94) to amend an act entitled "An act to codify, revise, and amend the laws relating to the judiciary," approved March 3, 1911.

Be it enacted, etc., That section 237 of chapter 10 of an act entitled "An act to codify, revise, and amend the laws relating to the judiciary," approved March 3, 1911, is hereby amended by adding thereto the following:

"It shall be competent for the Supreme Court to require, by certiorari or otherwise, any such case to be certified to the Supreme Court for its review and determination, with the same power and authority in the case as if it had been carried by appeal or writ of error to the Supreme Court, although the decision in such case may have been in favor of the validity of the treaty or statute or authority exercised under the United States or may have been against the validity of the State statute or authority claimed to be repugnant to the Constitution, treaties, or laws of the United States, or in favor of the title, right, privilege, or immunity claimed under the Constitution, treaty, statute, commission, or authority of the United States."

Mr. WEBB. Mr. Speaker, in simple words, this bill gives the right to ask for a writ of certiorari whenever the supreme court of a State declares a State law invalid by reason of its infringement upon any Federal right arising under the Federal Constitution, treaty, or Federal law. At present if a supreme court of a State decides a law to be not in contravention of the Federal Constitution or a Federal right, then an appeal may be had by writ of error to the Supreme Court of the United States. But the converse of that proposition is not true—that is, if the supreme court of a State declares that a State law violates a Federal right then there is no appeal. That has been the condition in the United States for 100 years.

As a matter of historical interest we are told that the reason for the one-sided right of review is that in the early days of the Federal Government the only apprehension was that the State courts might encroach upon the powers granted to the Federal Government, and as a safeguard against this apprehended danger the present law was passed.

This apprehension no longer exists. With its passing has gone the reason for the one-sided review. But as long as the statute lives it serves to grant a right to one party in the suit, which right is denied to the other. Viewed from the standpoint of the litigant, who is the party to be served in the administration of civil law, it is difficult to see why, if it is necessary or desirable to have the Supreme Court of this Government pass upon the judgment of the court of a State in construing the fundamental or statutory laws of the Federal Government, when the judgment of the State court does not uphold the Federal right claimed, the same tribunal should not review the judgment of the same State court, when in the exercise of the same judgment they upheld the Federal right claimed.

In the last few years a widespread demand has gone up for a right to appeal in a case such as provided for in this bill. To give you a concrete case, lawyers from New York and over the country are familiar with the case of Ives against the Buffalo Railroad Co., involving the construction of the workmen's compensation act, or the labor law. The case was carried to the Supreme Court of New York, and that court declared the act of the Legislature of New York invalid because it offended against the fourteenth amendment to the Constitution of the United States. There was no right to appeal from that decision, whereas if the court had held that the law was constitutional the railroad could have appealed. In other words, it gave the railroad in that case two bites at a cherry, while the last resort was the State court, when a State statute had been declared unconstitutional.

Since the Supreme Court of the United States is the final tribunal which should pass upon the meaning of the Constitution, treaties, and statutes of the United States, we think this power to review the judgment of the State court should be extended to it where either side felt that substantial justice had not been done it by the construction of the State court, whether it technically was in favor of or against the validity of the Federal right claimed, and the Supreme Court is of the opinion that it is a case of sufficient importance to justify their review.

There is no reason, so far as the Judiciary Committee can see, why the same right should not be given both sides.

This would make for the uniformity of the Federal laws in their practical application to the numerous questions that would arise in the several States. Under existing laws the Federal Constitution may mean one thing in one State and the reverse in another.

For instance, in New Jersey a similar workmen's compensation act was held constitutional. In New York it was held unconstitutional. If the case had been carried to the Supreme Court of the United States from New Jersey and it had declared the law of New Jersey constitutional, then we would have the Supreme Court of New York declaring the identical law unconstitutional, whereas the Supreme Court of the United States had declared the same law in New Jersey was constitutional. This idea has been discussed by the American Bar Association, lawyers, and publicists for quite a while, and it passed the House of Representatives a year ago. It has passed the Senate, and we are now considering a Senate bill, and if the House will indulge me I want to read an extract from a letter which I received a few days ago from Mr. Wheeler, a distinguished lawyer of New York, a public-spirited man, and a distinguished member of the legislative committee of the American Bar Association. He said:

We also hope the Judiciary Committee of the House will report favorably Senate bill 94, giving authority to the Supreme Court to grant a certiorari in cases where the decision in the State court is averse to the constitutionality of a State statute.

Since I saw you I have seen the report of the Industrial Relations Commission. The report deals with the subject of industrial unrest, and mentions as one of its causes a belief on the part of many that "There is one law for the rich, another for the poor." The commission report that both employers and employees are of opinion that in many cases before the courts justice is not done. It will certainly be a great advance if the present Congress should pass the two bills referred to, which are really fundamental.

Take, for example, the Ives case, in which the Court of Appeals of New York decided against the validity of the workmen's compensation act. It was felt as a great grievance by the working men that they had no right to ask to have the decision reviewed by the Supreme Court, although if the decision had been the other way the employer would have had the right to such review.

Mr. Speaker, for the reason given in the report and for the reason that I have assigned I hope the vote on the bill will be unanimous. I can see no reason why we should not give the right of appeal to both parties in the case where a Federal question is involved.

I reserve the balance of my time.

Mr. LEWIS of Maryland. Mr. Speaker, naturally very much, indeed, nearly all, of the legislation being passed and to be passed in this country to make those adjustments of the rights

of individuals necessary for the changing conditions of society are acts of legislation passed by State legislatures. In each such case the unwilling party may challenge the power of the legislature to pass such legislation, in the name of the Federal Constitution. When he makes that challenge, if the State court in which it is made should not agree with him, he can have resort to the Feredal courts, and to the Supreme Court itself. But if the decision of the State authority should be negative, should sustain his challenge and take his view of the Federal principle, then the State authorities themselves can not appeal to the Supreme Court to get its view of what the Federal principle really is.

Now, the effect of that discrimination between the parties has not only been to strike down State sovereignty in a great many instances, but to destroy some of the wisest State legislation enacted in this country on those difficult relations of labor and capital. I think now, sir, of two instances that occurred in my own State, even with courts that are far, far above any suspicion. In one of them State legislation designed to put an end to the so-called "pluck-me" store was stricken down in our courts on the strength of the old precedents in other States, on the theory that such legislation was in conflict with the rights vouchsafed the citizen by the Federal law. In another case laws providing for semimonthly pay days were stricken down on the same argument, and, I believe, by judges who disliked the consequence of their own reasoning, but who did it on the basis of misoneistic decisions, if I may use that phrase, made a generation ago. Now, in both of those cases no appeal could be taken. Now, as a matter of circumstance, if not as a matter of principle, the workmen of that State were denied the right to go to the higher courts, when their antagonists could go to those courts ad libitum.

I think the history of the legislation explains itself and justifies the bill, which has been favorably reported. It was naturally assumed in the early days of the Republic, when there was an intense devotion to local authority and local power and considerable distrust of Federal power, that State courts if they committed any error would commit it under the impulse of a bias in favor of State legislation, and that there was no practical danger, therefore, that the State courts would decide against valid State legislation; in short, that the benefit of the doubt would be given to their own legislatures and not to some abstract contentions made under Federal principles. But we have found, thanks to the growing sense of solidarity in our country, thanks to the patriotism that gives us but one flag, that the State courts are quite as anxious to sustain Federal principles, where they can be invoked, as they were then to sustain the sovereignty of the local power. And the result has been that the foresight of the fathers failed with respect to this discrimination; and the reason for it having passed away, I think this House, following the example set by the Senate, should eliminate that discrimination. [Applause.]

It was my privilege to offer and have adopted by the House at the last session an identical amendment to the judicial revision bill now before the Senate, and it is a pleasure to support it this afternoon.

Mr. TOWNER. Mr. Speaker, there is nothing to indicate in the Constitution of the United States in the provision that relates to the jurisdiction of the Supreme Court that there should be granted to one side rather than to another the right of appeal. The provision of the Federal Constitution is that—

> The judicial power shall extend to all cases, in law and equity, arising under the Constitution, the laws of the United States, and treaties made or which shall be made under their authority—

And so forth. I think it would be utterly impossible to find anyone who would advocate the passage of the law that for years has been upon our statute books which gave specifically the right, not of an appeal to both parties or to either party, but only to one. I think it would perhaps be a surprise to those who are not familiar with the statute to find that under this general power which certainly was intended to be available to any party to a suit, it should be deliberately written in the statute that it should be only available to one side. The language of the act which has been continued for these years to the disgrace of our jurisprudence upon the statute books is that—

> A final judgment or decree in any suit in the highest court of a State in which a decision in the suit could be had, where is drawn in question the validity of a treaty or statute of, or an authority exercised under, the United States, and the decision is against their validity; or where is drawn in question the validity of a statute of, or an authority exercised under, any State, on the ground of their being repugnant to the Constitution, treaties, or laws of the United States, and the decision is in favor of their validity; or where any title, right, privilege, or immunity is claimed under the Constitution, or any treaty or statute of, or commission held or authority exercised under, the United States; and the decision is against the title, right, privilege, or immunity especially set up or claimed, by either party, under such Constitution, treaty, statute, commission, or authority, may be reexamined and reversed or affirmed in the Supreme Court upon a writ of error. The writ shall have the same effect as if the judgment or decree complained of had been rendered or passed in a court of the United States. The Supreme Court may reverse, modify, or affirm the judgment or decree of such State court, and may, at their discretion, award execution or remand the same to the court from which it was removed by the writ.

Specifically in the further provision of the statute is where the right of an appeal or rehearing in the Supreme Court of business regarding the Constitution and treaties and laws of the United States is only given to one party as the case may be. It is so manifestly unjust that I can not think anyone now, with our present sense of fairness, at least, in jurisprudence would support and sustain it. Therefore for that reason we ought now to change it. We ought to have changed it years ago. The American Bar Association has, I believe, for 20 years advocated it. In fact, this bill is the provision of the American Bar Association, and it has been supported and sustained and hardly ever challenged by nearly all of the leading jurists and lawyers of the United States.

Further than that, it has gone out to the people so that they have understood finally that they were being in certain cases deprived of their constitutional rights; and now the sentiment is very general, wherever the question has been mooted at all, in favor of the adoption of this great reform in our jurisprudence.

I join with the chairman of the committee in the hope that the vote on this bill may be unanimous in its favor.

Mr. VOLSTEAD. Mr. Chairman, allow me to say just one word in reference to this bill. It seems to me that it ought to pass. I think the law as it now stands works an injustice in many instances, and I think it works an injustice largely to the smaller man and to the general public.

The cases that are taken to the courts for the purpose of having a statute declared unconstitutional are, I believe, in the great majority of cases, taken there by the large corporate interests. It is those interests that as a rule try to have the laws set aside that have been passed for their control. If they succeed in having those laws set aside in a State court, that ends it under the law as it now stands. The other side can not appeal. If they fail to have the statute declared void in a State court, they can appeal to the Supreme Court of the United States and have another chance there to effect their purpose.

It seems to me that we ought not to leave a statute like that in force any longer. We ought to allow equal treatment to all parties and not favor these large interests. Every lawyer is familiar with the class of cases and the class of litigants that appeal to our courts to set aside the will of the people as expressed by our State legislatures. There is no good reason why those who seek to thwart the will of the people should have any advantage, such as that given by the present law, over those who seek to sustain the law and the legislative will.

Mr. SMITH of Minnesota rose.

The SPEAKER. The gentleman from Minnesota [Mr. SMITH] is recognized.

[Mr. SMITH of Minnesota addressed the House. See Appendix.]

Mr. MANN. Mr. Speaker, I shall vote for the bill, one reason being that I hope it will be the final enactment of legislation on the subject. It is so much better than the bill introduced by my friend from Minnesota and some other bills on the subject that I would be glad to vote for this bill and get the matter out of the way.

For more than a hundred years the law on the subject has been practically what it is now with reference to these appeals. There is a very good reason for it. No one can tell how many cases will be brought under this provision of law in the Supreme Court, or how many cases will be brought in the lower courts with the design of reaching the Supreme Court. If Congress had dreamed, when the fourteenth amendment to the Constitution was adopted, that it would be used in the way that it has been used to get cases into the Supreme Court of the United States, it undoubtedly never would have been adopted in the form that it was. No one had a suspicion that it was as broad as it is.

I am not sure whether under this provision every municipal ordinance that may be passed by Podunk or some other place will not eventually reach a claim before the Supreme Court for a writ of certiorari.

I have noticed a natural tendency since I have been a Member of the House to keep on increasing the work of the Supreme Court of the United States. The amount of work that any man can do is limited. The amount of work that any court can do is limited, where the cases are to be considered by all the judges in the court; and if we keep on piling on to the Supreme Court of the United States additional cases, without taking away any of the cases which now go there, in the end we will have destroyed largely the benefit of the Supreme Court, either by delaying the determination of cases or by requiring such hasty

determination that the opinions will not be very valuable. If the Committee on the Judiciary succeeds in passing this bill, I hope it will bring before the House some bill which contains a limit on the jurisdiction of the Supreme Court of the United States in cases of appeal.

Mr. WEBB. I will say to my friend that we are going to do that in the very next bill we call up.

Mr. MANN. Oh, well, that is going to limit it where it has no jurisdiction. That is the fact of the matter. But the amount involved in cases going to the Supreme Court ought to be increased, although, of course, you will be told by the demagogues at once that you are only providing a court for the rich man and not for the poor man. When we created the circuit court of appeals in order to help the Supreme Court the Supreme Court gradually overtook its business from year to year for a series of years, until it began to be able to see daylight ahead; but now the work of the Supreme Court is again getting behind, because we keep piling up new business on that court, and I venture to say that the justices of the Supreme Court of the United States are the hardest working judges in the world.

The bill was ordered to a third reading, and was accordingly read the third time and passed.

On motion of Mr. WEBB, a motion to reconsider the vote by which the bill was passed was laid on the table.

LEAVE TO EXTEND REMARKS.

Mr. BUCHANAN of Illinois. Mr. Speaker——

The SPEAKER. For what purpose does the gentleman from Illinois rise?

Mr. BUCHANAN of Illinois. I ask unanimous consent to extend my remarks in the RECORD by printing the report of an arbitration opinion by Hon. STEPHEN G. PORTER, of Pittsburgh, between the employees and employers of the street car system there.

The SPEAKER. The gentleman asks unanimous consent to extend his remarks in the RECORD. Is there objection?

There was no objection.

Mr. BUCHANAN of Illinois. Mr. Speaker, the Hon. STEPHEN G. PORTER in rendering this opinion has served the cause of the wageworkers in Pittsburgh and throughout the country, which should and will be highly appreciated by the working masses and all who are in sympathy with the cause of humanity. It is indeed regrettable that the majority of the arbitration board were not capable of exercising broad-minded, equitable, and humane judgment, as did the gentleman from Pennsylvania, my friend STEPHEN G. PORTER.

The opinion is as follows:

DISSENTING OPINION OF HON. STEPHEN G. PORTER, MEMBER OF CONGRESS, TWENTY-NINTH DISTRICT PENNSYLVANIA, IN THE MATTER OF THE ARBITRATION OF THE WAGE DISPUTE BETWEEN THE PITTSBURGH RAILWAYS CO. AND ITS MOTORMEN AND CONDUCTORS.

On May 1, 1914, the two-year wage agreement between the motormen and conductors of the Pittsburgh Railways Co., their employer, expired. Representatives of both sides held a number of meetings in an effort to agree upon a new scale of wages, but after prolonged negotiations they were unable to reach an agreement.

The motormen and conductors of this company, 3,000 and upward in number, belong to the Amalgamated Association of Street and Electric Railway Employees of America. This organization differs from the usual labor organization in that it does not insist upon what is known in labor circles as the "closed shop," but relies entirely for its membership upon the benefits derived from its method of aggregate bargaining with the employer and the payment of insurance in case of sickness or death. It is the fundamental law of the organization that all disputes between the employers and employees must be settled by the peaceful method of arbitration unless the employers absolutely refuse to do so. The testimony disclosed that a large majority of the motormen and conductors of the United States belong to this organization, and that during the last few years practically all their disputes as to wages and labor conditions have been settled by this method, notable cases being the recent Boston and Chicago arbitrations.

An adequate street car service in a city like Pittsburgh in this age of transportation is a matter of tremendous importance to every citizen, and this organization undoubtedly recognizes by the adoption and enforcement of arbitration the irreparable injury done every citizen by a strike of the street car employees and that the loss by such action is greater to the helpless citizens than it is to the parties to the controversy. This "cool-headed" instead of "broken-headed" method of settling labor disputes and thus protecting the innocent public entitles, in my judgment, the members of this organization to the highest commendation and makes it the positive duty of this board of arbitrators to give their claims the tenderest care and most careful consideration.

I have always believed that arbitration of labor disputes resulted in more substantial justice to both sides than any other method of settlement which the genius of man has so far devised, and when I was requested by the officials of these motormen and conductors to represent them upon this board of arbitration I readily consented to do so, believing that I would be doing a public service not only to the employees of the company but to the citizens of Pittsburgh, all of whom have a vital interest in the peaceful settlement of this wage scale.

Before the discovery of steam and electric power labor disputes were unknown. The relations between the employer and employee were simple. The employee was in daily contact with his employer, and the little differences which arose from time to time were promptly adjusted. The use of these two great forces, coupled with the inventive age which they developed, has resulted in combinations of capital and the unionizing of the workmen. The latter was the natural result of the former. Capital recognizes the value and efficiency of combination; labor recognizes the value and efficiency of aggregate bargaining with the employer. In fact, during the last half century steam power, electric power, and inventions have revolutionized our entire industrial situation to such an extent as to create many new and important questions, of which the most important is a proper and equitable adjustment of the relations between employer and employee.

After my acceptance it became my duty to agree with J. C. Gray, Esq., who represented the Pittsburgh Railways Co. on the board, upon a third person as umpire. We early found the selection of such a man to be a very difficult matter. We considered upward of a hundred men. I do not believe that either of us discarded any man because we felt that he lacked intellectual honesty, but entirely because of his point of view upon industrial questions. My difficulties in the matter were materially increased by the fact that the financial ramifications of the Pittsburgh Railways Co. are like an endless chain and wield an unseen influence over the minds of many of Pittsburgh's best-known citizens. We finally agreed upon S. Leslie Mestrezat, justice of the Supreme Court of Pennsylvania, who was unable to serve, and subsequently upon the Hon. Joseph Buffington, of the United States Court of Appeals, and immediately proceeded to take testimony.

The entire board agreed that technical rules of evidence were to be ignored, and that all testimony tending to throw any light upon the matter in dispute was to be admitted. The testimony, as a result, took a very large range and many days to hear it. The hearings were closed on the 20th day of July and contained upward of fifteen hundred pages. On the 28th day of July the oral arguments of counsel for both sides were heard and printed briefs submitted.

Immediately thereafter the board reconvened, had a number of daily conferences, and after protracted discussions it became evident to the umpire, the Hon. Joseph Buffington, that Mr. Gray, representing the company, and myself, representing the employees, were unable to agree upon an award; and the umpire assmued the burden of deciding the many weighty questions involved in this dispute. His report is now before me. I have read it with care, and regret to state that the conclusions reached by him are so clearly at variance with my ideas of what they ought to be that I feel it my duty to file this dissenting opinion.

The wage scale which expired on May 1, 1914, was adopted in 1912, and is as follows:

	Per hour.
First 6 months	$0.23½
Second 6 months	.25
Second year	.26½
Third year	.28
Fourth year	.29
Fifth year and thereafter	.30

It is but fair to assume that this scale, being adopted by mutual agreement between the employees and the company, was reasonably satisfactory to both sides, and I believe that the principles so well stated in the brief of the counsel for the employees should guide us in the determination of this controversy: "That wages ought to be higher than those which have prevailed in the past if the work is now harder or more responsible, or if it requires more skill, or if it is shown that the wages in the past have been too low or beneath a living wage. The wages for any useful work on which a man is required to spend eight hours a day six days a week ought at the minimum to be sufficient to maintain a normal family (husband, wife, and three children under the earning wage) in health and reasonable comfort. We submit that the resources of this country and this district are amply sufficient to maintain such a standard, and that it is self-evident that the Nation can not be sound, healthy, and happy upon any other basis."

DUTIES AND RESPONSIBILITIES.

It is necessary for a proper understanding of this matter to state the extraordinary nature and character of the labor which the employees are called upon to perform by the company.

In the selection of motormen and conductors the company exercises great care to secure men of clean habits and good health. They must be over 25 years of age and under 45, absolutely free from all evidence of dissipation of any kind. The company was requested to furnish a list of the rejected men for the period of the year before the hearings. It failed to do so, and I therefore assume, by reason of this failure, that many are rejected because they do not comply with the standard heretofore stated. The applicant for position files an application in which his family history is given, the names of all his previous employers, condition of his health, and the names and addresses of men whom he thinks are willing to recommend him as a sober and industrious man. He then receives a most rigid examination by the company's surgeon, and if he passes this, and if the company's investigation of him has been satisfactory, he is given employment. He is then sent to one of the barns and for four or five days rides on a car with an experienced motorman or conductor, and is instructed by him as to his duties. He is then allowed to occasionally operate the car or collect fares, and his care in the performance of these duties is reported to the company by the motorman or conductor by whom he is being instructed. If a conductor, he is then sent to the conductor instructor to receive further instructions as to the complicated system of transfers now in use by the company, the preparation of accident reports, and other matters connected with his employment. If he is a motorman, he is sent to the motorman instructor and thoroughly examined as to the workings of the car. He is then given a book containing 162 rules, every one of which he is required to know and obey. He is then placed to work as an extra and receives, while acting as such, compensation of about $1.40 per day. The period of this service ranges from three months to a year.

The modern electric car is a complicated piece of machinery, and inasmuch as there are several types of cars in use by the company, the men are required to be thoroughly familiar with the mechanism of each type.

"Rule 215. Test for trouble:

"(a) Power off on car, lamp circuit out—

"If the power is off on car and lights will not light, and it is known that the power is on the line, examine the trolley wire at trolley base; ground wires on motors; or if there is dirt on the rail, place a switch iron so as to make contact between truck and rail.

"(b) Power off on car, lamp circuit lit—

"Examine fuse, fuse leads, ground leads at motors, also motor leads. Examine the controller contacts. Try rear controller. Try overhead switch.

"(c) To cut a controller out—

"If it is necessary to cut a controller out because it is flashing, when the controller on the other end of the car is thrown on the trolley and ground wires must be removed and placed so that they will not come in contact with the frame of the controller or with each other.

"Trouble in motor—

"If one of the motors is seen to be disabled or in trouble, cut it out by pulling the proper plug in controller or cut-out box. Sometimes a motor lead may cause the trouble. A broken motor lead may be connected with fuse wire.

"Lamp circuit—

"The lamps may sometimes refuse to light. This will probably be found to be due to one of the following causes: A broken or burnt-out lamp; poor contact between one of the lamps and its socket; poor contact in the switch; a loose or broken wire. The remedies being as follows: Replace the defective lamp with a new one; try every lamp, pushing it more firmly into the socket. If the above fail to remedy the defect, it should be reported without delay.

"If car fails to move when you try the controller, see that the fuse is properly adjusted; if burnt out, replace with a new one."

Page 81. Rule 223.

"Rule 223. Operation of air brakes:

"When taking cars—

"The air reservoir is always empty and drain cock open when the car is in barn. Therefore motormen will, when taking car, observe the following instructions:

"(a) See that the reservoir bleeding valve is closed.

"(b) When not hauling trailers, see that the valves at the rear are closed.

"(c) When hauling trailers, see that the valves to trailers are open and that the air hose is coupled properly, being crossed between cars.

"Motormen must try brakes on emergency as well as service application before starting after receiving trailer. Conductor of each car must watch brakes and see that the shoes apply and release properly before giving starting signal.

"(d) Turn both pump switches in cabs to 'on' to start the pump and watch gauge closely.

"(e) After having followed the above instructions, should you find the red hand has passed the 75-pound mark, turn off the platform pump switch and report same to first inspector and also to barn foreman, who will inspect the car.

"(f) Before starting car see that air pressure is off brake cylinders by throwing handle to 'release' position; with valve handle in 'release' position, the black hand in gauge should sink to zero; with black hand at zero and valve handle in 'release' position, the car is ready to start. Always carry valve in 'release' position when not actually using brake.

"(g) When making an ordinary service stop throw valve handle to 'service-stop' position and back to 'lap' position, making one application of air. As the car slows down throw handle to 'release' position so that at the moment car stops the pressure (as shown by black hand) shall have fallen to about 10 pounds if car is on level. If on a hill, of course, the final amount of air necessary to stop the car may be greater. When a car is running at full speed, more pressure can be put on brake cylinder without skidding the wheels than at the moment of stopping.

"(h) Never throw handle to 'emergency' position except to avoid accident.

"Brakes sticking—

"If after a stop the black hand fails to sink to zero, then the air pressure is still on in the brake cylinder and the car will not start. To remedy this first throw handle to emergency position two or three times until motor compressor starts; second, if this fails to remedy the difficulty, then set hand brake, turn off compressor pump, then bleed the reservoir by letting the air exhaust through the reservoir bleeding cock. If you are hauling a trail car, examine the hose connection between the cars.

"After brakes release start the compressor pump again and do not start car until the gauge registers 55 pounds.

"If, after following above instructions, the brake still sticks, bleed the reservoir again and run on hand brake, reporting same to first inspector and also to barn foreman.

"(j) If brakes set without the engineer's valve being thrown, make tests as for above:

"Pump governor out of order—

"(k) If the pump governor does not regulate between 50 and 65 pounds, report same to first inspector.

"(l) If the pressure is below 40 pounds or above 75 pounds, cut the governor by turning governor-cock handle down and run into barn on gauge. To do this watch the gauge closely, and as soon as the red hand sinks to 50 pounds start the pump by turning pump switch to 'on' position; thence when gauge registers 65 pounds turn pump switch to 'off' position. Repeat this as often as necessary.

"Coupling and uncoupling cars—

"When coupling trail car to motor car—

"(m) See that the hose couplings are crossed.

"(n) Always couple up hose before opening cut-out cocks, there being two such cocks on each end of car.

"When uncoupling trail car from motor car—

"(o) First set up hand brake on both cars, then release the air from operating valve, letting air out of straight air pipes in both cars.

"(p) Uncouple the hose between the cars and couple the two on each car together. This will keep dirt out of the pipes.

"(r) In case the car has not been uncoupled properly and the trail car will not move because of brakes being set, drain the reservoir on trail car at the drain cock on bottom for such purpose.

"Supplementary—

"(s) Never leave the platform of a car until you have released the air brake and applied the hand brake sufficiently to hold the car.

"(t) Before the car is put away in the barn the air pump must be stopped and drain cock under the reservoir opened wide. This is important and must be done whenever car enters the barn for storage, either day or night.

"(u) Air brake may be used on grades."

"Rule 206. Economical use of current:

"(a) In order to effect an economical use of the electric current it is necessary that the continuous movements of starting and increasing speed should be made gradually. In starting a car let it run until the maximum speed of each notch has been attained before moving handle to the next notch. The controller must never be thrown on the last point if the car does not start on the preceding one.

"(b) Do not apply brakes when the current is on.

"(c) Do not apply current when the brakes are applied.

"(d) A great amount of power can be saved by using judgment and discretion in approaching stopping places and switches by shutting off power so as to allow the car to 'drift to the stopping place without a too vigorous use of brake.'"

A reading of the above rules ought to satisfy any mind that the technical and practical knowledge of especially the electric equipment of these cars demands of the employee a very high order of intelligence. In addition to this, he must be able to start his car smoothly and stop it in the same way. He must be economical in the use of the electric current. He must have good judgment and be extremely careful to protect the lives and limbs of citizens who momentarily, through thoughtlessness or otherwise, are unable to avoid injury or death from his car. In fact, it might be stated here that while the physical strain on these men is very great the mental strain from almost daily avoiding injuries to pedestrians is much greater. The happening of a distressing accident, especially to a child, usually destroys the efficiency of a motorman.

The speed of the cars, according to the testimony, exceeds in some instances 25 miles per hour, and is being increased as the large cars are placed in the service. These large cars are run on the same schedule as the smaller ones, and inasmuch as they carry double the number of passengers the number of stops are materially increased, and the motorman, to maintain the schedule, must increase the speed between the stops. The conductor is required to maintain order in the car, and, if called upon, it is the motorman's duty to assist him in ejecting disorderly passengers.

The conductor is required under rule 11:

"(b) The conductor is in charge of the car and is held responsible for the safety and convenience of the passengers and for the collection and proper accounting of all fares.

"(c) With the motorman, he is responsible for the running of the car in strict accordance with the rules and regulations.

"Rule 13. (A) To keep a lookout for persons desiring to board the car and a careful watch of passengers to observe request to stop car.

"Rule 16. He must treat all passengers with politeness under all conditions.

"Rule 17. (C) To give passengers any information desired.

"Rule 25. To report accidents and give all necessary aid to the injured.

"Rule 24. To eject all disorderly passengers.

"Rule 30. To control by bell signals the movement of the cars so as to protect passengers.

"Rule 68. Must regulate the heating and ventilating of the car.

"Rule 101. To promote the comfort and convenience of the passengers by announcing all streets, principal places, transfer points, etc.

"Rule 105. Issue transfers at such places and times as the rules provide.

"Rule 109. To give special attention to seating passengers.

"Rule 8. And present a good appearance personally by neatness of persons, hands, clothing, and habits of sobriety.

"(Rule 10.)"

They are frequently reminded by the rules that "employees bear in mind that they are engaged in a public service, in which they are constantly called upon to exercise great patience, forbearance, and self-control." The conductor must be a man of tact, and especially proficient in making change. If he makes a mistake in change or accepts counterfeit or mutilated coins, the loss occasioned thereby is taken from his wages. As so well stated in the brief of counsel for the men, "he must look above the weakness of individuals in the cars, meet discourtesy with courtesy, unreasonableness with reason, impatience with patience." This company has made many arbitrary rules governing the operation of its cars, and the dissatisfaction resulting therefrom materially adds to the annoyance of both the conductors and motormen, whom thoughtless people look upon as responsible for the company's actions. In the course of a day's employment he handles upward of a thousand human beings—men, women, and children. He must constantly be on the alert to protect the aged and infirm while entering or leaving the car. He must be ever willing to help the mother with her child and see that they enter and leave the car in safety. He must protect the passengers from the disorderly or drunken passenger, and sometimes take a severe beating in doing so. He is required to make out a number of complicated reports at the end of his day's work, for which he receives no compensation. He must be thoroughly acquainted with all the streets and public buildings, and in some instances street numbers, of all the routes his car is operated; and above all things he must be careful that passengers are not injured by the premature starting of the car, which always results in a heavy loss to the company. This work must all be done with the schedule in mind. He is therefore frequently hurried in its performance. If employed on one of the old cars collecting fares, he is compelled many times to use physical force to get through an overcrowded car, breathe at all times the foul atmosphere, careful not to make mistakes in change, especially careful not to ask the same passenger for his fare the second time, and at the same time watch for people who desire to board or leave the car, and see that they do so in safety.

EXPOSURE.

The exposure of the employees to all kinds of weather conditions should be, I believe, taken into serious consideration in fixing their wages. The unavoidably irregular hours of their labor requires them to leave home at an hour and minute fixed by their employer. Rain, sleet, hail, snow, or zero weather will not excuse them. Their duty is fixed and certain; it is to take out the car and operate it according to the rules of the company while in a partially protected position, from 9 to 13 hours. A man who can do this for a number of years in this climate without feeling the ill effects from exposure would be, indeed, a physical marvel.

It is urged by the umpire that the work in the fresh air accounts for the splendid physical appearance of all the men who appeared before us. Fresh air is undoubtedly conducive to good health, but there is an old adage that "too much of a good thing is worse than none at all," and the man who operates a street car in this variable climate is getting entirely too much of a good thing in the way of fresh air. The magnificent physical appearance of these men, in my opinion, is not so much due to the fresh air as to the fact that they are carefully selected and give evidence of having avoided all kinds of dissipation.

OCCUPATIONAL DISEASES.

It is also in evidence, and admitted by the company—and therefore I assume it to be true—that many of these men suffer from occupational diseases, such as the breaking down of the arch of the foot from standing, tonsilitis, rheumatism, and other diseases due to exposure in bad weather.

DANGEROUS NATURE OF THE EMPLOYMENT.

The operation of a street car, or any form of transportation vehicle, is recognized as a dangerous one. The dangers from collision, runaway horses, imperfect equipment of the cars, are always present, and the casualty list among the employees of this company, while probably no greater than in other cities, is quite large. The open summer car, which requires the conductor to ride on the running board while

collecting fares, or aiding passengers to board or leave the car, places him in a position of great danger from passing vehicles or obstructions, this exposed condition being responsible for many injuries to the conductors.

IRREGULARITY OF THE HOURS OF LABOR.

The irregularity of the hours of labor of these employees should also be given substantial weight in determining their wages. According to the evidence they are divided into four classes:

First. The early straight men, who go to work about 5 o'clock in the morning and work straight through until 4 in the afternoon.

Second. The late straight men who go to work about 3 o'clock p. m. and work straight through until 1 a. m.

Third. The swing men who work from about 5 a. m. to 10 a. m. and then from 4 p. m. to 9 p. m. They work and are paid for about 10 hours' labor, but the layover in the middle of the day requires them to be on duty upward of 15 hours.

Fourth. Extra men. These men have no regular work from day to day, but are used as occasion requires to fill the places of regular men and to handle the extra night and evening rush hours.

The early straight men have the advantage of spending the evenings with their families. This is denied the late straight men, who reach home between 1 and 2 a. m. If they sleep the usual number of hours, they do not arise until 9 or 10 a. m. The same is true of the swing men, who start extremely early in the morning, have a lay-over about midday, and then resume the work until almost midnight. The testimony shows that a large number of these employees are married and have families. In the case of the late straight and swing men they seldom see their children; the late straight men rising after the children have gone to school, and when they return home the children are in bed; the swing men arising before the children are up, and returning at midnight after they have retired. These men can not go to the theaters or enjoy any form of recreation in the evenings, because they are engaged in their work. Their home life is destroyed, and it is with them simply a proposition of eating, sleeping, and working, in the hope that some day through resignation of other employees or otherwise they will secure an early straight run.

The necessities of the traveling public compel them to work on holidays and Sundays. Holidays and Sundays are always looked forward to by home-loving men as days of recreation, rest, and devotion, but to the street car motorman or conductor the holidays are days of much greater labor and Sundays days of the usual work. In a normal industrial calling the man goes to and returns from his work at seasonable hours. He has his evenings for recreation and the home, his holidays for pleasure, and his Sundays for the home and church, and when these things are taken out of a man's life, as they are in the case of these workmen, there is very little left of the real pleasures of life.

I do not contend for an instant that this system could be changed, but I do contend most earnestly that any system which requires men to work these unnatural hours places upon them an intolerable burden, and that this board of arbitrators should make them a reasonable increase in their wages for the irregular and, I may say, unnatural nature of their employment.

ARE MOTORMEN SKILLED OR UNSKILLED WORKMEN?

It was urged at the hearings that the motormen and conductors were unskilled workmen. May I ask, whoever heard of an unskilled workman having 167 printed rules to guide him in the performance of his duties to his employer? May I ask, if these men are unskilled laborers, the reason for the sliding scale which runs over a period of four years? It is a fixed and well-established custom that apprentices are paid apprentice's wages until they reach the journeymen's stage, and this is exactly what this company does when it requires the employees to serve an apprenticeship for at least four years before they receive the maximum wage; and when we consider the testimony of the company—which I shall later discuss in detail—showing that the six months' men who receive 23½ cents an hour actually cost the company in wages and damages resulting from their accidents 41.3 cents per hour, and the five-year men and over, whose wages are 30 cents an hour, only cost the company 3.2 cents per hour in damages, thus demonstrating that experience in the handling of the cars greatly increases the efficiency of the men, the contention that they are unskilled workmen is too absurd and ridiculous to discuss. It is the assertion of such unrighteous propositions that keeps open the breach between the employers and the employees.

EXTRAORDINARY TRAFFIC CONDITIONS.

First. The inadequacy of the service rendered by this company to the public, resulting in the overcrowding of the cars, materially adds to the revenue of the company, but at the same time places additional burdens upon the motormen and conductors.

Second. The rugged topography of the ground in and around the city of Pittsburgh, resulting in extremely heavy grades, requires of the motormen a much higher degree of care in the handling of their cars, I believe, than in any other city in the Union.

Third. The peculiar location of the business section of Pittsburgh, which is the termini of all these lines, 66 in number, and the narrowness of many of the principal streets, with the resulting traffic congestion, require of the motormen extraordinary care in the prevention of accidents and the maintenance of the schedule.

Fourth. The use of automobile trucks and automobiles, the number of which is rapidly increasing, materially adds to the strain on the motorman of the car, especially in the downtown and congested part of the city.

The large number of heavy grades, the narrowness of the city streets, the peculiar location of the business section of the city, and the overcrowding of the cars create a condition the like of which, I believe, can not be found in the entire country, and requires of the operators of the cars much greater care, presence of mind, and quickness of judgment than in cities where there are few grades, wide streets, and practically no overcrowding of the cars.

It is a long step from the city hack to the modern electric car, but that step has been taken by reason of the inventive genius of our people and the harnessing of the electric current within less than 20 years, and I fear that the average man does not realize that these rapid changes have increased from year to year the responsibilities of motormen and conductors to such an extent that their duties now require more presence of mind, knowledge, skill, good judgment, tact, and courage than that of any other calling in the industrial field. The locomotive engineer holds a position of great responsibility, but a comparison of his duties with the duties of a modern street railway motorman shows that the greater mental and physical strain is on the latter. The locomotive engineer hauls about the same number of human beings on a trip that a motorman does in a day. The engineer runs his train over a private right of way upon which neither pedestrain nor vehicle has a right to be except at grade crossings, and these are rapidly being abolished. The motorman operates his car day after day through the streets of a great city, crowded with pedestrains and vehicles which have exactly the same legal right to use the highway that he has, except that they have to give way to the car, as it can not leave the track. The motorman avoids collision with hundreds of pedestrains and vehicles every day who have a legal right to be on the highway. The engineer avoids collisions with but few of either, who have no right to be on a railroad right of way. The engineer receives a wage of from $6 to $8 per day; the motorman $2.70 for a 9-hour day under the scale decided upon by the umpire.

COMPARISON OF WAGE SCALES IN THE PITTSBURGH DISTRICT.

The wage scales of other skilled employments in the Pittsburgh district, while not conclusive in this matter, are worthy of consideration. I concede that men engaged in the outside building trades do not in all cases have steady work throughout the year, but the printers, compositors, linotypers, coopers, blacksmiths, hoisting engineers, pressmen, and stereotypers have steady work the year round; and an examination of the following table, which is conceded by both sides to be correct, discloses that of all forms of labor there is but one that is paid less than the maximum paid the motormen and conductors, and that is the common laborers who receive from 20 cents to 25 cents per hour. Even the hod carrier, whose work requires no mental effort, receives 40 cents an hour for his work.

	Per hour.
Painters and decorators receive	$0.56½
Carpenters, the same, with an advance for 1915 to	.63½
Bricklayers	.72
Stonemasons	.65
Coopers	.45
Blacksmiths	.45
Steamfitters	.62½
Marble-workers	.68¾
Roofers	.60
Hoisting engineers	.65
Hod carriers	.40
Compositors	.39½
Linotypers	.48
Newspaper compositors	.60
Pressmen	.47
Stereotypers	.47

All of whom work eight hours a day.

The degree of industry, intelligence, and efficiency required of motormen and conductors is certainly as great as that required of many of the men in the employments above enumerated, and certainly much greater than that of some of them.

THE LARGER OR LABOR-SAVING CARS.

According to the testimony about one-third of the old cars have been replaced during the last four years with what is known as pay-as-you-enter cars, and while this car, so far as the conductor is concerned, has the advantage over the old one, of protecting him from the foul air while collecting fares in overcrowded cars, the capacity of the new car is double that of the old one. Doubling the capacity of the car naturally doubles the number of fares to collect, doubles the number of aged, infirm women and children to handle in safety. It also enables the company to carry the same number of passengers with one car and two employees that under the old system required two cars and four employees, thus doubling the revenue of the company.

Mr. Jones, the general manager of the company, testified that within the next two years all of the open cars will be abolished and the pay-as-you-enter car in operation on all the lines; and inasmuch as this wage scale is for over two years, these labor-saving cars will be in operation during the life of this contract. It is idle to contend that the increased capacity of the cars does not enlarge the duties and responsibilities of both the motorman and conductor. Even Mr. Jones (see testimony, p. 1087) says, in speaking of night-car service, "The receipts at night are very much less per mile than in daylight, showing that the travel was lighter and it is easier on the conductor as well as the motorman." Again, in testifying as to the rate of wages paid on the local lines in Washington, Pa., in support of the company's contention that the men on this line are not entitled to as high a rate of wages as those employed in the Pittsburgh district, he says: "But the service is very much easier. They haven't any peaks there, the people ride in small cars, fewer stops, etc." It might be noticed that Mr. Jones does not say that the service is much easier owing to no peak, smaller cars, fewer stops, etc., but emphasizes it by stating that it is "very much easier." Applying to this state of facts the principle stated heretofore, that the wages ought to be higher than those which have prevailed in the past, if the work is now harder or more responsible, or if it requires more skill, the change in the size of these cars which has taken place since the last wage agreement was made, and that will take place during the life of this scale, will materially increase the duties and responsibilities of the operators of the cars; and if there were nothing else in this controversy, I would recommend a substantial increase in wages on this fact alone. There is a well-recognized custom in all industrial establishments which provides where a machine is installed that increases the output the operator of the machine is given an increase in wages. This custom is just and equitable and should be applied in this case.

ABSURDITY OF THE PRESENT WAGE SCALE.

It appears, according to the testimony of Mr. Jones, the general manager, that he made a calculation, which was introduced in evidence, showing not only the cost of the various classes of employees by the day but the cost per hour to the company of each class for losses suffered by it due to accident claims. The calculation is as follows:

Length of service.	Cost per hour plus accident cost.	Per cent of total men.	Per cent of total accidents.	Per cent of total cost of accidents.
	Cents.			
First 6 months	41.3	9.15	21.04	28.79
Second 6 months	38.5	6.00	9.47	13.18
Second year	33.2	8.12	9.54	8.34
Third year	36.3	8.35	9.64	10.73
Fourth year	33.2	11.34	10.66	7.73
Fifth year and over	32.9	57.04	39.66	31.23
Total		100.00	100.00	100.00

An examination of the above calculation discloses that the six months' men, who receive 23½ cents an hour as wages, cost the company an additional 17.8 cents per hour in damage claims, or a total in wages and damages of 41.3 cents per hour; that while they represent only 9.15 per cent of the employees they are responsible for about 28.79 per cent of the accidents. This loss to the company due to accidents, according to Mr. Jones's calculation, gradually decreases as the experience of the men increases until we find that the men who have been in the service five years and over and receive 30 cents per hour cost the company only 2.9 cents per hour in damages, or a total in wages and damages of only 32.9 cents per hour. In other words, the six months' or inexperienced men actually cost this company in wages and damages 41.3 cents per hour, while the five-year men and over only cost it 32.9 cents per hour in wages and damages, resulting in the remarkable fact that it actually costs the company 8.4 cents per hour more for its inexperienced men than it does for the experienced men. A mere statement of these facts should be a demonstration of the absolute unfairness of the present scale. An application of the common sense so frequently mentioned in the opinion of the umpire must convince any reasonable man that these five-year men and over, who by reason of their own increased efficiency are able to save the company 8.4 cents per hour, should be entitled to at least a portion of the profits secured by the company from their increased efficiency. These men at least, who effect this great saving for the company, are undoubtedly entitled to a substantial increase in wages.

COST OF LIVING.

Considerable testimony was introduced by both sides on the increased cost of living in the Pittsburgh district during the last few years. It was expert and statistical and, like all such testimony, of doubtful value, but inasmuch as it was the best evidence obtainable, was admitted by the board.

The company admits that living costs have increased about 7 per cent since 1910, but its contention is based largely upon an analysis of the price lists for a number of years of the Charters's stores. Mr. Charters has a number of stores handling groceries, fresh and salt meats, etc., in the Pittsburgh district. He is able, by reason of the extremely large volume of his business, to buy in large quantities directly from the producer and the manufacturer instead of the wholesaler, and thus avoid the middleman's profit which the corner grocer or butcher has to pay. In addition to this advantage, the major portion of his sales are for cash, which enables him to save bookkeeping expenses and avoid, to some extent at least, the usual losses of the ordinary grocer or butcher from bad accounts. I am perfectly willing to concede that he can and does sell from 7 to 10 per cent cheaper than the ordinary store, and if all these motormen and conductors lived conveniently near the Charters's stores they could undoubtedly effect a saving in their cost of living. The difficulty with the testimony, however, arises from the fact that these employees are scattered throughout the entire Pittsburgh district, and the distance between their homes and these stores is very great. Few of them have any household help, and in the larger number of the cases it would be impracticable for the wife to patronize Mr. Charters, as she would have no one with whom to leave the children, and she does the same as the ordinary person—patronizes the corner grocer or butcher.

Without attempting to determine exactly the percentage of the increased cost of living during the period mentioned, the fact remains that the 7 per cent increase conceded by the company is much greater than the increase in wages of the 30-cents-an-hour men, who represent over one-half of the employees. Under the scale of 1910 they received 29½ cents an hour; under the scale of 1912, 30 cents an hour. This is an advance in four years of only one-half cent an hour, or 1.64 per cent, compared with the 7 per cent increase in the cost of living admitted by the company.

Coupling my own knowledge of these matters with the expert testimony where it appeared to be reasonable, I have concluded that living costs have increased in the city of Pittsburgh since 1910 about 12 per cent. In this, of course, I include rent, clothing, etc. This increase has been especially noticeable during 1913 and the present year, and it would be but just and reasonable to increase the wages sufficiently to provide for this increased cost of living.

LIVING WAGE.

Heretofore I have adopted the principle suggested by the counsel for the employees that "wages for any useful work should be sufficient to maintain a normal family in health and reasonable comfort; that the resources of this country and this district are amply sufficient to maintain such a standard, and that it is self-evident that the Nation can not be sound, healthy, and happy upon any other basis."

Are these men receiving a living wage as defined above? A large number of the motormen and conductors appeared before us, and in some instances their wives. They told of their home lives and the amount of money required to maintain them in a reasonable manner, and it was a noteworthy fact that the men, with but one exception—and many of them have been in the company's service for years—never have been able to acquire any property. Prejudiced minds may say that this was due to bad managerial ability on the part of the wife or extravagance on the part of the husband; but if they will take the trouble to read this testimony, which I have not the space to quote in detail, they will wonder, as I did when I heard the testimony, how they get along as well as they do. I will take the case of ———, because the wage received by him is the average one received by these workmen and is a fair test of their living conditions. He is a regular man having a swing run who about six months before these hearings started to keep account of all his expenditures, which account was offered in evidence and is a part of the testimony. From July 1, 1913, to June 30, 1914, his total earnings amounted to $864.47, or an average of $72.06 per month. He has two children, aged 6 and 2 years. His appearance on the stand indicated that he was a neat, careful man, and the fact that he was idle only 18 days in the year and worked some extra time speaks for his industry. This expense account shows that for the 5½ months he turned over to his wife $349.55. He testified his pay for these months amounted to $415.26. This would leave $69.71, or a little less than $3 per week, which he said he spent for such items as lunches, shoes, shirts, collars, and things for the home. This does not seem extravagant, particularly when the family food bill is considered, which amounted to $137.44 for the 5½ months, or almost exactly $25 per month. Their milk is about $1.65 a month, which would indicate that they purchased about a pint a day. Evidently there was no milk for the children to drink. Their bill for doctor and medicine was $31.85, which would corroborate Mrs. Fothergill's statement that an undue proportion of the income of these families goes for such items. Their bill for clothing was $52.70.

It is plain from this analysis of their expenses that Mrs. ——— is a good housewife, else this family could not get along as it does. But with all their good management what is the net result? Mr. ——— says that he is square with everybody except the grocer, to whom he owes $7.10. It might be possible that with good luck a saving can be made in the bill for doctor and medicine, so that he will break even on the year; but what margin is there for an extraordinary expense such as a death or new baby or an operation or any other of the extraordinary things which happen to all of us, and what opportunity to lay by anything for old age? What is to happen to this family if the breadwinner should be suddenly taken away? Society would have to shoulder the burden, and yet this man is temperate and industrious. He arises at 5 in the morning to go to his work and returns to his family about midnight. The family has two rooms and an attic, with the use of a bathroom, for which they pay $12 per month. Father, mother, and two children sleep in one room. One of the children is 6 years old. Now, it is certainly not a proper standard of living which requires this to be done, yet if this family wants another room they must economize on some other item of expense, which is impossible. For his $72 a month he will carry during that period in safety between fifty and sixty thousand of our citizens. The citizens trust to his care their own lives and the lives of their wives and children.

I submit that his wages are not sufficient to maintain himself and family in good health and reasonable comfort.

As to the other matters in controversy, I agree with the umpire in his statement that if it had not been for the wage dispute it is probable that all of them would have been settled between the parties. I therefore shall only comment but briefly upon two of them. One is the rule which requires the employee to be at the barn five minutes before he is to take out his car. The testimony shows that the employees, especially the motorman, uses this five minutes, which they call "sharking time," in looking over the car, seeing that the brakes are in order, and work of like nature. There can be no question as to the wisdom of the rule. It is in effect in all the principal cities of the country and rendered necessary by the very nature of the employment. But I do not consider it fair to the men that they should not be compensated for the time so spent. It is clearly a necessary incident to their employment and should be treated as a part of it. This sharking time represents a saving to the company of approximately $37,000 a year, which of right, in my judgment, belongs to the men. Considerable testimony was introduced as to the custom in other cities in regard to this matter. While in some of them, as stated by the umpire, the men are not paid for this time, in the majority of them they are.

Secondly, the dispute in regard to the method of collecting the money from the conductors. Under the present system, which has been in effect for several years, the conductor counts his receipts, puts them in a bag, and hands the bag to a custodian at the barn. It is taken from there by the money cars, and after passing through several hands finally reaches the office of the company, on Sixth Avenue, Pittsburgh, where it is counted by a number of young women. The conductor is not present when his money is counted, contrary to the usual method in such matters, and if he is short the shortage is taken from his wages. Manifestly this system is productive of a great many disputes and is extremely unsatisfactory to the conductors. I believe that the system formerly in use, which permitted the conductor to turn over the money at the barn to some one authorized by the company to receive it, would result in a great deal less dissatisfaction. The umpire, however, has seen fit to refuse the claims of the men for a change in the system, mainly, I believe, on account of the testimony of Mr. Jones that the pay-as-you-enter cars will be in operation on all the lines within the next two years. If Mr. Jones's statement is correct, it will obviate the difficulty, and I can suggest no remedy in the matter except for the employees to test the truthfulness of Mr. Jones by the passage of time.

Attention is called, in the opinion of the umpire, to the fact that this company can not increase the fare above the present rate of 5 cents, and that it is not like a manufacturing concern, which can place the additional labor cost upon the consumer by increasing the price of the product. This contention of the umpire would be meritorious if there were any evidence of the financial inability of this company to pay a reasonable increase in wages, but there is no such evidence. In fact, the company carefully avoided any reference to its financial condition. The subtle counsel for the company, in his argument, never even mentioned such a defense. All the evidence relating to the financial condition of the Pittsburgh Railways Co. is in the possession of that company, and inasmuch as it made no effort to show that it was unable financially to pay an increased wage it is a fair and reasonable presumption that it can do so. It should be apparent to the dullest mind that financial inability of the company to meet the demands of the men would have been the strongest possible defense.

The umpire places emphasis on the fact that there is a surplus of labor in the Pittsburgh district, and urges this as one of a number of reasons against an increase in wages. I admit that there is some finacial disturbance in the city of Pittsburgh—in fact, throughout the entire Nation—due, as admitted by one of the company's witnesses, to a radical change in our currency laws and the national agitation against the trusts; but the new curerncy law is now admitted by its opponents to be a marked improvement over the old system, and all fair-minded men must admit that the trust problem reached such a crisis in this Nation that it became a question whether the Government controlled the trusts or the trusts controlled the Government. Now that the regulative trust legislation has been passed by Congress and approved by the President, I am hopeful that business affairs will assume their normal state, unless the appalling catastrophe in Europe, where civilization appears to have perished from the earth, should further disturb our commercial life. This I do not fear, as the war has already created an extraordinary demand for the products of our farms and factories, which is bound to increase as the belligerent nations exhaust the supplies they now have on hand.

Assuming, however, as contended by the company, that financial conditions are disturbed, this should have little, if any, bearing upon this wage scale, which runs for a long period of time, namely, two years and upward. It is positively unfair to the employees to fix a wage for such a long period of time, based upon hard times, with strong probabilities of an improvement; and if the situation were reversed, it would be equally unfair to the company to fix a scale based on good times, with a probability of financial stringency.

Comment is also made by the umpire upon the fact that this company pays out annually for "dead" time approximately $87,000. In the aggregate this sounds like a large sum of money, but divided among 3,000 employees it represents only about 8 cents per day per man. But no mention is made in the opinion of the umpire of the "dead" time of the swing men who lay over in the middle of the day for from one hour to three hours without compensation, and I believe it

but fair to call attention to this latter fact, because the "dead" time for which the men are not paid far exceeds the "dead" time for which they are paid.

CONCLUSIONS.

Under the evidence I would find the following facts:

First. Motormen and conductors must have good sight, hearing, and mental alertness. They must have sound minds, sound bodies, and be in the very prime of life.

Second. They must have individuality in contradistinction to employees that work and act under the direction of a boss.

Third. They must act at all times on their own initiative, with no precedent to guide them in the endless number of emergencies that arise in the performance of their duties.

Fourth. They must possess not only patience but great endurance and presence of mind; patience with passengers, endurance for constant employment, and presence of mind for emergencies.

Fifth. They must eat irregularly, be away from their families to a greater extent than any other class of workmen, and work regardless of the elements.

Sixth. They must assume the risks incident to an admittedly dangerous employment and imperil their lives in a crisis like a soldier in the field, without regard to their own safety.

Seventh. They are responsible to the law, both civilly and criminally, for mistakes of judgment and to the company even to the extent of making change.

Eighth. They must forfeit their conviction as to the propriety of working on Sundays and holidays.

Ninth. Their responsibilities have been materially increased since the signing of the last wage agreement, by the introduction of the large or labor-saving cars, the increased congestion in the downtown section of the city, and the rapid increase in the number of automobiles, auto trucks, and similar vehicles.

Tenth. The cost of living since the signing of the last wage scale has undoubtedly materially increased.

Eleventh. They serve two masters, the public and their employer.

The facts I would find puts them in a class much higher than an ordinary mechanic or skilled workman. They have the additional responsibility for human life. They are denied, by reason of Sundays and holidays, present enjoyment, and if not properly compensated, future enjoyment as well. The effort of every man is to better his condition, and if he is precluded by his environment, the sequel is discontent. The modern idea is that the inequalities of fortune should be mitigated by paying a fair living wage, the same to be measured by the cost of living, the risks incurred, and the responsibilities assumed.

From these premises the deduction follows: The increase demanded by the men is reasonable and should be granted. I believe the testimony in this case justified an advance in the wages of all of these employees of at least 5 cents an hour.

A number of recommendations which are not binding upon either side are made by the umpire, one of which suggests the creation of a board of conciliation, represented on one side by men elected from the various barns of the company, and the other by the officials of the company, the board to be given power to determine the disputes which are bound to arise between the employees and the company. With this suggestion I am in entire accord, although I am informed that it differs little, if any, from the system now in use. I do not, however, agree with one of the reasons which the umpire gives for this board of conciliation, namely, the action of the men in refusing the offer of insurance which this company made a few days before the present wage scale expired. It appears that the Equitable Life Insurance Co. offered to insure the motormen and conductors in such a way that in case of death their wages would be paid to their dependents for a period of one year in monthly installments. The premiums which the company were required to pay amounted to about $20,000 per year, or about 3 cents a day for each man. The difficulty with this aggregate insurance, so far as the workman is concerned, is the fact that his policy expires the moment he leaves the service of the company, and the only advantage which it has is the fact that the premium is one-eighth less than straight life insurance. The disadvantage of the policy expiring with the end of the employment should be apparent to anyone. If the company earnestly desires to insure the lives of its employees in this manner, I would recommend to the employees that they pay the additional one-eighth premium and secure a straight life policy. I have no doubt, as the umpire suggests, that this offer of insurance coming on the eve of the expiration of the wage scale, was looked upon by the men as a sop, as I recall that it was carefully advertised through the newspapers by the company about that time. If this company desires in good faith to protect the dependents of these workmen for a period of a year after their death, it would be an economic fallacy to purchase policies of insurance which expire with their employment, when a premium one-eighth larger, which the men should be perfectly willing to pay, would give them policies which they could keep up by paying all the premium after they had left the service of the company. The employees no doubt thought the amount of money expended by this company for insurance would be treated by a board of arbitration as part of their wages and used as an argument against their claim for an advance in exactly the same way that their right to free transportation to and from their work was used in this case.

JURISDICTION OF CIRCUIT COURT OF APPEALS, ETC.

Mr. WEBB. Mr. Speaker, on behalf of the Judiciary Committee, I desire to call up the bill (H. R. 19076) to amend an act entitled "An act to codify, revise, and amend the laws relating to the judiciary," approved March 3, 1911.

The SPEAKER. The Clerk will report the bill.

The bill was read, as follows:

Be it enacted, etc., That the first subdivision of section 116 of an act entitled "An act to codify, revise, and amend the laws relating to the judiciary," approved March 3, 1911, is hereby amended to read as follows:

"First. The first circuit shall include the districts of Rhode Island, Massachusetts, New Hampshire, Maine, and Porto Rico."

SEC. 2. That sections 128, 238, and 246 of the act aforesaid are hereby amended to read as follows:

"SEC. 128. The circuit courts of appeals shall exercise appellate jurisdiction to review by appeal or writ of error final decisions in the district courts, including the United States district court for Hawaii and the United States district court for Porto Rico, in all cases other than those in which appeals and writs of error may be taken direct to the Supreme Court, as provided in section 238, unless otherwise provided by law; and, except as provided in sections 239 and 240, the judgments and decrees of the circuit court of appeals shall be final in all cases in which the jurisdiction is dependent entirely upon the opposite parties to the suit or controversy being aliens and citizens of the United States or citizens of different States; also in all cases arising under the patent laws, under the trade-mark laws, under the copyright laws, under the revenue laws, and under the criminal laws, and in admiralty cases."

"SEC. 238. Appeals and writs of error may be taken from the district courts, including the United States district court for Hawaii and the United States district court for Porto Rico, direct to the Supreme Court in the following cases: In any case in which the jurisdiction of the court is in issue, in which case the question of jurisdiction alone shall be certified to the Supreme Court from the court below for decision; from the final sentences and decrees in prize causes; in any case that involves the construction or application of the Constitution of the United States; in any case in which the constitutionality of any law of the United States or the validity or construction of any treaty made under its authority is drawn in question; and in any case in which the constitution or law of a State is claimed to be in contravention of the Constitution of the United States."

"SEC. 246. Writs of error and appeals from the final judgments and decrees of the Supreme Court of the Territory of Hawaii and of the Supreme Court of Porto Rico may be taken and prosecuted to the Supreme Court of the United States witain the same time, in the same manner, under the same regulations, and in the same classes of cases, in which writs of error and appeals from the final judgments and decrees of the highest court of a State in which a decision in the suit could be had, may be taken and prosecuted to the Supreme Court of the United States under the provisions of section 237; and in all other cases, civil or criminal, in the Supreme Court of the Territory of Hawaii or the Supreme Court of Porto Rico, it shall be competent for the Supreme Court of the United States to require by certiorari, upon the petition of any party thereto, that the case be certified to it, after final judgmen or decree, for review and determination, with the same power and authority as if taken to that court by appeal or writ of error; but certiorari shall not be allowed in any such case unless the petition therefor is presented to the Supreme Court of the United States within six months from the date of such judgment or decree."

SEC. 3. That section 244 of the act aforesaid is hereby repealed.

SEC. 4. That the judgments and decrees of the circuit courts of appeals in all proceedings and cases arising under the bankruptcy act and in all controversies arising in such proceedings and cases shall be final, save only that it shall be competent for the Supreme Court to require by certiorari, upon the petition of any party thereto, that the proceeding, case, or controversy be certified to it for review and determination, with the same power and authority as if taken to that court by appeal or writ of error; but certiorari shall not be allowed in any such proceeding, case, or controversy unless the petition therefor is presented to the Supeme Court within six months from the date of such judgment or decree.

SEC. 5. That an action or suit by or against a railroad company incorporated and existing under an act of Congress shall not be regarded as a case arising under a law of the United States within the meaning of the statutes regulating the jurisdiction of the courts of the United States, unless there be some sufficient reason for so regarding it independently of the incorporation and existence of the railroad company under an act of Congress.

SEC. 6. That this act shall take effect and be in force on and after the 1st day of January, 1915.

Mr. FLOYD of Arkansas. Mr. Speaker, this bill incorporates a number of different propositions, which I will take up in detail.

The first section of the bill relates to appeals and writs of error from the District courts of Porto Rico. In the present state of the law Porto Rico is not attached to any circuit, and appeals from the District Court of Porto Rico go direct to the Supreme Court of the United States. That causes a great many cases to reach the Supreme Court of the United States that ought to be disposed of in the circuit court of appeals. The sole purpose of section 1 is to attach Porto Rico to the third circuit, as Hawaii is now attached to the ninth circuit. It is attached to the third circuit simply because that has less business than other circuits.

The second section simply reenacts sections 128, 238, and 246 of the Judicial Code, adding to section 128 the words "and the United States District Court of Porto Rico," in line 9.

Also, in line 19, the words "under the trade-mark laws" are added so as to put litigation in regard to trade-marks on the same basis as cases arising under the patent laws and the copyright laws. It seems that there was an oversight in the statute, and the provision does not now relate to trade-marks, which gives a different rule in trade-mark cases than in patent and copyright cases, and the committee saw no reason for such distinction. So it provided that the law applicable to patents and copyrights shall also apply to trade-marks.

Section 238 is amended so as to include Porto Rico. The same is true of section 246.

Section 244 of the act is repealed. That provided for appeals direct from the District Court of Porto Rico to the Supreme Court of the United States.

Section 4 relates to bankruptcy cases, and the adoption of that provision will prevent a great many bankruptcy cases reaching the Supreme Court which now reach it. It makes the decision of the circuit court of appeals final in bankruptcy proceedings and cases, but still leaves the Supreme Court with the power to review, through certiorari, such proceedings and cases as it may deem necessary and proper. The bankruptcy law has now been so thoroughly construed that there is not much doubt about any of its provisions, and cases now coming to the Supreme Court under it involve complicated questions of fact rather than of law. Besides all of this, many of these matters

now have four hearings—one before the referee, one in the district court, one in the circuit court of appeals, and one in the Supreme Court. Certainly all litigants ought to be satisfied with a hearing before the referee, a trial in the district court, an appeal to the circuit court of appeals, with a right to review in the Supreme Court of the United States by a writ of certiorari upon a sufficient showing.

Now, section 5 proposes to amend the law which, as far as I know, relates only to the Texas Pacific Railway Co. The courts have held that a railroad company chartered by Congress has a right to remove a cause to the Federal courts on the sole ground that it is a corporation authorized by Congress. This bill was introduced by the gentleman from Texas [Mr. BEALL], and the Texas Pacific road, operating in Texas, was incorporated by act of Congress, and is the only road in the State of Texas that has the right to transfer its cases to the Federal court on the ground that it was incorporated by Congress, thereby giving it an advantage over other railroad corporations operating in the State of Texas.

This amendment provides that if a railroad company chartered by act of Congress takes its cases to the Federal courts it must allege some other ground provided by statute for the transfer of cases from the State to the Federal courts. In other words, it so amends the law that they can not take it to the Federal courts on the sole ground that the corporation was chartered by Congress.

Mr. SHERLEY. Will the gentleman yield?

Mr. FLOYD of Arkansas. Yes.

Mr. SHERLEY. I would like to ask the gentleman if he has considered the desirability of amending the law so as to prevent the transfer of cases from a State court to the Federal court by corporations on the ground of diverse citizenship? This House put in the codification of the judiciary title a provision eliminating that as one of the grounds for transfer. A Senator refused to agree to it; it was in the closing hours of the short session, and the provision in conference had to be eliminated because he would not agree to it.

Mr. FLOYD of Arkansas. That matter was not brought to our attention in connection with this bill, but these other matters were, and we thought they were all meritorious.

Mr. SHERLEY. The gentleman is dealing with only one little abuse by one railroad, while I am speaking of a great abuse by all of them.

Mr. FLOYD of Arkansas. The gentleman asked me a question, and I replied to it. If this is brought to the attention of the Judiciary Committee, I have no doubt they would give it careful consideration.

Mr. WEBB. I think there are three or four bills looking to a remedy of the very evil that the gentleman from Kentucky speaks of, but we have been very busy lately.

Mr. SHERLEY. You have a bill here undertaking to change the jurisdiction of the Federal courts as to railroads that are incorporated by the United States. You are dealing with one little evil. All the railroads of the country exercise the right to transfer actions from a State court to the Federal court on the ground of diverse citizenship, although at the time that the provision was put into the law originally there were not a hundred corporations in the country to be affected by it.

Mr. FLOYD of Arkansas. This bill was introduced by the gentleman from Texas [Mr. BEALL].

Mr. SHERLEY. I am not quarreling with what the committee has done, I am trying to emphasize a matter of very much more importance than that which is now presented to the House.

Mr. FLOYD of Arkansas. I think the gentleman from Kentucky is correct in saying that there are more important matters connected with this subject.

Mr. SHERLEY. This bill is dealing with the specific question of the right of transfer from State courts to Federal courts.

Mr. WEBB. I will state to the gentleman that we are giving consideration to that matter, and we will bring out a bill before long. We have had no hearings upon it; we have been so busy with other matters.

Mr. SHERLEY. I hope it may come early enough so that it will not be sandbagged by some Senator opposed to the provision when it gets to another body.

Mr. MANN. Will the gentleman yield?

Mr. FLOYD of Arkansas. Yes.

Mr. MANN. This bill was introduced on October 2 and reported to the House on October 8, and it provides that it shall go into effect on the 1st day of January, 1915. I was going to ask the gentleman to change the date, so that if the Senate should pass it it would not have to come back here.

Mr. FLOYD of Arkansas. I think that is a good suggestion. What time would the gentleman suggest?

Mr. MANN. Not earlier than the 1st of April; that will give a reasonable time after Congress adjourns.

Mr. FLOYD of Arkansas. Mr. Speaker, I move to amend, in section 6, line 7, by inserting the 1st day of April, 1915, instead of the 1st day of January.

The SPEAKER. The Clerk will report the amendment.

The Clerk read as follows:

Amend, page 5, line 7, by striking out "January" and inserting "April."

The amendment was agreed to.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

PROCEDURE IN THE UNITED STATES COURTS.

Mr. WEBB. Mr. Speaker, I call up the bill H. R. 12750 on the Union Calendar. I want to make the suggestion that it ought not to be on the Union Calendar.

Mr. MANN. Plainly it is not a Union Calendar bill. I suggest that the gentleman ask unanimous consent to consider it in the House as in Committee of the Whole.

Mr. WEBB. Mr. Speaker, I ask unanimous consent to consider this bill in the House as in Committee of the Whole.

The SPEAKER. The gentleman from North Carolina asks unanimous consent to consider the bill in the House as in Committee of the Whole. Is there objection?

There was no objection.

The Clerk read the bill, as follows:

A bill (H. R. 12750) relating to procedure in the United States courts.

Be it enacted, etc., That section 269 of the Judicial Code, approved March 3, 1911, be, and the same is hereby, amended by adding at the end thereof the following:

"No judgment shall be set aside or reversed or a new trial granted by any court of the United States in any case, civil or criminal, on the ground of misdirection of the jury or the improper admission or rejection of evidence, or for error as to any matter of pleading or procedure, unless in the opinion of the court to which application is made, after an examination of the entire cause, it shall appear that the error complained of has injuriously affected the substantial rights of the parties.

"The trial judge may in any civil case submit to the jury in connection with the general verdict specific issues of fact arising upon the pleadings and evidence, reserving any question of law arising in the case for subsequent argument and decision, and he and any court to which the case shall thereafter be taken on writ of error shall have the power to direct judgment to be entered either upon the verdict or upon the special findings if conclusive upon the merits."

The following committee amendment was read:

Amend as follows: Strike out, on page 2, lines 5 to 12, both inclusive, it being the last paragraph of the bill.

The SPEAKER. The question is on agreeing to the amendment.

The amendment was agreed to.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

On motion of Mr. WEBB, a motion to reconsider the vote by which the bill was passed was laid on the table.

ACTION FOR DEATHS ON HIGH SEAS.

Mr. WEBB. Mr. Speaker, by direction of the Committee on the Judiciary, I call up the bill H. R. 6143, relating to the maintenance of actions for deaths on the high seas and other navigable waters, which I send to the desk and ask to have read.

The Clerk read as follows:

Be it enacted, etc., That whenever the death of a person shall be caused by wrongful act, neglect, or default occurring on the high seas, the Great Lakes, or any navigable waters of the United States the personal representative of the decedent may maintain a suit for damages in the district courts of the United States in admiralty for the exclusive benefit of the decedent's wife, husband, parent, child, or dependent relatives against the vessel, person, or corporation which would have been liable to a suit for damages by or in behalf of the decedent by reason of such act if death had not ensued.

SEC. 2. That the recovery in such suit shall be a fair and just compensation to the persons for whose benefit the suit is brought and shall be apportioned among them by the court in proportion to the pecuniary damage they may severally have suffered by reason of the death of the person by whose representative the suit is brought.

SEC. 3. That suit shall be begun within one year from the death of the decedent, unless during that period there has not been reasonable opportunity for securing jurisdiction of the vessel, person, or corporation sought to be charged: *Provided, however,* That after the expiration of a period of one year from the decedent's death the right of action hereby given shall be deemed to have lapsed within 90 days after a reasonable opportunity to secure jurisdiction has offered.

SEC. 4. That if a person die as the result of wrongful act, neglect, or default occurring on the high seas, the Great Lakes, or any navigable waters of the United States during the pendency in a court of admiralty of the United States of a suit to recover damages for personal injuries in respect of such act, neglect, or default, the personal representative of the decedent may be substituted for the decedent as a party, and the suit may proceed as a suit under this act for the recovery of the compensation provided in section 2.

SEC. 5. That in suits under this act the fact that the decedent has been guilty of contributory negligence shall not bar recovery, but the court shall take into consideration the degree of negligence attributable to the decedent and reduce the damage accordingly.

SEC. 6. That this act shall not affect the rights of shipowners and others to avail themselves of the provisions of the laws of the United States relating to limitation of liability.

SEC. 7. That all suits for damages for the death of a person caused by wrongful act, neglect, or default occurring on the high seas, the Great Lakes, or any navigable waters of the United States wherever such death may occur shall be deemed to be within the admiralty and maritime jurisdiction of the United States, and in all suits in admiralty recovery of damages for death so caused shall be had only under the provisions of this act; and where the death has been caused by wrongful act, neglect, or default occurring on the high seas suit for damages shall not be maintained in the courts of any State or Territory or in the courts of the United States other than in admiralty.

SEC. 8. That nothing in this act shall be construed to abridge the rights of suitors in the courts of any State or Territory or in the courts of the United States other than in admiralty to a remedy given by the laws of any State or Territory in case of death from injuries received elsewhere than on the high seas: *Provided*, That there shall be but one recovery by the person injured or by or in behalf of any of the persons mentioned in section 1.

With the following committee amendments:

Page 2, line 4, after the word "compensation," insert the words "for the pecuniary loss sustained."

Page 2, line 7, strike out the word "pecuniary."

Page 2, lines 10 and 11, strike out the words "one year" and insert the words "two years."

Page 2, line 15, strike out the words "one year" and insert the words "two years."

Page 2, line 16, after the word "shall," insert the word "not."

Page 2, line 17, after the word "lapsed," strike out the word "within" and insert the word "until."

Page 3, line 5, strike out the word "taken" and insert the word "take."

Mr. MANN. Mr. Speaker, the gentleman from Washington [Mr. BRYAN] desires to be heard in opposition to this bill. He is on his way over from the Office Building, and I would not like to have the amendments voted upon until he has had a chance to be heard upon the bill. So far as I am advised up to date myself, I am in favor of the bill, and I ask the Clerk to read in my time a letter from Mr. C. E. Kremer, of Chicago, an admiralty lawyer of very high standing.

The Clerk read as follows:

CHICAGO, *January 26, 1914.*

Hon. JAMES R. MANN, *Washington, D. C.*

MY DEAR MR. MANN: The Maritime Law Association have for years been trying to pass a bill in Congress providing for the survival of a right of action in case of death on the high seas and within the admiralty jurisdiction. I understand the Judiciary Committee has reported in favor of such a bill and that it is now before the House, and that some of the Members are objecting to it out of a fear that in some way it will interfere with State rights.

I do not know whether you are opposed to the bill or whether you are open to conviction upon the subject. The advantages of this bill are that it provides for a survival of a right of action on the high seas, where at present there is no such survival, because the high seas are outside of the territorial limits and the jurisdiction of the different States.

There is, as you know, as much reason for providing for a right of action where a death occurs on the high seas as where it occurs on waters within the boundaries of a State, in which case the State law provides for a right of action.

Another advantage of such an act would be this: In many cases where death has occurred on the Lakes it has been difficult, and in some instances impossible, to determine whether the death occurred in Michigan or in Illinois or in Wisconsin, as in one case I know of. As you know, the boundary of the State of Illinois extends to the middle of Lake Michigan and there meets the boundary of the State of Michigan and on a line drawn with the northern boundary of the State of Illinois there is a point in the lake where Illinois, Wisconsin, and Michigan practically come together.

A worse controversy arises where the boundary is between a State of the United States and Canada. All of the Lakes except Michigan are bounded on the one side by Canada, and in a recent case there was considerable difficulty in arriving at the point of whether or not the Canadian law applied to a death which occurred on an American vessel at the time it was in a channel of the St. Marys River, which is the boundary between Michigan and Canada. Much testimony was taken to determine whether the death occurred on the American or the Canadian side.

All of these difficulties would be obviated by passing the bill that is now before Congress and giving the admiralty courts jurisdiction over a case of death which occurred on the high seas or upon the Lakes. This would not deprive the State courts of jurisdiction, because the judiciary act of 1789 expressly provides that in all cases the jurisdiction of the State court remains and there is a remedy in every case tried in the admiralty courts, which can be enforced in the State court which may have jurisdiction at the time.

I could, of course, go into this matter at greater length and give you authorities, and I would be glad to do so if you think you need them, but I know that for years the admiralty bar of the United States have been trying to get Congress to pass this act, or a similar one, in order to supply a deficiency which exists in all cases where death occurs outside of the territorial limits of one of the States of the United States, in each of which a right of action is preserved.

I trust and hope that you may lend your valuable service in furthering this much-needed legislation.

Yours, very truly, C. E. KREMER.

Mr. MANN. Mr. Speaker, if the gentleman from North Carolina is willing I will yield the time now to the gentleman from Washington.

Mr. WEBB. That is entirely agreeable to me.

Mr. MANN. Then I yield to the gentleman from Washington [Mr. BRYAN].

Mr. BRYAN. Mr. Speaker, why not let me be recognized in my own right? I desire to reserve the balance of my time. I do not want this bill to pass this afternoon if I can prevent it.

Mr. MANN. The gentleman is not entitled to recognition except by the courtesy of the gentleman from North Carolina. We are not in the Committee of the Whole. I reserve the balance of my time.

Mr. BRYAN. Mr. Speaker, I desire to be recognized.

The SPEAKER. The Chair will state to the gentleman that the gentleman from North Carolina [Mr. WEBB] or the gentleman from Arkansas [Mr. FLOYD] is first entitled to recognition.

Mr. WEBB. Mr. Speaker, I desire to have read in my time a letter from Judge Harrington Putnam, of the second judicial department of the appellate division of the supreme court of Brooklyn, N. Y., which is a very clear exposition of the provisions of the bill. I send that letter to the desk and ask that it be read in my time.

The SPEAKER. The Clerk will read.

The Clerk read as follows:

BROOKLYN, N. Y., *August 22, 1913.*

Hon. E. Y. WEBB,
Chairman of Subcommittee of Committee on the Judiciary,
House of Representatives.

MY DEAR SIR: Availing myself of the suggestion in your note to Mr. McCoy, I beg to address you on behalf of H. R. 6143, the bill for maintenance of actions for death at sea.

The general purpose of the measure is to give a uniform right of action in the United States admiralty courts for death by negligent acts occurring on the high seas, or on navigable waters of the United States, including the Great Lakes. The common law of England and in this country had no right of action for death, the reason for this omission being commonly stated that such a right was personal, which did not survive the death of the one injured. This was remedied by Lord Campbell's act, and following it our States have passed statutes conferring certain remedies for death. Congress also has changed the common law in this respect for the District of Columbia.

On the Continent of Europe a recovery may be had for death, whether the negligent act was on land or on water. Generally the right is admitted in favor of those whose maintenance or support is cut off by such removal of the one under a duty of support.

But the maritime law of England and the United States follows the common law, and hitherto we have had no remedial legislation passed for our maritime courts. In England it has been held that Lord Campbell's act does not cover a death on the high seas so as to give a right of action in rem; that is, against the vessel at fault, although a recovery has been allowed in personam against the vessel owner.

In this country a series of decisions by the Supreme Court of the United States has held that there is no recovery for death at sea, in the absence of a statute conferring such a remedy. (The *Harrisbury*, 119 U. S., 199; The *Alaska*, 130 U. S., 201.)

The French law allows such recovery. Hence in a proceeding to limit liability by the French steamship company owning the passenger steamship *La Bourgogne* (210 U. S., 95), our court enforced the right to recover for death at sea, applying the law of France.

In another limited liability proceeding arising from a collision more than 3 miles from land between steamships both owned by Delaware corporations the death statute of Delaware was applied. (The *Hamilton*, 207 U. S., 398.) These State statutes, however, are far from uniform. In some States the recovery is limited to the conscious suffering before death—a matter difficult of proof in case of drowning at sea. (The *Robert Graham Dunn*, 70 F. R., 271.) Other States only give the remedy against those who are common carriers, which would not apply to vessels chartered or engaged for a single owner. In a few States the remedy for damages must follow, or be concurrent with, a criminal prosecution, so that the offender must have been first indicted. Furthermore, corporations owning seagoing vessels are not confined to the States upon the seaboard. For reasons of taxation, or other supposed advantages, shipping corporations may be organized in a remote inland State, and if the vessels are negligently managed at sea the death remedy must be sought in the statutes of such State. If a collision be supposed between vessels of different States, having diverse systems of relief for death, obviously great difficulties would arise, especially in fixing damages.

Although the constitutional grant of all cases of admiralty and maritime jurisdiction, with the power to regulate commerce, was intended to secure uniformity throughout the country, the Supreme Court has suffered this anomalous condition to grow up on the permissive theory that until Congress acts a State can legislate at least to the extent of binding corporations which it has created, so that these statutes may extend to torts committed more than 3 miles from land.

Such State statutes, diverse in their terms and conflicting in remedies, are but a poor makeshift for the uniform, simple legislation which Congress alone can enact.

The present bill is designed to remedy this situation by giving a right of action for death, to be enforced in the courts of admiralty, both in rem and in personam. The right is made exclusive for deaths on the high seas, leaving unimpaired the rights under State statutes as to deaths on waters within the territorial jurisdiction of the States. The measure has engaged the attention of the Maritime Law Association of the United States for more than 10 years, and in its present form has the approval of the American Bar Association. It is believed to be plain, simple, and in accord with the general policy of our more recent State and Federal legislation

Referring to the separate sections, it may be said:

Section 1 gives a right of action in the admiralty courts for death from negligent acts occurring upon the high seas, the Great Lakes, and other navigable waters, the language being similar to the language of Lord Campbell's act.

Section 2 provides that the damages to be recovered shall be a fair and just compensation to the persons injured by the death of the deceased, to be determined and apportioned by the court, inasmuch as in admiralty proceedings there are no jurors.

Section 3 fixes a one-year statute of limitation within which suit must be brought, and since it may not always be possible to get jurisdiction of the vessel or owner during that period, a proviso is added to allow additional time in case the one-year period does not afford reasonable opportunity to serve process.

Section 4 deals with the case where a person has brought suit in an admiralty court to recover for a personal injury but dies from the effects of the injury before the suit it concluded. The section permits the action to be continued by the personal representative of the deceased for the recovery of damages for his death as provided for by the act.

Section 5 states the admiralty rule in respect of the effect of contributory negligence, namely, that it shall not bar recovery, as at common law, but go to the reduction of damages. (See the *Max Morris*, 137 U. S., 1.) This is also the doctrine of the Federal employers' liability act (Laws of 1908, ch. 140, sec. 3).

Section 6 reserves to shipowners the right of limitation of liability, as established by the laws of the United States, present or future.

Section 7 makes the act the law of the courts of admiralty of the United States, and, so far as the high seas are concerned, makes the remedy exclusive. This is for the purpose of uniformity, as the States can not properly legislate for the nigh seas.

And section 8 reserves to suitors their rights under State statutes in the courts of the States and in the common-law courts of the United States with the proviso that there shall be but a single recovery for the injury.

The measure is primarily a bill for the admiralty courts; not to interfere with the jurisdiction of the States.

The fact that the several States have followed Lord Campbell's act, in so far as actions in the courts of common law are concerned, shows that public opinion in this country favors recovery for death. The *Titanic* disaster is still fresh in mind.

There is no reason why the admiralty law of the United States should longer depend on the statute laws of the States and lag behind the general law of Europe. Congress can now bring our maritime law into line with the laws of those enlightened nations which confer a right of action for death at sea.

I am not aware of any objection to the bill.

Very respectfully, yours,

HARRINGTON PUTNAM.

Mr. WEBB. Mr. Speaker, that is such a clear description of the provisions of the bill that I do not care to make further comment at the present time. I reserve the balance of my time.

The SPEAKER. The gentleman from Washington is recognized for one hour.

Mr. BRYAN. Mr. Speaker, I did not know this bill was to come up here to-day, and I am not in good shape, so far as my notes are concerned, to present my objections to the bill as I would have been under different conditions. This proposition, of course, is a very important proposition. Everyone will admit that there ought to be some kind of an employer's liability to cover cases where the injury amounts to death on the water, the same as on land. There is no doubt about that. England changed the old common law and created that liability in what is known as Lord Campbell's act. In that act there was no provision that it should apply merely to carriers by rail, but it applied to all persons who through negligence caused the death of another. That became applicable to the high seas and to the waters of Great Britain, and all of the territory of Great Britain, whether land or water, and was enforced. It was amended along the lines of development of the modern ideas of liability and the modern notions of an employer's responsibility, common-law defenses, negligence, and all of those things until, for instance, one amendment I now have in mind provides that insurance going to the deceased, which the beneficiaries, the dependents of the deceased, may receive shall not be held as a debit or a cut-off from the amount of judgment that is rendered. There are a great many other amendments that have been provided by the natural evolution of the ideas involved in the Lord Campbell act, but that original act is far in advance of the act which is tendered for passage this afternoon. As the act was passed in 1846 it had more of relief and more of the modern idea in respect to employer's liability than this proposed act, and at the present time amendments have been added and the act has been made stronger. Of course, it provides for jury trial, with no thought of leaving the matter to an admiralty judge, or a Federal judge, or some one person to determine the amount of the injury and the issues of the suit. The right of a jury trial is something which we have for all time held valuable; a right that we would not alienate for any consideration, since, at least, our country has been in existence. When the *Titanic* went down those claimants who filed their claims in England went on with their suits, they had their jury trials, and, according to the Times law reports, the amounts of the various awards have been settled and adjudicated.

Mr. SHERLEY. Mr. Speaker, will the gentleman yield?

Mr. BRYAN. Yes.

Mr. SHERLEY. Is there any limitation as to the amount of recovery, according to the value of the ship that is destroyed?

Mr. BRYAN. That is another feature, but I will be glad to answer all that I know upon that subject. Under the operation of the English statute, liability in the case of the *Titanic*, for instance, was approximately $3,000,000.

Under the operation of our liability laws, which provide that the claimant can have the value of the ship and the current revenues, the tariffs for passengers and freight, the liability under the American laws would have been $96,000, as against $3,000,000, and yet they say we are not good to our ships, that we are unkind to our shipowners, and we do not give our shipping any consideration or any laws that will permit them to operate. The British shipowners, the Ocean Steamship Navigation Co., came here before Judge Holt, who recently resigned because the salary of the office was not sufficient—a good man as far as I know and an able judge—and they went before him and sought an injunction against the State courts that were trying cases against this steamship company, one in Chicago, one in Minnesota, another in New York, and caused all of the cases to be transferred to his jurisdiction, and sought then to apply the American rule rather than the English rule. The claimants said that this was an English ship flying an English flag and the liability was to be given under lex delicti instead of lex fori, or the law of the forum. They went to trial. These English shipowners begged and beseeched the court to test their liability by the American statute instead of the English statute, and under the decision they have won their contention, and their liability is some day to be decided or tested before some Federal court under American law, which is lex fori. In the meantime the English claimants have gotten their money by a jury of 12. But I did not care or expect to go into that question just now.

Mr. MONTAGUE. May I ask the gentleman a question?

Mr. BRYAN. Certainly.

Mr. MONTAGUE. Is the gentleman sure that a jury sat and affixed and awarded damages in the English court?

Mr. BRYAN. Yes. The Lord Campbell act provides in its very body for a submission of this matter of damages to a jury.

Mr. MONTAGUE. But the Lord Campbell act does not apply to maritime courts or to admiralty proceedings——

Mr. BRYAN. Does the gentleman assert that juries did not——

Mr. MONTAGUE. I did not assert it at all; I asked the gentleman if he were sure of it.

Mr. BRYAN. The gentleman is mistaken in the position he takes there.

Mr. MONTAGUE. I am not, as respects the Lord Campbell act itself. I do not know what may be the amendments to that act.

Mr. BRYAN. The gentleman did not listen to the reports a few moments ago. There is nothing in the statutes of England that binds the *Titanic* or any other ocean steamship company to pay damages in case of death to the successors of the decedent except the Lord Campbell act and amendments thereto, with respect to compensation proceedings recently enacted.

Mr. COOPER. Will the gentleman permit an interruption?

Mr. BRYAN. Yes.

Mr. COOPER. In the report of the committee on this point appears a letter from Judge Harrington Putnam, and he says, speaking of this act:

Section 1 gives a right of action in the admiralty court for death from negligent acts occurring upon the high seas, the Great Lakes, and other navigable waters, the language being similar to the language of Lord Campbell's act.

Mr. BRYAN. "Similar to Lord Campbell's act." The gentleman who wrote that is a proctor in admiralty, a very able gentleman, and has prepared this law and sent it here to be enacted as similar to the Lord Campbell act, and then, if the gentleman from Virginia, to whose opinion I readily defer on any legal proposition——

Mr. MONTAGUE. I beg the gentleman's pardon, if he will permit me; I do not wish to divert him at all. The proposition I submitted was that the original Lord Campbell act did not apply to death occurring by negligence on the high seas. I did not mean to say there have not been amendments; I express no opinion upon that at this time. The question, however, which I addressed to the gentleman was this: Did juries assess the damages in the case of the *Titanic* in the English admiralty court?

Mr. BRYAN. I will take that up in just a moment. The Lord Campbell act provides for death by negligence, and does not limit it to land or water. Its provisions extend wherever British authority extends, both on land and water, and has always so extended. Our employers' liability act limits its provisions to railroads, and the reason it does not apply to both boats and railroads in this country is because it is limited to carriers by railroad. Now, as to whether juries assess the damages under the Lord Campbell act, if the gentleman will look at the Times Law Report for Friday, July 11, 1914, in the case of O'Brien against the Ocean Steamship Navigation Co.

(Ltd.), being one of four cases brought to recover damages for death in this particular *Titanic* disaster, he will find it noted there that a jury held there had been no negligence in the navigation of the ship but there had been negligence in the speed of the ship; and while I have not those reports before me, he will find them in volume 29, page 629, of the Times Law Reports; and there is no question at all that the gentleman is mistaken in that matter; and while, as I say, I defer to the gentleman's ability on law matters, I do not defer to the gentleman's statement in reference to that fact. He is mistaken there. They were tried by jury.

Mr. MONTAGUE. If the gentleman will permit me, I did not say it was not so done. I simply asked the gentleman if he was certain that that was the fact.

Mr. BRYAN. I am certain.

That is the way England took care of that matter, and that is the kind of relief the English law gives. In this country, after living long under the common law, we developed somewhat, and every State in the Union, nearly, passed laws fixing liability in case of death. Of course it was an abhorrent notion that you could burn a man nearly to death and he could get damages for that; that if you paralyzed him he could get damages for that, if he still lived; but if the breath of life went out of him, then there was no liability to his successors. That was an abhorrent idea, but it originated in the notion that the cause of action ended with the death of the person injured. But in all of our States, practically, we changed that old rule, and we created State statutes fixing liability upon any person who is responsible, through negligence, or who, through negligence, becomes responsible for the death of an individual, that liability to go to the descendants. And, of course, we had lots of legislation all over the country on that subject, and then finally it came up to Congress, and Congress passed an employers' liability act, and we provided that in all cases of injury and death in interstate commerce caused by carriers by railroad there should be that liability, and we passed an up-to-date statute, involving all personal injuries in interstate commerce by railroads. Of course it is subject to very material improvement, but that statute was adopted as affecting interstate commerce in this country, and we limited it, however, with great care and caution to railroads. Now, if we had left that limitation out, like the Lord Campbell act did, and merely passed an act that any person who should be responsible for the negligent taking of the life of another should be responsible in damages to the dependents of the person injured, then it would have affected a steamboat just the same as a railroad train.

Mr. VAUGHAN. Will the gentleman yield?

Mr. BRYAN. Certainly.

Mr. VAUGHAN. Does the gentleman think the Congress of the United States has the power to pass a general death-injury statute such as the States have passed?

Mr. BRYAN. We have the power to pass it affecting interstate commerce on railroads or on steamboats.

Mr. VAUGHAN. I understand that.

Mr. BRYAN. And we have the right to pass a law as to employers' liability on all steamboats and all vessels that sail the waters because of the constitutional provision which gives a special jurisdiction in admiralty matters.

Mr. VAUGHAN. The gentleman did not answer my question.

Mr. BRYAN. We have no right to pass a law that will govern the internal matters of a State.

Mr. VAUGHAN. Then it was by virtue of the power over interstate commerce that the act was passed applicable to carriers engaged in such commerce.

Mr. BRYAN. The steamboat that sails from New York to Savannah or Galveston is just as much engaged in interstate commerce as a railroad train that goes from New York to Savannah or Galveston, and we have a right to pass that act as to vessels carrying interstate commerce, for two reasons: First, because it is interstate commerce; and, second, because it is subject to admiralty and maritime jurisdiction. We have the right on those two grounds. But when we passed our law as stated we restricted it to railroads, and now boats go to sea and there is no national law establishing this liability.

But the matter went into the courts, and by a series of decisions it was determined in the first place that the New York statute applied. It was decided by Judge Addison Brown, of the United States District Court of the Southern District of New York, after citing a great string of precedents, that in effect the State law of New York should apply in a case of death—injury where the vessel was registered at New York; that the vessel was subject to the New York law. Then came a decision from Judge William H. Taft along the same line, and then a couple of Delaware decisions. And the steamboat companies found out that they had to try these cases for death at sea under the law of the land, under the law of the State from which they were registered, and that they had to go up before a judicial tribunal and face a jury of 12 men under the State law unless the injury was so great to the vessel and the claim so great that they faced practical insolvency, and then they could have them all clustered or gathered together in some one Federal court. Otherwise they had to meet a jury of 12 men under the State law.

Down in Mobile, Ala., for instance, if a man is injured on a vessel that sails from Mobile out into the Gulf of Mexico and is registered in the State, he can invoke the State law of Alabama and get judgment rendered under the laws of the State of Alabama. I do not know about Alabama, but the laws ought to provide up-to-date and modern provisions as to liability and as to negligence. If a boat sails out from New York, he can sue in the State of New York and can get judgment there before a jury of 12 men. He has that advantage. He has the advantage of an up-to-date law of the State. And in Puget Sound he can get his relief under the laws of my State, the State of Washington.

Mr. SHERLEY. Will the gentleman yield?

Mr. BRYAN. Gladly.

Mr. SHERLEY. Is the gentleman's objection to the bill the fact that it undertakes to give exclusive admiralty jurisdiction in cases where the death occurs on the high seas, or is it because in giving that exclusive jurisdiction you do not provide for the proper sort of relief and for jury trial?

Mr. BRYAN. My principal objection is it does not provide proper and adequate relief.

Mr. SHERLEY. I understand that the gentleman discussed this bill last summer. Have you prepared a substitute that does give relief?

Mr. BRYAN. I have prepared a bill, H. R. 12807, and have introduced it, practically following the very wording of the employers' liability law, and if any man can stand up here and tell me why a steamboat should have the privilege of burning a man to death and not be liable under the same kind of rules and restrictions as a railroad is liable if it burns a man to death I will get some informtion.

Mr. SHERLEY. Will the gentleman yield again?

Mr. BRYAN. Gladly.

Mr. SHERLEY. Does the gentleman believe there should be no limitation as to the extent of liability for death or injury occurring aboard ship?

Mr. BRYAN. That is another question.

Mr. SHERLEY. That is one of the questions that occur when you ask as to whether there is any difference between a railroad and steamboat. I would like to get your opinion.

Mr. BRYAN. I will give my opinion on that. My opinion is that the steamboat ought to be just as liable, and there ought to be no limitation; that they ought to be compelled to take out their insurance; and that they ought to protect their workmen in the same way as the workmen on a railroad train are protected. That is my opinion. But if our limited liability statutes which are so extremely favorable to the steamboat lines are left on the statute book, nevertheless a man who gets hurt or the dependents of a man who gets killed ought to have the full limit of relief under modern ideas as to liability and as to negligence and restrictions of common-law remedies as on a railroad, and then when he gets his judgment, the steamship company may avail itself of its right under the limitation statutes, which permit them to limit the liability to the value of the vessel and current revenues of the trip.

As to whether we repeal these laws or not, that is another question. But while we are trying these damage suits the men are entitled to equal consideration with railroad employees. For instance, a man gets a judgment for $10,000 from the Ocean Steam Navigation Co., and the Ocean Steam Navigation Co. owns several vessels, or the liability in a particular case is $96,000, and there are no other claims, the matter of liability is nothing to him in that case. He does not care anything about it, but the matter of liability becomes of great importance when there is a wholesale number of claimants, when the steamship company engages in the wholesale drowning of seamen and workmen. The individual claimant for one judgment, or a small judgment, does not care particularly about these liability laws that the gentleman mentions, and therefore we have two different, separate questions, and we are not talking primarily about the question of a limited liability.

Mr. SHERLEY. The gentleman dismisses it as of no consequence or as secondary consequence, and yet the very case he indicates, that of the *Titanic*, shows that it is frequently of infinitely more importance than any other question. It is of

great importance, even if you have all the rights under the sun, to get a judgment, if the judgment when you get it is of only limited value.

Mr. BRYAN. The gentleman says that the case I cited, that of the *Titanic*, does not sustain my contention. I say that the case of the *Titanic* does sustain my contention. If there were a number of claimants in the case of the *Titanic*, the limitation of liability allowed under the laws is of great importance. If there had been only one claimant for a small amount, the limited liability statute would have no effect. I want to cut out the limiting of liability, and I want to make the steamship companies assume their liabilities. But first and foremost I want a decent employers' liability law as to seamen and as to men who work on boats, the same as for the men who work on railroad trains.

Mr. SHERLEY. Will the gentleman tell us what there is in the rules in admiralty touching the right to recovery that he objects to, because the effect of this bill as prepared is simply to extend the right that would exist in admiralty where there was injury but not death to a case where there was death? Now, what is there touching the enforcement of the rights of a man to recover for injury in the admiralty law that the gentleman thinks is unfair or old or obsolete or what not, as he says?

Mr. BRYAN. The gentleman asks what I object to in the admiralty law. Before answering that I think what the gentleman means is, What is there that I object to in the present procedure, the present relief that is granted?

Mr. SHERLEY. I mean just what I said.

Mr. BRYAN. Then the gentleman does not say what he ought to mean. The present admiralty law does not cover the situation. The present admiralty law is not exclusive. The State laws of the several States——

Mr. SHERLEY. Well, if the gentleman will permit, I do know what I wanted to say, and I did say what I wanted to. What I meant was not the State law, but this law that the gentleman is objecting to, because to a limited extent it excludes State jurisdiction. I asked the gentleman to point out what there was in the admiralty law that he objected to.

Mr. BRYAN. My objection to the present admiralty law is that when a man comes in with his claim he gets no jury trial. So far as that is concerned he has no relief at all, or his dependents have no relief, in the admiralty court in case of death, and for that reason this matter has no application to the admiralty court. It is the State courts that are involved, and in view of the fact that there is no admiralty law for death you can have your case tried under the State law, which is more liberal than all the admiralty rules in practically every case; I think in every case where State laws have been passed.

Mr. SHERLEY. What I am trying to get at is, what in the admiralty practice in the Federal court does the gentleman object to?

Mr. BRYAN. I have just told you.

Mr. SHERLEY. No. The gentleman simply dismissed it by saying there is no jurisdiction in death cases, which this bill is intended to cure. Now, I ask the gentleman, in suits for injuries—not for death—what there is in the procedure in admiralty cases that he objects to?

Mr. BRYAN. Injuries less than death?

Mr. SHERLEY. Yes.

Mr. BRYAN. But that has nothing to do with this case.

Mr. SHERLEY. It has a good deal to do with this case. This bill proposes to give jurisdiction in admiralty to cases where a man is killed.

Mr. BRYAN. Killed only.

Mr. SHERLEY. Heretofore admiralty jurisdiction went only to injury cases, and not to death cases. Now you propose to put the death cases on practically the same plane as injury cases. Therefore it becomes important to inquire what there is that is wrong touching the method of trial or the rights of litigants in cases of injury and not of death, so that we may correct it in both cases. That is the meat in the whole discussion.

Mr. BRYAN. Of course the bill that I introduced, and which the gentleman asked about, does involve cases less than death. In discussing that proposition of putting all those cases under the employers' liability law, what I object to in the admiralty procedure as applied to personal-injury suits in the first place is that there is no jury trial.

The Federal judge can call a jury if he wants to, but that is merely advisory, and the ordinary man will say that he might just about as well let his claim go as to try it before a Federal judge, who he feels, whether justly or not, is unfriendly to him. The average workingman, engineer, or fireman who gets seriously hurt on board a vessel does not like very much to submit his case to a judge who ordinarily is a member of various organizations to which he has no access; and he prefers, under the same rules and regulations that the gentleman from Kentucky would prefer, a jury of 12 men. That is fundamental, and that is enough if there were no other reason to apply.

In our Federal employers' liability law we made these provisions. We did not fix it so that a Federal judge would try a case where an engineer was killed or injured in a wreck, but we fixed it so that a jury of 12 would try it. So, when we come to this proposition, we ought to pass an employers' liability law that will really mean something. We ought at least to put into it all the relief that is provided in the employers' liability law for railroad employees.

But outside of that, the gentleman from Kentucky [Mr. SHERLEY] has brought into this discussion—and I suppose if he had not brought it in I would have done so—the question of the limited liability. There is a section of this bill keeping in force that limited liability statute which enables ships to escape any greater liability than they now have. For instance, the Standard Oil Co. puts a ship under the American flag. You will say, "My! The Standard Oil Co.! John D. Rockefeller! That is all right. You can go on that ship with safety." But perhaps the ship is called the *Leviathan*, and there is organized a Leviathan Co., which owns nothing in the world except that one ship; no other property. Then that ship goes out and meets with another ship, and she has only half enough of a crew on board, and down she goes, and the liability then is limited to that ship and her value at the bottom of the ocean.

Mr. WEBB. Will my friend suggest how that evil could be remedied? Practically every ship is incorporated, and all the corporation owns is the ship and its freight, and when the company comes into court and surrenders the hull of the ship and the freight, what else could you get under the liability laws? The company has surrendered all the property it owns.

Mr. BRYAN. It would take more of an enactment than I have suggested, or even than I have put in my bill, to get around this separate incorporation; but that is done only to escape certain negligence provisions. Take, for instance, the *Nantucket*. She went down. There was a little fellow named Kuehne, who took off his belt and gave it to a lady passenger, and he went down with the ship. Now, when the aged parents of this boy seek money recompense for their loss, they are told to go and get the ship at the bottom of the ocean. I think there ought to be additional legislation to cover a case of a separate incorporation of one ship, so that every ship that goes out on the ocean shall have some kind of liability and some kind of backing that is responsible.

Then, on the Lakes; I was talking to one of the ablest men in the House a while ago about the Great Lakes—he is not now on the floor—and he said this law would not affect the Great Lakes; that the States which border on the Great Lakes and have up-to-date employers' liability laws will still try them. Of course the gentleman is mistaken. The term "high seas" as here used is a very broad term. The bill starts out with the proviso—

That whenever the death of a person shall be caused by wrongful act, neglect, or default occurring on the high seas, the Great Lakes, or any navigable waters of the United States—

And so forth. Of course the Great Lakes are included in that, and then there is a section here that attempts to preserve the jurisdiction of the States. That is section 8. Here is what it says:

SEC. 8. That nothing in this act shall be construed to abridge the rights of suitors in the courts of any State or Territory or in the courts of the United States other than in admiralty to a remedy given by the laws of any State or Territory in case of death from injuries received elsewhere than on the high seas.

Note the words "elsewhere than on the high seas."

That does not preserve the jurisdiction of the States that border on the Great Lakes, because the Great Lakes are a part of the high seas.

Mr. STAFFORD. Will the gentleman permit a question?

Mr. BRYAN. Yes.

Mr. STAFFORD. The reference in the bill to the Great Lakes in connection with the high seas would separate the Great Lakes from being included in the larger term.

Mr. BRYAN. I think that would depend on the interpretation by the courts as to what is meant by "high seas." If the court decides that the high seas include the Lakes, then this State jurisdiction is eliminated under the term which involves an exception:

Elsewhere than on the high seas.

The United States Supreme Court, in the case of United States *v.* Rogers (150 U. S., p. 249), has held that the Great Lakes are high seas; and then you can not be sure what the decision would be, for instance, as to Puget Sound. There is a great body of water going north into another country, and while

it is true enough that inland rules apply after you get to a certain point, at the same time, as to whether Puget Sound would be a part of the high seas or not is a subject for dispute. I do not believe that the citizens of this country who live on the borders of these Lakes want to give up the right to try these cases before their State courts unless a decent Federal law is passed, and this law, in my opinion, is not that kind of a statute. I think this law is a disgrace to those who are its proponents. It is too far out of date. The proper way to do it is through a workmen's compensation act that gives a man damages for an injury without regard to negligence, which gives him a fair compensation.

This provides, in the first place, only for his "pecuniary loss sustained." You could not get that into a modern statute in any State where the people have any say so in a thousand years. They would not put it for "pecuniary loss sustained." Under that if a man is killed and his fraternal insurance amounts to $500 or $1,000, and this is passed, and his case went to trial in court, the damages would be $2,000, but $1,000 is deducted for the amount of the insurance received, so that $1,000 is the pecuniary loss sustained. If the man's damages amounted to $1,000 and his insurance to $1,000, his dependents would get nothing.

Mr. DECKER. Will the gentleman yield?

Mr. BRYAN. Yes.

Mr. DECKER. Does the gentleman know of any State where those deductions are made?

Mr. BRYAN. No; I think you would never find that incorporated into the statute of any State, but that is what this Congress is trying to do.

Mr. DECKER. I am asking for information. I am not familiar with any law that will allow them to deduct the life insurance where they are recovering for pecuniary loss. What law is the gentleman familiar with under which they can do that?

Mr. COOPER. Will the gentleman from Washington permit me to answer that?

Mr. BRYAN. I will yield gladly to the gentleman from Wisconsin.

Mr. COOPER. That is a question I was coming to by and by. In some States the constitutions provide for the recovery of exemplary damages. The right to recover such damages is given by the constitution of Kentucky, the constitution of the State of my learned friend, Mr. SHERLEY. This is the language quoted by Sutherland on Damages:

> Whenever the death of a person shall result from an injury inflicted by negligence or wrongful acts, then, in every such case, damages may be recovered for such death from the corporations and persons so causing the same.

Then Mr. Sutherland says:

> This language includes not alone compensatory damages but all varieties of damages known to the law. In Washington, under a statute allowing the recovery of pecuniary or exemplary damages, both can not be recovered in every case, but in case of mere neglect the pecuniary loss measures the recovery; in case of injury caused by moral or legal wrong amounting to willfulness, exemplary damages may be added.

Now, suppose that the owner of a steamboat should willfully ignore the provisions of a law for the safety of passengers, as was the case in the horrible catastrophe of the *Slocum*, in New York Harbor, when 1,100 people were burned to death. The only damages under this proposed statute would be the actual financial damages. The corporation owning the steamboat might be worth a hundred million dollars and have willfully violated the statutes of a State, yet you could not collect exemplary damages.

Mr. MONTAGUE. Will the gentleman permit a question?

Mr. COOPER. After I have read one passage more from Sutherland. He says:

> Under the Alabama act, which provides for the recovery of such damages as the jury may assess, the damages are punitive and exemplary in every case—punitive of the act done, and intended by their imposition to stand as an example to deter others from the commission of moral wrongs or to incite to diligence in the avoidance of fatal casualties—the purpose being that the preservation of human life, regardless of the pecuniary value of a particular life to the next of kin under the statutes of distribution.

Now I will yield to the gentleman, with the permission of the gentleman from Washington.

Mr. BRYAN. I yield to the gentleman.

Mr. MONTAGUE. Where was the *Slocum* burned?

Mr. COOPER. In New York Harbor.

Mr. MONTAGUE. This statute does not apply. It only applies to damages occurring on the high seas.

Mr. COOPER. That is true, but there might be a boat of the same character on the high seas.

Mr. MONTAGUE. What I mean is that you have your State remedies against the corporation, as in the case of the *Slocum*, if this bill passes, as you have it if it does not pass.

Mr. COOPER. My friend will readily understand that there might have been a boat on the high seas as regardless of the law as was the *Slocum* in the harbor of New York. I am showing, or having the gentleman from Virginia [Mr. MONTAGUE] infer and understand, that not alone are people negligent in the harbor of New York, but that they have a great deal more opportunity to take passengers out on the high seas and escape detection for negligence than they have to escape detection for negligence in the harbor of New York.

Mr. MONTAGUE. Mr. Speaker, the gentleman is entirely right about that. This law may not be perfect, but it gives a remedy where we have none now. It gives a right to sue in admiralty for death occurring on the high seas, where we have no right to sue in admiralty now.

Mr. BRYAN. Does the gentleman say there would have been no right, in the case of the *Slocum* disaster, if the boat had been out a little on the high seas beyond the harbor?

Mr. MONTAGUE. Oh, no; I do not say that.

Mr. BRYAN. They could have sued under the State law.

Mr. MONTAGUE. Yes; the admiralty court may apply the State law.

Mr BRYAN. And that is what is the matter with the shipowners. They do not want the court to apply the State law. The State law is too strong—claimants get larger judgments. They want to save money and deprive the injured of their due, and they come down here with a learned proctor in admiralty, who parades a nicely prepared opinion that he is going to give something to claimants and to widows and orphans they have not got, and then he fixes up an antiquated law which if it was introduced in a Chinese assembly 2,000 years before Christ would have been 2,000 years behind the time then.

It is an outrage to attempt to pass a law like this at this time, and it will never be any credit to the gentleman who introduced it, to those who pass it, or those who answer the roll call in its favor. It does not accord with the ideas of this day and time, and for that reason I oppose it more than the matter of State jurisdiction. I am willing to give to the Federal courts exclusive jurisdiction in the waters of the country. I am willing to give them exclusive jurisdiction, at least in respect to boats engaged in interstate commerce, or even of all boats, provided they have a decent law. I do not care so much who has jurisdiction. I want a good law. The reason why I support these other measures and do not listen to this State-rights business is because I want a good law, and I believe the Federal Government can enforce a good law; but this law will never be any good, no matter how long it stands on the statute books, if it is ever enacted.

Mr. COOPER. Mr. Speaker, will the gentleman yield again?

Mr. BRYAN. Yes.

Mr. COOPER. Mr. Speaker, I thank the gentleman for his courtesy. I wish to call the attention of my friend from Virginia [Mr. MONTAGUE] to the Virginia law upon this subject and what is attempted especially by this bill to prevent—that is, the recovery of anything except pecuniary loss in case of death. Sutherland on Damages, paragraph 1263, says:

> The Virginia statute permits the jury to award such damages as to it may seem fair and just. Under it punitive damages may be awarded, and the jury may consider the mental suffering of those for whose benefit the action was prosecuted. A later case, however, treats the question as an open one. The same conclusion was announced in a California case awarded under a like statute; but that case was soon disapproved, and the rule declared to be that in estimating the pecuniary loss of a wife for the death of her husband the jury may consider whether or not the deceased was a good husband, able and willing to provide well for his wife.

And under the constitution of Texas we find this provision, paragraph 1264 of Sutherland:

> The constitution of Texas provides that in cases of willful homicide there shall be responsibility for exemplary damages and a jury may be directed to award such damages.

But this bill provides that in a case of willful homicide on the high seas, death by wrongful act, nothing but compensation for pecuniary loss can be awarded. Not only that, but I direct the attention of the gentleman from Washington to the fact that right across the page in this bill is a provision that the people who are after damages because some one has killed a relative or caused his death through gross negligence or vicious malignant attack—the people who are suing for damages are likely to have the award of the jury reduced by the court, because the decedent may have been negligent.

Mr. MONTAGUE. Mr. Speaker, will the gentleman yield to me further?

Mr. BRYAN. Mr. Speaker, how much more time have I?

The SPEAKER pro tempore. The gentleman has 12 minutes remaining.

Mr. BRYAN. I yield for a moment.

Mr. MONTAGUE. I will just say to the gentleman from Wisconsin [Mr. COOPER] that the question to which I was addressing myself was not at all the question of pecuniary loss. I was simply discussing the question of jurisdiction, the question of how far Lord Campbell's act was applicable. I know very well the law of Virginia. We have in Virginia in addition to compensatory damages what we call punitive or exemplary damages.

Mr. COOPER. Will the gentleman permit?

Mr. BRYAN. I yield.

Mr. COOPER. There has been a difference of opinion as to whether the right to recover compensatory or exemplary damages survives.

Mr. WEBB. That is the point I wanted to ask the gentleman from Virginia, and the gentleman from Wisconsin, also.

Mr. COOPER. Exactly. I called attention to these laws in certain States, notably Texas and others, in which it is expressly provided that the right of exemplary or punitive damages does survive. In some of the States the jury may be instructed to award them.

Mr. WEBB. I wanted to say I think there are very few States that permit the recovery of punitive damages in case of death. In other words, I think there are very few States, if any, that allow the executor to sue for the value of the deceased's life and also recover punitive damages for his death or the bringing about of his death.

Mr. BRYAN. Is the reason why you push this little blanket one-page statute here to do away with the possibility of anybody in any State getting punitive damages? Does the gentleman think it is wrong?

Mr. WEBB. No; we desire to open the courts of the United States to any suitor who wants to sue for death on the high seas. That is just the object of this bill. We want to apply the Lord Campbell act or some other act that will give a citizen of the United States the right to go into a United States court and sue for a death that occurred by negligent act on the high seas.

Mr. BRYAN. Why will not the gentleman accept as a substitute for this bill the employers' liability law that applies to railroads and let us apply the same meed of liability to a steamship company of John D. Rockefeller that you would apply to a railroad owned by John D. Rockefeller? Will the gentleman agree to such a substitution?

Mr. WEBB. Of course the gentleman could not draw a bill now that would apply——

Mr. BRYAN. I say, and I challenge successful contradiction——

Mr. WEBB. And the gentleman could not get 100 votes for it here.

Mr. BRYAN. I know I could not get the votes; I admit that. All you have to do is to cut out the limitation involved in the term "carriers by railroads" in the Federal employers' liability act, and it will apply to everybody under the jurisdiction of the United States. It will apply to land and water alike.

Mr. WEBB. If you did, you could not get it through, and what is the use of fooling with something which you can not get through?

Mr. BRYAN. When there is something that needs to be knocked on the top of the head, let us knock it. Let me show you something here that a little girl at the mangle down at the laundry can understand. She may not understand all the big words, but she can understand this: Here is your negligence in the employers' liability act passed by Congress when they could get 100 votes. A different party was in power and it got 100 votes then. I thought that party was reactionary; I thought that the Democratic Party was progressive, but this came up and it got 100 votes. That was before the Democratic Party came in, this employers' liability law, but here is what was put in in reference to negligence:

SEC. 2. That in all actions hereafter brought against any common carriers to recover damages for personal injuries to an employee, or where such injuries have resulted in his death, the fact that the employee may have been guilty of contributory negligence shall not bar a recovery where his contributory negligence was slight and that of the employer was gross in comparison, but the damages shall be diminished by the jury in proportion to the amount of negligence attributable to such employee. All questions of negligence and contributory negligence shall be for the jury.

Now let me read the other.

Mr. WEBB. Just a moment. This bill preserves that, too. It is progressive in that it destroys the effect of contributory negligence.

Mr. BRYAN. I will ask the gentleman to let me read the bill. Section 5 of the bill the gentleman is attempting to pass through here for steamships provides:

That in suits under this act the fact that the decedent has been guilty of contributory negligence shall not bar recovery, but the court shall take into consideration the degree of negligence attributable to the decedent and reduce the damages accordingly.

Then the Federal employers' liability act denies the railroad company any relief for the employee's negligence where it is violating a statute when the accident occurs. But this urgency bill, for the relief of the Shipping Trust and the robbery of unfortunates who may be deprived of the relief they now have, is silent on that point. The learned proctor and corporation lawyer who wrote this bill did not think of that feature.

I want to know why these people, and the learned proctor in admiralty, who I suppose has been in the employ of steamship companies a great part of his life, should draw this bill which he sent to this committee in such a way as to leave out these provisions to the effect that the damages shall be assessed by a jury in proportion to the amount of negligence where the contributory negligence was slight and that of the employers was greatest in comparison. The railroads run through North Carolina and people get killed once in a while on railroad crossings, and the people get injured, and the brakemen and other employees are injured, and you want to apply some kind of restriction there, and you say where the corporation is grossly negligent the jury can come in and give them a little taste of their own medicine, can take into consideration the gross negligence of the corporation, but you do not want to mention that about a steamboat. Why not? I know the gentleman does not care particularly, does not defend these steamboat companies particularly; but this was a learned man, this Mr. Putnam, who drew this act and made this report and wrote all the documents that have been submitted here. He is a prominent member of the American Bar Association, and ex-President William H. Taft is president of the American Bar Association. I do not suppose he ever saw this act or ever paid any attention to it; but these are two great men, very great men.

I suppose this Judiciary Committee believe turn about is fair play, and they say to themselves, "Have we not given Samuel Gompers all he wanted and the American Federation of Labor all they claimed?" You may suppose you can give passengers and workmen on the steamboats any kind of medicine and make them take it. And you come here before this House with that kind of negligence provision. The labor unions to-day are knocking at the doors of the House for a statute that will eliminate this negligence defense. Why should it be that when a man, because the night before he was up perhaps with his sick family and nervous and all disorganized, goes down to work the next day and does some little act of negligence and thereby loses his life, his widow can not recover anything because he was negligent, whereas the blooming bachelor, who had no responsibilities at home, went down steady and self-reliant and did not do any act of negligence and was killed and his sister or brother or other survivor can get the damages?

Mr. WEBB. Has your State abolished the contributory-negligence act?

Mr. BRYAN. We have wiped it out like a poisonous rattlesnake. Whenever a corporation kills a man out there we do not ask whether the man who is dead was guilty of some act of negligence or not. The relief is not for him. He is dead. The relief is for his widow. We do not want to leave her in poverty and dependent upon society. We give the relief and let the price be charged to the particular industry involved.

Mr. WEBB. I understand you want to make your law the national law of this country. You know that a majority of the States of this Union still permit the contributory negligence to be set up as a defense, and you ask this Congress now to adopt your very progressive compensatory law or the employers' liability law for the high seas.

Mr. BRYAN. I have had no hope of getting any such condescension from this Congress.

Mr. WEBB. Then you want nothing done?

Mr. BRYAN. I introduced a bill giving to these boats the same amount of negligence responsibility. Or I am willing to accept the same kind that you put on a railroad—that this Congress has included in its employers' liability act as to a railroad. I do not ask you to follow my State. But if you did, you would give the survivors of those who lost their lives in an accident what is coming to them.

Mr. WEBB. Then you would rather have nothing than to have this bill?

Mr. BRYAN. I certainly would. I would prefer to have the State laws.

Mr. WEBB. Oh, yes.

Mr. BRYAN. Will the gentleman indicate why we have these big proctors in admiralty coming down here and passing a law if there was nothing? The shipowners are not protesting. They are generally pleased with nothing. They have something; that's the trouble. They have something that affects

them. They have the laws of the several States, and the laws of the several States put them in position worse than this law will do. They want to get away from big judgments and juries. The only effect of this bill will be a relief to the shipping organizations, to ease them from a big share of their responsibility and liability. Do not you think that we have nothing. We have better laws than this law.

Mr. WEBB. You still want the doors of the courts of the United States to be closed to every citizen in his right or that of his dependents to sue for death on the high seas and forbid a man going into court and seizing the vessel and bringing an action in rem?

Mr. BRYAN. You are trying to shut a dozen doors. All the people who live in the cities around the Great Lakes, such as Chicago, Detroit, Duluth, and other cities, are not going to accept, I tell you, with any kind of pleasure this kind of a statute, that takes away from them the remedy that the progressive legislation of those States has given them and substitutes a lame, ineffective, corporation-made statute.

Mr. WEBB. The bill reserves that legislation. I suggest to the gentleman that he read the text of the bill.

Mr. BRYAN. The bill says:

That nothing in this act shall be construed to abridge the rights of suitors in the courts of any State or Territory or in the courts of the United States other than in admiralty to a remedy given by the laws of any State or Territory in case of death from injuries received elsewhere than on the high seas.

Mr. WEBB. That is right. If the injury occurs on the Great Lakes or on the navigable waters, the State will have the right to try those cases.

The SPEAKER. The time of the gentleman from Washington has expired.

Mr. BRYAN. Mr. Speaker, I ask unanimous consent for two minutes more.

The SPEAKER. The gentleman from Washington [Mr. BRYAN] asks unanimous consent to proceed for two minutes more. Is there objection?

There was no objection.

Mr. BRYAN. If the gentleman will read it, here is the law, One hundred and fiftieth United States Reports, that establishes the contention that the Great Lakes are the high seas, and under the term "high seas" you do not know how much will be included. Puget Sound will be included in it, I think, and the Great Lakes are included in it. If the gentleman will consult the authorities, he will see that what I say is correct. This law will be the sole remedy on the Great Lakes if it is passed by Congress.

Now I ask the gentleman if he intends to vote on this bill this afternoon?

Mr. WEBB. I hope so, if the gentleman will not resort to obstructive tactics.

Mr. BRYAN. I think that a week devoted to the consideration of this bill would be profitably spent, and I hope it will go over one week until the next Calendar Wednesday.

Mr. COOPER. Mr. Speaker, I want to inform the gentleman that in my judgment this is a matter of too exceedingly great importance to be voted on and passed now under the present circumstances.

Mr. WEBB. If the gentleman objects seriously to a vote now, I shall make a motion to adjourn and let it come up next Wednesday.

HOUR OF MEETING TO-MORROW.

Mr. UNDERWOOD. Mr. Speaker, I wish to renew the request I made this morning, that when the House adjourns to-day it adjourn to meet at 11 o'clock to-morrow morning.

The SPEAKER. The gentleman from Alabama [Mr. UNDERWOOD] asks unanimous consent that when the House adjourns to-day it adjourn to meet at 11 o'clock to-morrow morning. Is there objection?

Mr. HUMPHREY of Washington. Reserving the right to object, Mr. Speaker, I want to ask the gentleman if this is for the purpose of expediting the consideration of appropriation bills, and not for any other purpose?

Mr. UNDERWOOD. It is to give another hour for the consideration of appropriation bills. I make the request at the suggestion of the gentleman in charge of the legislative appropriation bill.

Mr. HUMPHREY of Washington. I have no objection if it is for that purpose.

The SPEAKER. Is there objection?

There was no objection.

ADJOURNMENT.

Mr. WEBB. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 8 minutes p. m.) the House adjourned until to-morrow, Thursday, December 17, 1914, at 11 o'clock a. m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1. A letter from the Secretary of the Treasury, transmitting copy of a communication from the Secretary of Commerce submitting urgent estimates of appropriation for inclusion in the urgent deficiency bill for the fiscal year 1915 (H. Doc. No. 1364); to the Committee on Appropriations and ordered to be printed.

2. A letter from the Secretary of the Treasury, transmitting copy of a communication of the Postmaster General submitting urgent estimates of appropriation required for the Postal Service on account of the fiscal years 1914 and 1915 (H. Doc. No. 1365); to the Committee on Appropriations and ordered to be printed.

3. A letter from the Secretary of the Treasury, transmitting copy of a communication of the Secretary of State submitting an urgent deficiency estimate in the sum of $250,000 for payment to the Government of Panama the third annual payment, due February 26, 1915 (H. Doc. No. 1366); to the Committee on Appropriations and ordered to be printed.

4. A letter from the Secretary of the Treasury, transmitting urgent estimate of deficiencies for contingent expenses of the Treasury Department for the fiscal year ending June 30, 1915 (H. Doc. No. 1367); to the Committee on Appropriations and ordered to be printed.

5. A letter from the Secretary of the Treasury, transmitting copy of a communication of the Secretary of the Interior submitting an urgent estimate of deficiency for contingent expenses, office of surveyor general of Alaska, for the fiscal year 1915 (H. Doc. No. 1368); to the Committee on Appropriations and ordered to be printed.

6. A letter from the Secretary of War, transmitting with a letter from the Chief of Engineers report on preliminary examination for harbor refuge at Point Arena or other locality on the Pacific coast between San Francisco and Humboldt Bay, Cal. (H. Doc. No. 1369); to the Committee on Rivers and Harbors and ordered to be printed.

7. A letter from the assistant clerk of the Court of Claims, transmitting findings of fact and conclusions in the case of Henry P. Field, administrator of Edward A. Field, deceased, *v.* The United States (H. Doc. No. 1370); to the Committee on Claims and ordered to be printed.

8. A letter from the assistant clerk of the Court of Claims, transmitting findings of fact and conclusions in the case of Henry H. Barroll *v.* The United States (H. Doc. No. 1371); to the Committee on Claims and ordered to be printed.

9. A letter from the assistant clerk of the Court of Claims, transmitting findings of fact and conclusions in the case of John Cook *v.* The United States (H. Doc. No. 1372); to the Committee on War Claims and ordered to be printed.

10. A letter from the assistant clerk of the Court of Claims, transmitting findings of fact and conclusions in the case of James Biddle *v.* The United States (H. Doc. No. 1373); to the Committee on War Claims and ordered to be printed.

11. A letter from the assistant clerk of the Court of Claims, transmitting findings of fact and conclusions in the case of Alzina L. Harris, widow of Edgar B. Harris, deceased, *v.* The United States (H. Doc. No. 1374); to the Committee on War Claims and ordered to be printed.

12. A letter from the assistant clerk of the Court of Claims, transmitting findings of fact and conclusions of law in the case of Levi W. Dooley et al., heirs of Aaron T. Dooley, deceased, *v.* The United States (H. Doc. No. 1375); to the Committee on War Claims and ordered to be printed.

13. A letter from the assistant clerk of the Court of Claims, transmitting findings of fact and conclusions of law in the case of Asahel Jones *v.* The United States (H. Doc. No. 1376); to the Committee on War Claims and ordered to be printed.

14. A letter from the assistant clerk of the Court of Claims, transmitting findings of fact and conclusions in the case of Catharine Snyder, widow of Jacob Snyder, deceased, *v.* The United States (H. Doc. No 1377); to the Committee on War Claims and ordered to be printed.

15. A letter from the assistant clerk of the Court of Claims, transmitting findings of fact and conclusions in the case of Julia A. Ordway, widow of David S. Ordway, deceased, *v.* The United States (H. Doc. No. 1378); to the Committee on War Claims and ordered to be printed.

16. A letter from the assistant clerk of the Court of Claims, transmitting findings of fact and conclusions in the case of Thomas A. Wakefield *v.* The United States (H. Doc. No. 1379); to the Committee on War Claims and ordered to be printed.

17. A letter from the assistant clerk of the Court of Claims, transmitting findings of fact and conclusions in the case of Albert G. Peabody *v.* The United States (H. Doc. No. 1380); to the Committee on War Claims and ordered to be printed.

18. A letter from the assistant clerk of the Court of Claims, transmitting findings of fact and conclusions in the case of Amelia King, widow of Prettyman King, *v.* The United States (H. Doc. No. 1381); to the Committee on War Claims and ordered to be printed.

19. A letter from the assistant clerk of the Court of Claims, transmitting findings of fact and conclusions in the case of Patrick Tobin *v.* The United States (H. Doc. No. 1382); to the Committee on War Claims and ordered to be printed.

20. A letter from the assistant clerk of the Court of Claims, transmitting findings of fact and conclusions in the case of Ella Sowle, widow of Orlando T. Sowle, deceased, *v.* The United States (H. Doc. No. 1383); to the Committee on War Claims and ordered to be printed.

21. A letter from the assistant clerk of the Court of Claims, transmitting findings of fact and conclusions in the case of Kate B. Boggs and Mary B. Russell, heirs of Walter B. Barnett, deceased, *v.* The United States (H. Doc. No. 1384); to the Committee on War Claims and ordered to be printed.

22. A letter from the assistant clerk of the Court of Claims, transmitting findings of fact and conclusions in the case of Cornelia Cress, widow of Edwin Cress, deceased, *v.* The United States (H. Doc. No. 1385); to the Committee on War Claims and ordered to be printed.

23. A letter from the assistant clerk of the Court of Claims, transmitting findings of fact and conclusions in the case of Isaac C. Sheaffer *v.* The United States (H. Doc. No. 1386); to the Committee on War Claims and ordered to be printed.

24. A letter from the assistant clerk of the Court of Claims, transmitting findings of fact and conclusions in the case of Charles E. Ferguson, son of Richard L. Ferguson, deceased, *v.* The United States (H. Doc. No. 1410); to the Committee on War Claims and ordered to be printed.

25. A letter from the assistant clerk of the Court of Claims, transmitting findings of fact and conclusions in the case of Cleaveland F. Dunderdale *v.* The United States (H. Doc. No. 1411); to the Committee on War Claims and ordered to be printed.

26. A letter from the assistant clerk of the Court of Claims, transmitting findings of fact and conclusions in the case of James H. Smith *v.* The United States (H. Doc. No. 1412); to the Committee on War Claims and ordered to be printed.

27. A letter from the assistant clerk of the Court of Claims, transmitting findings of fact and conclusions of law in the case of Samuel A. Crawford *v.* The United States (H. Doc. No. 1413); to the Committee on War Claims and ordered to be printed.

28. A letter from the assistant clerk of the Court of Claims, transmitting findings of fact and conclusions in the case of Galelma Law *v.* The United States (H. Doc. No. 1414); to the Committee on War Claims and ordered to be printed.

29. A letter from the assistant clerk of the Court of Claims, transmitting findings of fact and conclusions in the case of J. Webster Henderson, executor of Robert M. Henderson, deceased *v.* The United States (H. Doc. No. 1415); to the Committee on War Claims and ordered to be printed.

30. A letter from the assistant clerk of the Court of Claims, transmitting findings of fact and conclusions in the case of Margaret Augustine, administratrix of the estate of Henry Augustine, deceased, *v.* The United States (H. Doc. No. 1416); to the Committee on War Claims and ordered to be printed.

31. A letter from the assistant clerk of the Court of Claims, transmitting findings of fact and conclusions in the case of Theodore G. Anderson, brother of Chauncey B. Anderson, deceased, *v.* The United States (H. Doc. No. 1417); to the Committee on War Claims and ordered to be printed.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII,

Mr. STEPHENS of Nebraska, from the Committee on Interstate and Foreign Commerce, to which was referred the bill (H. R. 18173) to reinstate Frederick J. Birkett as third lieutenant in the United States Revenue-Cutter Service, reported the same with amendment, accompanied by a report (No. 1226), which said bill and report were referred to the Private Calendar.

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, committees were discharged from the consideration of the following bills, which were referred as follows:

A bill (H. R. 19499) granting an increase of pension to Elizabeth H. Brayton; Committee on Pensions discharged, and referred to the Committee on Invalid Pensions.

A bill (H. R. 19770) granting a pension to Rose E. Wicoff; Committee on Pensions discharged, and referred to the Committee on Invalid Pensions.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. VINSON: A bill (H. R. 20031) providing a site and public building for a post office at Sparta, Ga.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 20032) providing for a site and public building for a post office at Tennille, Ga.; to the Committee on Public Buildings and Grounds.

By Mr. HAYES: A bill (H. R. 20033) governing the reclamation of desert-land entries, by the planting of trees, etc., and for other purposes; to the Committee on Irrigation of Arid Lands.

By Mr. STEVENS of Minnesota: A bill (H. R. 20034) to authorize the Secretary of the Treasury to remodel and rearrange a public building at St. Paul, Minn., and for other purposes; to the Committee on Public Buildings and Grounds.

By Mr. HAYES: A bill (H. R. 20035) for the relief of desert-land entrymen in Fresno and Kings Counties, Cal.; to the Committee on Irrigation of Arid Lands.

By Mr. OLDFIELD: A bill (H. R. 20036) to extend temporarily the time of filing applications for letters patent and registration in the Patent Office; to the Committee on Patents.

Mr. BURNETT (by request): A bill (H. R. 20037) further to regulate the entrance of Chinese aliens into the United States; to the Committee on Immigration.

By Mr. MOORE: A bill (H. R. 20038) to amend an act entitled "An act to increase the internal revenue, and for other purposes," approved October 22, 1914; to the Committee on Ways and Means.

By Mr. CLARK of Florida: A bill (H. R. 20039) to amend section 18 of an act entitled "An act to increase the limit of cost of certain public buildings, to authorize the enlargement, extension, remodeling, or improvement of certain public buildings, to authorize the erection and completion of public buildings, to authorize the purchase of sites for public buildings, and for other purposes, approved March 4, 1913; to the Committee on Public Buildings and Grounds.

By Mr. ADAMSON: A bill (H. R. 20040) to provide for the care and treatment of persons afflicted with leprosy and to prevent the spread of leprosy in the United States; to the Committee on Interstate and Foreign Commerce.

By Mr. VINSON: Joint resolution (H. J. Res. 387) proposing an amendment to the Constitution of the United States; to the Committee on the Judiciary.

By Mr. HEFLIN: Resolution (H. Res. 678) authorizing the Clerk of the House to employ a woman attendant for the ladies' retiring room, adjoining Statuary Hall; to the Committee on Accounts.

By Mr. RAYBURN: Resolution (H. Res. 679) authorizing the Clerk of the House of Representatives to employ an additional telephone operator; to the Committee on Accounts.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ADAIR: A bill (H. R. 20041) granting an increase of pension to Charles Lanham; to the Committee on Invalid Pensions.

Also, a bill (H. R. 20042) granting an increase of pension to Marcellus M. Justus; to the Committee on Invalid Pensions.

By Mr. ALEXANDER: A bill (H. R. 20043) granting an increase of pension to John Thompson; to the Committee on Invalid Pensions.

By Mr. ASHBROOK: A bill (H. R. 20044) granting a pension to William C. Johnson; to the Committee on Pensions.

Also, a bill (H. R. 20045) granting an increase of pension to Lovina Markley; to the Committee on Invalid Pensions.

By Mr. AUSTIN: A bill (H. R. 20046) granting a pension to Samuel C. Braden; to the Committee on Pensions.

By Mr. BYRNS of Tennessee: A bill (H. R. 20047) granting an increase of pension to Mary Tilton Seay; to the Committee on Pensions.

By Mr. CALDER: A bill (H. R. 20048) granting an increase of pension to Joseph Buckle; to the Committee on Invalid Pensions.

By Mr. CLANCY: A bill (H. R. 20049) granting a pension to William H. Jones; to the Committee on Pensions.

By Mr. CLARK of Missouri: A bill (H. R. 20050) granting an increase of pension to William A. Meloan; to the Committee on Invalid Pensions.

By Mr. COX: A bill (H. R. 20051) granting an increase of pension to Winfield S. Hunter; to the Committee on Invalid Pensions.

By Mr. DICKINSON: A bill (H. R. 20052) granting a pension to Joseph Hunter; to the Committee on Invalid Pensions.

By Mr. DOREMUS: A bill (H. R. 20053) granting a pension to Lewis W. Carlisle; to the Committee on Invalid Pensions.

Also, a bill (H. R. 20054) granting a pension to Mary Clark; to the Committee on Invalid Pensions.

By Mr. DUPRÉ: A bill (H. R. 20055) for the relief of heirs of Charles Morgan, sr., deceased; to the Committee on War Claims.

By Mr. EAGAN: A bill (H. R. 20056) granting a pension to Catherine Sweeney; to the Committee on Pensions.

By Mr. FESS: A bill (H. R. 20057) granting an increase of pension to Luther S. Vananda; to the Committee on Invalid Pensions.

Also, a bill (H. R. 20058) granting an increase of pension to Matthew H. McCreight; to the Committee on Invalid Pensions.

By Mr. FOSTER: A bill (H. R. 20059) granting an increase of pension to J. S. Cochenour; to the Committee on Invalid Pensions.

By Mr. GILL: A bill (H. R. 20060) granting an increase of pension to Johanna G. Zschocke; to the Committee on Invalid Pensions.

By Mr. GOEKE: A bill (H. R. 20061) granting a pension to William R. Prichard; to the Committee on Pensions.

By Mr. GOULDEN: A bill (H. R. 20062) granting a pension to Ida Koeller; to the Committee on Invalid Pensions.

By Mr. GREEN of Iowa: A bill (H. R. 20063) granting a pension to Julia A. Walker; to the Committee on Invalid Pensions.

Also, a bill (H. R. 20064) granting an increase of pension to Robert S. McDonald; to the Committee on Invalid Pensions.

Also, a bill (H. R. 20065) granting an increase of pension to Alden O. Mudge; to the Committee on Invalid Pensions.

By Mr. HAMILTON of New York: A bill (H. R. 20066) granting a pension to George Peck; to the Committee on Invalid Pensions.

By Mr. HENSLEY: A bill (H. R. 20067) granting an increase of pension to Sarah A. Murphy; to the Committee on Invalid Pensions.

Also, a bill (H. R. 20068) granting an increase of pension to Robert Denby; to the Committee on Invalid Pensions.

Also, a bill (H. R. 20069) granting an increase of pension to Charles W. Nelson; to the Committee on Invalid Pensions.

Also, a bill (H. R. 20070) for the relief of Amanda McGhee; to the Committee on War Claims.

By Mr. IGOE: A bill (H. R. 20071) granting an increase of pension to John J. Driscoll; to the Committee on Pensions.

By Mr. KEY of Ohio: A bill (H. R. 20072) granting an increase of pension to Lewis Bloom; to the Committee on Invalid Pensions.

By Mr. MAPES: A bill (H. R. 20073) granting a pension to Francis M. Gustin; to the Committee on Invalid Pensions.

Also, a bill (H. R. 20074) granting an increase of pension to Jennie S. Odell; to the Committee on Invalid Pensions.

Also, a bill (H. R. 20075) for the relief of John M. Haner; to the Committee on Military Affairs.

Also, a bill (H. R. 20076) for the relief of Oscar N. Whitney; to the Committee on Military Affairs.

By Mr. NEELY of West Virginia: A bill (H. R. 20077) granting an increase of pension to George I. Fleming; to the Committee on Invalid Pensions.

By Mr. PLATT: A bill (H. R. 20078) granting a pension to Charles L. Robinson; to the Committee on Invalid Pensions.

By Mr. POWERS: A bill (H. R. 20079) granting a pension to William H. Green; to the Committee on Pensions.

Also, a bill (H. R. 20080) to remove the charge of desertion from the military record of James Hardin; to the Committee on Military Affairs.

By Mr. REILLY of Connecticut: A bill (H. R. 20081) to remove the charge of desertion against Joseph Gaelbois; to the Committee on Military Affairs.

By Mr. RUBEY: A bill (H. R. 20082) granting an increase of pension to James H. Wendt; to the Committee on Invalid Pensions.

Also, a bill (H. R. 20083) granting an increase of pension to John H. Davison; to the Committee on Invalid Pensions.

Also, a bill (H. R. 20084) granting an increase of pension to Mary E. Kirk; to the Committee on Invalid Pensions.

By Mr. RUSSELL: A bill (H. R. 20085) granting an increase of pension to Samuel N. Gibbs; to the Committee on Invalid Pensions.

By Mr. SLOAN: A bill (H. R. 20086) granting an increase of pension to Warden J. Wilkins; to the Committee on Invalid Pensions.

By Mr. SMITH of Idaho: A bill (H. R. 20087) granting a pension to Lizzie C. Breen; to the Committee on Pensions.

By Mr. STEVENS of New Hampshire: A bill (H. R. 20088) granting a pension to Frank McCabe; to the Committee on Pensions.

By Mr. THOMSON of Illinois: A bill (H. R. 20089) granting a pension to Albert W. Johnsen; to the Committee on Pensions.

By Mr. TOWNSEND: A bill (H. R. 20090) granting an increase of pension to Harriet Smalley; to the Committee on Invalid Pensions.

By Mr. WOODRUFF: A bill (H. R. 20091) granting a pension to Susan Hopkins; to the Committee on Invalid Pensions.

Also, a bill (H. R. 20092) granting a pension to Mary E. Declute; to the Committee on Invalid Pensions.

By Mr. WOODS: A bill (H. R. 20093) granting an increase of pension to Alvin Howard; to the Committee on Invalid Pensions.

Also, a bill (H. R. 20094) granting an increase of pension to Henry Warner; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. AINEY: Petitions of First Baptist Church of Factoryville, First Baptist Church of Tunkhannock, Methodist Episcopal Church of Factoryville, Methodist Church and Sunday School of Skinners Eddy, Methodist Church and Sunday School of West Auburn, Methodist Episcopal Church of Great Bend, Presbyterian Church of Ulster, Presbyterian Church of Great Bend, Presbyterian Church of Sayre, Liberty Corners Church and Sunday School, Woman's Christian Temperance Union of Liberty Corners, Woman's Christian Temperance Union of Montrose, Sons of Temperance of White Mills, and the Men's Organized Bible Class of Troy, all in the State of Pennsylvania, favoring national constitutional prohibition; to the Committee on Rules.

By Mr. ASHBROOK: Petition of the Westminster Christian Endeavor Society, of Wooster, Ohio; Christian Endeavor Society of the Evangelical Lutheran Church of Baltic, Ohio; Christian Endeavor Society of the First Reformed Church of New Philadelphia, Ohio, in all 225 petitioners, asking for the passage of the Hobson prohibition resolution; to the Committee on Rules.

By Mr. BAILEY: Petitions of Louis Gallan, Enterprise Store Co., Mountain Supply Co., I. L. Binder, and Guy Guy, all of Hastings, Pa., favoring passage of House bill 5308, taxing mail-order houses; to the Committee on Ways and Means.

Also, memorial of the congregation of the First Baptist Church of Johnstown, Pa., favoring national prohibition; to the Committee on Rules.

By Mr. BORCHERS: Petition of citizens of Decatur, Ill., favoring national prohibition; to the Committee on Rules.

By Mr. BYRNS of Tennessee: Petitions of citizens of Davidson County, Tenn., favoring national prohibition; to the Committee on Rules.

Also, papers to accompany bill for increase of pension for Mary Tilton; to the Committee on Pensions.

By Mr. CALDER: Petition of New York City Methodist preachers' meeting, favoring national prohibition; to the Committee on Rules.

Also, memorial of National Electrical Contractors' Association, relative to fixing postal rates; to the Committee on the Post Office and Post Roads.

Also petition of Western Association of Short Line Railroads, protesting against the passage of House bill 17042, changing basis of mail transportation; to the Committee on the Post Office and Post Roads.

Also, petition of Washington Board of Trade, protesting against amendment to the District of Columbia appropriation bill relative to taxes in the District of Columbia; to the Committee on the District of Columbia.

By Mr. DANFORTH: Petition of Anton J. Panly and 53 others, of Attica and Varysburg, N. Y., protesting against violation of the spirit of neutrality; to the Committee on Foreign Affairs.

By Mr. DRUKKER: Petitions of Calvary Methodist Episcopal Church, Union Avenue Baptist Church, Methodist Episcopal Church of Paterson, and Passaic Baptist Church, of Passaic, N. J., favoring national prohibition; to the Committee on Rules.

By Mr. EAGAN: Petitions of First Baptist Church of Westbergen, Waverly Congregational Church and Sunday School, and Leonard W. Borst, of Jersey City, and Woodcliff Reformed Church, of North Bergen, N. J., favoring national prohibition; to the Committee on Rules.

By Mr. FARR: Petition of Rev. John Hammond, of Scranton, and E. T. Dimmick, of Carbondale, Pa., favoring national prohibition; to the Committee on Rules.

By Mr. FESS: Petition of Riley Pond, John W. Wire, William Mann, J. W. Brindle, James Williams, William Clevenger, Ralph Miller, and C. Rhonemus, of Wilmington, Ohio, favoring passage of House bill 11970, to pension the "squirrel hunters"; to the Committee on Invalid Pensions.

Also, petition of St. John's Baptist Church, of Springfield, Ohio, favoring national prohibition; to the Committee on Rules.

By Mr. GERRY: Petitions of A. B. Arnold; Coventry Central Baptist Church, of Anthony, R. I.; First Methodist Church, of Centerville, R. I.; Wood River Church, of Richmond, R. I.; Samuel M. Cathcart, of Westerly, R. I.; Meshanticut Baptist Sunday School, of Cranston, R. I.; Curtis Corner Sunday School, of Gould, R. I.; North Scituate A. C. Church, of North Scituate, R. I.; Methodist Episcopal Church, of East Greenwich, R. I.; Miss Mary B. Pittlefield, Harry E. Tennants, Natick Baptist Church, Margaret Main, James W. Main, F. J. Earl Dodsworth, Clarence C. Maine, Isabelle Potter, and B Pierce Tabor, of Natick, R. I.; Second Baptist Church, of Shannock, R. I.; Rev. Frank Gardner, of Phenix, R. I.; Everett E. Jones; Brotherhood of Wakefield Baptist Church, of Wakefield, R. I.; and Rev. F. D. Smock, of Foster Center, R. I., urging the passage of legislation providing for national prohibition; to the Committee on Rules.

Also, petitions of Ladies' Bible Class and Mena Bible Class, of Hope, R. I.; Hartford P. Brown Bible Class, First Baptist Church, of Hope Valley, R. I.; Primitive Methodist Church of Pascoag, R. I.; Swedish Baptist Church, of Hillsgrove, R. I.; Park Place Congregational Church, of Pawtucket, R. I.; Herbert Hannah, of Arlington, R. I.; Samuel Albro, of Washington, R. I.; Wickford Baraca Bible Class, of Wickford, R. I.; Trinity Union Methodist Episcopal Church, Allied Temperance Committee of Rhode Island, Elmwood Christian Church, George W. Petri, Trinity Baptist Church, William T. Greene, John Harrop, Rev. James E. Springer, Corliss Heights Baptist Sunday School, and Charles W. Littlefield, Esq., of Providence, R. I.; and Methodist Episcopal Sunday School, of East Greenwich, R. I., urging the passage of legislation providing for national prohibition; to the Committee on Rules.

By Mr. GILMORE: Petition of members of the Methodist Church of Rockland, members of the Epworth League of Stoughton, Methodist Episcopal Church of Whitman, Mass., favoring national prohibition; to the Committee on Rules.

Also, petition of Boston (Mass.) Socialist Club, protesting against sending foodstuffs to nations at war; to the Committee on Foreign Affairs.

By Mr. HAYES: Petition of Gen. James C. Strong, of Oakland, Cal., favoring passage of House Bill 16626, relative to retirement of Brig. Gen. James Clark Strong; to the Committee on Military Affairs.

Also, petition of Thomas B. O'Keefe, of Watsonville, and C. A. Engelhardt, of Santa Barbara, Cal., protesting against the circulation of the Menace through the mails; to the Committee on the Post Office and Post Roads.

Also, petition of the Santa Cruz (Cal.) Chamber of Commerce, favoring passage of House joint resolution 372, relative to the preparedness of the United States for war; to the Committee on Rules.

By Mr. IGOE: Petition of Mound City Council, No. 207, United Commercial Travelers of America, St. Louis, Mo., favoring House bill 18683; to the Committee on Election of President, Vice President, and Representatives in Congress.

By Mr. KENNEDY of Rhode Island: Resolutions from Allied Temperance Committee of Rhode Island; Elmwood Christian Church, Providence; Sunday school of the Methodist Episcopal Church, Mapleville; Free Baptist Church, Greenville; Rev. J. H. Roberts, Greenville; E. R. Bullock, Providence; Swedish Methodist Episcopal Church, Providence; Lime Rock Baptist Church, Lincoln; First Baptist Church, Lincoln; and Trinity Union Methodist Episcopal Church, Providence, all in the State of Rhode Island, favoring national prohibition; to the Committee on Rules.

By Mr. McKENZIE: Petition of Church of the Brethren of Ogle County, Ill., favoring national prohibition; to the Committee on Rules.

By Mr. MOON: Petition of citizens of Dechers, Tenn., favoring national prohibition; to the Committee on Rules.

Also, petition of citizens of Benton, Tenn., favoring national prohibition; to the Committee on Rules.

By Mr. NEELY of West Virginia: Papers to accompany a bill for relief of George I. Fleming; to the Committee on Invalid Pensions.

By Mr. PLATT: Papers to accompany a bill for a pension to Charles L. Robinson; to the Committee on Pensions.

By Mr. POWERS: Papers to accompany bill to remove charge of desertion from the military record of James Hardin; to the Committee on Military Affairs.

By Mr. RAINEY: Petition of merchants of the twentieth congressional district of Illinois, favoring House bill 5308, taxing mail-order houses; to the Committee on Ways and Means.

By Mr. THACHER: Petition of citizens of Waltham, Mass., favoring national prohibition; to the Committee on Rules.

Also, petition of Woman's Christian Temperance Union of Osterville, Mass., favoring national prohibition; to the Committee on Rules.

By Mr. WALLIN: Petition of sundry churches and citizens in the thirtieth New York district, favoring national prohibition; to the Committee on Rules.

By Mr. WEAVER: Memorial of City Council of Shawnee, Okla., favoring the passage of the Hamill civil-service pension bill; to the Committee on Reform in the Civil Service.

Also, petition of W. G. Rigg and others, of Hinton, Okla., favoring national prohibition; to the Committee on Rules.

By Mr. WILLIS: Petitions of Methodist Episcopal Church of Mechanicsburg, Vanlue, and churches of Urbana, Ohio, favoring national prohibition; to the Committee on Rules.

By Mr. WINSLOW: Petition of citizens of Uxbridge, Blackstone, and Lodge No. 1, International Order of Good Templars, of Worcester, Mass., favoring national prohibition; to the Committee on Rules.

SENATE.

THURSDAY, *December 17, 1914.*

The Chaplain, Rev. Forrest J. Prettyman, D. D., offered the following prayer:

Almighty God, we worship Thee. Thou art worthy to receive the adoration and praise of all men. When we live upon the low plane of life Thou dost seem afar off. When we behold Thy glory through the atmosphere of our own sinful hearts our vision fades into the light of common day. Give us a perception of Thy goodness and of Thy greatness that will appeal to every high motive and purpose of our lives, remembering that our lives lived in conformity to Thy will will reach the highest possible destiny. Every motive that Thou dost appeal to is an appeal to the strength and nobility of our own manhood. Guide us this day according to Thy will. For Christ's sake. Amen.

The Journal of yesterday's proceedings was read and approved.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by J. C. South, its Chief Clerk, announced that the House had passed the bill (S. 94) to amend an act entitled "An act to codify, revise, and amend the laws relating to the judiciary," approved March 3, 1911.

The message also announced that the House had passed the following bills, in which it requested the concurrence of the Senate:

H. R. 5849. An act to amend section 100 of an act entitled "An act to codify, revise, and amend the laws relating to the judiciary," approved March 3, 1911;

H. R. 12750. An act relating to procedure in United States courts; and

H. R. 19076. An act to amend an act entitled "An act to codify, revise, and amend the laws relating to the judiciary," approved March 3, 1911.

NATION-WIDE PROHIBITION.

Mr. SHEPPARD. Mr. President, I wish to give notice that to-morrow, following the speech of the Senator from Washington [Mr. JONES], I shall address the Senate on the subject of nation-wide prohibition.

PETITIONS AND MEMORIALS.

Mr. NELSON presented memorials of sundry citizens of Minnesota remonstrating against the enactment of legislation to exclude anti-Catholic publications from the mails, which were referred to the Committee on Post Offices and Post Roads.

He also presented a petition of the Synod of Minnesota, Presbyterian Church in the United States of America, in session at Duluth, Minn., praying for national prohibition, which was referred to the Committee on the Judiciary.

Mr. SHEPPARD. I present two telegrams which I ask to have read.

The VICE PRESIDENT. Is there any objection? The Chair hears none, and the Secretary will read the following telegrams.

The Secretary read as follows:

GREENVILLE, TEX., *December 15, 1914.*

Hon. MORRIS SHEPPARD,
Washington, D. C.:

We, the ministers of Greenville, heartily commend you for your stand on prohibition during last spring and summer. About 4,000 people in Hunt County indorsed the Sheppard-Hobson resolution. The sentiment is even stronger for it now.

E. W. ALDERSON.
GRAHAM MCMURRAY.
A. A. DUNCAN.
W. J. HUMPHREYS.
C. C. YOUNG.
T. PERRIN.

—

WHEATLAND, WYO., *December 15, 1914.*

Hon. MORRIS SHEPPARD,
United States Senate, Washington, D. C.:

The Wyoming State Grange, representing 21 subordinate and 2 Pomona granges, with 495 members, in annual session assembled here, unanimously adopted resolution favoring national constitutional prohibition, and most heartily thanking you for your joint resolution pending in Congress.

P. A. SHOPE,
Business Agent Wyoming State Grange.

Mr. JONES. I have a telegram signed by George W. Slyter and H. E. Warren, of Tacoma, Wash., stating that 280 voters of the Epworth Methodist Episcopal Church of that city have unanimously indorsed the Sheppard-Hobson prohibition resolution.

I also present a petition of Laurel Lodge, No. 99, International Order of Good Templars, of Everett, Wash., asking for the passage of the prohibition resolution. I move that the petitions be referred to the Committee on the Judiciary.

The motion was agreed to.

Mr. JONES. I also present a petition from the Christian Endeavor Society of the Presbyterian Church of Omak, Wash., favoring the settlement of the present European war by arbitration and the establishment of an international tribunal. I move that the petition be referred to the Committee on Foreign Relations.

The motion was agreed to.

Mr. THOMPSON presented petitions of the congregation of the Methodist Church of Olathe; members of the United Brethren Sunday School of Russell; of the Men's Bible Class of the Methodist Episcopal Church of Lincoln; of members of the Abbyville Methodist Episcopal Sunday School, of Abbyville; of the Young Men's Class of the Congregational Church of Ellis; of members of the First Methodist Sunday School of Winfield; of the congregation of the Methodist Episcopal Church of Redfield; and of sundry citizens of Netawaka and Redfield, all in the State of Kansas, praying for national prohibition, which were referred to the Committee on the Judiciary.

Mr. GALLINGER presented sundry papers to accompany the bill (S. 6777) for the relief of Frank Ferrin, which were referred to the Committee on Military Affairs.

Mr. TOWNSEND presented petitions of sundry citizens of Memphis, Wales, and St. Clair, all in the State of Michigan, praying for national prohibition, which were referred to the Committee on the Judiciary.

Mr. PERKINS presented a petition of the Merchants' Exchange of Oakland, Cal., praying for the creation of a national marketing commission, which was referred to the Committee on Public Health and National Quarantine.

He also presented a petition of sundry citizens of Pacific Grove and Monterey, in the State of California, praying for the enactment of legislation to provide a volunteer officers' retired list, which was referred to the Committee on Military Affairs.

Mr. ROOT presented petitions of Local Branch No. 27, Catholic Benevolent Association, and of Local Division No. 4, Ancient Order of Hibernians, of Lockport, in the State of New York, praying for the enactment of legislation to provide pensions for civil-service employees, which were referred to the Committee on Civil Service and Retrenchment.

He also presented a petition of sundry citizens of Long Lake, N. Y., praying for national prohibition, which was referred to the Committee on the Judiciary.

Mr. BURLEIGH presented petitions of the congregation of the Methodist Episcopal Church of Madison; of Arcana Lodge, No. 1, International Order of Good Templars, of Portland; and of the Grand Lodge of Maine, International Order of Good Templars, of Waterville, all in the State of Maine, praying for national prohibition, which were referred to the Committee on the Judiciary.

Mr. KERN presented petitions of sundry citizens of Marion, Dunkirk, and Greentown, all in the State of Indiana, praying for national prohibition, which were referred to the Committee on the Judiciary.

He also presented memorials of the Dearborn County Council, Knights of Columbus, of Lawrenceburg, and of sundry citizens of Michigan City and Terre Haute, all in the State of Indiana, remonstrating against the use of the mails in the transmission of anti-Catholic publications, which were referred to the Committee on Post Offices and Post Roads.

SALE AND SHIPMENT OF COTTON.

Mr. SMITH of South Carolina. Mr. President, under the head of petitions and memorials I send to the desk some correspondence, which I ask to have read and referred to the Committee on Commerce. The first letter that I shall ask the Secretary to read contains a series of questions with reference to cotton-trade conditions in Europe, which were contained in a number of letters addressed early in September to various cotton buyers, manufacturers, and dealers in Austria, Hungary, Germany, Belgium, Holland, France, Russia, and England. Thus far I have heard from correspondents in Russia and Germany, and I ask the Secretary to read the letter I sent to them and the replies, and then that it be referred to the Committee on Commerce for its further consideration. It is along the line of the communication which the Senator from Texas [Mr. CULBERSON] had read yesterday.

There being no objection, the letters were read and referred to the Committee on Commerce, as follows:

GENTLEMEN: Will you be kind enough to answer the following questions:

First. What, in your opinion, will be the decrease and consumption of American cotton in your country on account of conditions incident to the European war?

Second. What stocks of American cotton are now on hand? What other kinds of cotton now on hand; that is, in the hands of spinners?

Third. What percentage in reduction of time, if any, are the mills in your country running?

Fourth. In case of a continuance of the war, in your opinion, will conditions in cotton manufacturing in your country improve as compared with the present conditions?

Fifth. What effect has the war had in your country in obtaining funds for the purchase of cotton?

Sixth. What is the present condition and outlook for available transportation to your country of the raw product and the exportation of your manufactured cotton goods?

Seventh. What effect, if any, has the war had upon the supply of available labor in your cotton manufacturing business?

Eighth. To what extent has the supply of American cotton in your country been affected by the disturbance of transportation facilities?

Ninth. Would adequate facilities for transportation increase the consumption of American cotton in your country?

I shall be under obligations to you for as prompt reply to these inquiries as you may be able to make.

—

HAMBURG, *October 27, 1914.*

Mr. E. D. SMITH, *Washington, D. C.*

DEAR SIR: Your esteemed letter of the 29th ultimo has been duly received, and we answer the questions submitted as follows as well as we can under the present difficult conditions:

First. In our opinion, the consumption of American cotton in Germany will entirely depend upon the quantity available. If none can be obtained, it will be almost nil after present stocks are worked up

Second. It is impossible to say. Stocks of American cotton in spinners' hands will, in our opinion, be very small. The cost of last summer's spot cotton was very dear, and new crops were offered so much cheaper; in consequence spinners did not hold any reserve stocks.

Third. Spinners who are working for military purposes are running full time; others may, perhaps, stop three days per week or more.

Fourth. May, perhaps, improve some for certain qualities in consequence of insufficient supply.

Fifth. Owing to exporters in the United States of America asking cash payment in New York instead of drawing 60 or 90 days' sight on European bankers, funds for the purchase of cotton are very limited, but they would be plentiful could Germany obtain the cotton.

Sixth. The outlook for available transportation of cotton to Germany is very gloomy, and the same applies to the exportation of German manufactured cotton goods.

Seventh. The war has had the effect that, of course, many laborers have left the mills to go to war. However, there are enough remaining to work if the necessary cotton could be obtained.

Eighth. It has come to an almost complete standstill.

Ninth. Most certainly, could cotton be obtained from America, there would be a great increase in the consumption of American cotton in our markets.

Yours, truly,

VEREIN DER AM BAUMWOLLHANDEL
BETHEILIGTEN FIRM IN HAMBURG,
WM. FOERSTER, *President.*

—

BREMEN, *November 2, 1914.*

DEAR SIR: To your questions of September 29, we beg to address you with the following information:

First. Our cotton spinning and weaving mills are very busy on account of army orders. The general business of our mills is better than before the war. In the long run the consumption is hard to estimate; mills of higher goods go short time already, and many mills in the

Elsass are closed up; for the greater part of our spinners much depends on how much American cotton will reach Germany. We do not think that less than two-thirds of the general consumption will be used if this cotton can be imported.

Second. Stocks of American cotton were in Bremen at the beginning of August about 300,000 bales, and are now reduced to about 110,000 bales, which are, but for a few hundred bales, sold and pledged to spinners. Stocks in the interior are small and mostly Indian cotton, on account of its cheapness two months ago compared to American growth. Spinners' supplies will, on the average, last till about the end of November.

Third. About 40 per cent of our mills returned to full time; those having army orders, especially weavers, are working overtime.

Fourth. On continuance of war we think conditions will even improve; of course all depends on what quantity of cotton will reach us.

Fifth. Funds for purchase of cotton are plentiful and readily furnished by banks heretofore engaged in cotton financing. All those concerned were well prepared and have not at all suffered by the war.

Sixth. German and English boats that have so far mainly carried American cotton to our harbors are, of course, out of question, and it will remain to neutral steamers to bring cotton to neutral ports, wherefrom it can safely be carried to our country. We do not doubt that in the event of larger cotton shipments, compared with former years, to certain ports the English Government will under some pretense capture such cotton, especially if such steamers belong to smaller European nations. We would prefer to secure for our requirements in shipments on American bottom, and with the whole of our trade look to the American Government to protect the interest of the Southern States, whose property mostly all shipments will remain until landed at neutral port or destination. German and Austrian consumption of about 3,000,000 bales of cotton will mean a good deal to American producers.

Seventh. Mills have replaced by others practically all labor men who were called to the army. Spinners employ to a large percentage women hands. Many workmen are applying for work, and any vacancies could easily be filled.

Eighth. With exception of the steamship *Aurora* and such cotton now obtained at Antwerp, no cotton has reached this country after declaration of war. Within the last month spot cotton rose sharply to now about 92 pfennigs per one-half kilogram, which equals in American money, Bremen spot terms, 19.64 cents per pound. Any receipts of new crop cotton via neutral ports would, of course, lower prices decidedly.

Ninth. Our agents in the mill centers inquire daily for offers of cotton, and from all reports obtained a good consumption, in our opinion, is assured for all such cotton reaching our country up to two-thirds of its usual consumption, this the more as East Indian and Egyptian cotton does not come into question at all.

Our country appears to bear all perils of this dreadful war—which was forced on us—easier and better than other countries concerned. Everybody is assisting to his best the Government, the military authorities, the Red Cross, or the poor people. Rich and poor people are more united than ever.

Banks have not changed their financial arrangements with importing or exporting firms; all payments are regularly made, and banks claim to even have excessive credits from their clients, for which credit balances they allow partly an interest of 4½ per cent per annum.

The question of cotton imports to this country remains absolutely with the American Government, and whether this is strong enough or willing to protect the interest and property of American citizens crossing the ocean under American or other neutral colors from English capture * * *.

Yours, very truly, ADDIX & CARDES.

—

MOSCOW, *October 6, 1914.*

DEAR SIR: In answer to your inquiry of the 20th September, we are able to give you the following information:

1. In consequence of the war the consumption of American cotton has decreased 100 per cent, as there is no importation of cotton from America.

2. The stocks of American cotton are rather low, but the Russian cotton industry is supplied by our own cotton from the Turkestan district.

3. The reduction of time our mills are running is about 50 per cent of our normal work time.

4. The continuance of the war will no doubt affect the cotton-manufacturing business of Russia.

5. The obtaining of funds for the purchase of cotton is rather difficult, and £10 are now worth 125 rubles, compared with 95 rubles in time of peace.

6. There has been an intention to import cotton via Vladivostock, Siberia; as to the exportation of manufactured cotton goods, our connections with Persia, Mongolia, and China have not been affected in any way.

7. The supply of labor has decreased 20 per cent.

8. In consequence of the disturbance of transportation, the importation of American cotton to Russia has been entirely stopped.

9. Facilities for transportation would no doubt increase the consumption of American cotton in Russia.

We remain, yours, truly,

LA SOCIÉTÉ DE LA MANUFACTURE D'INDIENNES,
"EMILE ZUNDEL," A MOSCOW,
E. B. KANUFF, *Director.*

VILHELM TORKILDSEN.

Mr. BRYAN, from the Committee on Claims, to which was referred the bill (S. 6866) for the relief of Vilhelm Torkildsen, asked to be discharged from its further consideration and that it be referred to the Committee on Naval Affairs, which was agreed to.

BILLS INTRODUCED.

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. SHAFROTH:

A bill (S. 6972) granting a pension to Sarah E. Marsh; to the Committee on Pensions.

By Mr. PERKINS:

A bill (S. 6973) governing the reclamation of desert-land entries by the planting of trees, etc., and for other purposes (with accompanying paper); and

A bill (S. 6974) for the relief of desert-land entrymen in Fresno and Kings Counties, Cal. (with accompanying paper); to the Committee on Public Lands.

By Mr. MYERS:

A bill (S. 6975) for the relief of Minor Berry; to the Committee on Military Affairs.

By Mr. SHIELDS:

A bill (S. 6976) granting an increase of pension to Luther M. Blackman; to the Committee on Pensions.

By Mr. WEEKS:

A bill (S. 6977) to amend section 4215 of the Revised Statutes of the United States, and for other purposes; to the Committee on Commerce.

By Mr. JAMES:

A bill (S. 6979) granting a pension to George Troutman (with accompanying papers); to the Committee on Pensions.

EFFICIENCY OF THE ARMY.

Mr. LODGE. I introduce a bill to increase the efficiency of the Army. It is an embodiment of the recommendations of the Secretary of War in his report. Similar bills perhaps, which I have not noticed, have been already introduced. I hope so. This measure no doubt can be much perfected by the committee, but I think the recommendation of the Secretary of War should be brought before the Senate. Therefore I introduce the bill and ask that it be read twice and be referred to the Committee on Military Affairs, and I also ask that it be printed in the RECORD.

The bill (S. 6978) to increase the efficiency of the Army was read twice by its title and referred to the Committee on Military Affairs.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

Be it enacted, etc., That the President be, and he is hereby, authorized to fill up to their full strength the existing organizations which compose the aggregate mobile Army force, as recommended in the report of the Secretary of War for the fiscal year ending June 30, 1914, and that he be further authorized to appoint not more than 1,000 officers for commands in this increased force.

SEC. 2. That the President be, and he is hereby, authorized to discharge enlisted men from the service at the expiration of 18 months if satisfied that they are proficient in the duties of a soldier.

SEC. 3. That the men discharged in accordance with the provisions of section 2 of this act shall constitute a reserve and shall be subject to be called back to military service in time of war.

MEMORIAL ADDRESSES ON THE LATE SENATOR JOSEPH FORNEY JOHNSTON.

Mr. BANKHEAD. Mr. President, I desire to give notice that on Saturday, January 9, immediately after the routine morning business, I shall ask the Senate to consider resolutions in commemoration of the life, character, and public services of my late colleague, Hon. JOSEPH FORNEY JOHNSTON.

LITERACY TEST IN IMMIGRATION BILL.

Mr. MARTINE of New Jersey. Mr. President, I desire to give notice that I shall move at the proper time to strike out from the bill (H. R. 6060) to regulate the immigration of aliens to and the residence of aliens in the United States lines 10, 11, and 12, on page 8. These words embrace the literacy test, so called, in the immigration bill and are as follows:

All aliens over 16 years of age physically capable of reading who can not read the English language or some other language or dialect, including Hebrew or Yiddish.

I ask that the amendment be printed and lie on the table.

The VICE PRESIDENT. That action will be taken.

PUBLIC HEALTH SERVICE.

Mr. WORKS. Mr. President, I desire to give notice that on Tuesday, the 5th day of January, immediately after the conclusion of the routine morning business, I shall, with the permission of the Senate, submit some remarks on the Public Health Service.

HOUSE BILLS REFERRED.

The following bills were severally read twice by their titles and referred to the Committee on the Judiciary:

H. R. 5849. An act to amend section 100 of an act entitled "An act to codify, revise, and amend the laws relating to the judiciary," approved March 3, 1911;

H. R. 12750. An act relating to procedure in United States courts; and

H. R. 19076. An act to amend an act entitled "An act to codify, revise, and amend the laws relating to the judiciary," approved March 3, 1911.

MEMORIAL ADDRESSES ON THE LATE SENATOR BACON.

Mr. SMITH of Georgia. Mr. President, in pursuance of the notice heretofore given by me, I offer the resolutions which I send to the desk and ask for their adoption.

The VICE PRESIDENT. The Senator from Georgia submits resolutions, which the Secretary will read.

The resolutions (S. Res. 503) were read, considered by unanimous consent, and unanimously agreed to, as follows:

Resolved, That the Senate has heard with profound sorrow of the death of the Hon. AUGUSTUS OCTAVIUS BACON, late a Senator from the State of Georgia.

Resolved, That as a mark of respect to the memory of the deceased the business of the Senate be now suspended to enable his associates to pay proper tribute to his high character and distinguished public services.

Resolved, That the Secretary communicate a copy of these resolutions to the House of Representatives and transmit a copy thereof to the family of the deceased.

The VICE PRESIDENT. Under the second resolution the Senate will proceed with the memorial services touching the character and high standing of the late Hon. AUGUSTUS O. BACON.

Mr. SMITH of Georgia. Mr. President, it is with consciousness of a great loss that I ask the Senate to consider the high character and distinguished public service of AUGUSTUS OCTAVIUS BACON. To say that by his death the Senate lost one of its ablest and most experienced Members feebly expresses the truth.

He came to the Senate splendidly prepared for the work. He was, when elected, a business man of unusual experience, an able lawyer, and a trained legislator and parliamentarian. He served in the Senate 19 years. During his service here he was tirelessly industrious; he realized that the entire business of the Nation, as well as the legislative hopes of the people, were covered by the measures considered by the Congress, and that the smaller size of the Senate gave opportunity for each Senator to contribute toward perfecting each measure with no limitation other than his ability and his capacity for labor.

Senator BACON gave to the duties of the Senate all of his ability and all of his time. Service as a Senator was the thought and the joy of his life. Accurate and painstaking by nature and by training, he brought to the service a devotion rarely equalled—never excelled.

Senator BACON was born October 20, 1839, in Bryan County, Ga., although the home of his parents was Liberty County. His ancestors upon one line were among the earliest settlers of Virginia. Upon another they were with the colony of Puritans who settled in Dorchester, Mass., in 1630. Some of the latter removed to Georgia in 1753 and founded what was known as the Midway Colony, afterwards called Liberty County. On both lines his ancestors were soldiers and officers in the Revolutionary Army. His father died before his birth, and his mother died before he was a year old. His parents are buried in the cemetery of the Midway Church, and he was born in the atmosphere of this church.

Liberty County, Ga., was the home of two signers of the Declaration of Independence, Lyman Hall and Button Gwinnett. Midway Church had among its pastors most distinguished men, among others Dr. J. S. K. Axson, grandfather of the wife of President Wilson, and Dr. Abiel Holmes, the father of Dr. Oliver Wendell Holmes and the grandfather of Mr. Justice Holmes. The mother of Theodore Roosevelt, who was the granddaughter of Gen. Daniel Stewart, was also a member of Midway Church. Midway Colony, or Liberty County, was the birthplace of John and Joseph Le Conte, the celebrated scientists.

Before he was one year old, Senator BACON was adopted by his grandmother. Under her guardianship he was carefully trained and received a good elementary education. At the age of 16 he entered the University of Georgia. He graduated from the collegiate department in 1859, receiving the degree of Bachelor of Arts. The following year he received from the institution the degree of Bachelor of Laws, having been a member of the first law class graduated by that university. He was a trustee of the University of Georgia at the time of his death and had been a trustee for many years. Few of his attachments were stronger than that which tied him to the State university. The University of Georgia successively conferred upon him the degree of Bachelor of Arts, Bachelor of Laws, Master of Arts, and Doctor of Laws, the latter degree having been conferred in 1909. He selected Atlanta, Ga., as the place in which to begin the practice of his profession.

Before the end of 12 months thereafter he joined the Confederate Army and was made adjutant of the Ninth Georgia Regiment, in which position he served in Virginia during the campaigns of 1861 and 1862. He was afterwards commissioned as captain in the provisional army of the Confederate States and assigned to general-staff duty. He was married on April 19, 1864, to Miss Virginia Lamar, in Macon, Ga.

At the close of the war he was mustered out of service with the rank of captain. He then renewed his legal studies and began practicing law in Macon, Ga.

Senator BACON combined as a lawyer to an unusual degree ability to present with power a client's case to judges or to juries. He added to his thorough knowledge of law capacity as a business man, thus rendering his service to his client of unusual value. His success at the bar was almost immediate, and so long as he gave himself to his profession he enjoyed a lucrative practice and a most distinguished position among his legal associates.

For a number of years he was employed in practically every important case tried in middle Georgia, yet so great was his industry that in addition to his law practice and his legislative services he found time to prepare and publish in two volumes a digest of the supreme court decisions found in the first 40 volumes of the Georgia Reports, and so thoroughly and accurately did he do this work that his volumes at once found space in the libraries of the lawyers of the State.

In 1868, when Mr. BACON was 28 years old, he was nominated by the State Democratic convention for presidential elector. Two years afterwards he was elected a member of the Georgia House of Representatives. He was reelected to that body continuously for a period of 12 years, and was subsequently again elected for a term of 2 years. He was speaker pro tempore for two years and speaker for eight years. In 1883 he was a candidate for the governorship of his State, and in the Democratic convention he lacked but one vote of receiving the nomination, when a nomination would have assured his election. He was several times a member of the State Democratic conventions of his State, was chairman of the convention in 1880, and was delegate from the State at large to the Democratic national convention at Chicago in 1884.

In 1894 he was elected to the United States Senate by the Georgia Legislature. In 1900 he was nominated at a Democratic State primary for the Senate, and was afterwards unanimously elected to the Senate by the legislature, composed of Democrats, Republicans, and Populists. In 1906 he was again indorsed in the State Democratic primary, having no opposition, and was again unanimously elected to a third term in the Senate. He was the first Georgian to be elected to a third consecutive full term in the United States Senate. In 1912 he was again renominated in the State Democratic primary. Before the legislature met the amendment to the Constitution of the United States requiring the election of Senators by the people had become effective. When the legislature met it promptly provided machinery for the election of a Senator by the people. An election was called and Senator BACON had the distinction of being the first Member of the United States Senate elected by the people under the operation of the seventeenth amendment to the Constitution of the United States. At the time of his death he had served but one year of his fourth term as United States Senator.

Senator BACON was physically strong and vigorous, the result of his simple and abstemious life and habits. He inherited a naturally strong mentality from his ancestors, and from his earliest youth until his death he assiduously cultivated and strengthened his natural mental powers. He was prepared for every line of work which came before the Senate, and, while he enjoyed it all, it is probably true that problems connected with our foreign relations were to him the most interesting. He was at the time of his death a member of the Committees on the Judiciary, Rules, Railroads, Private Land Claims, and Expenditures in the Post Office Department. He was a member of the Judiciary Committee for 17 years, of the Foreign Relations Committee for 15 years, and of the Committee on Rules for 13 years.

For many years he had been ranking Democratic member on each of these committees, while his party was in the minority in the Senate, and upon the Democratic reorganization of the Senate in March, 1913, he became chairman of the powerful Committee on Foreign Relations, for which he was so well fitted, and which position he preferred to any in the Senate.

Though the Republicans were in the majority in the Senate and Judge Archbald was himself a Republican, Senator BACON was unanimously chosen to preside over the Archbald court of impeachment—a splendid tribute to his ability and fairness. The hearing lasted continuously during several weeks, and there were 11 active lawyers representing the two sides, yet all of Senator BACON's rulings at this trial were sustained.

He considered punctuality in his attendance upon the sessions of the Senate as one of his highest duties. In a career of

practically 19 years he was never absent a day from the Senate on account of either his personal business or his pleasure. The few times that he was absent were due to providential causes solely.

He had a deep concern for the proprieties of the Senate and held its traditions in high reverence. He was a vigilant guard and an able defender of the Constitution and was zealous in defending State rights.

He was a Regent of the Smithsonian Institution and took a deep interest in its affairs.

As a speaker he was most effective on account of his clear statements and convincing logic. His studious habits had developed and strengthened his reasoning powers and gave him a wide command of language. He seldom delivered a set oration, but was always ready to discuss and did discuss the varied subjects which came before the Senate, such as constitutional questions, treaties, foreign relations generally, the tariff, currency, railroad rates, the Panama Canal, representative government, the Philippines, Cuban independence, the relations between Congress and the executive departments, State rights, the election of Senators by direct vote of the people, education, and agriculture. In fact, he discussed practically every important subject that came before Congress during his service of about 19 years. He was especially strong in debate on constitutional questions and matters of foreign relations.

One of his most notable efforts was in opposition to the acquisition of the Philippines. He introduced a resolution "declaring the purpose of the United States not permanently to retain the islands, but to give the people thereof their liberty." In this connection he delivered a speech that aroused deep interest in the Senate and widely commanded the attention of the public not only in this country but abroad. The vote on the resolution was a tie, and it was defeated by the vote of the Vice President—the first occasion in many years where there had been a tie vote in the Senate upon any question and upon which a Vice President had voted.

Senators were much impressed with the strength of his argument on the "Relations between Congress and the executive departments"; that is, the power of the Senate to call for information from executive departments. A debate between Senator BACON and Senator Spooner, of Wisconsin, on the constitutional power of the President and the Senate in making treaties was of unusual interest and attracted widespread attention. Referring to this debate, the Hartford (Conn.) Courant editorially commented as follows:

> Take down an old volume of the Congressional Globe and read one of the debates on foreign affairs in which Lewis Cass and John M. Clayton were pitted against each other—for instance, the debate (famous in its time) on the merits of the Clayton-Bulwer treaty. Then take Monday's CONGRESSIONAL RECORD and read the report therein of the debate between Mr. BACON, of Georgia, and Mr. Spooner, of Wisconsin, on the constitutional powers of the President and of the Senate in treaty making. It would be scant praise to say that the Bacon-Spooner debate is the more readable of the two. For intellectual vigor, grip of the matter in hand, compactness, and the lucidity of statement, brisk alertness in the give and take of dialectic fence, and last, but not least, good English, the Bacon-Spooner debate is the abler of the two. Daniel Webster would have listened to every word of it attentively, with keen interest and pleasure; Calhoun and Clay also.

No Senator took a more active part in debate than Senator BACON when the Dingley tariff bill was before the Senate, and later, in 1909, when the Payne-Aldrich tariff bill was under discussion. He made strong arguments in favor of material reduction of duties on all articles of universal and necessary use—embracing the whole range of things essential to the comfort, health, and convenience of the people.

Two speeches by the Senator on the amendment to the Constitution providing that Senators be elected by the direct vote of the people were powerful appeals in behalf of the rights of the States and the preservation of white supremacy.

While considering our foreign relations he was ever zealous to maintain the rights of his own country, while he was at the same time broad and brave enough to be just to other countries. The following resolution of sympathy was adopted by the Assembly of the Department of Santander, Colombia, on the Senator's death:

> Interpreting the patriotic sentiments of the worthy people whom it represents, and considering the expression of its sympathy and appreciation as an act of justice to those who have labored or labor for the supreme rights of the country and humanity, it deeply regrets the death of Senator BACON, who placed his highest abilities at the service of Colombia and the weak nations, battling for her in the Congress of his country in connection with events that took place in Panama.

Senator BACON died in Washington during the last session of the Senate. Funeral services were conducted in this Hall. When his body reached Georgia it was placed in the capitol. Public officials and the people of the State did honor to his memory. His body was carried to Macon, where he had so long lived, and was followed to the beautiful cemetery upon the banks of the Ocmulgee by his wife, his surviving daughter, his grandchildren, and throngs of friends.

The Legislature of Georgia at its session last summer passed a bill proposing an amendment to the constitution to create a new county to be called Bacon in honor of Senator BACON, and on November 3 of this year the people of the State, at a general election, overwhelmingly ratified the amendment. It was a distinct tribute to him that the county should have been created in his honor so soon after his death.

Senator BACON was splendidly equipped for service in this body. With a lofty sense of the responsibility resting upon a Senator, he discharged all the duties of the office. He was a great Senator in the broadest meaning of the word. He is missed by his colleagues. His place will be difficult to fill.

Mr. LODGE. Mr. President, one of the severest penalties of advancing years is found in the loss of old friends, of those with whom we have lived, which accompanies the passing of the

> Daughters of Time, the hypocritic days.

That these words which I have just spoken are both a commonplace and a truism only adds to their sadness. But the inevitable partings with friends brought by the gathering years are accentuated when the separation occurs between those engaged in a common labor or service. At every turn of the well-trodden path we look in vain for a familiar figure, and each incident of the day's work whispers that there is a vacant space by our side which never again can be filled. The oncoming ranks press forward, but they are not the same, and the gap made in the lives of those who survive does not close.

These thoughts come very keenly home to me when I speak of the death of Senator BACON. For 18 years we served here together in the Senate. For 15 years we sat facing each other as members of the Committee on Foreign Relations, where association is close and constant, and where political divisions rarely enter. I saw much of him, also, outside the Capitol, and I met him more than once in Europe, for he traveled wisely and widely when Congress was not in session. Thus I came to know him well. In this way he grew to be a part of my daily life. We belonged to different political parties; we had been bred in widely different schools of political thought; on questions involving party principles we were always opposed. Outside of party politics there were many matters, many aspects of life and of the conduct of life, upon which we agreed and sympathized. We had, as was inevitable, many clashes in debate, but nothing ever affected our personal friendship, which became constantly closer and more affectionate with the passing of the years.

I think, therefore, that I knew Senator BACON well and felt for him such affection that I can speak of him with both knowledge and justice. He came to the Senate with a high reputation as a lawyer, as a public man of large experience in his own State, and as a master of parliamentary rules and practice, derived from his service as speaker in the Georgia Legislature. He at once took a position in the Senate such as is rarely accorded to a new Member, and in a very short time was recognized not only as a leader on his own side but as a leader in the Senate. This was due not merely or chiefly to his ability or to his industry, or to his constant and unwearying attendance at the daily sessions and his watchfulness in regard to legislation, but to the fact that from the day he took the oath of office he was with all his strength and all his mind a Senator of the United States in the largest and highest sense. He felt a great pride in the Senate as a body. He was sensitive as to its rights and jealous of its constitutional prerogatives. He was not ready to suffer any detriment to come to either. It is owing to Senators like Senator BACON that the Senate has held throughout our history the place and power in our Government which belong to it, and when Senators become indifferent to the position of the body to which they belong, all the power and influence so long possessed by the Senate in our Government will fade away.

Senator BACON took an especial interest in all legal questions and in all questions affecting our foreign relations, upon which, owing to his large experience and his familiarity with other countries, both through reading and travel, he was peculiarly qualified to speak with authority.

We all recognize the loss caused by the death of Senator BACON to the public service of the country, to his State, and, above all, to the Senate. But the feeling that is uppermost in the hearts of those who served with him here for so many years is one of personal sorrow. He was a true and loyal friend when his friendship had once been given. He was a thorough gentleman, as incapable of a mean or low action as he was incapable, even in the asperities of heated debate, of mean in-

sinuation or of a low personal fling at an opponent. He was kindly and affectionate always. More sorrows had fallen to his lot than is the usual portion of all who live out the term of years allotted by the Psalmist, but he faced his griefs and trials with a manly, cheerful courage, very pathetic to those who knew him well. Honored and mourned by his State and by the Nation, he leaves to us a gracious, happy memory of one who was an affectionate friend and an able and faithful servant of his country.

There is abundant cause here for both public and private sorrow. There is no place for lamentation. Senator BACON died full of years and honors, to use our consecrated phrase. In war and peace he had tasted of the great emotions which make life worth living. He had lived the life of his time, and he died in service, as he would have wished to die. Think how much that meant to him, how much it means to us. The waiting in helpless idleness for the inevitable close of all things earthly, the weary hours of the sick room, the "set, gray life and apathetic end," all these were spared to him. It is better to wear out than—

> * * * to hang
> Quite out of fashion, like a rusty mail,
> In monumental mockery.

To him, most fortunate, it was given to say, as it is permitted to so few to say when the years have gathered thick in serried ranks behind them:

> Blow, wind! come, wrack!
> At least we'll die with harness on our back.

Mr. STONE. Mr. President, death is so full of solemn mystery that I am prone to stand silent in its presence. Before the Specter of death even thought itself is hesitant, and like unto a tired bird would fold its wings; and speech, however phrased, falls upon my ear like a note sounded from a chord out of tune. My speech, therefore, shall be characterized by brevity.

On Sunday last I attended the funeral services held in the Hall of the House in memory of Representative PAYNE, of New York. To-day we are assembled in the Senate Chamber to pay tribute to Senator BACON, of Georgia. Both were among the most conspicuous and potential American public men of our day. They lived and wrought in the same period, and largely in the same arena. Death came to them in the same way, and not many moons apart. Their lives, distinguished by many important and useful services to their country and mankind, were snuffed out, almost without warning, as suddenly and quickly as a flash, which for a moment lights some far off summer cloud, sinks into darkness and disappears.

Oh, the mighty mystery of it, and with what reverential awe the human mind contemplates this swift transition from life to death! And yet full well we know that after all and at best a single life is but a speck on the unfolding scroll of time, and but little more than that on the record of human experiences and history. This is as well true of those we call great as of those the least known. The span of life is so little—so insignificant—that it can hardly be counted as a separate space in the endless course of time. In truth, those accounted great—those who escape oblivion—come and go like all their kind of whatever degree, and the time comes in after years when the world no longer remembers the real great man as he was, as his contemporaries knew him, but remembers only his deeds; and remembers his deeds, if at all, only because of their influence and effect on the progress of the world and the fortunes of the human race.

This thought, Mr. President, that in time one will be remembered only for his deeds, should be a high and noble inspiration to every man to so live and strive that the sum of his life work may exert some influence for good upon the everlasting struggle of mankind for better things.

AUGUSTUS O. BACON was full to the brim with this inspiration. I shall not here trace the history of his career. That can be better done by the Senators from his own State, so long and intimately associated with him in private and in public life, or perhaps by some other friend who may care to speak with greater particularity. For me it is sufficient to speak in simpler vein—sufficient merely to avow my firm belief in his splendid courage and superb integrity. His ideals were high; his regard for any service he undertook was scrupulous; his devotion to duty was passionate and unflagging; his patriotism, wrought into his very life, flamed like a torch whose light fell upon his whole country and all its people. He loved books and music; he was traveler and scholar; he was soldier and statesman; he was a Christian and a gentleman. What more need be said? What more, indeed, can be said "to give the world assurance of a man"?

He will be sadly missed from our council and in our labors; and especially in this time of tremendous international stress, when we stand in ever-increasing need of learning, sagacity, and guidance, are we keenly conscious of our loss. But so it is, and it boots naught to lament. His life was well rounded, and more nearly reached the full limit of its possibilities than fate or fortune allows to most men. If, unlike Cardinal Wolsey, he did not sound all the depths and shoals of fame, he did sound many of them without wreck; and if he did not scale the highest peak, he did climb some of the loftiest without falling. Maybe it is better for him as it is. His work—constructive, upbuilding, and beneficent—has left an influence for good which will make his name a precious memory. His stalwart form is crumbling into dust, but his spirit, his soul, has entered upon new and nobler activities in a higher and infinitely better sphere. How do I know? Only because I still believe in the eternal Triune God my mother told me about as I knelt at her knees—that sweet and sacred altar of my childhood faith.

Mr. NELSON. Mr. President, when Senator BACON passed away to his final rest on the 14th of February, 1914, in the seventy-fifth year of his age and in the maturity of his power, the Senate lost in him one of its strongest, ablest, and most efficient Members, one to whom we could always look for valuable advice, information, and instruction. Gifted by nature with a vigorous intellect, which he developed and fortified by a broad and liberal education, he was well equipped in his youth for the active and strenuous duties of life. What happened to so many young and promising men, North and South, on the eve of the great struggle which began in 1861 happened to him. Though educated and trained for the pursuits of peace, yet his first active and pronounced work was that of war, that of an officer in the Confederate Army, in which he proved himself an able, courageous, and efficient officer, faithful to the end to the cause which he had espoused. In 1861, from the heights back of Arlington, in his Confederate uniform, he beheld the dome of that Capitol which he entered as a United States Senator in 1895. The war had exhausted and impoverished the South, and the problem of reconstruction retarded to some extent the work of recuperation. It was not altogether an easy task for the returning soldiers of the North to resume the avocations of peace, and it must have been much harder and much more trying and difficult for the soldiers of the South. The former returned to a prosperous country, while the latter returned to a country where stagnation and paralysis, as a result of the war, prevailed. It was under such circumstances and conditions that Senator BACON embarked in the practice of law in 1866, the year following the close of the war, and in the period of reconstruction. While by intellect and training a thorough, able, and most conscientious lawyer, I can readily conceive that under the circumstances he found it at first uphill and not very remunerative work; but his ability and persistency in due time, as the country gradually recuperated, met with its reward, and he soon became one of the leaders of the bar in his State. As a lawyer he was painstaking, thorough, and honest. He was not a mere case lawyer, but one who was versed and well grounded in the fundamental principles of jurisprudence. He was a close student of our constitutional law, and believed in adhering to its fundamental principles, its checks and balances. He was of a conservative temperament and trend of mind, and hence his opinion on great constitutional questions was deliberately formed and of great value.

After having firmly established himself as a lawyer and becoming well known for his proficiency and skill in that calling, at the instance of his people he entered the political arena of his State as a member of its legislature, in the lower house, where he served for 14 years in all, 8 years of that time as speaker and 2 years as speaker pro tempore.

As a legislator he was safe, sound, and moderately conservative, with a talent for constructive and remedial legislation. As a presiding officer he was patient, fair, and impartial, aiming to keep the deliberations of the body over which he presided within the pale of parliamentary law. In the legislature he was looked up to as a guide and leader whom it was safe and best to follow. He was no truculent time-server nor weather-vane gazer. He stood for what he believed was just, right, and for the public welfare.

The people of Georgia approved of his course and his work, and as a token of their approval in the fall of 1894 elected him to the United States Senate for the term commencing March 4, 1895. He was thrice reelected, and passed away in the first year of his last term. He was the first Senator elected by a popular vote of the people under the recent constitutional amendment.

Few, if any, have ever entered this body better equipped for the great work entailed on its Members, who are not only acting as legislators but as advisers of the President in the matter of our diplomatic affairs and in connection with appointment to office. He was assigned, among other assignments, to the important Committees of Judiciary and Foreign Relations, and in the great work of these committees he took a prominent and leading part. In the proceedings on the floor of the Senate he took a leading and pronounced part from the very beginning. He was nearly always in his seat, vigilant and watchful.

Nothing escaped his attention. Though not an orator in the common acceptation of the term, it can be truly said that he was a first class and ready debater, thorough and exhaustive, ready to take and give blows. But he was always fair, honorable, and manly. There was nothing rough or rude in his behavior to an antagonist. He was always the thorough gentleman, true to his cause, his training, and his environment. To me he always appeared in public and in private as a connecting link between the old and the new South. In his attitude and demeanor he seemed to me like one of the gentry of the old South infused with the progressive spirit and aspirations of the new South. Faithful to his past and the past of his country, he was nevertheless truly alive to the great future of our country and ready to give it a helping hand both North and South.

All of us who served in the great Civil War had much to learn and unlearn of each other; and we came out of that strenuous and drastic school wiser and better Americans and with more charity and good will for each other, and we all came to ultimately realize, as the wounds of the war were healed, that the God of battle had, after all, conferred a great blessing upon us in making us again a reunited country, stronger, more vigorous, and more progressive than ever. Our friend, the deceased Senator, died as zealous in the welfare of our common country as any who were opposed to him in the great struggle.

When at the beginning of this Congress the Democrats attained the ascendancy in this body, Senator BACON was at the head of his party upon the Committees on Judiciary and Foreign Relations, and he had the option of taking the chairmanship of either of these committees. He selected that of Foreign Relations, and it seemed to me that he chose wisely. While he would have made a most excellent chairman of the Judiciary Committee, yet his tastes, his aspirations, and, above all, his studies led him in the direction of our foreign affairs.

He had to my knowledge, after entering the Senate, been a close student of international law and of our diplomatic relations, and as a consequence was in a high degree qualified for the chairmanship of this important committee. And it was his ambition to take a leading part in the adjustment of our foreign affairs and diplomatic relations, and I feel sure that had his life been spared he would have been most helpful to the administration of his party in guiding it in its relations with foreign nations.

I remember very well when, during the first session of this Congress, there was a disposition in certain quarters to have our country resort to armed intervention in the affairs of Mexico, how he frowned upon such a course, and how anxious he was to avoid everything that savored of war. It seems sad, and it must have seemed sad to him, in his last conscious moments, to be cut off by death at the very threshold of the new duties and great work he had assumed. Death, however, is no respecter of human wishes and human aspirations. The summons comes oftentimes when we least expect it and when we are reluctant to go, but we are, on the whole, safe in assuming that the dispensations of an All-Wise Providence are for the best, and in saying: "Even so, Father, for so it seemeth good in Thy sight."

Fifty-four Senators, who were Members of this body when Senator BACON first entered, have since passed away, and 44 Senators and one Vice President have since that time died while in the public service. I append a list of these latter to my remarks. It is a most notable roll of the men who have been our guides and leaders during this generation. Next to the last on this roll is our departed associate, to whom we pay our tribute on this occasion. He has left us, but the example he gave and the results of the work he wrought abides as an instructive and hope-engendering lesson for us and for our posterity.

List of United States Senators who have died while in the United States Senate from the Fifty-fourth Congress, inclusive, to the present time.

Joseph H. Earle, South Carolina, May 20, 1897.
Isham G. Harris, Tennessee, July 8, 1897.
James Z. George, Mississippi, August 14, 1897.
Edward C. Walthall, Mississippi, April 21, 1898.
Justin S. Morrill, Vermont, December 28, 1898.
Monroe L. Hayward, Nebraska, December 5, 1899 (never attended).
John H. Gear, Iowa, July 14, 1900.
Cushman K. Davis, Minnesota, November 27, 1900.
James H. Kyle, South Dakota, July 1, 1901.
William J. Sewell, New Jersey, December 27, 1901.
James McMillan, Michigan, August 10, 1902.
Marcus A. Hanna, Ohio, February 15, 1904.
Matthew S. Quay, Pennsylvania, May 28, 1904.
George F. Hoar, Massachusetts, September 30, 1904.
William B. Bate, Tennessee, March 9, 1905.
Orville H. Platt, Connecticut, April 21, 1905.
John H. Mitchell, Oregon, December 8, 1905.
Arthur P. Gorman, Maryland, June 4, 1906.
Russell A. Alger, Michigan, January 24, 1907.
John T. Morgan, Alabama, June 11, 1907.
Edmund W. Pettus, Alabama, July 27, 1907.
Stephen R. Mallory, Florida, December 23, 1907.
Asbury C. Latimer, South Carolina, February 20, 1908.
Redfield Proctor, Vermont, March 4, 1908.
William Pinkney Whyte, Maryland, March 17, 1908.
William James Bryan, Florida, March 22, 1908.
William Boyd Allison, Iowa, August 4, 1908.
Martin N. Johnson, North Dakota, October 21, 1909.
Anselm J. McLaurin, Mississippi, December 22, 1909.
Samuel Douglas McEnery, Louisiana, June 28, 1910.
John Warwick Daniel, Virginia, June 29, 1910.
Jonathan P. Dolliver, Iowa, October 15, 1910.
Alexander Stephen Clay, Georgia, November 13, 1910.
Stephen B. Elkins, West Virginia, January 4, 1911.
Charles A. Hughes, jr., Colorado, January 11, 1911.
William P. Frye, Maine, August 8, 1911.
Robert L. Taylor, Tennessee, March 31, 1912.
George S. Nixon, Nevada, June 5, 1912.
Weldon B. Heyburn, Idaho, October 17, 1912.
James S. Sherman (Vice President), New York, October 30, 1912.
Isidor Rayner, Maryland, November 25, 1912.
Jeff Davis, Arkansas, January 3, 1913.
Joseph F. Johnston, Alabama, August 8, 1913.
AUGUSTUS O. BACON, Georgia, February 14, 1914.
William O. Bradley, Kentucky, May 23, 1914.

Mr. OVERMAN. Mr. President, Senator BACON died while the Senate was in session. When it was suddenly announced in the Senate that Senator BACON was dead, it was a great shock to all. A solemn stillness pervaded this Chamber. Sorrow was depicted upon every face and all realized that a great man had fallen, one whose place would be very hard to fill, and the State of Georgia and the country had lost a great leader.

Now, when we have stopped the wheels of legislation and have set apart this hour to pay honor to his memory, to pay to him the last tribute we can ever pay in this world, I, as his friend, desire to add my simple tribute to his memory.

I admired him for his ability. I held him in high esteem for his character and his services to his country. I admired him for his statesmanship and devotion to duty. I esteemed him for his friendship.

When I came to the Senate 12 years ago he had served his State here for 8 years, and his reputation then had been established as one of the leaders of the Senate. I confess that at first my estimate of him, from a personal standpoint, was shattered. I have noticed since that time that with the new Senators at first he was not popular. He appeared unapproachable and unsympathetic, but to the older Senators who knew him this was not so.

His paternal ancestors were Puritans, having first settled in Massachusetts in 1630. Upon this stock was grafted the cavalier, his maternal ancestors having settled in Virginia. Thus he had combined in him the dignity, austerity, cold, irresponsive, and retiring manners of the Puritan with the courage, gentleness, open, frank, positive, and refined qualities of the cavalier.

It was not long before my first impression was dispelled and that better and lovable side came out most vividly. Those who came in close touch with him not only admired but were personally fond of him. All respected him and esteemed him for his ability as a lawyer, a debater, and a constructive statesman.

Few States since the foundation of the Government have been more ably represented upon this floor than the great State of Georgia, but she has never been represented by a more useful Senator than Senator BACON. He was not equal in ability to Robert Toombs; he did not have the logic and was not possessed of the great reasoning faculty and statesmanship of Alexander Stephens; he was not as great and eloquent a debater as Ben Hill; but he was a splendid debater, logical and at times eloquent. He was an able lawyer, superior to either one of these great Senators as a parliamentarian, and was more diligent and untiring in his work upon committees. If all of these had been Members of this Senate at the same time, AUGUSTUS O. BACON would not have suffered by comparison. In any parliamentary body on earth he would have been recognized as a leader among leaders. He was not a colossal figure in the public eye. He was by no means commonplace, and no one would place him in the mediocre class.

No Member of this Senate was more regular in his attendance upon the meetings of committees and the sessions of the Senate. He was rarely absent from his seat and took part in all of the great debates. As a member of the Judiciary Committee and the Committee on Foreign Relations he was always ready to debate any great questions affecting the Constitution and inform the Senate upon any delicate questions affecting our foreign relations. He always enlightened the Senate upon these great questions whenever he spoke. His familiarity with the rules of the Senate and parliamentary law was remarkable, and he was the recognized authority on these questions. He was far from being a demagogue or the hypocrite. He was a manly man, always open, frank, and brave. He always stood up to be counted, and with courage always asserted his convictions with such force, frankness, and purity of purpose, that he won the respect of those who differed with him in forensic contests.

Here he ranked as one of the leaders of his party. He was so recognized, and justly so. His name is connected with much of the important legislation which for the last 20 years has passed this body and been enacted into law.

For 40 years he served his State faithfully, loyally, and with warm devotion to her interests. At the first call of his State for troops he volunteered to battle for her rights, and for four long years through the cruel and bloody war he rendered devoted and faithful service, first as adjutant of the Ninth Georgia Regiment and then as captain upon staff duty under Gens. Henry R. Jackson, Imboden, and Mackall. After the war he returned to his State, read law, and soon rose to the first rank among the great lawyers of that State. His oratorical talents and interest in public matters soon led him into the political arena. He served as presidential elector, and was elected 12 successive years as a member of the legislature and for 8 years was speaker of the house of representatives, in which position he served with honor and dignity. Many other positions of honor were conferred upon him by his party. He was considered one of the most aggressive and stalwart leaders in his State, and, recognizing his leadership and ability, his State elected him in 1894 to the United States Senate. Four times he was returned to this body, practically without opposition. The last time—in 1913—he was elected by a direct vote of the people under the seventeenth amendment to the Constitution. In this election he had the marked distinction of being the first Georgian elected for four successive terms and also the first Senator in the country elected by the people.

While he was not what might be called the idol of his people, they felt proud of him. Proud of the great record he made in the Senate and the honor he brought to the State. They believed in him as an honest, incorruptible man; as one who had served his State faithfully, loyally, and with untiring energy; and they were glad to confer upon him these unprecedented honors.

Senator BACON was of a sanguine temperament. His high hopes and purposes were the result of his moral instincts and his intellectual convictions. Those who knew him best knew that he was full of sentiment. He was a deep lover of nature. He was fond of poetry and song. He loved the sunshine, the birds and flowers, the trees and running brooks. He was accustomed to take long walks and ramble through the woods in Rock Creek Park to commune with nature.

Though he never paraded it, Senator BACON was a worshipful man, full of reverence. He had an abiding faith in the immortality of the soul, and was a firm believer in the beautiful land of rest in the great beyond. These things he rarely spoke of, but in his last will, with his own pen, he had no hesitation in telling to his family and the world of his abiding faith, the evidence of things unseen, the substance of things hoped for.

He that believeth in Me, though he were dead, yet shall he live; and whosoever liveth and believeth in Me shall never die.

With him "life's fitful fever is over." It was permitted to him to live out his three score years and ten. He has crossed over the river and rests under the shade of the trees where separation, sorrow, sighing, and injustice shall be no more.

Mr. O'GORMAN. Mr. President, a great man has gone from among us, full of years, of good works, and of deserved honors.

When the Senate loses one who for years has been among the most conspicuous and distinguished of its Members we but perform a solemn duty in placing upon the immutable records an expression of the Nation's grief and of our own sense of loss and bereavement.

AUGUSTUS OCTAVIUS BACON was not only an able and exceptionally useful Senator, but he was a distinct force in the life of his State and of the Nation, a strong champion of those broad principles and high ideals which he consistently advocated during his long career in public life. His was an attractive personality; and as he walked among his fellow men he commanded a place of leadership and distinction which his colleagues readily accorded to him. Firm in his convictions and courageous in giving them expression, he was an opponent to be respected and a friend to be cherished. In all respects he was a high type of American citizen, a title which he greatly prized and upon which he reflected credit and honor.

He was elected to the United States Senate in November, 1894, and through the grateful appreciation of his native State served continuously as a Member of the Senate until February 14 of the present year, when, after many years of well-earned honors and rewards, his career came to a close.

Senators are familiar with his long record of service in this body, and in this presence I need not dwell upon the important part he took in our deliberations in committee and on the floor of the Senate. He brought to the discharge of his public duties rare natural gifts and talents, ripened by years of experience in the law and in State and National legislation. He was a man of scholarly tastes, profound erudition, and wide knowledge of the world. His mind was unprejudiced, vigorous, and comprehensive. In debate he was forceful and illuminating. His death took from the Senate one of its most experienced and efficient Members and deprived us of an instructive and companionable associate.

Those who had the privilege of knowing Senator BACON can not withhold the expression of affectionate admiration for his pure and distinguished patriotism, his exemplary life, his unsullied career. A survey of the accomplishments of the Senate during the past 18 years must evoke grateful remembrance of his sturdy, earnest, and zealous devotion to the service of his country. His fine dignity and unyielding respect for the great traditions of the Senate stamped him as a representative of that honorable old school of statesmanship which has contributed so much to the pride and glory of the Republic.

Most men of note live through but one career and win fame in one line of endeavor, along one road of duty and ambition, in a continuous and harmonious environment. It was the fate of Senator BACON to do more; he ran the whole gamut of those emotions and affections which have stirred the American people during the past 60 years. Having lived during the trying days of his youth as a loyal son of the South, the trials and conflicts through which he passed seem to have enriched his patriotism, and the early love which he bore for the Southland was but the budding of that deep and affectionate loyalty to the Republic which made him love each cherished spot where floats the Stars and Stripes. Out of the flames of the sectional conflicts of his youth came a national devotion of patriotic intensity. He loved his country and gave his life to her service. He was a thoroughly sincere man, who had nothing but public purpose to inspire him. Senator BACON grew old forcefully as well as gracefully, giving to the country the full and generous benefit of his ripened experience and mature judgment.

Georgia has played a noble and brilliant part in the battle of American progress. Her distinguished men have added much to the inspiring history of our national advancement, and among the most valued of her contributions to the general welfare were the career and public services of her illustrious son to whose memory to-day we pay the last tribute of friendship and admiration.

Mr. TILLMAN. Mr. President, hanging on the walls in my committee room in the Capitol, where I work from five to seven hours a day, are the photographs of some of my best friends, men whom I admire and love. Most of these are still living and are much my juniors. One of them is dead, and his kindly face beams down on me from the wall all the while and makes me feel sometimes as though he were present and going to speak.

We entered the Senate together in 1895, nearly 20 years ago, and during these years a warm friendship grew up between us. Our committee rooms were next to the Senate library and adjoined. Although he was my elder by several years, he always addressed me as "The old man"—"How is the old man to-day," being his usual greeting—and the name by which I addressed him most frequently was "My Lord Bacon."

I was at Robertson's Sanitarium in Atlanta last February when the news of his death was flashed over the wires, and immediately telegraphed the Vice President asking to be appointed on the committee to attend his funeral. When his body reached Atlanta I joined the committee and went on to Macon, and saw him laid away to rest in the beautiful cemetery on the hillside among his loved dead. While he was very reserved about family matters and rarely mentioned them, our intimacy led him once to tell me what a terrible grief came into

his life when his twin boys both died in one week. As I stood by his open grave I thought of his reunion with those children and how happy it must make him, and somehow the thought was very comforting to me.

He was very much loved by the people of his own city and State, and there were deputations from many parts of Georgia to attend his funeral. The people of that great State—like Virginia, the "mother of statesmen"—realized that they had lost another great man. I do not say "great man" flippantly, but advisedly. All men who become Senators do not thereby become great. The roll of great Senators is somewhat limited, and the average man would be puzzled to name 50 great Senators out of the hundreds during the entire period of our history. But BACON had qualities of mind which made him worthy to be called a great man. He was not merely a good politician and good fellow.

I married a Georgia woman and was born and reared within 13 miles of the Georgia line, and always had a great many friends in that State. It is a saddening thought that I have attended the funeral of two of Georgia's great men—BACON and Clay. They honored me by giving me their friendship.

BACON was a great lawyer. I will always remember an incident which occurred at a dinner at my home when I lived on East Capitol Street in this city. This was many years ago. I had formed a strong attachment for three of my colleagues, all of them lawyers—BACON, Spooner, and Chandler. Although I am a farmer pure and simple and never studied law at all, my official position as governor, during which time I had many lawsuits for the State, necessitated my reading many Supreme Court decisions. Then, too, in general reading I had become familiar with the principles of the law and knew a little something about the Constitution. Therefore I am not entirely ignorant or an unappreciative listener when law points are being discussed. On the occasion of which I speak (the dinner at my home) it will be noted that two of my guests were Republicans, both leaders of their party until they left the Senate. Although I am considered a partisan and am a very pronounced partisan in many respects, I never allowed my Democratic principles to interfere with my personal friendships. It is a source of pride to believe—indeed, to know—that a large number of the Republicans with whom I have been associated in the Senate during my 20 years' service are and have been my personal friends. Many of them have "gone over the river" where BACON has joined them. I must join that caravan, too, soon, for I am nearly "three score and ten" and realize every day that I am approaching the end. But I am prepared when the time comes to go to the grave—

> * * * Not like the quarry slave at night,
> Scourged to his dungeon, but sustained and soothed
> By an unfaltering trust, I will approach my grave
> Like one that wraps the drapery of his couch
> About him and lies down to pleasant dreams.

But let us back to the dinner. I had a son who was at that time a law student at Georgetown University, and more for his encouragement than anything else I told those three great lawyers, who had climbed to the very top of their profession and then been given the highest office in the gift of their States, that I would be very much obliged if they would tell us something of their early trials and struggles. I started off with BACON, asking how much income he got from his first year's practice. He answered something like this: "TILLMAN, when I first began the practice of law I entered the office of Judge Lochrane, who was then at the head of the Macon bar and had a very large practice. Although the firm name was Lochrane & Bacon, I soon found very much to my disgust that all of the clients and even visitors to the office wanted 'to see Judge Lochrane,' and none called for or wanted to see Mr. BACON. His reputation had thrown me into eclipse, and I decided that I could not afford this and therefore determined to withdraw from the firm and set up on my own hook. I did not get much practice at first, and money was so scarce that, to economize in every way possible, I used to sit without a fire with a blanket wrapped around my legs and feet to keep warm while reading. I really did not feel able to buy wood."

Spooner broke into the conversation with his reminiscences, laughing at the time, saying: "I was in debt when I hung out my shingle, and the first thing I did was to marry; but I did manage to make about $1,500."

Chandler came next with his experience and, as I recall it, he said: "I began practicing when 20 years old, also in company with a senior partner. I do not recall that I received much of anything that year. The next year, 1856, I practiced alone and made about $1,300 or $1,400—enough to pay board and lay up a little. After practicing nine years, before coming to Washington, I had managed to accumulate between four and five thousand dollars. During that time, however, I recall that I interfered a great deal in politics."

The picture of BACON shivering in the cold for the want of wood which he felt too poor to buy; Spooner battling with poverty and earning only $1,500 per annum, while I know he gets more than that for some of his retainers now and often receives scores of thousands for a single argument before the Supreme Court; and Chandler in stringent circumstances because of lack of practice made a very lasting impression on my mind. Then, Chandler's describing his work as "interfering with politics" seemed ludicrous, especially the "interfering," because those who know him well know how alert his mind is and quick to catch on to things. It amused Spooner and Bacon as much as it did me to hear him thus characterize his activities in political matters. Indeed, his make-up has always puzzled me because of the odd mixture of mischief, earnestness, patriotism, selfishness, and sarcasm. He still "interferes" with politics and will do so until he dies. The lives and achievements of these three men are marked illustrations of the possibilities of our American civilization and demonstrate very forcefully that where men have the brains and energy they can carve a career in this country under very adverse conditions.

As our committee rooms were so near together, BACON and I frequently walked up Pennsylvania Avenue together, and on these walks we had long talks about politics, history, poetry, literature, and books we had read. I remember those walks with a great deal of pleasure now, because my pleasures now are mostly those of memory, and I presume other men, old and invalid like myself, are in the same condition.

He had a characteristic which made our association appear sometimes incongruous. His frame of mind was eminently judicial and he objected strenuously to any interruption; could not tolerate it, in fact. Indeed, no two men in the Senate were more different in temperament. He was calm and pacific at all times. I am impetuous and frank, and my strongest and most marked characteristic is perhaps pugnacity. Our friendship must have been due to the law which has been formulated thus: Men like their opposites, and not those who have the same foibles and feelings they themselves have. He was diplomatic or nothing, and no one ever even suspected me of having any feeling of that kind. I would frequently ask his opinion on a law point on some matter before the Senate or in the newspapers, and when he started to tell me I would see the point he was attempting to elucidate before he got to it, and would interrupt with some word showing I did not need further explanation. He always resented this very much, saying pettishly, "Tillman, you will not let a man tell you anything before you interrupt him."

He was a man of very great refinement of feeling and disliked above all things to wound another. I never heard him in the Senate in debate say anything sharp, sarcastic, or vehement. Sometimes he grew earnest and even eloquent in discussing matters before the Senate, and I have heard him give the Republican Party a very severe drubbing more than once, but I never did hear him utter any such thoughts without apologizing for it—a salve for the wound, as it were. I have abused him many times good-naturedly for this weakness, which many will consider his finest characteristic. But, then, it was his nature to be kind and gentle, and he hated to say anything calculated to wound feelings or rankle in the memory like a thorn in the flesh. I have always considered this a weakness and have acted on the contrary principle. I never said anything unless I believed it to be true, and, if the truth hurts, I felt that it ought to hurt, for in that way only could reformation be brought about. Having served in the minority here for 18 years, I realize fully what it is to cultivate patience, and long for the time when my own party should have control.

BACON had a mind peculiarly filled with veneration for tradition and old customs. He was a stickler for the rules of the Senate, and very few Senators had a better knowledge of those rules or of Jefferson's Manual or was more familiar with the Constitution of the United States than he. He was always at his best in arguing a constitutional question or a legal point, though sometimes I thought him a little prolix and wordy. His membership on the Committee on Foreign Relations made it necessary for him to study international law and be familiar with treaties, and his knowledge of both was very extensive.

He was very fond of music, and in his home were two music boxes, one of the old Swiss type and the other a modern machine, which would reproduce the voices of great singers. Frequently we got together at his home or mine and spent the evening listening to good music.

He was very fond of travel and of reciting his experiences on his various trips to Europe. He made it his religious duty, after his first breakdown in the Senate, some 10 years ago, to

spend two or three months each summer in the Tyrolean Alps. He believed that these trips abroad had a great deal to do with his robust appearance and health and were necessary to prolong his life. Whether or not his failure to get away last summer had anything to do with hurrying the end, of course, we do not know, but he longed for the European mountains and was very much disappointed and put out because of his inability to go abroad. He felt that he could not afford to have the appearance of neglecting his duty, although he had been triumphantly re-elected for the fourth time by the people of Georgia the year before, and political consideration did not control his action or govern his feelings in any way. He stood by his post of duty and went down on the firing line, as it were. No soldier on the battle field ever showed more courage. Senators come and go, but it will be a long time before the Senate is adorned by a more able man or one more worthy the respect and admiration of his colleagues.

Mr. GALLINGER. Mr. President, others better fitted for the task than I have told the story of the life work of our late distinguished associate, the Hon. AUGUSTUS O. BACON, of Georgia. For me it is sufficient to say a few simple words of appreciation of a man whom I admired, a Senator of unswerving integrity, acknowledged ability, and universally recognized distinction, who in the discharge of his public duties shed luster not only upon his own State but also upon the country which he served faithfully and well.

When Senator BACON entered the Senate I had been a Member of the body for four years. Before he had taken the oath of office I was told by those who knew him well that he would take a high place in the Senate because of his extensive learning, his legislative experience, his legal acquirements, and his great ability as a debater and parliamentarian. In all these respects he abundantly fulfilled the expectations of those who vouched for him, speedily gaining deserved recognition and honor.

Senator BACON stood for all that is best in the history and traditions of this body. He insisted upon the observance of the rules which are designed to govern our deliberations, and he also insisted upon an observance of the precedents, social as well as otherwise, which have been handed down to us by our predecessors. A man of simple tastes and quiet living, he nevertheless contended that the Senate should be given its rightful place on all occasions and not be pushed aside or ignored by those who had less claim for recognition or priority. A true disciple of Jefferson in simplicity of life and manners, he was equally an aristocrat when occasion demanded. To him the pomp and circumstance of life meant little, but the amenities of life meant everything. He was a man of high ideals, of irreproachable character, and possessed of a courtesy and kindliness of heart which bespoke the true gentleman.

For nearly 20 years it was my privilege to come in almost daily contact with this honored son of one of the original Thirteen States; and during all that time, whether in the routine of legislative procedure, of parliamentary contention, or in the heat and stress of debate, no wound was inflicted on either side that remained unhealed for an hour. A man of positive convictions and matured views, he extended to his colleagues the unquestioned right to opinions differing from those which he held and which he was always ready to defend. Thoroughly versed in the history and traditions of his own country, his wide knowledge of international affairs gave to his opinions an authority and influence possessed by few men in the history of our Government. The death of Senator BACON removed from this body one of its ablest Members and deprived the Nation of the wise counsel of a cultured, conscientious, and broad-minded legislator and statesman.

Mr. President, as I stood at the open grave of my associate and friend, in the beautiful burial ground at Macon; as I saw the great concourse of his friends and neighbors assembled to do him honor; as I saw the tears on the cheeks of family and kinsmen; as I listened to the words of the preacher, so full of tenderness and meaning, and as I looked beyond and saw those whom he had left, struggling for preferment above their fellows, I could not but ask myself what the real meaning of life is. And it then came to me, as it had so often come before and as is has come many times since, that the true meaning of life is not wealth nor fame nor glory, but rather that it is summed up in the few simple words of the Master:

> Thou shalt love the Lord thy God with all thy heart, and with all thy soul, and with all thy mind, * * * and thou shalt love thy neighbor as thyself.

And turning away from that scene of sadness and grief, bidding a long farewell to the great man whom I was privileged to call friend, I felt like consecrating my life and whatever talents I possess to a deeper devotion to public and private service, and thus be prepared for the great change that will inevitably come to all of us, as it came to this gifted son of Georgia. And so to day I can but express the hope that his example will be to us an inspiration for all that is best in this world, and that the life and character of Senator BACON, as it will be read and recounted by the youth of his native Commonwealth, may beckon them on to higher purposes, to cleaner lives, and to greater achievements for the welfare of their fellow men, the State, and the Nation.

Mr. HARDWICK. Mr. President, AUGUSTUS OCTAVIUS BACON, late a Senator of the United States from the State of Georgia, long represented and personified on this floor a type of statesmanship that is fast passing away, if, indeed, it be not already passed.

Imagine him clad in the toga of twenty-two hundred years ago, and it would not require a much more difficult stretch of the imagination to see in him, reincarnated, the highest type of the Roman senator at the very climax of that period when the senators of Rome were the lawgivers of the world. Compare him in all the essentials that made the senators of the world's great Republic illustrious and their integrity the proudest boast of a great people with them, and neither he nor American statesmanship suffers in the comparison.

Is high-minded personal and official integrity, that is not only beyond question but above suspicion, the first and all-essential requisite for lofty public service? If so, Senators, in this age of yellow journalism and of unwarranted license in the criticism of public men it should be an inspiration to every American schoolboy to learn what those of you who served longest with our dead friend know best—that in this great virtue he was second to no Roman Cato.

Is lofty patriotism, that exalts one's country above all earthly objects and enthrones the lasting good of her people as the one great object for which senates assemble and parliaments legislate, another essential and fundamental virtue? If so, Senators, we may all find comfort in the thought and draw inspiration from the fact that in the practice of this great virtue the late Senator from Georgia set for himself a standard not less lofty than that of the elder Brutus.

Is real and unassumed personal and official dignity, a due regard for the exact proprieties of every occasion, and a full appreciation of the greatness of the imperial Commonwealth that sent him here so long and of the mighty Nation he loved and served so well to be appraised a virtue? If so, Senators, in these qualities your late colleague could be compared most favorably with the proudest Tarquin of them all.

Is the possession of a mind well stored with the legal lore of his people and his race, well trained in the measurement of wrongs and the weighing of conflicting rights, to be accounted a splendid part of the equipment of a great lawmaker? If so, Senators, in this respect the dead Senator whom we honor to-day was as splendidly equipped for the public service as any Roman Justinian.

Is that "righteousness that exalteth a nation" to be applied to its foreign affairs as well as to its domestic concerns? And is that man who, in his legislative conduct and career, seeks to apply the doctrine of the Golden Rule to other nations as well as to the citizens of his own to be adjudged truly great when the scales of public opinion shall be finally and justly balanced? If so, Senators, the late Senator BACON, who was for so long a time a potent factor for good in the conduct of our foreign relations, will not lose in stature when he is compared with even the greatest of those early Romans who stood for justice and square dealing, even with the despised barbarian, and even against the clamor of a fierce and war-loving nation.

Of Senator BACON'S long and successful career at the Georgia bar, of which he was the acknowledged leader when elected to the Senate; of his splendid service to the people of Georgia while a member of her legislature, of whose house of representatives he was for eight years the honored speaker; of his unselfish devotion to the interests of his alma mater, the University of Georgia, even during those years in which the weight of public duties and responsibilities bore heaviest upon him; of his unfaltering loyalty to the Democratic Party, both in our State and Nation, through many years of valued service, I may not on this occasion speak in detail, lest I become prolix.

Upon his great services in this Chamber through the past 20 years, touching almost every line of legislative and parliamentary activity, I may not with propriety dwell; for many of his honored colleagues, intimately associated with him in those activities, are still with us, and are far more competent than I am to recount his work and acclaim its worth.

I trust I may be pardoned, however, if I allude briefly to several particulars in which it has always seemed to me his influence was strongest and his work most fruitful.

First of all, he was diligent to a degree and constant without exception in his attention to the work of the Senate and in his attendance upon its sessions.

In the next place, he always attached great importance to the rules and precedents of the Senate. In respect to this matter, it may have seemed to the thoughtless, on occasion, that Senator BACON was overtechnical in his insistence upon following the rules of the Senate and in adhering to its well-settled precedents. Such was not the case, however; for he had acquired a profound knowledge of those rules and precedents, and with it an equally profound conviction that the rules and precedents of this great body all form part and parcel of a great comprehensive and complete system by which legislation in this Chamber is both accelerated and safeguarded, and that prudence requires that a legislative body shall steer according to its chart and compass, in this way securing the greatest general good and in this way scrupulously preserving the rights of all.

In the next place, during his long and potent connection with the foreign affairs of our country he brought to their consideration not only all the splendid equipment of a great legal mind but also a fine and fair sense of natural justice. In his consideration of these questions he had two maxims of conduct that, in my judgment, have proved invaluable to our country in the past and are indispensable to her safety, peace, and glory in the future:

First, that we should religiously adhere to the almost inspired advice of the great Father of his Country to cultivate friendly relations with all the nations of the earth and to have entangling alliances with none.

Second, that we can neither afford to bully the weak nor truckle to the strong, but should invariably accord to the weakest nation with which we have dealings the same consideration, the same justice, the same rights that we accord to the mightiest powers of earth.

Lastly, but by no means of least importance, Senator BACON had a fixed and accurate conception of the great American system of government—of the great dual system that distributes power between the Federal and State sovereignties—giving to each jurisdiction complete and supreme power in its own sphere of activity, and yet so adjusting the balance between them that real conflict is rare, if not impossible.

He believed with the intense fervor of enlightened conviction that our fathers had built wisely and not at haphazard when they ordained this dual system, and that in a rigid adherence to it lay the brightest and fairest hopes of permanent happiness and prosperity for the American people. He realized that the country was too large and that its conditions varied too greatly in different localities to permit, with safety, legislation by the Federal authority on matters that were purely local to the several States, and as to such matters that the right of local self-government was all important. On the other hand, he fully recognized and earnestly supported the supreme and exclusive authority of the Federal Government to deal with all foreign questions, with all questions relating to the national defense, with all questions relating to the regulation of commerce between the several States, and to exercise to the fullest extent every necessary power expressly bestowed on it or that could be clearly implied from the grant; and he was as stout in his assertion of the full and exclusive right and power of the Federal Government to perform every proper Federal function as he was unyielding in his devotion to the great Anglo-Saxon doctrine of local self-government in all purely domestic concerns and in respect to all matters that properly fell within the jurisdiction and power of the several States.

The great service that he rendered in this Chamber year after year in his earnest and unremitting effort to keep this balance between Federal and State power truly adjusted and to preserve to the people of this country the inestimable blessings of this great system of government to my mind constitute his most important public service, the chiefest glory of his long and distinguished career.

Mr. President, I have already trespassed far longer than I had intended upon the time of the Senate.

Senator BACON is gone from our midst, but his influence and his example remain with us, to help us all, to inspire us all to faithful service, and to lofty endeavor. The great State that he so long illustrated on this floor was proud of him in life and mourns him in death; but to console her in her grief, to comfort her in her sorrow, she has the proud realization that in her gift of him to our country she made notable contribution to American statesmanship; that his passing marks almost the last of an old and honored school, and that when death claimed him it might have been truly said, "The noblest Roman of them all is no more."

Mr. SMITH of Georgia. Mr. President, I ask for the adoption of the resolution which I send to the desk.

The VICE PRESIDENT. The Secretary will read the resolution.

The Secretary read the resolution, as follows:

Resolved, That as a further mark of respect to the memory of the deceased the Senate do now adjourn.

The VICE PRESIDENT. The question is on agreeing to the resolution submitted by the Senator from Georgia.

The resolution was unanimously agreed to; and (at 2 o'clock p. m.) the Senate adjourned until to-morrow, Friday, December 18, 1914, at 12 o'clock meridian.

HOUSE OF REPRESENTATIVES.

THURSDAY, *December 17, 1914.*

The House met at 11 o'clock a. m.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

Our Father in heaven, let Thy spirit come with all its quickening power into our hearts and abide with us, that with fidelity to Thee and to our fellow men we may do our work as it comes day by day without the fear or favor of men, for "They that trust in the Lord shall be as Mount Zion, which can not be removed, but abideth forever," that we may have that peace which passeth understanding. In Jesus Christ our Lord. Amen.

The Journal of the proceedings of yesterday was read and approved.

REPORT OF THE ISTHMIAN CANAL COMMISSION.

The SPEAKER. The other day the President sent a message to Congress, transmitting the report of the Isthmian Canal Commission, accompanied by two large volumes. The Chair referred the message and accompanying documents to the Committee on Interstate and Foreign Commerce, and ordered it printed. It turns out that it has been printed, and therefore the Chair asks unanimous consent to cancel the order, so far as the printing of the documents is concerned. The Chair hears no objection.

LEGISLATIVE, EXECUTIVE, AND JUDICIAL APPROPRIATION BILL.

Mr. JOHNSON of South Carolina. Mr. Speaker, I move that the House resolve itself into Committee of the Whole House on the state of the Union for the further consideration of the legislative, executive, and judicial appropriation bill.

The motion was agreed to.

Accordingly the House resolved itself into Committee of the Whole House on the state of the Union, with Mr. FOSTER in the chair.

The CHAIRMAN. The House is in Committee of the Whole House on the state of the Union for the further consideration of the bill, of which the Clerk will read the title.

The Clerk read as follows:

A bill (H. R. 19909) making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1916, and for other purposes.

The Clerk proceeded to read the bill, as follows:

For fuel, oil, grease, pipe, wire, and other materials needed for the maintenance and repair of boilers, engines, heating apparatus, electric lighting and power plant, and water-supply system; purchase and maintenance of teams; maintenance, repair, or operation of horse-drawn passenger-carrying vehicles; material for boxing nautical instruments for transportation; paints, telegraph and telephone service, and incidental labor, $8,000.

Mr. MANN. Mr. Chairman, I move to strike out the last word. I want to ask the chairman of the committee what is the need for passenger-carrying vehicles in connection with the Naval Observatory. We provided last year that appropriations should not be used for this purpose unless specifically authorized. Apparently the committee has specifically authorized the use of money in every case, so that the law which we passed last year has only resulted in adding a few words to the bill this year. What need does the observatory have for vehicles to drive around in?

Mr. JOHNSON of South Carolina. Under the current appropriations they could not have used the money for this purpose, and in every case they have asked us to put in a provision that would enable them to use it. As a matter of fact, I do not see much difference between operation under the present law and the old method except that it results in their furnishing the Committee on Appropriations, before the bill is made up, with the amount of money to be expended in that way.

Mr. MANN. I was opposed to the provision in the law last year. I took it that the purpose was to enable Congress to cut out some of this driving around Washington at the public expense. Of course each bureau or department that was maintaining vehicles at the public expense for private use has asked to have the specific authority given. Why do they need passenger-carrying vehicles at the Naval Observatory? Certainly they can not go to the moon with them.

Mr. JOHNSON of South Carolina. They claim that they are so far out of town that they need them to communicate with the Navy Department and other departments. It looks like everybody in the Government service except Senators and Representatives have automobiles, or other means of conveyance, at the Government expense. But, as I said a moment ago, the only practical difference between our method of appropriation in this bill and the former bills is that in all the estimates it is now set out about how much money is to be expended in that way, and this information we did not have before.

Mr. MANN. You have information as to how much money they have spent, but there is no limitation as to the amount they may spend.

Mr. JOHNSON of South Carolina. We have information how much they expect to spend.

Mr. MANN. But how much they will spend you do not know. I have no doubt that they will not expend any exorbitant amount. They spend what is necessary for that purpose. The question is whether we wish to make appropriations and to permit these gentlemen to ride in public owned and maintained vehicles. I have no jealousy, as far as I am concerned, but Congress last year had such a spasm of virtue on the subject, was so insistent on cutting out the right of anybody to ride in a public-owned vehicle unless specifically authorized; and yet this year I have not heard a word said in the House on the subject, although there have been many instances so far where we have specifically authorized the use of these vehicles.

Mr. JOHNSON of South Carolina. That is correct; we have authorized it where they have asked for it.

Mr. GOULDEN. Mr. Chairman, I move to strike out the last word. While this subject is up it occurs to me that there is a considerable amount of passenger-vehicle service for the benefit of the heads of departments, and so forth. I would like to ask the gentleman how much money was expended last year for this particular item.

Mr. JOHNSON of South Carolina. About $500.

Mr. GOULDEN. Was there any money expended last year for the purchase of a team?

Mr. JOHNSON of South Carolina. No.

Mr. GOULDEN. I see that you insert the authorization for the purchase of teams again; I suppose that is the usual method of making up the bill.

Mr. JOHNSON of South Carolina. Yes; for a horse might die; but in the absence of some mishap of that kind they have no need to purchase a team.

Mr. COX. Was this money expended in hiring horses from a livery?

Mr. JOHNSON of South Carolina. No. Over at the Observatory they have large grounds, and they keep a team.

Mr. COX. Was this $500 expended for horse feed and maintenance?

Mr. JOHNSON of South Carolina. For feed and maintenance.

Mr. COX. How many teams have they?

Mr. JOHNSON of South Carolina. I think only one.

The CHAIRMAN. The pro forma amendment is withdrawn, and the Clerk will read.

The Clerk read as follows:

For pay of computers on piecework in preparing for publication the American Ephemeris and Nautical Almanac and in improving the tables of the planets, moon, and stars, $3,000.

Mr. JOHNSON of South Carolina. Mr. Chairman, I offer the following amendment.

The Clerk read as follows:

Amend, on page 83, line 12, by striking out "$3,000," and inserting in lieu thereof "$7,000."

Mr. JOHNSON of South Carolina. Mr. Chairman, the estimates called for a lump-sum appropriation of $3,000, and they also asked that two men who have been employed out of the lump-sum appropriation for 11 years should be placed on the statutory roll. We did not grant their requests to put the men on the statutory roll in the preceding paragraph. It has been called to the attention of the Committee that if the men were not to be placed on the statutory roll they must be provided for in a lump-sum appropriation. Indeed, it is doubtful whether they can get through on $7,000, because a good deal of the information has been secured through exchange with other Governments—something they may not now be able to do. They will need every dollar of the amount heretofore appropriated. That is why I am asking that the amount be made $7,000, and these two experts will be kept on the lump-sum roll.

Mr. HUMPHREY of Washington. Mr. Chairman, I desire to be heard in opposition to the amendment. I am not one who has been preaching economy. I recognize the difference between economy and parsimony, and I have not been one who has been talking about economy. In fact, I have no more regard for that portion of the Democratic platform than the Democratic Party itself has; but here is one place where it seems to me there is an absolute waste of money, and where there has been waste for several years. I have here the papers submitted in response to a resolution introduced in the Senate by Senator JONES, and if the gentleman from South Carolina had had an opportunity to read through these papers I am satisfied that instead of moving to make this $7,000 he would move to strike it all out.

The appropriations that have been made for piecework in relation to the preparation of the Ephemeris have been wasted absolutely for several years. I tried to get the Secretary of the Navy under a Republican administration to do away with it, and I think probably he would if he had stayed in office a little while longer; but I was in hopes that this one piece of extravagance a Democratic Secretary of the Navy would have cut out, and I believe he would if he knew the facts. This report reveals some facts that I desire to call to the attention of the committee. In the first place, I find that Prof. Updegraff, who was the director immediately preceding Mr. Eichelberger, estimated the cost of the Ephemeris at $10,700, and Prof. Harshman, who was the director for several years, estimated it at practically the same figure. I find that the first assistant, Mr. Robertson, estimates it at $11,561. So that if we receive no assistance whatever from abroad, as you claim here, you would still have appropriated considerably more than is necessary. I find in looking over this report that the present director, Mr. Eichelberger says that, since the Paris conference which took place some three years ago—and which simply means an agreement that the different countries have to exchange work—the cost of preparing this Ephemeris was reduced to about $6,000; and I further find in looking through this report, on page 105, that there was a board called on October 15, 1912, and that that board recommended that the piecework fund be discontinued, as it is not necessary. That board consisted of Profs. Eichelberger, Rice, and Harshman, the assistant, Mr. Robertson, and a gentleman named Morgan. It is somewhat remarkable that these men, who knew all about the conduct of that office, Mr. Harshman having been in the office for over 20 years, and seven years of that time a director, and Mr. Robertson having been there for 20 years, and Mr. Rice for a long period, should recommend that this piecework is wholly unnecessary, while Prof. Eichelberger, who had been in the office less than two years, and Mr. Morgan, who had been there but a short time, should think it needed.

The fact about it is that no one ever thought it was necessary to have this piecework done except the present director, and even under his own statement now, instead of increasing this amount for piecework, you ought to strike it out entirely, because this report shows all the way through, by every director who has been there, including the present one, that the preparation of this Ephemeris can well be done by the office force.

I desire to call the attention of gentlemen to this fact, that the English Ephemeris is prepared entirely by the office force of 7 men, while we have an office force over here of 10 men, and the work in the English office is just as heavy as it is here, and we have just as competent a force as they have over there. The truth about it is that the regular force now employed at the office of the Nautical Almanac can do all of the work in the office necessary to get out the Ephemeris and not work more than one-half their time, leaving them one-half of their time to be devoted to original investigation. I would like to ask the gentleman from South Carolina [Mr. JOHNSON] where he received the information that it was necessary to have any of this piecework done outside of the office? I want to state this further fact, that some two or three years ago an occasion arose when it was necessary for me to investigate the conditions in the Nautical Almanac Office, and I discovered the fact then that this piecework was being farmed out; that it was let to certain gentlemen, and they then in some cases sublet it and made a profit upon it. One instance I recall, where a man obtained some piecework, he was paid $600 for it, but he sublet it for some $200. All of this piecework, so far as you can judge by this report, made up of records from the Nautical Almanac Office itself, is wholly unjustified, and apparently is made simply because the director wants to take care of a few of his favorites.

The CHAIRMAN. The time of the gentleman from Washington has expired.

Mr. JOHNSON of South Carolina. Mr. Chairman, I do not care to take up the time of the committee on this little item. The people themselves are asking that these men be put upon the statutory roll instead of being kept on the piecework roll, and that is the very reason for the amendment. The committee did not see fit to put them on the statutory roll, and we are simply putting in the amount for piecework that has been appropriated for years. There is no increase in the appropriation.

Mr. HUMPHREY of Washington. Was the gentleman aware of the fact that this board of which I have read made a report to the Secretary of the Navy that there was no need for this piecework?

Mr. JOHNSON of South Carolina. They are asking it right now in this year's estimates.

Mr. HUMPHREY of Washington. Who is asking it now?

Mr. JOHNSON of South Carolina. The department.

Mr. HUMPHREY of Washington. The gentleman evidently did not understand what I said. I say the present director, Prof. Eichelberger, is the only man for years who has contended it was necessary to have this piecework; and this piecework, if it is necessary at all, is required simply because the present director does not himself know how to perform his duties and must employ some one to do his work for him. That is the truth about it. If the present director, who it appears from his own statements is wholly incompetent to fill that place, was transferred elsewhere, the present office force would do this work without outside help.

Now, I think that in times like these, where the work can be done by the office force, that we ought not to appropriate this $7,000 simply because the director of that office wants it to hire some one to perform his duties for which he receives a salary of about $5,000.

Mr. JOHNSON of South Carolina. Mr. Chairman, Capt. Jayne was the Director of the Naval Observatory until a short time ago, and the last time he was before the committee he was asked this question:

> Mr. JOHNSON. You do not think you could get along with any less force at the observatory?
>
> Capt. JAYNE. Not and carry out the work we are doing. It is pretty hard work and we are hard pressed out there. Aside from the astronomical work of the observatory it is the depot for nautical instruments for the Navy and for surveying instruments for the Hydrographic Office. We could very well employ a greater force, if we had it, to advantage to the seagoing part of the Navy.

It is not necessary to waste time about it.

Mr. HUMPHREY of Washington. Mr. Chairman, I desire to be heard for a few moments further. Now, if I can have the attention of the gentleman from South Carolina for a moment, because I am a little bit surprised that he should insist on carrying this appropriation in view of what this record, the report to the Senate, shows. I think it must be due to the fact that he has not investigated the situation. I wish I had time to read all of it, but it is too voluminous.

Mr. JOHNSON of South Carolina. Why did not the gentleman bring this matter before the committee?

Mr. HUMPHREY of Washington. Oh, it is not my business to be running in every minute to try to direct the work of the committee. I am calling the attention of the gentleman to it now. I am pointing out now that there is no justification for the appropriation, and here is the report that shows it, and yet in the face of that fact the gentleman wants to increase the appropriation.

Mr. JOHNSON of South Carolina. The Secretary of the Navy assumes the responsibility for these estimates as they came to this committee. He is presumed to have looked into this question. Where did the gentleman get his information?

Mr. HUMPHREY of Washington. I got it from this report right here, taken from the record as furnished by the department.

Mr. JOHNSON of South Carolina. What report?

Mr. HUMPHREY of Washington. Of this office itself.

Mr. JOHNSON of South Carolina. Report to whom?

Mr. HUMPHREY of Washington. All of which convinces me the gentleman has been sitting over there and not paying any attention to what I have been saying or he would have understood what I have said. In reply to Senate resolution 424, July 17, 1914, introduced by Senator JONES, that calls for copies of all reports, letters, and memoranda prepared for or submitted to the superintendent of the Naval Observatory since July 1, 1909, concerning or relating to the cost of preparing the American Ephemeris and Nautical Almanac. I have not had time to go through this very thoroughly, but, if the gentleman will just listen to me for a moment, I find in there a detailed statement of the cost of preparing the Ephemeris—an estimate by different ones in regard to the cost of preparing it—and, remember, you are allowing $15,000 in this bill; and, according to the statement of Prof. Eichelberger himself—and I can give you the page where he makes that statement—the Paris conference reduced the cost down to about $6,000, although I understand now you say they claim they can not make that exchange. That is probably correct; I have no information upon that subject.

Now, here are the estimates made by Prof. Updegraff, who was in there immediately before Prof. Eichelberger. He gives a statement in which he goes into all the details and gives the cost of the Ephemeris at $10,700. Then I find a statement in here by First Assistant Robertson, made in response to a request by Capt. Jayne, and he gives a detailed statement—gives every item—and he estimates the cost at $11,561. Now, I do not find anybody who estimated the cost of that work higher except the present director. Then following on down in the report this board, composed of the men I have mentioned, all having been in the Naval Observatory and supposed to know more than anybody else about the subject, on page 105, says that the piecework system ought to be abolished and that the present force can do all the work. Now, in the face of that statement of men who know, contradicted only by the present director, you propose to increase this amount of $3,000 to $7,000, when the $3,000 is not needed and should be stricken out. I do not care what you do about it—it does not affect me in any way—but I had, as I said, occasion some years ago to investigate this matter and was satisfied then that was an unjustifiable expenditure and retained only by political influence. Yesterday I went to Senator JONES and got these papers and looked through them, and I do not believe any man can read this report without becoming convinced that it has been an absolute waste of money not only now but for several years past to have this piecework done. It is simply a gratuity. The office force is perfectly capable of doing it all.

The CHAIRMAN. The time of the gentleman has expired.

Mr. MOORE. Mr. Chairman——

Mr. HUMPHREY of Washington. I do not care what you do about it. I have simply tried to put before you the facts.

Mr. MOORE. Mr. Chairman, I rise to ask the gentleman from Washington a question. My understanding is that you are not opposed to the publication of the Almanac itself?

Mr. HUMPHREY of Washington. No; I am not opposed. I said it is a very necessary work. As I understand, it is of value in navigation. That is one of the reasons why I am interested in it. My criticism is not that at all, but my criticism is this, that according to this report which is made it seems that there can be absolutely no doubt that the present force in the Nautical Almanac Office, the 10 regular people employed there, can do this work. Seven do it over in England, and according to the statements here the present force in our office can prepare and do that work and have half of their time left for original investigation.

The CHAIRMAN. The time of the gentleman from Washington [Mr. HUMPHREY] has expired.

Mr. ADAIR. Mr. Chairman, I would like to ask the gentleman from Washington a question.

The CHAIRMAN. The time of the gentleman from Washington has expired.

Mr. HUMPHREY of Washington. Mr. Chairman, I was speaking in the time of the gentleman from Pennsylvania [Mr. MOORE].

Mr. ADAIR. I would like to ask the gentleman from Washington this question. He discussed it for 10 or 15 minutes, and then he winds up by saying that it makes no difference.

Mr. HUMPHREY of Washington. Not to me personally.

Mr. ADAIR. You are a taxpayer and interested in economy, are you not? Why do you make a 15-minute argument against this and then say it makes no difference to you what is done?

Mr. HUMPHREY of Washington. I think I have performed my duty. I have called attention to the fact, and, as I said a while ago, I think that for several years this has been a useless expenditure. I went to the Secretary of the Navy and called his attention to it a year or two ago, and told him the whole thing ought to be wiped out.

Mr. ADAIR. You are interested in having it wiped out?

Mr. HUMPHREY of Washington. As any other Member of Congress.

Mr. ADAIR. You are a taxpayer and interested in economy?

Mr. HUMPHREY of Washington. The tax part would not interest me.

Mr. ADAIR. You should not take the time of the House if it makes no difference to you or the public.

Mr. LANGLEY. Mr. Chairman, I want to ask the gentleman a question.

Mr. MOORE. I will yield to the gentleman from Kentucky.

Mr. LANGLEY. The gentleman from Washington stated a moment ago that some of this piecework had been farmed out, so that the appropriation for it was $600, I believe he said, for which the party of the first part got $600 and sublet it to some one who did the work for $200. Did he investigate that, and does he know personally about it?

Mr. HUMPHREY of Washington. I got that information when I had the matter up with the department some time ago, and I have no reason to doubt the correctness of it. As I remember, this was mentioned at the time I talked with Capt. Jayne, in the presence of the Assistant Secretary of the Navy, about three years ago. If my memory is not at fault after three years, the gentleman's name was Ross—one of the very ones they wanted to put permanently on the roll, according to the statement of the gentleman from South Carolina [Mr. JOHNSON]—that farmed out some of this piecework.

Mr. LANGLEY. You mean he was the one who got the $600?

Mr. HUMPHREY of Washington. Yes; and hired his brother to do the work for about $200.

Mr. LANGLEY. And hired his brother to do it for $200?

Mr. MOORE. I yield back the balance of my time, Mr. Chairman.

Mr. MANN. Mr. Chairman, why would it not be the proper thing under the circumstances not to adopt the amendment, but leave it to stand as reported. It undoubtedly would be increased in the Senate, and then the committee would have an opportunity to make any necessary investigation for action in conference.

Mr. JOHNSON of South Carolina. I will say to the gentleman that when we had the bill under consideration before the subcommittee, there being no change in the estimate except that he asked for two statutory offices, we took no testimony. We did not give the two officers they asked for on the statutory roll, but we did reduce the lump sum $4,000. Two days ago gentlemen from the Naval Observatory came down and explained to me that we had crippled them to such an extent that they could not carry on their work; that this appropriation was more necessary now than at any time in the past, because they are obliged to use some of this lump-sum appropriation to get information that heretofore they have gotten free through exchange arrangements.

Mr. MANN. I understand; but of course there is no criticism of the gentleman or the committee for not having made an investigation of the matter. Of course the committee does not investigate every question every year, but there has been a rather exhaustive report submitted, which has not been called to the attention of the committee, which they would have an opportunity to examine. Why would it not be desirable to let it go into conference and let the committee have the chance? I am willing to take the judgment of the committee on it.

Mr. BYRNS of Tennessee. Will the gentleman yield?

Mr. MANN. Certainly.

Mr. BYRNS of Tennessee. I want to read to the gentleman from the hearings taken a year ago on this matter, and which were reaffirmed this year. Capt. Jayne was called before the committee. He was at that time at the head of this observatory. The gentleman knows Capt. Jayne and knows his interest in astronomy, and I take it there has never been a head of that bureau who has had a more distinguished service in that work, with the single exception of that distinguished and renowned Tennesseean, Matthew Fontaine Maury, who, by reason of his splendid services, will live in history. He was asked by Mr. JOHNSON, chairman of the subcommittee, the following questions:

> Is the expense of getting out that book so nearly uniform that for 10 years there would hardly be a variation of a dollar in the appropriation?
>
> Capt. JAYNE. It is done under that appropriation and the appropriation for miscellaneous computations. We use that appropriation for investigation work of a very high character, which is appreciated very highly by astronomers throughout the country.
>
> Mr. JOHNSON. Are you referring to the appropriation of $5,000 for miscellaneous computations that we have just passed?
>
> Capt. JAYNE. No, sir; I am speaking of the appropriation under the Nautical Almanac Office.
>
> Mr. JOHNSON. Are you referring to the appropriation of $7,000?
>
> Capt. JAYNE. Yes, sir; we use all of that appropriation in the work of getting out the almanac and the work that is related to it of a scientific nature, such as the table of the moon by Newcombe, which are considered the finest things of the kind in the world.

Now, the amendment, offered by the gentleman from South Carolina [Mr. JOHNSON], simply proposes to restore the appropriation as it has been carried for the past 8 or 10 years. It does not add a dollar to the appropriation heretofore made.

Mr. MANN. I understand.

Mr. BYRNS of Tennessee. Capt. Jayne says the amount is absolutely necessary, and it is for that reason that the gentleman from South Carolina offers the amendment.

Mr. MANN. I understand. But since that time the Secretary of the Navy has made a report to Congress of information relating to this office, and in that report, as stated by the gentleman from Washington [Mr. HUMPHREY], is the statement that this work is not required in order to get out the Ephemeris and the Nautical Almanac, which I think every one wants to have issued and properly prepared. Why not let the Senate committee have an opportunity to examine it and consider that information, which has never been presented to the committee before?

Mr. BYRNS of Tennessee. As I say, it is simply proposed to restore the present appropriation. After all, this will go to the Senate, and the Senator from Washington, Mr. JONES, is an able Member of that body. He has the report, which was prepared at his instance, and he can take it before the committee, and they can thrash it out there.

Mr. MANN. These matters are disposed of in conference, and the details of this matter can be gone into by the House conferees when the conference takes place. The Senate committee makes very little investigation of these matters. Of course, if the gentleman wants to avoid that responsibility, I shall not insist.

Mr. BYRNS of Tennessee. I think the gentleman does an injustice to the Appropriations Committee of the Senate. It has been my observation in the last year or two that they give these matters more attention than the gentleman seems to think.

Mr. MANN. Well, it has been my observation for 18 years that they do very little investigating.

Mr. HUMPHREY of Washington. Mr. Chairman, will the gentleman yield?

Mr. BYRNS of Tennessee. Yes.

Mr. HUMPHREY of Washington. Is it not a fact that last year the Senate struck out this item, and that it was reinserted at the instance of the House conferees?

Mr. BYRNS of Tennessee. I do not recall, I am frank to say to the gentleman.

The CHAIRMAN. The time of the gentleman has expired.

Mr. GOULDEN. Mr. Chairman, I move to strike out the last two words for the purpose of asking the chairman of this committee a question for information. You have reduced it, according to the statement made by yourself and other members of the committee, from $7,000 last year to $3,000 this year. Will you kindly tell the committee why you have made that reduction? As business men, legislating for this work, we should know. Now you are offering an amendment for $7,000.

Mr. JOHNSON of South Carolina. They asked in the estimates only for the lump sum of $3,000 to be appropriated.

Mr. GOULDEN. Then why not stick to it?

Mr. JOHNSON of South Carolina. Hold on. In the preceding paragraph of the bill, in another place in the bill, they have asked for $4,000 more.

Mr. GOULDEN. Did you grant it?

Mr. JOHNSON of South Carolina. So that when we refused to give them the two men they asked for in another part of the bill it made it impossible, they say, to do the work on the lump sum of $3,000.

Mr. GOULDEN. Mr. Chairman, in view of the statement made by the gentleman from Washington [Mr. HUMPHREY], based upon a report which seems to me a very recent one, made to a distinguished Senator, I certainly hope the committee will accept the suggestion made by the gentleman from Illinois [Mr. MANN], because I shall vote against the amendment to increase the item as unnecessary and not in the interest of the service.

Mr. MADDEN. Mr. Chairman, one moment. If the reports that are before the House show—and I do not know whether they do or not—that the work of getting out this almanac can be done by the men who are on the statutory pay roll in this office without any additional appropriation for piecework, it ought to be done that way, and there is not any reason on earth why we should add to the $3,000 that is appropriated for piecework if there is any record anywhere to show that it is not needed.

Now, if the committee can postpone the amendment suggested by the gentleman from South Carolina until they can ascertain the truth of the statement made by the gentleman from Washington [Mr. HUMPHREY], based upon these reports, it may be possible not only to save the $4,000 which they propose to add, but the $3,000 also which is reported in the bill; and it seems to me that that is the best way to look at this question.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from South Carolina.

The question was taken, and the amendment was rejected.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

For stationery, furniture, newspapers, plans, drawings, drawing materials, horses and wagons to be used only for official purposes, maintenance, repair, or operation of horse-drawn, passenger-carrying vehicles, street car tickets not exceeding $250, freight, expressage, postage, typewriters and computing machines and exchange of same, and other absolutely necessary expenses of the Navy Department and its various bureaus and offices, $40,000; it shall not be lawful to expend, for any of the offices or bureaus of the Navy Department at Washington, any sum out of appropriations made for the Naval Establishment for any of the purposes mentioned or authorized in this paragraph.

Mr. JOHNSON of South Carolina. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from South Carolina offers an amendment, which the Clerk will report.

The Clerk read as follows:

On page 88, in line 14, after the word "purposes," insert the word "purchase."

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from South Carolina.

The amendment was agreed to.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Indian Office: Commissioner, $5,000; assistant commissioner, $3,500; second assistant commissioner, who shall also perform the duties of chief clerk, $2,750; forester, $3,000; financial clerk, $2,250; chiefs of divisions—1 $2,250, 1 $2,000; law clerk, $2,000; assistant chief of division, $2,000; expert accountant, $2,000; private secretary, $1,800; examiner of irrigation accounts, $1,800; draftsmen—1 $1,400, 1 $1,200; clerks—20 of class 4, 31 of class 3, 38 of class 2, 2 at $1,500 each, 68 of class 1 (including 1 stenographer), 32 at $1,000 each (including 1 stenographer), 34 at $900 each, 2 at $720 each; messenger; 4 assistant messengers; 4 messenger boys, at $360 each; in all, $325,550.

Mr. BARTLETT. Mr. Chairman, I make the point of order upon the following, on page 93, line 24: "Second assistant commissioner, who shall perform the duties of." There is no law, Mr. Chairman, organic law or any other law, except the appropriation bill of 1910, that authorizes any such office.

I do not make the point of order upon the words "chief clerk at $2,700." There was a law which provided a chief clerk, and the act of last year provides that the salaries fixed for offices established by law should be the salary; but the act, which I will read, does not provide that the offices shall be the same as those contained therein. I will read to the Chair. The legislative act approved July 16, 1914, contains this provision:

That all laws or parts of laws to the extent they are inconsistent with rates of salaries or compensation appropriated by this act are repealed, and the rates of salaries or compensation of officers or employees herein appropriated shall constitute the rate of salary or compensation of such officers or employees, respectively, until otherwise fixed by annual rate of appropriation or other law.

To obviate the difficulty that the House then had, because of points of order made with reference to salaries which had been in existence, some of them for 30 years or more, the Congress, upon the amendment offered by the gentleman from New York [Mr. FITZGERALD], at the end of the conference report upon this bill last year, passed this last section in the act of 1914. Has the Chair that section before him?

The CHAIRMAN. The Chair has the appropriation act before him.

Mr. BARTLETT. It is the last section in the bill. So it will appear that while the House—I do not know whether wisely or unwisely—did say that the salaries fixed by that bill for the offices contained in the bill should be the rate of compensation or salaries of officers or employees therein appropriated for, and whereas that constituted the rate for offices now authorized by law, and the salaries fixed in the act for 1914 could not be attacked on the ground that they were not the salaries in the organic law, the act did not undertake to say that the offices contained in the bill should thus be recognized as being fixed by law. I do not think my colleagues will dispute that what I state with reference to the law was correct.

Up to 1910, Mr. Chairman, the offices in the Indian Bureau were a commissioner, an assistant commissioner, and a chief clerk, under the organic law. I hope if I make any misstatement with reference to this I will be corrected by my friends on the committee or by anyone else. In 1910 the legislative appropriation act for the first time, and the only place where it was contained up to that time, inserted these words:

Indian Office: Commissioner of Indian Affairs, $5,000; assistant commissioner, $3,000; second assistant commissioner, who shall perform the duties of chief clerk, $2,250.

That was subsequently increased to $2,750. I apprehend I need not recall to the attention of the chairman the fact that an office which for the first time is carried in an appropriation bill, even though thereafter appropriated for, does not become an office authorized by law so as to escape being subject to the point of order that it is not existing law and that it can not be appropriated for. If the Chair has any doubt upon that proposition, I will undertake to supply him with authority upon it. That is, no matter how long or how often you appropriate for an office in an appropriation bill, without using the words "hereafter" or "there shall be established" in such a division or department a particular office, the mere appropriation of money for an office created by an annual appropriation bill does not make that permanent law.

Up to 1910, therefore, we had nothing, either in the organic act or in any appropriation bill, which made this a permanent office; and in 1910 we had for the first time in an appropriation act a provision for a—

Second assistant commissioner, who shall also perform the duties of chief clerk, $2,250.

So that the authority to appropriate for this office at all is not to be found in the organic law establishing the Indian Bureau, nor is it to be found in any statute establishing or creating the office of second assistant commissioner. It is only to be found in the legislative appropriation act, which at no time undertook to make it a permanent office. So that since 1910 it has simply been carried in the annual appropriation bill. True, the salary can not now be attacked as not being fixed by law, although it is far above the salary fixed in the statute.

I make the point of order, Mr. Chairman, that that office of second assistant commissioner, who shall also perform the duties of chief clerk, $2,750, is not authorized by law. I do not undertake to make a point of order against the chief clerk, but simply against the "second assistant commissioner, who shall perform the duties of." That is a new office; there are new duties to be performed, and there is no authority of law existing anywhere except in the annual appropriation bills to justify the appropriation.

Further, Mr. Chairman, it appears to me that a bureau whose duties ought to be diminishing ought not to have a useless office, created, I apprehend, not so much for the duties necessary to be performed as for the purpose of creating an office for some one. I make no such charge as that, but it looks that way. As we have increased the salary of this man since 1910 from $2,250 to $2,750, let them go back to the original organic law, and if we are to appropriate money, let us not appropriate it for useless offices and for extravagant salaries. If the Chair is in doubt about that proposition that this is not permanent law, because carried in an appropriation bill without any terms that fix it as permanent law, I hope he will give me an opportunity to present the authorities upon that subject. However, I do not think anyone will dispute that proposition.

The CHAIRMAN. Does the gentleman from Georgia make the point of order upon the words "second assistant commissioner, who shall also perform the duties of"?

Mr. BARTLETT. Yes.

Mr. MANN. I make the point of order on the remainder of it.

The CHAIRMAN. The gentleman from Illinois makes the point of order on the entire clause.

Mr. JOHNSON of South Carolina. We have no desire to contest the point of order.

Mr. MANN. I wish to contest the point of order.

Mr. BARTLETT. I am disposed to make the point of order on all of it, but I was afraid I was going to run up against this proposition in reference to the amount of the salary having been carried heretofore in the appropriation bill.

Mr. MANN. If any portion of the clause is subject to a point of order, the entire clause is subject to it.

There is no doubt whatever that under the law and the rules existing prior to the passage of the legislative act of last year the mere carrying of an office in an appropriation bill was not to be considered as permanent law to authorize it to be inserted in an ensuing appropriation bill; and I take it to be true—I think the gentleman so asserted, and his assertion is good—that there is no permanent law in the form of an enactment providing for a second assistant commissioner in the Indian Office. That is also true, I believe, of the various financial clerks, of various chiefs of division, law clerk, of assistant chief of division, expert accountant, private secretary, examiner of irrigation accounts, draftsmen, and various other officials, and I shall make the point of order on all of them if this is sustained.

Let us find out where we are at. Last year, because of the fact that most of the items in the legislative bill were subject to a point of order, and because of the fact that it is practically impossible in one year to name all the officers in the different departments of the Government for permanent employment without there being an opportunity to increase the number next year, because most of the places named in the legislative act

were subject to a point of order under the rules as heretofore construed, Congress provided in the legislative act in section 6, which my friend from Georgia has already quoted, as follows:

That all laws or parts of laws to the extent they are inconsistent with rates of salaries or compensation appropriated by this act are repealed, and the rates of salaries or compensation of officers or employees herein appropriated shall constitute the rate of salary or compensation of such officers or employees, respectively, until otherwise fixed by annual rate of appropriation or other law.

The Chair is called upon now to make a very important ruling, and the question is whether where Congress fixes a salary for an office it thereby authorizes the office itself. That is the only question involved here.

Suppose we should pass a law directly providing that hereafter the salary of the Second Assistant Commissioner of Patents shall be $2,750. The law itself only provides directly for the fixing of the salary, does it also authorize the office? Is it to be said that where Congress directly fixes the salary of a particular office, it does not warrant the office itself? I contend, Mr. Chairman, that by this provision of the law where Congress says that the rate of salary provided for a certain office shall be the rate hereafter, that they thereby provide for the office itself and make that permanent law until it shall be changed either by permanent legislation or by the annual appropriation bill; that if we leave it out of the annual appropriation bill, that office would be abolished; and that when we provide for an office and fix a salary for the office we authorize the office itself. That was the design of this amendment, that was the design of that provision in the legislative bill of last year. Without it we are not much better off under the rules of the House than we were before. The Chair will remember that last year paragraph after paragraph providing for whole offices went out of the bill on a point of order in the House. It was subsequently restored by unanimous consent, and the very purpose of section 6 of the legislative act of last year was to give the House control over these appropriations. When we provide for an office this year and fix the salary for that office, that item is in order next year under the rules of the House. Of course, it might have been made plainer. I appreciate that. But it could not have been made plainer without fixing it as permanent law, which could not be dropped out.

Now, if we fail to make an appropriation for an office, the officer can not bring a claim in the Court of Claims. If we specifically provided by legislation for the office of Second Assistant Commissioner of Patents at $2,750 a year and failed to make the appropriation, the Second Assistant Commissioner of Patents could bring a suit in the Court of Claims, and we would have to pay the salary. This section 6 was carefully prepared, and it gives to the House the right this year to treat as permanent law any office the salary of which was fixed in the legislative bill of last year. But if we drop it out this year, it does not give the officer any chance to make a claim in the Court of Claims.

If the Chair holds that while we fix the salary for the office we do not authorize the office, the legislative bill becomes the whim of any one Member of the House. You can not provide by law that there shall be so many clerks, so many other officials, so many law clerks, so many private secretaries, so many chiefs of division, as permanent law without tying the hands of the House, which primarily makes the appropriation for the departments in Washington. I hope the Chair will overrule the point of order made by myself, as well as the point of order made by my distinguished friend from Georgia [Mr. BARTLETT].

The CHAIRMAN. The Chair is ready to rule. The Chair remembers distinctly when this matter was before the House in reference to the points of order made against increase of salaries on appropriation bills above that fixed by law. The Chair thinks and believes that it was the intention of Congress that the salary of all offices which were provided for by law and which were authorized to be provided for in appropriation bills should be permanently fixed according to the appropriation bill of 1914 of last year.

Now, the Chair does not take it that Congress intended in that provision to authorize all offices not provided by law, but only to fix the salaries of those offices which were provided by law according to section 6 of the act of July 16, 1914, and that the contention of the gentleman from Illinois that that provision made permanent all offices provided for in the last year's appropriation bill was not the intention of Congress, and the provision in the law did only apply to salaries and not to the offices not provided by law, and so the Chair sustains the point of order.

Mr. BARTLETT. On both points of order?

The CHAIRMAN. On the point of order made by the gentleman from Georgia and on the point of order made by the gentleman from Illinois.

Mr. MANN. Mr. Chairman, I make the point of order on the provisions for a forester at $3,000; financial clerk, $2,250; chiefs of divisions—1 $2,250, 1 $2,000; law clerk, $2,000; assistant chief of division, $2,000; expert accountant, $2,000; private secretary, $1,800; examiner of irrigation accounts, $1,800.

The CHAIRMAN. Can the gentleman from Illinois inform the Chair whether or not the act establishing the Indian Office provided for these offices?

Mr. MANN. Mr. Chairman, it is the rule of the House that it is the duty of the gentlemen in charge of the bill, or the one proposing the proposition, to submit authority of law. I do not think there is any authority of law for these places.

Mr. JOHNSON of South Carolina. Mr. Chairman, there is no statute creating those places. It is subject to a point of order. I hope that the gentleman from Illinois will not make the point of order. It is a part of the force and has been organized for years.

The CHAIRMAN. The Chair sustains the point of order, and the Clerk will report the amendment offered by the gentleman from South Carolina.

The Clerk read as follows:

Amendment offered by Mr. JOHNSON of South Carolina:
Page 94, line 11, strike out "$325,000"——

Mr. JOHNSON of South Carolina. Mr. Chairman, one moment. That amendment which I sent to the desk was to correct the total if the Chair sustained the point of order in respect to the $2,750 item. If the gentleman from Illinois insists upon his point of order, we will have to still further correct the total.

Mr. MANN. I have made the point of order and it has been sustained.

Mr. BARTLETT. Mr. Chairman, I ask unanimous consent that the total may be corrected by the Clerk.

The CHAIRMAN. Without objection, the Clerk will correct the total.

There was no objection.

Mr. JOHNSON of Washington. Mr. Chairman, I move to strike out the last word. As I understand this proceeding, the position of second assistant Indian commissioner has been stricken out of the bill. To my certain knowledge the gentleman occupying the position of second assistant Indian commissioner has done a great proportion of the routine work in that office for a great many years. Commissioners may come and go and assistant commissioners may come and go, of whatever party, each doing everything that he can for our Indian people. Representing as I do a district which has 19 tribes of Indians in it, I know the detail work necessary in attempting to look after the many individual complaints and troubles of the Indians is enormous. Take away the office of second assistant commissioner and the result will be to greatly overload the Indian Commissioner and his assistant—both men of undoubted ability. Why, Mr. Chairman, even the matter of the payment for a coffin, to give a dead Indian a modern burial, frequently has to be decided by an official as high in authority as a second assistant Indian commissioner, involving oft a long routine.

Mr. Chairman, in my opinion this is simply another effort to economize at the wrong end, and in the wrong way. This is a necessary office.

Mr. Chairman, while I am on my feet I desire to say that when the committee reaches page 104, where provision is made for the Post Office Department, I shall call attention to the fact that on several western Washington star routes, newly organized on a new pay system the 1st of July, the contractors have not as yet, after five months' hard service, received a cent of pay. What system prevails in the Post Office Department that permits this? In the meantime, Mr. Chairman, each one of those star-route carriers has received three letters from a firm of lawyers in this city offering to make those collections.

Mr. STAFFORD. Mr. Chairman, will the gentleman yield?

Mr. JOHNSON of Washington. Certainly.

Mr. STAFFORD. Does the gentleman mean to intimate that there has been some jockeying with the bookkeeping and finances of the postal department in order to show a surplus?

Mr. JOHNSON of Washington. Oh, I would not intimate that, or any other intimation, but I do insist it is time that those star-route carriers who haul mail by the ton over the slippery rocks of the North Pacific coast, or along the hard puncheon roads in the forest reserves, should receive their pay. I hope that the long-delayed vouchers can be sent to them this very day, so that they may be received in time for Christmas.

Mr. MONDELL. Can the gentleman inform us how these attorneys came to know that these men were not paid?

Mr. JOHNSON of Washington. I have made efforts to find that out. One high official thinks that the names get out through the supplying of lists to prospective bondsmen. Another thinks the index cards get out of the case and fail to get back. Whatever the cause of the delay, it does seem a pity when times are hard out West, when interest on money is 8 and 10 per cent, that men who bid down to the very bone to get these contracts can not get their money.

Mr. MONDELL. Mr. Chairman, I rise in opposition to the amendment offered by the gentleman from Washington [Mr. JOHNSON]. I agree with all that the gentleman from Washington has said with regard to the duties of the second assistant Indian commissioner, and also in respect to the splendid services of the very efficient man who has for years filled that office. The gentleman from Washington, I think, misunderstands or misinterprets what has just occurred. The gentleman from Illinois [Mr. FOWLER] does not seem to be on duty. For some unknown reason he is absent, and is not making his usual points of order. It is necessary in the consideration of one of these appropriation bills that some parliamentary sharp shall call attention to the possibilities which the bill contains. The gentleman from Illinois [Mr. FOWLER] having failed at this crucial moment, others come to the rescue. Of course it does not really mean anything. I want to assure the gentleman from Washington [Mr. JOHNSON] that these items will all be cared for and provided for, and when the bill is signed the bill will contain all these items in exactly the same form in which they appear in the bill, possibly in greater amount——

Mr. JOHNSON of Washington. Will the gentleman yield?

Mr. MONDELL (continuing). But it is necessary that someone somewhere develop the possibilities of the bill in regard to points of order, and I am glad we have not lost the valuable services of gentlemen who are capable of doing that sort of thing.

Mr. JOHNSON of Washington. Can the gentleman guarantee that the rural-route carriers of far-western Washington will receive their six months' pay in time for Christmas?

Mr. MONDELL. I regret I can not guarantee that the Post Office Department will pay adequate attention to the star-route service. My experience is that they are too busy cutting down expenditures and providing for apparent surpluses to take as good care as they should of people who live out in the sparsely settled portions of the country who are served by star routes; but I do want to assure the gentleman in regard to these items that they will all be back in the bill in due and proper form, and in the meantime we have had an illustration of the fact that, in spite of the amendment adopted last year, there are still splendid and numerous opportunities to make points of order on the items in the bill.

Mr. JOHNSON of Washington. Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD by placing therein one or more letters from lawyers to star-route carriers in reference to the collection of their salaries.

The CHAIRMAN. The gentleman from Washington asks unanimous consent to place in the RECORD certain letters, as indicated by him. Is there objection? [After a pause.] The Chair hears none, and it is so ordered.

The Clerk read as follows:

During the fiscal year 1916 not more than 25 per cent of the vacancies occurring in the classified service of the Bureau of Pensions hereinabove provided for shall be filled except by promotion or demotion from among those in the classified service in said bureau. The salaries or compensation of all places which may not be filled as hereinabove provided for shall not be available for expenditure but shall lapse and shall be covered into the Treasury.

Mr. MANN. Mr. Chairman, I reserve a point of order on the paragraph. I read in the newspapers the other day, I think, a statement by the Commissioner of Pensions that there had been such a reduction in his office that he would not be able to keep up with the current business. Is that a correct statement of the facts?

Mr. BARTLETT. Will the gentleman make that statement again?

Mr. MANN. I read in the newspapers the other day a statement attributed to the Commissioner of Pensions that owing to the reduction of the force in his office he would not be able to keep up with the current business.

Mr. BARTLETT. Just the contrary of that is true, according to his report.

Mr. JOHNSON of South Carolina. Mr. Chairman, the newspapers have made some very extravagant statements about the reductions made in the Pension Office. They were absolutely without foundation——

Mr. MANN. Let me ask the gentleman if the Commissioner of Pensions is satisfied with the reductions which have been made and with the reduction which would be caused by this paragraph?

Mr. JOHNSON of South Carolina. In answer to the gentleman I want to state that not only as to this bill but in the bill for the current year we gave the Commissioner of Pensions just exactly the number of people he asked for.

Mr. MANN. I know that; but the current year also provides that where vacancies occur that not more than 25 per cent of them shall be filled. Now, it would depend upon the number of vacancies. I am not referring to the number of people appropriated for, but whether that provision that only 25 per cent of the vacancies which occur shall be filled has crippled the office.

Mr. JOHNSON of South Carolina. Oh, I think not. The truth is, Mr. Chairman, that the force is very much larger than the work requires, but for reasons of humanity, which the gentleman will understand as well as I do, we are reducing this force not as radically as we might, but about as vacancies occur.

Mr. MANN. Well, did the Commissioner of Pensions make any protest against this proviso?

Mr. JOHNSON of South Carolina. Oh, he wanted those places left open for the purpose of administration, that is all.

Mr. MANN. What does the gentleman mean by "purposes of administration"?

Mr. JOHNSON of South Carolina. Well, he claimed that he should be allowed to fill more of these lower places. That was the statement made.

Mr. MANN. The gentleman is satisfied, however, that the continuation of this will not cripple the office?

Mr. JOHNSON of South Carolina. Absolutely, Mr. Chairman. The commissioner asked for 83 reductions.

Mr. BARTLETT. Mr. Chairman, I move to strike out the last word just in order to say a word, because I made a statement to my friend the gentleman from Illinois, and I think it is proper that I should verify it.

Mr. MANN. I am willing to accept the gentleman's statement.

Mr. BARTLETT. If the gentleman will examine the report of the Commissioner of Pensions, on pages 6 and 8, he will find that he treats the subject of saving and economy in the Pension Bureau over which he has charge and the reduction of force, and gives a statement of why it is done. First, that the abolition of these pension agencies and the inauguration of the new system of pay by check in place of vouchers has saved the Government $146,261 per annum, and that they have been able by that to reduce the force, and I make this statement because on yesterday the Commissioner of Pensions was before the subcommittee having the preparation of the pension appropriation bill in charge, and he there repeated the statement that he had been before the subcommittee which had charge of the preparation of this bill, saying they had given him everything that he asked for and that it was absolutely all that was necessary.

Mr. GOULDEN. Will my friend from Georgia yield?

Mr. BARTLETT. Yes, sir.

Mr. GOULDEN. The Commissioner of Pensions is entirely satisfied that he is able to conduct the affairs of his office satisfactorily and without any decrease in efficiency?

Mr. BARTLETT. Absolutely——

Mr. GOULDEN. That is all I desire to know.

Mr. BARTLETT (continuing). And if the gentleman will read the report, he will find that the commissioner has got all he asked for and all that he can reasonably expect to expend.

Mr. GOULDEN. I thank the gentleman.

The Clerk read as follows:

Patent Office: Commissioner, $5,000; first assistant commissioner, $4,500; assistant commissioner, $3,500; chief clerk (who shall be qualified to act as principal examiner), $3,000; 4 law examiners, at $2,750 each; 3 examiners in chief, at $3,500 each; examiner of interferences, $2,700; examiners of trade-marks and designs—1 $2,700, first assistant $2,400, 6 assistants at $1,500 each; examiners—one of classification $3,600, 43 principals at $2,700 each, 63 first assistants at $2,400 each, 73 second assistants at $2,100 each, 88 third assistants at $1,800 each, 110 fourth assistants at $1,500 each; financial clerk, who shall give bonds in such amount as the Secretary of the Interior may determine, $2,250; librarian, $2,000; 6 chiefs of divisions, at $2,000 each; 3 assistant chiefs of divisions, at $1,800 each; private secretary, to be selected and appointed by the commissioner, $1,800; translator of languages, $1,800; clerks—9 of class 4, 9 of class 3, 17 of class 2, 130 of class 1, 90 at $1,000 each; 3 skilled draftsmen, at $1,200 each; 4 draftsmen, at $1,000 each; messenger and property clerk, $1,000; 90 copyists; 50 copyists, at $720 each; 4 messengers; 25 assistant messengers; laborers—14 at $600 each, 42 at $540 each; 40 messenger boys, at $420 each; in all, $1,322,390.

Mr. MANN. Mr. Chairman, I make a point of order against the paragraph carrying the Patent Office. A large number of these places are not provided for by law.

Mr. JOHNSON of South Carolina. What is the item?

Mr. MANN. The whole paragraph.

Mr. JOHNSON of South Carolina. You want to make a point of order against it?

Mr. MANN. Yes. I want to show the absurdity of the contention that you make.

Mr. MONDELL. Mr. Chairman, has the gentleman from Illinois shown that these places are not provided for by law?

Mr. MANN. There is no way of showing the negative. The gentleman from Wyoming ought to have learned before this that when you prove a thing you prove the positive and not the negative. Unless the Chair desires me to read all the Revised Statutes and the Statutes at Large clear through, there will be no other way of demonstrating there is no law on the subject.

Mr. MONDELL. Mr. Chairman, the gentleman from Illinois [Mr. MANN] has not claimed that these places are not provided for by law other than by making the point of order.

Mr. MANN. I made the statement that a large number of them were provided for by law.

Mr. JOHNSON of South Carolina. Of course, the gentleman knows that if there are places in this paragraph not provided for by law it is fatal to the whole paragraph. And, I tell you, that a number of these places have been carried in the appropriation bill year by year and not provided for by law. Most of them have been created by the administrative officers of the bureau.

Mr. MANN. I think they ought to be carried by law. Of course, I do not think the sustaining of the point of order will take them out of the bill in the end. I think if the law passed last year was not sufficient, we ought to pass one that makes these items in order.

Mr. JOHNSON of South Carolina. We were dealing with salaries last year.

Mr. MANN. We were dealing with places. Last year the point of order was made against the places, and they went out of the bill, and it was for the purpose of correcting that that section 6 was put in the bill. I am not going to quarrel with the ruling. I just exercise my privilege under that ruling.

Mr. JOHNSON of South Carolina. The gentleman made the point of order and got a ruling in accordance with his suggestion.

The CHAIRMAN. Does the gentleman say that the items are subject to the point of order?

Mr. MANN. Yes.

The CHAIRMAN. The Chair sustains the point of order.

Mr. MANN. There are items in there that are not provided for by law.

The Clerk read as follows:

Bureau of Education: Commissioner, $5,000; chief clerk, $2,000; specialist in higher education, $3,000; editor, $2,000; statistician, $1,800; specialist in charge of land-grant college statistics, $1,800; 2 translators, at $1,800 each; collector and compiler of statistics, $2,400; specialists—1 in foreign educational systems and 1 in educational systems, at $1,800 each; clerks—4 of class 4; 4 of class 3; 5 of class 2; 8 of class 1; 7 at $1,000 each; 6 copyists; copyists—2 at $800 each; 1, $720; 2 skilled laborers, at $840 each; messenger; assistant messenger; laborers—3 at $480 each; 1, $400; in all, $75,200.

Mr. MANN. Mr. Chairman, I make a point of order against the paragraph. It contains various places not provided for by existing law, and hence contrary to the rule.

Mr. JOHNSON of South Carolina. It is subject to the point of order.

The CHAIRMAN. The Chair sustains the point of order. The Clerk will read.

The Clerk read as follows:

For investigation of rural education and industrial education, including personal services in the District of Columbia and elsewhere, and no salary shall be paid hereunder in excess of $3,500 per annum, $30,000.

Mr. MOORE. Mr. Chairman, I move to strike out the last word. Will the gentleman from South Carolina explain what is proposed to be done by the expenditure of this $30,000?

Mr. JOHNSON of South Carolina. Yes, sir. They are spending $30,000 in making investigation of rural and industrial education, a small part of it being used in the District of Columbia for clerical services.

Mr. MOORE. Is this new work?

Mr. JOHNSON of South Carolina. Oh, no. This work was begun several years ago. This is not a new item in the bill at all. This is the current law. There is no change.

Mr. MOORE. I notice that later on in the bill——

Mr. JOHNSON of South Carolina. I will say to the gentleman that the item was put in on the floor of the House after a full debate two or three years ago.

Mr. MOORE. Can the gentleman explain in a word of just what this investigation consists?

Mr. JOHNSON of South Carolina. No; I can not. As I stated to the gentleman, this appropriation was begun by action of the House itself. It was inaugurated on a small scale, and the House increased it two or three years ago.

Mr. MOORE. We have provided for certain lines of agricultural education in the Lever-Smith bill. Later on we propose to have a census of agriculture, which in a way will be educational; and I would like to know if the gentleman can tell just how this money is apportioned and what results are acquired as the result of the investigation?

Mr. JOHNSON of South Carolina. I can not answer that question.

Mr. MOORE. And yet the appropriation has been regularly made heretofore. Is it for the purpose of imparting information to schools and colleges, for instance?

Mr. JOHNSON of South Carolina. Yes, sir; they have experts who travel and confer with and cooperate with the schools of the country.

Mr. MOORE. Industrial education is spoken of here. Does that mean an examination of manual-training schools?

Mr. JOHNSON of South Carolina. Yes; they send people to these industrial centers, and they confer with those who are in charge of industrial schools and give them such information as they can and such suggestions as they are able to give in regard to their methods and the improvement of their methods.

Mr. MOORE. That is to say, the National Bureau of Education, through this investigation and by these visitations, aids in disseminating information to rural schools and industrial schools?

Mr. JOHNSON of South Carolina. Yes, sir; that is the purpose of the appropriation, and that is the way they claim it is expended.

Mr. MOORE. Can the gentleman give us any idea of the nature of the reports that are printed in regard to this investigation? Is he familiar with the printed reports with reference to it?

Mr. JOHNSON of South Carolina. He makes a report every year covering the entire operations and activities of the Bureau of Education, not only this particular item but all other activities of his bureau. I think the gentleman will find the reports interesting reading.

Mr. MOORE. The gentleman regards this as necessary work, does he?

Mr. JOHNSON of South Carolina. Well, Congress thought so.

Mr. SLOAN. Will the chairman of the committee yield?

Mr. JOHNSON of South Carolina. I yield.

Mr. SLOAN. In this behalf is it not true that the Bureau of Education during the last year has employed two or three of the leading educators of the United States, especially versed in rural education, and do they not travel through various parts of the United States gathering such information as they can and cooperating with the rural teaching forces of the United States?

Mr. JOHNSON of South Carolina. I am satisfied that is true.

Mr. SLOAN. I happen to know one or two of the people so employed, and I know them to be persons eminently qualified to do this kind of work from the results following.

Mr. MOORE. Can the gentleman explain what it is that they do? That is what I am trying to get at. It is easy to say they travel and visit these schools.

Mr. SLOAN. The rural schools, I will say to the gentleman from Philadelphia, are country schools in the rural communities, and not schools in the metropolitan parts of the country.

Mr. MOORE. Of course I understood that very well, and, knowing the characteristics of the section of the country the gentleman comes from, I would assume he was versed in those matters.

Mr. BRYAN. How would the gentleman know he comes from that part of the country?

Mr. MOORE. By looking at him. [Laughter.] But the gentleman from Nebraska has not answered my question.

Mr. SLOAN. The gentleman from Pennsylvania has not given me an opportunity. If the gentleman will give me time, I will proceed. I may say I obtained my time from the chairman, and if the gentleman will indorse the chairman's action, I will proceed. [Laughter.] In numerous States there are highly developed specialists in particular lines of education, and they are all interested in rural education. So is the National Bureau of Education. These activities are based upon and grew out of the movement on the part of various civic organizations throughout the country known as the "back to the land movement." There is a movement "back to the soil" for the purpose of popularizing country life. Part of country life, of course, is its educational system. The various States of the Union through their educational authorities have worked up excellent systems of rural schools. Some of them have special merit. Some of them develop special features.

It was thought by the educational forces of the country, as I understand it, that the cooperation of the Federal Government with these various educators in all the States, bringing to bear what is found to be good in each of the States and what is found to be good by the national educational authorities, can not help, when coordinated and published to the world, accompanied by the advice given by these experts who have given their life work to rural or industrial education who are now in the employ of the Government, to work out good for the general development of these educational systems throughout the country. The best in each State is sought to be brought into other States; and the best obtained by the bureau from foreign countries to be disseminated among the States.

Mr. MOORE. Mr. Chairman, will the gentleman yield?

Mr. SLOAN. Yes.

Mr. MOORE. Suppose a school in the gentleman's district desired to have one of these specialists and desired to benefit from these investigations. How would they go about it? Would they communicate with the Commissioner of Education and ask him to send to them one of these specialists?

Mr. SLOAN. Yes. That is the method. It is designed to bring about a cooperation with the rural and industrial educational authorities. It is not limited to the rural school systems. It extends also to industrial systems. The bureau has an industrial specialist. This appropriation provides for a specialist on school building and sanitation, one on administration, one on courses of study, one for primary work, and one for domestic science.

Mr. MOORE. I am very much interested in industrial education, and that is the reason why I asked the question whether the services of these trained men would be available to cities as well as to the country.

Mr. SLOAN. That is my information, and the text of this paragraph would also indicate it. Nor are the villages neglected in this general plan.

Mr. MOORE. The gentleman has thrown more light on the subject than the members of the committee have done, and I should like to ask him whether, in his judgment, this appropriation should continue, and whether those services are really worth the price we pay for them?

Mr. SLOAN. I can assure the gentleman they are well worth it. They are one of the most helpful features of rural education in the United States. The appropriation should be continued, and as this work goes on future Congressmen will gladly vote more liberal appropriations for this, one of the best and most salutary educational enterprises.

Mr. BYRNS of Tennessee. Mr. Chairman, will the gentleman yield.

Mr. MOORE. The gentleman from Nebraska [Mr. SLOAN] has the floor.

The CHAIRMAN. The time of the gentleman from Nebraska has expired.

Mr. BYRNS of Tennessee. Mr. Chairman, I want to say just a word. If the gentleman from the great city of Philadelphia had had the time to look over the hearings which were held by the subcommittee having under consideration the preparation of this bill a year ago he would have found a very full and elaborate explanation on the part of the very able and efficient Commissioner of Education as to exactly what was being done and what was expected to be done by the Bureau of Education under this appropriation. I do not care to take up the time of the committee to read it, unless the gentleman from Pennsylvania or some other member of the committee desires it, but if the gentleman wants the information he can find it on pages 458 and 459 of those hearings. I am going to ask permission to insert those pages in the RECORD as a part of my remarks.

Mr. MOORE. I am glad the gentleman called my attention to that statement in these very voluminous hearings, and I shall be obliged to him if he will put it in the RECORD, because I think it is very valuable information.

Mr. BYRNS of Tennessee. In explaining how the particular appropriation asked for a year ago was to be used and what it was expected to accomplish, the commissioner said:

> The four specialists in rural education that this bureau now has can do only a small fraction of the work needed in this division. They can not respond to one-fourth of the requests from State, county, and local school officials for information, advice, and assistance. The additional amount asked for will enable the bureau to respond to the more important and urgent of these demands. There are in the United States about 250,000 rural-school teachers and approximately 10,000,000 rural-school pupils. The work of these schools is badly planned, poorly organized, and ineffectively done. With an adequate force of rural-school specialists, this bureau could give much valuable help. Investigations and reports should be made immediately on rural-school consolidation, increase in length of school term, supervision, and the better adaptation of the courses of study to the needs of rural communities.
>
> Of this increase, $31,700 will be needed for the investigation and promotion of industrial education. The most important demand on our schools and our systems of education is for such extension and readjustment as will enable them to give the industrial and vocational education needed and demanded by modern industrial life. Many requests come to this bureau for information and help which it is unable to give. There is need for a careful and fundamental study of the problems involved. This bureau is the proper agency for such study. The amount estimated will enable the bureau to make the study and to give the help needed when requested. If this appropriation is made, the chief specialist mentioned in the note should serve as the head of the division, and, with his assistant, should give his immediate attention to the problems of trade schools and vocational education in the city schools. The three remaining specialists mentioned in the note and their assistants should be assigned to the investigation and promotion of agricultural education in secondary schools, education in home economics, and commercial education.
>
> Of this increase, $9,800 will be needed for the investigation and promotion of school hygiene and sanitation. The health of the children is an important interest to the Nation. The establishment of health is the first principle in education. Every community is interested in the proper structure and sanitation of schoolhouses and in the hygienic conduct of its schools. Hundreds of requests come to the sanitation and hygiene division of this bureau for information, advice, and direction which it is unable to give. Part-time service of one special agent is wholly inadequate. The sum estimated will enable the bureau to give much valuable help. Of the two specialists mentioned in the note, one should be an expert in school architecture and sanitation, and one should be a physician with sufficient medical knowledge to give expert advice in regard to the medical inspection of children in the schools and other means of preserving the health of children.

I merely desire to say, in addition to what the commissioner has so well and forcibly said, that this is a very valuable work. The appropriation is abundantly justified by the work which the commissioner and his able corps of assistants are performing. I for one have felt that it would have been advisable to have granted a slight increase in behalf of rural and industrial education. Certainly the current appropriation should be continued.

The Clerk read as follows:

> Office of Superintendent of the Capitol Building and Grounds: Superintendent, $6,000; chief clerk, $2,000; chief electrical engineer, $3,000; civil engineer, $2,400; 2 draftsmen, at $1,200 each; 2 clerks, at $1,200 each; compensation to disbursing clerk, $1,000; messenger; person in charge of the heating of the Supreme Court and central portion of the Capitol, $1,000; laborer in charge of water-closets in central portion of the Capitol, $660; 7 laborers for cleaning Rotunda, corridors, Dome, and old library portion of Capitol, at $660 each; 2 laborers in charge of public closets of the House of Representatives and in the terrace, at $720 each; bookkeeper and accountant, $2,200; in all, $29,960.

Mr. BRYAN. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Washington [Mr. BRYAN] moves to strike out the last word.

Mr. BRYAN. The brief remarks I desire to make, perhaps, ought to be made under "Public buildings and grounds" rather than under the "Capitol Building and Grounds," but I will consume but a very little time, and I hope there will be no objection, even though it is slightly out of order.

A committee of workmen employed in the public parks, consisting of L. E. McGowan, J. F. Essig, and H. S. Reese, called on me the other day and presented to me a copy of a letter that had been written to the Hon. JOHN J. FITZGERALD, the chairman of the Committee on Appropriations, and stated that Mr. FITZGERALD had sent them to me. I did not understand why he sent them to me, unless he was perhaps somewhat facetious; but a little later they showed to me in conversation the names of those to whom Mr. FITZGERALD had referred them, and among them was the name of Congressman J. W. BYRNS, rather than my own name. Nevertheless they left a letter with me, and I am going to place it in the RECORD as a part of my remarks, and call attention to the matter which they presented.

These workmen showed that President Wilson, according to newspaper reports, had taken up the question of trying to get an increase of wages for the laborers working under the Superintendent of Public Buildings and Grounds, and that he asked Secretary Tumulty to take up the matter with Chairman FITZGERALD, of the House, with a view to increasing the pay of these men.

The communication shows that they receive $1.60 a day, and that they are paid every 30 days; that they have no chance of promotion; that they are laid off in bad weather; and that they would like an increase to $2 per day and would like to be paid twice a month, as workmen are paid in other departments. The letter shows a scale of wages in other cities; for instance, New York, $2.50 a day, paid weekly; Richmond, Va., $2.25, paid twice monthly; Baltimore, Md., $2.50 per day, paid weekly; Chicago, Ill., $2.25 a day, paid twice a month. It is shown that the Government departments, except this office of public buildings and grounds in the District of Columbia, pay better wages and pay twice a month, and that these men are not receiving, according to their view and what appears to be the view of the President and others, a fair and just consideration.

I spoke to the gentleman from South Carolina [Mr. BYRNES] about the matter, and he said the appropriation was made in a lump sum, and it was up to the local officer who disbursed that money to raise their wages if he felt he could do it; and the gentleman added that he believed that the wages ought to be raised. But this committee informed the chairman of the Committee on Appropriations, Mr. FITZGERALD, through their communication, that they have been to the local officer who has charge of the matter, Col. Hartz, and he has informed them that he can not do anything without an additional appropriation.

I think that matter is something that ought to be considered, and that arrangements ought to be made to give to these men more adequate consideration. One dollar and sixty cents a day certainly does not pay them for the work that they do.

Mr. MANN. Does the gentleman yield for a question?

Mr. BRYAN. Certainly.

Mr. MANN. Considering the present condition of the country, caused by Democratic legislation, when millions of men are now seeking a chance to earn 50 cents a day, or any other sum, does not the gentleman think that these men are lucky to have a job at all?

Mr. BRYAN. They may be lucky to have a job at all. That may be true; but that is not an economic reason for reducing the wages of those who are working. I do not believe the wages of those who are working ought to be held below an amount necessary for the sustenance of life merely because there are a good many unemployed. I do not believe that is the right solution. Of course, as the gentleman from Illinois says, they may consider themselves lucky in having a job at all; and of course the gentleman from Illinois agrees with me as to the payment of adequate wages by the Government, whether times are good or bad.

The letter I referred to follows:

DECEMBER 1, 1914.

Hon. JOHN J. FITZGERALD,
House of Representatives.

SIR: We, the undersigned, park employees of the Public Buildings and Grounds, respectfully petition an increase in salaries from $1.60 per diem to $2 per day, and we appeal to Congress through you.

Under the existing circumstances we can not be promoted, hence we appeal to you for justice, as we are not protected by the classified civil service, but are paid from an appropriation from Congress, in which the Superintendent of Public Buildings and Grounds pays the said employees. We also ask to be paid twice monthly, like most of the other departments.

We just recently petitioned Col. Harts, who is in charge of the public buildings and grounds, and he informed us that he can not do anything without an appropriation from Congress.

There are about 300 men in this department, the majority of whom are married and have families to support.

Following is the wage scale per day paid to park employees in several other cities: New York, $2.50 per day, paid weekly; Richmond, Va., $2.25 per day, paid twice monthly; Baltimore, Md., $2.50 per day, paid weekly; and Chicago, Ill., $2.25 per day, paid twice monthly.

This is the minimum wage scale for park employees in these cities, while in the Capital City the minimum wage scale is $1.60 per day, and we are paid only once a month. It seems to us employees that we are unjustly discriminated against. Ours are the most beautiful parks in the world, and yet we are paid less for caring for them than any of the employees in the other cities.

We hereby submit a list of salaries paid in the different departments of Washington:

Department of the Interior: Salaries for unskilled laborers, $480, $540, $600, and $660 per annum. The payments are made twice monthly, and 30 days of both annual and sick leave of absence are allowed.

Department of Agriculture: Salaries paid to unskilled laborers, $40 to $70 per month, paid twice monthly; 30 days annual leave and 15 days sick leave.

National Zoological Park: Salaries paid to unskilled laborers, from $1 to $2.25 per day, according to age and ability and the character of the work for which they are employed. They are paid twice monthly, receive pay for legal holidays, and are allowed annual leave for not more than 30 days. Temporary laborers are allowed leave for 1 and 1¼ days per month when employed 9 months.

Government Printing Office: Salaries paid to unskilled laborers are at the rate of 25 cents per hour. They are paid biweekly and are allowed 30 days annual leave of absence. No sick leave is allowed.

These facts have been furnished by various chief clerks of these departments.

So we appeal to Congress for justice, and hope you will take the matter under consideration at once.

Respectfully,

L. E. MCGOWAN,
J. F. ESSIG,
H. S. REESE,
Committee.

MESSAGE FROM THE SENATE.

The committee informally rose; and Mr. RUSSELL having taken the chair as Speaker pro tempore, a message from the Senate, by Mr. Tulley, one of its clerks, announced that the Senate had passed without amendment the following concurrent resolution:

House concurrent resolution 55.

Resolved by the House of Representatives (the Senate concurring), That when the two Houses adjourn December 23, 1914, they stand adjourned until 12 o'clock meridian on Tuesday, December 29, 1914.

LEGISLATIVE, EXECUTIVE, AND JUDICIAL APPROPRIATION BILL.

The committee resumed its session.

The Clerk read as follows:

Arizona: Surveyor general, $3,000; clerks, $10,000; contingent expenses, $1,500; in all, $14,500.

Mr. MONDELL. Mr. Chairman, I move to strike out the last word. The estimate for the surveyor general's office for the State of Arizona was $17,800, $3,000 for the surveyor general, $13,000 for clerks, and $1,800 for contingent expenses. The clerks' item has been reduced to $10,000 and the contingent expenses to $1,400. I should like to ask the gentleman in charge of the bill why that reduction was made. I do not find anything in the hearings with regard to those items. I find that in nearly every case the appropriation for clerk hire and contingent expenses in the offices of the surveyors general has been reduced below the estimates. There is but one or two exceptions. Why was that done? There were no hearings on the subject.

Mr. JOHNSON of South Carolina. Yes. Arizona last year had $13,000 for clerk hire and they expended $9,346. We give them $10,000 in this bill, which is $700 in excess of what they expended last year. For incidentals they spent last year $1,418, and we give them $1,500 in this bill.

Mr. MONDELL. But the subcommittee did not interrogate the commissioner with regard to these items, as to their necessities for the coming year.

Mr. JOHNSON of South Carolina. We thought what they actually expended was a pretty safe guide for what they needed.

Mr. MONDELL. Let me call the attention of the gentleman to the fact that in these cases it is not necessarily any guide at all. The necessary expenditures under these appropriations in the offices of the surveyors general depend entirely upon the amount and extent of the surveys. The department knows to what extent the surveys have progressed, and the department estimates with a view of giving the surveyors general a sufficient force to work up the pending surveys. If that is not done, these surveys will in a short time get far behind. There are some of the States now where the surveyor general's office is several years behind in its examination of surveys. The gentleman will recall that last year the suggestion was made by the department that these appropriations for clerks and for contingent expenses should be in a lump sum, in order that they might be transferred from one office to another. The committee did not see fit to do that. I think it should have been done, but the committee continues to appropriate in this way. Now, in this condition of affairs it is inevitable that there will be a surplus in some of these offices, but I do not believe the committee can safely appropriate without investigation an amount below that which the department asks for; and I want to call the gentleman's attention to the fact that there is nothing that disorganizes the Public Land Service to such an extent as delay in the offices of the surveyors general. We are not only making many original surveys, but we are making many resurveys, and during the period of those surveys the land titles in the region are tied up. No entries can be made. No final proofs can be made, and it is exceedingly important that these surveys be worked up in the surveyor general's office promptly and sent on to the department here, so that the surveys can be accepted or rejected, as the case may be. It seems to me that without any investigation of the matter at all the subcommittee is certainly not justified in cutting down these items. Not only this one, but most of the items, including California, Colorado, Montana, and half a dozen other States, have been reduced below the estimate without any investigation by the subcommittee.

The CHAIRMAN. The time of the gentleman from Wyoming has expired.

Mr. MONDELL. Mr. Chairman, I move to amend, on page 102, line 11, by striking out the figures "$10,000" and inserting the figures "$13,000."

The CHAIRMAN. The gentleman from Wyoming offers an amendment, which the Clerk will report.

The Clerk read as follows:

Page 102, line 11, strike out the figures "$10,000" and insert "$13,000."

Mr. JOHNSON of South Carolina. Mr. Chairman, one of the things that it has always been difficult for me to understand is why, as the public lands of the United States become less and less, so much more money is called for to administer them. This office of the surveyor general in Arizona in 1906 was able to get along with $4,500. In 1912 this was jumped from $8,000, the amount at which it had stood for a number of years, to $13,000. And what is true with respect to Arizona is true with respect to all the public-land States, only some of them have had larger increases than Arizona.

The departments always ask for every possible dollar that they can spend. They want more money than they can spend.

This committee had before it the very best possible information upon which to base this bill, and that is what they actually expended last year. Last year they had just what they are asking for next year. According to their own estimates, they did not contemplate that their work would increase any over what they had to do last year, because they are asking for only $13,000. So we base this appropriation, not only in Arizona but in all these public-land offices, on the amount they actually expended. They had $13,000. They expended $9,346. We give them $10,000, or about $700 more than they expended last year; and I hope that the Committee of the Whole will keep this amount at what the Committee on Appropriations fixed it.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Wyoming.

The question was taken, and the amendment was rejected.

Mr. MONDELL. Mr. Chairman, I move to amend, in line 12, page 102, by striking out the figures "1,500" and inserting "1,800."

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 102, line 12, strike out the figures "1,500" and insert "1,800."

Mr. JOHNSON of South Carolina. They spent $1,400 last year, and we gave them $1,500, a little margin.

Mr. MONDELL. Mr. Chairman, the subcommittee cut this item without any knowledge or information whatever, without making any efforts to secure information as to the necessities of the service. They assume that because the service last year used a certain amount——

Mr. FITZGERALD. Will the gentleman yield?

Mr. MONDELL. Not until I have finished this sentence—they assumed that because the service last year used a certain amount that therefore two years later it will need the same amount. Well, it might need more and it might need less, as everyone knows who knows anything about the character of this service. Now I will yield to the gentleman.

The CHAIRMAN. Does the gentleman from New York wish to interrogate the gentleman from Wyoming?

Mr. FITZGERALD. Not now.

Mr. MONDELL. If the subcommittee had made any investigation into this matter, there would have been no reasonable ground for criticism. There has been no investigation. There was simply an examination of what was spent last year, with an assumption that no more will be needed and no less than was needed two years prior to the period we are appropriating for. That is as curious a theory on which to base appropriations as I ever heard of anywhere. I will yield to the gentleman from New York.

Mr. FITZGERALD. I do not care to ask any question now.

Mr. MONDELL. Very well. There are some of these States where the work of the surveyor general's office is two or three years behind. This is or has been true in the State of Utah. You have not reduced the appropriation for the State of Utah, because they used all of their appropriation last year. They would have used more if they had had it. There are settlers in that State who have been waiting two or three years to get their patents because the work has not been done. What ought to be done with these items is to lump them. There is no sense in carrying items for clerk hire and contingent expenses in surveyor general's offices in separate items. It necessarily results in a surplus in some cases and a failure to perform work, by reason of lack of appropriation, in other cases. The committee has reduced the appropriation in my own State for the surveyor general's office, and yet I frequently have appeals to have the work in the surveyor general's office expedited. There is complaint of delay in the examination of surveys after the surveys have been made in the field. We have township after township entirely withdrawn from entry and where it is almost impossible to make land transfers because men do not know with regard to their survey. And yet there is a reduction here without examination, without information, simply on the theory that the office will need no more than it had two years before the time when these appropriations are to be available.

Mr. FITZGERALD. Mr. Chairman, the gentleman from Wyoming may have some secret method by which he would obtain information on these matters other than that possessed by the committee, but I do not believe his information would be of any value, or of as much value as that which the committee had before it. For instance, in the case of which he is complaining the department last year asked that $13,000 be appropriated for clerk hire in the surveyor general's office in Arizona. Thirteen thousand dollars was appropriated, and yet only $9,346 was expended.

Mr. MONDELL. Is the gentleman talking about the current year?

Mr. FITZGERALD. Not the current year, because we have not finished the current year. No one can submit an estimate with accuracy as to just how much will be expended, and no one is able to tell with accuracy how much will be needed. Judgment must be based upon something; the committee bases its judgment upon the facts and experience of the past rather than upon fanciful imaginations concerning the future. That is a basis that is frequently adopted by gentlemen in trying to determine how much money should be appropriated for a service in which they are interested. One class of men take the record and experience of the past and arrive at a conclusion, while others try to anticipate the future and base their estimate upon what they fancy may be necessary.

In the item under consideration $1,500 is recommended instead of $1,800, because last year $1,400 was the total expenditure. It may be of some value to call the attention of the gentleman from Wyoming to the situation in his own State, which he criticizes. For the fiscal year 1914 the department asked $22,300 for clerk hire, and $20,000 was appropriated. All that was expended was $12,365; the service could not possibly expend, within $8,000, the amount the committee allowed.

Merely in the hope that in some way some one will devise some means to expend all the money that is appropriated is not sufficient justification to grant requests for appropriation. Then the gentleman from Wyoming must remember that his side of the House has been criticizing this administration so violently for making large appropriations that he should be one of the last to complain when some effort is made to curtail appropriations. The trouble is—and it is illustrated by the gentleman from Wyoming—everyone preaches economy, but no one is willing to have it practiced at the expense of the particular service in which he happens to be interested.

Mr. GOOD. Will the gentleman yield?

Mr. FITZGERALD. Yes.

Mr. GOOD. I hope the gentleman from New York in view of what he has said will not leave the Hall, but will be here when we reach a provision in the bill where it is attempted to appropriate $3,000,000 for a new project, an entirely useless object. He can prove himself a real economist.

Mr. FITZGERALD. I am here during the consideration of this bill, and when the provision is reached to which the gentleman refers I shall be here, and I may give the gentleman the shock of his life. [Laughter.]

The CHAIRMAN (Mr. CRISP). The time of the gentleman from New York has expired.

Mr. FITZGERALD. But that does not alter the fact that for the recommendation in this bill there is ample justification and no excuse to increase this particular provision.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Wyoming.

The question was taken, and the amendment was rejected.

The Clerk read as follows:

California: Surveyor general, $3,000; clerks, $10,000; contingent expenses, $1,400; in all, $14,400.

Mr. MONDELL. Mr. Chairman, I move to strike out the last word. The estimate for California was $16,400, and the amount appropriated for the surveyor general's office is $14,400. There has been a reduction below the amounts estimated in practically every one of these States. I think there are only two exceptions. I do not think the committee had sufficient information upon the subject. The Land Office ought to be able to determine with a great deal of accuracy how much money they need. I will tell the gentleman from New York [Mr. FITZGERALD] how in the year he refers to the surveyor general's office in Wyoming failed to use its appropriation. A new surveyor general was appointed. There were two widows and an unmarried woman in the office force who had long been employed in the office, and it seems to have occurred to the new surveyor general or some one in authority that it would be a very excellent idea to deprive those good women of their jobs. One of those ladies, all of whom were efficient clerks, was the widow of a man long known in our State as an active, influential Democrat. But neither character, service, or efficiency counted, and these women, dependent upon the money that they earned in this office for a livelihood, one of them, at least, having children dependent upon her, long in the service, faithful and efficient, were discharged. Of course that left the force of the surveyor general's office reduced. It is true they did not use the entire amount of the appropriation that year. It is also true that the work of the office was not promptly taken care of, but that is not any reason why this appropriation should be cut down below the estimates without information as to the amount needed. I shall not offer amendments to the other items—Idaho, Nevada, Washington, and other States—

until I reach the item for my own State, because I realize how useless it would be.

The committee evidently has determined not to increase these items without regard to the evidence as to the necessity for an increase, and that being the case I do not desire to take up the time of the committee discussing these matters. I have, however, no sort of question but that these items will all be restored, and gentlemen at the other end of the Capitol will get the credit for providing for the public service in a proper way. Let me suggest again that this method of making these appropriations is evidently not the best method. Clerk hire and contingent expenses in the surveyor general's office should be appropriated for in a lump sum, and the Commissioner of the General Land Office should apportion it as it is needed. Of course that would not in every case please the surveyors general. It would not give them the control that they now have over their funds, but it would be in the interest of public business, because the department can estimate with reasonable accuracy the total amount needed, and it can be used where it is needed to bring this work up and make and keep it current.

The Clerk read as follows:

Wyoming: Surveyor general, $3,000; clerks, $12,500; contingent expenses, $500; in all, $16,000.

Mr. MONDELL. Mr. Chairman, on page 103, line 9, I move to strike out the figures "$12,500" and insert "$20,000."

The CHAIRMAN. The gentleman from Wyoming is recognized.

Mr. MONDELL. Mr. Chairman, I should like to ask the gentleman in charge of the bill what his record is as to the amount expended the last fiscal year in the surveyor general's office in Wyoming for clerk hire.

Mr. JOHNSON of South Carolina. Twelve thousand three hundred and sixty-five dollars and thirty-four cents.

Mr. MONDELL. Mr. Chairman, I have explained to the committee why more of that clerk-hire money was not expended. I know that in Wyoming this amount is needed. I will not say the work of the surveyor general's office is badly in arrears, but it is not current, and we are making such surveys as will necessitate the use of as large a sum of money as is appropriated, if the work is to be kept current. There is no branch of the public service that is more important to our people than this matter of having surveys, after they have been executed in the field, examined in the surveyor general's office, platted, and made ready for the commissioner and for his approval. While these lands are being resurveyed—and that is the character of the surveys in our State, mostly—no entries can be made. It is difficult to make transfers, because the land lines and the land corners depend, of course, upon the new survey, and during that period settlement is retarded. Settlers can not make proof on their entries and transfers are difficult.

Mr. BYRNS of Tennessee. Mr. Chairman, will the gentleman yield?

Mr. MONDELL. Yes.

Mr. BYRNS of Tennessee. I want to ask the gentleman if he can tell when the new surveyor general for Wyoming was appointed or assumed office?

Mr. MONDELL. Something less than two years ago.

Mr. BYRNS of Tennessee. Does the gentleman remember the month?

Mr. MONDELL. I do not. It is not quite two years ago. It was very soon after the new administration was inaugurated.

Mr. BYRNS of Tennessee. Several months must have intervened, I take it, after the inauguration of the new administration.

Mr. MONDELL. Not much time was lost, I will say to the gentleman.

Mr. BYRNS of Tennessee. That has not been the case in some other matters.

Mr. MONDELL. I do not criticize the appointment or the fact that it was made promptly.

Mr. BYRNS of Tennessee. But the gentleman stated a while ago that the fact that there was so little money used during the fiscal year 1914 was due to the fact that there was a new surveyor general appointed. I am unable to say how that could affect the proposition when the new surveyor general could not possibly have come in and assumed office until about the time or possibly after the fiscal year had closed.

Mr. MONDELL. Oh, no. The discharge of clerks and the fact that their salaries were not paid and new clerks were not immediately appointed of course reduced the amount used, but clearly the gentleman from Tennessee has the wrong year in his mind. If he will recall the new surveyor general would have been in office nearly all the year to which he refers.

Mr. BYRNS of Tennessee. Oh, the gentleman is mistaken about that.

Mr. MONDELL. However that may be, I do know the situation of the surveyor general's office in Wyoming. My understanding is that he is going to use all the money that he has this year, and it is on the basis of this year's appropriation and not of last year's appropriation that this should be provided. In view of the fact that I have some real information on the subject I hope the committee will accept my amendment.

Mr. BYRNS of Tennessee. Oh, the gentleman misunderstands me. I understand the gentleman to give as the reason for the amount of money that was spent during the year 1914 the fact that a new surveyor general had been named and that he discharged certain clerks?

Mr. MONDELL. Yes; that is one of the reasons.

Mr. BYRNS of Tennessee. Now, the expenditures to which the gentleman refers and which he was seeking to explain were made during the fiscal year 1914, and the new administration did not come into power until March, 1913, only three months before the close of that particular fiscal year.

Mr. MANN. The gentleman has got the wrong year in his head.

Mr. MONDELL. The gentleman is generally very clear, but he is just a year off in his statement.

Mr. MANN. The fiscal year 1914 did not commence until July 1, 1913, four months after President Wilson was inaugurated.

The CHAIRMAN. The time of the gentleman has expired.

Mr. MANN. Mr. Chairman, I would like, if I can, to get a little information. I notice under this Wyoming item the contingent expenses are $5,000. The appropriation for clerk hire was $12,500, and the total expenses of that office are $16,000, including the pay of the surveyor general. What do these contingent expenses consist of?

Mr. JOHNSON of South Carolina. They are put down here as incidentals. We appropriated in 1914 $1,200. They spent—and that corresponds with what we call here in the department miscellaneous or contingent expenses—$400. Out of the $1,200 appropriated they spent $400 and——

Mr. MANN. The gentleman from South Carolina naturally this year, under the circumstances, has no greater information on the subject than I have. Here is a curiosity. Here is Wyoming with a surveyor general's office with a total appropriation of $1,600. It has $500 contingent expenses, while Colorado, with a total appropriation of $27,250, considerably less than twice as much, has a contingent expense item of $3,250, more than six times as much as the Wyoming office.

Mr. JOHNSON of South Carolina. They may have rented a building out of that; I do not know.

Mr. MANN. Well, I say the gentleman does not know. If they have to rent a building in one place, they have in another place probably.

Mr. JOHNSON of South Carolina. Not necessarily, because we have public buildings in some places and we have not them in others.

Mr. MANN. We have a public building at Denver, Colo.

Mr. JOHNSON of South Carolina. But we may not have a building for a Government land office.

Mr. MANN. For Arizona there was a total appropriation of $14,500; contingent expenses, $1,500, three times as much as over in Wyoming, though the total expense of the Wyoming office is greater than the one in Arizona. California is the same thing, and the same thing is true in Idaho, and the same thing is probably true in New Mexico. South Dakota, with a total appropriation of $5,600, has contingent expenses of $500 only, the same amount as in Wyoming where they have three times the appropriation. Evidently somebody somewhere is trying to cut very close on contingent expenses or somebody somewhere is very extravagant with contingent expenses.

Mr. JOHNSON of South Carolina. All the gentleman says is true, and I hope the General Land Office will inquire and report to the Committee on Appropriations why there should be any such difference in the contingent expenses of the various land offices.

Mr. MONDELL. Mr. Chairman, I trust the gentleman from South Carolina will accept my amendment in this case, in view of the fact that I am informed with regard to the needs of this office. The surveyor general of our State is a good Democrat. I do not desire to see him embarrassed in the performance of his duty by reason of the fact that he is not given a sufficient appropriation. I am constantly importuned with regard to surveys; I am posted in regard to the condition of our surveys, and I know that if our people are to be properly served the surveyor general must have the amount which was estimated. While I am not able to say in regard to the other States, I do know in regard to Wyoming that the surveyor general ought to have this amount if he is to do promptly the necessary work.

Mr. JOHNSON of South Carolina. Mr. Chairman, we have treated Wyoming just like we have all the other land offices. We have inserted in this bill an amount in excess of what they expended during the fiscal year 1914.

Mr. MANN. But you cut closer than in any other place.

Mr. MONDELL. Let me call the gentleman's attention to this fact, that the year he refers to was a year of transfer from one surveyor general to another. There was a reduction in force. The work was not kept current. Of course they did not use as much money as they need next year.

Mr. JOHNSON of South Carolina. Mr. Chairman, I will call the gentleman's attention to another thing. He says in his estimate he does not expect to use as many people in 1916 as he had in 1914.

Mr. MONDELL. Not the surveyor general of Wyoming; he does not say so.

Mr. JOHNSON of South Carolina. I mean the estimates that came to us.

Mr. MONDELL. By and large, that is what the Land Office may say in regard to the entire field; but I am talking about Wyoming.

Mr. JOHNSON of South Carolina. But I am talking about Wyoming, too; and he does not ask for as many clerks in the land office in Wyoming for the fiscal year 1916 as he had, according to his detailed statement, in 1914, when he expended $12,365.

Mr. MONDELL. Well, the gentleman understands this, that he may not have or expect to have more clerks than he had altogether during the fiscal year of 1914, but quite a number of those clerks were temporary and not in the office the entire year. I have explained to the gentleman there were some vacancies that were not filled, and while the total number of clerks may be no larger or less the clerks will be employed the entire year.

Mr. JOHNSON of South Carolina. He is asking for 10 clerks less now than he had in 1914, when he expended only $12,000.

Mr. MONDELL. It is possible, of course, that office has clerks that are not paid out of this appropriation at all. Frequently a considerable force in the surveyor general's office is not paid out of this appropriation, but is paid by parties seeking mineral surveys.

Mr. JOHNSON of South Carolina. Oh, well, that is an entirely different matter. We are appropriating for a particular force. Now, the gentleman tells us that he has another force. But we should not pay for them.

Mr. MONDELL. Well, now, the gentleman wants to be fair——

Mr. JOHNSON of South Carolina. Certainly.

Mr. MONDELL (continuing). And if the surveyor general made any suggestion about the reduction of 10, the number of people in his office, he could not have had in mind his regular force paid out of this appropriation. That was impossible. If he is making any estimate of such reduction as that, it must be on the theory that his other force will not be as large, which is not paid out of this appropriation. I reiterate what I have said, and I desire to emphasize it, that I know the condition of that office and know that it will be necessary for them to have these clerks; that the estimate provides for totaling $20,000.

Mr. MANN. Mr. Chairman——

The CHAIRMAN. Will the gentleman yield to the gentleman from Illinois?

Mr. JOHNSON of South Carolina. Yes; I yield to the gentleman from Illinois.

Mr. MANN. I suppose the gentleman is looking at page 101 of the estimates?

Mr. JOHNSON of South Carolina. I am looking at page 293 of the skeleton bill. It is the same thing.

Mr. MANN. I notice under the heading of those intended to be employed at this office that they intended to employ 16 persons, and the estimate is $20,000. The gentleman says that is a reduction of 10 persons. I notice in the other column corresponding, employed during the fiscal year 1914, 26 persons. It will be a reduction, but the 26 persons received $12,365 salary, and among the 26 persons were 8 draftsmen, each at $1,200; 2 clerks, each at $1,400; 2 clerks, each at $1,200; 5 temporary draftsmen, each at $1,200. And I have only enumerated a few of the 26. Those which I have enumerated call for salaries of a total of more than $20,000. So that the gentleman will see that while they employ 26 persons, that did not mean continuous employment.

Mr. JOHNSON of South Carolina. I understand that.

Mr. MANN. There is no reduction in the number of employees at all. There is an increase that is asked for in the number of employees in the office. In other words, the eight draftsmen at $1,200 each did not mean that they had eight draftsmen at $1,200 each at all. If the surveyor general can not do work in his office any better than this kind of statement means, he is inefficient and ought to be removed from office. The gentleman will agree to that, I am sure. That would lead anyone to believe that they had 26 persons, whereas they had one person employed one day, and another person another day, and a third person employed the third day, on the same job, and he calls it three persons at $1,200 each.

Mr. JOHNSON of South Carolina. I think there were 26 people who were employed at some time during that year, but they were not employed all the time. That is what I think it means.

Mr. MANN. No doubt. Twenty-six persons, all with as high salaries as the 16 persons. He figures up the 26 persons at $12,000 and 16 persons at $20,000, although there is no increase in salary. So the gentleman's argument rather falls to the ground.

Mr. JOHNSON or South Carolina. The condition is this: The report for 1914 states what he actually paid out to these people. For 1916 he is stating what he expects to pay out, and he contemplates employing those 16 people at that salary all the time. And that is $20,000.

Mr. MANN. I am with the gentleman. I voted with the gentleman on the amendments offered by the gentleman from Wyoming [Mr. MONDELL]; but I felt the gentleman from Wyoming was making a pretty strong case, and I think my friend from South Carolina thought it until, I think, he got an erroneous impression from this statement that there was a reduction in the number of employees from 26 to 16, when there is no reduction intended in the number of employees. The statement would lead anyone to believe that.

Mr. JOHNSON of South Carolina. There would not be as many people employed temporarily; there would be fewer people employed all the time. That is the difference.

Mr. MANN. There would be as many people employed at any one time?

Mr. JOHNSON of South Carolina. Possibly so.

Mr. MANN. That is the way we count. We say that there are 435 Members. We do not say that in one Congress there are 445 Members because some of them have resigned and have had successors appointed; but this fellow would.

Mr. JOHNSON of South Carolina. Mr. Chairman, I think we have provided ample funds for all these offices. Let us vote.

The CHAIRMAN. The question is on the amendment of the gentleman from Wyoming [Mr. MONDELL].

The question was taken, and the Chairman announced that the ayes seemed to have it.

Mr. JOHNSON of South Carolina. Division, Mr. Chairman.

The committee divided; and there were—ayes 20, noes 24.

So the amendment was rejected.

Mr. MANN. It ought to be noted that all but 4 of the 24 who voted in the negative came out of the catacombs. There were only four Democratic Members on the floor during the discussion. The rest voted as they usually vote, without knowledge or sense. [Laughter.]

Mr. MONDELL. Mr. Chairman, I move to strike out, on page 103, line 9, the figures "$12,500" and insert the figures "$18,000."

The CHAIRMAN. The gentleman from Wyoming offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amend, page 103, line 9, by striking out "$12,500" and inserting "$18,000."

Mr. MONDELL. Now, Mr. Chairman, it strikes me as hardly fair on the part of the gentleman from South Carolina [Mr. JOHNSON] to call in from the cloakrooms enough of his people who have not heard a word of the discussion on this item to vote down the amendment which I offered.

If the gentleman does not think the Democratic surveyor's office of Wyoming ought to have $20,000, I think we have made it very clear indeed that it is entitled to more than the committee gave his office.

I want again to remind the committee of the fact that there was no investigation whatever of this matter. The department that has it in charge asked for $20,000. The committee went back to the period of a year ago and found that only about $12,000 had been expended and reduced the sum to $12,500. The surveyor general of Wyoming did not expend as much in the fiscal year 1914 as he should have expended. The result was that the public service suffered, and these surveys can not be taken care of at this rate.

I would like to ask the gentlemen on the other side whether they desire to have the people of my State know and understand that this Democratic House has got to cheeseparing to the point where it is not willing to appropriate to have these surveys provided for in order that our people can settle on the

public lands—surveys provided for in order that those who own the lands and want to transfer them can do so by having the surveys accepted.

There have been many townships in my State withdrawn from entry for three or four years. Not a proof and not an entry has been made in that length of time over considerable areas because the lands were withdrawn pending resurvey.

Mr. JOHNSON of South Carolina. Mr. Chairman, will the gentleman let me ask him a question?

Mr. MONDELL. Yes.

Mr. JOHNSON of South Carolina. Has not that land all been surveyed at public expense at one time?

Mr. MONDELL. Most of our surveys are resurveys.

Mr. JOHNSON of South Carolina. Now you are coming back asking the Government to resurvey. Why do you want a resurvey anyway?

Mr. MONDELL. Well, the gentleman can not lead me off on that tangent. We are providing for resurveys all over the country, and the gentleman from South Carolina knows why they are necessary. They are no more necessary in Wyoming than they are elsewhere.

Mr. JOHNSON of South Carolina. Does the gentleman mean to say that when his party was in power all the money they expended to have this land surveyed was wasted, and that the work was worthless and that we must now do it all over again?

Mr. MONDELL. I have not stated anything of that sort.

Mr. JOHNSON of South Carolina. Something of that sort must be true. Either the original survey is worthless or else it is good.

Mr. MONDELL. Oh, that indicates that the gentleman does not know any more about surveys than he does about this appropriation. A great many of these surveys were very well executed in the way that the law provided for their execution at that time. The country was overrun constantly with great herds of buffalo and was full of game of all sorts. The game always pawed around places and spots where the soil had been removed, and land monuments afforded them an opportunity to tear up the soil and obliterate the monuments.

The CHAIRMAN. The time of the gentleman from Wyoming has expired.

Mr. MONDELL. Mr. Chairman, I ask unanimous consent that I may have five minutes more.

The CHAIRMAN. Is there objection to the gentleman's request?

There was no objection.

Mr. MONDELL. Between the buffalo bulls and the winds and the occasional trapper who came along and needed a stake to fasten his trap and found a land corner stake would serve that purpose, and some fellow who would pick up a land corner stone to shy at a coyote, in those various ways in the passage of time these corners became obliterated. It is true there were some fraudulent surveys, but the greater part of these surveys were executed in the way that the law contemplated at the time. But the passage and incidents of time obliterated those surveys, and resurveys are necessary. Our settlement will be retarded by reason of the fact that the surveyor general's office is not properly provided for, and I hope that the committee, if it will not give us $20,000, will at least give us within $2,000 of what the office asked.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Wyoming [Mr. MONDELL].

The question was taken, and the Chairman announced that the noes seemed to have it.

Mr. MONDELL. A division, Mr. Chairman.

The CHAIRMAN. The gentleman from Wyoming demands a division.

The committee divided; and there were—ayes 34, noes 36.

Mr. MONDELL. Tellers, Mr. Chairman.

The CHAIRMAN. The gentleman from Wyoming demands tellers.

Tellers were ordered, and the Chairman appointed Mr. BYRNS of Tennessee and Mr. MONDELL to act as tellers.

The committee again divided; and the tellers reported—ayes 39, noes 50.

So the amendment was rejected.

The CHAIRMAN. The Clerk will read.

Mr. MONDELL. Mr. Chairman, I move to amend, on page 103, line 10, by striking out the figures "$500" and inserting "$1,200."

The CHAIRMAN. The Clerk will report the amendment offered by the gentleman from Wyoming.

The Clerk read as follows:

Amend, on page 103, line 10, by striking out "$500" and inserting "$1,200."

Mr. MONDELL. Mr. Chairman, the gentleman from Illinois [Mr. MANN] called attention a moment ago to the fact that the item for contingent expenses in the surveyor general's office in Wyoming was reduced to a larger degree in proportion than the items for the other States. I want to call the attention of the committee to the fact that the State of Washington, for which the total appropriation is only $12,500, receives $1,500 for contingent expenses, while Wyoming is allowed only $500.

I do not know on what theory this sum is based, and I would be very glad if the gentleman from South Carolina would tell me. If it cost $1,500 for contingent expenses to run the surveyor general's office in the State of Washington, that will only spend $12,000 in all, I do not understand how we can expect the surveyor general's office in Wyoming to be run for $500 in the matter of contingent expenses when the total expenses are $16,000. As a matter of fact, it is impossible to provide for the contingent expenses of the office by any such sum as this. There is no reason why the committee should not allow the amount asked for.

Mr. JOHNSON of South Carolina. Mr. Chairman, on the face of it, it looks a little strange that we should appropriate $1,500 for incidental expenses of the land office in the State of Washington and only $500 for the great State of Wyoming. But the truth is this: The gentlemen who represent Wyoming in the House and Senate are always active, as Members can testify. I believe a year or two ago they had supplied a public building to every town that could be called a town, and a little place called Sundance got a national reputation because, with a population of 198 souls, they got an appropriation of $50,000 for a public building.

Mr. MONDELL. They almost got an appropriation.

Mr. JOHNSON of South Carolina. So in every town in Wyoming that is big enough to have a post office they have a public building, and, of course, we do not have to rent offices for the surveyor general. I see that in the State of Washington in 1912 we provided $1,500 for incidental expenses, which included rent of office, pay of the janitor, furniture and repairs thereto, and so forth. So, Mr. Chairman, all this spiel is for nothing. There is no office rent to pay in Wyoming, and they only spent $418 in the last fiscal year when they were permitted to spend $1,200. We have given them $500 for next year, and it is ample.

Mr. MONDELL. If the gentleman will allow me, he proposes to punish the surveyor general of Wyoming because he was economical in 1914. Now he has estimated that he needs $1,200 the coming fiscal year. He is a good business man, and I bear testimony to the fact that he is not disposed to spend the public money recklessly, and he probably knows how much he needs.

Mr. JOHNSON of South Carolina. The gentleman has testified before the committee this afternoon that the incumbent of that office is a good Democrat and that he will not waste the money, and we will risk his getting through on $500. Of course a Republican would need $1,200. [Laughter.]

The CHAIRMAN. The question is on the amendment offered by the gentleman from Wyoming [Mr. MONDELL].

The amendment was rejected.

The Clerk read as follows:

POST OFFICE DEPARTMENT.

Office Postmaster General: Postmaster General, $12,000; chief clerk, including $500 as superintendent of buildings, $4,000; private secretary, $2,500; disbursing clerk, $2,250; bookkeeper and accountant, $1,800; 2 stenographers, at $1,600 each; appointment clerk, $2,000; assistant to chief clerk, $2,000; confidential clerk to Postmaster General, $2,000 (formerly assistant superintendent in charge of mail equipment, Fourth Assistant's Office); chairman board of inspection, $2,000 (formerly assistant superintendent in charge of inspection of supplies, Fourth Assistant's Office); printing clerk, $1,800 (formerly clerk of class 4, Fourth Assistant's Office); clerks—4 of class 4 (1 transferred from Fourth Assistant's Office, 1 from Division of Post Office Inspectors, and 2 to First Assistant's Office), 6 of class 3 (2 transferred from First Assistant's Office, 1 from Fourth Assistant's Office, 2 to Third Assistant's Office, 1 to Division of Post Office Inspectors, and 1 to Division of Purchasing Agent), 10 of class 2 (1 transferred from First Assistant's Office, 2 from Second Assistant's Office, 1 from Third Assistant's Office, 1 to Division of Purchasing Agent, and 1 to Division of Solicitor), 6 of class 1 (1 transferred from Division of Post Office Inspectors), 3 at $1,000 each (3 transferred to Division of Post Office Inspectors and 1 to First Assistant's Office), 8 at $900 each (1 transferred from Second Assistant's Office and 2 from Fourth Assistant's Office); telephone switchboard operator; assistant telephone switchboard operator; messenger in charge of mails, $900; 3 messengers (1 transferred from First Assistant's Office and 1 from Third Assistant's Office); 3 assistant messengers (1 transferred from Division of Post Office Inspectors); pages—2 at $480 each (1 transferred from Second Assistant's Office and 1 from Third Assistant's Office), 3 at $360 each (1 transferred from First Assistant's Office and 1 from Fourth Assistant's Office); engineer, $1,400; 8 assistant engineers, at $1,000 each; electrician, $1,400; 2 assistant electricians, at $1,200 each; 3 dynamo tenders, at $900 each; fireman, who shall be a blacksmith, and fireman, who shall be a steam fitter, at $900 each; 10 elevator conductors, at $720 each; 17 firemen; carpenters—1 $1,200, 1 $1,000, 2 at $900 each; captain of the watch, $1,000; additional to 2 watchmen acting as lieutenant of watchmen, at $120 each; 24 watchmen; foreman of laborers, $800; 47 laborers (2 transferred from Fourth Assistant's Office); plumber, $900; awning maker, $900; female laborers—1 $540, 3 at $500 each, 5 at

$480 each (2 transferred from Fourth Assistant's Office); 45 charwomen; in all, $201,210.

Mr. MANN. I make the point of order against the paragraph.

Mr. JOHNSON of South Carolina. There are places appropriated for that have never been created by law. The paragraph is subject to the point of order, if the gentleman wants to mutilate the bill and reduce the activities of the Postmaster General.

Mr. MANN. I do not think the Postmaster General will be unduly or injuriously affected in the end. I hope not.

The CHAIRMAN. The Chair sustains the point of order.

The Clerk read as follows:

Washington, D. C., new post-office building: Three assistant engineers, at 900 each; 3 assistant electricians, at $900 each; 10 elevator conductors, at $720 each; 3 oilers, at $720 each; 12 watchmen; additional to 1 watchman acting as lieutenant of watch, $120; 15 laborers; assistant plumber, $720; 2 female laborers, at $480 each; 15 charwomen; in all, $38,700.

Mr. MANN. There should be a dollar mark inserted before the figures "900" in line 15.

The CHAIRMAN. If there be no objection, the correction will be made.

There was no objection.

The Clerk read as follows:

Office Second Assistant Postmaster General: Second Assistant Postmaster General, $5,000; chief clerk, $2,500; Division of Railway Adjustments—superintendent $3,000, assistant superintendent $2,250; Division of Foreign Mails—superintendent $3,000, assistant superintendent $2,000; superintendent, Division of Miscellaneous Transportation, $2,000; clerks—13 of class 4, 23 of class 3, 18 of class 2 (2 transferred to Postmaster General's Office), 15 of class 1, 12 at $1,000 each, 7 at $900 each (1 transferred to Postmaster General's Office); messenger in charge of mails, $900; 4 assistant messengers; page, $360 (transferred from First Assistant's Office); in all, $145,590.

Mr. MANN. Mr. Chairman, I make a point of order against the paragraph. It contains items for several offices not provided for by law.

Mr. JOHNSON of South Carolina. That is true, Mr. Chairman. It is subject to a point of order.

The CHAIRMAN. The Chair sustains the point of order.

Mr. JOHNSON of South Carolina. Mr. Chairman, I offer the following amendment:

The CHAIRMAN. The gentleman from South Carolina offers an amendment, which the Clerk will report.

The Clerk read as follows:

Insert in place of the paragraph stricken out the following:
"The officers and employees of the United States whose salaries are herein appropriated for are established and shall continue from year to year to the extent they shall be appropriated for by Congress."

The amendment was agreed to.

Mr. MANN. Mr. Chairman, I should like to make a suggestion to the gentleman from South Carolina, that by unanimous consent that amendment be inserted as section 6 of the bill.

Mr. JOHNSON of South Carolina. Mr. Chairman, I ask unanimous consent that the amendment just adopted be placed in the legislative part of the bill as section 6.

The CHAIRMAN. The gentleman from South Carolina asks unanimous consent that the amendment just adopted be inserted as section 6 of the bill. Is there objection?

There was no objection.

The Clerk read as follows:

Office of Third Assistant Postmaster General: Third Assistant Postmaster General, $5,000; chief clerk, $2,500; Division of Stamps—superintendent $2,750; Division of Finance—superintendent (who shall give bond in such amount as the Postmaster General may determine for the faithful discharge of his duties) $2,250; Division of Classification—superintendent $2,750; Division of Registered Mails—superintendent $2,500; Division of Money Orders—superintendent $2,750, chief clerk $2,250; clerks—19 of class 4, 34 of class 3 (2 transferred from Postmaster General's Office), 50 of class 2 (1 transferred to Postmaster General's Office), 62 of class 1 (2 transferred from Fourth Assistant's Office, 1 to Postmaster General's Office), 40 at $1,000 each (2 transferred from Fourth Assistant's Office); 21 at $900 each (1 transferred from Fourth Assistant's Office); 2 messengers; in all, $316,330.

Mr. JOHNSON of Washington. Mr. Chairman, I move to strike out the last word. Reverting to the matter of mail carriers in the far West who have received no pay whatever for the past five months, I desire to make it clear and to have the statement go out in the RECORD that no employee of the Post Office Department need hire lawyers in order to collect his money. I am putting it in this form so that it can be printed in the newspapers devoted to the Rural Delivery Service. Since I addressed the House a few moments ago I have gone a little further into this matter and have learned there are about 300 cases in which errors of some kind have been made which can not be easily discovered; numerous cases where mistakes in payment have occurred, causing other Members of Congress, I presume, the same as myself, to receive letters something like this:

PACIFIC BEACH, WASH., *November 30, 1914.*

Hon. ALBERT JOHNSON,
House of Representatives, Washington, D. C.

MY DEAR MR. JOHNSON: I am inclosing the third letter from a law firm in Washington, asking me to give them my legal work in connection with my mail contract here on the beach. Mr. JOHNSON, I don't intend to need any legal work in connection with this mail contract. I was the lowest bidder. My contract was duly signed and sent by registered mail, and I have the return of the card that same was received. Now, why do you suppose I can't get any money? My pay is now five months in arrears. In fact, I have never received anything since commencing the work. Have not even been able to receive a reply to a courteous letter asking why my pay was being held up.

In view of these facts I am still on the job and am expected to be on the job, buying horse feed, keeping up equipment, and enduring the hardships one is obliged to endure in the fulfillment of this contract.

Mr. JOHNSON of South Carolina. Mr. Chairman, will the gentleman yield for a suggestion?

Mr. JOHNSON of Washington. Certainly.

Mr. JOHNSON of South Carolina. We are trying to get through with this bill as speedily as possible in the hope that the gentleman from Tennessee [Mr. MOON] may call up the Post Office bill. The matter to which the gentleman refers will be entirely appropriate in the consideration of that bill.

Mr. JOHNSON of Washington. These appropriation bills are prepared in advance by experienced members of great committees, and the only way in which other Members can call attention to these matters is during these five-minute speeches. This man has had no pay for five months, and I have other cases. The department has promised to get three months' pay off by to-day's mail to this carrier, whose name is Calvin Perry. He needs all of the money that is due him. I dislike to delay this committee, but it will do good to let western star-route carriers know that they need pay no attention to such letters from lawyers as this one:

WASHINGTON, D. C., *November 23, 1914.*

CALVIN PERRY, Esq.,
Pacific Beach, Wash.

DEAR SIR: Referring to your contract for carrying the mails, we beg to offer our services before the Post Office Department in any matter pertaining to the same.

Differences and disputes between mail contractors and the department sometimes occur, and in such matters it is advisable for the mail contractor to have the advice and assistance of a representative in Washington familiar with the rules and practice of the department, in order that their case may be presented in person to the authorities and their interest properly protected.

Having had more than 20 years' experience in practicing before the Post Office and other departments, we can be of much assistance to mail contractors in their business relations with the Government, and shall be glad to represent you generally or in any particular matter before the Post Office Department.

We charge an annual retainer for general services or a reasonable fee for particular services rendered from time to time.

Very truly, yours,

_____.

Mr. Chairman, I was told the 1st of December by an official that this carrier, Mr. Perry, and other carriers had received three months' pay. In fact, it was suggested that I telegraph the man that three months' pay had been sent and the rest was on the way. I did so. I also wrote to him, saying that the department was not to blame, and finally, after 15 days, the carrier wired me:

Your telegram and letter received, but no money.

No one can say why or how this and other mistakes have been made or why the cards are out of place. We are dealing with the appropriation for clerks, transferring them from one department to another—fourth to the third and the third to the fourth; from the third to the second, and so on. I believe it would be wise to leave some of these clerks in their places long enough for them to straighten up these things in order to prevent these mistakes. Mr. Chairman, I have nothing further to say on this matter at this time.

The Clerk read as follows:

Office Fourth Assistant Postmaster General: Fourth Assistant Postmaster General, $5,000; chief clerk, $2,500; Division of Rural Mails—superintendent $3,000, assistant superintendent $2,000, chief clerk $2,000; Division of Supplies—superintendent $2,750, assistant superintendent $2,500; assistant superintendents, Division of Equipment—superintendent $2,750, chief clerk $2,000 (transferred from appropriation "Labor, mail-bag repair shop, Postal Service"); clerks—14 of class 4 (2 transferred to Postmaster General's Office, 1 to Division of Solicitor), 28 of class 3 (2 transferred to Division of Solicitor, 1 to Postmaster General's Office, 1 to Division of Post Office Inspectors, 1 to Division of Purchasing Agent, and 1 transferred from First Assistant's Office), 47 of class 2 (1 transferred to First Assistant's Office, 1 to Division of Post Office Inspectors), 77 of class 1 (2 transferred to Third Assistant's Office, 1 to First Assistant's Office, 1 to Second Assistant's Office, 1 to Division of Solicitor), 53 at $1,000 each (2 transferred to Third Assistant's Office, 1 to First Assistant's Office, 1 to Division of Purchasing Agent), 23 at $900 each (2 transferred to Postmaster General's Office, 2 to First Assistant's Office, 1 to Third Assistant's Office, 1 to Division of Purchasing Agent); skilled draftsmen—3 at $1,800 each, 4 at $1,600 each, 6 at $1,400 each, 5 at $1,200; map mounter, $1,200;

assistant map mounter, $720 (1 transferred to Division of Purchasing Agent); mechanic, $1,000; map copyists—6 at $1,000, 1 $900; 4 messengers (1 transferred to Division of Post Office Inspectors); 13 assistant messengers (1 transferred to Third Assistant's Office); 28 laborers (2 transferred to Postmaster General's Office); 3 female laborers, at $480 each (2 transferred to Postmaster General's Office); in all, $395,060.

Mr. GOULDEN. Mr. Chairman, I move to strike out the last word for the purpose of getting information. I want to ask the gentleman why there are so many transfers in these appropriations. I see there are 15 or 20 in the office of the Fourth Assistant Postmaster General alone, and there seems to be a great many transfers from one department to another. Why are these made?

Mr. JOHNSON of South Carolina. Mr. Chairman, this bill shows upon its face just exactly where every man is employed in the Post Office Department. For years men have been carried on the rolls of one division when they were really working in some other division. We use the expression "transferred" to show where he came from. After this year that language will be dropped.

Mr. GOULDEN. As an illustration, I notice, on page 112, line 1, there are two female laborers out of three named transferred to the Postmaster General's Office. Why is that done? What reason was there for it?

Mr. JOHNSON of South Carolina. There is a certain force under the Postmaster General.

Mr. GOULDEN. I know that. Then there is a transfer from the Fourth Assistant Postmaster General. Why not appoint them directly to the Postmaster General's Office, or wherever they are to go, instead of going through all this circumlocution?

Mr. JOHNSON of South Carolina. We do that in this particular bill to show how the change came about. The language will be dropped in subsequent bills. The purpose of the language is to show where the people are working and where they came from. The Postmaster General informs me that there is not a person in the Post Office Department working in any other place than that provided for under this bill.

Mr. GOULDEN. I think it rather confusing to find the transfer to the Postmaster General's Office, and I did not see why they could not be appointed direct. To a business man it does not seem to be a good system.

Mr. TOWNER. Will the gentleman yield?

Mr. GOULDEN. Yes.

Mr. TOWNER. If the gentleman will look on page 106, he will see a statement made in the paragraph referring to the Postmaster General's Office that the two females who are transferred from this Fourth Assistant Postmaster General are transferred to the Postmaster General's Office.

Mr. GOULDEN. Why transfer them back and forth, apparently? So far, in my judgment, no business reason has been given.

Mr. TOWNER. They are not; one says "from" and the other says "to." The record is complete.

The Clerk read as follows:

Census of agriculture: For taking, compiling, and completing the census of agriculture required by section 31 of the act approved July 2, 1909, providing for the thirteenth and subsequent censuses, including the employment, in addition to the regular force of the permanent Census Office, of not to exceed 1,000 temporary clerks at a salary of not to exceed $1,000 per annum for a period not to exceed two years, the Director of the Census being empowered to fix the compensation of such temporary employees engaged in the compilation and tabulation of statistics by the use of mechanical devices on a piece-price basis; the employment of special agents at a salary of not to exceed $6 a day, with actual and necessary traveling expenses and an allowance of not to exceed $4 a day in lieu of subsistence pursuant to section 13 of the sundry civil act approved August 1, 1914; an appropriate allowance to such special agents as may be deemed necessary, and previously authorized by the Director of the Census for actual expenses of clerk hire, rental of quarters outside of the District of Columbia, light, heat, rental of typewriters, telephone and telegraph services, and other necessary miscellaneous expenses; the compensation of enumerators, which shall be fixed by the Director of the Census at least two weeks in advance of the enumeration, and which may be on a piece-price basis of not less than 20 or more than 50 cents for each farm reported; a mixed rate of not less than $1 or more than $2 a day of eight hours' work, in addition to an allowance of not less than 15 or more than 30 cents for each farm reported; or on a per diem basis of not less than $3 or more than $6 per day for eight hours' work, no payment to be made for any time in excess of eight hours in any one day; the employment of interpreters to assist enumerators in their respective districts in the enumeration of persons not speaking the English language, the compensation of such interpreters to be fixed by the Director of the Census in advance at not to exceed $5 a day for each day of eight hours actually and necessarily employed; the actual and necessary traveling expenses of the various employees of the Bureau of the Census, including an allowance in lieu of subsistence not exceeding $4 a day pursuant to section 13 of the sundry civil act approved August 1, 1914, and necessary incidental miscellaneous and contingent expenses in Washington, D. C., and elsewhere, including advertising in newspapers, purchase of manuscripts, books of reference and periodicals, and the expenditures necessary for the compilation, printing, publishing, and distributing of the results of the census, and the purchase of necessary furniture, paper, and other supplies, and the purchase, rental, construction, repair, and exchange of mechanical appliances, and other expenses necessary thereto, to be available during the fiscal years 1916 and 1917, $2,286,100.

Mr. MANN. Mr. Chairman, I make a point of order against the paragraph.

Mr. JOHNSON of South Carolina. I would like to hear the gentleman on the point of order.

Mr. MANN. The paragraph, I think, would be in order if it was made as an appropriation to carry out existing law. But this paragraph should be read, as far as the law is concerned, "for taking, compiling, and completing the census of agriculture required by section 31 of the act approved July 2, 1909, providing for the Thirteenth and subsequent censuses, $2,286,100." The rest of the two and a half pages is legislation.

Mr. JOHNSON of South Carolina. Will the gentleman let me interrupt him?

Mr. MANN. Certainly.

Mr. JOHNSON of South Carolina. Does not the gentleman think that where we are appropriating as large a sum of money as we are here to carry out an existing law that these limitations in the way of legislation are not of place, and that they are better than it would be to appropriate a lump sum of two millions and a quarter dollars?

Mr. MANN. I think it was entirely appropriate for the committee in proposing the expenditure of this sum of money to guard it by legislative provisions. But that makes it subject to a point of order; but I hoped that if I can strike the item out of the bill on a point of order, even if an amendment be agreed to in committee, that we would be sure of having a roll call in the House, and that there might be such a feeling come over the conscience of Members that we would save the $2,000,000 we are extracting from the people through the stamp tax. At any rate the provision that the Director of the Census is empowered to fix the compensation of employees engaged in the compilation of statistics by the use of mechanical devices on a piece-price basis is legislation. And if the chairman desires me, I will read the rest of the legislative provision. There is nothing but legislation in it. The provision for the compensation of enumerators is legislation, both as to piecework and as to the daily allowance. I make the point of order on the paragraph.

Mr. JOHNSON of South Carolina. Mr. Chairman, I have the act which provides for the taking of the Thirteenth Decennial Census. Section 31 of that act provides:

That there shall be in the year 1915, and once every 10 years thereafter, a census of agriculture and live stock, which shall show the acreage of farm land, the acreage of the principal crops, and the number and value of domestic animals on the farms and ranges of the country. The schedule employed in this census shall be prepared by the Director of the Census. Such census shall be taken as of October 1 and shall relate to the current year. The Director of the Census may appoint enumerators or special agents for the purpose of this census, in accordance with the provisions of the permanent census act.

Mr. Chairman, this provision is inserted in the bill in compliance with section 31 of the census act of 1909. The law provides that this census of agriculture and live stock shall be taken in the year 1915 and every 10 years thereafter. It provides that the schedules shall be arranged by the Director of the Census and that he may appoint enumerators or special agents for the purpose of the census in accordance with the provisions of the census law. There is not a thing in this paragraph that is in violation of the law. We give him $2,286,100 for the purpose of taking the census required by law. We have a right to limit the number of clerks that he can employ with that money. We have a right to limit the compensation that he shall pay those clerks. The law authorizes him to appoint clerks, but does not fix the compensation. It authorizes him to appoint special agents, but does not fix the compensation, and we have undertaken in this paragraph, in carrying out the law, to limit him in the expenditure of this vast sum of money. I do not believe that there is a line in the paragraph that is not a proper limitation and that can be construed as permanent law.

Mr. LENROOT. Mr. Chairman, will the gentleman yield?

Mr. JOHNSON of South Carolina. Yes.

Mr. LENROOT. Is it the gentleman's contention that the law specifically authorizes him to appoint clerks for this purpose?

Mr. JOHNSON of South Carolina. Yes; I just read it.

Mr. LENROOT. As I understood the gentleman, he said enumerators and special agents.

Mr. JOHNSON of South Carolina. Oh, the gentleman used the word "clerks."

Mr. MANN. Enumerators, or special agents.

Mr. JOHNSON of South Carolina. The word "clerk" is not used in the organic law. Of course, Mr. Chairman, it would be idle to gather facts and not provide for compilation. We are limiting the gathering of the statistics and the compiling of them. Compilation is a necessary incident of field work.

Mr. MANN. Mr. Chairman, section 31 of the act providing for the agricultural census is a very simple proposition, and

under it Congress would be authorized to appropriate such a sum of money as it pleased for the purpose of taking a census of agriculture and live stock for this coming year, as of the 1st of October. The act provides that the Director of the Census may employ enumerators or special agents in accordance with the provisions of the permanent census act. That legislation fixes what employees may be employed by the Director of the Census and how they shall be employed, and he could employ them under an appropriation which we make; but the Committee on Appropriations in reporting it, whether wisely or unwisely, and I would not say unwisely, has attempted to have Congress define what the act, as far as it goes, would give to the Director of the Census to define, and then covers a lot of other things besides. For instance, this provision endeavors to provide that there shall be allowed not to exceed 1,000 temporary clerks at a salary of not to exceed $1,000 per annum. That is legislation. Further—

The Director of the Census, being empowered to fix the compensation of such temporary employees engaged in the compilation and tabulation of statistics by the use of mechanical devices on a piece-price basis—

That is legislation. Under the original census act the Director of the Census very likely could fix the annual or monthly salaries for these enumerators and special agents, but this is legislation. There is a great deal more of legislation all of the way through, as, for instance, the following provision:

The compensation of enumerators, which shall be fixed by the Director of the Census at least two weeks in advance of the enumeration, and which may be on a piece-price basis of not less than 20 or more than 50 cents for each farm reported; a mixed rate of not less than $1 or more than $2 a day of eight hours' work, in addition to an allowance of not less than 15 or more than 30 cents for each farm reported; or on a per diem basis of not less than $3 or more than $6 per day for eight hours' work, no payment to be made for any time in excess of eight hours in any one day.

All of that is legislation. That is not an appropriation. That is an authorization or requirement that the Director of the Census shall have the power to do certain things or shall do certain things in a way fixed by Congress.

Mr. BARTLETT. Mr. Chairman, will the gentleman yield?

Mr. MANN. Certainly.

Mr. BARTLETT. Is not that rather a limitation upon the amount that he shall pay?

Mr. MANN. Not at all.

Mr. BARTLETT. As to the amount?

Mr. MANN. There is no limitation about fixing it at not less than 20 cents.

The CHAIRMAN. The Chair is ready to rule. The Chair thinks that in view of this provision, and construing this provision in connection with the census act of 1909, while this provision does partake somewhat of the character of a limitation, yet, in the judgment of the Chair, it is not really a limitation but is legislation, and the Chair therefore sustains the point of order.

Mr. BARTLETT. Mr. Chairman, I ask unanimous consent to return to this paragraph after we have prepared an amendment which we will offer, which we think will not be subject to the point of order.

The CHAIRMAN. The gentleman from Georgia asks unanimous consent to return later to this paragraph. Is there objection?

Mr. MANN. I object.

The CHAIRMAN. The Clerk will read.

Mr. BYRNS of Tennessee. Mr. Chairman, I offer the following amendment which I send to the desk and ask to have read.

The Clerk read as follows:

Page 119, after line 11, insert the following:
"Census of agriculture: For taking, compiling, and completing the census of agriculture required by section 31 of the act approved July 2, 1909, providing for the Thirteenth and subsequent censuses, $2,286,100."

Mr. GILLETT. Mr. Chairman, does the gentleman desire to be heard now?

Mr. BARTLETT. We offer the amendment.

Mr. GILLETT. I wish to oppose the amendment. I did not know whether the gentleman wished to say anything first or not.

Mr. BARTLETT. Not just now.

Mr. GILLETT. Mr. Chairman, we on this side of the House have been criticized occasionally by the other side when we have suggested that they were not exercising proper economy because we did not point out specific instances where they might economize.

Now, it is difficult ordinarily to select specific economies by amendment, because they ought of course to be provided by the committees and not be prepared upon the floor of this House. The bill which the committee provides can not as a rule be very wisely reduced on the floor, but here is an instance where it seems to me there is opportunity for a specific economy, and therefore I oppose this amendment. I do not deny that such a census may be desirable. I do not deny that it might be useful. All I claim is that in the present stress of our finances it is no time to indulge in anything except absolute necessities, and it seems to me, desirable as a census of agriculture may be, it is a luxury rather than a necessity and ought not to be paid for now. If I had control of expenditures and appropriations in the present condition of the Treasury, I not only would refuse to appropriate for a census of agriculture, but I would strike out the appropriation for the census of manufactures which comes this year. Hardly any of that has been spent. I believe there is $200,000 carried in this bill and over $400,000 that has not been expended, so that if that were stricken out and this were stricken out there would be a saving of $3,000,000 for what can not be considered a necessity, no matter how useful it may be.

Now, the estimates admit that there would be a deficit of about $35,000,000 this year; that the estimated expenditures exceed the estimated revenues by about $35,000,000. But the administration subtracts from that the $60,000,000 sinking fund, and it hardly lies in our mouth to criticize that, because nothing has been put in the sinking fund for several years—and that makes a surplus of $35,000,000. But that surplus has already been wiped out, because to make that surplus the Secretary of the Treasury estimated that the Post Office appropriation bill would only be $297,000,000—an estimate which, in my opinion, he had no right to make, because it was based upon the theory that the existing law would be changed and that rural routes would be supplanted by the contract system. Originally he had no right at all to make such a supposition, and it has already been contradicted by the report of the Post Office Committee which has come in; and instead of appropriating $297,000,000 the appropriation will be $322,000,000, leaving in the carrier system. So there is $25,000,000 that is taken out of his surplus, and there is not any surplus at all. Then, in order to make an apparent surplus, it is claimed that the $18,000,000 which are estimated for the Panama Canal will not be paid out of the revenues, although the Republican administration paid double that year after year, but that it will be paid by issuing bonds. But even if we issue bonds, and so make again a nominal surplus of about $19,000,000, that surplus of $19,000,000 will be wiped out if the supplemental appropriations this year are as big as they were last year, for last year those were $19,000,000. This year, apparently, they will be more, because on the very first day of the session supplemental estimates were introduced of over $4,000,000; and, moreover, the estimates in the sundry civil bill have no public-building estimates. I do not believe this Democratic majority is going to be so self-denying or patriotic as to deny themselves all public buildings this year. So that surplus is not only wiped out, but a deficit is already created. Now, under those circumstances, a deficit staring us in the face, and with the unsettled condition of trade and finance the world over, with the estimates of revenues falling much below what is needed, I think now is the time to economize strictly instead of indulging ourselves in such luxuries as this census, desirable as it might be in a time of plenty and prosperity.

Mr. BYRNS of Tennessee. Mr. Chairman, I am not surprised that gentlemen on the other side oppose this provision for the taking of an agricultural census. The political party to which the gentlemen on the other side belong has always posed as a friend of the farmer, but I have observed that through the long series of years when they were in power there was very little, if any, legislation enacted for the direct benefit of the farmer or the agricultural classes. Their action in opposing this particular provision is but another striking evidence of their want of sympathy with the agricultural classes of this country. Eleven years ago a Republican Congress and a Republican administration provided for a quinquennial census of manufactures, and an appropriation was made for the purpose of taking that census. A year ago, under a Democratic Congress, another appropriation of $75,000 was made for a similar census, and we heard no word of objection from any gentleman on the other side.

When the proposition was up to take a census of manufactures we did not hear the plea of economy raised which we hear now when it is proposed to take a census on behalf of and for the benefit of the farmers of this country. I do not criticize the action in taking a census of manufactures. It doubtless has resulted in great good, but there are equally good reasons why an agricultural census should be taken.

Mr. GILLETT. Will the gentleman yield?

Mr. BYRNS of Tennessee. No; not just now. I will yield in a moment. Now, Mr. Chairman, what is the provision that is proposed in this bill? In 1909 a law was passed providing that

in the year 1915 a census of agriculture should be taken showing the acreage of farm lands, the number of acres devoted to the cultivation of the principal crops, and the number of domestic live stock in the country. That bill was passed, as I say, in 1909, and the Appropriations Committee have simply brought in here a provision which will enable the proper officials to carry out and administer that law which was enacted in the interest of the agricultural classes of this country. I regret that gentlemen upon the other side saw fit to make a point of order against the provision as it was proposed by the Committee on Appropriations, for we thought it desirable to limit those who are to take this census and to make specific provision as to what salaries should be paid.

But owing to the point of order made by gentlemen on the other side that provision has gone out. And it has been necessary to offer an amendment simply making an appropriation of the amount actually necessary to carry out the provisions of the law of 1909, without limitations as to either the number of employees or the salaries to be paid.

Now, I have said that this provision is for the benefit of the agricultural classes of this country. The same reasons that can be given by any gentleman for the taking of a census of manufactures will apply to the taking of the census of agriculture. If it was wise when the gentlemen upon the other side provided for a census of manufactures in 1905, or in 1914, when they did not utter a protest against taking the census of manufactures—I say if it was wise then to make an appropriation sufficient for that purpose, then it is wise to-day in the interest of the general good of the country, and particularly in the interest of the farmers, to make an appropriation for the purpose of taking the census of agriculture. The committee knows that from year to year the Department of Agriculture makes estimates as to the number of acres planted to various crops in this country. Those estimates are at the outset based largely upon the facts disclosed by the decennial census. If an error creeps into the compilation of the facts gathered under the decennial census, then it is carried into these estimates from year to year, and by the time the next decennial census is held, or certainly as the end of the decade approaches, the estimates made by the Department of Agriculture may be worth little, if anything. Therefore Congress in its wisdom in 1909 decided that it was to the interest of the farmer, who wants this information, and who ought to have this information, that an accurate census should be taken in the year 1915 which shall be devoted only to three main questions, namely, the number of acres of farm land, the number of acres devoted to the cultivation of the principal crops, and the number of domestic live stock in this country. And I hope that the Committee of the Whole will adopt this amendment, because, as I said, it was proposed at the outset in favor of the farmers, who have had less direct benefits from legislation than any other class of citizens in this country. [Applause.] It is particularly important at this time that the farmers shall know the acreage of the various principal crops. Conditions in Europe will doubtless bring a change in the growing of certain crops in some sections of the country, at least for the time being; and the farmer should know how much wheat, or corn, or tobacco, or cotton is being produced in any year, in order to know how he can best cultivate his lands for the next year so as to bring the greatest return for his labor. Such information will also enable him to determine with some degree of accuracy what he ought to receive for the product of his year's toil. The taking of this census will furnish this information. If it was thought important in 1909, when the law was passed, there is, as I have said, a still greater reason now why it should be thought important and necessary for the farming classes.

Mr. GILLETT and Mr. GOOD rose.

The CHAIRMAN. The gentleman from Iowa [Mr. GOOD] is recognized.

Mr. GOOD. Mr. Chairman, I offer a substitute for the amendment offered by the gentleman from Tennessee [Mr. BYRNS].

The CHAIRMAN. The gentleman offers an amendment in the way of a substitute, which the Clerk will report.

The Clerk read as follows:

Page 119, line 12, insert:
"That section 31 of the act approved July 2, 1909, is hereby repealed."

Mr. BYRNS of Tennessee. Mr. Chairman, I reserve a point of order on that. It is subject to a point of order.

The CHAIRMAN. Does the gentleman from Tennessee desire to make the point of order?

Mr. BYRNS of Tennessee. I make the point of order that it is new legislation.

Mr. GOOD. Of course it is new legislation, but it comes under the Holman rule, and will save $2,200,000 a year. The amendment I offer is a substitute for the amendment offered by the gentleman from Tennessee.

Mr. BYRNS of Tennessee. Mr. Chairman, as has been suggested, there is quite a difference between an amendment reducing an appropriation in a bill and one absolutely repealing the law.

Mr. GOOD. We repealed the mileage law the other day simply to reduce the amount of mileage to Members.

Mr. BYRNS of Tennessee. The amendment showed on its face that there would be a reduction of the amount carried in the bill. Now this, Mr. Chairman, does not undertake to reduce the appropriation that is sought to be made by the amendment, but absolutely repeals the law.

Mr. MANN. It reduces the amount carried by the bill and the amendment a little over $2,000,000 and repeals the law. It does reduce it. The item in the bill on mileage the other day did not say anything about the amount carried in the bill. Still that was held in order because it reduced the expenditures of the Government. The item of appropriation was a separate item in the bill. There was a separate item on mileage.

The CHAIRMAN. The Chair thinks it is in order, and therefore overrules the point of order.

Mr. GOOD. Mr. Chairman, section 31 of the act approved July 2, 1909, which provides for taking the agriculture census, was an amendment, so I am told, suggested by the present Postmaster General, Mr. Burleson, who forced the Committee on the Census to accept it. The gentleman from Tennessee [Mr. BYRNS] became quite eloquent in his plea in behalf of the farmer. He went to the extent of claiming that it was necessary to take this census in 1915 for the farmer's benefit. I represent one of the greatest agricultural communities in this country, and I would not do a thing that would in any way injure in the slightest degree the agricultural industry. But this appropriation will not aid the farmer. This law provides that this census shall be taken to ascertain the acreage of farm lands, the acreage of the principal crops, and the number and value of domestic animals on the farms and ranges. I hold here the Agricultural Yearbook for the year 1913, and that yearbook gives all of the information with regard to the principal crops, and not only the principal crops but the minor crops as well. It gives the acreage, and it gives the amount that is raised per acre in each State in the Union.

Mr. BYRNS of Tennessee. Will the gentleman yield?

Mr. GOOD. For a brief question.

Mr. BYRNS of Tennessee. I would like to ask the gentleman if he was not aware that those figures were based largely on estimates instead of the actual facts?

Mr. GOOD. Yes; largely on estimates gathered by a large corps of experts in the Department of Agriculture that we appropriate for every year, and I want to say to the gentleman that when we compare these estimates with the Federal census that is taken every 10 years, we find they are practically the same for those years for which we take the census, which shows the estimates are nearly correct. Besides this agricultural census, if we appropriate $2,280,100 for it, will result largely in an estimate. Where is the farmer who can report exactly the amount of hay or corn which he raises? Let us see what information we have in this Agricultural Yearbook. Now, take 1913 on corn. The number of acres was 105,000,830; the yield per acre was 26.1 bushels; the total production was 2,446,888,000 bushels; the value was $1,692,002,000. And it gives the lowest price and the highest price paid by the year, and by going through these reports you will find the same information on wheat, oats, barley, rye, buckwheat, potatoes, sweet potatoes, hay, clover and timothy seed, cotton, tobacco, flax, rice, hops, beans, peas, sugar, coffee, turpentine, rosin, oil seed, and oil meal. We find the same provision with regard to all domestic animals, not only in regard to the total number, but we find the information is given by States. One hundred and forty-five pages of this book are devoted exclusively to the very detailed information with regard to the production upon the farms and the number of farm animals upon the farms, together with their value. Talk about duplication of work! Never again on that side should anyone say anything with regard to spending money for duplication of work if we pass this item granting $2,280,000 for this useless undertaking—for an undertaking where we already have all the information at our command which the Director of the Census can possibly secure.

Now, I can well conceive, if we did not know these things, that it would be important for the country to have the knowledge that is contained in this census that has already been

taken; and which is published annually; but when we have this information, which is absolutely reliable, I do not see the use of spending a single penny in order that another Government official may take it. If you want those thousand men for political henchmen, take them; take them in the name of the Democratic spoilsmen, but do not ask for them in the name of the American farmer. [Applause on the Republican side.]

The farmer does not want them. The farmer has no need of that information, when he already has all that information at his command. Oh, yes; you want a thousand men to turn loose on the communities, and you want the people of the United States, who are now being taxed more heavily than ever before in the history of this country, to go down into their pockets to buy tax stamps for this useless census, to pay for an absolutely useless thing—useless except for the salaries of these thousand men that you are going to employ for political purposes. You may need them for political purposes, but the farmers do not want to pay taxes to secure information already in their possession. [Applause on the Republican side.]

Mr. PAGE of North Carolina and Mr. BARTLETT rose.

The CHAIRMAN. The gentleman from Georgia [Mr. BARTLETT] is recognized.

Mr. BARTLETT. Mr. Chairman, what a change has come over the spirit of the dream of my friend from Iowa [Mr. GOOD]! In 1909, when the Republican Party was in full control of the Government and the political goose hung high, his clarion voice for economy was not heard. It was silent as an oyster on that subject. When the provision contained in the census bill of 1909, prepared by a Republican Committee on the Census and voted for by a Republican majority, launched out to become permanent law, to take the agricultural census of this country; when a Republican President had just been inaugurated and there was no cloud upon the political sky——

Mr. GILLETT. Mr. Chairman, will the gentleman allow a question?

Mr. BARTLETT. Of course; I always yield to the gentleman.

Mr. GILLETT. The gentleman from Tennessee [Mr. BYRNS] just told us that the Democrats had passed this bill; that the Republicans never did anything for agriculture. [Laughter on the Republican side.]

Mr. BARTLETT. The gentleman misunderstood.

Mr. GILLETT. I knew it was a mistake.

Mr. BORLAND. Let me suggest to the gentleman that the provision was proposed by a former Member of this House, now a member of the Cabinet, the Postmaster General.

Mr. MANN. It was proposed by a Republican committee.

Mr. BARTLETT. Be that as it may, it was in 1909, when the Republicans had the majority, and they had had it for about 16 years. I think you had about 60 majority in the House then. You had the power to defeat it. If we had said to the gentleman from Iowa [Mr. GOOD], or any other gentleman on that side, that they would turn loose on the country the Republican spoilsmen, they would have held up their hands in holy horror.

Mr. GOOD. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. Does the gentleman from Georgia yield to the gentleman from Iowa?

Mr. BARTLETT. Yes.

Mr. GOOD. Will the gentleman point out a single bit of information that could be obtained by the expenditure of this money—information that has not already been obtained by the Secretary of Agriculture?

Mr. BARTLETT. If the gentleman will allow me to make my speech, I will gratify him. But the gentleman can not divert me by a remark of that kind from an expression of my admiration of the consistency he displayed then, considering the position he takes now. The gentleman would undoubtedly have remained "in innocuous desuetude" in reference to this matter [laughter on the Democratic side], and his clarion voice would not have rung out in this Hall to-day if it were probable that these spoilsmen that are to be imposed on the agricultural interests of this country were to be appointed by a Republican Director of the Census. But it so happens that if a census shall be taken of the agricultural interests, these thousand places may, perchance, be filled by Democrats, and therefore a spasm of economy comes over the gentleman from Massachusetts [Mr. GILLETT] and over the gentleman from Iowa [Mr. GOOD]. Not only a spasm of economy, but a spasm of opposition to the appointment of spoilsmen to office.

Mr. Chairman, as far as I am concerned, I support this measure because it is required by law, and because it is deemed necessary by those having in charge this work. In justification of it, I desire to call attention to a letter addressed to the chairman of this subcommittee by the Director of the Census, which I will put into the RECORD, in which he says there is absolutely no question as to the extreme desirability of taking a census of agriculture in 1915 and every five years thereafter. I read:

DEPARTMENT OF COMMERCE,
BUREAU OF THE CENSUS,
Washington, December 15, 1914.

Hon. CHARLES L. BARTLETT,
House of Representatives, Washington, D. C.

MY DEAR JUDGE BARTLETT: I am sending you herewith a copy of my letter, together with copies of Exhibits 1 and 2 which I have just sent to Hon. JOSEPH T. JOHNSON, chairman of the subcommittee on the legislative, executive, and judicial appropriation bill.

Any assistance you may render us at this time will be greatly appreciated.

Very truly, yours, WM. J. HARRIS, *Director.*

—

DECEMBER 15, 1914.

Hon. JOSEPH T. JOHNSON,
House of Representatives, Washington, D. C.

MY DEAR MR. JOHNSON: In reply to your inquiry of yesterday, I desire to submit the following information concerning certain work of this bureau:

(1) CENSUS OF AGRICULTURE.

There can be no question of the extreme desirability of taking a census of agriculture in 1915 and every five years thereafter. The Department of Agriculture bases all of its crop estimates upon the figures secured by actual enumeration by the Bureau of the Census. Without such an enumeration of the principal facts with regard to the farms of the country and their products the estimates made by the Department of Agriculture and by private individuals from year to year necessarily become increasingly wide of the mark. With a five-year enumeration these estimates, based on actual enumeration, will become more nearly representative of the actual conditions.

In the second place, the rapidity with which changes in agricultural conditions are taking place and the bearing of those changes upon the problem of the cost of living and other fundamental economic problems make it essential that an agricultural census should be taken more frequently than once in a decade. At this time it is especially important that such a census should be taken for the year 1915 because of the great changes in crop acreage and crop production to be brought about as a result of the European war. It is important for this country to know as early as possible just what these changes will be, especially with reference to grain crops, crops for the export trade, and the live stock of the country. This country is being drained of its horses and mules, as well as its food cattle, for war purposes abroad. It is more than probable that the United States will not only have to feed but also to clothe a large percentage of the stricken population of Europe during the next few years.

My estimate for the census of agriculture in 1915 calls for $2,286,100. For the segregation of these items please see Exhibit 1, which gives a statement showing the cost of the 1910 census of agriculture as compared with the estimate for 1915. In making up the estimates for 1915, compared with corresponding items for 1910, it was necessary in a few cases, which have been indicated on Exhibit 1, to make very careful estimates of the amount spent for agriculture in 1910. Some of the items, of course, include population expenditures, because in the rural sections of the country the same enumerator reported both population and agriculture. However, the estimated cost of the population end of the inquiry has been eliminated as far as possible.

In 1910 there were approximately 70,000 enumerators, of which 40,000 were in the rural districts. In 1910 they enumerated 6,361,502 farms, at an average cost of approximately 36 cents per farm. In the estimate submitted for the census of 1915 I have estimated that the total number of farms will be 6,750,000, and that I can enumerate these farms at an average cost of 28 cents per farm. The agricultural schedule used in 1910 contained more than 500 inquiries, while the schedule which I propose to use at this census will be very brief and will call for only the general items of acreage in farms, acreage of principal crops, and number and value of live stock.

The largest item of my estimate is for the employment of enumerators. You will note that I ask for $1,900,000 to employ between 10,000 and 12,000 enumerators to report the statistics of the farms in the United States. The corresponding item in 1910 was $2,306,000. The estimate for 1915 is a very close estimate and was figured with great care. Even with a much shorter schedule than the bureau used in 1910 there still remains the principal factor of any canvass, which is the travel from farm to farm. In fact, the distance at this census will be greater than it was in 1910, because there will be approximately 400,000 more farms for the enumerators to visit. While I will have to enumerate approximately 409,000 more farms than were enumerated in 1910, I propose to do the work for more than $400,000 less than the actual enumeration cost in 1910.

You will also note the item of $200,000 which I have estimated for temporary clerical assistance. The corresponding expense in 1910 was $1,002,140. In 1910 the temporary clerical force was paid from $600 to $1,200 per annum; in my estimate I propose to use a less number of clerks and to pay them smaller salaries—that is, from $600 to $900 per annum.

You will also note that I am asking for only $54,000 for the employment of special agents for supervisory and other field work. In 1910 the corresponding item for supervisors and supervisors' assistants was $1,080,000. This item for 1910 included the cost of the supervision of the population work. It is impossible to segregate it so as to show agriculture alone. I know, however, that my estimate is very much less than the proportion which should properly be charged to agriculture.

My estimate for travel, subsistence, office expenses, etc., is approximately one-third of what it was in 1910. My estimate for interpreters is one-third of what it was in 1910. You understand, of course, that it is necessary to have interpreters in sections of our country where we have a large number of foreign-born population. These immigrant farmers have not been in this country long enough to become thoroughly familiar with our language; hence it is necessary to reach them in the language of the country of their birth.

The general office expenses, as you will note, are considerably less, item by item, than the corresponding items for 1910. I wish to particularly call your attention to the item for machines ($10,000). In 1910 the corresponding item was $129,000.

I ask for only $3,000 for the employment of one chief statistician, who will be an expert on agriculture and who will give his entire time and attention to the agricultural census.

Furthermore, I propose, if Congress gives me the appropriation, to make no extravagant expenditures but to practice economy in every item possible. Rather than stretch the agricultural census over two or three years it is my intention to complete the work within 12 months after it actually begins. I will supply the Department of Agriculture with its actual figures in time to make its crop estimates for the year of 1916. I will also complete all of the tabulations and print the final results in a few small handy publications rather than in the large and ponderous volumes of the Thirteenth Census. It will be my endeavor to make this census of agriculture the very best census of its kind that has ever been made in the United States. I propose to do the work quickly, both in the field and in the office, and to have all the results published at a much earlier date than has ever been done before.

(2) ECONOMIES.

In this connection I desire to call your attention to the fact that I have endeavored in every way to introduce economies in all of my expenditures. The appropriation for the fiscal year 1914 amounted to $1,122,820; later $2,500 was appropriated for tabulating machines and $50,000 was reappropriated out of the unexpended balance for the preceding year. This gave me a total appropriation of $1,175,320. On July 1, 1914, I had to my credit an unexpended balance of $39,794. While this item may appear small in comparison with the total appropriation, yet it is the result of small savings and represents only a beginning in the line of economy in the Census Bureau under my administration.

Wealth, debt, and taxation: I am just now completing our decennial inquiry on wealth, debt, and taxation. Ten years ago the work on this inquiry started March 1, 1903, and it was not finally completed and results ready for distribution till May 7, 1907—more than four years from the beginning of the field work. I began my inquiry on March 21, 1914, and expect to complete the work and issue the final report within a year and a half after beginning the work. I have made a very considerable saving in the cost of my investigation compared with that of 10 years ago, which is due in part to the fact that some 15 or 20 per cent of the statistics collected at the present inquiry were obtained from published reports of the various governmental units and the work done here in the office at Washington, rather than by personal canvass in the field.

While I am unable to make any comparison of the cost of the two investigations because of the lack of any cost accounting 10 years ago, I am satisfied that my saving on the present investigation has been at least $150,000.

Census of manufactures: I desire to call your attention to the complete statement concerning the census of manufactures for 1914. This is marked Exhibit 2. Kindly note the fact that, while the number of manufacturing establishments in the United States has increased during the last five years, I propose to secure the reports at less cost each than was paid in 1910; that is, the cost per schedule at this census will be considerably less than at the previous census.

The detailed statement concerning the census of manufactures also shows that there has been a considerable saving in a number of items. At this time we have saved at least $1,000 by borrowing city directories from the Library of Congress and others instead of purchasing them outright, as was done in 1910. We will also save at least $2,000 by securing quarters for our local offices in Government buildings, rather than paying rent for quarters, as was done in a number of cases in 1910. Local agents will be employed at 20 per cent less salary than in 1910.

I propose to make this the best census of manufactures that has ever been taken in the United States. With that end in view we have consulted manufacturers' associations, chambers of commerce, boards of trade, etc., in all sections of the country, and have secured the cooperation of practically all of these bodies.

Any other information desired by you or by any member of the committee will be gladly furnished by me.

Very respectfully, yours.

WM. J. HARRIS, *Director*.

Now, Mr. Chairman, I will put into the RECORD a table that the director has prepared and submitted to the committee as to the cost of taking this agricultural census under a Republican administration and the amount that will be required under this administration. I am not making any charges about improper administration, but figures are given as to what it would cost to take this same kind of census in 1910 and what he proposes to do with the money appropriated. The sum of it is that in 1910 it cost the Government $4,943,121, and under the items that he submits it will cost now only $2,126,100.

I say it, not in any boasting spirit at all because the Director of the Census is a Georgian, but the administration of that office has been run economically and the expenses have been reduced very much during his administration.

Now, one word more. We have seen fit to provide for the taking of the census of the manufactures of this country. We have not until this time——

The CHAIRMAN. The time of the gentleman from Georgia has expired.

Mr. BARTLETT. Mr. Chairman, I ask for two minutes more.

The CHAIRMAN. Is there objection to the gentleman's request?

There was no objection.

Mr. BARTLETT. We have not heard from my good friend from Massachusetts [Mr. GILLETT] or from my good friend from Iowa [Mr. GOOD] any objection until now to the taking of the census of manufactures; but now appears this great idea, that out of this appropriation will come 1,000 appointees, presumably Democrats, to carry out the law, and therefore they raise their voices in behalf of economical administration. Gentlemen, it would have been well for you to have thought of economy and the avoidance of useless expenditures when the money was being expended under a Republican administration and the places were being filled by Republican appointees.

I ask unanimous consent, Mr. Chairman, that I may be permitted to print as a part of my remarks the letter of the Director of the Census that has been sent to us, transmitting the other letter and the exhibits accompanying it. I will insert them here:

EXHIBIT I.

Statement showing the estimated cost of the 1915 census of agriculture as compared with the estimated cost of the 1910 census of agriculture.

	1915	1910
1 chief statistician (2 years in 1910)	$3,000	$6,000
Clerks, at $600 to $900 per annum for from 1 month to 12 months (paid $600 to $1,200 in 1910)	200,000	1,002,140
10,000 to 12,000 enumerators (approximately 40,000 enumerators engaged on agriculture in 1910)	1,900,000	2,306,000
Expert special agents for office work	.....	15,000
Special agents for supervisory and other field work (includes supervision and clerical assistance for population in 1910)	54,000	1,080,000
Travel, subsistence, office expenses, etc., of clerks and special agents (includes expense for population in 1910)	35,000	99,204
Interpreters (includes population in 1910)	12,500	37,349
Printing	.....	95,452
General office expenses: Purchase, rental, repair, and exchange of adding and calculating machines and typewriters	10,000	129,000
Furniture	5,500	12,000
Folios for schedules	2,000	8,000
Telegraph and telephone service (includes population in 1910)	6,000	21,476
Schedules, result slips, circulars, and other forms	20,000	60,000
Paper and stationery	10,000	20,000
Shipping cost, including boxes, paper, twine, etc	5,100	8,000
Forms and miscellaneous supplies for enumerators and special agents	3,000	7,000
Enumerators' badges	.....	1,500
Miscellaneous expenses (rent of offices, janitor service, light, etc.)	20,000	35,000
Total	2,286,100	4,943,121

NOTE.—In 1910, 6,361,502 farms were enumerated, at a cost of approximately 36 cents each; in 1915 it is estimated that 6,750,000 farms will be enumerated, at an average cost of 28 cents.

EXHIBIT II.

DECEMBER 14, 1914.

The census of manufactures of 1910 was taken in connection with the census of mines and quarries, and it is impossible to make an exact separation of the statistics for the two branches of work. We, however, have prepared a careful estimate, and it appears that the total cost of the work approximated $1,476,736, of which $676,736 was expended for field work and $800,000 for office work. The work extended over a period of three and one-half years.

The expenses of the office work for the census of manufactures of 1914 will, of course, be met by the regular annual appropriation for the salaries of persons holding statutory positions. There will be no temporary office force employed. The work therefore differs very materially from the work for the census of 1910, when a large temporary force was employed for a considerable time. We also hope to virtually complete the field work of the census during the present fiscal year, but it is impossible to state in advance whether we will be able to secure returns from all of the manufacturing establishments by June 30, 1915. Therefore I have estimated that an additional sum of $190,300 be appropriated for this work for the fiscal year ending June 30, 1916. This is necessary because, if the work is not finished by June 30, 1915, and there is no provision made for continuing the canvass, all of the work done prior to June 30, 1915, would be of no use whatever, as it would not enable us to publish the totals for the manufactures in the United States.

There has been appropriated and set aside for the census of manufactures of 1914, $470,000, to be expended for field work during the fiscal year. It has also been estimated that the office work during the year ending June 30, 1915, on this branch of the census would amount to approximately $380,000, making a total expenditure for the present fiscal year of $850,000.

The Director of the Census has endeavored in every way possible to effect economies in the conduct of his bureau, especially in the field work incident to the collection of statistics. In taking a census of manufactures, however, there are unavoidable delays incident to the impossibility of some manufacturers preparing their reports promptly. A large proportion of the manufacturing establishments of the country do not keep accurate books, and many of them keep no account of the year's operations from which they can prepare census reports. It is necessary, therefore, for the agents to visit many establishments a number of times and to make repeated requests for the statistics, also for the agents to devote considerable time in the compilation of the statistics that the manufacturers have not prepared in advance of their visit. The director has endeavored in every way to overcome this condition; he has conferred with a large number of manufacturing organizations, chambers of commerce, boards of trade, and other organizations throughout the country. He has had these associations pass resolutions recommending that their membership cooperate with the Bureau of the Census and that they make returns promptly to the bureau, so as to avoid the expense of sending a special agent to collect the returns. He has also mailed the blank schedules to all of the manufacturers with a request that they be prepared and returned to the bureau promptly by mail.

In appointing the field force of agents it has been his policy to appoint special agents who will be employed in collecting the statistics at lower salaries than were paid for the census of 1909. He hopes in these various ways to effect economies that will result in a material saving; but in view of the experience of the bureau at past censuses, he does not feel warranted in materially decreasing the estimate which he has submitted. He has found that at prior censuses considerable amounts were paid for the rent of offices in the different cities. He has arranged to save this by securing office accommodations in the Federal buildings.

He also found that it had been necessary to purchase directories to be used in compiling the lists of the names and addresses of manufacturers, although the directories for all the cities were on file in the Congressional Library. After considerable correspondence he was able to effect a cooperative arrangement with the Librarian so as to borrow the directories from the Congressional Library for the temporary use of the Bureau of the Census. In these two items alone he has effected a saving of between $3,000 and $4,000. It is his purpose to continue to effect economies of this character.

The appropriation for the present fiscal year provides for the census of manufactures, and the additional amount is what it is estimated should be appropriated in order to insure its completion. It would be detrimental if this sum of $190,300 were not appropriated and the Bureau of the Census were therefore unable to make any use of the statistics which they had already collected at a cost of about $500,000.

It is the purpose of the Director of the Census to virtually complete the field work on the census of manufactures during this fiscal year; but it is absolutely necessary for him to make provision for any contingency, and therefore the estimate of $190,300 is made to complete the field work on this census during the fiscal year ending June 30, 1916. There will, of course, be considerable office work to be done in compiling the statistics of manufactures after June 30, 1915, but the director is quite confident that he can do this work with the regular employees of the bureau, and therefore does not make any increase in his estimate over the regular annual appropriation that is made for the office work of the bureau. As far as can now be estimated, the total cost of the census of manufactures of 1914 will approximate $1,340,300, as compared with $1,476,736 for the same piece of work at the census of 1910.

The director thus estimates that he will be able to take the census of manufactures for $136,436 less than it cost in 1910, although there has undoubtedly been a considerable increase in the number of establishments to be enumerated, and the statistics in many respects are much more in detail than they were at former censuses.

Mr. GREEN of Iowa. Mr. Chairman, it has been stated that the object of taking this census is to benefit the farmer. A census so taken is no more for the benefit of the farmers of the United States than it is for the benefit of the inhabitants of Mars.

Let us consider when this census shall be taken and when the report would be made. If taken at all, as I understand, it will be taken some time during the summer of the next year, and the report will be printed from it some time from three to five years afterwards. Now, it may be that farmers in the districts represented by the gentlemen who are supporting these paragraphs are hunting up statistics after the expiration of three to five years to determine the amount of acreage or production, but they certainly do not do that in my district. As soon as the wheat crop of the United States is sown the farmer takes his newspaper and finds the amount of acreage estimated, and a little later he gets from the Department of Agriculture, if he wishes, a more accurate estimate made by the experts who report for that department. Later on, as the wheat crop is harvested, the threshers are no sooner at work than he gets an estimate of the amount which the yield is going to be. Later he gets a very accurate statement, in that same year, of the amount which the crop has been. He never takes down his 5-year-old report, gathered by these census enumerators, to ascertain what it was five years ago, unless he does it simply as a student for purposes of general information. This census is of no value whatever to any farmer for farming purposes. If he is a student of such matters, he may want to read the report when it comes out, as it will probably come out along about the year 1920, but he will never look at it in any other way.

Mr. BORLAND. I think the gentleman's estimate as to the time when this report will be printed is based on the time when the reports of the census of 1910 were printed, is it not?

Mr. GREEN of Iowa. It is based on past experience. I think that is a very good guide.

Mr. BORLAND. The gentleman has evidently overlooked the fact that this census is a very simple matter, confined to a few items, and not nearly as complicated as the census of 1910, so that no one will have to wait many years before it is printed.

Mr. GREEN of Iowa. If the gentleman will pardon me, he is entirely mistaken. I have not overlooked that fact, and I have not overlooked the fact that only the same proportionate number of employees will be put on this work, and consequently there is no reason to expect that it will be completed any earlier.

With reference to the census of manufactures, concerning which the gentleman from North Carolina [Mr. PAGE] spoke, there is a very different reason for taking that. There is no other way in which the information can be obtained. For that reason it is much more important that the census should be taken, although I think its value is somewhat exaggerated.

Now, I do not mean to say that the census which is proposed by this amendment is of no value whatever. It is of value in the same way that general statistics of that character are of value, but it is of no use to the farmer, and it is idle to stand here and say that the proposition is solely for his benefit, for it is not. [Applause on the Republican side.]

Mr. PAGE of North Carolina. Mr. Chairman, I am inclined to support the amendment offered by the gentleman from Iowa [Mr. GOOD], and I think it is extremely fitting that an amendment to repeal this law should come from the other side of the main aisle.

My reason for supporting the amendment offered by the gentleman is not the same reason which he offers. In the five minutes that he occupied it was easy to be seen that the principal objection that he had to this provision in this appropriation bill was that it would provide a few places for Democrats.

Mr. GOOD. Will the gentleman yield?

Mr. PAGE of North Carolina. I yield to the gentleman from Iowa.

Mr. GOOD. I will say to the gentleman that he is entirely mistaken. My reason for offering it was that the very information is obtained by the Agricultural Department.

Mr. PAGE of North Carolina. I know the gentleman said that, but he placed very much less emphasis on that part of his speech than he did upon the fact that there are a thousand places to be filled by Democrats.

Mr. GOOD. I merely made that argument in answer to remarks of the gentleman from Tennessee——

Mr. PAGE of North Carolina. If the gentleman desires to ask a question, I will yield to enable him to do so.

Mr. GOOD. I will state to the gentleman that my sole object and motive was to prevent duplication of work and the useless expenditure of money.

Mr. PAGE of North Carolina. If the gentleman had only that purpose, why did he interject so much opposition to this because of the fact that it would make places for a few Democrats? The gentleman is so politically biased that he can not see straight. This is not the first time that he has displayed that fact upon this floor. The Republican Party placed this law upon the statute book. Why did you not say, then, that there was no necessity for an agricultural census?

Mr. GREEN of Iowa. I was not here at that time.

Mr. PAGE of North Carolina. I will not be interrupted. Why did you not say then that it did not accomplish anything for the agriculturists in this country? You admit by your very argument that you are making a horseplay with the agriculturists of America. Now, when you can not name the men who are to fill the offices under this appropriation, you are against the appropriation.

That is not an unusual attitude during these last two years. We stand in the matter of this appropriation as we have stood in a great many other things since we came into power two years ago, charged with extravagance, because we have inherited from an extravagant Republican administration mandates of law for the accomplishment of things.

Mr. BUTLER. But our extravagance will not justify your extravagance, will it?

Mr. PAGE of North Carolina. The gentleman's argument is that we must disregard the law that you placed upon the statute books; and, strange to say, you come in and repudiate the law which you passed, which requires this appropriation.

Mr. STAFFORD. Will the gentleman yield?

Mr. PAGE of North Carolina. I yield to the gentleman.

Mr. STAFFORD. Does the gentleman recall that many of us, at the time of the passage of the act, regarded it as an experiment, and some of us questioned the feasibility of it?

Mr. PAGE of North Carolina. It was a very worthy experiment when the gentleman from Iowa thought a Republican administration could name the officials to conduct it, but it is, in his opinion, a very undesirable experiment now that a Democratic administration is in power.

Mr. STAFFORD. There were some on this side who disputed the feasibility of having the census taken.

Mr. PAGE of North Carolina. I know a gentleman here and there did, but you on that side of the House can not escape the responsibility for this law. It was reported to this House by a Republican Census Committee. It was passed by a Republican House and a Republican Senate and signed by a Republican President.

Mr. MADDEN. Will the gentleman yield?

Mr. PAGE of North Carolina. Certainly.

Mr. MADDEN. Does the gentleman think this is an unwise law?

Mr. PAGE of North Carolina. I think the whole business of taking a census as it has been taken under Republican administrations had just as well not be taken, because they are so imperfect.

Mr. MADDEN. The gentleman has not answered my question.

Mr. PAGE of North Carolina. Well, if the gentleman wants my frank expression as to the advisability and the benefit that comes from it, I think that it will be very small indeed, because I agree with the gentleman from Iowa in the statement that he made—that this is not for the benefit of the American farmer. I think there is a benefit coming from it. I think there is a benefit from knowing how much wheat is to be grown, how much corn, how much cotton, how much live stock; but the class that will take advantage of this information is not the farmer, but the man who is speculating in products of the farmer.

Mr. MADDEN. If the gentleman does not think it a wise law, it is not imperative to have it enforced.

Mr. PAGE of North Carolina. I said in the beginning of my remarks that I favored the amendment offered by the gentleman from Iowa [Mr. GOOD].

The CHAIRMAN. The time of the gentleman has expired.

Mr. MANN. I ask unanimous consent that the gentleman from North Carolina may be permitted to continue for two minutes more.

The CHAIRMAN. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. MANN. Will the gentleman from North Carolina yield for a question?

Mr. PAGE of North Carolina. I was not aware that I had any more time. Certainly I will yield.

Mr. MANN. Does the gentleman remember how this provision got into the law?

Mr. PAGE of North Carolina. I am frank to say that I do not.

Mr. MANN. Does the gentleman remember whether the House passed it originally or not?

Mr. PAGE of North Carolina. I do not.

Mr. MANN. I thought I heard the gentleman say that the Republican Party and a Republican House passed it.

Mr. PAGE of North Carolina. I did say that, because both a Republican House and Senate were in existence.

Mr. MANN. That is neither here nor there. Does the gentleman remember what the facts were, whether a Republican House and a Republican Senate passed it?

Mr. PAGE of North Carolina. I think there was no roll call on it. The gentleman from Illinois will admit that his party was in power in both branches—the House and the Senate—and that that party must have taken the responsibility of the legislation. I do not think the gentleman can deny that at this time.

Mr. MANN. I assume that the party takes the responsibility for it, although you are largely engaged in shirking responsibility at this time.

Mr. PAGE of North Carolina. I will say to the gentleman from Illinois that he never will find the gentleman from North Carolina now occupying the floor trying to shirk responsibility for action taken when his party is in control of the legislation.

Mr. MANN. Oh, very frequently you do that; but that is neither here nor there. I want to know whether the gentleman remembers whether the House ever had this provision under consideration.

Mr. PAGE of North Carolina. It was passed through the House; how much it was discussed I do not remember.

Mr. MANN. Very often a man admits a thing which is not true. The Postmaster General has admitted before the Committee on Appropriations that he inserted the provision in the law. It is safe to make such an admission, because no one can disprove it, but it is not true.

Mr. PAGE of North Carolina. Certainly the gentleman does not deny, however this provision may have been put in the law, that it was passed in 1909, and he can not deny that in 1909 the Republican Party was in full control of both branches of Congress.

Mr. MANN. Of course I do not deny that, nor will I deny that it will be in full control in 1916. [Laughter.]

Mr. PAGE of North Carolina. The gentleman is going into the realms of prophecy. I think the gentleman has a much better memory for facts than he has ability for prophecy. [Laughter.]

Mr. MANN. I think I have proved myself to be very good at prophecy so far.

Mr. PAGE of North Carolina. The gentleman has not been very profuse with his prophecies lately.

Mr. JOHNSON of South Carolina. Mr. Chairman, I would like to have some agreement to close debate, and I move that debate close on this paragraph in 10 minutes.

Mr. LENROOT. I want some time.

Mr. JOHNSON of South Carolina. We have discussed this paragraph at some length now.

Mr. MANN. I think there can be no charge that the House has wasted time on this bill.

Mr. JOHNSON of South Carolina. How much time do you want?

Mr. GOOD. I think that we ought to have at least 15 or 20 minutes on this side.

Mr. JOHNSON of South Carolina. I ask unanimous consent that all debate on this paragraph and all amendments thereto close in 30 minutes, 15 minutes to be controlled by the gentleman from Iowa [Mr. GOOD] and 15 by myself.

Mr. MANN. That amount of time does not include any for me. In view of the fact that I made the point of order and that every Democrat that has spoken so far has jumped upon me, can not I have some time? [Laughter.]

Mr. FITZGERALD. I also want 5 minutes, and I am opposed to the appropriation.

Mr. JOHNSON of South Carolina. Well, Mr. Chairman, I ask that debate be closed in 40 minutes.

The CHAIRMAN (Mr. COX). The gentleman from South Carolina asks unanimous consent that all debate on this paragraph and amendments thereto be closed in 40 minutes, 20 minutes to be controlled by the gentleman from Iowa [Mr. GOOD] and 20 minutes by himself. Is there objection?

There was no objection.

Mr. LENROOT. Mr. Chairman, if I should ask any Democrat before me this afternoon this question, "Do you believe that a business man who at the end of the year found that his income largely exceeded his expenditure was justified the next year in making expenditures that were desirable but not necessary?" each one would say "yes." If I followed it up by asking you if at the end of the year the business man had found his expenditures had largely exceeded his income, would he then be justified in making an expenditure the next year exceeding those of the last for objects that were desirable but not necessary, each one of you would say "no."

That is applying common business sense to business matters. But when it comes to applying that rule to the Government of the United States, every one of you—no; I am glad to say that is not so—but a majority of you refuse to apply these business principles to the Government of this country.

Why, you point to this law as a Republican law. Be that as it may, when that law was passed there was an overflowing Treasury, there was a surplus over expenditure, and we were justified then as you can not possibly justify yourselves to-day with the condition that your Treasury is in. Mr. Chairman, if the Republican Party was in power to-day and a Republican committee was preparing this bill, if the Treasury was in the condition which it now is—which it never would have been—there would have been no such appropriation as this reported in the bill.

On the contrary, not only would the appropriation not have been reported, but the appropriation for the census of manufactures would have been eliminated. There would have been economy practiced. The expenditures of the Government would be kept down within the income of the Government, because business principles would be applied. The responsibility is now upon you Democrats to apply those principles or take the consequences. Much has been said about the benefit to the farmer. Mr. Chairman, there is not a farmer whose production will be increased one bushel, whose price will be increased one penny, or whose cost of living will be reduced one nickel by the expenditure of this $2,286,000. It can not be justified when you have on the statute books at the present time a war tax.

Mr. Chairman, the gentleman from Iowa [Mr. GOOD] was severely criticized because he referred to the fact that this would furnish a thousand jobs to Democrats. He put the number entirely too low. It will be nearer three thousand than one under the bill, but gentlemen on the Democratic side do not get the point of the criticism of the gentleman from Iowa. Gentlemen need not smile. There are 1,000 clerks which have been provided for in the provision which has just been stricken out, and in addition to those clerks there will be thousands of enumerators and special agents to appoint, and the gentleman from Iowa is trying to impress on the Democratic side of the House that if it were not for these proposed appointments which are to be received by Democratic Members of the House they would look upon this proposition impartially, upon its merits, where now they are more or less likely to be influenced by the fact that the passage of the amendment will carry patronage to them. You on that side, I say to you, can not afford by your vote on this question to do anything of this kind, and there will be a roll call upon it, you may rest assured, if it is agreed to now. You can not afford to get patronage by such

means, and I say that it will cost you much more than it will benefit you if you succeed now in putting it into the bill. [Applause on the Republican side.]

I yield back the remainder of my time.

The CHAIRMAN. The time of the gentleman has expired. The gentleman from South Carolina is recognized.

Mr. JOHNSON of South Carolina. Mr. Chairman, I have no applications for time.

Mr. FITZGERALD. Mr. Chairman, I would like to be recognized.

Mr. JOHNSON of South Carolina. I yield the gentleman five minutes.

Mr. FITZGERALD. Mr. Chairman, the arguments against this provision on the ground that it will furnish patronage to the Democratic Party are without merit. The paragraph does not contain the provision which the Republicans invariably inserted in such laws—that the appointments should be made without regard to the civil-service regulations. The only justification for the statement that the Democrats will receive all of the positions is the absolute conviction on the part of the Republicans in the House that the Democrats are so much better equipped that they would pass such superior examinations that they would be reached for certification in place of the Republicans.

But, Mr. Chairman, if it were true that the Democrats would get the places to be provided, it would be the only argument that would be persuasive enough to induce me to be in favor of the appropriation. I am opposed to making the appropriation, not because I believe it was unwise to pass the law when it was enacted, not because the information might not possibly be of some value to some person here or there throughout the country, but because I believe the condition of the Federal Treasury at this time does not justify appropriations for any activities of the Government unless they are imperatively demanded. In the Book of Estimates transmitted to Congress by the Secretary of the Treasury on the opening day of this session the regular annual estimates for the fiscal year 1916 are stated in the sum of $1,090,775,134.38. It would be a matter of gratification to this side of the House if that statement accurately and properly represented the estimates submitted to Congress at this time; but it does not. It is $32,031,593 less than the estimates for the conduct of the Government during the fiscal year 1916 now actually before Congress.

The Post Office Department submitted estimates aggregating $297,355,144. The Treasury Department states that the items, as computed by the Treasury Department, aggregate $299,211,014. Those estimates were based on certain changes of law requested by the Postmaster General. The Post Office Committee has reported the Post Office bill, and it states in the report accompanying the bill that the estimates for the department, if submitted to Congress in proper sum, instead of aggregating $297,355,144, are $325,129,614, or an increase of $27,774,000 over the sum stated in the Book of Estimates. In addition, there have been submitted since the first Monday in December certain supplemental estimates aggregating $4,257,000, so that the total estimates of one billion ninety million and odd dollars are increased by $32,031,000. These sums do not include an indefinite sum of about $6,000,000 which must be appropriated for the construction of public buildings, for which no estimate has yet been submitted.

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. FITZGERALD. Can I have a few minutes more?

Mr. MONDELL. Mr. Chairman, I ask that the gentleman have five minutes more.

The CHAIRMAN. The time has been fixed by the committee.

Mr. JOHNSON of South Carolina. I yield five minutes to the gentleman.

Mr. GILLETT. Mr. Chairman, I do not understand that the gentleman can yield the time. There was no agreement that the time should be controlled by the gentleman from South Carolina.

Mr. BYRNS of Tennessee. Mr. Chairman, I ask unanimous consent that the gentleman be allowed to proceed for five minutes without regard to the agreement entered into respecting time.

Mr. GOOD. The gentleman has already yielded him five minutes.

Mr. BYRNS of Tennessee. He has not the time to yield.

The CHAIRMAN. The gentleman from Tennessee asks unanimous consent that the gentleman from New York be permitted to continue for five minutes, without regard to the time fixed by the committee. Is there objection?

There was no objection.

Mr. FITZGERALD. Mr. Chairman, the Secretary of the Treasury in his annual report points out that the condition of the Treasury is such that it is unfortunate that the war-tax revenue act terminates on the 31st day of December, 1915. He expresses the belief that it should be extended in order to provide the necessary revenues to conduct the Government. With the condition that exists in Europe because of the widespread war, with our markets abroad completely demoralized, with the producers of foodstuffs and cotton and manufacturers throughout the length and breadth of the land unable to find markets for their products, and compelled for that reason to permit labor to remain idle, with increasing difficulties everywhere encountered to finance their operations, it seems to me that it is an imperative duty of this Congress to refrain from appropriations for any activity of the Government or for any service of the Government unless it be absolutely essential. Only those things that are imperatively required for the conduct of the Government should receive any consideration at the hands of the Congress. Where are the public funds to be obtained to finance all of the operations suggested? Of how much real value to the farming interests of the country will be the information proposed to be obtained. The census which was taken in 1910 of the very products of which it is proposed to take a census now was not available completely until 1914.

The first bulletin was published in 1912 and complete reports in 1914. Those who urged that this census be taken at this time, based the need upon the ground that it was necessary to have accurate information taken through the census upon which the estimates of the Agricultural Department might be founded so as to revise out any error; yet, if the information can not be available inside of two years at the best, of what particular advantage is it. How advantageous is it to the farmers of the country at this time to know whether the wheat crop is to be between two or three million bushels of the estimate of the Department of Agriculture? The raisers of foodstuffs and of cotton and the manufacturers of the country are not so particularly interested in knowing how many bales or how many bushels or how many tons of material are to be produced as they are in the obtaining of markets where their products can be sold and some return obtained for their labor. I believe it to be a grave mistake, Mr. Chairman, to propose to expend at this time public funds upon activities of the Government, highly desirable, if you please, when the Treasury is in a condition to permit it, beneficial in many respects when we are able to do the work without imposing a great burden upon the people, but absolutely indefensible when the people are suffering under the burden of an irksome, detestable, and unpopular war-revenue law. [Applause on the Republican side.] There does not seem, in my opinion, to be any prospect of the clearing of the situation in Europe which will result in the very near future in largely increasing imports into this country. Unless we are to have an increase in our imports our customs receipts necessarily will not reach the level anticipated when the customs law was enacted. The revenues must be supplemented in other ways, such as from the war-revenue law. At the next session of the Congress, in all probability, we will be called upon either to extend the war-revenue act for another year or else devise some other method of obtaining the moneys necessary to conduct the Government. In all sincerity let me urge my Democratic colleagues to make the difficulties as light as possible. Do not increase the burdens to be faced in the next campaign. We must economize. Here is an opportunity to do so. We should not miss it. We will regret our failures quickly unless we appreciate what the country demands and resolutely meet the situation. [Applause.]

Mr. GOOD. Mr. Chairman, I yield five minutes to the gentleman from Iowa [Mr. TOWNER].

Mr. TOWNER. Mr. Chairman, I will leave to the gentleman from Illinois [Mr. MANN] to state particularly how this section got into the bill, as I think he will. I want to call the attention of gentlemen, however, to the very patent fact that it could not have been well considered. Let me call the attention of gentlemen to the first section of the act of 1909, which provides that a census of the population, agriculture, manufacturing, and mines, and so forth, of the United States shall be taken by the Director of the Census in the year 1910 and every 10 years thereafter. I want gentlemen particularly to note that it provides in the very first section of the bill that a census of agriculture shall be taken in the year 1910. Now turn to section 31 of the bill, one of the very last sections of the bill, and it is provided that there shall be in the year 1915 and once every 10 years thereafter a census of agriculture, live stock, and so forth. Now, there could have been only one of two grounds or reasons for

the provision of taking a census of agriculture—one decennially or every decennial period and the other every five years thereafter—so it must have been thought necessary to take a census every five years, or it must have been thought best to take an agricultural census not then but in five years thereafter. Now, however, we have this condition: The most complete, the most elaborate—in fact, the most complete and elaborate—census of agriculture that was ever taken by any country in the world was taken in the year 1910 and thereafter, and we have had only now within a year's time the result of that, so that we have now here before us the result of the census that was taken in the year 1910. But now again we are asked to take a census in the year 1915. I submit to gentlemen on the other side that in the condition of the Treasury there is certainly no possible justification for doing such a thing as that, and the question has not been met that was suggested by my friend and colleague from Iowa [Mr. GOOD], that now there is being taken every year by the Department of Agriculture a census every whit as complete as is demanded by the terms of this act, and which is given to the people fresh every year.

So that the necessity for the things that are suggested is not only not apparent but it is absolutely shown to be entirely unnecessary. It is suggested that these reports are made and estimates are made upon the basis of the census of 1910. Only to a very limited extent is that true, I will say to the gentleman, because the reports of the Secretary of Agriculture are now made from reports that are taken both by the States and by the Nation that are transmitted to him; that they are the result of specific inquiries directed to farmers themselves with regard to the amount of acreage in crops and the amount of production for that particular year. So that we have exactly the same information now, derived every year, that could be obtained from a census of agriculture, because the enumerators will have to go to these farmers and will have to have from them these reports just as they are now being reported, not only to the United States Agricultural Department directly but also to the State departments of agriculture. So it is absolutely useless that we should make this expenditure at this time.

The CHAIRMAN. The time of the gentleman from Iowa has expired.

Mr. JOHNSON of South Carolina. Mr. Chairman, I yield five minutes to the gentleman from Missouri [Mr. BORLAND].

Mr. BORLAND. Mr. Chairman, I am very positive in saying, and very glad to say, that I do not agree with my colleague on the committee, the gentleman from New York [Mr. FITZGERALD], that the American people are paying 1 cent more public taxes under Democratic administration than they paid under Republican administrations. [Applause on the Democratic side.] There has been a loss of taxes paid on imports, it is true. We Democrats believe that we have demonstrated to the American people that tariff taxes are the most burdensome and expensive taxes that any people can pay. They have been supplanted in part by direct taxes, which reveal exactly how much they produce to the Treasury. No part of it is going indirectly into the pockets of any favored class in this country, as is the case with tariff. I do not agree that there is any unusual burden on the American people at this time.

And I want to clear up another situation here which seems to have caused some debate in this House, and that is, that this proposition is permeated with spoils. Why, my colleague from New York [Mr. FITZGERALD] has pointed out that these thousand clerks must be appointed, unless specially exempt, under the civil-service system. All this talk about spoils is entirely a false issue raised in this case.

Now, the question is as to what is the need of an agricultural census at this time. We had before us the gentleman who claimed to be the author of this provision. He said he had the collaboration of the Republican chairman of the Census Committee, the former Member from Indiana, Mr. Crumpacker. He said further:

> Prior to the final bill introduced by Mr. Crumpacker, of Indiana, providing for the Thirteenth Census, I had made an effort to secure a quinquennial census of the acreage in the United States, planted to the principal crops, and of the number of domestic animals and their value. I had attempted to enumerate those crops. The original bill provided for the acreage planted to corn, wheat, oats, cotton, tobacco, and hay. After some discussion, Mr. Crumpacker finally suggested that potatoes were a valuable crop, one of the principal crops, and should be included. We eliminated all designations, and used the expression "the principal crops grown in the United States."

Thus it appears this proposition was accepted by the Republican committee with full knowledge that it called for an agricultural census in 1915.

Now, the claim has been made by the gentleman from Iowa [Mr. GREEN] that no farmer can benefit by this census, and that the only person liable to benefit by it is the speculator.

Mr. GREEN of Iowa. Will the gentleman yield?

Mr. BORLAND. In just a minute. I want to first preface that, but I will yield to the gentleman in just a minute. He based his proposition upon the result of the census of 1910, which was the most unsatisfactory and expensive census the American people have ever had taken. It is true that a large amount of the material then gathered was not available for the farmer or anybody else, and never will be. It is true that the statements submitted to the farmers at that time contained 102 questions on one sheet, and could not be answered by a farmer unless he kept a double entry set of books. This is a very simple census, confined to three propositions, and there is no reason on earth why it can not be gotten out in a reasonable time after it is collected.

Now, I yield to the gentleman from Iowa [Mr. GREEN].

Mr. GREEN of Iowa. I wish to say that the gentleman is partially incorrect as to what I stated. I made no allusion to speculators. As a matter of fact, it will not be a benefit to them. I did not make my statement strong enough, because I should have added another year to the time that will intervene.

Mr. BORLAND. That will make the gentleman just that much further wrong.

Mr. GREEN of Iowa. These crops will be the crops of 1914.

Mr. BORLAND. Now, let us see. I will read:

> Mr. BORLAND. * * * I was going to ask this further question: Do not the local officials attempt to compile some statistics like that?
>
> Mr. BURLESON. They are mere estimates. The purpose of this is to get away from estimates and to get an actual enumeration, so as to have a more definite basis of comparison. When it is a mere estimate they start in one year with a knowledge of the actual number of acres planted to cotton, and the next year it is a guess or an estimate, and the next year, of course, certain elements of chance enter into it, and they result in error, and the next year these are carried forward and the error becomes greater, until the last year before the decennial period arrives it is, I will not say of no value, but it is of very much less value than it was the first and second years, whereas if we could have a standard every five years it would be very much more valuable to the agriculturists of the country.

The CHAIRMAN. The time of the gentleman has expired.

Mr. GOOD. Mr. Chairman, I yield three minutes to the gentleman from Nebraska [Mr. SLOAN].

Mr. SLOAN. Mr. Chairman, whether the party now in the minority is responsible for or is to be credited with this piece of legislation is immaterial. I think the man who claims credit for its enactment recognized then an existing state of facts. We of the minority are compelled to recognize now a different state of facts. There had been at that time passed, or was all ready for passage, a tariff law which protected nearly every agricultural product in the United States; so that the amount of farm products raised in this country was expected to have a definite relation to the 90,000,000 consumers we had at that time. In other words, the American producer was to have control of the home market. The farmer, seeing consumption and production rapidly approximating each other, could know the large source of demand, and a census would aid him in estimating the sources of supply.

Since that time, however, there has been enacted by the present majority of this House a new and entirely different tariff law. That law places upon the free list, or practically upon the free list, nearly all our agricultural products, including crops and live stock, which the farmers would be interested in knowing about and which a census might reveal. In the latter state of affairs the farmers of this country are interested in knowing not so much the statement of crops and live stock in this country as they are the crops and live stock of the countries which compete with us at this time. [Applause on the Republican side.]

So, with the multiplied millions of farm products, including crops and live stock, that are coming into this country free, the farmer has not the interest in knowing these facts that he would otherwise have, because he has lost control of the American market. [Applause on the Republican side.]

If you want to do something for the farmers laboring under the burdens and disadvantages of the present tariff law in order to give them some information upon which to base their estimates as to how much they ought to seed of grain or other crops and what live stock to raise and what not to raise, you ought to take an agricultural census of the world, including Argentina and Canada, Mexico and Australia. Then you would give them information of value. As it is now, with the hundreds of millions of increased crops and live stock annually shipped into this country, this information would be of little value to the farmer. [Applause on the Republican side.]

Mr. JOHNSON of South Carolina. Mr. Chairman, I yield five minutes to the gentleman from Alabama [Mr. HEFLIN].

The CHAIRMAN. The gentleman from Alabama [Mr. HEFLIN] is recognized for five minutes.

Mr. HEFLIN. Mr. Chairman, it is really amusing to us on this side who remember how gentlemen on the other side enthusiastically supported this proposition in 1909, when they were in control of the House. This was a good proposition then. But whenever you break the tie that binds a Republican to the power of patronage you break his heart. [Laughter on the Democratic side.]

Republicans flourish in rank luxuriance when holding on to the public pap. [Laughter on the Democratic side.] Sever his connection with patronage and he is hard to enthuse on anything that will help the farmers of the country. Now you have the opportunity to help the American farmer, but you refuse to do so. You talk economy when it comes to expending money in the interest of the farmers of America. You were in control of the Government for 16 years, and you made appropriations for Army and Navy purposes.

We have not been in control of the Government quite two years, and yet you are telling us that the Army and the Navy are not in condition to fight a foreign foe if we should become involved in a foreign war. What has become of all the preparations growing out of the vast sums of money appropriated for that purpose during all those years? I suggest that a grand jury should inquire into the appropriations made by the Republicans for Army and Navy purposes during the 16 years in which they were in power. Gentlemen on that side are so anxious to play party politics that they are driven to the miserable extreme of misrepresenting their country's preparedness for war. I did not believe, Mr. Chairman, that in their efforts to oppose Democratic legislation that they would oppose this measure in the interest of the agricultural classes of this country. I am utterly surprised at my friends from the West, Republicans over there, standing up here and preaching economy when we are trying to gather information that will be of benefit to the humblest farmer in this country. Oh, we can spend millions of money to carry the mails across the ocean; we can spend more than $50,000,000 to carry mails on railroad trains; but an appropriation designed to benefit millions of farming people in this country—your oppose it and excuse yourself on the ground of economy.

And one gentleman on that side suggests that Democrats will be appointed to fill these places. I told you at the outset that the question of patronage was always uppermost in the mind of the Republicans. You take a Republican away from the pie counter and he is in an awful fix. [Laughter on the Democratic side.]

Your only reason for opposing this provision is that you fear that Democrats would fill these places. Let me warn you, gentlemen, when some fellow gets you properly arraigned before your constituents and asks you about your conduct this afternoon, when we are fighting here for a proposition to gather statistics that will be of benefit to this great class—the most-imposed-upon class of people in this country or in any other country in the world, the farming class—he will ask you why you favored getting up statistics for manufacturers, and why you smiled when that was done, and when we ask that some money be expended in the interest of the toiling masses of this country you pleaded economy as an excuse for your failure to aid the farmer. Quit this miserable political play, gentlemen, and join us and help us to secure this much-needed legislation for the farmers of this country. [Applause on the Democratic side.]

Mr. GOOD. Mr. Chairman, we have one more speech on this side. I yield seven minutes to the gentleman from Illinois [Mr. MANN].

The CHAIRMAN. The gentleman from Illinois [Mr. MANN] is recognized for seven minutes.

Mr. MANN. Mr. Chairman, after all, there ought not to be any politics in a matter of this sort. This provision in the law was passed in the law of 1909. It was in the bill as introduced in the House. It was not referred to in debate. I do not think anybody in the House, practically, knew it was here. That bill was the result of a veto by President Roosevelt of a bill passed in the prior Congress. The bill as passed was passed at the special session at which the tariff law was enacted. In the previous Congress this paragraph was not referred to in debate in any way whatever.

Gentlemen who are familiar with the Census Office will recall the fact that in 1902 we had provided for a permanent Census Bureau, with very little to do. The Census Bureau had to find something to give an excuse for its continued existence. They largely prepared the bill which President Roosevelt vetoed at the end of the Sixtieth Congress and which, slightly modified, was passed in the Sixty-first Congress.

It is all right for the minority at any time to charge the majority with responsibility for legislation, but there was no party division on that bill at any time. The Census Office was constantly and continuously claiming that if they were given this extra work to do between the decennial censuses they could do it with a very slight increase in their force; that they would be busy on the decennial census until toward the end of the five-year period, and then when the five-year period came they could take the manufactures census and the agricultural census with almost no additional expense. Well, I did not believe it then, and I am convinced now that it is not correct, because here is a proposition which comes from the Census Bureau, properly made to the House under the law, in which they propose to appropriate money for a force necessary to take a new census almost as though there was no permanent Census Office in existence.

Now, everyone will admit that if an agricultural census were necessary every 10 years, or every 5 years, or every year, the Government ought to make it. Agriculture is the great field of activity of more of our people than any other. But, as a matter of fact, the 10-year agricultural census—and that is the only one we have ever made—has worked well in the past; and with the work of the Agricultural Department, making its estimates of crops, we are quite convinced in the present, as in the past, that we know from year to year practically all of the statistics about agriculture. I remember when the agricultural census was made in 1900 and again in 1910. An agricultural census made by enumerators is a guess. There is not one farmer in ten who can tell how many bushels of corn he grows, if he grows much corn. It is a guess. Well, we take the guesses because they are all we can take; but the Agricultural Department, with its experts, having the figures of the Census Office one year, can estimate with an accuracy almost equal to that of the Census Office the amount of farm land cultivated the next year. We have the statistics practically accurate. Now, is there occasion at this time to take this agricultural census? In my judgment the people of Chicago get more benefit from the agricultural census than the people of any other district in the United States. My colleague [Mr. MADDEN] and myself probably have more members of the Chicago Board of Trade living in our districts than live in all the rest of Chicago. It is there where the men work over statistics, and if I thought the agricultural statistics would be of value to the farmer I would know that they would be of more value to the board of trade operators. But they will get along without them. We have got to cut expenses somewhere. We can not keep on making appropriations. Every time the question arises we may say, "Oh, well; we will make this appropriation and save some other time"; but the only time when the Lord lets a man save is at the time when the opportunity is presented. [Applause.]

Mr. JOHNSON of South Carolina. Mr. Chairman, during Mr. Roosevelt's administration the Republican Party passed a law providing for the taking of the decennial census. It provided for the appointment of the employees by the spoils system. President Roosevelt vetoed that bill. You waited until another President came in, and then you passed the census bill under which the decennial census was taken, and you provided for a noncompetitive examination, which was the old spoils system.

Now our friends are talking about economy. The farmer from Chicago [Mr. MANN], leading you men from the West, talks about cutting down expenditures when it comes to taking a census for the American farmer. When you came into power in 1897 this legislative, executive, and judicial appropriation bill carried $21,000,000. When you went out of power, after 16 years, you had increased it to $36,000,000. And what is true with respect to the legislative bill is true with respect to all the other appropriation bills. Here at the last session of Congress, in every case when a motion was made to increase the amount proposed by the Committee on Appropriations, you could always count on practically a solid vote on that side of the House to overrule the committee. Yet in the fall of the year you went out to the country and criticized the aggregate of the appropriations. And so it is here. It is not economy that our friends are concerned about.

When you were in power you provided for this census. You supposed that your people were to take it. There was no talk of economy then; but now, when somebody else is in power, when somebody else is to appoint the men who are to take the census, you have a spasm of economy. Gentlemen from the great agricultural States of the Middle West are following the farmer from Chicago. Of course, the gentleman from Illinois—the distinguished leader on that side—knows nothing about farming. He lives in an atmosphere where farming and farmers do not flourish. But surely the Representatives of the true farmers of the country are not going to deny to the people an agricultural census.

Mr. COOPER. Mr. Chairman, will the gentleman yield?

Mr. JOHNSON of South Carolina. I have not time. I gave you people 30 minutes and took only 20 minutes myself.

Mr. COOPER. I merely wanted to ask you a question.

Mr. JOHNSON of South Carolina. The census of 1910 cost $15,000,000, of which $4,000,000 was spent in gathering agricultural statistics. A Democratic Census Director proposes to take the agricultural census for the people for $2,286,000, or a little more than half what the Republicans spent in taking the agricultural census in 1910.

We propose to take a census that will be worth something to the people. The census of 1910 was so complicated and scientific as to be absolutely worthless. We propose to go to the country with a few simple, direct questions and get the information and print it in available form, quickly, for the benefit of the people.

Mr. Chairman, I call for a vote.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Iowa [Mr. GOOD] as a substitute for the amendment offered by the gentleman from Tennessee [Mr. BYRNS].

Mr. GORDON. Mr. Chairman, may we have the amendment reported?

The CHAIRMAN. The Clerk will first report the amendment offered by the gentleman from Tennessee [Mr. BYRNS], and then the substitute offered by the gentleman from Iowa [Mr. GOOD].

The Clerk read as follows:

Amendment offered by Mr. BYRNS of Tennessee:
Page 119, after line 11, insert the following:
"Census of agriculture: For taking, compiling, and completing the census of agriculture required by section 31 of the act approved July 2, 1909, providing for the Thirteenth and subsequent censuses, $2,286,100."

Substitute offered by Mr. GOOD:
Page 119, at the end of line 11, insert:
"That section 31 of the act approved July 2, 1909, is hereby repealed."

The CHAIRMAN. The question is on the substitute offered by the gentleman from Iowa.

The question was taken; and on a division (demanded by Mr. GOOD) there were 57 ayes and 60 noes.

Mr. GOOD. Mr. Chairman, I demand tellers.

Tellers were ordered, and the Chair appointed as tellers Mr. GOOD and Mr. BYRNS of Tennessee.

The committee again divided; and the tellers reported that there were 72 ayes and 59 noes.

So the substitute was agreed to.

The Clerk read as follows:

For completion of investigations incident to the establishment of units and standards of refrigeration, and the determination of the physical constants of materials used in the refrigeration industries, such as ammonia, aqueous ammonia solutions, carbonic acid, brines, etc., and the determination of the thermal conductivities of materials, including personal services in the District of Columbia and in the field, $15,000.

Mr. JOHNSON of South Carolina. Mr. Chairman, I offer the following amendment.

The Clerk read as follows:

Page 130, line 21, after the word "for," strike out the words "completion of" and insert in lieu thereof the word "continuing."

The amendment was agreed to.

The Clerk read as follows:

Commissioners of conciliation: To enable the Secretary of Labor to exercise the authority vested in him by section 8 of the act creating the Department of Labor, and to appoint commissioners of conciliation, for per diem in lieu of subsistence at not exceeding $4 pursuant to section 13 of the sundry civil act approved August 1, 1914, and traveling expenses, including an executive clerk at $2,000 in the District of Columbia, $50,000.

Mr. BUCHANAN of Illinois. Mr. Chairman, I offer the following amendment.

The Clerk read as follows:

Page 135, line 9, after the word "Columbia," strike out "$50,000" and insert "$75,000."

Mr. BUCHANAN of Illinois. Mr. Chairman, in my judgment the most important work of the Labor Department is that of conciliation and mediation or adjusting labor troubles. The report shows that they have prevented about 30 different labor disputes between employer and employee in the industrial world, meaning a saving of probably millions of dollars to the people. This work is something that may in times past have been considered as in the experimental stage, but this is no longer so. It has been proven that it can be of great service, and due to that fact, in my opinion, there will be a much greater demand for services in that line in the next fiscal year than there has been in the past.

Therefore, in my opinion, it is important to appropriate this money which the Secretary asks for in his estimate. For fear that some one might misunderstand me again, I want to assure gentlemen that this effort to increase this appropriation has not been suggested to me by the Secretary of Labor or by anyone in that office. My information, as far as that is concerned, is that the Secretary is willing to submit to the position of the committee on it, and so far as I know has not asked anyone to make any effort in that direction.

I am offering the amendment because I know the great importance of the work. I have had a wide experience in the industrial world, and I know the cost of industrial wars. I know that anything the Government can do to prevent industrial wars is of great importance and benefit to all of our people, because industrial wars affect more than those immediately concerned in them; they affect business throughout the whole country whenever they occur.

The Secretary reports that there have been 30 settlements made satisfactorily to employers and employees, and very few failures. There is no doubt that there has been some good work in every effort that has been made along that line. I think that no Member of this House ought to withhold his consent to giving $75,000, so that if it is necessary it may be used either on the work of conciliation and mediation or, if necessary, in arbitration, so that the work may not be obstructed by lack of funds.

Mr. JOHNSON of South Carolina. Mr. Chairman, just a word. Last year we appropriated for this purpose $25,000. For the current year we have doubled the amount, giving $50,000. There is nothing in the testimony that leads the committee to believe that $50,000 is not ample, and a like amount for the next year would be ample.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Illinois.

The question was taken; and on a division (demanded by Mr. BUCHANAN of Illinois) there were 20 ayes and 44 noes.

So the amendment was rejected.

The Clerk proceeded with and completed the reading of the bill.

Mr. JOHNSON of South Carolina. Mr. Chairman, I ask unanimous consent that the items stricken from the bill on a point of order, as indicated in the written memorandum I have sent to the desk, be restored to the bill. That will restore all of the items in the bill except the language to which the gentleman from Georgia [Mr. BARTLETT] made the point of order. I ask that the memorandum be read.

The Clerk read as follows:

That the paragraph, on pages 93 and 94, covering the Indian Office, be restored, omitting therefrom the words "second assistant commissioner, who shall also perform the duties of"; also restore to the bill paragraph, pages 96 and 97, covering the Patent Office; paragraph, page 98, covering the Bureau of Education; paragraph, pages 104, 105, and 106, covering the Postmaster General's Office; paragraph, pages 108 and 109, covering the Office of the Second Assistant Postmaster General.

The CHAIRMAN. The gentleman from South Carolina asks unanimous consent that the items just read by the Clerk be considered as not having been stricken out of the bill. Is there objection?

There was no objection.

Mr. JOHNSON of South Carolina. Mr. Chairman, I move that the committee do now rise and report the bill with amendments, with the recommendation that the amendments be agreed to and that the bill as amended do pass.

The motion was agreed to.

The committee accordingly rose; and the Speaker having resumed the chair, Mr. FOSTER, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill H. R. 19909, the legislative, executive, and judicial appropriation bill, and had directed him to report the same back to the House with sundry amendments thereto, with the recommendation that the amendments be agreed to and that the bill as amended do pass.

Mr. JOHNSON of South Carolina. Mr. Speaker, I move the previous question on the bill and amendments to final passage.

The previous question was ordered.

Mr. JOHNSON of South Carolina. Mr. Speaker, I ask unanimous consent that when the House adjourns to-day it adjourn to meet at 11 o'clock to-morrow.

The SPEAKER. Is there objection?

Mr. MANN. Mr. Speaker, reserving the right to object, 11 o'clock is a very inconvenient hour for Members to come here to answer to a roll call. We have had several 11 o'clock meetings this week, and a good many Members have expressed a desire for an opportunity to be in their offices.

Mr. JOHNSON of South Carolina. The reason for making the request was that the gentleman from Tennessee [Mr. MOON], the chairman of the Committee on the Post Office and Post Roads, very kindly consented that this bill should take precedence over the Post Office appropriation bill, and he desired

that we should get through with this bill so that he could take up his at 12 o'clock to-morrow.

Mr. MANN. It will not take long to-morrow. I object.

The SPEAKER. Is a separate vote demanded on any amendment?

Mr. BYRNS of Tennessee. Mr. Speaker, I ask for a separate vote on the amendment offered by the gentleman from Iowa [Mr. GOOD], in the nature of a substitute, repealing the law of 1909 providing for an agricultural census.

Mr. ADAMSON rose.

The SPEAKER. For what purpose does the gentleman from Georgia rise?

Mr. ADAMSON. Mr. Speaker, I desire to withdraw an objection which I interposed yesterday to a request made by my amiable friend from Wisconsin [Mr. STAFFORD] trying to effect an exchange of days. I objected—something that I have not done in 18 years—and I desire to leave the bright escutcheon unmarred by any such conduct. I therefore desire to withdraw the objection.

Mr. MANN. Oh, that request has passed into ancient history.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted as follows:

To Mr. BROWN of New York, indefinitely, on account of death in family.

To Mr. ASHBROOK, for five days, on account of the death of the wife of his business partner.

ADJOURNMENT.

Mr. JOHNSON of South Carolina. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; and accordingly (at 5 o'clock and 37 minutes p. m.) the House adjourned until to-morrow, Friday, December 18, 1914, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1. A letter from the Secretary of War, transmitting a report of the president of the Board of Commissioners of the United States Soldiers' Home upon the financial and other affairs of the military prison at Fort Leavenworth, Kans., together with copies of reports from the commanding officer of that prison and the commanding officer of the Pacific branch, United States military prison, for the fiscal year ended June 30, 1914 (H. Doc. No. 1418); to the Committee on Military Affairs and ordered to be printed.

2. A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers United States Army, report upon a preliminary examination, plan, and estimate of cost of improvement of Fivemile River Harbor, Conn. (H. Doc. No. 1419); to the Committee on Rivers and Harbors and ordered to be printed, with illustrations.

3. A letter from the Secretary of the Treasury, transmitting copy of communication of the Librarian of Congress submitting a proposed provision of law which he desires to have included in the urgent deficiency bill (H. Doc. No. 1420); to the Committee on Appropriations and ordered to be printed.

4. A letter from the chairman of the Commission on Industrial Relations, transmitting its first annual report; to the Committee on Labor.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under caluse 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. SLAYDEN: A bill (H. R. 20095) to establish the Legislative Reference Division of the Library of Congress; to the Committee on the Library.

By Mr. VINSON: A bill (H. R. 20096) providing for a site and public building for a post office at Thomson, Ga.; to the Committee on Public Buildings and Grounds.

Also (by request), a bill (H. R. 20097) to extend the time for the completion of dams across the Savannah River by authority granted to Twin City Power Co. by an act approved February 29, 1908, as amended by act approved June 3, 1912; to the Committee on Interstate and Foreign Commerce.

By Mr. LENROOT: A bill (H. R. 20098) directing the Secretary of War to make preliminary survey of Duluth-Superior Harbor, Minn. and Wis.; to the Committee on Rivers and Harbors.

By Mr. BURKE of South Dakota: A bill (H. R. 20099) for the allotment of lands to certain enrolled Yankton Indians, and for other purposes; to the Committee on Indian Affairs.

By Mr. BROWNING: A bill (H. R. 20100) to provide a commission to secure plans and designs for a memorial bridge to the memory of William Penn, and for the construction thereof, with the approaches thereto; to the Committee on the Library.

By Mr. LONERGAN: A bill (H. R. 20101) to acquire a site for a public building at the village of Thompsonville, town of Enfield, Conn.; to the Committee on Public Buildings and Grounds.

By Mr. CARAWAY: A bill (H. R. 20102) to provide for a low rate of interest and long-time loans in aid of agriculture, and for other purposes; to the Committee on Banking and Currency.

By Mr. THACHER: A bill (H. R. 20103) to authorize the establishment of a life-saving station between Cahoons Hollow and Nauset Stations on Cape Cod, Mass.; to the Committee on Interstate and Foreign Commerce.

By Mr. LONERGAN: A bill (H. R. 20104) to acquire a site for a public building at Southington, Conn.; to the Committee on Public Buildings and Grounds.

By Mr. WICKERSHAM: A bill (H. R. 20105) to provide for further construction and maintenance of military and post roads, bridges, and trails in Alaska, and for other purposes; to the Committee on the Territories.

By Mr. LOBECK: A bill (H. R. 20106) to provide for a substitute list of storekeeper-gaugers in the Internal-Revenue Service, and for other purposes; to the Committee on Ways and Means.

By Mr. DAVENPORT: Joint resolution (H. J. Res. 388) authorizing the Secretary of the Interior to cause investigation to be made concerning duplicate and fraudulent enrollments and allotments in the Creek Nation, and to enforce the rights of said Creek Nation; to the Committee on Indian Affairs.

By Mr. MORRISON: Joint resolution (H. J. Res. 389) proposing an amendment to the Constitution of the United States; to the Committee on the Judiciary.

By Mr. HAY: Joint resolution (H. J. Res. 390) creating a commission and authorizing said commission to acquire by purchase the property known as Monticello, and embracing the former home of Thomas Jefferson and the park surrounding the same, consisting of 700 acres of land, all of said property being located in Albemarle County, Va.; to the Committee on Rules.

By Mr. MOORE: Resolution (H. Res. 680) authorizing the Clerk of the House to pay to George Curtis Peck, clerk of the late Hon. Sereno E. Payne, the sum of $125, being an amount equal to one month's salary; to the Committee on Accounts.

By Mr. HINEBAUGH: Resolution (H. Res. 681) authorizing the Chief Clerk of the House of Representatives to furnish all articles and make all necessary repairs relating to the House barber shop; to the Committee on Accounts.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ALLEN: A bill (H. R. 20108) granting a pension to Oscar F. Lutz; to the Committee on Pensions.

Also, a bill (H. R. 20109) granting an increase of pension to Christian Leser; to the Committee on Invalid Pensions.

Also, a bill (H. R. 20110) granting an increase of pension to Louise Hartung; to the Committee on Invalid Pensions.

Also, a bill (H. R. 20111) granting an increase of pension to Katharina Sudbrock; to the Committee on Invalid Pensions.

By Mr. BROWN of West Virginia: A bill (H. R. 20112) granting an increase of pension to Robert Horner; to the Committee on Invalid Pensions.

By Mr. CARY: A bill (H. R. 20113) granting a pension to Ellen Flood; to the Committee on Pensions.

Also, a bill (H. R. 20114) for the relief of the family of Thomas J. McCarty; to the Committee on Claims.

By Mr. DIXON: A bill (H. R. 20115) granting an increase of pension to John A. Weaver; to the Committee on Invalid Pensions.

By Mr. DONOHOE: A bill (H. R. 20116) for the relief of J. E. and A. L. Pennock; to the Committee on Claims.

By Mr. DONOVAN: A bill (H. R. 20117) granting an increase of pension to Mary Quinlan; to the Committee on Pensions.

By Mr. EAGAN: A bill (H. R. 20118) granting a pension to Friedericke Potter; to the Committee on Pensions.

By Mr. GOEKE: A bill (H. R. 20119) for the relief of the Citizens Loan & Building Co., Lima, Ohio; to the Committee on Claims.

By Mr. HOUSTON: A bill (H. R. 20120) granting a pension to Albert G. Jenkins; to the Committee on Pensions.

By Mr. HUGHES of West Virginia: A bill (H. R. 20121) granting an increase of pension to Laura R. Warner; to the Committee on Invalid Pensions.

Also, a bill (H. R. 20122) granting an increase of pension to Elijah Adams; to the Committee on Invalid Pensions.

By Mr. KEATING: A bill (H. R. 20123) granting an increase of pension to Carrie A. Ashby; to the Committee on Invalid Pensions.

By Mr. KENNEDY of Rhode Island: A bill (H. R. 20124) for the relief of Francis E. Kelly; to the Committee on Military Affairs.

By Mr. KETTNER: A bill (H. R. 20125) granting a pension to Thomas G. Cockings; to the Committee on Pensions.

By Mr. KEY of Ohio: A bill (H. R. 20126) for the relief of Kate Chateau; to the Committee on Military Affairs.

By Mr. KIRKPATRICK: A bill (H. R. 20127) granting an increase of pension to D. D. Downs; to the Committee on Invalid Pensions.

By Mr. KREIDER: A bill (H. R. 20128) granting a pension to Daisy E. Miller; to the Committee on Invalid Pensions.

By Mr. LA FOLLETTE: A bill (H. R. 20129) for the relief of the Yakima Savings & Loan Association, of North Yakima, Wash.; to the Committee on Claims.

By Mr. LANGLEY: A bill (H. R. 20130) granting an increase of pension to Hannah M. Cope; to the Committee on Invalid Pensions.

By Mr. LEWIS of Maryland: A bill (H. R. 20131) for the relief of the estate of Michael J. Brown, deceased; to the Committee on War Claims.

By Mr. McKENZIE: A bill (H. R. 20132) granting a pension to Ida Wingart; to the Committee on Invalid Pensions.

Also, a bill (H. R. 20133) granting an increase of pension to John R. Perrine; to the Committee on Invalid Pensions.

By Mr. MOSS of West Virginia: A bill (H. R. 20134) granting an increase of pension to Alexander Buck; to the Committee on Invalid Pensions.

By Mr. REED: A bill (H. R. 20135) granting an increase of pension to George S. Adams; to the Committee on Invalid Pensions.

By Mr. REILLY of Connecticut: A bill (H. R. 20136) granting an increase of pension to David Burns; to the Committee on Pensions.

By Mr. ROGERS: A bill (H. R. 20137) for the relief of Warren Gilson; to the Committee on Military Affairs.

By Mr. ROUSE: A bill (H. R. 20138) granting an increase of pension to John F. Ransom; to the Committee on Invalid Pensions.

Also, a bill (H. R. 20139) granting an increase of pension to Mary Speck; to the Committee on Invalid Pensions.

By Mr. RUSSELL: A bill (H. R. 20140) granting an increase of pension to John A. Medley; to the Committee on Invalid Pensions.

By Mr. SHERLEY: A bill (H. R. 20141) granting a pension to Leila O. Eldridge; to the Committee on Invalid Pensions.

Also, a bill (H. R. 20142) granting an increase of pension to William B. Batman; to the Committee on Invalid Pensions.

By Mr. SHREVE: A bill (H. R. 20143) granting an increase of pension to John A. Brindle; to the Committee on Invalid Pensions.

By Mr. SUTHERLAND: A bill (H. R. 20144) to remove the charge of desertion from the military record of John Murphy; to the Committee on Military Affairs.

By Mr. TAYLOR of Colorado: A bill (H. R. 20145) granting an increase of pension to John Goldsby; to the Committee on Invalid Pensions.

By Mr. WHITE: A bill (H. R. 20146) granting an increase of pension to Edmund N. Hatcher; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. BEAKES: Petition of 15 citizens of Fairfield and 19 citizens of Sand Creek, Mich., favoring national prohibition; to the Committee on Rules.

By Mr. BRITTEN: Memorial of commercial interests of Chicago, Ill., requesting all nations to enter into an agreement with the United States Government to make the high seas and oceans international neutral highways under the control of an international naval board; to the Committee on Foreign Affairs.

By Mr. BRUCKNER: Petition of American Federation of Labor, favoring the passage of the seamen's bill; to the Committee on the Merchant Marine and Fisheries.

Also, petition of Mott Haven Reformed Church, of New York City, favoring passage of Senate joint resolution 154, relative to marriage and divorce; to the Committee on the Judiciary.

Also, petition of Order of Railway Conductors, Railroad Trainmen, etc., favoring passage of House bill 17894—Goeke bill; to the Committee on Interstate and Foreign Commerce.

Also, petition of Western Association of Short Line Railroads, protesting against the passage of House bill 17042, changing basis of mail transportation; to the Committee on the Post Office and Post Roads.

Also, petition of John Main, of New York City, favoring Government ownership of the telegraph and telephone; to the Committee on the Judiciary.

Also, petition of Francis Bayers, of New York City, N. Y., favoring bill to prohibit shipment of war material to fighting nations; to the Committee on Foreign Affairs.

Also, petition of Henry Spreigelberger, of New York City, relative to salaries of the employees of the Bureau of Animal Industry; to the Committee on Agriculture.

By Mr. DALE: Petition of commission on relations with Japan, appointed by the Federal Council of the Churches of Christ in America, favoring an adequate oriental policy; to the Committee on Foreign Affairs.

By Mr. DANFORTH: Petitions of churches, Sunday schools, etc., in Albion, Arcade, Attica, Barnard, Brockport, Clarkson, Dale, Mount Morris, Perry, Rochester, Wyoming, and York, all in the State of New York, favoring national prohibition; to the Committee on Rules.

By Mr. DAVIS: Petition of Synod of Minnesota, Presbyterian Church in the United States, favoring national prohibition; to the Committee on Rules.

By Mr. DRUKKER: Memorial of the First Reformed Church of Passaic, N. J., favoring national prohibition; to the Committee on Rules.

By Mr. EAGAN: Memorial of the Epworth League of the Park Methodist Episcopal Church, of Weehawken, N. J., favoring national prohibition; to the Committee on Rules.

By Mr. ESCH: Petition of the Trades and Labor Council of La Crosse, Wis., favoring neutrality by United States Government in European war; to the Committee on Foreign Affairs.

Also, petition of the commssion on relations with Japan appointed by the Federal Council of the Churches of Christ in America, favoring an adequate oriental policy; to the Committee on Foreign Affairs.

By Mr. GERRY: Petitions of Pawtuxet Baptist Church, Edgewood, R. I.; E. C. Bullard, People's Church, Auburn, R. I.; Lucius L. Belden, Natick, R. I.; Rev. G. W. Manning, Phenix, R. I.; Trinity Baptist Church, Olneyville, R. I.; H. H. Whaley, Wakefield, R. I.; Centerville Methodist Episcopal Sunday School, Centerville, R. I.; Baptist Church and Christian Endeavor Society, North Scituate, R. I.; 20 residents of Johnston, R. I.; 4 residents of Providence, R. I.; H. Tobey Smith, Providence, R. I.; H. M. Clarke, Arctic, R. I.; and Wayland M. Burgess, Jacob Worth, James M. Ford, Frank F. Brown, D. H. Remington, Mrs. Charles Hubbard, Sadie P. Potter, Marjorie H. Barstow, Della M. Hopkins, Susan J. Hopkins, Mrs. Frank Thornton, Miss Ethel Sprague, Miss Flora Birkholz, Miss Alice E. Arndt, Miss Ruth Boss, Miss Etta L. Hopkins, Miss Grace M. Johnson, Miss Anna E. Sayles, Miss Mary A. Austin, Miss Jennie I. Spencer, Mrs. Mabel Smith, Mrs. Mabel Lowell, Miss Sadie Spaulding, J. C. Worden, jr., John E. Lyons, Miss Addie E. Taft, Mrs. G. J. Eddy, Alice P. Thornton, Miss Mary E. Durfee, Miss Susie E. Durfee, Miss Helen M. Durfee, Miss Marion A. Atwood, Miss Emogene P. Lyon, Miss M. L. Steere, Miss H. J. Swain, Miss M. A. Swain, Miss M. L. Clough, Rev. Charles Parker, Mrs. A. W. Burgess, Mrs. John Randall, Everett R. Spencer, Miss Helen M. Hopkins, and Miss Viola M. Wilson, of North Scituate, R. I., urging the passage of legislation providing for national prohibition; to the Committee on Rules.

By Mr. KAHN: Petition of Jones, Mundy & Co., of San Francisco, Cal., protesting against national prohibition; to the Committee on Rules.

Also, petition of Western Association of Short Line Railroads, protesting against passage of House bill 17042 and Senate bill 6406; to the Committee on the Post Office and Post Roads.

Also, petition of Howard Street Methodist Episcopal Church, of San Francisco, Cal., favoring national prohibition; to the Committee on Rules.

Also, memorial of Chamber of Commerce of Los Angeles, Cal., favoring House joint resolution to create national marketing commission; to the Committee on Rules.

By Mr. KENNEDY of Rhode Island: Petitions favoring national prohibition from Embury Methodist Episcopal Church, Central Falls; Rev. Matthias S. Kaufman, Central Falls; St. Paul's Methodist Episcopal Church, Providence; H. Tobey Smith, Providence, all in the State of Rhode Island; to the Committee on Rules.

By Mr. LAFFERTY: Petition of Knights of Columbus of Mount Angel, Oreg., protesting against alleged outrages in Mexico; to the Committee on Foreign Affairs.

By Mr. REILLY of Connecticut: Petitions of sundry citizens of the third congressional district of Connecticut, favoring national prohibition; to the Committee on Rules.

By Mr. THACHER: Petition of First Congregational Church of Falmouth, Mass., favoring national prohibition; to the Committee on Rules.

By Mr. WEAVER: Petition of J. A. Ricks and other citizens of Headrick, Jackson County, Okla., favoring Government aid for cotton market; to the Committee on Banking and Currency.

Also, petition of Catholic Knights of America, Branch No. 825, of Oklahoma City, Okla., against circulation through the mails of the Menace; to the Committee on the Post Office and Post Roads.

By Mr. WILLIS: Memorial of Ohio Building Association, protesting against passage of the emergency revenue act and offering amendment; to the Committee on Ways and Means.

Also, memorial of Baptist Young People's Union and Baptist Church of Sunbury, Ohio; Methodist Protestant Church and Evangelical Church of Mount Cory; and business committee of the Ohio Sunday School Association, favoring national prohibition; to the Committee on Rules.

SENATE.

FRIDAY, *December 18, 1914.*

The Chaplain, Rev. Forrest J. Prettyman, D. D., offered the following prayer:

We thank Thee, Almighty God, that with the pressing cares that bind our thoughts so closely to the temporal Thou hast still kept alive within us the grasp of the spiritual. By the slow processes of our human investigation Thou art unfolding to us the uses and purposes of the life about us; Thou art also giving to us that divine impulse which reaches out after the immortal, the never ending, the eternal. And so our friendships never die, every duty takes on an eternal significance, and life presses on the upward path, the path of the righteous that shines more and more unto the perfect day. Let the grace of God lead us in this path this day. For Christ's sake. Amen.

The Journal of yesterday's proceedings was read and approved.

REPORT OF PUBLIC HEALTH SERVICE.

The VICE PRESIDENT laid before the Senate a communication from the Secretary of the Treasury, transmitting, pursuant to law, the report of the Surgeon General of the Public Health Service for the fiscal year 1914, which, with the accompanying paper, was referred to the Committee on Public Health and National Quarantine.

COMMISSION ON RELATIONS WITH JAPAN.

The VICE PRESIDENT. The Chair lays before the Senate the following communication, which will be read.

The communication was read and referred to the Committee on Immigration, as follows:

[Federal Council of the Churches of Christ in America, national office, 612 United Charities Building, 105 East Twenty-second Street, New York.]

AN APPEAL TO CONGRESS AND THE PEOPLE OF THE UNITED STATES FOR AN ADEQUATE ORIENTAL POLICY.

The awakening of Asia and her rapid acquisition of imported elements of occidental civilization inaugurates a new era in world history in which Asia is to play a new and increasingly important rôle. Whether that rôle shall be one of peace, good will, and mutual cooperation or one controlled by increasing suspicion and fear between the East and the West will depend largely on the attitude of the western nations themselves.

It has seemed to many of our citizens who have become familiar with the questions raised by this more intimate and ever-increasing contact with the Orient that the United States might well adopt a more adequate oriental policy. Therefore be it

Resolved, That the Commission on Relations with Japan, appointed by the Federal Council of the Churches of Christ in America urge upon Congress and upon the people of the United States the importance of adopting an oriental policy based upon a just and equitable regard for the interests of all the nations concerned, and to this end suggests that the entire immigration problem be taken up at an early date, providing for comprehensive legislation covering all phases of the question (such as the limitation of immigration and the registration, distribution, employment, education, and naturalization of immigrants) in such a way as to conserve American institutions, to protect American labor from dangerous economic competition, and to promote an intelligent and enduring friendliness among the people of all nations.

Charles R. Brown; Hamilton Holt; William I. Haven; Charles R. Henderson; E. R. Hendrix; Jeremiah W. Jenks; Albert G. Lawson; Frederick Lynch; Francis J. McConnell; John R. Mott; Frank Mason North; Doremus Scudder; Robert E. Speer; George E. Vincent; Amos P. Wilder; Sidney L. Gulick, representative on international relations; Charles S. Macfarland, secretary Commission on Relations with Japan, appointed by the Federal Council of the Churches of Christ in America.

DECEMBER 16, 1914.

PETITIONS AND MEMORIALS.

The VICE PRESIDENT presented petitions of sundry citizens of Oakdale and Wilmette, in the State of Illinois; of Tarkio, Mo.; of Sacramento, Cal.; of Springdale, Pa.; of Viola, Kans.; and of St. Paul, Minn., praying for the adoption of an amendment to the Constitution to prohibit polygamy, which were referred to the Committee on the Judiciary.

Mr. BRISTOW presented a petition of sundry citizens of Newton, Kans., praying for the adoption of an amendment to the Constitution to prohibit polygamy, which was referred to the Committee on the Judiciary.

He also presented a memorial of sundry citizens of Downs and Lawrence, Kans., remonstrating against the exclusion of anti-Catholic publications from the mails, which was referred to the Committee on Post Offices and Post Roads.

He also presented petitions of sundry citizens of Ellis, Netawaka, Redfield, Russell, Ozawkie, Abbyville, Olathe, Luray, Glen Elder, Lyons, and Hutchinson, and of Edwards and Pawnee Counties, all in the State of Kansas, praying for national prohibition, which were referred to the Committee on the Judiciary.

Mr. TILLMAN presented petitions of the Comrade Adult Bible Class, the Wesley Adult Bible Class, and the Baraca Adult Bible Class of the Presbyterian, Methodist, and Baptist Sunday Schools, all of Conway, in the State of South Carolina, praying for national prohibition, which were referred to the Committee on the Judiciary.

Mr. TOWNSEND presented telegrams in the nature of memorials from sundry citizens of Bay City, Mich., remonstrating against national prohibition, which were referred to the Committee on the Judiciary.

Mr. CLARK of Wyoming presented a petition of sundry citizens of Chugwater, Wyo., praying for national prohibition, which was referred to the Committee on the Judiciary.

Mr. LIPPITT presented a petition of sundry citizens of Johnston, R. I., praying for national prohibition, which was referred to the Committee on the Judiciary.

Mr. THOMPSON presented a petition of the Mercantile Club, of Kansas City, Kans., praying for the enactment of legislation to provide pensions for civil-service employees, which was referred to the Committee on Civil Service and Retrenchment.

Mr. ROOT presented petitions of sundry citizens of the State of New York, praying for national prohibition, which were referred to the Committee on the Judiciary.

Mr. BURTON presented petitions of the Builders' Exchange of Cleveland and of the Retail Merchants' Association of Bellefontaine, in the State of Ohio, praying for the creation of a national security commission, which were referred to the Committee on Military Affairs.

Mr. SHIVELY presented petitions of sundry citizens of Fort Wayne, Lawrenceburg, Indianapolis, and Elkhart, all in the State of Indiana, praying for national recognition of the polar efforts of Dr. Frederick A. Cook, which were referred to the Committee on the Library.

He also presented petitions of the Ministerial Association of Lebanon; of the Friends' Church of Carmel; of the New Hope Friends' Church, of Greentown; of the Friends' Church of Elizabethtown; of the Eaglecreek Friends' Church, of Westfield; of the Mentone Baptist Church, of Mentone; of the Church of Christ of Gas City; of the Hillside Christian Church, of Indianapolis; of the Friends' Church of Sheridan; of the Church of God of Syracuse; of the United Brethren and Methodist Episcopal Churches of Hudson; of the Hinkles Creek Friends' Church, of Cicero; of the New Albany Ministerial Association, of New Albany; of the Christian Church of Hammond; of the churches of Clarksburg, Kingston, and Sandusky; of the Methodist, Baptist, and Christian Churches of Gas City; of Mrs. Olive Smith, of Dunkirk; of Clayton L. Rhode and 10 other citizens of Wellsboro; and of the superintendent of the Union Street Friends' Bible School and Church, of Kokomo, all in the State of Indiana, praying for national prohibition, which were referred to the Committee on the Judiciary.

Mr. OLIVER presented petitions of sundry citizens of Pennsylvania, praying for national prohibition, which were referred to the Committee on the Judiciary.

He also presented petitions of the Board of Trade of Waynesboro and of the Board of Trade of Oakland, Pittsburg, all in the State of Pennsylvania, praying for the creation of a national security commission, which were referred to the Committee on Military Affairs.

He also presented petitions of the State Council of Pennsylvania, Junior Order United American Mechanics, and of the National Council, Daughters of Liberty, of Philadelphia, all in the State of Pennsylvania, praying for the enactment of legislation to further restrict immigration, which were ordered to lie on the table.

Mr. KERN presented petitions of the Catholic Order of Foresters of La Porte and of sundry citizens of Wolf Lake, in the State of Indiana, praying for the enactment of legislation to exclude anti-Catholic publications from the mails, which were referred to the Committee on Post Offices and Post Roads.

Mr. NORRIS presented a petition of Facklan Lodge, No. 72, International Order of Good Templars, of Omaha, Nebr., praying for national prohibition, which was referred to the Committee on the Judiciary.

REPORTS OF COMMITTEES.

Mr. SHIVELY, from the Committee on Pensions, submitted a report (No. 842), accompanied by a bill (S. 6980) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent relatives of such soldiers and sailors, which was read twice by its title, the bill being a substitute for the following pension bills heretofore referred to that committee:

S. 337. James A. Fancher.
S. 369. Katie A. Beardsley.
S. 722. Mary Lotty.
S. 811. Andrew A. Kelley.
S. 969. James H. Meekin.
S. 974. Thomas H. Kennedy.
S. 1015. James Edwards.
S. 1096. Amanda Parmalee.
S. 1319. Herman Sebert.
S. 1392. Franklin Comstock.
S. 1795. Jonathan S. Nickerson.
S. 2010. Charles H. Eding.
S. 2038. Augustus M. Barnes.
S. 2127. James W. Magers.
S. 2180. George W. Smith.
S. 2324. Martha J. Whiting.
S. 2377. Joseph R. C. Hunter.
S. 2896. Grace E. McDonald.
S. 3011. Mary J. Gooding.
S. 3040. George T. Smith.
S. 3388. Anna F. Quinn.
S. 3504. James H. Nale.
S. 3613. Hattie A. Harris (formerly Hungerford).
S. 4024. Harlan Gause.
S. 4090. William Rodgers.
S. 4099. Frank A. Olney.
S. 4119. Nelson W. Armstrong.
S. 4401. Jeremiah Lyshon.
S. 4478. Ormiston C. Wing.
S. 4597. M. Theresa Sampson.
S. 4599. Almond R. Spaulding.
S. 4692. Alfred Deforest Walker.
S. 4763. John R. Boso.
S. 4766. Lucinda E. Nelson.
S. 4856. Elizabeth J. Mullin.
S. 4859. Sarah E. Badley.
S. 5054. Hugh K. Godding.
S. 5056. Thomas Dial.
S. 5185. Joseph M. Lansden.
S. 5190. Joseph M. Conway.
S. 5196. Philamena B. Mahoney.
S. 5218. Justine M. Thrift.
S. 5266. Caspar Schiesser.
S. 5333. Moses Bahney.
S. 5335. Peter Smith.
S. 5372. Julian Sitz.
S. 5379. Amanda M. Startsman.
S. 5440. Emily Morang.
S. 5453. Marcus E. Ferguson.
S. 5595. William Hurley.
S. 5638. Whitman M. Colby.
S. 5725. Anna M. Foster.
S. 5740. Jacob C. Rennaker.
S. 5765. Minerva Freeman.
S. 5766. Cornelia A. Anderson.
S. 5767. Margaret A. Bitgood.
S. 5768. Almira E. Briggs.
S. 5775. Maria Lewis.
S. 5793. Elisha W. Ellis.
S. 5795. Elizabeth Pangburn.
S. 5797. Mary M. Calof.
S. 5799. John A. Patterson.
S. 5807. Annie Wilson.
S. 5821. Benjamin F. Bourne.
S. 5822. Robert S. Clark.
S. 5828. Lucy Carey.
S. 5831. Frances Terry.
S. 5850. Mary A. De Lany.
S. 5852. Charles Nettleton.
S. 5863. Orville Choate.
S. 5867. Frederick W. Schaeffer.
S. 5868. Catharine Terwilger.
S. 5878. Stephen D. Mitchell.
S. 5889. Benjamin Williams.
S. 5895. Ezra W. Conant.
S. 5900. Laura C. Bailey.
S. 5901. David Frank.
S. 5961. Harriet J. Weddle.
S. 5964. Amanda F. Powell.
S. 5965. King R. Olmstead.
S. 5976. John S. Perriton.
S. 5983. Samuel L. Cole.
S. 5991. Egbert W. Reed.
S. 6001. James S. Crockett.
S. 6006. Mary J. Sanders.
S. 6010. Charles A. Dick.
S. 6013. Fenton Butterfield.
S. 6014. Margaret Sheridan.
S. 6017. Elizabeth Buckless.
S. 6018. Martha V. Coleman.
S. 6023. Emma S. Rowe.
S. 6038. Martha J. Bretney.
S. 6044. Peter M. Fritts.
S. 6049. Calvin Barker.
S. 6055. John G. Berry.
S. 6071. Oscar Avery.
S. 6079. Ella M. Decker.
S. 6081. William P. Stone.
S. 6086. Mary Alfrey.
S. 6090. Mary M. Nolan.
S. 6123. Emily S. Keller.
S. 6124. Georgia Ann Taylor.
S. 6135. Jean H. G. Kitchel.
S. 6139. Samuel R. Littrell.
S. 6145. Charles T. Blumenrother.
S. 6149. Jerome B. Wood.
S. 6150. Charles H. McCarty.
S. 6156. George D. Carter.
S. 6161. Hiram Bender.
S. 6164. Juliette Pierce.
S. 6174. Frank Pugsley.
S. 6180. Callie E. Kooken.
S. 6181. Seraphina Kain.
S. 6182. Ellen Milam.
S. 6193. Elmina Swan.
S. 6212. Harriet L. Willis.
S. 6213. Clara R. Squier.
S. 6223. John S. Colbath.
S. 6257. Jane Letcher.
S. 6260. Lovina J. Nudd.
S. 6273. Rufus N. Brown.
S. 6276. Sara J. Titsworth.
S. 6310. May C. Moore.
S. 6312. Horace L. Farmer.
S. 6338. Sarah E. Stoddard.
S. 6351. George H. Lewis.
S. 6353. Albert F. Wright.
S. 6356. David M. Hilton.
S. 6359. Hannah C. Van Tassel.
S. 6360. Samuel Brenner.
S. 6370. Edward E. Teter.
S. 6379. Joseph McKinsey.
S. 6393. William H. Miller.
S. 6394. George W. Brewer.
S. 6409. George W. Crouso.
S. 6421. Gertrude Cornwell.
S. 6422. Eden N. Leavens.
S. 6426. Murray V. Livingston.
S. 6432. George A. Blose.
S. 6434. Joel A. Ginter.
S. 6444. Hiram E. Tinker.
S. 6446. John C. Leith.
S. 6452. Lydia Irene Cheny.
S. 6464. Louisa Schenk.
S. 6465. William H. Howell.
S. 6481. Emily L. Small.
S. 6482. Isaiah Davis.
S. 6483. Thomas H. Core.
S. 6498. Samuel Coleman.
S. 6529. Charles M. Milligan.
S. 6534. John W. Grubb.
S. 6545. James W. Sargent.
S. 6606. Sarah B. Hamer.

S. 6607. Eliza J. Riggs.
S. 6608. Louisa C. Pangburn.
S. 6610. John W. Gaddis.
S. 6625. Caroline Dufner.
S. 6630. Smith C. Hotchkin.
S. 6640. Charles Pettys.
S. 6651. Margaret Williams.
S. 6652. Murrandia Martin.
S. 6664. Thomas Winegardner.
S. 6666. Charles L. Stuck.
S. 6669. Annie E. Yelton.
S. 6696. Amanda E. Bateman.
S. 6698. Ammazetta L. Nettleton.
S. 6701. Byron C. Davis.
S. 6705. Andrew J. Hall.
S. 6707. Gordon H. Shepard.
S. 6715. Charles Wickliffe.
S. 6788. Hugh Smith.
S. 6789. John C. Wilson.
S. 6793. Maggie S. Northway.
S. 6795. William H. D. Lancaster.
S. 6796. Jay D. Morse.
S. 6798. John Nelson.
S. 6831. Perry G. Glines.
S. 6855. Charles H. Flournoy.

Mr. SHIVELY, from the Committee on Pensions, submitted a report (No. 843), accompanied by a bill (S. 6981) granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy and of wars other than the Civil War and to certain widows and dependent relatives of such soldiers and sailors, which was read twice by its title, the bill being a substitute for the following pension bills heretofore referred to that committee:

S. 1021. Mary F. Gaddie.
S. 1208. Edwin R. Gibson.
S. 1540. Richard L. Miller.
S. 1863. Patrick P. Finnerin.
S. 2436. Fritz Hedlund.
S. 2995. Charles S. Allen.
S. 4207. Maggie Norment.
S. 4329. William R. Faulkner.
S. 4389. F. Isabelle Lawrance.
S. 4519. William M. Swart.
S. 5030. Michael Grace.
S. 5503. Lillian J. Hartley.
S. 5527. William L. Rouner.
S. 5535. Harry Jackson.
S. 5537. Nathan Long.
S. 5682. Catherine E. Prine.
S. 5788. Alice I. Henderson.
S. 5877. Frank Knitter.
S. 5984. Margaretha Matthes.
S. 5999. Samuel C. Cochran.
S. 6037. Osco L. Robinson.
S. 6216. John H. Burke.
S. 6317. Martin L. Williams.
S. 6472. James L. Redding.
S. 6475. William A. Downs.
S. 6512. Minnie Wadsworth Wood.
S. 6513. Joseph G. Winkler.
S. 6532. Frank Varney.
S. 6544. Frank Sutterfield.
S. 6602. Oscar Gray.
S. 6618. Oscar O. Lee.
S. 6647. Margaret A. Bennett.
S. 6677. David O. Scott.
S. 6805. John F. Davis.

Mr. DU PONT, from the Committee on Military Affairs, to which was referred the bill (S. 6061) for the relief of Robert W. Thompson, submitted an adverse report (No. 845) thereon, which was agreed to, and the bill was postponed indefinitely.

Mr. TILLMAN. From the Committee on Naval Affairs I report back the bill (S. 6866) for the relief of Vilhelm Torkildsen, because it was referred to that committee by an error. It is a bill which was referred to the Committee on Claims, and the chairman of that committee, the Senator from Florida [Mr. BRYAN], had it referred to the Committee on Naval Affairs. He thought it belonged to the Naval Committee. There is a lot of drudgery on that committee, and therefore he dumped it on us. I ask that the Committee on Naval Affairs be discharged from the further consideration of the bill and that it be referred back to the Committee on Claims.

The VICE PRESIDENT. If there is no objection, the bill will be rereferred to the Committee on Claims.

COLLECTOR OF CUSTOMS AT OMAHA, NEBR.

Mr. FLETCHER. I report back favorably from the Committee on Commerce without amendment the bill (H. R. 6867) to increase and fix the compensation of the collector of customs for the customs collection district of Omaha, and I submit a report (No. 844) thereon. I call the attention of the Senator from Nebraska [Mr. HITCHCOCK] to the report.

Mr. HITCHCOCK. I ask unanimous consent for the immediate consideration of the bill.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill. It proposes to increase the compensation of the collector of customs for the customs collection district of Omaha from $2,500 per annum, as provided in the plan of reorganization of the customs service promulgated by the President on March 3, 1913, to $3,500 per annum, and provides that compensation at the rate of $3,500 per annum shall be paid to the said collector of customs from and after June 30, 1913.

Mr. OVERMAN. Should not that matter go into the regular appropriation bill we are soon to consider—the legislative, executive, and judicial appropriation bill?

Mr. HITCHCOCK. This is a bill which was passed by the House of Representatives under the recommendation of the department, and is intended to correct an error which was made when the customs offices were reorganized. By that error the collection district of Omaha was placed down in the $2,500 class. An effort has been made constantly since that time to correct that error, which was probably a typographical one.

Mr. OVERMAN. I understand the bill proposes to increase the salary over the present one, but that the present salary was fixed by an error.

Mr. HITCHCOCK. It is merely a nominal matter.

Mr. OVERMAN. Does not the Senator think this matter ought to be considered in the regular appropriation bill? We take care of such matters in the legislative appropriation bill. That bill will soon be before the Committee on Appropriations of the Senate.

Mr. HITCHCOCK. I will say to the Senator that this is a change of the law, and it has no place in an appropriation bill.

Mr. OVERMAN. I understand it is a change in the law; but if we pass these separate bills, we will never be able to tell where we are. We have to pass the general appropriation bill in which all these offices are provided for. In that bill we provide for all the customs offices, and why should we select one? Why not let this go in the regular way? I do not want to object to the consideration of the bill, however.

Mr. HITCHCOCK. I will say to the Senator that, to my mind, it would be objectionable in an appropriation bill to undertake to change a fixed law. The salary was fixed by an error when there was a general revision. This is a unanimous report from the committee. It is recommended by the department. It was unanimously reported by the committee in the House and unanimously passed the House of Representatives. It is merely to correct what should have been corrected more than a year ago.

Mr. OVERMAN. It would be subject to a point of order on the appropriation bill in the House of Representatives but not here.

Mr. HITCHCOCK. It would be a legislative act on an appropriation bill.

Mr. OVERMAN. That is done, as far as that is concerned, nearly every year. This provides for an increase of the statutory salary, and that is desired in nearly all the offices. I shall not object, however, at this time, but hereafter all bills which provide an increase of salary must go to the Committee on Appropriations, because in passing hundreds of separate bills here we do not know how to provide for them on the appropriation bill. This ought to go through the regular channel.

Mr. FLETCHER. Mr. President, this bill really does not provide for an increase of salary. It is, as the Senator from Nebraska has said, to correct an error plainly admitted by the department. It was reported by the Committee on Ways and Means of the House and it was properly referred to the Commerce Committee, and was reported from that committee, which has to do with customs offices. It is simply to correct an error in that office.

Mr. OVERMAN. As far as an increase of salary is concerned, I do not know whether the Committee on Commerce has anything to do with that. It should be properly considered by the Committee on Appropriations in the general appropriation bill.

Mr. FLETCHER. This bill simply corrects an error in the organization which, by mistake, fixed the salary at $2,500 when it should have been fixed at $3,500, as it belongs to that class.

Mr. OVERMAN. I understand there is no appropriation in the bill.

Mr. FLETCHER. It is merely to correct that error.

Mr. JONES. I wish to suggest that this bill does not carry an appropriation. I will ask the Senator from Nebraska if that is not the case.

Mr. HITCHCOCK. To tell the truth, I am not familiar with that point. I suppose it will have to pass through the hands of the Committee on Appropriations at the proper time.

Mr. JONES. What I wish to call to the attention of the Senator from North Carolina is that the bill simply changes the law and fixes the salary, and then the Committee on Appropriations will provide for the salary in the appropriation bill.

Mr. OVERMAN. If that is all, I have no objection. The Senator misunderstood me. I asked him if it increased the appropriation, and I understood him to say that it did.

Mr. HITCHCOCK. No.

The VICE PRESIDENT. There is no appropriation in the bill.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

PAY OF EMPLOYEES.

Mr. OVERMAN. From the Committee on Appropriations I report a joint resolution, and I ask unanimous consent for its present consideration.

The joint resolution (S. J. Res. 213) authorizing the Secretary of the Senate and the Clerk of the House to pay the officers and employees of the Senate and House, including the Capitol police, their respective salaries for month of December, 1914, on the 22d day of said month, was read the first time by its title and the second time at length and considered, as in Committee of the Whole, as follows:

Resolved, etc., That the Secretary of the Senate and the Clerk of the House of Representatives be, and they are hereby, authorized and instructed to pay the officers and employees of the Senate and House of Representatives, including the Capitol police, their respective salaries for the month of December, 1914, on the 22d day of December; and the Clerk of the House is authorized to pay on said day to Members, Delegates, and Resident Commissioners their allowance for clerk hire for said month of December.

The joint resolution was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

BILLS INTRODUCED.

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. BRISTOW:

A bill (S. 6982) granting an increase of pension to Francis E. Smith (with accompanying papers);

A bill (S. 6983) granting an increase of pension to Nelson Haggerty (with accompanying papers); and

A bill (S. 6984) granting an increase of pension to Edwin Rudrauff (with accompanying papers); to the Committee on Pensions.

By Mr. THOMPSON:

A bill (S. 6985) granting a pension to Isaac Clark (with accompanying papers); and

A bill (S. 6986) granting a pension to Hannah H. Ahlstrom (with accompanying papers); to the Committee on Pensions.

By Mr. SHIVELY:

A bill (S. 6987) authorizing the Secretary of War, in his discretion, to deliver to the city of Shelbyville, in the county of Shelby, State of Indiana, four condemned bronze or brass field-pieces, with a number of cannon balls;

A bill (S. 6988) authorizing the Secretary of War, in his discretion, to deliver to the city of Vincennes, in the county of Knox, State of Indiana, two condemned bronze or brass field-pieces, with a number of cannon balls; and

A bill (S. 6989) for the relief of Charles W. Townsend; to the Committee on Military Affairs.

By Mr. TOWNSEND:

A bill (S. 6990) granting an increase of pension to John J. Calkins (with accompanying papers); to the Committee on Pensions.

By Mr. SMOOT:

A bill (S. 6991) granting a pension to Percy A. Farrar (with accompanying papers); and

A bill (S. 6992) granting a pension to Jennie O. Collins (with accompanying papers); to the Committee on Pensions.

By Mr. BURTON:

A bill (S. 6993) granting an increase of pension to James L. van Allen (with accompanying papers); and

A bill (S. 6994) granting an increase of pension to Joanna Swander (with accompanying papers); to the Committee on Pensions.

By Mr. STONE (by request):

A bill (S. 6995) for the relief of the Buffalo River Zinc Mining Co.; to the Committee on Claims.

By Mr. CHAMBERLAIN:

A bill (S. 6996) granting a pension to William A. Taylor (with accompanying papers); to the Committee on Pensions.

AMENDMENT TO DISTRICT OF COLUMBIA APPROPRIATION BILL.

Mr. WORKS submitted an amendment proposing to appoint a commission of five persons, to be known as the "house commission," in the District of Columbia, intended to be proposed by him to the District of Columbia appropriation bill (H. R. 19422), which was referred to the Committee on Appropriations and ordered to be printed.

BANKING AND CREDIT.

On motion of Mr. LEWIS, it was

Ordered, That Bulletin No. 90, special agents series, Department of Commerce, entitled "Banking and Credit in Argentina, Brazil, Chile, and Peru," be printed as a document.

RATES FOR OCEAN TRANSPORTATION.

Mr. FLETCHER. I offer a resolution and ask unanimous consent for its present consideration.

The resolution (S. Res. 504) was read, as follows:

Resolved, That the Secretary of the Treasury and the Secretary of Commerce be requested to furnish all available information in relation to the increased rates for ocean transportation which have taken place since July 1, 1914, and any and all other facts relating to ocean transportation which adversely affect or injure American commerce.

The VICE PRESIDENT. Is there objection to the present consideration of the resolution?

Mr. SMITH of Georgia. I will be glad to have the resolution read once more. I did not catch the first part of it.

The VICE PRESIDENT. It will be again read.

The resolution was again read, and it was considered by unanimous consent and agreed to.

INDIAN LAWS AND TREATIES.

Mr. NORRIS submitted the following resolution (S. Res. 505), which was read and referred to the Committee on Printing:

Resolved, That there be printed 1,000 copies of Senate Document No. 719, Sixty-second Congress, second session, Indian Laws and Treaties, part 3, for the use of the Senate.

TEMPORARY AND SPECIAL COMMISSIONS.

Mr. WILLIAMS submitted the following resolution (S. Res. 506), which was read and referred to the Committee on the Library:

Resolved, That the Librarian of Congress is hereby directed to furnish to the Senate a report, to be prepared in the legislative reference division of the Library, showing what temporary or special commissions are now in existence by virtue of Federal law, or of concurrent or joint or Senate or House resolution or Executive regulation, and by virtue of what law, resolution, or regulation the same are constituted, how long they have been in operation, and what they have thus far cost the United States Government.

Such report to be accompanied by a statement showing what they have done and are doing and how soon they expect to be done with their work, the data for such statement to be furnished to the Librarian by the several commissions, which are hereby directed to respond to requests from him for the same.

CIVIL WAR VOLUNTEER OFFICERS' RETIRED LIST.

The VICE PRESIDENT. The morning business is closed.

Mr. TOWNSEND. I move to take up for consideration Senate bill 392. I do this for this reason, and I make this explanation to the Senator from South Carolina [Mr. SMITH]. This bill has been considered on several occasions and amendments have been made to it, so that it is practically completed so far as that is concerned, and apparently is ready for the vote. It has been before the Senate, under notice and otherwise, a number of times. I am asking that it be considered now, not to supplant the regular order, which will be in order at 2 o'clock, when this bill would have to be laid aside for its consideration, but in order that we may take it up this morning and devote some time to it, with the hope of getting a vote upon it. Therefore I move that the Senate proceed to the consideration of the bill (S. 392) to create in the War Department and Navy Department, respectively, a roll designated as "the Civil War volunteer officers' retired list," to authorize placing thereon with retired pay certain surviving officers who served in the Army, Navy, or Marine Corps of the United States in the Civil War, and for other purposes.

Mr. SMITH of Georgia. There are two notices of speeches for this morning to follow immediately after the morning business—one by the Senator from Washington [Mr. JONES] and the other by the Senator from Texas [Mr. SHEPPARD].

The VICE PRESIDENT. This is one of the questions that is not debatable, and the Chair is required to enforce the rule. The question is on the motion of the Senator from Michigan.

Mr. SMITH of Georgia. Still, Mr. President, I do not think that would prevent me from calling attention to the fact.

The VICE PRESIDENT. No; the Chair is not making any statement adverse to the statement of the Senator from Georgia. He is simply calling attention to the rule that a motion to take up a bill during the morning hour is not debatable.

Mr. OVERMAN. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst	Fletcher	O'Gorman	Smith, Ga.
Borah	Gallinger	Oliver	Smith, Md.
Brandegee	Gronna	Overman	Smith, S. C.
Bristow	Hardwick	Page	Smoot
Bryan	Hughes	Perkins	Sterling
Burton	Jones	Pittman	Stone
Camden	Kenyon	Poindexter	Sutherland
Catron	La Follette	Reed	Swanson
Chamberlain	Lane	Robinson	Thomas
Chilton	Lea, Tenn.	Root	Thompson
Clapp	Lee, Md.	Saulsbury	Thornton
Clark, Wyo.	Lippitt	Shafroth	Townsend
Crawford	Lodge	Sheppard	Vardaman
Culberson	McCumber	Sherman	Warren
Cummins	Martine, N. J.	Shively	Weeks
Dillingham	Nelson	Simmons	Williams
du Pont	Norris	Smith, Ariz.	Works

The VICE PRESIDENT. Sixty-eight Senators have answered the roll call. There is a quorum present. The pending question is on the motion of the Senator from Michigan [Mr. TOWNSEND] to proceed to the consideration of Senate bill 392.

Mr. TOWNSEND. Upon that I ask for the yeas and nays.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. CHILTON (when his name was called). I have a general pair with the Senator from New Mexico [Mr. FALL]. In his absence I shall not vote.

Mr. DU PONT (when his name was called). I have a general pair with the senior Senator from Texas [Mr. CULBERSON]. As that Senator is not in the Chamber, I will withhold my vote. If I were at liberty to vote, I should vote "yea."

Mr. SAULSBURY (when his name was called). I transfer my pair with the junior Senator from Rhode Island [Mr. COLT] to the senior Senator from Alabama [Mr. BANKHEAD] and vote "nay."

Mr. SUTHERLAND (when his name was called). I am paired with the Senator from Arkansas [Mr. CLARKE], who is absent. On that account I withhold my vote.

Mr. TILLMAN (when his name was called). I have a general pair with the Senator from West Virginia [Mr. GOFF]. In his absence I withhold my vote.

Mr. VARDAMAN (when his name was called). I have a general pair with the junior Senator from Idaho [Mr. BRADY]. I transfer that pair to the senior Senator from Nevada [Mr. NEWLANDS] and vote "nay."

Mr. WEEKS (when his name was called). I inquire if the senior Senator from Kentucky [Mr. JAMES] has voted?

The VICE PRESIDENT. That Senator has not voted.

Mr. WEEKS. I have a general pair with that Senator, and therefore I withhold my vote.

Mr. WILLIAMS (when his name was called). I transfer my pair with the senior Senator from Pennsylvania [Mr. PENROSE] to the Senator from Illinois [Mr. LEWIS] and vote "nay."

The roll call was concluded.

Mr. MYERS. I am paired with the Senator from Connecticut [Mr. MCLEAN]. I inquire if that Senator has voted?

The VICE PRESIDENT. The Senator from Connecticut has not voted.

Mr. MYERS. Then I transfer my pair with that Senator to the Senator from Oklahoma [Mr. OWEN] and vote "nay."

Mr. DILLINGHAM (after having voted in the affirmative). I observe that the senior Senator from Maryland [Mr. SMITH] has not voted. I have a pair with him, and therefore I withdraw my vote.

Mr. CATRON. I have a general pair with the Senator from Oklahoma [Mr. OWEN], but by an agreement between us while we are both in the city either one is authorized to vote. I vote "yea."

Mr. SUTHERLAND. I transfer my pair with the Senator from Arkansas [Mr. CLARKE] to the junior Senator from Wisconsin [Mr. STEPHENSON] and vote. I vote "yea."

Mr. CHILTON. I transfer my pair with the Senator from New Mexico [Mr. FALL] to the senior Senator from Virginia [Mr. MARTIN] and vote "nay."

Mr. REED (after having voted in the negative). I am informed that the Senator from Michigan [Mr. SMITH], with whom I am paired, is out of the city. Under those circumstances, and not knowing how he would vote on this question if present, I withdraw my vote.

Mr. ROOT. I inquire if the Senator from Colorado [Mr. THOMAS] has voted?

The VICE PRESIDENT. He has not.

Mr. ROOT. I have a general pair with that Senator, and because of his absence I withhold my vote. If at liberty to vote, I should feel constrained to vote "nay."

Mr. TOWNSEND. I desire to state with reference to the senior Senator from Michigan [Mr. SMITH] that he is absent from the city, and, if present, he would vote "yea."

Mr. CHILTON. I wish to announce the pair of the Senator from New Hampshire [Mr. HOLLIS] with the Senator from Maine [Mr. BURLEIGH].

The result was announced—yeas 38, nays 32, as follows:

YEAS—38.

Borah	Gallinger	McCumber	Sherman
Brandegee	Gronna	Martine, N. J.	Smoot
Bristow	Hitchcock	Nelson	Sterling
Burton	Johnson	Norris	Sutherland
Catron	Jones	Oliver	Thompson
Chamberlain	Kenyon	Page	Townsend
Clapp	Kern	Perkins	Warren
Clark, Wyo.	Lane	Pittman	Works
Crawford	Lee, Md.	Poindexter	
Cummins	Lippitt	Pomerene	

NAYS—32.

Ashurst	La Follette	Saulsbury	Smith, S. C.
Bryan	Lea, Tenn.	Shafroth	Stone
Camden	Lodge	Sheppard	Swanson
Chilton	Myers	Shields	Thornton
Fletcher	O'Gorman	Shively	Vardaman
Gore	Overman	Simmons	Walsh
Hardwick	Ransdell	Smith, Ariz.	White
Hughes	Robinson	Smith, Ga.	Williams

NOT VOTING—26.

Bankhead	du Pont	Martin, Va.	Smith, Mich.
Brady	Fall	Newlands	Stephenson
Burleigh	Goff	Owen	Thomas
Clarke, Ark.	Hollis	Penrose	Tillman
Colt	James	Reed	Weeks
Culberson	Lewis	Root	
Dillingham	McLean	Smith, Md.	

So the motion was agreed to; and the Senate, as in Committee of the Whole, resumed the consideration of the bill (S. 392) to create in the War Department and Navy Department, respectively, a roll designated as "The Civil War volunteer officers' retired list," to authorize placing thereon with retired pay certain surviving officers who served in the Army, Navy, or Marine Corps of the United States in the Civil War, and for other purposes.

The VICE PRESIDENT. The Secretary will state the pending amendment.

The SECRETARY. On page 4, line 24, after the word "officer," the Committee on Military Affairs reported an amendment to strike out "three-fourths" and to insert "one-half," so as to read:

It shall be payable quarterly, and shall not exceed, in the case of any surviving officer, one-half of the initial active pay now received by a captain in the United States Army.

Mr. JONES. Mr. President, I had announced that I would speak to-day after the conclusion of the routine morning business, but I understand that the Senator from South Carolina [Mr. SMITH] is going to ask to fix a time to vote on the immigration bill. In view of the situation in the Senate and of the fact that the Senator from Texas [Mr. SHEPPARD] has announced that he would desire to speak this morning, I shall waive my position so far as that is concerned and yield, and come in under legislative business whenever an opportunity is afforded.

Mr. SHEPPARD obtained the floor.

Mr. TOWNSEND. Mr. President, will the Senator from Texas yield to me for a moment?

The PRESIDING OFFICER (Mr. MARTINE of New Jersey in the chair). Does the Senator from Texas yield to the Senator from Michigan?

Mr. SHEPPARD. I yield.

Mr. TOWNSEND. I should like very much to make an appeal to the Senator from Texas to the effect that he allow us to proceed with the consideration of the bill that is now before the Senate. It is the matter now properly before us. The bill to which the Senator proposes to talk is not now here. It may come before the Senate, at which time, of course, ample and proper opportunity for its discussion will be given.

I realize, of course, that the Senator from Texas is not favorable to the bill which is now pending, and yet I believe he is a fair gentleman—I have always found him so—and it occurs to me that inasmuch as the Senate has expressed itself on this particular subject we ought to have a chance to consider it, and I shall feel it my duty, inasmuch as a majority of the Senate seems to be favorable to its consideration, to call it up on every occasion. I should like to have it considered now. The Senate has voted to consider it now. I believe we can

reach a vote on it if Senators are willing to trust the Senate that far, and the matter can be either voted up or voted down and thus put out of the way.

For these reasons I ask the Senator if he will not address the Senate later and at a time when the matter about which he wishes to speak is before it, and allow us to proceed at this time with the matter that is now pending.

Mr. SHEPPARD. Mr. President, I gave notice yesterday that I would address the Senate to-day on this question. I shall not consume any great length of time. The matter is to be voted on in the House of Representatives next Tuesday, and is now before the country. I have no desire whatever unnecessarily to obstruct any proceedings or the will of the Senate, but I prefer to conclude my remarks now.

Mr. TOWNSEND. I thought possibly the Senator might be willing to address the Senate later in the day, when this bill would not be before it.

Mr. SHEPPARD. I shall state to the Senator that I had made all my arrangements to deliver this speech at this time, and with his permission I shall be glad to proceed.

The PRESIDING OFFICER. The Senator from Texas has the floor.

NATION-WIDE PROHIBITION.

Mr. SHEPPARD. Mr. President, I send to the desk to have read Senate joint resolution 88, proposing an amendment to the Constitution of the United States providing for nation-wide prohibition. The joint resolution is in the form in which it is to be voted on in the House next Tuesday, and in the form in which I have requested the subcommittee of the Judiciary Committee having it under consideration to report it to the full committee.

The PRESIDING OFFICER. The Secretary will read as requested.

The Secretary read the joint resolution, as follows:

Whereas exact scientific research has demonstrated that alcohol is a narcotic poison, destructive and degenerating to the human organism, and that its distribution as a beverage or contained in foods lays a staggering economic burden upon the shoulders of the people, lowers to an appalling degree the average standard of character of our citizenship, thereby undermining the public morals and the foundation of free institutions, produces widespread crime, pauperism and insanity, inflicts disease and untimely death upon hundreds of thousands of citizens, and blights with degeneracy their children unborn, threatening the future integrity and the very life of the Nation: Therefore be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled (two-thirds of each House concurring), That the following amendment of the Constitution be, and hereby is, proposed to the States, to become valid as a part of the Constitution when ratified by the legislatures of the several States, as provided by the Constitution:

"ARTICLE —.

"SECTION 1. The sale, manufacture for sale, transportation for sale, importation for sale of intoxicating liquors for beverage purposes in the United States and all territory subject to the jurisdiction thereof, and exportation for sale therefrom, are forever prohibited.

"SEC. 2. The Congress or the States within their respective jurisdictions shall have power to enforce this article by all needful legislation."

Mr. SHEPPARD. Mr. President, the question of submitting an amendment to the Federal Constitution may well embrace an inquiry into the basic principles of our system of government. During the present session an amendment depriving both Federal and State Governments of the power to authorize the liquor traffic will be voted on in the House and possibly in the Senate also.

One of the principal objections to this amendment is that it is an invasion of the rights of the States, an interference with their police powers. The makers of these objections admit that Congress is without power to adopt the amendment; that Congress may only submit it to the States for acceptance or rejection, deciding whether they may act through legislatures or conventions. They say, however, that it is such a violation of State rights that they will not permit the States to pass upon it lest three-fourths or more of the States might impose it on the remainder. In other words, they believe that as long as any State desires to authorize the liquor traffic, that most terrible menace to the Nation's happiness and prosperity, it must be permitted to do so.

I can understand how an antiprohibitionist, who believes that no unit of government should attempt to stop the liquor traffic, would oppose the adoption of the amendment after its submission. I can even conceive how extreme antiprohibitionists, who are obsessed with the idea that the disappearance of the saloon means the death of liberty, might in the vehemence of their opposition to any measure coming from the other side vote against the submission of the amendment. But how any prohibitionist, honestly desiring to see the curse uprooted, can delude himself with the idea that the right of one or a few States to harbor the liquor traffic is superior to the right of three-fourths of the States to terminate it in this Republic is a matter both of wonder and humiliation. Equally surprising and equally sad is the spectacle of a prohibitionist shielding the liquor traffic with the contention that the submission of a question to the States for their determination under methods described and sanctioned by them is a violation of the rights of the States.

Under the form of government that preceded the present system it required the consent of all the States to effect any change in the Constitution. That Constitution was called "Articles of Confederation and Perpetual Union Between the States," and Article XIII of that instrument read as follows:

Every State shall abide by the determinations of the United States in Congress assembled on all questions which by this confederation is submitted to them. And the articles of this confederation shall be inviolably observed by every State, and the union shall be perpetual; nor shall any alteration at any time hereafter be made in any of them unless such alteration be agreed to in a Congress of the United States and be afterwards confirmed by the legislatures of every State.

Some gentlemen seem to think that we are still living under this confederation, which went out of existence in 1789, 125 years ago. They argue that this liquor amendment should be agreed to on its merits in Congress and be satisfactory to every State before it should be adopted, and that any other view is subversive of State rights. These gentlemen belong to the eighteenth century, not the twentieth; to the confederation, not the Union; to the dead past, not the living present.

During the convention which framed the present system, the convention of 1787, there were clashes on the question of amending the new Constitution. It will be sufficient for our purposes to take up the article providing for amendments to the Constitution when it had reached the following form in the proceedings of the convention:

ART. V. The Congress, whenever two-thirds of both Houses shall deem necessary, or on the application of two-thirds of the legislatures of the several States, shall propose amendments to this Constitution, which shall be valid to all intents and purposes as part thereof, when the same shall have been ratified by three-fourths, at least, of the legislatures of the several States, or by conventions in three-fourths thereof, as the one or the other mode of ratification may be proposed by Congress: *Provided*, That no amendment which may be made prior to the year 1808 shall in any manner affect the first and fourth clauses of the ninth section of Article I.

The first and fourth clauses of the ninth section of Article I referred to the foreign slave trade and to the mode of levying direct taxes, respectively. Mr. Sherman, a member of the convention from Connecticut, took the floor when this article was presented in the form I have quoted, and I shall now give the further proceedings in the exact language of Madison's Minutes:

Mr. Sherman expressed his fears that three-fourths of the States might be brought to do things fatal to the particular States, as abolishing them altogether or depriving them of their equality in the Senate. He thought it reasonable that the proviso in favor of the States importing slaves should be extended so as to provide that no State should be affected in its internal police or deprived of its equality in the Senate.

Col. Mason thought the plan of amending the Constitution exceptionable and dangerous. As the proposing of amendments is in both the modes to depend, in the first immediately, and in the second ultimately, on Congress, no amendments of the proper kind would ever be obtained by the people if the Government should become oppressive, as he verily believed would be the case.

I pause here to say that Col. Mason's fears as to the difficulty of securing the submission of constitutional amendments by Congress are fully borne out by the experience that millions of the American people are now having in persuading Congress to submit the liquor amendment.

Let us proceed with Madison's account:

Mr. Gouverneur Morris and Mr. Gerry moved to amend the article so as to require a convention on application of two-thirds of the States.

Mr. Madison did not see why Congress would not be as much bound to propose amendments applied for by two-thirds of the States, as to call a convention on the like application. He saw no objection, however, against providing for a convention for the purpose of amendments, excepting that difficulties might arise as to the form, the quorum, etc., which in constitutional regulations ought to be as much as possible avoided.

The motion of Mr. Gouverneur Morris and Mr. Gerry was agreed to nem. con.

Mr. Sherman moved to strike out of Article V, after "legislatures," the words "of three-fourths," and so after the word "conventions," leaving future conventions to act in this matter like the present convention according to circumstances.

Here the issue was squarely raised in the convention that framed the present Constitution as to whether the consent of every State should be required as to amendments. Returning to Madison's record we find the following:

On this motion—Massachusetts, Connecticut, New Jersey, ayes—3; Pennsylvania, Delaware, Maryland, Virginia, North Carolina, South Carolina, Georgia, noes—7; New Hampshire, divided.

What! Can it be true that all the Southern States participating in that great convention, namely, Delaware, Maryland, Virginia, North Carolina, South Carolina, and Georgia, voted

down a motion requiring the consent of all the States to amendments to the Federal Constitution; that the only Northern State voting with them was Pennsylvania? What are we to think of these modern guardians of State rights in the South who talk so solemnly about the "sacrilege" of adopting any amendment "against the will of a sovereign State"?

Let us again take up Madison's notes:

Mr. Gerry moved to strike out the words "or by conventions in three-fourths thereof"; on which motion—

Connecticut, aye—1; New Hampshire, Massachusetts, New Jersey, Pennsylvania, Delaware, Maryland, Virginia, North Carolina, South Carolina, Georgia, no—10.

Mr. Sherman moved, according to his idea above expressed, to annex to the end of the article a further proviso "that no State shall, without its consent, be affected in its internal police or deprived of its equal suffrage in the Senate."

Mr. MADISON. Begin with these special provisos and every State will insist on them, for their boundaries, exports, etc.

On the motion of Mr. Sherman—

Connecticut, New Jersey, Delaware, aye—3; New Hampshire, Massachusetts, Pennsylvania, Maryland, Virginia, North Carolina, South Carolina, Georgia, no—8.

Wonderful to relate! The States of Maryland, Virginia, North Carolina, South Carolina, and Georgia voted down a motion in the convention that created the present Constitution that no State should, without its consent, be affected in its internal police; that is, in the exercise of its police powers—all the Southern States but one, that one being Delaware. What becomes of these contemporary saints of Democracy who affect dramatic poses and pretend to be outraged because of the alleged interference of the prohibition amendment with the police powers of the States?

But let us follow Madison's Minutes further:

Mr. Sherman then moved to strike out Article V altogether.

Mr. Brearly seconded the motion; on which—Connecticut, New Jersey, aye, 2; New Hampshire, Massachusetts, Pennsylvania, Maryland, Virginia, North Carolina, South Carolina, Georgia, no, 8; Delaware, divided.

Mr. Gouverneur Morris moved to annex a further proviso, "that no State, without its consent, shall be deprived of its equal suffrage in the Senate."

This motion, being dictated by the circulating murmurs of the small States, was agreed to without debate, no one opposing it, or, on the question, saying "no."

Thus the right of three-fourths of the States to amend the present Federal Constitution was established by the votes of Southern States. It was so established in the face of the fact that the issue of interference with the police powers, nay, of the very existence of particular States, was specifically raised—raised not by anybody from the South, but by a northern man. Will anyone say that the southern men who helped to make the present Constitution were not as capable of preserving the true rights of the States or were not as devoted to the maintenance of their integrity as these present-day statesmen who clamor for the right of one State to block the progress of the Nation, and many of whom are using the argument of State rights as a mask for the death's head of the liquor traffic?

So deep is the reverence in which the framers of the Constitution are held that they are often referred to as "the fathers." Who were the fathers who came up from the South to aid in fashioning the mightiest written instrument ever devised by man? From Virginia came George Washington, John Blair, James Madison, Edmund Randolph, George Mason, George Wythe, and James McClurg; from North Carolina, William Blount, Richard Dobbs Spaight, Hugh Williamson, Alexander Martin, and William Richardson Davie; from South Carolina, J. Rutledge, Charles Cotesworth Pinckney, Charles Pinckney, and Pierce Butler; from Georgia, William Few, Abraham Baldwin, William Pierce, and William Houstoun; from Maryland, James McHenry, Daniel of St. Thomas Jenifer, Daniel Carroll, John Francis Mercer, and Luther Martin; from Delaware, George Read, Gunning Bedford, John Dickinson, Richard Bassett, and Jacob Broom.

These men and their associates from the other States realized that the peoples of the States were the constituent bodies of the Nation and that the structure of the Nation should always be subject to their control. They realized that the new Constitution would have to be changed from time to time to meet the changing needs of succeeding ages. They understood the principle expressed a few years later by Burke in his "Reflections on the Revolution in France," when he said:

A State without the means of some change is without the means of its conservation.

In this connection let me say that Jefferson in a letter to Madison from Paris, September 6, 1789, expressed the belief that every constitution and every law naturally expired every 34 years; that no society could make a perpetual constitution or even a perpetual law; that the earth belonged to the living and not to the dead.

Article V of the Constitution, as finally adopted by the Convention of 1787 and as it exists to-day, is as follows:

The Congress, whenever two-thirds of both Houses shall deem it necessary, shall propose amendments to this Constitution or, on the application of the legislatures of two-thirds of the several States, shall call a convention for proposing amendments, which, in either case, shall be valid to all intents and purposes as part of the Constitution when ratified by the legislatures of three-fourths of the several States or by conventions in three-fourths thereof as the one or the other mode of ratification may be proposed by Congress: *Provided*, That no amendment which may be made prior to the year 1808 shall in any manner affect the first and fourth clauses in the ninth section of the first article; and that no State, without its consent, shall be deprived of its equal suffrage in the Senate.

So it develops that the amending power of the present Constitution consists to-day of three-fourths of the States, except as to the matter of representation in the Senate, while that of the confederation consisted of all the States. So it develops that the peoples of the States, in adopting the present Constitution, clothed three-fourths of the States with the right to say what changes should be made in the character of American Government, to say what powers should from time to time be conferred on State and Nation, what powers should, if necessary, be taken from them, to make such alteration in the division of governmental functions as would adapt the Constitution to the emergencies of the years. It seemed wise to the fathers to deprive any single State or even a fourth of the States of the right to oppose their will against the will of so overwhelming a majority as three-fourths. State sovereignty, therefore, means under the Constitution the sovereignty of States acting through three-fourths of their number, not of a single State acting alone.

When the amending power passed from the equal control of all the States to that of three-fourths the States, the right of a single State to reject any constitutional change imposed by three-fourths of the States, except as to equal representation in the Senate, perished. This does not mean that any single State lost the essence of sovereignty any more than that a citizen could be said to lose the character of a sovereign citizen because he may have voted in the minority at a given time. The State that votes in the minority on a constitutional amendment this year may be among the majority next year.

That the amending power clothed the States acting through a three-fourths majority with the right to go so far as to abolish the Constitution itself was clearly understood by Calhoun, one of the keenest intellects, in my opinion, that the American Senate has ever known and admittedly our foremost exponent of the doctrine of State rights. Replying to Webster on February 26, 1833, he said:

In connection with this point the Senator, to prove that the Constitution is not a compact, asserts that it is wholly independent of the State, and pointedly declares that the States have not a right to touch a hair of its head; and this with that provision in the Constitution that three-fourths of the States have a right to alter, change, amend, or even to abolish it staring him in the face.

Further on in the same address he said:

The plain state of the facts as regards our Government is that these States have agreed by compact to exercise their sovereign powers jointly, as already stated, and that for this purpose they have ratified the compact in their sovereign capacity, thereby making it the constitution of each State, in no wise distinguished from their own separate constitutions, but in the superadded obligation of compact—of faith mutually pledged to each other. In this compact they have stipulated, among other things, that it may be amended by three-fourths of the States—that is, they have conceded to each other by compact the right to add new powers or to subtract old by the consent of that proportion of the States without requiring as otherwise would have been the case the consent of all—a modification no more inconsistent with their sovereignty than any other contained in the compact. In fact, the provision to which I allude furnishes strong evidence that the sovereignty is as I contend in the States severally, as the amendments are affected not by any one three-fourths but by any three-fourths of the States, indicating that the sovereignty is in each of the States.

Calhoun shows in this masterful analysis that the doctrine of State rights justifies the cession of additional powers to the Federal Government by three-fourths of the States, although against the consent of individual States. And the Member of Congress who rushes to the rescue of the liquor traffic and says that his idea of State rights will not permit him to vote to enable three-fourths of the States to deprive any individual State, against its consent, of authorizing this infamous business is repudiating the definition of State rights by their most celebrated, their most profound, their ideal defender, John C. Calhoun.

In his Disquisition on Government, composed in 1848 and 1849, shortly before his death, Calhoun explains at length and with his usual clearness, why three-fourths of the States should have the right to bind all the States. And I shall pause long enough to say here that, in my judgment, there is nothing more finely reasoned in all the writings of men than the discourse of Calhoun on the philosophy of all government in general and the American Government in particular. In this immortal

work Calhoun said in part regarding the right of three-fourths of the States to amend the Federal Constitution:

But independently of these considerations, there were strong reasons for adopting that proportion in providing a power to amend. It was at least as necessary to guard against too much facility as too much difficulty in amending it. If, to require the consent of all the States for that purpose would be in effect to prevent amendments which time should disclose to be, or change of circumstances make necessary—so on the other hand to require a bare majority only, or but a small number in proportion to the whole, would expose the Constitution to hasty, inconsiderate, and even sinister amendments on the part of the party dominant for the time. If the one would give it too much fixedness, the other would deprive it of all stability. Of the two the latter would be more dangerous than the former.

Again, he said in reference to the amending power:

It is safe, because the proportion is sufficiently large to prevent a dominant portion of the Union or combination of the States from using the amending power as an instrument to make changes in the Constitution adverse to the interests and rights of the weaker portion of the Union or a minority of the States. It may not, in this respect, be as perfectly safe as it would be in the unmodified state in which it outlined and established the Constitution; but for all practical purposes it is believed to be safe as an amending power. It is difficult to conceive a case where so large a portion as three-fourths of the States would undertake to insert a power by way of amendment which, instead of improving and perfecting the Constitution, would deprive the remaining fourth of any right essentially belonging to them as members of the Union or clearly intended to oppress them. There are many powers which a dominant combination of States would assume by construction and use for the purpose of aggrandizement which they would not dare to propose to insert as amendments. But should an attempt be successfully made to engraft an amendment for such a purpose the case would not be without remedy, as will be shown in the proper place.

So we have it from the lips of Calhoun, the greatest apostle of State rights in American history, that three-fourths of the States may be safely and wisely trusted to adopt proper constitutional changes. And yet the whisky forces have the audacity to contend that it is a violation of State rights for a single State to be deprived by three-fourths of the States of the power to license the liquor business.

The position of Calhoun in reference to the subordination of one or a few States to the will of three-fourths of the States in the matter of amendments to the Constitution is an entirely different proposition from his famous doctrine of nullification. This doctrine was aimed at the usurpation of undelegated powers by the Federal Government, and had no concern with powers delegated by three-fourths of the States to the Federal Government in the manner prescribed by the Constitution. He believed that a power usurped by the Federal Government—a power exercised by it without the authority or sanction of the Constitution—was devoid of any legal existence or effect, and that any State had the right to disregard and repudiate it.

Likewise the Virginia and Kentucky resolutions had no relation whatever to powers delegated to the Federal Government through the regular process of constitutional amendment. They denounced the assumption of undelegated powers by the Federal Government, of powers that had received no sanction from the States acting through three-fourths their number, as prescribed by the Constitution. These resolutions were provoked by the enactment in Congress of a group of laws known as the alien and sedition acts, the most offensive features of which were, first, the investment of the President with the power to remove aliens from the country on his own motion, and, second, the punishment by fine and imprisonment of "unlawfully" combining or conspiring to oppose any measure of the Government of the United States or of publishing any "false, scandalous, and malicious writing" against the Government of the United States, either House of Congress, the President, and so forth. These acts represented a deliberate usurpation by Congress of powers not only not delegated by the Constitution but, in the case of some of them, expressly forbidden by it. The Kentucky resolutions, drafted by Jefferson, introduced by John Breckenridge in the Legislature of Kentucky in November, 1798, and soon adopted, were in part as follows:

Resolved, That the several States comprising the United States of America are not united on the principle of unlimited submission to their General Government, but that by compact under the style and title of a Constitution for the United States and of amendments thereto they constituted a General Government for special purposes, delegated to that Government certain definite powers, reserving each State to itself the residuary mass of right to their own self-government; and that whensoever the General Government assumes undelegated powers its acts are unauthoritative, void, and are of no force.

Further along in the resolutions the expression occurs—

And that, therefore, this Commonwealth is determined, as it doubts not its co-States are, tamely to submit to undelegated and consequently unlimited powers in no man or body of men on earth.

In the following December came the Virginia resolutions. They were drawn by Madison, and read in part:

That the assembly doth explicitly and peremptorily declare that it views the powers of the Federal Government as resulting from the compact to which the States are parties, as limited by the plain sense and intention of the instrument constituting that compact, as no further valid than they are authorized by the grants enumerated in that compact, and that in case of a deliberate, palpable, and dangerous exercise of other powers not granted by the said compact the States who are parties thereto have the right and are in duty bound to interpose for arresting the progress of the evil and for maintaining within their respective limits the authority, rights, and liberties appertaining to them.

Again, say these Virginia resolutions:

That the general assembly doth particularly protest against the palpable and alarming infractions of the Constitution in the two late cases of the "alien and sedition acts," passed at the last session of Congress, the first of which exercised a power nowhere delegated to the Federal Government, etc., and the other of which acts exercises in like manner a power not delegated by the Constitution, but, on the contrary, expressly and positively forbidden by one of the amendments thereto—

And so forth.

There is not a syllable in the Kentucky and Virginia resolutions denying the rights of the States to exercise the amending function, to add, as Calhoun says, new powers or to subtract old through the action of three-fourths of their number. These resolutions were aimed at infractions of existing powers and the assumption of undelegated ones. They had no possible relation to the question of amending the Constitution. I do not believe it will be seriously contended that the limitation and distribution of powers first made by the Constitution were intended to remain forever fixed. If so, the amending clause would have been without sense or purpose, and the debates thereon in the constitutional convention without meaning. The Constitution itself would have had no means of change to meet the new conditions of the crowding years.

When the question of slavery began to divide the country, the South invoked the principle of State rights on the same theory that the Kentucky and Virginia resolutions had invoked them. The only difference was that the resolutions denounced an infraction of existing powers by the General Government, while the South denounced their infraction by a large portion of the North. In the convention of 1787 the New England States had voted with Georgia and South Carolina to continue the foreign slave trade for 30 years, and the Constitution as finally adopted by both Northern and Southern States provided that the slaves should be counted in determining the basis of representation of each State in Congress and for the return of fugitive slaves. Slavery, bad as it was, had been recognized, therefore, by the Constitution. The nullification of the fugitive slave law by the legislatures of 14 Northern States was an infraction of a right guaranteed to the States under the plain language of the Constitution. The right of the States to amend the Constitution was not involved in the controversy over slavery. The clamor rose for an antislavery Bible, an antislavery God, an antislavery Constitution, and the Constitution itself was denounced as a covenant with death and an agreement with hell. To-day we have, as we have always had, an antiwhisky Bible; we have, as we have always had, an antiwhisky God. Millions of the American people, both North and South, now want Congress to give them a chance to establish an antiwhisky Constitution. They realize that as long as the Constitution fails to prohibit the existence of the liquor traffic anywhere in this Republic it is still a covenant with death and an agreement with hell.

It should be added here that the greatest tribute to the States as the organic power in this Republic they have ever received may be found in the fact that although human slavery had been destroyed by war the victorious section never felt that its abolition had been finally and properly consummated until the consent of three-fourths of the States had been at least nominally secured to an amendment to the Constitution forever prohibiting it.

Reviewing what has herein been developed, analyzing the debates on the amending power and the votes of Southern States in the Constitutional Convention, the language of the amending section, the commentaries by Jefferson and Calhoun, the spirit of the Kentucky and Virginia resolutions, the nature of the protest of the Southern States before the Civil War against what they believed to be a violation of existing and delegated rights—it will be seen that there is nothing in southern tradition or in southern belief opposing the right of the States by a three-fourths vote to alter the Constitution in such way as to promote the material and moral welfare of the American people. The cry of State rights that has been raised to shield the liquor traffic from the anger of a people aroused and outraged is so spurious that honest and patriotic men who may be influenced by it now will be ashamed of it before this session of Congress closes. The claim that a single State may harbor an evil that both disgraces and imperils the Republic is an admission that the constituent elements of the American Nation are without the power to preserve it. A nation that can not preserve itself ought to die, and it will die—die in the grasp of the evils it is too feeble to overthrow.

The final sovereignty in this Republic rests, as I view it, coequally with the peoples of the States. They ordained the

dual system embodied in the Federal and State Constitutions, and they have delegated certain functions in trust to Federal and State Governments. They have ordained that the present system may be extended or modified in accordance with the will of three-fourths of these constituent bodies. There can therefore be no more perfect exercise of fundamental rights by the States than through the amending power of the Federal Constitution. The man who votes against the submission of this prohibition amendment is opposing the exercise of one of the most sacred rights the peoples of the States possess, the right to shape the character of the Federal Government. Alexander Stephens, the gifted Georgian, expressed the situation admirably in his monumental work on the War between the States, when he said:

There is no sovereignty either in the General Government or the State governments. These are permitted to exercise certain sovereign powers so long only as it shall suit the sovereign will that they shall do so and no longer. Sovereignty itself, from which emanates all political power, I repeat, remains and ever resides with the people somewhere. And with what people? People who delegated whatever powers the General Government has ever been intrusted with; that is, the people of the several States; not the whole people of the United States as one mass, as can be most conclusively demonstrated.

The people of the various American colonies became separate, sovereign peoples when each of them renounced the authority of Great Britain. They were merely confirming this action when each of them instructed their delegates in the Continental Congress to join in a declaration of independence. In Ware *v.* Hylton (3 Dallas, 199) Justice Chase said:

In June, 1776, the convention of Virginia was a free, sovereign, and independent State; and on the 4th of July, 1776, following, the United States in Congress assembled declared the thirteen United Colonies free and independent States, and that as such they had full power to levy war, conclude peace, etc. I consider this as a declaration, not that the United Colonies jointly, in a collective capacity, were independent States, etc., but that each of them was a sovereign and independent State; that is, that each of them had a right to govern itself by its own authority and its own laws without any control from any other power on earth.

Chief Justice Marshall said, in Gibbons against Ogden, of the States prior to the Constitution:

It has been said that they were sovereign, were completely independent, and were connected with each other only by a league. This is true.

Under the confederation, the first form of collective government adopted by the peoples of the States, they retained their separate freedom, independence, and sovereignty, and no change could be made in the confederation without the consent of each of the States. When the peoples of these sovereign States adopted the present Constitution they decided that three-fourths of their number should make any future amendments except as to equal representation in the Senate. They decided that one or a few States not exceeding one-fourth should yield their will to the will of the remainder. In doing this they no more modified their ultimate sovereignty than a citizen of a State would modify his freedom by agreeing to abide by the will of the majority. Those who oppose the submission of the prohibition amendment are refusing the creative powers of the Republic, the peoples of the sovereign States acting through their legislatures, an opportunity to discharge their proper and historic functions.

John W. Burgess, author of one of our most important and most philosophical textbooks on political science and comparative constitutional law, has this to say regarding the amending power in a constitution:

A complete constitution may be said to consist of three fundamental parts. The first is the organization of the State for the accomplishment of future changes in the constitution. This is usually called the amending clause, and the power which it describes and regulates is called the amending power. This is the most important part of a constitution. Upon its existence and truthfulness, i. e., its correspondence with real and natural conditions, depends the question as to whether the State shall develop with peaceable continuity or shall suffer alternatives of stagnation, retrogression, and revolution.

The other fundamental part of a complete constitution Mr. Burgess denominates the "constitution of liberty" and the "constitution of government."

I wish now to direct attention to another fact. Not only will he who votes against the submission of this amendment keep the peoples of the States, acting through legislatures or conventions, from exercising their fundamental prerogative of deciding what is national and what local, but he will also deny the right of petition to millions of his fellow citizens. Seventy per cent of the territory of this country is already under prohibitory law and over 50 per cent of the American people live in this prohibition territory. A committee of more than 2,000 men and women from every section of the Republic, representing through their various organizations probably 20,000,000 of people, marched to the steps of this Capitol on a freezing day in last December and presented to Representative HOBSON for the House and myself for the Senate their request that Congress give the American people a chance to expel the liquor traffic from the country. In the face of a biting December gale, despite sunless skies and the penetrating cold, they came, the joy of a righteous movement in their souls, the cry for a clean United States on their lips. It was the most radiant and inspiring sight my eyes have ever seen. Theirs was no selfish purpose; hundreds and thousands of miles they had traveled at their own expense and at great personal sacrifice to demonstrate the power of a moral impulse. And I tell you that I would rather have been chosen by that band of consecrated men and women to present this prohibition amendment than to hold any office in this Republic.

It is safe to say that the 20,000,000 people represented by that wonderful committee are joined by 30,000,000 or 40,000,000 more in the determination that the liquor traffic shall not be tolerated on a single inch of American soil. It is not an exaggeration to say that a majority of the American people would vote today for a saloonless land and a stainless flag. Millions of antiprohibitionists who have opposed us in the States and counties on the ground that liquor could at all times be obtained from adjacent territory would vote for nation-wide prohibition. The Webb law is good, but it is based on the theory of the existence of the liquor traffic in parts of the country. It was only a step in the crusade for the traffic's final elimination. The antiprohibitionist who supported the Webb law in the hope that its passage would stop the movement for nation-wide prohibition was tremendously short-sighted. The movement can not stop, because it is grounded in the aspiration of the American people for purity in government, for righteousness in law. It can not stop until the liquor traffic or this aspiration dies. It is a conflict as irrepressible as the conflict over slavery. As long as the traffic in intoxicating liquors exists in any State it will be a challenge and an affront to the moral sense of the American people.

I repeat, that a vote against submission is a denial of the right of petition to millions of the American people. After all, the power of Congress in relation to this amendment is only a proposing power. The Constitution says that Congress whenever two-thirds of both Houses shall deem it necessary shall propose amendments, and so forth; that is, whenever two-thirds of both Houses deem proposal necessary. The proposing power requires only a two-thirds vote in each House, a vote which may be cast in the other House by representatives of only 17 States, while the enacting power requires three-fourths of the States. If Congress were considered a part of the adopting power the integrity of the States would be destroyed in the other House, because less than half the States might cast the necessary two-thirds vote there, and the smaller States would be at the mercy of the larger, in so far as the other House might be concerned. The final tribunal is composed of the States expressing their will by a vote of three-fourths thereof. The man who resists submission stands between more than 50,000,000 American people and the constituent powers of the Republic, the only authority that can furnish redress for this terrific grievance.

In the Confederate constitution the amending power was vested in two-thirds of the States, except as to equal representation in the Senate, and the Confederate Congress was not allowed to refuse submission. The Confederate Congress was required by the Confederate constitution to call a convention of all the States at the demand of any three States, to consider such amendments as the three States might suggest. If a majority of the States in the convention thus called, voting equally as States, agreed to a proposed amendment, it was then submitted to the State legislatures, two-thirds of which could adopt the amendment and make it a part of the Confederate constitution. The Confederate constitution was amendable against the consent of a third of the States, while the Constitution of the original Union is amendable only against that of a fourth of the States. The Confederate constitution went further in the matter of amendments against the will of individual States than the Federal Constitution. This is but another contradiction of the assertion that the right of a single State to be exempt from changes in the Federal Constitution to which it might not consent is a characteristic southern doctrine. It is also an illustration of the fact that the Confederacy regarded the submitting power of its Congress as a mere ministerial function.

The first resolution for the submission of a prohibition amendment to the Federal Constitution was introduced in Congress by Representative (later Senator) Blair, of New Hampshire, on December 27, 1876, nearly 40 years ago. It was introduced by him in each succeeding Congress while he was in public life, and he has thereby earned the admiration of posterity. It was favorably reported by the Committee on Education and Labor of the Senate, after he was elevated to that body, in the Forty-ninth, Fiftieth, and Fifty-first Congresses. While studying the unanimous and favorable report made by this committee on the prohibition amendment in the Fifty-first Congress I was struck by the fact that its members deemed it the duty of Congress to

submit the resolution to the States regardless of their personal views as to the merit of the proposed amendment. After giving the view of those members of the committee who favored the addition of the amendment to the Constitution, the report said:

Your committee, whether unanimous or otherwise, in the holding to this view, are of the opinion that the resolution should be favorably reported, and should be submitted by Congress to the action of the States for another reason; it being a fact that a very large proportion of the American people are anxious that the National Constitution be amended in accordance with the resolutions, we believe that they have a right to be heard in the forum of the State legislatures, where alone the question can be decided whether the National Constitution can be amended.

I knew that the ranking Democrat on this committee was George, of Mississippi; I knew that he was among the very ablest men the South had ever sent to Washington; that his devotion to southern traditions and State rights could not be questioned. To make doubly sure of his position, I addressed a letter to Senator Blair and asked him specifically regarding George's attitude toward the nation-wide prohibition amendment. He favored me with an illuminating reply, which I now give:

COLORADO BUILDING,
Washington, D. C., November 16, 1914.

Hon. MORRIS SHEPPARD,
United States Senate, Washington, D. C.

MY DEAR SIR: Your letter of recent date, referring to resolution for national prohibition, introduced by me in the Forty-fourth Congress, and in each Congress following while I was in public life, and specially inquiring as to the position of Senator George, of Mississippi, upon the question of the submission by Congress of a joint resolution to the legislatures of the States with a view to the ratification or otherwise of said resolution as a part of the Constitution of the United States, was duly received. Said resolution is found in Senate Report No. 1584, of the Fifty-first Congress, first session, where it was unanimously and favorably reported by the Committee on Education and Labor, of which I was chairman. Senator George, of Mississippi, had long been a leading member of said committee, taking great interest in all measures coming before it, including the one in question. I did not understand that he was committed to the ratification of the amendment as a part of the Constitution, but he was, with the rest of the committee, of the opinion that it should be submitted to the legislatures of the States for action for the reasons set forth in the report, an extract of which is herewith incorporated.

You will observe that the report, which is dated August 13, 1890, sets forth the views of those who favored the ratification of the resolution, closing the brief review of arguments in support of their views with these words at the end of the fourth page: "Such is the line of argument, briefly stated, of those who believe that this joint resolution should be made a part of the Constitution." It then proceeds to state the reasons for the "unanimous" recommendation that the resolution be favorably reported and submitted by Congress to the action of the States through their legislatures:

"Your committee, whether unanimous or otherwise, in the holding to this view, are of the opinion that the resolution should be favorably reported, and should be submitted by Congress to the action of the States for another reason; it being a fact that a very large proportion of the American people are anxious that the National Constitution be amended in accordance with the resolution, we believe that they have a right to be heard in the forum of the State legislatures, where alone the question can be decided whether the National Constitution shall be amended. That Constitution points out definitely the manner in which a change in its provisions may be effected. The Constitution of the country must be amended from time to time to correspond with the evolution of the Nation itself, for it is impossible to fetter the growth of the Nation in any direction. It will grow, peacefully or otherwise. The Constitution must yield here and there, corresponding to the necessities of the times and of the people, and the necessary changes be peacefully made, in accordance with the methods of amendment pointed out in the Constitution itself, or revolution and bloodshed will perform their work. The Constitution and the spirit of the age must be one. Whenever any considerable and respectable portion of the American people (and no considerable number can fail to be respectable) desire changes in the fundamental law, and ask respectful consideration of their propositions by the Nation at large, we hold it to be the duty of the Congress to give them a status in the court provided by the Constitution for its own amendment.

They have a right that their contention be placed in proper form before the local legislatures and the people before they have demonstrated that they are able to secure its ratification by three-fourths of the States. That ratification, if it comes at all, will come as a result of agitation and discussion of the very proposition which they ask to have submitted. The true question for Congress to consider is not whether three-fourths of the States will ratify, after discussion and agitation, but whether the subject concerns the public welfare, and whether those who desire the submission of the resolution be of sufficient number to relieve the proceeding from the charge of triviality and inconsequence. Deciding upon grounds like these, your committee are impressed by the overwhelming importance of the subject to the Nation and to the world, and by the vast number, not to say the majority of the moral and intellectual forces of the country, which demand the submission of this joint resolution to the consideration of the States. We therefore report it favorably and recommend its passage."

There was a majority report in favor of the resolution, Senate Report 15631, first session, Forty-ninth Congress, and a unanimous report in favor of submission to the legislatures of the States for action upon the question of ratification, Senate Report 1727, first session, Fiftieth Congress, but in the latter there is an ambiguity which is entirely removed in the report of the committee in the Fifty-first Congress, which is cited above.

The committee was unanimous in recommending the submission of the joint resolution to the legislatures of the States for action upon the question of ratification as a part of the Constitution.

The Committee on Education and Labor in the Fiftieth Congress consisted of Blair (chairman), Bowen, Palmer, Wilson, George, Call, Pugh, Payne, Sawyer (excused), and Riddleberger, appointed February 16, 1888.

Fifty-first Congress, first session: Blair, Wilson of Iowa, Stanford, Stewart, Washburn, George, Pugh, Payne, and Barbour.

You inquired specially for the position of Senator George, of Mississippi, and I have substantially answered above. He was a member of the committee (Education and Labor) for about 10 years, and we were closely associated as friends and in the work of the committee. He favored the submission of the resolution to the legislatures of the States, as, in fact, did the whole committee in the last report ever made on the subject. It was at no time debated in the Senate. I moved for its consideration the day before the close of a session, but the pressure of business and the fact that extended debate was unavoidable defeated the effort. The members of the committee did not consider that by recommending submission to the legislatures they were pledging themselves to favor ratification by the legislatures of the States. I think both Senators George and Pugh had no superiors as lawyers or statesmen in the Senate at that time.

Truly, yours,

HENRY W. BLAIR.

Mr. President, if Democrats like George, of Mississippi; Pugh, of Alabama; Payne, of Ohio; and Barbour, of Virginia, believed that the people desirous of having the prohibition amendment submitted were of such number and such respectability that they had a right to expect Congress to submit it, and were willing so to vote regardless of their individual views a quarter of a century ago, ought Democrats of the present, whether pro or anti individually, to hesitate when the proportionate strength of the elements desiring submission is so much greater now than then?

In the report in the Fiftieth Congress the Committee on Education and Labor uses this language:

The method provided in the Constitution for its own peaceful amendment would be destroyed by failure to submit the proposition for amendment in cases of great moment involving the approval and prayers of multitudes of the people, for where the remedy sought is admitted to be without the jurisdiction of the fundamental law the petition is really addressed to the only tribunal which can enlarge that jurisdiction; that is to say, to the States themselves. Should, then, Congress in such case refuse to submit the proposal to the States, such refusal would constitute a substantial denial of the right of petition itself.

Although the decision as to the merit of this amendment belongs fundamentally to the States, let us examine it briefly. They tell us that the liquor traffic is a local problem, a home affair. Experts have figured that the present European war will destroy seventy billions of wealth. The drink bill of the United States is now about two and a half billions every year. In one brief generation the liquor traffic will waste as much wealth in this country as the most terrible and extensive war of history will consume. In addition, the human wreckage of the liquor traffic will far exceed the toll of war. The records show that the annual consumption of intoxicating drink in the United States equals 23 gallons for every individual. Add to these things the fact that alcohol is the principal source of crime, disease, immorality, hereditary deformities, both mental and physical, insanity, inefficiency, poverty, and it will be seen that the very life of this Nation is imperiled. Mr. President, the Member of Congress who claims that the overthrow of the liquor traffic by the united action of State and Nation as contemplated in this amendment so violates the underlying principles of the Republic that he will refuse by his vote to permit the people to consider and determine the matter for themselves will undoubtedly have trouble in explaining such a position to his constituents. The liquor problem is essentially a national one, and every unit of government must be directed against it.

But they say that national prohibition will mean the overrunning of the State by a swarm of Federal officials. When these officials swarm into the States to attack the cattle tick or the boll weevil or the foot-and-mouth disease, it is all right; but it is a sacrilege, a destruction of all the State holds dear, if they interfere with the saloon. So far as I am concerned, they can not send too big an army against the liquor traffic to suit me, and I do not care whether it is Federal or State, or both.

The States, acting together, formed this Nation for the specific purpose of cooperating for the common good. If they can not cooperate through the regular channel of an amendment to the Federal Constitution for the purpose of abolishing an evil like the liquor traffic, they had as well dissolve the Union and each return to a separate government of its own.

Let me say here that the traffic is so firmly intrenched in some States that they will never be able to destroy it by their own unsupported action. Therefore a vote against the national amendment is a vote for the traffic's perpetuation. From its strongholds in a few States it will debauch the rest, despite all interstate restrictions, desirable as they are, in the absence of complete prohibition. Aside from this, the Nation—that is, three-fourths of the States acting in their organic capacity as the creative power of the Constitution—should have as much right to guarantee the people of a State against this traffic in human hearts, in human virtue, in human blood, as it has to guarantee them a republican form of State government. The latter right is already provided for in the Constitution.

The amendment in question reads as follows:

Whereas exact scientific research has demonstrated that alcohol is a narcotic poison, destructive and degenerating to the human organism, and that its distribution as a beverage or contained in foods lays a staggering economic burden upon the shoulders of the people, lowers to an appalling degree the average standard of character of our citizenship, thereby undermining the public morals and the foundation of free institutions, produces widespread crime, pauperism, and insanity, inflicts disease and untimely death upon hundreds of thousands of citizens, and blights with degeneracy their children unborn, threatening the future integrity and the very life of the Nation: Therefore be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled (two-thirds of each House concurring), That the following amendment of the Constitution be, and hereby is, proposed to the States, to become valid as a part of the Constitution when ratified by the legislatures of the several States, as provided by the Constitution:

"ARTICLE —.

"SECTION 1. The sale, manufacture for sale, transportation for sale, importation for sale of intoxicating liquors for beverage purposes in the United States and all territory subject to the jurisdiction thereof, and exportation for sale therefrom, are forever prohibited.

"SEC. 2. The Congress or the States within their respective jurisdictions shall have power to enforce this article by all needful legislation."

It will be seen that it deprives both Federal and State Governments of the power to authorize the liquor traffic. It delegates to both Federal and State Governments the power to prohibit the traffic within their respective jurisdictions. How misleading the statement that it turns over to the Federal Government the entire machinery of control and eradication! The Federal Government exercises, through the taxing power, a control over the liquor traffic to-day superior to that of the States, except in the case of absolute prohibition. Neither the sale nor the manufacture of alcoholic liquor may be undertaken in any State in the Union without Federal authority. The Federal Government maintains a rigid supervision over the making of alcoholic liquors from the still to the saloon, and with this supervision no State government and no State official may interfere. When the State of South Carolina entered the dispensary business her officials had to pay a tax to the Federal Government. The amendment now pending preserves to the States the only exclusive right they now have with reference to the liquor traffic—the right of prohibition.

But they say that concurrent jurisdiction by the Federal and States Governments will lead to confusion and friction. The answer is that a sufficient number of States to adopt the amendment means a sufficient prohibition strength in the States and in Congress to avoid all conflict and confusion of jurisdiction.

They say that the prohibition question should be kept out of national politics, that it will interfere with the proper settlement of other issues. If they believe this, let them vote to submit this amendment to the States, and the question will be out of Congress and national campaigns for at least a decade. Prohibitionists will then center their efforts on the various States. The surest way to keep this question in national politics is to defeat this amendment.

The disposition of this prohibition amendment is the most solemn duty that has confronted Congress since the death of slavery. It will determine whether this Nation is capable of invoking its constituent powers to consider an evil which at least half the population believes to mean the Nation's ruin, and to make what constitutional changes they may deem proper for its extermination. It will determine whether the moral forces of the Nation are the dominant ones. It will determine whether this is a Christian Nation. We need not deceive ourselves. The issue is plain. A Christian nation can not tolerate the liquor traffic. We must array ourselves for a higher civilization or a lower one. We must stand for the American home or for the American saloon. We must stand for efficiency or for waste, for purity or for pollution. If this amendment should be rejected, there will be shouts of triumph in every brothel, in every brewery, in every distillery, and every grog shop from the St. Lawrence to the Rio Grande, from sea to sea.

O gentlemen, before you take your stand on the side of these infernos, may you think of the mothers that are praying for a liquorless Republic, of the women this traffic has widowed, the children it has made fatherless, the manhood it has wrecked, the virtue it has damned—of the maniacs it has produced, of the misery of men once strong and proud.

CIVIL WAR VOLUNTEER OFFICERS' RETIRED LIST.

Mr. SMITH of South Carolina. Mr. President, it being just a few minutes before the time at which the unfinished business will automatically come before the Senate, and as the bill that was voted to be considered can not be disposed of, I ask that the unfinished business may be laid before the Senate.

Mr. TOWNSEND. Mr. President——

The PRESIDING OFFICER. The Chair is impressed with the belief that such action would be impossible. The Senate has already determined to consider another bill.

Mr. VARDAMAN. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Borah	Hardwick	O'Gorman	Smith, Md.
Brandegee	Hitchcock	Oliver	Smith, S. C.
Bristow	Hughes	Overman	Smoot
Bryan	James	Page	Sterling
Catron	Johnson	Perkins	Stone
Chamberlain	Jones	Pittman	Swanson
Chilton	Kern	Poindexter	Thomas
Clapp	La Follette	Reed	Thornton
Clark, Wyo.	Lane	Robinson	Townsend
Crawford	Lea, Tenn.	Saulsbury	Vardaman
Cummins	Lewis	Shafroth	Walsh
Dillingham	Lippitt	Sheppard	Warren
du Pont	McCumber	Sherman	White
Gallinger	Martine, N. J.	Shields	Works
Gore	Nelson	Shively	
Gronna	Norris	Smith, Ariz.	

The PRESIDING OFFICER. Sixty-two Senators have responded to their names. A quorum of the Senate is present.

REGULATION OF IMMIGRATION.

Mr. SMITH of South Carolina. Mr. President, in view of the fact that the roll has just been called, I propose the unanimous-consent agreement which I send to the desk.

The PRESIDING OFFICER. The Secretary will read the proposed unanimous-consent agreement.

The Secretary read as follows:

It is agreed by unanimous consent that on Saturday, December 19, 1914, immediately upon the conclusion of the routine morning business, the Senate will proceed to the consideration of the bill (H. R. 6060) to regulate the immigration of aliens to and the residence of aliens in the United States, and that at not later than 2 o'clock p. m. on that day the Senate will proceed, without further debate, to vote upon any amendment that may be pending, any amendments that may be offered, and upon the bill—through the regular parliamentary stages—to its final disposition.

The PRESIDING OFFICER. Is there objection?

Mr. O'GORMAN. Mr. President, I very reluctantly object to the proposed agreement.

The PRESIDING OFFICER. Objection is made.

CIVIL WAR VOLUNTEER OFFICERS' RETIRED LIST.

Mr. TOWNSEND. Mr. President, we have just witnessed a spectacle which people not familiar with the ways of the Senate must regard at least as peculiar. The Senate deliberately votes to proceed to the consideration of a bill, but it appears that under the rules of the Senate that action must give way in order that a speech may be made by a Senator on a matter not at all related to the bill which the Senate has voted to consider.

I have felt and still feel that a majority of the Senate has a right to be heard upon a measure which is before the Senate. I realize that many of the friends of this bill hesitate to set aside what has been fixed as the regular order, namely, the immigration bill, in order to consider this bill for a sufficient time to dispose of it. They are fearful that such a vote might be construed as opposition to the immigration measure. I think, however, it is an open secret to everybody here that there is a disposition to prevent a vote on the immigration bill but that it is to stand here as a buffer against the consideration of measures which a few Senators do not desire to pass upon. I dislike very much to put before the Senate a matter which will compel conscientious Senators to vote to put aside the immigration bill when they want to see it passed, but I also feel that inasmuch as this program is before the Senate, a program of obstruction and delay, it is entirely proper to insist, so far as I can insist, upon considering the rights of those volunteer officers of the Civil War, who did not remain in the Regular Army, but who did more to preserve the Union than all the Regular Army officers who have worn the uniform since 1861.

Mr. SMITH of South Carolina. Mr. President, I should like to say a word about one statement the Senator made—that there is a disposition to sidetrack or not to consider the measure in which the Senator from Michigan is interested, and that there is a disposition not to allow the immigration bill to come to a vote. I have not been advised of any such disposition. There is opposition to the immigration bill, but I do not think any Senator on this floor has indicated any intention to use any method by which a vote will not be had, for I am rather of opinion that we will have a vote on the question. It has been pending so long and has now reached such a stage that I think the best way to expedite business and to get to a consideration of the bill that the Senator has before us is to allow the immigration bill to be gotten out of the way as speedily as possible.

Mr. TOWNSEND. Mr. President, as I was saying, it is an open secret that a program is before the Senate and that it does not include the passage of the immigration bill, if it can be prevented.

Mr. SMITH of South Carolina. I am not aware of that.

Mr. TOWNSEND. It really does not include the passage of any measure outside of the appropriation bills.

I am going to try, Mr. President, to-morrow morning and every morning until I succeed in getting a fair consideration of this bill which is now before the Senate to a vote during the morning hour. I shall do this if I can be assured that the majority of the Senate will support me in such efforts. If I fail in that, I am going to give the Senate an opportunity when the regular order is called up to supplant it with this measure until the latter is disposed of. If Senators are justified in preventing the execution of the clear and formally expressed will of the Senate by indirection and dilatory tactics, they surely can not consistently condemn me if I turn their own guns against them.

The PRESIDING OFFICER (Mr. GRONNA in the chair). The morning hour having expired, the Chair lays before the Senate the unfinished business, which will be stated.

The SECRETARY. A bill (H. R. 6060) to regulate the immigration of aliens to and the residence of aliens in the United States.

STANDING COMMITTEES OF THE SENATE.

Mr. JONES. Mr. President, I have given notice two or three times that I would address the Senate on Senate resolution 398 and Senate joint resolution 163. I have given way for various reasons, and satisfactory ones. I am heartily in favor of this immigration bill, and I do not want to do anything that will delay it. So I am not going to take the time at this hour to discuss the resolutions I have offered; but if I see that a lengthy discussion is likely to go on in connection with the immigration bill to-morrow, I shall take the first opportunity to-morrow to address myself to these resolutions.

I find that most Senators have not examined the resolutions and do not know what is in them, and I ask that they may be printed in the RECORD. It is possible that some Senators will take a little time to look over them. I think they will see at a glance just what is proposed to be done by them, and I think practically every Senator will be in favor of doing something at least along the lines suggested.

With this statement I ask that Senate resolution 398 and Senate joint resolution 163 be printed in the RECORD.

The PRESIDING OFFICER. Is there objection to printing the resolutions in the RECORD? The Chair hears none, and it is so ordered.

Senate resolution 398, submitted by Mr. JONES June 18, 1914, and referred to the Committee on Rules, is as follows:

Resolution.

Resolved, That, beginning with the Sixty-fourth Congress, Rule XXV of the standing rules of the Senate be amended to read as follows:

"RULE XXV. The following standing committees shall be appointed at the commencement of each Congress, with leave to report by bill or otherwise:

"COMMITTEES OF THE FIRST CLASS.

"A Committee on Appropriations.
"A Committee on Commerce.
"A Committee on the District of Columbia.
"A Committee on Finance.
"A Committee on Foreign Relations.
"A Committee on Interstate Commerce.
"A Committee on the Judiciary.
"A Committee on Banking and Currency.
"A Committee on Public Lands.

"The foregoing committees shall consist of not to exceed 11 members each and shall be so constituted that each Member of the Senate shall be a member of one of said committees and no more.

"COMMITTEES OF THE SECOND CLASS.

"A Committee on Agriculture and Forestry.
"A Committee on Rules.
"A Committee on the Census.
"A Committee on Civil Service and Retrenchment.
"A Committee on Claims.
"A Committee on Education and Labor.
"A Committee on Insular Affairs.
"A Committee on Immigration.
"A Committee on Military Affairs.
"A Committee on Naval Affairs.
"A Committee on Pensions.
"A Committee on Post Offices and Post Roads.
"A Committee on Printing, which shall have power to act jointly with the same committee of the House of Representatives.
"A Committee on Engrossed and Enrolled Bills, which shall have power to act jointly with a similar committee or committees of the House of Representatives, and which, or some member of which, shall examine all bills or joint resolutions which shall have passed the Senate or both Houses to see that the same are correctly engrossed or enrolled, and, when signed by the Speaker of the House and the President of the Senate, shall present the same forthwith, when they shall have originated in the Senate, to the President of the United States in person and report the fact and date of such presentation to the Senate.
"A Committee on Public Buildings and Grounds, which shall have power to act jointly with a similar committee of the House of Representatives.
"A Committee to Audit and Control the Contingent Expenses of the Senate, to which shall be referred all resolutions directing the payment of money out of the contingent fund of the Senate or creating a charge upon the same.

"The foregoing committees of the second class shall consist of not to exceed 13 Members, and no Senator shall be placed upon more than two of said committees at the same time.

"SEC. 2. That the aforesaid committees shall continue and have the power to act until their successors are appointed."

Joint resolution (S. J. Res. 163) providing for employees to Senators and Senate committees and fixing their compensation, commencing with the beginning of the Sixty-fourth Congress, introduced by Mr. JONES June 18, 1914, and referred to the Committee on Rules, is as follows:

Resolved, etc., That, commencing with the beginning of the Sixty-fourth Congress, each chairman of a first-class committee shall have a secretary, who shall receive an annual salary of $2,750, and who shall also act as clerk of his committee, an assistant secretary, who shall receive an annual salary of $2,000, and who shall also act as assistant clerk to his committee, and, during the sessions of the Senate, a stenographer, to be paid at the rate of $1,440 per annum, and a messenger, to be paid at the rate of $1,200 per annum; each chairman of a second-class committee shall have a secretary, who shall receive an annual salary of $2,500, and who shall act as clerk of his committee, an assistant secretary, who shall receive an annual salary of $1,800, and who shall also act as assistant clerk of his committee, and, during the sessions of the Senate, a stenographer, to be paid at the rate of $1,440 per annum, and a messenger, to be paid at the rate of $1,200 per annum; and each Senator not the chairman of a committee shall have a secretary, who shall receive an annual salary of $2,250, an assistant secretary, who shall receive an annual salary of $1,500, and, during the sessions of the Senate, a stenographer, who shall be paid at the rate of $1,440 per annum, and any additional assistance that may be necessary in connection with committee or official senatorial work while the Senate is in session shall be paid out of the contingent fund of the Senate only after due provision has been made therefor by appropriate resolution.

REGULATION OF IMMIGRATION.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 6060) to regulate the immigration of aliens to and the residence of aliens in the United States.

The PRESIDING OFFICER. The pending question is on the amendment offered by the Senator from Colorado [Mr. THOMAS]. The Secretary will state the amendment.

The SECRETARY. On page 9, lines 6 to 12, in lieu of the House text reading as follows:

That the following classes of persons shall be exempt from the operation of the illiteracy test, to wit: All aliens who shall prove to the satisfaction of the proper immigration officer or to the Secretary of Labor that they emigrated from the country of which they were last permanent residents solely for the purpose of escaping from religious persecution.

Substitute the following:

That the following classes of persons shall be exempt from the operation of the illiteracy test, to wit: All aliens who shall prove to the satisfaction of the proper immigration officer or to the Secretary of Labor that they are seeking admission to the United States to avoid religious or political persecution, whether such persecution be evidenced by overt acts or by discriminatory laws or regulations.

Mr. O'GORMAN. Mr. President, I wish to add an amendment to the amendment the Senator from Colorado offers by inserting the word "racial" before the word "religious" in line 1, page 2. I think this meets some views to which attention was called a few days ago by the senior Senator from Missouri [Mr. STONE].

The PRESIDING OFFICER. The proposed amendment to the amendment will be stated.

The SECRETARY. On page 2, line 1, before the word "religious," insert the word "racial" and a comma, so as to read:

All aliens who shall prove to the satisfaction of the proper immigration officer or to the Secretary of Labor that they are seeking admission to the United States to avoid racial, religious, or political persecution, whether such persecution be evidenced by overt acts or by discriminatory laws or regulations.

The PRESIDING OFFICER. The question is on agreeing to the amendment to the amendment.

Mr. STONE. I will ask the Senator from New York where he wishes to insert the word "racial."

Mr. O'GORMAN. After the word "religious," in line 1, page 2, of the amendment which was proposed yesterday by the senior Senator from Colorado [Mr. THOMAS].

Mr. THOMAS. Mr. President——

The PRESIDING OFFICER. Does the Senator from New York yield to the Senator from Colorado?

Mr. O'GORMAN. I do.

Mr. THOMAS. I merely wish to say that, so far as the amendment to the amendment just read from the desk is concerned, I am willing to accept it.

Mr. STONE. The amendment offered by the Senator from Colorado has been printed. I had prepared an amendment that I purposed to offer, but I have mislaid it somewhere. However, I think I can state it. I ask the attention of the Senator from New York to take the amendment proposed by the Senator from Colorado.

Mr. O'GORMAN. I have it before me. It was that amendment that I proposed to modify a moment ago by inserting the word "racial," before the word "religious," on the second page, line 1.

Mr. STONE. That is all right from my point of view, except I had in the amendment I prepared inserted the word "racial" after the word "religious," for the reason that the word "religious" is in the text of the bill, and the word "political" is added to it by the amendment of the Senator from Colorado. This is to be an amendment to his amendment.

Mr. O'GORMAN. If the Senator prefers to have it that way, I have no objection.

Mr. STONE. Then, Mr. President, on line 1, page 2, of the amendment proposed by the Senator from Colorado [Mr. THOMAS], after the word "religious," I move to insert a comma and to strike out the word "or," and after the word "political" to insert a comma and the words "or racial," so that it would read, "to avoid religious, political, or racial persecution." Upon that I ask the judgment of the Senator from New York.

Mr. O'GORMAN. That is quite acceptable to me, and I think I am authorized to say that it would be acceptable to the Senator from Colorado [Mr. THOMAS], who proposed the original amendment.

Mr. STONE. I am sure of that. I was about to suggest an additional amendment to the amendment, which I had prepared and thought I had on my desk.

Mr. O'GORMAN. I ask unanimous consent that the pending amendment be passed over for the present until the Senator from Missouri can secure his amendment.

Mr. STONE. I think I can state it. After the word "persons," in line 9, page 1, I would insert these words following a comma:

Who are not otherwise inadmissible under the statutes of the United States.

Mr. O'GORMAN. I have only to suggest in reference to that proposal of the Senator from Missouri that it seems to be wholly unnecessary, for this reason: It will be observed that the amendment only provides for certain persons concerning whom the illiteracy test will not be applicable, and the entire effect of the adoption of the amendment is to indicate that certain aliens shall be immune from the illiteracy test, but not from any other provision of the immigration law, because the language, if the Senator will pardon me, reads:

That the following classes of persons shall be exempt from the operation of the illiteracy test, to wit.

That is the sole effect of the adoption of the amendment.

Mr. SMITH of South Carolina. May I ask the Senator from New York a question?

Mr. O'GORMAN. Certainly.

Mr. SMITH of South Carolina. Does the Senator propose to remove by his amendment all the restrictions of the bill?

Mr. O'GORMAN. Oh, no. I have distinctly stated that in my judgment the adoption of this amendment as modified will only relieve certain classes of aliens from the illiteracy test, but they will be still subject to every other provision of the bill.

Mr. SMITH of South Carolina. May I call the attention of the Senator from Missouri to the proviso, beginning in line 21, on the same page, as modifying the illiteracy test? It reads:

That nothing in this act shall exclude, if otherwise admissible, persons convicted of an offense purely political, not involving moral turpitude.

I would take it that the term "convicted of" would include those who were convicted for purely political reasons. Just the other day we had that language modified by striking out the words "or legally charged with."

Mr. O'GORMAN. On what page is that?

Mr. SMITH of South Carolina. On page 9.

Mr. O'GORMAN. What line?

Mr. SMITH of South Carolina. Line 21. The proviso begins in line 21:

Provided, That nothing in this act shall exclude, if otherwise admissible, persons convicted of an offense purely political, not involving moral turpitude.

Mr. STONE. Then he would have to be convicted?

Mr. O'GORMAN. He would have to be convicted.

Mr. LEWIS. May I be permitted to say to the Senator from South Carolina and remind the Senator from Missouri and the Senator from New York that that very question came up here. The Senator from New York [Mr. O'GORMAN] and the Senator from Oregon [Mr. CHAMBERLAIN] urged an objection to what was then a pending treaty between Great Britain and this country respecting the settlement of certain grievances by arbitration. As the Senator from South Carolina will recall, the Senator from New York and the Senator from Oregon made the objection to certain features of that treaty, it declaring, among other things, that one of the things that would have been the subject of arbitration was our permitting a man to come into this country who had been convicted or denying admission to a man who had been convicted of some offense purely political. So we had the question, Shall a man be permitted to come into this country after he has been charged, tried, and convicted? Suppose he was fleeing persecution because of fear of an arrest for an offense purely political, that he had not been arrested but was seeking exemption and immunity from the injustice of a trial, persecution, and conviction, ought he then to be kept out? Would not the words "legally convicted" limit it to them who first have been arrested, tried, and convicted? In the meantime, if he was charged, pursued, and persecuted, still he could not come in because the exemption is limited to one who had been first submitted to trial and afterwards submitted to accusation and then full conviction.

The able Senator from South Carolina will recall that we had that discussion here and the objection of the Senator from New York and the Senator from Oregon so prevailed that subsequent forms of an amendment were submitted at that time to the Government of Great Britain, as I recall.

Mr. O'GORMAN. That is substantially correct. All these provisions are presumed to bear upon the question as to whether the character of an alien is sufficient to warrant his being permitted to come into this country. Attention was called to the fact that in all the courts of the land a man's character is never impaired merely because he has been indicted, or because some accusation is made against him. His character is only affected if he be convicted. Several days ago the Senate concluded to strike out the amendment offered by the committee, which will be found on page 9, line 23, in the words "or legally charged with." That was stricken out of the bill.

Mr. STONE. The word "convicted" remains.

Mr. O'GORMAN. The word "convicted" remains. In other words, it is provided that nothing contained in the bill shall exclude a person otherwise admissible simply because he has been convicted of an offense purely political and not involving moral turpitude.

Mr. STONE. Yes; but I understand the purpose of the bill to be—and that is clearly the import of the language employed in the bill—to admit those who are otherwise qualified for admission.

Mr. LEWIS. Notwithstanding conviction.

Mr. STONE. Persons who have been convicted. The limitation is that the immigrant must have been convicted of an offense purely political, not involving moral turpitude.

Mr. SMITH of South Carolina. But the Senator from Missouri will see at a glance that this is going even farther than his proposed amendment, in that he will admit a man who has been convicted for a purely political offense. The inference is that if he comes here and is otherwise admissible, we will not turn him back on account of political persecution.

Mr. O'GORMAN. Does the Senator from South Carolina suggest that there is any inconsistency in the pending amendment with the provision of the bill on page 9, lines 22, 23, and 24? As I look upon it, they are quite in harmony, and there is no inconsistency whatever. We are now dealing with an entirely different subject. We say in substance that whenever because of racial, religious, or political persecution an alien knocks at our doors we will admit him even though he may not be able to respond to this educational test, which we are for the first time in the history of our country attempting to engraft upon our legislation.

Mr. SMITH of South Carolina. The Senator will observe that the bill provides "that nothing in this act shall exclude, if otherwise admissible, persons convicted of an offense purely political, not involving moral turpitude," and that that does not exempt them from the operation of the literacy test.

Mr. STONE. No; that does not exempt them from it.

Mr. SMITH of South Carolina. But your amendment does exempt them from the literacy test.

Mr. O'GORMAN. Because that covers a different condition.

Mr. SMITH of South Carolina. The Senator will see at a glance that if you waive the literacy test on the ground that the immigrant is coming for political reasons we then open our doors to the very class the admission of which the Senator from New York himself will not stand on this floor and defend.

Mr. STONE. Let me ask the Senator from South Carolina does he not draw a very clear line of distinction between the cases that should be covered by the pending amendment and the cases that would be covered by the proviso beginning on line 21, page 9, of the bill? The bill in other parts of it would exclude the criminal classes, and there could be no better evidence that a man was a criminal than the record of a court showing his conviction of crime. I can easily conceive, and the

Senator can, that an immigrant who asks admission might be confronted with a record showing that he has been convicted of a crime under the laws of the country from which he comes. The proviso already in the bill to which I have adverted is intended to meet that case, so that if the immigrant is confronted with such a record and yet is able to show that the crime for which he was convicted was a purely political offense, involving no moral turpitude, he would come in under that proviso.

The amendment which the Senator from New York is pressing, which was presented by the Senator from Colorado, as remarked by the Senator from New York, covers a somewhat different field and may be said to be broader. This would admit persons who are fleeing from their native land because of political or racial persecution, even though they have not been formally arraigned and convicted of an offense. In other words, you put political and racial persecution upon an exact level with religious persecution.

Mr. SMITH of South Carolina. Let me ask the Senator from Missouri this question: In certain countries suppose there were individuals who were being hunted who had not been arraigned and tried or convicted. There are certain anarchists who as earnestly believe in their faith as the Senator and I believe in established law. They come to this country, and they say, "We are being persecuted for purely political reasons."

Mr. STONE. Yes; and for that very reason I had in the amendment which I prepared—I proposed to insert the words——

Mr. O'GORMAN. Will the Senator pardon me a moment while I address an observation to the Senator from South Carolina?

Mr. STONE. Yes.

Mr. O'GORMAN. In the case of an anarchist, which is used for the purpose of illustration by the Senator from South Carolina, the adoption of this amendment would only relieve him from the obligation of the educational test. It would not go beyond it, and the anarchist would be excluded by other provisions of the bill which are in no wise impaired or affected by this single exception.

Mr. SMITH of South Carolina. The Senator from New York will note that the committee were very careful to have the test of illiteracy removed for only one reason, and that was solely upon religious grounds. The Senator from New York well understands that that of itself is a test of a moral quality that is not involved in racial or political reasons. Believing that that should apply to all classes coming in as a restrictive measure against undesirable immigrants, we would have stultified ourselves had we modified it to include a characteristic or a principle which is not evidenced by the faith that the man has and a high moral standard. Now, we have it solely for religious purposes, because if you incorporate political and racial you have simply eliminated the effect the committee was attempting that the literacy test should have.

Mr. O'GORMAN. The distinguished Senator from South Carolina, who is chairman of the Immigration Committee, will recognize that many months have gone by since the committee as a committee considered the immigration question. Meanwhile one of the greatest wars of all the centuries has fallen upon the people of Europe. It does not require a very acute imagination to look forward a few months, perhaps a year or two from now, when nations will be subjugated and will suffer every kind of oppression by the conqueror. Are we to say that the natives of a conquered nation can not come to our shores if they will, though during the period of reconstruction they will be the victims of political and racial oppression? The Senator must recognize that we are dealing now with a condition that did not confront the committee when the committee was considering the various phases of this immigration question many months ago.

Mr. SMITH of South Carolina. Will the Senator from New York allow me to call his attention to an illustration which I think will elucidate the point? I belong to that section of the country which suffered the very condition the Senator says might happen in Europe. Does he think that because a man on his native heath suffers the reverses of war he is a desirable citizen for any country if he ignominiously deserts it and seeks another flag? We of the South picked up our burden in spite of that condition, which I dare say will scarcely be exceeded by any in Europe at this time of our civilization. What would have become of our section, what would have become of southern manhood, had we deserted the South in that hour and left it to those who were made at that time our superiors? As patriots we stood there and fought it out and redeemed our section. We did not leave it. I think that any man who is worthy to be a citizen of America is also worthy of fighting his battles on his own heath in Europe despite what the reverses of the hour may be.

Mr. STONE. May I interrupt the Senator from New York?

The PRESIDING OFFICER. Does the Senator from New York yield to the Senator from Missouri?

Mr. O'GORMAN. I do.

Mr. STONE. Mr. President, I will say that it is not my purpose to reply to the last observation of the Senator from South Carolina [Mr. SMITH], but to confine what I have to say to the exact point before the Senate.

The Senator did say a moment ago that this proposed amendment which we are considering, which is intended to exempt persons from the literacy test who have been the victims of political persecution or of racial persecution, might result in the admission of very undesirable people, such as anarchists and persons of immoral character or the like. Mr. President, the same thing might be true if you left the exemption, as it now is in the bill, limited solely to religious persecution. I can very well conceive, as can the Senator from South Carolina or as can any other man, that one might come to our shores, knock for admission, and claim the benefits of this exemption from the literacy test on the ground of religious persecution, when in his heart might burn fiercely the fires of anarchism or one who may not be a moral person.

What I had in mind to do, Mr. President, was to so limit the application and effect of the amendment proposed in the first instance by the Senator from Colorado [Mr. THOMAS] as to make such a thing as I have indicated impossible by inserting in the amendment, following the word "persons," in line 9 of the printed amendment, words of this import:

When otherwise qualified for admission under the laws of the United States.

Anarchists and other undesirable people who are put under the ban by other provisions of the bill or other statutes already enacted or which may hereafter be enacted, could not come in, even though they were persecuted for religion's sake or for political reasons or for racial reasons. I do not want them here; but if a man comes who is otherwise qualified to enter as an immigrant and to be admitted to our citizenship, who has been the victim of harsh and cruel persecution, whether it be for religious or for political or for purely racial reasons, I would exempt him and all such men from the operation of the literacy test.

Mr. SMITH of South Carolina. Mr. President, it must be apparent to Senators who have studied the bill, the context and the succeeding paragraph, that were the amendments proposed by the Senators from Missouri, Colorado, and New York adopted by the Senate it would be tantamount to nullifying the effect of the literacy test. The Senator from Missouri knows well enough that, as he himself indicated, the words "religion or religious persecution" are very flexible, and that a designing person might use them to come in. The exceptions, I suspect, would be few; but, at any rate, a provision couched in such language might be abused. It is certain that the law, if we propose to restrict immigration, will not be in anywise strengthened or the class of citizens coming here in anywise bettered by including political and racial persecution, stretching wide the doors, and multiplying the opportunities for abuse.

Mr. THOMAS. Mr. President——

The PRESIDING OFFICER (Mr. MARTINE of New Jersey in the chair). Does the Senator from South Carolina yield to the Senator from Colorado?

Mr. SMITH of South Carolina. I do.

Mr. THOMAS. Mr. President, I want to ask the Senator from South Carolina, who has charge of the bill, whether the amendment would be obnoxious to the last criticism which he made if the last clause were eliminated, which reads:

Whether such persecution be evidenced by overt acts or by discriminatory laws or regulations?

Mr. REED. Will the Senator from Colorado pardon an interruption?

The PRESIDING OFFICER. Does the Senator from Colorado yield to the Senator from Missouri?

Mr. THOMAS. I do.

Mr. REED. I hope the Senator from Colorado will not make that modification.

Mr. THOMAS. I have asked the question. I intended to have suggested the modification, but if the Senator from Missouri does not desire me to do so, I shall not, although I want to say very frankly that, unless I am otherwise informed during the course of this debate, I shall not insist as a part of my amendment upon the ultimate adoption of that clause, though I am perfectly willing to let it stand in obedience to the suggestion of the junior Senator from Missouri [Mr. REED].

Mr. SMITH of South Carolina. Mr. President, I wish to state very frankly to the Senator from Colorado, if he will permit me, that I am thoroughly convinced that the incorporation

of the word "political," even with the modification which he has suggested and which he has now withdrawn——

Mr. THOMAS. Temporarily withdrawn.

Mr. SMITH of South Carolina. Which the Senator from Colorado has temporarily withdrawn; and the incorporation of the word "racial" will absolutely negative the operation of the literacy test as incorporated in the bill by the committee. Our object was—and it might just as well be understood now as at any other time, as I tried to point out here the other afternoon before the close of the last discussion of this matter—to apply the test or the evidence of the best citizenship in this country to those who come from abroad.

If it be true, as was held by some on this floor, that an education, even in the rudimentary form of the power to read and write, is not essential to citizenship, then this tremendous expense which our Government in every one of its political divisions has incurred has been a farcical waste. We are attempting to apply the test to what we believe on this side constitutes one of the essentials for good citizenship, namely, the elements of an education. There is not a Senator on this floor who does not know that no man ever breaks down in the educational process, except in the elements. A man who has laid the rudiments, the foundation for reading, the power to read, the power to absorb the printed page, has made the essential step in good citizenship. The man who can not do so, it matters not how intelligent he may be natively, is a menace to any community and to any government. It does astound me that the claim is made that education is not an essential of good citizenship, for as I stand on the floor of the Senate the evidence is spread on every desk of the fact that a man engaged in making the laws of his country would be laughed out of this building were such a man, by some miraculous combination of circumstances, elected to this body who could neither read nor write. It is a monstrous proposition in this day when we have all agreed that the power to get behind your own doors in your private room and take the great facts upon which rest the moral, the mental, the social, and the political welfare of your country, and there settle them with the thought of the best of all the ages is essential to the best citizenship, that we should swing wide our doors and say that that flood tide of immigrants from Europe who through all the ages of printing and of progress in educational lines have not availed themselves of such advantages shall come here to lower the percentage of literacy in this country, to menace and to jeopardize our society and our institutions. I do stand with amazement when I am confronted by men in high place who tell me that the educational qualification is not a test.

I never pretended to say, and none of the advocates of the literacy test pretend to say, that it is an infallible test of morality; but there is not a man who will dare deny that it is an evidence on the part of the individual acquiring the ability to stand the test that he wants to learn and to acquire the power to know for himself the difference between those things which make for good citizenship and those which do not.

The Senators who are opposing the literacy test will not say that as a principle, as a rule, it is not a test of a man's qualification for good citizenship. There may be exceptions, but have we as a body of men come here to stultify ourselves and to jeopardize the country by distorting the rule in order to fit a few exceptions? The Senator is too well learned in the law for me to take up the time of the Senate in calling his attention to the operation of that general principle.

Mr. LEWIS. Mr. President——

The VICE PRESIDENT. Does the Senator from South Carolina yield to the Senator from Illinois?

Mr. SMITH of South Carolina. I yield.

Mr. LEWIS. In view of the remarks of the able chairman of the committee, I appeal to his experience and ask him if in the land where he has lived, the State which he so ably represents, he has not known many negroes who could not read or write, but whose reputation for honesty, Christianity, and sobriety—the general characteristics of a good man—were such that he would have trusted them with anything personal to himself, his household affairs, the privacy of his family, or the care of his property; and whether he has not found such excellent individuals, notwithstanding the fact that they could not read or write?

Mr. SMITH of South Carolina. Oh, yes, Mr. President. If I intended, as was suggested to me some time ago by a man in high office, that the immigrant coming from abroad should be a commercial asset, as the labor of this country seems doomed to be, and by virtue of his ignorance I could make such immigrant docile, I would vote for the elimination of the literacy test.

As the Senator suggests, I have known negroes who, by virtue of their inability to read and write, were as docile as my broken horse. I have known negroes who when they came to read and write were not so amenable to the domination of the white man; and for that very reason I prefer to have men who can qualify to take a place in the great struggle to build up this country and who by virtue of their ability to read and write are somewhat familiar with the actual facts of history as they relate to the different nations of the earth.

There are to-day white men who make splendid citizens from the standpoint of not interfering with you and me because of their intellectual processes. That condition, I presume, may be very comfortable where we have them working for us, as, by virtue of their mental limitations, we are masters of the situation; but I am not advocating a multiplication of that sort of citizenship. I am striving to apply the test for all future acquisitions of citizens in this country that I would apply to myself, and it is not fair to stand on this floor, in view of the millions and millions we have spent for education, and say that that is not an essential element that goes to make up good citizenship. We have as President of the United States a man who has devoted his life to an educational institution, who is of such value to the Nation that he has been elevated to the Presidency of the United States from the seclusion of college halls—devoted his great brain and life to what? To teaching American boys the power of an educated brain; and yet there are those who stand on this floor and say that education is not essential to good citizenship, because, forsooth, some individual, inheriting from father and mother a docile spirit and an inclination to live within the law, makes a good what? A good negative citizen.

Mr. LEWIS. Now, Mr. President, if I may I will ask the second part of the question which I had in mind to ask the Senator from South Carolina. In South Carolina, a State with which I am acquainted—my mother's family coming from South Carolina, and my mother herself having been born there, neighboring to Georgia, where I was reared—is it not true that the Senator has observed that among negroes who can read and write he has found the highest-developed criminal instincts, and among many of those who could both read and write he has found the most objectionable form of citizenship in Carolina, as compared to that other quality of Christian character and peaceable, law-abiding disposition on the part of those who could not either read or write?

Mr. SMITH of South Carolina. That is absolutely true. I believe that is the rule, and therefore I could not under any circumstances agree to the word "racial" being incorporated in the proposed amendment. We have gone so far in our legislation in this country as to enact what is known as the Chinese-exclusion law. There is what may be called a gentleman's agreement in reference to Japan; and we provide for the exclusion of certain other Asiatics. Surely, the broad-minded philanthropy of the men who believe in the universal brotherhood of mankind should inspire those who weep great tears over their suffering to offer an amendment to the pending legislation providing that the doors be open to China. The citizens of that country are human; they suffer in common with us; they suffer, perhaps, in that vast domain infinitely more than the citizens of other countries, and so, perhaps, do the Japanese. We ought to make it——

Mr. REED. Mr. President——

Mr. SMITH of South Carolina. I do not yield just now. As the Senator will see, rather than break my sentence, I am observing the law of courtesy he taught me a few days ago.

Mr. REED. Mr. President, I am observing it by not interfering any further.

Mr. SMITH of South Carolina. I am glad to note that statement, or I would not have noticed that the Senator was observing that law. I mean to say that we might as well be frank with each other in the discussion of this measure; let us talk as sensible men to each other. It is not, in my opinion, entirely universal philanthropy, but philanthropy in spots.

As I said before, the committee has endeavored honestly and earnestly to frame a just and equitable bill, and the chairman, if you will excuse this personal allusion, has devoted his best efforts to discover wherein, in the provisions of this bill, we are doing violence to the traditions of this country and inflicting on foreigners a test that we by virtue of our own standards have no right to inflict. I sincerely hope, Mr. President, that the test which we have placed in this bill, and which lies at the foundation of all human problems—intellectual development—will not be stricken from this bill or modified to such an extent as to jeopardize its efficiency.

Mr. THOMAS and Mr. REED addressed the Chair.

The VICE PRESIDENT. The Senator from Colorado [Mr. THOMAS] is recognized.

Mr. REED. I desire to ask the Senator from South Carolina a question.

Mr. SMITH of South Carolina. I beg the Senator's pardon.

Mr. THOMAS. I yield to the Senator from Missouri.

Mr. REED. Mr. President, the Senator from South Carolina has had a good deal to say about the evils of illiteracy, and he instanced China. I want to ask him if he is not prepared to admit that there is probably a less degree of illiteracy among the Chinese people than there is among the white people of his own State?

Mr. SMITH of South Carolina. Well, Mr. President, perhaps, were I fully advised, I might admit that and still believe in Chinese exclusion.

Mr. REED. Oh, yes; we all believe in that. We do not, however, exclude the Chinese because of illiteracy, but because of race.

Mr. SMITH of South Carolina. Yes; I will ask the Senator from Missouri this question: Granting that the races that we do admit are somewhat similar ethnically to our own race, does he not believe as a rule that the man who is educated is better qualified for citizenship than one who is not?

Mr. REED. Oh, nobody would deny that for a moment, but the question still remains should he be denied the rights of a human being because of his misfortune?

While I am on this subject I desire to call the Senator's attention to the fact that the census of 1910 shows that the degree of illiteracy among the whites in his own State is 10.3 per cent and among the blacks 38.7 per cent; that the average degree of illiteracy in South Carolina is 25.7 per cent, and that the foreign-born population of his State constitutes four-tenths of 1 per cent, so that the illiteracy there can not be charged to immigration.

Mr. SMITH of South Carolina. Mr. President, I have not charged that illiteracy in this country is due to immigration. I certainly am obliged to the Senator for calling attention to the misfortune of my State, brought about largely by the negro population and the misfortunes of the Civil War. I think I might with propriety answer the observation the Senator has just made by saying that in view of the fact that in my State there is such a large percentage of illiteracy, God knows I do not want to increase it by importing any from abroad until we get rid of what we have.

Mr. REED. But, Mr. President, the trouble with that argument is that the average rate of illiteracy of the people coming to this country is probably less than 10 per cent.

Mr. THOMAS. Mr. President——

Mr. DILLINGHAM. Mr. President——

The VICE PRESIDENT. Does the Senator from Colorado yield to the Senator from Vermont?

Mr. THOMAS. I yield.

Mr. DILLINGHAM. I merely want to correct the statement made by the Senator from Missouri as to the average rate of illiteracy of those coming to the United States. I think he is altogether wrong in the statement that he made with relation to that matter.

Mr. ROBINSON. Mr. President, if the Senator will yield to me, confirming the statement of the Senator from Vermont, my recollection is that if the literacy test had been in application last year, 26 per cent approximately of those who were admitted would have been excluded on account of illiteracy.

Mr. DILLINGHAM. That is substantially the correct figure, as I understand.

Mr. ROBINSON. Yes, sir.

Mr. REED. Mr. President, I stated that illiteracy among immigrants was probably less than illiteracy in the State of South Carolina, and the illiteracy in the State of South Carolina averaged 25.7 per cent, according to the census of 1910. Without having examined the figures with reference to foreign immigration, I very much doubt the statement that it exceeds that figure. However, I have sent for the figures, and when I get them I shall be glad to be put them in the RECORD.

I want to say further that the degree of literacy of immigrants coming to this country last year, or in any particular year, is not a fair test; that a period of years should always be taken in order to test any question of that kind. An enormous immigration from any particular country might lower it. To illustrate, if there was a large immigration from Sweden, where I believe the proportion of illiteracy is only two-tenths of 1 per cent, during any particular year it would reduce the average of illiteracy amongst the immigrants coming in that year. On the other hand, if we were to have a very heavy immigration from Servia, we might find the contrary of those figures; but, taking it over a period of years, I do not think it will run as high as 25 per cent. However, I shall try to get the figures. I thank the Senator from Colorado for his courtesy.

Mr. THOMAS. Mr. President, I did not intend to take any part at the present time in the discussion of the pending amendment, but the assumption upon the part of the Senator from South Carolina [Mr. SMITH] seems to be, and is, perhaps, in part, justified by the fact that the amendment is mine. If its adoption, either in its present form or with friendly amendments, will result in destroying the so-called literacy clause of the present measure, then of course that assumption is correct; and if it should have that effect I should be very sorry for having introduced it. I want to assure the Senator that I am quite as much in favor of a literacy test for the purpose of restricting immigration and eliminating as many undesirable elements as possible from it as he is, although we may differ as to the manner of accomplishing the object or as to the effect of this or other amendments upon that object.

I am in favor of placing some such restriction upon immigration in this country as is contemplated by this bill, but I do not believe, Mr. President, that the proposed amendment, especially if the last clause of it should be eliminated, will have the effect which the Senator seems to believe will be the case. But if that were to result from the adoption of the amendment, and we can not secure a literacy test except by eliminating the amendment, then I should be compelled to support the amendment, although it might result in eliminating that test.

My reason for it, Mr. President, is that I do not believe the time has come—and I hope the time never will come—when asylum upon our shores is denied to a man or to any set of men who in good faith seek that asylum because of political persecution. To my mind, political persecution is quite as intolerable, in these days at least, as religious persecution—and they have been intertwined in the history of the race almost since the dawn of civilization. It is difficult to separate them, and impossible to do so when the racial element also enters into the problem.

This country was originally populated by a class of people who sought its then inhospitable shores as the only method of escape from persecution; and that persecution had the double aspect of being religious and political, because then the church and the state were united, and the prime political cause for religious persecution was the outgrowth of that fact. They are united now in some countries, and particularly in Russia. While the Jew—because we must single him out in speaking of that country—may, as hitherto asserted, be persecuted and hounded and oppressed because he belongs to an obnoxious race, we know that the inspiration of that persecution is largely found in the attitude toward that race of the Greek or established church; and he can not there be persecuted because he is a Jew without being persecuted because his religion is not the prevailing one, or the state one. That makes it the more difficult for such an one to escape from its consequences into our jurisdiction upon the plea that he is being persecuted for religion's sake or for conscience sake, when his persecutor may challenge it, and declare that the laws which oppress him and the practices which strip him of his possessions are based upon political reasons, to wit, that the race to which he belongs is inimical to the institutions of that country, one of which is the established church.

But even if it were not so, Mr. President, I want to state deliberately, as a fundamental proposition, that the doors of immigration to this country should never be closed to the man or to the woman who is compelled to flee hither because of intolerable conditions imposed upon him or her by reason of political belief or conviction. It will be a sorry day for us, the champions of liberty, the people whose proud boast is that liberty of conscience shall always be recognized and the right to exercise it enforced, when we say to those to whom that liberty is denied, whether of religion or of politics: "You may not come here and thus escape conditions which history tells us are the most terrible which tyranny can impose upon the human race."

Therefore, Mr. President, I want to see a literacy test sufficiently broad to permit political and religious exiles to come to this country, provided they are otherwise admissible under the provisions of our immigration laws. I take it, therefore, that the amendment to the pending amendment suggested by the Senator from Missouri is a very pertinent one and one which should be incorporated into the pending amendment.

So much for the amendment itself. While I am on my feet I want to say a word or two with reference to the general subject covered by the pending bill.

The purpose of it is not only commendable, but its accomplishment, in my judgment, is demanded by the political and the industrial conditions of this country, and I am not sure but that restrictions other than those of a literacy character should have been incorporated in this bill, to the end that immi-

gration might be still further limited. Our immigration during the last few years has been from southern and southeastern Europe, from certain sections of Asia, and to some extent from Russia, and the great percentage of it comes to us not because of dissatisfaction with religious or political conditions at home, but because of our better industrial conditions. It is attracted largely by the advertisements of steamship companies and by the other activities of those companies, to the end that dividends may be earned from their operations; and it therefore has assumed almost entirely a commercial aspect, some features of which, in my judgment, are of a most meretricious character.

In other words, we are not any longer, so far as immigration is concerned, so much the asylum for the oppressed as the paradise of those who by their cheap labor can better their condition. Not only so, Mr. President, but many of them come not intending to incorporate themselves into the body politic, not intending to acquire a new home across the sea, where their children and their children's children may subsequently identify themselves as citizens thereof, but intending simply to make sufficient money to enable them to return to their native land and occupy thereafter, relatively, a position of comfort and of independence. As a consequence the genuinely permanent labor in this country is and has been for some time subjected to a drastic competition, which has not only created widespread discontent, but which has very materially lowered our standards of living, and consequently our standards of morality; for you can not have a constant horde of immigrants, inspired by the prospect of abundant labor to be obtained through successful competition with our labor here, without producing just such conditions.

I think a great percentage of the industrial discontent of this country, a vast amount of the idleness and lack of employment, is due more to the enormous numbers of immigrants coming from these new countries, whose nativity and habits of life, through the indurated processes of generations, make them difficult of assimilation, than to any and all other causes combined. The old immigration, so much to be desired, and which has done so much to establish and make permanent the industrial and political institutions of this country, coming from countries whose people are bone of our bone and flesh of our flesh, coming from the countries of northern Europe, has almost disappeared, so that its thin current which now reaches our shores and has reached them for a number of years is scarcely perceptible. They have been supplanted by the greater and more sluggish tide of immigration to which I have referred, who have brought in their wake political and industrial consequences which make the question of the further continuance of this policy one of the gravest, if not the gravest, of the hour.

Mr. President, some time ago I saw in one of the magazines an article treating of the general question of immigration which throws a great many side lights upon it as well as upon other conditions in this country. One of them attracted my attention very earnestly, because it demonstrated by statistics that during the last 20 years the percentage of immigrants who became agriculturists in this country was almost negligible, while the Scandinavians and Germans and English and Irish and French and Scotch, who made up the greater portion of our immigration in times past, were very largely devoted to agricultural pursuits. The new class of immigration flocks into our cities and becomes consumers of the necessities of life instead of producers, thus largely adding to the disproportion between them and directly affecting the almost equally important problem of the high cost of living.

If it be true that with our vast domain, needing settlement and cultivation, and for which reason more than any other the immigrant has been in the past welcomed to our shores, then it is equally true that a class of immigrants which avoids that particular industry and does not add to the development of the material wealth of the Nation, but enters into our crowded cities and communities, there to be corrupted by the political life of American municipalities, and to compete successfully with American labor by degrading it, should be discouraged not alone by a literacy test but by other tests.

This class of immigrants has been encouraged by the great corporate employing interests of the country, which, combined with the activity of the shipping companies, has made the pursuit a great and profitable one, and at the same time, as I have stated, has introduced into this country a Pandora's box of evils, the first evidences of which we have suffered from and will continue to do so in increasing proportion.

I do not believe any man should be permitted to come to this country as an immigrant who simply proposes to use our opportunities here in competition with American labor and then return. I do not think he should be permitted to come here at all. The present practice permits such immigrants to come in overwhelming floods when the demand for them is great, to reduce the general standard of wages and of living, and to leave when that demand recedes, only to return when it shall reappear. It necessarily unsettles established business and industrial conditions, necessarily creates profound discontent and dissatisfaction, and necessarily lowers, and permanently lowers, those standards of American life which, after all, are the distinguishing features of our civilization, and which make it so much higher and so much better than that of other countries.

Mr. President, my State has been suffering for some time from very serious industrial strife. It has been the theater of one of the most deplorable labor strikes of modern times—a strike which has attracted the attention of the entire country and has received examination and inspection from its social, its political, its moral, and its industrial sides. It has been the basis of a great deal of resentment. It has excited much passion. It has been the subject of much misrepresentation. It has been, in all of its respects and all of its features, one of the most unhappy and unfortunate episodes of our industrial development. I am not at this time going to pronounce my own judgment either upon its causes or consequences or upon any of its other pressing problems. I shall not do so until the present investigations shall have ended and the public is made acquainted with the results; but I want to say, as I have said heretofore, that one of the root causes of that unfortunate trouble is found in the class and character of modern immigration—a cause which extends back for a number of years, certainly more than a decade, and which, in my judgment, made that strife sure to come, either now or hereafter.

We had a similar trouble—not so extensive and bloody a one, not one which attracted such universal attention—away back in 1903–4, at which time the principal coal operators in the southern part of the State using the military power and arm of the Commonwealth forcibly ejected and deported from their midst all turbulent, disorderly, undesired, or suspected characters, took them beyond the limits of the State, and imported in their places fresh from southeastern Europe as many men as were necessary to carry on their operations. These men thus introduced into our political community were during the short summer which followed for the most part naturalized by the companies through the agency of the courts and used to control the elections of that year. These, for the most part, are the men thus imported into our midst and given places rightfully belonging to our own American labor who recently determined their own condition to be so intolerable as to justify the insurrection of 1913–14, and the echoes of which are still observable in the press comments all over the country.

Care was then taken to see that this immigration was distributed over a large number of counties, so that the employees, speaking diverse languages and inspired with race prejudices, would not combine or confederate, but, each flocking to itself, make industrial combinations and further difficulties improbable, if not impossible.

Last May the President of the United States, responding to the call of the governor of Colorado, took charge of the coal counties, and with the military power of the Nation proclaimed and kept the peace and has preserved it since that time. When he did so he issued a proclamation commanding all persons to disperse, cease breaking the law, and return to their homes; and in order to make that proclamation effective it had to be translated into 22 different languages, and, as translated, distributed among as many nationalities.

I think, therefore, I am fully justified in saying that one of the root causes of this trouble was the immigration made possible under existing law by means of which home labor is first supplanted and then controlled, afterwards to find vent in those volcanic outbursts that disturb the peace and threaten the very structure of the social organism.

For this reason I am in favor of a restricted immigration; for this reason I believe in a literacy test and think the problem is one of such a grave nature. But, impressed as I am with the virtues of this bill, and intending to vote for it in such shape as the Senate shall ultimately determine, I can not lose sight of a distinguishing feature of American institutions always proclaimed, and thus far with perfect truth, that he who seeks asylum from political persecution can find it under the Stars and Stripes. Unless it becomes necessary in order to secure the passage of this bill, I do not care to have my vote recorded for a section or a provision that draws the line at religious persecution and denies asylum in America to the man who suffers politically.

I hope, therefore, that this amendment or some amendment embodying that great and vital principle may be incorporated into this measure before a final vote is taken.

Mr. SMITH of South Carolina. Mr. President, before the Senator from Colorado takes his seat I should like to ask him a question. Does he not think the proviso at the bottom of page 9 gives ample opportunity for the third class for which he has been speaking and for which his amendment was intended? The clause above, as I pointed out a moment ago—the exemption under the literacy test—was, in the opinion of the committee, the only one that would be admissible, taking it for granted that the administrative officers would have sufficient discernment and take care and pains to investigate and ascertain that the individual seeking admission under the exception provided for, solely for religious purposes, was one to whom that exception might be granted, while the politically persecuted should not be denied admission here because he has been convicted, even.

Now, the distinction, in a word, is this: That the man who individually flees his native land because he can not worship God or his god according to the dictates of his own conscience, and because of the faith that is in him per se, seeks an asylum here, there is established by that very fact a degree of personal morality that might offset any danger accruing from him under the general terms of the literacy test, while in a political sense that could not be true.

I would just suggest to the Senator that the men who are a menace to political institutions are generally the men who would not be subject to the restrictions of the literacy test. The country does not fear the poor ignorant individual per se, but it does fear the learned one who preys upon the ignorant. Where an educated man is immoral and conscienceless he has a fertile matrix for the propagation of his iniquity amongst the ignorant; and this bill, even in that case, provides that if he be politically persecuted and is otherwise admissible he can come in.

Mr. THOMAS. The Senator has called my attention——

Mr. MARTINE of New Jersey. Mr. President——

The PRESIDING OFFICER (Mr. THORNTON in the chair). Does the Senator from Colorado yield to the Senator from New Jersey?

Mr. THOMAS. I had intended yielding the floor, but owing to the express desire of the chairman of the committee to ask me a question I have not done so. I will assure my friend the Senator from New Jersey, however, that I will occupy only a moment in reply.

Mr. MARTINE of New Jersey. I recognize the Senator's right. I rose to a parliamentary inquiry.

Mr. THOMAS. I do not think that the proviso found at the bottom of page 9 is sufficiently broad to cover the proposition which I have been discussing. I have no doubt that the Senator from South Carolina has given it very much more attention than I have. I have the most profound respect for his opinion, and I am convinced that the committee have sought diligently and earnestly and conscientiously to properly cover this identical point. The proviso reads:

> That nothing in this act shall exclude, if otherwise admissible, persons convicted of or legally charged with an offense purely political, not involving moral turpitude.

Mr. SMITH of South Carolina. The words "or legally charged with" have been stricken out.

Mr. THOMAS. I understand the words "or legally charged with" have been stricken out. I think that the clause comes more nearly conforming to the opinion of the Senator as to its effect with this excised clause than without it; but even then it is not broad enough to comprise the class of cases to which my amendment is directed:

> That nothing in this act shall exclude, if otherwise admissible, persons convicted of an offense purely political, not involving moral turpitude.

Mr. President, political persecution is not confined to indictment and conviction nor to legal charges. Political persecution seldom seeks these concrete forms. When it does they can be met. To some extent public opinion may be created by the effect of which, if the prosecution is nothing but a persecution, it may be very largely minimized. It is that system of espionage, that constant interference and ostracism, which more than any direct act wears out the heart of man and drives him in exile from his country, rather than where the persecution is through forms of law followed by conviction. This covers a certain class but not all classes who have a right to come here in the event that their political views are obnoxious to the Government under which they live to the extent that persecution and oppression follow. I would therefore like to make it a little broader.

I quite agree with the Senator that the literacy test can not keep out of this country many educated people who are more dangerous perhaps because of their education than the most ignorant of men can be. We all know that those who preach, and preach loudly, doctrines that are abhorrent to organized society and destructive of all forms of political government are frequently among the most intellectual of men and women. We also recognize that they possess the magnetic power of eloquence, of persuasive oratory, and by the exercise of their genius they do more to propagate their pernicious doctrines than all the ignorant men in the world can do.

But I understand that this law has been drawn so that other clauses directed against that class of individuals will exclude them unless indeed they commit perjury for the purpose of getting into the country, in which event the manifestation of their doctrine within five years will be sufficient ground to exclude them.

I do not believe, and since I have reached years of discretion I have not been able to believe, that education promotes morality. On the contrary, I am inclined to think that our education is largely at the expense of our moral growth, because the country to-day, viewed from a religious standpoint, is much less orthodox and doubtless much less moral than when the percentage of ignorance was much larger.

My position therefore is not based upon the effect which the exclusion of the illiterates will have in general so much as it is upon the fact that it is a restriction, and as such one which I should like to see enforced, always provided that victims of religious and political intolerance may not be included within the general inhibition, thus casting a reflection upon our future that ill accords with the splendid record of our past.

Mr. MARTINE of New Jersey. I desire to ask what is the parliamentary situation and whether it would be a fit and proper time to offer an amendment?

The PRESIDING OFFICER. There is an amendment pending, and it must be disposed of before another amendment can be offered.

Mr. MARTINE of New Jersey. All right.

Mr. REED. Mr. President, I had hoped that the chairman of the committee would see his way clear to accept the amendment offered by my colleague.

Mr. STONE. That there may be no misapprehension as to what the amendment is, I should say that I have not offered any amendment. The amendment to which the Senator alludes, which is the pending one, was proposed by the Senator from Colorado [Mr. THOMAS], and by his consent, on the motion of the Senator from New York [Mr. O'GORMAN], the word "racial" was added, but it was not my amendment.

Mr. REED. I understood that the word "racial" had been suggested, but I did not know it had been accepted as a part of the amendment.

Mr. President, there is always a time when it is well enough to state a case, because in discussions we sometimes get far away from the case. Section 3 of this bill expressly provides:

> That the following classes of aliens shall be excluded from admission into the United States: All idiots, imbeciles, feeble-minded persons, epileptics, insane persons; persons who have had one or more attacks of insanity at any time previously; persons of constitutional psychopathic inferiority; persons with chronic alcoholism; paupers; persons likely to become a public charge; professional beggars; vagrants; persons afflicted with tuberculosis in any form or with a loathsome or dangerous contagious disease; persons not comprehended within any of the foregoing excluded classes who are found to be and are certified by the examining surgeon as being mentally or physically defective, such mental or physical defect being of a nature which may affect the ability of such alien to earn a living; persons who have been convicted of or who at the time of seeking admission to the United States are legally charged with a felony or other crime or misdemeanor involving moral turpitude; polygamists, or persons who admit their belief in the practice of polygamy; anarchists, or persons who believe in or advocate the overthrow by force or violence of the Government of the United States, or of all forms of law, or who disbelieve in or are opposed to organized government, or who advocate the assassination of public officials, or who advocate or teach the unlawful destruction of property; persons who are members of or affiliated with any organization entertaining and teaching disbelief in or opposition to organized government, or who advocate or teach the duty, necessity, or propriety of the unlawful assaulting or killing of any officer or officers, either of specific individuals or of officers generally, of the Government of the United States.

Then, without reading, prostitutes, or persons coming into the country for the purpose of prostitution or for any other immoral purposes.

Now, all those classes are excluded, and the exclusion reaches all of the evilly disposed, all of the vicious, all of the wicked, all of the diseased, all of those classes against which the learned Senator from South Carolina has so eloquently and vehemently spoken.

Against the exclusion of that class of people there is not now and has not been a single word of protest upon the floor of the Senate. It is the proper kind of exclusion, and to that character of exclusion I am willing now by a specific name to exclude all those races of men who are incapable of being assimilated into our population—the Chinese, the Japanese, the people from India, Hindustan, and all those elements that can not be melted into and become a real, genuine part of our civilization.

I think this bill is defective in that it does not reach these very races of men who are not of the white race, as we use that term. I would exclude them, not because of hatred for them, not because of prejudice against them, but because in their bone and blood and brain and disposition for a thousand thousand years there has been instilled the spirit of a different civilization. It begins with the family relation; it runs through all their social life; it is expressed in every phase of their political existence. They can no more be accustomed to our civilization than the fish, that is the natural inhabitant of the water, can be accustomed to living upon the land. Turn them loose without any government, give them absolute freedom, and they would set up a civilization substantially similar to that under which they now live. They can not transform themselves and make of themselves a people believing in the vital principle of every republic, which is that each individual shall constitute an independent element of society and an integral part of the State.

I say, therefore, all the heroics that he may indulge in in regard to the protection of this blessed land against the evil races of men who dwell in other lands is eliminated by the very language of this bill; and if it be not, then let us eliminate it by proper language; let us strike at the race problem as a race problem.

When the Senator argues that anyone proposes to admit the wicked, and the corrupt and the vicious and to tear down the temple of civilization, he is simply raging with poised lance and shining shield in front of a creature of his own imagination. It is not an issue here. Nobody has advocated it; nobody is going to advocate it. The question is, Can the fitness of a man for citizenship be determined absolutely, finally, and conclusively by his possession or his lack of possession of an education? All these other questions now are aside. They are covered by the bill. I am willing to go with the committee as far as they like in excluding the vicious, the corrupt, and the dangerous from our shores, and to go further and exclude any race, not because, as I said a moment ago, I have any feeling against the race, but because they are incapable of becoming a part of our civilization or sustaining our Government.

Coming, then, to this amendment let us for a moment see just what the effect will be. It will be observed that it relates only to the literacy test. If a man possesses an education, he must also be free from the objectionable characteristics which are prohibited by the bill, and then we come to an inhibition which relates only to the question of education, and we are to treat that alone. The bill recites—

> That the following classes of persons shall be exempt from the operation of the illiteracy test, to wit: All aliens who shall prove to the satisfaction of the proper immigration officer or to the Secretary of Labor that they emigrated from the country of which they were last permanent residents solely for the purpose of escaping from religious persecution.

Now, the committee admit that if a man is fleeing from religious persecution he should be permitted to come into the United States whether he can read and write or whether he can not read and write. That is an admission of the principle that there should be exceptions and that there properly may be exceptions to the literacy test as a bar. That provision has been amended so as to cover political persecution. Again, if a man flees to escape political persecution the committee admit that he should not be excluded simply because he can not read or write.

Now, we come to the proposition of this amendment, which is that—

> All aliens who shall prove to the satisfaction of the proper immigration officer or to the Secretary of Labor that they are seeking admission to the United States to avoid religious or political—

And, now, as amended—

> religious, political, or racial persecution.

We might as well discuss the question of racial persecution with great frankness. The Senator in charge of the bill pronounced a eulogy upon the Jewish people. He told how intelligent they are. It sounded like an exordium uttered in a Jewish synagogue immediately preceding a primary election. He told us, in effect, that the Jews are a great and wonderful people. I think it was this Senator—some one, at least—who said that the torch of learning through the Middle Ages was held aloft in the hands of the Jews; and that, of course, is true. Then he went on to assert that the Jews had availed themselves of educational possibilities in Russia to a remarkable degree; that while they were restricted and held down by law and placed under every kind of disadvantage, yet the illiteracy of the Jews in Russia was less than the illiteracy of the Russian, to whom the doors of the schoolhouses always were held open. Yet, having thus argued that the Jew is possessed of a thirst for learning, that he has availed himself of the opportunities in his own country to a marvelous extent, and laboring under the disadvantage of discriminatory and oppressive law, has yet far outstripped the Russian people themselves, he will not permit an amendment including the word "racial" to the bill, although he knows it applies almost alone to the Jews. Perhaps it might include that race of men who sent one of their great patriots here to stand in the armies of the United States, who helped us fight for our liberties, and whose monument now adorns Pennsylvania Avenue. For the most part it will apply to the Jews alone.

And now it is proposed to say if a man is fleeing from religious persecution he can come. He may be a Mohammedan fleeing from the persecution of some country on account of his religion. He may be a follower of Confucius. I might call the long list of those who worship what we call heathen gods, and yet he can come in. But this race of people, who are persecuted because of their race, are barred out; and yet the Senator said that he thought they might come in, because they were really being persecuted for their religion. Yet when it is proposed to make that phrase clear and plain and explicit by writing in the word "race," he opposes it. The truth is that this is opposed because of opposition to the Jewish people; and I propose for a moment to address myself to the question of whether the Jewish people ought to be excluded from the United States.

I start with the proposition advanced by the learned Senator in charge of this bill, that the percentage of illiteracy among the Jews in Russia, while high, is yet much lower than it is among the Russian people themselves, although under the laws of Russia the Jew is herded within the pale, denied the opportunity to engage in the learned professions, denied admission to the public schools, except in a certain percentage; and I was advised the other day by one of the most intelligent Jews I know that the law, when he left Russia a few years ago, was that, in order to be admitted to the high school the Jew had to be one of but 5 for every 200 other students; that is to say, out of every 200 students in a high school but 5 could be Jews; and as the particular school the Jew was permitted to attend was located within the pale where the Jewish population was probably 20 to 1 it practically meant the exclusion of all Jews from a high-school education. Similar restrictions are found in regard to the primary schools, either by absolute law or by administrative abuse. Yet under these adverse circumstances the Senator in charge of this bill states that the Jews in Russia have advanced further in education than have the Russians of Russia.

Why, then, deny admission to people possessed of this thirst for learning? A few of them come here illiterate, the older men bringing their families with them, for the Jew is essentially a man of family. It is to be said in praise of that race that the family ties are stronger and more tender than, perhaps, among any other race of people. Oppressed and crushed and persecuted because of their race and their religion, they have struggled on until a little money has been accumulated, and the father comes here. Perhaps he can not read and write because he was unable to secure an opportunity to learn. When he comes he brings his children.

What of the children? Who will have the temerity to stand on this floor and say that the Jewish people do not send their children to school, do not deny themselves the very necessities of life that their offspring may obtain an education? I happen to be acquainted with a Jew who was born within the pale in Russia, who sought to enter the public schools there and was denied the privilege. His parents happened to have accumulated a little money, and they paid a bribe of a thousand rubles to a Russian officer to have this boy admitted to the high school. The money was taken, and then the privilege was denied. He came to this land alone; he secured not only a common-school education but was graduated with honor from one of our universities. He is engaged in conducting a Jewish eleemosynary institution in my city. That institution maintains a school in which is taught the English language, the laws of our country—that is, so far as they affect ordinary civil government—music, and the rudiments of medicine and of the mechanical arts. They receive these immigrants who are unable to speak a word of our tongue; they secure them positions at humble labor; they watch over them and guard them. Through that institution every year there pass hundreds and hundreds of these people. They keep track of them and loan them money. This young Jew made the statement to me that out of 870 loans made last year there had been an actual loss of but 1¼ per cent, which was more than made up by the interest that was paid. He stated further that in every instance where there had been a default in payment of the principal it was traceable directly to death or to some other catastrophe that the individual could not prevent. He further stated to me that over 99 per cent of all the children of school age of these immi-

grants were attending the public schools. As illustrative of how speedily, how hungrily, and how eagerly these people acquire a knowledge of our institutions, he stated to me that the United States district attorney was brought there to lecture upon American citizenship, and that this man stated to these people: "When you become citizens you have all of the rights I have," repeating the phrase several times. When the lecturer—this United States district attorney—took his seat and the meeting had adjourned my informant stated that an old Jew who had been here but six months and had acquired the rudiments of our language went to him and laughingly said: "You are mistaken. When we are naturalized we do not have all of the rights that you have; the Constitution of the United States otherwise provides."

These people once had a rather broad liberty in Russia. It is only within modern times they have been herded together like cattle within the pale. I put it hard upon the conscience of every man who is to vote upon this bill, Will you deny admission to an individual who has been absolutely denied the opportunity to acquire learning, but who nevertheless is sound in body, sound in mind, sound in morals, and who, in order to benefit himself, seeks a place where he can learn and where the temple of intelligence is open for his children to enter? Will you say to him because he has been denied opportunity in the land of his birth that the door of hope shall be shut forever in his face? Will you say to the man whose back is already scored with the whip of the oppressor, "Because the blood has already been drawn, you shall forever remain under the lash"? Shall we join in the old proscriptive cry which has been the curse of mankind through the ages? Have we advanced to no plane higher than that low level in which fanaticism and hatred and prejudice have controlled the actions of men and of races of men?

Spain drove out the Jews, and Spain's decline began from that hour. England, Holland, and other countries received them, but they did not decline; they were not ruined; their people were not destroyed. Just in proportion as nations have shown a broad liberality upon all these questions have they prospered and become great. Would you condemn these people or any people who are capable of assimilating themselves into our life because they have been denied an education? It takes something besides education to make or the lack of it to unmake a man. I have here a report——

Mr. STONE rose.

Mr. REED. I see my colleague has risen. Does he desire to move an executive session?

Mr. STONE. I do, if my colleague has reached the point where he could defer his observations.

Mr. CLAPP. If the senior Senator from Missouri will withhold his motion for just a moment, I desire to suggest to the junior Senator from Missouri at this point that the real test of the relation of education to citizenship depends upon the opportunity which a man has to acquire it.

Mr. REED. Exactly.

Mr. CLAPP. While the failure to get an education where the opportunity exists would go to the question of the fitness of a man, it could not go to his fitness where the opportunity had been denied him.

Mr. REED. I want to say just a word in conclusion of the remarks that I am making. I have here some facts with reference to the education of our own people, which I propose to lay before the Senate in the conclusion of my remarks. I now yield to my colleague.

Mr. STONE. Mr. President, I should like to have it clearly understood that the amendment I have proposed to the amendment of the Senator from Colorado is to insert after the word "persons," in line 9, the words "when otherwise qualified for admission under the laws of the United States." Possibly the Senator from Colorado might be willing to accept that as part of his amendment.

Mr. THOMAS. Mr. President, I am willing to accept the amendment suggested by the Senator from Missouri.

Mr. SMITH of South Carolina. As amended, I will inquire how the amendment will then read?

Mr. STONE. It will read in this way:

That the following classes of persons, when otherwise qualified for admission under the laws of the United States, shall be exempt from the operation of the illiteracy test—

And so forth.

Mr. SMITH of South Carolina. Mr. President, as a matter of course that will have to be decided by a vote of the Senate. That, in my judgment, would not change the effect of the amendment as to those whom it is sought to exempt from the illiteracy test; and as chairman of the committee I could not accept it. I have given as amply as I knew how my reasons for opposing any modification along lines political or racial.

At the proper time I shall have a word to say as to the comments made by the Senator from Missouri [Mr. REED] upon the remarks submitted by me the other evening concerning the Jews; but I can not accept the additional modifying phrase which the Senator from Missouri seeks to place upon the amendment. I appreciate fully the object sought to be attained—the opening of our doors as far as may be to the Jews alone. We might not be averse to that as a general proposition were we assured that it could not be used for other purposes; but after mature deliberation by the committee, or by some of its members at least, and informing ourselves as to the extent to which this might go, I am quite sure that the effect would be to nullify the literacy test.

I took occasion the other day to show that, applying the literacy test, fewer Jews would be affected than the people of any other nation.

Mr. STONE. Mr. President, I move that the Senate proceed to the consideration of executive business.

Mr. SMITH of South Carolina. Before that motion is put, will the Senator allow me to make a statement?

Mr. STONE. I withhold the motion for the moment.

Mr. SMITH of South Carolina. The time is drawing near for the holiday recess, and there are certain pressing personal obligations which I should be very grateful to the Senate if it would allow me untrammeled to meet. Of course, I have no right to come here and set up any personal obligations other than those assumed in the discharge of my duties as a reason why a bill should take any certain course, but I did hope that we might fix a day certain for a vote, say at such time as would give ample opportunity for debate to all those who desire to be heard on provisions of the bill or amendments which they think should be presented, as well as to those who think that the bill should remain as it is. I did hope that we might have a day fixed for a vote, so that I could arrange certain personal affairs without any embarrassment to me as chairman of the committee.

Mr. STONE. Mr. President, so far as I am concerned, I have said all that I care to say with respect to the exceptions made in the bill and proposed in the amendment to the so-called literacy test. If I find opportunity to do so, I should like to occupy a short time—comparatively, at least—of the time of the Senate to express some views I have as against the literacy test in its larger application, whether these exceptions are made or not; but I can not do so now, and I may not have an opportunity to do so at all, as it is my purpose to leave the city on Sunday, and I will not return until after the holiday recess.

Mr. SMITH of South Carolina. I will ask the Senator the direct question—of course, he can answer it or not, as he sees fit—would he object to fixing a date certain if, in his judgment, that would give ample opportunity?

Mr. STONE. I shall not object.

Mr. SMITH of South Carolina. Then, Mr. President——

Mr. STONE. The Senator can not make a request for unanimous consent without the presence of a quorum, and I am afraid if the Senator calls for a quorum now we will not be able to secure an executive session.

Mr. SMITH of South Carolina. Then, Mr. President, in view of the fact that it is late, and an executive session is desired, I will simply state, so that I will not take anyone at a disadvantage, that to-morow morning, immediately upon the conclusion of the routine morning business, I shall make an effort to have a day certain fixed upon which this bill may reach its final termination.

Mr. STONE. Why not say at the next session of the Senate the request will be made?

Mr. SWANSON. Let the Senator give notice that at the next session of the Senate he will make that request.

Mr. SMITH of South Carolina. I have given all the notice necessary. Do I understand from the Senator from Missouri that it is the desire of those having executive matters in hand that there shall be an executive session at this time?

Mr. STONE. A number of nominations have been sent in which I think we ought to have referred to the proper committees, and there are some nominations pending which I think we might have acted upon. It will only take a short time, and I have no objection to the Senate going back into legislative session if the Senator wishes, although the hour is late.

Mr. SMITH of South Carolina. Mr. President, as a matter of course, I have no desire to annoy Senators, and yet I am charged on the floor of the Senate at least with responsibility for this bill, and I am going to use every method in my power to keep it continuously before the Senate until it is finally disposed of. In doing so I think I will have the cooperation and the justification of every right-thinking Senator. As we are about to go into

executive session, I presume the bill will be automatically temporarily laid aside pending the next session of the Senate.

PROPOSED CONSIDERATION OF THE CALENDAR.

Mr. KERN. Mr. President, I desire to give notice to Senators, on both sides of the Chamber of course, that on next Monday afternoon I shall make the necessary motion for an evening session of the Senate next Monday night for the purpose of considering the calendar.

EXECUTIVE SESSION.

Mr. STONE. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to, and the Senate proceeded to the consideration of executive business. After 10 minutes spent in executive session the doors were reopened, and (at 4 o'clock and 35 minutes p. m.) the Senate adjourned until to-morrow, Saturday, December 19, 1914, at 12 o'clock meridian.

NOMINATIONS.

Executive nominations received by the Senate December 18, 1914.

SECRETARY OF LEGATION.

Willing Spencer, of Pennsylvania, now secretary of the legation at Caracas, to be secretary of the legation of the United States of America at Panama, Panama, vice William P. Cresson.

RECEIVER OF PUBLIC MONEYS.

Perry M. Colson, of Gainesville, Fla., to be receiver of public moneys at Gainesville, Fla., vice Shields Warren, term expired.

REGISTER OF LAND OFFICE.

Robert W. Davis, of Gainesville, Fla., to be register of the land office at Gainesville, Fla., vice Henry S. Chubb, term expired.

POSTMASTERS.

ALABAMA.

Leslie Booker to be postmaster at Phoenix, Ala., in place of William T. Hogan. Incumbent's commission expired December 16, 1914.

Joseph S. McCain to be postmaster at Lineville, Ala., in place of John R. McCain, resigned.

Barney M. Roberts to be postmaster at Clanton, Ala., in place of Felix O. Dudley. Incumbent's commission expired December 14, 1914.

ARIZONA.

Charles Osborne to be postmaster at Holbrook, Ariz., in place of E. J. Smith, resigned.

ARKANSAS.

I. N. Deadrick to be postmaster at Parkin, Ark. Office became presidential October 1, 1914.

Linn Turley to be postmaster at Forrest City, Ark., in place of Ellis Turley, resigned.

CALIFORNIA.

Ross H. Hille to be postmaster at San Fernando, Cal., in place of Joseph P. Frankhouse. Incumbent's commission expired January 24, 1914.

C. E. Tabler to be postmaster at Parlier, Cal. Office became presidential October 1, 1914.

B. A. Wilson to be postmaster at Los Banos, Cal., in place of Adolphus H. Salau, resigned.

COLORADO.

Andrew V. Sharpe to be postmaster at Fruita, Colo., in place of William T. Brumbaugh, resigned.

CONNECTICUT.

William L. Hanley to be postmaster at Thomaston, Conn., in place of C. A. Curtiss. Incumbent's commission expired December 13, 1914.

Michael J. Howard to be postmaster at Norwalk, Conn., in place of Elbert S. Adams. Incumbent's commission expired December 13, 1914.

T. J. Kelly to be postmaster at Oakville, Conn., in place of W. C. Hungerford. Incumbent's commission expired June 14, 1914.

Francis J. Kilborn to be postmaster at Washington Depot, Conn., in place of S. Ford Seeley. Incumbent's commission expired December 14, 1914.

W. R. Monroe to be postmaster at Coscob, Conn., in place of Charles W. Munsinger, resigned.

Edward L. Reidy to be postmaster at Winsted, Conn., in place of James P. Glynn, resigned.

William H. Russell to be postmaster at Southport, Conn., in place of W. H. Jennings. Incumbent's commission expired May 19, 1914.

Thomas F. Ryan to be postmaster at Litchfield, Conn., in place of Rudolph Karl. Incumbent's commission expired June 14, 1914.

William P. Stone to be postmaster at Salisbury, Conn., in place of W. P. Everts. Incumbent's commission expired December 13, 1914.

DELAWARE.

Frederick L. Willey to be postmaster at Bridgeville, Del., in place of George B. Ruos. Incumbent's commission expired December 14, 1914.

FLORIDA.

Milton D. Bell to be postmaster at Inverness, Fla., in place of H. L. Cubberly. Incumbent's commission expired December 14, 1914.

GEORGIA.

W. H. Bennett to be postmaster at Tifton, Ga., in place of E. C. Tift. Incumbent's commission expired December 14, 1914.

James L. Brown to be postmaster at Greensboro, Ga., in place of W. M. Bryant. Incumbent's commission expired April 21, 1914.

James S. Francis to be postmaster at Conyers, Ga., in place of J. T. A. McCollum. Incumbent's commission expired December 14, 1914.

James J. Gordy to be postmaster at Richland, Ga., in place of James J. Gordy. Incumbent's commission expired December 16, 1914.

Robert L. Horne to be postmaster at Ludowici, Ga., in place of Robert L. Horne. Incumbent's commission expired April 12, 1914.

E. H. McGehee to be postmaster at Talbotton, Ga., in place of William O. De Loache, removed.

HAWAII.

Otto F. Heine to be postmaster at Lahaina, Hawaii, in place of Moses D. K. Keokokalole, not commissioned.

Henry K. Plemer to be postmaster at Waialua, Hawaii, in place of H. H. Plemer, resigned.

IDAHO.

William T. Roberts to be postmaster at Bellevue, Idaho, in place of Emma L. Reed. Incumbent's commission expired February 14, 1914.

Thomas J. Russell to be postmaster at Post Falls, Idaho, in place of Sherman H. Smith. Incumbent's commission expired December 13, 1914.

ILLINOIS.

Ben Campbell Allensworth to be postmaster at Pekin, Ill., in place of Adolph Fehrman. Incumbent's commission expired December 13, 1914.

P. M. Biwer to be postmaster at Lincoln, Ill., in place of T. H. Stokes. Incumbent's commission expires February 6, 1915.

Joseph V. Campeggio to be postmaster at Ladd, Ill., in place of Joseph Campeggio. Incumbent's commission expired March 7, 1914.

John T. Carroll to be postmaster at Toluca, Ill., in place of Dominick Turigliatti, resigned.

I. C. Davidson to be postmaster at Carthage, Ill., in place of Joseph E. Helfrich, removed.

W. H. Hefferan to be postmaster at Rockford, Ill., in place of Howard C. Hilton, resigned.

J. E. Herman to be postmaster at Mounds, Ill., in place of Mark L. Kennedy, removed.

Emil J. Hess to be postmaster at Mendota, Ill., in place of J. G. Reul. Incumbent's commission expired February 18, 1914.

Frederick D. Jay to be postmaster at Elmwood, Ill., in place of Milton H. Spence, resigned.

Charles D. Kuykendall to be postmaster at Grayville, Ill., in place of W. A. Mussett. Incumbent's commission expired February 18, 1914.

Harold M. Oakford to be postmaster at Walnut, Ill., in place of Ira M. White, resigned.

Ralph A. Pate to be postmaster at Glencoe, Ill., in place of Daniel McArthur, resigned.

Richard J. Simmons to be postmaster at Macomb, Ill., in place of William H. Hainline, removed.

Henry A. Stokoe to be postmaster at Farmington, Ill., in place of Sewell P. Wood. Incumbent's commission expired June 2, 1914.

George R. Tilton to be postmaster at Danville, Ill., in place of Clint C. Tilton, resigned.

B. L. Washburn to be postmaster at Carterville, Ill., in place of Luther E. Robertson, deceased.

INDIANA.

Amasa S. Robinson to be postmaster at Monroeville, Ind., in place of George E. Spake, resigned.

James H. Roy to be postmaster at Topeka, Ind., in place of Eva M. Kauffman. Incumbent's commission expired December 13, 1914.

IOWA.

Greenup C. Boston to be postmaster at Malvern, Iowa, in place of Channing C. Baird, deceased.

Ira L. Breffle to be postmaster at Lake Park, Iowa, in place of C. F. Hatch. Incumbent's commission expired December 13, 1914.

N. A. Christensen to be postmaster at Alta, Iowa, in place of C. A. van Buskirk, resigned.

John F. Dalton, jr., to be postmaster at Manson, Iowa, in place of William Springer. Incumbent's commission expired December 13, 1914.

J. J. Glenn to be postmaster at Marengo, Iowa, in place of James C. Dinwiddie. Incumbent's commission expired December 13, 1914.

Henry C. Hastings to be postmaster at Eldon, Iowa, in place of Erastus T. Boland, deceased.

A. F. Jenkins to be postmaster at Russell, Iowa, in place of Harry D. Clinton. Incumbent's commission expired December 14, 1914.

George E. Jennings to be postmaster at Garden Grove, Iowa, in place of W. H. Jennings. Incumbent's commission expired December 14, 1914.

S. T. Jordan to be postmaster at Fonda, Iowa, in place of R. M. Harrison. Incumbent's commission expired December 13, 1914.

W. C. McWilliams to be postmaster at Hedrick, Iowa, in place of John C. Foster. Incumbent's commission expired December 14, 1914.

Emma Nicolay to be postmaster at Postville, Iowa, in place of Arthur S. Burdick. Incumbent's commission expires December 20, 1914.

John O'Rourke to be postmaster at Red Oak, Iowa, in place of George A. Stibbens. Incumbent's commission expired May 18, 1914.

Joseph Peters to be postmaster at Preston, Iowa, in place of Frank E. Tripp, resigned.

Hans Peter N. Rix to be postmaster at Manning, Iowa, in place of C. A. Easterly. Incumbent's commission expired December 13, 1914.

W. C. Swigart to be postmaster at Maquoketa, Iowa, in place of A. M. Phillips, removed.

Herman Toering to be postmaster at Orange City, Iowa, in place of Geradus L. Van de Steeg. Incumbent's commission expired December 13, 1914.

Lacey A. Wine to be postmaster at Sac City, Iowa, in place of Charles L. Early. Incumbent's commission expired December 13, 1914.

KANSAS.

Wenslow Cipra to be postmaster at Lincoln, Kans., in place of C. M. Heaton, resigned.

Clarence Coulter to be postmaster at Blue Rapids, Kans., in place of Horace C. Lathrop, resigned.

William F. Grosser to be postmaster at Salina, Kans., in place of George M. Hull. Incumbent's commission expired December 13, 1914.

Frank H. Higley to be postmaster at Cawker City, Kans., in place of Curt M. Higley. Incumbent's commission expired December 16, 1914.

Jeremiah M. Hopper to be postmaster at Ness City, Kans., in place of William H. Bondurant, resigned.

John F. Hostetler to be postmaster at Great Bend, Kans., in place of Theodore Griffith. Incumbent's commission expired June 2, 1914.

Lloyd E. Jackson to be postmaster at McPherson, Kans., in place of L. Dallas McMurray. Incumbent's commission expired December 13, 1914.

Allen W. Jones to be postmaster at Minneola, Kans., in place of Edna M. Jeffers. Incumbent's commission expired December 13, 1914.

Joseph J. Keraus to be postmaster at Wakeeney, Kans., in place of Harvey S. Givler. Incumbent's commission expires December 20, 1914.

R. D. McCliman to be postmaster at Seneca, Kans., in place of W. H. Jordan. Incumbent's commission expired December 13, 1914.

Louis C. Orr to be postmaster at Atchison, Kans., in place of W. D. Casey, resigned.

S. T. Osterhold to be postmaster at Holton, Kans., in place of H. C. Tucker. Incumbent's commission expired December 14, 1914.

Nathan E. Reece to be postmaster at Stafford, Kans., in place of Charles G. Webb, resigned.

Thomas J. Ryan to be postmaster at St. Marys, Kans., in place of William H. True. Incumbent's commission expired December 13, 1914.

Henry F. Schmidt to be postmaster at Dodge City, Kans., in place of James A. Arment. Incumbent's commission expired December 13, 1914.

John Wolfert to be postmaster at Downs, Kans., in place of Emma W. McCune. Incumbent's commission expired December 13, 1914.

KENTUCKY.

Robert H. Anderson to be postmaster at Georgetown, Ky., in place of Llewellyn F. Sinclair, resigned.

Edward O. Gooch to be postmaster at Crab Orchard, Ky. Office became presidential October 1, 1914.

Moses Kaufman to be postmaster at Lexington, Ky., in place of Wilbur R. Smith, resigned.

LOUISIANA.

S. B. Hanes to be postmaster at Jena, La., in place of Richard E. Hodges, resigned.

MAINE.

Frank B. Hills to be postmaster at Thomaston, Me., in place of Edward Brown. Incumbent's commission expired December 13, 1914.

John W. Hutchins to be postmaster at Fryeburg, Me., in place of Mary E. Frye. Incumbent's commission expired December 13, 1914.

Joseph A. Kenney to be postmaster at South Paris, Me., in place of Samuel F. Davis. Incumbent's commission expired December 13, 1914.

MARYLAND.

Thomas D. Bowers to be postmaster at Chestertown, Md., in place of M. W. Thomas. Incumbent's commission expired August 4, 1913.

Washington F. Collins to be postmaster at Millington, Md., in place of Rose E. Walls. Incumbent's commission expired January 11, 1913.

Charles Judefind to be postmaster at Rock Hall, Md. Office became presidential October 1, 1914.

Mary W. McKnett to be postmaster at Trappe, Md. Office became presidential October 1, 1914.

MASSACHUSETTS.

John Adams to be postmaster at Provincetown, Mass., in place of Joseph A. West, deceased.

Edward F. Dannahy to be postmaster at Holliston, Mass., in place of Althamer E. Chamberlain. Incumbent's commission expired December 13, 1914.

Daniel A. Donnelly to be postmaster at Walpole, Mass., in place of Julius Guild. Incumbent's commission expired December 13, 1914.

Joseph F. Lapine to be postmaster at Hudson, Mass., in place of G. A. Coolidge. Incumbent's commission expired April 5, 1914.

MICHIGAN.

Horatio J. Abbott to be postmaster at Ann Arbor, Mich., in place of H. G. Prettyman. Incumbent's commission expired December 13, 1914.

Charlie W. Beier to be postmaster at Lenox, Mich. Office became presidential July 1, 1914.

James C. Beckwith to be postmaster at Marshall, Mich., in place of James P. Hughes. Incumbent's commission expired December 13, 1914.

James J. Byers to be postmaster at Houghton, Mich., in place of Ernest J. Dube, deceased.

Powell Brody to be postmaster at Lawton, Mich., in place of Minnie L. Hall. Incumbent's commission expired December 13, 1914.

Patrick Garvey to be postmaster at Hemlock, Mich. Office became presidential October 1, 1914.

Charles E. Hogadone to be postmaster at Grand Rapids, Mich., in place of W. Millard Palmer, removed.

Earl Hunter to be postmaster at Lowell, Mich., in place of C. G. Perry. Incumbent's commission expired December 16, 1914.

Frederick J. Kruger to be postmaster at Centerville, Mich., in place of Edwin L. Clapp, deceased.

John F. McInerney to be postmaster at Wyandotte, Mich., in place of E. N. Clark. Incumbent's commission expired December 14, 1914.

Myron E. Miller to be postmaster at Charlotte, Mich., in place of H. T. McGrath. Incumbent's commission expired December 13, 1914.

Willard R. Noyes to be postmaster at Albion, Mich., in place of A. D. Bangham. Incumbent's commission expired December 13, 1914.

Patrick H. Schannenk to be postmaster at Chassell, Mich. Office became presidential October 1, 1914.

Charles J. Tarte to be postmaster at Marine City, Mich., in place of Charles L. Doyle, removed.

W. L. Tinham to be postmaster at Northville, Mich., in place of M. N. Johnson. Incumbent's commission expired December 14, 1914.

F. Raymond Wallbrecht to be postmaster at Central Lake, Mich., in place of Arthur J. Gibson. Incumbent's commission expired December 14, 1914.

MINNESOTA.

S. G. Anderson, jr., to be postmaster at Hutchinson, Minn., in place of Kee Wakefield. Incumbent's commission expired June 2, 1914.

Chauncey W. Bulen to be postmaster at Walnut Grove, Minn., in place of D. A. Malloy. Incumbent's commission expired December 14, 1914.

John Butler to be postmaster at Lesueur Center, Minn., in place of J. H. Smullen. Incumbent's commission expired February 15, 1914.

J. B. Connors to be postmaster at Hibbin, Minn., in place of T. J. Godfrey. Incumbent's commission expired December 13, 1914.

Charles F. Cook to be postmaster at Austin, Minn., in place of Osman J. Simmons, resigned.

Ruth S. Driscoll to be postmaster at Madison, Minn., in place of J. B. Oadson. Incumbent's commission expired December 13, 1914.

J. F. McDonnell to be postmaster at Waverly, Minn., in place of A. E. Learned. Incumbent's commission expired December 13, 1914.

Henry J. Schaefer to be postmaster at Albany, Minn., in place of J. B. Pallansch, resigned.

Oscar T. Stromme to be postmaster at Elbow Lake, Minn., in place of J. S. Jacobson, resigned.

MISSISSIPPI.

Mattie B. Catchings to be postmaster at Georgetown, Miss. Office became presidential October 1, 1914.

A. C. Fant to be postmaster at Macon, Miss., in place of H. N. Scales. Incumbent's commission expired June 14, 1914.

Frank L. Ratliff to be postmaster at Shaw, Miss., in place of Frank L. Ratliff. Incumbent's commission expired December 13, 1914.

Nannie Stuart to be postmaster at Morton, Miss. Office became presidential October 1, 1914.

MISSOURI.

James H. Campbell to be postmaster at Higginsville, Mo., in place of Melvin C. James. Incumbent's commission expired December 13, 1914.

W. N. Collins to be postmaster at Kansas City, Mo., in place of Joseph H. Harris, resigned.

William A. Crow to be postmaster at Humansville, Mo., in place of James A. Ham. Incumbent's commission expired December 13, 1914.

William S. Dray to be postmaster at Savannah, Mo., in place of John D. Kerr, removed.

M. H. Estill to be postmaster at King City, Mo., in place of G. L. Miller. Incumbent's commission expired December 13, 1914.

Eugene M. Goodwin to be postmaster at Odessa, Mo., in place of De Forest Spore. Incumbent's commission expired December 13, 1914.

Grover C. Gresham to be postmaster at Parkville, Mo., in place of W. H. Luthy. Incumbent's commission expired December 13, 1914.

J. C. Hall to be postmaster at Kearney, Mo., in place of G. W. Riddle. Incumbent's commission expired December 13, 1914.

Francis A. Howard to be postmaster at Slater, Mo., in place of E. T. Alexander. Incumbent's commission expired December 13, 1914.

Edgar R. Idol to be postmaster at Pleasant Hill, Mo., in place of G. M. Dallas. Incumbent's commission expired December 14, 1914.

James R. Lowell to be postmaster at Moberly, Mo., in place of L. W. Kelly. Incumbent's commission expired December 15, 1914.

Louis P. Kern to be postmaster at Sainte Genevieve, Mo., in place of Andrew J. Siebert, resigned.

R. N. Owsley to be postmaster at Windsor, Mo., in place of A. H. Cole. Incumbent's commission expired December 13, 1914.

Edwin Reavis to be postmaster at Sweet Springs, Mo., in place of J. J. Smith. Incumbent's commission expired December 13, 1914.

Charles A. Stoner to be postmaster at Ridgeway, Mo., in place of George E. Melvin, deceased.

Charles L. Welden to be postmaster at Maysville, Mo., in place of E. H. Brant. Incumbent's commission expired December 13, 1914.

MONTANA.

Ephraim E. Hackett to be postmaster at Victor, Mont., in place of Joseph Appolonio, resigned.

NEBRASKA.

Francis W. Brown to be postmaster at Lincoln, Nebr., in place of E. R. Sizer. Incumbent's commission expired April 20, 1914.

Frederick A. Mellberg to be postmaster at Newman Grove, Nebr., in place of Carelius K. Olson, resigned.

NEW JERSEY.

Charles E. Crane to be postmaster at Clayton, N. J., in place of J. W. Dooling. Incumbent's commission expires December 20, 1914.

Harry F. Hinchman, jr., to be postmaster at Convent Station, N. J., in place of W. A. Scott. Incumbent's commission expires December 19, 1914.

Edward W. Walker to be postmaster at Cranbury, N. J., in place of J. S. Bergen. Incumbent's commission expired December 14, 1914.

NEW YORK.

Allen S. Brower to be postmaster at Woodmere, N. Y., in place of W. D. Burtis. Incumbent's commission expired December 16, 1914.

Thomas J. Courtney to be postmaster at Garden City, N. Y., in place of Clara Doughty. Incumbent's commission expired January 17, 1914.

William J. Ferrick to be postmaster at Chappaqua, N. Y., in place of J. Mailler Hunt, resigned.

William M. Heaney to be postmaster at Cold Spring Harbor, N. Y., in place of W. S. Keene. Incumbent's commission expired June 22, 1914.

Daniel F. Shea to be postmaster at Jamaica, N. Y., in place of W. B. Ashmead. Incumbent's commission expires February 8, 1915.

NORTH CAROLINA.

Robert V. Brawley to be postmaster at Statesville, N. C., in place of D. L. Raymer. Incumbent's commission expired December 15, 1914.

David T. Clark to be postmaster at Weldon, N. C., in place of J. O. Burton. Incumbent's commission expired April 21, 1914.

Mary H. Osborn to be postmaster at Oxford, N. C., in place of C. D. Osborn, deceased.

John H. Wilson to be postmaster at Sylva, N. C. Office became presidential October 1, 1914.

NORTH DAKOTA.

Marjorie J. Bloom to be postmaster at Devils Lake, N. Dak., in place of Richard Daeley. Incumbent's commission expired March 11, 1914.

Carl L. George to be postmaster at Sarles, N. Dak. Office became presidential October 1, 1914.

A. A. J. Lang to be postmaster at Sanborn, N. Dak. Office became presidential October 1, 1914.

Myrtle Nelson to be postmaster at Bowman, N. Dak., in place of William H. Workman, removed.

W. W. Smith to be postmaster at Valley City, N. Dak., in place of William H. Pray, removed.

OHIO.

F. N. Cary to be postmaster at New Richmond, Ohio, in place of F. F. Talley. Incumbent's commission expired June 6, 1914.

Jacob C. Hoch to be postmaster at Spencerville, Ohio, in place of H. M. Ashton. Incumbent's commission expired June 24, 1914.

Jacob E. Mercer to be postmaster at Hicksville, Ohio, in place of Akin M. Richards, removed.

Bernard Sherman to be postmaster at Minster, Ohio, in place of H. Bernard Sherman, resigned.

John L. Shuff to be postmaster at Cincinnati, Ohio, in place of Elias R. Monfort, resigned.

William A. White to be postmaster at Crestline, Ohio, in place of Albert Haworth. Incumbent's commission expired May 24, 1914.

OKLAHOMA.

Clarence G. Dalton to be postmaster at Mounds, Okla., in place of W. H. Bierly. Incumbent's commission expired December 15, 1914.

PENNSYLVANIA.

Lewis W. Bechtel to be postmaster at Stowe, Pa., in place of B. P. Sheeder. Incumbent's commission expired December 14, 1914.

William F. Burchfield to be postmaster at Mifflin, Pa., in place of S. M. McNitt. Incumbent's commission expired December 14, 1914.

Albert E. Eckert to be postmaster at East Stroudsburg, Pa., in place of N. S. Brittain, jr., resigned.

Daniel E. Hanrahan to be postmaster at Hallstead, Pa., in place of W. F. Simrell. Incumbent's commission expired January 24, 1914.

George W. Heffelman to be postmaster at New Cumberland, Pa., in place of Herman Long, removed.

P. G. Katz to be postmaster at Verona, Pa., in place of John McCurdy. Incumbent's commission expired April 19, 1914.

John Kehoe to be postmaster at Pittston, Pa., in place of H. J. Mahon. Incumbent's commission expired March 31, 1914.

Thomas W. Loftus to be postmaster at Archbald, Pa., in place of P. A. Philbin. Incumbent's commission expired April 28, 1914.

James J. McArdle to be postmaster at Nesquehoning, Pa., in place of T. H. Floyd. Incumbent's commission expired June 10, 1914.

Walter James McBeth to be postmaster at Braddock, Pa., in place of C. H. Sheets. Incumbent's commission expired March 22, 1914.

Joseph P. McMahon to be postmaster as Susquehanna, Pa., in place of G. W. Shaeff. Incumbent's commission expired March 22, 1914.

William A. Meehan to be postmaster at Dickson City, Pa. Office became presidential January 1, 1914.

Frank P. Moats to be postmaster at Smithfield, Pa., in place of A. J. Sutton. Incumbent's commission expired April 7, 1914.

John J. Moran to be postmaster at Olyphant, Pa., in place of S. J. Matthews. Incumbent's commission expired April 29, 1914.

James G. Paul to be postmaster at Bradford, Pa., in place of Robert P. Habgood, resigned.

C. K. Spragg to be postmaster at Waynesburg, Pa., in place of A. P. Dickey. Incumbent's commission expired April 1, 1914.

E. H. Sutterley to be postmaster at Morrisville, Pa., in place of G. M. Palmer. Incumbent's commission expired December 13, 1914.

George F. Trout to be postmaster at Stewartstown, Pa., in place of William H. Fulton, deceased.

SOUTH CAROLINA.

John B. O'Neal to be postmaster at Fairfax, S. C. Office became presidential October 1, 1914.

SOUTH DAKOTA.

Demetrious S. Billington to be postmaster at Spearfish, S. Dak., in place of John Bell, resigned.

Linville Miles to be postmaster at Langford, S. Dak., in place of Linville Miles. Incumbent's commission expired January 10, 1914.

TENNESSEE.

G. P. Atchison to be postmaster at Erin, Tenn., in place of Zeph Roby. Incumbent's commission expired December 13, 1914.

J. L. Haynes to be postmaster at Decherd, Tenn., in place of W. H. Shelley. Incumbent's commission expired December 13, 1914.

Kate Penn to be postmaster at Kenton, Tenn., in place of J. P. Penn, deceased.

TEXAS.

Sallie M. Ayres to be postmaster at Frankston, Tex. Office became presidential October 1, 1914.

Samuel H. Bell to be postmaster at Deport, Tex., in place of Wilson I. Lawlor, resigned.

A. H. Buie to be postmaster at Ennis, Tex., in place of A. H. Culver, resigned.

C. J. Debenport to be postmaster at Commerce, Tex., in place of Dallas Harbert, resigned.

Edwin Forrest, jr., to be postmaster at Blum, Tex., in place of E. E. Nelson. Incumbent's commission expires December 19, 1914.

Edmund Herder to be postmaster at Shiner, Tex., in place of Gustave A. Pannewitz, deceased.

E. G. Keese to be postmaster at Stamford, Tex., in place of C. W. Atkins. Incumbent's commission expired December 16, 1914.

C. T. McConnico to be postmaster at Kerens, Tex., in place of C. E. Smith. Incumbent's commission expired December 16, 1914.

Bessie L. Rorex to be postmaster at Panhandle, Tex., in place of V. C. Nelson. Incumbent's commission expires December 19, 1914.

Martha A. Smith to be postmaster at Pleasanton, Tex. Office became presidential April 1, 1914.

UTAH.

David Bennion to be postmaster at Vernal, Utah, in place of E. J. Young, jr. Incumbent's commission expired December 13, 1914.

Walter K. Granger to be postmaster at Cedar City, Utah, in place of Charles S. Wilkinson, removed.

VERMONT.

C. A. Burnham to be postmaster at Bristol, Vt., in place of F. G. Haskins. Incumbent's commission expired April 26, 1914.

F. W. Childs to be postmaster at Brattleboro, Vt., in place of Kittredge Haskins. Incumbent's commission expires January 21, 1915.

Martha L. Gilbert to be postmaster at Randolph Center, Vt. Office became presidential April 1, 1914.

Patrick M. Meldon to be postmaster at Rutland, Vt., in place of George F. Pease. Incumbent's commission expired December 13, 1914.

George W. Pierce to be postmaster at Lyndonville, Vt., in place of J. M. Le Bourveau. Incumbent's commission expired June 24, 1914.

Hugh A. Sherlock to be postmaster at South Royalton, Vt., in place of P. S. Belknap. Incumbent's commission expired December 13, 1914.

VIRGINIA.

A. B. Buchanan to be postmaster at Tazewell, Va., in place of William C. Pendleton, resigned.

Carroll C. Chowning to be postmaster at Urbanna, Va. Office became presidential October 1, 1914.

John W. Kellam to be postmaster at Onley, Va. Office became presidential July 1, 1914.

J. William Sibert to be postmaster at Winchester, Va., in place of G. H. Kinzel, deceased.

William G. Stevenson to be postmaster at Accomac, Va. Office became presidential October 1, 1914.

WASHINGTON.

Hugh A. Nolan to be postmaster at Everett, Wash., in place of J. M. Vernon. Incumbent's commission expired May 2, 1914.

George D. Shannon to be postmaster at Anacortes, Wash., in place of V. J. Knapp. Incumbent's commission expired April 15, 1913.

WEST VIRGINIA.

William W. Irwin to be postmaster at Wheeling, W. Va., in place of A. H. Wiedebusch, deceased.

Charles Lively to be postmaster at Weston, W. Va., in place of Richard A. Hall, resigned.

WISCONSIN.

William Alexander to be postmaster at Hayward, Wis., in place of H. P. Fuley. Incumbent's commission expired May 31, 1914.

Robert A. Grignon to be postmaster at Suring, Wis. Office became presidential October 1, 1914.

Edward Lowth to be postmaster at Wisconsin Veterans Home, Wisconsin. Office became presidential October 1, 1914.

John A. Stewart to be postmaster at Seymour, Wis., in place of Francis R. Dittmer, resigned.

WYOMING.

A. W. Coons to be postmaster at Basin, Wyo., in place of William Gibson. Incumbent's commission expired December 13, 1914.

W. A. Johnson to be postmaster at Green River, Wyo., in place of William Rogers. Incumbent's commission expired December 14, 1914.

CONFIRMATIONS.

Executive nominations confirmed by the Senate December 18, 1914.

CONSUL.

Thomas B. L. Layton to be consul at Tahiti, Society Islands.

UNITED STATES MARSHAL.

John Hugh Kirkpatrick to be United States marshal for the western district of Louisiana.

RECEIVER OF PUBLIC MONEYS.

Perry M. Colson to be receiver of public moneys at Gainesville, Fla.

REGISTER OF THE LAND OFFICE.

Robert W. Davis to be register of the land office at Gainesville, Fla.

PROMOTIONS IN THE NAVY.

Lieut. Commander Daniel W. Wurtzbaugh to be a commander.
Lieut. Commander Ralph Earle to be a commander.
Ensign Ralph E. Sampson to be a lieutenant (junior grade).
Machinist Axel V. Kettels to be a chief machinist.
Lieut. (Junior Grade) Robert T. S. Lowell to be a lieutenant.
Lieut. (Junior Grade) Clyde R. Robinson to be a lieutenant.

REJECTION.

Executive nomination rejected by the Senate December 18, 1914.

POSTMASTER.

W. N. Collins to be postmaster at Kansas City, Mo.

HOUSE OF REPRESENTATIVES.

FRIDAY, *December 18, 1914.*

The House met at 12 o'clock noon.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

O Thou eternal and ever-living God, our heavenly Father, we bless Thy holy name that Thou hast not left us in this world alone to grope in darkness, but that the light of Thy presence is round about us shining in and through us to illumine our minds, cleanse our hearts, upholding, sustaining, guiding us to right thinking and clean living. That for every tear there are a thousand smiles; for every sorrow a thousand joys; for every crime a thousand noble, generous deeds; for every low and selfish desire a thousand glorious aspirations. That the star of love is in the ascendency leading us onward and upward. Continue, we beseech Thee, Thy presence and help us to do Thy will, and Thine be the praise forever. Amen.

The Journal of the proceedings of yesterday was read and approved.

THE LATE HON. ROBERT G. BREMNER.

Mr. DRUKKER. Mr. Speaker, I ask unanimous consent for the present consideration of the order which I send to the Clerk's desk.

The SPEAKER. The Clerk will report the order.

The Clerk read as follows:

Ordered, That Sunday, January 24, 1914, be set apart for addresses on the life, character, and public services of Hon. ROBERT G. BREMNER, late a Representative from the State of New Jersey.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

EXTENSION OF REMARKS.

Mr. MOORE. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD, the subject being the "Colombian viewpoint of the Panama treaty situation."

The SPEAKER. The gentleman from Pennsylvania [Mr. MOORE] asks unanimous consent to extend his remarks in the RECORD, the subject being the "Colombian viewpoint of the Panama treaty situation." Is there objection? [After a pause.] The Chair hears none.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Tulley, one of its clerks, announced that the Senate had passed the following resolutions:

Resolved, That the Senate has heard with profound sorrow of the death of the Hon. AUGUSTUS OCTAVIUS BACON, late a Senator from the State of Georgia.

Resolved, That as a mark of respect to the memory of the deceased the business of the Senate be now suspended to enable his associates to pay proper tribute to his high character and distinguished public services.

Resolved, That the Secretary communicate a copy of these resolutions to the House of Representatives and transmit a copy thereof to the family of the deceased.

Resolved, That as a further mark of respect to the memory of the deceased the Senate do now adjourn.

LEGISLATIVE, EXECUTIVE, AND JUDICIAL APPROPRIATION BILL.

The SPEAKER. The unfinished business is the bill H. R. 19909, the legislative, executive, and judicial appropriation bill, and when the House adjourned the gentleman from Tennessee [Mr. BYRNS] had asked for a separate vote on the Good amendment, which the Clerk will report.

Mr. JOHNSON of South Carolina. Mr. Speaker, I ask for a separate vote on amendment No. 1.

The SPEAKER. The gentleman from South Carolina asks for a separate vote on amendment No. 1. Is a separate vote demanded on any other amendment? If not, the Chair will put them in gross.

The question was taken, and the other amendments were agreed to.

The SPEAKER. The Clerk will report amendment No. 1.

Mr. GARNER. Mr. Speaker, I desire to submit a point of order to the Chair with reference to the so-called Good amendment.

The SPEAKER. This first amendment is another amendment.

Mr. GARNER. Then I will reserve it.

The Clerk read as follows:

Strike out on page 2 the paragraph beginning with line 4 and ending with line 10 and substitute the following:

"That in lieu of all mileage each Senator, Representative, Delegate, or Resident Commissioner shall be allowed his actual traveling expenses for himself and the dependent members of his family in coming from and returning to his home at each session of Congress."

The question was taken, and the Speaker announced the ayes seemed to have it.

Mr. JOHNSON of South Carolina. Mr. Speaker, I ask for a division.

The House divided; and there were—ayes 46, noes 36.

Mr. JOHNSON of South Carolina. Mr. Speaker, I ask for the yeas and nays.

Mr. DONOVAN and Mr. SAUNDERS. Mr. Speaker, I make the point of order that there is no quorum present.

The SPEAKER. The Chair will count.

Mr. DONOVAN. Mr. Speaker, I withdraw the point of order.

Mr. JOHNSON of South Carolina. Mr. Speaker, I renew it.

Mr. SAUNDERS. Mr. Speaker, I made the point of order that there was no quorum present, and I did not withdraw it.

The SPEAKER. The gentleman from Connecticut made the point of order——

Mr. SAUNDERS. I made it myself, and I did not withdraw it.

The SPEAKER. Certainly the gentleman from Connecticut made it, because the Chair recognized him.

Mr. SAUNDERS. But, Mr. Speaker, I sought recognition, and I make it now. I thought I had done so before.

The SPEAKER. All right. Evidently there is no quorum present.

Mr. SISSON. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. SISSON. In the vote about to be taken a vote of "aye" votes for the expenses of the Member and his family and a vote of "no" is for 5 cents?

The SPEAKER. The vote which is about to be taken is to ascertain whether a quorum is here, which necessitates a double roll call.

Mr. SISSON. The point I desire to get at is in reference to the yea-and-nay vote. I do not know the parliamentary status.

Mr. MANN. It is an automatic roll call.

Mr. SAUNDERS. I made the point of order to avoid a roll call which did not give a vote. It is an automatic call of the House.

The SPEAKER. It is an automatic call of the House, and the Doorkeeper will lock the doors, the Sergeant at Arms will notify absentees, and the Clerk will call the roll.

Mr. SISSON. Mr. Speaker——

The SPEAKER. The Chair will answer the gentleman's parliamentary inquiry if he will state it.

Mr. SISSON. I asked the Speaker this question: If a vote of "aye" votes for the amendment offered by the gentleman from Texas [Mr. HARDY] to pay the Member mileage and that of the dependent members of his family, and if a vote of "no" is for the 5 cents a mile? Is that the parliamentary status?

Mr. GARNER. Mr. Speaker, let us see if it can not be stated a little clearer, if the gentleman from Mississippi will permit.

Mr. SISSON. I want to find out myself, if the gentleman will state it, what the parliamentary status is.

Mr. GARNER. A vote of "aye" is in favor of the so-called Hardy amendment, which provides for the actual expenses of a Member and his dependent family. A vote of "nay" is in favor of 5 cents a mile, as contained in the bill. Is that correct?

The SPEAKER. If that is a correct statement of what is contained in the bill——

Mr. GARNER. It is.

The SPEAKER (continuing). A vote "yea" means that you adopt that.

Mr. JOHNSON of South Carolina. That is what is in the bill.

The SPEAKER. The expense account. The other one is the 5-cent provision.

Mr. BUCHANAN of Illinois. Mr. Speaker——.

The SPEAKER. For what purpose does the gentleman from Illinois rise?

Mr. BUCHANAN of Illinois. I am trying to find out what this means. I do not understand this leaves it at 5 cents a mile if you defeat this amendment.

The SPEAKER. The bill reported 5 cents a mile.

Mr. BUCHANAN of Illinois. That has not been adopted, has it?

The SPEAKER. It stands in the bill.

Mr. DONOVAN. Mr. Speaker, as I understand the parliamentary situation, the 5 cents a mile was defeated. The provision for the expenses of the Member and members of his family was carried. If this is defeated, if we go along the proceedings of the other day, we take up then the vote on no mileage. That was the situation the other day.

The SPEAKER. All the Chair knows about what happened in the Committee of the Whole is the report of the Chairman of the Committee of the Whole, and he reported back that the committee had directed him to report this bill with sundry amendments, with the recommendation to vote for the amendments and the bill.

Mr. FOSTER. Mr. Speaker, if I may be allowed to state the proposition, as it was originally reported by the committee it was 5 cents a mile. While there was a point of order made by the gentleman from Washington [Mr. HUMPHREY], it was overruled; and an amendment offered by the gentleman from Texas [Mr. HARDY] to substitute in place of that the actual traveling expenses of Members and dependent members of their families was adopted, and that is now before the House.

Mr. MANN. That was a motion to strike out and insert.

Mr. FOSTER. A motion to strike out and insert.

Mr. MANN. If that does not carry, it remains as it was in the bill.

Mr. FOSTER. So that if the amendment is voted down, it remains at 5 cents; but if adopted, it means the actual expenses to the Member and the dependent members of his family.

The SPEAKER. Those who are in favor of actual expenses will vote "yea," and those in favor of 5 cents a mile will vote "nay." And if you are not in favor of either one of them—well, vote as you please. [Laughter.] The Clerk will call the roll.

The question was taken; and there were—yeas 171, nays 160, answered "present" 1, not voting 96, as follows:

YEAS—171.

Abercrombie	Doolittle	Johnson, Utah	Parker, N. J.
Adair	Doremus	Johnson, Wash.	Patton, Pa.
Allen	Drukker	Kahn	Peters
Anderson	Dupré	Keister	Plumley
Anthony	Edmonds	Kelley, Mich.	Powers
Aswell	Edwards	Kennedy, R. I.	Prouty
Avis	Estopinal	Kent	Rainey
Baker	Fergusson	Kettner	Roberts, Mass.
Barnhart	Ferris	Key, Ohio	Roberts, Nev.
Bartholdt	FitzHenry	Kinkaid, Nebr.	Sabath
Barton	Fordney	Kirkpatrick	Sherley
Bell, Cal.	Fowler	Knowland, J. R.	Sherwood
Blackmon	French	Kreider	Sinnott
Brodbeck	Gallagher	Lafferty	Sloan
Broussard	Gallivan	La Follette	Smith, Idaho
Brown, N. Y.	Gardner	Langham	Smith, J. M. C.
Browne, Wis.	Gill	Langley	Smith, Minn.
Browning	Gillett	Lazaro	Smith, Tex.
Bryan	Gilmore	Lee, Ga.	Stanley
Buchanan, Ill.	Good	Lenroot	Steenerson
Burke, Pa.	Goulden	Levy	Stephens, Cal.
Burke, S. Dak.	Gray	Lieb	Stephens, Nebr.
Butler	Green, Iowa	Lindquist	Stevens, Minn.
Campbell	Greene, Mass.	Linthicum	Stringer
Cantor	Greene, Vt.	McGillicuddy	Sutherland
Carlin	Griest	McKenzie	Switzer
Carr	Gudger	McLaughlin	Talcott, N. Y.
Carter	Hamilton, Mich.	Madden	Tavenner
Cary	Hardy	Manahan	Taylor, Colo.
Church	Haugen	Mann	Temple
Cline	Hawley	Mapes	Ten Eyck
Conry	Hayes	Miller	Thomson, Ill.
Cooper	Helgesen	Mondell	Towner
Copley	Helvering	Moore	Treadway
Curry	Henry	Morgan, Okla.	Tribble
Danforth	Hill	Morrison	Volstead
Davenport	Hinds	Moss, Ind.	Walker
Davis	Howell	Moss, W. Va.	Walters
Decker	Hughes, W. Va.	Neely, W. Va.	Williams
Dent	Hulings	O'Leary	Winslow
Dershem	Humphrey, Wash.	Paige, Mass.	Woodruff
Dillon	Humphreys, Miss.	Palmer	Young, N. Dak.
Donohoe	Johnson, Ky.	Park	

NAYS—160.

Adamson	Booher	Byrnes, S. C.	Collier
Aiken	Borchers	Byrns, Tenn.	Connolly, Iowa
Alexander	Borland	Callaway	Cox
Austin	Bowdle	Candler, Miss.	Cramton
Bailey	Brockson	Caraway	Crisp
Barkley	Buchanan, Tex.	Casey	Crosser
Bartlett	Burgess	Clancy	Cullop
Beakes	Burke, Wis.	Clark, Fla.	Dickinson
Bell, Ga.	Burnett	Coady	Dies
Dixon	Helm	Murray	Sparkman
Donovan	Hensley	Nelson	Stafford
Doughton	Hobson	Norton	Stedman
Esch	Holland	Oglesby	Stephens, Miss.
Evans	Houston	Oldfield	Stephens, Tex.
Falconer	Howard	O'Shaunessy	Stevens, N. H.
Farr	Hoxworth	Padgett	Stone
Fess	Hughes, Ga.	Page, N. C.	Stout
Fields	Hull	Peterson	Sumners
Finley	Igoe	Phelan	Taggart
Fitzgerald	Jacoway	Post	Taylor, Ala.
Flood, Va.	Johnson, S. C.	Pou	Taylor, Ark.
Floyd, Ark.	Keating	Quin	Thacher
Foster	Kelly, Pa.	Raker	Thomas
Frear	Kennedy, Iowa	Rauch	Thompson, Okla.
Gard	Kitchin	Rayburn	Underhill
Garner	Lesher	Reilly, Conn.	Underwood
Garrett, Tex.	Lever	Reilly, Wis.	Vaughan
Gerry	Lindbergh	Rogers	Vinson
Goeke	Lloyd	Roose	Vollmer
Goodwin, Ark.	Lobeck	Rubey	Watkins
Gordon	Lonergan	Rucker	Watson
Graham, Ill.	McKellar	Rupley	Weaver
Griffin	MacDonald	Russell	Webb
Hamlin	Maguire, Nebr.	Saunders	Whaley
Hammond	Mahan	Scott	White
Harris	Mitchell	Shackleford	Willis
Harrison	Montague	Sisson	Wingo
Hay	Moon	Slayden	Witherspoon
Hayden	Morgan, La.	Smith, Md.	Woods
Heflin	Mulkey	Smith, N. Y.	Young, Tex.

ANSWERED "PRESENT"—1.

Korbly.

NOT VOTING—96.

Ainey	Eagan	Kinkead, N. J.	Porter
Ansberry	Eagle	Konop	Price
Ashbrook	Elder	Lee, Pa.	Ragsdale
Baltz	Fairchild	L'Engle	Reed
Barchfeld	Faison	Lewis, Md.	Riordan
Bathrick	Francis	Lewis, Pa.	Rothermel
Beall, Tex.	Garrett, Tenn.	Loft	Scully
Britten	George	Logue	Seldomridge
Brown, W. Va.	Gittins	McAndrews	Sells
Bruckner	Glass	McClellan	Shreve
Brumbaugh	Godwin, N. C.	McGuire, Okla.	Sims
Bulkley	Goldfogle	Maher	Slemp
Calder	Gorman	Martin	Small
Cantrill	Graham, Pa.	Metz	Smith, Saml. W.
Carew	Gregg	Morin	Talbott, Md.
Chandler, N. Y.	Guernsey	Mott	Taylor, N. Y.
Claypool	Hamill	Murdock	Townsend
Connelly, Kans.	Hamilton, N. Y.	Neeley, Kans.	Tuttle
Dale	Hart	Nolan, J. I.	Vare
Deitrick	Hinebaugh	O'Brien	Wallin
Difenderfer	Jones	O'Hair	Walsh
Dooling	Kennedy, Conn.	Parker, N. Y.	Whitacre
Driscoll	Kiess, Pa.	Patten, N. Y.	Wilson, Fla.
Dunn	Kindel	Platt	Wilson, N. Y.

So the amendment offered by Mr. HARDY was agreed to.

The Clerk announced the following pairs:

Mr. DALE with Mr. MARTIN.

Mr. GARRETT of Tennessee with Mr. HAMILTON of New York.

Mr. MCANDREWS with Mr. PORTER.

Mr. PATTEN of New York with Mr. SELLS.

Mr. RIORDAN with Mr. WALLIN.

Mr. SCULLY with Mr. SHREVE.

Mr. SMALL with Mr. VARE.

Mr. GODWIN of North Carolina with Mr. PARKER of New York.

Mr. WILSON of Florida with Mr. FAIRCHILD.

Mr. TALBOTT of Maryland with Mr. SAMUEL W. SMITH.

Mr. LEE of Pennsylvania with Mr. PLATT.

Mr. KONOP with Mr. MORIN.

Mr. JONES with Mr. MCGUIRE of Oklahoma.

Mr. HART with Mr. LEWIS of Pennsylvania.

Mr. HAMILL with Mr. KIESS of Pennsylvania.

Mr. GREGG with Mr. GUERNSEY.

Mr. GLASS with Mr. SLEMP.

Mr. EAGLE with Mr. GRAHAM of Pennsylvania.

Mr. EAGAN with Mr. DUNN.

Mr. DRISCOLL with Mr. CALDER.

Mr. CONNELLY of Kansas with Mr. BRITTEN.

Mr. CANTRILL with Mr. AINEY.

Mr. ASHBROOK with Mr. BARCHFELD.

Mr. LEWIS of Maryland with Mr. MOTT.

Mr. POU. Mr. Speaker, I desire to vote "no."

The SPEAKER. The Chair does not believe that under the rules the gentleman from North Carolina has the right to vote, but the Clerk will call his name, and the Chair will study the matter out.

The Clerk called the name of Mr. POU, and he answered "nay."

The result of the vote was announced as above recorded.

The SPEAKER. A quorum is present. The Doorkeeper will open the doors. The Clerk will report the next amendment.

The Clerk read as follows.

Page 119, line 12, insert: "That section 31 of the act approved July 2, 1909, is hereby repealed."

Mr. GARNER rose.

The SPEAKER. For what purpose does the gentleman from Texas rise?

Mr. GARNER. To make a point of order.

The SPEAKER. The gentleman will state it.

Mr. GARNER. To submit a point of order. I make the point of order, Mr. Speaker, that this amendment, never having been adopted by the Committee of the Whole House on the state of the Union, and never having been reported by the Chairman of the Committee of the Whole House on the state of the Union which had this bill under consideration, is not before the House of Representatives for consideration; and in support of that statement, Mr. Speaker, I want to refer the Speaker to the RECORD, on page 328.

Mr. LENROOT rose.

The SPEAKER. For what purpose does the gentleman from Wisconsin rise?

Mr. LENROOT. To make the point of order that the Chair can not entertain this point of order under the rules of the House; and on that I wish to be heard. It may affect the question of the merits as to the right of the Chair to entertain the point of order at all. On that I wish to be heard.

The SPEAKER. You can not have two points of order pending at once; but the Chair believes that the point raised by the gentleman from Wisconsin takes precedence over the other.

Mr. GARNER. I will retire, then, until my friend gets through.

The SPEAKER. The gentleman from Wisconsin will proceed.

Mr. LENROOT. Mr. Speaker, the point of order that I make is that the Speaker can not entertain a point of order on the grounds named by the gentleman from Texas, and upon that I desire to cite to the Chair section 6932 of Hinds' Precedents.

The SPEAKER. What volume?

Mr. LENROOT. Volume 5.

The SPEAKER. Section 6932?

Mr. LENROOT. Yes; and the following sections, 6933 and 6934.

The SPEAKER. The gentleman will proceed.

Mr. LENROOT. I read from—

6932. The Speaker declines to entertain points of order as to conditions alleged to have existed in Committee of the Whole when the report has made no mention thereof. On January 26, 1889, the Committee of the Whole House on the state of the Union rose, and, the Speaker having resumed the chair, the Chairman reported that the Committee of the Whole, having had under consideration the bill (H. R. 10419) making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes, had directed him to report the same back with an amendment in the form of a substitute.

Mr. William P. Hepburn, of Iowa, rising to a point of order, said: "I desire to say that the provisions of the bill making separate and distinct appropriations have not been considered in the Committee of the Whole, and no vote has been taken upon any provision appropriating a specific sum of money"—

Raising identically the same question that the gentleman from Texas [Mr. GARNER] now raises. Mr. Hepburn proceeds:

"Before the Committee of the Whole had proceeded beyond the consideration of the eighth line, before any subsequent paragraph had been read, this amendment was offered, and against objection a vote upon it was forced prior to the taking of any vote upon any one of the subsequent provisions of the bill. I make the point of order that the vote can not be taken upon the adoption of this substitute until the provisions of the bill have been separately read and considered in the Committee of the Whole."

The Speaker held:

"Of course the House has nothing before it, and the Chair has nothing before him except the report of the Committee of the Whole House on the state of the Union. The facts stated by the gentleman from Iowa [Mr. Hepburn], if they be facts, might constitute a good reason for the recommitment of the bill by the House to the Committee of the Whole. But the Chair must deal with the report as presented. The bill is out of the Committee of the Whole and in the House by the action of the committee, which the Chair can not revise or overrule in any manner. The point of order is not sustained."

Again:

6933. On March 14, 1902, after the Committee of the Whole House on the state of the Union had risen and the Chairman reported favorably several bills, and before action on the bills had been taken by the House, Mr. Francis W. Cushman, of Washington, rising to a parliamentary inquiry, said:

"I will ask if it is in order to challenge the correctness of the statement made by the Chairman of the Committee of the Whole House to the Speaker? I raise the point that no vote was taken in the Committee of the Whole ordering the committee to rise and report those bills to the House"—

Again a question squarely analogous to the question now presented. I read:

The Speaker said:

"The gentleman from Washington will readily see that the Chair can not hold a court of inquiry as to the action of the Committee of the Whole House on the state of the Union. That is a matter that the House only knows from the report of its Chairman. The Clerk will report the first bill."

Again:

6934. On December 10, 1877, the House having been in Committee of the Whole House on the state of the Union, and having considered the President's message, rose and reported that they had come to no resolution thereon.

The SPEAKER. The Chair will not bother the gentleman from Wisconsin for any more authorities. If the gentleman from Texas [Mr. GARNER] has any, the Chair will hear him.

Mr. MANN. Mr. Speaker, just a word as to the question of fact. When the committee rose last night and reported the bill back to the House, the Chairman reported the bill with sundry amendments. The amendments were not specified by the Chair. They never are. How do we obtain the record as to what amendments were agreed to in Committee of the Whole? We rely upon the amendments in the possession of the reading clerk of the House. Now, when the bill was reported back last night the Speaker asked if a separate vote was demanded on any amendment. One of the Members asked for a separate vote on the Good amendment, and this morning the Speaker directed the Clerk to report the Good amendment. It was reported in fact by the reading clerk, who possesses the records of the House and the Committee of the Whole, as an amendment agreed to by the Committee of the Whole. The Speaker can not take the word of a Member of the House that such an amendment was not agreed to, because the record shows that the amendment was agreed to, was reported to the House, and in fact it has been actually reported to the House this morning. There is no going behind the returns.

Mr. GARNER. Will the gentleman yield?

Mr. MANN. Certainly.

Mr. GARNER. The gentleman is in error. The RECORD not only does not show that the amendment was agreed to, but it shows that it was not. The Clerk, who read that portion of the bill at the time it was under consideration, says it was not agreed to. If you can get a better record than the CONGRESSIONAL RECORD and the Clerk himself, I do not know how you can get it.

Mr. MANN. The gentleman now seeks to appeal to the CONGRESSIONAL RECORD. The records of the House show that the amendment was agreed to. What would be the situation if the gentleman's contention should be upheld, that the Chairman of the Committee of the Whole did not perform his duty, that the Committee of the Whole did not perform its duty? In order to sustain the contention of the gentleman, the Speaker would have to hold that the Committee of the Whole did not know what it was doing, and that the Chairman of that committee did not know what he was doing, and that both violated the rules of the House. The presumption is that they obeyed the rules of the House, and the Clerk has, in fact, reported the amendment as agreed to, and without a decision upholding that there would be chaos in the House.

Mr. BUTLER. Even the Supreme Court could not go behind that.

The SPEAKER. The situation is this: Of course in one sense the Committee of the Whole House on the state of the Union is a fiction, but the Speaker, theoretically, and the House, theoretically, are not supposed to know anything about what happens in the Committee of the Whole, except by the report of the Chairman of that committee and the notes of the Clerk. Now, as a matter of fact, the Speaker sometimes gets hold of some information about what happens in Committee of the Whole, aliunde or de hors the record. I stay in the Hall of the House during the sessions of the Committee of the Whole as much as I can, but I can not stay here very much, because so many Members and other people want to see me. All that the Speaker is supposed to know, and as a matter of fact in this case all that he does know, is that the Chairman of the Committee of the Whole House on the state of the Union reported this bill back with sundry amendments, including this Good amendment, according to the notes of the Clerk, with the recommendation of the committee that the amendments be agreed to and that the bill as amended do pass. If the Speaker should undertake to supervise what is done by the Committee of the Whole, he would never get through with it, and what is a good deal more important, it would work absolute confusion. It so happens that two or three Speakers have ruled practically on this question. The first ruling was cited by the gentleman from Wisconsin [Mr. LENROOT]. The question raised on that occasion was not very dissimilar to this one.

Mr. William P. Hepburn, of Iowa, rising to a point of order, said:

I desire to say that the provisions of the bill making separate and distinct appropriations have not been considered in the Committee of the Whole, and no vote has been taken upon any provision appropriating a specific sum of money. Before the Committee of the Whole had proceeded beyond the consideration of the eighth line, before any subsequent paragraph had been read, this amendment was offered, and against objection a vote upon it was forced prior to the taking of any vote upon any one of the subsequent provisions of the bill. I make the point of order that the vote can not be taken upon the adoption of this

substitute until the provisions of the bill have been separately read and considered in the Committee of the Whole.

Mr. Speaker Carlisle said:

Of course the House now has nothing before it, and the Chair has nothing before him except the report of the Committee of the Whole House on the state of the Union. The facts stated by the gentleman from Iowa [Mr. Hepburn], if they be facts, might constitute a good reason for the recommitment of the bill by the House to the Committee of the Whole.

That is the remedy he seemed to suggest.

But the Chair must deal with the report as presented. The bill is out of the Committee of the Whole and in the House by the action of the committee, which the Chair can not revise or overrule in any manner. The point of order is not sustained.

Mr. GARNER. May I interrupt the Chair?

The SPEAKER. Yes.

Mr. GARNER. The Chair and other gentlemen have repeatedly stated that the Clerk reported the amendment as having been adopted. I challenge that statement. There is nowhere in the RECORD or in the Clerk's record a statement that the amendment has been adopted. On the contrary, the Clerk said that it was not adopted, and therefore all you have is the request of the gentleman from Tennessee for a separate vote on the Good amendment.

The SPEAKER. The RECORD shows that the Good substitute was agreed to.

Mr. GARNER. The substitute as an amendment was not adopted.

The SPEAKER. I think much the better practice is to put the vote twice, and I have always followed that where the substitute covered the whole question. In order to be absolutely safe I have always put the question, and, then, whatever the proposition was a substitute for. I think that is the better practice.

Mr. GARNER. Do I understand the Chair to hold that in all cases if I should challenge an amendment in the Committee of the Whole that had been a substitute and had not been agreed to and that was overruled—do I understand that is a sufficient substitute for the amendment?

The SPEAKER. The Chair must deal with the report as made by the Chairman of the Committee of the Whole House on the state of the Union. The Chair goes by the report, and he has the statements of the Chairman of the committee and the Clerk.

Mr. GARNER. And neither one of them say that the amendment was agreed to.

Mr. FOSTER. Mr. Speaker, I think the gentleman is in error in his assertion that the minutes of the Clerk do not show that the amendment was adopted. On the contrary, the minutes of the Clerk do show that the amendment was adopted, and this amendment has been reported to the House. The gentleman from Texas can not raise the point of order that the amendment was not adopted in Committee of the Whole. Further, if the gentleman from Texas had a remedy, it was when the report was made by the Chairman of the Committee of the Whole House on the state of the Union to the House upon the amendments adopted in Committee of the Whole. His time was then to raise the question, and not now, after it gets back into the House.

Mr. SAUNDERS. Mr. Speaker, would it not be proper to have the report of the Clerk read? That report has been challenged, and might we not have the part of the report read that deals with this matter?

Mr. MANN. It has been read. Let me ask the gentleman from Texas how he knows that the amendment is here?

Mr. GARNER. Because the gentleman from Tennessee asked for a separate vote on it, and the Clerk read it.

Mr. MANN. The Clerk has reported it and it is here, and it could not be here if it had not been reported by the Chairman of the committee. The gentleman is like the man in jail, you can not put him in, but he is there. [Laughter.]

The SPEAKER. In answer to the gentleman from Virginia, the Chair will state that the Clerk's notes show that the Good amendment or substitute, or whatever you call it, was agreed to.

Mr. BUCHANAN of Illinois. Mr. Speaker, as to the parliamentary situation of this substitute I want to say if the amendment, which appears to be only a substitute, was adopted, there was nothing to be gained by a vote on the amendment, because the substitute took the place of it. Would it not be useless to vote on it again?

The SPEAKER. The Chair thinks the better practice is to vote on it twice.

Mr. BUCHANAN of Illinois. What good could be gained by it?

The SPEAKER. You do not gain anything, except you are dead sure that you have got it nailed up. A better reason for voting twice is that Members may be opposed to the main proposition and may vote for a substitute or amendment which they do not favor, hoping in that way to kill the proposition. With or without amendment or substitutes, they ought to have the opportunity so to do, and the only way they can get that opportunity is to vote twice.

Mr. BUCHANAN of Illinois. Does the Chair maintain that it is absolutely necessary to vote on a substitute twice?

The SPEAKER. The Chair is not maintaining anything of the sort. The Chair must deal with the report as presented, and that is the report of the Chairman, the gentleman from Illinois [Mr. FOSTER], Chairman of the Committee of the Whole House on the state of the Union. In section 4900, volume 4, of Hinds' Precedents, this point was raised:

On March 1, 1907, the Committee of the Whole House on the state of the Union arose and reported the merchant marine bill (S. 529), with an amendment in the nature of a substitute and a pending amendment thereto.

Mr. James E. Watson, of Indiana, rising to a parliamentary inquiry, asked if a separate vote might be demanded on certain amendments which the Committee of the Whole had adopted to perfect the substitute.

The Speaker said: "The Chair reads from the Manual: 'An amendment in the nature of a substitute is reported from the Committee of the Whole in its perfected form, amendments to the substitute not being noted in the report. Not being noted, the Chair has no knowledge of them.'"

Thereupon Mr. JOSEPH W. FORDNEY, of Michigan, who had offered in Committee of the Whole the amendment which was reported as pending, asked if he might withdraw it.

The Speaker said: "The Committee of the Whole House has reported to the House and the gentleman has no more control over it than any other Member."

Thereupon Mr. Watson made the point of order that, in fact, Mr. FORDNEY had never actually offered the amendment reported as pending, but that it had merely been read in Committee of the Whole for information.

The Speaker said: "The Chair must depend upon the report made by the Chairman of the Committee of the Whole House, and this amendment is reported as a pending amendment."

All the other decisions run the same way, and if there had never been any decisions the Chair would decide that way. The point of order made by the gentleman from Texas is overruled, and it is not necessary to pass upon the one raised by the gentleman from Wisconsin. The question is on agreeing to the Good amendment.

The question was taken; and on a division (demanded by Mr. GOOD) there were 115 ayes and 91 noes.

Mr. BYRNS of Tennessee. Mr. Speaker, I demand the yeas and nays.

The yeas and nays were ordered.

Mr. SLAYDEN. Mr. Speaker, I understand what the Good amendment is, but a number of Members have come in who do not, and I ask that it be again reported.

The SPEAKER. Without objection, the Clerk will again report the Good amendment.

The Clerk read as follows:

Page 119, line 12, insert: "Section 31 of the act approved July 2, 1909, is hereby repealed."

The question was taken; and there were—yeas 179, nays 137, not voting 112, as follows:

YEAS—179.

Alexander	Doremus	Hulings	Nelson
Allen	Doughton	Humphrey, Wash.	Norton
Anderson	Drukker	Igoe	Oglesby
Anthony	Edmonds	Johnson, Utah	Page, N. C.
Avis	Esch	Johnson, Wash.	Paige, Mass.
Bailey	Evans	Keating	Palmer
Barnhart	Falconer	Keister	Parker, N. J.
Bartholdt	Farr	Kelley, Mich.	Patton, Pa.
Barton	Fess	Kelly, Pa.	Peters
Beakes	Fitzgerald	Kennedy, Iowa	Peterson
Bell, Cal.	Fordney	Kennedy, R. I.	Phelan
Booher	Foster	Kinkaid, Nebr.	Plumley
Borchers	Frear	Kirkpatrick	Powers
Brodbeck	French	Knowland, J. R.	Prouty
Browne, Wis.	Gallagher	Korbly	Rauch
Browning	Gard	Kreider	Roberts, Mass.
Bryan	Gardner	Lafferty	Roberts, Nev.
Buchanan, Ill.	Gillett	La Follette	Rogers
Burke, Pa.	Good	Langham	Rubey
Burke, S. Dak.	Gordon	Lenroot	Rucker
Butler	Goulden	Lever	Rupley
Callaway	Gray	Levy	Russell
Campbell	Green, Iowa	Lieb	Scott
Cantor	Greene, Mass.	Lindbergh	Shackleford
Cary	Greene, Vt.	Lloyd	Sherley
Cline	Hamilton, Mich.	Lonergan	Sherwood
Coady	Hamlin	McKenzie	Sinnott
Connelly, Kans.	Hammond	McLaughlin	Sloan
Conry	Hardy	MacDonald	Smith, Idaho
Cooper	Harris	Madden	Smith, J. M. C.
Copley	Haugen	Mahan	Smith, Minn.
Cox	Hawley	Mann	Smith, N. Y.
Cramton	Hay	Mapes	Stafford
Curry	Hayes	Miller	Steenerson
Danforth	Helgesen	Mondell	Stephens, Cal.
Decker	Helvering	Moore	Stephens, Tex.
Dickinson	Hensley	Morrison	Stevens, Minn.
Dillon	Hinds	Moss, Ind.	Sutherland
Donohoe	Hinebaugh	Moss, W. Va.	Switzer
Doolittle	Howell	Murray	Talcott, N. Y.

Tavenner	Thomson, Ill.	Volstead	Winslow
Taylor, Colo.	Towner	Walters	Woodruff
Temple	Townsend	Weaver	Woods
Thacher	Treadway	White	Young, N. Dak.
Thompson, Okla.	Vinson	Willis	

NAYS—137.

Abercrombie	Dixon	Johnson, Ky.	Rouse
Adair	Donovan	Johnson, S. C.	Sabath
Adamson	Dupré	Jones	Saunders
Aiken	Edwards	Kettner	Sisson
Aswell	Ferris	Key, Ohio	Slayden
Austin	Fields	Kitchin	Smith, Tex.
Baker	FitzHenry	Langley	Sparkman
Barkley	Flood, Va.	Lazaro	Stanley
Bartlett	Floyd, Ark.	Lee, Ga.	Stedman
Bathrick	Fowler	Lesher	Stephens, Miss.
Bell, Ga.	Francis	Lobeck	Stephens, Nebr.
Blackmon	Gallivan	McClellan	Stone
Borland	Garner	McGillicuddy	Stout
Brockson	Garrett, Tex.	McKellar	Stringer
Broussard	Gill	Maguire, Nebr.	Sumners
Brown, N. Y.	Gilmore	Mitchell	Taylor, Ala.
Buchanan, Tex.	Goeke	Montague	Taylor, Ark.
Burke, Wis.	Goodwin, Ark.	Moon	Ten Eyck
Burnett	Graham, Ill.	Morgan, La.	Thomas
Byrnes, S. C.	Griffin	Morgan, Okla.	Tribble
Byrns, Tenn.	Gudger	Mulkey	Underhill
Candler, Miss.	Harrison	Oldfield	Underwood
Cantrill	Heflin	O'Leary	Vaughan
Caraway	Helm	O'Shaunessy	Vollmer
Carlin	Henry	Padgett	Walker
Carter	Hill	Park	Watkins
Clancy	Holland	Post	Watson
Clark, Fla.	Houston	Pou	Webb
Collier	Howard	Price	Whaley
Connolly, Iowa	Hoxworth	Quin	Williams
Crisp	Hughes, Ga.	Rainey	Wingo
Cullop	Hughes, W. Va.	Raker	Young, Tex.
Davenport	Hull	Reilly, Conn.	
Dent	Humphreys, Miss.	Reilly, Wis.	
Dershem	Jacoway	Rothermel	

NOT VOTING—112.

Ainey	Dunn	Kent	Patten, N. Y.
Ansberry	Eagan	Kiess, Pa.	Platt
Ashbrook	Eagle	Kindel	Porter
Baltz	Elder	Kinkead, N. J.	Ragsdale
Barchfeld	Estopinal	Konop	Rayburn
Beall, Tex.	Fairchild	Lee, Pa	Reed
Bowdle	Faison	L'Engle	Riordan
Britten	Fergusson	Lewis, Md.	Scully
Brown, W. Va.	Finley	Lewis, Pa.	Seldomridge
Bruckner	Garrett, Tenn.	Lindquist	Sells
Brumbaugh	George	Linthicum	Shreve
Bulkley	Gerry	Loft	Sims
Burgess	Gittins	Logue	Slemp
Calder	Glass	McAndrews	Small
Carew	Godwin, N. C.	McGuire, Okla.	Smith, Md.
Carr	Goldfogle	Maher	Smith, Saml. W.
Casey	Gorman	Manahan	Stevens, N. H.
Chandler, N. Y.	Graham, Pa.	Martin	Taggart
Church	Gregg	Metz	Talbott, Md.
Claypool	Griest	Morin	Taylor, N. Y.
Crosser	Guernsey	Mott	Tuttle
Dale	Hamill	Murdock	Vare
Davis	Hamilton, N. Y.	Neeley, Kans.	Wallin
Deitrick	Hart	Neely, W. Va.	Walsh
Dies	Hayden	Nolan, J. I.	Whitacre
Difenderfer	Hobson	O'Brien	Wilson, Fla.
Dooling	Kahn	O'Hair	Wilson, N. Y.
Driscoll	Kennedy, Conn.	Parker, N. Y.	Witherspoon

So the amendment was agreed to.

The Clerk announced the following additional pairs:

Until further notice:

Mr. BURGESS with Mr. DAVIS.

Mr. CHURCH with Mr. BRITTEN.

Mr. ESTOPINAL with Mr. KAHN.

Mr. FINLEY with Mr. LINDQUIST.

Mr. NEELY of West Virginia with Mr. MANAHAN.

Mr. TAGGART with Mr. J. I. NOLAN.

On the vote:

Mr. GRIEST (for Good amendment) with Mr. CROSSER (against).

The result of the vote was announced as above recorded.

The SPEAKER. The question is on the engrossment and third reading.

The bill was ordered to be engrossed and read a third time, was read the third time.

Mr. HAMLIN. Mr. Speaker, I move to recommit the bill with the instructions which I send to the Clerk's desk.

The SPEAKER. Is the gentleman opposed to the bill?

Mr. HAMLIN. Well, I am opposed to this provision of the bill.

The SPEAKER. Is there any gentleman on the committee desiring to move to recommit?

Mr. GOOD. Mr. Speaker, I move to recommit the bill.

The SPEAKER. Is the gentleman opposed to the bill?

Mr. GOOD. I am not, but I am on the committee.

The SPEAKER. Well, the Chair knows, but it goes first to somebody who is opposed to it. Is the gentleman from Missouri opposed to this bill?

Mr. HAMLIN. I am not opposed to the bill as a whole. I am only opposed to the provision which I seek to amend there.

Mr. JOHNSON of South Carolina. Mr. Speaker, I move to recommit the bill——

Mr. SHERLEY. Mr. Speaker, I make the point of order that it is only in order to move to recommit by a Member who states that he is opposed to the bill.

The SPEAKER. No; they give that preference, and that is what the Chair was trying to find out, and that not being stated by either gentleman, the Chair recognizes the gentleman from Iowa [Mr. GOOD] to make his motion to recommit with instructions. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. GOOD moves to recommit the bill to the Committee on Appropriations, with instructions to that committee to report the same forthwith back to the House with the following amendment: Strike out the figures "$12,500," in line 9, page 103, and substitute therefor the figures "$15,000," and strike out the figures "$16,000," line 10, page 103, and substitute therefor the figures "$18,500."

Mr. JOHNSON of South Carolina. Mr. Speaker, I move the previous question on the motion to recommit.

The SPEAKER. The gentleman from South Carolina moves the previous question.

Mr. HAMLIN. Mr. Speaker, I would like to offer my motion to recommit as an amendment.

The SPEAKER. But the gentleman from South Carolina got in ahead with his motion for the previous question.

The question was taken, and the previous question was ordered.

The SPEAKER. The question is on the motion to recommit.

Mr. FITZGERALD. Mr. Speaker, I ask that the paragraph be reported as it would read as amended.

The SPEAKER. The Clerk will report the paragraph as it will read when this amendment is agreed to, if it is agreed to.

The Clerk read as follows:

Page 103, line 9, strike out the figures "$12,500" and insert in lieu thereof "$15,000"; and in line 10, on the same page, strike out the figures "$16,000" and insert in lieu thereof "$18,000," so that the paragraph as amended will read "Wyoming, surveyor general, $3,000; clerks, $15,000; contingent expenses, $500; in all, $18,500."

The SPEAKER. The question is on the motion to recommit.

The question was taken, and the Speaker announced that the noes seemed to have it.

Mr. FOSTER. Division, Mr. Speaker, I want to see how many are going to vote for it.

The House divided; and there were—ayes 0, noes 51.

So the motion to recommit was rejected.

The SPEAKER. The question is on the passage of the bill.

The question was taken, and the bill was passed.

On motion of Mr. JOHNSON of South Carolina, a motion to reconsider the vote by which the bill was passed was laid on the table.

THE LATE SENATOR AUGUSTUS O. BACON, OF GEORGIA.

Mr. BARTLETT. Mr. Speaker, I desire to present the following privileged resolution, and ask its adoption.

The SPEAKER. The Clerk will report the resolution.

The Clerk read as follows:

House resolution 682.

Resolved, That Sunday, January 24, 1915, be set apart for addresses upon the life, character, and public services of Hon. AUGUSTUS OCTAVIUS BACON, late a Member of the United States Senate from the State of Georgia.

The question was taken, and the resolution was agreed to.

POST OFFICE APPROPRIATION BILL.

Mr. HENRY. Mr. Speaker, I offer the following privileged resolution.

The SPEAKER. For what purpose does the gentleman rise?

Mr. HENRY. To offer a privileged resolution from the Committee on Rules, and I will ask that the Clerk read the resolution.

The SPEAKER. The Clerk will report the resolution.

The Clerk began the reading of the resolution.

Mr. HENRY. Mr. Speaker, I am wondering if we could not dispense with the reading of the resolution, which is about 37 pages long, and all these things are printed in the bill as reported to the House. It only makes in order certain things in the bill, so it seems to me we might dispense with the reading of it and go to the discussion of the subject of the rule.

Mr. MANN. Oh, I do not think it is proper——

Mr. HENRY. Does the gentleman wish it read?

Mr. MANN. I do not care how rapidly the Clerk reads it, but I think it ought to show in the RECORD as having been read.

The Clerk read as follows:

House resolution 676 (H. Rept. 1229).

Resolved, That after the adoption of this rule it shall be in order in the consideration of H. R. 19906, a bill making appropriations for the service of the Post Office Department for the fiscal year ending June 30, 1916, and for other purposes, to consider all the new legislation in each

and all of the sections of said bill, notwithstanding the rules of the House.

New legislation in section 1:

First. On pages 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, and 15, the following:

"OFFICE OF THE FIRST ASSISTANT POSTMASTER GENERAL.

"For compensation to postmasters, $30,750,000.

"*Provided*, That the respective compensation of postmasters of the first, second, and third classes shall be annual salaries, graded in even hundreds of dollars, and payable in quarterly payments, to be ascertained and fixed by the Postmaster General from their respective quarterly returns to the Auditor for the Post Office Department, or copies or duplicates thereof to the First Assistant Postmaster General, for the calendar year immediately preceding the adjustment, at the following rates, namely:

"At each post office where the receipts are $1,900 and less than $2,100, $1,000.

"At each post office where the receipts are $2,100 and less than $2,400, $1,100.

"At each post office where the receipts are $2,400 and less than $2,700, $1,200.

"At each post office where the receipts are $2,700 and less than $3,000, $1,300.

"At each post office where the receipts are $3,000 and less than $3,500, $1,400.

"At each post office where the receipts are $3,500 and less than $4,200, $1,500.

"At each post office where the receipts are $4,200 and less than $5,000, $1,600.

"At each post office where the receipts are $5,000 and less than $6,000, $1,700.

"At each post office where the receipts are $6,000 and less than $7,000, $1,800.

"At each post office where the receipts are $7,000 and less than $8,000, $1,900.

"At each post office where the receipts are $8,000 and less than $20,000, $2,000.

"At each post office where the receipts are $20,000 and less than $40,000, $2,500.

"At each post office where the receipts are $40,000 and less than $160,000, $3,000.

"At each post office where the receipts are $160,000 and less than $340,000, $3,500.

"At each post office where the receipts are $340,000 and less than $610,000, $4,000.

"At each post office where the receipts are $610,000 and less than $1,000,000, $4,500.

"At each post office where the receipts are $1,000,000 and less than $1,600,000, $5,000.

"At each post office where the receipts are $1,600,000 and less than $2,500,000, $5,500.

"At each post office where the receipts are $2,500,000 and less than $3,900,000, $6,000.

"At each post office where the receipts are $3,900,000 and less than $6,000,000, $6,500.

"At each post office where the receipts are $6,000,000 and less than $9,000,000, $7,000.

"At each post office where the receipts are $9,000,000 and less than $13,600,000, $7,500.

"At each post office where the receipts are $13,600,000 and over, $8,000.

"For compensation to clerks and employees at first and second class post offices:

"Superintendents of finance, superintendents of mails, and superintendents of delivery, 6 at not exceeding $3,800 each;

"Superintendents of finance and superintendents of mails, 6 at not exceeding $3,400 each;

"Superintendents of finance and superintendents of mails, 16 at not exceeding $3,200 each;

"Superintendents of finance, auditors, and superintendents of mails, 20 at not exceeding $3,000 each;

"Superintendents of finance, cashiers, superintendents of mails, assistant superintendents of mails, assistant superintendents of delivery, 30 at not exceeding $2,800 each;

"Superintendents of finance, cashiers, superintendents of mails, assistant superintendents of mails, assistant superintendents of delivery, and superintendents of stations, 55 at not exceeding $2,600 each;

"Superintendents of stations, 10 at not exceeding $2,500 each;

"Superintendents of finance, cashiers, bookkeepers, superintendents of mails, assistant superintendents of mails, assistant superintendents of delivery, and superintendents of stations, 60 at not exceeding $2,400 each;

"Superintendents of stations, 15 at not exceeding $2,300 each;

"Superintendents of finance, cashiers, bookkeepers, superintendents of mails, assistant superintendents of mails, and superintendents of stations, 60 at not exceeding $2,200 each;

"Superintendents of stations, 40 at not exceeding $2,100 each;

"Superintendents of finance, cashiers, bookkeepers, superintendents of mails, assistant superintendents of mails, superintendents of stations, foremen, special clerks, and stenographers, 140 at not exceeding $2,000 each;

"Superintendents of stations, foremen, special clerks, and stenographers, 70 at not exceeding $1,900 each;

"Superintendents of finance, cashiers, bookkeepers, superintendents of mails, assistant superintendents of mails, superintendents of stations, foremen, special clerks, and stenographers, 150 at not exceeding $1,800 each;

"Superintendents of finance, cashiers, superintendents of mails, assistant superintendents of mails, superintendents of stations, foremen, special clerks, and stenographers, 240 at not exceeding $1,700 each;

"Superintendents of finance, cashiers, bookkeepers, superintendents of mails, assistant superintendents of mails, superintendents of stations, foremen, special clerks, and stenographers, 400 at not exceeding $1,600 each;

"Superintendents of finance, cashiers, bookkeepers, superintendents of mails, assistant superintendents of mails, superintendents of stations, foremen, special clerks, and stenographers, 700 at not exceeding $1,500 each;

"Superintendents of finance, bookkeepers, superintendents of mails, superintendents of stations, foremen, special clerks, and stenographers, 1,575 at not exceeding $1,400 each;

"Superintendents of finance, superintendents of mails, superintendents of stations, foremen, special clerks, and stenographers, 2,700 at not exceeding $1,300 each;

"Stenographers, clerks in charge, and clerks, 18,500 at not exceeding $1,200 each;

"Stenographers, clerks in charge, and clerks, 8,800 at not exceeding $1,100 each;

"Stenographers, clerks in charge, and clerks, 6,535, at not exceeding $1,000 each;

"Stenographers, clerks in charge, and clerks, 2,650, at not exceeding $900 each;

"Clerks in charge and clerks, 2,339, at not exceeding $800 each;

"Substitutes for clerks and employees absent without pay;

"And to provide for the promotion of 75 per cent of the clerks in first-class post offices from the fifth to the sixth grade, and for the promotion of 75 per cent of the clerks in second-class offices from the fourth to the fifth grade; in all, $48,860,000; and hereafter the appointment and assignment of clerks hereunder shall be so made during each fiscal year as not to involve a greater aggregate expenditure than the sum appropriated: *Provided*, That on and after July 1, 1915, the compensation to employees other than those in the clerical grades in post offices of the first class shall be annual salaries graded in even hundreds of dollars based upon the postal receipts for the preceding calendar year of the post office at which they are employed, as follows:

"At each post office where the receipts are $40,000 but less than $60,000: Superintendent of finance, $1,300; superintendent of mails, $1,300.

"At each post office where the receipts are $60,000 but less than $100,000: Superintendent of finance, $1,400; superintendent of mails, $1,400.

"At each post office where the receipts are $100,000 but less than $150,000: Superintendent of finance, $1,500; superintendent of mails, $1,500.

"At each post office where the receipts are $150,000 but less than $200,000: Superintendent of finance, $1,600; superintendent of mails, $1,600.

"At each post office where the receipts are $200,000 but less than $300,000: Superintendent of finance, $1,700; superintendent of mails, $1,700.

"At each post office where the receipts are $300,000 but less than $400,000: Superintendent of finance, $1,800; cashiers, $1,500; superintendent of mails, $1,800; assistant superintendent of mails, $1,500.

"At each post office where the receipts are $400,000 but less than $600,000: Superintendent of finance, $2,000; cashiers, $1,600; superintendent of mails, $2,000; assistant superintendent of mails, $1,600; stenographers, $900 to $1,200.

"At each post office where the receipts are $600,000 but less than $800,000: Superintendent of finance, $2,200; cashiers, $1,700; superintendent of mails, $2,200; assistant superintendents of mails, $1,600 and $1,700; stenographers, $900 to $1,200.

"At each post office where the receipts are $800,000 but less than $1,000,000: Superintendent of finance, $2,400; cashiers, $1,800; superintendent of mails, $2,400; assistant superintendents of mails, $1,700 and $1,800; stenographers, $900 to $1,200; bookkeeper, $1,400.

"At each post office where the receipts are $1,000,000 but less than $1,500,000: Superintendent of finance, $2,600; cashiers, $2,000; superintendent of mails, $2,600; assistant superintendents of mails, $1,800 and $2,000; stenographers, $900 to $1,200; bookkeeper, $1,500.

"At each post office where the receipts are $1,500,000 but less than $2,000,000: Superintendent of finance, $2,800; cashiers, $2,200; superintendent of mails, $2,800; assistant superintendents of mails, $2,000 and $2,200; stenographers, $900 to $1,200; bookkeeper, $1,600.

"At each post office where the receipts are $2,000,000 but less than $3,000,000: Superintendent of finance, $3,000; cashiers, $2,400; superintendent of mails, $3,000; assistant superintendents of mails, $2,000, $2,200, and $2,400; stenographers, $900 to $1,200; bookkeeper, $1,800.

"At each post office where the receipts are $3,000,000 but less than $5,000,000: Superintendent of finance, $3,200; cashiers, $2,600; superintendent of mails, $3,200; assistant superintendents of mails, $2,200, $2,400, and $2,600; stenographers, $900 to $1,200; bookkeeper, $2,000.

"At each post office where the receipts are $5,000,000 but less than $10,000,000: Superintendent of finance, $3,400; cashiers, $2,800; superintendent of mails, $3,400; assistant superintendents of mails, $2,400, $2,600, and $2,800; stenographers, $900 to $1,200; bookkeeper, $2,200.

"At each post office where the receipts are $10,000,000 but less than $20,000,000: Superintendent of finance, $3,600; cashiers, $2,800; superintendent of mails, $3,600; assistant superintendents of mails, $2,400, $2,600, and $2,800; stenographers, $900 to $1,200; bookkeeper, $2,400.

"At each post office where the receipts are $20,000,000 or over: Superintendent of finance, $3,800; cashiers, $2,800; superintendent of mails, $3,800; assistant superintendents of mails, $2,400, $2,600, and $2,800; superintendent of delivery, $3,800; assistant superintendents of delivery, $2,400, $2,600, and $2,800; stenographers, $900 to $1,200; bookkeeper, $2,400; auditor, $3,000: *And provided further*, That there may also be employed at first-class post offices special clerks, foremen, and stenographers at a salary of $1,300 or more per annum, the total number at any post office not to exceed 1 at $1,300 for each $100,000 receipts; 1 at $1,400 for each $200,000 receipts; 1 at $1,500 for each $400,000 receipts; 1 at $1,600 for each $800,000 receipts; 1 at $1,700 for each $1,500,000 receipts; 1 at $1,800 for each $3,000,000 receipts; 1 at $1,900 for each $6,000,000 receipts; and 1 at $2,000 for each $12,000,000 receipts: *And provided further*, That on and after July 1, 1915, the salary of station superintendents shall be based on the postal receipts and number of employees at their respective stations on the following basis:

"When the receipts of a carrier station do not exceed $5,000 per annum, the station shall have a credit of three points, and for each additional $5,000 a credit of one point.

"When the receipts of a noncarrier station do not exceed $5,000 per annum, the station shall have a credit of three points, and for each additional $30,000 a credit of one point.

"When the employees (clerks and carriers, city and rural) at a carrier station are three or less, the station shall have a credit of one point and for each multiple of three employees a credit of one point.

"Stations having credit of less than five points shall be in charge of a clerk at a salary not to exceed $1,200.

"At stations having a total credit of five points or more the salary of the superintendent shall be as follows: Five and six points, superintendent, $1,300; 7 to 9 points, superintendent, $1,400; 10 to 13 points, superintendent, $1,500; 14 to 18 points, superintendent, $1,600; 19 to 23 points, superintendent, $1,700; 24 to 32 points, superintendent, $1,800; 33 to 44 points, superintendent $1,900; 45 to 64 points, superintendent, $2,000; 65 to 100 points, superintendent, $2,100; 101 to 135 points, superintendent, $2,200; 136 to 200 points, superintendent, $2,300; 201 to 275 points, superintendent, $2,400; 276 to 350 points, superintendent, $2,500; 351 points and over, superintendent, $2,600."

Second. Line 26, page 15, and lines 1 and 2, page 16, as follows:

"*Provided*, That hereafter the Postmaster General may enter into contracts for the conduct of such stations for a term not exceeding two years."

Third. Page 23, lines 21 to 25, inclusive; and page 24, lines 1, 2, 3, and 4, as follows:

"The appropriation for two delegates to the International Postal Union at Madrid, to be appointed by the Postmaster General from the Post Office Department, made by the act of August 24, 1912, making appropriations for the service of the Post Office Department for the fiscal year ending June 30, 1913, and for other purposes, is hereby continued and shall be available for such convention when it shall be held."

Fourth. Page 25, lines 8 to 19, inclusive, as follows:

"For pay of letter carriers, substitutes for carriers on annual leave, clerks in charge of substations, and tolls and ferriage, Rural Delivery Service, $54,700,000: *Provided*, That not to exceed $20,000 of the amount hereby appropriated may be used for compensation of clerks in charge of substations: *Provided further*, That for experimental purposes, under such regulations as he may prescribe, the Postmaster General is authorized to advertise for proposals and to enter into contracts with the lowest responsible bidders, for a period of not exceeding four years, for performing service on rural routes in one county in each State, and to pay for the same out of the amount hereby appropriated"—

and any and all other new legislation in section 1.

Fifth. Sections 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, and 26, beginning with line 20, page 30, of said bill, and ending with line 3, page 54, as follows:

"SEC. 2. That the act approved August 24, 1912, being 'An act making appropriations for the service of the Post Office Department for the fiscal year ending June 30, 1913, and for other purposes,' is hereby amended as follows: At the end of section 5 of said act, after the word 'service,' insert the following: '*Provided*, That compensatory time for Sunday service during the month of December in any year may be allowed during the month of January next succeeding.'

"SEC. 3. That hereafter the Postmaster General may establish, under such rules and regulations as he may prescribe, one or more branch offices, nonaccounting offices, or stations of any post office for the transaction of such postal business as may be required for the convenience of the public.

"SEC. 4. That hereafter the Postmaster General may enter into contracts for the conduct of such stations for a term not exceeding four years.

"SEC. 5. That on and after July 1, 1915, when the total compensation of any postmaster at a post office of the fourth class for four consecutive quarters shall amount to $1,000, exclusive of commissions on money orders issued, and the receipts of such post office for the same period shall aggregate as much as $1,900, the Auditor for the Post Office Department shall so report to the Postmaster General, who shall, in pursuance of such report, assign such post office to its proper class, to become effective at the beginning of the next succeeding quarterly period, and fix the salary of the postmaster accordingly.

"SEC. 6. That so much of section 1 of the 'Act making appropriations for the service of the Post Office Department for the fiscal year ending June 30, 1913, and for other purposes,' approved August 24, 1912, which provides that the Post Office Department shall not extend or enlarge its present policy of sending second-class matter by freight trains, is hereby repealed.

"SEC. 7. That the Postmaster General, in cases of emergency, between October 1 and April 1 of any year, may hereafter return to the mails empty mail bags theretofore withdrawn therefrom as required by law, and for such times may pay for their railroad transportation out of the appropriation for inland transportation by railroad routes at not exceeding the rate per pound per mile as shown by the last adjustment for mail service on the route over which they may be carried, and pay for necessary cartage out of the appropriation for freight or expressage.

"SEC. 8. That when, during a weighing period, on account of floods or other causes, interruptions in service occur on railroad routes and weights of mail are decreased below the normal, or where there is an omission to take weights, the Postmaster General, for the purpose of readjusting compensation on such railroad routes as are affected thereby, is hereafter authorized, in his discretion, to add to the weights of mails ascertained on such routes during that part of the weighing period when conditions are shown to have been normal the estimated weights for that part of the weighing period when conditions are shown to have been not normal or where there has been an omission to take weights, based upon the average of weights taken during that part of the weighing period during which conditions are shown to have been normal, the actual weights and the estimated weights to form the basis for the average weight per day upon which to readjust the compensation according to law on such railroad routes for the transportation of the mails, notwithstanding the provision of the act of Congress approved March 3, 1905, requiring that the average weight shall be ascertained by the actual weighing of the mails for such a number of successive working days, not less than 90, as the Postmaster General may direct: *Provided further*, That readjustments from July 1, 1913, may be made under this provision on routes in the first section affected by the floods in the Ohio Valley and tributary territories, commencing about March 25, 1913.

"SEC. 9. That so much of section 4 of 'An act making appropriations for the service of the Post Office Department for the fiscal year ending June 30, 1913, and for other purposes,' approved August 24, 1912, as provides that no adjustment shall be made unless the diverted mails equal at least 10 per cent of the average daily weight on any of the routes affected is hereby repealed.

"SEC. 10. That hereafter the Postmaster General may transfer, under such regulations as he may prescribe, clerks from post offices of the first and second classes to the Railway Mail Service at salaries not exceeding the salary which the clerks are receiving in the post offices at the time of such transfer, with the consent of the clerk.

"SEC. 11. That the Postmaster General is authorized and directed to readjust the compensation to be paid to railroad companies from the 30th day of June, 1915, or as soon thereafter as may be practicable, for the transportation and handling of the mails and furnishing facilities and services in connection therewith upon the conditions and at the rates hereinafter provided.

"The Postmaster General may state railroad mail routes and authorize mail service thereon of the following four classes, namely: Full railway post-office car service, apartment railway post-office car service, storage-car service, and closed-pouch service.

"Full railway post-office car mail service shall be service by cars 40 feet or more in length, constructed, fitted up, and maintained for the distribution of mails on trains. The authorization of full railway post-office cars shall be for standard-size cars 60 feet in length, inside measurement, except as hereinafter provided.

"Apartment railway post-office car mail service shall be service by apartments less than 40 feet in length in cars constructed, fitted up, and maintained for the distribution of mails on trains. Two standard sizes of apartment railway post-office cars may be authorized and paid for, namely, apartments 15 feet and 30 feet in length, inside measurement, except as hereinafter provided.

"Storage-car mail service shall be service by cars used for the storage and carriage of mails in transit other than by full and apartment railway post-office cars. The authorizations for storage cars shall be for cars 60 feet in length, inside measurement, except as hereinafter provided: *Provided*, That less than 60 feet of storage space may be authorized in baggage cars.

"Service by full and apartment railway post-office cars and storage cars shall include the carriage therein of all mail matter, equipment, and supplies for the mail service and the employees of the Postal Service or Post Office Department as shall be directed by the Postmaster General to be so carried.

"Closed-pouch mail service shall be the transportation and handling by railroad employees of mails on trains on which full or apartment railway post-office cars are not authorized, except as hereinbefore provided.

"The rates of payment for the services authorized in accordance with this act shall be as follows, namely:

"For full railway post-office car mail service at not exceeding 21 cents for each mile of service by a 60-foot car.

"In addition thereto he may allow not exceeding $2 as an initial rate and the same as a terminal rate for each one-way trip of a 60-foot car.

"For apartment railway post-office car mail service at not exceeding 10½ cents for each mile of service by a 30-foot apartment car and 5¼ cents for each mile of service by a 15-foot apartment car.

"In addition thereto he may allow not exceeding $1 as an initial rate and the same as a terminal rate for each one-way trip of a 30-foot apartment car and 50 cents as an initial rate and the same as a terminal rate for each one-way trip of a 15-foot apartment car.

"For storage-car mail service at not exceeding 20 cents for each mile of service by a 60-foot car.

"In addition thereto he may allow not exceeding $2 as an initial rate and the same as a terminal rate for each one-way trip of a 60-foot car.

"Where authorizations are made for cars of the standard lengths of 60, 30, and 15 feet, as provided by this act, and the railroad company is unable to furnish such cars of the length authorized, but furnishes cars of lesser length than those authorized, but which are determined by the department to be sufficient for the service, the Postmaster General may accept the same and pay only for the actual space furnished and used, the compensation to be not exceeding pro rata of that provided by this act for the standard length so authorized: *Provided*, That the Postmaster General may accept cars and apartments of greater length than those of the standard requested, but no compensation shall be allowed for such excess lengths.

"For closed-pouch service, on routes upon which closed-pouch service only is performed, at not exceeding the rates of compensation provided by existing law for average daily weights of mail carried over the whole route; on routes upon which apartment railway post-office car and closed-pouch services are performed, at not exceeding $20 per mile per annum for each 2,000 pounds average daily weights of mails carried, and at pro rata of such rate of compensation for each 100 pounds of average daily weight greater or less than 2,000 pounds; and on routes upon which full railway post-office car and closed-pouch services or full railway post-office car, apartment-car, and closed-pouch services are performed, at not exceeding $19 per mile per annum for each 2,000 pounds average daily weight of mails carried, and at pro rata of such rate of compensation for each 100 pounds of average daily weight greater or less than 2,000 pounds, the average daily weights to be ascertained in every case by the actual weighing of the mails.

"The Postmaster General may require railroad companies carrying the mails to deliver them into and take them from the terminal and intermediate post offices and transfer them between railroad stations on their routes without additional compensation, under such regulations as he may deem proper, in cases where he does not provide for such service otherwise: *Provided*, That the Postmaster General in his discretion may relieve any of the roads of such service.

"Railroad companies whose railroads were constructed in whole or in part by a land grant made by Congress, on the conditions that the mails should be transported over their roads at such price as Congress should by law direct, shall receive only 80 per cent of the compensation otherwise authorized by this act.

"The initial and terminal rates provided for herein shall cover expenses of loading and unloading mails, switching, lighting, heating, cleaning mail cars, and all other expenses incidental to station service and required by the Postmaster General in connection with the mails that are not included in the car-mile rate. The allowance for full railway post-office cars, apartment railway post-office cars, and storage cars may be varied in accordance with the approximate difference in their respective cost of construction and maintenance.

"For the purpose of ascertaining the average weight of closed-pouch mails per day upon which to adjust compensation, the Postmaster General is authorized and directed to have such mails carried on the several routes weighed by the employees of the Post Office Department for such a number of successive days, not less than 35, at such times after July 1, 1915, as he may direct, and not less frequently than once in every year thereafter, the result to be stated and certified in such form and manner as he may direct. In computing the average weight of mails per day carried on a railroad route, the whole number of days included in the weighing period shall be used as a divisor. The expense of taking the weights of mails and the compensation to tabulators and clerks employed in connection with the weighings, for assistance in completing computations, and of rentals, if necessary, in Washington, D. C., shall be paid out of the appropriation for inland transportation by railroad routes.

"In computing the car miles of the full railway post-office cars and apartment railway post-office cars, the maximum space authorized in either direction of a round-trip car run shall be regarded as the space to be computed in both directions, unless otherwise mutually agreed upon.

"In computing the car miles of storage cars, the maximum space authorized in either direction of a round-trip car run shall be regarded as the space to be computed in both directions, unless the car be used by the company in the return movement, or otherwise mutually agreed upon.

"New service and additional service may be authorized at not exceeding the rates herein provided, and service may be reduced or discontinued with pro rata reductions in pay, as the needs of the Postal Service may require: *Provided*, That no additional pay shall be allowed for additional closed-pouch service on established routes until the next regular readjustment of pay therefor on such routes, and no additional pay shall be allowed for additional car service unless specifically authorized by the Postmaster General.

"All cars or parts of cars used for the Railway Mail Service shall be of such construction, style, length, and character, and furnished in such manner as shall be required by the Postmaster General, and shall be constructed, fitted up, maintained, heated, lighted, and cleaned by and at the expense of the railroad companies. No pay shall be allowed for service by any railway post-office car which is not sound in material and construction and which is not equipped with sanitary drinking water containers and toilet facilities, nor unless such car is regularly and thoroughly cleaned. No pay shall be allowed for service by any wooden full railway post-office car unless constructed substantially in accordance with the most approved plans and specifications of the Post Office Department for such type of cars, nor for service by any wooden full railway post-office car run in any train between adjoining steel cars, or between the engine and a steel car adjoining. After the 1st of July, 1917, the Postmaster General shall not approve, or allow to be used, or pay for service by, any full railway post-office car not constructed of steel or steel underframe or equally indestructible material, and not less than 25 per cent of the full railway post-office cars of a railway company not conforming to these provisions on August 24, 1912, shall be replaced with cars constructed of steel annually after June, 1913; and all full railway post-office cars accepted for this service and contracted for by the railroad companies hereafter shall be constructed of steel. Until July 1, 1917, in cases of emergency and in cases where the necessities of the service require it, the Postmaster General may provide for service by full railway post-office cars of other than steel or steel underframe construction, and fix therefor such rate of compensation within the maximum herein provided as shall give consideration to the inferior character of construction, and the railroad companies shall furnish service by such cars at such rates so fixed.

"Service over property owned or controlled by another company or a terminal company shall be considered service of the railroad company using such property and not that of the other or terminal company: *Provided*, That service over a land-grant road shall be paid for as herein provided.

"Railroad companies carrying the mails shall furnish all necessary facilities for caring for and handling them while in their custody. They shall furnish all cars or parts of cars used in the transportation and distribution of the mails, except as is herein otherwise provided, and place them in stations before the departure of trains at such times and when required to do so They shall provide station space and rooms for handling, distribution, and transfer of mails in transit, and for offices and rooms for the employees of the Postal Service engaged in such transportation, when required by the Postmaster General.

"Every railroad company carrying the mails shall carry on any train it operates and without extra charge therefor the persons in charge of the mails, and when on duty and traveling to and from duty, and all duly accredited agents and officers of the Post Office Department and the Postal Service, while traveling on official business, upon the exhibition of their credentials.

"If any railroad company carrying the mails shall fail or refuse to provide cars or apartments in cars for distribution purposes when required by the Postmaster General, or shall fail or refuse to construct, fit up, maintain, heat, light, and clean such cars and provide such appliances for use in case of accident as may be required by the Postmaster General, it shall be fined such reasonable sum as may, in the discretion of the Postmaster General, be deemed proper.

"The Postmaster General shall in all cases decide upon what trains and in what manner the mails shall be conveyed. Every railroad company carrying the mails shall carry on any train it operates and with due speed all mailable matter, equipment, and supplies directed to be carried thereon. If any such railroad company shall fail or refuse to transport the mails, equipment, and supplies when required by the Postmaster General on any train or trains it operates, such company shall be fined such reasonable amount as may, in the discretion of the Postmaster General, be deemed proper.

"The Postmaster General may make deductions from the pay of railroad companies carrying the mails under the provisions of this act for reduction in service or in frequency of service where, in his judgment, the importance of the facilities withdrawn or reduced requires it, and impose fines upon them for delinquencies. He may deduct the price of the value of the service in cases where it is not performed, and not exceeding three times its value if the failure be occasioned by the fault of the railroad company.

"The provisions of this act shall apply to service operated by railroad companies partly by railroad and partly by steamboat.

"The provisions of this act respecting the rates of compensation shall not apply to mails conveyed under special arrangement in freight trains, for which rates not exceeding the usual and just freight rates may be paid, in accordance with the classifications and tariffs approved by the Interstate Commerce Commission

"Railroad companies carrying the mails shall submit, under oath, when and in such form as may be required by the Postmaster General, evidence as to the performance of service.

"The Postmaster General is authorized to employ such clerical and other assistance as shall be necessary to carry out the provisions of this act, and to rent quarters in Washington, D. C., if necessary, for the clerical force engaged thereon, and to pay for the same out of the appropriation for inland transportation by railroad routes.

"The Postmaster General shall, from time to time, request information from the Interstate Commerce Commission as to the revenue received by railroad companies from express companies for services rendered in the transportation of express matter, and may, in his discretion, arrange for the transportation of mail matter other than of the first class a rates not exceeding those so ascertained and reported to him, and it shall be the duty of the railroad companies to carry such mail matter at such rates fixed by the Postmaster General.

"The Postmaster General is authorized in his discretion, to petition the Interstate Commerce Commission for the determination of a postal-carload or less-than-carload rate for transportation of mail matter of the fourth class and periodicals, and may provide for and authorize such transportation, when practicable, at such rates, and it shall be the duty of the railroad companies to provide and perform such service at such rates and on the conditions prescribed by the Postmaster General.

"The Postmaster General may, in his discretion, distinguish between the several classes of mail matter and provide for less frequent dispatches of mail matter of the third and fourth classes and periodicals, when lower rates for transportation or other economies may be secured thereby without material detriment to the service.

"The Postmaster General is authorized to return to the mails, when practicable for the utilization of car space paid for and not needed for the mails, postal cards, stamped envelopes, newspaper wrappers, empty mail bags, furniture equipment, and other supplies for the Postal Service.

"The Postmaster General, in cases of emergency between October 1 to April 1 of any year, may hereafter return to the mails empty mail bags and other equipment theretofore withdrawn therefrom as required by law, and where such return requires additional authorization of car space under the provisions of this act to pay for the transportation thereof as provided for herein out of the appropriation for inland transportation by railroad routes.

"The Postmaster General may have the weights of mail taken on railroad mail routes and computations of the average loads of the several classes of cars and other computations for statistical and administrative purposes made at such times as he may elect, and pay the expense thereof out of the appropriation for inland transportation by railroad routes.

"It shall be unlawful for any railroad company to refuse to perform mail service at the rates of compensation provided by law when and for the period required by the Postmaster General so to do, and for every such offense it shall be fined not exceeding $5,000.

"That the unexpended balances of the appropriations for inland transportation by railroad routes and for railway post-office car service, by the act of March 9, 1914, making appropriations for the service of the Post Office Department for the fiscal year ending June 30, 1915, and for other purposes, are hereby made available for the purposes of this act.

"SEC. 12. That on account of the increased weight of mails resulting from Postmaster General's order No. 7720, of December 18, 1913, respecting rates upon and limit of weight of parcel-post packages in the local, first and second zones, and effective from August 15, 1913, the Postmaster General is authorized to add to the compensation paid for transportation on railroad routes on and after August 15, 1913, for the remainder of the contract terms, not exceeding one-half of 1 per cent thereof per annum.

"SEC. 13. That on account of the increased weight of mails resulting from Postmaster General's order No. 7720 of December 18, 1913, respecting rates upon and limit of weight of parcel-post packages effective from January 1, 1914, the Postmaster General is authorized to add to the compensation paid for transportation on railroad routes on and after January 1, 1914, for the remainder of the contract terms, not exceeding 1 per cent thereof per annum.

"SEC. 14. That the appropriation for the manufacture of postage stamps be so amended that advance payment can be made to the Director of the Bureau of Engraving and Printing for the printing of postage stamps.

"SEC. 15. That under such regulations as the Postmaster General may establish for the collection of the lawful revenue, and for facilitating the handling of such matter in the mails, it shall be lawful to accept for transmision in the mails quantities of not less than 500 identical pieces of third-class matter and of second-class matter mailed at the special rates of 1 cent and 2 cents a copy and of 250 identical pieces of fourth-class matter without postage stamps affixed: *Provided*, That postage shall be fully prepaid thereon at the rate required by law for a single piece of such matter.

"SEC. 16. That such part of section 6 of the act approved June 25, 1910, authorizing a system of postal savings depositories as reads 'but no one shall be permitted to deposit more than $100 in any one calendar month' is hereby amended to read as follows: 'but the balance to the credit of any person upon which interest is payable shall not exceed $1,000, exclusive of accumulated interest'; and said act is further amended so as to repeal the proviso in section 7 thereof and insert in lieu of such proviso the following: '*Provided*, That the board of trustees may, in their discretion, and under such regulations as such board may promulgate, accept additional deposits not to exceed in the aggregate $1,000 for each depositor, but upon which no interest shall be paid.'

"SEC 17. That if any person hereafter perform any service for any contractor or subcontractor in carrying the mail he shall, upon filing in the department his contract for such service and satisfactory evidence of its performance, thereafter have a lien on any money due such contractor or subcontractor for such service to the amount of same; and if such contractor or subcontractor shall fail to pay the party or parties who have performed service as aforesaid the amount due for such service within two months after the expiration of the month in which such service shall have been performed the Postmaster General may cause the amount due to be paid said party or parties and charged to the contractor: *Provided*, That such payment shall not in any case exceed the rate of pay per annum of the contractor or subcontractor.

"SEC. 18. That whenever an accepted bidder shall fail to enter into contract, or a contractor on any mail route shall fail or refuse to perform the service on said route according to his contract, or when a new route shall be established or new service required, or when, from any other cause, there shall not be a contractor legally bound or required to perform such service, the Postmaster General may make a temporary contract for carrying the mail on such route, without advertisement, for such period as may be necessary, not in any case exceeding one year, until the service shall have commenced under a contract made according to law: *Provided*, That the cost of temporary service rendered necessary by reason of the failure of any accepted bidder to enter into contract or a contractor to perform service shall be charged to such bidder or contractor.

"All acts or parts of acts inconsistent with the provisions of this act are hereby repealed.

"SEC. 19. That section 3949 of the Revised Statutes be amended to read as follows:

"'All contracts for carrying the mails should be in the name of the United States, and shall be awarded to the lowest bidder tendering sufficient guaranties for faithful performance in accordance with the terms of the advertisement: *Provided, however*, That such contracts require due celerity, certainty, and security in the performance of the service; but the Postmaster General shall not be bound to consider the bid of any person who has willfully or negligently failed to perform a former contract.'

"SEC. 20. That the act of March 4, 1909 (ch. 321, sec. 198, 35th Stats., p. 1126), be amended to read as follows:

"'Whoever shall willfully or maliciously injure, tear down, or destroy any letter box or other receptacle intended or used for the receipt or delivery of mail on any mail route, or shall break open the same, or shall willfully or maliciously injure, deface, or destroy any mail deposited therein, or shall willfully take or steal such mail from or out of such letter box or other receptacle, or shall willfully aid or assist in any of the aforementioned offenses, shall for every such offense be punished by a fine of not more than $1,000 or by imprisonment for not more than three years.'

"SEC. 21. That section 3938 of the Revised Statutes be amended to read as follows:

"'All letters of domestic origin which can not be delivered by postmasters shall be sent to the Post Office Department, and such as contain inclosures of value, other than correspondence, shall be recorded. If the sender or addressee can not be identified, such letters shall be held for a period of one year awaiting reclamation. If within one year they have not been claimed, they shall be disposed of as the Postmaster General may direct.

"'All other undeliverable letters shall be disposed of without record and not held for reclamation.'

"SEC. 22. That whenever in the judgment of the Postmaster General the bids received for any star route are exorbitant or unreasonable, or whenever he has reason to believe that a combination of bidders has been entered into to fix the rate for star-route service, the Postmaster General be, and he is hereby, authorized, out of the appropriation for inland transportation by star routes, to employ and use such means or methods to provide the desired service as he may deem expedient, without reference to existing laws or laws respecting the employment of personal service or the procurement of conveyances, materials, or supplies.

"SEC. 23. That on and after July 1, 1915, the compensation of each rural letter carrier for serving a standard route of 24 miles and over, six days in the week, shall be $1,200 per annum, payable monthly; on routes 22 miles and less than 24 miles, $1,152; on routes 20 miles and less than 22 miles, $1,080; on routes 18 miles and less than 20 miles, $960; on routes 16 miles and less than 18 miles, $840; on routes 14 miles and less than 16 miles, $720; on routes 12 miles and less than 14 miles, $672; on routes 10 miles and less than 12 miles, $624; on routes 8 miles and less than 10 miles, $576; on routes 6 miles and less than 8 miles, $528; on routes 4 miles and less than 6 miles, $480. A rural letter carrier serving one triweekly route shall be paid on the basis for a route one-half the length of the route served by him, and a carrier serving two triweekly routes shall be paid on the basis for a route one-half of the combined length of the two routes: *Provided*, That in the discretion of the Postmaster General the pay of carriers who furnish and maintain their own motor vehicles and who serve routes not less than 50 miles in length may be fixed at not exceeding $1,800 per annum.

"SEC. 24. That the Postmaster General be, and he is hereby, authorized to pay an additional compensation to rural carriers, out of the appropriation for village delivery service, a sum not to exceed $150 per annum in any individual case for delivering mail at second and third class post offices not now by law entitled to free delivery service.

"SEC. 25. That the act approved January 21, 1914 (Public, 49), authorizing the Postmaster General to adjust certain claims of postmasters for loss by burglary, fire, or other unavoidable casualty, be so amended as to include Navy mail clerks and assistant Navy mail clerks.

"SEC. 26. That the act approved May 23, 1910 (ch. 255, 36 R. S., p. 416, now carried in Postal Laws and Regulations as sec. 931), be amended so as to read as follows: 'Whenever the sender shall so request, a receipt shall be taken on the delivery of any registered mail matter showing to whom and when and place where the same was delivered, which receipt shall be returned to the sender, and be received in the courts as prima facie evidence of such delivery.'"

Immediately upon the adoption of this rule the Post Office appropriation bill, herein referred to, shall be taken up for consideration in the House. The general debate shall not run exceeding six hours' time, one half of which time shall be controlled by the chairman of the Committee on the Post Office and Post Roads and the other half by the ranking member of the minority. At the end of said six hours of debate the bill shall be considered by paragraphs as provided in the general rules of the House.

Mr. HENRY. Mr. Speaker, I move the previous question on the resolution.

The SPEAKER. The gentleman from Texas moves the previous question on the resolution.

Mr. CAMPBELL. Will the gentleman agree upon some time for debate?

Mr. HENRY. This gives 20 minutes to a side.

Mr. MANN. I ask for a division.

Mr. HENRY. Mr. Speaker, I withhold it for a moment.

Mr. MANN. Make it 30 minutes on a side.

Mr. HENRY. I have no objection if the gentleman thinks he will need that much time.

Mr. CAMPBELL. There has been a demand for that time.

Mr. HENRY. That is if we agree that the previous question shall be considered as ordered at the end of an hour. Very well, Mr. Speaker, I agree to 30 minutes on a side, and I ask unanimous consent that at the end of that time the previous question shall be considered as ordered.

The SPEAKER. The gentleman from Texas asks that debate be confined on this rule to 30 minutes on a side, and at the end of the hour the previous question shall be considered as ordered. Is there objection? [After a pause.] The Chair hears none. The gentleman from Texas is recognized for 30 minutes and the gentleman from Kansas for 30 minutes.

Mr. HENRY. Mr. Speaker, the rule provides for making in order certain matters of legislation that are contained in the Post Office appropriation bill which has been reported to the House. In other words, everything that is contained in the bill shall not be subject to any point of order, but shall be considered by the House; and the legislation is set out in length in order that the Members may understand the terms of the bill as reported. And at the end of the resolution there is a provision that the House proceed to consider the bill, and that there shall be not exceeding six hours of general debate. And at the end of that time the previous question shall be considered as ordered, and the House shall come to a vote.

Such, in general terms, are the various provisions of the special rule. I believe it is not necessary to say any more in regard to it by way of explanation, therefore I reserve the balance of my time.

Mr. ALEXANDER. Will the gentleman yield?

Mr. HENRY. Yes.

Mr. ALEXANDER. You stated that at the expiration of six hours the bill would come to a vote.

Mr. HENRY. I meant that it should be considered under the five-minute rule, of course. There is perfect freedom of debate and amendment provided under the five-minute rule.

Mr. CAMPBELL. Mr. Speaker, there are several objections to the adoption of this rule. I shall only have time to consider a very limited number of them. First of all, it provides for important legislation as a rider on an appropriation bill. There are 37 pages of very important legislation that it is proposed to make in order on this appropriation bill. That in itself is a sufficient objection to the rule, if there were no others.

Mr. ALLEN. Will the gentleman yield for a question?

Mr. CAMPBELL. I have very little time, but I will yield for a short question.

Mr. ALLEN. I simply wanted to ask if it is not a fact that substantially all the legislation was passed last summer in what is known as the Moon bill, now pending in the Senate?

Mr. CAMPBELL. That is true, and is another objection to this rule, because all legislation has already passed the House on its merits, without being attached as a rider to an appropriation bill, and is pending before the Senate Committee on Post Offices and Post Roads, where it properly belongs for consideration. If this legislation is important, and much of it is, it should pass upon its merits.

Another objection to this rule is that it has been given out by the administration, from the President down, and it has been stated by the leaders of both the House and Senate majorities, that it is the intention to close the business of Congress on the 4th of March by finishing up all the appropriation bills. If that is done, it will be necessary to proceed with the appropriation bills without attaching important riders upon them. That brings up the question of whether or not the administration is serious in its contenton that the business of this Congress should be concluded by the 4th of March. I understand it is urged by the Postmaster General that this legislation be made in order as a rider on this appropriation bill. And I understand that it is agreed by the majority of this House that this important legislation be attached as a rider upon the Post Office appropriation bill. That will place before the conferees of the House and the Senate 37 pages of the most important legislation to be considered by this Congress on the last day of the session at a time when it is impossible to give the consideration to conference reports that they ought to have, and require Members to vote to agree to a conference report, right or wrong, in order to avoid a special session of the Congress. That ought not to be done.

The most serious objection that I have, and that many Members of this House ought to have, to this resolution is that it makes in order a law that changes the delivery of mail by rural carriers to the delivery of rural mail by the contract system. If this rule is agreed to, star routes are to be given a trial in place of the rural route carriers, and the proposed amendment is agreed to as a rider to this bill. It is the beginning of the end of the delivery of rural mail by rural carriers. It can not be concealed by any pretext or any pretense that that is not the intention of the Postmaster General; it is the intention of the majority of the Committee on the Post Office and Post Roads of this House; it is the proposition of the majority of this House, if this amendment is made in order and agreed to by the House, that the delivery of rural mail henceforth shall be under the contract system, under the star-route system, instead of by rural delivery carriers, as has been practiced for the last 12 or 14 years in this country.

There are many items of very important legislation that are made in order by this resolution that, as has already been stated, have passed this House and are now under consideration in the Senate. The Moon bill of the last session does not include the delivery of mail under the contract system in place of by rural carriers. Every important item of legislation made in order in this rule can be passed by the Senate and agreed to by this House within the next 10 days or before the adjournment, without imperiling the rural delivery of mail in the United States by making in order this blanket assault upon appropria

tion bills by attaching a rider of 37 pages of important legislation.

Mr. ADAIR. May I ask the gentleman just one question?

Mr. CAMPBELL. Yes.

Mr. ADAIR. If the gentleman has time I wish he would state to the House just what the provision is in the bill relating to the change in the Rural Delivery Service.

Mr. CAMPBELL. It provides for one county in each State as an experiment for star-route delivery of mail. That is just the way rural delivery was started. It is proposed to stop rural free delivery just the way it was started. It is the first drink, the first fall from virtue.

Mr. Speaker, how much time have I used?

The SPEAKER. The gentleman has used six minutes.

Mr. DECKER. Does it mean that all the mail delivered in one county shall be delivered by star route?

Mr. CAMPBELL. Yes.

Mr. DECKER. I thought it was one route.

Mr. CAMPBELL. No; the whole county, as I understand.

Mr. Speaker, I reserve the balance of my time.

Mr. HENRY. Will the gentleman from Kansas use some more of his time now?

Mr. CAMPBELL. I would rather the gentleman from Texas would use some of his time, if he will.

Mr. HENRY. Mr. Speaker, I yield 10 minutes to the gentleman from Tennessee [Mr. MOON].

Mr. MOON. I do not share the apprehensions of my friend from Kansas [Mr. CAMPBELL]. The discussion of the question before the House would indicate that he is not very familiar with portions of this measure or with the purposes and intentions of the committee in presenting this new legislation.

It is well known to the House that there has never been any legislation of any consequence or importance affecting the Post Office Department or the Postal Service that has not passed through this House on an appropriation bill. If you were to have a separate bill for all of these administrative items in this bill intended to promote the efficiency of the service and of the department and pass them over to the Senate, it would be impossible to get that body to consider all of that varied legislation. But it has never been difficult to get the Senate to consider propositions that occur and arise upon an appropriation bill.

Why should they not be considered there as well as elsewhere? If this House has agreed to legislation and wants legislation passed, the way to get action upon it is to present it to the Senate of the United States so that it necessarily and inevitably challenges the attention of that distinguished body for consideration.

This House has passed already—and I may say by practically a unanimous vote, because no division was had on the vote—nearly every word of the new law that is contained in these sections. There are a few administrative propositions that are entirely new, but they are of such a character as to provoke no discussion and no opposition on the committee, so far as I know. There is but little opposition, in fact, to any of this legislation of the committee. As I remarked before, it was nearly all passed by the House heretofore.

Now the Senate has ample time to consider it. Really, the Senate has considered over there very much, if not nearly all, of the legislation that we are asking here. That they are prepared and ready to place that legislation on this bill, in conformity with the action of the House in passing these propositions, I have not any doubt.

Mr. LLOYD. Mr. Speaker, will the gentleman yield?

The SPEAKER. Does the gentleman yield?

Mr. MOON. I yield.

Mr. LLOYD. Is the provision in this bill with reference to assistant postmasters such as was in the original Moon bill?

Mr. MOON. No. The provision that the gentleman speaks of in reference to assistant postmasters that passed this House on a vote—and it was the only matter of contest in the other bill—is not in this bill at all.

Mr. Speaker, it is of the utmost importance that this House take such action as will retain, of course, the efficiency of the Postal Service at the minimum cost. Our Treasury is not, for reasons known to most of you, in the very best of condition. We ought to effect every economy that is possible. If the railway mail proposition in this bill is passed and becomes a law; if the administrative proposition, by which officials are charged and the postmasters of the country are required to perform their duties and the assistants are given positions under the civil service which they can fill and whose duties they can perform, so that every man in those offices shall be discharging the duties proposed by law; if the system of promotions here agreed upon, and the proposition known as the "blue-tag" proposition, that will commit to the mails of this country in all of the four grand divisions, as it is now in two of them, certain second-class matter to be delivered in the full time that is required by law, there will be another saving of some $4,000,000 of money. The importance of those things ought to be apparent to all of us.

I am going back to that question in another minute, because it just occurs to me at this second that I will answer the statement the gentleman from Kansas [Mr. CAMPBELL] on the question of the rural carriers. The Post Office Department is of opinion that if the law is changed so that contracts might be made for the carriage of the rural mails instead of by carriers, a better service could be obtained at a reduction of $18,000,000 per annum; and they have proposed, in an estimate in this bill, such a reduction. The committee has not agreed to the reduction. On the contrary, sir, the majority of the committee has reported to this House a measure of which the gentleman from Kansas ought to complain if he understood it—but he would not complain, however, if he did—a measure that will increase the expenses of this service two and one-half million dollars per annum, taking away from the Postmaster General the discretionary power in fixing the cost of the maintenance of these routes and actually giving an increase of $100 to these carriers.

Now, that is a matter that has to be considered by you. I regret, I say, that a majority of the committee saw fit to bring in this amendment, but it has done so; and while, as the chairman of this committee, I propose to stand by its action, yet I can not afford to lose my own personal representative capacity and avoid the duties that fall upon me as an individual Representative here. I admit that is a mistake. I know that nearly all of you want the carriers' salaries increased, and generally I have no objection to it, but it is a mistake to take the mileage basis alone for the determination of the pay of carriers.

Let me give you one illustration: Take, for instance, a case in Tennessee. There is a carrier who carries the mail for 24 miles in an automobile and back. He carries about 3 pounds one way and 3 or 4 pounds the other way. He performs that duty in three or four hours. There are a hundred places in the West—particularly some in Colorado—where the carrier, traveling over bad roads, takes from 12 to 14 hours a day to perform his duties, and carries from 2 000 to 3,000 pounds each way, and he gets only $1,200. Now, it is apparent to every just mind, or it ought to be, that that is an inequality that ought to be corrected. It can not be done except under an order similar to that issued by the Postmaster General, in which he takes as factors determining the compensation of the carrier not only the length of the route but the number of the packages carried and their weight. Now, if my friend from Kansas wants anything more done for rural carriers than that proposed in this measure, then I am afraid he is more interested in their welfare than he is in the interests of the country.

Mr. STEENERSON. Mr. Speaker, will the gentleman yield?

Mr. MOON. Yes; I do.

Mr. STEENERSON. Does not the provision for the pay of rural carriers contained in this rule repeal the action of the Postmaster General wherein he fixes the pay in proportion to the mileage traveled?

Mr. MOON. I am not urging this question, because I am in a delicate position. That is one of the suggestions I make to the House. I have an individual view in reference to the matter, and then I have a duty to perform as chairman of this committee. If we pass that section we will take away from the Postmaster General the right to consider anything except the miles traveled in fixing the pay, which is clearly wrong, as every just man, I think, will see.

The CHAIRMAN. The time of the gentleman has expired.

Mr. HENRY. I yield to the gentleman five minutes more.

Mr. MOON. I know the interest of this House on that question of rural carriers. I want it understood that I am entirely friendly to them. I want to do anything that will be of benefit to them within the just and proper bounds of reason, and with due regard to the welfare and interest of the country. But we must conserve the Treasury of the United States. I do not speak by authority of the administration, because I have no authority to represent the administration upon that question, but I speak from a general knowledge and an accurate examination of the Federal revenues, and I believe that the administration, if called upon, would not deny the fact that from the beginning of the European war the revenues of the United States have been materially affected, as all industrial pursuits in this country have been. If you will go to the receipts and make your calculation, you will find that in the month of August the revenues of the United States decreased 1½ per cent, in September 2¾ per cent, in October 4½ per cent, and in November 5½ per cent, and the indications are that the decrease for December will be over 7 per cent. If this thing continues, if this

business depression continues on account of the disturbance of our relations with foreign countries, we must look to the conservation of our revenues and cut off from every bill where we can strike off a dollar, and await a better time, when we can more justly expend the revenues of the people.

Mr. BUTLER. Will the gentleman yield for a question?

Mr. MOON. Yes; I yield to the gentleman from Pennsylvania.

Mr. BUTLER. Thank you very much, sir. In the opinion of the gentleman is not this the beginning of the end of what are known as the rural carriers?

Mr. MOON. No; I think not. I was going to say that there is a provision in this bill that requires the Postmaster General to experiment——

Mr. BUTLER. Yes.

Mr. MOON. In one county in each State. He does not have to take the whole county. He can take one route, and he is required to report whether we can have a better and a more efficient service at less cost than we now have, and still keep in consideration the propriety of adequate compensation to the carrier. Now, is it not wise that we make an experiment of that sort?

Mr. BUTLER. Will the gentleman permit another question?

Mr. MOON. In a moment. If it be true, as the Postmaster General insists, that under that system $18,000,000 can be saved annually, is it not our duty to save it if thereby we protect the people?

Mr. BUTLER. There is no complaint about the service as now rendered, as I understand.

Mr. MOON. There is a great deal of complaint about it in some cases.

Mr. BUTLER. As a general thing, is not the rural carrier service a satisfactory one?

Mr. MOON. I should say, reasonably so.

Mr. BUTLER. It is not for that reason that the gentleman would advocate the making of this experiment?

Mr. MOON. No; not specially for that reason, but for the economy of the thing.

Mr. BUTLER. We just saved the country $3,000,000 to-day on this vote that we took, when we decided that we would not have another agricultural census.

Mr. MOON. We did well to save money for the country, but if we save other millions we shall do better.

Mr. BUTLER. I understand that, but there are some things on which we can not probably be so economical.

Mr. MOON. I want to say to the gentleman and to other gentlemen of this House—and I do not mean to be personal when I say it——

Mr. BUTLER. I understand that.

Mr. MOON. That it is not time for us as Representatives to be afraid of rural carriers or anybody else. We have got to stand by the people of the United States on these questions. [Applause.]

Mr. BUTLER. I am not afraid.

Mr. MOON. I would not do any injustice to the rural carriers, but when the farmers of your country and my country and the business men everywhere are agreed on this proposition, and when every time there is a vacancy you have applications, and they say that this service can be and will be performed by other men for a term of years, four years or less, and not for life as these men now have it, at less expense, and if the money so saved can go to the building up of your roads and the extension of your Parcel Post System, or any other adequate or proper purpose that will give advantages and benefits to the people, the time is coming when you will understand, gentlemen, that standing by the rural carrier for the maximum rate of compensation is going to have its proper effect upon the people, because the people are not willing that this service shall be performed at that figure when there are hundreds of good farmer boys wanting an opportunity in life; and while a man has the job of carrying the mail for life at $1,200 a year they have no opportunity or chance to participate in that service for the Government in their own neighborhood, the country people are not going to stand by you. I think if you are playing politics you are playing it on the wrong side.

Mr. BUTLER. I am not playing politics on it, because I suppose two-thirds of the carriers in my district are Democrats. I have never inquired.

Mr. MOON. I can not conceive how that could have happened. Under a Republican administration for years past, with these fellows covered into the civil service, I can not understand that two-thirds of them should be Democrats, because going in under a Republican administration, nearly every one of them in my country is a Republican. [Laughter.]

Mr. CAMPBELL. Mr. Speaker, I yield five minutes to the gentleman from Wisconsin [Mr. LENROOT].

Mr. LENROOT. Mr. Speaker, the Post Office appropriation bill, as has been stated, covers 54 pages. The new legislation in this bill covers 37 pages. Now, Mr. Speaker, riders in the way of legislation on appropriation bills are sometimes justified. I have sometimes voted for them. When the appropriation and legislation are so intimately connected that they should be considered together it is often a good reason. If a great emergency exists, that is sometimes a reason for supporting it. But, Mr. Speaker, on an appropriation bill to make 37 pages out of 54 new legislation in order is going wild upon this subject, and if it is to be begun now on this bill we might as well repeal the rule of the House that prohibits legislation upon appropriation bills.

Mr. Speaker, it has been stated that much of the new legislation contained in the bill has already been embodied in bills passed by the House and now pending in the Senate. That is true. The only reason given by the gentleman on the other side for including such legislation on this bill is that in no other way can legislation upon this subject be secured. Mr. Speaker, the Democratic Party is in control of the Senate, as it is in control of the House. To make the assertion that they do merely means that they confess the Democratic Party in control in the Senate can not be trusted to legislate in the public interest unless the House holds a club over them and forces them to do so. Mr. Speaker, I frankly admit that that is the strongest reason that can be urged for including new legislation in this bill; and you gentlemen may be correct in that, that your party can not be trusted to pass the important legislation independent of an appropriation bill.

But, Mr. Speaker, if the Democratic Party in the Senate can not be trusted to pass on the question independently, it can not be trusted to legislate upon it in an appropriation bill where it will go to conference, where the report will be presented to this House at midnight on the 3d day of March, the report read without a Member having an opportunity to know what is in the report, and be obliged to vote it up or down.

If this was independent legislation, we could vote the conference report down and send it back to conference until it was made as it ought to be. But upon an appropriation bill on the night of the 3d of March we will be forced to either accept such a bill as the conferees choose to present to the House or take the responsibility of convening a special session of Congress. It is not fair gentlemen, it is not right, it is not just that that alternative should be put up to Members of the House. Therefore from every standpoint, Mr. Speaker, this legislation, all of it at least, should not be included in the bill, and therefore the rule ought not to be adopted. I yield back the balance of my time.

Mr. CAMPBELL. Mr. Speaker, how much time does the gentleman from Wisconsin yield back?

The SPEAKER pro tempore (Mr. ABERCROMBIE). The gentleman from Kansas has 19 minutes remaining.

Mr. CAMPBELL. Mr. Speaker, I yield five minutes to the gentleman from Minnesota [Mr. STEENERSON].

Mr. STEENERSON. Mr. Speaker, I am opposed to this rule because it makes this legislation in order on an appropriation bill. As I stated in the minority report of the bill, I believe that this is a very bad practice and should not be resorted to except in great emergencies.

Mr. MOON. Does the gentleman say that he reported minority views?

Mr. STEENERSON. I reported my views.

Mr. MOON. I see that the report contains minority views; there was no minority report.

Mr. STEENERSON. I filed it as my views, but I did not put the heading on it. The printer is responsible for that. But, Mr. Speaker, the necessity does not exist in this case. The gentleman from Tennessee has stated that there is a large number of these provisions needed in the administration of the Post Office Department, and those have all passed the House, and he now wants them put onto this bill as a rider. I called his attention to the fact that many of these provisions, in fact all, except the one relating to the railway mail pay, were contained in the appropriation bill a year ago as reported by the committee. It was a rider, and it was stricken out on a point of order made by the gentleman from Georgia [Mr. BELL], presumably with the approval of the chairman, because he was then very much disgusted with the Committee on Rules for refusing to give him a rule because it abolished the assistant postmasters.

The administration at that time was not in favor of the abolition of assistant postmasters and the chairman of the committee was. They could not agree. You remember that the chair-

man was quite severe in his remarks on the Committee on Rules for refusing it. As a revenge for not putting in assistant postmasters his colleagues on the committee raised the objection themselves. They could have had it as a rider on an appropriation bill. It shows that there was no great emergency then, and it does not exist now.

In regard to the other provisions, they are very important. They contain a reduction of the salary of nearly every postmaster of the first and second class in the United States. We never have heard their side of that question. There are reductions of salary in other particulars. But the chief cause for this proposed new legislation on salaries is not economy, but spoils; that is the motive power behind it.

In regard to the railway mail pay provisions, we have passed that already; it is now in the Senate, and the only effect of passing it again will be to attempt to hold a club over the Senate to compel them to pass the provision, and if they do not they will hold up the Post Office supplies and stop the Postal Service. Since we passed that bill in the House there has been a report from the committee that worked two years on railway mail pay, and I understand the Senate has under consideration a different proposition. It would look improper and indelicate to try to force them to accept our views, under the circumstances. It would be resented, and it would result, as stated by the gentleman from Kansas, in a deadlock.

In regard to the question of economy, we are all in favor of economy, but it is a very remarkable thing that at the same time the gentleman from Tennessee speaks of this proposed economy he does not claim for one instant that the Postal Service is not self-sustaining nor that there is extravagance in administration. There is a surplus for the last fiscal year, and if there is a reduction in the volume of business, as he says, it is but the natural result of Democratic rule. We always do less business during Democratic years, and this will be no exception; but when the volume of business decreases expenses can also be reduced, and it does not follow there will be a deficit in postal funds on that account. I hope the rule will be defeated. It is the quickest way to defeat the attack on the Rural Delivery System. I append my views in the minority report.

[House of Representatives Report No. 1219, part 2, Sixty-first Congress, third session.]

POST OFFICE APPROPRIATION BILL.

Mr. STEENERSON, from the Committee on the Post Office and Post Roads, submitted the following minority views:

I am opposed to making the proposed new legislation a part of this bill. Although legislation by means of riders on appropriation bills is frequently resorted to and may sometimes be justifiable, it is only so in rare and exceptional cases.

The practice is liable to lead to ill-considered and carelessly drawn measures, which it is the aim of our legislative procedure to avoid.

In no instance, so far as I can learn, has legislation so complicated in form or so vital in its effects upon the interests of millions of people been proposed to be forced through in this manner without the consideration that its importance deserves.

Some of this legislation, notably that relating to railway mail pay, has already passed the House as a part of the Moon bill (H. R. 17042) and is now pending in the Senate.

Is it the plan to force favorable action in the Senate by a threat to withhold appropriation for the Postal Service unless they yield to the House? If so, I am afraid the plan will fail, and the only result may be to force a deadlock and prevent the passage of the whole bill and thereby force an extra session. Every one who believes that course to be wise will support this method, but I am persuaded it would be very unwise to do so.

The proposition to do away with assistant postmasters is also one full of contention and should not be forced upon the House in this manner. So is the proposition to authorize the Postmaster General to let all rural routes in one county in each State, on contracts to run four years, to the highest bidder.

This is only a wedge to begin the destruction of the whole Rural Delivery System, and should be considered apart from the appropriation for the service.

There are several other matters of nearly equal importance, all of which should be considered in due course of procedure and not under the whip and spur of a rule on an appropriation bill.

I am authorized to state that Mr. GRIEST and Mr. KENNEDY concur in above views.

Mr. HENRY. Mr. Speaker, I yield five minutes to the gentleman from Illinois [Mr. MADDEN].

Mr. MADDEN. Mr. Speaker, of course the legislation in this bill would be out of order if we had no rule. The reason of the rule is that it is important that this legislation should be enacted. My judgment is that there is no place where such legislation should be enacted as fit as the place where we make appropriations for the conduct of this great department.

We are appropriating $322,000,000 in this bill, and perhaps before it is completed it will amount to $325,000,000, and every particle of legislation in the bill relates to the manner in which the expenditures of the department shall be made, and seeks to regulate the conduct of the department along enlightened, intelligent, efficient business lines. The mere fact that the rules of the House prohibit legislation on an appropriation bill under ordinary circumstances ought not to be an objection to the inclusion of legislation in a bill of this character. This bill deals with one great department of the Government. It deals with that department alone. It should deal with it in such a way that when the bill is enacted into law the men responsible for the conduct of the department will have before them all the information upon which they can base intelligent executive action; and it is only by the enactment of this legislation in the bill that the department will have the information which will enable the executive officers of the department to properly perform the responsible duties which they are called upon to perform.

Ordinarily when an appropriation bill deals with a large number of departments there ought not to be any legislation in the bill, but my judgment is that where a committee reports an appropriation bill covering the management of a great department, and one department only, not only should that committee report the appropriations, but it should report the legislation connected with it, and I do not care what the practice of the House has been in the past or what objections gentlemen may make to the policy of including legislation in a bill of this kind. The truth is that such legislation as this bill contains is not only salutary, but it is scientific. It is the result of great research on the part of the members of the committee and the executive officers of the department, as well as commissions appointed for the purpose of looking carefully into the questions involved. It is not haphazard legislation. It is legislation that has been well thought out, and I predict that the legislation contained in this bill will result in a more scientific conduct of the affairs of this great branch of our Government than has ever been the case in the past. We are fixing in this bill in some of the legislation a limit to the expense attached to the operation of the department by making salaries based upon the revenues of the department, and we are doing away with the rusty, moldy methods of the past by means of which men were paid on a mere guess.

The SPEAKER pro tempore. The time of the gentleman from Illinois has expired.

Mr. CAMPBELL. Mr. Speaker, I yield five minutes to the gentleman from Wisconsin [Mr. STAFFORD].

Mr. STAFFORD. Mr. Speaker, this is the most drastic rule that has ever been presented to the House for its consideration during my 10 years of service. Of the 57 pages in the bill proper there are 27 distinct substantive legislative propositions. The rule is not drastic alone on the House, but more drastic on a coordinate branch of this Government, the Senate, for it is an open defy to the other body that unless they report on the legislation that was sent over to them last August and embody it in this appropriation bill there will be no Post Office appropriation bill passed before the adjournment of this Congress. The leaders of this House and the leaders of the other body are desirous of using their utmost efforts to bring this Congress to a speedy end, but with the adoption of this rule and the passage of these proposals, if the conferees are going to insist on their enactment, it jeopardizes finishing this bill before adjournment. No Post Office Committee has ever before asked for a rule for the consideration of so much substantive legislation, and I challenge anyone to present another example where any other committee has ever asked for such a rule. But more: These 27 substantive propositions it is not necessary to consider on this appropriation bill. I venture this prophecy, that if they were presented as separate bills they would find much speedier consideration in the other body than as a part of this appropriation bill. Consider the importance of some of these various provisions. Amendments are suggested providing for the reduction of pay of the postmaster's salary in every one of your districts, and I venture to say that there was only one Member, and that may be the gentleman from Illinois [Mr. MADDEN], because he has but one post office in his district, who knew the extent of the reductions of the salaries of the postmasters of his district as carried in that bill. That did not require any special rule. That would be in order under the Holman rule. Again, there is that great question that is now pending before the Senate committee—not pending before the Senate, as the gentleman from Tennessee [Mr. MOON] has said.

The Senate has given no consideration to the big question of railway mail pay adjustment, a matter on which the Post Office Department, as I am informed, and certain members of the Senate Post Office Committee are at odds as to whether the bill shall say that the rate shall be a fixed amount or not to exceed a fixed amount. Then, again, there is a provision here for the creation of supervisory officials at higher salaries. We provide in this bill for new supervisory officials at much higher salaries. Of course, that would not be in order under the Holman rule, because there is a distinct increase of salary provided by that amendment.

Mr. MADDEN. Mr. Speaker, will the gentleman yield?

Mr. STAFFORD. Yes.

Mr. MADDEN. The gentleman is entirely mistaken about providing for new supervisory officials. These men are in existence to-day, and this bill simply classifies them.

Mr. STAFFORD. Mr. Speaker, I do not stand corrected by the gentleman, even though he is the sponsor of the amendment, because there is nowhere in existing law any such office as superintendent of finance. That is a new office. Further, another purpose is to accomplish by indirection that which the Democrats could not accomplish by direction, namely, the elimination of the assistant postmasters in the country. The bill as directed by the committee contained a provision eliminating assistant postmasters, but we do not find that provision in this bill nor do we find any appropriation whatsoever to care for the assistant postmasters. Some will be appointed to these supervisory positions, if they are right, and if they are not, then the blame will be on Congress, because no appropriation was made for their continuance.

The SPEAKER pro tempore. The time of the gentleman from Wisconsin has expired.

Mr. CAMPBELL. Mr. Speaker, I yield five minutes more to the gentleman from Wisconsin.

Mr. STAFFORD. Then there is the blue-tag provision and other important provisions. It is my experience, and it must have been the experience of everybody in this House, that when legislation of any substantial character is put on an appropriation bill it neither receives deserved consideration of the committee nor does it receive the proper consideration of the House. This legislation when it has been brought in here on this appropriation bill will be rushed through, ill considered, slightly considered, just as the legislation in any omnibus bill is considered when presented in this House. These propositions are each and every one entitled to the very serious consideration of the entire membership of this House. It is lowering the dignity and standing of this House. Why, it is but a step, if one committee can bring in all the legislation reported by a department which meets the approval of the committee, embody it in bulk on an appropriation bill, to carry that rule to its logical extreme with one large appropriation bill carrying all the legislation recommended by the various departments. Is it necessary for me to say that practice is not conducive to good, deliberate legislation?

I again repeat, that if much of this legislation should have been reported in separate bills that legislation would have been passed by the Senate and passed through the Congress much sooner than it will be by these means. I feel quite certain in making this prediction, knowing the deadlock that exists between the Senate Committee on Post Offices and the Post Office Department as to the omnibus bill sent over last August, that its reincorporation and more in this bill will keep this Post Office appropriation bill in committee until the very end, and that in the closing hours of this session, in the midnight hours just before the adjournment on March 4, this bill will be brought in and no one will know the scope latent or intent of much of this most important legislation. No one will be able to detect whether the railroads, under the railway-mail pay proposition, are getting the better of it or whether the Government is getting its just deserts.

I say to you again that this is the most drastic rule that has ever been presented. It destroys the deliberative qualities that should engage this House in the consideration of legislation of this moment. Mr. Speaker, I yield back the balance of my time. [Applause.]

The SPEAKER. The gentleman yields back two minutes.

Mr. HENRY. Mr. Speaker, an innocent bystander might think there was some merit in the contention of gentlemen on the other side. Let us analyze their contention for a little while and see what it amounts to. This rule only makes in order certain matters of legislation that are reported in the Post Office appropriation bill, with one slight exception. This is the same rule that was presented to this House during the last session and was adopted without a division, even, and now the gentleman from Wisconsin [Mr. STAFFORD] undertakes to say that it is a very severe rule when his party did not see proper to call for a division when it was adopted on the other occasion.

Mr. CAMPBELL. Mr. Speaker, will the gentleman yield?

Mr. HENRY. I yield.

Mr. CAMPBELL. The reason for not opposing the rule at that time was the legislation was not proposed as a rider on an appropriation bill, and it did not include the beginning of the end of the rural route carriers.

Mr. HENRY. Then the party of the gentleman is guiltier than if it had pursued the other course. Mr. Speaker, a while ago these gentlemen undertook to defeat an appropriation, and did defeat it, for the benefit of the American farmer, as they always do whenever they can strike a blow at the American farmer. They did that in the name of economy; and here to-day we have a bill reported from the Committee on the Post Office and Post Roads saving all the way from eight to ten million dollars, and then the gentleman from Wisconsin talks about economy on that side of the House——

Mr. STAFFORD. Will the gentleman yield?

Mr. HENRY. No; I can not yield.

Mr. STAFFORD. What is the necessity for any rule now, when you have the Holman rule?

Mr. HENRY. The gentleman usually knows everything about bills, because he studies them, but he does not seem to know anything about this rule. Why, he talks about it being a drastic rule, as he calls it. The rule simply makes certain matters that are in this bill not subject to a point of order, to state it in that fashion; otherwise the bill and all of these items are thrown wide open to amendment, and there is the utmost freedom of discussion. The gentleman can offer his amendments; the gentleman can debate them, and the thing is thrown wide open to let him talk as long as he wishes, if any rule could be made wide enough for that purpose. [Laughter on the Democratic side.]

Now, Mr. Speaker, these matters have been passed on in this House. The Committee on the Post Office and Post Roads is endeavoring to economize, and they have cut down expenditures from eight to ten million dollars. There is nothing new or strange in the bill or in the rule, yet gentlemen all of a sudden have become very active. Why? The answer is plain and manifest. They think they will play a little politics on economy and other matters, but let me say here and now and make the prediction that when the next election comes along in 1916 the Democratic Party will go to the country and will win again. [Applause on the Democratic side.] If you are going——

Mr. BUTLER. It surely will go to the country; we know that; that part we will concede, my friend. [Laughter on the Republican side.]

Mr. HENRY. But they will not go to the graveyard to find the gentleman's party. [Laughter on the Democratic side.]

The SPEAKER. Gentlemen must not interrupt a gentleman who has the floor.

Mr. BUTLER. I beg the gentleman's pardon; I did not mean to do so.

Mr. HENRY. Mr. Speaker, it does not interrupt or disturb me either. Now, if you are going to play politics, you must play them aboveboard. Lay your hands down on the table and let us see these things. You have got to play on straight lines. You can not talk about economy in one breath and say you are saving $2,000,000 when we wanted to appropriate it for the benefit of the American farmer, and then, when we propose to have a saving of $10,000,000, vote against the rule which authorizes a cut in the expenditures of the Government, so I advise you hereafter to study the rule more thoroughly and to study these special resolutions that are brought in a little more, in order to ascertain what they contain.

Mr. Speaker, I ask for a vote on the resolution.

The SPEAKER. The question is on agreeing to the resolution.

The question was taken, and the Speaker announced that the ayes seemed to have it.

Mr. CAMPBELL. Mr. Speaker, I ask for a division.

The House divided; and there were—ayes 57, noes 47.

Mr. CAMPBELL. Mr. Speaker, I ask for the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 132, nays 149, answered "present" 1, not voting 146, as follows:

YEAS—132.

Abercrombie	Carter	Fowler	Houston
Adamson	Casey	Francis	Howard
Aiken	Church	Gallagher	Hoxworth
Alexander	Connelly, Kans.	Gard	Hughes, Ga.
Allen	Conry	Garner	Hull
Aswell	Cox	Garrett, Tex.	Humphreys, Miss.
Bailey	Crisp	Gerry	Igoe
Baker	Crosser	Gill	Johnson, S. C.
Beakes	Cullop	Gilmore	Keating
Bell, Ga.	Davenport	Gordon	Kent
Blackmon	Dickinson	Goulden	Key, Ohio
Borchers	Dixon	Griffin	Kirkpatrick
Brockson	Donovan	Hardy	Korbly
Brodbeck	Dupré	Harris	Lazaro
Broussard	Estopinal	Harrison	Lesher
Buchanan, Ill.	Faison	Hayden	Lever
Buchanan, Tex.	Fergusson	Helm	Levy
Burgess	Ferris	Helvering	Lieb
Burke, Wis.	Finley	Henry	Linthicum
Burnett	Fitzgerald	Hensley	Lloyd
Cantor	Flood, Va.	Hill	Lobeck
Cantrill	Floyd, Ark.	Holland	Lonergan

McClellan	Oldfield	Saunders	Ten Eyck
McGillicuddy	Padgett	Sherwood	Thacher
Madden	Palmer	Slayden	Thomas
Maguire, Nebr.	Pou	Small	Thompson, Okla.
Mahan	Rainey	Smith, N. Y.	Tribble
Mitchell	Reed	Smith, Tex.	Underwood
Montague	Reilly, Conn.	Sparkman	Vollmer
Moon	Reilly, Wis.	Stephens, Nebr.	Watkins
Morrison	Rouse	Stephens, Tex.	Watson
Mulkey	Russell	Stringer	Williams
Murray	Sabath	Taylor, Ala.	Young, Tex.

NAYS—149.

Adair	Donohoe	Kinkaid, Nebr.	Rubey
Anderson	Doolittle	Kitchin	Rupley
Austin	Doughton	Knowland, J. R.	Scott
Avis	Edmonds	Kreider	Shackleford
Barchfeld	Edwards	Lafferty	Sherley
Barkley	Esch	La Follette	Sisson
Barnhart	Evans	Langley	Sloan
Bartlett	Falconer	Lee, Ga.	Smith, Idaho
Barton	Farr	Lenroot	Smith, Minn.
Bell, Cal.	Fess	Lindbergh	Stafford
Booher	Fields	McKellar	Steenerson
Borland	Fordney	McLaughlin	Stephens, Cal.
Browne, Wis.	Gallivan	MacDonald	Stephens, Miss.
Browning	Gardner	Mann	Stevens, Minn.
Bryan	Good	Mapes	Stone
Burke, S. Dak.	Goodwin, Ark.	Miller	Sumners
Butler	Graham, Ill.	Mondell	Sutherland
Byrnes, S. C.	Gray	Morgan, La.	Switzer
Byrns, Tenn.	Green, Iowa	Morgan, Okla.	Talcott, N. Y.
Callaway	Greene, Mass.	Moss, Ind.	Taylor, Ark.
Campbell	Greene, Vt.	Murdock	Temple
Candler, Miss.	Gudger	Nelson	Thomson, Ill.
Caraway	Hamilton, Mich.	Norton	Towner
Carlin	Hamlin	Oglesby	Vinson
Cary	Haugen	Page, N. C.	Volstead
Chandler, N. Y.	Heflin	Paige, Mass.	Walters
Cline	Helgesen	Parker, N. J.	Webb
Collier	Hinds	Peters	White
Connolly, Iowa	Hinebaugh	Peterson	Willis
Cooper	Howell	Phelan	Wingo
Copley	Hughes, W. Va.	Plumley	Winslow
Cramton	Humphrey, Wash.	Powers	Witherspoon
Curry	Jacoway	Quin	Woodruff
Danforth	Johnson, Ky.	Raker	Woods
Davis	Johnson, Wash.	Rauch	Young, N. Dak.
Decker	Kelley, Mich.	Roberts, Mass.	
Dershem	Kennedy, Iowa	Roberts, Nev.	
Dillon	Kennedy, R. I.	Rogers	

ANSWERED "PRESENT"—1.

Foster

NOT VOTING—146.

Ainey	FitzHenry	Lee, Pa.	Rothermel
Ansberry	Frear	L'Engle	Rucker
Anthony	French	Lewis, Md.	Scully
Ashbrook	Garrett, Tenn.	Lewis, Pa.	Seldomridge
Baltz	George	Lindquist	Sells
Bartholdt	Gillett	Loft	Shreve
Bathrick	Gittins	Logue	Sims
Beall, Tex.	Glass	McAndrews	Sinnott
Bowdle	Godwin, N. C.	McGuire, Okla.	Slemp
Britten	Goeke	McKenzie	Smith, J. M. C.
Brown, N. Y.	Goldfogle	Maher	Smith, Md.
Brown, W. Va.	Gorman	Manahan	Smith, Saml. W.
Bruckner	Graham, Pa.	Martin	Stanley
Brumbaugh	Gregg	Metz	Stedman
Bulkley	Griest	Moore	Stevens, N. H.
Burke, Pa.	Guernsey	Morin	Stout
Calder	Hamill	Moss, W. Va.	Taggart
Carew	Hamilton, N. Y.	Mott	Talbott, Md.
Carr	Hammond	Neeley, Kans.	Tavenner
Clancy	Hart	Neely, W. Va.	Taylor, Colo.
Clark, Fla.	Hawley	Nolan, J. I.	Taylor, N. Y.
Claypool	Hay	O'Brien	Townsend
Coady	Hayes	O'Hair	Treadway
Dale	Hobson	O'Leary	Tuttle
Deitrick	Hulings	O'Shaunessy	Underhill
Dent	Johnson, Utah	Park	Vare
Dies	Jones	Parker, N. Y.	Vaughan
Difenderfer	Kahn	Patten, N. Y.	Walker
Dooling	Keister	Patton, Pa.	Wallin
Doremus	Kelly, Pa.	Platt	Walsh
Driscoll	Kennedy, Conn.	Porter	Weaver
Drukker	Kettner	Post	Whaley
Dunn	Kiess, Pa.	Price	Whitacre
Eagan	Kindel	Prouty	Wilson, Fla.
Eagle	Kinkead, N. J.	Ragsdale	Wilson, N. Y.
Elder	Konop	Rayburn	
Fairchild	Langham	Riordan	

So the resolution was rejected.

The Clerk announced the following additional pairs:

Until further notice:

Mr. BROWN of West Virginia with Mr. BARTHOLDT.

Mr. BROWN of New York with Mr. FREAR.

Mr. CAREW with Mr. FRENCH.

Mr. CLARK of Florida with Mr. DAVIS.

Mr. DENT with Mr. ANTHONY.

Mr. DOREMUS with Mr. DRUKKER.

Mr. DIES with Mr. GRIEST.

Mr. DOOLING with Mr. BURKE of Pennsylvania.

Mr. FOSTER with Mr. MCKENZIE.

Mr. HAY with Mr. KAHN.

Mr. UNDERHILL with Mr. HAYES.

Mr. WHALEY with Mr. GILLETT.

Mr. WALKER with Mr. HAWLEY.

Mr. VAUGHAN with Mr. JOHNSON of Utah.

Mr. O'SHAUNESSY with Mr. KEISTER.

Mr. PARK with Mr. LANGHAM.

Mr. POST with Mr. MOORE.

Mr. RUCKER with Mr. Moss of West Virginia.

Mr. STEDMAN with Mr. PATTON of Pennsylvania.

Mr. STOUT with Mr. PROUTY.

Mr. TAVENNER with Mr. SINNOTT.

Mr. TAYLOR of Colorado with Mr. J. M. C. SMITH.

Mr. TOWNSEND with Mr. TREADWAY.

Mr. MANAHAN. Mr. Speaker, I desire to vote "no."

The SPEAKER. Was the gentleman in the Hall, listening?

Mr. MANAHAN. I was in the entrance to the Hall.

The SPEAKER. Whereabouts?

Mr. MANAHAN. Right outside the door.

The SPEAKER. Then the gentleman does not bring himself within the rule.

Mr. COADY. Mr. Speaker, I desire to vote "aye."

The SPEAKER. Was the gentleman in the Hall, listening?

Mr. COADY. I came in just as my name was called.

Mr. MANN. Why did he not answer, then?

The SPEAKER. The Clerk will call the gentleman's name.

The Clerk called the name of Mr. COADY, and he answered "Aye."

Mr. MANN. Why did he not answer, then?

The SPEAKER. Where was the gentleman when his name was called?

Mr. COADY. Just outside the door.

The SPEAKER. Then the gentleman can not vote.

The result of the vote was announced as above recorded.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Tulley, one of its clerks, announced that the Senate had passed without amendment bill of the following title:

H. R. 6867. An act to increase and fix the compensation of the collector of customs for the customs collection district of Omaha.

The message also announced that the Senate had passed joint resolution of the following title, in which the concurrence of the House of Representatives was requested:

S. J. Res. 213. Joint resolution authorizing the Secretary of the Senate and the Clerk of the House to pay the officers and employees of the Senate and House, including the Capitol police, their respective salaries for the month of December, 1914, on the 22d of said month.

SENATE BILL AND JOINT RESOLUTION REFERRED.

Under clause 2, Rule XXIV, Senate bill and joint resolution of the following titles were taken from the Speaker's table and referred to their appropriate committees, as indicated below:

S. 5454. An act authorizing the Secretary of the Interior to grant permits to the occupants of certain unpatented lands on which oil or gas has been discovered, and authorizing the extraction of oil or gas therefrom; to the Committee on the Public Lands.

S. J. Res. 213. Joint resolution authorizing the Secretary of the Senate and the Clerk of the House to pay the officers and employees of the Senate and House, including the Capitol police, their respective salaries for the month of December, 1914, on the 22d day of said month; to the Committee on Appropriations.

POST OFFICE APPROPRIATION BILL.

Mr. MOON. Mr. Speaker, I move that the House resolve itself into Committee of the Whole House on the state of the Union for the consideration of the Post Office appropriation bill.

The SPEAKER. The gentleman from Tennessee [Mr. MOON] moves that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of H. R. 19906, the Post Office appropriation bill.

Mr. MOON. Mr. Speaker, pending that motion, I ask unanimous consent that the general debate be limited to six hours, three hours to be controlled by the chairman of the committee and three hours by the gentlemen of the minority, represented by the gentleman from Minnesota [Mr. STEENERSON].

Mr. STEENERSON. How much time has the gentleman suggested?

Mr. MOON. Six hours; three to a side.

Mr. STEENERSON. I have had several applications that came in since this matter came up.

Mr. MOON. Oh, well, the House has refused to pass the rule, and I propose to strike from the bill everything that is subject to a point of order. There ought not to be two hours of discussion.

Mr. STEENERSON. All right. I will agree to three hours to a side.

The SPEAKER. Pending the motion to go into the Committee of the Whole House on the state of the Union, the gentleman from Tennessee asks unanimous consent that the debate be limited to six hours, three hours to be controlled by himself and three hours to be controlled by the gentleman from Minnesota [Mr. STEENERSON] in the absence of the gentleman from Michigan [Mr. SAMUEL W. SMITH]. Is there objection?

There was no objection.

Mr. UNDERWOOD. Mr. Speaker, pending that motion I desire to make a request for unanimous consent. The resolution adjourning the two Houses next Wednesday night, to meet on the Tuesday morning after Christmas, has already passed both Houses. Wednesday is Calendar Wednesday. I find that there are a great many Members who want to go away on Wednesday who are interested in Wednesday's calendar, and we shall probably have either this or some other appropriation bill that can take the time on Wednesday, and possibly the prohibition question may either run so late in the night on Tuesday, or we would have to stay late in the night if it is necessary, and Wednesday is not dispensed with; and I rise for these reasons to ask unanimous consent that next Calendar Wednesday, the 23d, be moved over to Tuesday the 29th.

The SPEAKER. The gentleman from Alabama [Mr. UNDERWOOD] asks unanimous consent that the business of next Wednesday, under the Calendar Wednesday, be transferred to Tuesday the 29th.

Mr. WEBB. Mr. Speaker, reserving the right to object, I would like to ask if that will interfere with Wednesday the 30th?

Mr. UNDERWOOD. It would simply mean that there would be two Calendar Wednesdays, one on Tuesday and one on Wednesday, the 29th and the 30th, Tuesday the 29th and Wednesday the 30th; and the business that would be in order on Calendar Wednesday would be in order both on Tuesday the 29th and on Wednesday the 30th.

Mr. WEBB. I am a little afraid that we will have the same difficulty to find a quorum on Tuesday that we would have on Wednesday, but I have no objection.

Mr. ADAMSON. Mr. Speaker, I want to make the same suggestion that the gentleman from North Carolina [Mr. WEBB] makes, that it would be perhaps as difficult to get a quorum on Tuesday the 29th as on Wednesday the 30th. It might be that there would be a poor attendance and the point of no quorum be made, so that the 29th might be lost as a day.

Mr. MANN. Does the gentleman from Georgia think it would be inconvenient for him to be here on the 29th?

Mr. ADAMSON. I frankly admit that I will not be here.

The SPEAKER. Is there objection to the request?

Mr. COOPER. Mr. Speaker, do I understand that the request is to have Calendar Wednesday go over until December 29?

The SPEAKER. Yes.

Mr. COOPER. I shall object to that, but I would not object to its going over until December 31.

Mr. ADAMSON. I hope the gentleman will substitute December 31.

Mr. UNDERWOOD. Well, Mr. Speaker, I will ask unanimous consent that business in order on Wednesday the 23d be in order on Thursday the 31st.

The SPEAKER. The gentleman from Alabama asks unanimous consent that business in order on Wednesday, December 23, be transferred to Thursday, December 31. Is there objection?

Mr. FOSTER. Reserving the right to object——

Mr. WEBB. Does that mean that the bill now pending on Calendar Wednesday will not be in order on Wednesday, December 30?

Mr. ADAMSON. It means that you will have two Calendar Wednesdays.

Mr. UNDERWOOD. It does not affect the status of that bill at all.

The SPEAKER. The Chair thinks it would not affect the status of the bill.

Mr. FOSTER. Mr. Speaker, I think if we are going to displace Calendar Wednesday we ought to stick to the original request of the gentleman from Alabama and have it on Tuesday.

Mr. UNDERWOOD. But you can not have it on Tuesday, for gentlemen object.

Mr. FOSTER. I am not objecting to Tuesday, but I am objecting to Thursday.

Mr. UNDERWOOD. I can not go back to that request now.

Mr. FOSTER. It will take one extra day out of the work of the House.

Mr. UNDERWOOD. I will say that I am not going away myself. I intend to be here, but I am making an attempt to get this order for the good of many Members who want to get away.

Mr. FOSTER. Here is the situation: We adjourn over until Tuesday, and Members object to that as Calendar Wednesday for fear there will not be a quorum.

Mr. MANN. The real reason is that the Members who have charge of bills do not expect to be back on that day.

Mr. ADAIR. Mr. Speaker, I object to the whole business.

The SPEAKER. The gentleman from Indiana objects. The question is on the motion of the gentleman from Tennessee that the House resolve itself into Committee of the Whole House on the state of the Union for the consideration of the Post Office appropriation bill.

The motion was agreed to.

Accordingly the House resolved itself into Committee of the Whole House on the state of the Union, with Mr. SAUNDERS in the chair.

The CHAIRMAN. The House is now in Committee of the Whole House on the state of the Union for the consideration of the bill (H. R. 19906) making appropriations for the service of the Post Office Department for the fiscal year ending June 30, 1916, and for other purposes, and the Clerk will read the bill.

Mr. MOON. Mr. Chairman, I ask unanimous consent to dispense with the first reading of the bill.

The CHAIRMAN. The gentleman from Tennessee asks unanimous consent to dispense with the first reading of the bill. Is there objection?

There was no objection.

Mr. MOON. Mr. Chairman, I have but little to say in the discussion of this bill. Important features of the bill have been eliminated by the rejection of the rule. The rule was entirely essential for us to consider the railway mail proposition, the saving that would be effected in the change of postmasters' salaries, in the blue-tag proposition, and a number of other matters not necessary now to discuss, which would have saved to the Government eight or ten millions of money. I will place as an appendix to my remarks my report on the bill.

I want to congratulate the Republican Party in this House on the splendid victory it has won over the people in connection with the railroads of the United States and the rural carriers and the postmasters this afternoon. I am not deceived, Mr. Chairman, as to what defeated the rule in this House under which we could have saved the Government eight or ten millions of money. I am not deceived as to the influences that have prevented the consideration of measures that would have saved $20,000,000 to the Government.

I used to think, long years ago, that the Republican Party was the only friend and ally of railroads, corporations, and trusts when they make illegal and unjust demands. I believed when it was driven from power and a Democratic administration put in power that the demands of that administration for economy and justice in the transportation of mails and the handling of all economic questions of the country would be responded to. Who is it that does not know the power and influence that has prevented the consideration in the Senate of the United States of this railway mail proposition? Who is it that reads the record of this vote this evening, when you are prohibiting the consideration of questions before this House in order to get direct action on them by the Senate, will not understand it? Who is it that will read the RECORD who will not have their ideas as to the influences that are behind that action that prevented the Congress of the United States from considering the just compensation to be paid to the railroads for the transportation of the mails? These roads to-day are advocating and sustaining the old unjust and unscientific proposition of weighing mails quadrennially upon which to base the pay. They know that there is a steal of two to four million dollars every year under that system. That has been going on since 1873. You know it, too, and yet you vote here to prevent the Congress of the United States from considering a question that will protect the American people against such plundering of its Treasury.

Sirs, you have the right, if you think best, to do it; and I have the right to express my opinion on the unpatriotic position of gentlemen who take that attitude in this House. I do not care whether he is a Democrat or a Republican. Shall the letters "R. I."—railroad influence—be branded on his brow when he goes back to his constituency and tells them that he would not consider a question under which their rights might be protected?

Mr. Chairman, I regret to say that with this great Democratic majority of 141 votes here there is neither discipline nor order; there is no disposition to practice the economy and carry out the platform of the party on that line. There is but little dis-

position to follow the lead of the President of the United States in attempting to reduce the expenses of this Government. Think of it! Here is a bill under which the Postmaster General estimated that $299,211,014 would pay all of the expenses of the Government for the fiscal year if the economies asked for and the administrative legislation asked for under this rule could be accomplished. And yet you see that the committee, over the protest of some of us, decline to give all the legislation asked for, necessitating an estimate of $325,000,000; but we did succeed in reporting to this House under the new and revised estimate a bill that carried about $321,000,000. That ought to have been satisfactory to the advocates of the postmasters and rural carriers and Treasury grabbers in this House. That ought to have been enough. But we reported with it legislation that would have saved $10,000,000 if enacted by this Congress, and here you have turned it down. What caused changes in votes after the roll call enough to defeat the rule. I say that the responsibility is on the Democratic Party. Gentlemen, you have not done your duty to the people on this vote. You have not done it in many other respects. You have shown the fact that you are too cowardly to stand by the doctrines of economy in the interest of the American people. [Applause.]

Gentlemen, like craven cowards, destroying every vestige of respect that a decent Democrat should have, follow the lead of the Republican Party, repudiate the Democratic President, the Democratic Postmaster General, the Democratic Rules Committee, and the Democratic Post Office Committee of this House, for what? Was it at the command of the rural carriers? Was it at the command of the postmasters? Or, tell me, was it at the command of the railroads of the country? Do you want them still to plunder the Treasury? I think more of my country than I do of the Democratic Party, and if we are to return to the Sixty-fifth Congress a Democratic majority, then, in the name of God, let it be of Democrats who stand for the Republic and not for the railroads. [Applause.] But are you going to do it. Was it your inability and inefficiency or your unwillingness to stand by the people that reduced your majority from 141 to 31? If you had stood by the President and his administration, there would have been no such reduction. And still you can not see the truth. You can not stand here and oppose the administration in legislation that it is asking, in the interest of the country and in the interest of the Treasury, and cast your votes for the maintenance of high salaries, for absolute subjection to the will of the carriers, and at the mandate of the railroad companies, and deceive the American people. It ought not to be done. Men who do it are worthy of rejection at the polls at any election, and they ought to be rejected.

Now, Mr. Chairman, I have said all that I desire to say on that question. You have stricken from this bill all of the legislation that is of any benefit. You have absolutely destroyed the interest that the administration has had in producing economy. You can now only take up the appropriation and fix just such sum as you think ought to be given. There is but little change so far as the actual appropriation for the coming fiscal year is concerned.

Mr. HENRY. Mr. Chairman, will the gentleman yield for a question?

Mr. MOON. Yes.

Mr. HENRY. I have not heard quite all of the gentleman's remarks, but I understood that he stated that the railroad influence was opposed to certain features of legislation embraced in the special rule and in the bill.

Mr. MOON. The railroad companies of the United States are opposed to this legislation in this bill and to the legislation that has gone to the Senate on that question.

Mr. HENRY. I want to say this, that the Committee on the Post Office and Post Roads asked for this special rule; the Postmaster General asked for it, the administration asked for it, and the only protest or opposition that came to the Committee on Rules against the special rule came solely and exclusively from the railroad influences in the United States.

Mr. MANN. Name them. What were they? Who represented them?

Mr. HENRY. I can name them.

Mr. MANN. Name them.

Mr. STAFFORD. We defy you to name them.

Mr. DONOVAN. A point of order.

Mr. HENRY. I will read the telegram.

Mr. DONOVAN. Mr. Chairman, the gentleman from Illinois is clearly out of order in injecting the remarks that he has into this debate.

Mr. HENRY. The gentleman need not be uneasy. I will take care of myself. I will name them. I say that the railroads tried to defeat this special rule in the Committee on Rules.

Mr. MOON. Mr. Chairman, I do not know—I would not undertake to say, and I have not said, that the railroads have brought any direct influence upon any Member of this House. I do not know how that is, but I have always been taught to understand that the combination of circumstances that excludes every hypothesis of innocence consistent with the fact has great force in determining the judgment of a man as to the incentive or the motive for a crime. All I know about this is that the railroad companies fought this bill in committee; that 15 presidents or other officials of railroad companies a year ago came to that committee room and urged upon me that this action be not taken in reference to this measure on railway mail pay. Their chief counsel was there but a day or two ago urging the same. They had reached the conclusion, whether justly or not, that they could delay the action upon the bill that went over from this House to the Senate some time ago—a bill in which we passed identically the measure asked for in this rule. They had reached the conclusion that they could delay the action there upon that bill until this session was over. In order to prevent that delay we placed that bill upon this appropriation bill, so as to force the Senate to act upon it. Then what do you see? You see the action in this House on the rule. I am not blaming the Republican Party. They are playing politics. That is all right for them. They think if they can get at the Democracy in any way they ought to do it. But while I would not reflect upon the ability of the Democrats on this side of the House, they played us well for foolish on this occasion. [Laughter.]

Mr. OGLESBY. Mr. Chairman, will the gentleman yield for a question?

The CHAIRMAN. Does the gentleman from Tennessee yield to the gentleman from New York?

Mr. MOON. Yes.

Mr. OGLESBY. Did not the gentleman see the ring around the desk of men who changed their votes from aye to no after voting for the proposition?

Mr. MOON. Yes; I saw a good many of them.

Mr. OGLESBY. Is not the gentleman satisfied in his own mind that enough votes were changed there to change the result on this proposition?

Mr. MOON. I think so. I do not know, however.

Mr. OGLESBY. Does the gentleman think there was any railroad influence that got into this Chamber between the first vote and the changes, that made those gentlemen change their votes?

Mr. MOON. Mr. Chairman, the gentleman will have to understand that the parliamentary situation is such, that the rules of the House are such, and that my respect for my colleagues is such that I would not like to designate personally the men who have made the changes. I do not know that those men who went down there about the Clerk's desk and changed did so on account of railroad influence. I do not know whether these back here who voted "no" were changed on account of it, but I said and I say now that all the facts and circumstances connected with this legislation, from the beginning to the end, in view of the arguments that I have heard after that roll call began among some men on this side of the House—and I will not break the etiquette of this House by speaking personally—I believe, if you want to know, that there has been and is enough, although I may not prove it, and I only judge it inferentially from the facts that are before me—there is and has been enough railroad influence on the Democratic side of this House to force the betrayal of the Democratic policies and principles and the wishes and the principles of the President and his Cabinet.

Mr. OGLESBY. Mr. Chairman, will the gentleman permit me one more question?

Mr. MOON. Yes; as many as you want to ask. Do you belong to that gang?

Mr. OGLESBY. The gentleman has stated that he heard some arguments. Did the gentleman hear any argument except the fact that it reduced the pay of postmasters throughout the country?

Mr. MOON. Yes; I heard arguments that it reduced the pay, oh, to a wonderful amount, which is not true.

Mr. OGLESBY. Did the gentleman hear any other argument?

Mr. MOON. Oh, yes; I heard other arguments on the question of the reduction of salaries of carriers, and that some would be promoted; but does the gentleman think that I am fool enough or that he is fool enough to believe that if a man were here in the interest of railroad companies and wanted to defeat this bill he would offer the railroad argument? Only an idiot would do that. [Laughter.] It is the man who takes some other line who is effective. The gentleman has been here

long enough or has had too little experience with these people to be innocent enough to ask me a question like that. Do you think the railroad companies ever come to bribe men, or that their agents, wherever they may be, resort to any but the most insidious methods?

Mr. OGLESBY. Did the gentleman hear any suggestion on the floor during the interval between the first and second call of the roll which referred in any way to an argument that might influence these people on account of railroad interests?

Mr. MOON. Mr. Chairman, I have just said to the gentleman that when a man wants to cover a fight he resorts to other and insincere arguments. It would be disreputable, it would be dishonorable for a Member of this House to say "I am against this rule because the railroad companies told me so," but when he knows how popular it is to appeal for the rural carriers, how popular it is to say that he does not want the salaries of his postmasters reduced, he, standing against the prime object and purpose of this bill, will take up these little collateral issues and press them upon men who ought to know better and have better sense, and thus obtain a change of votes. Of course it is idle to talk about a man disclosing a criminal purpose when he can avoid it.

Mr. OGLESBY. Will the gentleman permit me to say that I was not among those who changed their votes?

Mr. MOON. I thought the gentleman was.

Mr. OGLESBY. I do not believe the men who came down here and made the change of the votes made the change because of any railroad influence, and I think it is an unjust imputation on the part of the gentleman to say so. [Applause.]

Mr. MOON. Mr. Chairman, I have not said they did myself. I do not know. I say the facts and circumstances indicate that the railroad interests or some other sinister influence has prevented the majority party in this House from standing up to the administration on this legislation, and I have no apologies to make to any man upon that subject—I do not care who he is—and I have not much respect for the inquiry of a man that is so infernally innocent as to think that crime will disclose itself in the open.

Mr. MANN. Mr. Chairman, will the gentleman yield?

Mr. MOON. Certainly.

Mr. MANN. Did we not in this House pass a bill in the last session containing the provisions in reference to railroad mail pay that are in this bill?

Mr. MOON. We certainly did; but that was long before they got a good hold on us.

Mr. MANN. Practically without opposition in the House?

Mr. MOON. Yes.

Mr. MANN. I understand that has not made any progress in a Democratic Senate.

Mr. MOON. I understand not.

Mr. MANN. The gentleman thinks that the influence that keeps it from making progress is that the railroads have their grip around the gentlemen who constitute the Democratic Party, here or elsewhere?

Mr. MOON. I have said what I have said. [Laughter on the Republican side.]

And now, Mr. Chairman, it is not a pleasant thing for me to discuss matters of this sort. I am a Democrat and expect always to be one, because my views are in accord with the principles and policies of that great party; and that it may be sustained I advocate and support the election of its nominees. But a party can not maintain itself in this House or elsewhere that is unwilling to cooperate, from any influence, whether it be sinister or otherwise, with the great head and leader of the party, whatever party that may be, who happens to be in the White House. I do not believe in subservient obedience to the will of the White House. I am ready to say when I think the White House is wrong that it is wrong, that I can not follow it, because the White House itself, in my judgment, may be against the principles and the policies of my party.

I have said that even on this floor, and I have no retraction to make along that line; but I believe that proper party organization is best for the welfare and interest of the country, and that wherever a party is in power it ought to follow as far as it can in the legislative branch the advice of the Executive and his Cabinet, made plain by them on administrative and economic matters in pursuance of the doctrines of the platforms of the party to the end that the people may have good government. No subservience to any man should be the motto of Democracy, but united organization and action, the uplifting of a banner under which all men agreeing on the same principles and policies may rally, is proper; and when there is a mutiny in the camp, when there is desertion of the standard, when there is a throwing down of the battle flag of a great party upon which is emblazoned retrenchment, economy, and reform, then it is but just that they shall be reminded of their disloyalty so that if they be innocent of wrong intent they may correct their error. If we are to have that kind of Democracy which opposes economy, then maybe we shall have a few years of Republicanism——

Mr. MANN. You will.

Mr. MOON. Now, Mr. Chairman, as I have said before, there is nothing left in this bill except the mere matter of routine appropriations. The changes are but slight from the bill as reported last year. When they are reached some member of the committee will take pleasure in explaining the reasons in accordance with the hearings for the changes in the sums appropriated. When we shall reach in the consideration of this bill the matters that are not in order in the absence of the rule, I shall not wait to ask that they be stricken out on the point of order, but I will ask that they may all go out so we may not trouble ourselves with the consideration of that legislation which our good friends who refused us the rule say shall not be considered in the Democratic House of Representatives unless the rejection of the rule is reconsidered. I charge no man with corruption, but with most egregious error when, intentionally or not, he permits himself to appear and act in opposition to the best interests of his party and country.

APPENDIX.

[House of Representatives, Report No. 1219, 63d Cong., 3d sess.]

POST OFFICE APPROPRIATION BILL.

Mr. MOON, from the Committee on the Post Office and Post Roads, submitted the following report:

The Committee on the Post Office and Post Roads, in presenting the bill making appropriations for the service of the Post Office Department for the fiscal year ending June 30, 1916, and for other purposes, submits the following:

The appropriations for the fiscal year ending June 30, 1915, were $313,364,667. The estimates of the department for the fiscal year ending June 30, 1916, on the basis of the enactment of the new laws proposed by the department, which would reduce the expenses of the Government in the transportation and handling of the mails, if adopted, are $299,211,014. This amount is shown from the report of the Auditor for the Post Office Department, together with the comparison of the postal revenues and expenditures for the fiscal years 1913 and 1914 and the appropriations, receipts, expenditures, and deficiencies and surplus from 1897 to 1915, as follows:

Estimates by the Post Office Department for the Postal Service for the fiscal year ending June 30, 1916.

Office of the Postmaster General	$1,522,910
Office of the First Assistant Postmaster General	138,530,850
Office of the Second Assistant Postmaster General	109,282,004
Office of the Third Assistant Postmaster General	3,108,250
Office of the Fourth Assistant Postmaster General	46,767,000
Total	299,211,014

[From the report of the Auditor for the Post Office Department.]

POSTAL REVENUES AND EXPENDITURES.

The audited revenues of the Postal Service stated from July 1, 1913, to June 30, 1914, aggregated $287,934,565.67; the audited expenditures, $283,543,769.16; and the excess of audited revenues over audited expenditures, $4,390,796.51. Deducting $14,333.46, postal funds lost by burglary, fire, bad debts, etc., the audited postal surplus was $4,376,463.05.

No. 1.—*Comparison of postal revenues and expenditures, fiscal years 1913 and 1914.*

Fiscal years.	Audited postal revenues.	Audited postal expenditures.	Adjusted losses and contingencies, postal funds.	Audited postal surplus.
1914	$287,934,565.67	$283,543,769.16	$14,333.46	$4,376,463.05
1913	266,619,525.65	262,067,541.33	41,333.41	4,510,650.91
Increase	21,315,040.02	21,476,227.83		
Decrease			26,999.95	134,187.86
Rate of increase (per cent)	7.99	8.19		

Years.	Appropriation.	Receipts.	Expenditures.	Deficiency.
1897	$92,571,564.22	$82,665,462.73	$94,077,242.38	$11,411,777.65
1898	95,665,338.75	89,012,618.55	98,033,523.61	9,020,905.06
1899	99,202,300.75	95,021,384.17	101,632,160.92	6,610,776.75
1900	105,627,138.75	102,354,579.29	107,740,267.99	5,385,688.70
1901	113,658,238.75	111,631,193.39	115,554,092.87	3,923,727.48
1902	123,782,688.75	121,848,047.26	124,785,697.07	2,937,649.81
1903	138,416,598.75	134,224,443.24	138,784,487.97	4,560,044.73
1904	153,511,549.75	143,582,624.34	152,362,116.70	8,779,492.36
1905	170,845,998.75	152,826,585.10	167,399,169.23	14,572,584.13
1906	181,022,093.75	167,932,783.00	178,449,779.00	10,516,996.00
1907	191,670,998.75	183,585,005.57	189,935,242.79	6,350,237.22
1908	212,091,193.00	191,478,663.41	208,351,886.15	16,873,292.74
1909	222,960,892.00	203,582,383.07	221,004,102.89	17,441,719.82
1910	234,692,370.00	224,128,657.62	229,977,224.50	5,848,566.88
1911	245,949,603.32	237,879,823.60	237,648,926.68	[1] 219,118.12
1912	258,525,000.38	246,744,015.88	248,525,450.08	1,785,523.10
1913	271,460,099.00	266,619,525.65	262,067,541.33	[1] 4,510,650.91
1914	288,031,271.00	287,934,565.67	283,543,769.16	[1] 4,376,463.05
1915	313,364,667.00			

[1] Surplus.

The Post Office Department has revised its estimates in view of the fact that the committee did not adopt the principal legislation recommended by it to reduce the expenses of the department, and submit revised estimates aggregating the sum of $325,129,614. These esti-

mates were so closely made that the committee found it unwise, as to most of the items, to make any change in the sum. The amount recommended by the committee is $321,700,514, or $3,429,100 less than the revised estimates of the department.

The following tables show the appropriation for 1916 in the office of the Postmaster General and the First, Second, Third, and Fourth Assistants, and in them may be found the separate items of appropriation under the jurisdiction of each of these offices and the total of all appropriations, estimates, and recommendations:

Post Office appropriation bill, 1916.

	Appropriation for 1915.	Estimates for 1916.	Committee recommends for 1916.
POSTMASTER GENERAL.			
Rent, suitable buildings	$32,000	$32,000	$32,000
Gas, electric power, etc	4,500	4,500	4,500
Post-office inspectors:			
Salaries	779,500	783,700	783,700
Per diem	261,400	262,860	262,860
Clerks at headquarters	134,000	134,000	134,000
Traveling expenses	43,750	43,850	43,850
Livery hire	45,000	45,000	45,000
Miscellaneous expenses	7,500	7,500	7,500
Payment of rewards	25,000	25,000	25,000
Acting employees for those injured	134,500	183,500	183,500
Traveling expenses	1,000	1,000	1,000
Total	1,468,150	1,522,910	1,522,910
FIRST ASSISTANT POSTMASTER GENERAL.			
Compensation to postmasters	30,750,000	30,750,000	30,750,000
Compensation, assistant postmasters	3,200,000		
Compensation, clerks and employees	46,082,100	51,939,100	48,860,000
Compensation, printers and mechanics	44,600	44,600	44,600
Compensation, watchmen, messengers, etc	1,404,000	1,450,000	1,450,000
Compensation, clerks charge contract stations	1,100,000	1,200,000	1,200,000
Compensation to substitutes, first and second class offices	450,000	450,000	450,000
Temporary and auxiliary clerk hire	2,000,000	2,000,000	2,000,000
Separating mails, third and fourth class offices	675,000	675,000	675,000
Unusual conditions at post offices	90,000	100,000	100,000
Allowances, third-class offices	1,700,000	1,700,000	1,700,000
Rent, light, and fuel, first, second, and third class offices	5,200,000	5,400,000	5,400,000
Miscellaneous items, first and second class offices	350,000	350,000	350,000
Operation Washington-Alaska cable system		300,000	
Pay of letter carriers	37,700,000	38,760,000	38,760,000
Substitutes for letter carriers	2,975,000	3,500,000	3,500,000
Letter carriers at new offices	100,000	80,000	80,000
Horse-hire allowance	2,300,000	2,600,000	2,600,000
Car fare and bicycle allowance	525,000	565,000	565,000
Street-car collection service	10,000	10,000	10,000
Detroit River postal service	6,500	7,250	7,250
Emergency car fare, special-delivery messengers	13,000	13,000	13,000
Fees to special-delivery messengers	2,225,000	2,225,000	2,225,000
Traveling expenses	1,000	1,000	1,000
Total	138,901,200	144,119,950	140,740,850
SECOND ASSISTANT POSTMASTER GENERAL.			
Inland transportation by star routes, Alaska	304,000	350,000	350,000
Steamboat transportation	1,049,400	1,059,000	1,059,000
Mail messenger service	2,000,000	2,200,000	2,200,000
Transmission by pneumatic tube	966,800	972,500	972,500
Screen-wagon service	2,600,000	3,141,000	3,141,000
Inland transportation by railroads	56,188,000	58,214,000	58,214,000
Freight or expressage, postal supplies	510,000	650,000	650,000
Railway post-office car service	5,412,000	4,660,000	4,660,000
Railway mail service	28,521,440	30,429,825	30,429,825
Travel allowance, railway mail clerks	1,534,500	1,544,339	1,544,339
Temporary clerk hire	67,500	110,000	110,000
Substitutes for clerks on vacation	143,900	212,580	212,580
Actual and necessary expenses	55,200	55,000	55,000
Rent, light, fuel, etc., division headquarters	770,000	799,500	799,500
Per diem allowance, assistant superintendents	3,607	2,660	2,660
Transportation by electric and cable cars	784,000	851,000	851,000
Experimental aerial service		50,000	
Transportation of foreign mails	4,000,000	3,930,000	3,930,000
Assistant superintendent foreign mails	2,500	2,500	2,500
Balance due foreign countries	681,800	681,700	681,700
Delegates International Postal Union		5,000	5,000
Traveling expenses	1,000	1,000	1,000
Total	105,595,647	109,921,604	109,871,604
THIRD ASSISTANT POSTMASTER GENERAL.			
Manufacture postage stamps	810,000	810,000	810,000
Manufacture stamped envelopes	1,650,000	1,650,000	1,650,000
Pay of agents and assistants, distribute stamped envelopes	20,500	15,500	15,500
Manufacture postal cards	385,000	385,000	385,000
Ship, steamboat, and way letters	250	150	150
Payment limited indemnity, domestic	110,000	226,000	226,000
Payment limited indemnity, international	15,000	10,000	10,000
Traveling expenses	1,000	1,000	1,000
Traveling expenses, Postal Savings System	500	500	500
Total	2,992,250	3,098,150	3,098,150

Post Office appropriation bill, 1916—Continued.

	Appropriation for 1915.	Estimates for 1916.	Committee recommends for 1916.
FOURTH ASSISTANT POSTMASTER GENERAL.			
Carriers, rural service	$53,000,000	$54,700,000	$54,700,000
Star-route service	8,675,000	9,000,000	9,000,000
Experimental village delivery	200,000	200,000	200,000
Stationery	125,000	135,000	135,000
Official and registry envelopes	80,000	85,000	85,000
Blanks, blank books, etc., money order	180,000	165,000	165,000
Blanks, books, special character	7,500	4,000	4,000
Blanks, etc., Postal Savings System	100,000	100,000	100,000
Agency to inspect manufacture of envelopes	5,520		
Supplies, City Delivery Service	150,000	50,000	50,000
Postmarking, etc., stamps	40,000	30,000	30,000
Wrapping paper	15,000	15,000	15,000
Twine and tying devices	200,000	200,000	200,000
Facing slips, etc	75,000	80,000	80,000
Supplies, rural service	45,000	25,000	25,000
Shipment of supplies	145,000	145,000	145,000
Intaglio seals, etc	12,000	12,000	12,000
Post-route maps, etc., Division of Supplies	30,000	25,000	25,000
Miscellaneous items, first and second class offices	125,000	70,000	70,000
Letter boxes, City Delivery Service		100,000	100,000
Letter balances, etc	100,000	90,000	90,000
Purchase, exchange, typewriters, etc	120,000	120,000	120,000
Letter-box equipment, rural service		5,000	5,000
Rental and purchase of canceling machines	300,000	300,000	300,000
Equipment, first and second class offices		40,000	40,000
Incidental expenses, City Delivery Service	100,000	100,000	100,000
Purchase and repair of labor-saving devices	50,000	40,000	40,000
Mail bags, etc	363,000	480,000	480,000
Mail locks and keys	15,000		
Labor, mail-bag repair shop	108,300	150,000	150,000
Labor, mail-lock repair shop	40,000		
Travel expenses	1,000	1,000	1,000
Total	64,407,420	66,467,000	66,467,000
Grand total	313,364,667	325,129,614	321,700,514

It is not necessary to discuss here the new legislation asked for in the bill, as it will be presented for discussion in the House if a rule making it in order be adopted.

Special reference is made to the report of the Postmaster General in explanation of that portion of the new legislation which this committee has seen proper to adopt and recommend for passage in this bill.

Mr. STEENERSON. Mr. Chairman, I will discuss briefly the questions involved in the bill. First, I want to call the attention of the committee to this statement in the report of the Postmaster General, wherein he says the general policy of the present administration of the Postal Service as defined in the last annual report has been adhered to with good results:

> The service has been administered for the convenience of the public, not for profit; to promote efficiency by standardizing and simplifying procedure; to recognize merit and eliminate partisanship; to extend service wherever present or prospective returns justify; to reduce rates in so far as proves consistent with general fiscal necessity; and to provide all communities and all sections of the country as far as practicable with uniform service.

Under the caption of "General policy," last year's report reads:

> The dominant policy of the present administration will be to conduct the Postal Service for the convenience of the public and not for profit. Its controlling purpose will be to promote efficiency by the complete standardization of the service, which will be attained by harmonizing equipment, adjusting the personnel, and securing the greatest possible cooperation in every quarter.
>
> The prime consideration in perfecting the personnel of the Postal Service shall be to recognize efficiency and to eliminate partisanship. *It is the earnest hope that ultimately all positions will be covered under classified civil service and that merit and faithfulness will be the sole consideration in making appointments as well as promotions.*

The above quotation expresses not only what a correct postal policy should be, but also the high aims with which apparently the present administration entered upon its career, from which, however, I am bound to say it has fallen short in practice.

But before I go into that I want to call attention to another matter. Although postal business is so closely related to general business that as a rule it rises and falls with general prosperity, yet of late we have had a phenomenal increase in the volume of postal business in spite of a continued business depression. This, of course, is explained by the addition of savings bank and parcel-post business and the lowering of rates.

The increase in volume of mail has largely increased the bill for railroad transportation, but aside from that the extra outlay on account of the added business has been small. The work of handling the more than 800,000,000 parcels has fallen upon carriers whose pay is substantially the same as before.

At the same time that we have doubled their loads we have also increased the clerical work of the carriers and the duties

and the work of the postmasters and the assistant postmasters and, in fact, all those connected with the handling of the mails. This can not be denied, and yet in the face of this we know also that there is not a business enterprise in the United States that does not claim that it costs more to carry on business than ever before.

Listen to the hearings before the Interstate Commerce Commission on the question of railroad charges. They have filed their proofs there to show that the operation of railroads costs more, that the percentage of operating expenses to receipts is greater now than ever before in the United States, and so every factory and every industrial enterprise shows that it has larger expenses in carrying on its business. And the common people also complain that the cost of living is higher. In the face of these things, is it not strange that the only enterprise doing business in the country to-day which proposes to reduce the wages of its laborers is the Post Office Department? And it proposes to economize by cutting the pay of its humble employees and to increase that of the higher supervisory officials. What justice is there in that? Is it not true that the United States Government, when it engages in a business enterprise, ought to be a model employer and ought to pay a good living wage?

We are in the midst of higher prices. We have loaded the carriers down with more business, but it is proposed to reduce the compensation of these lowly employees of the Government by about one-third so as to cut the expense from $60,000,000 to $40,000,000. That was the estimate. That is the estimate which my friend the chairman referred to in his opening remarks. The Government is going to get rich out of the Postal Service by means of putting the rural service on a contract basis. It is a strange thing to me that he did not also propose to put the City Carrier Service on a contract basis also. There would be another saving of ten or twelve million dollars.

A postal official called on me the other day who is employed in the city post office, and one who has to do with carriers. I said to him, "Would it not be a good plan to put the city carriers on a contract basis? Certainly, you could get bids for less than the salary paid by the Government." He said that would never do. He said that "the city carrier is a man of address; he is a man of acquaintance; he is a man of good manners and has to deal with all the people of the city. He calls at their houses and he must be trusted. The children and the young people give him their letters. Perhaps he insures the package that they send or he registers the mail for them, and he knows when they move from one place to another. No; it would not do to have him on the contract basis, because it is a personal service. He should be a Government officer, and the people of the city would not tolerate having that service on a contract basis for one minute." But it struck me that the same reason should apply to the country people.

Mr. MURDOCK. Will the gentleman yield?

Mr. STEENERSON. Certainly.

Mr. MURDOCK. I did not catch the first part of the gentleman's remarks. Did he say who it was that made this proposal to him and who then defended the city carrier?

Mr. STEENERSON. I did not give any name; of course not.

Mr. MURDOCK. I thought you did.

Mr. STEENERSON. I did not give any name. I said an official that was employed in the city post office.

Mr. MURDOCK. Oh, in the city post office. Then he was not a departmental official?

Mr. STEENERSON. No. I merely asked him as a man who knew the service and was familiar with conditions.

Now, here is another thing. The part of the Postmaster General's report that I first read said that it was the policy of the department to extend the service as much as business justified and to treat all States and localities equitably. Very well. That is a good principle. What do we find? Take it, for instance, with regard to the extension of rural service. Now, this may not seem important to some of you, but it is of great significance because of the principle involved. I had a petition for a rural route last summer, and it was inspected. There was the required number of families on it. It was approved by the inspector, and it was all ready for service, provided the Government made the order installing the service. What answer did I get? I got a letter, as follows:

SEPTEMBER 30, 1914.

Hon. HALVOR STEENERSON,
House of Representatives.

MY DEAR MR. STEENERSON: Referring to your inquiry of the 28th instant, as to the status of the proposed rural route from Red Lake Falls, Minn., I beg to state that this case has been investigated and is held in the department awaiting the more favorable condition of the national finances.

It is apparently advisable to withhold for a time all applications for additional postal facilities that involve increased expenditures, except in cases of urgent necessity, and I think you will agree with me that much can be accomplished in this line by deferring the establishment of additional routes. The residents of the community to be served by the route in question, having a full understanding of the conditions confronting the Government, will doubtless cooperate with the department in the effort to contribute a share toward meeting the situation now at hand.

Sincerely, yours, JAMES I. BLAKSLEE,
Fourth Assistant Postmaster General.

Mark this: "Withhold additional postal facilities." Not because of postal but of national finances. At the hearing on this bill I asked the Fourth Assistant how this order came to be made. He said it was based upon a memorandum sent by him to the Postmaster General, which reads in part as follows:

AUGUST 17, 1914.

The POSTMASTER GENERAL:

It would appear from the present crisis that confronts the country, due to foreign war, that the loss of revenue from taxation on imports will have to be recovered through the levy of an emergency tax upon the people. This will undoubtedly be most unpopular and will arouse the people to inquire into the extravagant methods and expenditures that may prevail in any service rendered to them, and at no point will this be more apparent than in the delivery of the mail on rural routes.

* * * * * * *

I believe that the present Rural Delivery Service could be performed as successfully, and with every precaution for the certainty, security, and celerity of the mail delivery, for a sum at least $20,000,000 less per annum than at present.

I therefore desire to go on record, before any question of increased taxation upon the people is considered, that in this department, in the bureau over which I have supervision, an economy can be effected of more than one-fifth of the total amount necessary to meet the impending crisis, and that this can and should be accomplished within 90 days from the enactment of the necessary legislation.

JAS. I. BLAKSLEE, *Fourth Assistant.*

This is an abandonment of the rule which they first promulgated, that the Postal Service should be administered so as to treat all localities equitably and fairly; not as a money-making institution for the Government, but a service to the people. Here we find that the department has made a rule that they will withhold rural delivery and other facilities from people entitled to them because of the general conditions of the Treasury, brought about, it is claimed, by the war in Europe. They do not claim that the service is not self-sustaining. Not at all. Last year it showed a surplus of more than $4,000,000, and the chances are that it will have a surplus during the current year, notwithstanding the fact that the chairman of the Post Office Committee says that the volume of business has decreased.

Now, Mr. Chairman, we have come to this point that the United States Government has determined not to extend postal facilities to the people who are entitled to them because there is a deficit in the Treasury on account of failing customs receipts. According to the speech of the gentleman from Tennessee [Mr. MOON], the chairman of the committee, you will note that he also argues that we must save money on rural carriers, and cut other expenses, because there is a deficit in the general balance.

What does that mean? It can mean only one thing, it seems to me, and that is that the gentleman from Tennessee [Mr. MOON] and the Postmaster General, Mr. Burleson, believe that where, due to Democratic blundering in the fiscal legislation of the country, by reason of reducing the tariff where it ought not to have been reduced, there is a deficit in the Treasury, you must bleed the Postal Service and reduce the salaries of the poor employees therein in order to make it up. [Applause on the Republican side.]

That is what it means. I would like to ask the chairman of the Committee on the Post Office and Post Roads to explain the theory whereby these visionary schemes for saving money by reducing salaries are going to end? He mentions that the saving might be used for roads. That was also mentioned at the hearings. In other words, they propose to let rural deliveries on contract and susbtitute a spavined mule and a broken-down buggy with any irresponsible tramp for a well-equipped carrier in order to save $20,000,000 with which to build roads. [Laughter on the Republican side.] Why, such a scheme, if it is not loony, is at least mooney, as it seems to me. [Renewed laughter.]

That scheme was indorsed by the Fourth Assistant Postmaster General at the hearings. He jumped at it like a trout for a fly. "Why," he said, "you can save $20,000,000 a year, and spend it on some of the dirt roads down here." [Laughter on the Republican side.]

The responsibility of this Government with regard to the conduct of the postal business is a very great one, and if you would read the report of these department officials you will find that they realize their responsibility. They know what they should do, and they say they are doing it, but they are not doing it.

They say that the Postal Service is to be operated and conducted on a nonpartisan basis; that the employees are to be selected without regard to partisanship. What a high-sounding rule. But how is it in practice? Did you ever hear of a Republican being reappointed postmaster? No. The disregard of the civil-service ratings in the selection of fourth-class postmasters is notorious all over the country. A year ago the administration refused to request the Committee on Rules to report out a rule abolishing assistant postmasters, of which there were 2,400 or 2,500 in the United States, because it was a violation of the spirit of the civil-service law and a reversion to the spoils system. You remember the awful row that broke out between the executive branch of the Government and the legislative branch, over on the Democratic side at that time, when the chairman of the Committee on the Post Office and Post Roads rose in his might and denounced the attempt to interfere with a coordinate branch of the Government, when it was said that a subcommittee of the Committee on Rules had visited the Postmaster General and had been instructed by him to refuse a rule to make that legislation in order.

Well, through some fatality the Postmaster General has finally agreed to kill off the assistant postmasters; not directly, by cutting off their heads, but by means of starvation. This bill provides no pay for them. There was an affirmative clause in the first draft of the bill that stated that "all assistant postmasters at all offices are hereby abolished from the 1st of July, 1915," but now they are omitted. New offices are created to take the places of the assistants. This new legislation has been made in order by the rule. So you see that the friendship of the administration for the civil service of a year ago has vanished.

Gentlemen, let us be consoled. I was sorry to hear the gentleman from Tennessee [Mr. MOON] accuse the Democratic Party in this House and in the other branch of Congress of apparently being under the influence of the railroads. A sufficient answer to that is that this House passed the railroad-pay bill unanimously. It was recommended unanimously by the Post Office Committee, and I do not think a single vote was recorded against it in the House. It went over to the Senate. These other administrative features are important, but yet the gentleman from Tennessee and his friend from Georgia on the committee last year, apparently through spite, because they did not get a rule to cover them all, had them go out of the bill on a point of order themselves, so they could not have been very urgent. Now, let me give the gentleman this advice, that instead of being so disconsolate in his defeat, instead of turning around and charging the Democratic Party in this House with being controlled by these terrible bogies he mentioned, he simply go back and call a metting of the Committee on the Post Office and Post Roads, and he can get reported as a separate bill the very same measures that he now says have been defeated, and the probability is that he can again pass his bill.

The main objection was the provision as to rural carriers and postmasters' salaries. Outside of those propositions, the administrative features that were embodied in this rule would be approved. They have been approved by the committee, and would be approved again, and he can get them as a separate bill. The objection that we made was one which we tried to state in the debate on the rule. It was that it is not good practice to attach such an enormous amount of new, intricate, and important legislation as a rider to an appropriation bill in this the closing session of this Congress, especially in view of the fact that the most important part of the proposition has already been passed through the House and is pending in the Senate, and that, therefore, it would look very much as if the House was threatening, by this means, to withhold supplies for the Postal Service unless it got its measures through, whether they had any merit or not. It was an attempted holdup by means of this rider. It seems to me that common sense dictates that if you attempted to do that you would be courting the very trouble you seek to avoid; and hence, so far as the Republican Members are concerned, I am sure that their one idea was to expedite the passage of the necessary supply bills. We stand ready to aid the gentleman from Tennessee in his wonderful reforms and economies, although I am free to say that it is difficult to believe that the economies he mentions will be very great. We have our doubts, but we will give him the benefit of the doubt, and approve of them at the proper time and in the proper way.

Mr. COOPER. Mr. Chairman, will the gentleman permit an interruption?

Mr. STEENERSON. Yes.

Mr. COOPER. To get this clear in my own mind, is it not a fact that the Republicans on this side of the big aisle, when the bill went through at the last session fixing the rates of railway compensation for carrying the mail, unanimously supported the Democratic proposition?

Mr. STEENERSON. They certainly did, and that bill was unanimously reported by the Post Office Committee, both Republicans and Democrats.

Mr. COOPER. Exactly. So that the criticism of the gentleman from Tennessee on that particular matter is absolutely without any point whatever, so far as any charge of our being under railway influence is concerned, because we supported that proposition. And is not the whole question boiled down to this, that they are trying to put the rural free delivery system under contract, and that they had that embodied in the rule, and that has never been considered at all? That is the whole question here, is it not?

Mr. STEENERSON. That is a part of the question. I would not say that it is the whole question.

Mr. GOULDEN. Mr. Chairman, will the gentleman yield?

Mr. STEENERSON. Certainly.

Mr. GOULDEN. The gentleman went at considerable length into the effort of a year ago to defeat the attempt to take the twenty-four hundred assistant postmasters out of the civil service.

Mr. STEENERSON. Yes.

Mr. GOULDEN. The gentleman does not claim credit for that?

Mr. STEENERSON. No.

Mr. GOULDEN. I voted against it, as did many others on this side of the House.

Mr. STEENERSON. And I give the gentleman much credit, and many others on that side of the House are entitled to credit. I remember particularly the gentleman from Rhode Island, Mr. O'SHAUNESSY, who had been in the Postal Service himself and had risen from the ranks to an important position, and was able by self-education and self-help to become a prominent Member of this House. He was opposed to the idea of removing the assistant postmasters from the civil service, and I regarded his opinion as being worth a good deal, because he was a man who had sprung from the ranks. The President then opposed the abolishing of assistant postmasters, and I honored him for it.

Mr. GOULDEN. It is not a partisan matter by any means, and no credit can be claimed for either one of the political parties, and I am proud of the position I then took.

Mr. STEENERSON. Of course, the opposition is entitled to credit for everything it can defeat, and the majority is entitled to credit for what it can accomplish, so that there is a difference. If you attempt to do wrong and we defeat that attempt, it seems to me that we ought to be entitled to more credit than you.

Mr. GOULDEN. I do not think so, because we were opposing the report of the committee itself and the majority side of the House to which we belong.

Mr. STEENERSON. I printed my speech on the Post Office bill a year ago in pamphlet form and sent the gentleman a copy of it, and that was the last thing I said, that the Democrats who supported Mr. Wilson in this case were entitled to a great deal of credit.

Mr. GOULDEN. That is right, and that is what we were doing.

Mr. STEENERSON. And I am now performing the same service for this administration that I tried to perform a year ago. I am trying to hold them down to the policy of civil service as much as I can. By changing this system of rural carriers 44,000 rural carriers will be placed under contract, and what does that mean? Their bids will be passed upon, in the first instance, by the local postmaster, and they think now that most of them are Democrats and that these local postmasters passing on the bids of those intending to carry on the rural-route service there will be no trouble at all, and if Postmaster General Burleson's proposition should become a law, then the most ardent enemy of the civil-service law would be satisfied in the near future. I think even the most ardent spoilsman on the Democratic side would be satisfied. With the contract system there could be no Republican rural carriers under a Democratic administration. That was too big a temptation for the Postmaster General. Forty-four thousand employees by one stroke to be transferred from the civil service where they now are to the spoils system. There is the true reason and the true motive for that proposition, and I give due credit to the Democracy in this House for defeating it [applause], because it shows that whereas last year, through the inspiration of newly found positions and responsibilities and association with the President, the Postmaster General was anxious to carry out the civil service and defeat the rule asked for to decapitate the assistant postmasters, now, after he has

been in office for nearly two years and has found how sweet these small morsels of spoils taste, he has abandoned entirely the doctrine of civil service and has espoused the cause of the spoilsman. In my estimation that is the true reason, and not economy, for the proposition.

Mr. Chairman, this is all wrong. The Postal Service should be conducted as much as possible free from partisan bias, and merit should be rewarded wherever it is found. There are many in this House and elsewhere who believe that the functions of the Government should be extended. Indeed, it is recommended in this report that we should take over the telegraphs and the telephones of the country, and even, say, the railroads.

Those who have their doubts upon that grave question, or those who favor such an extension, might well hesitate until the doctrines of the civil service and the merit system are well established in the laws and procedure and administration of the country. Whenever the time comes that you can increase by five or six million the employees of the Government, put them under the spoils system, you have given the power and control of this country over to the officeholders. Free government would probably be at an end in this country if it should happen. We are not prepared for it.

Therefore it behooves us to proceed carefully, cautiously, and slowly, and the place at which to begin is with that branch of the Government which does business with every man, woman, and child in it. The place above all others where we should observe the merit system and impartial service is in the Postal Department.

Mr. Chairman, I have already pointed out that the war in Europe has been put forth by the present administration as the justification for the withholding of needed mail facilities in rural districts, and for the proposal to reduce expenses by substituting a contract service for the present Rural Delivery Service, and also for the advancement of the new policy of making the Postal Service contribute to the general support of the Government. The claim is that the war has shut off imports and thereby reduced customs revenues. President Wilson, in his address to Congress on September 4 asking for the war-revenue law, used this language:

> During the month of August there was, as compared with the corresponding month of last year, a falling off of $10,629,538 in the revenues collected from customs. A continuation of this decrease in the same proportion throughout the current fiscal year would probably mean a loss of customs revenues of from sixty to one hundred millions. I need not tell you to what this falling off is due. It is due, in chief part, not to the reductions recently made in the customs duties, but to the great decrease in importations; and that is due to the extraordinary extent of the industrial area affected by the present war in Europe.

This statement, that there is a decrease in importations, has been repeated during the debate on this bill on this floor, and is found in the official communications of the Post Office Department to Congress.

I want to call attention to the fact that the President compares the falling off in revenue under the Underwood law with the receipts under the Payne law. Of course he overlooks the slight difference in the rates of duty. He should have remembered that his party, and especially he as the candidate, promised the people a downward revision, and that they gave us a downward revision, and that therefore, unless the importations were very largely increased, necessarily the receipts from customs would be diminished. In his campaign letter to Mr. UNDERWOOD a month later he went still further, and said that it was the war, and nothing but war, that caused the falling off in revenues from customs receipts. Now, what are the facts? The official figures are now before us. They were not fully before us at the time of the discussion of the war-revenue bill.

I hold in my hand a document issued by the Department of Commerce, the Monthly Summary of Commerce and Finance of the United States.

The October number has recently been issued; we have not yet got the November or the December number. On the first page containing the tables we find the total imports of merchandise for October, 1913, $132,149,302; for October, 1912, $138,880,850, an increase for one month of about $6,000,000. I find in the column "10 months ending October, 1914," the total imports of merchandise were $1,548,531,394; for the same 10 months of 1913, $1,460,364,000, or $88,196,921 more during the first 10 months of the calendar year 1914 than for the corresponding period the year before.

These 10 months, I call to your attention, were the first 10 months that the Underwood law was in effect. It was not in full effect until the 1st of March. It took effect as to wool in January. So you see that instead of there being a falling off in imports there has been an increase in imports of over eighty millions in 10 months. I have the figures, which I got by telephone from the Department of Commerce, as to the receipts and imports for November, the month just past. I find that the total imports of merchandise for the last month—November, 1914—were $126,467,907 and the duties from customs $16,924,408.

Now, if we had a similar amount of importations for December—and they will be much larger, from the preliminary figures I have received—there will be $252,935,814, or in round numbers $253,000,000, for the two months completing the calendar year of 1914, and will make the total imports of merchandise for the 12 months $1,801,531,394 as against $1,793,138,480 for the calendar year 1913, or $8,392,914 more for 1914 than 1913.

Where, then, is the contention that the war in Europe has diminished the imports? The contention is simply a fallacy and not true. You may excuse a man in the excitement of a campaign for exaggeration; you can excuse a candidate for telling a whopper just before election; but now that the campaign is over and the official records are available, it seems to me that you ought to cease repeating the statement and come back to facts.

Now, as a ground for explaining the embarrassed condition of the Treasury and the deficit, the conclusion has been drawn that the revenues from customs were disappointing to the Democrats. There never was a greater fallacy. How much revenue did you expect from the Underwood law? You have got within a small fraction of what was predicted for it. I read from the CONGRESSIONAL RECORD of September 30, 1913, page 5233, from Mr. UNDERWOOD'S final speech on the conference report. He said:

> The income tax, leaving out those features that relate to the tax on corporations, will produce above $83,000,000. The corporation part of the income tax included in the bill, it is estimated, will produce $39,000,000. The custom taxes for the year 1915 are estimated to produce $249,000,000.
>
> Taking the other sources of revenue that the Government now has and adding to them the income tax and the customs laws that are affected by this bill, it will produce for the fiscal year 1915, according to our estimates, $1,026,000,000, and if the expenditures of the Government do not exceed $1,008,000,000, which is the estimate that will cover the expenditures of the Government for that year, the bill will produce a surplus revenue of $18,000,000, which the committee considers as a safe balance on the right side of the ledger.

Mr. UNDERWOOD says that in the fiscal year it will produce $249,000,000. Well, the Payne bill produced $318,000,000, so there was expected to be a decline. When you passed the Underwood law you expected there would be $249,000,000 revenue instead of $311,257,348, which was the amount collected in fiscal year ending June 30, 1912, so that you can not lay that to the war. You are not disappointed as to the income produced by the Underwood law because you expected it. [Applause on the Republican side.]

So, putting the total customs duties collected for the first 10 months of 1914 as given in October summary of $209,000,000, and adding $16,924,408 customs receipts for last month and a similar amount for this month, you will have $243,418,045, only five and a half million ($5,581,955) less than Mr. UNDERWOOD estimated, or practically the same as his estimate.

If you calculate that December will produce only as much as November, then the difference would certainly not be in excess of $6,000,000 less than the estimate of Mr. UNDERWOOD at the time he spoke on the conference report.

Now, then, what justification have you, what justification did the President have for blaming the war in Europe for the lower customs revenue when you are getting the revenue that you expected? [Applause on the Republican side.]

Where is the Democratic blunder that has brought embarrassment upon us which necessitates the recommendation of destroying the rural service and bleeding the Postal Service to support the Government? The blunder consisted, not in misfiguring the income from tariff but from other sources. These are official figures, and you can find them all in Monthly Summary for the months referred to. I will insert the page from the October, 1914, summary where it gives the imports for the first 10 months of calendar year 1914, and also the ad valorem rate on dutiable and on all imports for the respective periods. The rate for 1912, under Payne law, was 39.54 per cent on dutiable and 18.30 per cent on total imports, and about the same for 1913, while in the 10 months of 1914 the rate under the new law was only 35.02 per cent on dutiable and 13.53 per cent on total imports. For October, 1914, the rate on total imports was only 11.78 per cent. The blunder was in the income tax. You fell short $51,000,000, the difference between $122,000,000, which you estimated you would get from the corporations and income tax, and the $71,386,156, which you actually got from that source. You fell short more than $51,000,000, and that is the chief element which causes the embarrassment in the Treasury. The chairman of the Committee on Ways and Means estimated that your appropriations would be $1,008,000,000. That was for fiscal year 1915; the current year.

What were they? I have the Book of Estimates, issued by the Treasury Department, and there is no guesswork about this. The total appropriations for the fiscal year 1915 were $1,094,168,102.38. He estimated that you were going to appropriate $1,008,000,000, and you appropriated $86,000,000 more than you said you would. There was another blunder. The appropriation of $1,094,168,102.38 for the fiscal year 1915, instead of $1,008,000,000, as you said you proposed to appropriate, and the falling short of the income tax and the corporation tax in the sum of $51,000,000 is the cause of your trouble. What would have been the result if you had had the Payne rates? It has been demonstrated to a mathematical certainty. The rate under the Underwood law, applied to the free and dutiable goods together, was 13.53 per cent, a little over 13½ per cent for the first 10 months of the calendar year 1914, but only 11.78 per cent for October. This is also given in this same publication issued by the Department of Commerce for the very period in question. Under the Payne law the rate was 18.34 per cent for 1913. How could you expect to get as much money when you collected only 13½ per cent ad valorem on the total amount of importations instead of 18½ per cent? It seems to me it is entirely unjustifiable to expect anything of that kind. If you apply—and this is relevant because of the address of the President on September 4—the Payne duties, you would have had, according to my calculation, and you can calculate it yourself, about eighty-six or eighty-seven million dollars more of customs revenues on the same importations that actually came in than you obtained. It could not be a surprise to a sane man that you got less on substantially the same amount of imports under a lower than a higher rate. The gentleman from Alabama [Mr. UNDERWOOD] estimated the falling off of revenue very closely. He can not be surprised or disappointed, for he predicted the result very closely.

The CHAIRMAN. The time of the gentleman from Minnesota has expired.

Mr. STEENERSON. Mr. Chairman, I ask unanimous consent to proceed for three minutes more.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. STEENERSON. So that the cause of all of this trouble in the Treasury, this falling off of the available balance from $144,000,000 to a little over $66,000,000, as it is to-day—the excess of expenditures over receipts which we are now experiencing is directly due to the decrease of customs receipts under Democratic tariff legislation and not to accident, not to war. It is due to miscalculation as to the amount of income to be derived from the income and the corporation tax, and to the large—I will not say extravagant—appropriations, $86,000,000 more than you officially estimated you would appropriate. Therefore, it seems to me, it is about time that the leaders of the Democratic Party should acknowledge the truth. You may as well do it now as later, because sooner or later you will have to acknowledge that these are the facts; that these are the causes for the falling off of income—miscalculation, blunder; not any misfortune because of the war. [Applause on the Republican side.] It is important for the people to know, because the war came along, and we can not end it. If our difficulties in the Treasury were due to the war, we would have to submit, and, perhaps, it would be justifiable to resort to bleeding the postal receipts to support the Government, but seeing that the cause is not the war in Europe but is Democratic blundering in legislation, then that is a cause that can be removed. [Applause on Republican side.] And, gentlemen, it will be removed by the people, and you may as well acknowledge that you were mistaken, and be honest and candid and fair on this proposition. [Applause on the Republican side.]

Monthly summary of foreign commerce of the United States, October, 1914.

FOREIGN COMMERCE OF THE UNITED STATES—SUMMARY OF IMPORTS AND EXPORTS.

[Figures in all statements for October, 1914, and for 10 months ending October, 1914, subject to revision. Figures of imports for October, 1913, include only entries under the tariff law of 1913, beginning with the fourth day of the month. The entries of the first three days of the month under the law of 1909, amounting to, approximately, $13,665,000, are included with September totals.]

Groups.	October—				Ten months ending October—					
	1913		1914		1912		1913		1914	
IMPORTS.										
Free of duty:	*Dollars.*	*Per ct.*	*Dollars.*	*Per ct.*	*Dollars.*	*Per ct.*	*Dollars.*	*Per ct.*	*Dollars.*	*Per ct.*
Crude materials for use in manufacturing	34,125,086	41.84	38,012,461	43.72	412,197,299	50.73	404,684,750	51.69	462,785,296	48.71
Foodstuffs in crude condition, and food animals	18,547,338	22.75	18,700,188	21.51	157,946,743	19.44	136,919,651	17.49	167,181,245	17.59
Foodstuffs partly or wholly manufactured	2,871,232	3.52	5,399,883	6.21	10,432,004	1.28	9,515,804	1.22	49,918,371	5.25
Manufactures for further use in manufacturing	15,320,770	18.79	13,803,207	15.88	137,821,073	16.96	152,594,341	19.62	159,801,979	16.82
Manufactures ready for consumption	10,037,469	12.30	10,580,865	12.17	84,029,120	10.34	70,821,349	9.05	101,439,869	10.68
Miscellaneous	651,994	.80	447,916	.51	10,178,291	1.25	7,269,497	.93	8,994,580	.95
Total free of duty	81,553,889	100.00	86,944,520	100.00	812,604,530	100.00	782,805,392	100.00	950,121,340	100.00
Dutiable:										
Crude materials for use in manufacturing	5,687,772	11.07	5,943,783	11.63	111,560,797	15.98	91,028,299	13.44	62,914,297	10.51
Foodstuffs in crude condition, and food animals	4,328,202	8.42	2,725,847	5.33	37,639,959	5.39	28,576,809	4.22	29,753,359	4.97
Foodstuffs partly or wholly manufactured	10,124,960	19.70	12,875,065	25.17	171,973,679	24.63	156,491,769	23.10	176,720,569	29.53
Manufactures for further use in manufacturing	7,074,654	13.76	7,146,388	13.98	124,638,840	17.85	134,603,391	19.86	78,753,213	13.16
Manufactures ready for consumption	23,640,395	46.00	21,673,417	42.38	249,040,959	35.66	262,849,172	38.79	245,432,461	41.02
Miscellaneous	539,430	1.05	771,500	1.51	3,423,949	.49	3,979,541	.59	4,836,155	.81
Total dutiable	51,395,412	100.00	51,136,000	100.00	698,278,183	100.00	677,528,981	100.00	598,410,054	100.00
Free and dutiable:										
Crude materials for use in manufacturing	39,812,858	29.94	43,956,244	31.84	523,758,096	34.66	495,713,049	33.95	525,699,593	33.95
Foodstuffs in crude condition, and food animals	22,875,540	17.21	21,426,035	15.52	195,586,702	12.94	165,496,460	11.33	196,934,604	12.72
Foodstuffs partly or wholly manufactured	12,996,192	9.78	18,274,948	13.23	182,405,683	12.08	166,007,573	11.37	226,638,940	14.63
Manufactures for further use in manufacturing	22,395,424	16.85	20,949,595	15.17	262,459,913	17.37	288,197,732	19.73	238,555,192	15.41
Manufactures ready for consumption	33,677,864	25.32	32,254,282	23.36	333,070,079	22.05	333,670,521	22.85	346,872,330	22.40
Miscellaneous	1,191,424	.90	1,219,416	.88	13,602,240	.90	11,249,038	.77	13,830,735	.89
Total imports of merchandise	132,949,302	100.00	138,080,520	100.00	1,510,882,713	100.00	1,460,334,373	100.00	1,548,531,394	100.00
Per cent of free		61.34		62.97		53.78		53.60		61.36
Duties collected from customs	30,138,049		16,271,829		276,425,106		267,868,193		209,569,229	
Average ad valorem rate—on dutiable		58.64		31.82		39.59		39.54		35.02
Average ad valorem rate—on total imports		22.67		11.78		18.30		18.34		13.53
Remaining in warehouse at the end of the month	85,843,119		84,289,172							
EXPORTS.										
Domestic:										
Crude materials for use in manufacturing	125,239,556	46.56	32,989,050	17.27	561,163,229	30.49	552,654,073	27.99	230,411,330	14.13
Foodstuffs in crude condition, and food animals	11,764,519	4.37	36,224,327	18.91	98,548,106	5.35	150,590,870	7.62	395,003,669	24.21
Foodstuffs partly or wholly manufactured	29,775,473	11.07	37,411,532	19.58	246,704,031	13.41	266,569,703	13.50	187,677,403	11.51
Manufactures for further use in manufacturing	32,678,284	12.15	28,571,130	14.95	320,715,546	17.43	338,975,547	17.17	290,860,629	17.83
Manufactures ready for consumption	68,824,465	25.58	53,589,172	28.05	607,023,512	32.98	658,791,771	33.37	519,544,574	31.85
Miscellaneous	721,137	.27	2,244,165	1.24	6,119,548	.34	6,844,101	.35	7,607,710	.47
Total domestic	269,003,434	100.00	191,029,376	100.00	1,840,273,972	100.00	1,974,426,065	100.00	1,631,105,315	100.00

Monthly summary of foreign commerce of the United States, October, 1914.—Continued.

FOREIGN COMMERCE OF THE UNITED STATES—SUMMARY OF IMPORTS AND EXPORTS—continued.

Groups.	October—				Ten months ending October—					
	1913		1914		1912		1913		1914	
EXPORTS—continued.										
Foreign:	*Dollars.*	*Per ct.*	*Dollars.*	*Per ct.*	*Dollars.*	*Per ct.*	*Dollars.*	*Per ct.*	*Dollars.*	*Per ct.*
Free of duty	1,633,613	57.15	3,208,406	73.33	18,582,270	61.16	18,921,617	61.31	19,817,547	62.55
Dutiable	1,224,417	42.85	1,166,848	26.67	11,801,753	38.84	11,935,940	38.69	11,883,757	37.45
Total foreign	2,858,030	100.00	4,375,254	100.00	30,384,023	100.00	30,857,557	100.00	31,701,304	100.00
Total exports	271,861,464	.....	195,404,630	.....	1,870,657,995	.....	2,005,283,622	.....	1,662,806,619	.....
Excess of exports	138,912,162	.....	57,324,110	.....	359,775,282	.....	544,949,249	.....	114,275,225	.....
Total imports and exports	404,810,766	.....	333,485,150	.....	3,381,540,708	.....	3,465,617,995	.....	3,211,338,013	.....

Mr. MOON. Mr. Chairman, I yield to the gentleman from South Carolina [Mr. JOHNSON].

Mr. JOHNSON of South Carolina. Mr. Chairman, when the legislative bill was under consideration yesterday the gentleman from Washington [Mr. JOHNSON] complained about the long delay in paying some of the star-route contractors, and he named one instance. It had nothing to do with the bill then under consideration, and I had no information that would enable me to give to the committee any facts about it. To-day I received a letter from the Fourth Assistant Postmaster General which thoroughly explains the case. It seems that the contractor was given the contract in May, and a contract was sent to him at that time, but he never returned it properly executed to the department until the 14th of November. The delay was due to his own negligence in sending back the contract. I ask to extend my remarks by publishing the letter.

The CHAIRMAN. The gentleman from South Carolina asks unanimous consent to print the letter referred to. Is there objection?

There was no objection.

The following is the letter:

POST OFFICE DEPARTMENT,
FOURTH ASSISTANT POSTMASTER GENERAL,
Washington, December 18, 1914.

Hon. JOSEPH T. JOHNSON,
House of Representatives.

MY DEAR MR. JOHNSON: With reference to the comments that appear in the CONGRESSIONAL RECORD of the 17th instant, pages 330, 338, and 339, relative to the pay of star-route contractors, it may safely be stated that delays occur occasionally, as in the case of Calvin Perry, contractor for service on star route No. 71210, Pacific Beach to Lone Tree, Wash., who was employed from July 1, 1914, under the instructions mailed him May 1, 1914, accepting his proposal for service on this route.

Under the law a properly executed contract must be filed in this office by the successful bidder, and accepted on behalf of the Postmaster General, before any payment can be made for service performed. In this case Mr. Perry delayed the filing of his contract, the same not being returned to the department until November 14, 1914, although it was sent to him for execution May 10, 1914.

Further delay in payment occurred through a clerical error in making certificate to the Auditor for the Post Office Department for four months' payment, when, under the rules of the Treasury Department, the auditor is not allowed to pass a joint account for more than one quarter, or three months.

Representative JOHNSON of Washington made inquiry after the first certification, and was informed that payment had been authorized; this prior to the rejection by the auditor of the original certificate and the recertification of the account.

However, the failure of the accepted bidder to return his properly executed contract before November 14, 1914, a period of six months, was the primary and principal cause for delay of four months in paying him.

Sincerely, yours,

JAS. I. BLAKSLEE,
Fourth Assistant Postmaster General.

Mr. STEENERSON. Mr. Chairman, I ask leave to extend my remarks in the RECORD.

The CHAIRMAN. The gentleman from Minnesota asks leave to extend his remarks. Is there objection?

There was no objection.

Mr. MOON. Mr. Chairman, I yield to the gentleman from Georgia [Mr. ADAMSON].

Mr. ADAMSON. Mr. Chairman, I ask the indulgence of the House at this time to submit a few remarks on the proposition for a constitutional amendment providing for Federal prohibition.

The unusual situation is presented of the fighting being forced by the opponents of the proposition. Those who are supposed to be the defendants at the bar have become the aggressors, and are moving to force the issue. For six months it has been known that the opponents of prohibition, having counted noses, have learned that the resolution could be defeated, and have since insistently and earnestly urged consideration of the resolution and a rule to compel its consideration. It is to be regretted that the friends of prohibition, the real enemies of the barroom, have fallen victim to the wiles of politicians and under unwise, radical, and reckless leadership have allowed an untenable battle ground to be selected, whereon their hosts may be slaughtered by defeat in a righteous cause, when the battle could have been won if more wisdom had directed the zeal and piety of the really honest, sober, and meritorious contestants.

Of a piece with this folly is the zeal which seeks to force upon the question of lady suffrage the centralized jurisdiction of the Federal Government. The leaders in these two causes either do not understand or do not regard the basic principles of this Government, on which, more than anything else under the sun, depend the cause of civilization, the preservation of liberty, and the security of morals, temperance, manhood, and virtue. The Federal Government was never designed as a moral agency, nor was it ever intended to exercise the local police functions nor interfere with the question of suffrage. The genius of our Government excels all others on earth, present or past, because we wisely instituted for efficiency local control of morals, the franchise, labor, education, and all questions on which depend human prosperity, good order, and happiness. That system was not designed out of any spirit of red-handed rebellion against Federal Government. The Federal Government was made by the States after they were in full-fledged existence and created by them for certain general purposes, all other powers being reserved to the States. That policy is wisest and best, because the Government, being local, is closest to the people who understand the subject and maintain the Government itself. A team can pull more with short traces, placing the team nearer to the load; a marksman or sportsman can shoot more accurately at short range. The people interested in both the subject to be regulated and the Government regulating it can secure better results with less friction and more satisfaction.

If the ladies are ever to descend from their high estate of supremacy as lovely charmers and ministering angels of mankind down to the common level of mere men as politicians, it should be done by the action of their respective States, and when it is done it should not be done by clamor and parade and in unlady-like demonstrations and exhibitions. All the blessed creatures need do is to intimate, in a gentle way, in their charming tones and pleasing manner, to the "lords of creation," that they wish to have the privilege of voting, whether they take the trouble to do so or not, and clearly intimate to the aforesaid "lords of creation" that there will be no further happiness at home until their wishes are given effect. The effect would be instantaneous. Not many suns would set and rise until the fair creatures had been clothed with all the rights of political degradation, with the same option that men now have—to claim the privilege but shirk the duty.

I am a genuine prohibitionist.

I have long realized what the business sense of the country is rapidly coming to recognize, that a sober man is more valuable in business than a drunken one; and what most people are coming to realize, that a sober man can have more fun than a drunken man. Business enterprise and intelligence have been instruments in the hands of Providence to work the great reformation in the last 50 years, which has advanced sobriety and promoted intelligence and prosperity in so many States of our Union. I have probably voted against barrooms oftener than any preacher in the land or any other man, perhaps a score of times, and I expect to keep it up until I die, for I honestly

believe that every man needs to exercise all the brains God has given him, and that it is a crime against himself and society to stupefy and becloud his intellect with liquor as a beverage.

The common sense of mankind educated by experience and observation has produced a new proverb or beatitude, "Blessed is the man who keeps liquors out of his stomach, for the days of that man shall be longer on the earth; and verily his wife and children shall wear better shoes and clothes and have more to eat."

Of course the true temperance theory is that the doctors can be trusted to manage liquors for medical purposes, and if they can be trusted with issues of life and death in cases of desperate malady, society can certainly trust them to manage the liquor traffic. The doctors are more jealous of their profession than most any other class, and will blacklist a black sheep quicker than any other profession. If one of them should be unfaithful and try to run a blind tiger it would be easier to catch him and punish him than the ordinary negro or sorry white man. The value of liquor for medical purposes is limited and problematical; it often relieves lassitude after fever, and sometimes alleviates pain and suffering, but is liable to produce others just as bad. The remedy is often worse than the disease. Furthermore, the liability to take an overdose is greater than in case of any other nostrum. It is generally recognized that social drinking is what makes drunkards and produces the consequent crime, poverty, and misery, the crime produced by drunkenness being estimated at about 90 per cent of all the crimes committed in the world. No man's personal habits nor private notions should, however, be permitted to confuse his mind nor divert him from insisting on rational methods and correct principles. The way to accomplish and maintain prohibition is for the people of each State to do their duty. Federal action can only be preferable to State action if the aggregate of State excellence, represented by the General Government, is superior to the best action of any particular State. It must be the average of the excellence of all the States. If it is superior to some, it must be inferior to others. I deny that the moral excellence of the Federal Government is superior to that of my State. The Federal Government has done things that my State would not do. It would be ashamed to do some of the things the Federal Government has done. Its noble men and lovely women would blush if it should so do. I do not deny what other Members admit of the inferiority of their States, for they come to the Federal Government for all things, admitting that their States are incompetent. I am ashamed of such States, and would not live in one of them.

The good, old doctrine of prohibiting intoxicating and malt liquors as a beverage but treating them like arsenic and strychnine and other dangerous drugs as articles to be controlled entirely by the doctors in the interest of health, temperance, and prohibition has taken hold of a number of States. It is true that some of the enemies of prohibition contend that prohibition does not prohibit, but the truth is in every State where it has been tried it was enforced as well as the laws against murder, arson, larceny, adultery, fornication, and many other prevalent crimes. The agitation in Congress originated in the claim that the Federal Government was aiding the liquor trade and defeating local efforts at prohibition, and that was never the truth nor was there ever any foundation for the assertion. This has been declared thousands of times without malice or knowledge by the friends of prohibition. The truth is, the Federal Government never licensed a bar in any State nor the manufacture of liquor nor the sale in any form. The Federal Government receives an excise tax from the manufacture and sale of liquor, just as in some other lines of business. It has no jurisdiction to pass upon the local legality of the business. It found a man transacting the business by the permission of the State, either active or passive, and it made demand for the payment of the Federal taxes. When complaint was made, answer was made that that helps enforce local law. It finds the men who are violators of law, and it collects a tax out of them. If local officers were vigilant they could find them as well as the Federal officers, but Congress went further and provided, in the Humphrey amendment, that the Federal officers should keep posted a list of all persons from whom taxes were collected, and that on demand of the local authorities a certified copy of the tax receipt should be furnished. All that would remain necessary for any prohibition State to do was to provide in their law of evidence to permit the admission of that certified copy of the tax receipt, and they could convict every blind tiger, and so the State laws have not been defeated by the Federal Government but have absolutely been aided by its efforts. Congress went still further in the Brantley amendment and prohibited the C. O. D. practice by the express companies which, it was claimed, helped to violate the prohibition laws, and further provided that it should be unlawful for any person to order or receive any quantity of liquor by express unless full publicity were made by indicating on the outside of the package fully what the package contained—how much, the name of the vendor, and the name of the consignee. Early in State efforts at prohibition it was complained that the exemption of original packages permitted liquor to be shipped into prohibition States and delivered to the blind-tiger dealer before the jurisdiction of the State could attach. Congress passed the Wilson law in 1890 subjecting it to the laws of the State on arrival in the State.

The Supreme Court held that "arrival" meant delivery to the consignee. We made repeated efforts to correct that defect by inserting the words "either before or after" to define delivery. Finally we succeeded in passing the Webb bill, which vacated and set aside the exemption of original packages, so that the State authority, if properly exercised, may seize any package of whisky the moment it crosses the border of a State, and under the police powers reserved to a State may do anything the State pleases to do with it. It may prohibit its sale. It may destroy the liquor. It may prohibit its use in certain quantities. It may make any regulation its wisdom sees proper. With the present state of Federal law on the subject, there is absolutely no reason for any State which so desires not to prevent the sale or manufacture of liquor. In those States which have adopted prohibition it is not any longer a question of prohibition, but it is a question of the enforcement of law. If in those States the prohibitionists want prohibition, the only thing they have to do is to do less agitating for prohibition and lend more assistance to the courts and grand juries in detecting and convicting the violators of the law and bringing them to justice.

But some of them say, "We are not satisfied with prohibition in our own State. We want to compel other States to practice prohibition." That is a false idea and a vain and futile effort. There are States in this Union which will not adopt prohibition. Their population and conditions are such that the Federal Government could not adopt a law that would enforce prohibition in those States, because every law must be enforced by the people and juries where the violations occur. Furthermore, the danger in the idea of going to Congress for the Federal Government to pass on these moral questions is that the large States which do not agree with us on prohibition might defeat us and deprive us of the benefits which we have secured through local self-government.

The second section of the Hobson resolution fails to meet our objection. It is a conscience-stricken concession to the justice of our position and a belated enforced admission that prohibition can not be enforced except by local self-government, but it so confuses two jurisdictions that neither would be fully asserted and neither would be effective. Evidently it was not drawn by a capable lawyer. All the temperance people heretofore have ever asked was that Federal law be withdrawn from the States so far as traffic in liquor is concerned and the States be left exempt from Federal authority to adopt and enforce prohibition. If the Federal Government once asserts its authority and pretends to control the question, everybody knows that State authorities will go out of the business. The only safety for morals and good order rests in home government.

Personally I am averse to voting for the rule in either case. I consider it poor tactics to insist on considering a proposition which I oppose. Consideration is a step toward victory, usually sought by the friends of a measure. The enemies of prohibition, not its friends, have urged this rule upon the committee. It is true that many real friends of prohibition before discovering their inability to adopt the amendment urged us to vote for the rule, and I promised them to do so if the rule was ever reported by the committee. Furthermore, the report of a committee of this House is law to me. I believe in party discipline. The integrity of the Democratic Party is the chief anchor of our political salvation and the only sure preservation of our liberty and morals. Democratic principles can not be preserved without compact and faithful organization. The great Committee on Rules reported this rule, and I shall stand by the committee for its adoption. The great Committee on the Judiciary was unable to form an opinion on the proposed amendments, but reported them without a recommendation. For one I do not need their recommendation. Correct principles deny to the Federal Government jurisdiction over the subject. One of the smartest women and one of the purest and best prohibitionists in this country wired the Georgia delegation to stand by State control on the question of lady suffrage. We wired our concurrence and asked if she applied the same views to the pro-

hibition amendment. She promptly and unequivocally replied that while an ardent prohibitionist, her attitude was the same on both propositions. She could not surrender local self-government and rely on Federal control. Her address is Miss Millie Rutherford, Athens, Ga., but she lives in the hearts of all the people of Georgia.

Mr. MOON. Mr. Chairman, I move that the committee do now rise.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. SAUNDERS, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee having had under consideration the bill H. R. 19906, had come to no resolution thereon.

INDIAN APPROPRIATION BILL.

Mr. STEPHENS of Texas, by direction of the Committee on Indian Affairs, reported the bill (H. R. 20150) making appropriations for the current and contingent expenses of the Bureau of Indian Affairs, for fulfilling treaty stipulations with various Indian tribes, and for other purposes, for the fiscal year ending June 30, 1916, which was read the first and second times, referred to the Committee of the Whole House on the state of the Union, and, with the accompanying report (No. 1228), ordered to be printed.

Mr. MANN. Mr. Speaker, I reserve all points of order on the bill.

ENROLLED BILL SIGNED.

The SPEAKER announced his signature to enrolled bill of the following title:

S. 94. An act to amend an act entitled "An act to codify, revise, and amend the laws relating to the judiciary," approved March 3, 1911.

DEMOCRATIC CAUCUS.

Mr. UNDERWOOD. Mr. Speaker, I merely want to remind the Democratic Members of the House that there will be a caucus immediately after the adjournment of the House to fill some vacancies on the committee, and I ask that they stay here for a few minutes. It will not take 10 minutes.

ADJOURNMENT.

Mr. MOON. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 24 minutes p. m.) the House adjourned to meet to-morrow, Saturday, December 19, 1914, at 12 o'clock noon.

EXECUTIVE COMMUNICATION.

Under clause 2 of Rule XXIV, a letter from the Secretary of the Treasury, transmitting copy of a communication of the acting president of the Board of Commissioners of the District of Columbia submitting an urgent estimate of deficiency in the appropriation for sewage-disposal system, District of Columbia, 1915 (H. Doc. No. 1421), was taken from the Speaker's table, referred to the Committee on Appropriations, and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII,

Mr. SLAYDEN, from the Committee on the Library, to which was referred the bill (H. R. 20095) to establish the legislative reference division of the Library of Congress, reported the same without amendment, accompanied by a report (No. 1227), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, the Committee on Pensions was discharged from the consideration of the bill (H. R. 17571) granting an increase of pension to Peter P. Swensen, and the same was referred to the Committee on Invalid Pensions.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. ALEXANDER: A bill (H. R. 20107) to amend sections 4421, 4422, 4423, 4424, and 4498 of the Revised Statutes of the United States, and section 12 of the act of May 28, 1908, relating to certificates of inspection of steam vessels; to the Committee on the Merchant Marine and Fisheries.

By Mr. CROSSER: A bill (H. R. 20147) to eliminate private interest in war and preparation for war by providing Government facilities for producing and manufacturing military and naval equipment, by prohibiting the export of privately made munitions of war, and by reservation to the Government of coal and fuel oils in the public lands; to the Committee on Military Affairs.

By Mr. GALLIVAN: A bill (H. R. 20148) to amend the navigation laws of the United States; to the Committee on Interstate and Foreign Commerce.

By Mr. DANFORTH: A bill (H. R. 20149) to provide for the purchase of a site for and the erection of a public building at Albion, N. Y.; to the Committee on Public Buildings and Grounds.

By Mr. STEPHENS of Texas: A bill (H. R. 20150) making appropriations for the current and contingent expenses of the Bureau of Indian Affairs, for fulfilling treaty stipulations with various Indian tribes, and for other purposes, for the fiscal year ending June 30, 1916; to the Committee of the Whole House on the state of the Union.

By Mr. ALEXANDER: Joint resolution (H. J. Res. 391) authorizing the Secretary of Commerce to postpone the sale of fur-seal skins now in the possession of the Government until such time as in his discretion he may deem such sale advisable; to the Committee on the Merchant Marine and Fisheries.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ADAIR: A bill (H. R. 20151) granting an increase of pension to Jasper N. Cooper; to the Committee on Invalid Pensions.

Also, a bill (H. R. 20152) granting an increase of pension to George F. Ethell; to the Committee on Invalid Pensions.

Also, a bill (H. R. 20153) granting an increase of pension to Abraham Thatcher; to the Committee on Pensions.

By Mr. BOOHER: A bill (H. R. 20154) granting an increase of pension to Minerva Hickok; to the Committee on Invalid Pensions.

By Mr. CARR: A bill (H. R. 20155) granting an increase of pension to John T. Plummer; to the Committee on Invalid Pensions.

By Mr. CARY: A bill (H. R. 20156) granting an increase of pension to Richard Burns; to the Committee on Invalid Pensions.

Also, a bill (H. R. 20157) granting an increase of pension to Joseph Gunnie; to the Committee on Invalid Pensions.

By Mr. DRISCOLL: A bill (H. R. 20158) granting an increase of pension to Alice Stebbins; to the Committee on Invalid Pensions.

By Mr. LANGLEY: A bill (H. R. 20159) granting an increase of pension to William H. Williams; to the Committee on Invalid Pensions.

By Mr. EAGAN: A bill (H. R. 20160) granting an increase of pension to Thomas J. Dobbs; to the Committee on Invalid Pensions.

By Mr. FOSTER: A bill (H. R. 20161) to remove the charge of desertion from the record of Jubal Grant and to grant him an honorable discharge; to the Committee on Military Affairs.

By Mr. GARDNER: A bill (H. R. 20162) granting a pension to Elizabeth M. Cooper; to the Committee on Invalid Pensions.

Also, a bill (H. R. 20163) granting an increase of pension to Vanzandt E. Smith; to the Committee on Invalid Pensions.

By Mr. GOULDEN: A bill (H. R. 20164) granting an increase of pension to Hugh Mahon; to the Committee on Invalid Pensions.

By Mr. HAMILTON of New York: A bill (H. R. 20165) granting a pension to Louise (Jones) Nesmith; to the Committee on Invalid Pensions.

Also, a bill (H. R. 20166) granting an increase of pension to Charles O. Manley; to the Committee on Invalid Pensions.

By Mr. HENSLEY: A bill (H. R. 20167) granting an increase of pension to Austin Williams; to the Committee on Invalid Pensions.

By Mr. LANGLEY: A bill (H. R. 20168) granting an increase of pension to Henry C. Sowards; to the Committee on Invalid Pensions.

By Mr. LEWIS of Pennsylvania: A bill (H. R. 20169) granting a pension to Edward J. Hart; to the Committee on Invalid Pensions.

By Mr. MAPES: A bill (H. R. 20170) granting a pension to Maria A. Taylor; to the Committee on Invalid Pensions.

Also, a bill (H. R. 20171) granting a pension to Susannah Wells; to the Committee on Invalid Pensions.

Also, a bill (H. R. 20172) granting an increase of pension to Thomas J. Owen; to the Committee on Invalid Pensions.

By Mr. MORGAN of Oklahoma: A bill (H. R. 20173) granting an increase of pension to William T. Bogert; to the Committee on Pensions.

Also, a bill (H. R. 20174) granting an increase of pension to John W. Johnson; to the Committee on Invalid Pensions.

By Mr. POWERS: A bill (H. R. 20175) granting a pension to William N. Frost; to the Committee on Pensions.

By Mr. RAUCH: A bill (H. R. 20176) granting a pension to Teresa O'Brien; to the Committee on Invalid Pensions.

Also, a bill (H. R. 20177) granting an increase of pension to Cyrus S. White; to the Committee on Invalid Pensions.

Also, a bill (H. R. 20178) granting an increase of pension to Charles W. Hyde; to the Committee on Invalid Pensions.

By Mr. REED: A bill (H. R. 20179) granting an increase of pension to David Bickford; to the Committee on Invalid Pensions.

By Mr. RUBEY: A bill (H. R. 20180) granting an increase of pension to Clarinda Shields; to the Committee on Invalid Pensions.

By Mr. RUCKER: A bill (H. R. 20181) granting a pension to John T. Burriss; to the Committee on Invalid Pensions.

By Mr. SCULLY: A bill (H. R. 20182) granting an increase of pension to Fannie J. B. Kelly; to the Committee on Invalid Pensions.

By Mr. SMITH of New York: A bill (H. R. 20183) granting an increase of pension to William H. Wright; to the Committee on Invalid Pensions.

By Mr. STEVENS of New Hampshire: A bill (H. R. 20184) granting a pension to Alpheus C. Richardson; to the Committee on Invalfd Pensions.

By Mr. TAVENNER: A bill (H. R. 20185) granting a pension to Isadora M. Roney; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By the SPEAKER (by request): Petition of sundry citizens and organizations in the State of Massachusetts, favoring national prohibition; to the Committee on Rules.

Also, petition of citizens of the State of Connecticut, favoring national prohibition; to the Committee on Rules.

Also (by request), memorial of Rising Sun Lodge, No. 81, International Order Good Templars, of Lake Hall, Fla.; Order of Good Templars, of La Grange; 8 citizens and Order Good Templars, of Chicago Heights, Ill.; Lodge No. 18, Order of Good Templars, of St. Louis, Mo., and New York District Epworth League, favoring national prohibition; to the Committee on Rules.

By Mr. AINEY: Petition of 2,000 people in mass meeting at Towanda; 90 citizens of Troy Township, Bradford County; 31 citizens of West Burlington, Bradford County; Ministerial Association of Southern Wayne County; churches in Thompson, Starrucca, and Ararat; 235 members of Methodist Episcopal Church, Tunkhannock; 150 people of church and Sunday school, Hamlin; Baptist Church, Gillett; Baptist Church, Fassett; Methodist Episcopal Church, White Mills; Methodist Episcopal Church, Camptown; Methodist Episcopal Church, Little Meadows; Central Methodist Episcopal Church, Honesdale; Methodist Episcopal Church, West Nicholson; Baptist Church, Mehoopany; Woman's Christian Temperance Union, Clifford; Woman's Christian Temperance Union, Tunkhannock; Woman's Christian Temperance Union, Great Bend, all in the State of Pennsylvania; Patriotic Order of Sons of America of Pennsylvania in convention assembled, and Ministerial Association, Waverly, N. Y., Sayre, and Athens, all favoring national constitutional prohibition; to the Committee on Rules.

By Mr. BAILEY: Petition of Calvary Methodist Episcopal Church, of Johnstown, and Presbyterian societies of Kensington, all in the State of Pennsylvania, favoring national prohibition; to the Committee on Rules.

Also, petition of business men of Barnesboro, Pa., favoring passage of House bill 5308, taxing mail-order houses; to the Committee on Ways and Means.

By Mr. BARTHOLDT: Papers to accompany House bill 811, for relief of Eulalie Shores; to the Committee on War Claims.

Also, papers to accompany House bill 11527, for relief of Sarah J. Brady; to the Committee on War Claims.

Also, petition of M. Goettler Hat Co., Otto F. Stifel, H. Hayer, William Lothman, of St. Louis, Mo., favoring House bill 5139, the civil-service retirement bill; to the Committee on Reform in the Civil Service.

By Mr. BELL of California: Memorial of Chamber of Commerce of Los Angeles, Cal., favoring House joint resolution to create national marketing commission; to the Committee on Rules.

By Mr. DALE: Petition of Chamber of German-American Commerce, New York, and citizens of Philadelphia, Pa., relative to embargo upon all contrabands of war, etc.; to the Committee on Foreign Affairs.

Also, petition of Philip Hess, of New York, relative to proper armament for our national protection; to the Committee on Rules.

Also, petition of Broadway Board of Trade, Brooklyn, N. Y., favoring passage of the Hamill bill (H. R. 5139); to the Committee on Reform in the Civil Service.

By Mr. DANFORTH: Petition of citizens' Temperance League of Orleans County, N. Y., favoring national prohibition; to the Committee on Rules.

Also, petitions of Bartholomay Brewing Co., of Rochester, N. Y.; Manufacturers and Dealers' League of New York, N. Y.; and International Union of United Brewery Workmen of Cincinnati, Ohio, against national prohibition; to the Committee on Rules.

By Mr. DRUKKER: Petition of citizens and churches of New Jersey, favoring national prohibition; to the Committee on Rules.

By Mr. EAGAN: Petitions of the Jersey City (N. J.) German Liquor Association, protesting against national prohibition; to the Committee on Rules.

Also, petition of the German Baptist Church and Sunday School and Sunday School of the First Baptist Church of Union Hill, N. J., favoring national prohibition; to the Committee on Rules.

Also, memorial of Philadelphia Branch of the National German-American Alliance, relative to embargo upon all contraband of war, etc.; to the Committee on Foreign Affairs.

By Mr. Esch: Papers in support of H. R. 19822, granting a pension to George W. Stanford; to the Committee on Invalid Pensions.

By Mr. FOSTER: Petition of citizens and church organizations of the State of Illinois, favoring national prohibition; to the Committee on Rules.

By Mr. GALLIVAN: Petition of citizens of the State of Massachusetts favoring national prohibition; to the Committee on Rules.

By Mr. GARNER: Petitions of Philadelphia (Pa.) Branch of the National German-American Alliance and the Texas Staats Verland German-American National Alliance, favoring passage of a law by Congress forbidding the export of arms and ammunition from the United States to any warring nation; to the Committee on Military Affairs.

By Mr. GERRY: Petitions of East Greenwich Woman's Christian Temperance Union; Rhode Island State Grange; Oaklawn Baptist Church; Clarence W. Williams, of Cranston, R. I.; Scituate Woman's Christian Temperance Union; Advent Sunday School, of North Scituate, R. I.; Pentecostal Church and Sunday School of North Scituate, R. I.; Thames Street Methodist Episcopal Church, of Newport, R. I.; Mrs. Robert H. Wilson, of Olneyville, R. I.; and First Baptist Church of East Greenwich, R. I., urging the passage of legislation providing for national prohibition; to the Committee on Rules.

By Mr. GILLETT: Petitions of citizens of the second district of Massachusetts, favoring an amendment to the national Constitution for the establishment of prohibition; to the Committee on Rules.

By Mr. GILMORE: Petition of the Federal Council of the Churches of Christ in America, favoring an adequate oriental policy; to the Committee on Foreign Affairs.

Also, petition of citizens of Brockton, Whitman, Readville, Abington, Braintree, Weymouth, Stoughton, Quincy, Wollaston, Hyde Park, Rockland, East Bridgewater, and Foxboro, Mass., favoring national prohibition; to the Committee on Rules.

By Mr. GRAHAM of Pennsylvania: Memorial of Reformed Ministerial Association, favoring national prohibition; to the Committee on Rules.

Also, memorial of the Federal Council of the Churches of Christ in America, relative to the taking up of the whole immigration question; to the Committee on Immigration and Naturalization.

By Mr. GUERNSEY: Petitions from sundry citizens of Garland, Passadumkeag, Guilford, Mattawamkeag, and Dexter, Me., urging passage of House joint resolution 277 for national prohibition; to the Committee on Rules.

By Mr. HAMILTON of New York: Affidavits to accompany H. R. 20066, granting a pension to George Peck; to the Committee on Invalid Pensions.

Also, affidavits to accompany H. R. 16494, granting an increase of pension to Johnson M. May; to the Committee on Invalid Pensions.

By Mr. HINDS: Petitions of citizens and church organizations of the State of Maine, favoring national prohibition; to the Committee on Rules.

Also petition of laundrymen of Portland, Me., for more effective enforcement of existing laws for the exclusion of laboring Chinese; to the Committee on Immigration and Naturalization.

By Mr. KEISTER: Petition of Catholic Knights of America, protesting against treatment of the Catholics in Mexico; to the Committee on Foreign Affairs.

Also, petition of 452 citizens of Beatty, Pa., against the use of the United States mails by certain anti-Catholic publications; to the Committee on the Post Office and Post Roads.

Also, petition of 100 citizens of Latrobe, Pa., against use of United States mails by anti-Catholic publications; to the Committee on the Post Office and Post Roads.

By Mr. KENNEDY of Rhode Island: Petitions from the Sunday School of Congregational Church, Central Falls; Sunday School of Baptist Church, Valley Falls; Rev. J. H. Trenberth, Valley Falls; Clarence E. Williams, Cranston; Rhode Island State Grange; Frances E. Willard Woman's Christian Temperance Union, Woonsocket; and official board of Thames Street Methodist Episcopal Church, Newport, all in the State of Rhode Island, favoring national prohibition; to the Committee on Rules.

By Mr. LANGLEY: Petition of C. S. Bowman and others, of Hazard, Ky., and Rev. J. W. Crow and others, of Jenkins, Ky., favoring national prohibition; to the Committee on Rules.

By Mr. McCLELLAN: Petition of Joseph W. Casey and 61 residents of Liberty, N. Y., and Carolina R. Davies and 26 other residents of Sloansville, N. Y., for the passage of Hobson-Sheppard resolution; to the Committee on Rules.

Also, indorsement of Sheppard-Hobson resolution by First Summit Baptist Church, Charlotteville; First Methodist Episcopal Church, Middleburg; Methodist Episcopal Church, Livingston Manor; Reformed Church, Tillson; Friends' Church, Tillson; West Fulton Baptist Church, West Fulton; St. James Methodist Episcopal Church, Kingston; four Christian Endeavor Societies, Howes Cove, representing 150 people; Methodist Episcopal Church, Grahamville; and Union Churches, Hensonville, all in the State of New York; to the Committee on Rules.

Also, petitions of Elias P. Osterhoudt and 26 residents of Accord; Charlotteville Baptist Church, Charlotteville; New Paltz Dutch Reformed Church; W. L. Comstock, Hensonville; Le Roy Rowley, Stephen Westfall, John S. Sweet, W. Irving Grosvenor, and Silas Nostrant, Sloansville, all in the State of New York, favoring passage of Sheppard-Hobson resolution; to the Committee on Rules.

By Mr. MAHAN: Petitions of 60 citizens of Andover, 70 citizens of Hebron, and 41 citizens of Lebanon, all in the State of Connecticut, favoring national prohibition; to the Committee on Rules.

By Mr. MAPES: Petitions of sundry orders of Good Templar lodges and citizens of the State of Michigan, favoring national prohibition; to the Committee on Rules.

By Mr. MITCHELL: Petition of citizens of Needham, Waltham, Newton, Auburndale, Allston, Brookline, Medfield, Southville, Framingham, Marlboro, Boston, Natick, Wayland, Walpole, Dover, Plainville, Millis, Bellingham, Medway, and West Medway, all in the State of Massachusetts, favoring national prohibition; to the Committee on Rules.

By Mr. J. I. NOLAN: Protest of Jones, Mundy & Co., San Francisco, Cal., against the passage of the Hobson nation-wide prohibition resolution; to the Committee on Rules.

By Mr. O'SHAUNESSY: Petition of Branch No. 330, Catholic Knights of America, relative to the publication called the Menace circulating through the United States mails; to the Committee on the Post Office and Post Roads.

By Mr. PAIGE of Massachusetts: Petitions of citizens of the State of Massachusetts, favoring national prohibition; to the Committee on Rules.

By Mr. PETERS: Petitions from sundry citizens of St. Albans, Burnham, Fayette, Lubec, and Orland, all in the State of Maine, urging national constitutional prohibition; to the Committee on Rules.

By Mr. POWERS: Petitions of Marrowbone, Cumberland County, Ky.; Baptist Church, Broadhead, Rockcastle County, Ky.; Freedom Baptist Church, Spiro, Rockcastle County, Ky.; sundry citizens of Rockcastle County, Wayne County, and Marrowbone, Cumberland County, Ky.; Sabbath School, Marrowbone, Cumberland County, Ky.; Baptist Church, Marrowbone, Cumberland County, Ky.; and patrons of Spann post office, Wayne County, Ky., favoring national constitutional prohibition; to the Committee on Rules.

Also, papers to accompany a bill granting a pension to William N. Frost; to the Committee on Pensions.

Also, petition of sundry citizens of Kentucky, favoring national prohibition; to the Committee on Rules.

By Mr. REILLY of Connecticut: Petition of citizens of Connecticut, favoring national prohibition; to the Committee on Rules.

By Mr. SCULLY: Petitions in favor of the Hobson resolution for nation-wide prohibition from Methodist Episcopal Church, Greenville; Methodist Episcopal Church, Herbertsville; First Baptist Church, Marlboro; First Presbyterian Church, Cranbury; Second Methodist Episcopal Church, Asbury Park; First Baptist Church, Red Bank; First Baptist Church, South Amboy; Methodist Episcopal Church, Belford; First Baptist Church, Allentown; the Reformed Church, Metuchen; First Presbyterian Church, Long Branch; Methodist Episcopal Church, Toms River; West Grove Methodist Episcopal Church, Asbury Park; the Dutch Arms Club, First Reformed Church, Red Bank; Epworth League, Manahawkin; First Methodist Church, Tuckerton; Presbyterian Church, Dayton; the Methodist Church, Allentown; Presbyterian Church, Barnegat; Presbyterian Church, Atlantic Highlands; First Baptist Church, Freehold; Methodist Episcopal Church, West Creek; Methodist Episcopal Church, Woodbridge; the S. B. D. Church, New Market; the First Baptist Church, New Market; First Baptist Church, Perth Amboy; Baptist Church, Manahawkin; First Methodist Episcopal Church, Red Bank; St. Paul's Church, Ocean Grove; St. John's Methodist Episcopal Church, Keyport; Woman's Christian Temperance Union, Manahawkin; Methodist Episcopal Church, Milltown; Methodist Episcopal Church, Lakewood; Methodist Episcopal Church, Highlands; Methodist Episcopal Sunday School, Highlands; Herbert Gettins, manufacturer, New Brunswick; Epworth League, Cedar Run; Methodist Sunday School, Cedar Run; the New Monmouth Baptist Church, Keyport; Methodist Sunday School, Manahawkin; Simpson Methodist Episcopal Church, Perth Amboy; First Methodist Episcopal Church, Long Branch; Manahawkin and Cedar Run Methodist Episcopal Church, Manahawkin; the Junior Epworth League, Manahawkin; and W. A. French & Co., Red Bank, all in the State of New Jersey; to the Committee on Rules.

Also, telegram signed by the following citizens of Red Bank, N. J., against the Hobson resolution: W. A. French & Co., A. M. Minton, Charles E. Johnson, Oliver Sutphen, H. A. Hawkins, W. J. Poulson, and H. Holseppe; to the Committee on Rules.

By Mr. STEPHENS of California: Petition of Los Angeles (Cal.) Chamber of Commerce, favoring House joint resolution 344, for a national marketing commission; to the Committee on Agriculture.

Also, petition of citizens of Los Angeles and San Francisco, Cal., against national prohibition; to the Committee on Rules.

Also, petition of citizens and churches of Sawtelle, Los Angeles, and Whittier, Cal., favoring national prohibition; to the Committee on Rules.

By Mr. TAVENNER: Petition of the Greater Moline Committee, of Moline, Ill., favoring the Gardner resolution to investigate the unpreparedness of the United States for war; to the Committee on Military Affairs.

By Mr. THACHER: Petitions of sundry citizens of Orleans, Hanson, Cotuit, Tisbury, Fairhaven, Bournedale, Falmouth, Cohasset, East Wareham, Middleboro, Nantucket, Gay Head, Bridgewater, Hingham, and New Bedford, all in the State of Massachusetts, for passage of House joint resolution 168, for national prohibition; to the Committee on Rules.

By Mr. UNDERHILL: Petition of National Electrical Contractors' Association, favoring change in postal rates; to the Committee on the Post Office and Post Roads.

Also, petition of Western Association of Short Line Railroads, protesting against the passage of House bill 17042, relative to change in basis of mail transportation; to the Committee on the Post Office and Post Roads.

By Mr. WALLIN: Petition of various churches and citizens of the thirtieth district of New York, favoring national prohibition; to the Committee on Rules.

Also, petition of Ministerial Association of Amsterdam, N. Y., favoring House bill 5139, the civil-service retirement bill; to the Committee on Reform in the Civil Service.

By Mr. WILLIS: Memorial of Woman's Christian Temperance Union of Crawford County, Ohio, favoring national prohibition; to the Committee on Rules.

Also, petition of Ohio Millers' State Association, favoring passage of House bill 4322, favoring 1-cent letter postage; to the Committee on the Post Office and Post Roads.

By Mr. WINSLOW: Petition of citizens of the State of Massachusetts, favoring national prohibition; to the Committee on Rules.

SENATE.

SATURDAY, *December 19, 1914.*

The Chaplain, Rev. Forrest J. Prettyman, D. D., offered the following prayer:

Almighty God, as Thou dost open the portals of this new day bid us to enter with the high resolve of Christian statesmen. Our Lord has taught us, in the midst of our care for the welfare of the people, that if we seek first the kingdom of God and His righteousness all these things will be added unto us. No one has ever questioned His wisdom as to the plan of life. No one can doubt His knowledge of the divine philosophy of life. So may we enter upon the duties of this day, keeping before us the interests of the everlasting kingdom that our Nation, established in righteousness, may receive the blessings of the covenant-keeping God. For Christ's sake. Amen.

The Journal of yesterday's proceedings was read and approved. RECORD will be corrected accordingly.

EXPORTATION OF MUNITIONS OF WAR (S. DOC. NO. 660).

The VICE PRESIDENT. The Chair lays before the Senate a communication from the Secretary of Commerce, transmitting, in response to a resolution of the 7th instant, information relative to the exportation of arms and munitions of war from the United States to the belligerent nations abroad and relative to contracts with American concerns for the manufacture of arms and the munitions of war.

Mr. HITCHCOCK. In view of the fact that the statement is not complete and will be supplemented by an additional statement later on, and in view of the fact that at that time I shall desire probably to make some remarks, I ask that the communication may be printed and lie on the table subject to call.

The VICE PRESIDENT. Is there objection? The Chair hears none, and it is so ordered.

CREDENTIALS.

Mr. McCUMBER presented the credentials of ASLE J. GRONNA, chosen by the electors of the State of North Dakota a Senator from that State for the term beginning March 4, 1915, which were read and referred to the Committee on Privileges and Elections.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by J. C. South, its Chief Clerk, announced that the House had passed a bill (H. R. 19909) making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1916, and for other purposes, in which it requested the concurrence of the Senate.

ENROLLED BILL SIGNED.

The message also announced that the Speaker of the House had signed the enrolled bill (S. 94) to amend an act entitled "An act to codify, revise, and amend the laws relating to the judiciary," approved March 3, 1911, and it was thereupon signed by the Vice President.

PETITIONS AND MEMORIALS.

Mr. CRAWFORD presented a petition of 16 citizens of Herrick, S. Dak., praying for national prohibition, which was referred to the Committee on the Judiciary.

Mr. GRONNA. Mr. President, I do not wish unnecessarily to burden the RECORD with the printing of a number of resolutions or petitions, but as the petitions I now present have reference to the Sheppard-Hobson prohibition amendment now pending before the Senate, I ask to have them printed in the RECORD.

There being no objection, the petitions were ordered to be printed in the RECORD, as follows:

COURTENAY, N. DAK., *December 12, 1914.*

Hon. A. J. GRONNA,
Washington, D. C.

DEAR SIR: We, the undersigned, respectfully petition you to support and urge the passage of the Sheppard-Hobson resolution for national prohibition.

H. THEO. NELSON.
JOSEPH NELSON.
O. T. FOSHOLDT.
G. A. HAGGBERG.
W. F. STEINWAY.
THEO. NELSON.
A. H. SARERUD.
GEO. S. BERG.
ROLLEF BERG.
GEORGE E. BERG.

Hon. A. J. GRONNA,
United States Senator from North Dakota, Washington, D. C.

DEAR SIR: We, the undersigned residents of Ellendale, N. Dak., and voters of this State and county, hereby earnestly request you to support by your vote and all the influence in your power the Sheppard-Hobson resolution for national constitutional prohibition.

AUGUST BAUER.
J. C. LANTZ.
L. W. SULLIVAN.
C. S. WICKERSHAM.
G. C. REAMES.

ELLENDALE, N. DAK., *December 14, 1914.*

Hon. A. J. GRONNA,
United States Senator from North Dakota,
Washington, D. C.

DEAR SIR: We, the undersigned residents of Ellendale, N. Dak., and voters of this State and county, hereby earnestly request you to support by your vote and all the influence in your power the Sheppard-Hobson resolution for national constitutional prohibition.

FRED WALZ.
NEWELL FOWLER.
JAY A. HAWR.
W. G. BOWERS.
R. J. HUTSINPILLER.

ELLENDALE, N. DAK., *December 14, 1914.*

Hon. A. J. GRONNA,
United States Senator from North Dakota,
Washington, D. C.

HONORABLE SIR: We, the undersigned residents of Ellendale, N. Dak., urgently request you to support with your vote and all the influence in your power the Sheppard-Hobson resolution for national constitutional prohibition.

Earnestly, yours,

MRS. HUTSINPILLER.
GEO. WM. COOPER.
FANNY CRAWFORD.
ANNA VAN HORN.
MRS. G. W. COOPER.
JENNIE MARTIN.
MRS. ELLA LANE.

ELLENDALE, N. DAK., *December 14, 1914.*

Hon. A. J. GRONNA,
United States Senator from North Dakota,
Washington, D. C.

HONORABLE SIR: We, the undersigned residents of Ellendale, N. Dak., urgently request you to support with your vote and all the influence in your power the Sheppard-Hobson resolution for national constitutional prohibition.

Earnestly, yours,

AUGUST BAUER.
B. ROSENTHAL.
D. T. YOUKER.
ERNEST WOOD.
EDNA M. HARRIS.
HARRIET EDGERLY.
OLIVE JOHNSON.
GEORGE W. COOPER.

BEACH, N. DAK., *December 13, 1914.*

Mr. A. J. GRONNA, *Washington, D. C.*

HONORABLE SIR: I carefully read the resolution below to the Epworth League at our Sunday evening devotional meeting, December 13 instant, and on putting the same to a rising vote the resolution carried with no exception. There were 29 present and voting yes:

"*Resolved*, That we heartily indorse the Sheppard-Hobson bill for national constitutional prohibition."

Personally I think that there is no more important issue before our Congress upon which it should pass in the affirmative, and I hereby request that you will do all in your power to aid the passage of this bill.

Respectfully, yours,

R. E. WALKER, *President.*

BEACH, N. DAK., *December 14, 1914.*

Mr. A. J. GRONNA, *Washington, D. C.*

HONORABLE SIR: At a regular Sunday meeting of the members and friends of Beach Methodist Episcopal Church, held Sunday, December 13, the following resolution was carefully read to the congregation:

"*Resolved*, That we heartily indorse the Sheppard-Hobson bill for national constitutional prohibition now before the United States Congress."

On asking for a rising vote of the congregation, numbering 25 persons, the resolution carried with no exceptions.

I heartily indorse the resolution, and ask that you will do all in your power to make the same effective.

Yours, respectfully,

F. W. GRESS, *Pastor.*

ELLENDALE, N. DAK., *December 14, 1914.*

Hon. A. J. GRONNA,
United States Senator from North Dakota.

DEAR SIR: At a meeting held in the Methodist Episcopal Church, Ellendale, N. Dak., a large congregation of people unanimously passed the following resolution:

"That we urgently request our United States Senators and Representatives in Congress assembled to support by vote and all the influence in their power the Sheppard-Hobson resolution for national constitutional prohibition."

The resolution was passed with marked feeling and great enthusiasm.

Yours, respectfully,

G. W. COOPER.

To the United States Senate:

We, the undersigned citizens of Mountain, State of North Dakota, earnestly petition for the speedy passage of Senate joint resolution 88, by Mr. SHEPPARD, of Texas, proposing an amendment to the Constitution of the United States for nation-wide prohibition of the beverage traffic in intoxicating liquors.

K. K. Olafson, Oscar Herney, M. J. Jonasson, Evan Hunnason, H. H. Reykjalin, S. H. Hjaltalin, John Thordarson, Mrs. J. Thordarson, Vigfus Hallson, Elen Hallson, E. Thorwaldson, Mrs. E. Thorwaldson, U Steenolfson, J. J. Halldorson, Laura Gudmundson, Ami V. Johnson, Bogga S. Johnson, Margaret Halldorson, H. F. Bjarnoson, Mrs. Th. Halldorson, O. M. Olason, Mrs. O. M. Olason, Mrs. Wm. Heyerman, Wm. Hyerman, Osk Johnson, Th. Johnson, Mrs. M. F. Björnson, Sigurgeir Björnson, Mrs. S. Björnson, F. Björnson, Mrs. Svein Thorwaldson, Runa Thomason, Mrs. Stefan Thomason, Stefan Thomason, Mrs. Elizabeth Hillman, Silvia Johnson, Gudjon Olafson, John C. Lynge, Kristin J. Lynge, Franz Sophusson, Oct. Leifur.

Mr. WORKS presented petitions of members of sundry church organizations of the District of Columbia, praying for the enactment of legislation for prohibition in the District of Columbia, which were referred to the Committee on the District of Columbia.

Mr. GALLINGER presented the memorial of L. E. C. Story, of Claremont, N. H., remonstrating against appropriations being made for war purposes, which was referred to the Committee on Military Affairs.

He also presented petitions of the New Hampshire Sunday School Association, representing 57,000 people, of Franklin; of the congregation and Bible School of the Curtis Memorial Free Baptist Church, of Concord; of the congregation of St. Paul's Methodist Episcopal Church, of Manchester; of the congregation and Sunday School of the First Methodist Episcopal Church of Littleton; and of 24 citizens of Gonic, all in the State of New Hampshire, praying for national prohibition, which were referred to the Committee on the Judiciary.

Mr. MYERS presented a petition of the Epworth League of the Methodist Episcopal Church of Harlowton, Mont., praying for national prohibition, which was referred to the Committee on the Judiciary.

He also presented a telegram in the nature of a memorial from Local Union No. 104, United Brewery Workers, of Butte, Mont., remonstrating against national prohibition, which was referred to the Committee on the Judiciary.

Mr. NELSON presented petitions of members of the Paulian Bible Class and of 750 other citizens, all of Minneapolis, in the State of Minnesota, praying for national prohibition, which were referred to the Committee on the Judiciary.

Mr. THOMAS presented an affidavit in support of the bill (S. 6956) granting a pension to Victoria S. Day, which was referred to the Committee on Pensions.

Mr. BURLEIGH presented petitions of sundry citizens of Biddeford and Rockland, in the State of Maine, praying for national prohibition, which were referred to the Committee on the Judiciary.

Mr. SHIVELY presented petitions of N. F. Wilson, George T. Whitaker, and sundry other voters of Dunkirk; of the West Grove Meeting of Friends, of Westfield; of the Friends Church, of Noblesville; of the Syracuse Mission, of Syracuse; of J. J. Prettow, president of a mass meeting held at Winchester; of the M. E. Church, of Newbern; of the First Methodist Church, of Princeton; of the Associated Christian Workers, of Fort Wayne; and of the Church of Christ, of Indiana Harbor; all in the State of Indiana, praying for national prohibition, which were referred to the Committee on the Judiciary.

BILLS AND JOINT RESOLUTION INTRODUCED.

Bills and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. CRAWFORD:

A bill (S. 6997) granting an increase of pension to Clarence C. Tritle (with accompanying papers); to the Committee on Pensions.

By Mr. THOMPSON:

A bill (S. 6998) granting an increase of pension to William Dickerson (with accompanying papers); to the Committee on Pensions.

By Mr. WORKS:

A bill (S. 6999) to provide homes for Confederate Veterans of the Civil War; to the Committee on Military Affairs.

By Mr. JONES:

A bill (S. 7000) granting an increase of pension to Eli Samson (with accompanying papers); and

A bill (S. 7001) granting an increase of pension to Sarah A. Welliever (with accompanying papers); to the Committee on Pensions.

A bill (S. 7002) for the relief of J. G. Seupelt; to the Committee on Indian Affairs.

By Mr. CLAPP:

A bill (S. 7003) granting an increase of pension to Mary E. Clark; to the Committee on Pensions.

By Mr. WARREN:

A bill (S. 7004) for the relief of Edward B. Fox, administrator of the last surviving partner of the firm of Child, Pratt & Fox; to the Committee on Claims.

By Mr. JAMES:

A bill (S. 7005) granting an increase of pension to Joana Boone (with accompanying paper); to the Committee on Pensions.

By Mr. SHIVELY:

A bill (S. 7006) granting an increase of pension to Fletcher N. Wilson;

A bill (S. 7007) granting a pension to Joseph L. Addison;

A bill (S. 7008) granting an increase of pension to George W. Barger;

A bill (S. 7009) granting an increase of pension to John Miller;

A bill (S. 7010) granting an increase of pension to William H. Taylor;

A bill (S. 7011) granting an increase of pension to Hugh Harbinson;

A bill (S. 7012) granting an increase of pension to Edward M. Booe; and

A bill (S. 7013) granting an increase of pension to Theodore Luther; to the Committee on Pensions.

By Mr. SHERMAN:

A bill (S. 7014) granting a pension to Charles M. Williams; to the Committee on Pensions.

By Mr. THORNTON:

A joint resolution (S. J. Res. 214) authorizing the Secretary of Commerce to postpone the sale of certain sealskins (with accompanying paper); to the Committee on Fisheries.

LEAVE OF ABSENCE.

Mr. THOMAS. Mr. President, I ask unanimous consent that leave of absence be granted me from attendance on the sessions of the Senate until the 29th of this month.

The VICE PRESIDENT. Without objection, the request of the Senator from Colorado will be granted.

HOUSE BILL REFERRED.

H. R. 19909. An act making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1916, and for other purposes, was read twice by its title and referred to the Committee on Appropriations.

REGULATION OF IMMIGRATION.

The VICE PRESIDENT. The morning business is closed.

Mr. SMITH of South Carolina. Mr. President, at the conclusion of the business yesterday I gave notice that I would make an effort this morning to have a day certain fixed for the final disposition of the pending unfinished business; and I now ask that on January 4 the bill be taken up immediately after the conclusion of the morning business, and that at not later than 3 o'clock on that day the Senate shall proceed to the consideration of amendments without debate and to a final disposition of the bill on that day. I make that request for unanimous consent.

The VICE PRESIDENT. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst	Gallinger	Oliver	Smith, S. C.
Borah	Gronna	Overman	Smoot
Brandegee	Hitchcock	Page	Sterling
Bryan	James	Perkins	Stone
Burleigh	Johnson	Poindexter	Sutherland
Burton	Jones	Ransdell	Swanson
Camden	Kenyon	Reed	Thomas
Catron	Kern	Robinson	Thompson
Chamberlain	Lane	Root	Thornton
Chilton	Lea, Tenn.	Saulsbury	Townsend
Clapp	Lee, Md.	Shafroth	Vardaman
Clark, Wyo.	Lippitt	Sheppard	Walsh
Crawford	Lodge	Sherman	Warren
Culberson	McCumber	Smith, Ariz.	Works
Dillingham	Martine, N. J.	Smith, Ga.	
Fletcher	O'Gorman	Smith, Md.	

The VICE PRESIDENT. Sixty-two Senators have answered to the roll call. There is a quorum present.

Mr. SMITH of South Carolina. I ask that the Secretary may read the proposed agreement.

The VICE PRESIDENT. The Secretary will state it.

The Secretary read as follows:

It is agreed by unanimous consent that on Monday, January 4, 1915, immediately upon the conclusion of the routine morning business, the Senate will proceed to the consideration of the bill (H. R. 6060) to regulate the immigration of aliens to and the residence of aliens in the United States, and that at not later than 3 o'clock p. m. on that day the Senate will proceed, without further debate, to vote upon any amendment that may be pending, any amendments that may be offered, and upon the bill, through the regular parliamentary stages, to its final disposition.

Mr. O'GORMAN. Mr. President, I do not think the discussion on this bill has sufficiently advanced to warrant the Senate at this time in arbitrarily fixing a day when we shall proceed to a vote. In view of that circumstance, I must withhold my consent from the request.

Mr. SMITH of South Carolina. Mr. President, I have used every means in trying to get a certain day fixed, and in view of the fact that there seems to be a disposition not to allow that,

I move that the Senate proceed to the consideration of the unfinished business.

Mr. STONE. Mr. President——

The VICE PRESIDENT. The pending question is, Will the Senate proceed to the consideration of the bill (H. R. 6060) to regulate the immigration of aliens to and the residence of aliens in the United States?

Mr. STONE. I desire to ask the Senator from South Carolina a question before the vote is taken. I am not in any wise seeking to delay the consideration of this measure. I shall resort to no obstructive methods to delay its consideration.

Mr. BRANDEGEE. Mr. President, I am somewhat interested in what may be proceeding, and I should like to hear.

Mr. STONE. I am opposed especially to what is known as the literacy clause or clauses of the bill. There are other provisions in it that I would like to see changed somewhat.

Mr. SMITH of South Carolina. I would just like to suggest to the Senator from Missouri, if he wishes to ask me a question, I would be glad to answer, if I am able to do so, but I would prefer that we should now vote upon the motion I have made.

Mr. STONE. If the Senator does not care to hear my question and the reason why I propounded it, I will take my seat.

Mr. SMITH of South Carolina. No; I will be very glad to hear the question.

Mr. STONE. Then I ask the Senator to restrain his impatience until I propound it. I say that I have some objections to the bill outside of the one to which I have referred. I imagine that the chief objection of all Senators to the measure is predicated upon the provision of the bill relating to the literacy test.

Mr. BRANDEGEE. Mr. President, I rise to a point of order.

The VICE PRESIDENT. The Senator from Connecticut will state his point of order.

Mr. BRANDEGEE. Inasmuch as Senators will not speak so that anyone can hear them except those on the other side of the Chamber, the point of order is that there being a motion to proceed to the consideration of a certain bill debate is out of order.

The VICE PRESIDENT. Debate is undoubtedly out of order.

Mr. LODGE. Let us have the regular order, then.

The VICE PRESIDENT. The question is, Will the Senate proceed to the consideration of House bill 6060? [Putting the question.] The ayes seem to have it.

Mr. TOWNSEND. I call for the yeas and nays.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. TOWNSEND (when the name of Mr. SMITH of Michigan was called). The senior Senator from Michigan [Mr. SMITH] is absent from the city and is paired with the junior Senator from Missouri [Mr. REED.] This announcement may stand for all votes to-day.

Mr. SUTHERLAND (when his name was called). I am paired with the Senator from Arkansas [Mr. CLARKE]. On account of his absence I will withhold my vote.

The roll call was concluded.

Mr. KERN. I desire to announce the unavoidable absence of my colleague [Mr. SHIVELY].

Mr. CULBERSON (after having voted in the affirmative). I have a general pair with the Senator from Delaware [Mr. DU PONT], who has not voted. Consequently I withdraw my vote.

Mr. REED. I have a pair with the Senator from Michigan [Mr. SMITH]. That pair is effective when either of us is absent from the city. The Senator from Michigan is absent, and in his absence I withhold my vote.

Mr. JAMES (after having voted in the affirmative). I have a general pair with the junior Senator from Massachusetts [Mr. WEEKS], which I transfer to the senior Senator from Oklahoma [Mr. GORE], and will allow my vote to stand.

Mr. VARDAMAN (after having voted in the affirmative). I voted inadvertently a moment ago. I have a general pair with the junior Senator from Idaho [Mr. BRADY]. I transfer that pair to the senior Senator from Nevada [Mr. NEWLANDS] and will let my vote stand.

Mr. GALLINGER. I desire to announce the pairs of the following Senators, who are necessarily absent:

The Senator from New Mexico [Mr. FALL] with the Senator from West Virginia [Mr. CHILTON];

The Senator from West Virginia [Mr. GOFF] with the Senator from South Carolina [Mr. TILLMAN];

The Senator from Connecticut [Mr. MCLEAN] with the Senator from Montana [Mr. MYERS]; and

The Senator from Pennsylvania [Mr. PENROSE] with the Senator from Mississippi [Mr. WILLIAMS].

The result was announced—yeas 50, nays 10, as follows:

YEAS—50.

Ashurst	Hitchcock	Page	Smith, Md.
Borah	Hughes	Perkins	Smith, S. C.
Bryan	James	Poindexter	Smoot
Burton	Johnson	Pomerene	Sterling
Camden	Jones	Robinson	Stone
Catron	Kenyon	Root	Swanson
Chamberlain	Kern	Saulsbury	Thompson
Crawford	La Follette	Shafroth	Thornton
Cummins	Lane	Sheppard	Vardaman
Dillingham	Lea, Tenn.	Shields	White
Fletcher	Lodge	Simmons	Works
Gallinger	Nelson	Smith, Ariz.	
Hardwick	Overman	Smith, Ga.	

NAYS—10.

Brandegee	McCumber	Ransdell	Warren
Clark, Wyo.	O'Gorman	Sherman	
Lippitt	Oliver	Townsend	

NOT VOTING—36.

Bankhead	du Pont	Martin, Va.	Shively
Brady	Fall	Martine, N. J.	Smith, Mich.
Bristow	Goff	Myers	Stephenson
Burleigh	Gore	Newlands	Sutherland
Chilton	Gronna	Norris	Thomas
Clapp	Hollis	Owen	Tillman
Clarke, Ark.	Lee, Md.	Penrose	Walsh
Colt	Lewis	Pittman	Weeks
Culberson	McLean	Reed	Williams

So the motion was agreed to; and the Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 6060) to regulate the immigration of aliens to and the residence of aliens in the United States.

Mr. TOWNSEND. Mr. President, we have just had a vote on the question of taking up the immigration bill. Yesterday that bill was considered by the Senate, and yet an adjournment was had a little after 4 o'clock. The Senator in charge of the bill has asked this morning for a vote on the measure on the 4th of January. That request was denied. It is known that a vote can not be taken before that time. The matter is to pend before the Senate, as I said yesterday, until an appropriation bill comes before us, when it will be displaced.

I voted against taking up the measure this morning, although I am in favor of an immigration bill. I voted against it because I know that such a bill will not be considered with a view of voting upon it to-day, and I felt that it was proper that a bill which the Senate has several times voted on and has several times expressed itself upon should come up for consideration with a possibility of disposing of it. It was for that reason that I voted "nay" on the motion to take up the immigration bill. I did so in the interest of the business of the Senate, with the hope that something might be done, and with a determination to do as much as I could to prevent the wasting of the time of the Senate on a matter upon which a vote is not expected to-day nor in the immediate future, if at all.

Mr. JONES. Mr. President, I have once or twice given notice that I would submit some remarks on a couple of resolutions. I have postponed my observations for various reasons which have seemed to me satisfactory. I am strongly in favor of the immigration bill, and will be glad to vote for it to-day or to-morrow or at any time when we can get an opportunity to do so. I would not do anything or take any time that would delay the passage of that measure; but it seems there is no prospect of that bill coming to a vote, and I do not believe, if I should take perhaps an hour of the Senate's time to-day, that it would postpone for one moment the final vote on that measure. I am satisfied that the Senator who has charge of the immigration bill is in earnest and is trying to get a vote; but that, of course, is a matter over which he has no control.

Mr. SMITH of South Carolina. Mr. President, if the Senator from Washington will allow me, I am rather of the opinion that the objection to fixing a day certain to vote upon this bill is not evidence of a disposition ultimately to defeat the bill, as indicated by the Senator from Michigan [Mr. TOWNSEND]. I think that by considering it, in due course of time, after the debate has been exhausted, we will reach a vote.

The Senator from Michigan has said that the bill he has been insisting upon being brought before the Senate is one that has been voted on from time to time. The Senator will not forget that practically the same bill now pending has twice passed the House with an overwhelming vote and twice passed the Senate with an overwhelming vote, so that I am rather of the opinion that the Senate is going to reach a vote on the immigration bill.

Now, if the Senator from Washington will allow me, this is as good a time as any other to serve notice on the Senate that if there shall come a time in the consideration of this bill when there is a movement made to substitute another bill in the position which this bill now occupies, those voting to set aside this

bill for any other bill will be voting to defeat the immigration bill, and the country can so understand. This measure is fairly before us on its merits, and if it is defeated it will be defeated by the so-called friends of the measure.

So far as I am concerned I am perfectly willing to allow those who under the rules of the Senate have given notice that they are going to make speeches not pertinent to the subject under consideration, to proceed; but I would prefer to go on with the debate and allow this bill, which ultimately, in my opinion, is going to reach a vote, to be acted upon as soon as possible.

Mr. JONES. Mr. President, I desire to ask the Senator if he thinks it would delay the ultimate vote on the bill if I should take half an hour of the time of the Senate this morning?

Mr. SMITH of South Carolina. No; I do not suppose it would, unless that half hour mathematically might be subtracted from the speech-making ability of those who wish to delay the bill.

Mr. JONES. That is what I thought, Mr. President. I am sincerely a friend of the immigration bill.

Mr. SMITH of South Carolina. I will interpose no objection to the Senator proceeding at this time.

DAMS OVER NAVIGABLE WATERS.

Mr. SHIELDS. Mr. President——

The VICE PRESIDENT. Does the Senator from Washington yield to the Senator from Tennessee?

Mr. JONES. Certainly, if I may be permitted to do so under the rules.

Mr. SHIELDS. Out of order, I desire to report from the Committee on Commerce House bill 16053, with an amendment in the nature of a substitute, being Senate bill 6413, and I submit a report (No. 846) thereon. It is a bill (H. R. 16053) to amend an act entitled "An act to regulate the construction of dams across navigable waters," approved June 21, 1906, as amended by the act approved June 22, 1910.

The VICE PRESIDENT. The Chair is compelled to call the attention of Senators to a breach of the rule that is becoming more common every day. The Chair refers to the second clause of Rule VII, which provides:

> It shall not be in order to interrupt a Senator having the floor for the purpose of introducing any memorial, petition, report of a committee, resolution, or bill. It shall be the duty of the Chair to enforce this rule without any point of order hereunder being made by a Senator.

For the last two or three months there has been absolutely no attention paid to that rule, and the Chair has not had the nerve to enforce it. The report presented by the Senator from Tennessee will be received, without objection; but, as the Senator from Utah [Mr. SMOOT] sometimes says, this will be the last time.

STANDING COMMITTEES OF THE SENATE.

Mr. JONES. Mr. President, the reason why I desire to consider for a brief time Senate resolution 398 and Senate joint resolution 163 is that I understand the Committee on Rules, which has jurisdiction of these subjects, expects to hold a meeting to-day, and I hope that I may make some suggestions that may aid them or lead them to consider these resolutions. Another reason is that we will have in the Senate the legislative appropriation bill from the House before very long, if it is not here now, and I hope that we will be able, when that bill is under consideration by the Appropriations Committee, to make some provision in it along the lines suggested in these resolutions. This will be fully warranted if the Committee on Rules should report some plan favorably.

One of the resolutions which I have introduced, Senate resolution 398, reclassifies the committees of the Senate, abolishes quite a number of the committees that we now have, and divides the remaining committees into two classes—first class and second class. In the first class there are nine committees, and they are designated as the Committee on Appropriations, the Committee on Commerce, the Committee on the District of Columbia, the Committee on Finance, the Committee on Foreign Relations, the Committee on Interstate Commerce, the Committee on the Judiciary, the Committee on Banking and Currency, and the Committee on Public Lands.

In the second class there are 16 committees. As their names appear in the resolution I will not take the time to read them. I think one or two of those committees could be combined, so as to reduce still further the number of committees.

In this resolution I also provide that each Senator shall be a member of one of the first-class committees, but no more, and that no Senator shall be a member of more than two of the second-class committees, and their membership shall not be more than 13.

Mr. CLARK of Wyoming. Mr. President, will it interrupt the Senator if I ask him a question?

Mr. JONES. Not at all.

Mr. CLARK of Wyoming. In making this classification I desire to ask the Senator whether he has proceeded upon the theory of the importance of the work intrusted to the committees or upon the theory of the work that each has to perform?

Mr. JONES. Largely upon the theory of the work the committees have to perform. Before going into the details of this matter I want to submit just a few general observations. In the interest of time I have reduced those observations to writing, because I have observed that where we talk without manuscript we are generally apt to take a great deal more time than we otherwise would take, and I do not want to delay any of these bills by any unnecessary talk.

Mr. KENYON. Mr. President——

The VICE PRESIDENT. Does the Senator from Washington yield to the Senator from Iowa?

Mr. JONES. Certainly.

Mr. KENYON. Has the Senator grouped the different committees into the classes of which he spoke?

Mr. JONES. Yes; I have just mentioned the committees of the first class, and there are 16 committees of the second class that appear in the resolution. I have not taken the time to read them.

Mr. KENYON. Are there third-class committees?

Mr. JONES. No; there are no third-class committees. The second class is low enough here.

It has been admitted on the floor of the Senate that the present system of committee assignment does not promote the efficient disposition of the business of the Senate, but, in fact, interferes with the proper discharge of our duties. I have heard suggestions of that kind made quite frequently when we were discussing how we might arrange matters so as better to promote the conduct of business in the Senate. Last session the Senator from North Carolina, the chairman of the Committee on Rules, assured me on the floor of the Senate that he would be glad to take up this matter and see if we could not work out some system that would be better than the present one. I did not press the matter last session because of the fact that all our efforts were directed to a certain program, and it was useless to attempt to take up anything else. It has often been admitted that our system of compensation is not fair and just; that is, the compensation of clerks and employees for the assistance of Senators. Changes in individual cases have been made upon appropriation bills; but other changes have been postponed upon the plea that an appropriation bill was not the place to make a general revision, and that it should be taken up by some committee that could give the whole subject due consideration.

I remember that four or five years ago this matter was brought up; some changes were submitted in the appropriation bill, and the then Senator from Montana, Mr. Dixon, brought up the question of making some additional changes with reference to the compensation of the help of Senators. The changes were opposed by the members of the Appropriations Committee on the ground that the appropriation bill was not the proper place to take up the matter, that it ought to be taken up in a general and comprehensive way and when we had more time to consider it and when it could be considered by some committee. That is one reason why I take it up in this way, so that it may get the consideration of the committee having proper charge of it, and then maybe submitted to the proper appropriations committee.

It has been suggested that this would be done during vacation time. Nothing has been done. Now, I am proposing that it shall be done in time to take effect at the beginning of the Sixty-fourth Congress. Probably it would be better to have it take effect on the 1st of July, the beginning of the current fiscal year, because the appropriations for help to Senators have already been made running up to the 30th of June. I have submitted propositions covering both subjects, the classification of committees and the number and compensation of their help. The committee may suggest something better. It doubtless will. There is no excuse for not acting, and, so far as I can, I am going to insist upon action of some kind before this session closes.

So far as clerical help for Senators is concerned I can not be accused of selfish motives in pressing this question, because very likely I will be the beneficiary of the present system in the next Congress if no change is made. Older Senators would be better able to suggest a revision of the present system than I, but they are either satisfied with it or too busy with other things to give it any attention. At least, they have not seemed to take

an interest in it. Those on the Committee on Rules, to which both of these resolutions have been referred, are fully qualified by experience and service to take up this matter, and I feel sure can be depended upon to do it. I want to offer a few suggestions to be considered by them in connection with these two resolutions.

A Senator's clerical help is not given to him as a perquisite or to furnish a place to reward some political friend, although the discussion that has been had heretofore with reference to this matter would really give some basis for the idea of this kind that seems to be prevalent among some of our people. It is provided to enable him to discharge efficiently his official duties, and should be sufficient and ample for that purpose. Members of the Senate have been said to be ambassadors from sovereign States. This is true; and if true, then they are equal in dignity and rights. Whether as the representative of a sovereign State or as the representative of the people of the United States, every Senator is the equal of every other Senator; and the people whom he directly represents are entitled to have their representative treated with the same consideration as any other Senator, so far as the official action of the Senate is concerned.

Senators, by preeminent ability and long service, may attain special prominence among their colleagues, but as Senators of sovereign States they are upon an entire equality.

Every Senator, new or old, needs certain assistance at all times. With the development of our country and the diversity of governmental activities, Senators have been compelled to do more and more of what is called "errand-boy" work. The distribution of documents and seeds, securing positions for constituents, calling on departments regarding individual claims and requests, looking after appropriations for this project and that, the adjustment of forest-reserve disputes, public-land claims and Indian depredations, the establishment of lighthouses, the location of fish hatcheries, looking after pensions, and a multitude of other matters of purely local importance are not the matters that should take the time and attention of a United States Senator; but they can not be neglected. His time, experience, and ability should largely be given to the study and solution of the many questions that affect the prosperity, welfare, and happiness of the people of the entire country. He can not neglect these matters of detail; but he should be as free from them as possible, and able to give that ability and statesmanship which each must be assumed to have to the solution of questions of real statesmanship, instead of routine.

In my judgment every Senator should have a secretary of splendid ability, wide experience, and such training as not only to be able to supervise and largely take care of matters of detail that come from individual constituents, but he should also be able to assist in research and preparation in connection with the many legislative matters that come to the attention of the Senator. Such a salary should be provided as will command the services of such a secretary, who should be with the Senator in his State as well as at Washington City, and he should be given a sufficient salary to take care of his expenses of travel, or a separate provision should be made for them, so that he can go to and from his home and the Capital whenever it is necessary to attend the sessions of Congress. It would be well for such a secretary to be a stenographer; but in any event he should have to assist him some one of almost equal ability and experience who should be a stenographer, and should command a salary commensurate with his duties and the ability required.

Every Senator needs this help at all times, whether Congress is in session or not, if he gives to his office the attention that he ought to give. From my experience I believe two such assistants are sufficient when Congress is not in session. During that time the secretary could be with the Senator at home, and the assistant could be here to attend to those matters which come up at all times and need personal attention. It may be that the chairman of the Committee on Appropriations would need additional help. If so, that can be provided under the terms of the resolution; but I do believe that as a general rule a Senator can get along very well, when Congress is not in session, with a secretary and assistant secretary, one with him in his home and the other here at Washington City, whether the chairman of a committee or not.

When Congress is in session every Senator needs more help, and should have another assistant whose work is almost entirely stenographic and clerical in character. The assistant secretary and other help can well be taken from Washington City or near by. The Secretary should be from the Senator's State, and should be personally familiar with local conditions, needs, and people. This help is absolutely necessary if a Senator would do what the people have a right to expect of him. The people will not object to the expense necessary if they know and understand what it is for. They want their agents to have whatever assistance is necessary for them to do their work and look after their needs properly. Of course if a Senator does not need the extra help when Congress is in session he need not use it.

The method followed for providing assistance for Senators brings reproach and discredit upon us rather than what we provide. It gives the people just cause to look upon the Senate as an extravagant body and gives color to the suggestion which is often made that clerical help is a species of petty graft.

We probably spend plenty of money for clerical help to Senators, but we do it in such a way as to work grave injustice to clerks, sully the dignity of Senators, and bring reproach upon the Senate.

We do by a subterfuge—and I do not think we can class it as anything else—what we ought to do openly and boldly. Because we do by a subterfuge, we do unfairly and unjustly. We think we are deceiving the people when we only discredit ourselves and the Senate.

Admitting the need of Senators for more help with better pay, but apparently afraid to provide it directly, we have created many absolutely useless and do-nothing committees, with high-sounding names, and provided them with clerks, stenographers, and messengers, and then assigned Senators to them and permitted the chairman to name the employees. As we all know, as the country is beginning to know, and as I am going to show, these committees have nothing to do and do nothing. They are simply a subterfuge to furnish more help to Senators at increased pay. If it worked justly and fairly, something might be said in its favor; but it is a system of unfairness, injustice, discrimination, inefficiency, and extravagance, and exemplifies the party spoils system in its worst form.

We have not provided a chairmanship for every Senator, and so some Senators are outside the pale of the beneficence of this subterfuge. The chairmanships are under the control of the majority in the Senate. The majority take to themselves the fruits of the subterfuge, these fraudulent positions, and so the Senator who belongs to the majority has more help, with better pay, than the Senator who belongs to the minority.

Mr. OVERMAN. Mr. President, may I ask the Senator a question?

Mr. JONES. Certainly.

Mr. OVERMAN. Is not the Senator wrong about that since the passage of his resolution, which gave three clerks to each Senator, whether of the majority or the minority side?

Mr. JONES. No. I am going to point that out directly.

Mr. OVERMAN. The committees that do nothing, as the Senator says, have the same clerks as those that have something to do, and no more, as I understand.

Mr. JONES. They have the same in number, but they get greater pay for doing nothing.

Mr. OVERMAN. Only a few of them do.

Mr. JONES. Oh, every clerk of a committee gets $2,240, I think, while the clerks of Senators, who do just as much work, get only $2,000. You have a messenger to each of these do-nothing committees, who gets $1,440—at least, most of them do—while a messenger to a Senator who has no committee gets only $1,200. There is the injustice of it. There is no justification at all for it.

Mr. MYERS. Mr. President——

The VICE PRESIDENT. Does the Senator from Washington yield to the Senator from Montana?

Mr. JONES. Certainly.

Mr. MYERS. I desire to say, in that connection, that I think the clerk of a Senator who is chairman of a committee like the Committee on Public Lands, and has to act ex officio as the clerk of that committee, has a great deal more work to do than the secretary of a Senator who is not chairman of such a committee.

Mr. JONES. Why, of course. The Senator has not read my resolutions or understood my remarks thus far. I recognize that and provide for it. I expect I increase the salary of the clerk of the Public Lands Committee by my resolution. I do not reduce any salary now paid, unless possibly that of the clerk of the Appropriations Committee. I do raise some, and during the recesses I abolish some entirely.

Mr. MYERS. I thought the Senator said that one secretary or clerk of a Senator had as much to do as another.

Mr. JONES. Oh, no; the Senator misunderstood me.

Mr. MYERS. I misunderstood the Senator, then.

Mr. OVERMAN. I should like to remind the Senator that he accomplished while he was in the minority what we could not accomplish when we were in the minority.

Mr. JONES. You could have accomplished it if you had tried.

Mr. OVERMAN. We tried. We did all we could.

Mr. JONES. Never on the floor of the Senate.

Mr. OVERMAN. Why, we did on appropriation bills. We tried to get additional clerks, and could not do it; but the Senator succeeded in doing it.

Mr. JONES. You did not try like I did. You took it up when a point of order could be made against your efforts, and when it was made you stopped.

Mr. OVERMAN. Since the Senator's party has been in the minority the majority has given him his clerks, and all other Senators who are not chairmen; whereas we, when we were in the minority for 12 years or more, had only two clerks.

Mr. JONES. That does not justify the continuance of the condition. I am not blaming the majority here. I am willing to admit that the Republicans followed this system, and that it was an unjust system then, as it is an unjust system now. If you should look at it in that way, one criticism I have of the majority is that they are undoing all the good things the Republicans did and leaving the bad things to continue in force and effect. This is one of the bad things, and no party is responsible for it. We ought to get rid of it. If we denied Senators the help they needed when we were in power, we did not do right. If we gave to our clerks more pay because we were the chairmen of nominal, useless committees, it was unfair, and you do not act wisely to follow our mistakes.

Mr. KENYON. Mr. President, the Senator made the statement that the clerks of these committees had no more to do than the clerk of a Senator. Of course they do on some of the committees.

Mr. JONES. Oh, some of them; yes.

Mr. KENYON. Now, the clerk of the Committee on the Disposition of Useless Papers in the Executive Departments must have a great deal to do.

Mr. JONES. My recollection is that I saw something about that, where it was reported that while there was some business done by that committee, the Senators did it.

Mr. KENYON. The Senators did the business of the committee?

Mr. JONES. Yes; I may be mistaken.

Mr. NORRIS. I presume that was because the clerk was overworked.

Mr. JONES. It may be that the clerk had to strike the match to touch off the papers.

Mr. WARREN. Mr. President, the Senator ought not to overlook one point, and that is this: A Senator may have an unimportant committee as chairman. He has no personal clerk. He has only the committee clerk. In the meantime he is serving, perhaps, on the most laborious committees of the body. He is serving a constituency that are calling on him repeatedly and urgently. So to pass it over lightly, with the statement that a committee of less importance does not need a clerk, or that he has nothing to do, hardly covers the case, I think.

Mr. JONES. Why, Mr. President, the Senator overlooks what I am trying to point out, and that is this: These clerks are nominally committee clerks, but they are in fact Senators' clerks, and intended as such. We ought to give the Senators all the help they need, but let us not use a fraudulent way to do it. Let us not use a subterfuge to do it, because that is all in the world that it is. We give more pay to the clerk of one Senator because he is the chairman of a certain committee; and the trouble with the Senator's suggestion—I am going to refer to that further in just a little bit—is that it does not really work out in the way he suggests.

There are Senators who have just appeared in this body who do not have any more business than the Senator from Wyoming, yet their clerks and their messengers are getting more than his clerks and messengers are getting. I believe I can hardly say that, however, because the Senator from Wyoming benefits, as he ought to, from the present system. He ought to get more help. He benefits from this system, and his clerks get the same pay as those of the Senator who has just come in, but there are many of long service whose clerks do not get the pay of clerks of Senators who have just come into the Senate. I am going to notice these various points a little further on, however.

Mr. WARREN. I should like to suggest, if I do not interrupt the Senator as he goes along——

Mr. JONES. It is no interruption at all.

Mr. WARREN. I wish to suggest that the plan I have always felt should be followed is this: It is no new matter with me. It seems to me the best way would be to give every Senator a clerk as a Senator, and at a sufficient figure to obtain the best talent, and then give to each committee such clerks as the work of that committee requires, and no more. That would give each Senator one clerk, we might say, at a high salary, and such assistance as he needed in the way of stenographer or messenger as in the House of Representatives. There each Member has a clerk. He does not appear in the records as a committee clerk at all. For that matter, the Member of the House spends the money as he sees fit. He simply has to make affidavit that the money has been expended for services. If we should change the plan, I think that is a better plan—to have Senators' clerks and then committee clerks, who perhaps would be interchangeable as to the work they would do, yet it would make a more equitable distribution, I think.

Mr. JONES. I think there is very much merit in that except I am not in favor, and I do not believe the Senator would be in favor, of making an allowance for Senators' clerks on the same basis they do in the House. I think they ought to be Senate employees all right, and whatever pay we provide for them should go to them.

Mr. WARREN. I will not go into it, but——

Mr. JONES. I do not want to go into it further, either.

Mr. WARREN. It might seem like criticism, but I will say that I have always advocated a different plan.

Mr. JONES. I am glad to know that, and it is a good suggestion for the members of the Committee on Rules to consider. I think it is a good one, and the logical and natural way would be to provide a Senator with his help as the Senator suggests, and then whatever committee help is necessary to provide that. That would be all right. That is really the logical and just and fair way to do it, however. The difficulty, however, is in separating committee work from the work of the Senator.

Mr. OVERMAN. I want to call the Senator's attention to another very interesting matter that he ought to point out.

Mr. JONES. That is what I want. I want all these matters to be brought out.

Mr. OVERMAN. Some Senator comes in and says that he has not help enough, and he offers a resolution to pay $1,200 or $1,500 for an extra clerk, and the Senate generally passes it. I think that is a matter that ought to be rearranged. I want to call the Senator's attention to the fact that we amended the rule under the Senator's resolution so as to give clerks to Senators who are not chairmen of committees.

Mr. JONES. The Senator is right. We pass these resolutions too easily. I will cover that suggestion a little further on, too, more fully.

It matters not that a Senator comes from a State great in population, great in resources, and diverse in local interests; it matters not that he may have been a Senator for years or may have served his State in the House of Representatives with distinguished ability for many years; the simple fact that he belongs to the minority places him and his clerks on a different and lower basis from that of his colleague who has just entered the Senate, but who happens to belong to the majority.

Recognizing this manifest injustice, the subterfuge has been slightly broadened so as to include some of the minority. A further favored class has been created, and 15 or 20 Senators are singled out for special favor because they may have served a little longer than some one else or because their names happen to begin with "A" instead of "J."

Mr. TOWNSEND. Or "T."

Mr. JONES. Well, "J" under this would have the advantage of "T."

To my mind nothing more discreditable to the Senate has grown up than this unjust system. We owe it to ourselves, as well as to the people, to do away with it as soon as possible, and especially so as there is an easy way to do it.

Mr. President, it has been suggested from time to time that the length of service of Senators is the reason for providing these additional committees, so that they may have a chairmanship. That excuse may have existed at one time. It is not followed now. It does not seem to have very much weight now. What do we find? We find on the floor of the Senate now from one State a certain Senator who has served six years and from that same State another Senator who has served four years. The clerk of the first Senator gets $2,000 and the clerk of the other Senator gets $2,220. The stenographer of the Senator who has been here six years gets $1,200. The stenographer of the Senator who has been here four years gets $1,440. Length of service does not seem to cut any figure in that case.

There is another State in the same situation. There is another State that has a Senator who is closing his six-year term. Another Senator has just started on the second part of his term. He has been here two years and the other Senator four. The one Senator's clerk gets $2,220 and the other Senator's clerk gets $2,000. One Senator's messenger or assistant clerk gets $1,440 and the other Senator's messenger or assistant clerk gets $1,200. That is not right. It is not in accordance

with length of service. It is not in accordance with the excuse that has been given with reference to the reason for these different salaries.

Then we have this also: We have here a Senator who has been here 2 years. Another Senator—the great Senator from Wyoming [Mr. WARREN]—has been here for 24 years. Their clerks gets the same salary, $2,220. The Senator from Wyoming has been here for 24 years. He was the chairman of the great Committee on Appropriations and presided over it with ability as well as with dignity.

What now is the situation by reason of this arrangement of committees? The Senator from Wyoming is now chairman of the very active Committee on Engrossed Bills, that I presume never has a meeting, that has nothing to do as a committee. The Senator from Wyoming is entitled to more help, in my judgment, than a Senator who has been here only a couple of years, whether he belongs to the minority or the majority. Yet his help gets exactly the same pay as that of the Senator who has been here for two years.

In this connection I will notice another phase of this system. It seems to me to be rather amusing and rather undesirable that a Senator who should have been at one time the chairman of the great Committee on Appropriations should by reason of the mutation of politics and the changes in this body be placed at the head of an insignificant committee like the Committee on Engrossed Bills. It would be more consistent with the dignity of a Senator when he retires from the chairmanship of the great Committee on Appropriations that he should simply take his place as a Senator on this floor rather than that he should be placed at the head of an insignificant nominal committee.

Another Senator—the Senator from Minnesota [Mr. NELSON], who has been here for twenty-odd years—was the chairman of the great Committee on Commerce in the Senate. He presided there with ability and with great efficiency. He is now chairman of the Committee on the Five Civilized Tribes, a committee that never has any meetings, that never has anything to do with the Five Civilized Tribes or with civilizing any tribe, for that matter. It is simply a committee which exists for the purpose of providing a clerk with a little more pay. The clerk of that Senator ought to have $2,220, and probably more, a year, but he ought to have it because he is the clerk of that great Senator—not because that Senator is the chairman of such an insignificant and unimportant committee, a committee that never has a meeting, a committee to which no bills are ever referred, a committee that never submits any report to the Senate—absolutely a nominal and a useless committee.

The great Senator from Pennsylvania [Mr. PENROSE] was the chairman of the Committee on Finance. He came to the Senate in 1897. He is now the chairman of the Committee on Additional Accommodations for the Library of Congress. A few days ago he was pleading for something for his committee to do—for something to be referred to it. I suppose the plea was made in a rather sarcastic way and not seriously, because this committee is not expected to do anything.

I am satisfied of the fact that we do not need any such committee as that, and we ought not to use it for the purpose of increasing the pay of clerks to Senators who do the Senators' work and who have absolutely nothing to do as committee clerks.

The Senator from Minnesota [Mr. CLAPP] was the chairman of the great Committee on Interstate Commerce. He presided over it with great ability and great knowledge and great efficiency. Under this system he becomes the head of the Committee on Standards, Weights, and Measures. I think there was one bill referred to that committee; I doubt if any more than that in this whole Congress. I know about that bill, because I introduced it myself. The committee was polled and the bill was reported to the Senate. There was no work devolved upon the committee by reason of its being a committee. There is no necessity for such a committee as that.

The Senator from Wyoming [Mr. CLARK] was at the head of the great Committee on the Judiciary. He has been in the Senate since 1895. If length of service entitles Senators' clerks to more pay, then his clerk ought to have more pay; yet he gets the same as that of a Senator on the minority here who has served for two years. He is now the head of the great Committee on the Geological Survey. I venture to say that no surveys have been made, no surveys have been contemplated, no surveys have been examined, no propositions for surveys have been considered by the committee. Those things are taken care of by appropriations in the proper appropriation bill. It is simply a nominal committee that really has no excuse for its existence.

Then the Senator from Delaware [Mr. DU PONT] was the chairman of the great Committee on Military Affairs. Now, with the change in the control of the Senate, he is chairman of the Committee on the Transportation and Sale of Meat Products, a committee that might, if it could just reduce the price of meat to a great many people of the country, command great acclaim and great applause; and if there was any hope of doing it, the people would be writing to it from all over the country and there might be a good deal of business for it. It is an inactive committee, one that has nothing to do, and which is not expected to do anything.

Then the great Senator from California [Mr. PERKINS], who is soon going to leave this body, and who has been here since 1893, was chairman of the Committee on Naval Affairs. He presided over that committee with marked ability. He is now the chairman of the Committee on Railroads. That name might mean a good deal to the people of the country. Railroads are a very important matter, yet that committee has nothing to do with the railroads of the country. There are no propositions coming before it. Those matters are taken care of by the other great committees of the Senate. The Committee on Commerce and the Committee on Interstate Commerce deal with the great subject of transportation.

So it is with a great many of the Senators in this body who have been here the longest, who have had the longest length of service, who have had the greatest experience, and who would be expected to have the greatest amount of business by reason of their service here. They are given these insignificant committees not because it honors them or they honor the committees, but simply for the purpose of giving their help a little more pay. The help ought to have more pay, but it ought not to be given in that sort of a way.

The size of a State is not taken into account. The imperial State of New York is not given the consideration that is given to the great State of Delaware. The great Senator from New York [Mr. ROOT], completing the close of his first term in this body, after having served with great honor and distinction as Secretary of State, closes his term with his clerk receiving only $2,000 a year, while the clerks of Senators from a great State like Delaware and other States of equal importance are getting larger pay, although they certainly do not do more work. Certainly it is unjust and unfair and unworthy of the Senate of the United States to allow such a system. There is not any question but that the help of the Senator from Delaware [Mr. SAULSBURY], who has just entered this body, ought to have this salary, but there is no reason why the clerk of the great Senator from New York should not receive the pay that ought to come to the service that is demanded.

Then, length of service in the House of Representatives before coming here is not taken into account at all. We find that Senators on this floor who for years have served in the House of Representatives, who occupied prominent positions there, when by reason of that service demands are brought on their time and their attention and their ability in this body, do not receive any consideration for it. We have some of those Senators who are closing their terms here, and yet their clerks get only $2,000 a year, while clerks of Senators just coming in who have served two years and never have been in the House of Representatives are getting $2,220.

Mr. SAULSBURY. Mr. President——

The VICE PRESIDENT. Does the Senator from Washington yield to the Senator from Delaware?

Mr. JONES. Certainly.

Mr. SAULSBURY. I only entered the Chamber when the Senator from Washington was referring to my State; I do not know in what connection. I did not catch it. He seemed to make some reference to me personally.

Mr. JONES. Not at all. I simply suggested that the size of the States do not seem to be taken into account in fixing the salaries of clerks of Senators. I simply said that from the great State of New York there is a Senator just closing a six-year term, where the clerk gets $2 000 a year, while from the great State of Delaware the Senator's clerk gets $2,220. I said that the clerk of the Senator from Delaware was no doubt entitled to $2,220, and he ought to have it, but that it is fair to assume that the clerk of the Senator from the great State of New York has at least as much business to do as the clerk of the Senator from Delaware, and he ought to receive better compensation than he now receives.

Mr. SAULSBURY. The Senator has explained in what respect he was addressing the Senate. It does not seem to me that the triviality of the subject needs any attention from me.

Mr. JONES. I think the Senator will agree with my position in regard to it. There are 33 committees of the Senate with absolutely nothing to do. I have written to the clerks——

Mr. NORRIS. Mr. President——

Mr. JONES. I yield to the Senator from Nebraska.

Mr. NORRIS. I wish to ask the Senator if he does not think that under our system of government there is a reason why a Senator or a Member of the House belonging to the majority party—I do not mean the majority party in the Senate or in the House necessarily, but the party that controls the Executive Department of the Government, the administration—ought to have more clerical assistance than those who are in the minority?

Mr. JONES. I think probably so.

Mr. NORRIS. It seems to me that it would be only fair to make a distinction. I have had experience both ways, as I presume the Senator has had.

Mr. JONES. Yes.

Mr. NORRIS. He knows that as to the party which has control of patronage, whether the Senator believes it is right or wrong is not material here; whether he believes there ought to be a change or not is not material; the fact remains that the party having control of patronage makes it necessary for a Representative or a Senator belonging to that party to devote a great deal of time to patronage considerations. Whether he likes it or not he can not get away from it.

Mr. JONES. There is no question about that.

Mr. NORRIS. It seems to me it is not unfair as long as we have that system of government to give to the majority Member more clerical assistance than to the minority.

Mr. JONES. I am not complaining of that. It is the way we are doing it; that is all.

Mr. NORRIS. The Senator has pointed out the difference, and some of the differences he has pointed out are very glaring, of course; he has told us that it was not on account of one Senator being here longer than another; that it was not on account of a Senator representing a larger or more populous State than another Senator, but he has not said anything about the real reason that I presume has been the cause in some instances.

Mr. JONES. Of course that may have been the basis in the first instance for allowing this increased pay for the clerks, and there is some reason for it, as the Senator says; but if we do it and recognize that, then we ought to recognize it in a fair way and recognize it on that basis, and not in the roundabout way we do. If we act on that, we should pay the clerks of all majority Senators so much and the clerks of all minority Senators so much. What we ought to do to meet that would be to allow some additional help and not greater pay.

Then we have to consider this point: While it is true that a Senator belonging to the majority has much more to do with reference to filling the offices from his State, length of service, as was suggested by the Senator from Wyoming, also adds to a Senator's duties here, even if he is in the minority. So we ought to take into account not only the fact that a Senator belongs to the minority in fixing the pay of his clerks, but we ought to take also into account, in order to be just, the length of service of the Senator in this body. Of course we can not devise any system that will work absolute justice in these various cases, but we can put them on a fair basis, at any rate.

Mr. NORRIS. I should like to ask the Senator if he thinks that we ought to make any discrimination in regard to length of service?

Mr. JONES. I do not believe we can do it.

Mr. NORRIS. I was going to suggest that it would be absolutely impracticable and that we ought not to attempt to do it.

Mr. JONES. I think that is right.

Mr. NORRIS. Nor do I believe it would be practicable to make a distinction on account of the size of a State.

Mr. JONES. No; I think not.

Mr. NORRIS. We can not get absolute justice.

Mr. JONES. That is what I have just suggested.

Mr. NORRIS. We ought to get as near to it as we can, but we ought to do it by some general rule.

Mr. JONES. That is what I have suggested, and I base my suggestion on my experience here as a Senator. I have been in the majority here, and I am now in the minority.

So far as I am concerned, my work is greater now than it was when I was in the majority. Why that is so I am not prepared to say. I think probably the fact that my State is growing has something to do with it; it is increasing in population. More people write me about various matters in the State than did previously, because there are more people there to write; it may be because of my long service and getting better acquainted with the people that more of them write to me, and all that sort of thing, but I recognize that we can not take all that into account. Therefore I have suggested in the first part of my remarks that we ought to give to each Senator a clerk as a Senator from an independent sovereign State, and fix the salary at a certain amount, making it uniform, because I do not care how long a Senator has been here or whether or not he is in the minority or the majority, his secretary has all he can do. If he is the right kind of a secretary, he ought to be properly paid. So we ought to assume that the secretary of every Senator here should be on the same basis and get exactly the same pay. If more work comes in, it may be necessary to give additional help. I have provided for an assistant clerk. Then I have provided in my resolution that the Committee to Audit and Control the Contingent Expenses of the Senate should have authority to provide for additional help while Congress is in session. In that way I think we could work it out fairly well.

I was going on to say, however, that there are 33 committees with absolutely nothing to do, with no excuse for their existence, and the matter embraced in their titles is covered largely by other committees. Those committees ought to be abolished. That does not mean that the clerical help of Senators should be abolished or that their pay should be reduced; not at all. As has been suggested here, we should give them the pay to which they are entitled because they are the clerks of Senators and not because they are clerks of committees which have nothing to do.

There are 13 committees to which a very few bills are referred once in a while. I now have in mind the Committee on Irrigation, of which I was chairman when the Republicans were in the majority in the Senate. We had quite a number of bills referred to that committee, and yet, taking it year in and year out, there was practically no business as committee business coming to the clerk. The work of that committee can well be discharged by the Committee on Public Lands, which does most of such business anyway.

I was also chairman of the Committee on Industrial Expositions while the question of the Panama Exposition was pending. That was the only question that came before the committee; and that took but very little of the time of the secretary as secretary to the committee; it practically amounted to nothing.

I was at one time chairman of the Committee on Fisheries. I have been going around on all these insignificant committees pretty fast. There were a good many bills referred to the Committee on Fisheries—bills providing for fish hatcheries—but most of those bills had been previously acted on. We held some meetings and reported those bills; but so far as the clerical work coming to my secretary as the clerk of the Committee on Fisheries was concerned, it amounted to practically nothing. I know that the present chairman of that committee attends to the business of the committee most carefully and closely, and that quite a number of bills have been referred to that committee. They are considered and acted upon; and yet, as a committee, its work amounts to practically nothing. That committee, however, the Committee on Irrigation, and some other committees, have something referred to them. The Committee on Mining, for instance, has some bills referred to it; and yet we find that important measures referred to that committee are taken away from it and given to the Committee on Public Lands. So I propose to do away with the Committee on Irrigation and the Committee on Mining, and that their business shall be done by the Committee on Public Lands. Then there are five committees of even greater importance than those to which I have referred for the existence of which there is some excuse, but which, as a matter of fact, furnish but very little work to their clerks as clerks of committees and can well be merged in other committees.

So far as I can figure it, the expense to the Senate under the system that I propose would be less than it now is. Assuming that the Senate will be in session on an average of six months in a year, and that we should have an additional stenographic force for the Senators during that time, the expense, as I figure it, would be about $460,770. My recollection is that we are appropriating for this purpose in the pending legislative bill something over $500,000. So it would leave a margin by which the necessity for extra help while the Senate is in session could be taken care of.

I have provided for the Committee on Appropriations only a clerk, an assistant clerk, a stenographer, and a messenger. They now have more help than that, and it might be that when the Senate is in session they would need more help. The Committee to Audit and Control the Contingent Expenses of the Senate, however, can take care of that.

Mr. President, there is another reason that I want to suggest why there should be a rearrangement of these committees, and especially a classification into a first and second class and a limitation as to the service of Senators upon these committees.

Mr. CLAPP. Mr. President——

The PRESIDING OFFICER (Mr. POINDEXTER in the chair). Does the Senator from Washington yield to the Senator from Minnesota?

Mr. JONES. Certainly.

Mr. CLAPP. I should like to suggest to the Senator—I do not know but he may have covered it in his proposed rearrangement—that I believe and have advocated for a great many years that a committee of the Senate should be created, composed of the chairmen of the committees which handle appropriations, to the end that they might take appropriations in the aggregate and determine the amount that could be placed to the credit of each department, just as a business concern would do. After pressing that for several years, the then leader of the Senate agreed to it, but instead of limiting it to the chairmen of the committees having appropriation bills he added four or five other members to it. Then, at the very first meeting of the committee he divided it up again into subcommittees, which, of course, put us right back where we started. I trust the Senator in pressing this matter in reference to committees may see proper before he gets through to urge the creation of a committee of that kind.

There is no business enterprise on earth that would permit the heads of the various departments of their business to determine how much they should have. They would make their estimates, and then a board passing upon the entire subject would say, "We can allow so much for this and so much for that, and the work must be harmonized to that allowance." I believe that it would save at least 25 per cent of our appropriations if they could first come under one general committee, so that then the chairmen of the respective committees could say to their committees, "It will do you no particular good to pile up appropriations here, because it has been agreed that this department or this function must content itself with such a proportion of the entire revenues of the Government."

I make the suggestion to the Senator in the hope that he may see it in his way before he gets through to incorporate it in some manner in his proposed plan.

Mr. JONES. Mr. President, I will say to the Senator from Minnesota that I have not taken up that subject. I recognize its importance, and I agree very much with what the Senator has said. It seems to me, however, that a committee of that kind would have to be a joint committee of the two Houses.

Mr. CLAPP. Of course, Mr. President, it would be a great deal better if it could be a joint committee; but if they will not begin it in the House, we might take the initiative here. The trouble is that the appropriation bills are made up in the other House; they come here, and there is a tendency to keep adding to them. The chairman of the committee would be powerless unless he had back of him the coordinated purpose of a number of Senators, each situated in a similar relation. Then he might say to his committee, "We can have so much and no more." While that would not accomplish what a joint committee would accomplish, it would effect a great saving and reduction in appropriations.

Mr. JONES. Mr. President, I think that is true, but I did not feel that I had had service and experience here long enough to suggest a proposition of that kind. I simply wanted to suggest some way by which the committees of the Senate as we now have them might promote the efficient work of each committee in the Senate without taking up that great subject. I should like to see something of that kind done. If the Committee on Rules should bring in something of that sort in connection with these resolutions, I should be very glad, and should also be glad to render any assistance that I possibly can in connection with it. I know the Senator from Minnesota could give some very valuable suggestions with reference to that matter. I think it is very important; I think it would save to the Government probably many millions of dollars a year if we could get some committee like that and give it the power to enforce whatever it decided upon.

Mr. President, I have provided in resolution No. 398 that the committees of the first class "shall consist of not to exceed 11 members each and shall be so constituted that each Member of the Senate shall be a member of one of said committees, and no more."

We have had during the last year or two especially, and before that time, too, great difficulty in keeping a quorum on the floor of the Senate, and I remember that at one time during the last session there was an order passed revoking the permission theretofore granted allowing committees to sit while the Senate was in session. The reason for that was that so many Senators were members of so many different committees which were holding meetings that it was almost impossible for us to maintain a quorum on the floor of the Senate. I think we can see the evidence of that now.

Frequently when there have been but few Senators on the floor of the Senate and a roll call has been had, Senators come in and say, "We are in attendance on committees which are holding meetings." I think one of the things that makes our body inefficient is the fact that so many Senators are upon so many important committees that they can not attend to the business of those committees without neglecting the business of the Senate.

Furthermore, I do not see how they can give to the various subjects that come before those various committees the attention which those subjects ought to have; and yet we know that in this body, as in all other legislative bodies, we must depend very largely upon the reports made from the different committees upon various matters of legislation. No Senator can acquaint himself thoroughly with the various important matters that come before this body. We must of necessity depend upon the report and the judgment reached by members of committees having particular subjects in charge.

Mr. CLAPP. Mr. President——

The PRESIDING OFFICER. Does the Senator from Washington yield to the Senator from Minnesota?

Mr. JONES. Certainly.

Mr. CLAPP. At that point, if the Senator will pardon me, I want to emphasize the statement he has made. In the committees, because of their membership being so large, the same difficulty in securing a quorum exists as is experienced on the floor of the Senate. It is almost impossible to keep a quorum of a committee. Senators will come to a commitee meeting and say "I have had three or four committee meetings this morning." The committees are too large; Senators are on too many committees; and a lot of the work of the committees has to be done largely by the proxies of those who can not be there. I do not believe there is a suggestion the Senator has made more vital than the proposition to reduce the membership of the committees, so that those who serve on the different committees can attend properly to the work incident to committee service. If I may be allowed, I want to congratulate the Senator on having brought that matter up, for I believe it is one of the most vital features of his entire plan.

Mr. JONES. I think that is true. That goes really to the fundamentals of legislation.

Mr. CLAPP. Of course.

Mr. JONES. The other is more of a financial matter, but this does go to the fundamentals of legislation. Every Senator no doubt has had the experience of attending a committee meeting and having some other Member telephone over that he could be counted to make a quorum if necessary; or some Senator would come into the committee for the purpose of being counted to make a quorum, saying, "I must go to another committee meeting;" or, "I have two committee meetings this morning;" and so on. We have even passed a resolution through this body authorizing less than a quorum to constitute a quorum of a committee, for the very purpose of enabling the committees to do their work and transact their business. So I have provided in this rule not only that Senators shall not serve upon more than one of the first-class committees, but that they shall not serve upon more than two of the second-class committees. That would permit a Senator to be upon three committees, if it were necessary, and that is enough. A Senator would be far better off, we would have better legislation, and the Senate could rely with greater surety upon the reports of the committees if we diminished the membership of committees and also enforced the limitation as to Members serving on more than three committees.

In looking into the matter, I find that one Senator, for instance, serves on the Committee on Claims, the Committee on Appropriations, the Committee on Naval Affairs, the Committee on Pensions, and the Committee on Post Offices and Post Roads, every one an active committee having great and important subjects coming before it and having frequent meetings. No Senator, no matter how great his ability may be, no matter how great his industry may be, can give the subjects that come before those various committees the consideration and study and thought which they ought to have, and when reports come from those various committees they can not have the same weight with this body and we can not rely upon them as we could if the committees were limited in membership and Senators were enabled to give to the various subjects that come before them the attention they ought to have.

I find that another Senator serves on the Committee on Military Affairs, the Committee on Agriculture and Forestry, the Committee on Appropriations, the Committee on Commerce, the Committee on Public Lands, and the Committee on Territories. Another Senator is a member of the Committee on Agriculture and Forestry, the Committee on Finance, the Committee on Im-

migration, the Committee on Interstate Commerce, and the Committee on Pensions. Another Senator is a member of the Committee on Public Lands, the Committee on Indian Affairs, the Committee on Interstate Commerce, and the Committee on Military Affairs, committees not only dealing with great subjects of general legislation, but with great appropriation measures involving the expenditure of millions and millions of money.

I find that another Senator serves on the Committee on Foreign Relations, the Committee on Immigration, the Committee of the Judiciary, the Committee on Naval Affairs, and the Committee on Rules. Another Senator is a member of the Banking and Currency Committee, the Committee on the District of Columbia, the Committee on Foreign Relations, and the Committee on Interstate Commerce, every one of those committees having questions coming before it that could well engage the attention of a Senator almost all the time.

I find that another Senator serves on the Committee on Agriculture and Forestry, the Committee on Finance, the Committee on the Judiciary, the Committee on Post Offices and Post Roads, and the Committee on Rules. It is not possible for a Senator to deal with and carefully digest all the various questions and problems that come before those various committees; and I trust that if the Committee on Rules does not do anything with this resolution further than to provide for changes in that respect, it will do that much, because, as the Senator from Minnesota [Mr. CLAPP] has said, that is a matter which goes to the very fundamentals of legislation. If we had our committees made up in that sort of way, then the Senate could more safely rely upon reports from committees.

Very frequently now committees bring in reports, as the Senator from Minnesota has suggested, without a quorum being present, but by counting Senators as present to make a quorum or by taking a poll. Of necessity many Senators must attach very great importance to the truth and verity of committee reports, and many bills go through this body because Senators believe that they have a right to trust in the judgment, the experience, the investigation, and the study which the committees have given to the various measures.

Mr. President, I have taken more time than I intended with reference to this matter. I have simply made suggestions which I hope the Committee on Rules will consider. As I have said, they are all Senators of experience, greater experience than I, and longer service in this body than I, and they, no doubt, can suggest ways of improving the resolution; but I do hope that something will be done. I think something ought to be done. I think in fairness to ourselves, in fairness to the Senate, in fairness to our employees, that some of the insignificant committees should be abolished and the salaries placed upon a fair, open basis, and especially that the committees should be reorganized and we should provide for the limited membership suggested here and also the limited service upon the various committees of the Senate. Earnest, careful, prompt attention will surely bring forth a plan that will treat Senators as equals, and then help fairly and justly and provide openly for that assistance which will enable them to discharge most efficiently the responsible duties of their great office.

REGULATION OF IMMIGRATION.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 6060) to regulate the immigration of alines to and the residence of alines in the United States.

Mr. MARTINE of New Jersey. Mr. President, I raise the point of order of the lack of a quorum.

The PRESIDING OFFICER. The Senator from New Jersey makes the point of order that no quorum is present. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst	Gronna	Oliver	Smith, S. C.
Borah	Hardwick	Page	Smoot
Bryan	James	Perkins	Stone
Burton	Johnson	Pittman	Sutherland
Chamberlain	Jones	Poindexter	Swanson
Chilton	Kenyon	Ransdell	Thomas
Clapp	La Follette	Reed	Thompson
Clark, Wyo.	Lane	Shafroth	Thornton
Crawford	Lewis	Sheppard	Townsend
Culberson	Lippitt	Sherman	Vardaman
Dillingham	McCumber	Shields	Weeks
du Pont	Martine, N. J.	Simmons	White
Fletcher	Norris	Smith, Ariz.	

The PRESIDING OFFICER. Fifty-one Senators have answered to their names. A quorum is present. The question is on the amendment offered by the Senator from Colorado [Mr. THOMAS] to the pending immigration bill.

Mr. STONE. Mr. President, I desire to take a little time on that amendment.

The amendment as finally perfected and as it is now offered reads as follows:

> That the following classes of persons, when otherwise qualified for admission under the laws of the United States, shall be exempt from the operation of the illiteracy test, to wit: All aliens who shall prove to the satisfaction of the proper immigration officer or to the Secretary of Labor that they are seeking admission to the United States to avoid religious, political, or racial persecution, whether such persecution be evidenced by overt acts or by discriminatory laws or regulations.

It is proposed by the amendment to insert in the text of the bill, after the word "persons," in the sixth line on page 9, the words "when otherwise qualified for admission under the laws of the United States," and after the word "religious," in the eleventh line on page 9, to insert the words "political or racial," so that the clause would read as above stated.

The amendment would broaden the provision as contained in the text of the bill by putting persons seeking admission because of political or racial persecution on terms of equality with persons asking admission on the ground of religious persecution. That is to say, all persons embraced in any of the three classes would be exempted from the literacy test; but, to guard against any possible admission of undesirable immigrants who might be excluded under other provisions of law, the following words are proposed to be inserted: "when otherwise qualified for admission under the laws of the United States."

Mr. President, I think I said on day before yesterday all I need or care to say with respect to the proposed amendment. I then addressed myself to the exceptions proposed in the bill and in this amendment to the literacy test, seeking to broaden the exceptions so as to embrace persons persecuted for political or racial reasons and to put them on an equality with those persecuted for religious reasons, the latter being already excepted from the operation of the literacy test by the terms of the bill as reported.

I wish now to make one or two additional observations intended to have a more special reference to the literacy test in its larger aspects, although incidentally referring to the exceptions also.

Mr. President, I hold in my hand a document entitled "Jewish Immigrants," being a report of a special committee of the National Jewish Immigration Council appointed to examine into the question of illiteracy among Jewish immigrants and its causes. That report was presented to the Senate by the junior Senator from New York [Mr. O'GORMAN] March 24 last, and it has been printed as a Senate document. I wish to read briefly from this document to show how the Jews at least in some foreign countries are persecuted because of their race. I do this to confirm what the chairman of the Immigration Committee of the Senate [Mr. SMITH of South Carolina] said in his very interesting speech here the other day, to the effect that in one of the larger countries of northern Europe Jews were discriminated against and persecuted not because of their religious opinions and affiliations, but because of their racial extraction and connection. From this document I will read only an extract or two, as follows:

> Staro Constantinow, Province of Volina: Jewish population, 56.5 per cent. In the years 1909, 1910, and 1911 no Jewish children were admitted to any of the Government schools in that city.

And that in a city where 56½ per cent of the entire population was made up of Jews. Again:

> Proskurow, Province of Podolsk: Jewish population, 80 per cent. The city schools are maintained exclusively by the income derived from the Jewish population. In 1911 not only was admittance refused to Jewish children, but 20 Jewish pupils who had previously attended the Government schools were discharged. In the year 1912 not a single Jewish child was admitted to the Government schools.

This pamphlet of 26 pages is filled with stories of discrimination like these I have read, practiced by the public authorities against this particular race of human beings.

This persecution is practiced against the Jews, not because of their religion but because of their race. The honorable Senator from South Carolina can be quoted in support of that statement, and yet, strange to say, that distinguished Senator is unwilling, and he says the committee over which he presides is unwilling, to add racial persecution to religious persecution as an exception to this literacy test.

Is it persecution to collect from the Jews by force of law one-half or, in one instance, all the taxes needed and expended in support of the public schools and yet refuse their children the right to enjoy the use and benefits of those schools? Would that be called persecution if it were practiced in the District of Columbia or in the State of South Carolina or in the State of Massachusetts? What would the big-hearted, patriotic people of any or of all our States say in answer to that? With one voice our people would proclaim that a policy of that kind was not only persecution, but intolerable and wicked persecution.

Mr. President, when it stands admitted here on the floor of the Senate, even by the chairman of the committee reporting this bill, that these people in this land where these things have occurred and are still occurring are suffering these frightful wrongs solely because of their race, upon what ground, in the name of reason and of humanity, can we open the door to the Jew who can prove that in some other country, perchance, he is persecuted for his religious convictions and practices and at the same time close the door in the face of his brother fleeing from the particular country to which the extracts I have read refer, to escape the bitter persecution leveled at him and his children, not because of his religion, as the Senator from South Carolina said, but because he belongs to this particular race of human beings? If the Senator from South Carolina or any of his confrères on the Immigration Committee can give a reason for this distinction, I would be glad to hear it.

Mr. SMITH of South Carolina. Mr. President——

The PRESIDING OFFICER. Does the Senator from Missouri yield to the Senator from South Carolina?

Mr. STONE. I will be glad to yield to have the Senator throw light upon this question which so puzzles me.

Mr. SMITH of South Carolina. I call the Senator's attention to the fact that on yesterday I attempted to show that the committee, without any discrimination in the application of the bill against the people whom we do admit, if otherwise qualified, applied the test of religion, restricting it solely to that, making it conform to the principle that runs through the whole bill as to restrictions.

We did consider that when an immigrant, not collectively under such a name as Christian or Mohammedan, but the individual, was being persecuted for the faith that was in him, it was testimony of the fact in the minds of the committee of the personal fitness of that individual to come to our shores regardless of the literacy test, for the reason that it was an evidence of the moral fiber that withstood the persecution to such an extent for himself that he sought to escape to a country where he could worship God according to the dictates of his own conscience. The Senator from Missouri would not apply that racially in such a way as to throw wide the door to let a race come in without regard to the personnel or the individuals who constitute that race? No matter how superior they may be collectively, we have no right to stand here and allow one race, because they were persecuted as a race, to come in indiscriminately while applying a test by which the immigrant does, in a measure, testify to the faith that is in him.

Mr. STONE. The Senator need not construct a man of straw that he may have a chance of knocking him down. No one who favors this amendment has even suggested that the door should be open to the admission of the Jews because they are Jews, or open it to the admission of any other race of people because they belong to a given race. No such proposition has been made and no such idea is entertained.

The Senator speaks of persecutions directed against the individual immigrant where the persecution is for religious reasons. Mr. President, that part of the bill as it is written, exempting those seeking admission because of religious persecution, says nothing about requiring an immigrant to show that he has been the victim of a special and peculiarly personal attack. Such a thing as that would rarely happen. The bill has no such limitation as that. Under this provision, as it appears in the bill reported, if we found that the Jews, for example, were persecuted generally and universally in a given country—it might be France or Germany; it might be Austria or Russia—and that they were so persecuted universally in their native land because of their religious faith and practice, would not the persecution be leveled against all who professed that faith? And the individual would suffer along with his fellows only because he was a part of the whole. The persecution would not be distinctly and separately personal.

The Senator would not contend for a moment that if one coming to our ports seeking admission to our country, where religious liberty is guaranteed by the Constitution and by the public sentiment of the people, should show to the satisfaction of the immigration officials that he had been persecuted because of his religious faith, that that alone would be sufficient to admit him. No; but he would have to show that he possessed every other requisite required by law. But he would not have to show that the persecution had taken the form of a special personal attack upon him. It would be sufficient if he could show that he suffered in common with all who believed as he did. Does the Senator from South Carolina dispute that?

Mr. SMITH of South Carolina. Mr. President, I know the Senator from Missouri is too well trained a man to really and seriously produce the parallel that he has just drawn as an argument before this body. It is sufficient to say that the religion or the faith of an individual is a thing over which he has control. The race from which he springs is a thing over which he has no control. Therefore, when we say to him, You can be admitted for religious persecution, we have the right to discriminate amongst the members of a race; but if you say he shall be admitted for racial persecution, you take the whole business regardless of the fitness or qualification of the individual.

Mr. REED. Mr. President——

Mr. STONE. If my colleague will pardon me a moment, the Senator from South Carolina says that a man's religion is something he can control; his race can not. That may be true. Certainly if he was born an Indian or a German or a Jew he could not control that; he did not have enough to do with it in the beginning to control it; but, Mr. President, the Senator says he can control his religion. Of course, the Senator does not mean to intimate that as to those who suffer persecution for conscience's sake, because of the inborn and long-taught religious principles they profess, it might be convenient and politic for them to change their opinion.

Mr. SMITH of South Carolina. No, Mr. President; I do not want that interpretation placed upon what I said. Perhaps my definition was a bit unfortunate. What I meant to say was that a man's religion is personal. I am not entering into the degree to which he might control that conviction, but it is personal. However, the racial characteristics are universal so far as that race is concerned. I am afraid the Senator is going to allow himself to come into a field of admission that he himself later on might not be willing to attempt to sustain; that because of heredity and environment and racial characteristics or the circumstances under which for a period of years he and his forbears have been reared he has no control over those influences that he has absorbed individually through heredity, and therefore that might be an argument that if he was reared under certain circumstances that were absolutely obnoxious to the genius and spirit of our Government he might not be able to be assimilated. So that might be made an argument on the side of those against whom we have been contending.

Mr. STONE. I do not mean to say, of course, that a man who may have been born into and as a part of a certain race and who had acquired his convictions largely by environment can not change his views and his faith. Of course he can, and of course that has been frequently done. But, Mr. President, there is no danger that I shall put myself in a position where I would have to defend a position of the kind the Senator has advanced. The immigrant may come illiterate and say that he is persecuted because of his religious faith, and prove it beyond a doubt to the satisfaction of the officers who are to act upon his application; but that alone does not give him a right to enter.

Mr. SMITH of South Carolina. It exempts him.

Mr. STONE. It exempts him from the literacy test, and that is all it does; but if otherwise he is forbidden the right to enter, the other laws will exclude him. Likewise if he comes saying he is persecuted because of his race, and proves it to the satisfaction of the immigration officials, beyond a doubt that alone under the pending amendment, if put in the law, would not entitle him to come in. It would exempt him as in the other case from the literacy test, but if he were otherwise unfit within the purview of the law, he would be excluded; and the same is true of persecution for political reasons.

The Senator from South Carolina speaks about religion as being a part of a man's life, of such a character that he can not divorce himself from it, except by and through some mental process which convinces him that his faith is not well founded, or else he disavows it and becomes an apostate for some selfish reason. Mr. President, I am fully aware of what religious convictions and feelings amount to with our human kind, whatever the faith may be. We all know that along the track of history are scattered the ashes of thousands who have been burned at the stake for their religious faith, and the track of history is marked with the blood of martyrs to the faiths for which they died; but high and ennobling as religious influence and conviction may be upon the lives of men, it is little above another lofty inspiration that also moves the hearts of men and influences their mental and moral life. The inspiration of patriotism, the love of liberty, the enjoyment of individual and collective freedom, thank Heaven, are as strong in the hearts of men, or almost as strong, as the most devout conviction with respect to things religious. As many, if not more, indeed, have suffered martyrdom, have been burned at the stake or butchered in their homes or on the field by ruthless tyrants because they lifted their hands against some oligarchy that would chain their minds and subject their souls and bodies to a species of intolerable slavery as have ever been sacrificed to religious persecution.

The history of the world is full of examples of men struggling up a mounting way for higher and better things who have been overcome by the force of numbers and of organizations and thrown into prison, their lives often taken in the most humiliating way, their property confiscated, and their children driven into exile. To save my soul I declare before high Heaven I can see no sounder reason why a man who has fought such a battle should be denied asylum here when he comes with outstretched hands than I can see why asylum should be denied to one fleeing from religious persecution. You can not draw this line without doing violence to the high ideals that from the beginning have been set up as our standards in this Republic. Sir, it seems to me that if a man or woman who has suffered in the way I have described comes begging for shelter at our door, pleading for sweet liberty on our hills and plains——

Mr. SMITH of South Carolina. Mr. President——

The PRESIDING OFFICER (Mr. WHITE in the chair). Does the Senator from Missouri yield to the Senator from South Carolina?

Mr. STONE. In just a moment I will yield.

Mr. President, I want to say that in such a case to close the door in the face of such a petitioner would be to forget who we really are, for it would be to blot out our history and to slap liberty and human hope in the face. Now I yield to the Senator.

Mr. SMITH of South Carolina. Ah, Mr. President, the Senator from Missouri is presumably arguing from the standpoint that this test will shut out all that class that he has so eloquently described. The committee, and I am sure the Senate, would be delighted to admit and are in no way attempting to prohibit that great class, when moved by sentiment such as the Senator described, from coming here, when they are otherwise qualified. The literacy test is one of the elements which we propose to use to prove whether it is the splendid class to which the Senator refers which is coming, because I think the Senator is willing to admit with me that with the modern facilities for acquiring an education surely those whom he is here calling our attention to as a class should have acquired at least the rudimentary elements of reading and writing which this test prescribes. Of course there may be exceptions, but we can not pass a law here to fit exceptions.

Mr. STONE. That is what you are doing.

Mr. SMITH of South Carolina. We are not doing that; we are simply saying that as a class they must subscribe to that which we consider a prime essential for our own people. In some of our States we have compulsory education, and that sentiment is growing. We are simply attempting to take care of the character of our own citizenship and applying this test as being one of the means of ascertaining whether these people are of the splendid class to which the Senator from Missouri refers.

Mr. STONE. Oh, yes, I understand, Mr. President, what the Senator now says and what he has before said to the same effect, but he should understand that, when I speak in general terms about the kind of people I have attempted most feebly to describe, I have meant to limit the application of my remarks to such of them as could not comply with the literacy test. I have not thought it necessary in this intelligent body to keep repeating the term "literacy test" every time I attempted to formulate a sentence; that is to be understood.

Mr. President, I think we can limit the right of entrance into our country so as to exclude undesirable people of whatever kind, even though this literacy test should be eliminated from the bill. The Senator from South Carolina says that it is put in to help eliminate or to exclude undesirable immigrants. I would not write that into this proposed law if I were conscious that only a single man of the kind I have described should be denied entrance here—a man who is brave, who is physically and morally sound, whose soul is lit up by the fire of patriotism, whose sole offense is the advocacy of things intended for the betterment of his race and human kind—a man who was driven from his native heath by the sharp sword of persecution—I would never shut him out of America; and especially would I not shut him out when I reflect that men of bad morals, of imperfect physical condition, men afflicted with maladies mental or physical, men who would undermine the very foundation of our institutions, which are built upon the toil and tears and blood of our people, may come to our shores notwithstanding the literacy test. None such as these I last describe ought to be admitted; but they may not be excluded by the literacy test, for we do know, if we know anything, that the most dangerous of our immigrants will not be kept out because of that test. I repeat I would not shut out a brave man of noble impulses merely because he could not read, nor would I shut his children out because they could not read.

My friend from South Carolina says that it is hardly conceivable that men and women should grow to maturity in any land without acquiring the ability to read or write, or to read according to this test. Why, Mr. President, I have just read in the hearing of the Senator from South Carolina and of the Senate several instances which disprove his conclusions. I called his attention to the fact that that little volume from which I quoted was full of instances where a class of people were taxed even to the extent of furnishing all the money required for the support of public schools, and yet their children were excluded from them. The father and mother at home might light the lamp or candle and assemble their little ones about them in the flickering gloom and teach them the alphabet and how to read, but God only knows—I do not. nor does the Senator from South Carolina—how difficult it may be for the parents to do that thing. Nobody knows how many of them, even before the sun first lights the eastern sky, must rise for the daily toil and continue at it until after the shadows of night have fallen. There is a limit to human endurance, and even such instruction as that may be under surveillance, frowned upon, and made difficult. No, Mr. President, it is not difficult to understand the prevalence of ignorance when the acquisition of knowledge is made an offense by law.

Mr. President, I want to call the attention of the Senator to the fact that the bill here before us is a confession by the honorable committee of which the Senator is the head that the former bills on this subject went too far. There was a bill some years ago which required that an immigrant should be able to read 25 words of the Constitution of the United States as a test; and then, two or three years ago, the same committee reported another measure requiring that the immigrant should be able to read and write so many words in some recognized language; and now, still retreating from a position that ought never to have been taken, the committee says "We will limit it to the capacity of the immigrant to read a certain number of words"—not to write, but to read a certain number of words—"in any known language, including the Yiddish." As you have so far receded from the original position, you ought to have left it out entirely.

Mr. President, when the last immigration bill was before the Senate, reported, I think, by the senior Senator from Massachusetts [Mr. LODGE], he said in his report that, in the first instance, they left out the literacy test because they thought it such a change in American policy and such a radical departure from the whole course of American history in dealing with this subject that it ought to be considered, discussed, and acted upon as a separate measure. Then afterwards they wrote it in.

Mr. President, when the bill requiring that the immigrant should be able to read 25 words—I think that was the provision—of the Constitution went to the then President, Mr. Cleveland, he vetoed it on the ground that that test was un-American. In a speech I made before the Senate when the last immigration bill was being considered, three or four years ago, I quoted from that veto message of President Cleveland. I am not going to take the time of the Senate, and particularly the time of the Senator from South Carolina, who is so anxious to proceed, by reading again what I read at that time, but I will ask that the marked portions of that veto message, on the first and third pages of the printed message, may be incorporated at this point in my remarks.

The PRESIDING OFFICER. Without objection, the quotations indicated will be incorporated.

The matter referred to is as follows:

A radical departure from our national policy relating to immigration is here presented. Heretofore we have welcomed all who came to us from other lands, except those whose moral or physical condition or history threatened danger to our national welfare and safety. Relying upon the jealous watchfulness of our people to prevent injury to our political and social fabric, we have encouraged those coming from foreign countries to cast their lot with us and join in the development of our vast domain, securing in return a share in the blessings of American citizenship.

* * * * * * *

I can not believe that we would be protected against these evils by limiting immigration to those who can read and write in any language 25 words of our Constitution. In my opinion it is infinitely more safe to admit a hundred thousand immigrants who, though unable to read and write, seek among us only a home and opportunity to work than to admit one of those unruly agitators and enemies of governmental control, who can not only read and write but delights in arousing by inflammatory speech the illiterate and peacefully inclined to discontent and tumult. Violence and disorder do not originate with illiterate laborers. They are rather the victims of the educated agitator. The ability to read and write as required in this bill in and of itself affords, in my opinion, a misleading test of contented industry and supplies unsatisfactory evidence of desirable citizenship or a proper apprehension of the benefits of our institutions. If any particular element of our illiterate immigration is to be feared for other causes than illiteracy, these causes should be dealt with directly instead of making illiteracy the pretext for exclusion, to the detriment of other

illiterate immigrants against whom the real cause of complaint can not be alleged.

Mr. STONE. Mr. President, the bill against the passage of which I made that address went finally to the then President, Mr. Taft, and he vetoed it. I wish to read an excerpt from his message. He says:

But I can not make up my mind to sign a bill which in its chief provision violates a principle that ought, in my opinion, to be upheld in dealing with our immigration. I refer to the literacy test.

He then refers to a communication addressed to him by the then Secretary of Commerce, Mr. Nagel, and I desire to read one or two brief extracts from that communication. Secretary Nagel said:

My observation leads me to the conclusion that, so far as the merits of the individual immigrant are concerned, the test is altogether overestimated. The people who come from the countries named are frequently illiterate because opportunities have been denied them. The oppression with which these people have to contend in modern times is not religious.

Here the Secretary of Commerce agrees with the Senator from South Carolina.

The oppression with which these people have to contend in modern times is not religious, but it consists of a denial of the opportunity to acquire reading and writing. Frequently the attempt to learn to read and write the language of the particular people is discouraged by the Government, and these immigrants in coming to our shores are really striving to free themselves from the conditions under which they have been compelled to live.

Mr. SMITH of South Carolina. Mr. President——

The PRESIDING OFFICER. Does the Senator from Missouri yield to the Senator from South Carolina?

Mr. STONE. I do.

Mr. SMITH of South Carolina. May I ask the Senator from Missouri if the Secretary was referring to the Jews, or was referring to all immigrants?

Mr. STONE. He does not say to whom he was referring.

Mr. SMITH of South Carolina. He was referring to all immigrants?

Mr. STONE. I take it so. At least, no particular class of immigrants is singled out in his communication.

Again, he says:

The census returns show conclusively that the importance of illiteracy among aliens is overestimated, and that these people are prompt after their arrival to avail of the opportunities which this country affords. While, according to the reports of the Bureau of Immigration, about 25 per cent of the incoming aliens are illiterate, the census shows—

The decennial census taken by the Government—

that among the foreign-born people of such States as New York and Massachusetts, where most of the congestion complained of has taken place, the proportion of illiteracy represents only about 13 per cent.

Mr. President, that shows to my mind that though 25 per cent of the immigrants admitted were illiterate, in a brief time, having the opportunity, they devoted themselves diligently to the work of acquiring the essential rudiments of education; and because of that the percentage of illiteracy represented in the census returns of immigrants as they came in was reduced one-half within the census period in the larger States of the Northeast, where, as the Secretary said, the greatest congestion occurs.

Mr. President, there are so many things in this bill that have my most hearty approval that I could support it with the greatest pleasure if this gross invasion of our great historical American policy had not been made. I do so wish that the Senators and the Senate would let that pass. That is too bitter a cup to hold to the lips of men who are honest in purpose, sound in mind and body, unexceptionable in their moral character, full of the impulse of patriotism, and capable of adding something to the industrial activities and growth of our country. It is a bitter cup to offer when we tell them that because of unfortunate and untoward environments and conditions for which they are in no wise to blame they will not be admitted because they are too ignorant; that vice is a certain and sure companion of ignorance; that where a man is without learning he must be branded as a scoundrel.

Still stronger is my objection and protest when such a one as I have described comes asking to partake in some degree of our liberty and opportunities that he is to be denied the benefit of a like exception to the literacy test as that granted for religious persecution. He may admit that he is ignorant of books; that may become manifest upon a moment's examination; but otherwise he comes up to the best standards you ask for citizenship. Nevertheless, because he is ignorant of books, you cast him out; and you cast him out even though he is a fugitive, not from crime or its consequences, but from a miserable and intolerable political persecution or because he is put under an oppressive ban solely because he was born into a certain race of people. No matter how good he may be, as a rule; no matter how industrious, frugal, patriotic he may be, as a rule; no matter how cruel the persecution of him because of race, he will be cast out. Every impulse of my heart is against a policy of that kind.

Mr. President, it would not be meet, I think, to comment upon and to express my opinion or my feeling with reference to the public policies of another Government. In this forum I feel that there is such an environment, such a call for propriety and delicacy of conduct, that we should speak with caution when we undertake to speak directly and by name of a great nation with which we are at peace. But you know full well what I mean. Shall we become a partner in such crimes against mankind?

Mr. President, I can not get it into my heart to support such a provision as that to which I have been addressing myself. That is all I care to say.

Mr. MARTINE of New Jersey. Mr. President, I hesitate somewhat to burden the Senate further with my views on this question, for I have already spoken on it; but my apology, if one is needed, is that I feel this matter keenly.

Senators, I plead with you, strike out the so-called literacy test in this bill. It is un-American, to my mind; it is unholy, in that it does not treat mankind as brother; it is unjust, in that you would punish a would-be American for shortcomings not his own fault.

When you men of New England were laying the foundations of your great fortunes in mill and workshop, you did not stop then to ask the question—you hardly cared—whether your operatives could read or not. Again, Mr. President, in the crucial days of our late war, when the very life of our Nation seemed in the balance, you did not ask, when enlisting a soldier: "Can he read?" No! You only asked: "Is he strong in body and steady of nerve, to battle with and vanquish our foe?"

A few months, mayhap a year ago, a giant craft, the *Titanic*, while freighted with her human cargo, was rent from bow to stern in the black night on the deep sea. A cry rang out from the commander on that still, black night: "Man the boats! Women and children first!" It is not recorded, Mr. President, that he said: "Man the boats with men who can read only," but "Man the boats!"

Ah, I ask, who amid that awful gloom stopped so long as to ask the question: "Can this seaman read?" Was there any namby-pamby specimen of humanity there to raise his puny, squeaky voice to protest at being rescued by a seaman who could not read? Oh, no—a thousand noes! Away with this sentimental nonsense!

When at Valley Forge, at Lexington, at Princeton, at Monmouth, at Bunker Hill, you did not then invoke the literacy test. Ah, no! You were broader then, more Christian then. Prosperity and wealth have made you selfish and, I fear, un-Christian.

I deny the thought that was advanced here a day of two ago, that it is through immigration per se that vice and immorality have spread in this land. Take the Irish, take the German, the Dane, the Italian, and the much-despised Jew, and I say it is utterly untrue. I almost defy you, Mr. President, to find an unchaste or lewd Jewess, almost never a Jewish criminal; and yet the effort of this bill is to inveigh against that race that would seek liberty and the blessings of this God-blessed and holy land.

For chastity and observance of the marriage vows it is not safe, Mr. President, to depend upon your so-called literacy test. Search the records of our divorce courts and you will find the pages there replete with marital woes and divorce, not among the illiterate but among those high in the social scale, on the social register, and in the literacy-test set.

No, Mr. President; literacy does not mean morality and virtue. Thousands of those who passed the gates of our Castle Garden and other ports of this land, though unable to read, both of men and women, though illiterate, have made good fathers and splendid mothers; they have amassed fortunes for themselves and have become honored citizens in our land. Divorce is practically unknown to those races whom you charge with being, and who may be, illiterate according to our test.

Mr. President, I have no fears of opening the gates. This splendid land of glorious liberty, with its magnificent conditions and with the feature of a public-school education, is the mill, so to speak, that will and does assimilate the unfortunate illiterates that may come from abroad.

Great colonies of Italians and Jews are in my own little State. They are law-abiding, thrifty, and honest. I have received over a hundred telegrams from gentlemen who are Hebrews, who have amassed fortunes, who have become citizens of our land, who have an interest in common with all of us in advancing the well-being and the welfare of this glorious land, who hold up their hands in holy protest and raise their voices against the passage of this bill.

Mr. President, I feel that I am not pressing the cause of selfishness, but I am pressing and pleading for the cause of justice and humanity; and I plead with you earnestly and seriously. I have reasons, which I need not repeat, why I press you, as men blessed with glorious opportunity, to lift your voices and cast your votes against this iniquitous and ungenerous proposition.

A few lines came to me a day or two ago which I beg to read, and which meet my ideas quite fully. They are headed:

THE MEN AT THE GATE.

We've dug your million ditches,
  We've built your endless roads,
We've fetched your wood and water,
  And bent beneath the loads.
We've done the lowly labor
  Despised by your own breed,
And now you won't admit us
  Because we can not read!

Oh, statesmen, high in Congress,
  From East, West, North, and South,
You render valued service,
  But mostly with the mouth.
The sons are like the fathers;
  Hard work is not their creed;
They won't swing picks and shovels,
  But then—they all can read!

We've given honest labor,
  And liked our humble lot.
Our children learn the letters
  Their fathers haven't got.
We've fled from persecution
  And served you in your need,
But now you would debar us
  Because we can not read!

Most crooks are educated
  And to the manor born;
Their white hands show no callous;
  They look on us with scorn.
Mere learning is not virtue,
  The word is not the deed;
Disdain, then, not your toilers
  Because they can not read!

Good friends, if we are brothers,
  Why do you raise this test?
Will talk, then, till your acres
  And feed your people best?
Your children trained as idlers—
  Some workers you must need;
Don't bar our only refuge
  Because we can not read!

Your farms are half deserted;
  Up goes the price of bread!
Your boasted education
  Turns men to clerks instead.
We bring our picks and shovels
  To meet your greatest need—
Don't shut the gates upon us
  Because we can not read!

Oh, God of all nations, we pray, open the gates to those of Thy children who, through the edict of fate, can not read, but can only recite, with heartfelt earnestness, the words "charity, justice, and humanity." In Heaven's name, will this great, free Republic and this glorious Senate demand more?

I plead with you, my friends, as you love your country, as you hope for a grander and more glorious future, strike this iniquitous, unholy, un-American, and ungenerous provision from the bill.

Mr. WILLIAMS. Mr. President, in spite of the sentimentality of the Senator from New Jersey, and in spite of the plausibility of the Senator from Missouri, ignorance is neither a great, nor a grand, nor a glorious, nor a lovable, nor an advantageous thing. In a self-governing country, where all the people have a hand in ruling, it is the chief danger and chief menace to free institutions.

The long speech of the Senator from Missouri might be answered in one sentence, if it were thought advisable to answer it in one sentence, and that would be this: The American people are now expending something like a billion dollars a year to eradicate ignorance; and yet men, so-called statesmen, come here, misled by prejudice in favor of some race or misled by political interest, appealing and pleading to the House of Representatives and the Senate of the United States to import more ignorance!

What use have you for it after it gets here? You say it goes into the mines and goes upon the farms and goes somewhere else. Maybe so. What does it do when it goes there, if it does—and it generally does not. The illiterate and ignorant immigration generally hangs around Chicago, New York, and Boston; but if it goes to these other places, what does it do? It simply displaces intelligent American workingmen. American workingmen are not out of work because they are so highly educated as to be above work. It is because men with lower standards crowd them out. The men who are chiefly interested in importing ignorance into this country are the great tariff barons of this country and the great mine barons of this country who want cheap labor, and know that they can not get cheap labor unless they get ignorant labor, because ignorant labor is the only sort of labor that can not take care of itself, that can not organize, can not combine, and can not defend itself.

I am tired of hearing tributes to ignorance and demagogic appeals against intelligence. There is no reasonable excuse in the world today for any Norwegian or Swede or Dane or German or Hollander or Frenchman or north Italian, any Scotchman or Irishman or Englishman, any Swiss or any Belgian, reaching the age of maturity without being able to read and write.

When you bar men because of illiteracy you do not bar them because they are themselves—you bar ignorance; and you bar ignorance because ignorance is dangerous to free institutions in a self-governing country. Ignorance is not dangerous in a despotism. Ignorance is not dangerous in Russia. On the contrary, it may be to the interest of Russia or Turkey to keep people in ignorance; but ignorance is dangerous in a country where five years' residence makes a citizen of a man. If every State in the Union did as Mississippi and Massachusetts have done, and debarred from the franchise their ignorant, it might be different, but they do not do it.

It might be safe enough to have them if they had nothing to say about the Government; but when you go into—I will not particularize, either, because that would be, I think, in bad taste; I started to mention a special part of the country—but when you go into a great ignorant settlement of people, whether they be native or foreign, it does not make any difference which, when you go there to plead for certain political measures or against certain political measures, what hope have you, in God's name? If people like that are to control a government or constitute the balance wheel, even, in certain great centers, as they do, what hope have you for an intelligent solution of any great public problem?

This is not a matter of sentiment. The Senator from New Jersey [Mr. MARTINE] appeals to "brotherly love," and all that. I can have brotherly love for a man without making him a part of my household. I may be perfectly willing to do the very utmost I can for him and yet not be willing to take him in as a member of my family.

I tell you, Senators, you can not establish democratic institutions anywhere except in a temple which is supported by these four pillars—liberty, equality, fraternity, and justice. I tell you that neither liberty nor equality nor fraternity nor justice can exist amidst an ignorant electorate. It does not make any difference whether the ignorant electorate is a lot of negroes in Mississippi or whether it is a lot of people who can not read and write of the white race somewhere else, you will have your choice sooner or later, either to defy the spirit of democracy to prevent them from ruling or else to surrender the soul of democracy while you permit them to rule.

What is our use for them? A man was talking to me the other day, and he said, "My mother could not read." Well, his mother would have been a better woman if she could have read—perhaps not a better woman, but at least a more useful and efficient one. All these appeals to men to destroy the character of the American body politic upon the ground that some good person somewhere who could not read and write might be affected are absurd. I know and have known in my life a lot of very good people, not in this country so much as abroad, who could not read and write.

But we have the whole world to pick from. There are 90,000,000 of us here now, probably 100,000,000. We do not need anybody else particularly. We welcome guests to our front door and within our house, but we have the whole world to pick from, and why not pick its cream? Why pick its blue milk?

You tell me that it is cruel to say that no man merely because he can not read and write should be left beyond the American portcullis. I tell you that as a rule upon the Continent of Europe to-day educational institutions are more numerous and better than they are in America.

I tell you, moreover, that the man who reaches adult age without being able to read and write is not only ignorant, but as a rule he displays a lamentable lack of enterprise, of initiative, of willingness to help himself; and I tell you that in a majority of European countries to-day ignorance has ceased to be a fault and has become a crime. It has become a sin—a crime against man, a sin against God—because any man could acquire a decent elementary education if he wishes to do it.

There may be countries—I need not name them—where it is difficult to get an education, where it is difficult to learn to read and write. There are some I know in Asia, and in

southeastern Europe, perhaps. But why are we anxious to have them? Why do we want to make an exception in order to get them? Is there anything in their present status or their past history that encourages us in the belief or hope that they would make good citizens of the United States?

It is a good idea when you can to take only the best. The law of natural selection can be helped out by the law of human selection, or rather by human selection, because it is not a law. The law of evolution—the survival of the fit and the extinction of the unfit—is a great natural law; but it is a great mistake to think that men can not modify it; that men can not direct and guide it. Men can help to select the fit, and they can help to exclude the unfit.

When this question presents itself to my mind it does not present itself to my mind as a question for the benefit of Asiatics, or Europeans, or Africans. It presents itself to my mind as a question of benefit and self-preservation to the American Republic and to American free institutions. When a foreigner comes to these shores I want two things of him, if I can get them. One is to know that he is *fit* to become an American, the other to know that he is *willing* to become an American; that when he takes the oath of naturalization he takes it without mental reservation; that down in the bottom of his heart he reserves no allegiance to prince, pope, power, or potentate, to Kaiser, Czar, or King, and that his action as an American citizen shall not be controlled or modified by the interests of the place of his derivation. I ask these two things, that he shall be fit and that he shall be willing.

Now, of course, there is a higher test of citizenship than mere literacy. If there were a god amongst us who could draw up and put upon the statute books and execute a law admitting the morally fit and excluding the morally unfit, of course that would be better. But there is no god amongst us in either of these legislative halls. There is no man who can look into the secret arcanum of another man's heart and tell what manner of man he is by looking upon his face. We must approximate it as best we can, and the best way to approximate it is along the line of intelligence, and the nearest approach we can make to a line of intelligence is through the literacy test.

It is also true that sometimes a man who can not read and write is more intelligent even than a man who can, but as a rule the man who has not thought enough about this small brain of ours and has not sought an opportunity to cultivate it and acquire at least common reading and writing, is less intelligent than the man who has thought enough to do it.

Mr. MARTINE of New Jersey. And he is often the bigger scoundrel.

Mr. WILLIAMS. Oh, yes; that is very true indeed. Lord Bacon was said to be "the wisest and meanest of mankind."

That again fails to come to the point. The Senator from Missouri [Mr. STONE], upon his feet, said "You are going to brand the man as a scoundrel" because he can not read and write. What enfantillage, what absolute childishness is that, coming either from the Senator from Missouri or the Senator from New Jersey. You do not brand him as a scoundrel at all; you merely brand him as unfit, untrained, untaught for American citizenship; that is all. He has not the trained intelligence to inform himself upon great public questions. You do not brand him as a scoundrel at all.

Mr. MARTINE of New Jersey. Mr. President——

Mr. WILLIAMS. Wait one moment. Some of the most honest men I have ever known in my life were ignorant. One I have in my mind now was a negro man who belonged to my grandfather. He was absolutely honest. As Thomas Jefferson said of John Adams, "The Eternal Spirit who made him could not be more so." He was absolutely ignorant, and yet my grandfather introduced him to Jefferson as "an honest man." But that is not the point.

Mr. MARTINE of New Jersey. Mr. President——

Mr. WILLIAMS. I yield to the Senator.

Mr. MARTINE of New Jersey. I have not claimed that you brand him as a scoundrel, but I have——

Mr. WILLIAMS. The Senator from Missouri did so claim in so many words.

Mr. MARTINE of New Jersey. I am not responsible for what the Senator from Missouri said.

Mr. WILLIAMS. The Senator himself a moment ago said that a man might be very wise and still be a scoundrel. Why did he mention that well-known fact except as an argument along Senator STONE's remarks?

Mr. MARTINE of New Jersey. What I did say was why deny him equal opportunity as a result of immigration to this fair land of ours? I deny in toto the Senator's proposition.

Mr. WILLIAMS. "Deny him equal opportunity." I take it the Senator means by opportunity a rightful, a just, a natural opportunity?

Mr. MARTINE of New Jersey. Yes.

Mr. WILLIAMS. A natural right. What is the natural right of any human being to enter the United States?

Mr. MARTINE of New Jersey. To earn his bread by the sweat of his brow and to abide by the laws of the country of his adoption.

Mr. WILLIAMS. Mr. President, there is no such inherent opportunity or right in any man living anywhere to come into the United States and constitute a part of our domestic family—of this body politic—much less is there any natural right or any well-founded right or opportunity inherent in anybody anywhere to constitute a part of what is higher than the body politic of the United States, and that is its soul politic. Your body politic is a mere frame of government, your executive and your judiciary and your legislative and all that, but the soul politic is constituted of the traditions and the ideals of your citizenship; and when a man is unfit to take on those traditions and those ideals, if there were any possible test whereby you could determine that he was unfit, I would exclude him. But there is no possible test whereby you can determine it accurately, scientifically, and certainly.

Mr. President, I am the last man in the world to have any sort of chauvinism of any description. I boast that I am more than a citizen of the United States, that I am a citizen of the world, and I have lived with the world in thought, in feeling, in study, and to a certain extent bodily as well. I have no sort of sympathy for any man who thinks for one moment that a man who is a citizen of the United States is for that reason any wiser intellectually, any better morally, any stronger physically than a subject of the Kaiser or the Czar or the King of Great Britain, or per se than even a subject of the Sultan of Turkey. I know that we are neither wiser nor better nor stronger than those great Scandanavian people along the Baltic and North Sea, the Norwegians, the Swedes, and the Danes; nor the Pomeranians in Prussia nor the Germans in Bavaria, nor those dearly loved people along the Rhine, nor the French people in northern or in southern or in central France, nor the purely white Italians, nor the Swiss. There I stop, because there my personal knowledge stops. They are as good as we are; they are as smart as we are; they are as strong as we are; they are as honest as we are; they are as honorable as we are. An American who sets himself up as better than other people because they are under some other flag is simply a fool, in my opinion.

This, then, is not a test of chauvinism at all. It is a test not directed against a man but a thing. What is the thing? It is ignorance.

You talk to me about ignorance being a misfortune. I do not care whether it is or not. It is a fact, is it not? It is an unfortunate fact and it is a dangerous fact; it is a menacing fact; it is a criminal fact; it is a sinful fact if the man could have helped it; and whether he could help it or not he himself when he has it is dangerous to me and you, because he and his ignorance are one and inseparable.

I might concoct a government in my imagination which would not be dependent entirely upon intellectuality. I have often thought that perhaps there might be a better government than a democracy, to wit, a government of the wise, as the Greeks called it—an aristocracy, etymologically speaking—provided you had God to help you select the wise. But you have not. He has declined to do it, and He has left us to rule the world in a free country by the common sense and the common conscience of the common people. I want the highest form of common sense and common conscience I can find, and therefore I want a trained common sense and a cultured common conscience.

It is folly to tell me that you can go blundering around in the world and accidentally hit upon Tom, Dick, or Harry, regardless of all their mental characteristics, and that they are going to give you good government. You can not thus have it. Your Government here in America depends upon Tom, Dick, and Harry. It depends, therefore, upon their intelligence; and there is no practical test of intelligence except literacy. It is not a perfect test, but it is an approximate one.

You people up North here had an experience of that sort, or, rather, you inflicted upon us an experience of a sort which ought to teach you something. Soon after the war you began to talk, in connection with citizenship and the suffrage and social rights, about "the man and the brother." You were going to make a citizen out of the negro because he was "a brother," and you made a citizen out of him. What happened to us? We were ground between the upper and the nether

millstones—the very life and pride ground out of us practically; honesty was ground out; everything was ground out. Why? Because, among other things, the man to whom you gave power was ignorant, stupid, leadable, no master of himself, no captain of his own soul. No ignorant man is captain of his own soul, and he can not be.

I want later on to make one exception, Mr. President, to the literacy test. I offered an amendment the other day in these words; to insert, on page 9, line 12:

Or for five years after the passage of this act, because of the military conquest of their country.

Since that time I have received a letter from Representative BURNETT, of Alabama, a Member of the House. I have more confidence in his opinion upon questions of immigration than in the opinion of any other man belonging to either of the two Houses. He has convinced me that the amendment in that shape will not do. Guided partially by his mere authority, which I so highly respect, and guided still more by the reasons which he gave in his letter, I do not want to insist upon it in that shape, but I shall ask to amend it before it comes to a vote. I might just as well say, because I do not believe it is in violation of even the spirit of neutrality, that my desire is to leave the doors of the United States wide open for the Belgian immigrants. So I would make it read:

Or for five years after the passage of this act, because of the military conquest of their country, in cases where the territory of their country had received recognition by belligerent powers as neutral territory and where their land was invaded for no other reason than that their Government refused to consent to let it be invaded.

Further than that I do not want to make any exceptions to it except religious persecution, and I make that exception because of reasons which I think it would be internationally unwise for me as a Senator of the United States to dwell upon too much. But the condition of the Belgians has appealed to me to such an extent that it seems to me that almost all rules of every description ought to be waived in order that they may have a home and a haven somewhere upon the surface of this earth. I do not say "a place in the sun"; they are not seeking that; but just a home, a haven.

Mr. HITCHCOCK. Mr. President——

The VICE PRESIDENT. Does the Senator from Mississippi yield to the Senator from Nebraska?

Mr. WILLIAMS. I do.

Mr. HITCHCOCK. I was rather surprised at the Senator's illustration when he referred to the fact that the North after the Civil War had forced upon the South the colored man as a citizen. He compared that condition to admitting European immigrants without a literacy test. I want to ask the Senator whether it would have been satisfactory to him if the South had permitted the colored man to enter citizenship provided he could have read 40 words in the English language?

Mr. WILLIAMS. Mr. President, I understand the ad hominem thrust, and as somewhat of a debater myself I can perhaps appreciate it more fully both in its force and its irrelevancy. To some extent the illustration was unfortunate. If the Senator understood me to mean that the only objection that the southern man had to negro suffrage was the fact that the negro could not read and write, then I made a mistake, and he knew that as well when he interrupted me as he does now after I have told him so. There are some races upon the surface of this earth that do not belong to the white race who are racially incompetent for self-government. They have proven themselves so both in their native habitat and here. But I was merely calling attention to the comparison in so far as the element of ignorance entered into it. The Senator perfectly understood me and it needed not his question to enlighten his intellect at all.

Mr. HITCHCOCK. Mr. President, I asked the question because the Senator had elaborately stated that in his opinion the European people who might be excluded by the literacy test were in all respects capable of the same development, equal in honesty, equal in character, equal in health, and equal in all the qualifications of good citizenship to the American; and he compared their plight with the colored man in the South. I wanted to know, therefore, whether the South would have been satisfied with the colored man as a citizen, provided he could mave met the literacy test.

Mr. WILLIAMS. I compared them only with respect to their ignorance. I was not ready to make a race speech, nor would a race speech be relevant or pertinent to this question. I was merely trying to call your attention to the fact that you had thrown upon the South a perfect cloud of ignorance. That is totally outside of the fact that there are between white men and negroes racial distinctions, as Mr. Lincoln himself said—"moral and physical differences," as he stated it—which render it absolutely impossible that they should be politically and socially equals in the same country. In Mr. Lincoln's celebrated words, "when it comes to taking a choice as to which one of these two shall be superior, I will align myself with my own race." I said those were Mr. Lincoln's words. They were not literally his words, but he said in exact substance, "When it comes to determining which shall be superior and which shall be inferior, I of course, like every white man, am in favor of white superiority."

Now, that and the question propounded by the Senator from Nebraska, which invoked it, has nothing to do with this question. The Senator from Nebraska knows it has nothing to do with it. He knew it when he made the interruption. He merely thrust it in for the purpose of deflecting me from the line of argument, by trying to make me discuss the race question. His purpose would have succeeded better if he had tried his tactics on some other Senator. Now, I am not a monomaniac upon the race question, luckily, nor upon anything else. I have common sense about it. I know that the white man is the superior, as a race, to the colored man, but I am not prepared to discuss it every time some gentleman digs his spur at me, roweled with it, but in connection with some question with regard to which it has no pertinency and no relevancy. So the Senator from Nebraska will pardon me from further observation along that line.

To go back to the question, we have the whole world to choose from. We have our natural children in our family here now, and it is the family that we ought chiefly to care for. It is our own American children that we must care for first. The question presented to us is what adopted children are we going to add to the family—what adopted children are we going to admit to the high privilege of associating with our own children? I say we should admit adopted children who are fit for the association. I admit that you can not always tell who are fit and who are unfit, but we must approximate it by some rule as close to it as we can come.

I say that this literacy test bars *a thing*—ignorance—and I say, moreover, that in barring this dangerous and awful thing it happens accidentally to admit a very large proportion of the best races of the world and to exclude a very large proportion of the worst. That is natural. That is an incident, but it is a fact. However, it does not change the essential thing, which is that we are barring menace and danger. In a certain higher sense, there is nothing dangerous in this world except ignorance. Thomas Jefferson said that he did not mind giving freedom to error, provided reason was left free to combat it. I am of that opinion, too. But suppose that in a given place you have not any reason to combat it? Suppose the man in whose mind you are going to combat it has not any reason; or suppose he has nothing but natural and uncultivated reason, uninformed reason, untrained reason, untaught reason—not much above instinct—to what sort of a forum, then, to what sort of a jury, then, is reason to carry its appeal against ignorance and prejudice, especially when you consider prejudice always sits high-throned in the very altar center of the temple of ignorance?

I could draw a picture of a Russian family, oppressed, persecuted, no haven at home, no haven in bordering countries, anxious to come to America, and in the first or the second or the third generation to make out of themselves a new thing, making out of their dead selves of one generation a stepping-stone to higher things in another generation. I could draw the picture perfectly as well as any of these gentlemen, it may be; I do not mean as well, but I mean as sincerely and as honestly as any of them.

But that has nothing to do with this question. Here is your household; here is your family; here are your children—the sons and daughters of the Republic. Whom are you going to adopt in the family with them, giving adopted children equal rights? Whom are you going to take in as members of the family, as coheirs with them, upon an equality with them? And, strange to say, too, into a queer family, because it is a self-governing family, where every child has a voice as well as the father and the mother in the government of the household. Whom are you going to take in—fit or unfit material?

The Senator from Missouri dwelt upon the fact that several Presidents had vetoed such bills. Oh, yes; and that brings me to the question of the "invisible empire" in American politics, national executive committees, State political committees, promises made by them during campaign times, to be fulfilled afterwards by the parties when they come into power. Here we stand, the visible political empire of America, the House, the Senate, and the White House, and there stands behind us the invisible empire, the unknown, unelected men, with their secret campaign promises of one description or another. One President after another, guided by them and ruled by them, now and then has vetoed measures of great importance to the

American republican-democratic household—among others this—and may do so again for aught I know, although I think not. What do I care about that? What do you care about it? What has it to do with common sense of the question? What has it to do with the real justice of the question? What has it to do with the real generosity of the question?

Senators have hitherto taken the position that all the generosity that we should show was a generosity to be shown toward foreigners when they come to our shores, but there is a higher form of generosity than that, and that is the generosity you should show to the children of your own household.

Are you going to bring in the unfit, the unprepared, the untrained, the untaught, put them upon grounds of absolute equality, and make them coheirs with the children of your own loins, to drag them down intellectually and politically? That you shall bring them in and make them coheirs with the children of your own loins is all right, provided they are fit, provided they are really equal when so acknowledged, provided they are competent to help carry out this great American, republican-democratic world mission, a mission of holding up a light to the whole world, the light of liberty and fraternity and equality, "founded upon intelligence," as the father of Democracy said, because it is "the only safe foundation upon which free institutions can rest." I do not care how perfect the moral character of a man may be, if he is absolutely untaught, uninformed, and untrained intellectually he can not be thoroughly and intelligently sympathetic with free institutions; neither can he be thoroughly competent to constitute a part of the governing power amidst free institutions.

Mr. President, before I take my seat I ask leave to modify the amendment which I have presented, so that it will be pending in its present suggested shape.

The VICE PRESIDENT. In the absence of objection, the amendment will be modified as requested.

The amendment proposed by Mr. WILLIAMS, as modified, is as follows:

On page 9, line 12, after the word "persecution" and before the semicolon, insert the following words: "Or for five years after the passage of this act, because of the military conquest of their country, in cases where the territory of their country had received recognition by belligerent powers as neutral territory, and where their land was invaded for no other reason than that their Government refused to consent to let it be invaded."

EXECUTIVE SESSION.

Mr. O'GORMAN. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to, and the Senate proceeded to the consideration of executive business. After 13 minutes spent in executive session the doors were reopened, and (at 4 o'clock and 18 minutes p. m.) the Senate adjourned until Monday, December 21, 1914, at 12 o'clock meridian.

CONFIRMATIONS.

Executive nominations confirmed by the Senate December 19, 1914.

CONSULS.

Albert W. Pontius to be consul at Foochow, China.

Lucien N. Sullivan to be consul at Newcastle, New South Wales, Australia.

E. Carleton Baker to be consul at Nagasaki, Japan.

PROMOTIONS AND APPOINTMENTS IN THE PUBLIC HEALTH SERVICE.

Passed Asst. Surg. Albert D. Foster to be surgeon.
Passed Asst. Surg. Holcombe McG. Robertson to be surgeon.
Sanders Lewis Christian to be assistant surgeon.
Charles Joseph McDevitt to be assistant surgeon.
Royd Ray Sayers to be assistant surgeon.
Roscoe Roy Spencer to be assistant surgeon.
Paul Morton Stewart to be assistant surgeon.
Walter Casper Teufel to be assistant surgeon.

APPOINTMENTS IN THE ARMY.

GENERAL OFFICERS.

Brig. Gen. Frederick Funston, United States Army, to be major general.

Col. Henry A. Greene to be brigadier general.

MEDICAL RESERVE CORPS.

To be first lieutenants, with rank from November 6, 1914.

Albert Thomas Cook.
Arnott Kell Duncan.
Delbert O. Smith.
William Walling van Dolsen.

PROMOTIONS IN THE ARMY.

ORDNANCE DEPARTMENT.

Lieut. Col. Charles B. Wheeler to be colonel.
Maj. Kenneth Morton to be lieutenant colonel.

CHAPLAIN.

Chaplain Francis B. Doherty to be chaplain with the rank of major.

FIELD ARTILLERY ARM.

Maj. George Le R. Irwin to be lieutenant colonel.
Capt. Richard H. McMaster to be major.
First Lieut. Pelham D. Glassford to be captain.
Second Lieut. Herbert Hayden to be first lieutenant.

COAST ARTILLERY CORPS.

Lieut. Col. George F. Landers to be colonel.
Maj. Daniel W. Ketcham to be lieutenant colonel.
Capt. Alfred S. Morgan to be major.
First Lieut. William T. Carpenter to be captain.
First Lieut. Frank H. Phipps, jr., to be captain.
First Lieut. Thomas Duncan to be captain.
Second Lieut. Francis H. Miles, jr., to be first lieutenant.
Second Lieut. Harry T. Pillans to be first lieutenant.
Second Lieut. Reginald B. Cocroft to be first lieutenant.
Second Lieut. Kenneth B. Harmon to be first lieutenant.
Second Lieut. Elmore B. Gray to be first lieutenant.
Second Lieut. Herbert O'Leary to be first lieutenant.

INFANTRY ARM.

Lieut. Col. Robert L. Hirst to be colonel.
Maj. James H. Frier to be lieutenant colonel.
Capt. Marcus B. Stokes to be major.
Capt. John H. Parker to be major.
First Lieut. Clyde B. Crusan to be captain.
First Lieut. Sherman A. White to be captain.
First Lieut. William H. Clendenin to be captain.
First Lieut. John M. Craig to be captain.
First Lieut. John R. Kelly to be captain.
First Lieut. William G. Ball to be captain.
Second Lieut. Frederick A. Barker to be first lieutenant.
Second Lieut. Agard H. Bailey to be first lieutenant.

CAVALRY ARM.

Maj. Willard A. Holbrook to be lieutenant colonel.
Capt. William J. Glasgow to be major.
Lieut. Col. George H. Sands to be colonel.
Maj. Lewis M. Koehler to be lieutenant colonel.
Capt. Frank S. Armstrong to be major.
Capt. James G. Harbord to be major.
First Lieut. Brice P. Disque to be captain.
First Lieut. Alvin S. Perkins to be captain.
First Lieut. Robert M. Barton to be captain.
Lieut. Col. Joseph T. Dickman to be colonel.
Maj. Robert E. L. Michie to be lieutenant colonel.
Capt. John O'Shea to be major.
First Lieut. Walter J. Scott to be captain.

POSTMASTERS.

DELAWARE.

Frederick L. Willey, Bridgeville.

GEORGIA.

James L. Brown, Greensboro.
James S. Francis, Conyers.
E. H. McGehee, Talbotton.

KENTUCKY.

Robert H. Anderson, Georgetown.
Moses Kaufman, Lexington.

LOUISIANA.

S. B. Hanes, Jena.

MISSISSIPPI.

Mattie B. Catchings, Georgetown.
Frank L. Ratliff, Shaw.

NEBRASKA.

Francis W. Brown, Lincoln.

NORTH CAROLINA.

Robert V. Brawley, Statesville.
David T. Clark, Weldon.

SOUTH CAROLINA.

John B. O'Neal, Fairfax.

TEXAS.

C. J. Debenport, Commerce.

HOUSE OF REPRESENTATIVES.

SATURDAY, *December 19, 1914.*

The House met at 12 o'clock noon.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

We would approach Thee, Almighty God, in the spirit of Him who taught us when we pray to say—

"Our Father who art in heaven. Hallowed be Thy name. Thy kingdom come. Thy will be done in earth, as it is in heaven. Give us this day our daily bread; and forgive us our debts, as we forgive our debtors. And lead us not into temptation, but deliver us from evil. For Thine is the kingdom and the power and the glory forever. Amen."

The Journal of the proceedings of yesterday was read and approved.

RIVER AND HARBOR BILL.

Mr. SPARKMAN. Mr. Speaker, I present the river and harbor bill, which, together with the accompanying report (No. 1230), I ask be referred under the rule. I would like also to say that I propose to call this bill up at the earliest possible moment. I do not expect, however, according to information I have received, to get it up until after the holidays. But I present it thus early that the membership of the House may have every opportunity of scrutinizing it before it is taken up for consideration.

The SPEAKER. The Clerk will report the title.

The Clerk read as follows:

A bill (H. R. 20189) making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes.

Mr. MANN. Mr. Speaker, I reserve all points of order.

The bill, with the accompanying report, was ordered printed and referred to the Committee of the Whole House on the state of the Union.

ENROLLED BILL SIGNED.

Mr. ASHBROOK, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bill of the following title, when the Speaker signed the same:

H. R. 6867. An act to increase and fix the compensation of the collector of customs for the customs collection district of Omaha.

HELEN L. BREMNER.

Mr. LLOYD. Mr. Speaker, I present the following privileged resolution from the Committee on Accounts.

The SPEAKER. The gentleman sends up a privileged resolution, which the Clerk will report.

The Clerk read as follows:

House resolution 406 (H. Rept. 1232).

Resolved, That the Clerk of the House be, and he is hereby, authorized and directed to pay, out of the contingent fund of the House, to Helen L. Bremner, clerk to Robert Gunn Bremner, late a Representative from the State of New Jersey, compensation at the rate of $125 per month from and after the date of the death of the said Robert Gunn Bremner until his successor is elected and qualified.

Also the following committee amendment was read:

Strike out all of the resolution after the word "Jersey," in line 5, and insert the following: "the sum of $125, being an amount equal to one month's salary of a clerk of a Member of the House.

Mr. LLOYD. Mr. Speaker, this resolution is different from any resolution that has come from the Committee on Accounts, so far as I know, and it is intended to serve somewhat as a precedent for action hereafter. If the House sees fit to pass this resolution, this committee will consider such resolutions hereafter.

Mr. BARTLETT. May I ask the gentleman a question?

The SPEAKER. Does the gentleman from Missouri yield to the gentleman from Georgia?

Mr. LLOYD. Yes.

Mr. BARTLETT. Mr. Speaker, this proposes to pay for services that were not rendered during the lifetime of a Member. This lady was a clerk of a Member, and she was to receive $125 a month. The usual custom, that with which I am familiar in such cases, is to pay the amount up to the date of the death of the Member. Is not that correct? This is to pay a full month's salary, regardless of the fact of whether the Member died at the end of the month or in the middle of the month.

Mr. LLOYD. If this resolution is adopted, the individual is paid $125 additional to anything she would receive. She would receive pay up to the date of the death of the Member at the rate of $125 a month.

Mr. BARTLETT. So that this is a mere gratuity?

Mr. LLOYD. Of $125.

Mr. BARTLETT. Of $125.

Mr. MANN. It is not a gratuity.

Mr. LLOYD. I beg your pardon. I am accepting your term, but I do not think you mean the word "gratuity" exactly, because a private secretary must stay here and do some work after the death of the Member; and many of the secretaries are expected to stay here sometimes for a month, or even three months.

Mr. BARTLETT. I remember a case when I was a member of the Committee on Accounts, of which committee I was a member for 16 years, which appealed to us very much, where a Member died and his successor was not elected, and the secretary, who was a lady, stayed here and attended to all the correspondence and things of that sort; but we were not able at that time to bring ourselves to the conclusion that it was anything more than a—if it is offensive to say "gratuity," I will say "payment"—a payment not authorized by law or custom of the House. It is, in fact, a gratuity, so far as we are concerned. A Member of Congress receives $125 a month for the purpose of paying for clerical services. There have been numerous instances of where Members have died and their secretaries have not been paid more than the amount that was due at the date of the death of the Member.

Mr. BARNHART. Will the gentleman yield?

Mr. BARTLETT. Yes; if I have the privilege of the floor.

Mr. LLOYD. Yes, sir.

Mr. BARNHART. Does not the gentleman believe that in the case of the death of a Congressman the services of the secretary should be continued until a successor is elected, in order that the district may have some representation here?

Mr. BARTLETT. No.

Mr. BARNHART. I think so, myself.

Mr. BARTLETT. I voted a number of times, and still believe that we should vote, for a salary for our secretaries sufficient to maintain them here in Washington, and that we should put them on the roll and make them employees of the House, subject, of course, to be removed by the Member whenever he pleases to do so. That is my view about secretaries. I do not think we pay them enough in these years when the business of the Congressmen has increased. I believe they ought to be on the roll of the House. I do not think that in this day now of decreasing revenues and increasing expenditures we ought to set an example of giving money to somebody.

Mr. BARNHART. The gentleman's theory, then, would enable the district to have a clerical representative here until some successor should remove him?

Mr. LLOYD. Yes.

Mr. BARTLETT. The law and the Constitution do not provide for any such and I do not believe we ought to do that just as a mere gratuity.

Mr. LLOYD. Mr. Speaker, the House well understands that if a Member of Congress dies it is the custom to pay to his representatives one year's salary. If an employee of this House dies, it is the universal custom to pay his representatives an amount equal to six months' salary and to defray the funeral expenses, not to exceed the amount of $250. Now, this lady is an employee of the House, in a sense, but as the law reads she is not an employee of the House, and thus far no allowance of any kind has been paid to a secretary, and it works a grievous hardship.

It is brought to the attention of the House as forcibly, perhaps, if not more so, in the death of the late Mr. PAYNE than in any other case that we have had. Mr. PAYNE was here one day in the House attending to his duties and the next day he was a corpse. The secretary drew the secretary's salary to the date when the breath left the body of Mr. PAYNE, and not a cent afterwards. The secretary, of course, had made his plans to stay with Mr. PAYNE until the end of the session of Congress, and now he is left by this action of Providence without any compensation, and actually it is true, as we find in some cases, that the secretaries have not money to get home with after the death of Members in the case of sudden death, and we think it but fair, inasmuch as we pay something to everybody else under the circumstances, that we should make some kind of a gratuity—if that is to be the term—to the secretary to the Member of Congress.

Mr. BARTLETT. Is it not a fact that if these secretaries were put upon the roll as employees, in place of leaving it solely as money paid to Congressmen for their services, there might be some change of the rules?

Mr. LLOYD. Then, if they were placed on the rolls as employees of the House, their representatives would, according to the custom, receive in case of their death an amount equal to six months' salary and funeral expenses not to exceed the amount of $250.

Mr. BARTLETT. In case of death of the employee?

Mr. LLOYD. Yes; and in that case a sum not to exceed $250 for funeral expenses.

Mr. FITZGERALD. Mr. Speaker, may I ask the gentleman a question?

Mr. LLOYD. Yes.

Mr. FITZGERALD. This covers a case where a Member dies during the session of Congress. What would be done if, suppose after the 4th of March, between then and the first Monday of December following, the clerk of some Member dies? Is it proposed to pay him a sum equal to a month's salary?

Mr. LLOYD. This would not cover that case at all.

Mr. FITZGERALD. I know; but what is the policy that it is proposed to establish?

Mr. LLOYD. Each case will depend upon its merits.

Mr. FITZGERALD. That may be; but you have got to have a general rule, and the Members should know what the policy of the committee is to be when it is established.

Mr. LLOYD. That policy has not been established, and the committee would be glad to know what the views of the House may be with reference to that contingency. We think that if the secretary of a Congressman is here in the discharge of his duties and the Member dies, there ought to be something in the way of compensation paid to that secretary beyond the salary, which stops absolutely on the death of the Congressman.

Mr. MANN. Mr. Speaker, will the gentleman yield?

Mr. LLOYD. Yes.

Mr. MANN. I think the resolution as amended ought to pass. If, as suggested by the gentleman from Georgia [Mr. BARTLETT], the clerk was placed on the roll, he would draw his salary until the successor of the deceased Member was elected and sworn in, and he would draw a great deal more than is provided for here. As I understand this proposition, it is to pay to the clerk of a Member, upon a Member's decease, one month's salary in addition to what the clerk would otherwise receive.

Mr. LLOYD. To pay him an amount equal to one month's salary.

Mr. MANN. Well, that is a distinction like that between tweedledum and tweedledee. It is to pay him $125.

Mr. LLOYD. Very well.

Mr. MANN. Now, the fact is that clerks of Members attend largely to the correspondence of the Members and to the routine work of Members, answering letters, and letters come in to a Member who is dead. People do not know. Much correspondence may be on its way when a Member dies. The clerk also attends to a great deal of routine work in the departments which can not properly be dropped at once. I think it is but fair to pay to the clerk a month's salary, with the expectation that the clerk will attend to and clean up the official business of the Member who has passed away, and attend to the work of the constituents of that Member which is current at the time. It is an eminently proper provision.

Mr. LLOYD. Question, Mr. Speaker.

The SPEAKER. The question is on agreeing to the amendment to the resolution.

The amendment was agreed to.

The SPEAKER. The question is on agreeing to the resolution as amended.

The resolution as amended was agreed to.

GEORGE CURTIS PECK.

Mr. LLOYD. Mr. Speaker, I present the following privileged resolution from the Committee on Accounts.

The SPEAKER. The Clerk will report it.

The Clerk read as follows:

House resolution 680 (H. Rept. 1234).

Whereas George Curtis Peck was the clerk of the Hon. SERENO E. PAYNE, late a Member of the United States House of Representatives from the thirty-sixth district of the State of New York, and is not entitled to compensation as such clerk after the death of the said Hon. SERENO E. PAYNE: Therefore be it

Resolved, That the Clerk of the House is hereby authorized and directed to pay to George Curtis Peck the sum of $125, being an amount equal to one month's salary of a clerk of a Member of the House, the same to be paid out of the contingent fund of the House.

With committee amendments as follows:

After the word "compensation," in the preamble, insert the words "under the law."

In line 2, after the word "Peck," insert the words "out of the contingent fund of the House."

In line 4, after the word "House," strike out "the same to be paid out of the contingent fund of the House."

The SPEAKER. The question is on agreeing to the amendments.

Mr. BARTLETT. Mr. Speaker, is this resolution privileged? A parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. BARTLETT. Is the resolution privileged when it does not pay out of the contingent fund of the House?

Mr. LLOYD. It does pay.

Mr. BARTLETT. The amendment says "strike out."

Mr. LLOYD. It struck it out in one place and inserted it in another, in order to make better reading.

The SPEAKER. The question is on agreeing to the amendments.

The amendments were agreed to.

The SPEAKER. The question is on agreeing to the resolution as amended.

The resolution as amended was agreed to.

ANNA J. OURSLER.

Mr. LLOYD. Mr. Speaker, I present the following privileged resolution.

The SPEAKER. The Clerk will report it.

The Clerk read as follows:

House resolution 669 (H. Rept. 1233).

Resolved, That the Clerk of the House be, and he is hereby, authorized and directed to pay, out of the contingent fund of the House, to Anna J. Oursler, widow of J. R. Oursler, late a messenger on the soldiers' roll of the House, an amount equal to six months of his compensation as such messenger, and an additional amount, not exceeding $250, to defray the funeral expenses of said J. R. Oursler.

Mr. LLOYD. Mr. Speaker, this is the usual resolution in cases of the kind.

The SPEAKER. The question is on agreeing to the resolution.

The resolution was agreed to.

FOLDING SPEECHES.

Mr. LLOYD. Mr. Speaker, I present another privileged resolution.

The SPEAKER. The Clerk will report it.

The Clerk read as follows:

House resolution 671.

Resolved, That there shall be paid out of the contingent fund of the House the sum of $400, to be expended, under the direction of the Doorkeeper, for labor employed in folding speeches.

Mr. LLOYD. Mr. Speaker, in the last few days of the second session of this Congress there were an unusual number of speeches ordered printed, and there was not sufficient labor authorized by law to meet all the expense. We are now without funds to get any additional help, and we need to pay this additional amount that was incurred after the adjournment of Congress and just before the election.

Mr. FITZGERALD. Is this to pay for help that was hired without any funds to meet it?

Mr. LLOYD. There were some funds. There was a little money left. Part of this pays for labor incurred in folding speeches, for which we did not have the money to pay.

Mr. FITZGERALD. The gentleman does not mean to say that this is to pay for services that were employed without any money to pay for them—because that is absolutely prohibited by law!

Mr. LLOYD. There was a vast amount of work to do, and it was done. When we got through with the work it turned out that it was a little bit over the amount.

Mr. FITZGERALD. The gentleman has already, since Congress met, has he not, reported a resolution for folding speeches?

Mr. LLOYD. No, sir; I beg your pardon. I have not.

Mr. FITZGERALD. We have a request for a deficiency appropriation for folding speeches. Within the last year or so the practice has grown up of having the Committee on Accounts furnish pay for additional help for folding speeches. If that practice is to continue, there will be no appropriations of that character carried in any appropriation bill. Why does the Committee on Accounts do this, anyway?

Mr. LLOYD. Mr. Speaker, the Committee on Accounts had no information at all that this matter, or any of it, had been presented to the Committee on Appropriations.

Mr. FITZGERALD. The gentleman ought not to go into these matters, because it has never been the custom for the Committee on Accounts to provide for help for folding speeches until the last year or two. Before that the money was always carried in the appropriation bill.

Mr. LLOYD. I think the Committee on Accounts has never done it except in a few cases of special emergency.

Mr. FITZGERALD. There is no such emergency, because the Committee on Appropriations is now considering an urgent deficiency appropriation bill.

Mr. LLOYD. I am perfectly willing, if the gentleman insists upon it, to withdraw the resolution.

Mr. FITZGERALD. I think the gentleman ought to withdraw it.

Mr. MANN. Will the gentleman from New York yield?

Mr. FITZGERALD. Yes.

Mr. MANN. I am quite confident that since I have been here we have repeatedly passed resolutions providing for additional

help in the folding room, to be paid for out of the contingent fund.

Mr. FITZGERALD. It has been very rare until recent years. There is a request now from the Doorkeeper before the Committee on Appropriations for extra help in the folding room, and that request is pending in a bill that the Committee on Appropriations are at work upon. Two committees should not be providing money for this purpose. No one can keep track of it if they do. It may be necessary at times of great emergency for the Committee on Accounts to make some provision, but I do not believe such a situation exists at present. I have no knowledge or information about that.

Mr. LLOYD. There is no question about the necessity for this payment, but if the Committee on Appropriations will take charge of the matter I will withdraw the resolution.

Mr. FITZGERALD. We have an estimate before us now.

Mr. LLOYD. Mr. Speaker, I ask unanimous consent to withdraw the resolution.

The SPEAKER. The gentleman does not need to ask unanimous consent. He has a right to withdraw it anyway.

ATTENDANT FOR LADIES' RETIRING ROOM.

Mr. LLOYD. Mr. Speaker, I present the following resolution.

The SPEAKER. The Clerk will report it.

The Clerk read as follows:

House resolution 678 (H. Rept. 1235).

Resolved, That the Clerk of the House of Representatives be authorized to employ a woman attendant for the ladies' retiring room, adjoining Statuary Hall, at a salary of $800 per annum, and that same be paid out of the contingent fund of the House until otherwise provided.

Mr. LLOYD. With the following amendment: To strike out the word "Clerk," in the first line, and insert the word "Doorkeeper."

The Clerk read as follows:

Amend, in line 1, by striking out the word "Clerk" and inserting the word "Doorkeeper."

Mr. LLOYD. Mr. Speaker, there has recently been provided a ladies' retiring room, just off Statuary Hall. It has not been used yet, and the purpose is to employ an attendant, so that she may take charge of that retiring room. There can be no question but that this retiring room is one of the most necessary of any that could be found about this Capitol.

Mr. MANN. Is there any reason for employing a person there at an annual salary? Congress will not be in session all the time.

Mr. LLOYD. Statuary Hall is open the year round, and visitors are the persons who would use that room. Visitors are there every day in the year, and the room will be used every day.

Mr. FITZGERALD. It is the old room where the newspapers were kept, and I believe it will be used all the year round. If it is to be open, an attendant should be there.

The SPEAKER. The question is on the amendment.

The amendment was agreed to.

The resolution as amended was agreed to.

ADDITIONAL TELEPHONE OPERATOR.

Mr. LLOYD. Mr. Speaker, I present the following resolution. This is the last one.

The SPEAKER. The Clerk will report it.

The Clerk read as follows:

House resolution 679 (H. Rept. 1231).

Resolved, That the Clerk of the House of Representatives is hereby authorized to employ one additional telephone operator, at a salary of $900 per annum, to be paid monthly in equal installments out of the contingent fund of the House until otherwise provided.

The resolution was agreed to.

EXTENSION OF REMARKS.

Mr. WEAVER. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD on the subject of the recall of judges.

The SPEAKER. The gentleman from Oklahoma asks unanimous consent to extend his remarks in the RECORD on the subject of the recall of judges. Is there objection?

There was no objection.

POST OFFICE APPROPRIATION BILL.

Mr. MOON. I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the Post Office appropriation bill, H. R. 19906.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H. R. 19906) making appropriations for the service of the Post Office Department for the fiscal year ending June 30, 1916, and for other purposes, with Mr. SAUNDERS in the chair.

The CHAIRMAN. The House is now in Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 19906, the Post Office appropriation bill.

Mr. MOON. Mr. Chairman, I would like to ask the gentleman from Minnesota if he desires to use any time now.

Mr. STEENERSON. Yes. How much time, Mr. Chairman, have we used upon this side?

The CHAIRMAN. The gentleman from Minnesota has used 45 minutes. The other side has consumed 29 minutes.

Mr. STEENERSON. I would like to go on for 5 or 10 minutes, and then I will yield to the gentleman from Illinois [Mr. MADDEN].

Mr. Chairman, we were discussing yesterday the numerous recommendations for new legislation and the change of policy on the part of the Post Office Department. I called attention to the recommendation of the Postmaster General in his last report.

He renews the recommendation embodied in his last annual report—

That Congress seriously consider the question of declaring a Government monopoly over all utilities for the public transmission of intelligence, and that steps be taken as soon as practicable to incorporate into the postal establishment the telegraph and telephone systems of the country.

I referred to his recommendation in regard to abolishing assistant postmasters, of which we have about 2,500 in the United States, and the proposition to let all Rural Delivery Service out by contract to the lowest bidder for four-year periods.

The Constitution of the United States, Article II, section 3, referring to the duties of the President, says:

He shall from time to time give to the Congress information on the state of the Union and recommend to their consideration such measures as he shall judge necessary and expedient.

The President of the United States this year has only favored us with an address upon recent legislative history and political economy. He has not referred to any of these subjects nor has he said he favors any of them. The people of the United States are interested in knowing whether or not the President of the United States favors the recommendation that we should declare a Government monopoly of the transmission of all intelligence by electricity, which would destroy every farmer's telephone in the country. It would involve an investment of billions of dollars.

It was said yesterday by the chairman of the committee that every recommendation of the Postmaster General is the recommendation of the President. Well, we are not so sure about that. Two or three years ago the Postmaster General of a Republican administration, Mr. Hitchcock, made similar recommendations in regard to the telegraph and telephone in his annual report, and it was given out by newspaper interviews and otherwise at the White House that the President disagreed with the Postmaster General on that subject.

Mr. MOON. Will the gentleman let me interrupt him a moment?

Mr. STEENERSON. Certainly.

Mr. MOON. I did not quite catch what the gentleman said a moment ago; but I want to ask this question: Is it not a fact that there is nothing in the pending bill on the subject of telegraph or telephones?

Mr. STEENERSON. Well, yes; I believe it was omitted; but I am discussing what is in the report of the Postmaster General. I stand corrected, as far as that is concerned; but the people of the United States are interested in knowing whether the President favors the letting of Rural Delivery Service out by contract, which provision is in this bill and will be in the bill unless it goes out on a point of order. The people of the United States and 44,000 rural delivery carriers who are to have their salaries cut down one-third are interested in that question, and they want to know it before they vote at the next election. They want to know whether the Government will declare a monopoly for the transmission of intelligence, so that they can vote understandingly. The people are interested in knowing whether the President favors Government ownership of all these utilities.

Mr. HOWARD. Will the gentleman yield?

Mr. STEENERSON. Not yet. If these recommendations of a Cabinet officer have the support of the President of the United States, the people of the United States want to know it, and for that reason I have drawn a very short resolution requesting this information on the part of the President of the United States, which I ask to have read in my time.

The Clerk read as follows:

Resolved, That the President be, and he is hereby, requested to inform the House of Representatives what, if any, of the recommendations for new legislation contained in the last report of the Postmaster General he recommends for the favorable consideration of the Congress.

Mr. HOWARD. Will the gentleman yield?

Mr. STEENERSON. Now I will yield to the gentleman from Georgia.

Mr. HOWARD. I am very much interested in the question of telephones for the farmers. Under what theory does the gentleman think that if the Government of the United States were to take over the lines it would destroy the right of the farmer to have a telephone in his house?

Mr. STEENERSON. If the Postmaster General's recommendation is carried out, the Government will declare a monopoly of all telephone communication, as they do over the transmission of letter mail.

Mr. HOWARD. And would it necessarily follow that the farmer would lose his telephone?

Mr. STEENERSON. It strikes me that way; I may be mistaken about it. If the United States have a monopoly, there is no room for a private line.

Mr. HOWARD. The gentleman stated that there was quite a division of sentiment in the Committee on the Post Office and Post Roads as to the recommendation of the Postmaster General in regard to the purchase of telephones and telegraphs.

Mr. STEENERSON. Oh, I made no such statement. I said nothing about it.

Mr. HOWARD. I understood the gentleman to say that the committee was not unanimous.

Mr. STEENERSON. Then I think the gentleman is better informed on what took place in the committee than I am. The chairman states that that was not considered.

Mr. BURKE of Pennsylvania. Will the gentleman yield?

Mr. STEENERSON. Yes.

Mr. BURKE of Pennsylvania. Does the gentleman seriously propose to ask the House to vote for his resolution?

Mr. STEENERSON. I dropped the resolution into the basket, to be referred under the usual procedure.

Mr. BURKE of Pennsylvania. But if it came from the committee, would he support the resolution in dead earnest?

Mr. STEENERSON. I certainly would.

Mr. BURKE of Pennsylvania. Does not the gentleman think that it would be more becoming for the House and the other branch of Congress to do more legislating with less interference from the Executive?

Mr. STEENERSON. Oh, I just quoted a section of the Constitution of the United States which imposes upon the Executive the duty of recommending legislation. I think we have a right when a Cabinet officer dumps a report upon us which demands serious consideration to know whether he is speaking for the Chief Executive or on his own account.

Mr. Chairman, I decline to yield further. I reserve the balance of my time; and if it is agreeable to the gentleman from Tennessee [Mr. MOON], I will use some of my time now by yielding to my colleague from Illinois [Mr. MADDEN] for 30 minutes.

Mr. MADDEN. Mr. Chairman and gentlemen of the House, this bill making appropriations for the Post Office Department in all its essential phases I believe to be one of the best bills ever reported to the House. There were a great many recommendations and suggestions made by the Postmaster General for modification of the methods pursued in the conduct of the department. Some of these recommendations were approved and others were disapproved. The committee believed that the recommendation of the Postmaster General to reduce the compensation of substitute carriers and clerks from 35 and 40 cents an hour to 30 cents was a recommendation which ought not to be adopted, and the committee, I believe, was unanimous in its conclusion not to recommend the suggestion of the Postmaster General in this particular.

The question of compensatory time for Sunday service rendered by clerks and carriers throughout the country was given careful consideration, and the department believed that to allow compensatory time off during the succeeding six days after the service is rendered is embarrassing to the department, and on the other hand it is believed by members of the committee that the humanitarian side of this subject should be considered, and that no man working for the Government should be called upon to work seven days a week. The tendency of the times is toward better conditions for working people, and legislation has been enacted by all of the States of the Union, and by the Congress itself, seeking to encourage better conditions between employer and employee, reducing the working hours, and giving a larger proportion of the earnings of labor to labor itself. In the face of this condition throughout the industrial world it was thought to be wise not to adopt the recommendation made by the department giving it the opportunity to grant compensatory time whenever they think it most convenient; but it was believed by the committee that during the holiday season of the year the business of the department is so pressing that the executive officers of the department should have the right not to be called upon to grant compensatory time for Sunday service during the succeeding six days, and so there is a provision in the bill which directs the officers managing the Post Office Department to grant compensatory time for Sunday service rendered in the month of December during the succeeding January, but for all other months in the year for every hour worked on Sunday by the clerk or the carrier in the Post Office the compensatory time must be granted during the succeeding six days.

There was a recommendation made by the department requiring that carriers discontinue the delivery of mail to residences and business houses where either of these institutions failed to provide a receptacle on the outside of the door, but if such a recommendation were to be adopted it seems to me that in great office buildings, where there may be a thousand different business concerns, the carrier himself would not be allowed to enter any of these offices, and that the business of such offices would be disarranged, and the committee believed that also, and they have not recommended the adoption of that suggestion from the department.

The committee also believed that it was unwise to accept the recommendation of the department for biennial promotions among the clerks and carriers in the classified grades. The men who enter the Postal Service as clerks and carriers, in great cities at any rate, are usually required to serve as substitutes for from two to three years. They are required to report every day for duty. They are required to remain there every day on call until all of the men are placed at work before they are able to ascertain whether any employment is to be given to them. They are required to pay their car fare to and from the post office. The average compensation earned by a clerk or carrier during his substitute service does not reach more than $30 a month, and when a man works for two or three years at the rate of not to exceed $30 per month the fair assumption is that he must be in debt when he secures his regular appointment. When he is appointed he receives $800 a year. Under the classification law governing the postal clerks and carriers men are automatically promoted from $800 to $900, $900 to $1,000, from $1,000 to $1,100, and between $1,100 and $1,200 75 per cent of the men in the $1,100 grade are entitled to promotion after one year's service in the $1,100 grade.

The proposition of the department was that, instead of promoting them automatically every year, both in the clerical and carrier forces and in the Railway Mail Service, they be promoted every two years. It seemed to the committee that this would be a great injustice to the men, and that it would be a detriment to the service as well, because you can not get the best there is in a man in this character of service unless you give him the right to hope for some preferment as the result of efficient service. The men who are employed in these places are not only required to work 8 hours, but under the present law they also must be on call for 10 hours, and when they leave their work and go to their homes they are also required to study the schemes that will enable them to accurately distribute the mail for dispatch to every section of the country. They are required to know every post office on a number of railroads, the time of the departure, and the arrival of trains, so that they will be able in the distribution of the mail to automatically throw the letters into the box which will dispatch that mail on the first train. This is an onerous task imposed on these men, and they get no compensation whatever for the time they are at work in the study of these schemes, and the department recommended that the men should be on call not for 10 hours, but for 12 hours a day and that during the 12 hours they would be required to work 8 hours, and in addition to the 8 hours required of them to work in the Post Office Department they would still be called upon to study the schemes which make for the efficiency of the department and the scientific dispatch of the mail. The committee decided that this recommendation was not one in which it could concur.

The reorganization plan embodied in the report of the Postmaster General and accepted by the committee is thought to be one of the most scientific business propositions suggested for the conduct of the Post Office Department that could be made. Some men, it is true, dissent from the opinion I have just expressed, but I have given careful consideration to the question involved in this reorganization plan for more than two years, and I believe that never in all the history of the Post Office

Department has there been a suggestion from any executive official in control of this institution which justifies the confidence of the Congress or the people of America to the extent that the suggestion for this reorganization does. It provides no new offices. It may do things with which many men in the House will not agree. It proposes to establish a new schedule of pay for postmasters; it fixes a new basis upon which this payment shall be made; it increases the receipts upon which the salaries are to be based, and to the ordinary man in the supervisory service of the Post Office Department it increases the receipts required to make his salary $1,300 from $80,000 to $100,000, and so on all through the list. It places the service on a scientific, economical business basis, for it establishes the receipts as the basis of expenditure and limits the cost of operating the department and at the same time increases the efficiency of the department. It is said we are creating new offices. Not at all. There is no new office being created under this plan. We are not only not creating new offices, but we are, if our recommendation be adopted, suggesting the merging of the assistant postmaster into the supervisory branch of the service. We are not taking the assistant postmaster out of the service, and we are not in any essential sense reducing his salary. What we are doing is to change the five-division plan into a two-division plan, believing that the five-division plan is not only obsolete but cumbersome and ought not any longer to exist.

Now, what is the five-division plan? It consists of this. In post offices sufficiently large we have now a superintendent of registry, a superintendent of mails, a superintendent of delivery, a superintendent of money orders, and a superintendent of carriers. That makes five. Now, what we propose in this bill is to make one superintendent of finance, and give him jurisdiction over all financial matters in the post office in which he is employed; one superintendent of mails, who will have jurisdiction over the dispatch and receipt of mails, as well as the delivery of mails. This simplifies the work, it expedites the work, it economizes the conduct of the department, it makes for greater efficiency, it places a higher responsibility on the men appointed to those places and encourages them to hope for better things in the future. Their compensation is fixed upon the basis of the receipts of the office, and if the receipts increase their compensation is also increased.

Mr. GOULDEN. Will the gentleman yield?

Mr. MADDEN. In just a moment. The assistant postmaster now in the second-class office, drawing $800 a year, will not have his services dispensed with, but he will be transferred to a clerical place in the office, the maximum salary of which is $1,100 a year. So that instead of being injured, he will have been benefited by the change. Of course, the maximum salary paid to an assistant postmaster in a second-class office is $1,400. He will be transferred to a place as superintendent of finance, perhaps, or superintendent of mails, and his maximum compensation perhaps may not be to exceed $1,300. Now I yield to the gentleman from New York.

Mr. GOULDEN. I simply would like the gentleman, who is making a very lucid and able explanation of the bill—the best I have heard so far on the bill under consideration—state just what branches or departments will be included under the superintendent of finance.

Mr. MADDEN. All the money-order matter, all the registered matter, all the sale of stamps, all the pay rolls—everything that has to do with the monetary branch of the department.

Mr. GOULDEN. Will the position be under the civil service?

Mr. MADDEN. All in the civil service; and I may say for the information of the committee that if this method shall be approved by the House and the recommendation of the committee become a law one of the men selected as superintendent of finance and superintendent of mails will by the direction of the Postmaster General be designated by the local postmaster as the acting postmaster in the absence of the postmaster, and this designation will be a permanent designation during all the period for which the postmaster is to serve.

Mr. GOULDEN. Will the gentleman yield again?

Mr. MADDEN. Yes.

Mr. GOULDEN. Will it necessarily follow where the assistant postmaster is qualified that he will be designated for either one of the places?

Mr. MADDEN. Not at all; if he is not qualified——

Mr. GOULDEN. I say, if he is qualified, as they should be.

Mr. MADDEN. If he is qualified, it is the intention of the department to select him for one of the places if he has earned the right to be recognized for efficient service.

Mr. GOULDEN. Who would have the right to designate these appointments?

Mr. MADDEN. The local postmaster.

Mr. GOULDEN. One more question, if the gentleman pleases.

Mr. MADDEN. Certainly.

Mr. GOULDEN. I am now reading on page 13—and it affects the gentleman's city and mine alone, I think—where the receipts are $20,000,000 and over the superintendent of finance shall receive $3,800, and I desire to ask the gentleman, How does that compare with the salary paid assistant postmasters in these two cities of Chicago and New York?

Mr. MADDEN. The assistant postmasters in those places now are receiving $4,000 a year. The assistant postmaster in each of these cases will be dispensed with as such, and if he has the qualifications to fill one of the other places there is no doubt but what he will get it.

Mr. GOULDEN. If the gentleman will pardon, I wish to say that the party occupying the place in the New York office as assistant postmaster is eminently qualified for any place, and should be preferred; but it would mean to him, if designated, a loss of $200 a year in salary.

Mr. MADDEN. The men who are now acting in New York, Chicago, and other great cities of the United States as superintendents of mail, superintendents of delivery, and such superintendents as that, where they have under their jurisdiction anywhere from 3,000 to 3,500 men each, and where they are required to keep track of all the minute details of the office, are only getting $3,200 a year now.

Mr. GOULDEN. I thank the gentleman for his courtesy.

Mr. REILLY of Connecticut. Will the gentleman yield?

Mr. MADDEN. I will.

Mr. REILLY of Connecticut. The gentleman from New York [Mr. GOULDEN], as I understood him, referred to the New York post office as a case in which there would be a reduction in the salary of the assistant postmaster of $200 a year, did he not?

Mr. MADDEN. Two hundred dollars.

In the readjustment of the department there will be cases where men will get less money and where men will get more money as the result of the readjustment, but in all cases where increases of salary result from the reorganization of the department it will be not only where they are entitled to it but have been entitled to it for the years gone by. But, on the other hand, if the receipts of the office fall the men in this class of the service, although now being classified for the first time in this bill, will have their salaries reduced correspondingly to the reduction in the receipts of the office. So that as a matter of fact the passage of this law will encourage the men in every office in the Union to look for business, to encourage progress, and to increase the receipts of the office. To-day there is no incentive whatever of this kind, and there is no reason in the world why the Post Office Department should not encourage the increase of its business just as much as any private enterprise does.

Now I yield to the gentleman from Wisconsin [Mr. STAFFORD] if he wishes to ask me a question.

Mr. STAFFORD. I will reply at a later time.

Mr MADDEN. Now, the Post Office Department recommended, for example, that the deposits in postal savings banks should be increased from the present amount allowed to be deposited up to $2,000, and that the limit of $100 of deposit for any individual for any single month should be taken off, so that, for example, if a man had $300 and wanted to make a deposit, and he thought that he would like to deposit that money in the postal savings bank to-day, he would not be prevented from depositing more than $100. Under the present limitation he would not deposit any part of his $300. He would go away. He would deposit the money some place else. We have had hundreds of cases where men have come wishing to make a deposit and learned for the first time that the limit allowed to be deposited by any one man during a single month was but $100, and they went away and refused to open an account at all. And so they want now for the House to concur in the recommendation that a man may be allowed to deposit any amount up to $2,000, whether he does it in a single month or in a single year.

Mr. HOWARD. Will the gentleman yield?

Mr. MADDEN. Yes.

Mr. HOWARD. Why is it necessary to encumber a system of this kind by putting a limit of any amount on postal savings? If people want to loan the Government money for 2 per cent, or want them to take charge of it and put it into the legitimate channels of commerce, when they themselves would not do it ordinarily, why limit it at all?

Mr. MADDEN. There is no reason at all why it should be limited. But the Senate in the bill which they sent over expressed the opinion, and the President vetoed the bill which the House and Senate passed, that the measure conflicted with the Federal banking law recently enacted, and this recommendation of the committee is based on that action, and we recommend the limit of $2,000, with interest payable on only 1,000 of the $2,000.

Mr. HOWARD. Under the present system of keeping an account against a man to see that he does not overdeposit, and also keeping his interest account, does it not cause a duplication of the work of the postal savings department and entail on the Government a greater expense to operate it?

Mr. MADDEN. I will say to the gentleman that if there was no limit placed on the deposits we would have very much greater deposits, and in consequence of that the cost of operating that branch of the Postal Service would be correspondingly less. We undoubtedly would have been on a very profitable basis to-day in the Post Office Saving System if we had had no limitation on the amount to be deposited. The money would have been taken from hiding. It would have been placed in the Postal Savings Bank System and redeposited in the local banks and put in the channels of trade. It would have helped the prosperity of the country. It would have encouraged many people to save money that do not now save. It would have encouraged them to have more confidence in banks; and when they had learned as the result of their communication and correspondence with the Postal Savings Bank System to invest in a Government bond, which is issued and purchasable by postal savings-bank depositors, they would soon learn to have still further confidence in investing their money in some other class of paper drawing a higher rate of interest, and they would become more patriotic citizens, more devoted to the Government, and better husbands and better wives, better sons and better daughters, and better in every way for the community in which they live.

Mr. HOWARD. Will the gentleman yield for one other question.

Mr. MADDEN. Yes, sir.

Mr. HOWARD. Has the gentleman given any thought to the issuance of these Government or postal savings bank bonds in small and varied amounts directly to the people and abolishment of the certificate system? I understand France has done that very successfully.

Mr. MADDEN. The commission charged with the responsibility of conducting the Postal Savings System already have authority to issue bonds to be purchased by depositors in the postal savings banks with the funds which they have there. And a great many of these bonds have been issued and a good many have been purchased, and they have the system already in force as the result of the Postal Savings System.

Mr. BUCHANAN of Illinois. Will the gentleman yield?

The CHAIRMAN. Will the gentleman from Illinois yield to his colleague?

Mr. MADDEN. Yes, sir.

Mr. BUCHANAN of Illinois. Did the committee get any information in regard to the amount of money that has been rejected on account of the restriction of the law, compared to the amount that has really been deposited?

Mr. MADDEN. For some time it has been shown that wherever a bank failed in any locality many people having deposits there came to the post office and undertook to make deposits in the postal savings bank; but the postal savings bank was not allowed to take the money, because the amount offered for deposit was too large for them to accept under the law. The amount is quite large.

Mr. BUCHANAN of Illinois. I will say to my colleague that I was told that after the Lorimer failure in Chicago the Third Assistant Postmaster General received information that there was $90,000 deposited—that is, accepted as deposits—and $124,000 rejected in six days after that failure.

Mr. MADDEN. We had one man here in Washington at the time the United States Trust Co. failed, who came over to the post office and offered $5,000 for deposit, and it was refused, and he took it all away.

Mr. SLOAN. Mr. Chairman, will the gentleman yield there?

The CHAIRMAN. Does the gentleman from Illinois yield to the gentleman from Nebraska?

Mr. MADDEN. I do.

Mr. SLOAN. Why should we increase especially the amount that may be deposited in the banks of the country while another department of the Government has reduced from two-thirds to three-fourths the number of banks eligible to receive deposits in the United States, leaving large communities, whole counties, and parts of States in such position that they can not qualify and can not receive them because they are not national banks?

Mr. MADDEN. Of course, wherever there is a national bank the tendency is to deposit money in the national bank. Where there is not a national bank I have no doubt whatever but that a regulation will be put in force to authorize the deposit of postal savings in a State bank.

Mr. SLOAN. Such is not the law at the present time.

Mr. MADDEN. No.

Mr. SLOAN. The law on our statute books prohibits the State banks from receiving these deposits.

Mr. MADDEN. Yes.

One of the important recommendations of the committee is the change of system for the payment of transporting the mails over the railroads of the country. Heretofore the railroads have been paid for the weight of the mail carried. The committee suggests to the House the adoption of a plan under which future payments will be made based on space and mileage. If the recommendation of the committee be adopted, I feel sure that the plan will prove to be much more scientific and that all concerned, the Government and the railroads, will in the end be better satisfied.

It is true that some opposition is manifested to the plan proposed. The railroads themselves, I believe, are not quite pleased with this plan. From all that I have been able to learn I judge that they would prefer the present system, but, after all, in the conduct of a great department, I think the most scientific and up-to-date methods should be employed. I am not in favor of doing any injustice to the railroads, and neither is any other member of the committee. On the contrary, we believe that ample justice should be done to them, and we think that our recommendation fully meets the case.

What could be more simple than a plan which pays the railroad company a fixed price for every mile movement of a car in which mail is carried? Everybody can understand what that means, for every unit of equipment employed is ascertainable. It requires no complicated figures to adjust the compensation due the railroads for the work performed, whereas under the present cumbersome system there is always a doubt as to what the weight of the mail is and how much the Government owes the railroads.

There may be a difference of opinion as to whether the committee has reached a just conclusion on the rate to be allowed, and I am free to confess that nobody can tell with exactness just what the rate should be. I think the railroad people themselves will admit that they do not know. If they do, they never have stated it in exact terms, as far as my knowledge goes.

What are the facts with respect to this important question? The railroad companies themselves have fixed the passenger rates of the country, and the record shows that prior to last year the average receipts for a period of five years from the passenger service of the railroads of the country were approximately 25½ cents a car mile, while last year they were only about 24½ cents.

It has seemed to the committee—and I am fully convinced of the justice of the committee's conclusion—that it will cost a railroad company less for a mile movement of a railroad post-office car and its contents than it does to move a passenger car, and inasmuch as the receipts from the passenger service on rates fixed by the railroad companies themselves amount only for the last year to approximately 24½ cents a car mile, it has been assumed by the committee that 21 cents a car mile for a full railroad post-office car and $8 terminal charges, covering the switching at both ends of the route, which would make substantially 22½ cents a car mile, is at least the equivalent of the earnings of a car mile from the passenger service of the railroads.

For a half railroad post-office car the price fixed is 10½ cents and $4 terminal charges, which is the equivalent for the price paid for the full railroad car, while for a quarter car the committee recommends the payment of 5½ cents per mile and $2 switching charges, which gives a little more in proportion for this fraction of a car than for a full car.

For the storage-car service the committee recommends the payment of 20 cents a car mile, and this price is fixed because the storage car is moved at less expense than the other cars, for it is cargo, and is carried from one terminal to another without being disturbed.

The closed-pouch service, under the recommendation of the committee, is to be paid for under the weight plan, and the weights are to be ascertained by the clerks on the car, without any special weighing period.

If there can be a simpler method devised, I have not heard of it. Can anyone say that such a plan is unjust to the railroads? I think not.

The Postal Service is constantly growing. It has grown during my membership on the committee from $170,000,000 per annum until to-day the cost of the service is $325,000,000 per annum, and I predict that within the next 10 years, with all its great activities, reaching into every home in the land, furnishing not only the ordinary mail but packages of merchandise of every character through the parcel post, the volume of business will increase to a billion dollars annually.

It is the greatest service in the Government, for every man, woman, and child is affected by it. All are interested in it, and everybody should be familiar with its activities. [Applause.]

Mr. MOON. Mr. Chairman, I yield to the gentleman from Ohio [Mr. BULKLEY] one hour.

The CHAIRMAN. The gentleman from Ohio [Mr. BULKLEY] is recognized for one hour.

Mr. BULKLEY. Mr. Chairman, the subject of rural credits was mentioned in the platforms of all the great political parties in 1912, and each pledged itself to action for the betterment of credit facilities on the farm. The Democratic platform declared that the question is "of equal importance with the question of currency reform." The Republican platform contains substantially the same declaration: "It is as important that financial machinery be provided to supply the needs of the farmer for credit as it is that the banking and currency systems be reformed in the interest of general business." The Progressive Party pledged itself "to foster the development of agricultural credit."

In the spring of 1913 a commission of seven members appointed by the President traveled through Europe cooperating with a commission made up of members appointed by governors of the several States and some of the Canadian Provinces, to study agricultural credit conditions in the Old World. At about the same time the Department of Agriculture began an extensive study of the subject.

The President, in his annual message delivered on the 2d of December, 1913, presented to Congress "the urgent necessity that special provision be made also for facilitating the credits needed by the farmers of the country." The Committee on Banking and Currency promptly delegated a subcommittee, which began work on the question even before the Federal reserve act was finally disposed of. In January of this year the Committee on Banking and Currency of the Senate appointed a rural credits subcommittee, and the two subcommittees thus appointed held joint hearings and discussions from February to May.

The commission which traveled abroad made its report and recommendations, and the result of the best thought of the commission appointed by the President was embodied in a specific bill, S. 4246 and H. R. 12585, introduced simultaneously in the two Houses by Senator FLETCHER and Mr. MOSS of Indiana. The commission bill deals only with land mortgage credit, the commission having come to the conclusion that short-term personal credit can be better dealt with at a future time. The result of the deliberations of the joint subcommittees on rural credits representing the Committees on Banking and Currency of the two Houses was embodied in a specific bill, dealing, like the commission bill, only with land mortgage credit. It was introduced last May simultaneously by Senator HOLLIS and myself, S. 5542 and H. R. 16478. This bill has been before the country for more than seven months without drawing serious criticism. Absolutely no criticism fatal to any fundamental feature of the bill has been made. Yet we hear it said that it is impossible to secure an agreement about legislation on this vitally important subject. Believing as I do that the controversy over Government aid is the only thing that has prevented a complete agreement about rural credits, I purpose to devote the time now allotted me chiefly to this phase of the question. The Government aid proposal can not ultimately be ignored. We may as well discuss it frankly now.

I must confess to a sense of keen disappointment in the attitude of the Secretary of Agriculture, for whom I have the highest respect and the highest personal regard. There has been no question before his department of greater importance than that of rural credits, and he has no doubt given it more or less active attention for a period of nearly two years, yet in presenting his annual report last week he found it either impossible or undesirable to make any helpful criticism of the definite plans now pending before Congress, and he failed to offer any constructive suggestion or even to present a clean-cut discussion of Government aid, that particular aspect of the question which he says is the ground for the chief difference of opinion on the subject. The six pages which he devoted to this great subject treat the matter so vaguely as to suggest that he has no policy at all, and so superficially as to lead the uninformed to wrong impressions about Government aid.

The Secretary is right in saying that "the chief difference of opinion arises over whether there should be special aid furnished by the Government," but that is not the clearest possible way to state the question, because it leaves us in the dark as to what is meant by "special" aid. I am entirely confident that the Secretary favors Government aid to agricultural credit, although he is opposed to what he terms "special" aid.

SEVERAL KINDS OF GOVERNMENT AID.

In order to make this discussion clear it will be necessary to enumerate the different forms which Government aid or State aid to agriculture may take, and for the present I shall confine myself to the subject of Government aid to long-time agricultural mortgages. There are no less than six forms in which such aid may be applied. First, the Government may loan funds out of its Treasury directly to individual farmers. Second, a bank may be incorporated to loan on agricultural mortgages such funds as it may raise by the sale of bonds, and its bonds may be guaranteed by the State. Third, a cooperative or joint-stock bank may be established and endowed by a State or Government with the amount of its organization expenses or with a capital sufficient to begin business. Fourth, a State or Government may subscribe to the capital stock of such a bank, taking perhaps all of its shares, perhaps only a part of them. Fifth, a State or Government may deposit public funds with such a bank either without interest or at a low rate of interest, or it may purchase bonds of such an institution, thus providing funds to be loaned for agricultural purposes. Sixth, an agricultural mortgage bank may be given special privileges by law—a monopoly, for example, or the right to compel nonborrowing landowners within a province to join in guaranteeing bonds, or the right to eject defaulting borrowers summarily without legal process, or the right to exemption from taxation of the institution's business, property, stock, or bonds. Another form of State aid is rather similar to one of those already enumerated, and consists in an agreement by the State to give a bank a certain line of credit in case of emergency, or in case of need to buy a quantity of its mortgages, or, to state it in another way and use a term with which we are now all familiar, to "rediscount" mortgages. Of course there may be combinations of two or more of these methods of State aid.

It will be observed that some of these methods of Government aid involve a subsidy or subvention to the farmer, while others may be so administered as to result in an entirely sound investment which may ultimately be repaid to the Government. Government guarantee of the bonds of an agricultural credit institution without compensation is clearly a subsidy from the Government. It is sometimes contended that it is a subsidy which costs the Government nothing. Probably, however, it does cost the Government something, even though the Government may never be called upon to make good its guarantee, since there is created a contingent liability on the State which is likely to affect its credit in borrowing money, though, of course, in some instances this effect is so slight as to be negligible. There can be no doubt, however, that the bank taking advantage of such a guarantee is getting something for nothing. Government endowment of a bank with an initial capital, or even with organization expenses, is also clearly a subsidy. Probably exemption from taxation amounts to subsidy, though on this point I shall have something further to say.

On the other hand, Government loans to individuals, Government subscription to capital stock, or purchase of securities, or the deposit of Government funds, may or may not amount to subsidy. It depends upon the compensation exacted by the Government for the benefits given. If the money be advanced without interest, or at a rate below the reasonable worth of the use of the money, subvention exists. If fair returns be exacted, the operation is that of investment, not subvention.

The subcommittee bill proposes the incorporation of local national farm loan associations, or borrowers' cooperative associations, whose sole function shall be to make loans on farm lands within limited territory. These associations are to be federated in 12 districts forming 12 Federal land banks which will correspond roughly to the 12 Federal reserve banks. The functions of these land banks will be to buy mortgages from the local associations as such associations need the funds and to raise the capital therefor by the sale of debenture bonds to the public. We propose that Government aid shall be extended not only by providing that the local associations and land banks shall be exempt from Federal, State, and local taxation, but also in two more direct ways—first, by purchase of stock in the proposed land banks in order to insure them a sufficient capital to begin business, and, second, by purchase from time to time of the debenture bonds issued by the land

banks, when such bonds are not readily absorbed by the investing public at a rate of interest which seems fair and reasonable to the Federal Reserve Board. These purchases are an investment, not a subsidy.

Some of the forms of Government aid which I have enumerated seem to be readily accepted in this country as sound, and meet with almost no opposition, while others are violently denounced as being unfair discrimination, class legislation, and so forth. Curiously, the distinction between those forms of Government aid which are readily accepted and those which are violently denounced does not depend upon whether the proposed aid is an investment or a subvention. For example, the spending of public money to provide for the organization of a bank for a public purpose is approved by all, so far as I know, though it is clearly a subvention.

Exemption from taxation of mortgages running to cooperative agricultural credit institutions, and of the bonds and capital stock of such institutions, seems to be generally approved. It was one of the provisions of the Moss-Fletcher bill specifically approved by the President of the United States, and I venture to predict that it will be approved by the Secretary of Agriculture. And it ought to be approved, since it means nothing more than that mortgaged farm lands shall be exempt from double or treble taxation. Yet it is clearly a special favor, in that we do not attempt at the same time to exempt the city mortgage from taxation; nor do we propose to exempt the farm mortgage unless it is made in favor of one of our proposed farm land banks. It smacks of subsidy from the Federal Government and compulsory subsidy imposed on the States; yet it is so obviously and substantially just that even the theorists have neglected to denounce it.

On the other hand, the proposal that the Government shall, if need be, make a reasonable investment in shares of stock of agricultural land banks comes in for its share of criticism, though it does not involve any subsidy whatever. This form of Government aid, however, will probably meet the approval of the Secretary of Agriculture. At least, we have heard from him no criticism of an identical provision in the Federal reserve act with respect to Government subscription to the stock of the Federal reserve banks. But when we propose, as in section 30 of the subcommittee bill, that the Government shall invest in land bank bonds, a higher and safer security than land bank stock, a proposal carrying not the slightest trace of Government subsidy, I fear that we shall be told by the Secretary that we are proposing "special" aid and that he can not support us. He does not, however, clearly say this in his annual report, the only kind of "special" aid which he specifically disapproves in that document being Government assistance by cash or credit directly to the farmers.

WEAKNESS OF SECRETARY HOUSTON'S REPORT.

There is in the Secretary's annual report no clean-cut expression of approval or disapproval of any specific kind of Government aid, though this is the chief point of controversy in the subject of rural credits, and therefore the point concerning which we had reason to hope for constructive suggestion from the head of the department involved. The only clear implication ventured by the Secretary is that he would not approve the direct loan of cash or credit from the Treasury to the farmer. Such a plan has been proposed in some bills which have been introduced in Congress, but is not proposed in the bill of the joint subcommittee. I do not advocate such a plan myself; yet I can not but regret that the Secretary's report should discuss this proposal in a totally misleading manner and in terms calculated to discredit any suggestion of Government aid in any form. The report misleads by stating the following propositions, which are true, but carry a false implication:

> He [the American farmer] is not in a condition of serfdom or semi-serfdom in which were some of the European peoples for whom Government aid was extended in some form or other during the last century. He is not in the condition of many of the Irish farmers for whom encouragement and aid have been furnished through the land-purchase act.

The implication is that Government aid to agricultural credit has been obsolete since the last century, except in Ireland. As a matter of fact, as I shall show presently, a very large proportion of all Government-aid projects that have ever been inaugurated have been started within the last 20 years. Within this period Government-aid projects have been started in all but the smallest countries of Europe. The policy of Government aid has spread to Egypt, South Africa, Latin America, Japan, Australia, and New Zealand, where it has been most successfully practiced. It was of value in establishing the economic independence of liberated serfs, but it has no intimate or necessary connection with the question of serfdom.

Secretary Houston's nearest approach to suggesting a constructive policy to be pursued comes in a vague and half-hearted suggestion that some plan would probably be beneficial along the general line of the Fletcher-Moss bill, or of the subcommittee bill without the Government-aid feature. The suggestion is most indefinite, but it includes these words: "Operating through private funds." If the Secretary proposes that we shall attempt to establish a long-term agricultural land-mortgage system for the benefit of small borrowers without Government aid of any sort, he is asking that we attempt that which in all the history of the world has never succeeded. Let me explain why this is so and review briefly the reported experience on this subject.

ADVANTAGES THE FARMER SHOULD HAVE.

There is no reason why a farmer should expect to repay capital borrowed for the purchase of his farm, or for the permanent improvement thereof, within a period of three or five years, if he has borrowed an amount which is a substantial fraction of the value of his property. The railroad or the manufacturing corporation would not think of undertaking such a thing, and the farmer should not. Yet mortgage loans in the United States are frequently made for periods of three years and seldom exceed five years. When the mortgage is due there is the risk of foreclosure and in any event the expense of negotiating a renewal or a new loan. Clearly, it would be to the farmer's advantage to be able to borrow for a longer period, as he would thereby not only save trouble and expense but would be relieved of anxiety. He would be certain that the land he is working will continue to be his, that the benefits of his care and his improvements will accrue to himself and to his family. The need for long-time nonrecallable loans is urged by all who have studied the question.

The farmer should have another advantage in borrowing. He should be able to repay a small installment of the principal of his loan each year, an amount so small that it will not be a serious burden to him, and yet so large that in the course of 30 or 35 years the entire debt will be extinguished. By this plan, which is known as the amortization plan, the farmer does not merely postpone the evil day when the principal sum of his debt comes due; he actually averts it altogether. The effect of long-term nonrecallable amortization loans, under such a plan as is proposed in the pending bill, is something more than a mere reduction of the rate of interest—the effect will be to provide that if a farmer continues for a term of years to pay on his mortgage an annual sum about equivalent to what he now pays in interest, he will have retired his entire debt at the end of the term, and in the meantime will not be bothered with threats of foreclosure nor with the trouble and expense of negotiating renewals.

He should have still another advantage. He should have the right to pay at his option the entire balance remaining due on his mortgage and clear his land of debt at any time he may be able to do so. He might have either one of two reasons for wishing to do this. He may prosper so as to be able to repay his debt in a time shorter than that in which he undertook to repay it, or he may find that after a few years interest rates have gone down so that he can negotiate a new loan on terms more advantageous than the original one. So he should have the right to pay in full when he pleases, yet the lender should have no option to call in the loan. This is not mere theory; it is the actual practice in almost every civilized country on the globe. Let us examine more carefully the conditions under which it is possible for this result to be accomplished, and we shall see the necessity for Government aid.

Mr. SUMNERS. Mr. Chairman, will the gentleman yield?

The CHAIRMAN (Mr. ALEXANDER). Does the gentleman from Ohio yield to the gentleman from Texas?

Mr. BULKLEY. Yes; I yield.

Mr. SUMNERS. Has the gentleman's subcommittee considered whether or not the granting of options to pay at any time would increase the interest rate?

Mr. BULKLEY. It would not under the system we propose. It would have no effect on it at all. It would, without doubt, increase the interest rate if you depended upon private lenders.

NECESSITY FOR GOVERNMENT AID.

It is practically impossible for the individual investor to make long-term loans on the amortization plan, as no one wants his capital repaid to him in small driblets from year to year over a long period. If long-term amortization loans are to be made, they must be made by institutions of considerable size, so that the annual incoming amortization payments will be in sufficient volume for efficient reinvestment or for retiring obligations of the loaning institution.

Funds loaned on such long-term mortgages become fixed investments, and they should be so regarded. That is to say, such funds should not be derived from deposits payable on demand or short notice, but should be raised by the issue of bonds having a remote maturity, or even no maturity at all, being simply recallable at the option of the issuing institution. Land-mortgage institutions in Europe issue debenture bonds of this character, the whole series of bonds being secured by the whole series of mortgages owned by the issuing land-credit institution.

The flotation of such an issue, however, presents a serious difficulty. The public will not invest in such bonds unless it has absolutely implicit confidence in the institution issuing them. It has, therefore, been the earnest effort of the joint subcommittee to put into the bill every possible provision to secure public confidence in the bonds which it is proposed to issue. The bonds will be secured by mortgages made by reputable farmers, who will pledge lands to the value of at least double the amount of their loans; the appraisals are carefully guarded and are subject to Federal inspection; and the loans will be controlled by boards of directors, the members of which are neighbors of the borrowers, familiar with their character and the value of their lands, and at the same time themselves financially interested in avoiding the making of any improper loan. These mortgages will be guaranteed by the local associations making the loans, and the land bank issuing the bonds will also be responsible to the investors, whether the guaranty of the local associations is made good or not. To this is added the collective guaranty of all the land banks in the system.

Thus the security is so carefully guarded and so strongly guaranteed that the bonds will deserve public confidence. Yet it must be remembered that public confidence is a thing of slow growth, and that the investor is not likely to turn eagerly to a new form of investment unless it has such unqualified indorsement as to give him confidence. Such indorsement may come through a great banking house; it may come through some respected friend—and it need not by any means carry any guaranty with it. But the small investor having neither the time, the training, nor the facilities to investigate investments, naturally mistrusts his own judgment and hesitates to buy even good securities until some impression has been made on his mind that causes him to believe that he absolutely knows that they are good.

Mr. COOPER. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. Does the gentleman from Ohio yield to the gentleman from Wisconsin?

Mr. BULKLEY. Yes.

Mr. COOPER. Those bonds of which the gentleman speaks are the bonds of what is sometimes called the Landschaften banks in Germany?

Mr. BULKLEY. They are similar in some respects. The loans are made by institutions similar in organization to the Landschaften, but each Landschaft association issues its own bonds independently, whereas we have provided for a federation of local associations and the issue of bonds by 12 large institutions, and then every bond issued by each one of those land banks is guaranteed by each one of the other 11, so that we have made a national security, whereas the Landschaft bond is a local security.

Mr. COOPER. I have read that the bonds of the Landschaften in Germany were quoted higher than those of the Imperial Government.

Mr. BULKLEY. I shall discuss that particular point later at another place in my remarks.

Mr. COOPER. Very well.

Mr. HAYES. Mr. Chairman, will the gentleman yield right there?

Mr. BULKLEY. Yes.

Mr. HAYES. The gentleman stated a few moments ago that no farm-mortgage scheme had been successful without Government aid.

Mr. BULKLEY. I said it with some limitation. I said that no system of long-time agricultural land mortgages for the benefit of the small borrower had ever been successful without Government aid.

Mr. HAYES. The gentleman would not claim that the Landschaften in Germany had Government aid?

Mr. BULKLEY. Yes; I will show the gentleman that before I get through.

Mr. HAYES. I mean no financial aid.

Mr. BULKLEY. Yes; they have had financial aid, too, and I will discuss that presently.

Such debentures as we have proposed could be sold on the say-so of any one of a number of great banking institutions that have built up public confidence in their judgment. But bankers require to be compensated for underwritings, and frequently the profits they demand are excessive. In a system such as we propose, to be operated at minimum cost for the benefit of both the small borrower and the small investor, there is no room for middlemen's profits in the shape of promotion fees or underwriting commissions. Having established a security which is good, we must take means to bring this goodness to the knowledge of the public in some way other than through the great promoting and underwriting syndicates of bankers.

It is of course not necessary to contend that promotions and underwritings have not done much in the development of the country in the past; nor do we need to express any opinion as to how much such syndicates may be of service to the country in the future. But we do believe that it will be for the benefit of the people of this country if we can exempt the small agricultural loan from taxation by the banker and underwriter, as well as from taxation by the Federal Government, the State, and the municipality. We believe that this can be done. But, against the natural opposition of the middleman who has made his profits between the borrower and the actual lender, success in this direction can not be achieved without the interposition of a financial power which is entirely unselfish and yet great enough to command the full confidence of all the people. There is but one such power, and so we have provided for financial assistance from the United States Government. Thus alone can we be certain of securing for an agricultural credit system that prompt success which will be necessary to command and retain the confidence of both borrower and lender.

Without such Government support as is provided by our bill, it is fair to predict that the land-credit system will be slow and uncertain in its beginnings and incapable of giving substantial relief for many years to come, and, though it can not positively be said that such a system would not succeed at all, it is fair to say that success is doubtful, and that there is not at hand in all the history of the world a single example of the success of a land-mortgage system on the long-time amortization plan and for the benefit of small borrowers which has not had public financial aid.

As a warning against taking chances as to what might happen if these newly established cooperative institutions should not at once command the confidence of the public to such an extent that adequate funds would be provided for their operation, I want to read a brief quotation from Mr. Henry W. Wolff, the great English authority on cooperative banking. I quote from page 258 of his work, Cooperative Banking:

> Bankers in Germany are very much given to speculation and could, with a little clever maneuvering, easily spoil the market for land bonds, forcing them up or down at pleasure and depreciating them generally by making quotations unsteady. Nothing, of course, could be more detrimental to a mortgaging society. With money in their pockets, the societies are able to meet such machinations, and to regulate the supply of the market, so as to keep the bonds at a steady quotation, which is not only desirable in itself and certain to benefit their credit, but which is in addition specially important to their members, since fluctuations of capital value are sure to influence the rate of interest.

The German cooperative land-mortgage societies, to which Mr. Wolff had reference, had all received Government aid of one kind or another. His statement is very suggestive of what would be likely to happen in this country should we attempt to start without Government aid. With the Government aid provided in this bill the system can start as soon as the borrowers are ready and can be proved a success before it has the cooperation of a single investor; as soon as the success is proved, investors will be plenty.

PRECEDENT IN FEDERAL RESERVE ACT.

The plan proposed is based on the provisions of the Federal reserve act, and the proposed government aid is similar and parallel to the Government aid provided by that law. The Federal reserve act provided that if banks eligible to membership in the Federal reserve system should not subscribe to the capital stock of the proposed Federal reserve banks an amount sufficient to provide the required minimum capital, then subscriptions should be thrown open to the public, and if public subscriptions should not provide an adequate amount, then the Secretary of the Treasury was required to subscribe the balance on behalf of the United States. The provision for Government subscriptions to the stock of the proposed land banks in the pending bill is substantially identical—the Secretary of the Treasury must subscribe if the public does not subscribe enough to insure success. The Federal reserve act provides for the deposit of Government funds in the Federal reserve banks, and it provides for the issue through the Federal reserve banks of Federal reserve notes, with no limit other than the effective demand, the notes being the direct obligations of the United States. The

present bill provides that under certain circumstances Government credit may be used for the benefit of the proposed land banks by the purchase of limited quantities of their bonds, a transaction substantially parallel to the issuance of notes provided for in the Federal reserve act.

The use of the public credit to support farm mortgage loans, therefore, is justified by the apparent necessities of the situation as well as by the precedent of Government aid to commercial finance created by the Federal reserve act, which has proved so acceptable to the country. That is to say, it is justified by theory and precedent. It is further justified by the experience of all the nations which have established land-mortgage systems in the interest of the small borrower, and these countries comprise the greater part of the civilized world. Though the character of Government aid varies in the different countries, in the different provinces, and at different times in the development of land-mortgage systems, all experience shows that public aid of one kind or another has been given in the establishment of successful systems of long-term mortgage credit. The State or Government may be an imperial or Federal central government; or it may be a subdivision, a province, or a State. In practice there is no uniformity of method; all practical systems have been adapted to the special needs which they must meet and to the means available. The only uniformity lies in the uniform presence of some sort of public aid in every successful land-mortgage system for small borrowers. Lessons we may learn from the practice of other lands thus lead us to the same conclusion as theory and precedent.

Mr. BUCHANAN of Illinois. Will the gentleman yield?

Mr. BULKLEY. Yes.

Mr. BUCHANAN of Illinois. As the gentleman probably knows, I introduced a bill providing for the revising of the postal savings bank law so as to take the limit off deposits and permit the loaning of money to farmers and workingmen home builders. Have the committee considered the matter of making that both a land loan and a workman's home ownership loan measure?

Mr. BULKLEY. Yes. Unfortunately I have not time to discuss in full the gentleman's proposition, but I will say briefly that workingmen dwelling in cities are at present much better taken care of, through the building and loan associations, than the farmers are. As a matter of theory, I do not see very much distinction between the two, and so far as I am personally concerned I would be glad to extend the operation of the law to home owners in the cities. But I will call the gentleman's attention to the fact that we are having already more trouble than we can carry in extending it to the farmers, although it has been directly promised to the farmers.

Mr. BUCHANAN of Illinois. It seems to be a matter of a good deal of difficulty to get Government aid extended to the producers of wealth in this country, whether farmers or workingmen, when it conflicts with the profit of money changers.

Mr. BULKLEY. I am sorry to say that is true, and we are trying to remedy that as best we can.

Mr. BUCHANAN of Illinois. The workingmen home owners are getting money by paying exorbitant rates of interest to money loaners.

Mr. BULKLEY. That is very largely true so far as collateral loans are concerned, but the mortgage loan situation is in fairly good shape on account of the operations of the building and loan associations.

EXPERIENCE IN FOREIGN COUNTRIES.

Direct Government loans to tillers of the soil are made by Great Britain, Russia, Denmark, Sweden, New Zealand, and some of the Australian Provinces. Debentures issued by land-mortgage institutions are guaranteed either by the central or provincial governments in the following countries: Austria, Switzerland, Norway, Egypt, Australia, Mexico, Argentina, and Uruguay. The following Governments have contributed by endowment to the capital stock of land-mortgage institutions: France, Italy, Hungary, Roumania, and Sweden. Subscriptions to the capital stock of such institutions have been made by the Governments of Hungary, Roumania, Switzerland, Denmark, Norway, Philippine Islands, and Chile. Government funds are loaned to such institutions in France, Italy, Servia, Chile, and Japan. From all of these lists I have omitted mention of Germany and the German States, because I shall discuss Germany separately.

I shall mention these examples in greater detail, taking up first those Governments which make direct loans to the farmer.

In England the small holdings and allotments act of 1908 enables the British Government to take all the land owned by any individual in England or Wales in excess of 50 acres and to sell or lease it to a farmer or laborer. Long-time credit is given to purchasers of such lands.

The British Government has been appropriating since 1911 about a million dollars a year for the work of the Scotch board of agriculture, a part of which is the making of loans to small land holders on the long-time amortization plan.

In Ireland the British Government makes long-term loans and free grants for agricultural purposes through four official bodies, the most important of which, known as the estates commission, is said by Ambassador Herrick to be the greatest body in the world for using the credit of the State to enable farmers to acquire real estate. Since this commission was established, in 1903, it has accomplished a change of title to two-thirds of the agricultural land in Ireland and committed the British Government to obligations amounting to hundreds of millions of dollars.

The Russian Government by direct loans to farmers has enabled the ex-serfs to acquire lands to an aggregate value of billions of dollars. The colonization of Siberia has been promoted largely by Government loans and free transportation provided by the Government. The Peasants' State Land Bank is the largest land-credit institution in the world; it is a financial organ of the Russian Government.

The Russian policy has proved successful from a social and economic point of view, in that it has made possible the breaking up of great estates into small holdings and laid the foundation for the independence of the agricultural class. The Government has, however, been obliged to meet heavy losses, as many interest payments have been defaulted and fear of insurrection has caused the canceling of many mortgages.

The Province of Finland loans its funds to communes and to cooperative societies for colonization purposes. The territorial credit establishments for Livonia, Esthonia, and Courland were enabled to begin business by the advance of Government funds.

Denmark inaugurated in 1899 a home colonization policy, granting direct Government loans to small agricultural holders.

Sweden also allows loans from the public funds direct to small farmers.

The New Zealand system of direct loans to settlers has proved entirely successful.

New South Wales, under the act of 1899, grants to settlers direct loans financed by the issue of Government bonds.

Queensland in 1901 created a commission to make direct loans of State funds to settlers. These funds are secured either out of general appropriations or the sale of State guaranteed debentures.

I now turn to those States which aid by guaranteeing the obligations of land-mortgage institutions.

In Austria there are provincial land-mortgage institutions in all but two Provinces. These institutions are practically bureaus of the provincial governments. Their debenture bonds are guaranteed by the Provinces.

In Switzerland the Mortgage Bank of St. Gall was created and is guaranteed by the Canton.

The Norwegian Government guarantees the debentures issued by the Norwegian Bank for Laborers' Holdings and Dwellings, founded in 1903 with Government funds.

In Egypt the Government guarantees not only the debentures but the dividends on the stock of the Agricultural Bank of Egypt. This institution was established on Government initiative in 1902, after it had been proved that the Credit Foncier Egyptien, a private institution without State aid, was unable to help small borrowers.

The Province of South Australia guarantees the bonds of a State bank established in 1895 to make loans to farmers, cattlemen, and others engaged in rural industries.

In Western Australia a State bank for a similar purpose issues Government bonds under the act of 1894.

Victoria sells bonds to finance bank loans to farmers under the act of 1890.

The Federal Government of Mexico guarantees the debentures of the Institution for the Encouragement of Irrigation Works and the Development of Agriculture chartered in 1908.

The Argentine Government guarantees the notes and bonds of the Banco Hipotecario Nacional founded in 1886.

Uruguay guarantees the notes and bonds of the Banco Hipotecario del Uruguay.

State endowment is not unusual. I shall mention some examples of it.

France, by the law of 1852, appropriated 10,000,000 francs as an endowment to be distributed among institutions incorporated under that law.

In Italy there are five very old savings banks which make loans on farm mortgages and issue debenture bonds against them. All of these banks were created by endowment secured either from Government funds or from philanthropic funds.

The Hungarian Government contributed a liberal endowment fund in founding the National Land Credit Institute in 1879, and it also endowed the National Federation of Land Credit Institutions which was established in 1911.

The Roumanian Government in 1873 contributed subventions to three institutions organized on the Landschaft principle for the benefit of large landed proprietors.

In order to put an end to difficulties arising from the attempt to handle the land-credit problem by private institutions without State aid, the Swedish Government found it necessary in 1861 to establish and endow the Swedish General Mortgage Bank, which is an association of Landschaft organizations similar to the land banks proposed in the pending bill. A further subsidy was voted to this bank in 1890.

Many times states and governments have purchased stock in land banks.

The Canton governments in Switzerland afford an illustration. The Mortgage Bank of Berne secured its initial capital from the canton government, and is a depositary of public funds. In the canton of Vaud the government subscribed to a majority of the stock of the Mortgage Bank of Vaud and guarantees a 4 per cent dividend to all stockholders. The several communes in the canton supplied all of the initial capital of the Land Credit Bank of Geneva. The canton owns a substantial part of the capital stock of the Mortgage Bank of Fribourg.

The Hungarian Government contributed to the capital stock of the Boden-Kredit Institut established in 1863.

The Roumanian Government in 1908 subscribed to the capital stock of the Rural Bank, an institution established for small borrowers.

The Mortgage Bank of the Kingdom of Denmark was founded in 1906 on capital furnished by the Government.

In 1903 Norway founded the Norwegian Bank for Laborers' Holdings and Dwellings with Government funds.

The Agricultural Bank of the Philippines was established in 1908 with capital supplied by the insular government.

Finally, we turn to examples of the investment or deposit of public funds.

France, after 26 years of active discussion of the question of land-mortgage credit, enacted the law of 1852, which authorized the National Government and the departments to purchase each year certain quantities of debentures of the land-mortgage institutions authorized by the law. This feature is strikingly similar to section 30 of House bill 16478. It is to be noted that the French law of 1852 was the ripe product of 26 years of agitation and debate, and also that it has stood the test of more than 60 years of practical operation, with no substantial change found desirable.

It is to be noted, however, that the Credit Foncier, the great institution which grew up under this law, is a joint-stock corporation and enjoyed a legal monopoly of land-mortgage business for some years. The legal monopoly was discontinued, but the bank has continued to enjoy a substantial practical monopoly. In consequence the bank has inclined to do that business which was most profitable and has neglected the small farmer, so that in spite of the great success of the Credit Foncier in its own field, the French Government has found it necessary in recent years to come more directly to the aid of the small farmer. By the law of 1906 the State obtains funds from the Bank of France and lends them to small agricultural borrowers through a system of rural banks, composed entirely of farmers and subject to the general control of the ministry of agriculture. French experience, therefore, shows the necessity not only for Government aid but for a small loaning unit organized on the cooperative plan and having either actual or potential competition, as provided in the Hollis-Bulkley bill.

Land-mortgage debentures of the old Italian savings banks and of the Instituto Italiano di Credito Fondiario, organized in 1890, are legal investments for the Italian Government, as well as for the Provinces and municipalities of Italy.

The Servian Government in 1862 founded a land-mortgage institution which is to-day the depositary of national and communal funds.

The Chilean State Land Mortgage Bank, founded in 1855, is owned and managed by the Chilean Government. It is of interest to note what Ambassador Herrick says in his new book, "Rural Credits," about Chilean land-mortgage debentures:

> Land credit was organized in Chile while the Indian and buffalo in western United States could roam from the Gulf of Mexico to the Canadian border without crossing a railroad track or seeing the face of a white settler. Loans of 33 years, repayable by annuities, were being granted in Chile when the farmers of Kansas were losing their homesteads by the foreclosure of three and five year mortgages. Chilean mortgage bonds or debentures are officially listed on the Paris Bourse and have been made legal investments by the French ministry of finance for all purposes for which even Government bonds may be used. They are bought also by English bankers and find a ready market in other parts of the European Continent where offers of American mortgage bonds would be refused.
>
> The Chilean land-credit law was enacted in 1855, three years after that of France, and it has proved so satisfactory that very few amendments have been made. The law is a general one, allowing any persons who comply with its terms to form a company. A number of companies have been formed thereunder and are doing a good business. Nevertheless they operate at a disadvantage, because of the fact that the Chilean, like the French, Government organized a State bank under the general law, and although it has not given this institution a monopoly it has invested it with such privileges that no others can compete with it successfully. It holds two-thirds of the mortgages taken by bond-issuing land banks in Chile, and it is able to hold so many more than its competitors that it absolutely dictates the rate of interest.
>
> * * * The bonds of the bank have been made legal investments for all persons and purposes and have been purchased in large amounts by the Chilean Government, not only because of their intrinsic soundness but in order to give them a popular currency. The bonds are guaranteed by the State, which has for its own protection the mortgages taken from borrowers and the reserve.

This high praise is given to the Chilean system in spite of the fact that the Government has suffered severe losses on several occasions on account of its guaranty of the bonds. It is apparent that these losses have neither wrecked the Government nor discredited the bonds, but that this Government-aided system has established land credit in Chile on a sound basis most advantageously to the farmers of that country.

The Government of Japan provides cheap loans to the Noko Ginko, or small local land-credit institutions, and has voted them subsidies besides. The Nippon Kwango Ginko is the central land-credit bank for large loans. The Imperial Government assisted in its establishment by guaranteeing dividends on its capital stock for a period of 10 years.

GERMAN LAND-CREDIT INSTITUTIONS.

Land-mortgage credit in Germany is supplied principally by four different kinds of institutions—Landschaften; mortgage-credit banks of the States, Provinces, and districts; joint-stock mortgage banks; and savings banks. In amount of loans outstanding the Landschaften and savings banks are far more important than the other two groups.

The Landschaften are cooperative organizations of borrowers for obtaining capital on the credit of the collective mortgages of their members. Ordinarily they have no share capital, but each borrower guarantees without limit the debts of all. In some cases lands not mortgaged are also held as security for the obligations of these associations. They are nonprofit seeking, except in the sense that there is a profit to the borrowing members in securing advantageous loans.

It is sometimes supposed that the Landschaften constitute an example of the success of land-mortgage credit institutions without any form of Government aid. This is not by any means true, though they exist practically without Government aid today, and it must be said that their debenture bonds without Government guaranty or support have maintained a very favorable position in the market. It is sometimes stated that Landschaften debentures sell on a more favorable interest basis than Prussian or Imperial German bonds. This is something of an exaggeration. The truth is stated by J. R. Cahill in the report which he was commissioned to make by the British Board of Agriculture and Fisheries on "Agricultural Credit and Cooperation in Germany." Cahill says, referring to Landschaft bonds:

> The quotations of the majority of these appear to remain from under 1 to about 2 per cent lower than Prussian or Imperial Government stock bearing the same rate of interest. More than a century ago they proved their strength. The writer was informed by the director of one association that 4 per cent Prussian stock in 1802 to 1805 stood first at 83, then at 50, and in 1808 at 20, yet that Silesian association bonds did not sink below 50.

It is obvious that during the Napoleonic wars the very existence of the Prussian State was at stake, whereas war does not destroy land nor entirely destroy its value. So in an exceptional case 100 years ago Landschaft bonds sold on a materially better basis than Prussian bonds, but that is not the rule.

Frederick the Great created the first Landschaften, which were originally compulsory associations of all large landowners within a Province, all their estates, whether the owners borrowed or not, being by compulsion involved in the guaranty of the bonds of the provincial association. Frederick endowed the original Landschaft, that of Silesia, with the equivalent of $432,000, and also subjected the Crown lands in Silesia to the collective liability securing the debenture bonds of this Landschaft. All the early Landschaften received Government grants in cash to begin business; the amounts of such grants were not very large, yet the aid thus given was necessary and substantial, especially since there was added to it a compulsory liability of all manorial landowners within the several Provinces, and in some cases Crown lands and forests were also subjected to this liability. There were further cases of Government grants

to the Landschaften after the Napoleonic wars. In recent years the Bavarian Agricultural Bank, which is one of the most important of the 24 German Landschaft associations, was, as Cahill says, "practically founded and capitalized by the State" in 1896.

It is clear then that the Landschaften, the first successful institutions supplying long-time agricultural credit on the basis of debenture bonds, were brought into being by the Government, and were started only with the substantial assistance of the Government.

The Landschaften have proved an example to the world of the advantage which the farmer may receive through the issue of long-time debenture bonds secured by collective mortgages. It should be remarked that most of their strength has come from cooperation and not from Government aid, though it is important to note that Government aid established that first confidence which is so absolutely essential to a new financial enterprise. They did not, however, prove an unqualified success in rendering service to the small borrower. Of them Ambassador Herrick says:

The Landschafts, like their aristocratic members, adjusted themselves with bad grace to the march of events. On the breaking up of feudalism they gave very little help to the plebeian landowners and practically none at all to the liberated serfs. In 1887 the German minister of agriculture reported that the Landschafts did not reach the one-team farmer, that is, the farmer of 18 to 34 or even 61 acres. In 1895 Sir Frederick A. Nicholson, after an exhaustive investigation in Germany, declared that they had failed to assist the majority of small farmers. Hence the service which the Landschafts are now doing this class began within the last 15 or 20 years.

It is thus apparent that at a period 126 years after the foundation of the first Landschaft the majority of small farmers had still failed to receive any benefit from the system. In countries where Government aid has been more direct and vigorous it has required no such period for the benefits to reach the small farmer.

Side by side with the Landschaften there are in Germany 16 public institutions established for a State, Province, or administrative district which make loans to farmers on mortgage security. The liabilities of each of these are guaranteed by the State, Province, or district which created it. Ambassador Herrick, after showing that neither the Landschaften or private capital could fill the needs which these institutions were organized to meet, says:

The State, therefore, intervened from a national necessity, and in organizing land credit for the general purposes of agriculture, granted a greater degree of assistance than was available to the nobility in the Landschafts.

Cahill says of these institutions that they grant loans more cheaply than the joint-stock mortgage banks, the majority of which do not find it profitable to lend at all on small properties. The savings banks, Cahill says, not only charge higher rates, but grant loans only subject to recall and allow gradual amortization only on a limited proportion of their loans. He states, however, that there are certain drawbacks incident to the official administration of these State and provincial institutions, and expresses the opinion that "organizations of landowners governed by landowners which confine their business to rural mortgages are better able to take in consideration all the conditions in arriving at their decisions." This comment is interesting in that it shows that the institutions having public aid can serve the small borrower more cheaply than the strictly private institutions; yet it shows at the same time that extreme official administration is to be avoided, being inferior in efficiency to the management of local landowners. These criticisms by Cahill on the German system justify the Government aid and local management provided in H. R. 16478.

I have said that there are four classes of institutions dealing in land-mortgage credit in Germany, but the Landschaften and public-credit institutions which I have already discussed are by far the most important in the class of business which we are considering. Herrick says:

Nearly all long-term reducible loans in Germany are made by the landschafts and public, or semipublic, credit institutions. The reason is easily explained. Such loans, repayable by annuities running through periods of many years, can not be made out of funds subject to recall. If the money is raised by the sale of debentures, they must have no fixed maturity if amortization of the loans is planned. But instruments of this kind, depriving the holders of the right of demanding the principal of their investments, can not be sold in quantities unless guaranteed by the Government or a concern connected with it; at least, this has proved to be the case in Europe. The loans from private sources are generally for short terms; that is, under 10 years and are repayable in lump or in a few instalments.

Mr. COOPER. Will the gentleman yield?

Mr. BULKLEY. Yes.

Mr. COOPER. What is the extreme amortization period?

Mr. BULKLEY. In some of the European countries it runs as high as 75 years.

I have already quoted Cahill to show that the private joint-stock mortgage banks of Germany are unable to give the farmer as reasonable accommodation as the public land-credit institutions, and that, in fact, they do but a small proportion of the land-credit business. Of them Herrick says:

The lack of success of the German land-credit banks as regards farm loans has been attributed to various causes. But the trouble seems to be that only a few of them have the necessary size and standing to enable them to sell bonds which have no fixed time for maturity, and that in consequence of their inability to raise money by such investments, they are not in a position to grant long-term, reducible loans of the kind needed by agriculture. The proof of this lies in the fact that the two big banks which have gained the confidence of the investing public do a large farm-mortgage business, nearly all of which is on the amortization plan and represented by debentures not recallable by the holders.

It will be noted that Mr. Herrick says there are two of these banks big enough and strong enough to have gained the confidence of the investing public and therefore able to do a large farm-mortgage business on the amortization plan. What are these two banks, and have they had any Government aid? Ambassador Herrick answers the question:

These two concerns are the Bavarian Mortgage and Exchange Bank of Munich and the Prussian Central Land Credit Co. The King and Queen of Bavaria and high State officials were charter members of the former when it was founded in 1835. The latter, which was established in 1870 with the special object of aiding agriculture, is a semipublic institution. * * * The Prussian Central Land Credit Co., a joint-stock corporation, was the outcome of the efforts of Prince Bismarck to create a national mortgage institution for the great Empire that he was forming. He assisted three powerful banking houses to obtain a charter by a special law, and he persuaded France, whom Germany was about to fight, to order the then president of the Credit Foncier to serve on its board of directors. The Government Bank of Prussia bought a large block of stock so as to give the new concern prestige and aid its first ventures.

The German savings banks make loans in very large volume to farmers, but as these loans are made out of the funds which the banks must repay to their depositors on demand they are not able to make long-term loans on the amortization plan, and, according to Cahill and Herrick, they do not attempt to do so. They also charge higher rates than the Landschaften and public credit institutions. For these reasons their practices can give us no light on the problem of how best to secure long-term reducible loans at the lowest possible rates of interest.

Mr. BUCHANAN of Illinois. Will the gentleman yield?

Mr. BULKLEY. If I yield to the gentleman I must have some more time.

Mr. STEENERSON. I will yield the gentleman 15 minutes when he needs it.

Mr. BULKLEY. I thank the gentleman. I will yield to the gentleman from Illinois.

Mr. BUCHANAN of Illinois. Has the gentleman any information as to Government postal savings banks in Europe loaning their money to farmers and workingmen?

Mr. BULKLEY. I can not give the gentleman full information, but in any case the amount that they loan on farm mortgages is not large. It is not a material element.

Mr. NORTON. I want to ask the gentleman a question. In reply to the gentleman from Illinois the gentleman from Ohio stated that he did not recognize any difference between Government aid in loans to workmen and to farmers.

Mr. BULKLEY. In endeavoring to answer the question briefly I perhaps may have said something of that kind; but I meant to say that there was no substantial difference. Of course there is a difference, because it must always be Government policy to encourage the production of the food supply for the people.

Mr. NORTON. I want to congratulate the gentleman on joining the forces for Government aid. But I wanted the gentleman to make clear that there is a distinction in principle.

Mr. SLOAN. If the gentleman from Ohio will permit, is not the difference this, that your loan is based on the earning power of the mortgaged property instead of the sale value?

Mr. BULKLEY. It would be based primarily on the earning power, and there would be some distinction on that ground.

Mr. BUCHANAN of Illinois. I think the experience shows in Europe that in the loaning system there would be no difference in ability to pay.

Mr. BULKLEY. I think that is substantially true, and I am in sympathy with the gentleman from Illinois; but I hope he will not pursue that any further, as it is a question not at issue at this time.

Mr. NORTON. The principle is not in the ability to pay, but the principle is in the object and purpose of the Government going into the aid of credit to farmers who produce something that is needed by everyone in the country.

Mr. RAGSDALE rose.

Mr. BULKLEY. I will yield to the gentleman from South Carolina.

Mr. RAGSDALE. I was merely going to suggest that I was a member of the subcommittee of which the gentleman from Ohio [Mr. BULKLEY] is chairman, and I have some idea of the enormous amount of work he has devoted to this argument; and I would ask, as a courtesy to those who want to hear it, that he be allowed to present it in a connected form, and then, after he gets through, gentlemen can ask such questions as they wish.

Mr. SMITH of Minnesota. Mr. Chairman, I rise to second the motion.

Mr. BULKLEY. I thank the gentlemen.

Mr. Wolff, the great English authority from whom I have already quoted, in his work, "Cooperative Banking," discusses the failure of the Landschaften organizations to serve the needs of the small farmer and says, at page 249:

> It is on such grounds chiefly that various Governments, some considerable time ago, took the matter into their own hands, deeming it to be their duty to do so. We shall see that cooperative mortgage-credit institutions are fully as practicable for small owners as for large. But the fact was not at once perceived. And one can scarcely be surprised at the various Governments desiring not to let their horse starve, while the cooperative grass was slowly—very slowly—growing. "Paternal" Government interference, which means State socialism, is so much on the increase, to the discouragement of individual effort, that one scarcely cares to see additional arguments advanced in its favor. However, in this particular matter, it is impossible not to agree with the late Dr. Buchenberger, who testified that the Government institutions have plainly done good, and have, above all things, achieved their particular purpose of bringing appropriate assistance to the small agriculturists.

This concludes my brief survey of foreign land-mortgage credit institutions. In making it I have quoted many times directly from Ambassador Herrick's new work, "Rural Credits," and I am also indebted to this work for much of the information which I have condensed and submitted without quotation marks. The ambassador's very complete study of the land-mortgage credit institutions of the world shows clearly as a matter of historical fact that every success in the field we are considering has been attained by the assistance of Government in some form. The showing to this effect is the more impressive and the more incontrovertible because Mr. Herrick's work was not written with the idea of establishing the doctrine of Government aid as a rule of action in this country. On the contrary, he takes a position substantially opposed to it. We may therefore feel the more certain that if there had been in all history a single successful example of the establishment without Government aid of a system of long-term reducible farm-mortgage loans for the benefit of the small borrower Ambassador Herrick would have found it and described it. But he has not.

PROPOSED AID A PROPER GOVERNMENT FUNCTION.

Why then are we to cast aside all that is taught us by the experience of the whole civilized world during a century and a half of efforts to solve this great problem? What reason is there that our Government should refuse to adopt the most essential and fundamental element which has contributed to the success of small farmers' land credit everywhere else in the world?

Ambassador Herrick says:

> Special legislation either for individuals or classes would now be revolutionary and also would deaden the spirits of those who would rely on it. The American farmers are better men than the European peasantry. Furthermore they are the most independent and self-reliant part of the country's population. It does not seem likely that they will demand privileges and special favors devised for conditions which have no parallel in this country, and which would do them in the long run more harm than good.

All of us will agree with the ambassador in praising the American farmer, and we may also agree with him in opposing special legislation for individuals or classes if he means by it the direct appropriation of Government funds to be paid to individuals or corporations to increase the profits of a business, as is proposed by the ship subsidy advocates, or if he means such special legislation as has from time to time been enacted for the benefit of certain individuals and classes in pursuance of the so-called protective tariff system, which has indeed deadened the spirit of those who have relied upon it. We rejoice to think that such legislation would now be revolutionary; it would certainly not be novel.

But if he means that our Federal Government has no function but to gather taxes and to keep order, if he means it is not proper for the Federal Government through its departments to enter into such business as may best promote the prosperity and moral and material interests of the people, and that without regard to whether such business may be primarily of some incidental benefit to an individual or a class, then he is not abreast of the spirit of the times.

For years the Government has spent many millions annually, for which it has no hope of being reimbursed, in the improvement of rivers and harbors, and it has not hesitated to continue this expenditure for the general welfare because of the fact that it involves certain direct benefits to communities, to shipping interests, and to owners of docks and wharves. We have constructed great irrigation works to be sold to settlers at actual cost, and we allow them many years to make payment, yet we do not charge them interest on the investment. We have given away countless acres of the public domain to homesteaders for the purpose of developing our country, encouraging agriculture, and increasing the number of home owners. Yet we do not hear that the direct beneficiaries of these vast gifts from the Government have lost their virility by having had the door of opportunity opened to them by a beneficent Government.

The Government maintains diplomatic and commercial representatives in foreign lands, and no one questions the propriety or the necessity of this service, though its direct primary benefits can go only to travelers, importers, exporters, and those who have investments abroad, the vast majority of the American people being benefited only indirectly. Public opinion has approved the building of the Panama Canal, though some of our citizens will receive from it more direct benefits than others. Public opinion approves the building of the Alaska Railway, though in the development of that great country certain private owners will secure a greater benefit than the rest of us. And now we are proposing to put Government money into the purchase and construction of ships, the operation of which will unquestionably benefit the whole country, but more directly those communities which are situated on the seaboard, those merchants who have foreign connections, and the seamen who may be employed in operating the ships.

But neither foreign trade nor transcontinental transportation nor the development of Alaskan resources is more important or fundamental for this country than the development of agriculture. And if Ambassador Herrick thinks that special legislation and special administrative help is revolutionary or deadening to the spirit of the American farmer, he should read the reports of the Secretary of Agriculture for 1913 and 1914.

Secretary Houston confidently tackles the big problems in the development of our agriculture without too much refinement about "special legislation," "governmental favor," or "deadening spirit." He sees the big things that it is necessary in modern times for a government to do, and proceeds to do them even though the results of his action may be directly to increase the profits of a certain class of our citizenship. It is necessary not only for the Government to procure and disseminate information at considerable cost to the Government and no cost to the farmer, but it is necessary also to use the national resources in the interest of those citizens whose business and location make it possible for them to put such benefits to use. It is sometimes necessary to spend Government money directly to help the agricultural class, and even some individuals of that class. At least it is deemed necessary according to the modern way of looking at things, though the old laissez-faire school of government would doubtless have found it more consistent to keep hands off.

I speak now not of theory but of actual accomplishment, reported with justifiable pride and enthusiasm by Secretary Houston. The conclusive justification of Government activity in procuring and disseminating information concerning the preparation of foods is contained in the following words in Secretary Houston's report for 1913:

> Savings of waste and economical utilization of products are becoming more and more important; the Government must conduct such investigations, since they are usually so costly that only the larger industrial corporations can undertake them independently. The results obtained by the Government are published for the use of all. The results of private investigation are either kept secret or patented, and thus give an opportunity for monopoly.

Of course when the Secretary says "for the use of all" it must be taken to mean all that class of persons engaged in the preparation of foods. But this primary benefit to a class is distributed to the public generally by competition within that class. This is the sound principle of all the great activities of the Department of Agriculture in gathering and distributing information.

For the distribution of information the department has established the Office of Information for the purpose of preparing brief, popular statements of facts. Of it the annual report says:

> This office gathers the facts from the printed material and from typewritten reports and by direct interview with specialists. This material is then prepared in simple news form, mimeographed, and given to papers, particularly in the special districts to which it applies. It is also issued in the form of a weekly letter which is sent to more than 50,000 crop correspondents and progressive farmers.

In this service there is apparently discrimination in favor of "special districts," also in favor of special classes, namely, crop correspondents and farmers, and among farmers discrimination is made between those who are "progressive" and those who are not. Many finespun governmental doctrines may apply

to this simple proposition, but the department very sensibly overlooks them and promotes the business in a businesslike way. Such information as it can gather is placed where it will do the most good without regard to the special benefit conferred upon classes or individuals. That it is impossible to secure all the information which might be desired by all of the people in the country and distribute it with absolute equality is not and should not be a reason for failing to supply such practical information as can be secured to the best of the department's ability.

The information secured and distributed to farmers is of considerable variety. The farmer is taught how to manage his farm as a business proposition. Says Secretary Houston:

Important results have been obtained in the study of the cost of producing farm products, the factors which affect the profitableness of farm enterprise, and the best way of organizing these enterprises so as to obtain the greatest net income. These studies have also made possible the devising of suitable methods of farm cost accounting for the farmers' use.

Again:

The department is giving special attention to the subject of farm management with the view of rendering to the farmer service similar to that rendered to the business man and the manufacturer by efficiency experts and engineers.

Of course the business man and the manufacturer are in the habit of paying for the service of efficiency experts and engineers, but as their business is ordinarily done on a scale large enough to justify such expense, and as it is in any case the policy of the Government to develop agriculture, it is of course appropriate that the department should supply this service to the farmer free of cost. There is little danger that the conferring of this special benefit to a class will deaden the spirit of the American farmer.

The farmer's wife is taught how to manage the home. Says the report:

The department believes that intelligent help to women in matters of home management will contribute directly to the agricultural success of the farm. It purposes therefore to make more complete studies of domestic conditions on the farm, to experiment with labor-saving devices and methods, and to study completely the question of practical sanitation and hygienic protection for the farm family.

The expenditure of Federal money to improve conditions in the farm home is directly in line with the intelligent development of agriculture.

The beneficent activities of the department are not confined to gathering and distributing information. Property is given to the farmer. To quote:

The distribution of drought-resistant field seeds in the Great Plains area and other dry-land sections of the country has apparently been productive of excellent results.

When it comes to fighting pests and diseases, the department is ready to spend money not only for the farming class as a whole but for the particular class of farmer, or even the individual farmer, who is suffering.

The following shows the good results of direct Federal appropriations for the benefit of cattlemen in the Southern States where cattle ticks have done great damage from Virginia to southern California:

The most effective means of destroying the ticks is by dipping the cattle in an arsenical solution. The success of this work is now only a matter of time and money, and with adequate appropriations the extermination of the ticks can be completed before many years have passed.

The Rocky Mountain potato grower, as well as the southern cattleman, comes in for his share of free Federal service, and the department pathologists have been giving attention to several new diseases of the potato.

Secretary Houston looks with favor on a plan of cooperation between the States and Federal Government by the terms of which Government money shall be expended in the improvement of rural roads.

That Secretary Houston does not hesitate to advocate the Government going into business in competition with private individuals and corporations when there is a public good to be served is shown in the following sentences concerning the department's timber policy:

The national forests must be made to grow all the timber that they can; they must supply the needs of the public at as low cost to the public as possible; and they must be so managed as to protect the public against timber monopoly through private control of stumpage or of the manufacture of lumber. * * * Sales of timber are being aggressively pushed, and the cut is rising yearly. The timber is sold on terms and conditions which safeguard the public against the evils of speculation and monopoly. Full value for the public timber sold for commercial use is obtained, and must be obtained if the Government is not to subsidize those business enterprises which buy the lumber.

Following is a statement of the department's grazing policy, a wise and constructive one, though it might be called paternalistic:

The objects of regulated use of the range for grazing are full use of the resources without injury to timber growth and water flow, the encouragement of the live-stock industry, and healthy upbuilding of the West through widely diffused participation in the range privilege by small owners. * * * Developing the industry along lines which contribute to home building and diffuse prosperity shows what true conservation means.

If the Government can issue its notes in response to the financial demands of commerce, it can with equal propriety invest its funds in response to the financial demands of agriculture. If it can use the public range for the healthy upbuilding of the West, to promote home building and diffuse prosperity, surely it can use the public credit for these same objects in the healthy upbuilding of the whole country. If it can go into private business in growing and selling timber in order to safeguard the public against speculation in timber and a monopoly of the Lumber Trust, surely it can take a hand in land-mortgage credits to safeguard the public against speculation in farm lands and the monopoly of the Money Trust.

EFFECT ON NATIONAL CREDIT.

There remains one aspect of the question which I have not yet discussed. It does not require much discussion, since no criticism has been made on this point, and it is altogether likely that none will be. Yet it is fair to inquire whether any possible danger to the national credit lurks in the provisions of this bill. A single comparison will dispose of any fear on that score.

Our national debt is roughly a billion dollars. The French national debt, before the beginning of the present war, was about seven billion dollars. French Government bonds were selling before the war on about a 3½ per cent basis. We have two and one-half times as many people, and many times the national resources that France has. Who will say that our credit is not good for as big a national debt as France can support?

The investment of Treasury funds contemplated by this bill would be only to such an amount as might be necessary to maintain a fair market for the land-bank bonds from time to time, but never to exceed $50,000,000 in one year. The rate of interest on the bonds would be fixed by the Federal Reserve Board according to the fair value of money in the world market. It would be evidence of bad management if the Federal Reserve Board should authorize the issue of such an amount of land-bank bonds at such a rate of interest as to make it necessary to call on the Treasury for the full fifty millions in any one year. It would prove incompetency if the full amount should be demanded each year for a series of years. It is inconceivable that the full amount could be called for each year for a hundred years. Yet if that should happen, and if during the century it were found impossible to resell any of those bonds, and impossible to raise the funds to buy them other than by reborrowing, and if none of the bonds were paid at maturity, then upon the happening of these four contingencies, any one of them practically impossible, it would be necessary in the course of a century to issue $5,000,000,000 in bonds, and increase our national debt to six billions, still a billion short of the French debt as it stood last summer.

Thus it is clear that, although the credit of our Government could support a bond issue of $5,000,000,000 in the course of the next century, it is quite impossible that so large an issue would be needed under the provisions of this bill. This conclusion becomes more evidently correct when it is considered that the proposed land-bank bonds would probably have a maturity of 30 years, corresponding to the longest maturity of mortgages authorized, so that if the Government should buy the full fifty millions a year for 30 years it could thereafter continue to buy $50,000,000 worth of bonds a year forever and pay for them out of the proceeds of the maturing bonds.

It must be remembered, too, that even if the Government should go heavily into debt to buy these bonds, it would certainly have something substantial to show for its investment. The possession of a large quantity of these bonds would be a source of great strength to the Treasury, for the bill provides that the Secretary of the Treasury may on 30 days' notice require the land banks to cease making further investments and to devote their total available receipts above maturing liabilities to the redemption of bonds held by the Government, even before the maturity of such bonds. Thus the Government, having borrowed at low rates in time of financial ease on its own bonds, which have no maturity at all, would have large sums available for immediate use in case of national emergency. And if the land banks were unable to redeem such bonds rapidly enough to meet the needs of the Treasury, the Secretary of the Treasury could exercise the option which the bill gives him to sell land-bank bonds, an operation which he might find more convenient than the issue of new United States bonds in times of national stress. It is clear that the effect of this legislation, so far from being a drain on the Treasury or a strain on the national credit,

will actually prove a very great source of national financial strength.

I have reviewed our reasons for proposing Government aid in the particular form in which we have proposed it—the theory of it, the precedent for it, the experience justifying it, its practicability, and its effect on the Government credit. My argument on that point is ended.

THE NEED FOR FARM-CREDIT LEGISLATION.

Now, just a few words on the need of farm-credit legislation. A year ago it was admitted by all. There seems now to be a disposition in some quarters to give the impression that the Federal reserve act will provide all the additional credit facilities that the farmer needs. It will not.

Secretary Houston's report elaborates somewhat on the benefits which he says that the Federal reserve act will give the farmer. Doubtless the rediscount facilities afforded by the Federal reserve act to national and other member banks, and the eligibility for rediscount of six months' notes drawn against farm products will, to some extent, ease the short-time credit situation for the farmer. The farmer will not fail to understand, however, that only a very small proportion of his total investment is represented by agricultural products which can be sold inside of six months to meet a six months' note drawn against them. He will not fail to contrast his situation in this respect with that of the city merchant, who probably has no capital tied up in his place of business, which may be established in rented quarters, and whose stock in trade may be represented by goods which remain in his possession less than 90 days, and can therefore be financed by notes which are rediscountable under the terms of the Federal reserve act. The merchant can make rediscountable paper for almost his entire investment; the farmer can make rediscountable paper for only a very small fraction of his investment.

The provision in the Federal reserve act permitting certain national banks to lend on farm lands for not to exceed five years may help the farmer to some extent. But it is not likely that the national banks will largely avail themselves of this privilege, as they know that it is not good banking to tie up in a long-term investment money which they may be called upon to pay on demand. Furthermore, commercial banks will generally find short loans, and consequent frequent compounding of interest more profitable than mortgage loans. The aggregate amount which can be loaned by a national bank on farm lands under the terms of the Federal reserve act is only one-fourth of its capital and surplus or one-third of its time deposits, whichever of the two is smaller. A bank having no time deposits could make no such loans at all, no matter how great its capital and surplus, and a bank with $40,000 capital and surplus could loan on farm lands but $10,000, no matter how great its time deposits. Under these limitations, even if the national banks were anxious to make as many farm loans as possible, which they are not, they could not take care of 10 per cent of the farm-loan business of the United States.

But the fact is that the Federal reserve act scarcely touches the need of agricultural land-mortgage credit at all. What we need in this country, and have not, is a system for long-time mortgages. Five years is ordinarily too short a time in which to expect to repay indebtedness incurred in the purchase or permanent improvement of farm lands. The Federal reserve act may help the farmer in certain classes of credit to which he already had access, but it has no application at all to the long-time mortgage, of which the farmer stands in need.

Secretary Houston's report says that the people of the United States have ampler financial agencies than any elsewhere in the world, and have greatly developed the habit of using these agencies. The farmer will be interested to know this. But the farmer also knows that he is paying higher interest rates than the European or Australian farmer, and that long-time mortgage credit is not available to him at all as it is to his foreign competitor. The President presented the situation with the right perspective a year ago when he said:

> We must add the means by which the farmer may make his credit constantly and easily available, and command when he will the capital by which to support and expand his business. We lag behind many other great countries of the modern world in attempting to do this. Systems of rural credits have been studied and developed on the other side of the water, while we left our farmers to shift for themselves in the ordinary money market. You have but to look about you in any rural district to see the result, the handicap and embarrassment which have been placed upon those who produce our food.

To meet this urgent need your subcommittee has prepared a bill which is in the nature of a compromise of many conflicting views. It accords with the experience of the world and with the views of practically all of the witnesses who came before the subcommittee. It has been substantially indorsed by the National Grange, as will appear from certain resolutions and reports which I shall ask leave to have printed with my speech. It has not been directly challenged in public on any vital point during a period of seven months since it has been made public, either in Congress or elsewhere, and I challenge any who oppose it to criticize it now.

All political parties have promised the farmer that the credit machinery peculiarly adapted to his business shall be provided. He knows that it is as much a Government function to do whatever may be necessary to provide him with adequate credit facilities as it is to teach him how to manage his farm and his wife how to manage her kitchen, which Secretary Houston is already doing. This great responsibility can not be evaded by saying, as the Secretary says, that "the American farmer is sturdy, independent, and self-reliant." These compliments could have been bestowed on the cave man who lived in bygone ages. The American farmer of to-day deserves not only these compliments, but one more which the cave man did not deserve—he is intelligent. [Applause.] And he knows that when a promise is made to him it should be fulfilled. [Applause.]

The President does not dispose of the shipping question by telling the importers and exporters that they are "sturdy, independent, and self-reliant." What would they think of him if he did? They are as well able to find ships for themselves as the farmer is to find credit for himself. True the ships they would find for themselves would not be conveniently adequate to their purposes, and would cost high, but that is true also of the credit which the farmer finds for himself. Yet the President does not propose to leave our men of commerce to shift for themselves, to depend on foreigners or profit-seeking capitalists to furnish vessels. He promptly proposes that the Government do what is necessary to put the American flag on the seas for the benefit of American commerce. This policy will bring trade and dollars to our land. Now, let the Government also do what is necessary to put the American farmer on his own farm. This will bring us dollars, too, and, better yet, will promote the prosperity and insure the independent ownership of millions of American farm homes, now and in the years to come. [Applause.]

Mr. MOON. I yield five minutes to the gentleman from Texas [Mr. HENRY].

Mr. HENRY. Mr. Chairman, referring to matters that occurred in the House on yesterday afternoon when the chairman of the Post Office and Post Roads Committee was addressing the Members, I wish to say that when interrupting the gentleman from Tennessee [Mr. MOON], I had no intention of reflecting on the integrity or conduct of any Member of this body on either side. The special rule which was up for consideration had been presented to this body at the request of the Committee on the Post Office and Post Roads, the Postmaster General, and the administration, and the Committee on Rules was only carrying out what it deemed to be its duty in presenting that rule. The previous question had been ordered on the rule by unanimous consent. A roll call was being had, and after voting I had gone to the restaurant and the barber shop and only returned just as the call was being completed, and was not personally cognizant of what was transpiring. The special rule in regard to railway mail pay embodied in the bill only what had been passed through the House at the last session of Congress practically by unanimous consent, and I had supposed that there was no objection to it.

Now, Mr. Chairman, surely I did not have any wish to reflect on any Member, for I did not know how any Member of this House had voted on the special rule except myself, and presumed that practically all had voted for it, because the previous question had been ordered by unanimous consent. I thought the House was entitled to the information that came to me as chairman, and only interposed for the purpose of saying that much to my colleagues without meaning to criticize or disparage any Member. I would not appear now and read the telegrams to the committee were it not for the fact that my statements seemed to be challenged, and I stated that I would read the telegrams to this body. I did not show these telegrams to any member of the committee because I had thought another course would dispose finally of the matter, and such action was not necessary or important. Here is one telegram that came to me the night before the committee met and was sent to me at my residence:

PENNSYLVANIA STATION,
New York, December 15, 1914.

Hon. R. L. HENRY,
Chairman Committee on Rules,
House of Representatives, Washington, D. C.:

On behalf of 264 leading railroads, representing nearly 90 per cent of the mileage of the United States, I would respectfully ask that you grant a hearing to our committee on the application of House Committee on the Post Office and Post Roads to make new legislation in order on appropriation bill which practically embodies the provisions of

House bill 7042, which has already passed the House and is now pending before Senate committee. We earnestly protest against this legislation, and beg for an opportunity to be heard on the subject.

RALPH PETERS,
Chairman Committee on Railway Mail Pay.

Here is another telegram from San Francisco, Cal., dated December 16, 1914, coming to my residence:

Hon. R. L. HENRY,
Chairman Committee on Rules,
1825 Nineteenth Street, Washington, D. C.:

This association, comprising short important railroads of 11 Western States, respectfully protests against your honorable committee ruling to make Moon bill proper legislation as part of Post Office appropriation bill without giving this association an opportunity to be heard on the Moon bill, which vitally concerns us, and which hearing we respectfully request at an early date.

WESTERN ASSOCIATION OF SHORT LINE RAILWAYS,
By D. M. SWOBE.

Here is another, from Valdosta, Ga., dated December 16, 1914:

Hon. R. L. HENRY,
Chairman Committee on Rules,
House of Representatives, Washington, D. C.:

On behalf of membership of Short Line Railroad Association of Southeast we respectfully urge that your committee do not make special rule making Moon bill proper legislation as part of Post Office appropriation bill, which House Committee on Post Offices has so included. We also respectfully request that you grant short lines hearing before passing upon this rule. Answer at our expense.

J. W. OGLESBY, *President.*

The CHAIRMAN. The time of the gentleman has expired.

Mr. MOON. I yield to the gentleman five minutes more.

Mr. HENRY. Here is another telegram:

NEW YORK, *December 16, 1914.*

Hon. R. L. HENRY,
Chairman Committee on Rules,
House of Representatives, Washington, D. C.:

Will you kindly grant this association a hearing on the proposed special rule to embody the Moon bill in the Post Office appropriation bill?

SHORT LINE RAILROAD ASSOCIATION,
60 Wall Street, New York City.

Mr. Chairman, these telegrams came to me as chairman of the Committee on Rules; and inasmuch as this legislation had been passed before, and inasmuch as I thought there could be no opposition to this special rule in the House of Representatives on either side, being, as I remember it, a unanimous report of the committee, I did not see any necessity for going into these things further than stating the general terms of the rule.

Answering these telegrams, I did not reply by wire, because I did not have time. They came the night before the committee was to meet; but here is one of my replies, and the others were strictly in line with it:

Mr. J. W. OGLESBY, *Valdosta, Ga.*

MY DEAR SIR: Permit me to acknowledge the receipt of your telegram in regard to the legislation proposed to be incorporated in the Moon bill. The committee did not deem it wise to have a hearing on this subject, inasmuch as the Post Office Committee had asked for the rule and it was thought proper to grant their request.

Very truly, yours,

R. L. HENRY.

On the day the committee met to act on the special rule, two gentlemen who claimed to represent railroads came to the Committee on Rules, and sent word to me as chairman of that committee that they wished a hearing before the committee. Judge MOON was in my office at the time, and he and I were conferring about it. I sent word out to these gentlemen that a hearing was unnecessary and would amount to nothing, because, in my judgment, the Committee on Rules would promptly acquiesce in the request of the chairman of the Post Office Committee, the Postmaster General, and the administration, and that any time given them would be lost and it would be useless to grant them a hearing. I will say that I sent word to my clerk by the messenger to take the names of these gentlemen and their addresses, so that if it became necessary to confer with them I could communicate with them later. One of those gentlemen left his name, stating that it was Mack, and that he was at the Raleigh Hotel, and that he represented the International & Great Northern Railroad. The other gentleman left his name, which was misplaced, but stated to the clerk, so the clerk informs me, that he represented the Southern Pacific Railway system, and wanted a hearing to protest against this special rule.

All that I said yesterday was that the only protests coming to the chairman of the Committee on Rules or to the Committee on Rules, as far as I knew, came from the railroads. When I said that, thinking I was stating a fact my colleagues would gladly hear and wanted to know, without meaning to impugn the motives or the conduct of any Representative about his vote on the rule, because it was personally immaterial to me, and I did not know how anyone voted except myself.

Mr. HEFLIN. Will my friend yield to me?

Mr. HENRY. Yes.

Mr. HEFLIN. Then my friend from Texas did not intend by anything that he said to sanction the abuse by the gentleman from Tennessee of Democratic Members who voted against the rule?

Mr. HENRY. I say I did not intend to reflect on any Member, expressly or by implication, and, not knowing all that had transpired in my absence, was giving the information to my colleagues. I would rather discuss my own motives and my own conduct, without trying to construe what some one else said. I was speaking for myself and for no one else.

Mr. HEFLIN. But the gentleman from Tennessee was very severe in his speech, and I think his remarks were unfounded and unwarranted from every viewpoint.

Mr. HENRY. I would rather that my colleague from Tennessee would take up that matter with him, because I did not hear all of the gentleman's speech.

The CHAIRMAN. The time of the gentleman has expired.

Mr. MOON. Mr. Chairman, I could answer the gentleman from Alabama. The remarks of the gentleman from Tennessee on that occasion were not abusive of anybody. The gentleman from Tennessee said expressly upon this floor that he did not undertake to say that any man on this floor was controlled by the railroads, the postmasters, or anybody else. He said expressly that he did not charge corruption to anybody; and he said further, and he says it now, that the facts and circumstances connected with the whole transaction, the part that certain gentlemen have played in votes and otherwise, left the impression upon my mind—and I had a right to express that impression to this House, whether it agreed with it or not—that there were some influences that prevented the adoption of this rule recommended by the administration, the Post Office Committee, and the Committee on Rules. The gentleman did not undertake to say that that was railroad influence. He simply asked the question, if you will see the RECORD, "Was it the influence of the carriers, was it the influence of the postmasters, or was it the influence of the railroad companies?" I do not care what influenced you, whether it is one of those three things or something else. I said, and say yet, it was a most egregious error not to give the rule that would save this country $10,000,000.

Mr. HEFLIN. But the gentleman from Tennessee, Mr. Chairman, if the gentleman will yield——

The CHAIRMAN (Mr. SAUNDERS). The gentleman from Tennessee has control of the time and has the floor.

Mr. MOON. I yield.

Mr. HEFLIN. Characterized Members as craven cowards, and referred to those who went down to the Clerk's desk and changed their votes. I was one of that number to go to the Clerk's desk and change my vote, because I voted wrong in the outset. If I understood the proposition correctly—and we had not time to get an explanation about it—the only way we could have the matter reopened was to defeat that rule, and then let another rule come in, so we could have an understanding about it. The gentleman from Tennessee lost his temper and made a severe arraignment of the Democrats on this side who did not vote with him, and the arraignment was printed in the RECORD to-day, which was another mistake made by the gentleman from Tennessee. [Laughter on the Republican side.] And I state, as one of those who made the change, that no railroad influenced me, and I have heard of no railroad influence on this floor; and the gentleman ought not to make a charge of that kind unless he can prove it.

Mr. MOON. What did influence the gentleman?

Mr. HEFLIN. And I can not believe that any Member who changed his vote was influenced by any railroad.

Mr. MOON. I want the gentleman from Alabama to understand that I gave three reasons which appeared to me might actuate gentlemen in changing their votes. If neither one of those actuated the gentleman, what was the reason?

Mr. HEFLIN. I did not want to injure the mail service as now carried on by the rural carriers. [Applause.] I did not want to injure the third and fourth class postmasters, and I did not want to injure the Railway Mail Service, either, in the United States. [Applause.] I am not an enemy of the railroads. I am the friend of every legitimate industry and enterprise in this country; and the Democratic Party is not the enemy of legitimate railroad business. [Applause.]

Mr. MOON. Nobody said it was.

Mr. HEFLIN. Now, the gentleman on yesterday, piqued because this rule was defeated, was unjustified and unwarranted from every viewpoint in arraigning the Democrats on this side [applause], who are as good Democrats as live, and not only that, Mr. Chairman——

Mr. MOON. Mr. Chairman, I have the floor.

Mr. HEFLIN. It does not lie within the mouth of my good friend to question my Democracy or that of other Democrats in this House. [Applause.]

The CHAIRMAN. Just a moment. The gentleman from Alabama is speaking in the time and with the permission of the gentleman from Tennessee.

Mr. HEFLIN. I was very much in hopes, Mr. Chairman, that the gentleman from Tennessee——

The CHAIRMAN. Does the gentleman from Tennessee yield further?

Mr. MOON. I will yield two minutes to the gentleman.

Mr. HEFLIN. I was very much in hopes, Mr. Chairman, that the gentleman from Tennessee, for whom I have always had a warm personal friendship, would follow the course of my good friend from Texas [Mr. HENRY], who stated to this House that he did not mean to reflect in any way upon the integrity or honor of any Democrat who dared to vote against him on yesterday. I had hoped that the gentleman from Tennessee would pursue that course and say to the country, as the gentleman from Texas said, that no Democrat who went down there and changed his vote on yesterday was susceptible to sinister influences in this House. [Applause.] I do not believe that any Democrat who dared to go down and change his vote that he believed was wrong ought to be characterized as the gentleman from Tennessee characterized us on yesterday, and I thought that after the gentleman from Tennessee had time to think deliberately over what he had said that he would not print that speech in the RECORD against men in this House who ought not to have aspersions of that sort cast upon them by him or anybody else. [Applause.] The Democratic Party has had such a record for clean dealing and for honest work in the open that I did not think the gentleman from Tennessee would arraign his party without warrant as he has done in this House. [Applause.]

Mr. MOON. Mr. Chairman, the gentleman did not answer my questions. He did not say what influenced him.

Mr. HEFLIN. I just stated——

Mr. MOON. He did not say whether it was the postmasters or the rural carriers or the railroads, but he dodged the question and said he did not want to injure any industry in this country, and so on. Does not the gentleman know that he could have voted for the rule and then have voted down anything under it, which was necessary? Does not the gentleman know that the main feature of this bill, the only great feature in it, is the railroad proposition, and does he not know that when he voted as he did he voted against the consideration of that railroad proposition that would save this country eight millions of dollars every year, if carried? I have no desire to reflect, and I have not reflected, as this speech shows, if it is carefully read, on the integrity of anybody. In order that we may be sure, listen to what I said, after I had time and again said what I did say:

> I do not know—I would not undertake to say, and I have not said, that the railroads have brought any direct influence upon any Member of this House.

That was said in the body of the speech, and that it might be certain——

Mr. HAMLIN. Mr. Chairman, will the gentleman yield?

Mr. MOON. Wait one moment—that it might be certain, I said at the end:

> I charge no man with corruption, but with most egregious error when, intentionally or not, he permits himself to appear and act in opposition to the best interest of his party and country.

Mr. HAMLIN. Mr. Chairman, will the gentleman yield?

Mr. MOON. Yes.

Mr. HAMLIN. I am not one of those who changed his vote yesterday, but on that point I want to direct the gentleman's attention to a remark that he made in that speech.

Mr. MOON. The gentleman must take that speech as a whole, and not separately.

Mr. HAMLIN. I notice the gentleman says:

> I do not care whether he is a Democrat or a Republican. Shall the letters "R. I."—railroad influence—be branded on his brow when he goes back to his constituency and tells them that he would not consider a question under which their rights might be protected?

Mr. MOON. Yes; I said that, and I say that now.

Mr. HAMLIN. Then the gentleman says just what the gentleman from Alabama [Mr. HEFLIN] says he did say.

Mr. MOON. Mr. Chairman, I do not apologize for anything I did say. That is put in the form of a question. I asked the question "Shall it be done?" You must answer that question yourself. I will not. I have not said that it was true that that influence existed. Upon the contrary, I disclaimed that, but I am not going to retreat one single inch. I have no apologies to make for one single word that was uttered here yesterday. You did put yourselves in a bad attitude. I do not say that you were corrupt, and I do not believe that you were, but you put yourselves in an attitude you ought not to have put yourselves in, and you are entitled to the censure that you received.

Mr. HEFLIN. Mr. Chairman, will the gentleman yield?

Mr. MOON. Yes.

Mr. HEFLIN. The gentleman said:

> Gentlemen, like craven cowards——

Mr. MOON. Oh, the gentleman stated that a while ago.

Mr. HEFLIN (continuing)—

> destroying every vestige of respect that a decent Democrat should have, follow the lead of the Republican Party, repudiate the Democratic President, the Democratic Postmaster General, the Democratic Rules Committee, and the Democratic Post Office Committee of this House, for what?

Mr. CLARK of Florida. Mr. Chairman, I rise to a question of order.

The CHAIRMAN. The committee will be in order.

Mr. DONOVAN. Mr. Chairman, I rise to a point of order.

The CHAIRMAN. What is the point of order?

Mr. DONOVAN. There is not a quorum present.

The CHAIRMAN. The Chair thinks there is a quorum present. Gentlemen of the committee will be seated. The Sergeant at Arms will see that Members take their seats.

Mr. MOON. Mr. Chairman——

The CHAIRMAN. Just let the committee come to order.

Mr. DONOVAN. Mr. Chairman, I raise the question of no quorum.

The CHAIRMAN. The point is not well taken. The Chair thinks there is a quorum present. In the Committee of the Whole only 100 are required to make a quorum, and the Chair thinks there are 100 Members present. The Sergeant at Arms will see that Members take their seats. The committee will be in order. The gentleman from Tennessee.

Mr. MOON. Mr. Chairman, it is immaterial to me what the gentleman from Alabama [Mr. HEFLIN] thinks about this or anything else. He has a right to his own judgment upon the facts of this case and I have a right to mine. I said, and I say now, and I do not propose to withdraw one single word of it from anybody, that, in my opinion, when the President of the United States and the Postmaster General, when the Democratic Committee on Rules, when the Democratic Committee on the Post Office and Post Roads asks for a rule to consider legislation that would save to this country millions of dollars, then the Democrat who turns his back upon that request, the Democrat who turns his back upon that demand, violates the best interests of the Democratic Party, and I do not care whether that Democrat comes from Alabama or anywhere else.

Mr. COOPER. Mr. Chairman, will the gentleman yield?

Mr. MOON. Yes.

Mr. HEFLIN. Mr. Chairman, the language of the gentleman——

Mr. COOPER. Mr. Chairman, do I understand the gentleman from Tennessee to say that the President asked for this rule—demanded it?

Mr. MOON. Oh, the President did not go before the committee and ask for the rule; but the President did this: He approved the action of the Postmaster General in doing it, as I am advised by the Postmaster General.

Mr. COOPER. Did the President approve of putting the Rural Free Delivery System of this country under the contract system? If he did, then you will never have another Democratic President.

Mr. MOON. I do not know whether the President approved that or not, and that is not the question here.

Mr. COOPER. It is in your rule.

Mr. GORDON. It is not.

Mr. COOPER. It was in the rule yesterday.

Mr. GORDON. It was not.

Mr. MOON. The only question is whether the legislation shall be in order.

That issue was not before you. The rule was provided to make that in order. And I am going to say to the gentleman from Wisconsin [Mr. COOPER] that under the terms of the rule that was asked for here the rural carriers of the United States have secured $100 additional compensation, and when you voted against the rule yesterday every man who voted against it voted against the proposition in that bill that would give the rural letter carriers the maximum pay, considering only distance and not weights and number of packages.

Mr. PAGE of North Carolina. Will the gentleman yield?

Mr. TRIBBLE. Then a vote against the rule makes that additional appropriation of $2,000,000 for the increased pay of rural carriers subject to a point of order; that is to say, the rule would keep the increased pay in the bill, and if a point of

order is made and no rule to protect it, then it goes out on a point of order? Is that the correct parliamentary situation as to the increased pay of rural carriers?

Mr. MOON. Yes.

Mr. PAGE of North Carolina. Mr. Chairman, I desire to ask the gentleman from Tennessee if the Postmaster General and the President also requested that this item of the increase of rural carriers be included in the rule?

Mr. MOON. No; that was put in the rule by the committee without the request of either the President or the Postmaster General.

Mr. PAGE of North Carolina. I would like to ask one other question.

Mr. MOON. I mean to say that administrative legislation was demanded generally by the Postmaster General. The President approved the railway proposition, and so did the Postmaster General, as I am advised. I never talked to the President on the subject and do not know what he thinks personally.

Mr. PAGE of North Carolina. One other question.

Mr. MOON. Yes, sir.

Mr. PAGE of North Carolina. As to the provision affecting the weighing of mails and thereby affecting the railroad companies, I understood the gentleman in his speech on yesterday to make the statement that this would save the Government several millions of dollars?

Mr. MOON. Yes.

Mr. PAGE of North Carolina. If that is true, will the gentleman state in his judgment whether or not that provision is subject to a point of order in this bill?

Mr. MOON. Yes; I think it is subject to a point of order, because it is entirely new law, and it does not show a saving upon its face, and can not do it, but only shows an administrative proposition of saving. The saving will occur, as the department thinks, in the handling of the mails. In other words, you have changed from the quadrennial weighing of the mails on a weight basis, on which the pay is to be computed, to the space provision, and you will have enough space under the contract to carry all your parcel post probably without any additional compensation and save many million dollars annually. That is their theory.

Mr. PAGE of North Carolina. Does the gentleman yield for one other question?

Mr. MOON. Yes.

Mr. PAGE of North Carolina. The gentleman took occasion to arraign many of us on this side of the House——

Mr. MOON. I did not call anybody's name.

Mr. PAGE of North Carolina. Neither did I call anybody's name. I said many of us. I mean those who voted against the special rule on yesterday. I think the gentleman can not deny that.

Mr. MOON. Yes.

Mr. PAGE of North Carolina. He arraigned us on the ground that we were opposing a policy which the President very much wanted and on the ground that we were not in favor of proper economy in governmental affairs. I would like to ask the gentleman from Tennessee if he did not, when the President did recommend very specifically and urged within the knowledge of practically all the membership of the House his interest in the passage of the Alaskan bill, refuse to follow the mandates of the President.

Mr. MOON. I did. I do not ask you to follow it where you were able to get on the floor and justify your opposition to it. I simply said in all questions of administrative propositions connected with these departments and the economies there it was wise for the legislative branch to follow the Executive where they could conscientiously do so. If you will read that speech, you will see in that same connection that I said I did not favor any subservience to the Executive, that I would oppose, as I have done on this floor, the position of the Executive on the civil-service matter or any other matter of principle, but I do think that you ought to give some respect to the head of the Government and the departments when they are asking you simply for legislation, administrative and economic in its character and involving no question of principle upon which you might properly differ.

Mr. HOWARD. Will the gentleman from Tennessee yield to me for a question?

The CHAIRMAN. Will the gentleman from Tennessee yield to the gentleman from Georgia?

Mr. MOON. Yes.

Mr. HOWARD. I believe, in answer to the question of the gentleman from North Carolina [Mr. PAGE], you stated that none of the economies recommended by the department could be brought up for consideration; that they would be subject to a point of order, and would not come under the Holman rule, because the economies do not appear affirmatively in the bill?

Mr. MOON. That is true as to many of them.

Mr. HOWARD. Now, then, under the present situation there were $2,000,000 that were to go to the rural carriers which is subject to a point of order, is it not?

Mr. MOON. I think so.

Mr. HOWARD. And the $100 additional which they would have gotten if the rule had been adopted will be withheld from them if anybody makes the point of order?

Mr. MOON. I think so. I think if gentlemen who want to help the rural carriers based their opposition to the rule on the fact that the rule did not benefit them, they will find if they read it that they were mistaken.

Mr. RAGSDALE. Mr. Chairman——

The CHAIRMAN. Does the gentleman from Tennessee yield to the gentleman from South Carolina?

Mr. MOON. Yes.

Mr. RAGSDALE. Does the gentleman think he was justified——

Mr. MOON. Now, if you are going back to that speech, I want to say to you that it is a matter of opinion. I stated the facts as I understand them and the inferences I drew from them, and if I had not thought I was justified I would not have done so. Of course I think I was justified. I do not charge you with dishonesty or corruption, or anything of that sort, but I do charge you with the very worst party judgment that any lot of men ever had in the world. [Laughter.]

Mr. RAGSDALE. Mr. Chairman, if the gentleman will permit me——

The CHAIRMAN. Does the gentleman yield?

Mr. MOON. Yes.

Mr. RAGSDALE. I merely want to ask the gentleman if he did not go too far? And I want to say to the gentleman that he is not charging anything against me, because I did not vote against it.

Mr. MOON. Well, then, what have you got to do with it? [Laughter.]

Mr. RAGSDALE. I have this to do with it, Mr. Chairman——

Mr. MOON. Well, ask your question. Do not go into a speech.

Mr. RAGSDALE. I will ask it if I am permitted.

Mr. MOON. Go ahead and ask it.

Mr. RAGSDALE. I believe, Mr. Chairman, I have this much to do with it as a Democrat, that when this gentleman charges that there is railroad influence enough on this side of the House to defeat this legislation, I, as a Democrat, do not believe it, and I repudiate it, sir. [Applause.]

Mr. MOON. Well, now, Mr. Chairman, the gentleman from South Carolina has expressed himself, and he has given his opinion, and I am entirely willing that this House shall take it for just what it is worth. [Laughter.] I do not want to offend anybody in this House. That is not my habit. I have never said anything against a Democrat or Republican that was intended to be unkind. I have given the facts and have drawn the inferences from them. "Is it the hit dog that yelps or not?" [Laughter and applause.]

Now, Mr. Chairman, the gentleman from Minnesota [Mr. STEENERSON] can proceed.

Mr. WEBB. Mr. Chairman, I would like to have five minutes in which to make a statement.

The CHAIRMAN. The gentleman will have to get time from the gentleman from Tennessee [Mr. MOON] or the gentleman from Minnesota [Mr. STEENERSON].

Mr. MOON. Does the gentleman from North Carolina desire to make a statement?

Mr. WEBB. Yes; I want to make a statement.

Mr. MOON. Very well. Go ahead. I yield to the gentleman.

The CHAIRMAN. How much time does the gentleman desire?

Mr. WEBB. Five minutes.

The CHAIRMAN. The gentleman from North Carolina is recognized for five minutes.

Mr. WEBB. Mr. Chairman, I think all of this business has been quite a tempest in a teapot. I do not think that Judge MOON intended to reflect upon the Members who voted against his rule yesterday. I know how men feel after losing a battle either in the courthouse or on this floor. At such times they say things that they do not really mean. They are at such times intemperate in speech. I acquit Judge MOON of what his speech would be understood to imply as to the motives of Democrats—60 of them—who did not vote for the special rule yesterday.

When I came in on the floor of the House yesterday I had been down at the department attending to some official business, and I asked some fellow Member what the rule was. He said, "It is a rule that the Committee on Rules has reported," and I voted "aye." Immediately two colleagues of mine said to me, "Look here, WEBB, that rule is 'loaded.' There are 37 pages of it, and it has not even been read in the House by the Clerk. There is a lot of 'dynamite' in it, and you ought not to vote for it.' I said, "I do not know about that. I am afraid you are like a lot of cattle, being stampeded; but yielding to your judgment, since you have heard the discussion, and to be agreeable, I will change my vote." [Laughter and applause.] So I went down and changed my vote, as also did about 30 or 40 of my colleagues. But the truth is I did not know a single syllable that the rule contained, and I do not suppose any other Member knew all the rule contained, unless it was the members of the Post Office and Post Roads Committee and the Rules Committee. I doubt if one out of ten Members even now know what the rule contained. All Members, in the stress of their numerous duties, must rely on their colleagues in a measure as to casting their vote, especially when one has not had the time to investigate fully a subject for himself. I voted against the rule because my colleagues—KITCHIN and PAGE and GUDGER and DOUGHTON—true and loyal men, noble representatives of a noble people, had voted that way.

Now, Mr. Chairman, as far as the railroad influence is concerned, my friend from Tennessee [Mr. MOON] knows that railroad influences did not touch the hearts or the minds of a single man who voted yesterday against that rule. I do not believe he himself really thinks that they did it on that account. If the men who voted against the rule yesterday were controlled by railroad influences, and a majority of the House did so vote, they ought to be kicked out of the House; and if Judge MOON makes the charge that they were controlled by railroad influences, and it is not so, then Judge MOON ought to resign as chairman of the Committee on the Post Office and Post Roads or apologize to the House. [Applause.] I say that in absolute kindness, because Judge MOON and I have been good friends for a long time and are good friends yet.

I remember the time when Judge MOON felt it to be his duty to vote with 23 Democrats who supported Mr. Cannon; but I know that Judge MOON is an honest man and a courageous man, with positive views, and a man who has the courage to express them. For a long time the country wanted a parcel post and I wanted it. It was understood that Judge MOON was opposed to it. Yet I never said that the express companies owned or controlled Judge MOON. I would not say that for the world. I do not believe it is so. I believe in charity to my fellow man and to honest Members who differ from me.

Now I want to come back to where I started, and repeat that I do not think that Judge MOON really meant it when he intimated yesterday that the 60 men here who voted against the rule were controlled by railroad influences. The language is harsh.

I do not believe Judge MOON meant that. So far as I am concerned, it just so happens that I never voted with the railroads in my life.

The CHAIRMAN. The time of the gentleman from North Carolina has expired.

Mr. WEBB. Mr. Chairman, I would like to have three minutes more. Not 1 Member out of 10, I venture to assert, even knew the railway weighing measure was included in the rule. I voted for this identical measure the 11th of last August, and the bill is now in the Senate and I am still for it.

Mr. MOON. Mr. Chairman, I yield three minutes more to the gentleman.

The CHAIRMAN. The gentleman from North Carolina is recognized for three minutes more.

Mr. OGLESBY. Mr. Chairman, will the gentleman yield to a question?

Mr. WEBB. Certainly.

Mr. OGLESBY. Would not the gentleman vote for the railroads if he thought the railroads were right?

Mr. WEBB. I would; but it so happens in my public career that I did not think they were right on the issues presented in the State senate and in this House. We had a fight for eight years on the floor of this House over the Southern Railroad mail subsidy. This road runs through my district and carried this subsidized mail to it. They ran two magnificent trains, Nos. 37 and 97, and the subsidy was about $142,000 a year to those two trains; and every year when the appropriation bill came up I voted against that subsidy, and I was criticized on account of my vote by some of my friends. No railroad or railroad agent ever asked me to vote against a single provision in the 37-page rule, and I do not believe that 1 per cent of the 60 good Democrats who voted against it even knew that the railway weighing provision was in the rule.

Mr. Chairman, I thank the gentleman from Tennessee for the opportunity of making this statement. [Applause.]

Mr. MOON. Mr. Chairman, I want to put my friend right in regard to these matters. Does he know who made the report that started the fight on the railroad subsidy that he speaks of?

Mr. WEBB. I do not know, sir. I think the fight was on when I came to Congress.

Mr. MOON. I will inform the gentleman that I made the first motion to strike out the subsidy, and the first report against it, and I followed it to the end.

Mr. WEBB. I followed the gentleman and voted with him on that.

Mr. MOON. The gentleman said I voted with 23 Democrats who supported Mr. Cannon. The gentleman ought to know better than that. Mr. FITZGERALD, a Democrat in this House, offered the resolution containing the rules for which I voted with 23 Democrats. That was in the Sixty-first Congress. What happened? In the Sixty-second Congress the Democratic Party rejected the proposition of the majority in the previous Congress to leave the question of the determination of the rules to 15 men, 9 from one side and 6 from the other. I had opposed the proposition that 9 Republicans and 6 Democrats should settle and determine the destinies of the Democratic Party in the Sixty-first Congress. What did the Democrats do in the Sixty-second Congress? They adopted the old rules that had existed for many years—and it was a wise thing to do, because they were sensible rules—except they accepted and made a part of the new rules the identical four propositions that those 23 Democrats voted for, and they added one other rule, that took the Speaker from the Rules Committee; so that in that Congress the action of the 23 Democrats was vindicated by the unanimous vote of the Democratic Party. And so it happened again in this Congress, and you have no other rules here—save one, taking the Speaker from the Committee on Rules—except the Republican rules and the rules proposed by those 23 Democrats. [Applause.]

Mr. WEBB. Will my friend permit an interruption?

Mr. MOON. Yes.

Mr. WEBB. I am not criticizing the gentleman's course—whether he is right or wrong.

Mr. MOON. You did criticize it.

Mr. WEBB. No, no.

Mr. MOON. You had the notion that I was wrong, and I had the notion that you were wrong, and you criticized me.

Mr. WEBB. I did not express the opinion that you were wrong, but I expressed the idea that your efforts were charitable; and I did not charge you with betraying——

Mr. MOON. Oh, every Democrat, and you among them, went into a solemn convention and denounced us for our vote on the Fitzgerald rule—every single one of you—and then you came back in the next Congress and adopted every one of those rules.

Mr. WEBB. I do not remember any such convention as that.

Mr. MOON. Yes, you did, at your meeting—your caucus. I have not forgotten it.

Mr. WEBB. I have not joined in any such denunciation. I did not mean to bring up the merits of the rule question.

Mr. MOON. Those things were done. All the gentlemen around me know that the majority of the Democratic Party in caucus assembled denounced the 23 men and established for the first time the caucus proposition instead of the consent agreement that had theretofore applied.

Mr. HOWARD. Will the gentleman yield for a question?

Mr. MOON. Yes.

Mr. HOWARD. I know my dear, good friend thinks that the remedy being applied is worse than the ailment.

Mr. MOON. Oh, I am not complaining of that now. I am just answering the suggestion of my friend WEBB against me.

Mr. HOWARD. Did you not think that?

Mr. MOON. They published an address against us, as my friend sitting beside me [Mr. CLARK] reminds me, and they issued it to the country. Then you took up our wisdom, every word of it, and had no wisdom to add to it. [Applause.]

Mr. HOWARD. I think my friend misunderstood me.

Mr. MOON. I beg to be excused from going into that any further. I am in the very best of humor. My friend said that I was supposed to be against the parcel post. I was supposed to, and did, propose to give very careful consideration to that proposition, and not rush into that legislation until I had information in reference to it, just as I am about this railroad

proposition now. But when all the facts were before us, when the time for action came, go and look at your record and see who introduced the parcel-post proposition that became the law. I introduced the proposition in the Post Office appropriation bill; and then, seeing the temper of this House, that we might go further than the mere rural delivery, I offered a substitute on the floor of this House for the proposition I had in the bill. That substitute was adopted by this House, and the bill went to the Senate, and the provisions of the House and Senate bill were combined by Senator Bourne and myself in the conference report that was adopted, and that is the parcel-post law of the United States to-day. [Applause.] Yet the gentleman takes these two things as rather suspicious against me. Well, I said, and it is not necessary for me to keep repeating it, but I want to assure this House that in that speech yesterday I was expressing, as I always try to express, my calm judgment upon all the facts and circumstances as presented. I did not care what influence you were ruled by, or whether there was any. I suggested three influences. If those were not the things that controlled you, you can tell us what did.

Now my friend pleads ignorance of the facts. Ignorance of the law excuses no man.

The gentleman says he was ignorant as to the provisions of the law. I want to make an exception of the general rule and to give the benefit to the gentleman from North Carolina and to all the other gentlemen who voted that way, because you were ignorant beyond all question or you would not have done it. [Laughter.] I am going to excuse you in that which the law will not do on account of your ignorance. [Laughter and applause.]

Mr. STEENERSON. Mr. Chairman, I yield 30 minutes to the gentleman from Wyoming [Mr. MONDELL].

Mr. MONDELL. Mr. Chairman, I do not rise for the purpose of pouring oil on the troubled waters of the Democratic sea. Far be it from me to restrain any of the gentlemen on the other side when they are disposed to tell each other just what they think of each other. [Laughter on the Republican side.]

The only real regret I have in the matter is that the gentleman from Tennessee [Mr. MOON] saw fit to somewhat tone down his very caustic remarks of yesterday before he printed them in the CONGRESSIONAL RECORD. And yet I am inclined to think that this is true. A great many years ago a great man is recorded as having said, "I said in my haste, 'All men are liars.'" It is not recorded that David in his sober moments, unmoved by haste or anger, ever laid that sweeping indictment against his fellow men.

Without any knowledge of what motives may have actuated gentlemen on the other side in their rather precipitate transfer of their votes before the roll call ended yesterday, I am at least inclined to think that after the sting of defeat has passed the gentleman from Tennessee will be inclined as he now, indeed, seems inclined, to considerably modify his very caustic and sweeping statement relative to his fellow Members on the Democratic side. He knows them better than we do, and he ought to be accurate in his speech in regard to them, even in moments of anger and defeat.

Mr. Chairman, my purpose, however, was to transfer the debate from this atmosphere of crimination and recrimination, of charges and countercharges, to the clear, pure, atmosphere of the western plains and mountains, to discuss a matter which may be of interest to gentlemen who voted on both sides of the rule yesterday. Assuming as I do—and I think accurately—that the vote on the rule was largely influenced by reason of the fact that it tended to affect, or the legislation it made in order would affect, the policy under which we have been operating in the carrying of the rural mails.

Out in the western country, particularly the mountainous West, we have not had to any considerable extent the benefit of rural delivery. There are only 14 rural routes in my State of nearly a hundred thousand square miles. We get along there with star routes. Now that the Postmaster General has suggested a change from the present system of annual salaries to rural carriers to the system of contracts, which is the rule under the star routes, it may be somewhat interesting to discuss the conditions where star-route service is the more important postal service. It is unfortunate for the star-route service that it has been so largely supplanted and overshadowed by the Rural Delivery Service that there are comparatively few Members of Congress interested in it. While we have seen the pay of the rural carriers increased year after year, until their average pay is more than twice what it was when the service was first inaugurated, the pay of the star-route carrier has advanced comparatively little.

It is perhaps natural that the Postmaster General, desiring to economize in his service, desires to modify a system that has so constantly increased in cost and bring it more in harmony with the star-route system, under which the Government secures service for much less money than it pays for a like service under rural routes.

This bill carries an appropriation of $9,000,000 for the star routes. That is an increase of $325,000 over the appropriation of last year. In my opinion it is not sufficient.

I have been calling attention to the fact that these star-route appropriations were inadequate for years. This is an annual speech of mine. I have on several occasions secured increases above the estimate. I shall offer an amendment above this estimate, and I think I shall be able to demonstrate that that increase is necessary if in the western and sparsely settled portions of the country we are to have a mail service such as American citizens, wherever they may be located, are entitled to.

There are more than 11,000 star routes in the country. For a considerable number of years, with the spread and extension of the rural system the number of star routes was constantly diminishing. The pendulum is somewhat swinging the other way at this time, and the number of star routes has increased in the last six months by something like 50. The probability is that if the service is reasonably cared for, if the people of the sparsely settled sections of the country are given any sort of reasonable mail facilities there will be an increase at least of several hundred routes in the coming fiscal year. There are at least a score of routes in my State now asked for that ought to be established in addition to the abandoned routes that should be reestablished.

I do not desire to unfairly criticize the postal authorities in connection with this matter. I realize that in their proper desire to economize within reason in the Postal Service they find it a little difficult sometimes to bring themselves to a frame of mind which they feel would justify the authorization of service at a very considerable increase of cost above the service of the past. I am not, however, able to understand why they object to retaining as good a service as the people have had in the past.

The fact is that the western mountainous country has, as to some of its communities, rather been injured than otherwise by the establishment of the parcel post, and in this way: The establishment of the parcel post necessarily increases the cost of star routes. The department desires to economize, and is not disposed to grant these necessary increases. The Postmaster General estimates a surplus of receipts over expenditures for the last fiscal year of somewhere between $3.000,000 and $4,000,000. This report indicates that the excess is over $4,000,000, but the Postmaster General in his report places it at something more than $3,000,000.

Now, this is a very excellent showing and ought to be approved by all providing it is not obtained at the expense of the service, and providing it is not the result of economies which deny American citizens postal facilities to which they are entitled. I want to call the attention of the committee to the fact that while you are having a considerable amount of disagreement as to whether or not rural carriers are to have their pay still further increased, there are a large number of people under the American flag in the western country that have no mail facilities at all.

We are putting in refrigerators down here in the post office in this city to care for perishable goods transported by the Postal Service. We are providing in many villages of small population for house-to-house delivery, and yet the Post Office Department is denying very considerable communities in my State and in other Western States postal facilities of any kind, except such as they secure under what is known as special service, which is no provision at all. The Postal Service is not justified in claiming credit for a surplus of revenues over expenditures when it does not maintain the Postal Service in as satisfactory condition as it has been maintained in the past. I have a list of 11 star routes in my State that have been operated from 5 to 30 years prior to July 1 last that are now abandoned, and the people living along those routes and at the end of some of them around the post offices have now no mail delivery at all at any time except as they provide for it and pay for it themselves. The condition in Wyoming is not dissimilar from that in other Western States. Wyoming is Republican in its representation, and some people have been unkind enough to the Post Office Department to suggest that possibly we would do better in the matter of star routes if our delegation in Congress was of a different political faith. In my opinion there is no ground or basis for such a criticism, because the conditions of which I complain are no more acute in my State than they are in the West generally. As a matter of fact, I think we have suffered less than any of our neighbor States. One reason for it, I think, is that we have been unusually active in calling to the attention of the department the needs of our people for

postal service. The department by the discontinuance of these 11 routes—and nothing has been furnished to take the place of most of them, no other postal facilities having been provided—has saved something like $11,000, and by reducing the frequency of service on various other routes it has accomplished a saving of about $3,000, or a total saving in our State in these routes of something less than $15,000. I assume that the Committee on the Post Office and Post Roads takes this position, that every American community, every locality, where any considerable number of American people live is entitled to some postal facilities, and, be the cost however so high, some sort of postal facilities should be afforded.

The Fourth Assistant Postmaster General does not provide for the postal routes in Alaska. That service comes under the Second Assistant. I think if the Fourth Assistant had experience with the Alaskan business he would be a little more inclined to be liberal with western communities at home. In Alaska we spend $10 per capita for the carrying of the mail by star routes to the 35,000 white people who occupy that Territory. In a large portion of the West the expenditure is not one-fifth that amount. On the rural routes the cost of delivery, if I recollect rightly, is about $2.50 per annum per capita. Beginning with a cost of about 50 cents per capita, it has gone to $2.50 per capita, if I am rightly informed. The Postmaster General desires to make a saving by letting these routes by contract, and he believes that he can accomplish a saving of eighteen to twenty million dollars in so doing. I think that is questionable. I do not believe it would be possible to accomplish so great a saving as that.

Mr. COX. Mr. Chairman, will the gentleman yield?

Mr. MONDELL. Yes.

Mr. COX. Does the star-route service in the gentleman's part of the country perform the same service that the rural delivery does?

Mr. MONDELL. Not entirely, because the star-route carriers do not sell stamps.

Mr. COX. Or money orders?

Mr. MONDELL. They do not do money-order business; but, with that exception, they do practically everything that the rural carrier does. They deliver the mail in boxes and collect mail along the routes and deliver the pouches at the post offices on and at the end of the route.

Mr. COX. Ordinarily, what is the length of your star-route service as compared to the rural routes?

Mr. MONDELL. The star-route service is all the way from 5 to 150 miles. They vary quite a good deal.

Mr. COX. What is the comparative cost between the two? Which is the higher, the star-route or the rural-route service?

Mr. MONDELL. According to the statement made before the committee by the Fourth Assistant Postmaster General, the average cost of star routes the country over is a trifle less than 10 cents, and the cost of rural delivery the country over is about the same fraction less than 16 cents, or a difference of almost 5 cents a mile.

Mr. COX. What is the cost per mile traveled for star-route service in the gentleman's country?

Mr. MONDELL. The cost of star-route service in the mountain region is almost exactly the same as the cost of rural delivery the country over.

Mr. COX. That is what I thought.

Mr. MONDELL. Almost exactly the same. Before I come to that, Mr. Chairman, I desire to emphasize what I had started out to say. I think the Postmaster General is mistaken in his estimate of the saving that he would make by a change of policy, because I believe that with the extension and the enlargement and the growth of the parcel post, the lowest contract rates that could be secured on the routes would be larger than the Postmaster General has estimated. But here is the situation out in our country, where we have to contract for the carrying of the mail: If the cost in any case approaches the average cost of the rural route per mile, the postal authorities say that the bid is too high. They again advertise, and sometimes four and five different successive bids are submitted before the department will let a contract, and frequently they refuse to let a contract at all. We are securing practically no new routes. We have applications pending in my State for some needed and necessary new star routes, and it is the most difficult thing in the world to get the department to give those routes favorable consideration. We should have reestablished most of the 11 routes that have been discontinued. Owing to the increased cost, by reason of the parcel post, the department refuses to let contracts. In other words, their attitude is this: The parcel post, instituted for the benefit of the people, in view of the fact that it increases the cost of the service, is to be denied to the people in these rural communities, and all other service with it.

Mr. STEENERSON. I want to inquire of the gentleman if he knew whether the refusal to extend these rural routes was begun lately or since the European war, or whether the practice is the same now as it was before?

Mr. MONDELL. I hope the department is not now refusing to establish these routes on account of the war in Europe. They are declining to establish them, evidently, on account of their desire to economize. Now, I do not wish to be unfairly critical of the department. The gentlemen down there have treated me with every consideration up to the point of letting contracts, and they have awarded some contracts with regard to which it seemed pretty difficult to persuade their judgment. The difficulty is that in the department there has grown up a notion that the Postal Service must pay everywhere, and that is the theory that is wrecking our star-route service. If we can afford to pay $10 to carry mail to every man, woman, and child in Alaska, we can afford to pay whatever sum is necessary—and it will be much less than that—to carry mail, at least occasionally and with reasonable frequency, to the people in the isolated settlements of the mountain States. There are people in my State 25, 30, and 40 miles from a post office who are now receiving no mail at all. These are not heavily settled districts, but there are considerable numbers of people so deprived, and largely due to this mistaken notion—which is not shared, I am sure, by the Post Office Committee or any of its members—that the Postal Service must be made to pay. We established the Postal Service for the purpose of supplying the people of the United States, wherever they might settle, with mail at reasonable intervals, and I hope and pray that the department will overcome and get away from its present disposition to unreasonably economize at our expense. I hope they will reestablish these old routes and give fair consideration to the demands we are making for new ones. [Applause.]

Mr. MOON. Mr. Chairman, I move that the committee do now rise.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. SAUNDERS, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill. H. R. 19906, and had come to no resolution thereon.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted as follows:

To Mr. MURDOCK, for 10 days, on account of sickness.

To Mr. Davenport, indefinitely, on account of illness.

LEGISLATION ON POST OFFICE APPROPRIATION BILL.

Mr. HENRY. Mr. Speaker, I submit a privileged resolution from the Committee on Rules.

The SPEAKER. The Clerk will report it.

Mr. MANN. Mr. Speaker, does not the gentleman from Texas think the House ought to be notified that we are about to take this rule up?

Mr. HENRY. Mr. Speaker, I think possibly we can get them here after we begin the discussion. There will be some discussion on the rule, but I have no objection——

Mr. MANN. How much time is expected to be given?

Mr. HENRY. How much time would the gentleman like to have on that side?

Mr. LENROOT. Say 20 minutes on a side.

Mr. HENRY. If we should agree to 20 minutes on a side, I shall move the previous question at the end of the 40 minutes.

Mr. LENROOT. Does not the gentleman think that Members——

Mr. MANN. Mr. Speaker, I think we ought to have the Members here, and therefore I make the point of order that there is no quorum present.

Mr. HENRY. I thought we might read the resolution first.

The SPEAKER. The gentleman from Illinois makes the point of order there is no quorum present, and evidently there is not.

Mr. GARNER. Mr. Speaker, I move a call of the House.

The SPEAKER. The gentleman from Texas moves a call of the House.

The motion was agreed to.

The SPEAKER. The Doorkeeper willl lock the dooors, the Sergeant at Arms will notify the absentees, and the Clerk will call the roll.

The Clerk called the roll, and the following Members failed to answer to their names:

Aiken	Anthony	Barton	Brodbeck
Ainey	Ashbrook	Beall, Tex.	Broussard
Alexander	Avis	Bell, Ga.	Brown, N. Y.
Anderson	Baltz	Blackmon	Brown, W. Va.
Ansberry	Barchfeld	Britten	Browning

Bruckner	Gardner	Langham	Price
Brumbaugh	Garrett, Tenn.	Lee, Ga.	Prouty
Burnett	George	Lee, Pa.	Reed
Butler	Gerry	L'Engle	Riordan
Calder	Gittins	Lesher	Roberts, Mass.
Campbell	Glass	Lever	Rothermel
Cantor	Godwin, N. C.	Levy	Rucker
Carew	Goldfogle	Lewis, Md.	Scully
Carlin	Gordon	Lewis, Pa.	Seldomridge
Casey	Gorman	Lindquist	Sells
Clancy	Graham, Ill.	Linthicum	Sherwood
Clark, Fla.	Graham, Pa.	Lloyd	Shreve
Claypool	Green, Iowa	Loft	Sims
Connelly, Kans.	Gregg	Logue	Sinnott
Copley	Griest	McAndrews	Slemp
Cramton	Griffin	McClellan	Smith, Md.
Dale	Hamill	McGuire, Okla.	Smith, Saml. W.
Davenport	Hamilton, Mich.	McKenzie	Stedman
Deitrick	Hamilton, N. Y.	McLaughlin	Taggart
Difenderfer	Hart	Maher	Talbott, Md.
Donohoe	Haugen	Martin	Talcott, N. Y.
Dooling	Hawley	Metz	Taylor, Ala.
Doremus	Helgesen	Miller	Taylor, N. Y.
Driscoll	Hobson	Moore	Thacher
Drukker	Howard	Morin	Towner
Dunn	Howell	Moss, Ind.	Townsend
Eagan	Hughes, W. Va.	Moss, W. Va.	Underhill
Eagle	Hulings	Murdock	Vare
Edmonds	Humphreys, Miss.	Neeley, Kans.	Vollmer
Edwards	Johnson, Utah	Neely, W. Va.	Walker
Elder	Johnson, Wash.	Nolan, J. I.	Walsh
Esch	Jones	O'Brien	Watkins
Estopinal	Kennedy, Conn.	O'Hair	Whitacre
Fairchild	Kindel	O'Leary	Wilson, Fla.
Faison	Kinkead, N. J.	Patten, N. Y.	Wilson, N. Y.
Flood, Va.	Knowland, J. R.	Peters	Winslow
Floyd, Ark.	Konop	Peterson	
French	Korbly	Platt	
Gallivan	Kreider	Post	

The SPEAKER. On this roll call 256 Members, a quorum, have answered to their names.

Mr. UNDERWOOD. Mr. Speaker, I move to dispense with further proceedings under the call.

The motion was agreed to.

The SPEAKER. The Doorkeeper will open the doors.

Mr. HENRY. Mr. Speaker, I offer a privileged resolution from the Committee on Rules.

The SPEAKER. The gentleman from Texas offers a privileged resolution from the Committee on Rules, which the Clerk will report.

The Clerk read as follows:

House resolution 684 (H. Rept. 1240).

Resolved, That after the adoption of this rule it shall be in order in the consideration of H. R. 19906, a bill making appropriations for the service of the Post Office Department for the fiscal year ending June 30, 1916, and for other purposes, to consider new legislation in said bill, notwithstanding the rules of the House, as follows, to wit:

"For compensation to clerks and employees at first and second class post offices:

"Superintendents of finance, superintendents of mails, and superintendents of delivery, six at not exceeding $3,800 each;

"Superintendents of finance, and superintendents of mails, six at not exceeding $3,400 each;

"Superintendents of finance, and superintendents of mails, 16 at not exceeding $3,200 each;

"Superintendents of finance, auditors, and superintendents of mails, 20 at not exceeding $3,000 each;

"Superintendents of finance, cashiers, superintendents of mails, assistant superintendents of mails, assistant superintendents of delivery, 30 at not exceeding $2,800 each;

"Superintendents of finance, cashiers, superintendents of mails, assistant superintendents of mails, assistant superintendents of delivery, and superintendents of stations, 55 at not exceeding $2,600 each;

"Superintendents of stations, 10 at not exceeding $2,500 each;

"Superintendents of finance, cashiers, bookkeepers, superintendents of mails, assistant superintendents of mails, assistant superintendents of delivery, and superintendents of stations, 60 at not exceeding $2,400 each;

"Superintendents of stations, 15 at not exceeding $2,300 each;

"Superintendents of finance, cashiers, bookkeepers, superintendents of mails, assistant superintendents of mails, and superintendents of stations, 60 at not exceeding $2,200 each;

"Superintendents of stations, 40 at not exceeding $2,100 each;

"Superintendents of finance, cashiers, bookkeepers, superintendents of mails, assistant superintendents of mails, superintendents of stations, foremen, special clerks, and stenographers, 140 at not exceeding $2,000 each;

"Superintendents of stations, foremen, special clerks, and stenographers, 70 at not exceeding $1,900 each;

"Superintendents of finance, cashiers, bookkeepers, superintendents of mails, assistant superintendents of mails, superintendents of stations, foremen, special clerks, and stenographers, 150 at not exceeding $1,800 each;

"Superintendents of finance, cashiers, superintendents of mails, assistant superintendents of mails, superintendents of stations, foremen, special clerks, and stenographers, 240, at not exceeding $1,700 each;

"Superintendents of finance, cashiers, bookkeepers, superintendents of mails, assistant superintendents of mails, superintendents of stations, foremen, special clerks, and stenographers, 400, at not exceeding $1,600 each;

"Superintendents of finance, cashiers, bookkeepers, superintendents of mails, assistant superintendents of mails, superintendents of stations, foremen, special clerks, and stenographers, 700, at not exceeding $1,500 each;

"Superintendents of finance, bookkeepers, superintendents of mails, superintendents of stations, foremen, special clerks, and stenographers, 1,575, at not exceeding $1,400 each;

"Superintendents of finance, superintendents of mails, superintendents of stations, foremen, special clerks, and stenographers, 2,700, at not exceeding $1,300 each;

"Stenographers, clerks in charge, and clerks, 18,500, at not exceeding $1,200 each;

"Stenographers, clerks in charge, and clerks, 8,800, at not exceeding $1,100 each;

"Stenographers, clerks in charge, and clerks, 6,535, at not exceeding $1,000 each;

"Stenographers, clerks in charge, and clerks, 2,650, at not exceeding $900 each;

"Clerks in charge and clerks, 2,339, at not exceeding $800 each;

"Substitutes for clerks and employees absent without pay;

"And to provide for the promotion of 75 per cent of the clerks in first-class post offices from the fifth to the sixth grade, and for the promotion of 75 per cent of the clerks in second-class offices from the fourth to the fifth grade; in all, $48,860,000; and hereafter the appointment and assignment of clerks hereunder shall be so made during each fiscal year as not to involve a greater aggregate expenditure than the sum appropriated: *Provided*, That on and after July 1, 1915, the compensation to employees other than those in the clerical grades in post offices of the first class shall be annual salaries graded in even hundreds of dollars based upon the postal receipts for the preceding calendar year of the post office at which they are employed, as follows:

"At each post office where the receipts are $40,000 but less than $60,000: Superintendent of finance, $1,300; superintendent of mails, $1,300.

"At each post office where the receipts are $60,000 but less than $100,000: Superintendent of finance, $1,400; superintendent of mails, $1,400.

"At each post office where the receipts are $100,000 but less than $150,000: Superintendent of finance, $1,500; superintendent of mails, $1,500.

"At each post office where the receipts are $150,000 but less than $200,000: Superintendent of finance, $1,600; superintendent of mails, $1,600.

"At each post office where the receipts are $200,000 but less than $300,000: Superintendent of finance, $1,700; superintendent of mails, $1,700.

"At each post office where the receipts are $300,000 but less than $400,000: Superintendent of finance, $1,800; cashiers, $1,500; superintendent of mails, $1,800; assistant superintendent of mails, $1,500.

"At each post office where the receipts are $400,000 but less than $600,000: Superintendent of finance, $2,000; cashiers, $1,600; superintendent of mails, $2,000; assistant superintendent of mails, $1,600; stenographers, $900 to $1,200.

"At each post office where the receipts are $600,000 but less than $800,000: Superintendent of finance, $2,200; cashiers, $1,700; superintendent of mails, $2,200; assistant superintendents of mails, $1,600 and $1,700; stenographers, $900 to $1,200.

"At each post office where the receipts are $800,000 but less than $1,000,000: Superintendent of finance, $2,400; cashiers, $1,800; superintendent of mails, $2,400; assistant superintendents of mails, $1,700 and $1,800; stenographers, $900 to $1,200; bookkeeper, $1,400.

"At each post office where the receipts are $1,000,000 but less than $1,500,000: Superintendent of finance, $2,600; cashiers, $2,000; superintendent of mails, $2,600; assistant superintendents of mails, $1,800 and $2,000; stenographers, $900 to $1,200; bookkeeper, $1,500.

"At each post office where the receipts are $1,500,000 but less than $2,000,000: Superintendent of finance, $2,800; cashiers, $2,200; superintendent of mails, $2,800; assistant superintendents of mails, $2,000 and $2,200; stenographers, $900 to $1,200; bookkeeper, $1,600.

"At each post office where the receipts are $2,000,000 but less than $3,000,000: Superintendent of finance, $3,000; cashiers, $2,400; superintendent of mails, $3,000; assistant superintendents of mails, $2,000, $2,200, and $2,400; stenographers, $900 to $1,200; bookkeeper, $1,800.

"At each post office where the receipts are $3,000,000 but less than $5,000,000: Superintendent of finance, $3,200; cashiers, $2,600; superintendent of mails, $3,200; assistant superintendents of mails, $2,200, $2,400, and $2,600; stenographers, $900 to $1,200; bookkeeper, $2,000.

"At each post office where the receipts are $5,000,000 but less than $10,000,000: Superintendent of finance, $3,400; cashiers, $2,800; superintendent of mails, $3,400; assistant superintendent of mails, $2,400, $2,600, and $2,800; stenographers, $900 to $1,200; bookkeeper, $2,200.

"At each post office where the receipts are $10,000,000 but less than $20,000,000: Superintendent of finance, $3,600; cashiers, $2,800; superintendent of mails, $3,400; assistant superintendents of mails, $2,400, $2,600, and $2,800; stenographers, $900 to $1,200; bookkeeper, $2,400.

"At each post office where the receipts are $20,000,000 or over: Superintendent of finance, $3,800; cashiers, $2,800; superintendent of mails, $3,800; assistant superintendents of mails, $2,400, $2,600, and $2,800; superintendent of delivery, $3,800; assistant superintendents of delivery, $2,400, $2,600, and $2,800; stenographers, $900 to $1,200; bookkeeper, $2,400; auditor, $3,000: *And provided further*, That there may also be employed at first-class post offices special clerks, foremen, and stenographers at a salary of $1,300 or more per annum, the total number at any post office not to exceed one at $1,300 for each $100,000 receipts, one at $1,400 for each $200,000 receipts, one at $1,500 for each $400,000 receipts, one at $1,600 for each $800,000 receipts, one at $1,700 for each $1,500,000 receipts, one at $1,800 for each $3,000,000 receipts, one at $1,900 for each $6,000,000 receipts, and one at $2,000 for each $12,000,000 receipts: *And provided further*, That on and after July 1, 1915, the salary of station superintendents shall be based on the postal receipts and number of employees at their respective stations on the following basis:

"When the receipts of a carrier station do not exceed $5,000 per annum, the station shall have a credit of 3 points, and for each additional $5,000 a credit of 1 point.

"When the receipts of a noncarrier station do not exceed $5,000 per annum, the station shall have a credit of 3 points, and for each additional $30,000 a credit of 1 point.

"When the employees (clerks and carriers, city and rural) at a carrier station are 3 or less, the station shall have a credit of 1 point and for each multiple of 3 employees a credit of 1 point.

"Stations having credit of less than 5 points shall be in charge of a clerk at a salary not to exceed $1,200.

"At stations having a total credit of 5 points or more the salary of the superintendent shall be as follows: Five and 6 points, superintendent, $1,300; 7 to 9 points, superintendent, $1,400; 10 to 13 points, superintendent, $1,500; 14 to 18 points, superintendent, $1,600; 19 to 23 points, superintendent, $1,700; 24 to 32 points, superintendent, $1,800; 33 to 44 points, superintendent, $1,900; 45 to 64 points, superintendent, $2,000; 65 to 100 points, superintendent, $2,100;

101 to 135 points, superintendent, $2,200; 136 to 200 points, superintendent, $2,300; 201 to 275 points, superintendent, $2,400; 276 to 350 points, superintendent, $2,500; 351 points and over, superintendent, $2,600."

Second. Line 26, page 15, and lines 1 and 2, page 16, as follows:

"*Provided*, That hereafter the Postmaster General may enter into contracts for the conduct of such stations for a term not exceeding two years."

Third. Page 23, lines 21 to 25, inclusive; and page 24, lines 1, 2, 3, and 4, as follows:

"The appropriation for two delegates to the International Postal Union, at Madrid, to be appointed by the Postmaster General from the Post Office Department, made by the act of August 24, 1912, making appropriations for the service of the Post Office Department for the fiscal year ending June 30, 1913, and for other purposes, is hereby continued and shall be available for such convention when it shall be held."

Fourth. Page 25, lines 8 to 19, inclusive, as follows:

"For pay of letter carriers, substitutes for carriers on annual leave, clerks in charge of substations, and tolls and ferriage, Rural Delivery Service, $54,700,000: *Provided*, That not to exceed $20,000 of the amount hereby appropriated may be used for compensation of clerks in charge of substations: *Provided further*, That for experimental purposes, under such regulations as he may prescribe, the Postmaster General is authorized to advertise for proposals and to enter into contracts with the lowest responsible bidders for a period of not exceeding four years, for performing service on rural routes in one county in each State, and to pay for the same out of the amount hereby appropriated"—and any and all other new legislation in section 1.

Fifth. Sections 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, and 26, beginning with line 20, page 30, of said bill, and ending with line 3, page 54, as follows:

"SEC. 2. That the act approved August 24, 1912, being 'An act making appropriations for the service of the Post Office Department for the fiscal year ending June 30, 1913, and for other purposes,' is hereby amended as follows: At the end of section 5 of said act, after the word 'service,' insert the following: '*Provided*, That compensatory time for Sunday service during the month of December in any year may be allowed during the month of January next succeeding.'

"SEC. 3. That hereafter the Postmaster General may establish, under such rules and regulations as he may prescribe, one or more branch offices, nonaccounting offices, or stations of any post office for the transaction of such postal business as may be required for the convenience of the public.

"SEC. 4. That hereafter the Postmaster General may enter into contracts for the conduct of such stations for a term not exceeding four years.

"SEC. 5. That on and after July 1, 1915, when the total compensation of any postmaster at a post office of the fourth class for four consecutive quarters shall amount to $1,000, exclusive of commissions on money orders issued, and the receipts of such post office for the same period shall aggregate as much as $1,900, the Auditor for the Post Office Department shall so report to the Postmaster General, who shall, in pursuance of such report, assign such post office to its proper class, to become effective at the beginning of the next succeeding quarterly period, and fix the salary of the postmaster accordingly.

"SEC. 6. That so much of section 1 of the 'act making appropriations for the service of the Post Office Department for the fiscal year ending June 30, 1913, and for other purposes,' approved August 24, 1912, which provides that the Post Office Department shall not extend or enlarge its present policy of sending second-class matter by freight trains, is hereby repealed.

"SEC. 7. That the Postmaster General, in cases of emergency, between October 1 and April 1 of any year, may hereafter return to the mails empty mail bags theretofore withdrawn therefrom as required by law, and for such times may pay for their railroad transportation out of the appropriation for inland transportation by railroad routes at not exceeding the rate per pound per mile as shown by the last adjustment for mail service on the route over which they may be carried, and pay for necessary cartage out of the appropriation for freight or expressage.

"SEC. 8. That when, during a weighing period, on account of floods or other causes, interruptions in service occur on railroad routes and weights of mail are decreased below the normal, or where there is an omission to take weights, the Postmaster General, for the purpose of readjusting compensation on such railroad routes as are affected thereby, is hereafter authorized, in his discretion, to add to the weights of mails ascertained on such routes during that part of the weighing period when conditions are shown to have been normal the estimated weights for that part of the weighing period when conditions are shown to have been not normal or where there has been an omission to take weights, based upon the average of weights taken during that part of the weighing period during which conditions are shown to have been normal, the actual weights and the estimated weights to form the basis for the average weight per day upon which to readjust the compensation according to law on such railroad routes for the transportation of the mails, notwithstanding the provision of the act of Congress approved March 3, 1905, requiring that the average weight shall be ascertained by the actual weighing of the mails for such a number of successive working days, not less than 90, as the Postmaster General may direct: *Provided further*, That readjustments from July 1, 1913, may be made under this provision on routes in the first section affected by the floods in the Ohio Valley and tributary territories, commencing about March 25, 1913.

"SEC. 9. That so much of section 4 of 'An act making appropriations for the service of the Post Office Department for the fiscal year ending June 30, 1913, and for other purposes,' approved August 24, 1912, as provides that no adjustment shall be made unless the diverted mails equal at least 10 per cent of the average daily weight on any of the routes affected is hereby repealed.

"SEC. 10. That hereafter the Postmaster General may transfer, under such regulations as he may prescribe, clerks from post offices of the first and second classes to the Railway Mail Service at salaries not exceeding the salary which the clerks are receiving in the post offices at the time of such transfer, with the consent of the clerk.

"SEC. 11. That the Postmaster General is authorized and directed to readjust the compensation to be paid to railroad companies from the 30th day of June, 1915, or as soon thereafter as may be practicable, for the transportation and handling of the mails and furnishing facilities and services in connection therewith upon the conditions and at the rates hereinafter provided.

"The Postmaster General may state railroad mail routes and authorize mail service thereon of the following four classes, namely: Full railway post-office car service, apartment railway post-office car service, storage-car service, and closed-pouch service.

"Full railway post-office car mail service shall be service by cars 40 feet or more in length, constructed, fitted up, and maintained for the distribution of mails on trains. The authorization of full railway post-office cars shall be for standard-size cars 60 feet in length, inside measurement, except as hereinafter provided.

"Apartment railway post-office car mail service shall be service by apartments less than 40 feet in length in cars constructed, fitted up, and maintained for the distribution of mails on trains. Two standard sizes of apartment railway post-office cars may be authorized and paid for, namely, apartments 15 feet and 30 feet in length, inside measurement, except as hereinafter provided.

"Storage-car mail service shall be service by cars used for the storage and carriage of mails in transit other than by full and apartment railway post-office cars. The authorizations for storage cars shall be for cars 60 feet in length, inside measurement, except as hereinafter provided: *Provided*, That less than 60 feet of storage space may be authorized in baggage cars.

"Service by full and apartment railway post-office cars and storage cars shall include the carriage therein of all mail matter, equipment, and supplies for the mail service and the employees of the Postal Service or Post Office Department as shall be directed by the Postmaster General to be so carried.

"Closed-pouch mail service shall be the transportation and handling by railroad employees of mails on trains on which full or apartment railway post-office cars are not authorized, except as hereinbefore provided.

"The rates of payment for the services authorized in accordance with this act shall be as follows, namely:

"For full railway post-office car mail service at not exceeding 21 cents for each mile of service by a 60-foot car.

"In addition thereto he may allow not exceeding $2 as an initial rate and the same as a terminal rate for each one-way trip of a 60-foot car.

"For apartment railway post-office car mail service at not exceeding 10½ cents for each mile of service by a 30-foot apartment car and 5½ cents for each mile of service by a 15-foot apartment car.

"In addition thereto he may allow not exceeding $1 as an initial rate and the same as a terminal rate for each one-way trip of a 30-foot apartment car and 50 cents as an initial rate and the same as a terminal rate for each one-way trip of a 15-foot apartment car.

"For storage-car mail service at not exceeding 20 cents for each mile of service by a 60-foot car.

"In addition thereto he may allow not exceeding $2 as an initial rate and the same as a terminal rate for each one-way trip of a 60-foot car.

"Where authorizations are made for cars of the standard lengths of 60, 30, and 15 feet, as provided by this act, and the railroad company is unable to furnish such cars of the length authorized, but furnishes cars of lesser length than those authorized, but which are determined by the department to be sufficient for the service, the Postmaster General may accept the same and pay only for the actual space furnished and used, the compensation to be not exceeding pro rata of that provided by this act for the standard length so authorized: *Provided*, That the Postmaster General may accept cars and apartments of greater length than those of the standard requested, but no compensation shall be allowed for such excess lengths.

"For closed-pouch service, on routes upon which closed-pouch service only is performed, at not exceeding the rates of compensation provided by existing law for average daily weights of mail carried over the whole route; on routes upon which apartment railway post-office car and closed-pouch services are performed, at not exceeding $20 per mile per annum for each 2,000 pounds average daily weight of mails carried, and at pro rata of such rate of compensation for each 100 pounds of average daily weight greater or less than 2,000 pounds; and on routes upon which full railway post-office car and closed-pouch services or full railway post-office car, apartment-car, and closed-pouch services are performed, at not exceeding $19 per mile per annum for each 2,000 pounds average daily weight of mails carried, and at pro rata of such rate of compensation for each 100 pounds of average daily weight greater or less than 2,000 pounds, the average daily weights to be ascertained in every case by the actual weighing of the mails.

"The Postmaster General may require railroad companies carrying the mails to deliver them into and take them from the terminal and intermediate post offices and transfer them between railroad stations on their routes without additional compensation, under such regulations as he may deem proper, in cases where he does not provide for such service otherwise: *Provided*, That the Postmaster General, in his discretion, may relieve any of the roads of such service.

"Railroad companies whose railroads were constructed in whole or in part by a land grant made by Congress, on the conditions that the mails should be transported over their roads at such price as Congress should by law direct, shall receive only 80 per cent of the compensation otherwise authorized by this act.

"The initial and terminal rates provided for herein shall cover expenses of loading and unloading mails, switching, lighting, heating, cleaning mail cars, and all other expenses incidental to station service and required by the Postmaster General in connection with the mails that are not included in the car-mile rate. The allowance for full railway post-office cars, apartment railway post-office cars, and storage cars may be varied in accordance with the approximate difference in their respective cost of construction and maintenance.

"For the purpose of ascertaining the average weight of closed-pouch mails per day upon which to adjust compensation, the Postmaster General is authorized and directed to have such mails carried on the several routes weighed by the employees of the Post Office Department for such a number of successive days, not less than 35, at such times after July 1, 1915, as he may direct, and not less frequently than once in every year thereafter, the result to be stated and certified in such form and manner as he may direct. In computing the average weight of mails per day carried on a railroad route, the whole number of days included in the weighing period shall be used as a divisor. The expense of taking the weights of mails and the compensation to tabulators and clerks employed in connection with the weighings, for assistance in completing computations, and of rentals, if necessary, in Washington, D. C., shall be paid out of the appropriation for inland transportation by railroad routes.

"In computing the car-miles of the full railway post-office cars and apartment railway post-office cars, the maximum space authorized in either direction of a round-trip car run shall be regarded as the space to be computed in both directions, unless otherwise mutually agreed upon.

"In computing the car-miles of storage cars, the maximum space authorized in either direction of a round-trip car run shall be regarded as the space to be computed in both directions, unless the car be used

by the company in the return movement, or otherwise mutually agreed upon.

"New service and additional service may be authorized at not exceeding the rates herein provided, and service may be reduced or discontinued with pro rata reductions in pay, as the needs of the Postal Service may require: *Provided*, That no additional pay shall be allowed for additional closed-pouch service on established routes until the next regular readjustment of pay therefor on such routes, and no additional pay shall be allowed for additional car service unless specifically authorized by the Postmaster General.

"All cars or parts of cars used for the Railway Mail Service shall be of such construction, style, length, and character, and furnished in such manner as shall be required by the Postmaster General, and shall be constructed, fitted up, maintained, heated, lighted, and cleaned by and at the expense of the railroad companies. No pay shall be allowed for service by any railway post-office car which is not sound in material and construction and which is not equipped with sanitary drinking-water containers and toilet facilities, nor unless such car is regularly and thoroughly cleaned. No pay shall be allowed for service by any wooden full railway post-office car unless constructed substantially in accordance with the most approved plans and specifications of the Post Office Department for such type of cars, nor for service by any wooden full railway post-office car run in any train between adjoining steel cars, or between the engine and a steel car adjoining. After the 1st of July, 1917, the Postmaster General shall not approve, or allow to be used, or pay for service by, any full railway post-office car not constructed of steel or steel underframe or equally indestructible material, and not less than 25 per cent of the full railway post-office cars of a railway company not conforming to these provisions on August 24, 1912, shall be replaced with cars constructed of steel annually after June, 1913; and all full railway post-office cars accepted for this service and contracted for by the railroad companies hereafter shall be constructed of steel. Until July 1, 1917, in cases of emergency and in cases where the necessities of the service require it, the Postmaster General may provide for service by full railway post-office cars of other than steel or steel underframe construction, and fix therefor such rate of compensation within the maximum herein provided as shall give consideration to the inferior character of construction and the railroad companies shall furnish service by such cars at such rates so fixed.

"Service over property owned or controlled by another company or a terminal company shall be considered service of the railroad company using such property and not that of the other or terminal company: *Provided*, That service over a land-grant road shall be paid for as herein provided.

"Railroad companies carrying the mails shall furnish all necessary facilities for caring for and handling them while in their custody. They shall furnish all cars or parts of cars used in the transportation and distribution of the mails, except as is herein otherwise provided, and place them in stations before the departure of trains at such times and when required to do so. They shall provide station space and rooms for handling, distribution, and transfer of mails in transit, and for offices and rooms for the employees of the Postal Service engaged in such transportation, when required by the Postmaster General.

"Every railroad company carrying the mails shall carry on any train it operates and without extra charge therefor the persons in charge of the mails, and when on duty and traveling to and from duty, and all duly accredited agents and officers of the Post Office Department and the Postal Service, while traveling on official business, upon the exhibition of their credentials.

"If any railroad company carrying the mails shall fail or refuse to provide cars or apartments in cars for distribution purposes when required by the Postmaster General, or shall fail or refuse to construct, fit up, maintain, heat, light, and clean such cars and provide such appliances for use in case of accident as may be required by the Postmaster General, it shall be fined such reasonable sum as may, in the discretion of the Postmaster General, be deemed proper.

"The Postmaster General shall in all cases decide upon what trains and in what manner the mails shall be conveyed. Every railroad company carrying the mails shall carry on any train it operates and with due speed all mailable matter, equipment, and supplies directed to be carried thereon. If any such railroad company shall fail or refuse to transport the mails, equipment, and supplies when required by the Postmaster General on any train or trains it operates, such company shall be fined such reasonable amount as may, in the discretion of the Postmaster General, be deemed proper.

"The Postmaster General may make deductions from the pay of railroad companies carrying the mails under the provisions of this act for reduction in service or in frequency of service where, in his judgment, the importance of the facilities withdrawn or reduced requires it, and impose fines upon them for delinquencies. He may deduct the price of the value of the service in cases where it is not performed, and not exceeding three times its value if the failure be occasioned by the fault of the railroad company.

"The provisions of this act shall apply to service operated by railroad companies partly by railroad and partly by steamboat.

"The provisions of this act respecting the rates of compensation shall not apply to mails conveyed under special arrangement in freight trains, for which rates not exceeding the usual and just freight rates may be paid, in accordance with the classifications and tariffs approved by the Interstate Commerce Commission.

"Railroad companies carrying the mails shall submit, under oath, when and in such form as may be required by the Postmaster General, evidence as to the performance of service.

"The Postmaster General is authorized to employ such clerical and other assistance as shall be necessary to carry out the provisions of this act, and to rent quarters in Washington, D. C., if necessary, for the clerical force engaged thereon, and to pay for the same out of the appropriation for inland transportation by railroad routes.

"The Postmaster General shall from time to time request information from the Interstate Commerce Commission as to the revenue received by railroad companies from express companies for services rendered in the transportation of express matter, and may, in his discretion, arrange for the transportation of mail matter other than of the first class at rates not exceeding those so ascertained and reported to him, and it shall be the duty of the railroad companies to carry such mail matter at such rates fixed by the Postmaster General.

"The Postmaster General is authorized, in his discretion, to petition the Interstate Commerce Commission for the determination of a postal-carload or less-than-carload rate for transportation of mail matter of the fourth class and periodicals, and may provide for and authorize such transportation, when practicable, at such rates, and it shall be the duty of the railroad companies to provide and perform such service at such rates and on the conditions prescribed by the Postmaster General.

"The Postmaster General may, in his discretion, distinguish between the several classes of mail matter and provide for less frequent dispatches of mail matter of the third and fourth classes and periodicals, when lower rates for transportation or other economies may be secured thereby without material detriment to the service.

"The Postmaster General is authorized to return to the mails, when practicable for the utilization of car space paid for and not needed for the mails, postal cards, stamped envelopes, newspaper wrappers, empty mail bags, furniture, equipment, and other supplies for the Postal Service.

"The Postmaster General, in cases of emergency between October 1 and April 1 of any year, may hereafter return to the mails empty mail bags and other equipment theretofore withdrawn therefrom as required by law, and where such return requires additional authorization of car space under the provisions of this act to pay for the transportation thereof as provided for herein out of the appropriation for inland transportation by railroad routes.

"The Postmaster General may have the weights of mail taken on railroad mail routes and computations of the average loads of the several classes of cars and other computations for statistical and administrative purposes made at such times as he may elect, and pay the expense thereof out of the appropriation for inland transportation by railroad routes.

"It shall be unlawful for any railroad company to refuse to perform mail service at the rates of compensation provided by law when and for the period required by the Postmaster General so to do, and for every such offense it shall be fined not exceeding $5,000.

"That the unexpended balances of the appropriations for inland transportation by railroad routes and for railway post-office car service, by the act of March 9, 1914, making appropriations for the service of the Post Office Department for the fiscal year ending June 30, 1915, and for other purposes, are hereby made available for the purposes of this act.

"SEC. 12. That on account of the increased weight of mails resulting from Postmaster General's order No. 7720, of December 18, 1913, respecting rates upon and limit of weight of parcel-post packages in the local, first, and second zones, and effective from August 15, 1913, the Postmaster General is authorized to add to the compensation paid for transportation on railroad routes on and after August 15, 1913, for the remainder of the contract terms, not exceeding one-half of 1 per cent thereof per annum.

"SEC. 13. That on account of the increased weight of mails resulting from Postmaster General's order No. 7720, of December 18, 1913, respecting rates upon and limit of weight of parcel-post packages effective from January 1, 1914, the Postmaster General is authorized to add to the compensation paid for transportation on railroad routes on and after January 1, 1914, for the remainder of the contract terms, not exceeding 1 per cent thereof per annum.

"SEC. 14. That the appropriation for the manufacture of postage stamps be so amended that advance payment can be made to the director of the Bureau of Engraving and Printing for the printing of postage stamps.

"SEC. 15. That under such regulations as the Postmaster General may establish for the collection of the lawful revenue and for facilitating the handling of such matter in the mails it shall be lawful to accept for transmission in the mails quantities of not less than 500 identical pieces of third-class matter and of second-class matter mailed at the special rates of 1 cent and 2 cents a copy and of 250 identical pieces of fourth-class matter without postage stamps affixed: *Provided*, That postage shall be fully prepaid thereon at the rate required by law for a single piece of such matter.

"SEC. 16. That such part of section 6 of the act approved June 25, 1910, authorizing a system of postal savings depositories as reads, 'but no one shall be permitted to deposit more than $100 in any one calendar month' is hereby amended to read as follows: 'but the balance to the credit of any person, upon which interest is payable, shall not exceed $1,000, exclusive of accumulated interest'; and said act is further amended so as to repeal the proviso in section 7 thereof and insert in lieu of such proviso the following: '*Provided*, That the board of trustees may, in their discretion, and under such regulations as such board may promulgate, accept additional deposits not to exceed in the aggregate $1,000 for each depositor, but upon which no interest shall be paid.'

"SEC. 17. That if any person shall hereafter perform any service for any contractor or subcontractor in carrying the mail, he shall, upon filing in the department his contract for such service and satisfactory evidence of its performance, thereafter have a lien on any money due such contractor or subcontractor for such service to the amount of same; and if such contractor or subcontractor shall fail to pay the party or parties who have performed service as aforesaid the amount due for such service within two months after the expiration of the month in which such service shall have been performed the Postmaster General may cause the amount due to be paid said party or parties and charged to the contractor: *Provided*, That such payment shall not in any case exceed the rate of pay per annum of the contractor or subcontractor.

"SEC. 18. That whenever an accepted bidder shall fail to enter into contract, or a contractor on any mail route shall fail or refuse to perform the service on said route according to his contract, or when a new route shall be established or new service required, or when, from any other cause, there shall not be a contractor legally bound or required to perform such service, the Postmaster General may make a temporary contract for carrying the mail on such route, without advertisement, for such period as may be necessary, not in any case exceeding one year, until the service shall have commenced under a contract made according to law: *Provided*, That the cost of temporary service rendered necessary by reason of the failure of any accepted bidder to enter into contract or a contractor to perform service shall be charged to such bidder or contractor.

"All acts or parts of acts inconsistent with the provisions of this act are hereby repealed.

"SEC. 19. That section 3949 of the Revised Statutes be amended to read as follows:

"'All contracts for carrying the mail should be in the name of the United States, and shall be awarded to the lowest bidder tendering sufficient guaranties for faithful performance in accordance with the terms of the advertisement: *Provided, however*, That such contracts require due celerity, certainty, and security in the performance of the service; but the Postmaster General shall not be bound to consider the bid of any person who has willfully or negligently failed to perform a former contract.'

"SEC. 20. That the act of March 4, 1909 (ch. 321, sec. 198, 35 Stat., p. 1126), be amended to read as follows:

"'Whoever shall willfully or maliciously injure, tear down, or destroy any letter box or other receptacle intended or used for the receipt

or delivery of mail on any mail route, or shall break open the same, or shall willfully or maliciously injure, deface, or destroy any mail deposited therein, or shall willfully take or steal such mail from or out of such letter box or other receptacle, or shall willfully aid or assist in any of the aforementioned offenses, shall for every such offense be punished by a fine of not more than $1,000 or by imprisonment for not more than three years.'

"SEC. 21. That section 3938 of the Revised Statutes be amended to read as follows:

"'All letters of domestic origin which can not be delivered by postmasters shall be sent to the Post Office Department, and such as contain inclosures of value, other than correspondence, shall be recorded. If the sender or addressee can not be identified, such letters shall be held for a period of one year awaiting reclamation. If within one year they have not been claimed, they shall be disposed of as the Postmaster General may direct.

"'All other undeliverable letters shall be disposed of without record and not held for reclamation.'

"SEC. 22. That whenever in the judgment of the Postmaster General the bids received for any star route are exorbitant or unreasonable, or whenever he has reason to believe that a combination of bidders has been entered into to fix the rate for star-route service, the Postmaster General be, and he is hereby, authorized out of the appropriation for inland transportation by star routes, to employ and use such means or methods to provide the desired service as he may deem expedient, without reference to existing law or laws respecting the employment of personal service or the procurement of conveyances, materials, or supplies.

"SEC. 23. That on and after July 1, 1915, the compensation of each rural letter carrier for serving a standard route of 24 miles and over six days in the week shall be $1,200 per annum, payable monthly; on routes 22 miles and less than 24 miles, $1,152; on routes 20 miles and less than 22 miles, $1,080; on routes 18 miles and less than 20 miles, $960; on routes 16 miles and less than 18 miles, $840; on routes 14 miles and less than 16 miles, $720; on routes 12 miles and less than 14 miles, $672; on routes 10 miles and less than 12 miles, $624; on routes 8 miles and less than 10 miles, $576; on routes 6 miles and less than 8 miles, $528; on routes 4 miles and less than 6 miles, $480. A rural letter carrier serving one triweekly route shall be paid on the basis for a route one-half the length of the route served by him, and a carrier serving two triweekly routes shall be paid on the basis for a route one-half of the combined length of the two routes: *Provided*, That in the discretion of the Postmaster General the pay of carriers who furnish and maintain their own motor vehicles and who serve routes not less than 50 miles in length may be fixed at not exceeding $1,800 per annum.

"SEC. 24. That the act approved January 21, 1914 (Public, 49), authorizing the Postmaster General to adjust certain claims of postmasters for loss by burglary, fire, or other unavoidable casualty be so amended as to include Navy mail clerks and assistant Navy mail clerks."

Mr. HENRY. Mr. Speaker, I will say to the gentlemen on the other side that if this rule is sufficiently understood I will be glad to submit it to a vote of the House without any discussion.

Mr. LENROOT. We want some discussion.

Mr. FITZGERALD. Will the gentleman from Texas yield?

Mr. HENRY. I yield.

Mr. FITZGERALD. Will the gentleman permit me to offer an amendment to this rule?

Mr. HENRY. I would not feel at liberty to do that, I regret to say.

Mr. Speaker, I do not want to move the previous question until the rule is understood, but still, if it is agreeable to the House, I will move the previous question now, and then we will have 20 minutes of debate on a side.

Mr. BARNHART. What objection would the gentleman have, inasmuch as it is growing late, to letting the matter go over until Monday, so that we may have time to read and consider this rule?

Mr. HENRY. Personally, I have no objection. The only thing is this, that Monday is unanimous-consent day, and I suppose that nothing could supersede the proceedings of that day. Then on Tuesday we hope to bring up and expect to present to the House a special rule to consider the Hobson national prohibition amendment.

Mr. BARNHART. Then, nothing can be done on this bill until after the holidays?

Mr. HENRY. No; but this is what I was going to say, if the gentleman will allow me to complete my thought: It occurs to me that, inasmuch as there was some misunderstanding and confusion as to this rule yesterday, the Members on this side would be glad to verify their vote here to-day and vote in accordance with the matters as they understand them, and not allow their votes to go to the country for a week or two weeks and have them misunderstood before this rule is presented.

Mr. Speaker, I will state to the House that I shall explain the rule after I have moved the previous question, if that is satisfactory.

Mr. FITZGERALD. I hope the gentleman will have his debate first and then move the previous question.

Mr. UNDERWOOD. If the gentleman has control of the floor——

Mr. HENRY. I do not think the Speaker would construe what I have said as being debate.

The SPEAKER. The Chair would not construe it as debate.

Mr. HENRY. Therefore, Mr. Speaker, I move the previous question on the resolution.

Mr. FITZGERALD. Of course, if the gentleman moves the previous question, there will be no opportunity to offer amendments.

Mr. HENRY. No; there would not be opportunity to offer amendments.

Mr. FITZGERALD. If I had a chance to offer the amendment, I would vote for the previous question. If I can not offer the amendment, I will vote against the previous question.

Mr. HENRY. I would be glad to have the gentleman offer the amendment after the previous question is ordered and let the Speaker act on it.

Mr. FITZGERALD. I can not even offer it for the Speaker to act on it if the previous question is ordered.

Mr. LENROOT. Can not we agree on time for debate, after which the previous question will be moved?

Mr. HENRY. I will move the previous question at the end of the 40 minutes; and yet I would move the previous question now if it is satisfactory to the House, and we can have as much of that 40 minutes for debate as we wish.

Mr. CALLAWAY. Mr. Speaker, will the gentleman yield?

Mr. HENRY. I will be glad to.

Mr. CALLAWAY. We had speeches yesterday on the rule. Nobody seems to understand it from the speeches that were made. The assumption now is that Members voted upon the rule yesterday without understanding. Now there comes in here a different rule. It was read at the desk, and nobody heard it. It has not been printed at all. We have not had any opportunity to see it. Now, I want to say to my colleague from Texas that his speech to-day will have to be a good deal closer to the facts than his speech yesterday—there was so much airiness and fog in it—if in 20 minutes he hopes to explain this rule so that we can understand it. He never explained it yesterday. [Laughter.]

Mr. HENRY. Mr. Speaker, I am entirely clear that the fact that the gentleman did not understand my explanation yesterday can not be attributed to me.

Mr. CALLAWAY. No; it was the Lord that made him. [Laughter.]

Mr. HENRY. Now, Mr. Speaker——

Mr. CALLAWAY. I want to say this to the gentleman: I would like to understand the rule, but I know that I can not understand a rule which is as long as that concern which was read from the desk there upon any 20-minute explanation; and there are 27 things, as I understand, in this bill that they are trying to save with this rule from points of objection. Those would have to be explained before we could know whether we wanted this rule or not, and it does occur to me, knowing now that we can not do anything on it to-night, that it should go over. If this rule could be printed, and we could study the rule and the bill, instead of somebody's explanation of it, then we could come back here with an understanding of it if we did not understand it before.

Mr. MANN. Mr. Speaker, I ask for the regular order.

The SPEAKER. The regular order is to vote on this rule.

Mr. CALLAWAY. Mr. Speaker, I move that the House do now adjourn.

The SPEAKER. The gentleman from Texas [Mr. CALLAWAY] moves that the House adjourn.

Mr. UNDERWOOD. Mr. Speaker, will the gentleman withhold that motion for a moment?

Mr. CALLAWAY. Yes.

Mr. HENRY. Mr. Speaker, I will state that it will be impracticable to bring the rule up until some time about the 1st of January, if it goes over now.

Mr. MANN. We might as well take a full holiday recess.

Mr. HENRY. And we probably would not have a quorum here right after the holidays. I would not like to press it upon any single Member here. I have the highest regards and feelings for every single one of you on both sides. It is not a personal matter with me at all.

Mr. MANN. Mr. Speaker, I call for the regular order.

The SPEAKER. The regular order is the motion to adjourn.

Mr. UNDERWOOD. The gentleman from Texas [Mr. CALLAWAY] withheld his motion to adjourn.

The SPEAKER. Does the gentleman from Texas withdraw his motion to adjourn?

Mr. CALLAWAY. No; I am simply withholding it.

Mr. MANN. You can not withhold it.

The SPEAKER. The gentleman can not withhold his motion.

Mr. CALLAWAY. I simply withheld it. I am not withdrawing it.

Mr. MANN. Mr. Speaker, I ask for the regular order.

The SPEAKER. The regular order is to vote on this rule.

Mr. UNDERWOOD. The gentleman from Texas [Mr. HENRY] has the floor.

Mr. HENRY. I yield the floor, Mr. Speaker, to the gentleman from Alabama.

Mr. MANN. He did not have the floor, Mr. Speaker. The gentleman from Texas [Mr. CALLAWAY] moved to adjourn.

Mr. HENRY. I had moved the previous question prior to that, and then he withdrew his motion.

Mr. MANN. We understood it otherwise.

Mr. CALLAWAY. I was simply withholding that motion to adjourn. I did not intend to withdraw it. I insist on it. I move that the House adjourn.

The SPEAKER. The gentleman from Texas [Mr. HENRY] moves the previous question and his colleague [Mr. CALLAWAY] moves to adjourn. The motion to adjourn takes precedence over the other motion. The question is on agreeing to the motion of the gentleman from Texas [Mr. CALLAWAY] to adjourn.

Mr. HEFLIN. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. HEFLIN. When the House reconvenes will the motion of the gentleman from Texas [Mr. HENRY] for the previous question be the first thing in order?

The SPEAKER. No. The question is on agreeing to the motion to adjourn.

The question was taken, and the Speaker announced that the noes seemed to have it.

Mr. CALLAWAY and Mr. BARTLETT demanded a division.

The SPEAKER. A division is demanded. The Chair will count. Those in favor of the motion to adjourn will rise and stand until they are counted. [After counting.] Ninety-six gentlemen have risen in the affirmative. Those opposed will rise and stand until they are counted. [After counting.] One hundred and twenty-three gentlemen have risen in the negative. On this vote the ayes are 96 and the noes are 123, and the House refuses to adjourn. The question is on the motion for the previous question.

The question was taken, and the Speaker announced that the ayes appeared to have it.

Mr. SHERLEY. Division, Mr. Speaker.

The House divided; and there were—ayes 118, noes 98.

Accordingly the previous question was ordered.

Mr. HENRY. Mr. Speaker, this rule is practically the same rule presented to the House on yesterday, with three of four important changes. In the first place, everything pertaining to the reduction of salaries of postmasters is eliminated from it; second, everything pertaining to abolishing the positions of assistant postmasters is eliminated from this special rule; third, everything pertaining to experimenting in one county of each State toward letting out the Rural Mail Service by contract is taken from the rule and is not now included within its provisions. Those are the omissions, and they seemed to be the things that were obstacles in the way of the adoption of this rule on yesterday.

Then we include the balance of the provisions of the rule offered yesterday, and one of the main provisions is section 11, in regard to fixing the compensation of the railways for carrying the mails. That is in the special rule, so that it may be considered by the House when we again take up the Post Office appropriation bill. Now I will yield to the gentleman from Minnesota.

Mr. STEENERSON. Is it not a fact that the provision originally proposed by the Postmaster General abolishing the office of assistant postmaster in first and second class offices was never in the bill, and that it was not in the rule of yesterday, but that, on the contrary, the appropriation for assistant postmasters is omitted from the bill?

Mr. HENRY. Whatever was in there with reference to it has been omitted from the rule.

Mr. STEENERSON. But the rule does cover a number of new positions—superintendent of finance, superintendent of mail delivery, and so forth.

Mr. HENRY. I will let the gentlemen on the Post Office Committee discuss that.

Mr. STEENERSON. I thought you wanted to understand what the rule was.

Mr. HENRY. Oh, I know what the rule is.

Mr. Speaker, there is one other important provision left in the rule that I think should be called to the attention of the House, and that is in regard to the increase of the salaries of rural carriers $100 per annum. That, I think, is in section 24 of the rule as reported.

A MEMBER. Section 23.

Mr. HENRY. It is 23 of the bill but 24 of the rule. So that will not be subject to a point of order, and we can come squarely to a vote on it.

But over and above all these things, everything that is in this rule simply makes certain provisions of the bill the subject of legislation. It enables the House to consider them, and if there is anything in this rule that you wish not to be made a part of the Post Office appropriation bill, you can vote it down on its merits and the bill can be amended with the utmost freedom, and all these things that the rule touches can be amended and discussed; and if it is the sense of the House that not a single one of these things shall be included in the Post Office appropriation bill, you have the power by a majority vote to strike it out, and there is nothing to hinder you from doing that.

Mr. CALLAWAY. Mr. Speaker——

The SPEAKER. Does the gentleman yield?

Mr. HENRY. I do.

Mr. CALLAWAY. The effect of this will be to make a majority vote sustain every raise of salary, while the reduction of salaries could be made even if this rule were not adopted, because under the Holman rule a majority vote can reduce salaries.

Mr. HENRY. Oh, yes; that is quite true; and I want to say to my colleague from Texas——

Mr. CALLAWAY. Now, as I understand your explanation of it, this raises the salaries of rural carriers $100 a year?

Mr. HENRY. Yes; it authorizes it.

Mr. CALLAWAY. That provision otherwise would be subject to a point of order.

Mr. HENRY. Yes.

Mr. CALLAWAY. But this rule protects that, so that a point of order will not cut it out?

Mr. HENRY. Yes; but the House can cut it out.

Mr. CALLAWAY. Oh, no; it can not—not this House. [Laughter.]

Mr. HENRY. Oh, yes. Now, I have answered the gentleman's question, and I can not yield any further. If the gentleman wants to make a motion to strike out all after the enacting clause in the bill he can do it, and if he can get a majority of the House to vote with him there is no trouble about that.

Mr. CALLAWAY. One further question. I understood that this was claimed to be an economy bill. I can not understand why an economy bill wants to protect all the salaries that are raised, while all the others would be subject to be reduced by a majority vote under the Holman rule, just as much as they would if this rule should pass.

Mr. HENRY. Of course the gentleman understands that such amendment would allow a reduction anyhow.

Mr. CALLAWAY. I know that this rule would not affect them, and this rule only affects salaries that are raised.

Mr. HENRY. The gentleman understands that proposition thoroughly, and so do I. If he is not pleased with any item in the bill, he can move to strike it out. If he does not like the raise in the salaries of rural carriers, he can move to make it less and have the judgment of the committee on it.

Mr. OGLESBY. Will the gentleman yield?

Mr. HENRY. Yes.

Mr. OGLESBY. I understood the gentleman to state that the things which had been left out of the bill were the only things that were objected to on the vote yesterday.

Mr. HENRY. I thought so.

Mr. OGLESBY. The RECORD shows, and it accords with my recollection, that the gentleman stated yesterday that the only protest or opposition coming to the Committee on Rules as to the special rule came exclusively from the railroad influence in the United States. The chairman of the committee, the gentleman from Tennessee, also made a statement, in substance, that the Democrats who voted against the rule did so because they were influenced by the railroads. Now, I want to ask if those provisions of the bill which were objectionable to the railroads and which both gentlemen said were the cause of the vote against the rule have been omitted from the rule?

Mr. HENRY. I hope the gentleman will not pursue that question any further, because I understand that the entire House is in favor of the railway-mail provision, and we want to get a vote on it this afternoon. I did state that when the committee was considering the rule no member made any objection like that, but a protest did come from the outside, to which the committee paid no attention. I never made any reflection on any member of the committee, and I would not do it now.

Mr. OGLESBY. I have no intention of pursuing the matter further; I simply wanted to ask the gentleman the question.

Mr. HENRY. I have no objection to answering it, and I suppose the gentleman will vote to adjust this railway-mail pay.

Mr. OGLESBY. I will vote in a way that I think right, independent of the gentleman's supposition.

Mr. BURNETT. Will the gentleman yield?

Mr. HENRY. Yes.

Mr. BURNETT. The proposition is, as I understand, to permit an amendment to the bill increasing the rural carrier's salary $100 a year.

Mr. HENRY. Yes.

Mr. BURNETT. In addition to the increase that we gave them last spring?

Mr. HENRY. Yes; I think that did pass.

Mr. BURNETT. Was it not on account of a construction put upon it by the Postmaster General, and did it not, in fact, pass?

Mr. HENRY. I understood that for some reason they did not get the increase, and this is to remedy the obstacle.

Mr. BURNETT. But we did increase it last spring by law?

Mr. HENRY. The gentleman can clarify that by offering an amendment in the committee.

Mr. BURNETT. If we increased it last spring, why have they not been getting the pay?

Mr. HENRY. I do not know about that.

Mr. BURNETT. Does it take a second law to enforce the first law when we gave it to them?

Mr. HENRY. I do not want to make any accusations against the Postmaster General or the administration, and I am not going to do it, but I would like to see the carriers get this increase.

Mr. BURNETT. I would like to know who is responsible for their not getting it, and why it takes a second law to enforce a law that has already been passed.

Mr. HENRY. I am afraid the question would be a good deal like the one, "Who struck Billy Patterson?" I do not know.

Mr. BURNETT. And the carriers do not know, and the carriers would like to know, who, in fact, did strike Billy Patterson.

Mr. HENRY. Mr. Speaker, how much time have I occupied?

The SPEAKER pro tempore (Mr. SHERLEY). The gentleman has occupied 10 minutes.

Mr. LENROOT. Mr. Speaker, the gentleman from Texas has now explained this rule, and I want to ask you honestly, you Democrats, how many of you understand any more about it now than you did before?

A MEMBER. All of us.

Mr. LENROOT. The gentleman stated that yesterday there was a lack of understanding about what the rule contained. There was, Mr. Speaker; but when the roll call was completed a number of gentlemen then began to understand what the rule did contain, and they hurried down and changed their votes.

Mr. Speaker, yesterday was the first time since the Democrats came into power in this House that a rule proposed by them was defeated. It is a subject of congratulation, not for the Republican side, not for the Republican Party, but for the country, that the rule was defeated [applause on the Republican side], for the public interest was served by doing it. I want to remind you gentlemen across the aisle of this fact now, that you came in, as you generally do, and blindly followed your leaders in voting for any rule that they propose, and now you see that by being independent, by having minds of your own, the heavens do not fall when you defeat a rule. You have a demonstration that because you defeated this rule yesterday you forced the Committee on Rules to another session and eliminated at least one vicious provision in the rule that you have been castigated for voting against yesterday. I hope this will be a lesson to you in the future and that you will exhibit more independence in the future than you have in the past.

Mr. OGLESBY. Will the gentleman yield?

Mr. LENROOT. I yield to the gentleman.

Mr. OGLESBY. The gentleman stated that the heavens did not fall; but does not the gentleman think that the nether and upper worlds were brought a little closer together, nevertheless? It raised hell, a little?

Mr. LENROOT. Yes; that may be. The gentleman from Tennessee [Mr. MOON], after the rule was defeated and general debate began, castigated you Democrats, and tried to put the railroad sign on you, and now the Committee on Rules has brought out another rule, and there is only one change made that is of value and that is the one with reference to contracts for rural delivery. They now expect, because of that castigation which you received last night from the chairman of the committee, that they are going to drive you back into the coop, you men who voted against the rule yesterday because of fear of being branded with railroad domination. [Applause and laughter on the Republican side.] We shall see very shortly whether you men who voted against this rule, not because of some particular item in it, but because of the principle involved of legislating in wholesale on appropriation bills, can be whipped into line merely because the chairman of the committee last night falsely accused you of being dominated by railroads.

Mr. Speaker, I want to say a word about this railway-mail-pay proposition, but that is not the only thing in the bill. As the gentleman from Texas [Mr. CALLAWAY] a moment or two ago said, every reduction in salary in this bill can be adopted under the Holman rule, and that is the principal part of this rule which has been eliminated. The first two pages of it apply to reduction of salaries of postmasters, and, so far as increases are concerned, none of them could be adopted without this rule, so that when you vote for this rule you are voting to make in order every increase in salary which would be subject to a point of order if the rule were not adopted. With reference to his railway-mail proposition, I touched upon that yesterday, and I want to touch upon it again this afternoon. The gentleman from Tennessee [Mr. MOON] in his speech last night, in addition to berating the Democrats who voted against the rule, said this:

> Who is it that does not know the power and influence that has prevented the consideration in the Senate of the United States of this railway-mail-pay proposition?

He thereby inferentially charged that the railroads of the country dominated the Democratic majority in the Senate.

Mr. Speaker, I think that is as untrue and as baseless as was the charge that railroad influence actuated the motives of you men on that side of the aisle who voted against the rule yesterday; but if it be true, Mr. Speaker, that the railroads of the country control the majority in the Senate, that is an additional reason why this rule should not be adopted, because if they do no Member of this House is so simple-minded as to believe that if this proposition goes into the bill and goes over to the Senate it will come back in conference as this House wants it written. Every Member knows that if it goes into the bill at all it must be as a compromise proposition, if the charge of the gentleman from Tennessee as to railway domination is true, and when that conference report is presented at midnight on the 3d day of March we will have no opportunity to know what that compromise proposition is. It will not be printed in the RECORD and we will not have an opportunity to vote it up or vote it down in the House, as I said yesterday, unless we wish to assume the responsibility for a special session of Congress, and I for one do not wish to do that.

One other observation, Mr. Speaker. When the Committee on the Post Office, or any other committee having to do with appropriations, reports an appropriation bill containing new legislation such as this one does, that committee owes it to the House in their report upon that bill to give the House some information as to what that new legislation is. I hold in my hand the report of the Committee on Post Offices, and what do they say about the 37 pages of new legislation, now 35 pages in the rule that we are now asked to vote upon? This is what they say:

> It is not necessary to discuss here the new legislation asked for in the bill, as it will be presented for discussion in the House if a rule making it in order be adopted.
>
> Special reference is made to the report of the Postmaster General in explanation of that portion of the new legislation which this committee has seen proper to adopt and recommend for passage in this bill.

Mr. Speaker, I assert that when any committee reports new legislation to a large extent, as this committee has, before the House should vote a special rule for its consideration that committee should be required in its report to give the House full information of what the new legislation is, and that committee ought to be required to give some reasons in its report why it should be adopted. So, Mr. Speaker, upon the same grounds that this side voted against the rule yesterday, it will vote against it to-day, because it is wrong in principle and a practice that should not be tolerated by the House.

I reserve the remainder of my time.

Mr. HENRY. Mr. Speaker, I yield to the gentleman from Missouri [Mr. HAMLIN].

Mr. HAMLIN. Mr. Speaker, I voted against the special rule on yesterday, and I did not do it because I was in ignorance of what it contained, but I did it deliberately because I did know what it contained. I did not vote against that rule because I was opposed to that railway mail pay provision of the Post Office appropriation bill, for I voted for a similar bill last summer and expect to support that portion of the present bill if it is made in order. But I voted against that special rule, principally, because it made in order a provision contained in the Post Office bill which I believe, if not intended to do so, would have the effect of destroying the present valuable and efficient rural mail-delivery system of this country. I do not hesitate to say that I will vote every day and every time I have a chance against any special rule or any other proposition proposed

which I believe will have the effect of tearing down and destroying the rural mail service of this country. [Applause.] Therefore I have no apologies to make for my vote on yesterday.

Mr. Speaker, I believe that the Rural Mail Service is the greatest boon that the farmers and others who live in the rural districts have ever enjoyed. In fact, this service is about the only direct and immediate benefit that the farmers of this country have ever enjoyed at the hands of the Federal Government. They contribute the major part of the taxes that make up the money with which the expenses of the Government are met, and if they are willing to pay for this service we ought to be willing to give it to them.

We who live in the cities and larger towns have our mail laid on our desks or handed in at the front doors of our homes from two to four times each day at Government expense, and yet there seems to be those somewhat in authority who would deny those living in the rural districts mail once a day.

But the proponents of this new system say that they do not want to deny the farmers this service, but that they want to put it under the contract system, like the old star routes, because it would be cheaper. It would doubtless cost the Government less per year and the service would likely be cheaper—in fact, so cheap that it would be practically worthless, and in the end would be more costly.

My opinion is that instead of having a daily mail, as we now have, on these routes we would have tridally mail—that is, come one day and try to come the next.

Those of us who have had the opportunity of knowing something about the old contract system in practice with the star routes know that it is so bad, so miserable, that you can not justly dignify it with the name of mail service.

Whether it is the purpose of the proponents of this contract system to eventually destroy the present rural mail system I can not say, but I believe it would have that effect; hence I am bitterly opposed to it, and will oppose it at every turn of the road.

For years every man who gave any serious thought to the trend of affairs in this country knows that one of the alarming situations has been a disposition of our young folks to leave the farms and go to the cities. Every person who wants to see the country develop morally and materially deplores that tendency, and yet we all know that this is due largely to the fact that rural life is too secluded, unattractive, and disadvantageous.

The remedy is apparent. Make rural life attractive, give the people the necessary advantages, and you will largely, if not entirely, stop this exodus from the farms.

Nothing has been done in your lifetime or mine that has done more to make the country life attractive than the rural mail system, which enables these good people to get their daily papers, market reports, and other mail delivered to their doors each day. With this service goes the improvement of the country roads, the building of culverts, bridges, and so forth.

I declare to you now that it is to the rural districts and not the cities we must look, as we have ever had to look, for the real moral and material strength of our beloved country. Then why haggle over a little expense? No braver, more loyal, or truer soldiers ever followed the flag of their country than the boys in uniform who carry the mail through rain and shine, heat and cold, day by day, to the doors of the farmers of this country.

Why try to cripple this splendid service? I for one am not willing to do anything to injure it, much less to destroy it, but on the other hand, am willing to do everything I can to extend and improve it.

By defeating that rule yesterday we have forced the Rules Committee to bring in another rule which eliminates this attempt to injure this mail service, and therefore I am now willing to vote for this present rule, and hope that it will be adopted.

Mr. HENRY. Mr. Speaker, I yield two minutes to the gentleman from Oklahoma [Mr. FERRIS].

Mr. FERRIS. Mr. Speaker, I shall not try to have anyone believe I understand all contained in this rule. I do desire to be understood as saying that when a committee which has served us well for so long asks us to agree to a proposition to give an opportunity to consider some legislation that is asked for by the Postmaster General, who has conducted his department so well that it has not only paid its own way but made money for us besides, I think it is our duty to at least give the House an opportunity to do what he wants us to do. We observed our Republican friends on the other side yesterday and to-day enjoy themselves very much because for a moment we grew irritable and disagreed with each other, but I can call to their attention a scene of only a couple of years ago when the air was filled with splinters and slivers from their hulk far over and beyond what happened to us on yesterday. I desire to, if I may to-day, urge my friends in the House to overlook the irritability of yesterday. All of us grow irritable sometimes, all of us make mistakes sometimes; but let me ask of my colleagues on this side, if I have any influence here, not to please our friends over there, whom we love personally, but whom we must protect ourselves against politically. I repeat, our personal affection for our Republican brethren is still radiant and sincere, still we can not in a moment of temper hand out our very vitals to them politically. I have affection for many of them personally, but politically we must of necessity stop, look, and listen. I beg of my friends to stand by the committee and support this rule. [Applause.]

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. HENRY. Mr. Speaker, I ask the gentleman to use some time.

Mr. LENROOT. Mr. Speaker, I yield five minutes to the gentleman from Wisconsin [Mr. STAFFORD].

Mr. STAFFORD. Mr. Speaker, I hope the Democrats when they come to cast their votes to-day will stop and listen. Yesterday they had their eyes opened, but only opened partially, and to-day the gentleman from Texas [Mr. HENRY] has not added to their enlightenment. Yesterday in his speech the gentleman from Texas used this language:

> This is the same rule that was presented to this House during the last session and adopted without a division—

Showing his profound ignorance of the rule that was adopted then, because it only contained 10 of the provisions that are contained in this rule. Here yesterday we had 27 reasons why we should not incorporate it into this appropriation bill. To-day they come in here and leave 24 reasons why you should not have it incorporated. They withdraw the very provisions that should prompt you as Democrats, if you are consistent to your platform promises, to refuse to follow the recommendation now. They withdraw the reduction in postmasters' salaries amounting to $500,000, but they allow to remain in the rule the increases of salaries for supervisory officials in large cities amounting to $600,000.

Mr. HENRY. Mr. Speaker——

Mr. STAFFORD. I have not time to yield. If you will give me time I shall be glad to do so. They reject the provision for the assistant postmasters, which we do not believe should be removed by indirection. You refuse to remove them by direction and we to-day stand by our guns and say you should not remove them now by this method, by a system which enables any postmaster to remove the assistant in first-class offices and which makes no provision for any assistant postmasters in second-class post offices. Who knows anything about that provision by which you are granting authority to the Postmaster General to discontinue every one of the smaller post offices in your district and make them an adjunct to the office at the county seat? Who are you? I ask you to stand up. And yet there is a provision in this bill that grants that authority. It has been opposed for years in the Post Office Committee, and yet in this bill you are going to vote authority to bring it about. Do you know about it?

On this side we are not afraid of the false charge made by the chairman of the committee that we are actuated by railroad influences. Why, I can brush that aside in a minute, and show the inconsistency of the chairman, because in this very bill, with a unanimous report of the committee, we authorize an increase to the railroads of more than a million and a quarter of dollars to carry the parcel post. If his assertion made yesterday in the heat of anger is true, that under the present system we are paying the railroads two to four millions of dollars more than we should, which he termed "a steal," where is his consistency when he adopts, without dissent—yes, with approval—the provision paying them one million and a quarter dollars more for the carrying of the parcel-post mail?

There is a provision here for the establishment of village delivery. Oh, are you going to abandon that which the Post Office Department recommends, which will amount to a saving of hundreds of thousands of dollars, authorizing the use of rural carriers, so that when they perform only six and one-half hours of service a day they may be required to perform an hour and a half additional service, not in excess of eight hours, at an increased salary of $150, because you will not stand up for recommendations that will allow real economy, but favor an expensive separate carrier service for villages. Are you going to abandon that? Yesterday there was a provision in this bill which the Post Office Department itself resisted, that was put in the bill without recommendation. And there are others here which deserve thorough consideration, but which can not be had in an

appropriation bill, and especially in a short session, when the rule is to gloss over matters.

We resist the adoption of this rule for the same reason as on yesterday. It is wrong in principle to place as riders on an appropriation bill 23 diverse and separate provisions, many of the greatest importance. I repeat the prophecy again, that much of this important legislation, if ever agreed to by the Senate, will be rushed through the House on the adoption of a conference report in the closing hours of this Congress, when Members will not be alert to study the significance of the changes. This practice is destructive of the deliberative character of this House, and the rule should be defeated to protect the House against such happenings.

The SPEAKER. The time of the gentleman has expired.

Mr. HENRY. Mr. Speaker, I yield two minutes to the gentleman from Alabama [Mr. HEFLIN].

Mr. HEFLIN. Mr. Speaker, as the propositions that we fought over yesterday are eliminated, that which refers to the third and fourth class postmasters and the rural carriers, I shall cheerfully support this rule this afternoon, and I think Democrats on this side generally will do so. I will not permit the mistake of any Democrat on this side who loses his temper to cause me to do anything that will injure the Democratic Party and its great working force in this House in the interest of the American people. [Applause on the Democratic side.] I will not permit the joy manifested by the Republican side in what they think was a breach on this side to cause me to line up with them even if some one man on this side makes a mistake.

The Democratic Party is serving the people of this country, Mr. Speaker. We are doing a great work, and one of the great things that has helped us to do this work is standing solidly together—doing teamwork. We propose to continue that sort of work. We will get over any temporary blunder that any Member here may make, but you will never get over the blunders you have made for 16 years. [Applause on the Democratic side.] Upon the breast of your party is branded the scarlet letter of deceit and unfaithfulness to the American people, and you will not be able to get that off. This side will stand in solid Democratic harmony and unity, with Democratic enthusiasm, and we will give you this rule now in about a couple of minutes. [Applause on the Democratic side.]

The SPEAKER. The gentleman from Wisconsin [Mr. LENROOT] has five minutes remaining, and the gentleman from Texas [Mr. HENRY] has four.

Mr. HENRY. Mr. Speaker, I yield one minute to the gentleman from Indiana [Mr. BARNHART].

Mr. BARNHART. Mr. Speaker, I voted "nay" on the resolution yesterday. I believe this rule ought to be defeated today, because, as I said when I asked that it go over to Monday, there is so much embraced in it that I doubt if half of the Members of this House are familiar with what it contains. And I want to say that the reason I voted against the rule yesterday was the information that came to me from the committee that there were from 25 to 30 amendments to the bill proposed in the rule, and that, to use his own words, if they were permitted to go in there was so much devilment in them that the Congress—the House and the Senate—would probably dillydally over it for two or three months and we would have an extra session of Congress. I am opposed to another extra session of Congress, and so is the country. [Applause.] And, furthermore, Mr. Speaker, I want to say that my motives in voting as I did yesterday were just as pure as those of the head of a great committee of this House, who stood in this House and stigmatized his colleagues, who are his equals, if not his superiors in honest intentions, by uttering charges which he can not substantiate. [Applause.]

Mr. HENRY. Mr. Speaker, I yield one minute to the gentleman from Tennessee [Mr. MOON].

The SPEAKER. The gentleman from Tennessee [Mr. MOON] is recognized for one minute.

Mr. MOON. Mr. Speaker, I am exceedingly glad to find that our friends are pretty well united on this rule.

Mr. BURNETT. They have reformed. [Laughter.]

Mr. MOON. There is nothing in this rule except some administrative propositions, which I think no one will object to, and questions that have heretofore been passed upon, almost unanimously, by the House.

I hope the rule will be adopted, and I take pleasure in acknowledging my accord completely with my friend from Alabama [Mr. HEFLIN]. I am glad that he is feeling better [laughter], and I wish I had a little more time for my friend from Indiana [Mr. BARNHART], because I know that he would then feel good, too. [Laughter.]

I do not desire to discuss the rule any further than to say, Mr. Speaker, that there is nothing in this rule that any man on either side, Democrat or Republican, could fear, because it is an administrative proposition for the betterment of the Government. [Applause.]

Mr. HENRY. Mr. Speaker, I will ask the gentleman from Wisconsin [Mr. LENROOT] to use the remainder of his time.

Mr. LENROOT. Mr. Speaker, I yield three minutes to the gentleman from New York [Mr. FITZGERALD].

The SPEAKER. The gentleman from New York [Mr. FITZGERALD] is recognized for three minutes.

Mr. FITZGERALD. Mr. Speaker, yesterday I voted for the rule to permit the consideration of certain proposed legislation on this bill. When the rule was presented, I was engaged in the Committee on Appropriations in the preparation of the urgent deficiency bill. Had I been in the House I should have sought an opportunity to amend the rule by providing for the consideration of a provision which I believe of very great importance.

I have just voted against ordering the previous question on the pending rule. The rule as now presented proposes that more than 20 independent and separate legislative provisions shall have consideration while the Post Office appropriation bill is before the House. Yesterday the rule provided for the consideration, notwithstanding the rules to which they are obnoxious, of 25 legislative provisions.

Since it is proposed to make the Post Office appropriation bill the vehicle of so much general legislation, I believe opportunity should be given to consider a legislative provision as important as any enumerated in the rule.

The legislation recommended for incorporation in the pending bill is based upon the recommendations found in the annual report of the Postmaster General. One question of great importance is discussed in that report unaccompanied by recommendation. The legislation needed to cure the evils discussed, however, is easily apparent.

Under the heading "Obscene and scurrilous matter" the Postmaster General discusses the situation with relation to certain publications which deal with certain questions "in a manifestly coarse, defamatory, and scurrilous manner, and in which many of the statements are alleged to be false and libelous."

The report reviews at some length the laws relative to the exclusion of matter from the mails, and the constructions placed upon such laws by the Federal courts. It appears that under the law as it exists postmasters and other postal officials are required to submit to the department matter about which they are in doubt regarding the right to transmission through the mails. Frequently issues of publications have been sent through the mails before the question is raised and determined, and then the only redress is to remit the matter to the proper United States district attorney for action, which seems to be an ineffective method of dealing with certain abuses.

The Postmaster General asserts that—

> Careful examination has been made of all matter submitted by postmasters and others in advance of its transmission, through the mails, but it has been found impossible under the law to exclude much of it, which, *even though defamatory, scurrilous, false, and libelous, is not obscene, lewd, lascivious, filthy, and indecent* under the construction placed by the courts upon these terms as used in the statute.

It seems that the leading case is Swearingen *v.* United States (161 U. S., 466). That was a criminal case, and although the publication was excessively coarse, vulgar, abusive, scurrilous, defamatory, and libelous, yet it was held that although the language was "exceedingly coarse and vulgar, and, as applied to an individual, plainly libelous," it was not of a "lewd, lascivious, and obscene tendency, calculated to corrupt and debauch the mind and morals of those into whose hands it might fall."

This decision was based upon the provisions of a penal statute prohibiting the use of the mails for circulating matter to corrupt the morals of the people. Yet it is readily apparent that much may be published that would not come within the purview of such a statute which would still be unfit to circulate through the mails.

After a careful examination of the existing laws, I have prepared a provision conferring upon the Postmaster General authority which it is asserted he does not possess, but which I believe he should have. I desired to amend this rule to permit consideration of the provision as an amendment to the pending bill. The amendment I should offer if I had the opportunity is as follows:

> If it be established to the satisfaction of the Postmaster General that any person is engaged, or represents himself as engaged, in the business of publishing any obscene or immoral books, pamphlets, pictures, prints, engravings, lithographs, photographs, or other publication, matter, or thing of an indecent, immoral, scurrilous, or libelous character; and if such person shall, in the opinion of the Postmaster General, endeavor to use the post office for the promotion of his business, it is hereby declared that no letter, package, parcel, newspaper, book, or other thing sent, or sought to be sent, through the post office by or on behalf

of or to or on behalf of such person shall be deemed mailable matter; and the Postmaster General shall make the necessary rules and regulations to exclude such nonmailable matter from the mails.

I doubt if anyone could urge a legitimate objection to such legislation. It requires the establishment of the fact that a person is engaged, or represents himself as engaged, in the business of publishing obscene or immoral books, pamphlets, pictures, and so forth, or other publication of an indecent, immoral, scurrilous, or libelous character, and if, in the opinion of the Postmaster General, the person engaged in such a business, or representing himself to be so engaged, endeavors to use the mails to promote that business the right to use the mails is taken from him. Surely it will not be urged that the mails should be used for such a purpose. There has been much just and well-founded complaint about the contents of a number of publications circulated through the mails. I have seen some of these publications. The contents of some of them are so indecent, scurrilous, and offensive in character as to arouse the resentment and indignation of all intelligent and self-respecting citizens of the United States.

The existing law to exclude such publications from the mails apparently is inadequate. Ample authority should be lodged in the proper officials to eliminate the abuses which now exist. The law providing for the exclusion of publications the wrapper of which contains obscene or lewd or libelous matter is wholly inadequate. The wrapper may be inoffensive and the contents exceedingly vile and coarse, yet even if within the purview of the penal law no effective remedy now exists to prevent recurring circulation of such matter in successive issues of a publication.

I repeat this power to regulate gross abuses of the mail should be lodged in some official. If it does not now exist, it should be given. Since such a considerable volume of legislation is to be considered upon this bill I believe an opportunity should be given to consider the provision which I have suggested. As a protest against the inability to have an opportunity to present an amendment to the rule which would permit the consideration of such a provision while the bill is before the House, I shall reverse my action of yesterday and vote against the rule, and I shall endeavor in some other way to have this provision considered and enacted into law.

The SPEAKER. The time of the gentleman has expired.

Mr. FITZGERALD. I ask unanimous consent to extend my remarks in the RECORD briefly.

The SPEAKER. The gentleman from New York asks unanimous consent to extend his remarks in the RECORD. Is there objection?

There was no objection.

Mr. LENROOT. I yield the remainder of my time to the gentleman from Illinois [Mr. MANN].

Mr. MANN. Mr. Speaker, last summer the House passed a bill providing for a revision of the laws relating to railway mail pay. That bill went to the Senate, where it is now reposing. The other day the Post Office Committee reported to the House the annual appropriation bill, containing as one of its items the identical language concerning the revision of the law on railway mail pay that was contained in the bill passed by the House last summer and now pending in the Senate.

Yesterday the gentleman from Tennessee [Mr. MOON], chairman of this great Post Office Committee, which makes the largest appropriation reported by any committee of the House, deliberately stated on the floor of the House that the bill which we passed last summer was being held up in the Senate through railroad influences, and that the Democratic Members of the House who voted against the rule yesterday, making this provision in order in the appropriation bill, were being controlled or influenced by railroad influences.

Mr. MOON. Now, Mr. Speaker——

Mr. MANN. I do not yield.

The SPEAKER. The gentleman declines to yield.

Mr. MANN. Is the charge true or false? Was it mere buncombe or is it true? If it is not true, the House ought to repudiate the charge and condemn the man who made it. [Applause.] If the charge be true, the House owes it to itself to investigate the charge and to put punishment upon those who are controlled by railroad influences in their votes in the House. [Applause.]

The SPEAKER. The gentleman from Texas [Mr. HENRY] has two minutes.

Mr. HENRY. Mr. Speaker, ordinarily when some one says I am "grossly ignorant" about anything I do not feel offended. That might be my misfortune. But when the gentleman from Wisconsin [Mr. STAFFORD] thinks, and imagines he thinks, he can discover that I am grossly ignorant, then I feel that it is time for me to sit up and take notice. [Applause and laughter.] And sometimes I feel as though I ought to be offended; but when I look at him I can not have any malice against him. [Laughter.]

Mr. Speaker, permit me to say that there are too many charges made against public men in this country. I do not believe that there is a Member on that side of the House or on this side who can be corruptly influenced by railroads or any other influence in this country. [Applause.] I believe the Representatives in the American Congress are men of the very highest type of integrity and honor; and if anything has occurred in the course of this debate wherein my remarks might be considered as a reflection upon my colleagues on this side or that, I freely withdraw them and wish to assure them that I have confidence in each and every one of them and genuine affection for all. [Applause.]

The SPEAKER. The time of the gentleman has expired. The question is on agreeing to the rule.

The question being taken, the Speaker announced that the ayes appeared to have it.

Mr. HENRY. Mr. Speaker, I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 172, nays 97, answered "present" 0, not voting 159, as follows:

YEAS—172.

Abercrombie	Dixon	Humphreys, Miss.	Reilly, Conn.
Adair	Donovan	Igoe	Reilly, Wis.
Adamson	Doolittle	Jacoway	Rouse
Aiken	Doughton	Johnson, Ky.	Rubey
Alexander	Dupré	Johnson, S. C.	Russell
Allen	Evans	Keating	Sabath
Aswell	Faison	Kent	Shackleford
Austin	Fergusson	Kettner	Sherwood
Bailey	Ferris	Key, Ohio	Sisson
Baker	Fields	Kirkpatrick	Slayden
Barkley	Finley	Kitchin	Small
Beakes	FitzHenry	Lafferty	Smith, N. Y.
Borchers	Floyd, Ark.	Lazaro	Smith, Tex.
Borland	Foster	Lee, Ga.	Sparkman
Brockson	Fowler	Lee, Pa.	Stanley
Buchanan, Ill.	Gallagher	Lieb	Stephens, Miss.
Buchanan, Tex.	Gard	Lloyd	Stephens, Nebr.
Burgess	Garner	Lobeck	Stephens, Tex.
Burke, Wis.	Garrett, Tex.	Lonergan	Stone
Burnett	Gill	McGillicuddy	Stout
Byrnes, S. C.	Gilmore	McKellar	Stringer
Byrns, Tenn.	Goeke	Madden	Sumners
Candler, Miss.	Goodwin, Ark.	Maguire, Nebr.	Tavenner
Cantrill	Gordon	Mahan	Taylor, Ark.
Caraway	Goulden	Mitchell	Thacher
Carlin	Graham, Ill.	Montague	Thomas
Carr	Gray	Moon	Thompson, Okla.
Carter	Gudger	Morgan, La.	Tribble
Church	Hamlin	Morrison	Tuttle
Clark, Fla.	Hardy	Mulkey	Underhill
Collier	Harrison	Murray	Underwood
Connelly, Kans.	Hay	Oldfield	Vaughan
Connolly, Iowa	Hayden	O'Shaunessy	Vinson
Conry	Heflin	Padgett	Watkins
Cox	Helm	Park	Watson
Crisp	Helvering	Peterson	Weaver
Crosser	Henry	Phelan	Webb
Cullop	Hensley	Pou	Whaley
Decker	Holland	Quin	White
Dent	Houston	Ragsdale	Williams
Dershem	Hoxworth	Rainey	Wingo
Dickinson	Hughes, Ga.	Raker	Witherspoon
Dies	Hull	Rayburn	Young, Tex.

NAYS—97.

Anderson	Frear	McKenzie	Sherley
Avis	Gillett	MacDonald	Sinnott
Barnhart	Good	Manahan	Sloan
Bartholdt	Greene, Mass.	Mann	Smith, Idaho
Barton	Greene, Vt.	Mapes	Smith, J. M. C.
Bell, Cal.	Guernsey	Mondell	Smith, Minn.
Browne, Wis.	Hayes	Morgan, Okla.	Stafford
Bryan	Helgesen	Moss, Ind.	Steenerson
Burke, S. Dak.	Hill	Mott	Stephens, Cal.
Callaway	Hinds	Nelson	Stevens, Minn.
Cary	Hinebaugh	Norton	Sutherland
Chandler, N. Y.	Howell	Oglesby	Switzer
Cline	Humphrey, Wash.	Page, N. C.	Talcott, N. Y.
Coady	Kahn	Paige, Mass.	Temple
Cooper	Keister	Parker, N. J.	Thomson, Ill.
Cramton	Kelley, Mich.	Parker, N. Y.	Treadway
Curry	Kelly, Pa.	Patton, Pa.	Volstead
Danforth	Kennedy, Iowa	Plumley	Walters
Davis	Kennedy, R. I.	Porter	Willis
Dillon	Kinkaid, Nebr.	Prouty	Woodruff
Esch	La Follette	Rauch	Woods
Farr	Langham	Roberts, Nev.	Young, N. Dak.
Fess	Langley	Rogers	
Fitzgerald	Lenroot	Rupley	
Fordney	Lindbergh	Scott	

NOT VOTING—159.

Ainey	Blackmon	Brumbaugh	Claypool
Ansberry	Booher	Bulkley	Copley
Anthony	Bowdle	Burke, Pa.	Dale
Ashbrook	Britten	Butler	Davenport
Baltz	Brodbeck	Calder	Deitrick
Barchfeld	Broussard	Campbell	Difenderfer
Bartlett	Brown, N. Y.	Cantor	Donohoe
Bathrick	Brown, W. Va.	Carew	Dooling
Beall, Tex.	Browning	Casey	Doremus
Bell, Ga.	Bruckner	Clancy	Driscoll

Drukker	Hamilton, N. Y.	Logue	Rucker
Dunn	Hammond	McAndrews	Saunders
Eagan	Harris	McClellan	Scully
Eagle	Hart	McGuire, Okla.	Seldomridge
Edmonds	Haugen	McLaughlin	Sells
Edwards	Hawley	Maher	Shreve
Elder	Hobson	Martin	Sims
Estopinal	Howard	Metz	Slemp
Fairchild	Hughes, W. Va.	Miller	Smith, Md.
Falconer	Hulings	Moore	Smith, Saml. W.
Flood, Va.	Johnson, Utah	Morin	Stedman
Francis	Johnson, Wash.	Moss, W. Va.	Stevens, N. H.
French	Jones	Murdock	Taggart
Gallivan	Kennedy, Conn.	Neeley, Kans.	Talbott, Md.
Gardner	Kiess, Pa.	Neely, W. Va.	Taylor, Ala.
Garrett, Tenn.	Kindel	Nolan, J. I.	Taylor, Colo.
George	Kinkead, N. J.	O'Brien	Taylor, N. Y.
Gerry	Knowland, J. R.	O'Hair	Ten Eyck
Gittins	Konop	O'Leary	Towner
Glass	Korbly	Palmer	Townsend
Godwin, N. C.	Kreider	Patten, N. Y.	Vare
Goldfogle	L'Engle	Peters	Vollmer
Gorman	Lesher	Platt	Walker
Graham, Pa.	Lever	Post	Wallin
Green, Iowa	Levy	Powers	Walsh
Gregg	Lewis, Md.	Price	Whitacre
Griest	Lewis, Pa.	Reed	Wilson, Fla.
Griffin	Lindquist	Riordan	Wilson, N. Y.
Hamill	Linthicum	Roberts, Mass.	Winslow
Hamilton, Mich.	Loft	Rothermel	

So the resolution was agreed to.

The following pairs were announced:

For the session:

Mr. BARTLETT with Mr. BUTLER.

Mr. SCULLY with Mr. BROWNING.

Until further notice:

Mr. DALE with Mr. MARTIN.

Mr. STEDMAN with Mr. SELLS.

Mr. TALBOTT of Maryland with Mr. SHREVE.

Mr. SIMS with Mr. ROBERTS of Massachusetts.

Mr. MAHER with Mr. POWERS.

Mr. RIORDAN with Mr. PLATT.

Mr. REED with Mr. MOSS of West Virginia.

Mr. RUCKER with Mr. PETERS.

Mr. PATTEN of New York with Mr. MORIN.

Mr. NEELY of West Virginia with Mr. LINDQUIST.

Mr. MCANDREWS with Mr. LEWIS of Pennsylvania.

Mr. LINTHICUM with Mr. MOORE.

Mr. LEVER with Mr. MILLER.

Mr. KONOP with Mr. KREIDER.

Mr. JONES with Mr. J. R. KNOWLAND.

Mr. HOWARD with Mr. KIESS of Pennsylvania.

Mr. HART with Mr. JOHNSON of Washington.

Mr. HAMILL with Mr. JOHNSON of Utah.

Mr. GRIFFIN with Mr. HUGHES of West Virginia.

Mr. GREGG with Mr. HAWLEY.

Mr. GODWIN of North Carolina with Mr. HAUGEN.

Mr. GLASS with Mr. SLEMP.

Mr. GALLIVAN with Mr. HAMILTON of Michigan.

Mr. FLOOD of Virginia with Mr. GRAHAM of Pennsylvania.

Mr. EDWARDS with Mr. GREEN of Iowa.

Mr. EAGLE with Mr. FRENCH.

Mr. EAGAN with Mr. DRUKKER.

Mr. DRISCOLL with Mr. FAIRCHILD.

Mr. DOOLING with Mr. EDMONDS.

Mr. DEITRICK with Mr. COPLEY.

Mr. DAVENPORT with Mr. CAMPBELL.

Mr. CLANCY with Mr. CALDER.

Mr. CASEY with Mr. BURKE of Pennsylvania.

Mr. CAREW with Mr. BRITTEN.

Mr. BROWN of West Virginia with Mr. BARCHFELD.

Mr. BELL of Georgia with Mr. ANTHONY.

Mr. ASHBROOK with Mr. AINEY.

Mr. WILSON of Florida with Mr. WINSLOW.

Mr. WALKER with Mr. TOWNER.

Mr. ESTOPINAL with Mr. DUNN.

Mr. BOOHER with Mr. HAMILTON of New York.

On this vote:

Mr. BLACKMON (for the rule) with Mr. GRIEST (against).

Mr. SAUNDERS (for the rule) with Mr. WALLIN (against).

The result of the vote was then announced as above recorded.

Mr. HENRY. Mr. Speaker, I ask unanimous consent that the gentleman from Tennessee [Mr. MOON] have five minutes in which to address the House.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. MOON. Mr. Speaker, as a matter of course it affords me pleasure to hear the result of the vote which has just been announced. In the course of the debate in this House in which I participated somewhat, I find that a number of gentlemen feel aggrieved at some things that I said. That is apparent from the discussion that has taken place this afternoon. I take it that most men in the discussion of a question in an impromptu way, when they are seriously in earnest, speak very seriously, but I was particularly careful, I thought, in the discussion of the facts and the possible legitimate deductions from those facts, in view of the existing circumstances, not to be offensive, and yet I am regarded as having been offensive by a number of gentlemen on both sides.

Although there may be some remarks in that speech that probably are a little too rough and ought not to be in it and for which I am sorry, yet I challenge any man to find anything in the speech in which I called into question the personal honor or the integrity of any man in the House. I asked certain questions in the speech that might indicate it. They were left to be answered in the minds where they found lodgment. I made no charge of personal dishonor in connection with any of these matters or of undue influence. I asked if certain influences existed. I did not say that they were dishonest or undue. I complained of the judgment that was exercised by some of my friends, and that is all; and, if you will notice, the very closing sentence of the speech was to the effect that I made no charge of corruption or dishonesty against any Member of this House, but only challenged their judgment.

Mr. MANN. Mr. Speaker, will the gentleman yield for a question?

Mr. MOON. Not now. The gentleman declined to yield to me a while ago.

Mr. MANN. I had two minutes in my own right. The gentleman now gets five minutes by my consent.

Mr. MOON. Very well.

Mr. MANN. Referring to the closing sentence of the gentleman's speech, was that in the speech as it was delivered or was it inserted into the speech for the RECORD?

Mr. MOON. Mr. Speaker, I was just about to say that that last sentence in the speech was added by myself to assure the House that I meant no charge of that sort. If there is anything in that speech that is offensive to anybody in the House, though I made it in pursuance of what I felt to be my duty, I should be very glad to take it out of the speech. I do not want to offend anybody here. I have no personal antagonism against any man in this House. In fact, my feeling is most kindly to all, but that which was said was said under a sense of duty. If it was said too strongly, if it intimated corruption here, it was not so intended, and I take pleasure in withdrawing it, if such is the view held by any man. Mr. Speaker, my feeling has been most kindly toward all, and I repeat it again, if the feelings of any are hurt in any way by the speech I am very glad to apologize and to withdraw anything in it that is offensive, and when we adjourn I hope that you will have a most happy time with your families at home and return to the discharge of your duties in the very best of humor, as I hope to do. [Applause.]

COMMITTEE ELECTIONS.

Mr. UNDERWOOD. Mr. Speaker, I move the following elections to committees, which I send to the desk and ask to have read.

The Clerk read as follows:

Nominations for Democratic caucus: WARREN GARD, of Ohio—Judiciary. CARL VINSON, of Georgia—Coinage, Weights, and Measures; Expenditures in Agricultural Department; Pensions. JESSE D. PRICE, of Maryland—Claims; Coinage, Weights, and Measures; Expenditures in the Treasury Department.

The SPEAKER. Are there any other nominations? [After a pause.] The question is on the election of these gentlemen to the various committees.

The question was taken, and the motion was agreed to.

ADJOURNMENT.

Mr. UNDERWOOD. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 6 o'clock and 3 minutes p. m.) the House adjourned until Monday, December 21, 1914, at 12 o'clock noon.

EXECUTIVE COMMUNICATION.

Under clause 2 of Rule XXIV, a letter from the Secretary of the Treasury, transmitting copy of communication of the Secretary of War submitting an urgent estimate of deficiency in the appropriation for transportation of the Army and its supplies for the fiscal year ended June 30, 1914 (H. Doc. No. 1422), was taken from the Speaker's table, referred to the Committee on Appropriations, and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the several calendars therein named, as follows:

Mr. BURKE of South Dakota, from the Committee on Indian Affairs, to which was referred the bill (S. 2824) to amend an act entitled "An act to provide for the adjudication and payment of claims arising from Indian depredations," approved March 3, 1891, reported the same with amendment, accompanied by a report (No. 1237), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. HAYDEN, from the Committee on the Public Lands, to which was referred the bill (H. R. 11253) authorizing the Secretary of the Interior to sell to the town of Tempe, Ariz., a tract of land containing road-making material, reported the same with amendment, accompanied by a report (No. 1239), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, private bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the Committee of the Whole House, as follows:

Mr. KENT, from the Committee on the Public Lands, to which was referred the bill (S. 5990) to authorize the sale and issuance of patent for certain land to William G. Kerckhoff, reported the same without amendment, accompanied by a report (No. 1236), which said bill and report were referred to the Private Calendar.

Mr. LENROOT, from the Committee on the Public Lands, to which was referred the bill (S. 5497) authorizing the issuance of patent to Arthur J. Floyd for section 31, township 22 north, range 22 west of the sixth principal meridian, in the State of Nebraska, reported the same without amendment, accompanied by a report (No. 1238), which said bill and report were referred to the Private Calendar.

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, committees were discharged from the consideration of the following bills, which were referred as follows:

A bill (H. R. 19596) granting a pension to Frank E. Cook; Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 20118) granting a pension to Friedericke Potter; Committee on Pensions discharged, and referred to the Committee on Invalid Pensions.

A bill (H. R. 18323) granting a pension to William Henry Gray; Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 18804) granting a pension to John L. Barr; Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. MONDELL: A bill (H. R. 20186) authorizing the Secretary of the Interior to accept the relinquishment of the State of Wyoming to certain lands heretofore certified to said State, and the State of Wyoming to select other lands in lieu of the lands thus relinquished; to the Committee on the Public Lands.

By Mr. HAYES: A bill (H. R. 20187) governing the reclamation of desert-land entries by the planting of trees, etc., and for other purposes; to the Committee on Irrigation of Arid Lands.

By Mr. ANTHONY: A bill (H. R. 20188) to increase the United States Army; to the Committee on Military Affairs.

By Mr. SPARKMAN: A bill (H. R. 20189) making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes; to the Committee of the Whole House on the state of the Union.

By Mr. CULLOP: A bill (H. R. 20190) for the prevention and eradication of the foot-and-mouth disease in cattle and for the payment for cattle destroyed by the United States Government; to the Committee on Agriculture.

By Mr. SMITH of New York: A bill (H. R. 20191) for the protection of the New York Indians; to the Committee on Indian Affairs.

By Mr. ASWELL: A bill (H. R. 20192) to authorize a survey of Little River and tributaries, Castor and Dugdemonia, from the mouth of Little River to Winnfield, La., on the Dugdemonia, and to Olla, La., on the Castor; to the Committee on Rivers and Harbors.

By Mr. MILLER: A bill (H. R. 20193) providing for the payment of assessments on Indian allotments benefited by the construction of State rural highways in the State of Minnesota; to the Committee on Indian Affairs.

By Mr. CURRY: A bill (H. R. 20194) for the construction and equipment of an ammunition manufacturing plant at the United States Arsenal at Benicia, Cal.; to the Committee on Military Affairs.

By Mr. KINKAID of Nebraska: A bill (H. R. 20195) to appropriate $10,000 for a highway across the Fort Niobrara Military Reservation and the timber reservation; to the Committee on Military Affairs.

By Mr. BARTHOLDT: A bill (H. R. 20196) to confer jurisdiction on the Federal courts in certain cases; to the Committee on the Judiciary.

By Mr. PARKER of New York: Resolution (H. Res. 683) authorizing the Clerk of the House to pay to Wilbur H. Estey, clerk of the late Hon. EDWIN A. MERRITT, jr., the sum of $125, being an amount equal to one month's salary; to the Committee on Accounts.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BRUMBAUGH: A bill (H. R. 20197) granting an increase of pension to John Sager; to the Committee on Invalid Pensions.

By Mr. CARY: A bill (H. R. 20198) for the relief of Paul Wallerstein; to the Committee on Military Affairs.

By Mr. CULLOP: A bill (H. R. 20199) granting an increase of pension to William H. Gallup; to the Committee on Invalid Pensions.

Also, a bill (H. R. 20200) granting an increase of pension to Demcy M. Knight; to the Committee on Invalid Pensions.

By Mr. DERSHEM: A bill (H. R. 20201) granting a pension to H. Aimee Hoffman; to the Committee on Invalid Pensions.

Also, a bill (H. R. 20202) granting an increase of pension to Benjamin F. Goodman; to the Committee on Invalid Pensions.

Also, a bill (H. R. 20203) granting an increase of pension to Henry H. Schrawder; to the Committee on Invalid Pensions.

Also, a bill (H. R. 20204) granting an increase of pension to Henry C. Wolfe; to the Committee on Invalid Pensions.

Also, a bill (H. R. 20205) granting an increase of pension to William B. King; to the Committee on Invalid Pensions.

By Mr. DOREMUS: A bill (H. R. 20206) granting an increase of pension to Theresa B. Nash; to the Committee on Invalid Pensions.

By Mr. EAGAN: A bill (H. R. 20207) for the relief of Herman Holpp; to the Committee on Military Affairs.

By Mr. FRANCIS: A bill (H. R. 20208) granting a pension to Dora Heney; to the Committee on Invalid Pensions.

Also, a bill (H. R. 20209) granting an increase of pension to Martha Burdett; to the Committee on Invalid Pensions.

By Mr. GOOD: A bill (H. R. 20210) granting an increase of pension to Horace J. Bennett; to the Committee on Invalid Pensions.

By Mr. HAMILL: A bill (H. R. 20211) for the relief of the Duncan Building & Loan Association of New Jersey; to the Committee on Claims.

By Mr. KETTNER: A bill (H. R. 20212) for the relief of the Home Investment Association of Redlands, Cal.; to the Committee on Claims.

Also, a bill (H. R. 20213) for the relief of the Santa Fe Building Association of San Bernardino, Cal.; to the Committee on Claims.

By Mr. KEY of Ohio: A bill (H. R. 20214) granting a pension to W. Irvin Long; to the Committee on Pensions.

By Mr. KIRKPATRICK: A bill (H. R. 20215) granting an increase of pension to Smith J. Dutton; to the Committee on Invalid Pensions.

Also, a bill (H. R. 20216) granting an increase of pension to Avery T. Lawrence; to the Committee on Invalid Pensions.

By Mr. MAHAN: A bill (H. R. 20217) granting an increase of pension to Emma Gibbone; to the Committee on Invalid Pensions.

By Mr. MONDELL: A bill (H. R. 20218) for the payment to J. H. Norris for salary and expenses as inspector and superintendent under the Indian Department; to the Committee on Claims.

By Mr. PALMER: A bill (H. R. 20219) granting an increase of pension to William Hinckle; to the Committee on Invalid Pensions.

Also, a bill (H. R. 20220) granting an increase of pension to Martha J. Ross; to the Committee on Invalid Pensions.

By Mr. PARKER of New York: A bill (H. R. 20221) granting an increase of pension to William M. Gatchell; to the Committee on Invalid Pensions.

Also, a bill (H. R. 20222) granting an increase of pension to Benjamin F. Hall; to the Committee on Invalid Pensions.

Also, a bill (H. R. 20223) granting an increase of pension to Fayette B. Vaughn; to the Committee on Invalid Pensions.

By Mr. PHELAN: A bill (H. R. 20224) granting a pension to Sarah E. Campion; to the Committee on Pensions.

By Mr. RUPLEY: A bill (H. R. 20225) for the relief of Wilfred J. Drey; to the Committee on Claims.

By Mr. SELLS: A bill (H. R. 20226) granting a pension to John K. Miller; to the Committee on Pensions.

Also, a bill (H. R. 20227) granting an increase of pension to Noah Collins; to the Committee on Pensions.

By Mr. SHERLEY: A bill (H. R. 20228) granting a pension to Gertrude M. Haydon; to the Committee on Pensions.

By Mr. SWITZER: A bill (H. R. 20229) granting a pension to Bertha J. Stewart; to the Committee on Pensions.

Also, a bill (H. R. 20230) granting a pension to Rufus A. Theis; to the Committee on Pensions.

Also, a bill (H. R. 20231) granting a pension to Cyrus Craton Cassels; to the Committee on Invalid Pensions.

Also, a bill (H. R. 20232) granting a pension to Samuel O. McElhaney; to the Committee on Invalid Pensions.

Also, a bill (H. R. 20233) granting an increase of pension to Rachel Misner; to the Committee on Invalid Pensions.

Also, a bill (H. R. 20234) granting a pension to Margaret J. Essex; to the Committee on Invalid Pensions.

By Mr. TAVENNER: A bill (H. R. 20235) granting a pension to Elizabeth Adair; to the Committee on Invalid Pensions.

By Mr. TAYLOR of Colorado: A bill (H. R. 20236) granting an increase of pension to Hannah M. Budd; to the Committee on Invalid Pensions.

By Mr. TEN EYCK: A bill (H. R. 20237) granting a pension to Louis E. Lavariere; to the Committee on Pensions.

Also, a bill (H. R. 20238) granting a pension to William E. Martin; to the Committee on Invalid Pensions.

By Mr. WOODS: A bill (H. R. 20239) granting an increase of pension to Charles B. Mathews; to the Committee on Invalid Pensions.

By Mr. YOUNG of North Dakota: A bill (H. R. 20240) granting a pension to Louisa Fleming; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By the SPEAKER (by request): Petition of students of Columbia University, opposing militarism; to the Committee on Military Affairs.

Also (by request), petitions of sundry citizens of Macedonia and Fulton, Mo., favoring national prohibition; to the Committee on Rules.

Also (by request), petition of citizens of Nashport, Ohio, favoring national prohibition; to the Committee on Rules.

By Mr. BAILEY: Petitions of Z. E. W. Chester, D. A. Luther, Robert Dillon, P. L. Eck & Son, and C. S. Harbaugh, all of Carrolltown, Pa., favoring passage of H. R. 5308, taxing mail-order houses; to the Committee on Ways and Means.

Also, petition of the Cambria County Association of the Junior Order United American Mechanics, favoring national prohibition; to the Committee on Rules.

By Mr. BURNETT: Petition of citizens and churches of Alabama, favoring national prohibition; to the Committee on Rules.

By Mr. CARY: Petition of Mrs. Henry W. Dixon, Mrs. J. R. Colton, Mrs. H. H. Kieskhefer, Mrs. Dan Price, Mrs. J. Gilbertson, Beatrice Gilbertson, Edgar Feurig, Stanley White, Mrs. George Potterton, and John R. Cotton, all of Milwaukee, and members of the Simpson Methodist Episcopal Church, favoring national prohibition; to the Committee on Rules.

Also, petition of J. M. Nash, 377 Wauwatosa Avenue; E. T. Wright, 383 Wauwatosa Avenue; William R. Nethercut, 110 Warren Avenue; E. N. Lyman, 177 Warren Avenue; Roscoe Moor, 180 Warren Avenue; J. W. Sereekeans, 144 Warren Avenue; William A. Hart, 92 Warren Avenue; O. S. Mackinnon, 341 Church Street; William Robertson, 28 Roger Avenue; I. N. Conklin, 302 Church Street; John L. Hart, 309 Wisconsin Avenue; E. A. Swan, Milwaukee, Station B, R. R. 6; M. B. Potter, 505 Wauwatosa Avenue; John C. Potter, 505 Wauwatosa Avenue, all of Wauwatosa, Wis., and I. N. Tume, West Allis, Wis., favoring national prohibition; to the Committee on Rules.

By Mr. DALE: Petition of National Board of Steam Navigation, relative to funds for the ships and apparatus required in the United States Coast and Geodetic Survey; to the Committee on Appropriations.

Also, petitions of Francis Bayer, George Cushing, and A. B. Moffott, of New York, favoring bill to prohibit shipment of all war material to belligerent nations; to the Committee on Foreign Affairs.

By Mr. DANFORTH: Petitions of Union Trust Co., Rochester, N. Y.; Piel Bros., of Brooklyn, N. Y.; Retail Liquor Dealers' Association of New York, N. Y.; and Ohio Labor Home Rule Association, of Cincinnati, Ohio, against nation-wide prohibition; to the Committee on Rules.

By Mr. EAGAN: Petition of German Methodist Episcopal Church, of Hoboken, N. J., favoring national prohibition; to the Committee on Rules.

By Mr. FARR: Petitions of Scranton (Pa.) Union Christian Endeavor and Westminster Presbyterian Church, of Scranton; Welsh Congregational Churches of northeastern Pennsylvania and Methodist Episcopal Church, of Moosic, Pa., favoring national prohibition; to the Committee on Rules.

By Mr. FESS: Petitions of the Mother Thompson Union of the Woman's Christian Temperance Union, of Hillsboro, Ohio; Second United Presbyterian Church, of Xenia, Ohio; Maineville, Beach Grove, Sugar Run, and Pleasant Plain Baptist Churches; Dr. R. C. Belt, of Milford, Ohio; Mrs. W. E. Laughlin, of Belle Center, Ohio; the Friends' Church, of Waynesville, Ohio; Rev. H. E. Crowell, of Osborn, Ohio; Methodist Protestant Church, of Cook, Ohio; Methodist Episcopal Church, of Mechanicsburg, Ohio; the Rainsboro (Ohio) Methodist Episcopal Sunday School; the East Liberty (Ohio) Methodist Episcopal Church; Sunday School Board of the Reformed Church, of Springboro, Ohio; Trinity Methodist Church and Sunday School, of Xenia, Ohio; United Presbyterian Church, of Jamestown, Ohio; R. S. Kellerman, of Blanchester, Ohio; South Solon (Ohio) Methodist Church; F. A. McNeill, of Bethel, Ohio; Xenia (Ohio) First Methodist Church; Friends' Church, of Xenia, Ohio; Bert Highlands, of Mechanicsburg, Ohio; and the business committee of the Ohio Sunday School Association, urging the passage of the Hobson amendment; to the Committee on Rules.

Also, petition of the Ohio Labor Home Rule Association, opposing the Hobson prohibition resolution; to the Committee on Rules.

Also, petitions of J. F. Laird and the Friends' Church at Leesburg, Ohio, indorsing the Sheppard-Hobson bill for national constitutional prohibition; to the Committee on Rules.

Also, petition of Woman's Christian Temperance Union, Greenfield, Ohio, favoring national prohibition; to the Committee on Rules.

By Mr. GILLETT: Petitions of 67 organizations, total membership 9,730, of the second congressional district of Massachusetts, favoring national prohibition; to the Committee on Rules.

By Mr. GILMORE: Petition of 53 organizations, having a total membership of 10,674, in the State of Massachusetts, favoring national prohibition; to the Committee on Rules.

By Mr. GRAHAM of Pennsylvania: Petition of International Union of United Brewery Workmen, protesting against national prohibition; to the Committee on Rules.

By Mr. HAMILTON of New York: Papers to accompany House bill 20166, granting an increase of pension to Charles O. Manley; to the Committee on Invalid Pensions.

Also, papers to accompany House bill 16493, granting a pension to William Butts; to the Committee on Invalid Pensions.

By Mr. HULINGS: Petitions, praying for the passage of the national prohibition resolution, by United Presbyterian Church, Grove City, Pa., by W. E. Purvis, pastor; tabernacle builders for Jordan evangelistic campaign, Warren, Pa., by A. F. Kottkamp, chairman campaign executive committee; Grace Methodist Episcopal Church, Warren, Pa., by Charles Lewis, chairman temperance commission; Methodist Episcopal Church, Warren, Pa., by William A. Thornton, pastor; Woman's Christian Temperance Union, Russell, Pa., by Etta C. Hatton, president; Harmony United Presbyterian Church, Harrisville, Pa., by H. C. Hildebrand, pastor; Rocky Grove (Pa.) Presbyterian Church, by Thomas W. Pearson, pastor; Swedish Congregational Church, Ridgway, Pa., by John Larson, president of board, Oscar W. Nordstrom, secretary, Otto Nelson, pastor; Woman's Christian Temperance Union, Ridgway, Pa., by Martha E. Bower, president; to the Committee on Rules.

Also, petitions praying for the passage of the prohibition resolution from the congregations of North Warren Presbyterian Church, by Howard J. Baumgartel, pastor, E. R. Geer, clerk, E. D. Northrup, president, J. E. Hazeltine, secretary; "congregations of both churches," Pittsfield, Pa., by Mrs. E. E. Lynn, president Woman's Christian Temperance Union; Willard Union, Woman's Christian Temperance Union, Franklin, Pa., by Mrs. K. E. Duffee, corresponding secretary; Presbyterian congregation, Milledge, Pa., by E. C. Dean, clerk; Swedish Mission Church and Sunday School, Johnsonburg, Pa., by superintendent; United Presbyterian Church, Springfield, Pa., by Mrs. D. H. Rogers, president Woman's Christian Temperance Union; Methodist Episcopal Church, Johnsonburg, Pa., by Rev. J. C. Ginader, pastor; Methodist Episcopal Church, Mercer, Pa., by R. F. Randolph, pastor; First Presbyterian Church, Wilcox, Pa.; First Presbyterian Church, Johnsonburg, Pa., by John H. Cooper, pastor; United Presbyterian Church, Greenville, Pa., by Ira G. McCreary, pastor; Woman's Christian Temperance Union, Greenville, Pa., by Mrs. A. E. Bean, president; First Presbyterian Church and Christian Endeavor, Oil City, Pa., by Helen Grove, secretary; Methodist Episcopal Church, Kennard, Pa., by L. W. Chambers, pastor; Methodist Episcopal Church, Marienville, Pa., by G. S. W. Phillips, pastor; to the Committee on Rules.

Also, petitions praying for the passage of the prohibition resolution by Lamont E. Reznor, Mercer; D. R. Mackenzie, S. A. M. Stockwell, F. V. Mallery, John Borland, Arthur Poole, F. W. Hays, Oil City; Ella Keck Morgan, David A. Brown, M. D., Frederick W. Smith, Charles B. Wakefield, Mrs. Charles B. Wakefield, Greenfield, all in the State of Pennsylvania; to the Committee on Rules.

Also, petitions praying for the passage of the national prohibition resolution by First Presbyterian Church, Mercer, Pa., by John S. Duncan, pastor; First Baptist Church, Ridgway, Pa., by Chester C. Winter, pastor; and W. B. Campbell, Franklin, Pa.; to the Committee on Rules.

By Mr. KAHN: Petition of Messrs. Sherwood & Sherwood, Jesse Moore Hunt Co., H. L. Hirsch, W. G. Loewe, L. H. Hirsch, L. H. Greenhood, and the French American Bank of Savings, all of San Francisco, Cal., and the International Union of the United Brewery Workmen of America and the Ohio Labor Home Rule Association, both of Cincinnati, Ohio, protesting against the enactment of the Hobson Nation-wide prohibition resolution; to the Committee on Rules.

By Mr. KEISTER: Memorial of State body of the Junior Order of United American Mechanics, of Scranton, Pa., favoring passage of H. R. 6060; to the Committee on Immigration and Naturalization.

By Mr. KENNEDY of Rhode Island: Petitions favoring national prohibition from Rev. Leroy L. Daniels, Providence, R. I.; Providence (R. I.) Christian Endeavor; First Presbyterian Church, Providence, R. I.; petitions opposing woman suffrage from Mrs. H. E. Yarnell, Newport, R. I.; Mary L. B. Steadman, Providence, R. I.; Mrs. Charles Weaver, Mrs. Joseph Howland, Anne B. Vernon, Abbie Langley, Sallie Manchester, Sarah W. Covell, Mary S. Sheffield, Margaret Sheffield, Mary L. Ives, Mary J. Peckham, Laura B. Peckham, Antoinette S. Peckham, Martha H. Stedman, Annie Bryant, Martha A. Coggesshall, Sarah T. Hammett, Elizabeth P. Burdick, Jane B. Coggesshall, Louise D. Hammett, Sarah P. Landers, Isabella Sanborn, Mary C. Sherman, Louise Arnold, Elizabeth Vernon, Mary W. Case, Susan C. Weaver, and Leonora H. Vernon; to the Committee on Rules.

Also, petition of Woman's Christian Temperance Union of Woonsocket, R. I., and A. Perrigans, of Lincoln, R. I., favoring national prohibition; to the Committee on Rules.

By Mr. KINKAID of Nebraska: Numerous letters, petitions, and telegrams from residents, churches, Sunday schools, and other organizations of the sixth congressional district of Nebraska, favoring the passage of the Hobson-Sheppard resolution, to permit States to amend the Constitution in favor of national prohibition; to the Committee on Rules.

By Mr. LIEB: Petitions of R. A. Cushman, Mrs. Laura Sweetland, and the Princeton Methodist Church, all of Princeton; Christian Endeavor Societies of first district, voiced by Rev. John E. Cox, of Oakland City; Rev. G. A. Smith and Rev. N. L. New, of the Methodist and Presbyterian Churches, of Fort Branch; and the Men's Bible Class of the Jefferson Avenue Presbyterian Church, of Evansville, in the State of Indiana, favoring national prohibition; to the Committee on Rules.

By Mr. LONERGAN: Petition of the Waterbury Branch of the Connecticut Association, opposing woman suffrage; to the Committee on Rules.

Also, petitions of the Center Church Methodist Episcopal Sunday School and official church board, East Hartford, Conn., favoring national prohibition; to the Committee on Rules.

Also, petition of the City Council of Bristol, Conn., opposing the letting of rural free delivery routes out by contract; to the Committee on the Post Office and Post Roads.

Also, petition of Grace W. Weatherby, East Hartford, Conn., opposing woman suffrage; to the Committee on Rules.

By Mr. MACDONALD: Petition of members of First Methodist Episcopal Church of Calumet and 1,146 citizens, all of the State of Michigan, favoring national prohibition; to the Committee on Rules.

Also, memorial of members of Local 174, International Association of Machinists, Marquette, Mich., in opposition to the use of stop-watch methods in making a time study of the work of Government employees; to the Committee on Labor.

Also, memorial of Branch 201, National Association of Civil Service Employees, Grand Rapids, Mich., relative to retirement of aged Government workers; to the Committee on Reform in the Civil Service.

By Mr. MAHAN: Petition of Lodge No. 11, International Order of Good Templars, Middletown, Conn., favoring national prohibition; to the Committee on Rules.

By Mr. MAHER: Memorial of officers and members of the Broadway Board of Trade, New York, favoring passage of House bill 5139, the Hamill bill; to the Committee on Reform in the Civil Service.

By Mr. MAPES: Petition of citizens of Sparta, Mich., favoring national prohibition; to the Committee on Rules.

By Mr. MOSS of West Virginia: Petition of citizens and churches of Parkersburg, Williamstown, Ravenswood, Harrisville, Spencer, Speed, Troy, Ripley, Middlebourne, Walton, Servia, Sutton, Elizabeth, Flatwoods, and Cairo, all in the State of West Virginia, favoring national prohibition; to the Committee on Rules.

By Mr. O'SHAUNESSY: Petition of Jacob Wiess & Co., Providence, R. I., protesting against national prohibition; to the Committee on Rules.

Also, petition of Newport (R. I.) branch Association Opposed to Woman Suffrage, protesting against suffrage for women; to the Committee on the Judiciary.

By Mr. PALMER: Petition of citizens of Bangor, Pa., urging freedom of press; to the Committee on the Post Office and Post Roads.

Also, petition of executive committee of Federal Council of Churches of Christ in America, favoring national prohibition; to the Committee on Rules.

By Mr. PARKER of New York: Papers to accompany bill granting increase of pension to William M. Gatchell; to the Committee on Invalid Pensions.

Also, papers to accompany bill granting a pension to Fayette B. Vaughn; to the Committee on Invalid Pensions.

Also, papers to accompany bill granting an increase of pension to Benjamin F. Hall; to the Committee on Invalid Pensions.

By Mr. PETERS: Petition of St. Croix Lodge, No. 57, International Order of Good Templars, Calais, Me., favoring national prohibition; to the Committee on Rules.

By Mr. RAINEY: Petition of 90 citizens of Rockport, Ill.; Virginia Women's Club, Virginia, Ill.; Woman's Christian Temperance Union of Timewell, Ill.; and 9 churches and church organizations in the twentieth Illinois district, favoring national prohibition; to the Committee on Rules.

By Mr. REILLY of Connecticut: Petition of citizens of New Haven and West Haven, Conn., favoring national prohibition; to the Committee on Rules.

Also, petition of New Haven Branch of the Connecticut State Association Opposed to Woman Suffrage, against woman-suffrage amendment; to the Committee on Rules.

By Mr. ROGERS: Petitions of 56 church organizations, total membership of 8,397, of the State of Massachusetts, favoring national prohibition; to the Committee on Rules.

Also, petition of citizens of the State of Massachusetts, favoring national prohibition; to the Committee on Rules.

By Mr. SABATH: Petition of sundry voters of the fifth Illinois congressional district, protesting against national prohibition; to the Committee on Rules.

By Mr. SUTHERLAND: Petitions of Elkins (W. Va.) Ministerium; national legislative committee, Anti-Saloon League of America; Christian Endeavor, Methodist Protestant Church of Harrisville; Buckley Methodist Episcopal Church, Wheeling; and the Men's Brotherhood, of Weston, W. Va., favoring national prohibition; to the Committee on Rules.

By Mr. THACHER: Petitions favoring national prohibition from First Baptist Church, Hingham; Congregational Church

and Sunday School, Mattapoisett; Methodist Episcopal Church, Wellfleet; Union Church, Truro; Epworth League and Methodist Episcopal Church, Cotuit; Methodist Episcopal Church and Sunday School, East Wareham; Central Square Church Sunday School, Bridgewater; Memorial Church Sunday School, Methodist Episcopal Church and Sunday School, Plymouth; Baptist Church and Sunday School, Barnstable; Christian Endeavor, Barnstable; Immanuel Baptist Church, New Bedford; Methodist Episcopal Church and Sunday School, Fairhaven; Christian Endeavor, Congregational Sunday School and Church, Middleboro; Methodist Episcopal Church Sunday School, East Falmouth; Universalist Sunday School and Methodist Church, Orleans; Baptist and Methodist Episcopal Churches, Sunday Schools, and Epworth League, Nantucket; Baptist Churches, West Tisbury and Vineyard Haven; Congregational Church, Methodist Episcopal Sunday School, Falmouth; Methodist Episcopal Church and Universalist Sunday School, Eastham, all of Massachusetts; to the Committee on Rules.

By Mr. TREADWAY: Petition of citizens of the State of Massachusetts, favoring national prohibition; to the Committee on Rules.

By Mr. TUTTLE: Petitions of citizens and churches of Elizabeth, Springfield, Rahway, Rockaway, Westfield, Roselle, Dover, New Providence, Roselle Park, and Summit, all in the State of New Jersey, favoring national prohibition; to the Committee on Rules.

By Mr. VOLLMER: Petition of the Philadelphia branch of the National German-American Alliance, asking that Congress pass the necessary law forthwith that will enable the President of the United States to lay an embargo upon all contraband of war, saving and excepting foodstuffs alone, and thereby withdraw from the contending powers all aid and assistance of this Republic; to the Committee on Ways and Means.

By Mr. WEAVER: Memorial of temperance people of Arapahoe and 160 citizens of Crescent, Okla., favoring national prohibition; to the Committee on Rules.

By Mr. WINSLOW: Petitions of 48 church organizations, total membership of 7,046, of the State of Massachusetts, favoring national prohibition; to the Committee on Rules.

By Mr. YOUNG of North Dakota: Petition of Philadelphia branch of the National German-American Alliance, favoring an embargo on the exportation from this country of contraband of war; to the Committee on Ways and Means.

SENATE.

MONDAY, *December 21, 1914.*

The Chaplain, Rev. Forrest J. Prettyman, D. D., offered the following prayer:

Almighty God, the truth that Thou hast declared unto men is in itself the covenant that Thou hast made them. We know that our responsibility is alone according to the measure of our ability to know the truth. But Thy truth does not bind; it sets us free.

So far as we follow the truth as Thou dost give us to see the truth, we may be sure of our task, of our happiness, and of our destiny. It is only when we stultify our intellect in refusing to walk in the light that we meet the dark shadow of Thy frown. We are sure of our way not because we can see the end, but because we know that with zeal and fidelity we follow after the truth. Let Thy grace abide with us this day. For Christ's sake. Amen.

JAMES H. BRADY, a Senator from the State of Idaho, appeared in his seat to-day.

NAMING A PRESIDING OFFICER.

The Secretary (James M. Baker) read the following communication:

UNITED STATES SENATE, PRESIDENT PRO TEMPORE,
Washington, D. C., December 21, 1914.

To the Senate:

Being temporarily absent from the Senate, I appoint Hon. CLAUDE AUGUSTUS SWANSON, a Senator from the State of Virginia, to perform the duties of the Chair during my absence.

JAMES P. CLARKE,
President pro tempore.

Mr. SWANSON thereupon took the chair as Presiding Officer and directed that the Journal of the last legislative day be read.

The Journal of Saturday's proceedings was read and approved.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by D. K. Hempstead, its enrolling clerk, announced that the House had passed the joint resolution (S. J. Res. 213) authorizing the Secretary of the Senate and the Clerk of the House to pay the officers and employees of the Senate and House, including the Capitol police, their respective salaries for the month of December, 1914, on the 22d day of said month.

PETITIONS AND MEMORIALS.

Mr. WHITE. I present a petition from citizens of the city of Attalla, Ala., which I ask may be read and referred to the proper committee.

There being no objection, the petition was read and referred to the Committee on the Judiciary, as follows:

A petition to the Senate of the United States.

We, the undersigned voters, earnestly petition for the passage by the United States Congress of the joint resolution introduced in the House of Representatives December 10, 1913, by Congressman RICHMOND P. HOBSON, and on the same day introduced in the Senate by Senator MORRIS SHEPPARD, providing for the prohibition of the sale, manufacture for sale, and exportation for sale of intoxicating liquors for beverage purposes in the United States and all territory subject to the jurisdiction thereof.

C. R. SHEPHERD
(And others),
Voters of City of Attalla, State of Alabama.

Mr. WHITE. I also present resolutions from the members of the Fifth Avenue Presbyterian Church, in the city of Birmingham, Ala., which I ask to have read and properly referred.

There being no objection, the petition was read and referred to the Committee on the Judiciary, as follows:

Resolutions passed by the board of the Fifth Avenue Presbyterian Church, December 7, 1914.

In view of the fact that it is probable that national prohibition will be voted on in the National House of Representatives and the United States Senate at an early date, be it

Resolved, That the official board of the Fifth Avenue Presbyterian Church, of Birmingham, Ala., heartily indorses national prohibition for the following reasons:

First. We think this the only means to successfully cope with this great evil.

Second. We feel that liquor is by far the greatest enemy of the home and church.

Third. We consider it the greatest enemy of legitimate business of all other lines of commerce. Be it

Further resolved, That these resolutions be inserted in the minutes and a copy be forwarded to each Representative from Alabama in the House and Senate, and that they be urged to support said bill or bills.

W. M. CORBY,
R. L. CASS,
J. L. TYLER,
Committee.

Mr. SHEPPARD presented petitions of the Seventh-day Adventist Church of Takoma Park, D. C.; of the Highland Congregational Club, of Chesterfield, Mass.; of the Ministerial Association of Council Bluffs, Iowa; of International Order of Good Templars, of Mountain, N. Dak.; and of sundry citizens of Jefferson and Galveston, in the State of Texas, praying for national prohibition, which were referred to the Committee on the Judiciary.

Mr. BRISTOW presented petitions of sundry citizens of Kirwin, Topeka, Hays City, and Ford, all in the State of Kansas, praying for national prohibition, which were referred to the Committee on the Judiciary.

Mr. PITTMAN. I present a telegram in the nature of a petition from Mrs. E. W. Vendevender, president of the Woman's Christian Temperance Union of Reno, Nev., which I ask may be printed in the RECORD.

There being no objection, the telegram was ordered to be printed in the RECORD, as follows:

RENO, NEV., *December 13, 1914.*

Hon. KEY PITTMAN,
United States Senate, Washington, D. C.:

One thousand votes in churches and Sunday schools of Reno for National Constitution prohibition amendment. Please inform Hon. FRANCIS G. NEWLANDS and Hon. E. E. ROBERTS.

Mrs. E. W. VENDEVENDER,
President Reno Woman's Christian Temperance Union.

Mr. BRANDEGEE presented a petition of State Council of Connecticut, Junior Order United American Mechanics, of Stamford, Conn., praying for the enactment of legislation to further restrict immigration, which was ordered to lie on the table.

He also presented petitions of the official board of the Center Methodist Episcopal Church, and members of the Center Methodist Episcopal Church Sunday School; of Dristigheten Lodge, No. 11, International Order of Good Templars, Middletown; Svea Lodge, No. 52, International Order of Good Templars, of Branford; of Enighet Lodge, No. 42, International Order of Good Templars, of Manchester; of sundry citizens of Branford; of sundry citizens of Manchester; of Norden Lodge, No. 37, International Order of Good Templars, of New Britain; of the congregation of Union Plainfield Baptist Church, of Moosup; of sundry citizens of West Haven; of the congregation of First Methodist Episcopal Church of West Haven; of mem-

bers of the Methodist Episcopal Church of Gales Ferry; of sundry citizens of Shelton; of members of the Methodist Episcopal Church of Niantic; of members of the Methodist Episcopal Church of Willimantic; of the Methodist Episcopal Church of Lyme; and of the Connecticut Baptist Convention, held at Hartford, all in the State of Connecticut, praying for national prohibition, which were referred to the Committee on the Judiciary.

Mr. BURLEIGH presented a petition of Snowflake Lodge, International Order of Good Templars, of Mattawamkeag, Me., and of a petition of Maine Conference Itinerant's Institute of the Methodist Episcopal Church of Rumford, Me., praying for national prohibition, which were referred to the Committee on the Judiciary.

Mr. GALLINGER presented a petition of Eugene S. Barnes, of Claremont, N. H., praying that a reduction be made in the appropriations for purposes of war, which was referred to the Committee on Military Affairs.

He also presented a petition of Sandwich Association of Free Baptist Churches, of Meredith, N. H., praying for national prohibition, which was referred to the Committee on the Judiciary.

Mr. MARTINE of New Jersey presented petitions of sundry citizens of Woodstown, N. J., praying for national prohibition, which were referred to the Committee on the Judiciary.

Mr. TOWNSEND presented a telegram in the nature of a memorial from sundry citizens of Norway, Mich., and a memorial of the Federation of Labor of Detroit, Mich., remonstrating against national prohibition, which were referred to the Committee on the Judiciary.

He also presented petitions of sundry citizens of Michigan, praying for national prohibition, which were referred to the Committee on the Judiciary.

Mr. CLAPP presented a petition of the Woman's Christian Temperance Union of Minneapolis, Minn., praying for national prohibition, which was referred to the Committee on the Judiciary.

Mr. WARREN. I present a telegram in the nature of a petition from P. A. Shope, business agent of the Wyoming State Grange, Patrons of Husbandry, which I ask may be printed in the RECORD and referred to the Committee on the Judiciary.

There being no objection, the petition was referred to the Committee on the Judiciary and ordered to be printed in the RECORD, as follows:

[Telegram.]

WHEATLAND, WYO., *December 15, 1914.*

HON. FRANCIS E. WARREN,
United States Senate, Washington, D. C.:

The Wyoming State Grange, representing 21 subordinate and 2 Pomona granges, with 495 members, in annual session assembled here unanimously adopted resolution favoring national constitutional prohibition and respectfully asking your support for the Hobson-Sheppard joint resolution now before Congress.

P. A. SHOPE,
Business Agent Wyoming State Grange.

Mr. WARREN presented a petition of sundry citizens of Burns, Wyo., praying for national prohibition, which was referred to the Committee on the Judiciary.

He also presented a memorial of the Ohio Labor Home Rule Association, remonstrating against national prohibition, which was referred to the Committee on the Judiciary.

NATIONAL DEFENSE.

Mr. SHERMAN. I present a petition from the University of Illinois, relating to national defense. I ask to have it printed in the RECORD.

There being no objection, the petition was ordered to be printed in the RECORD, as follows:

[The University of Illinois Special Press Bulletin, December 21, 1914.]

OPEN LETTER TO THE PRESIDENT OF THE UNITED STATES BY EDMUND J. JAMES, PRESIDENT OF THE UNIVERSITY OF ILLINOIS, ON OUR NATIONAL DEFENSE.

SIR: The views expressed by you in your recent message to Congress concerning the ultimate reliance of the American people for a satisfactory scheme of national defense must command the support of all thoughtful Americans. Neither the system of universal military service, however many and substantial may be its advantages, nor that of a large standing army will ever be adopted by this country unless it should be really in continuous danger of invasion by foreign enemies or of destruction by domestic conflict. Neither of these possibilities is likely to be imminent in our day and generation.

We must, then, as you suggest, rely for our national defense upon a citizen soldiery. In such a scheme, however, one of the most serious difficulties is that of obtaining and maintaining a sufficient number of properly trained officers to man the regiments of the militia or National Guard. England is experiencing this difficulty at the present time in a most acute way—we also in the development of our National Guard.

I desire to call your attention to the simplest and most economic method of creating an adequate corps of properly trained officers in the United States to-day.

We have at present in each State in the Union at least one public institution supported in part by the State and in part by the Federal Government, in which instruction and drill are required of all or of a considerable proportion of the male students in such institutions. These are the colleges founded upon the proceeds of the Federal land grant of July 1, 1862.

In Illinois, for example, the State university, which received its first endowment from the Federal Government in the grant above mentioned, requires all the young men in the first and second years of the college course to participate in regular military drill to the extent of three hours per week. The students must provide themselves with uniforms, while the Federal Government supplies the guns and the supervision of the military instruction, and the State authorities furnish the armory and drill grounds.

The cadet force at present consists of a full brigade, made up of two regiments, and, including the military bands, numbers nearly 2,000 men, equal to about three National Guard regiments of the average size.

The War Department details a Regular Army officer to take charge of the work, who gives instruction to the cadet officers himself, these in turn instructing and training the privates. The cadet officers are selected by the military commandant from among those cadets who have distinguished themselves for their work as privates and who have a good standing in their academic courses.

The State of Illinois has just erected an armory which provides a drill hall with uninterrupted floor space of 200 by 400 feet—that is, 80,000 square feet—offering opportunity to carry on effective military drill throughout the year, winter as well as summer. This armory is known locally as the Temple of Peace, and surely a building like this, erected by a peace-loving people, for purely defensive purposes, may properly enough claim this suggestive title.

These university cadets, coming as they do from all parts of the State and country, from all social, industrial, and political classes, rich and poor, agricultural and manufacturing, Democratic and Republican, Progressive and Socialist; belonging to all colleges—agricultural, engineering, liberal arts and sciences—form the very best material for officers in the Militia and National Guard and other divisions of a truly popular Army.

Their college training guarantees a standard of general education fully equal to that of West Point and Annapolis graduates.

By extending the time of this military training from three hours to six hours per week and from two years to four years ample opportunity would be gained to secure a military training which would justify their appointment as brevet second lieutenants in the Federal Army or National Guard and make them the most valuable material for officers wherever they might be and whenever they should be needed.

If the Federal Government were to offer $250 per year to each cadet who would pledge himself to give this extra time to a study of military tactics and practical drill in military matters for four years, I have no doubt that anywhere from 100 to 250 officers of the second-lieutenant grade could be graduated from the University of Illinois every year and corresponding numbers from similar institutions. From 2,000 to 3,000 such officers would be added annually to the immediately available forces of our system of national defense.

I am myself a pacifist of rather an extreme type. I long for the time when international war will cease, but all history gives the lie to the doctrine that a state of military unpreparedness will insure the preservation of peace.

The wars of the French Revolution came upon Europe at a time when no single nation was prepared for war. It was the total unpreparedness of Europe for armed conflict which enabled Napoleon to overrun the Continent. The state of almost idiotic unpreparedness of the United States for the War of 1812 did not prevent us from going into the war, and led, naturally, to an almost continuous series of defeats on land until after the treaty of peace had been signed.

Certainly our unpreparedness for war did not prevent us from seizing half the Territory of Mexico in the forties.

The great Crimean War, in which, it must not be forgotten, nearly as large a proportion of the civilized world was involved as in the present war; the French-Austrian War, in 1859, and, above all, our own Civil War, from 1861 to 1865, are good illustrations of how quickly nations go into great wars on occasions without any real preparation and disposes absolutely of the contention that lack of preparation for war insures peace.

This proposition is further supported by the fact that unpreparedness for war did not prevent the Japanese-Chinese War, nor the English-Boer War, nor the Spanish-American War, nor the Russian-Japanese War, nor the Italian-Turkish War, nor the Balkan War, all of which wars, some of them of very great importance, have occurred within the last 20 years.

If preparedness for war does not guarantee peace, as we have plainly seen in the present great war in Europe, neither does unpreparedness; but the general knowledge that a great and powerful nation is ready to give a good account of itself in case it is attacked will go far to prevent such attacks. If overpreparedness for war, like that of Germany, for instance, may easily lead to wars of aggression, distinct unpreparedness on the part of a wealthy nation offering great opportunities for loot, like that of China, for example, easily provokes invasion. The only safe course for us is to establish and maintain a reasonable military force sufficient for effective national defense.

Let us by all means, then, develop the citizen soldiery, and let us take the first step toward creating a sufficient force of this sort by organizing and developing a sufficient and adequately trained corps of officers through the utilization of the great national State schools now in existence.

THE JUDICIAL CODE.

Mr. CHILTON. From the Committee on the Judiciary I report back favorably without amendment the bill (H. R. 19076) to amend an act entitled "An act to codify, revise, and amend the laws relating to the judiciary," approved March 3, 1911, and I submit a report (No. 847) thereon.

The PRESIDING OFFICER. The bill will be placed on the calendar.

Mr. CHILTON. I ask that the report accompanying the bill may be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The report is as follows:

[Senate Report No. 847, Sixty-third Congress, third session.]

AMENDMENTS TO THE JUDICIAL CODE.

Mr. CHILTON, from the Committee on the Judiciary, submitted the following report:

The Committee on the Judiciary, to whom was referred the bill (H. R. 19076) to amend an act entitled "An act to codify, revise, and amend the laws relating to the judiciary," approved March 3, 1911, having considered the same, beg leave to report it back without amendment and to recommend that it do pass.

[House Report No. 1182, Sixty-third Congress, second session.]

SECTION 1.

The first section of this bill amends section 116 of the judiciary act of 1911 by adding Porto Rico to the first circuit. Porto Rico has not heretofore been attached to any circuit, and in that respect differs from Hawaii, which has long been attached to the ninth circuit. There is, it is submitted, absolutely no reason for that difference. Porto Rico is attached to the first circuit, because there is less business pending there than in any other circuit court of appeals, and because there are established lines of communication between Porto Rico and our North Atlantic seaports.

SECTION 2.

The second section of this bill amends sections 128, 238, and 246 of the Judicial Code.

The changes made in section 128 are:

1. The words "and the United States District Court of Porto Rico" are added, thus conferring upon the circuit court of appeals for the first circuit the same jurisdiction with respect to Porto Rico that the circuit court of appeals for the ninth circuit now possesses with respect to Hawaii.

2. The words "under the trade-mark laws" are added, thus conferring the same jurisdiction with respect to trade-marks as now exists with respect to patents and copyrights. The Supreme Court has held, in the very recent case of Street *v.* Smith (231 U. S.), that the judgments and decrees of the circuit courts of appeal are final in cases arising under the trade-mark act of 1905, and the addition of the above words is intended to include also cases arising under prior trade-mark legislation. There can, of course, be no good reason why all trade-mark cases should not be governed by exactly the same rules and procedure as patents, copyrights, and trade-mark cases arising under the act of 1905.

The only change made in section 238 is the words "and the United States District Court of Porto Rico" are added, thus conforming the position of Porto Rico to that now occupied by Hawaii.

The changes in section 246 are:

1. The words "and of the Supreme Court of Porto Rico" are added, thus applying the provisions of this section to Porto Rico the same as they now apply to Hawaii.

2. Relieving the Supreme Court of the United States from the necessity of reviewing such cases from the Supreme Courts of Porto Rico and Hawaii as involve no Federal question but depend entirely upon the local or general law. Under the law as it now stands the decisions of the Supreme Courts of Porto Rico and Hawaii are reviewable by the Supreme Court of the United States not only when some Federal right is in controversy but also in all cases which involve more than $5,000 without respect to the character of the questions involved. This section as amended includes Porto Rico with Hawaii and continues the existing right to review in the Supreme Court when Federal rights are in controversy but leaves all other cases to be dealt with upon a petition for a writ of certiorari, as is now the law with respect to most of the cases in the circuit court of appeals.

SECTION 3.

Section 3 of this bill repeals section 244 of the judiciary act of 1911. That repeal is made necessary and proper because all of the cases provided for in it are taken care of by the preceding amendments.

SECTION 4.

Section 4 makes the decision of the circuit court of appeals final in bankruptcy proceedings and cases; but still leaves the Supreme Court with the power to review, through certiorari, such proceedings and cases as it may deem necessary and proper. The bankruptcy law has now been so thoroughly construed that there is not much doubt about any of its provisions, and cases now coming to the Supreme Court under it involve complicated questions of fact rather than of law. Besides all of this, many of these matters now have four hearings—one before the referee, one in the district court, one in the circuit court of appeals, and one in the Supreme Court. Certainly all litigants ought to be satisfied with a hearing before the referee, a trial in the district court, an appeal to the circuit court of appeals, with a right to review in the Supreme Court of the United States by a writ of certiorari upon a sufficient showing.

SECTION 5.

Section 5 denies railroad corporations the right to resort to Federal courts merely upon the ground that they hold a charter from the Federal Government. It is believed that the Texas Pacific is now the only railroad in this country which will be affected by this provision, and it is difficult to perceive any good reason why that road should be allowed to carry those who sue it into the Federal courts when its defense does not involve the construction of any law or treaty, or the Constitution of the United States, but depends solely on the naked assertion that it was incorporated under a Federal law.

POSTPONEMENT OF SALE OF FUR SKINS.

Mr. THORNTON. On behalf of the Committee on Fisheries I report back favorably without amendment the joint resolution (S. J. Res. 214) authorizing the Secretary of Commerce to postpone the sale of certain sealskins. I ask that it be read, and then I will ask unanimous consent for its present consideration.

The PRESIDING OFFICER. The Secretary will read the joint resolution.

The joint resolution was read, as follows:

That the Secretary of Commerce be, and he hereby is, authorized to postpone the sale of all skins now in possession of the Government, taken from seals killed on the Pribilof Islands for food purposes, under section 11 of the act of August 24, 1912, until such time as in his discretion he shall deem advisable, and the proceeds of such sale shall be covered into the Treasury of the United States.

Mr. THORNTON. I ask unanimous consent for the present consideration of the joint resolution for the reason which I shall state. As Senators are aware, in 1912 a law was enacted forbidding the further killing of the Government seals on the Pribilof Islands for five years, with the exception of certain old males and some that were needed to be killed for food for the islanders. At the same time provision was made so that the skins of such animals should be sold at public auction by the Government and the proceeds placed to the credit of the United States in the Treasury.

Last year was the first sale that was made under the law, and it was made at St. Louis. Theretofore sales had been made in London. At the sale in St. Louis there was very keen competition. Foreign buyers from all over Europe attended the sale and also our domestic buyers. The result was that the sale brought 5 per cent more than the sale did in London the previous year.

By the law the sale is required to take place annually, and without an authorization of Congress to that effect the Secretary of Commerce will be required to sell the skins again this year. The Assistant Secretary of Commerce has just visited St. Louis, and he found that no foreign buyers whatever are coming there on account of the complications arising from the European war. Consequently there would be no competition and there would be a greatly reduced price in the sale. For that reason the Secretary of Commerce asked that this joint resolution be introduced authorizing him to postpone the sale in his discretion until the exigencies of the situation are over. It is in the interest of the revenue of the Government.

Mr. HITCHCOCK. I should like to ask what number of skins are now held under the order of the Secretary of Commerce.

Mr. THORNTON. A little under 4,000. Last year, the first year under the law, it was between 2,000 and 3,000. This year it is between 3,000 and 4,000. Last year the sales brought to the Government about $54,000. This year, on the same basis, allowing for competition, they would amount to between $90,000 and $100,000.

Mr. HITCHCOCK. How does it occur that under the restrictive legislation which we passed as many as 4,000 skins have been secured?

Mr. THORNTON. Because it was necessary to increase the killing this year on account of providing food for the islanders. I think I will request that in this connection, for the information of the Senate, the letter of the Assistant Secretary of Commerce be read. It gives more information than I have given.

The PRESIDING OFFICER. The letter will be read.

The Secretary read as follows:

DEPARTMENT OF COMMERCE,
OFFICE OF THE SECRETARY,
Washington, December 18, 1914.

MY DEAR SENATOR: Confirming my conversation with you this morning with reference to a joint resolution authorizing the postponement of the sale of the sealskins which have been brought down from the Pribilof Islands and which are now in the possession of the Government, until such time as the Secretary of Commerce shall deem advisable, permit me to remind you that the law on this subject requires the sale of these sealskins annually, and this department is advised by its solicitor that in the absence of legislative authority for postponement the sale must take place during the present fiscal year.

The number of the sealskins now in possession of the Government is 3,284. It is the custom of the trade to sell such skins at auction, and this has been the invariable practice of the Government. The first sale of Pribilof Island sealskins in the United States was held at St. Louis, Mo., on December 16, 1913. A large number of foreign buyers were present on that occasion, and their bidding had much to do with the satisfactory prices obtained. Most of such foreign buyers were from European countries now at war. It is quite certain that if such sale were to be held at the present time or in the near future very few, if any, foreign buyers would be present, and competition would be reduced to such an extent as to materially affect the prices that would be obtained. This department is advised that the skins can be retained without risk of deterioration and with very little expense. It is impossible at this time to decide when the interests of the Government will require the sale to be held, and for that reason it is deemed advisable to authorize the Secretary of Commerce to use his discretion in fixing the date.

The number of skins sold last year was 1,896, and they brought $54,579, the average price being about 5 per cent higher than was paid for similar skins at the London sales a short time before. It was found last year that the number of seals authorized to be killed for food for the natives was insufficient and consequently the number was increased this year.

As this is purely a business matter the department strongly recommends the adoption of the joint resolution proposed.

Respectfully, yours,

E. F. SWEET,
Assistant Secretary.

Hon. J. R. THORNTON,
United States Senate, Washington, D. C.

Mr. HITCHCOCK. I have no doubt that the joint resolution is a proper measure, but I was surprised to find that so large a

number as 4,000 seals had been killed for food purposes. I had something to do with securing the passage of the restrictive legislation. A provision was inserted allowing the killing of such seals as were necessary for food purposes, but I had no conception that as many as 4,000, or even 3,000, would be required for that purpose. I should like to ask the Senator from Louisiana if he can inform the Senate what number of natives there are on the islands dependent in whole or in part upon the seals for food?

Mr. THORNTON. I am not able to answer that question. The only information I have on the subject is that the increased number of seals that were killed was due to the fact that it was found that an increased number was necessary to supply the natives with food. The Senator will remember, as he was instrumental in having the bill passed, the present number was called for for the reasons given in the debate in 1912, and in addition to that a certain number of males were to be selected—enough to give the food necessary to the natives. I see that I was mistaken in saying that there were about 4,000 killed. The number was a little under 2,000. I do not know the number of natives. All I know is the statement that this number is necessary in order to feed the natives, and the increased number killed is due to that fact.

Mr. HITCHCOCK. I think there is no objection to the joint resolution.

There being no objection, the joint resolution was considered as in Committee of the Whole.

The joint resolution was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

BILLS AND JOINT RESOLUTION INTRODUCED.

Bills and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. SMITH of Georgia:

A bill (S. 7015) to amend section 77 of an act entitled "An act to codify, revise, and amend the laws relating to the judiciary," approved March 3, 1911; to the Committee on the Judiciary.

By Mr. BRISTOW:

A bill (S. 7016) granting a pension to John P. Todd (with accompanying papers); to the Committee on Pensions.

By Mr. SHAFROTH:

A bill (S. 7017) granting a pension to Beulah C. Hicks; to the Committee on Pensions.

By Mr. PENROSE:

A bill (S. 7018) granting a pension to John McAteer (with accompanying papers);

A bill (S. 7019) granting a pension to Bessie M. Cogley (with accompanying papers);

A bill (S. 7020) granting an increase of pension to Cinderella B. McClure (with accompanying papers);

A bill (S. 7021) granting a pension to Emma V. K. Keleher (with accompanying papers);

A bill (S. 7022) granting a pension to G. M. Chamberlain (with accompanying papers);

A bill (S. 7023) granting a pension to Eugene F. Clements;

A bill (S. 7024) granting an increase of pension to Anna M. Keffer; and

A bill (S. 7025) granting a pension to Jeremiah Stump; to the Committee on Pensions.

By Mr. JONES:

A bill (S. 7026) granting an increase of pension to Thomas H. Rutter;

A bill (S. 7027) granting an increase of pension to Canrisa R. H. Richey;

A bill (S. 7028) granting a pension to Ann L. Elliott;

A bill (S. 7029) granting an increase of pension to Mahala Clemons; and

A bill (S. 7030) granting an increase of pension to Charlotte Randall (with accompanying papers); to the Committee on Pensions.

By Mr. HARDWICK:

A bill (S. 7031) granting an increase of pension to Alice Pollock; to the Committee on Pensions.

By Mr. CLARK of Wyoming:

A bill (S. 7032) granting an increase of pension to Mary R. Kendall; to the Committee on Pensions.

By Mr. GALLINGER:

A bill (S. 7033) granting an increase of pension to Augustus P. Horne (with accompanying papers); and

A bill (S. 7034) granting an increase of pension to Ellen C. Gardner (with accompanying papers); to the Committee on Pensions.

By Mr. TOWNSEND:

A bill (S. 7035) granting a pension to Mary E. Weeks (with accompanying papers); to the Committee on Pensions.

By Mr. ROBINSON:

A bill (S. 7036) granting an increase of pension to Annie R. Jewett; to the Committee on Pensions.

By Mr. JAMES:

A bill (S. 7037) granting an increase of pension to Ann Jolly (with accompanying papers);

A bill (S. 7038) granting an increase of pension to Katherine Bird (with accompanying paper); and

A bill (S. 7039) granting a pension to Martha J. Reynolds (with accompanying papers); to the Committee on Pensions.

By Mr. JONES:

A joint resolution (S. J. Res. 215) to refund under certain conditions, and for the year 1914, a portion of the offers in compromise for failure to make the return required under the act of October 3, 1913, said offers in compromise having been covered into the Treasury; to the Committee on Finance.

OMNIBUS CLAIMS BILL.

Mr. SMITH of Georgia submitted an amendment intended to be proposed by him to the omnibus claims bill (H. R. 8846), which was referred to the Committee on Claims and ordered to be printed.

Mr. HARDWICK submitted an amendment intended to be proposed by him to the omnibus claims bill (H. R. 8846), which was referred to the Committee on Claims and ordered to be printed.

JOE H. NORRIS.

Mr. WARREN submitted an amendment proposing to appropriate $260.68 to pay Joe H. Norris for salary, etc., while performing the duties of supervisor of Indian schools from October 21, 1912, to November 11, 1912, etc., intended to be proposed by him to the Indian appropriation bill (H. R. 20150), which was referred to the Committee on Indian Affairs and ordered to be printed.

WITHDRAWAL OF PAPERS—EDWIN SNYDER.

On motion of Mr. BRISTOW, it was—

Ordered, That the papers accompanying the bill (S. 3692) granting an increase of pension to Edwin Snyder be withdrawn from the files of the Senate, there having been no adverse report thereon.

THE NATIONAL ARCHIVES.

Mr. POINDEXTER. I submit a document entitled "The National Archives," reprinted from the American Historical Review, written by Mr. Waldo Gifford Leland, on a bill which has already passed Congress, for the construction of an archives building. It is a description of the archives of the Government and the condition in which they are to be found. I ask that it be printed as a public document.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Washington?

Mr. FLETCHER. I did not hear the request.

The PRESIDING OFFICER. The Secretary will state it.

The SECRETARY. Mr. POINDEXTER desires to have printed as a public document the pamphlet entitled "The National Archives," a program by Waldo Gifford Leland, reprinted from the American Historical Review of October, 1912.

Mr. FLETCHER. Mr. President, it seems to me that the document should go to the Committee on Printing. I presume there will be no objection to having it printed, and if it is not very important to act on it at once I should rather have it go to the committee, for I think it ought to take that course.

Mr. POINDEXTER. If the Senator from Florida desires the document to go to the Committee on Printing, I have no objection at all. It contains very valuable and, I think, very essential information in connection with a work which has already been authorized, that of providing for the erection of an archives building for the Government.

Mr. FLETCHER. I think, as a matter of general practice, such matters should go to the Committee on Printing, because there is a rule that requires that all such documents shall not be ordered printed until there is an estimate of the cost, and so forth. I should rather have the document take that course.

Mr. POINDEXTER. I have no objection to that.

The PRESIDING OFFICER. The document will be referred to the Committee on Printing.

REPORT ON MEDIATION AND CONCILIATION (H. DOC. NO. 1423).

The PRESIDING OFFICER laid before the Senate the following message from the President of the United States, which

was read and, with the accompanying paper, referred to the Committee on Interstate Commerce and ordered to be printed:

To the Senate and House of Representatives:

I transmit herewith, for the information of the Congress, the first annual report of the Commissioner of Mediation and Conciliation on the operations of the United States Board of Mediation and Conciliation for the fiscal year ended June 30, 1914.

WOODROW WILSON.

THE WHITE HOUSE, *December 21, 1914.*

REGULATION OF IMMIGRATION.

The PRESIDING OFFICER. The morning business is closed.

Mr. SMITH of South Carolina. I move that the Senate proceed to the consideration of House bill 6060, the unfinished business.

Mr. O'GORMAN. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The Senator from New York suggests the absence of a quorum. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst	Gore	Overman	Smith, S. C.
Brady	Gronna	Page	Smoot
Brandegee	Hardwick	Penrose	Sterling
Bristow	Hitchcock	Perkins	Sutherland
Burton	Hughes	Pittman	Swanson
Catron	Johnson	Poindexter	Thornton
Chilton	Jones	Pomerene	Townsend
Clapp	Kern	Ransdell	Vardaman
Clark, Wyo.	La Follette	Reed	Walsh
Crawford	Lane	Robinson	White
Culberson	Lee, Md.	Shafroth	Williams
Cummins	Lodge	Sheppard	Works
Dillingham	Myers	Sherman	
Fletcher	O'Gorman	Smith, Ga.	
Gallinger	Oliver	Smith, Md.	

Mr. SHAFROTH. I desire to announce the absence of my colleague [Mr. THOMAS] by consent of the Senate and to state that he is paired with the senior Senator from New York [Mr. ROOT].

Mr. TOWNSEND. I wish to announce that the senior Senator from Michigan [Mr. SMITH], who is absent from the city, is paired with the junior Senator from Missouri [Mr. REED]. This announcement may stand for all votes to-day.

Mr. KERN. I desire to announce the unavoidable absence of my colleague [Mr. SHIVELY].

Mr. CUMMINS. I desire to announce that my colleague [Mr. KENYON] is absent from the city and is paired with the junior Senator from Kentucky [Mr. CAMDEN].

Mr. OVERMAN. I desire to announce that my colleague [Mr. SIMMONS] has been called home on account of important business.

Mr. LANE. I wish to announce that my colleague [Mr. CHAMBERLAIN] is unavoidably absent on business of the Senate.

The PRESIDING OFFICER. Fifty-seven Senators have answered to their names. A quorum is present.

Mr. SMITH of South Carolina. I renew my motion that the Senate proceed to the consideration of the unfinished business.

The PRESIDING OFFICER. The question is on the motion of the Senator from South Carolina.

Mr. O'GORMAN. On that I ask for the yeas and nays.

The yeas and nays were not ordered.

The motion was agreed to; and the Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 6060) to regulate the immigration of aliens to and the residence of aliens in the United States.

The PRESIDING OFFICER. The Secretary will state the pending amendment.

The SECRETARY. The pending amendment is the one offered by Mr. THOMAS, as modified, proposing to strike out certain words on page 9, lines 6 to 12, and in lieu thereof to insert:

That the following classes of persons, when otherwise qualified for admission under the laws of the United States, shall be exempt from the operation of the illiteracy test, to wit: All aliens who shall prove to the satisfaction of the proper immigration officer or to the Secretary of Labor that they are seeking admission to the United States to avoid religious, political, or racial persecution, whether such persecution be evidenced by overt acts or by discriminatory laws or regulations.

The PRESIDING OFFICER. The question is on the amendment proposed by the Senator from Colorado as modified.

Mr. SHERMAN. Mr. President, I desire to make some general observations on the literacy test before the matter shall have proceeded further.

This test is one that would exclude a large number of immigrants presenting themselves who now are capable of being admitted under existing laws. It occurs to me that the only justification for this proposed change is the improvement of our own population. I do not care much myself to go into the question of the right of asylum. We may enlarge our borders here for the purpose of furnishing a more commodious home and a safer and better place for those who come from abroad, but, as I wish to consider the question, it is entirely a question of improving our own population.

The Senator from Mississippi [Mr. WILLIAMS] a day or two ago seemed to take the view that all the ignorant people in the world were the unlettered people. I would have been very glad if I could, on the impulse of the moment, have made whatever comment I desired right on the heels of that statement. It may or may not be correct. I do not think so; I can only sustain myself by giving such views as present themselves to me.

Mr. President, if all the wise men of the world have obtained their wisdom from between the lids of books, then I have lived some years and engaged in business of various kinds to no purpose. I have an idea that the test whether a man is learned or unlearned, literate or illiterate, useful or otherwise, and a desirable or an undesirable person depends very largely on what he is able to do after he gets in here.

I think, Mr. President, this country is surfeited with essayists, with professors of economics, with gentlemen who ride hobbies, with Chautauqua performers, with those who are enamored of theories, who are statesmen on paper and in parlors, but who are totally unable to deal with men and with actual conditions and things as they present themselves in government. The foregoing classification covers a large number of agitators in this country who propose to regenerate mankind by passing resolutions and who on platforms are celebrated mostly for the sensations they create amongst audiences wherein the gate money is the inspiration and the text of the address arranged to draw the sensation-loving populace. Those gentlemen all are clamoring for a test that shall consist of the ability or the inability to read something, whether it be in our tongue or somebody's else tongue. The fitness or unfitness of those immigrants who present themselves is to be decided by an interpreter.

I had an idea, Mr. President, that these useful gentlemen, who have been reforming everything in the country all the way from Oyster Bay to California, would be perfectly competent themselves to interpret everything that needed interpretation. Still we would have to have some seven or eight tongues constantly employed wherever an immigrant proposed to come into our country. Under this bill upon the honesty or dishonesty, upon the fitness or unfitness, the fairness or unfairness, of these interpreters would depend the question of whether proposed immigrants should be admitted or excluded.

If all the people who are unlettered are ignorant, are now to be excluded, then our ancestors, Mr. President, were totally unfit to found an empire. It did not qualify a Revolutionary soldier because he could not read; neither did it make him unfit to be an instrument for good. I do not know how educated my great-grandfather was. I never saw him or heard of him. Many of us have little pride of ancestry in this country, and, for my part, I am reasonably glad of it.

We are a mixed breed; and the difficulty is, Mr. President, if we do not have a little red blood from over the seas, we are going to breed out. What we need to do in this country, as the old ladies say out in the poultry yard, is to swap roosters once in a while. It seems as though the authors of this bill have forgotten that indispensable fact in the poultry yard of human affairs.

The fact that I have no pride of ancestry myself does not lead me to decry the qualifications of those who have. I shall not quarrel with them. I shall offer no invidious criticisms of those gentlemen. All I wish to say is that when they propose that a man shall conform to some literacy test, my idea is that it is too narrow.

I do not know how to put this the most briefly. I do not desire to occupy much space in the CONGRESSIONAL RECORD, because the longer I stay around this body the more I believe that the more space you occupy in the RECORD the less useful you are in human affairs. The Treasury is already burdened enough, without increasing the printing bill. So I do not care, for myself, to do more than make some very general observations.

The body of men that I have the honor to represent in part, together with my esteemed colleague, present a very mixed constituency—not only mixed in belief, but mixed in nationality and blood. God knows that if difference of belief made a mixed constituency we would not have any out in our country, because few there believe any two ways alike. If we had to make a discrimination on account of race, it would only add to the difficulty. I used to have a colony of Arabs among my constituents. I do not think they are naturalized. Probably they are not qualified under the laws of the country to become naturalized. We have some Turks. We have everybody from Europe that is now engaged in trouble, and many of them that are not,

in their home countries. It takes seven languages to run a campaign out there. Some of us have recently emerged from a campaign of that kind. Some did not emerge at all. [Laughter.] But when it comes to a literacy test with seven tongues in a campaign, I have an idea that in this campaign those who could not read the English language voted and behaved about as intelligently as some of those whose ancestors came over in the *Mayflower*, and whose family tree would run back to a hemp string, as one of colleagues on the other side of the Chamber [Mr. REED] said not many days ago.

So, if it comes to a matter of behavior, I would agree with my friends that that ought to be made the test. If it is a matter of having college degrees or having a diploma written in some dead tongue, or being able to read some language that is living, I doubt whether that makes a test that will add to the wisdom, the virtue, or the usefulness of our population.

The difficulty I see on this point, Mr. President, is that when you impose the literacy test it assumes that because a man has some education, because he can read in some tongue—either our own or some other one—that settles the question. If otherwise under this bill or existing laws he is qualified—if he is not an anarchist, if he is not opposed to organized government, if he does not believe in killing those who are in authority or destroying those who represent any reasonable form of government known to civilized man—he is desirable. If the test of literacy is to be further imposed upon the immigrant, it must be with a view of obtaining a fitter kind.

I thought that over a good deal in some leisure moments while I have been listening to the accumulated wisdom of the ages that pours itself in rills and torrents around this body, and I have not yet heard anything, however much I should like to change my views, that caused me to do so. I prefer to vote for this bill without the literacy test. I am inclined to think the literacy test now is more popular, outside of a few large cities in my home State, than the reverse. The easy way would be to flow with the current of this bill.

In the long, hot summer nights, when there is not very much doing around the Loop inside of the habitable part of Chicago, where nobody lives but those who do business by night—the rest of them have gone home—there is a popular place that corresponds to the place designated among the old Greeks for the discussion of public questions. There is a sort of a forum down about Jackson Boulevard on the curbstone. There, on soap boxes or on the curbstones, wherever they can stand conveniently, a number of educated gentlemen from abroad hold forth in the gloaming on public questions. I very often go about for the purpose of listening to what is necessary for the public welfare, and that is the place to find it.

The progenitors of some of these gentlemen, some 20 or more years ago, on the west side of the city of Chicago, carried into effect some of the theories promulgated by the philosophers of the Old World. They killed a number of policemen over at the Haymarket because they were interfering with the alleged right of free speech and the right of public assemblage. Afterwards they were "judicially murdered," in the language of these philosophers; and their experience was entirely sufficient to create a scene of profound peace where before there had been numerous disturbances on the Lake Front. This was an extreme form of the theories promulgated by some of these gentlemen who emigrated from other countries, all of whom could stand the literacy test when they enriched us with their presence. Possibly they left their native countries for their countries' good. I am sure they did not come to our country for our good.

I very often engage in conversation with those gentlemen. They are a type. They did not come here by accident. They came by premeditated design. They were not assisted emigrants, except so far as they were assisted by laws which they had violated and regarded as oppressive in the country from which they emigrated. They have an idea that this country is open enough for free speech to degenerate into advice for disorder and for a free press to degenerate into lawless license; so over they come. They undertake to carry into effect what they consider the rights of lawless license rather than free speech and of a free press. That it results in disorder is only a natural consequence; it is what they intend. They are not talking for the mere purpose of being heard. They are talking for the purpose of inciting somebody to action. Usually, when they are let alone for a long time, they succeed. When they incite somebody to action it usually results in a public disturbance.

There is not a solitary one of those men, not a lecturer on the curbstone, not a soap-box orator, not a solitary one of these essayists and political philosophers and dealers in dreams that could not stand any literacy test ever invented. Why, some of them bear degrees from ancient universities. Still I do not regard them as desirable citizens. I do not charge their perversion to their education. I only say their degrees emphasize their uselessness.

If I had my choice about it, before I ever sent anybody under my charge to a university I would go to the faculty of the university and find out what kind of a professor of economics the child was likely to be placed under in that institution. Mr. President, there is more ineffable rot being taught in some of the universities to-day than there is in all the ignorant slums of a European capital. It takes a sane man half a lifetime of human experience to recover from some of it. Whenever I find some parlor socialist, somebody who has inherited a few millions from an ancester that amounted to something in his lifetime, who is going out to overturn society and to destroy the existing order of things, three times out of four in a metropolis you will find somebody carrying the degrees of an ancient university, whose intellectual processes have gone wrong, taught by somebody in the privacy of a professor's cloister, taught by somebody who has gone mad on book learning, who thinks the whole course of empire is embraced between the covers of a book; some graduate of that kind, who has no more place or part in the practical human affairs of life than the veriest ignorant immigrant that ever got through the gates into our country and raised a peck of potatoes or a bushel of corn.

These men talk glibly about the laws of production; and of all the shameless rot under the guise of learning, of all the insuperable obstacles that have darkened the face of accurate knowledge, these gentlemen have produced the worst. So, when it comes to mere knowledge and mere ability to stand a literacy test I find a great many of those who have been natives here ever since I can remember, whom, in spite of their ability to pass a literacy test, I think I would vote to deport, although they were born here, if such a thing were constitutional. I would send them to Dry Tortugas, colonize them in the Philippine Islands or, if the punishment were within constitutional limits as not being cruel or unusual, I would banish them to Oyster Bay. [Laughter.]

The literacy test proposes to exclude, in the first instance, all those who are unable to read. This introduces a new test, Mr. President, not heretofore recognized in the census returns. In the census of 1910 an illiterate person is defined to be one who can not write. That is the test that the census enumerators follow. There is an inconsiderable number who can read but can not write; but they are so small, compared with our total population of illiterates, as not to be made the subject of a separate classification. The illiterate person as defined in this bill is one who can not read. It is assumed in most cases, I suppose, that the person who can not read can not write, and so answers either definition.

When I figure on our population from abroad and consider that it shall be excluded if it be illiterate or can not answer the test of being able to read, I am disposed to look at the matter not in a very altruistic sense. I do not know that I am opposed to foreign missions, but I generally prefer to take care of the heathen about home first, and there are always plenty of them. So I think probably the better way would be to take not the altruistic view that we are going to furnish an asylum for everybody that wants to emigrate from the land of his nativity, but that we are going to take care of our own people and improve our population that is coming in from abroad, as well as furnish a sufficient incentive and standard for the people of our own country.

Taking the latter view of it, waiving any further remarks on a number of distinguished professors in the country who are bent upon having a pure democracy or a higher grade of intelligence to manage the affairs of the country, leaving them for some subsequent occasion, I shall address myself principally to the improvement of our own population. I want to remark parenthetically that my philanthropy usually begins and ends at home. That of these professors begins away from home and never arrives any place else.

I cite as authority for some conclusions I will draw statements that I have found in the census of 1910. Something it seems to me has been overlooked in the literacy test. Once or twice it has been touched slightly in the reasons presented here.

Along in our experience in 1910 we got our classifications made between native-born whites of American parentage and the native-born whites of foreign or mixed parentage. That is a fairly good test. If a person coming here from abroad was really illiterate and remained not only himself illiterate but his posterity took it from him as an inheritance, I would think he ought to be excluded. I do not find it so.

The figures gathered by the United States Census Department have given us a total of 37,000,000 native-born whites. Those are of American origin. They have given us some 14,000,-

native whites born of foreign parents. I have gone to the offspring of those who are alien born—those who have come here under various conditions, literate or illiterate themselves—to find what proportion of their children are illiterate. I have searched, too, to find what proportion of the native-born alien whites of American parentage are illiterate.

It may not be very popular to draw these conclusions, but I am utterly indifferent on the matter of vote getting. Finally it will win because it is right. The longer I stay here, the more I make up my mind there is a good deal said here in this Chamber on a question which comes before us like this, and others, with a possible view of the effect it will have on the constituents of the various Members who inhabit this Chamber. I suppose the wise thing would be to take a native view of it and to stick by the American born. I assume that the American born is just as good as anybody else if he behaves himself as well as anybody else. Some of them do and some of them, which is a matter of regret, I say, do not.

The same test can apply very properly to the immigrant who is coming in. If it be a question of character, I can understand it. I wish, however, to put in the RECORD, in order that it may be preserved for future purposes, before I leave it, the figures I have taken from the census.

In the census of 1910 the total illiterates in the United States were 5,516,000, in round numbers. The whites of American birth and parentage were 37,000,000. Of these whites of American birth and of American parentage 1,378,884 were illiterate. Of the whites American born of foreign or mixed parentage there were 155,388 illiterate in that time. The whites of American birth and American parentage constituted 3.7 per cent of the total illiterates of the country. The whites of American birth and foreign or mixed parentage constituted 1.1 per cent of the total illiteracy of the country. The white foreign-born immigrants, of 10 years of age or over, were 1,650,361, or 12.7 per cent total of the illiterates.

I wish to draw some conclusions from these figures. The first is that the white natives of American parentage who are illiterate furnish 25 per cent of the total illiteracy of the country, while the whites who are native born of foreign or mixed parentage furnish but 2.8 per cent of the total of illiteracy of the country.

The foreign immigrant, an adult, who has reached our shores, it is true, furnishes 12.7 per cent of our illiteracy. That is on the idea which has been pretty definitely established that the man abroad is not ignorant because of choice. He is ignorant because of the lack of opportunity.

Something has been said of the Jew. We have a great many of them in three or four States, especially in the State of New York and the State of Illinois. The city of New York and the city of Chicago have a very large Jewish population. We can pass over all historic references to the Jew, our likes and dislikes that might or might not exist because of his historic troubles, and take the Hebrew as we find him. He is industrious. He pays his debts, as large a per cent of them as the Americans. Few of them are found in the poorhouse. Few of them are found who are not self-supporting. Their charities are collected and administered by their own people.

As a racial question the Jew ought to be admitted; on the ground of religious persecution the Jew ought to be admitted. On the question of political persecution nobody can cast that horoscope for the future. Nobody can tell much about the result of the war in the Old World. When it is done, however, Mr. President, there will be a rearrangement of the map of Europe. There will be some armaments destroyed; some navies in the bottom of the sea; new racial questions and new questions of political persecution will necessarily, unless a very great tolerance be shown in the settlement of the question, again ensue.

I rather favor here enlarging this amendment. Instead of striking out the literacy test I would enlarge the bill, if I had my views to control, so that all racial, political, and religious persecutions might be a sufficient cause, if the immigrant were otherwise qualified, for admittance.

This country was founded on religious persecution, a large part of it. The New Englanders came here on that ground. I think it would be rather a narrow test and would be out of keeping with our historic origin if we undertook to lay down a test now that would exclude those who might themselves be fleeing from either religious or political persecution in the very near future.

We can not undertake to solve the questions of the Old World. I do not think our treaties even can do that. That will be settled by the people of the Old World who are the most immediately concerned.

I think, for my part, this test laid down in the proposed qualification of the immigrant to read will let in more of those who are dangerous than it excludes.

The conclusions I wish to draw from these figures are that whatever the character of the adult immigrant who has come here in the last 10 years it is evident that his children have used the advantages better than we. The native-born child of foreign-born parents shows a lower per cent of illiteracy than the child of the native-born American. The reason that I can see for this is that those of foreign-born parents who are here use their advantages better because they appreciate them.

I have had a considerable experience in a professional way among the nationalities. I would just as lief undertake to collect a claim against a Scotchman, or a German, or a Scandinavian, or a Hebrew, or a Bohemian, or an Italian, or a Lithuanian, or a Pole, or an Austrian as I would against any Yankee who is a little slow in pay that I ever saw in my life. They bring with them from the Old World, those who are not spoiled in the making, a better inborn propensity to pay their debts and to abide by the laws of the country than some of our own people. When they come here, if they are illiterate themselves when admitted, the alien adult knows the difficulty under which he labored in the Old World that made him illiterate. He knows why it is that in his early childhood he was unable to acquire the test proposed in this bill. Knowing that, as soon as his family reaches the school age he is more diligent in seeing that the family gets into the public school and stays there and takes the discipline and instruction given in that school than the American to whom school privileges as far back as he and his immediate ancestors can remember has been as common as the air and as free as the water that flows past him in his native river. The very fact that it has been so free and so common to him has led him to neglect the opportunities presented by his birthright. And so it works out in a perfectly natural way.

The census tabulations show that the native-born American white above the age of 10 years furnishes 3.7 per cent of our illiteracy, while the native-born American of foreign or mixed parentage furnishes 1.1 per cent. The figures themselves are much more illuminating, because of the 5,516,000 illiterates total in the United States in 1910, 25 per cent of them were furnished by children native born, of American parentage, and 2.8 per cent of them were furnished by the children American born of foreign or mixed parentage.

This high average of illiteracy among the children born of American parents and relatively low average of the children born of foreign or mixed parentage shows that the activity, the zeal, and the appreciation of the opportunities given in this country are to a more marked degree found in those of foreign parentage than in those of American parentage who have become blasé and careless.

If I go into the schoolroom where these nationalities are found, whether from the Scandinavian Peninsula or from southern Europe, and from the latter place comes a large part of the criticism, and read the reports in the city of New York or Chicago, I find the same story written in the daily conduct of those who are of foreign or mixed parentage. The general course of observation is that those of foreign or mixed parentage show a diligence and appreciation and an effort that is greater even than that of the American born.

The same story is written in the census returns from the several States. For instance, in the State of Kansas the illiterates of all classes are 2.2 per cent of her population. The illiterates of those born of native white parents are eight-tenths of 1 per cent; born of mixed or foreign parentage, eight-tenths of 1 per cent. Nebraska, with an illiteracy of all classes of 1.9 per cent, the native-born children of American parentage furnish six-tenths of 1 per cent and of foreign parentage five-tenths of 1 per cent. North Dakota, with a total of 3.1 per cent of all classes in illiteracy, the native born are three-tenths of 1 per cent, and those of foreign birth seven-tenths of 1 per cent. South Dakota, with a total illiteracy of 2.9 per cent, the illiteracy of children of American parentage is three-tenths of 1 per cent, and of foreign parentage four-tenths of 1 per cent.

The excess of percentage in these last two States can very probably be explained, because a very large percentage of the settlers of the Northwest are of alien birth, likely exceeding those of native birth.

Minnesota, with a total illiteracy of 3 per cent, that of children of native parentage is four-tenths of 1 per cent, and of foreign or mixed parentage six-tenths of 1 per cent.

New York shows a total illiteracy of 5.5 per cent, and of children of native white or American parentage of eight-tenths of 1 per cent; of foreign or mixed parentage of seven-tenths of 1 per cent.

If I go to Alabama, I find 22.9 per cent of illiteracy, with an American parentage of native population of 10.1 per cent, as against 2.3 per cent of those born of foreign or mixed parentage.

Louisiana, with a total of 29 per cent illiteracy, has a total of 15 per cent born of American parentage, and 3.6 per cent of foreign parentage.

Arizona, with an illiteracy of 20.9 per cent, has 2.3 per cent of native or American parentage, native born, and 8.4 per cent of foreign parentage.

With the State of Georgia with 20.7 per cent of illiteracy, there is 8 per cent native of American parents and 1.6 born of foreign parents.

These figures indicate that if we are to improve the population the literacy test does not furnish the adequate means of doing so. The literacy test of itself is too narrow. It proposes to totally exclude those who can not meet its requirements. Whatever his qualifications in other respects may be, whatever his character may be, however industrious, however productive, whatever ability he may have, it is all to end because he does not possess the requisite scholastic attainments. The mere fact that the opportunity may be denied him in the country of his origin cuts no figure when he presents himself for admission under the provisions of this bill because of the narrowness of this test.

Because to me it furnishes an unjust reason for denying the right of admission into this country, I shall very cheerfully, Mr. President, vote to strike this section out of the bill. If it remains in other particulars as it is, I can certainly vote for it, and I shall be glad to support it because the purposes of the bill in the main are commendable.

Some restrictions ought to be provided. The existing law might be conceded to be inadequate for the purposes intended. Some such amendments of that law as proposed in this bill ought to be had. The inability to meet the literacy test of itself, though, furnishes no adequate reason why a man ought to be excluded. I can not for my part see wherein it improves our population, leaving outside entirely the question of discussing the right of asylum in this country, on the ground alone of improving our population, enabling us to people our country with those whom we admit of a desirable kind.

The literacy test of itself does not exclude any of the undesirables, nor does it permit any of the desirables to come in who would not otherwise be admitted if this test were out of the bill. The mere fact that the literacy test can be met when the person applies to be admitted does not decide his character. The criticism made of the character test that I have heard a great many times is that it is impracticable; that it can not be applied. If we can stamp upon each article of merchandise brought from abroad the country of its origin, appraise its value, pass it through the customhouse, charge the responsibility on our consuls and foreign officers abroad of seeing that the proper appraisements are made, that invoices are prepared, and no fraud committed—if this can extend to the smallest article of merchandise before it is turned loose in our markets, it seems to me that the care of this Government could be so exercised through its officers abroad that a human being might himself be inventoried and appraised and his true value, based upon his character abroad, where he is known, be stamped upon him in some indubitable way, so that when he presents himself for admission the character test, outside of the literacy test, which is the one proposed in this bill, might be the broader or better test that would admit or exclude him.

Mr. LODGE. Mr. President, I do not desire to discuss this very important amendment at this time. The amendment as proposed practically destroys the illiteracy test, and we might as well take the question on a separate vote to strike it out altogether as to do it in this indirect way. I am not going to argue it, but I want to suggest to the chairman of the committee that the question of the illiteracy test and the question of the passage of the bill are two very important questions. No one can question the great importance of this legislation. The Senate is thin; many Senators have already left town; the Senate will not be more crowded to-morrow, I think I may say; and it seems to me that a matter of such importance as this might well be put over, if that can be done without the bill losing the place which it now has as the unfinished business.

I know the Senator from Vermont [Mr. DILLINGHAM] desires to discuss this matter at some length and the chairman of the committee, I assume, will do the same. It is hardly fair for us to have this discussion with such a very thin Senate as we have to-day, and my purpose in rising is to ask the chairman of the committee if he will not be willing to have the immigration bill temporarily laid aside and allow us to proceed to the consideration of the unobjected cases on the calendar? I am afraid we should have some difficulty in getting a quorum this evening, and it is very desirable to clear off the unobjected bills from the calendar. So long as we take up only unobjected bills by unanimous consent that will not displace the unfinished business, of course, it being temporarily laid aside. I venture to offer that suggestion to the chairman of the committee to see if such an arrangement can not be made.

Mr. LEWIS. Mr. President, with the Senator's consent, in order that the chairman of the committee may appreciate the real force of the suggestion made by the Senator from Massachusetts along the line that there is much discussion yet to be had on the bill, I desire to inform the able chairman that I have prepared an amendment, which I expected to submit this morning, striking out the whole section containing the literacy test, which would give rise to a form of debate slightly different from that in which we have been engaged. I desire to be heard upon the question, but I naturally do not wish to be heard this morning; and naturally, out of a sense of vanity and some respect for my own utterances and the weight I think they should carry, I should like to have such Senators present as would be impressed with that which impresses me, sensible observations in connection with my objections to the whole section. I should like to join, therefore, in the suggestion that the measure may go over in order that the debate may be had to a larger assemblage, to the end that a more intelligent consideration may be had.

Mr. SMITH of South Carolina. Mr. President, in view of the request made by the Senator from Massachusetts, and also by the Senator from Illinois, I recognize that the vote to test the passage of this bill is going to be upon the literacy test, and that the pending amendment would involve the fate of the bill so far as the literacy test is concerned. In view of the facts brought out by them, I should like to ask a ruling of the Chair on this proposal, supplemental to what the Senator from Massachusetts has suggested: I take it that to-morrow there will be a repetition of the same condition that exists to-day. On Wednesday, according to the agreement reached, a resolution to that effect having already passed both Houses, we will adjourn over the holidays. I will ask the ruling of the Chair as to the status of the pending bill if this afternoon, in place of adjourning until to-morrow, we were to recess until a certain hour on Wednesday, the pending bill being temporarily laid aside? Would it not then automatically come up at the convening of the Senate after the holidays as the unfinished business?

The PRESIDING OFFICER. The Chair is of the opinion that if the unfinished business is temporarily laid aside by unanimous consent, and the Senate proceeds to the consideration of other business by unanimous consent, it would not in any way interfere with the position the pending bill holds as the unfinished business, because it would then be in order at any time for any Senator to call for the regular order, and the pending bill, as the unfinished business, would then come up. So long as the pending bill is temporarily laid aside and the Senate considers other business by unanimous consent, it does not lose its place as the unfinished business; and if the Senate takes a recess it continues as the unfinished business and would be the first business laid before the Senate when it reassembled.

Mr. LODGE. It would be the unfinished business on December 29.

The PRESIDING OFFICER. It would be the unfinished business on that date.

Mr. SMITH of South Carolina. With that ruling of the Chair, Mr. President, and with that understanding, I shall ask unanimous consent that the unfinished business be temporarily laid aside, and when the time comes to end to-day's session I suggest that we take a recess, rather than an adjournment, so as not to displace the immigration bill.

Mr. O'GORMAN. So that the immigration bill will have precedence on the 29th of December when the Senate reassembles?

Mr. LODGE. Yes; at 2 o'clock.

Mr. O'GORMAN. At 2 o'clock on that day.

Mr. CULBERSON. If we take a recess, the bill will come up automatically as soon as the Senate reconvenes.

Mr. O'GORMAN. I understand that to be the desire of those who are particularly interested in the bill.

There is another reason justifying the request which has been made, if I may be permitted to state it, and that is that two of the Senators who have manifested great interest in the pending amendment, the senior Senator from Colorado [Mr. THOMAS] and the senior Senator from Missouri [Mr. STONE], are temporarily absent from the city; and if this application had not been made by the Senator from Massachusetts, I should have

offered the fact of their absence as a reason why we should suspend the discussion of this amendment at this time.

The PRESIDING OFFICER. The Chair will state to the Senator from South Carolina that taking a recess would not aid at all in keeping the immigration bill before the Senate as the unfinished business. The Chair understands that the House and the Senate have agreed to adjourn from next Wednesday until December 29, and if nothing in the meantime shall have been done by the Senate to displace the immigration bill as the unfinished business, then on the 29th of December, when the Senate reassembles, at 2 o'clock the immigration bill will come regularly before the Senate as the unfinished business.

Mr. CULBERSON. Mr. President, if we take a recess, would not the bill come up automatically as soon as the Senate met, instead of at 2 o'clock?

The PRESIDING OFFICER. In that case it would come up as soon as the Senate met following the recess, because when a recess is taken there is no morning hour when the Senate again assembles.

Mr. LODGE. If the Chair will pardon me, the recess to which we are now referring is not a recess in the technical sense; it is an adjournment over six days; and when we meet again it will be just as we meet every day. The morning hour will not be affected and the bill will come up as the unfinished business at 2 o'clock on December 29.

The PRESIDING OFFICER. The Chair has stated to the Senator from South Carolina that the Senate and the House have agreed to adjourn from next Wednesday until December 29, and when the Senate reassembles on the 29th, at 2 o'clock the immigration bill will come up as the unfinished business.

Mr. LODGE. Following the morning hour.

The PRESIDING OFFICER. Following the morning hour.

Mr. SMITH of South Carolina. If we can have an understanding now to the effect that, if the pending measure is temporarily laid aside until the 29th of December, there shall intervene no business to take its place, I shall not object to laying aside the unfinished business at this time. The point that I was attempting to make, and the danger that I was attempting to hedge, was this: If on Wednesday next, the day when we have agreed to take an adjournment to December 29, some Senator were to move to take up a bill, and it were taken up and discussed and was in process of discussion when adjournment was taken to December 29, would not the measure then under discussion be the unfinished business rather than the immigration bill? It is that very situation that I am attempting now to guard against.

The PRESIDING OFFICER. The Chair is of opinion that if a motion were made after 2 o'clock to take up another measure and a majority of the Senate should agree to the motion, and it were not disposed of before adjournment, it would become the unfinished business.

Mr. LODGE. It would displace the present unfinished business.

The PRESIDING OFFICER. The Chair will, however, suggest to the Senator from South Carolina that if other business should be taken up by unanimous consent it would not interfere with the position of the pending measure as the unfinished business.

Mr. TOWNSEND. Mr. President, I have on several occasions submitted some suggestions in reference to the program. The plea has been that it is important to dispose of the immigration bill. The Senator from South Carolina was very anxious to get that bill to a vote—so anxious that we could not have the morning hour; so anxious that it was necessary for the chairman of the committees to get recognition from the presiding officer every morning, and thus prevent our taking up the bill which the Senate on several occasions has expressed itself as favoring.

I have not wanted to displace the immigration bill. I have done nothing to indicate that I wanted to displace it; but now that it has been disclosed that the Senator can not hold his bill before the Senate because of lack of interest in its discussion, I will not consent that we shall be foreclosed from taking up any other measure, at least during the morning hour, for consideration.

So I shall object to this bill going over. If the Senator will allow the morning hour to-morrow to be devoted to the bill which I have called up on several occasions, and then have its consideration end at 2 o'clock, without any idea of supplanting the regular order, I have no objection to it.

Mr. SMITH of South Carolina. Mr. President, I think it is only fair to the friends of the immigration bill to correct what seems to be implied in the Senator's remark, that there is not sufficient interest in the bill to keep those interested here. The friends of the bill are ready to vote now.

Mr. REED. Why not vote?

Mr. SMITH of South Carolina. It is those who are so interested as to the elimination of certain features who desire further discussion; and in view of the fact—we might as well be frank with each other—that certain conditions may arise that may jeopardize the passage of the bill, I do not wish to have it lose any of its rights. I do not want to seem to interfere and take up the time that is allotted as the morning hour for the discussion of such matters as may be disposed of, and I have no desire to displace anything. But I certainly am going to insist that the parliamentary situation and status of this bill shall not be jeopardized, because I think it has waited as long as any other bill that ever has been on the calendar.

Mr. LODGE. Mr. President, if the chairman of the committee will allow me for a moment, the suggestion of the Senator from Michigan seems to me to be a perfectly reasonable one. It would not displace this bill to take up the bill which the Senator from Michigan desires to take up in the morning hour—not the least in the world. It would only displace it if it were taken up on motion after 2 o'clock. I sincerely hope the chairman of the committee will leave the morning hour to-morrow for the Senator from Michigan.

The PRESIDING OFFICER. Does the Senator from Massachusetts present his suggestion in the shape of a request for unanimous consent?

Mr. LODGE. No, Mr. President; I do not wish to call for a quorum.

Mr. SMITH of South Carolina. Mr. President, according to a former statement, I am perfectly willing to have the bill laid aside temporarily so as to consider unobjected bills on the calendar.

Mr. LODGE. The chairman of the committee would have no objection, I take it, to the Senator from Michigan taking up his bill in the morning hour to-morrow. That would not displace the unfinished business.

Mr. SMITH of South Carolina. I have stated the position that I now occupy in reference to temporarily laying it aside; but the danger that I call attention to is one that I do not care to risk. I ask that the bill be temporarily laid aside, and that the calendar be proceeded with; and then, before we finally take our adjournment or recess this afternoon, I shall ask that the unfinished business be formally laid before the Senate.

The PRESIDING OFFICER. The Senator from South Carolina asks unanimous consent that the unfinished business be temporarily laid aside, and that the Senate proceed with the consideration of unobjected bills on the calendar under Rule VIII. Is there objection to the request of the Senator from South Carolina?

Mr. LEWIS. Mr. President, if I may be pardoned, and may be indulged by the Senator from South Carolina, may I propose a suggestion in order that we may gather the chairman's view? The chairman, as I understand, is perfectly content that any measure or matter may come up that does not in its nature supplant or displace the present bill known as the immigration bill?

Mr. SMITH of South Carolina. As I have stated, and it is unnecessary for me to repeat it, a request was made that this bill be temporarily laid aside, and that the calendar be taken up. Of course, the Senate has the power to object or not, as it sees fit. The only point I am making is that before we take our recess or adjournment for to-morrow and for Wednesday I hope this matter may be thoroughly understood, which seems to be impossible just now. Therefore I renew my request to the effect that the calendar be taken up for the consideration of such bills as are unobjected to, under Rule VIII.

Mr. LEWIS. I desire, then, to conclude, if I may be permitted.

Favoring, as I do, the volunteer officers' bill, I have memory that the bill was called up from time to time, and that we had morning discussion; and unless I am in error—and I am willing to concede that I have not the best knowledge of the rules—the measure can still be called up in the morning hour for discussion without coming within the category of a bill being called up from the calendar in such a manner that it would operate as a displacement. Therefore I am unable to see where the able chairman of the committee, the Senator from South Carolina, in anything he says, objects at all to the measure suggested by the Senator from Michigan being taken up at any time in the morning hour.

The PRESIDING OFFICER. As has been stated by the Senator from Massachusetts, to-morrow at any time before 2 o'clock the Senator from Michigan can move to take up the bill referred to by him, which will be morning business until 2 o'clock. At 2 o'clock its consideration will cease, and the unfinished business will come before the Senate.

Mr. TOWNSEND. I realize that, Mr. President, and that is what I am now contending for; but suppose to-morrow morning

there should happen what happened this morning and yesterday morning—the Senator from South Carolina rises before the morning hour is concluded, and the Chair is prepared to recognize him to take up the immigration bill?

Mr. SMITH of South Carolina. Mr. President, I think we can have a perfect understanding. I will say to the Senator from Michigan that to-morrow morning, until the hour of 2 o'clock shall arrive, if he desires to take up the bill mentioned by him or any other, in view of the circumstances I will not call up the immigration bill, and will let it come up, as it has a right to do, at 2 o'clock.

Mr. TOWNSEND. I have no objection, Mr. President.

Mr. SMITH of South Carolina. Then I shall insist on its consideration, if we have not meantime made arrangements to the contrary.

The PRESIDING OFFICER. Is there objection to the request of the Senator from South Carolina for unanimous consent? The Chair hears none, and it is so ordered.

THE CALENDAR.

The PRESIDING OFFICER. The Secretary will state the first business on the calendar.

The first business on the calendar was the bill (S. 1240) to establish the legislative reference bureau of the Library of Congress.

Mr. SMOOT. Let that bill go over.

The PRESIDING OFFICER. Objection being made, the bill will be passed over.

The joint resolution (S. J. Res. 41) authorizing the Secretary of the Interior to sell or lease certain public lands to the Republic Coal Co., a corporation, was announced as next in order.

Mr. SMOOT. Let that go over.

The PRESIDING OFFICER. Objection being made, the joint resolution will be passed over.

The bill (S. 2242) making it unlawful for any Member of Congress to serve on or solicit funds for any political committee, club, or organization was announced as next in order.

Mr. SMOOT. Let that go over.

The PRESIDING OFFICER. Objection being made, the bill will be passed over.

The resolution (S. Res. 156) limiting expenditures for telegrams sent or received by Senators was announced as next in order.

Mr. SMOOT. Let that go over.

The PRESIDING OFFICER. Objection being made, the resolution will be passed over.

The resolution (S. Res. 84) providing that any Senator upon his own request may be recorded and counted as present in order to constitute a quorum was announced as next in order.

Mr. CULBERSON. Let that go over.

Mr. WILLIAMS. Mr. President, I hope the Senator will not ask that that resolution go over.

Mr. BORAH. Mr. President, are we simply taking up the unobjected matters?

The PRESIDING OFFICER. Under the unanimous-consent agreement only unobjected cases can be considered.

Mr. WILLIAMS. Mr. President, I want to plead with the Senator from Texas to withdraw his objection to the consideration of that resolution. We find ourselves very frequently in this position in the Senate: A roll call discloses when the point of no quorum is made——

Mr. SMOOT. I call for the regular order, Mr. President.

Mr. PENROSE. Regular order!

The PRESIDING OFFICER. The regular order is called for. Objection is made, and the resolution will be passed over.

The resolution (S. Res. 218) proposing an amendment to the standing rules of the Senate was announced as next in order.

Mr. SMOOT. Let that go over.

The PRESIDING OFFICER. Objection being made, the resolution will be passed over.

The joint resolution (S. J. Res. 26) proposing an amendment to the Constitution of the United States was announced as next in order.

Mr. WILLIAMS. Let that go over, Mr. President.

The PRESIDING OFFICER. The joint resolution will be passed over.

The joint resolution (S. J. Res. 94) to authorize the Secretary of Commerce to investigate the condition of trade in China, for the purpose of determining the desirability of establishing there a permanent exposition of the products of the United States of America, was announced as next in order.

Mr. WILLIAMS. Let that go over.

The PRESIDING OFFICER. The joint resolution will be passed over.

The bill (S. 2425) to authorize the Roanoke River Development Co. to construct and maintain a dam across the Roanoke River in Mecklenburg County, in the State of Virginia, approximately 20 miles below the town of Clarksville, in said State, was announced as next in order.

Mr. WILLIAMS. Let that go over.

The PRESIDING OFFICER. The bill will be passed over.

The bill (S. 3971) to provide for a permanent exhibit of the resources of the States of the Union in or near Washington, D. C., was announced as next in order.

Mr. WILLIAMS. Let that go over.

The PRESIDING OFFICER. The bill will be passed over.

The joint resolution (S. J. Res. 10) proposing an amendment to the Constitution of the United States, fixing the time for the convening of Congress and commencement of the terms of the President, Vice President, Senators, and Representatives, was announced as next in order.

Mr. WILLIAMS. Let that go over.

The PRESIDING OFFICER. The joint resolution will be passed over.

The resolution (S. Res. 254) to create a special committee of five Senators to assist the Interstate Commerce Commission in investigating certain facts regarding the methods and practices of the Louisville & Nashville Railroad, and for other purposes, was announced as next in order.

Mr. WILLIAMS. Let that go over.

The PRESIDING OFFICER. The resolution will be passed over.

The bill (S. 392) to create in the War Department and Navy Department, respectively, a roll designated as "the Civil War volunteer officers' retired list," to authorize placing thereon with retired pay certain surviving officers who served in the Army, Navy, or Marine Corps of the United States in the Civil War, and for other purposes, was announced as next in order.

Mr. WILLIAMS. Let that go over.

The PRESIDING OFFICER. The bill will be passed over.

The bill (S. 121) to provide that petty officers, noncommissioned officers, and enlisted men of the United States Navy and Marine Corps on the retired list who had creditable Civil War service shall receive the rank or rating and the pay of the next higher enlisted grade was announced as next in order.

Mr. WILLIAMS. Let that go over.

The PRESIDING OFFICER. The bill will be passed over.

The bill (H. R. 6827) to amend an act entitled "An act to change the name of the Public Health and Marine-Hospital Service to the Public Health Service, to increase the pay of officers of said service, and for other purposes," approved August 14, 1912, was announced as next in order.

Mr. WILLIAMS. Let that go over.

The PRESIDING OFFICER. The bill will be passed over.

The bill (S. 4161) to prohibit the importation and entry of goods, wares, and merchandise made in whole or in part by convict, pauper, or detained labor, or made in whole or in part from materials which have been made in whole or in part or in any manner manipulated by convict or prison labor was announced as next in order.

Mr. WILLIAMS. Let that go over.

The PRESIDING OFFICER. The bill will be passed over.

Mr. SMOOT. Mr. President, I move that the Senate adjourn.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Utah that the Senate adjourn. [Putting the question.]

Mr. KERN. I call for a division.

The PRESIDING OFFICER. By the sound the noes seem to have it.

Mr. CLAPP. I call for the yeas and nays.

The yeas and nays were not ordered.

Mr. CULBERSON. I ask for a division on the motion to adjourn.

The PRESIDING OFFICER. The Chair decided that the noes seemed to have it.

Mr. LODGE. A division can not be denied.

The PRESIDING OFFICER. The Chair ruled that the noes seemed to have it, and the Senate refused to adjourn. The yeas and nays were then called for and were denied. Now a division is called for.

The motion was agreed to; there being, on a division, ayes 21, noes 13; and (at 1 o'clock and 50 minutes p. m.) the Senate adjourned until to-morrow, Tuesday, December 22, 1914, at 12 o'clock meridian.

NOMINATION.

Executive nomination received by the Senate December 21, 1914.

SUPERINTENDENT FOR THE FIVE CIVILIZED TRIBES IN OKLAHOMA.

Gabe E. Parker, of Oklahoma, to be superintendent for the Five Civilized Tribes in Oklahoma. A new office under the provisions of section 17 of the act of Congress approved August 1, 1914 (38 Stat., 598).

HOUSE OF REPRESENTATIVES.

MONDAY, *December 21, 1914.*

The House met at 12 o'clock noon.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

We come to Thee, O God our Father, praying for "that light which never shone on sea or land," but which illumines the mind, quickens the heart, and makes for righteousness in the soul and the whole world akin, dignifies the smallest duty, renders the hardest task easy, and leads on to heroism and glory when heroes are needed. Hear us and answer our petition in the name of Christ the Lord. Amen.

The Journal of the proceedings of Saturday, December 19, 1914, was read and approved.

DISTRIBUTION OF PRESIDENT'S MESSAGE.

Mr. UNDERWOOD. Mr. Speaker, I desire to make a privileged report. By direction of the Committee on Ways and Means I report back the resolution in reference to the distribution of the President's message. (H. Rept. 1242.)

The SPEAKER. The Clerk will report it by title.

The Clerk read as follows:

House resolution 670, referring to various committees such parts of the President's message as relates to the appropriation of the revenues for the support of the Government.

The SPEAKER. Ordered printed and referred to the Committee of the Whole House on the state of the Union.

HOUR OF MEETING TO-MORROW.

Mr. UNDERWOOD. Mr. Speaker, I desire to ask unanimous consent that when the House adjourns to-day it adjourn to meet at 10 o'clock to-morrow morning.

The SPEAKER. The gentleman from Alabama asks unanimous consent that when the House adjourns to-day it adjourn to meet at 10 o'clock to-morrow morning. Is there objection?

Mr. MANN. Mr. Speaker, reserving the right to object, how much time is to be occupied to-morrow? Does the gentleman know?

Mr. UNDERWOOD. I understand there is an understanding between the members of the Rules Committee that there will be two hours' debate on the rule. The rule that is proposed, if adopted, provides for eight hours' debate on the constitutional amendment. That would be 10 hours' debate. There will certainly be one roll call, and possibly more, and then it is to be taken up under the five-minute rule for amendment.

Mr. MANN. The intention, then, is to remain in session, so far as the gentleman now knows, until the House finishes the consideration of the amendment?

Mr. UNDERWOOD. I think it is important that the House dispose of this question before Members go home for the holidays. I think that will meet with the universal approval of the House.

Mr. STAFFORD. If it is not disposed of, it would have to go over until after the holidays.

Mr. UNDERWOOD. Yes; if it is not disposed of.

Mr. MANN. It would have to go over unless it came up on Calendar Wednesday, and I did not know whether there was any expectation that that would be possible or probable.

Mr. UNDERWOOD. I should have been glad to pass Calendar Wednesday until after the Christmas holidays and twice made the request, but it can only be done by unanimous consent; at least I do not desire to do it in any other way, and it has met with objection both times.

Mr. MANN. It is immaterial to me; I just wanted to know for the convenience of the House.

Mr. HENRY. If the gentleman from Alabama will yield, I will answer the gentleman's request about the matter.

Mr. UNDERWOOD. Certainly.

Mr. HENRY. As far as I am concerned, I will state as chairman of the Committee on Rules I have no desire to hold this Hobson amendment over until Wednesday, but hope to finish it to-morrow night—get through with the consideration of the amendment and everything.

Mr. MANN. Of course, after the rule is adopted the gentleman will no longer be in charge of the resolution, and I did not know what the intention was.

Mr. UNDERWOOD. I think the spirit and understanding is——

Mr. MANN. Then those who have dinner engagements to-morrow night might as well cancel them. I have one.

Mr. UNDERWOOD. Undoubtedly.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none, and when the House adjourns to-day it will adjourn until 10 o'clock to-morrow.

EXTENSION OF REMARKS IN THE RECORD.

Mr. PARKER of New York. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD. I desire to have incorporated in the RECORD a resolution by resident members of the class of 1864 of the University of Rochester, December 11, 1914, with regard to the death of Hon. SERENO E. PAYNE.

The SPEAKER. The gentleman from New York asks unanimous consent to extend his remarks in the RECORD. Is there objection? [After a pause.] The Chair hears none.

LEAVE OF ABSENCE.

Leave of absence was granted as follows:

To Mr. WILSON of Florida, indefinitely, on account of illness.

To Mr. TRIBBLE, indefinitely, on account of sickness of wife.

UNANIMOUS CONSENT CALENDAR.

The SPEAKER. The Clerk will call the first bill on the Unanimous Consent Calendar.

EXCHANGE OF FOREST LANDS WITH THE STATE OF OREGON.

The first bill on the Calendar for Unanimous Consent was the act (S. 49) to provide for the exchange with the State of Oregon of certain school lands and indemnity rights within the national forests of that State for an equal area of national forest land.

The Clerk read as follows:

Be it enacted, etc., That the State of Oregon is hereby authorized to select, with the approval of the Secretary of Agriculture, a compact body of not to exceed 40,000 acres of unappropriated nonmineral land within townships 10 and 11 south, ranges 5 and 6 east, Willamette meridian, in the Santiam National Forest, Oreg., to be maintained as a State forest to secure its highest permanent usefulness to the State of Oregon, and particularly to the common schools to which its resources are devoted and to State forestry demonstration and education, and the Secretary of the Interior is hereby authorized to grant and convey said selection to the State of Oregon for the purposes hereinbefore mentioned.

SEC. 2. That in exchange for the selected lands the State shall reconvey and relinquish to the United States a good and sufficient title to an approximately equal area of unencumbered sections 16 and 36, or parts thereof, of substantial forest values satisfactory to the Secretary of Agriculture, within the national forests of Oregon, granted to said State, or indemnity rights within such national forests to which the State is entitled therefor: *Provided*, That the lands reconveyed and relinquished as base lands shall immediately become parts of the national forest in which they are situated.

SEC. 3. That the lands conveyed to the State shall be at all times subject to use by the United States for the construction, maintenance, and operation of roads, trails, telephone or telegraph lines needed in the administration of the contiguous national forest areas.

The SPEAKER. Is there objection?

Mr. BURKE of South Dakota. Mr. Speaker, reserving the right to object, I would like to know if the chairman of the Committee on Public Lands is in the House or some member of the committee who can give some information. I see the chairman is here. This bill, as I understand it, is to allow the State of Oregon to take certain lands in exchange for sections 16 and 36, to which the State is entitled, that are now in the forest surveys. Now, is that correct?

Mr. FERRIS. Mr. Speaker, I understand the gentleman addressed some question to me? I came in just on the moment and I have not had time clearly to read the bill. Is this the Senate bill?

Mr. BURKE of South Dakota. I think this is the Senate bill, and I think there is a similar House bill.

The SPEAKER. This bill is offered by the gentleman from Oregon [Mr. SINNOTT].

Mr. FERRIS. As I recall, this is a bill that provides for the exchange of land. What was the question of the gentleman?

Mr. BURKE of South Dakota. The question I asked was if this bill is for the purpose of allowing the State of Oregon to take lands outside of a forest reservation in lieu of lands that the State now has, sections 16 and 36, within forest reservations in that State?

Mr. FERRIS. It embraces an exchange of that sort; yes, sir.

Mr. BURKE of South Dakota. I want to call the attention of the gentleman from Oklahoma, chairman of the Committee on Public Lands, to the fact that there are a number of cases where exchanges have been made, notably one in the Black Hills Forest Reservation in South Dakota. An agreement was entered into between the Forestry Bureau of the Agricultural Department and the Interior Department by which the State of South Dakota relinquished sections 16 and 36 in the forest reservation and selected lands outside in a compact body that were selected with a view of their being of equal value and character, and a proclamation was issued by the President ratifying that exchange. Now, I understand there have been similar exchanges in other States, possibly in Oregon, and the Interior Department has held, or the Secretary has held, that those exchanges were not authorized by law, and therefore legislation is necessary. My understanding is that there are a number of bills before the Committee on Public Lands on the

subject, that they have been referred to the Interior Department, and that a bill is in process of preparation dealing with the whole question. I want to know if the gentleman can give us any information on that subject.

Mr. FERRIS. I am not entirely familiar with the statement just made by the gentleman. We have passed a number of bills of this character and there are a number pending yet. I think it my duty to call the gentleman's attention to the fact that the committee always in the past, and I think rightly so, exacted that the land to be exchanged should be of equal value. Of course in this instance the Secretary himself frankly requires that the land that the State gets is to be twice the value that the State gives up to the Government. I do not know whether the gentleman from Oregon [Mr. SINNOTT] can explain why we should depart from the precedent or not. I do not have this bill very well in mind. I would yield to the gentleman from Oregon.

Mr. BURKE of South Dakota. I would like to hear a statement from the gentleman from Oregon.

Mr. FERRIS. There was some consideration other than the usual one which caused the committee to make this report.

Mr. MANN. The other consideration was that the Forest Service itself thought it was advisable to have the State of Oregon maintain a forestry school in connection with these lands that were intended to be conveyed to the State of Oregon. Whether that is a sufficient consideration, I do not undertake to say, but that is undoubtedly what actuated the committee. I know the Forest Service is very anxious for it.

The SPEAKER. Is there objection?

Mr. STAFFORD. Reserving the right to object, I would like to have some explanation from the gentleman from Oregon [Mr. SINNOTT].

Mr. SINNOTT. Mr. Speaker, it was proposed in this bill and proposed by the State that this land should be withheld from sale for a period of 50 years, and the proceeds arising from the sale of any timber on the land should be devoted to forestry-school purposes. The agricultural college has a school of forestry, and the proceeds from the sale of this land are going to be devoted to that school of forestry for the purpose of educating young men along forestry lines.

Mr. MADDEN. From the land or from the timber?

Mr. SINNOTT. From any timber that might be sold.

Mr. MADDEN. And not from the land?

Mr. SINNOTT. No; not from the land. The land will not be sold for a period of 50 years.

Mr. BURKE of South Dakota. Will the gentleman yield for a question?

Mr. SINNOTT. Yes.

Mr. BURKE of South Dakota. Do I understand the State of Oregon now has in forest reservation school sections 16 and 36?

Mr. SINNOTT. Yes.

Mr. BURKE of South Dakota. And it is proposed now to exchange on the part of the State these lands for lands outside of the forest reservation?

Mr. SINNOTT. Yes.

Mr. BURKE of South Dakota. Now, has there been any exchange made thus far?

Mr. SINNOTT. No; there has been no exchange made.

Mr. BURKE of South Dakota. Can the gentleman tell us why?

Mr. SINNOTT. I think it is contended there is no law authorizing it. I will say to the gentleman from South Dakota that there was such an exchange made, and it was ratified by a proclamation of the President. The Secretary of the Interior recently held that there is no law authorizing it, and it would have to be now ratified by legislation, and I understand there is a similar condition in the State of Idaho.

Mr. FRENCH. That is true. Sales have been made of lands that have been exchanged in this way. They have about 400,000 acres open to exchange at this time. I was on the committee that reported this bill, and I believe it should be passed; and the same condition ought to be recognized in several other States.

Mr. STAFFORD. Will the gentleman yield?

Mr. SINNOTT. I yield.

Mr. STAFFORD. Is there any provision that this land which the Government transfers to the State of Oregon shall be continued to be used as a forest reserve?

Mr. SINNOTT. You mean the land——

Mr. STAFFORD. I am willing to assist the State of Oregon in its policy of reforestation, and yet I do not find anything in the bill here which provides that this land which the Government is going to transfer will be utilized for that purpose.

Mr. SINNOTT. That is provided by an act of the Legislature of the State of Oregon to the effect that it is to be devoted to that purpose.

Mr. STAFFORD. The enactment of the State legislature can at any time be changed. If we are going to give twice the value to the State for forestation purposes, we should have it so protected in the bill that it can not be sold and used for any other purpose.

Mr. SINNOTT. We have no objection to an amendment to the effect that the land shall be held from sale for a period of 50 years.

Mr. STAFFORD. I think such an amendment should be incorporated, and until it is presented I think it is better to have the bill go over for another two weeks.

Mr. SINNOTT. It can be presented when it comes up for discussion.

Mr. STAFFORD. I asked the gentleman to prepare such an amendment, because I do not believe the bill as it is safeguards the interests of the Government in requiring that these lands shall be used for the purposes of conservation.

Mr. FOSTER. I do not think there is anything in the bill requiring that.

Mr. STAFFORD. I pointed that out—that there should be some such requirement in the bill.

Mr. FRENCH. Mr. Speaker, if the gentleman will notice the language in the bill, page 1, lines 8 and 9, he will see that two words would interpret or express his meaning. The language is "to be maintained as a State forest." It should be "to be maintained for a period of 50 years" or "to be maintained permanently."

Mr. SINNOTT. That first amendment would be agreeable to me.

Mr. STAFFORD. To insert the word "permanently"?

Mr. SINNOTT. I do not know about that.

Mr. STAFFORD. As I understand this bill, the National Government is donating large tracts of land to the State of Oregon, to be used in connection with the State agricultural college for the purpose of developing forestry.

Mr. BURKE of South Dakota. Does the gentleman take into consideration the fact that in doing that the State exchanges land that is now owns?

Mr. STAFFORD. Yes; but it exchanges only land to one-half of the value.

Mr. BURKE of South Dakota. That is not required to be used as a forest reservation.

Mr. STAFFORD. Yes; land of one-half the value, which is not required for use as a forest reservation. If we are going to give to any State land twice as valuable, we should condition it so as to protect the purpose for which we are donating it.

Mr. SINNOTT. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. The gentleman from Oregon [Mr. SINNOTT] asks unanimous consent that this bill be passed over without prejudice. Is there objection?

There was no objection.

The SPEAKER. The Clerk will report the next one.

MESSAGE FROM THE PRESIDENT OF THE UNITED STATES.

A message, in writing, from the President of the United States was communicated to the House of Representatives by Mr. Latta, one of his secretaries, who also informed the House of Representatives that the President had approved and signed bill of the following title:

H. R. 6282. An act to provide for the registration of, with collectors of internal revenue, and to impose a special tax upon all persons who produce, import, manufacture, compound, deal in, dispense, sell, distribute, or give away opium or coca leaves, their salts, derivatives, or preparations, and for other purposes.

MINERAL SPRINGS IN NEW MEXICO.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 12050) reserving from entry, location, or sale lots 1 and 2, in section 33, township 13 south, range 4 west, New Mexico prime meridian, in Sierra County, N. Mex., and for other purposes.

The Clerk read the title of the bill.

The SPEAKER. Is there objection?

Mr. STAFFORD. Mr. Speaker, reserving the right to object, I believe my good friend from New Mexico [Mr. FERGUSSON] is here and has some amendments that he wishes to propose, to meet the objection that I suggested at the last meeting. Will the gentleman kindly have the amendments reported?

Mr. FERGUSSON. Yes; at the proper time I shall do so. I move, Mr. Speaker, that the bill be considered in the House as in Committee of the Whole. I want to amend it.

The SPEAKER. In the first place, the gentleman will have to get permission to consider it at all.

Mr. FOSTER. Mr. Speaker, may we have the proposed amendments read?

Mr. FERGUSSON. They are in the hands of the Clerk.

Mr. FOSTER. Let us have them read for information.

Mr. FERGUSSON. All right.

Mr. FOSTER. I understand the Clerk has the proposed amendments. Mr. Speaker, may we have them read for information?

The SPEAKER. The Clerk will report the amendments.

Mr. FOSTER. This is a proposed amendment.

Mr. FERGUSSON. Yes.

The SPEAKER. The Clerk will read the bill and then read the amendments.

Mr. FOSTER. There are no amendments to the bill except that which the gentleman from New Mexico proposes or will propose.

Mr. FERGUSSON. There are two amendments.

Mr. FOSTER. To the original bill?

Mr. FERGUSSON. Yes.

The SPEAKER. Has the gentleman from New Mexico an amendment?

Mr. FERGUSSON. I have two amendments, Mr. Speaker.

The SPEAKER. Where are they?

Mr. FERGUSSON. They are in the hands of the Clerk.

The SPEAKER. The Clerk will report them, together with the bill.

The Clerk read the bill, as follows:

Be it enacted, etc., That lots 1 and 2, in section 33, township 13 south, range 4 west, New Mexico prime meridian, situated in the county of Sierra, State of New Mexico, be hereby set apart from the public domain and reserved from entry, location, or sale for the purpose of preserving for the use of the public the valuable mineral springs located upon said lots.

SEC. 2. That the Secretary of the Interior be, and he is hereby, authorized to control the use of said lots and the waters thereon, and to make regulations for the government of the reservation, and to make such contracts, agreements, and leases as will best preserve them for the use of the public; and all moneys received from such contracts, agreements, and leases by way of remuneration, or from any other source in connection with this reservation, shall be covered into the Treasury of the United States as a special fund to be disbursed by the Secretary of the Interior for the protection, maintenance, and improvement of said reservation.

With amendments as follows:

Amend, on page 2, by striking out, in line 9, after the word "States," the words "as a special fund to be disbursed by the Secretary of the Interior for the protection, maintenance, and improvement of said reservation" and inserting in lieu thereof the words "and credited as miscellaneous receipts."

Amend by adding at the end of section 2, page 2, the following: "*Provided*, That nothing in this act contained shall be construed as establishing a general policy by the United States of leasing reservations containing medicinal waters instead of conveying such reservations to the respective States in which the same may be situated: *And provided further*, That any act which may be hereafter passed by the Congress of the United States making transfer of such reservations to the various States wherein such reservations may be situated shall make provision for the protection of the United States and of any lessee or lessees in leases that may then be in force under and by virtue of the provisions of this act."

The SPEAKER. Is there objection?

Mr. LENROOT. Mr. Speaker, reserving the right to object, as I heard the Clerk read the last amendment it was as follows:

That nothing in this act contained shall be construed as establishing a general policy by the United States of leasing reservations containing medicinal waters instead of conveying such reservations to the respective States.

Now, that language implies a policy on the part of the Government of conveying the reservations to the respective States, and I certainly could not consent to the implied policy, to be inferred from that language, of conveying the reservations to the several States.

Mr. FERGUSSON. I will simply state to the gentleman that his colleague from Wisconsin [Mr. STAFFORD] made that point. As originally written, the bill had no such provision in it. It simply contemplated the fact that the Government would lease these reservations which have long been reserved from any use whatever, and the gentleman from Wisconsin made the point that he did not think that was a proper policy, but that the Government should convey them to the States. In order to get the bill passed—a bill which is of great necessity to so many poor people in my State—I agreed with his suggestion. I do not think the Government is likely to adopt the general policy that he proposes, but if the Government should adopt that general policy, I have no objection to providing, as this amendment provides, that the leases made by virtue of this bill shall be recognized by the States if such a change of policy is made. That is all there is to it.

Mr. LENROOT. I would have no objection if the amendment stopped with the words—

As establishing a general policy by the United States of leasing reservations containing medicinal waters.

What I object to is stating it to be the policy of the Government that we shall give all these reservations to the respective States.

Mr. FERRIS. Will not the gentleman allow our colleague from New Mexico to get it up for consideration, and then try to get it amended?

Mr. LENROOT. I think it is too important to take that risk.

Mr. FERRIS. I think the gentleman from New Mexico [Mr. FERGUSSON] and the gentleman from Wisconsin [Mr. STAFFORD] can get together and perfect an amendment that will be satisfactory.

Mr. FERGUSSON. This amendment as prepared by me was submitted to and considered by the gentleman from Wisconsin [Mr. STAFFORD], and met no objection.

Mr. LENROOT. My objection does not go to this particular bill, but to the declaring inferentially of a general policy of the Government with reference to all reservations containing medicinal waters, and I can not consent to that.

Mr. FERGUSSON. If the gentleman will yield to me for a moment, I do not understand that it does that. I understand it leaves it to the Government to determine whether it shall consitute a policy, and if it does it provides a method of making it effective.

Mr. LENROOT. Why not omit the words "instead of conveying them to the several States"?

Mr. FERRIS. I suggest to the gentleman that he modify it.

Mr. LENROOT. I would have no objection to the amendment if it stopped with the words "establishing a general policy."

Mr. MANN. The amendment has not been offered yet.

The SPEAKER. Is there objection?

Mr. MANN. Reserving the right to object, owing to the confusion I did not hear the amendment read. May I ask what does the amendment propose to do? What is the change made from the bill?

Mr. FERGUSSON. The last one?

Mr. FITZGERALD. The first one.

Mr. FERGUSSON. The gentleman from Wisconsin [Mr. STAFFORD] proposed to object to the bill, and thereby do great harm to my State, unless it was amended in that respect.

Mr. MANN. I am asking what the amendment is.

Mr. FITZGERALD. The first amendment provides that the moneys received shall go into the Treasury as miscellaneous receipts.

Mr. FERGUSSON. That is to meet the objection of the gentleman from Illinois [Mr. MANN]. Then the next amendment was to meet the objection raised by the gentleman from Wisconsin [Mr. STAFFORD].

Mr. MANN. What does that amendment propose to do?

Mr. FERGUSSON. It proposes, as I understand it—it is really the amendment of the gentleman from Wisconsin——

Mr. FERRIS. Let it be reported.

The SPEAKER. If there be no objection, the amendment will be reported.

Mr. FITZGERALD. I think it is a harmless amendment.

Mr. MANN. I do not know whether it is or not.

The Clerk read as follows:

Amend by adding at the end of section 2, page 2, the following: "*Provided*, That nothing in this act contained shall be construed as establishing a general policy by the United States of leasing reservations containing medicinal waters instead of conveying such reservations to the respective States in which the same may be situated: *And provided further*, That any act that may be hereafter passed by the Congress of the United States making transfer of such reservations to the various States wherein such reservations may be situated shall make provision for the protection of the United States, and of any lessee or lessees under leases that may then be in force under and by virtue of the provisions of this act."

Mr. MANN. Still reserving the right to object, I should like to know who drew that amendment. Is this a constitutional amendment?

Mr. FERGUSSON. I drew the amendment and submitted it to the gentleman from Wisconsin [Mr. STAFFORD], and he accepted it as covering his point.

Mr. MANN. How can this Congress determine what shall be contained in an act passed by a subsequent Congress? This undertakes to say that if any act is hereafter passed by Congress certain things shall be contained in the act. I do not see how you can do that.

Mr. FITZGERALD. It is an admonition.

Mr. FERGUSSON. I was trying to get my bill passed, and to meet the views of the gentleman who objected to it because it did not have this provision in it.

Mr. MANN. I understand that, but who defends that proposition?

Mr. FERGUSSON. My position is that I want this bill passed, either with the amendment or without it, because it will

enable the Secretary of the Interior to give the people who need the use of these springs the right to build hotels and distribute the water so that it can be used.

Mr. STAFFORD. If my friend will yield, he knows that when he submitted his amendment to me I was quite occupied and did not give it the thorough consideration that it deserved, but I think it will meet my objection with the latter proviso eliminated and merely containing the first proviso.

Mr. MANN. Down to the word "instead."

Mr. STAFFORD. As suggested by the gentleman from Illinois, down to the word "instead." That will be acceptable to me.

Mr. LENROOT. I have no objection to the first part of the amendment, if you strike out all after and including the word "instead."

Mr. STAFFORD. I know the gentleman from New Mexico will have no objection to that, and I think we can have unanimity of opinion and have the bill go through in accordance with that suggestion.

Mr. FERGUSSON. I have no objection to that.

Mr. MONDELL. Mr. Speaker, reserving the right to object——

Mr. FERGUSSON. I ask unanimous consent to modify my amendment.

Mr. MANN. It has not been offered yet.

Mr. STAFFORD. It has not been offered yet.

Mr. MONDELL. Mr. Speaker, reserving the right to object, I think I shall have to object to the modification of the amendment, if it requires unanimous consent. I think the amendment drawn by the gentleman from Wisconsin suggests the proper procedure in these matters. I think it states the proper policy to be followed. If a part of the amendment is to be stricken out, the entire amendment should be stricken out. There is no sense in declaring that it is not to be the policy of the Federal Government to lease these medicinal waters. If the Federal Government is not going to turn them over to the States it is necessary for the Government to lease them if they are to be utilized. What have gentlemen in mind—simply a declaration as to this and all other waters that we do not propose to do anything with them?

Let me ask the gentleman from New Mexico a question. I suggested to him a long time ago in regard to this legislation that he modify it so as to make it a transfer of the land on which these springs are located to the State of New Mexico. Has the gentleman considered that matter at all since that time?

Mr. FERGUSSON. I did not understand that the gentleman from Wyoming would object to the bill unless I further amended it. Now, I am willing to agree to any amendment, in any shape or form, that will permit the poor people of that country to use this medicinal spring. At present there must be two or three hundred people around there. Some have put up shacks. Of course, they are trespassers; but because of the necessity of the situation men have put up little shacks to keep the rain off of the poor people who go there to use the springs. The springs themselves are down next to the river. A man cleans it out and takes a bath, and then the next man has to take a shovel and clean it out again. If gentlemen on that side can show me how I can get around it so as to accomplish what I want to get for these poor people, I would like to do it. I have been trying to do it, but I was detained and put over for one or two weeks by one gentleman, and then one week by another gentleman, and now comes the gentleman from Wyoming with other views. I think I have a right to have a hearing some time.

Mr. MONDELL. The gentleman from New Mexico is hardly fair. He says, "And now comes the gentleman from Wyoming." The gentleman from Wyoming made a suggestion at the time the bill was first taken up for consideration, and that was that instead of attempting to load these springs onto the people of the United States and make the people of the United States responsible for their maintenance and care, the gentleman should ask to have the land on which the springs are located transferred to the State of New Mexico, in order that that State might proceed to care for and improve the springs so that the people locally could secure the largest benefit from the springs. The gentleman from New Mexico has not seen fit to pay any attention to that suggestion. It is a suggestion which if carried out would immediately settle this entire matter by placing the responsibility for these springs upon the people who are to use them—the local authorities—and the burden of the maintenance of the springs upon the people of New Mexico, where the burden should be placed.

Now, what the gentleman proposes is to have the Federal Government lease the springs, retain the receipts, and his bill contains no provision whatever for an appropriation. In other words, the people of his State can not get the benefit of these springs under the proposition now presented unless some time in the future Congress shall appropriate for the care of the springs. What the gentleman is proposing to do is to tax the local people to the amount of the lease money, whatever it shall be, and make them pay for a use that they are now securing without money and without price. The gentleman's bill does not accomplish what he desires to have it accomplish; but if he will transfer the tract to the State, the State could care for the springs and the springs would be under local control.

Mr. FERRIS. Will the gentleman from Wyoming let me make a suggestion? The real thing that the gentleman from New Mexico wants to do is to get the use of this spring for his people. Is not the gentleman from Wyoming willing to let the gentleman from New Mexico offer his amendments and take an expression of the House? It seems too bad that he should be ground to pieces between the two views. Certain Members think one way and some of us think another, and it is too big a proposition to settle on this little bill. The gentleman from New Mexico is very much interested in the passage of it and has had it up a number of times.

Mr. MONDELL. I will say to the gentleman from Oklahoma, who comes from a State where there is a spring that has been loaded on the Government and which we have not been able to give back to the State, and upon which we have spent a lot of money, that the gentleman from New Mexico seems to be very willing to meet certain suggestions, but he pays no attention to others. The gentleman says that he is willing to modify the form of the proposition which he has before the House, as suggested by the gentleman from Wisconsin, but he has paid no attention at all to the suggestion I made.

Mr. FERRIS. Let me for the moment defend the gentleman from New Mexico. Certainly he is not guilty of being headstrong; he has yielded to everybody that has even made a suggestion to him, and it seems too bad that he should be ground to pieces between the two factions when he has accepted the suggestion of everyone in regard to it. I beg the gentleman to let him get the matter up on the floor with his amendment and let us get an expression of the House upon it. It is not right to hold him back and prevent him from getting an expression of the House.

Mr. FERGUSSON. Mr. Speaker, just one word in reply to the gentleman from Wyoming. In the other two cases of amendment it was distinctly stated by the gentlemen that they would object unless the proposition was modified. But as I understood the gentleman from Wyoming—and I do not want to do him any injustice—he did not make that a prerequisite at all. He talked in a general and theoretical way of having the States take all the springs rather than the Government. But that involves an immense big policy of the Government, and it ought to be done in a general bill applying to everything. This is a special bill with reference to one spring in the State of New Mexico, and if passed I will say, in perfect candor, it will relieve the almost certain necessities of poor people who can not go for hundreds of miles to any other spring. Last year people came there and waited for weeks and weeks to get a bath because of the unkempt condition of the springs. I was advised that the Government was not yet ready to adopt a general policy in the direction pointed out by the gentleman from Wyoming, that it involves a great big enterprise with relation to hundreds of thousands of acres surrounding springs in many portions of the West, and it would be too long a delay for me to wait until they agreed on a general plan.

This is a special bill based on the necessities of a special, particular case, and the object of the amendment suggested by the gentleman from Wisconsin [Mr. STAFFORD] was that in case the Government reaches the point where it wants to adopt a general policy to provide for these things, then this particular case shall be made to conform to the general policy, and that the lessees operating under this particular bill shall be by the Government permitted to go on with their enterprise and not have their expenditures destroyed by its going into a general system. I sincerely hope that the gentleman will not defeat me at this time of day.

Mr. MONDELL. Mr. Speaker, the gentleman can not get me to yield my views in this matter by a misstatement of the facts of the situation.

Mr. FERGUSSON. I did not make any misstatement of the facts, certainly not intentionally.

Mr. MONDELL. Possibly not intentionally; and if not, then the gentleman has been listening to some ghost stories. There are no numbers of mineral springs on the public domain that are not claimed by anyone. There is no big policy involved. I doubt if in the United States there are a half dozen mineral springs of any value that are now on the public land not claimed by private individuals. This happens to be one of those springs.

The gentleman wants me to surrender my views in the matter, although he has discovered that other gentlemen will not surrender theirs. I may do so, however. I am so good-natured that I am in the habit of surrendering my views in these matters in order to please gentlemen, but the plan he proposes is a great mistake from the standpoint of the gentleman himself and the people whom he represents. There is no reason on earth why all of the people of the United States should be loaded with the responsibility for and the expense of caring for the local hot springs. This simply means another national park, one more item to be loaded onto appropriation bills as long as time runs, one more item to contest in the House, one more item to add to the constantly increasing expenditures of the Federal Government, and all for the benefit of the people in the locality in which the springs are situated.

I have had some experience in matters of this kind. Years ago I endeavored to secure an appropriation for a hot springs in my State, and I was persuaded that a much better way would be to ask for the transfer to the State of the tract of land on which the springs were located. That was done. The result is that we have there a State institution of which we are proud. It is not costing Uncle Sam a penny. Any citizen of the United States can go there just as freely as a citizen of the State and secure all the benefits that he would if the springs belonged to the Federal Government and the Federal Government was caring for them. We are taking better care of them than would be taken by the Federal Government, and it is the best policy to pursue in matters of this kind.

Mr. FERGUSSON. Mr. Speaker, will the gentleman yield?

Mr. MONDELL. Yes.

Mr. FERGUSSON. The gentleman stated before, and I neglected to reply to it, that the object that he had in mind was to force the Government, as I understood him, to hold all of these things out of temporary use. The purpose of the bill——

Mr. MONDELL. Mr. Speaker, the gentleman can not say that, for he could not have understood anything that I said as indicating any such view whatever. I desire to have these springs used. I wish the gentleman would agree to a plan under which they can be promptly used to the best advantage of the people who desire to use them.

Mr. FERGUSSON. The gentleman did not permit me to finish, before he interrupted again, what I was going to say.

Mr. MONDELL. The gentleman went on to say that I did not want the springs used.

Mr. FERGUSSON. With reference to the fact that this bill carries no appropriation, instead of that being thrown at me as a reproach, I thought it would appeal to the House, because these springs are so valuable that there are dozens of men with money who are ready to build hotels, and it requires no appropriation whatever. They will build the hotels and distribute this water, and furnish it for the use of the people on certain charges which the Secretary of the Interior can see are not extortionate, so that no appropriation is necessary.

Mr. JOHNSON of Washington. Mr. Speaker, will the gentleman yield?

Mr. FERGUSSON. With the consent of the gentleman from Wyoming.

Mr. JOHNSON of Washington. On the question of the value of this, what would be the least money paid to the United States?

Mr. FERGUSSON. I have not calculated that.

Mr. JOHNSON of Washington. One hundred thousand dollars a year?

Mr. FERGUSSON. I would not say.

Mr. JOHNSON of Washington. Five thousand dollars a year?

Mr. FERGUSSON. I have no idea. It goes into the Treasury of the United States.

Mr. JOHNSON of Washington. As a matter of fact, these are coal lands, are they not?

Mr. FERGUSSON. No.

Mr. JOHNSON of Washington. Classified as coal lands?

Mr. FERGUSSON. I think not.

Mr. JOHNSON of Washington. The report so states, and the gentleman has been working all summer in favor of a leasing plan for coal lands.

Mr. FERGUSSON. That is one reason. When I suggested the possibility of having all lands of this character conveyed to the Government it was suggested to me that nearly all of the western country where these springs are have such indications of coal that it would be contrary to the general policy of the Government not to sell or give away any more coal lands in the West.

Mr. JOHNSON of Washington. Did not the gentleman all summer advocate the holding of these things for the Government on account of their value?

Mr. FERGUSSON. That idea comes in conflict with the general policy of the Government now to lease coal lands and to no longer sell them outright.

Mr. MONDELL. Mr. Speaker, the gentleman says his bill carries no appropriation. I hope that does not fool anybody. It certainly does not mislead anyone who knows anything about the situation. Certainly it does not carry an appropriation, but the next sundry civil appropriation bill will carry an appropriation if the gentleman from New Mexico can get it, or else the people of the locality will be paying to the Federal Government for the use of the springs in the amount of the license fees that are paid, and the gentleman or his successor—I regret that it will not be the gentleman himself—will be here asking for appropriations for the care of the grounds, and he must get them, because the grounds must be taken care of. He will be here asking for an appropriation for free bathhouses, because while people may build hotels, they will charge good prices for the use of them and for the baths in those hotels. There must be bathhouses; there must be accommodations for those who go there and can not afford to pay the hotel rates, and the gentleman's proposition is that the Federal Government shall pay for all those things. Now, I am not responsible for expenditures under this administration. I am not a part of this Democratic régime of economy, and I am not responsible if these things are started, and therefore I shall not object.

Mr. FOSTER. Mr. Speaker, I ask for the regular order.

The SPEAKER. The gentleman from Illinois demands the regular order. The question is, Is there objection to the consideration of this bill? [After a pause.] The Chair hears none. The Clerk will report the bill by title.

The Clerk read as follows:

A bill (H. R. 12050) reserving from entry, location, or sale lots 1 and 2, in section 33, township 13 south, range 4 west, New Mexico prime meridian, in Sierra County, N. Mex., and for other purposes.

Mr. FITZGERALD. Mr. Speaker, I ask unanimous consent that the bill be considered in the House as in the Committee of the Whole House on the state of the Union.

The SPEAKER. The gentleman from New York asks unanimous consent that this bill be considered in the House as in Committee of the Whole House on the state of the Union. Is there objection? [After a pause.] The Chair hears none, and the Clerk will report the bill.

The Clerk read as follows:

SEC. 2. That the Secretary of the Interior be, and he is hereby, authorized to control the use of said lots and the waters thereon, and to make regulations for the government of the reservation, and to make such contracts, agreements, and leases as will best preserve them for the use of the public; and all moneys received from such contracts, agreements, and leases by way of remuneration, or from any other source in connection with this reservation, shall be covered into the Treasury of the United States as a special fund to be disbursed by the Secretary of the Interior for the protection, maintenance, and improvement of said reservation.

Mr. FERGUSSON. Mr. Speaker, I offer an amendment. In line 9, section 2, strike out all after the words "United States" and insert in lieu thereof the following: "and credited as miscellaneous receipts."

The SPEAKER. The Clerk will report the amendment.

The Clerk read as follows:

Amend, page 2, section 2, line 9, by striking out all after the words "United States" and insert in lieu thereof the following: "and credited as miscellaneous receipts."

The question was taken, and the amendment was agreed to.

Mr. FERGUSSON. Now, Mr. Speaker, I desire to offer a modified amendment to the one the Clerk has.

The SPEAKER. The gentleman will have to speak louder.

Mr. FERGUSSON. Amend by adding at the end of section 2, page 2, the following:

Provided, That nothing in this act contained shall be construed as establishing a general policy of the United States of leasing reservations containing medicinal waters—

And stop right there and——

The SPEAKER. The Clerk will report the amendment.

The Clerk read as follows:

Amend by adding at the end of section 2, page 2, the following: "*Provided*, That nothing in this act contained shall be construed as establishing a general policy of the United States of leasing reservations containing medicinal waters."

Mr. RAKER. Mr. Speaker, this proposed amendment is wholly unnecessary for this bill. It has never been considered by the committee. It has no place in this bill, and it does not seem as though the House ought to establish such a policy as this for the future. Here is a small spring that ought to be provided for as in the bill, and we ought not, upon the spur of the moment, attempt to pass on a future policy by saying what we will or will not do in regard to these matters. The bill ought to pass as it is, but this amendment will not effect the general purposes of the bill in any way.

The question was taken, and the amendment was agreed to.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed.

On motion of Mr. FERGUSSON, a motion to reconsider the vote by which the bill was passed was laid on the table.

URGENT DEFICIENCY APPROPRIATION BILL.

Mr. FITZGERALD, by direction of the Committee on Appropriations, reported the bill (H. R. 20241) making appropriations to supply urgent deficiencies in appropriations for the fiscal year 1915 and prior years, and for other purposes, which, with the accompanying report (No. 1241), was ordered printed and referred to the Committee of the Whole House on the state of the Union.

Mr. MANN. Mr. Speaker, I reserve all points of order on the bill.

The SPEAKER. The gentleman from Illinois [Mr. MANN] reserves all points of order on the bill.

Mr. FITZGERALD. Mr. Speaker, I ask unanimous consent that it may be in order to-day after 5.30——

Mr. MANN. Make it earlier than that.

Mr. FITZGERALD (continuing). To take this bill up. Well, I will say after 5 o'clock, to proceed with the consideration of this bill.

The SPEAKER. The gentleman from New York asks unanimous consent that after 5 o'clock the consideration of this bill shall be in order. Is there objection?

Mr. MANN. Why not make it a quarter before 5?

Mr. FITZGERALD. There are a great many bills on the calendar.

Mr. COOPER. Will the gentleman yield? After 5 o'clock will be any time after 5 o'clock. Does the gentleman mean at 5 o'clock?

Mr. FITZGERALD. There might be a matter pending.

Mr. COOPER. It might bring it up to 6 o'clock.

Mr. FITZGERALD. We can sit a little later.

Mr. MANN. There might be something under consideration. You had better make it a quarter before 5.

Mr. FITZGERALD. I will make it 4.45.

The SPEAKER. The gentleman from New York asks unanimous consent that after 4.45 the consideration of this bill shall be in order. Is there objection? [After a pause.] The Chair hears none.

PAYMENT OF DECEMBER SALARIES TO OFFICERS AND EMPLOYEES OF THE SENATE AND THE HOUSE.

Mr. FITZGERALD. Mr. Speaker, by direction of the Committee on Appropriations I report back Senate joint resolution 213, to pay the officers and employees of the Senate and House their December salaries on the 22d of December (H. Rept. 1243), and I ask unanimous consent for its present consideration.

The SPEAKER. The Clerk will report the joint resolution.

The Clerk read as follows:

Senate joint resolution 213, authorizing the Secretary of the Senate and the Clerk of the House to pay the officers and employees of the Senate and House, including the Capitol police, their respective salaries for the month of December, 1914, on the 22d day of said month.

Resolved, etc., That the Secretary of the Senate and the Clerk of the House of Representatives be, and they are hereby, authorized and instructed to pay the officers and employees of the Senate and House of Representatives, including the Capitol police, their respective salaries for the month of December, 1914, on the 22d day of December; and the Clerk of the House is authorized to pay on said day to Members, Delegates, and Resident Commissioners their allowance for clerk hire for said month of December.

The SPEAKER. The gentleman from New York asks unanimous consent for the present consideration of this resolution. Is there objection? [After a pause.] The Chair hears none.

Mr. MANN. Will the gentleman yield for a question?

Mr. FITZGERALD. Certainly.

Mr. MANN. Is it usual for the Senate to initiate legislation of this character?

Mr. FITZGERALD. No; it is not.

Mr. MANN. If I had been in the gentleman's place, I would have thrown the resolution in the wastebasket and brought in a House resolution.

Mr. FITZGERALD. I do not like to do that every day.

Mr. MANN. With all due respect to the Senate, these things ought to originate in the House.

The SPEAKER. The question is on the third reading of the Senate joint resolution.

The resolution was read a third time and passed.

On motion of Mr. FITZGERALD, a motion to reconsider the vote by which the resolution was passed was laid on the table.

The SPEAKER. The Clerk will report the next bill.

CONTRACTS UNDER RECLAMATION ACT.

The next business in order on the Calendar for Unanimous Consent was the bill (H. R. 124) authorizing and directing the Secretary of the Interior to investigate and settle certain accounts under the reclamations acts, and for other purposes.

The bill was read, as follows:

Be it enacted, etc., That hereafter whenever a contract made under the reclamation act of June 17, 1902, or acts amendatory thereof or supplementary thereto shall be suspended on account of default of the contractor and the work is taken over by the Government for completion, either by Government forces or by contract, the Reclamation Service is hereby authorized to pay from the reclamation fund, on account of the contractor and the sureties, for labor actually performed on the work and for all or any part of the materials, plant, and supplies ordered by the contractor delivered at the work and needed therefor, upon satisfactory evidence that the same has not been paid for by or on account of the contractor. Any payment so made by the Reclamation Service shall be charged against the contractor and the sureties, who shall be liable therefor. All claims under this act must be filed with the Reclamation Service within 90 days after the suspension of such contract. All contracts for construction or repair of a public work under the reclamation act or acts amendatory thereof or supplementary thereto shall provide that all books and papers of the contractor regarding the hire and payment of labor and the ordering, purchase, and payment for materials, plant, and supplies shall become available in settlement of claims thereunder. Any claimant who under oath knowingly makes a false claim or a false statement in regard thereto under the terms of this act shall be deemed guilty of perjury and subject to the punishment provided therefor by law. A decision of the Secretary of the Interior against any claimant under this act shall not preclude such claimant from proceeding in accordance with the provisions of the act of February 24, 1905, or acts amendatory thereof or supplementary thereto in order to recover from the contractor or the sureties any amounts claimed to be due him in connection with such contract. The Secretary of the Interior is hereby authorized to make necessary rules and regulations for the filing of sworn statements of claims and other procedure for determining the amounts due under the terms of this act.

Also, the following committee amendment was read:

Page 1, lines 3 and 4, strike out the following words: "That hereafter, whenever a contract made under the reclamation act of June 17, 1902," and insert in lieu thereof the following words: "That whenever a contract for the construction or repair of public works hereafter made under the reclamation act of June 17, 1902."

The SPEAKER pro tempore (Mr. FITZGERALD). Is there objection to the present consideration of the bill?

Mr. FOSTER. Reserving the right to object, it seems to me, in view of the fact that we put on the reclamation bill a provision for appropriating the money in the future by the Congress of the money that goes into the Reclamation Service, this bill comes somewhat in conflict with it, and there is a question of whether it ought to pass or not, as I see it.

Mr. RAKER. Will the gentleman suggest with what he thinks it comes in conflict?

Mr. FOSTER. In returning the money that comes into the Treasury. I understand from this bill that the officials connected with the Reclamation Service pay these claims. Is that true?

Mr. RAKER. If it is appropriated, but not otherwise. It would come under the law.

Mr. FOSTER. It gives them the right to go and settle claims outside of what the Government may provide for?

Mr. RAKER. Not at all. This drops right in and fits in with the act of 1914.

Mr. FOSTER. I can not see it.

Mr. RAKER. I call the gentleman's attention to it. Suppose $1,000,000 was appropriated for a project. They make a contract for $500,000. The contractor fails, but has used $100,000. The Reclamation Service can afford from the money that has been appropriated, where the work has been done, to pay for the labor and material that has been actually furnished to the Government.

Mr. LENROOT. I would like to ask the gentleman as to what the practice or procedure is as to assessment of the cost of a project? Is it upon the contract price?

Mr. RAKER. I do not quite get the gentleman.

Mr. LENROOT. The assessment upon the land within the project?

Mr. RAKER. It is the whole cost of the project—water, dams, reservoirs, and all—that is apportioned to the number of acres of land in that project and the total cost.

Mr. LENROOT. How is the amount of assessment determined?

Mr. RAKER. By the full expenditure.

Mr. LENROOT. The assessment, then, is not fully made until final completion?

Mr. RAKER. That is true.

Mr. LENROOT. Here is a contract for a project that is finally completed by the Government. The contract price has been paid to the contractor. This bill provides this deficiency shall be paid out of the reclamation fund. Will it be assessed upon the lands within the projects?

Mr. RAKER. Surely. But I think the gentleman is a little too strong in the matter. There will be none paid by the Reclamation Service except under the amount appropriated, for which they can authorize a contract, and not otherwise. Under

the law to-day they can not make any more contracts unless that money has been appropriated for them.

Mr. LENROOT. If the contract is the full amount of the appropriation, and then there is a deficiency, would the words "reclamation fund" include the general fund?

Mr. RAKER. There are no cases of that kind.

Mr. LENROOT. That may be, but I am asking the gentleman as to the principle.

Mr. FERRIS. Does not this contemplate a case where a contractor makes default and does not allow such project to stand on its own legs and pursue its own contractor and its own lost money? It seems to go into the general reclamation fund and pay it. My reason for stating that is the very language in the bill, on page 1, as follows:

That whenever a contract for the construction or repair of public works hereafter made under the reclamation act of June 17, 1902, or acts amendatory thereof or supplementary thereto, shall be suspended on account of default of the contractor and the work is taken over by the Government for completion, either by Government forces or by contract, the Reclamation Service is hereby authorized to pay from the reclamation fund, on account of the contractor and the sureties, for labor actually performed on the work and for all or any part of the materials, plant, and supplies ordered by the contractor delivered at the work and needed therefor, upon satisfactory evidence that the same has not been paid for by or on account of the contractor.

Now, here is the trouble:

Any payment so made by the Reclamation Service shall be charged against the contractor and the sureties, who shall be liable therefor.

But how can the contractor be responsible who has already defaulted and gone? It seems this goes very far and makes the Government a kind of an insurer, and it seems to me the logical effect of it would be that the water-users' association would in all probability lose interest in keeping their several contractors honest and square. It seems to me it would resolve the reclamation fund into a kind of insurance proposition, so that the water users could not lose, no matter what the conduct of the contractor might be. It seems to invite the contractor to default—or, in any event, if he does default, only the general reclamation fund would suffer. I fear also the bill does not retax or make the individual project pay losses that absconding or defaulting contractors may inflict.

Mr. LENROOT. May I suggest this defect under the language of the bill? The payment to the contractor and the labor is not within the contemplation of the bill payment from the cost of the improvement, but it becomes an indebtedness of the contractor and his sureties to the Government.

Mr. FERRIS. Yes; under which they may pursue him or not, as the case may be.

Mr. LENROOT. But it could not be charged up as an assessment against the land.

Mr. RAKER. Oh, yes. I do not want to take up the time of the House, but——

Mr. FOSTER. I suggest to the gentleman that he let this bill go over.

Mr. RAKER. Well, Mr. Speaker, there seems to be time desired on other bills, and still other bills following, and I do not want to take up too much of the time of the House now, but later this bill can be fully heard——

Mr. MANN. Mr. Speaker, will the gentleman yield for a moment?

Mr. RAKER. I do.

Mr. MANN. I would like to make a suggestion as to this bill. I think it is very desirable that we should have some kind of a mechanic's lien law in connection with this work. I do not know who drew the bill, but I am very sure the introducer of the bill, the gentleman from California [Mr. RAKER], did not draw it, unless he dictated it hastily.

In the first place, it makes provision for cases only where the contract is suspended. A contract that is defaulted upon is not suspended, so that the bill would never take effect. In the second place, it undertakes to make the sureties liable for the entire amount that is paid out, which we have not the authority to require.

But further, if a contract for $100,000 should be entered into and half of the work should be done and the Government should pay $50,000 to the contractor and he did not pay his labor or his material men, the Government would have to pay that over again and finish the work besides.

Now, in any mechanic's lien law there ought to be some provision to the effect that the people who wish to avail themselves of it shall give notice to the Government here, so that the Government will not pay money to the contractor who uses it to pay his old debts with, but will require him to apply it to the payment of labor or materials, or the Government will see that the money is so applied. There are no such safeguards in this bill. I hope the gentleman will prepare a bill and substitute for this one when it comes up again.

Mr. RAKER. I have a couple of amendments to suggest, but they should be submitted for the RECORD in advance. I am going to ask that this bill be continued, but I want to say a word before I do that, to the effect that absolute concrete cases have come before the department where this bill would have relieved the labor and would have relieved the material men and would have protected the Government if it had been in operation.

Mr. MANN. I have no doubt about that; but in legislating you can not take some concrete case in the past, but you must provide for what might hereafter happen.

Mr. RAKER. I will prepare an amendment along the line suggested by the gentleman from Illinois. Mr. Speaker, I ask that this bill be passed over without prejudice.

The SPEAKER pro tempore (Mr. FITZGERALD). The gentleman from California [Mr. RAKER] asks unanimous consent that this bill be passed over without prejudice. Is there objection?

There was no objection.

The SPEAKER pro tempore. The Clerk will report the next bill.

PUBLIC-BUILDING SITE, PLYMOUTH, MASS.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 16829) to provide for enlarging the site for the United States building at Plymouth, Mass.

The bill was read.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. MANN. Reserving the right to object, Mr. Speaker, it does not seem to me that in the present condition of the Treasury we ought to buy land that we have no need for, just because a very beautiful city desires to add to its beauty. That is commendable, but——

Mr. THACHER. Mr. Speaker, I presume the gentleman from Illinois has read the report made by the Assistant Secretary of the Treasury, recommending the proposed purchase?

Mr. MANN. Oh, I have not read the report of the Assistant Secretary of the Treasury, but I have received and read a large number of communications, or some communications, from the people of the city of Plymouth, urgently requesting the passage of this bill, and giving facts which, I think, show that the bill ought not to be passed at this time.

Mr. THACHER. I hope the gentleman will not insist upon his objection.

Mr. MANN. Well, I shall have to object.

The SPEAKER pro tempore. The gentleman from Illinois [Mr. MANN] objects. The Clerk will report the next bill.

BRIDGE ACROSS MISSISSIPPI RIVER.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 17907) granting the consent of Congress to the Interstate Bridge & Terminal Co., of Muscatine, Iowa, to build a bridge across the Mississippi River.

The bill was read.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. MANN. Reserving the right to object, Mr. Speaker, it has never been customary to pass a bill for a bridge across the Mississippi River unless there was some information given that it was the proper thing to do, and unless it had somebody behind it who intended to proceed.

Mr. VOLLMER. Mr. Speaker, I will say to the gentleman from Illinois that the proponents of this bill are reputable and responsible people in the city of Muscatine—men in whom I have every confidence. The bill itself as a proposition has been indorsed by the Commercial Club of the City of Muscatine, by the city council of that city, and by the board of supervisors of that county, and the latter body has granted a license to the corporation for the purpose.

Mr. MANN. Does the gentleman from Iowa think it would be possible at this time to finance the building of a bridge across the Mississippi River at this point?

Mr. VOLLMER. I have inquired of them as to what information they could give the House and myself with reference to the financing of the proposition, and they said that they believed they had made complete arrangements for procuring the money as soon as the financial situation was eased up.

Mr. MANN. Well, it is a certainty, if this bill should pass, that three years from now, or one year from now, probably, they being required to commence the construction within one year, they would ask to have it extended, and a year after that they would ask to do the same thing, and the year after that they would ask to do the same thing, and the following year

they would do the same thing. It takes a lot of money to build a bridge across the Mississippi River.

Mr. VOLLMER. Yes; but I have known of bridges being actually financed and builded when the prospects were even more dubious than they are in this case; one in my own State that I can especially recall, which has been of great benefit to that community, giving us additional railroad facilities.

Mr. MANN. May I ask the gentleman from Iowa how near is this point to any other bridge across the Mississippi River?

Mr. VOLLMER. There is one bridge now at Muscatine. The exact location of this bridge has not been determined, but, of course, that will be under the supervision of the War Department, who make a report on this bill, saying that they have no objection to it, and that the interests of the public are fully covered.

Mr. MANN. That is a mere formal report. The War Department never have any objection.

Mr. VOLLMER. As far as safety is concerned, and as the interests of navigation are concerned, they are fully protected under the general bridge act.

Mr. MANN. Yes; as far as they can be, and yet any bridge across the Mississippi River is necessarily an obstruction to navigation. Now, if this is to be a railroad bridge as well as a road and foot-passenger bridge, what railroads are expected to use it or may possibly use it?

Mr. VOLLMER. I can not answer that question.

Mr. MANN. I suppose the gentlemen who are seeking to pass the bill are able to answer that question?

Mr. VOLLMER. I presume so. I do not know. I ask unanimous consent that the bill be considered in the House——

Mr. MANN. It is a House Calendar bill.

Mr. MADDEN. I object to the consideration of the bill.

The SPEAKER. The gentleman from Illinois [Mr. MADDEN] objects. The bill will be stricken from the calendar.

EXPATRIATION OF CITIZENS AND THEIR PROTECTION ABROAD.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 1991) to amend section 3 of an act entitled "An act in reference to the expatriation of citizens and their protection abroad," approved March 2, 1907.

The bill was read, as follows:

Be it enacted, etc., That section 3 of an act entitled "An act in reference to the expatriation of citizens and their protection abroad," approved March 2, 1907, be amended so as to read as follows:

"SEC. 3. Any American woman who marries a foreigner and removes from the jurisdiction of the United States, with intent to permanently reside abroad, shall take the nationality of her husband. At the termination of the marital relation she may resume her American citizenship, if abroad, by registering as an American citizen within one year with a consul of the United States, or, by returning to reside in the United States, or, if residing in the United States at the termination of the marital relation, by continuing to reside therein"—

With the following committee amendment:

Page 2, line 4, after the words "United States," strikes out "or, if residing in the United States at the termination of the marital relation, by continuing to reside therein."

The SPEAKER. Is there objection?

Mr. STEENERSON. Reserving the right to object, I should like to inquire of the gentleman from Mississippi [Mr. HARRISON], in charge of the bill, whether or not it is a fact that the State Department is opposed to the passage of this bill?

Mr. HARRISON. In the Sixty-second Congress the Foreign Affairs Committee, through one of its members, conferred with the State Department, and the State Department at that time did not sanction this bill.

Mr. STEENERSON. And it is still opposed to it, is it not?

Mr. HARRISON. I presume that the State Department does not approve the bill.

Mr. STEENERSON. Is it not a fact that this proposes to make a law for the United States which will be in conflict with the international law of every civilized nation of the world?

Mr. HARRISON. I do not think so. On the contrary, if the gentleman will permit, the purpose of this bill is to give to the State the right to control suffrage and other matters that pertain to female citizenship, and those privileges which the State has given, without interference by the Federal Government.

Mr. STEENERSON. It strikes me that it utterly fails in that purpose, and that if it were passed the persons named in the report as its beneficiaries would not be benefited at all. It does not affect the citizenship of any woman to-day married to a foreigner. It could only possibly affect women, natives of the United States, who hereafter marry foreigners. It is said in the report that it is sought to relieve women in California who are married to foreigners not naturalized; but this bill utterly fails to do that, and it would repeal the law of the United States which we took great care to enact in 1907, and would put this country in conflict with the law of every civilized nation of the world, and would be liable to involve this country in complications with foreign nations, which is not desirable, especially at this time, during the continuance of the war in Europe.

Mr. HARRISON. I will say to the gentleman that the Foreign Affairs Committee did not take that view of the matter. The gentleman evidently bases his opposition to the bill on the fact that it says that hereafter it shall apply to those women who marry foreigners, but does not apply to those who have already married foreigners, and who have been affected by the Federal law. May I ask the gentleman, if the bill was amended to apply to those who have already married foreigners, would he be in favor of it?

Mr. STEENERSON. Then it would be special legislation. It would simply be to relieve certain disabilities; but the way to relieve those women who are married to foreigners in California, and who desire to vote, is to change the constitution of California. Any State has full control over its own constitution and of who shall be electors. There are numerous States of the Union which allow people to vote who have only declared their intention to become citizens. I believe the State of Michigan to-day allows people to vote who have only declared their intention to become citizens. If the State of California desires to allow women to vote who have married aliens, all it will have to do is to change its constitution. The State of California to-day disfranchises every foreigner, as well as every native, who can not read the constitution of California in English; and there are thousands of citizens of California, both male and female, who are disfranchised, because they can only read Spanish or Italian or some other language besides English. Their constitution says:

> No person who shall not be able to read the constitution in the English language and write his or her name shall ever exercise the privilege of an elector in this State.

If the people of California want to change their constitution, they can do so; and they can give all these persons the right to vote.

The following cities of California, with a population of 25,000 or over, have a foreign-born population of 23,276 unable to speak the English language, and who are over 10 years of age, to wit:

Berkeley	407
Los Angeles	7,491
Oakland	3,467
Pasadena	201
Sacramento	735
San Diego	855
San Francisco	9,537
San Jose	583
Total	23,276

These figures are from the last census. But the people of California were apparently willing to discriminate against these, no matter how intelligent they are. Under their law even Mme. Montessori, the great educator, could never vote, because she does not speak English.

Mr. KENT. I think the gentleman is mistaken in his view. In California we are trying to pass laws to give entire equality between the sexes in the matter of citizenship. Here is a Federal statute which denies that right, and whatever you say about the constitution of California, women have been deprived of their votes in California under this Federal statute because they have married aliens. The gentleman confounds the right of franchise with citizenship. As we have seen, there are many, even native-born citizens, in California who can not vote. Criminals and those unable to read and write are citizens, perhaps native born, and yet can not vote. So are persons who have not resided in the county 90 days or in the precinct 30 days. To class well-educated, moral, and industrious people with criminals and disfranchise them would seem just as unjust discrimination as happens in the case referred to.

Mr. STEENERSON. Does not the gentleman from California know that in 1897 we appointed a commission, consisting of James Brown Scott, Counselor of the State Department; Mr. David Jayne Hill, then minister to the Netherlands; and Mr. Gaillard Hunt, Chief of the Passport Division of the State Department under Mr. ROOT, who was then the Secretary of State, and they investigated this matter very carefully, giving it a great deal of time, and then reported to Congress—I was here at the time and remember it very well—that the law had always been that the citizenship of a married woman followed the citizenship of her husband. The report is an exhaustive summary of the law of expatriation.

Mr. KENT. That may have been the law, but that does not make it a just law.

Mr. STEENERSON. Yes; it is. And the law of every civilized country in the world except Great Britain, and Great Britain changed her law in 1870, so that the laws of all the nations to-day are now harmonious on that subject.

Mr. KENT. We are not legislating for Great Britain, but we are legislating for the United States.

Mr. STEENERSON. Yes; but if the very persons mentioned in the report—Mrs. Gordon and others—should go to Europe, being married to natives of Great Britain, by the laws of Great Britain a woman so married would be held to be a citizen of Great Britain, notwithstanding she was born in this country and had always resided here before, and this change would lead us into interminable complications that we could not get out of, because we would be in conflict with the law of every nation in the world. Suppose this lady and her husband should now be traveling in Germany and be arrested for violating neutrality or for being spies. The United States is bound to defend its citizens abroad, even to the use of force. This woman under the proposed law would be a citizen of the United States, but under the laws of Germany, England, and every other civilized country would be a citizen of Great Britain. This would lead to conflicts that might be serious.

Mr. KENT. The gentleman considers that woman is a sort of vermiform appendix to the husband.

Mr. STEENERSON. Oh, no; I do not; but the gentleman's bill would not help Mrs. Gordon a particle, because she is already married. It is a rule that where you reenact a law with new additions the new part only takes effect from the time of the passage of the new act. An amendatory act which reenacts part of an old law takes effect as to cases coming within the new provision from the time of its passage. The portions of the amended sections which are merely copied without change are not to be considered as repealed and again reenacted, but to have been the law all along, and the new parts or changed portions are not to be taken to have been the law prior to the passage of the amendatory act. The change takes effect prospectively, according to the general rule. Southerland on Statutory Construction, section 737, and authorities there cited.

Mr. STAFFORD. Will the gentleman kindly state who Mrs. Gordon is?

Mr. STEENERSON. She is a native of California, but she married a British subject, a gentleman of high standing who has lived 20 years in the country, but never had time to get naturalized. Her case is mentioned in the hearings on this proposition before the Committee on Foreign Relations of the House.

Mr. KENT. But the gentleman is talking of only one case, and I am talking about a law which will apply generally. There is a woman in Washington—I can not give her name—who was a citizen of the United States, that married a man who had taken out his papers with the intention of being naturalized, and thus has forfeited citizenship rights.

Mr. STEENERSON. I desire to say that until the State Department itself thinks this bill ought to be passed, I shall object to it. I think the gentleman is mistaken in trying to have it passed now. I think he does not understand his own bill.

Mr. LENROOT. Will the gentleman yield before he objects?

Mr. STEENERSON. Yes.

Mr. LENROOT. In the gentleman's State, as in my own, woman suffrage will soon be an accomplished fact.

Mr. STEENERSON. This bill has nothing to do with woman suffrage. I have not opposed woman suffrage. Those who claim this bill affects woman suffrage, even in California, are mistaken.

Mr. LENROOT. We have thousands of foreigners who have declared their intention to become citizens of the United States. Does the gentleman think it just to penalize these women who are citizens now and depriving them of their vote, because they married men who have declared their intention of becoming citizens of the United States, and will become citizens as soon as possible?

Mr. STEENERSON. There is no penalizing about it. They will be citizens as soon as their husbands.

Mr. LENROOT. The woman loses her vote if she marries a man who is a foreigner, although he has declared his intention to become a citizen.

Mr. STEENERSON. So she does if she moves from one precinct to another 30 days before election. This is only a incident. It is the law of every nation in the world—that the woman's status follows that of the husband—and it ought to be so everywhere. Diversity of citizenship between husband and wife is not compatible with family life nor in harmony with our notion of the Christian marriage.

Mr. LENROOT. Is it the gentleman's idea that the United States must make our laws conform to the laws of other countries? May we not go further and make better progress than other countries have? Is not that to be the test?

Mr. STEENERSON. Oh, no; not at all. Our laws should not conflict with those of other nations on a matter like this, for if they do every time our citizens went abroad we would be getting into trouble. I do not believe in doing it, at least not until the State Department is in favor of it.

Mr. LENROOT. Does the gentleman think it is the business of the State Department to legislate or the business of Congress?

Mr. STEENERSON. No; but that has jurisdiction over our foreign relations and over these matters. Here is an extract from the hearings before the Committee on Foreign Affairs:

STATEMENT OF MILTON T. U'REN, ESQ., A MEMBER OF THE CALIFORNIA BAR.

Mr. U'REN. Mr. Chairman and gentlemen of the committee, the object of this bill, as has been stated, is merely to prevent Congress from interfering with those States which have seen fit to confer upon women equal political rights with men. In California the amendment conferring right of suffrage upon women was submitted to and carried by the male voters of the State. Since then a number of women, literally hundreds of them, born in California, raised, educated, married, and now rearing families there, have discovered that they have been set apart from their sisters in the State and deprived of the benefit of the amendment adopted in California. It is not a question, as has been perhaps facetiously suggested, of reserving to certain women who have married Chinamen or Japanese their citizenship. As a matter of fact, that does not enter into the matter at all, because under the laws of California it is a felony for a Caucasian to marry a person of Mongolian or Negro blood. But there are in California persons who have married persons with Mongolian or Negro blood in their veins, and they are there because they married such persons in other States where there is no such inhibition and moved to California and live there under the rights gained in the other States.

This amendment as now proposed is presented for the purpose of relieving American women. The most of them are natives of California, as I stated. Some of them are very prominent. I have here a clipping, which I will not attempt to read at length, but which I will leave for your inspection, as to one of the most prominent women in California. She came from one of the best families, moves in the best circles, has an excellent education, and has been most prominent in the suffrage movement. She married a very prominent man, a clubman, who has lived in California 20 years, his occupation being that of a teacher of singing, in which he has been so busy that he never thought of applying for citizenship; a highly educated and highly cultured gentleman, but being deeply engrossed in his profession overlooked the matter of naturalization.

[From the San Francisco Post, March 13, 1912.]

"MRS. MACKENZIE GORDON VOTELESS—NATIVE DAUGHTER IS A FOREIGNER—SUFFRAGE LEADER LEARNS MARRIAGE TO BRITON HAS COST HER CITIZENSHIP.

"Wouldn't it make you mad through and through,
"If you had been born and raised in California,
"If you had worked your head off for the great privilege of suffrage for women,
"If you had passed up all the social prestige which your husband's position in the artistic world and your own wealth and beauty could give you,
"If you had made your name a reproach and a byword to the class of people who didn't believe in the political equality of the sexes,
"If you had put aside personal qualms and had allowed the papers to publish your picture every time you had landed a blow for suffrage,
"If, at the last, when victory was imminent, you had sat up all night while the votes were being counted and had wept hysterical tears of pure joy when it became certain that suffrage had carried California, and you at last found yourself a citizen of the great and glorious Republic,
"Wouldn't it make you mad to find you were not a citizen at all?
"Wouldn't it peeve you to find that, because your husband, whom you hadn't had more than a couple of years, is an Englishman with a Scotch name, you, too, had to consider yourself English with a Scotch name?

"MRS. GORDON'S PREDICAMENT.

"Such is the predicament in which Mrs. Mackenzie Gordon, wife of the eminent singer and popular member of the Bohemian Club, finds herself, all on account of the idiosyncrasies of the naturalization laws as they are interpreted for the California woman.

"Mrs. Gordon was Miss Ethel Coope and spent her early childhood in Santa Cruz and Santa Clara and was carefully educated in the best fashionable schools in the State. Her charm and beauty won Mackenzie Gordon, who was considered a confirmed bachelor, soon after her debut, and their wedding was a notable society event of two years ago. Since her wedding Mrs. Gordon has entered heart and soul in the suffrage campaign, affiliating with the Club Woman's Franchise League, which has since evolved into the New Era League, with Mrs. Lillian Harris Coffin as the president. This latter organization recently launched a campaign to get every one of the city's newly enfranchised women to register. Mrs. Gordon was on the executive committee of the registration tea which inaugurated the campaign and stood all day of February 14 in the registration office to receive the women as they came into the strange place.

"LAW IS SPECIFIC.

"But the law says explicitly that an American woman who marries a foreigner forfeits her citizenship unless the husband takes out naturalization papers. Now, Mackenzie Gordon—the genial, affable, and famous Gordon—has never seemed to his fellows to be what they called a "foreigner," but such is the melancholy fact. It is not that he loves Britain more and America less, but because he has never had much time to devote to politics. He has been too absorbed in his art.

"Now, to confer the dignity of citizenship upon his American wife he must needs become naturalized, whether he is interested or not.

"Another woman who finds herself in the same situation is Mrs. W. Holmes, president of the Glen Park Woman's Political League. Mrs. Holmes is American born, but her husband was born in British dominion. She is also a member of the New Era League, Mrs. Coffin's organization, and did yeoman service for the suffrage cause in the gloomy days of the campaign last fall.

"Mrs. Coffin says there are 10 other women in the league who are similarly embarrassed.

"WOULD CHANGE LAW.

"The efforts of the committee of the New Era League, appointed to look after the bill introduced by Congressman KENT, providing that the citizenship of an American-born woman shall not be changed upon her marriage to a foreigner, are beginning to bear fruit.

"A letter was to-day received from President Taft saying that he was interested in the measure, and when it came up to him for action he would give it his most careful consideration. Communications were also received from Senator WORKS, Congressman STEPHENS, of Los Angeles, and Congressman KAHN, stating that they were watching the measure and would see that it received proper consideration in the congressional committees.

"Letters have been sent out by the New Era League to more than 25 women's clubs in the State, including the Catholic Aid Society and the Native Daughters of the Golden West, asking them to exert their efforts in behalf of the Kent bill. Presidents of suffrage organizations in all woman-suffrage States have also been asked to use their influence for the success of the measure."

Mr. KENDALL. You say he had lived in California for 20 years, and married for 20 years?

Mr. U'REN. Not married for 20 years, but he has lived there 20 years.

Mr. BARTHOLDT. She ought to use her influence to have him become a citizen to reform the world.

Mr. U'REN. That is true, and doubtless she has and will succeed. But notwithstanding the effort of California to place her on a political equality with men the fact that Mr. Gordon is not naturalized penalizes Mrs. Gordon. In other words, she is penalized by his failure to become naturalized. She may use her influence with him now, but it will be four years before he can get his final papers, and during that lapse of time why should she be set apart from her sisters so far as the elective franchise is concerned? Under this section Mrs. Gordon becomes a foreigner. We merely desire to remove that act of Congress, or remove that which is preventing the amendment adopted by the people of California from its fullest operation.

Mr. CLINE. Let me inquire: Doesn't the law of California let a foreigner when he takes out his first papers on making application for naturalization do everything save hold office?

Mr. U'REN. No; a residence of five years is necessary.

Mr. BARTHOLDT. Before he gets his first papers?

Mr. U'REN. Oh, no; before he can vote.

Mr. KENT. It has been decided that that does not constitute citizenship.

Mr. BARTHOLDT. That is true.

Mr. CLINE. He gets his papers in Indiana the first day he arrives, if he asks for them, which is everything except to hold office.

Mr. U'REN. In California he must reside there five years before he may vote.

Mr. CLINE. You have no doubt a prejudice against the Malay and foreign races.

Mr. U'REN. That may be, but foreigners are placed upon almost an exact equality with the natives except as to foreigners of Malay and black blood; and, of course, excepting the case of our native women, about which we are now complaining.

Here is the report of the State Department on the bill:

MARCH 22, 1912.

The Hon. B. P. HARRISON,
House of Representatives.

SIR: I have the honor to acknowledge the receipt of your letter of the 14th instant, concerning the proposition to add to section 3 of the citizenship act of March 2, 1907, certain amendments to read as follows:

"That the provisions of this section shall not apply to any woman who is entitled under the laws of any State to hold property in her own right or hold any office in the State or to vote at any of the elections which are now, or which may hereafter be, authorized by the laws of any such State."

It appears that this proviso includes the amendment proposed in a bill, H. R. 20349, introduced by Mr. KENT, and certain additional amendments. You say that the Committee on Foreign Affairs will appreciate any criticisms or suggestions which the department might offer concerning the amendments embodied in the proviso just quoted.

The department incloses, for your information, a copy of its letter of the 13th instant to the Hon. WILLIAM KENT in regard to the bill referred to. I may add that, in the opinion of this department, the proposed legislation for the modification of section 3 of the act of March 2, 1907, which conforms to the general international rule, is undesirable.

I have the honor to be, sir, your obedient servant,

HUNTINGTON WILSON,
Acting Secretary of State.

—

MARCH 13, 1912.

The Hon. WILLIAM KENT,
House of Representatives.

SIR: The department has received your letter of the 5th instant with which you transmit a copy of a bill to amend section 3 of the act of March 2, 1907, by adding the following proviso: "That the provisions of this section shall not apply to any woman who is entitled under the laws of any State to vote at all elections which are now or which may hereafter be authorized by the laws of any such State." You ask whether the questions have been presented to the department of a woman marrying a foreigner and going abroad to live, and of a woman marrying a foreigner and continuing to reside in the United States with no intention of departing therefrom; and if so, what opinion has been rendered.

Both questions have been presented to the department, and the department has held, under the provision of the act of March 2, 1907, "that any American woman who marries a foreigner shall take the nationality of her husband," that any American woman loses her citizenship upon her marriage to a foreigner, whether she resides abroad or remains in this country. The act of 1907 merely declares the rules which, it is believed, prevail in practically every civilized country in the world. Thus Cockburn, in his work on Nationality (p. 24), says:

"In every country except where the English law prevails, the nationality of a woman on marriage merges in that of her husband; she loses her nationality and acquires his."

Since this was written the British act of Parliament of 1870 has been passed, which declares that a married woman shall be deemed to be a subject of the State of which her husband is for the time being a subject.

For many years before the passage of the act of 1907, the practice of this department conformed to this general international rule. The entire subject is very fully discussed in Van Dyne on Naturalization (p. 242 et seq.).

I have the honor to be, sir, your obedient servant,

HUNTINGTON WILSON,
Acting Secretary of State.

The law now is that—

Any American woman who marries a foreigner shall take the nationality of her husband.

The amendment proposed consists in adding the words "and removes from the jurisdiction of the United States with intent to permanently reside abroad" after the word "foreigner" in the above sentence.

In view of the fact that the law, long before the statute of 1907, was as stated, it is submitted that the effect of this amendment would be nil.

Of course in such a case as here described she would take the nationality of her husband, but the converse of the proposition would not be true, for the old law would remain as before. Abundant authority on this point could be cited. Here is an extract from an opinion of the Supreme Court of California:

There is no escape from the conclusion that under the provisions of this section the plaintiff in this case when she married Gordon McKenzie, a British subject, thereupon took the nationality of her husband and ceased to be a citizen of the United States. Just as an alien woman who marries a citizen becomes a citizen herself, whether she wishes it or not, as the cases we have cited declare; so a female citizen who marries an alien becomes herself an alien, whether she intends that result as the consequence of her marriage or not. She must bow to the will of the Nation, as expressed by the act of Congress. Owing to the possibility of international complications, the rule has generally prevailed, from considerations of policy, that the wife should not have a citizenship nor an allegiance different from that of her husband. The section aforesaid was intended to put this general doctrine into statutory form. When, after Congress by this act had declared that her marriage to an alien would accomplish her expatriation, and she thereafter married an alien, she is conclusively presumed to have intended thereby to renounce her citizenship of the United States and become a subject of Great Britain. (Opinion of the Supreme Court of California in McKenzie *v.* Hare, 134 Pac. Rep., 716.)

Mr. DONOVAN. Mr. Speaker, I demand the regular order.

The SPEAKER. The regular order is the objection to the present consideration of the bill.

Mr. STEENERSON. I object.

POST-OFFICE BUILDING AT GRAND JUNCTION, COLO.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 16056) to increase the limit of cost of the United States post-office building at Grand Junction, Colo.

The Clerk read the title of the bill.

Mr. TAYLOR of Colorado. Mr. Speaker, I understand that there is a sort of general understanding that these bills making appropriations for public buildings shall not be considered at this time—or, at least, some of them. I ask unanimous consent that this bill be passed over without prejudice and that it retain its place on the calendar.

The SPEAKER. Is there objection to the request of the gentleman from Colorado?

There was no objection.

VALIDATION OF LOCATION OF DEPOSITS OF PHOSPHATE ROCK.

The next business on the Calendar for Unanimous Consent was the bill S. 6106, an act validating locations of deposits of phosphate rock heretofore made in good faith under the placer-mining laws of the United States.

The Clerk read the title to the bill.

Mr. SMITH of Idaho. Mr. Speaker, I am authorized by the gentleman from Idaho [Mr. FRENCH], the author of the bill, to ask that it be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Idaho?

There was no objection.

INTERNATIONAL CELEBRATION OF NAVEL-ORANGE INDUSTRY.

The next businesses on the Calendar for Unanimous Consent was House joint resolution 302, authorizing and directing the President of the United States to invite foreign Governments to participate in the celebration of the fortieth anniversary of the founding of the Washington navel-orange industry.

The Clerk read the joint resolution, as follows:

Resolved, etc., That the President be, and he is hereby, authorized and requested to extend invitations to other nations to send representatives to, and otherwise participate in, the celebration of the fortieth anniversary of the founding of the Washington navel-orange industry to be held in Riverside, Cal., during the month of April, 1915: *Provided*, That no appropriation shall be granted by the United States for expenses of such representatives or for other expenses incurred in connection with said invitation.

The SPEAKER. Is there objection to the present consideration of the joint resolution?

Mr. MANN. Reserving the right to object, I think the gentleman from California [Mr. KETTNER] had an amendment to offer.

Mr. RAKER. Mr. Speaker, my colleague has been unavoidably detained on a committee. I ask that this be passed over temporarily without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

REPORT OF COMMISSIONER OF MEDIATION AND CONCILIATION (H. DOC. NO. 1423).

The SPEAKER laid before the House the following message from the President of the United States, transmitting the report of the Commissioner of Mediation and Conciliation, which was read and, with the accompanying documents, referred to the Committee on Labor and ordered to be printed.

To the Senate and House of Representatives:

I transmit herewith for the information of the Congress the first annual report of the Commissioner of Mediation and Conciliation on the operations of the United States Board of Mediation and Conciliation for the fiscal year ended June 30, 1914.

WOODROW WILSON.

THE WHITE HOUSE, *December 21, 1914.*

PURCHASE AND DISPOSAL OF INDIAN LANDS CONTAINING KAOLIN, FULLER'S EARTH, ETC.

The next business on the Calendar for Unanimous Consent was the bill (S. 2651) providing for the purchase and disposal of certain lands containing the minerals kaolin, kaolinite, fuller's earth, china clay, and ball clay within portions of Indian reservations heretofore opened to settlement and entry.

The Clerk read the bill, as follows:

Be it enacted, etc., That all lands containing the minerals kaolin, kaolinite, fuller's earth, china clay, and ball clay, within such parts of Indian reservations as have heretofore been opened to settlement and entry under acts of Congress which did not authorize the disposal of such mineral lands, shall be open to exploration and purchase and be disposed of under the general provisions of the mining laws of the United States, and the proceeds arising therefrom shall be deposited in the Treasury for the same purpose for which the proceeds arising from the disposal of other lands within the reservation in which such mineral-bearing lands are located were deposited: *Provided*, That the same person, association, or corporation shall not locate or enter more than one claim, not exceeding 160 acres in area, hereunder: *Provided further*, That none of the lands or mineral deposits, the disposal of which is herein provided for, shall be disposed of at less price than that fixed by the applicable mining or coal-land laws, and in no instance at less than their appraised value for agricultural purposes.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. LENROOT. Mr. Speaker, reserving the right to object, I would like to ask the gentleman from South Dakota a question. I observe that the bill provides that the land shall be sold at the appraised value of land for agricultural purposes in case the value shall be greater than it is under the mining laws. These proceeds go to the Indians.

Mr. BURKE of South Dakota. I will state that this bill originally as introduced, or a similar bill, was limited to Tripp County, what was formerly a part of the Rosebud Reservation in South Dakota. The land was authorized to be disposed of under the act of 1907—under the homestead law—and the price was fixed so that all land taken within three months should be $6 an acre, and then the price reduced after that time, I believe, to $4 an acre for three months and after that to $2.50 per acre. Then, after it had been open to settlement for four years, the land that was not filed upon was to be sold at public auction. The land that was suitable for homestead entry was entered, and all of the undisposed of lands were sold at public auction. It transpires that there is a quarter or a half section that has been covered by a homestead entry, and was so covered at the time the lands were sold. It is claimed that there is some of this mineral deposit upon these tracts, which precludes title being acquired under the homestead law. The purpose of the bill is to make it possible to dispose of those lands, as they can not be disposed of under existing law. The department suggested the bill in the form in which it comes before the House, making it general. I have no desire for general legislation, and care nothing about it, and I purpose, if no objection is offered to the bill, to propose an amendment in lines 4 and 5, so that it will be limited to lands in Tripp County, in what was formerly within the Rosebud Indian Reservation in South Dakota; and then in line 10, on page 2, after the word "value," I propose to offer an amendment striking out the words "for agricultural purposes" and insert "to be determined by the Secretary of the Interior," so that the bill will be limited to lands in Tripp County formerly within the Rosebud Indian Reservation in South Dakota, which will not make it apply to more than 320 acres, at the outside, and it can only be disposed of at an appraised price to be determined by the Secretary of the Interior.

Mr. MONDELL. Mr. Speaker, will the gentleman yield?

Mr. BURKE of South Dakota. Yes.

Mr. MONDELL. As I understand the gentleman, so far as it is known, there is only one 160-acre tract that contains these clays.

Mr. BURKE of South Dakota. Mr. Speaker, my understanding is that these deposits are limited to 160 and not to exceed 320 acres.

Mr. MONDELL. Why would not the simple way be to provide that the homestead settler in that particular case might acquire title under the homestead law, which would be a fee title, by paying the mineral price under the placer law—$2.50 an acre, in addition to the agricultural price?

Mr. BURKE of South Dakota. Mr. Speaker, I think that would be establishing a precedent that we hardly want to establish, that lands containing mineral might be acquired under the homestead laws.

Mr. MONDELL. I think it is always well to do a thing directly and in a way that you understand exactly what you are doing. I do not think you ever establish a dangerous precedent by doing that. We know exactly what we want to do here. As I understand it, the homestead settler wants to get title to this land, and there is a question as to whether there may be some mineral there.

Mr. BURKE of South Dakota. Mr. Speaker, I will say that the homestead entryman is not a party in any way, so far as I know, to this proposed legislation. I have had no communication with him and I have not heard from him. The bill was introduced at the suggestion of persons who believe that this mineral does exist there in quantities making the land more valuable for mineral than for agricultural purposes, and that objections have been made to the acquiring of the title by the homestead entrymen because of that fact.

Mr. MONDELL. Then this may contemplate an entry hostile to the homestead man?

Mr. BURKE of South Dakota. It probably will.

Mr. LENROOT. Mr. Speaker, with the amendment that the gentleman suggests, I have no further objection.

Mr. PARKER of New Jersey. Mr. Speaker, reserving the right to object, I would like to ask the gentleman from South Dakota a question. Is there any provision in the mining laws of the United States by which clay lands can be leased on a royalty?

Mr. BURKE of South Dakota. The department states that the mineral placer-mining laws do not apply to lands containing these clay deposits.

Mr. PARKER of New Jersey. They ought not to apply; they are different things. But is there any provision by which they can be leased? Our mode of disposing of clay lands, where you do not know how much clay there is until you dig, is to lease on a small royalty, sometimes 10 cents, 25 cents, a ton; and on clay worth $9 or $10 a ton it would be up to $1.

Mr. BURKE of South Dakota. Mr. Speaker, that is getting onto a rather large subject. The chairman of the Committee on the Public Lands has reported a number of bills in the interest of conservation, and whether any of them go to the extent of the gentleman's question, I do not know.

Mr. PARKER of New Jersey. I understand you are dealing now with a new subject, the leasing of or, at least, the dealing with clay lands, and it is a thing well known through the clay districts of the United States, and the United States ought to deal with it in a businesslike manner so as to get the best royalties for the ownership of the clay.

Mr. BURKE of South Dakota. I will say to the gentleman that we have had this bill up several times in the House. It has been quite fully discussed, and inasmuch as I proposed to amend it by limiting it to certain tracts, I hope the gentleman will not object.

Mr. PARKER of New Jersey. I am not going to object. I reserved the objection for the purpose of getting information as much as anything else.

Mr. MONDELL. Will the gentleman from New Jersey yield to me for a moment?

Mr. PARKER of New Jersey. Certainly; if I have the authority to yield.

Mr. MONDELL. Do citizens of New Jersey pay the Federal Government a royalty for clay taken from lands in New Jersey?

Mr. PARKER of New Jersey. Not at all. As I understand the mining law does not apply to clay lands.

Mr. MONDELL. It does in fact apply. Clay lands are entered under the placer act.

Mr. PARKER of New Jersey. Under the placer act?

Mr. MONDELL. Yes.

Mr. PARKER of New Jersey. I suggest that that is a pretty poor way of dealing with it.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill? [After a pause.] The Chair hears none.

Mr. BURKE of South Dakota. Mr. Speaker, I ask unanimous consent that the bill be considered in the House as in the Committee of the Whole.

The SPEAKER pro tempore. The gentleman from South Dakota asks unanimous consent that the bill may be considered in the House as in the Committee of the Whole. Is there objection?

There was no objection.

The SPEAKER pro tempore. The Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Mr. BURKE of South Dakota: Page 1, line 4, after the words "ball clay," strike out the words "within such parts," and in line 5 strike out the words "of Indian reservations" and insert the words "in Tripp County, in what was formerly within the Rosebud Indian Reservation in South Dakota."

Mr. NORTON. Will the gentleman yield?

Mr. BURKE of South Dakota. I will.

Mr. NORTON. Does the gentleman's amendment strike out the words in line 5? That would not make very good sense.

Mr. BURKE of South Dakota. Strike out, after the words "ball clay," in line 5, and insert, so it will read:

That all lands containing the minerals—

And so forth—

and ball clay in Tripp County, in what was formerly within the Rosebud Indian Reservation in South Dakota, as have heretofore been open to settlement.

The question was taken, and the amendment was agreed to.

Mr. BURKE of South Dakota. Now, Mr. Speaker, I offer the following amendment which I send to the Clerk's desk.

The SPEAKER pro tempore. The Clerk will report the amendment.

The Clerk read as follows:

Page 2, line 10, after the word "value," strike out the words "for agricultural purposes" and insert the words "to be determined by the Secretary of the Interior."

The question was taken, and the amendment was agreed to.

Mr. FOSTER. Mr. Speaker, I understood the gentleman to say he was going to offer an amendment to make this less than 160 acres.

Mr. BURKE of South Dakota. That is in the bill, I will say to the gentleman, that the area be limited to 160 acres.

Mr. FOSTER. Not exceeding that?

Mr. BURKE of South Dakota. Not exceeding. In line 3, down to line 6, page 3, the gentleman will find the language.

Mr. FOSTER. I notice that.

Mr. BURKE of South Dakota. I will say to the gentleman this bill as amended will not apply to exceeding 320 acres and, in my opinion, to not for more than 160 acres.

Mr. FOSTER. While that may be true, that may be one reason why it ought to be 160 acres; and if there is not more than 320 acres there to be located on it might be inadvisable to have two men locate on 160 acres each and be able to get it all.

Mr. BURKE of South Dakota. The bill says "that the same person, association, or corporation shall not locate or enter more than one claim, not exceeding 160 acres in area."

Mr. FOSTER. "Not exceeding" that; but still they have the right to locate on 160 acres of that land.

Mr. BURKE of South Dakota. Well, is there any objection to their doing that?

Mr. FOSTER. If this mineral is so rare out there and at that particular place the deposit was considerable, any one company could go and claim it all.

Mr. BURKE of South Dakota. I would suggest to the gentleman the department fixed that limitation, and the matter was not questioned by the committee. This is the first time any question has been raised as to the area that may be acquired by one person. I have no objection if you limit it to 80 acres, though I think it is all right in its present form.

Mr. FOSTER. I am simply asking the gentleman's opinion about it.

Mr. BURKE of South Dakota. I will reiterate that I think it is all right as it is.

Mr. FOSTER. But one company probably might get all of it. There is nothing to hinder them from buying it up after location.

Mr. BURKE of South Dakota. They will not get very much if they do, I will say to the gentleman, as the area affected, in my opinion, will not exceed 320 acres.

Mr. MANN. It will be a liability instead of an asset if they get it all.

Mr. FOSTER. I do not know how valuable it is or how much it costs to get this mineral from the ground, but I observe from reading this report it is worth about $12 a ton out there.

Mr. BURKE of South Dakota. Well, I think, Mr. Speaker, that the bill is sufficiently safeguarded as it is.

Mr. FOSTER. Is there much of this deposit there according to the gentleman's information?

Mr. BURKE of South Dakota. Let me say to the gentleman that while this bill has been pending two or three years I never have had a communication or suggestion from anybody in reference to it except parties who seem to imagine there is some mineral deposit there that has some value.

Mr. FOSTER. They really do not know there is anything?

Mr. BURKE of South Dakota. Apparently not.

Mr. NORTON. Will the gentleman yield?

Mr. BURKE of South Dakota. I yield.

Mr. NORTON. If this is the condition, would it not be just as well to let this bill go over until a general law is passed covering this?

Mr. BURKE of South Dakota. Oh, no; I hope the gentleman will not require us to be held up here indefinitely.

Mr. NORTON. Personally I think the passage of legislation of this kind in reference to mineral lands is a bad precedent.

Mr. MONDELL. The general law does not apply.

Mr. NORTON. If the general law does not apply to it, it ought to.

The bill as amended was ordered to be read a third time, was read the third time, and passed.

Mr. BURKE of South Dakota. Mr. Speaker, I ask unanimous consent that the title be corrected to conform with the amendments adopted.

The SPEAKER pro tempore. The gentleman from South Dakota asks unanimous consent that the title be amended to conform with the text of the bill.

There was no objection.

On motion of Mr. TAYLOR of Colorado, a motion to reconsider the vote by which the bill was passed was laid on the table.

PUBLIC BUILDING, WALTHAM, MASS.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 13489) increasing the limit of cost for the purchase of a site and the construction thereon of the post-office building at Waltham, Mass.

The Clerk read the title of the bill.

Mr. MITCHELL. Mr. Speaker, I ask unanimous consent that this bill be passed without prejudice.

The SPEAKER pro tempore. The gentleman from Massachusetts asks unanimous consent to pass this bill without prejudice. Is there objection? [After a pause.] The Chair hears none.

REGULATING THE USE OF PUBLIC BUILDINGS AND GROUNDS IN THE DISTRICT OF COLUMBIA.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 13222) to regulate the use of public-school buildings and grounds in the District of Columbia.

The Clerk read as follows:

Be it enacted, etc., That the control of the public schools in the District of Columbia by the board of education shall extend to, include, and comprise the use of the public-school buildings and grounds by pupils of the public schools, other children, and adults, for supplementary educational purposes, civic meetings for the free discussion of public questions, social centers, centers of recreation, playgrounds, and for free Public Library branches, as well during the school year as during vacation. The privilege of using said buildings and grounds for any of said purposes may be granted by the board upon such terms and conditions and under such rules and regulations as the board may prescribe.

SEC. 2. That the board of education is authorized to accept, upon written recommendation of the superintendent of schools, free and voluntary services of the teachers of the public schools, other educators, lecturers, and social workers and public officers of the United States and the District of Columbia, and voluntary gifts of money in aid of supplementary education, civic meetings, social centers, or centers of recreation and playgrounds: *Provided*, That teachers of the public schools shall not be required or compelled to perform any such services or solicited to make any contribution for such purposes: *Provided further*, That the public-school buildings and grounds of the District of Columbia shall be used for no purpose whatsoever other than those directly connected with the public-school system and as further provided for in this act.

SEC. 3. That all laws or parts of laws in conflict with this act be, and the same are hereby, repealed.

The SPEAKER pro tempore. Is there objection to the present consideration of this bill?

Mr. MANN. Mr. Speaker, reserving the right to object, I would like to ask the gentleman from Kentucky just what this bill will accomplish?

Mr. JOHNSON of Kentucky. Mr. Speaker, the purpose of the bill is to give the schoolhouses over for civic meetings of various kinds, under the direction, however, of the board of education. There was one provision in the bill which the committee regarded as somewhat dangerous, and so struck it out. The part stricken out is the part which would have converted each schoolhouse into a public library and would have authorized a great many new offices and a great deal of expense; but with

that provision stricken from the bill the committee regards it as a good and wholesome bill, and I myself think it is.

Mr. MANN. Does the gentleman think that the proposition to let the board of education accept gifts of money is a desirable one?

Mr. JOHNSON of Kentucky. For the benefit of these civic meetings; that is the purpose of it——

Mr. MANN. Of course that will almost inevitably lead to begging letters, begging for subscriptions for that purpose and giving them to the board of education.

Mr. JOHNSON of Kentucky. I do not know that that would be the effect of it. Rather than see the bill fail, I would agree to strike that out.

Mr. MANN. I should say that that would be almost inevitable.

Mr. JOHNSON of Kentucky. As I said, rather than see the bill fail, I would agree that that be stricken from it.

Mr. MADDEN. Will my colleague let me ask a question?

Mr. MANN. Yes.

Mr. MADDEN. In Chicago we authorize the board of education now to allow the schoolhouses to be used for civic purposes, and I think they are allowed to charge some rent, are they not?

Mr. MANN. I think not. But I doubt the propriety of saying to the board of education that they can go out and solicit money for these purposes, which they shall handle. I appreciate the desirability to a certain extent of using the schoolhouses.

Mr. JOHNSON of Kentucky. I would say, Mr. Speaker, that if there is no objection to the consideration of the bill I would agree to the amendment suggested by the gentleman from Illinois that that portion be stricken from the bill.

Mr. LENROOT. Mr. Chairman, reserving the right to object, I would like to ask the gentleman with reference to line 10 of the bill. The language granting authority is:

As well during the school year as during vacation.

What is the purpose of using that language?

Mr. JOHNSON of Kentucky. I am not the draftsman of the bill, but in reading it heretofore I construed that to be just what it says—that it should not be confined to vacation time alone, but should run during the school year as well.

Mr. LENROOT. Has the board of education authority now during vacation to grant the use of these buildings for the purposes stated?

Mr. JOHNSON of Kentucky. It has not.

Mr. LENROOT. Does not the language as it reads imply that only the same authority is to be granted during the school year that exists during vacations?

Mr. JOHNSON of Kentucky. It may imply that; but it would grant authority which they have not now.

Mr. MANN. That language does not mean anything.

Mr. LENROOT. Unless it is a limitation on the authority. I think the language should be stricken out.

Mr. JOHNSON of Kentucky. I have no objection to that being stricken out.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill? [After a pause.] The Chair hears none. The Clerk will report the committee amendment.

The Clerk read as follows:

Page 1, line 9, after the word "playgrounds," strike out the words "and for free public library branches."

The SPEAKER pro tempore. The question is on agreeing to the committee amendment.

The amendment was agreed to.

Mr. LENROOT. Mr. Speaker, in lines 10 and 11, I move to strike out the words:

As well during the school year as during vacation.

The SPEAKER pro tempore. The question is on agreeing to the amendment of the gentleman from Wisconsin.

The amendment was agreed to.

Mr. MANN. Mr. Speaker, I move to strike out, after the word "Columbia," line 10, page 2, the balance of the line, and also lines 11 and 12, down to and including the word "playgrounds."

The SPEAKER pro tempore. The Clerk will report the amendment.

The Clerk read as follows:

Page 2, line 10, after the word "Columbia" strike out the following: "And voluntary gifts of money in aid of supplementary education, civic meetings, social centers, or centers of recreation and playgrounds."

The SPEAKER pro tempore. The question is on the amendment offered by the gentleman from Illinois [Mr. MANN].

The question was taken, and the amendment was agreed to.

The bill as amended was ordered to be engrossed and read a third time, was read a third time, and passed.

KING THEOLOGICAL HALL.

The next business on the Calendar for Unanimous Consent was the bill (S. 5168) for the relief of the King Theological Hall, and authorizing the conveyance of the real estate to the Howard University and other grantees.

Mr. JOHNSON of Kentucky. Mr. Speaker, I ask that the bill be passed without prejudice. I am not as familiar with it as is the gentleman from Ohio [Mr. CLAYPOOL], who has the bill in charge, and he is not here.

The SPEAKER pro tempore. Is there objection?

There was no objection.

POST-OFFICE BUILDING, SEYMOUR, IND.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 18172) to increase the limit of cost of the United States post-office building at Seymour, Ind.

Mr. DIXON. Mr. Speaker, in view of the fact that objection is being made to bills of this character at this time, I ask unanimous consent that the same may be laid aside without prejudice.

The SPEAKER pro tempore. Is there objection?

There was no objection.

NATIONAL AUTOMATIC FIRE-ALARM CONTRACT.

The next business on the Calendar for Unanimous Consent was joint resolution (H. J. Res. 205) to enable the Secretary of the Interior to legally fix and determine the ownership of and title to the fire-alarm system and appliances, apparatus, and connections heretofore placed and installed in the Government buildings of the Government Hospital for the Insane, and to determine such other questions as are provided for in the following resolution.

Mr. MANN. I object, Mr. Chairman.

The SPEAKER pro tempore. The gentleman from Illinois objects, and the resolution will be stricken from the calendar. The Clerk will report the next bill.

STANDARD BARREL FOR FRUITS, VEGETABLES, ETC.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 4899) to fix a standard barrel for fruits, vegetables, and other dry commodities.

Mr. CRAMTON. Mr. Speaker, I object to the consideration of the bill.

The SPEAKER pro tempore. Objection is heard to the present consideration of the bill, and it will be stricken from the calendar. The Clerk will report the next bill.

BRIDGE ACROSS ELIZABETH RIVER, VA.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 18281) granting the consent of Congress to the Norfolk-Berkley Bridge Corporation, of Virginia, to construct a bridge across the Eastern Branch of the Elizabeth River in Virginia.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. HOLLAND. Mr. Speaker, a bill of identically the same language passed the Senate and came out of the Committee on Interstate and Foreign Commerce. With the permission of the chairman of that committee, I ask that the committee may be discharged from the consideration of the Senate bill, and that the Senate bill may be considered in place of the House bill. For that purpose I send the engrossed bill to the desk.

The SPEAKER pro tempore. The gentleman from Virginia requests that the Senate bill be considered in lieu of the House bill.

Mr. STAFFORD. I understand that the Senate bill is identical with the House bill?

Mr. HOLLAND. The Senate bill is in identically the same language.

Mr. MOORE. Mr. Speaker, I would like to ask the gentleman from Virginia if all the usual requirements in regard to navigation are included in the bill?

Mr. HOLLAND. They are.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Virginia?

Mr. MANN. I understand that what the gentleman wants to do is to substitute the consideration of the Senate bill for the House bill?

Mr. HOLLAND. Yes, sir.

The SPEAKER pro tempore. The Chair hears no objection. The Clerk will report the Senate bill.

The Clerk read as follows:

An act (S. 6227) granting the consent of Congress to the Norfolk-Berkley Bridge Corporation, of Virginia, to construct a bridge across the Eastern Branch of the Elizabeth River in Virginia.

Be it enacted, etc., That the consent of Congress is hereby granted to the Norfolk-Berkley Bridge Corporation, a corporation duly existing under the laws of the State of Virginia, and its successors and assigns, to construct, maintain, and operate a bridge and approaches thereto

across the Eastern Branch of the Elizabeth River at a point suitable to the interests of navigation, at or near the east end of Main Street in the city of Norfolk to a point at or near the north end of Main Street in what was the town of Berkley but is now part of the said city, in the county and city of Norfolk, in the State of Virginia, in accordance with the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906.

SEC. 2. That the right to alter, amend, or repeal this act is hereby expressly reserved.

The SPEAKER. Is there objection?

There was no objection.

The SPEAKER. The question is on the third reading of the Senate bill.

The Senate bill was ordered to be read a third time, was read the third time, and passed.

On motion of Mr. ADAMSON, a motion to reconsider the vote whereby the bill was passed was laid on the table.

The SPEAKER. Without objection, the House bill of similar tenor will be laid on the table.

There was no objection.

The SPEAKER. The Clerk will report the next one.

MEMORIAL TO MAJ. GEN. GEORGE GORDON MEADE.

The next business on the Calendar for Unanimous Consent was the resolution (H. J. Res. 234) directing the selection of a site for the erection of a statue in Washington, D. C., to the memory of the late Maj. Gen. George Gordon Meade.

The Clerk read the joint resolution, as follows:

Resolved, etc., That the Secretary of War, the chairman of the Committee on the Library of the Senate, the chairman of the Committee on the Library of the House of Representatives, and the governor of the State of Pennsylvania are hereby created a commission to select and prepare a site on property belonging to the United States in the city of Washington, other than the grounds of the Capitol or the Library of Congress, and erect thereon a suitable pedestal for a memorial or statue to the memory of Maj. Gen. George Gordon Meade, late commander of the Army of the Potomac, the said memorial or statue to be furnished by the State of Pennsylvania.

SEC. 2. That for the plans and the preparation of the site so selected and the erection of the pedestal the sum of $15,000, or so much thereof as may be necessary, is hereby appropriated out of any money in the Treasury not otherwise appropriated: *Provided*, That the design and location of said memorial or statue and the plan for the treatment of the grounds connected with such site shall be approved by the Commission of Fine Arts.

With committee amendments, as follows:

Page 1, line 7, strike out the words "and prepare."

Page 2, line 1, strike out the words "pedestal for a."

Page 2, line 4, after the word "statue" insert the words "and pedestal," and in the same line, after the word "furnished," insert the words "and erected."

On page 2, line 5, after the word "Pennsylvania" insert the words "without expense to the United States."

Page 2, line 7, after "Section 2," strike out "That for the plans and the preparation of the site so selected and the erection of the pedestal the sum of $15,000, or so much thereof as may be necessary, is hereby appropriated out of any money in the Treasury not otherwise appropriated, *Provided*."

Page 2, line 12, after the word "statue" insert the words "and pedestal."

The SPEAKER. Is there objection?

Mr. MILLER. Reserving the right to object, Mr. Speaker, I would like to inquire of the chairman of the committee if it is the purpose of the bill that the United States Government shall expend the $15,000 to construct the pedestal, the statue thereafter to be constructed to be furnished by the State of Pennsylvania?

Mr. SLAYDEN. Mr. Speaker, I will invite the attention of the gentleman to the report, of which I presume he has a copy, in which he will find this statement, which I read:

By an act approved June 11, 1911, the State of Pennsylvania appropriated $20,000 for the erection of a monument in the city of Washington to the memory of Maj. Gen. George Gordon Meade. In the Sixty-second Congress a bill was introduced providing an appropriation of $10,000 for the foundation and pedestal of the Meade memorial. On February 19, 1912, the Committee on the Library had a hearing on the bill to provide a foundation and pedestal for the Meade memorial, at which time several Members of Congress from Pennsylvania and many distinguished citizens from that State appeared in support of the measure.

Later, there being so great pressure brought to bear on the committee to report favorably the many bills pending for the erection of monuments, the Committee on the Library of the Sixty-second Congress passed the following resolution:

"Whereas at the present session of Congress bills asking for the appropriation of over $5,000,000 have been introduced and referred to the Committee on the Library calling for monuments and memorials to be located in various parts of the United States, it has become necessary for the Committee on the Library to establish a policy and certain rules of action: Therefore be it

"*Resolved*, First, that the Committee on the Library of the House of Representatives of the Sixty-second Congress should not report favorably any bill for a monument outside the city of Washington.

"Second, that it should not report any bill for a monument to any individual until American science, literature, inventions, and social progress have been adequately represented."

Upon learning of the decision of the Committee on the Library, the patriotic citizens interested in the erection of the memorial to Gen. Meade appealed to the Legislature of Pennsylvania to increase the appropriation in a sufficient amount to provide for the foundation and pedestal. This was done, so that now all asked of Congress is permission to erect the monument, without cost to the United States, on some public property in the city of Washington.

For any further information in relation to it I would like to have the gentleman direct his questions to my colleague here, Mr. LOGUE, of Pennsylvania, whose resolution it is and who is familiar with the action taken by the Legislature and citizens of the State of Pennsylvania.

Mr. LOGUE. I may say that an appropriation of $30,000 has already been made by the State of Pennsylvania covering the question of the base and pedestal and monument.

Mr. MILLER. What is the object of the $15,000 carried by this bill?

Mr. LOGUE. It is not carried in the bill. It is stricken out. The Government will be subjected to no expense whatever.

Mr. MILLER. I thank the gentleman from Pennsylvania. May I inquire of the gentleman from Texas [Mr. SLAYDEN], the chairman of the Committee on the Library, whether it is the purpose of the committee to construct in this city statues of the various corps commanders of the Civil War?

Mr. SLAYDEN. Mr. Speaker, I have not heard of any such policy in the committee. I have not heard it suggested. Congress is not erecting this monument or the pedestal.

Mr. MILLER. I understand that. It does not seem to me to make any particular difference whether the United States pays the bill or the State of Pennsylvania.

Mr. SLAYDEN. It makes a difference to the committee.

Mr. MILLER. The question is whether it will be a beautification of the city or a multiplication of statues to Tom, Dick, and Harry.

Mr. SLAYDEN. Mr. Speaker, if the gentleman wants my opinion on that I can give it to him. It is that we now have as many monuments in the city of Washington as we ought to have, for a very long time at least. I think the people of this country have been monument mad, and on nearly every vacant piece of ground in the city of Washington a monument to some soldier or to some sailor has been erected. Usually they have been pressed upon the committee, as I understand was the case before I became associated with the committee, and called for an appropriation out of the Federal Treasury. This is a very unique case, because the people of the State of Pennsylvania propose to pay all the expenses.

There is no such policy in the committee as the gentleman hints at of erecting monuments for all the corps commanders, nor is there any policy in the committee except to do everything reasonable to protect the Treasury and yet to pay such respect to the memory of great men as the public sentiment demands. Personally I am not in favor of the erection of memorials to any great extent.

I want to say to the gentleman in that connection that bills are now pending before the Committee on the Library which, if enacted and appropriations made, would take about $13,500,000 out of the Treasury for monuments, and after a while, if that process keeps on, there will be no room left in the country for further monuments to commemorate the achievements of great men.

Mr. MILLER. There will be no room left for the people of the city of Washington to live in on account of the monuments?

Mr. SLAYDEN. Yes; if the committee should yield to the pressure put on it.

Mr. MOORE. Mr. Speaker, has the gentleman from Texas indicated that it is to be the policy of the committee of which he is the chairman that hereafter the States themselves will be expected to make contributions of monuments in the city of Washington?

Mr. SLAYDEN. I did not express that; but I may express the hope that that will be the attitude of the various States.

Mr. MOORE. I think we have one or two precedents indicating that the States have not been asked to make this sort of a contribution.

Mr. Speaker, reserving the right to object, I would like to say this with reference to this bill: The memory of George Gordon Meade is held very dear by the people of Pennsylvania. The old soldiers believe him to have been the very acme of generalship. Many of them insist that it was through his careful management at the Battle of Gettysburg that the tide of the rebellion was turned. He certainly saved the State of Pennsylvania from further invasion. Now, the soldiers and citizens of that State have long lamented what appears to have been a neglect of the memory of this great man and great soldier. He was a scholar as well as a soldier, a man of fine breeding; but he did not bask very much in the limelight during the war. He did not seem to have the favor of the war correspondents as some other generals did, and he suffered in fame because of that fact.

The bill to which the gentleman from Texas [Mr. SLAYDEN] refers, upon which there was a hearing in 1912, was introduced by me. It was a bill similar to this, except that it proposed that a pedestal should be provided by the Government of the United States at an expenditure of $10,000. It seems to me it would have been fair for the Federal Government to have made even a larger appropriation for this purpose, because the Government has been very backward in recognizing the services of Gen. Meade. We have here in Washington equestrian statues of Hancock and Thomas and Grant and Sherman and Sheridan and McClellan and other distinguished soldiers with whom Gen. Meade, all his services to the Government being taken into consideration, would very fairly rank. Now, by this bill, whereby the State of Pennsylvania alone is to pay for the monument, it is not indicated that it shall be an equestrian monument. There ought to be an equestrian statue, but it is proposed only that there shall be a monument costing, with the pedestal, $30.000. I want this bill to pass, but in passing I want to say that it does seem to me that the policy of the Government toward the memory of this great American soldier has been niggardly in the extreme, and that it is not altogether fair that the State of Pennsylvania should be called upon to erect this monument at its own expense.

Originally I introduced two bills on this subject, one contemplating a participation by the State in the appropriation and another proposing that an equestrian statue should be erected at a cost of $100,000. The Grand Army of the Republic made the request for the larger appropriation. It formally passed resolutions, and sought to have Congress give recognition to Gen. Meade in that way. But we are prepared to take the best we can get, and if this bill is the best we can get I hope it will be passed, as a start, at least, toward a very tardy recognition of one of the great men of this Nation.

Mr. SLAYDEN. Mr. Speaker, let me say in reply to the gentleman that this is not the proposition of the committee, but the proposition of the State of Pennsylvania, and it increased our respect and affection for the State of Pennsylvania very much when we found that she was willing herself to undertake to do this work in honoring the memory of her great son.

Mr. LOGUE. And if I may add to that, I have a communication from the governor of the State of Pennsylvania, wherein he states that the State of Pennsylvania alone wants to contribute all the money here and objecting to the very section that the committee struck out, which required a Government appropriation.

Mr. BRYAN. Reserving the right to object, I desire to suggest a question to the chairman of the committee, which he may answer if he considers it proper. Questions have been propounded here about other bills. There is pending a bill introduced by so distinguished a Member as the Hon. JOHN J. FITZGERALD, of New York, proposing a statue to John Ericsson, the inventor of the *Monitor*.

Mr. FITZGERALD. That bill ought to be passed.

Mr. BRYAN. That distinguished inventor came from a virile race of people who are represented all over this country. In my State there are a great many of them, and their services as American citizens are distinguished. They are efficient and worthy in every sense and wherever you find them. I believe that bill should pass, and I do not understand why it is that a bill introduced by so distinguished and able a man as the gentleman from New York [Mr. FITZGERALD], the chairman of the Committee on Appropriations, has been allowed to lie idle. I have received many communications on the subject——

Mr. FITZGERALD. I have not allowed that bill to lie idle. I have made the life of the gentleman from Texas [Mr. SLAYDEN] very unhappy by the way I have continually besought him to report that bill to the House. I have done everything in my power to get him to report it; but his committee has a number of such bills before it, and he assures me that when any are taken up for consideration the Ericsson bill will be among the first to be considered.

Mr. BRYAN. I want to commend the gentleman from New York for his persistence. I hope every Member of the House will back him up at every opportunity, as I am now attempting to do. I had no notion of accusing the gentleman of neglecting the bill.

Mr. MANN. Will the gentleman from New York yield for a question?

Mr. BRYAN. I will yield to the gentleman from Illinois. I have the floor.

Mr. MANN. Nobody has the floor.

Mr. BRYAN. I was recognized, and have reserved the right to object.

Mr. MANN. The gentleman from New York [Mr. FITZGERALD] was talking. Will the gentleman from New York yield?

Mr. FITZGERALD. Yes.

Mr. MANN. Does the gentleman from New York think it is more desirable at this time to be putting money into cold marble or putting it into food that can go into warm stomachs abroad and at home?

Mr. FITZGERALD. I wish to say that the services which John Ericsson rendered to the United States as the inventor of the *Monitor* were so valuable that I believe a statue to him, to stir the patriotic impulses of the people of this country, and to meet a great sentiment on behalf of many of our fellow citizens who were born in the same country or who are the descendants of people who came from the same country as Ericsson, would be very appropriate. The country can well afford to spend $50,000 to erect a monument to the memory of Ericsson much better than it can afford to waste money on many things on which money is wasted.

Mr. MOORE. What amount of money is called for by way of appropriation for the Ericsson statue?

Mr. FITZGERALD. Fifty thousand dollars.

Mr. MOORE. Is the gentleman sure it is not $100,000?

Mr. FITZGERALD. The Senate passed a bill for $50,000.

Mr. MOORE. But the gentleman's bill called for $100,000, did it not?

Mr. FITZGERALD. My recollection is that it did.

Mr. MOORE. If the gentleman from New York thinks that $50,000 is a fair amount for a statue to Ericsson, the inventor of the *Monitor*, which fought a successful battle against the *Merrimac* at Hampton Roads——

Mr. FITZGERALD. It completely revolutionized modern warfare.

Mr. MOORE (continuing). Does not the gentleman think that the man who won the Battle of Gettysburg ought to have a monument costing an equal amount?

Mr. FITZGERALD. The whole great State of Pennsylvania is interested in Gen. Meade, and he has had some recognition, while Ericsson has had no recognition whatever, except that which comes from those of us thoroughly familiar with the effect of the success of the *Monitor*. I hope before the session ends that the gentleman from Texas and his committee will report a bill to the House which will evidence a proper appreciation by the Government of the services of this great man.

Mr. BRYAN. Allow me to say, Mr. Speaker, that I hope the gentleman's request will be granted.

Mr. MOORE. Would the gentleman from New York submit to an amendment to his bill providing that the money should be appropriated by the State of New York?

Mr. FITZGERALD. I do not recall that John Ericsson was a citizen of New York.

Mr. BORLAND. Mr. Speaker, reserving the right to object, I want to say that this is certainly a refreshing proposition. We are asked to erect a monument in the city of Washington without any expense to the Government. It has almost swept some of us off our feet, and the enthusiasm may warp our judgment out of all proportion as to the merits of the case.

I am inclined to think with the gentleman from Minnesota [Mr. MILLER] that the erection of monuments in the city of Washington has proceeded rapidly enough to suit the most enthusiastic friends of monuments. In the last five years, to my certain knowledge and recollection, there have been 11 monuments completed in the city of Washington—not proposed, but completed. That is an average of more than 2 a year, and for a Capital that is liable to last several hundred years that is going pretty fast.

In this case all this money is contributed by the State of Pennsylvania. It is in commemoration of the hero of Gettysburg, who I think ought to have more credit and responsibility for the winning of that great victory than has been accorded him. I think it is a matter of doubtful expediency to permit States to come in and, because they pay the money, allow them to select a permanent site and have an unlimited right to put up monuments in the District of Columbia. If the monument ought to be here, the chances are that Congress ought to appropriate the money for it; but, in my judgment, there are enough needs for which Congress should appropriate without putting money into stone which ought to be put into bread or into business. We do not need any more monuments. If this monument is acceptable to Congress and Pennsylvania wants to honor Gen. Meade, there is no objection to passing this bill; but it ought not to be regarded as a precedent for the passage of any bill for the erection of a monument in the District of Columbia to some man that a State thinks worthy of honor. I think we ought to object to bills of this kind in the future. I am not going to object to this because of the high standing and character of the man commemorated here, but I do not want it to be accepted as a precedent.

Mr. MILLER. Mr. Speaker, I originally reserved the right to object, and as yet I have made no statement. I really would like to say a word, though only a word. We are spending millions and millions of dollars to make Washington the city beautiful of the world, and the American people are backing us up in the project. Are we going to mar that beauty in every particular along every boulevard, in every park, in every vista, by having water fountains and monuments of men that we have to look into the encyclopedia to see who they were, statues of men that are dear to some parts of America but unknown to the rest of the country, men who performed heroically a small part of the world's work but not quite reaching the grandeur of national achievement? I think myself that the city of Washington to-day looks like a graveyard or a battlefield. We have gone too far altogether in putting up works of so-called art, but oh, what a miserable outfit they compose. The man who moves along our streets and parks to-day as the setting sun lights up the Nation's Capital gets a phantasmagorical conglomeration of kaleidoscopic phantoms, often hideous, never beautiful, representing the puerile ideas of budding geniuses in art, and comprising the masterpieces of tried-to-bes and never-wases in the realm of sculpture, all unnamed possibilities that go by the name of city decoration. [Laughter.] God save us from any more.

I am not going to object to this bill. I do not think anybody ought to object to it, because the State of Pennsylvania very likely has the right to place here a statue to as great a man as Gen. Meade was, so long as the Library Committee has seen fit to report the bill out, and so long as the city is encumbered in the way it is. And yet I do not quite like to let the record stand as it is. I have a great admiration for Gen. Meade. I do not believe admiration for him is reasonably placed by anyone who says that he won the Battle of Gettysburg. That battle was not won by any military genius; it was won by the men behind the guns. Gen. Meade was a great soldier because he was a good soldier and a noble man. He was not a great army leader; he was not a military genius at all. He does not begin to rank with some of the others that we have had, but he was just as great and did perhaps just as much for our country as many of those whose statues have a place here; and while I would like to see Gen. Meade's statue on the battle field of Gettysburg, where all eyes might see it——

A MEMBER. It is there.

Mr. MILLER. I know it is there, and there is where it belongs. There is where his spirit would eternally hover if it ever visits this earth, because there he had his momentary command, and there great deeds were done under his general direction. But the city of Washington is no place for it. We are entirely lacking in the sense of fitness, plain, honest decency in our statue building and in the historic appreciation that gives reason and beauty to the erection of any statue. Think not that you do honor to the memory of any man by objectifying him in a miserable misfit of art, placing him in surroundings foreign to his labors and foreign to his spirit, and hear passers-by through the years ask, "What is that ugly statue about and how did it come there?" There should be no further statue building in the city of Washington for a period of 50 years. Erect splendid memorials to those whose deeds are epoched, but as for the others, save their memories from this desecration in cheap and miserable art and save the eyes of the living.

Mr. SLAYDEN. Mr. Speaker, just a word. I want to say to the gentleman that I think it extremely unlikely that the Committee on the Library, at least in its present make-up, will ever rush into the indiscriminate work of authorizing the erection of monuments in this city. I quite agree with the gentleman that it has been overdone, but this is a very unique proposition. The State from which the distinguished general came proposes at its own expense to erect this monument.

Mr. DONOVAN. Mr. Speaker, I demand the regular order.

The SPEAKER. The regular order is, Is there objection?

Mr. MANN. I object—well, I will reserve the right to object.

The SPEAKER. The gentleman from Connecticut has demanded the regular order.

Mr. MANN. I hope the gentleman will withhold that for a moment. Does the gentleman from Pennsylvania intend to offer an amendment locating the site?

Mr. LOGUE. I have one that I have all ready to submit, but I thought the proper time to offer that would be after the consideration of the bill was taken up.

Mr. MANN. I do not object.

The SPEAKER. Is there objection to the present consideration of the bill? [After a pause.] The Chair hears none. This bill is on the Union Calendar.

Mr. SLAYDEN. Mr. Speaker, I ask unanimous consent that it be considered in the House as in the Committee of the Whole.

The SPEAKER. Is there objection?

There was no objection.

The SPEAKER. The Clerk will report the committee amendments.

The Clerk read as follows:

Page 1, line 7, strike out the words "and prepare."

Page 2, line 1, strike out the words "pedestal for a."

Page 2, line 4, after the word "statue," insert the words "and pedestal," and after the word "furnished" insert the words "and erected."

Page 2, lines 5 and 6, after the word "Pennsylvania," insert the words "without expense to the United States."

Page 2, strike out all of lines 7, 8, 9, 10, and 11 to and including the word *"Provided,"* being the following language:

"That for the plans and the preparation of the site so selected and the erection of the pedestal the sum of $15,000, or so much thereof as may be necessary, is hereby appropriated out of any money in the Treasury not otherwise appropriated: *Provided.*"

Page 2, line 12, after the word "statue," insert the words "and pedestal."

The SPEAKER. The question is on agreeing to the committee amendments.

Mr. COOPER. Mr. Speaker, is this an amendment that proposes to have the site located down here in the Botanic Gardens?

Mr. LOGUE. These are committee amendments which have just been read. I have an amendment, which I have submitted to the gentleman from Illinois, respecting the location of the monument at the point where the Art Commission said it should go.

Mr. COOPER. I was just about to ask whether the Art Commission suggested that it should go there?

Mr. LOGUE. Yes. It is in accordance with their suggestion.

Mr. COOPER. I suppose the other Members of the House have done the same thing that I have, namely, to study the plan of the commission—the Burnham Commission report—which provides for what is called Union Square down here where the Grant Statue is located, and as planned by the commission, if completed, it would be an exceedingly beautiful square. I did not know that that plan included the locating in that square of the Meade Monument.

Mr. LOGUE. I took the matter up with the Art Commission, and their thought was around and about Union Square to locate at least four statues, and they suggested that it would be the proper place for the Meade statue. I have, therefore, in accordance with that talk, and the conversation I have had with the gentleman from Illinois [Mr. MANN], prepared that amendment, but it is guarded under the resolution as we propose it, as it states "that the design and location of said memorial or statue and pedestal and the plan for the treatment of the grounds connected with such site shall be approved by the Commission of Fine Arts."

The SPEAKER. The question is on agreeing to the committee amendments.

The committee amendments were agreed to.

Mr. LOGUE. Mr. Speaker, I now offer the following amendment, which I send to the desk and ask to have read.

The Clerk read as follows:

Page 1, line 8, after the word "Washington," strike out the word "other" and all of line 9 and insert "at or near the intersection of Third Street and Pennsylvania Avenue," so that as amended the bill will read:

"A site on property belonging to the United States in the city of Washington at or near the intersection of Third Street and Pennsylvania Avenue, and erect thereon a suitable," etc.

Mr. MANN. That should be Pennsylvania Avenue NW.

Mr. LOGUE. Yes; and I will ask unanimous consent that the Clerk correct that.

The SPEAKER. Is there objection?

There was no objection.

The SPEAKER. The question is on agreeing to the amendment.

The amendment was agreed to.

The SPEAKER. The question now is on the engrossment and third reading of the joint resolution.

The joint resolution was ordered to be engrossed and read a third time, was read the third time, and passed.

On motion of Mr. LOGUE, a motion to reconsider the vote by which the joint resolution was passed was laid on the table.

BRIDGE ACROSS OHIO RIVER NEAR SCIOTOVILLE, OHIO.

The SPEAKER. The Chair will recognize the gentleman from Georgia [Mr. ADAMSON].

Mr. ADAMSON. Mr. Speaker, I think the House will consent to the consideration of this little bill without a motion to suspend the rules. It is the bill (S. 6687) to authorize the Chesapeake & Ohio Northern Railway Co. to construct a bridge across the Ohio River a short distance above the mouth of the Little Scioto River, between Scioto County, Ohio, and Greenup County, Ky., at or near Sciotoville, Ohio.

This is a proposition to build a bridge across the Ohio River. Bridges across the Ohio River have heretofore been controlled by special statute applicable to that river only. The projectors of this bridge prepared to build a bridge under that idea and commenced it. They were then informed by the War Department that it was claimed that under section 9 of the river and harbor act of 1899 it was necessary to secure special consent of Congress. They stopped the construction of this bridge and introduced this bill. It is in the nature of an emergency brought about in that way, without any fault on their part. I ask unanimous consent, therefore, that the bill may be taken up out of its order and considered at this time.

The SPEAKER. The gentleman from Georgia asks unanimous consent to take up out of its order and consider at this time the bill referred to. Is there objection?

There was no objection.

The SPEAKER. The Clerk will report the bill.

The Clerk read as follows:

Be it enacted, etc., That the Chesapeake & Ohio Northern Railway Co., a corporation organized and existing under the laws of the State of Kentucky, and its successors and assigns, be, and they are hereby, authorized to construct, maintain, and operate a bridge and approaches thereto across the Ohio River at a point suitable to the interests of navigation, a short distance above the mouth of the Little Scioto River, between Scioto County, Ohio, and Greenup County Ky., at or near Sciotoville, Ohio, in accordance with the provisions of the acts of Congress approved December 17, 1872, and February 14, 1883, authorizing the construction of bridges across the Ohio River, and of the act entitled "An act to regulate the construction of bridges across navigable waters," approved March 23, 1906.

SEC. 2. That the right to alter, amend, or repeal this act is hereby expressly reserved.

Mr. MOORE. Mr. Speaker, will the gentleman explain whether this comes under the jurisdiction of the War Department?

Mr. ADAMSON. Mr. Speaker, it comes under the jurisdiction of the War Department. Heretofore it was considered to be controlled exclusively by a separate act to control bridges over the Ohio River, but the War Department has reached the conclusion that, in accordance with section 9 of the Burton amendment in the river and harbor act of 1899, the consent of Congress was also necessary, and, therefore, this bill is introduced.

The SPEAKER. The question is on the third reading of the Senate bill.

The bill was ordered to be read a third time, and was read the third time and passed.

On motion of Mr. ADAMSON, a motion to reconsider the vote by which the bill was passed was laid on the table.

Mr. ADAMSON. Mr. Speaker, I ask unanimous consent that House bill No. 19428, of similar import, lie on the table.

The SPEAKER. Is there objection?

There was no objection, and it was so ordered.

LICENSING OF WAREHOUSES.

Mr. LEVER. Mr. Speaker, I move to suspend the rules and pass the bill (S. 6266), with committee amendments, which I send to the Clerk's desk.

Mr. MANN. Mr. Speaker, as the order of business has changed rather early in the day, I think the Members of the House ought to be notified; and I therefore make the point of order that there is no quorum present.

The SPEAKER. The gentleman from Illinois makes the point of order that there is no quorum present, and evidently there is not.

Mr. FITZGERALD. Mr. Speaker, I move a call of the House.

The SPEAKER. The gentleman from New York moves a call of the House.

The question was taken, and the motion was agreed to.

The SPEAKER. The Doorkeeper will lock the doors, the Sergeant at Arms will notify absentees, and the Clerk will call the roll.

The Clerk called the roll, and the following Members failed to answer to their names:

Adair	Carew	Elder	Harris
Ansberry	Carr	Fairchild	Hart
Anthony	Carter	Faison	Hay
Ashbrook	Casey	Flood, Va.	Hayes
Austin	Church	Floyd, Ark.	Helvering
Baltz	Clark, Fla.	Francis	Hobson
Barchfeld	Claypool	French	Howard
Bartholdt	Coady	George	Hughes, W. Va.
Beall, Tex.	Connelly, Kans.	Gerry	Hulings
Blackmon	Connolly, Iowa	Gittins	Humphrey, Wash.
Booher	Copley	Godwin, N. C.	Jones
Brown, W. Va.	Cullop	Goldfogle	Keister
Brumbaugh	Davenport	Gorman	Kindel
Burke, Pa.	Decker	Graham, Pa.	Kinkaid, Nebr.
Butler	Deitrick	Gregg	Kitchin
Byrnes, S. C.	Dent	Griest	Konop
Calder	Dooling	Griffin	Lee, Pa.
Campbell	Driscoll	Guernsey	L'Engle
Candler, Miss.	Edmonds	Hamill	Levy
Cantor	Edwards	Hamilton, N. Y.	Lewis, Md.
Lieb	Neeley, Kans.	Sells	Tribble
Lindquist	Nelson	Sherwood	Underhill
Lloyd	Nolan, J. I.	Slemp	Walsh
Loft	Oglesby	Small	Walters
McAndrews	O'Hair	Smith, Md.	Webb
McClellan	O'Leary	Smith, J. M. C.	Whitacre
McGillicuddy	Park	Sparkman	White
McGuire, Okla.	Patten, N. Y.	Stanley	Wilson, Fla.
Martin	Post	Stevens, N. H.	Wilson, N. Y.
Metz	Ragsdale	Taggart	Winslow
Mondell	Riordan	Talbott, Md.	Woodruff
Morgan, La.	Roberts, Mass.	Taylor, N. Y.	
Morin	Rothermel	Temple	
Murdock	Scully	Townsend	

The SPEAKER. On this call 295 Members—a quorum—answered to their names.

Mr. UNDERWOOD. Mr. Speaker, I move to dispense with further proceedings under the call.

The motion was agreed to.

The SPEAKER. The Doorkeeper will unlock the doors and the Clerk will read the bill.

Mr. LEVER. Mr. Speaker, inasmuch as the amendment proposed by the committee is an amendment in the way of a substitute, I ask unanimous consent that the Clerk read the substitute as offered by the committee. I have already made a motion to suspend the rules and pass the bill as amended.

The SPEAKER. What the gentleman wants read is read.

Mr. LEVER. I am asking that the amendment proposed in the nature of a substitute be read.

Mr. LENROOT. Mr. Speaker, I wish to demand a second at the proper time.

The SPEAKER. The proper time has not yet come. Will the gentleman from South Carolina give heed to the reading to see that he gets what he wants.

The Clerk began the reading of the bill.

Mr. BARTLETT. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. BARTLETT. Mr. Speaker, under the rule, is not the House entitled to be informed what the Senate bill was for which this substitute proposes to take the place? Some of us might vote for the Senate bill and not vote for the substitute.

The SPEAKER. Why, the practice is and the rule is that whatever is read from the Clerk's desk is the matter to be voted on or considered.

Mr. BARTLETT. Is it not a fact, Mr. Speaker, that this is a Senate bill, and the report of the committee recommends that all of the bill be stricken out except the enacting clause and the committee amendment be substituted for the Senate bill, and that be passed under suspension of the rules? My inquiry, Mr. Speaker, if I may be permitted to make it, was whether or not the House was not entitled to have the Senate bill read, so it could understand whether it should prefer to vote for the substitute or the Senate bill. That was my inquiry.

The SPEAKER. The Chair thinks not. The matter that is read from the Clerk's desk is the thing to be voted on, and any gentleman, if he gets the time, can read the other in explanation. The Clerk will read.

The Clerk read as follows:

An act (S. 6266) to authorize the Secretary of Agriculture to license cotton warehouses, and for other purposes.

Be it enacted, etc., That this act shall be known by the short title of "United States warehouse act."

SEC. 2. That the term "warehouse" as used in this act shall be deemed to mean every building, structure, or other protected inclosure in which any agricultural product is or may be stored or held. The term "agricultural product" wherever used in this act shall be held to include cotton, grain, and other agricultural products designated by the Secretary of Agriculture to be staple and nonperishable.

SEC. 3. That the Secretary of Agriculture is authorized to investigate the storage, warehousing, classifying, grading, weighing, and certification of agricultural products; upon application to him, to inspect warehouses or cause them to be inspected; at any time, with or without application to him, to inspect or cause to be inspected all warehouses licensed under this act; to determine whether warehouses for which licenses are applied for or have been issued under this act are suitable for the proper storage or holding of agricultural products; to classify warehouses in accordance with their location, surroundings, capacity, condition, and other qualities, and as to the kinds of licenses issued or that may be issued to them pursuant to this act; and to prescribe the duties of the owners and operators of warehouses licensed under this act with respect to the care of and responsibility for agricultural products stored or held therein

SEC. 4. That the Secretary of Agriculture is authorized, upon application to him by the owner or operator of a warehouse, to issue a license for the conduct of the same, subject to this act and such rules and regulations as may be made hereunder. Each license shall specify the date upon which it is to terminate, and, upon showing satisfactory to the Secretary of Agriculture, may, from time to time, be renewed or extended by a written instrument, which shall specify the date of its termination.

The owner or operator of every warehouse licensed under this act shall execute and file with the Secretary of Agriculture a good and sufficient bond to the United States, and such warehouses shall be designated as bonded. Said bond shall be in such form and amount, shall have such surety or sureties, and shall contain such terms and conditions as the Secretary of Agriculture may require to carry out the purposes of this act. No warehouse shall be designated as bonded under this

act, and no name or description conveying the impression that it is so bonded, shall be used until a bond such as provided for in this section has been filed with and approved by the Secretary of Agriculture.

Any person injured by the misconduct or negligence of the principal named in the bond shall be entitled in an action upon the bond, brought in his own right and name in any court having jurisdiction of the same, to recover all losses he may have sustained.

SEC. 5. That the Secretary of Agriculture shall charge, assess, and cause to be collected a reasonable fee for every examination or inspection of a warehouse under this act when such examination or inspection is made upon application of the owner or operator of such warehouse, and a fee not exceeding $2 per annum for each license or renewal thereof issued to the owner or operator of a warehouse under this act. All such fees shall be deposited and covered into the Treasury as miscellaneous receipts.

SEC. 6. That the Secretary of Agriculture may, upon presentation of satisfactory proof of competency, issue to any person a license to classify or grade agricultural products or specified kinds of agricultural products and to certificate the class or grade thereof, or to weigh said agricultural products and certificate the weight thereof; or to classify, grade, and weigh agricultural products or specified kinds of agricultural products and to certificate the class, grade, and weight thereof, under such rules and regulations as may be made pursuant to this act. Any such license issued under this act may be suspended or revoked whenever the Secretary of Agriculture is satisfied that the holder thereof has failed to classify, grade, or weigh agricultural products correctly or has violated any provision of this act or of the rules and regulations made thereunder, or that the license has been used for any improper purpose whatsoever: *Provided*, That no such licensed person shall inspect or grade grain or shall certify, or otherwise indicate in writing, the grade of any grain which has been inspected or graded by him unless and until he has been duly authorized or employed by State, county, city, town, board of trade, chamber of commerce, corporation, society, or association to inspect and grade grain: *Provided further*, That in States which have State grain inspection established by law the Secretary of Agriculture may, in his discretion, issue licenses to persons duly authorized and employed to inspect grain under the laws of such State at the time this act goes into effect.

SEC. 7. That the owner or operator of every licensed warehouse shall receive for storage, without any discrimination between persons, any agricultural products tendered to him in a suitable condition for warehousing in the usual manner in the ordinary and usual course of business: *Provided*, That grain or flaxseed so received shall be graded and inspected by an inspector duly licensed under this act and shall be stored with grain or flaxseed of a similar grade; and in no case, in a warehouse licensed under this act, shall grain or flaxseed of different grades be mixed together while in store. No owner or operator of a warehouse duly licensed under this act shall sell or otherwise dispose of, or deliver out of store, any such agricultural product without the express authority of its owner and the return of the storage receipt. For all agricultural products stored or held by a warehouse licensed under this act original receipts, serially numbered, shall be issued by the owner or operator thereof, signed by himself or by his duly authorized agent. No such receipt shall be issued except for agricultural products actually stored or held in the warehouse at the time of the issuance thereof. No duplicate of an original receipt shall be issued unless the same be plainly and conspicuously marked "duplicate" upon the face thereof. While an original receipt or any duplicate thereof issued under this act is outstanding and uncanceled by the owner or operator of the warehouse issuing the same no other or further receipt shall be issued for the agricultural product, except that, in the case of lost or destroyed receipts, new receipts may be issued upon the giving of satisfactory security in compliance with the rules and regulations made pursuant to this act. Any receipt issued in lieu of an original shall be upon the same terms and subject to such conditions as are prescribed by this act for such original receipt. Each original receipt shall contain such terms and conditions, not inconsistent with the laws of the respective States in which issued, as the Secretary of Agriculture may require for carrying out the purposes of this act, including a true statement of the date and place of its issuance, its serial number, and the location of the warehouse in which the agricultural product is stored or held, and shall state that the agricultural product is deliverable upon the return of the receipt properly indorsed and upon payment of proper legal charges, if any be due to the owner or operator of the warehouse. Upon return of the receipt to the owner or operator of the warehouse issuing the same and upon the payment or tender of all advances and legal charges, agricultural products of the same class or grade and quantity named therein shall be delivered to the holder of such receipt within 24 hours after facilities for receiving the same have been provided: *Provided*, That in the case of cotton or other agricultural products customarily put up in bales or packages, each original receipt shall include a description of such bales or packages by marks, numbers, or other means of identification, and the weight thereof; the owner of such original receipt shall be entitled upon presentation thereof, and the payment of accrued charges, to receive the identical bale or package described therein within 24 hours after facilities for receiving the same have been provided.

SEC. 8. That the owner or operator of any warehouse licensed under this act shall keep complete and correct records of all agricultural products stored or held therein and withdrawn therefrom, of all original warehouse receipts, and duplicates of the same, issued by the owner or operator of the warehouse, and of the receipts returned to and canceled by the owner or operator thereof, shall make reports to the Secretary of Agriculture, in such form and at such times as he may require, and shall be conducted and operated in all other respects in compliance with this act and the rules and regulations made hereunder.

SEC. 9. That any warehouse receipt or certificate of the class or grade of any agricultural product issued under this act shall specify the class or grade of the agricultural product covered thereby in accordance with the official standard of the United States applicable thereto as the same may be fixed and promulgated under authority of law: *Provided*, That until such official standards for any agricultural product shall have been fixed and promulgated under authority of law such warehouse receipts or certificates of the class or grade of agricultural products may be issued in accordance with any other recognized standard, or in accordance with such rules and regulations as may be prescribed by the Secretary of Agriculture. Such receipts or certificates shall show the description or the standard in accordance with which the agricultural product has been classified or graded.

SEC. 10. That the Secretary of Agriculture is hereby authorized to cause examinations to be made of any agricultural product stored or held in any warehouse licensed under this act. Whenever, after opportunity for hearing is given to the owner or operator of such warehouse, it is determined that such owner or operator of such warehouse is not performing fully the duties imposed on him by this act and the rules and regulations made hereunder the Secretary may publish his findings.

SEC. 11. That the Secretary of Agriculture may suspend or revoke any license issued to any owner or operator of such warehouse under this act for any violation of or failure to comply with any provision of this act or of the rules and regulations made hereunder, and any such license may be suspended or revoked, after opportunity for hearing has been afforded to the licensee concerned, upon the ground that unreasonable or exorbitant charges have been made for services rendered.

SEC. 12. That the Secretary of Agriculture from time to time may publish the results of any investigations made under section 3 of this act; and he shall publish the names and locations of warehouses licensed and bonded and the names and addresses of persons licensed under this act and lists of all licenses terminated under this act and the causes therefor.

SEC. 13. That the Secretary of Agriculture is authorized, through officials, employees, or agents of the Department of Agriculture designated by him, to examine all books, records, papers, and accounts of warehouses licensed under this act and of the owners or operators of such warehouses relating thereto.

SEC. 14. That the Secretary of Agriculture shall from time to time make such rules and regulations as he may deem necessary for the efficient execution of the provisions of this act.

SEC. 15. That every person who shall forge, alter, counterfeit, simulate, or falsely represent, or shall without proper authority use, any license issued by the Secretary of Agriculture to any owner or operator of a warehouse, or to any grader, classer, or weigher, under this act shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined not more than $500 or imprisoned not more than six months, or both, in the discretion of the court.

SEC. 16. That the words "owner" or "operator" wherever used in this act shall be construed to import the plural or singular, as the case demands, and shall include individuals, associations, partnerships, and corporations.

SEC. 17. That there is hereby appropriated, out of any moneys in the Treasury not otherwise appropriated, the sum of $100,000, available until expended, for the expenses of carrying into effect the provisions of this act, including the payment of such rent and the employment of such persons and means as the Secretary of Agriculture may deem necessary in the city of Washington and elsewhere, and he is authorized, in his discretion, to call upon qualified persons not regularly in the service of the United States for temporary assistance in carrying out the purposes of this act, and, out of the moneys appropriated by this act, to pay the salaries and expenses thereof.

Amend the title so as to read: "An act to authorize the Secretary of Agriculture to license warehouses, and for other purposes."

The SPEAKER. Is a second demanded?

Mr. LENROOT. Mr. Speaker, I demand a second.

The SPEAKER. The gentleman from Wisconsin [Mr. LENROOT] demands a second.

Mr. LEVER. Mr. Speaker, I ask unanimous consent that a second may be considered as ordered.

The SPEAKER. The gentleman from South Carolina asks unanimous consent that a second may be considered as ordered. Is there objection? [After a pause.] The Chair hears none. The gentleman from South Carolina is entitled to 20 minutes and the gentleman from Wisconsin to 20 minutes.

Mr. LEVER. Mr. Speaker, I yield five minutes to the gentleman from Indiana [Mr. Moss].

Mr. MOSS of Indiana. Mr. Speaker, this bill is a combination of the Smith-Lever bill for warehousing cotton and the Moss bill for warehousing grain. It comes to the House from the Senate with practically a unanimous vote and with a favorable recommendation of the Agricultural Committee. It is one of three great measures—rural credits, grain standardization, and Federal warehouses—which have been framed in the business interests of our farmers. This Congress has made a great reputation for itself in passing constructive legislation to enable a better organization of the commercial business of this country, but it stands justly charged before the country with either a failure or a refusal to pass measures of equal importance to the agricultural interests of our Nation. We are passing out of the pioneer stage of farming into that of improved agriculture. One of the results of this change is to give increased importance to capital and credit engaged in agricultural industry. Land and its products have increased largely in value in the last 10 years. This important development increases the amount of capital that is necessary in order to engage in farming and emphasizes the financial phases of the farmer's life. Farming has become a business, and every successful farmer must become a good business manager. This growth brings the question of better business methods to every farmer, and is rapidly forcing a reorganization of American agriculture. Scientific knowledge, faithful industry, and commercial credit are the three great factors of modern farming. The only commodities which the farmer has to offer as a basis for credit are his land and its products. The gross value of all farm products in the United States is about $9,000,000,000 a year, but before this vast production can be pledged as security or sold in the markets to the best advantage it must be standardized, graded, and held in such a form that a warehouse receipt can be presented to the financial interests of this country, showing

on its face the essential factors which establish the market value of the commodities offered as security. This is the prime purpose of this bill.

The bill, as rewritten by the Agricultural Committee of the House, applies to cotton, grain, and all other staple and nonperishable farm crops, and the owner of any of these products may apply for its benefits. The owner of any warehouse may apply for a license to operate under its provisions. Any competent citizen may apply for a license to grade such products under recognized standards; but such licensed person must secure employment from some State authority before he can issue certificates of weight or quality of agricultural products under the provisions of the bill. It does not in any instance commit the Federal Government to Federal inspection of agricultural products or in any manner nullify any State law on this subject.

The bill in every provision is permissive; in no sense is it compulsory. It does not commit the Government to the ownership or the operation of warehouses in any degree; neither does it commit the Government to the making of advances in money upon agricultural products.

The bill makes provisions whereby owners of agricultural products can purchase storage in bonded warehouses, licensed and supervised by the United States Government; to have these products graded and weighed by licensed graders, according to uniform standards of quality to be fixed by the United States Government; and the owners of such products will receive a warehouse receipt, uniform in its terms with every other warehouse receipt for agricultural products of like quality stored in any governmentally licensed warehouse in the United States. Such a receipt will present collateral security of the highest integrity, and the holder can borrow money at any bank as readily and at as low rate of interest as if he were pledging a Government bond. In every operation, from the storing of the product to its final sale and delivery to the consumer, the provisions of this bill place the farmer on a plane of absolute equality with the merchant or broker.

Every owner of agricultural products who does not desire to negotiate an immediate sale of such products can store them under ideal conditions of safety. His receipt declares their actual grade; and by consulting any reliable market quotations the owner can know what is their actual value. Any day he can secure money at the lowest interest rate by pledging his receipt at the counter of any bank.

The bank can rediscount this receipt at the regional bank. This bill thus connects the farm with the Federal Treasury through the medium of chartered banks and gives to the farmers of the United States the full advantages of our new banking and currency law. If the farmer has money borrowed on warehouse receipts, he can liquidate his obligations at maturity by the sale of his commodities in the open markets. He thus secures every advantage which the ownership of these prime necessities can give and is enabled to sell them to the best advantage when he desires to divest himself of that ownership. The bill is therefore a long step in the direction of better business methods on the farm and to make possible better living among farmers.

Pass this measure and you make it possible for every farmer in the United States to become a business man. Pass this measure and you make it possible to inaugurate business methods on every farm in this country.

Perhaps the most notable achievement of this Congress was the passage of the new banking and currency act. Under the provisions of that act collateral backed by farm products becomes security which can be rediscounted by the Federal reserve banks, and here we have a measure by which these farm products are standardized, by which they are to be graded by graders licensed by the Department of Agriculture and stored in warehouses which are bonded to the United States. Thus it is that we aid the farmer by giving him every financial advantage that is given to the business men of this country.

The Department of Agriculture has been working on the question of standardizing farm products for more than five years, and Congress has appropriated more than $500,000, which has been expended for this purpose. The current law carries $72,000 to perfect this great work; but all this effort is in vain, and this vast sum of money in practical effect will have been squandered if we refuse to permit the enactment of this measure. For what other purpose than to aid in establishing better market methods was the work of standardization undertaken? And in what better manner can these methods be introduced than to enact this bill into law?

It is a well-known fact that in the United States we harvest a year's supply of any standard farm crop within a few weeks. The result under present conditions is to force these products on the market in advance of their actual consumption. They are thus compelled to be offered for sale to speculators to be stored for later consumption. Prices are thus forced down at harvest, when the farmer sells, to be sharply advanced after harvest, when these products are sold to the actual consumers. The result is that speculators ordinarily realize a higher net profit from farm crops than the men who actually perform the hard labor of producing them. We have thus a wide margin between the price paid to the producer and the price charged to the consumer.

This warehouse bill will remedy these adverse conditions. It will stabilize average prices, increasing them to the producer without advancing them to the consumer. In my investigation of the system of selling farm crops in Europe, where the speculator has been starved out and products go from the farm direct to the consumer, the profit which the speculator makes in this country is, in fact, divided between the producer and the consumer. It is thus literally true in Europe that improved methods of storing and selling farm crops has resulted in higher prices to the producer and lower prices for the same product to the consumer. The next great advance in agricultural business methods in the United States will be along lines of cooperation. This bill presents the most splendid opportunities for cooperative action among farmers. It will enable farmers to realize in money a fair margin of the actual cash value of their products at the moment of harvest and still hold the ownership of their products until the consumer is ready to take the product directly from the hands of the producer. The result will be to eliminate the speculator, to minimize the dealings in futures, and to divide the larger margin now taken by this horde of middlemen and to divide it between the two classes who are compelled to assume ownership of these products in order to carry on the business of the Nation—the producer and the consumer. And all of this operation shall be under the supervision of the National Government. [Applause.]

So far I have not heard an objection from anyone, unless it has been on the question of the constitutionality of the measure. I shall not attempt to argue that phase of it or try to answer the technical objections of lawyers who know less about farming than they do about law. I recall that the Webb-Kenyon bill was opposed on similar grounds, but this Congress passed it over the veto of the President of the United States when so eminent an authority as President Taft and his Attorney General stated that it was unconstitutional, and based their disapproval solely on that ground.

Mr. WEBB. Will the gentleman yield?

Mr. MOSS of Indiana. I will, with pleasure.

Mr. WEBB. Just one question, for information. It is doubted whether a State may have a warehouse system if this law passes. If this bill passes, will it do away with any system that a State might adopt?

Mr. MOSS of Indiana. It would have no effect whatever on that. The provisions of the bill are permissive, and any warehouseman can elect whether he will operate under State authority or under the provisions of this bill. As a matter of fact, I would like to say to my friend from North Carolina as this bill passed the Senate of the United States it expressly recognized State-owned warehouses, and provided that the operator of such State-owned warehouses may be licensed. That provision has been accepted by the Agricultural Committee of the House, and it would have been presented here as an amendment excepting for the fact that the conferees of this House will be friendly to it, and it can be written in by the committee of conference. [Applause.]

The SPEAKER. The time of the gentleman has expired.

Mr. LENROOT. Mr. Speaker, I yield four minutes to the gentleman from Iowa [Mr. TOWNER].

Mr. TOWNER. Mr. Speaker, the gentleman from Indiana [Mr. Moss] has spoken for two bills, one for the issuance of warehouse licenses and the other for the standardization of food products. There is only one of these bills now before the House, and that bill is the bill for the licensing of warehouses. The gentleman from Indiana also says that the bill comes from the Senate with almost a unanimous vote. As a matter of fact, the Senate bill has been abandoned by the Committee on Agriculture and a substitute has been reported for it by the House committee, which is vastly different in many essential particulars from the Senate bill.

I only desire, however, at this time to say that I am in favor of the principle of this legislation and should be glad to support both of these bills. I may, perhaps, be able to support the bill which shall follow it—the one for the standardization of grain—but this bill in its present form, it seems to me, no gentleman can with consistency support, and no one who is really in favor of this legislation can afford to support it, because he lays

himself liable, if he does, to an imputation of bad faith in attempting to pass a bill that on its face is absolutely unconstitutional. Why, Mr. Speaker, there is absolutely nothing in this bill on which a right to legislate can be based—not one single thing. I know it is fashionable nowadays to think that the Constitution is not requisite as a basis for congressional action. But the courts will not so hold. They will hold that there must be authority in Congress under the Constitution to legislate on this subject under some of the provisions of the Constitution.

I have asked the gentlemen in charge of the bill to incorporate as a part of it that the terms of this bill shall only apply to the business of this character which is interstate in its nature; and if that were done, the constitutional right to legislate would belong to us; but now, under the terms of the bill, we have no power under the Constitution to legislate with regard to warehouses within the States in any respect or to any extent.

Mr. BARTLETT. Will the gentleman yield?

Mr. TOWNER. I yield to my friend.

Mr. BARTLETT. I understand the gentleman to say that the House has absolutely destroyed that provision of the Senate bill which classed these warehouses as such as are engaged in storing products which enter into interstate commerce.

Mr. TOWNER. Without passing upon the sufficiency of the Senate bill I do say as to the House bill that upon no possible ground can it rest upon a constitutional sanction.

Mr. BARTLETT. I agree with the gentleman entirely.

Mr. TOWNER. That is not all. The bill in its present form is certainly not in form for the purpose intended. For instance, if you turn to section 6 you will find an interpolation here in this bill which indicates a purpose to grant power to the Secretary of Agriculture to give to certain persons whom he may designate the power to pass upon and fix certain standards for grain. But there is no power given to the Secretary of Agriculture to fix these standards. And so we have a secondary power and no primary power upon which it can rest. It seems to be the intention to incorporate some of the provisions of the standardization bill in this bill. But in this bill, while power is given certain agents, to be appointed by the Secretary of Agriculture, to determine whether the grain inspected conforms to certain standards, the standards are not fixed, and no power is granted to the Secretary of Agriculture or to anyone else to fix them. Of course if the standardization bill passes this section in this bill is unnecessary, and if it does not pass the power granted in this bill is incomplete. It is clear that the bill ought to be redrawn and ought not to pass in its present form.

The SPEAKER. The time of the gentleman from Iowa has expired.

Mr. LEVER. I will say to the gentleman from Wisconsin that I will close in two more speeches. Will he use some more of his time now?

Mr. LENROOT. I yield two minutes to the gentleman from Georgia [Mr. BARTLETT].

Mr. BARTLETT. Mr. Speaker, I am still an old-fashioned Democrat and an old-fashioned lawyer. I do not believe the necessity exists in this case, in order to correct the evils it is proposed to correct by this bill, that we should flagrantly and obviously violate the Constitution of the United States, as I believe this bill does. There is no difficulty, there will be no difficulty, in carrying on the business of securing loans of money upon warehouse receipts when those warehouses are State institutions, as they now are. Numbers of States have passed laws providing for bonded warehouses, and the very currency bill that the gentleman from Indiana [Mr. Moss] referred to provided that warehouse receipts of cotton and other farm products should be accepted by the banks and by the reserve board and be rediscounted, when we did not have any such law as this upon the statute books. There is no power in the fundamental law of the land that justifies this House in passing a bill like this, which proposes to turn over to officials and employees of the General Government the right to visit various localities where farm products are stored in warehouses and demand that they shall comply with rules prescribed by the Secretary of Agriculture. It may be, Mr. Speaker, that we have arrived at that stage where we propose to exercise power in the General Government under the general welfare clause of the Constitution.

The SPEAKER. The time of the gentleman from Georgia has expired.

Mr. BARTLETT. But no lawyer who has any regard for his reputation will assert that such a power as that exists under the Federal Constitution. [Applause.]

Mr. LENROOT. Mr. Speaker, will not the gentleman from South Carolina use some of his time now?

Mr. LEVER. We have only two more speeches on this side.

Mr. BARTLETT. Mr. Speaker, may I ask consent to extend my remarks by inserting the decision of the Supreme Court of the United States in a case where this question was treated of?

The SPEAKER. The gentleman from Georgia [Mr. BARTLETT] asks unanimous consent to extend his remarks in the RECORD. Is there objection?

There was no objection.

Following is the decision referred to:

UNITED STATES V. DE WITT.

1. The twenty-ninth section of the internal-revenue act of March 2, 1867 (14 Stat. L., 484), which makes it a misdemeanor, punishable by fine and imprisonment, to mix for sale naphtha and illuminating oils or to sell or offer such mixture for sale, or to sell or offer for sale oil made of petroleum for illuminating purposes, inflammable at less temperature or fire test than 110° F., is in fact a police regulation, relating exclusively to the internal trade of the United States.

2. Accordingly it can only have effect where the legislative authority of Congress excludes, territorially, all State legislation, as, for example, in the District of Columbia. Within State limits it can have no constitutional operation.

* * * * * * *

The Chief Justice delivered the opinion of the court.

The questions certified resolve themselves into this: Has Congress power, under the Constitution, to prohibit trade within the limits of a State?

That Congress has power to regulate commerce with foreign nations and among the several States and with the Indian tribes, the Constitution expressly declares. But this express grant of power to regulate commerce among the States has always been understood as limited by its terms; and as a virtual denial of any power to interfere with the internal trade and business of the separate States, except, indeed, as a necessary and proper means for carrying into execution some other power expressly granted or vested.

* * * * * * *

As a police regulation, relating exclusively to the internal trade of the States, it can only have effect where the legislative authority of Congress excludes, territorially, all State legislation, as, for example, in the District of Columbia. Within State limits it can have no constitutional operation. This has been so frequently declared by this court, results so obviously from the terms of the Constitution, and has been so fully explained and supported on former occasions that we think it unnecessary to enter again upon the discussion. (9 Wall., U. S. C. Repts., p. 41.)

The SPEAKER. Two or three hours ago the gentleman from Minnesota [Mr. STEENERSON] asked unanimous consent to extend his remarks on the bill then under consideration, and the Chair forgot to put it. Is there objection?

There was no objection.

Mr. KENT. Mr. Speaker, I make the same request.

The SPEAKER. The gentleman from California [Mr. KENT] makes the same request. Is there objection?

There was no objection.

Mr. MOSS of Indiana. Mr. Speaker, I would like to make the same request as to extending remarks on this bill.

The SPEAKER. The gentleman from Indiana [Mr. Moss] makes the same request as to this bill. Is there objection?

There was no objection.

Mr. LEVER. Mr. Speaker, I yield five minutes to the gentleman from Alabama [Mr. UNDERWOOD].

Mr. UNDERWOOD. Mr. Speaker, as I understand this bill, it is not compulsory that any warehouse in the United States shall come within its terms. A warehouse need not come within its scope unless the owner of that warehouse is willing to do so. It is entirely optional with the warehouse ownership to determine for themselves whether it is advantageous to avail of this legislation or not.

The greatest disadvantage that the agricultural interests of this country have to face is the difficulty of securing credit and the difficulty of holding their crops until a good opportunity occurs to market them. Now, the purpose of this bill is to aid agriculture in securing credit. The purpose of this bill is to aid agriculture in taking care of its crops. If I have a warehouse in my community and I issue a warehouse certificate that I have a bale of cotton or a bushel of wheat stored there of a certain grade, the question as to whether or not my certificate is worth anything depends on how far the people who know me believe what I say in that certificate and believe in my honesty and integrity and care in taking care of that piece of property. If my county has a warehouse, that belief will extend further, and that confidence will be greater; and so it will be with a State. But when you come to the National Government, if it has a right to inspect these warehouses and issue a certificate as to what is contained in them, it will carry confidence from one end of the United States to the other.

Mr. ANDERSON. Mr. Speaker, will the gentleman yield?

Mr. UNDERWOOD. I will ask the gentleman not to interrupt me.

The SPEAKER. The gentleman declines to yield.

Mr. UNDERWOOD. Now, there is where the benefit will come to the agricultural interests of this country. I recall the

days back in the nineties, when there was but slight sale for the iron and steel products of the district that I represent. A company known throughout the United States established warrant yards and issued warrants for pig iron, stating what the grades were, where it was stored, insuring the pig iron; and the results was that, although for a long period of time in the nineties it was difficult to sell pig iron, those warrants could be taken to New York or Chicago or other centers where money could be obtained and readily used by the holders as security and to sell the pig iron, because the man who took the warrant as security knew that he had a solvent corporation behind that pig iron that would guarantee that he received the pig iron according to the grade that was named in the certificate.

Now, it would be the same thing in this case. If you pass this bill, the man who places his cotton in a Government warehouse will be able to take the certificate to any portion of the United States, and the man to whom that certificate is presented will know that that bale of cotton is according to the grade; that it is properly insured, properly housed, and properly taken care of; and it will not be necessary for the banker who intends to lend the money or the purchaser who intends to buy the product to go and inspect the product or move it at once. So, Mr. Speaker, I regard this bill as one of the foremost advance steps that have been made in recent years in the interest of agriculture. [Applause.]

The SPEAKER. The time of the gentleman from Alabama has expired.

Mr. LENROOT. Mr. Speaker, I yield four minutes to the gentleman from Minnesota [Mr. ANDERSON].

The SPEAKER. The gentleman from Minnesota [Mr. ANDERSON] is recognized for four minutes.

[Mr. ANDERSON addressed the House. See Appendix.]

Mr. LENROOT. Mr. Speaker, this is the same bill that was up for consideration at the last session of Congress, and the House refused to pass the bill under suspension. I had expected that in the discussion of this bill to-day some effort would be made to meet the arguments that were then made concerning the constitutionality of the bill. I am not altogether surprised, however, that such an effort has not been made, because I undertake to say that no lawyer in this House or elsewhere can or will claim, upon a careful examination of the provisions of this bill, that it will in any particular stand the test of constitutionality. Some gentlemen seem to think that in the consideration of bills by this House no consideration need be given to constitutional questions; but I say to you that if they are not considered here there is a place where they will be given consideration, and that is in the courts of this country. And when we are satisfied, as we must be, that this bill is unconstitutional I say any friend of the merits of this legislation who votes for this bill this afternoon is voting against the remedy that this legislation seeks to secure.

When the gentleman from Alabama [Mr. UNDERWOOD] arose I expected he would undertake to discuss the constitutional features of the bill, but he did not. What did the gentleman from Alabama say? He said he understood that this bill was not compulsory, that it was optional as to whether a warehouseman should come under its provisions or not. But the gentleman from Alabama must admit that being merely optional does not give the Federal Government jurisdiction. To illustrate—and I gave the same illustration before—supposing the law relating to pawnbrokers in the State of New York was very drastic and the pawnbrokers of New York City came to this Congress and said, "We want a Federal law regulating pawnbroking in the city of New York, and we want it optional as to whether we shall come under its provisions or not; we do not ask that it be compulsory; we merely ask that it be optional, so that if we choose to come under Federal regulation we may do so"; does the gentleman from Alabama claim that would give Congress any jurisdiction to regulate the business of pawnbroking in the city of New York, overriding the laws of the State of New York? Of course not.

But, more than that, even though the statement were true that this is merely optional, there is not a shred of Federal jurisdiction upon which to hang this bill.

But it is not optional. It is optional so far as the owners and operators of the warehouses are concerned, but that is all. But will the gentleman from Alabama [Mr. UNDERWOOD] or the gentleman from South Carolina [Mr. LEVER] claim that the farmer who raises the grain or the man who buys it for consumption or for milling has no rights? Can his rights be taken away from him by the owner or operator of a warehouse? And yet that is what this bill proposes. For instance, a farmer grows grain or cotton in a State and sends it to a warehouse in that State, to be milled in that State, to be used in that State. Under this bill, if the owner of that warehouse chooses to take out a Federal license, he must come under the Federal law with relation to all grain or cotton going through that warehouse, although it is raised, milled, and consumed in one State. Have not those people who store grain in warehouses any rights under the laws of that State? And will some one say that the Federal Government has a right to repeal the laws of the State with reference to its own internal affairs? The question was asked during the debate as to whether or not this would do away with the laws of the States upon this subject? On its face it does absolutely do away with the State law in every case where the owner or operator of the elevator exercises the option under the bill of taking out a Federal license.

It would have been easy to bring this bill within plain constitutional provisions. If it had been limited to interstate commerce, if it had provided that no grain or cotton or other agricultural products should enter into interstate commerce except in compliance with the provisions of the bill, then it would stand. The gentleman from South Carolina [Mr. LEVER] this morning suggested to me one amendment that he seemed to think would remove this objection, but his amendment related only to the designation of the warehouse, requiring that only warehouses engaged in the business of interstate commerce should come within its provisions, but that still left the grower and miller and all others than the warehouseman exactly where they were before under the bill, and denied to them the rights they have under their respective State laws.

There is another provision. A bond is provided for, and an attempt is made to give a remedy under the bond. Well, unless the Federal Government has secured jurisdiction upon which to base its action, the giving of that bond, if it is given, does not make it worth the paper upon which it is written. There is one other provision, however. As the bill reads here—

> Any person injured by the misconduct or negligence of the principal named in the bond shall be entitled in an action upon the bond, brought in his own right and name in any court having jurisdiction of the same, to recover all losses he may have sustained.

There was a Senate provision on the subject, evidently drawn by lawyers, because that provision limited the recovery to injuries to the cotton or other agricultural product that was stored; but as this House provision reads a man may be conducting a warehouse, and if a stranger is injured in that warehouse through the negligence of the warehouseman, this bill would attempt to give jurisdiction to sue upon the bond given to the Federal Government and recover damages for the injury.

Why, Mr. Speaker, I am surprised that upon the Democratic side, where there are so many and so able lawyers, some consideration has not been given to the provisions of this bill and some attempt made to make it come within the clear-cut lines of constitutional limitations. The only attempt that has been made that I have heard from the Democratic side of the House—it has not been attempted to be defended on our side—it has been claimed that we have the right to enact this legislation under the general welfare clause of the Constitution. I am amazed to hear that contention made, especially by a gentleman coming from the South. If you urge that upon this bill, then you may as well wipe out every constitutional safeguard that is written in the Federal Constitution. Because, if the promotion of the general welfare authorizes the Congress of the United States to enact legislation alone, then there is no limit to the jurisdiction that the Federal Government can exercise, and is bounded only by what the Congress itself may deem to be the general welfare of the United States.

Now, Mr. Speaker, a bill of this importance ought never to be considered under a motion to suspend the rules, and if it was to be considered under suspension there ought to have been some effort made to make it constitutional, at least to the extent of enabling those who are favoring it to rise on the floor and defend the constitutionality of the bill. It has not been done and it will not be done, Mr. Speaker, because, as I stated, no lawyer who has examined the provisions of the bill will undertake for one moment to say that it will ever be held valid by the Supreme Court of the United States.

Mr. LEVER. Mr. Speaker, I said a moment ago to the gentleman from Wisconsin that I would close in one speech. Since he took the floor the gentleman from Minnesota [Mr. MANAHAN] has asked for two minutes, and I will yield two minutes to him, with the consent of the gentleman from Wisconsin.

Mr. MANAHAN. Mr. Speaker, I am in favor of this bill on its merits, and can defend it with facts, history, and Holy Writ. I notice that no arguments have been made in opposition except on constitutional grounds. Whether or not under the general welfare clause of the Constitution this bill can be sustained I do not know, but I am convinced by investigation and study that the general welfare of the great grain-growing section of the West is conserved by its provisions.

Speaking for the farmers of the Northwest, I say we need both national warehousing and Federal inspection, because under the grain inspection and warehouse system of Minnesota and Illinois we have been swindled out of millions in the value of our crops. The farmers of the North and South are equally interested. It is time that Congress did something to protect both grain and cotton producers from the grain and cotton gamblers in the great terminal markets of the Nation.

This bill gives our farmers a better chance to have a square deal in the sale of their crops. It provides for the warehousing and inspection of grain and cotton under national supervision. But some one asks, Why not leave the inspection and warehousing of grain to the several States? The answer is twofold. First, many of the greatest producing States, like the Dakotas, must market their surplus outside of their own borders, and therefore can have no voice or control over the way in which their crops are inspected, warehoused, and sold in the terminal market. No matter how rankly they are gouged nor how smoothly they are swindled, all they can do is swear or pray, according to their disposition.

THE STATE COMMISSIONS HELPLESS.

But the big reason for demanding help from the Federal Government lies in the failure of the States to protect their market places from monopoly, extortion, and sharp practice. It does not seem possible for the little State commissions to control the organizations that now monopolize the great cotton and grain terminals of the country. I do not know whether it is due to simple inefficiency or political servility, or both, but I do know that local government has failed in Minnesota and in Illinois to protect from exploitation the grain growers of the Northwest. You remind me that distinguished Senators have praised these State systems of warehousing and inspection and pronounced them quite as perfect as the multiplication table and quite as honest and virtuous as a corn field in midwinter; but gentlemen will observe that those who are loudest in their praise of our terminal markets, in the Northwest at least, are men who have spent most of their time for years in Washington. They do not personally know what they are talking about and have been misled by the powerful men of the grain monopoly and the influential newspapers they patronize.

THE ST. PAUL CONVENTION OF FARMERS.

If Members of Congress at both ends of this Capitol could have witnessed the great convention of farmers a few days ago in St. Paul, where over 5,000 delegates from all over the Northwest, from the Rocky Mountains to the Great Lakes, met and for three days deliberated on the necessity of securing an open market, little attention would be paid to the special pleaders who defend the Minneapolis Chamber of Commerce and the Chicago Board of Trade. Those 5,000 farmers knew they had for over a quarter of a century been swindled by the grain combine at the great terminal markets, and that the method of their undoing was somehow or other mixed up with the price-fixing system and line-elevator control in the country, working in combination with double-crossing commission firms who sold to themselves and operated terminal elevators that doctored grain to make skin grades by which the millers could, in combination with grain gamblers in the pit, hammer down the price of grain to the farmer, and all in combination with ambitious politicians in the service of the State who feared the great papers where the great mills advertised and the powerful political influence of the easy-money aggregation hanging around the combination in control. They knew it was a complicated matter, and took three full days considering it. Before the convention adjourned every phase of marketing and market control, both of cotton and grain, was discussed by these wide-awake and determined farmers.

Mr. Speaker, I am very proud of the fact that this great gathering honored me by asking me to state to them my views on warehousing, inspection, and future trading in grain. I have studied these matters by the searching cross-examination of many large operators and by the personal inspection of many original records and statistical tables, and I told that convention of farmers what I now tell this House and the country, that it was a wise thing for the farmers of the Northwest to get together to consider their rights and to enlarge their cooperative selling agency, because it was only by determined and united action on the part of the producers along cooperative lines that they could ever hope to shake off the organized parasites that for years had been sucking the blood of agriculture and disturbing the health of the whole Nation; that St. Paul and its splendid citizenship was wise in recognizing the equity of the farmers' contention for an open market and in giving such generous support and encouragement to a great farmers' movement, because the city and farm are mutually dependent on each other, and the city that has the foresight and patriotism to make itself the center of the resistless movement toward cooperation is entitled to its inevitable first place in the list of great cities.

GREED AND WAR VERSUS EQUITY AND COOPERATION.

Generally speaking, there are only two great principles that direct human activity in the world. One is the principle of concentrated power, efficiency—speaking in broad fashion, we call it imperialism. It was fitting that Senator CLAPP in his address to the convention should speak at length upon the menace of war to our Government; that he should deplore the insanity of Europe. It is fitting that I also should join with him at this critical hour in the history of humanity in condemnation of war. All of us should stand firm, that this great Nation may not be swept from its feet in the greatest paroxysm of excitement in history, and thus spread outward the awful crime now being committed on the fair fields of Europe. I only allude to this again, however, for the purpose of contrasting it with the work of cooperation fostered by an intelligent Government. What does the war mean? And what does cooperation as a principle mean?

The war in Europe is, to us in this country now at peace, a distant and far-removed conflict, and it is very difficult for us to bring ourselves into an appreciation of what it means. I do not suppose there is a person anywhere who can, by any stretch of imagination, conceive of the awful horror and unspeakable insanity that is involved in that mighty conflict of nations. I am not going to speak of that, but I must call your attention to the fact that the war in Europe results from the avarice and greed of man, from covetousness, from an insatiable lust for property and power, and from the unsound economic conditions that follow. One great nation, with its mighty armament and equipment for destruction, wants an outlet to the sea for its commerce. Another great nation wants a tract of land somewhere that the fruit of that land may go to its coffers. Another great nation wants to control the ocean with its channels of trade that the fruits of other lands may come to her market. So I might go down the line to all these great nations and show every one of them hurling destruction at their neighbors, making every field of Europe a slaughterhouse, every home in Europe a place of sorrow and grief, where wistful-eyed women and little children hour by hour, even as I speak, listen and wait and will always wait for the footsteps of the dead, and all because rents, debts, and taxes had become so unbearably heavy that each nation felt impelled to take from some other nation its property.

It is efficiency, if you will, the perfection of the whole scheme, human business efficiency, the concealed ideal of which is to bring to the efficient what some one else produced by his toil; and efficient nations, under the impulse of greed and to cover the sins of favored classes and to become more and more efficient, build mighty engines of destruction, like battleships, for battering down seacoast cities, submarines for destroying such battleships, and even peaceful merchantmen; even aircraft, great birds of prey, for dropping bombs upon sleeping cities; in short, every hellish device conceivable for destroying life and taking the property of the dead. To take from the helpless or to withhold from other greedy men is the whole scheme and theory of armament and war; is the spirit of imperialism carried to logical conclusions. And imperialism is the one great principle that marks with tombstones and crucifixion every epoch of mankind struggling down the ages. The other great principle is the principle of justice; you might call it social equality, if you will, or equity, or fraternalism, or Christianity; but essentially it is the principle of justice between man and man wrought in mutual helpfulness and support; in essence it is honest cooperation. These two principles that guide the destinies of nations and the activities of man are in conflict with each other; and the only ray of light I see through the clouds of delirium and insanity sweeping over all Europe and endangering us is the hope—the dream, if you care to call it such—that out of the catastrophe of this war will come sufficient enlightenment and brave intelligence to all the people of the earth to crush the spirit of imperialism, with its mockery and folly, its monopoly and greed, its unearned increment and aristocratic pride, forever beneath the surface of human activity and desire! And that in its place shall arise the truth taught by the Founder of Christianity and by all the great leaders for the uplifting of humanity from the beginning of history—the principle of gentle justice and equity, making all mankind a neighborhood.

Could men do better than to hold a convention dedicated to the idea of cooperation? Could Congress do better than clear the way for equitable cooperation among the producers of human food, especially now, when the whole world is undergoing

change and must soon face universal hunger? I believe that the day will come when the spirit of avarice and greed will yield to the spirit of justice, mutual helpfulness, and true Christian fraternalism. If it doesn't come, what hope is there ultimately for humanity? But I must not generalize too long. It is better to apply these general observations to the present question of marketing and to this bill for Federal examination and licensing of grain and cotton warehouses.

THE IMPORTANCE OF THE MARKET PLACE.

The market place—why, the market place should be a holy place and the light should shine through it every hour. It should not be a place of avarice and greed. Its trading should not be in a barred house with secret chambers and tribunals. Men urge the great importance of the court as a place of justice and equity. Important it is, but not more important than the market place, for the market place also has a direct and immediate relation to the lives and the food of men. The general welfare of humanity is dependent upon the purity, honesty, and fairness of the market places of the world quite as much as upon the integrity of its courts. When we demand an honest market place we challenge the highest function of political economy.

The convention of 5,000 farmers meeting in St. Paul this present month was a mighty voice of protest against the dishonesty of the grain markets of the West. It will be well for Congress and the country to heed that voice. Agriculture demands a free and open market, a fair market. This national warehouse act and Federal inspection will help, but the destruction of the present intolerable monopoly and grain-gambling device must follow to insure full protection to the husbandmen of the Nation.

MONOPOLY IN THE CHAMBER OF COMMERCE AT MINNEAPOLIS.

I am going to talk a moment about the market place in Minneapolis, and I am going to talk with the full consciousness of the responsibility of my position. I want that understood. I am known as a Minneapolis man, because my business is largely there, although my home is in St. Paul; but I am for Minneapolis as much as St. Paul as a city, and I am for Minneapolis and St. Paul as much as I am for the country districts—just exactly the same. I am not unmindful of the trust and place I hold as Representative of the whole State. I say what I say upon this subject fully conscious of the fact that I am responsible for what I say. When I criticize the Minneapolis market I do not refer to the city, but to the chamber of commerce, and what I say of that institution I say deliberately.

Now, then, what about that market place? And how will this bill improve it? It was my lot to represent one of the legislative committees at the last session of our legislature, investigating the grain markets of Minnesota. It also happened that during the last session of Congress I offered a resolution for the investigation of the Chamber of Commerce at Minneapolis and the Chicago Board of Trade as well as the markets of other cities, and I participated in the hearings that followed before the Committee on Rules where many important facts were brought out incident to the marketing of grain. I therefore speak with knowledge of the subject when I discuss the grain traffic and the effect of monopoly of markets upon the people.

Some may think that this market-place monopoly in Minneapolis is a new problem; not at all. It is an old, old problem. I have before me two books, each quite different from the other. I am going to quote from these two books a text or two, and comment upon them briefly.

First, to show the inception as well as to point the lesson of the control of the market place I am going to quote from a book—I never find it necessary to tell farmers what book these lines are from, because they recognize the phraseology and the text; but I know there are friends of the Minneapolis Chamber of Commerce who might be confused, so, and in order that they may know and appreciate the source of my authority, I will state that this is Holy Writ.

I am going to quote a few lines to show you that the combine in the Chamber of Commerce of Minneapolis did not begin this business. I suggest this fact by way of defense of that combine. I am speaking in charity, however, and not as their attorney. I would not undertake their defense as a professional matter, because I am not a criminal lawyer.

ELEVATOR TRUST ORGANIZED BY PHARAOH.

I quote from the forty-first chapter of Genesis:

And it came to pass at the end of two full years that Pharaoh dreamed, and, behold, he stood by the river. And behold, there came up out of the river seven well-favored kine and fat fleshed, and they fed in a meadow. And behold, seven other kine came up after them out of the river, ill favored and lean fleshed, and stood by the other kine on the brink of the river. And the ill-favored and lean-fleshed kine did eat up the seven well-favored and fat kine. So Pharaoh awoke.

And he slept and dreamed the second time; and behold, seven ears of corn came up upon one stalk, rank and good. And behold, seven thin ears and blasted with the east wind sprung up after them. And the seven thin ears devoured the seven rank and full ears. And Pharaoh awoke, and behold, it was a dream.

I will not quote further. You remember what followed. The King was troubled about the dream, and consulted the wise men and the magicians—we would call them in our day the Cabinet of the Executive—but none of them could explain what the dreams meant. They were puzzled. But Pharaoh heard about a gifted young Jew who was in jail. This young Hebrew, with that wonderful business instinct that has sustained his race through centuries of persecution, had the capacity to foresee and to correctly interpret business conditions, when consulted by Pharaoh, the King, immediately hit upon the correct solution. He said, "Mr. Pharaoh, that dream means that there will be seven fat years; seven years of bumper crops, which will be followed by seven years of famine, crop failures, and hard times; and I advise you to conserve the crops during the seven good years, store away the surplus, and be prepared for the seven bad years." It was good advice. But how was that advice taken by the thrifty king? He capitalized his dream at once—talk about watering stock—he capitalized a dream. He passed a law—I am interpreting liberally the plain meaning of the text, and I want you to know that, in my judgment, this is the best book, the wisest book, and the holiest book ever written upon this earth, and when I put it in modern phraseology I do it only to impress the lesson. They capitalized that dream—the King and his aristocratic court—they made Joseph prime minister, and ordered him to go ahead and take from the farmers one-fifth of all their crops each year for the seven years and store it away in warehouses. Joseph and his elevator managers collected this grain—it says "more than the sands of the sea"—so much. And it says also that they left off numbering "for it was without number." Do you remember the lines? That means they stopped keeping books.

And it also says here in this Holy Book that this grain was laid away "under the hand of Pharaoh." What did that mean? That the warehouse receipts were issued in Pharaoh's name and not the farmer's. Iron-clad monopoly! You can imagine what chance the poor farmers had when hard years came and they needed corn to eat and plant. Our learned but cautious Department of Justice could not have gotten that corn away from Pharaoh and his crowd. It would have been a hopeless lawsuit, with the elevator books muddled and the warehouse receipts all in Pharaoh's name. During those seven good years the farmers had plenty and were content when the administration orators shouted "Let well enough alone." If there had been some Scandinavian farmers at that time along the Nile like those who in our day organize farmers' conventions they doubtless would have made loud objection to the law, but with that government at that time criticism of a decree of Pharaoh's court would have been more dangerous than it is in North Dakota now, where the supreme court puts a man in jail if he objects to their decisions too promptly. The Egyptian farmers had no chance. Note what happened. I will read you what happened, so that no one can say I misinterpret it. But before I read this—the famine came as predicted. With the first crop failure the farmers were not much alarmed; they remembered that the great warehouses were full; they went to the capital and said to Pharaoh: "We would like some corn to plant and to feed our cattle with during the winter." What did Pharaoh say? Just what the big millers in Minneapolis say. He said, "Go unto Joseph; what he saith to you, do." They say, "Go see John; we will deal only with members of his combination." Now, I will quote, so nobody will question:

And Joseph gathered up all the money that was found in the land of Egypt and in the land of Canaan for the corn which they brought, and Joseph brought the money into Pharaoh's house.

That means what it says—they took all the money that the farmers had for corn for that one year. The next year also was famine stricken and the farmers were more anxious; they had no money left.

And when money failed in the land of Egypt and in the land of Canaan all the Egyptians came unto Joseph and said: "Give us bread; for why should we die in thy presence? For the money faileth." And Joseph said, "Give your cattle, and I will give you for your cattle, if money fail." And they brought their cattle unto Joseph; and Joseph gave them bread in exchange for horses, and for the flocks, and for the cattle of the herds, and for the asses, and he fed them with bread for all their cattle for one year.

For all their live stock he gave them bread for one year.

And when that year was ended they came unto him the second year and said unto him, "We will not hide it from my lord, how that our money is spent; my lord also hath our herds of cattle; there is

not aught left in the sight of my lord but our bodies and our land. Wherefore shall we die before thine eyes, both we and our land? Buy us and our land for bread, and we and our land will be servants unto Pharaoh; and give us seed, that we may live, and not die, that the land be not desolate. And Joseph bought all the land of Egypt for Pharaoh; for the Egyptians sold every man his field, because the famine prevailed over them; so the land became Pharaoh's.

Was not that a hard bargain; was ever a more unfair contract forced upon hungry men? It meant that for corn to eat—for corn that had been raised upon their own fields—the farmers of the Nile yielded everything to that greedy and tyrannical government; that imperial and efficient government took the men and women it assumed to govern and made them slaves; took their lands and property and the bodies of their children into bondage. Was the conservation policy of Pharaoh and Joseph wise? I have heard men in Congress commend it. But what became of the people of Egypt? The Jews alone survived by leaving the country; the Egyptians perished. That is the answer. Degradation and decay must always result from monopoly. Moses, leaving Egypt with its lesson in mind, prompted by God, said, among other things, "Thou shalt not steal." There was, however, as a result of Pharaoh's monopoly, great prosperity in Egypt for a time and for a few. The masses were slaves, but without doubt the upper classes surrounding the king had efficient business men among them. These were the captains of industry of that day. They built the libraries and pyramids and mighty government buildings. I have no doubt they got out magazines showing the great terminal facilities of Pharaoh and his aristocracy—boastful magazines, like this bastard sheet of the grain combine, misnamed the Cooperative Manager and Farmer, which on expensive paper shows all the great buildings, mills, and elevators of Minneapolis in an effort to rub into the farmers of the Northwest the sad fact, which they already knew, that the whole business of warehousing grain and making flour is monopolized by the chamber of commerce in Minneapolis the same as the grain warehousing in Illinois is controlled by the combine in the board of trade.

This magazine, listing all the elevators of the combine in Minnesota, ought to convince the reluctant lawyers of our Government in Washington that an illegal monopoly exists and thrives vigorously on the grain growers; and it also should convince Congress that the Federal Government must hasten to provide national elevators to serve our section honestly. The significance of the great Minneapolis terminals pictured in the combine's magazine will not be lost by the clear-headed farmers of the Northwest. They are beginning to realize that the method of storing and warehousing for the purpose of doctoring and mixing grain and then obtaining a skin-grade on the large quantities held by the big dealers and used to manipulate and control prices needs a vast machinery and many expensive structures which would be unnecessary if the market was an open and free place for simple merchandising. The farmers are beginning to feel that they should not be compelled in marketing their crops to send them through such an expensive and complicated plant as that provided by the Chamber of Commerce at Minneapolis. They know, of course, that the cost of upkeep and operation of such a plant must be borne by the grain that passes through it, and it is a big item. They realize that if the grain goes through the Minneapolis marketing machinery of pit, warehouse, and mill before it goes to the consumer, the men who own that machinery must take out enough to operate and pay dividends on the capital invested.

THE WAY FROM PRODUCER TO CONSUMER SHOULD BE DIRECT AND SIMPLE.

They urge that wise legislation should devise methods to simplify the process of food as it passes from producer to consumer and make it less expensive. I believe that national and State warehouses and the prohibition of gambling in grain would help, and that this bill is a step in the right direction. It interests farmers to consider how the great terminals in Minneapolis were built and who paid for them? I only regret that this magazine does not also show these facts. These great buildings, however, only represent a small part of the profits won in grain traffic. This magazine would make a better album for the children of the farmers to play with, and it would have more artistic value if it showed, in addition to these great buildings, the beautiful homes of the grain-gambling magnates of Minneapolis, which were also built out of the profits of the grain trade during the last quarter of a century in Minnesota.

I am going to briefly detail to you some of the methods used, methods which, for moral culpability, put old Pharaoh to shame. Anybody could have seen through Pharaoh's game; he made the farmers give themselves and their lands to slavery in order to get corn to eat; but these modern men were more subtle.

MARKET MANIPULATION ILLUSTRATED.

How do they do it? Listen. It is a complicated machine, this matter of marketing. To illustrate, I will take several cars of grain from Dakota to Minneapolis and follow them through and show you some of the ways they have of extracting profits from that grain, as shown, now, mark you, as shown by the testimony taken at these hearings. Let us say five carloads of grain are shipped from North Dakota to Minneapolis. One car of wheat is graded No. 1 northern, another No. 2, another No. 3, another No. 4, and the other rejected or no grade; all five cars shipped, for instance, to the Van Dusen-Harrington Commission Co. for sale. Before these cars reach the market place the inspection department of the State has inspected them and given them the grades I have indicated—I, 2, 3, 4, and rejected. They come upon the tables of the Van Dusen-Harrington Co. for sale at the hour the exchange opens; each sample is placed upon the table so that any buyer, you would think, who wanted to buy one of these cars would have an opportunity. But just as soon as the exchange opens and the samples are placed for sale by the Van Dusen-Harrington sales agent, the Pioneer Steel Elevator purchasing agent walks up at once and, before any other broker can bid, buys each car for his company. That looks almost honest, doesn't it; but note this: The Van Dusen-Harrington Co. owns the Pioneer Steel Elevator Co. What a farce to have the Pioneer Steel man walk up like a purchaser to buy from his own boss, and say, "I will give you so much for this and so much for that," indicating the different cars he was purchasing for his own company from his own company; but the Van Dusen-Harrington Co. broker never smiles at the grim joke on the Dakota farmer as he says, "Sold to the Pioneer Steel for so much per bushel," and enters a charge against the farmer for a commission for selling to himself. Pharaoh would have been ashamed to have turned such a trick at that. To make it worse, he sells it to himself for less than the grade of each car should be sold, as shown by the bidding in the pit at the very moment of the sale.

The man in Dakota will not object to that, because he will not know at what hour and minute the sale was made. Our committee had difficulty in making them produce the original cards and the pit records to show at the hearing. The Pioneer Steel Co. man gets these five cars, which he bought cheap from himself and takes them to the elevator, and what happens there? Now, bear in mind that the No. 2 wheat was sold 2 or 3 cents less than No. 1; the No. 3 at something like 3 cents less than the No. 2, and so on all the way down, the widest difference being probably 10 cents or 12 cents. He takes these five cars to his elevator, the good and the bad, and he mixes them together all ready for shipment out to any country miller who might need wheat to grind, or to fill the order of any exporter. The very next day Van Dusen-Harrington Co. gets an order from a Red Wing mill to buy five cars of No. 1 northern wheat. All right. He goes to himself, doing business as Pioneer Steel, and buys the five cars that they bought the day before and mixed, and, strange to say, the inspectors of the warehouse department of the State graded it as No. 1. The unsuspecting country miller does not realize that he is not getting the kind of No. 1 wheat that the one good car of No. 1 graded coming into the market, but he has to pay a commission, nevertheless, to the company that bought from themselves for his account. You see how they can make money and build great terminals. In the first place, they made a cent a bushel for each of the five carloads by selling it to themselves; then they have a fraction of a cent a bushel by selling it for less than it ought to be sold for, according to the market at that hour, and when they get it mixed and sell it all to a miller as No. 1 they make several cents a bushel; then they make a selling commission. This may be shrewd business, but to me it looks like pioneer stealing. Some of you may think there are not very many bushels raised in grade this way, but the official records of the State show that in Minneapolis and Duluth there are several million bushels a year which are raised from these inferior grades to the top grades while in possession of the terminal elevators of the combine. The swindle, however, of raising the grade by mixing and doctoring the grain is not measured by the profit on the particular grain so treated; its effect upon the market price, generally, is where the great evil lies.

MONOPOLY CONTROL OF PRICES THE GREAT EVIL.

This leads me to discuss briefly how the mixed grain in storage can be used to depreciate and drive down the price of grain to the producer. It is done in connection with what they call future trading. Before the committee I referred to future trading as gambling, and to men who manipulated the market in the pit as gamblers. I have since regretted that I used the

term. I feel that I owe an apology to poker players of the country. Betting on horse racing leads to the development of good horses at least; but betting on the price of wheat, what does that lead to? I am not going to talk about the effect of gambling upon gamblers; how it softens the brain of a man to concentrate upon the dream or idea of getting something for nothing. I am not going to speak of the loss to suckers who think they can speculate, nor of the almost countless instances of defalcation and ruin to well-meaning young men, tempted by the glamour of the game to take a "flyer" in May or December wheat. Right now many young men find themselves staring the penitentiary in the face because they have used some one else's money gambling in grain options. I confine my denunciation of this gambling in grain to the effect it has upon the farmer and the farmer's prices. Why, they say in this Chamber of Commerce Magazine, in an article by John McHugh, that there is an open market in Minneapolis where there is competitive bidding.

GAMBLERS THE FARMERS' COMPETITORS.

With whom does the farmer compete when he sends in his grain to that market for sale? Within the shadow of the blackboard where the quotations in the pit are made every second of the day while 'change is open, his grain is sold. Is he competing with another farmer with similar grain for sale? Oh, no; he is competing with a gambler, maybe a half-developed clerk in a banking house who does not know the difference between a bushel of grain and a bushel of chips and whetstones, but who thinks he wants to be a bear on the market. He is competing with a man who simply wants to bet, but does not have the slightest conception of the use or importance of grain in the economy of the world.

Every witness for the grain exchanges testified that the price paid for cash wheat on that market place is fixed every moment of the day by the blackboard where the gamblers' quotations are made. That, therefore, is the competition the farmer has—the competition of gamblers. How is the price of the gambler made? The great public warehouses of Chicago where this doctored grain, mixed as I have explained, is kept in storage in enormous quantities, are used for no other purpose than control of the price to suit the gambling operations of the men who control the Board of Trade in Chicago. By virtue of their ability to deliver that grain under the law upon anybody's contract for future delivery and their ability to throw upon the market depreciated grain in any quantity necessary to break down the competition of men who might otherwise be willing to compete, they are able to control the market to such a degree as to hold down the price during the period when farmers are selling in large quantities.

LAW OF SUPPLY AND DEMAND REPEALED BY MONOPOLY.

We showed before the Rules Committee in the presence of the leading members of the Chicago Board of Trade and Minneapolis Chamber of Commerce by the statistics of the Government that the law of supply and demand did not control. No one controverted; no one can deny our figures. We showed that in the year 1909, which was a year in this country and in all the world besides when not only was there a larger yield of wheat, but also a larger yield of corn, oats, barley, and other cereals; a larger yield of every kind of grain in 1909 than in 1911; and yet the price of wheat in 1909, the year of large production, was 10 or 12 cents more per bushel than in 1911, the year of infinitely less production, showing conclusively that neither the world's supply nor the supply in this country fixed the price of grain. It was fixed and always will be fixed while monopoly and gamblers rule the market places by the large operators in the pit with their public warehouses and ability to bid in concert and with secret understandings.

PILLSBURY-PEAVEY-LEITER CONSPIRACY.

In a case just tried in Chicago amazing facts were proved. It seems that in 1898 Joe Leiter, with Frank H. Peavey and C. A. Pillsbury, who while living controlled the Interior and Monarch Elevator Cos., of Minneapolis, conspired to corner and control the wheat market by withholding enormous quantities in storage. The price was driven skyward, and the corner had control until Peavey and Pillsbury broke their agreement and swamped Leiter under a loss of over $12,000,000. The fact of this conspiracy and agreement has been proved before the Federal court at Chicago to the satisfaction of a jury in a suit brought by these elevator companies against Leiter for grain they delivered to Leiter during the corner operations. Federal Judge Humphreys, instructing the jury, said:

If you find from the evidence that there was an illegal conspiracy to obtain control of the wheat market, then the notes are void.

The jury so found just a few days ago. I only mention this case to show what a few large dealers controlling warehouses can do by pit operations and conspiracy. If some of the conspirators had not broken their agreement, there would have been no lawsuit and the facts never would have been known. Such agreements are made by the big operators whenever necessary to depress the price to farmers or to freeze out suckers or to permit the big mills to lay in a supply of cheap wheat or to raise the price by cornering operations for the purpose of afterwards pinching the lambs and little fellows. No doubt they often keep their illegal agreements of this sort in good faith with each other, so the facts are never disclosed. There is sometimes honor among thieves.

I for one am unalterably opposed to gambling in grain—future trading in grain. It offers too easy opportunity for crooked deals and conspiracy. Let the grain produced upon the farms of this Nation be sold as grain upon open and fair market places for the purpose of being made into food and then buyers will pay a just and fair price.

The provision of this United States warehouse act which we are considering authorizes the Secretary of Agriculture to "investigate the storage, warehousing, classifying, grading, weighing, and certification of agricultural products." This provision would enable the Government at any time to examine the grain and cotton held in storage and the honesty of its grading, as well as probe the motives for withholding or offering great quantities for the purpose of market manipulation. Deals like the Leiter-Peavey-Pillsbury conspiracy would be more difficult and dangerous.

The bill authorizes the Secretary of Agriculture to license warehouses and prescribe the duties of warehousemen. He may also license inspectors to grade and classify grain and cotton and to issue certificates of the class, grade, and weight thereof, but "no owner or operator of a warehouse duly licensed under this act shall sell or otherwise dispose of or deliver out of store any such agricultural product without the express authority of its owner and the return of the storage receipt."

If this act meets the concurrence of the Senate, as it should, its terms will enable farmers, by cooperative selling agencies, to effect the exchange of their products direct to consumers without paying unconscionable profit to middlemen and speculators and without any toll to gamblers. The evolution of trade and common sense demands that the way from producer to consumer shall be open and direct; insists that any sort of monopoly is indefensible and intolerable.

The Department of Justice should, in my opinion, without delay resolutely enforce the antitrust law against the Chamber of Commerce in Minneapolis. The Government does not lack lawyers or disposition to do things, but "watchful waiting" is a bit discouraging in this instance. It is a matter of importance to the public.

I wish to emphasize what it means to have a monopoly make the price of grain by warehouse control and future trading. Annually there is produced in this country approximately five thousand million bushels of grain, subject to future trading. You will see that when great operators can change the price even 1 cent a bushel they can cut from the value of the crop $50,000,000, and if they make it go down 10 cents a bushel, as they have time and time again, they can knock from the value of the farmers' annual production the enormous sum of $500,000,000. What does that mean? It means the denial of prosperity to those most entitled to it. It means the accumulation of wealth in the hands of a few in the great centers of population to such an extent as to create national discord and disease.

BACK TO THE FARM MOVEMENT.

In my judgment, great cities like Chicago, those mighty centers of this nation, where the wealth, the cream of production of land and labor has been concentrated by virtue of laws which permit overcapitalization and kindred methods of exploitation; great cities like these, in my humble judgment, are a menace to our institutions and a misfortune to the people of the world; the artificial and unnatural life of these great centers is demoralizing and degrading to those who dwell there and inimicable to general public welfare. If ever the time comes when this great Nation of ours shall fail as a Goverament, it will be by virtue of the vice and corruption that come from the too great concentration in the great centers, of people and wealth, and the lack of wholesome prosperity in the rural places.

Out in the country people are nearer to God. Out in the country, where men and women have an opportunity to live wholesome and natural lives, there is a higher ideal of human nature and justice. But poverty and hardship destroys contentment anywhere. How, then, can you stem the tide cityward? You can not do it by lecturing and organizing "back to the farm" societies. There is only one thing that will do it, and that is to make the farmers so prosperous that their prosperity will

hold farmers' sons there by deliberate choice. How will you do that? By stopping excessive tribute to the transportation and distribution of farm products; not otherwise. I know myself, as a farmer's son, what it means to toil upon the farm; I know all its hardships, and as well I know, since my life has been passed in cities, its benefits and its virtues; knowing both sides I say it is of the greatest importance to this Nation that industrial justice be done to all producers. I mean that those who produce shall have a fair portion of what they produce, whether that production be by work on the farm or by toilers in town. Why is the labor question so difficult in the city? Why is the city laboring man's lot so hard? Because competition of labor is too severe. Why is competition of labor so severe in the city? Because labor in the country is so unremunerative, all things considered, that there is a stream to the city of men who ought to stay in the country. But once do justice in the market place, so that the farmers shall have an abundance, so that their sons shall be attracted by the opportunities of the country and stay there from choice—held there by virtue of that generous prosperity which the Almighty God intended to give to the sons of the earth for tilling the soil—and you solve the difficulties of the labor problem in the city. There will not be too much competition. Furthermore, there will be a greater abundance of food produced, and this will make the problem of living easier in the town. Just make the market place what it ought to be—a fair place, unpoisoned by artificial restraint, untainted by vicious practices like gambling—and you solve the problem not only of the farmer, but bigger problems of statecraft and government as well.

As one who has tried in a way to do something along the line of statecraft and government, I confess myself appalled by these problems. I confess myself absolutely overwhelmed by the difficulties of finding a right solution of the great questions that every day confront this Government of ours, problems growing out of the unequal distribution of wealth; the lack of free movement back and forth for the products of toil; the difficulty of making justice spread out to all the people and prosperity reach all quarters. These problems are hard to solve. Those of us placed under responsibility need the help of clear-brained, restful men out in the country especially.

I have no faith or confidence in these great problems being solved by a select few—a few professors, or lawyers, or Congressmen, or judges, or political economists. I have no faith in human government coming from some superior individuals down. My whole faith in our institutions rests upon my faith in the fairness and intelligence and good judgment of the great masses of all the people of the United States.

This is why I was so willing to leave Washington to participate in a great convention of farmers, to meet face to face so many earnest men from the country places, and have the inspiration and encouragement that comes from being in contact with men who do the work of feeding humanity, the most important thing in the social order. I honor the men responsible for this great gathering of farmers in St. Paul; I take off my hat in the presence of such men as those who have stood on the firing line of the farmers' fight for an open and free market. It takes brave men to fight entrenched privileges. These men have been opposed by every device and obstacle that money could buy. They have been sneered at, jeered at, and taunted; struck cowardly blows from behind; abused and villified most shamefully. They have been unfairly treated and the whole country should know it.

I could illustrate the desperate opposition of the grain combine to the farmers' movement by many specific instances of underhand work if it would make the need of relief by legislation more clear, but public praise does scant justice to the men who have borne the burden. Mr. Speaker, for months Benjamin Drake, of Minneapolis, with keen brain and unflagging industry, studied the methods of monopoly in exploiting grain growers, and, with the unanimous consent of Congress, I will print in the RECORD as an extension of my remarks, for the information of the country, the digest of his argument to the convention on the subject matter of this bill. Mr. Samuel H. Greeley, of Chicago, who for something like a quarter of a century was a member of the Chicago Board of Trade and who learned its methods from the inside, contributed valuable time in organizing the convention and made a speech exposing the vicious practices of the public-warehouse men of Illinois operating under the protection of the Chicago Board of Trade. The substance of his speech also I will, with unanimous consent of the House and for its information, print in the RECORD as a part of my remarks.

Marcus D. Munn, of St. Paul, one of the greatest lawyers of the West, thoroughly investigated the grain-marketing conditions in Minnesota, and vigorously condemned the illegal and unfair practices of the chamber of commerce monopoly. I regret that I have not the text of his argument to print for the benefit of Congress, but I say his opinion should carry weight with lawmakers.

To emphasize the need of prompt action by the Department of Justice in destroying the illegal monopoly of the grain combine in Minneapolis and the importance of remedial legislation, such as this United States warehouse act now pending, I call attention of Congress and the country to the fact that desperate efforts are being made right now to destroy the farmers' movement for an independent and cooperative agency for selling their grain.

The farmers have chosen George S. Loftus, known nation wide as a reformer of wide vision and great courage, as their leader, and for months now he has, in consequence of that leadership, been the object of assault by every man and paper that the easy money of the grain gamblers could buy or coerce. They have hired character assassins to slander him; liars to libel him. They have paid papers to pester him, pushed banks to break him, persuaded politicians into political prostitution to destroy his influence. He has stood up under it erect and unafraid, but it is time his brave fight for a square deal for humble men should have at least the support of just laws and law enforcement from our Government and a more lively and earnest support from the farmers of the West, whom he serves so well.

Mr. Speaker, the farmers' convention in St. Paul was addressed by Hon. C. C. Daniels, of North Carolina, now of the Department of Justice, with office in Minneapolis, on the subject of "Monopoly control of the cotton and tobacco markets of the country." His speech was so strong in pointing out the menace of monopoly in a market place, and so clearly presents the need of Federal legislation in the matter of warehousing and the wisdom of this bill, that with unanimous consent of the House I will print it in the RECORD as a part of my remarks.

Mr. Speaker, the need of national legislation to protect the farmers' market is clearly stated in the resolutions unanimously adopted in the St. Paul convention of farmers, December 10, 1914, and reading as follows:

Whereas it is generally believed, and to the best of our knowledge verified, that the facilities for grain at Minneapolis and Chicago in public elevators are monopolized, unsuitable, unjust, and conducted against the interest of the general public; that this system as now operated has been declared a monopoly by well-informed parties who are competent judges; that such facilities although public in name are private in fact, with discriminations in favor of the proprietors which prohibit the general use of such elevators by the public; and

Whereas shippers of interstate grain have no means of expressing protest by ballot against officials permitting present violation of the public terminal warehouse laws: Therefore be it

Resolved, That this convention recommends to the Congress of the United States that it enact such legislation as will provide suitable public elevator facilities under ownership and control of the Federal Government at such prominent terminal points as are now dominated by illegal forces in restraint of trade, and at such other terminals where the necessities of the public demand such storage; and this convention recommends the indorsement of such charges against the grain passing through such elevators as will care for proper returns on the investments; and it is further

Resolved, That the Department of Justice of the United States be asked to prosecute all parties handling grain in public elevators in restraint of trade and violation of law in all trade centers.

We unqualifiedly denounce and condemn the Minneapolis Chamber of Commerce and the Board of Trade of the City of Chicago as gambling houses and institutions aiding and abetting organized monopolies in restraint of trade; that said chamber of commerce and board of trade are themselves monopolies; that they harbor, protect, and assist lawbreakers and monopolies who take from the farmers certain values of their crops by methods which are neither legal nor justified in the interest of the common good: Therefore be it

Resolved by the farmers of the Northwest here assembled, That the secretary of this convention be instructed to demand of the Department of Justice at Washington that immediate steps be taken to prosecute those responsible for such restraint of trade; and be it further

Resolved, That the President of the United States be furnished a copy of these resolutions; and be it further

Resolved, That the evidence already obtained from various court proceedings, commercial organization reports, State investigations, congressional inquiries, testimony before industrial commissions, circuit and Supreme Court decisions relative to the corrupt, vicious, and monopolistic methods of the said Chamber of Commerce of Minneapolis and Board of Trade of Chicago be furnished to the said Department of Justice by those having charge of this contention to guide said Department of Justice in such prosecution.

Whereas it is generally conceded that "futures," "options," "puts and calls," "ups and downs," "indemnities," "settlement by differences," "ringing up trades," and various other methods and practices permitted and fostered by the Minneapolis Chamber of Commerce and Board of Trade of the City of Chicago are not necessary to the legitimate marketing of grain, nor are such methods in the interests of farmers or consumers; that the above-quoted terms represent a species of vicious gambling, breeding embezzlers and financial wrecks, and affect values of actual grain: Therefore be it

Resolved by the farmers here assembled, That said gambling should be prohibited by law, and that this convention stands pledged to assist Congress in the passage of such laws as will prevent gambling in farm products and the elimination of the institutions which foster it.

Whereas, recognizing the evils resulting from present methods of grain inspection, the unfavorable results of manipulation from misgrading of grain and the injustice to shippers, buyers, millers, and the general trade from the promiscuous methods in force in standardizing and inspection of grain; and further recognizing that State inspection at large terminals does not permit dealers from other States to participate in proper correction of these existing abuses, we urge upon the Congress of the United States to pass a suitable Federal inspection law that will provide for Federal inspection and standardization of grades on grain entering into interstate commerce, appoint, license, and commission inspectors, and remove same in failing to grade grain according to the standards prescribed by the Department of Agriculture, and that we condemn the so-called Moss bill now pending before the United States Congress in its failure to provide for these conditions, which will place the grading of grain entirely under the control of the United States as related to interstate shipments;

Whereas we heartily indorse the attitude of our official organ, the Cooperators' Herald, in its outspoken opposition to monopoly and "big business" in every form, and we pledge our support to the Herald and its management in its fight for reforms. We urge all farmers to subscribe for the Cooperators' Herald, and to use every legitimate means to increase its circulation and influence:

Resolved, That we appreciate the attitude of St. Paul and its citizens in its open-hearted welcome and warm friendship to the delegates and visitors to this convention, and recommend a rising vote of thanks on the part of this convention for the liberal hospitality which appears to be proverbial on the part of St. Paul, and heartily indorse the work of the officers and employees of the Equity Cooperative Exchange in this their crowning success in bringing about this great convention of farmers, and we desire to express a sincere feeling of warm friendship for the publications of St. Paul who are giving their loyal support to the principle of an open and honest market and farmers' terminal selling agency, and recommend the loyal support on the part of the farmers for these publications.

Resolved, That we indorse and approve the policies of President Wilson in relation to the warring factions in our sister Republic of Mexico and the deplorable strife of the warring nations of the world, and bid him Godspeed in a peaceful solution of the present unfortunate conditions existing on the Continent of Europe.

Resolved, That we consider a large standing Army and a greater Navy as a menace to peace rather than a preventive for war, and therefore do we stand opposed to an increase in either Army or Navy.

Resolved, That we indorse the attitude of the President of the United States in favoring an American-owned merchant marine, sailing under the Stars and Stripes, and urge Congress to speedily pass such legislation as may be necessary to authorize the Government to purchase and own vessels to be entered into the ocean carrying trade.

Resolved, That we favor Government ownership of railroads as a remedy for the arbitrary raise in freight rates now pending, caused by the extravagance and waste under the present system of private ownership.

Resolved, That we indorse the Postmaster General's policy in extending to the Parcel Post System the collect-on-delivery provision, and favor an increase in the weight limit to 100 pounds for the first two zones and to 50 pounds for the longer hauls.

Whereas private enterprise seeks private gain, cooperative enterprise seeks mutual advantage and community interest: Therefore be it

Resolved, That it is the sense of this convention that we disapprove of any alliance, pool, or understanding between our farmer elevator managers and their competitors as to fixing of margins or prices or divisions of profit, and that such alliance or understanding or any kind of business dealing with line-house competitors at country points is an injury to cooperative advance; and it is further

Resolved, That any alliance or understanding or business dealing with so-called "line-house commission firms" at the terminals, or other commission firms or organizations which are members of the chamber of commerce are not in keeping with the best interests to producers; that shipments to such concerns result in a revenue for the chamber of commerce, which is the enemy of the farmers' selling movement at the terminals: Therefore be it

Resolved, That it is the opinion of this convention that cooperative farmers' elevators should demand that all their grain be divorced from chamber of commerce mixtures, manipulations, storage, and gambling.

Resolved, That this body go on record as urging its several States that a substantial portion of the Federal appropriation that comes to said States by passage of the Smith-Lever bill be used for the advancement of the women and children in the farmhouse.

Whereas it is common knowledge and subject to unquestioned proof that the Minneapolis Chamber of Commerce has spent money, hired men and certain newspapers to place farmers in disrepute who have been interested in the plan of marketing their own grain at terminals; that said chamber of commerce has endeavored, with police assistance, to prevent open discussion of farmers' terminal problems, which has brought public apologies from the officials controlling such police; that said chamber of commerce has, through dummies and subsidized newspaper representatives, attacked the farmers in their terminal organizations in false, improper, and misleading ways, to injure the standing and credit of the farmers' terminal selling movement; and

Whereas the said chamber of commerce and its representatives, through many channels of information, has and is constantly circulating damaging and misleading falsehoods regarding such farmer organization and its representatives: Therefore be it

Resolved, That the farmers here assembled in the interests of honest conditions at the terminals not only denounce such practices but we pledge our united efforts and sacred honor to bring the scoundrels to justice who have not only villified and abused our leaders but have taken from us year after year by questionable methods that to which in justice and fairness they were not entitled.

Whereas it is a fact that Minneapolis mills refuse to purchase grain from farmers through their own terminal selling agency: Therefore be it

Resolved, That the farmers assembled at this convention pledge to support independent mills outside of Minneapolis who merchandise flour from the wheat bought from the equity farmers.

Whereas it is common knowledge and belief that the Minneapolis Journal is the mouthpiece and spokesman of the Chamber of Commerce of Minneapolis and opposed to the farmers' terminal marketing movement in St. Paul: Therefore be it

Resolved, That we condemn this attitude of the Minneapolis Journal, also that of the Fargo Forum and the Fargo Courier-News, and all other papers which are using their influence in opposition to an open and honest market at the terminals.

The foregoing resolutions reflect the intense purpose of our great farming interests to compel a recognition of their right to an open and honest market. Our great cities also feel keenly the need of cooperation and a closer union with prosperous agriculture. The Hon. Winn Powers, of St. Paul, in welcoming the farmers' convention, used the following impressive words:

No citizen with good sense, public spirit, and a feeling for great things can contemplate this gathering with ordinary emotions. The thousands of earnest farmers who have made a long journey to attend this convention must bring to our mind a vision of united citizenship, a vision of exalted cooperation, which will give us a higher faith in the future of our Nation and in the development of human service.

There is a seriousness and a dignity surrounding this convention which shuts frivolity from the mind and enforces upon one a spirit of thoughtfulness and a desire to take hold of life earnestly and unselfishly.

I can not refrain from saying that there are some very wonderful outward signs visible which tell us of the increased power and influence of the farmer. I was almost stunned with surprise when I saw upon many of the railroad posters the words "Farmers' special." Now, we have been accustomed to business men's specials, bankers' specials, editorial specials, and even pugilists' specials. But heretofore generally the farmer has been forced to content himself with riding as an ordinary passenger. So I say that when we see the railroads suddenly arranging farmers' specials and going to some trouble to secure the farmer's attendance, and making up their schedules to suit the farmer, then we may be sure that something has happened to inspire a greatly augmented respect for the farmer and his influence.

This movement of cooperation which you have started is in my judgment the most momentous thing that has happened in our country in this generation. In the first place, cooperation is the greatest word that has been coined in modern times. Unfortunately it has often remained but a word. But it is a vital force. Whether people like it or not, they may as well make up their mind to come to it. It is the conquering movement of the ages. It is sweeping across the world, to build a new epoch, in which we shall see realized a real brotherhood of man and a community of effort and interest, which shall do away with all divisions and hatreds among men. But the farmers' cooperative movement is especially significant, because the farmer has been slower than other men to realize his own need, and because more than any other class the farmer needs this movement.

The farmer has been slow to realize that he must organize to fight for himself before he can do any effective fighting for the rest of the world. Our farmers represent the most important economic factor in the world, and yet less has been done for the farmers than for any other class. Why? Because you have been so modest. You have borne your own burdens and done little kicking. You have allowed the world to fool you, to impose on you. Every other class has seen to it that it was represented in the legislatures and in Congress. The farmer has gone on carelessly voting for men, regardless of how these men served the farmer. Our legislative bodies have thought of the farmers last of all. Why? Because the farmer did not think of himself. You have been listening to men and to societies that were eager to help you, and it never occurred to you that in order to get any real help you must help yourselves. Now you have suddenly realized that if the farmer wants to progress and get somewhere, he has got to stand for his rights, and he has got to step up to the counter and insist on having the plate passed to him before all the pie has been taken by some other people. A few years ago you began to organize, and you soon found how greatly your power was increased by organization. Legislators began to have respect for you when they found that you respected yourselves and your own rights. You have found the way. But you still have a long way to travel. Many farmers as yet have not had the faith and the energy to embrace this cooperative opportunity. On the day that all the farmers join this movement most of your troubles will end.

Sometimes I think you have heard too much about improvements and have thought too much about them and have had your attention distracted from your most vital problems. Improved machinery and scientific farming are splendid things, but they have never in themselves improved the farmer's condition, and they have not and will not bring justice to the farmer. What the farmer needs to-day is not better implements or better methods or better advice. He needs a square deal; he needs justice. And once he gets that he will not ask any odds from the rest of the world. You all know how little reward has come to the average farmer. The wise men say this is due to your own folly, your ignorance, and in some cases your shiftlessness. Doubtless farmers, like other people, suffer from ignorance at times. But the most up-to-date and conscientious farmer has suffered beyond his desert, and through no fault of his own, because the law of supply and demand has not worked for him as it has for others. He has never had a fair share of the product of his labor. Less than 8 cents an hour goes to the farmer for his toil. Less than 1 cent goes to him from the loaf of bread that is sold to the consumer. Thousands of men are growing rich out of the farm products, but the farmer is not among them. The farmer does the work and somebody else gets the reward, and the consumer pays the bill. Somebody between the farmer and consumer is skinning both of them. This is the thing that you have got to fight and to kill, and I believe you are going to get down to business and do it. And when you do, we of the cities will share in the new prosperity which you have created.

No man believes more thoroughly than I do in the agricultural colleges of the country and in the ideals of scientific farming. Yet I feel that our farmers have been overwhelmed by a great deal of useless "expert" advice. It used to be a common practice among certain interests to keep the laboring man from thinking of his earthly troubles by diverting his attention to the promised glories of heaven. In like manner we see many good-intentioned people trying to distract the thought of the farmer from his serious economic problems by glibly discoursing to him of the beauties of rural life, the necessity for keeping the boy on the farm, and the wonderful results of making two blades of grass grow where one grew before. But manifestly there is no advantage of making two blades of grass grow if the farmer is losing money on each blade he grows. It is highly desirable that farm life should be beautiful; highly desirable that the boy should stay on the farm. But these are secondary problems. First of all must be settled, and settled rightly, the question of a fair division of the products of

the farmer's toil, the question of honest markets, and a square deal for the farmer in the financial operations of the country. When these primary problems are settled I have no doubt that the farmer will be most happy to listen to the expert gentlemen who want him to keep dandelions out of his front yard and to give an evening a week to the neighborhood club.

You are being fought by powerful interests; they will continue to oppose you. But you are stronger than they if you once get together and act in unison. Your voting power, your social power, is immense. You must use this to win your battle. As was said in colonial days, "You must hang together or you will hang separately." I have no fear that our American farmers will be overthrown by the pirates of the financial world. Too much depends on the success of the farmer in this great battle.

You have made St. Paul your headquarters. St. Paul is proud to have this honor. You can not help the farmer without helping the city. I assure you that you are among friends. We want to do our share toward making your country life successful, so that city and country may be united in a brotherhood of prosperity. We welcome you in the sure faith that you are earnestly working for a better and a bigger future—a future of justice and happiness—and the whole world will be better off when you have won your fight.

Speech of Hon. Benjamin Drake, of Minneapolis, on Government-owned warehouses and Federal inspection, delivered December 9, 1914, before the farmers' convention in St. Paul:

Mr. Chairman, of all vital needs confronting the grain grower of to-day, no two are of more importance than the establishment of Government-owned warehouses at terminal points and the institution of a uniform system of Federal inspection.

Why do we need Government operation of warehouses and elevators? For two reasons. First, because under the present system it is a literal fact that the Northwestern shipper has ordinarily no place to store, mix, or clean his grain at the terminals. He must sell immediately, regardless of market conditions, or else suffer exorbitant charges and certain depreciation in the price of his product. The terminal elevators of to-day are in fact "grain hospitals," and the very fact that grain is stored in a terminal elevator depreciates its value from 1 to 2 cents per bushel.. This fact was freely admitted by Charles A. Magnuson, president of one of the largest terminal elevators of Minneapolis, at the recent legislative investigation. His admission was confirmed by the testimony of many other members of the Minneapolis chamber.

In addition to exorbitant charges and certain depreciation in price incident to the storage of grain under the present system, it must be remembered, too, that the warehouses are buyers of grain. Their interests are directly opposed to the interests of the producer. The warehouses of the Chicago market handle over 90 per cent of the real grain entering that terminal for public storage. The warehouse and milling interests of the Minneapolis terminal absolutely control the policy and practices of the Minneapolis Chamber of Commerce. These interests do not care to provide a place for the producer to store, mix, or clean his grain. In practice they do not do it, although nominally required by law to do so. By unreasonable rules, unfair practices, and exorbitant charges the buying interests have practically eliminated private storage at terminal points. Try to store grain in Minneapolis when the millers want grain to grind and you will be informed that the elevators have no storage room. So completely and systematically is private storage discouraged in Minneapolis, that Mr. Magnuson, quoted above, testified he had no privately stored grain in his elevator in 1913 and that he could not distinctly remember a period when he had had any grain for private storage.

But the question of storage is more vital than I have yet suggested. The vast accumulations now held in the terminal warehouses of Chicago and Minneapolis are systematically used as the instrument of price manipulation. Speculation is not an incident, it is the main business of the modern grain exchange. If newspaper report and common understanding are to be believed a single member of the Minneapolis Chamber recently made $100,000 in less than one hour of future trading. I venture the assertion that members of the Chicago Board of Trade derive $10 through speculative trading where they derive $1 from handling real grain. In Minneapolis the situation is only a little better. Gambling is the corner stone of each institution, and in comparison with either I believe the operations of the Louisiana Lottery would appear literally insignificant.

To a considerable extent, and to an extent not generally understood, it is the vicious control of vast accumulations of grain under the present warehousing system which makes gambling and market manipulation possible. The same has been true of cotton in the past. The buying interests control these accumulations and use them to batter down any impending rise in price. The producer is not allowed to store his grain, but is forced to sell to the warehouse and milling monopoly as soon as his grain reaches the terminal.

The operation of Government warehouses would go far to release the producer from the grasp of buying interests and to permit prices to be fixed by the natural law of supply and demand. Here the producer might store, clean, or mix his grain at normal cost. Under the present system it invariably passes at once into the hands of the organized buying interests, and the entire accumulation is then used to batter down the price of the whole visible supply. It is immaterial, from my point of view, whether the State or the Federal Government establish such warehouses. Either would be effective for the purposes, but immediate action is imperative.

Again, I call your attention to the question of Federal grading and inspection. The Federal Government has already established grades for corn. Why not extend the system to all kinds of grain? The Chamber of Commerce of Minneapolis is controlled by mills and elevators—by the buying interests. The chamber opposed the Federal grading of corn at a recent hearing before a committee of Congress. This action was obviously taken because the buying interests were satisfied with the present system of Minnesota inspection. The producer is not satisfied. He has voiced his dissatisfaction long and loud, but without avail.

When the producers of North and South Dakota and Montana ship grain to the Minneapolis terminal, what recourse have they if the inspection and grades of the Minnesota inspection department are not fair? What recourse have the producers of another State against the inspection department of Illinois if they ship to Chicago? None whatever. The interests of shippers in this matter are not bounded by State lines. It is inevitably and logically a matter for Federal enactment and control.

Further, under the present system of conflicting State grades, there is no such thing as uniformity of grades or inspection. The same grade means one thing in Illinois, another in Wisconsin, and still another in Missouri. In Minnesota the same grade means one thing at Duluth and another thing at Minneapolis. Duluth is an export market. In addition, owing to proximity to Superior, Wis., the dual system of inspection obtains and grain may be inspected by departments of both States. In Minneapolis the mills consume over 65 per cent of the wheat entering the terminal. It is distinctly a consumptive market, and the mills dominate and control. As a result, shown beyond the shadow of doubt at the recent legislative investigation, inspection and dockage of grain at the export market of Duluth is more liberal to the producer than at the mill-controlled market at Minneapolis.

The spectacle of a State inspection department setting up one standard of grading and dockage at Duluth and another at Minneapolis is too absurd to deserve comment. It aptly illustrates the vice of the whole system. In my judgment it shows beyond all question that the buying interests of Minneapolis exercise some sort of control or influence over the Minneapolis inspectors. I do not say this control is necessarily corrupt or dishonest. It may not even be conscious or intentional on the part of the Minnesota inspection department. Nevertheless it exists, and such favoritism would cease under Federal inspection.

Again, I have in my possession evidence which I think fairly establishes the existence in the past of many illicit practices on the part of Minneapolis mills and elevators which appear to be the direct result of influence and favoritism.

For example, mills were formerly allowed to obtain reinspection a week or 10 days after the date of original inspection and purchase of the grain. The condition of the grain might have changed altogether, but I am informed it was formerly the practice of the Minnesota inspection department to permit reinspection, to the loss of the producer. Grain, I am informed, was frequently removed from a car at Minneapolis mills and elevators, either in whole or in part, and then something shoveled back into the car and reinspection demanded and obtained. Other examples of the same nature might be given, but time does not permit.

Federal grading and inspection will secure uniformity of grades and dockage, to the great advantage of the producer as well as the legitimate export and domestic trade. It will remove favoritism and the unwholesome influence of the organized buying interests over State inspection departments. It is for these reasons that the Minneapolis Chamber of Commerce is opposing Federal inspection, while producers in the proportion of 10 to 1 are advocating it.

Speech of Hon. C. C. Daniels before the Equity Cooperative Exchange convention at St. Paul, Minn., December 9, 1914, on cotton and tobacco marketing:

Mr. CHAIRMAN: "He who would have equity must do equity."

Most of us are tempted to regulate our conduct toward others by the way others treat us; "an eye for an eye and a tooth for a tooth" is too often the motto that we follow.

We can not afford to forget that we reap that which we sow and that injustice produces injustice.

Dishonesty and injustice can not successfully contend with integrity. The germ of dishonesty in the intended victim is the weak spot which those who attempt to deceive and defraud always find.

The victim of the scamp who sells "green goods" to the unsophisticated "hayseed" is always the dishonest man who is willing to defraud his neighbor.

The man who "goes broke" by speculating in futures expects to get the money of some one else who has bet on the wrong side of the market.

There was an intelligent, refined looking man in the North Carolina penitentiary one day as I passed through that institution. I had known him when he enjoyed the respect of all and was recognized as a reliable business man. I stopped to talk with him, and asked him why he committed the crime of embezzlement for which he was sentenced. He said he read the philosophical dissertations of a professor in a great university in which he said that dealing in cotton futures was the means by which the market was "steadied," and that he felt that as a friend of the farmers who raise cotton that he ought to help "steady" the market; that he bought "cotton futures" until his money gave out and the market was not "steady"; he then took some of the money with which he had been intrusted and tried to "steady" the market with that, but still the market instead of being "steady" became as frisky as a 2-year-old colt, and then he poured into the hands of the stockbrokers all the money he could get hold of, and some heartless man who had intrusted him with his money had him arrested and the cruel judge, not having received his instructions under the learned professor that he had followed, sent him to the penitentiary.

As I was leaving the gentleman in stripes asked me as a favor to him if I would not at least throw a brick at the fool professor who had no more sense or no more character than to teach such a doctrine. I promised I would, and this is the brick.

If the farmers of this Nation desire justice—if they want a fair return for the product of their toil—they must do justice and be content with receiving the reasonable value of the crops they raise.

There are few people who have suffered more from injustice than have the farmers. They have not received a fair share of the product of their toil, but have permitted those who gamble in the crops they raise to wax fat by taking an inequitable portion of the fruit of their labor.

This injustice has at times made many of them bitter, and a spirit of hostility and a determination to "even up the score" has found lodgment in the hearts of many.

"Whom the gods would destroy they first make mad." If the farmers can be kept mad—if they will endeavor "to fight the devil with fire"—those who seek to take from them an unjust share of the product of their labor will succeed—because they know the game.

Much of the injustice done the farmers can be avoided if the farmers will inform themselves of the conditions surrounding the products that they produce and will themselves be content to secure for their crops the real value of the same.

The fundamental basis for any equitable farmers' organization is absolute justice to others, regardless of the way the farmers themselves are treated. This is the only basis upon which any organization ought to stand.

When absolute justice is the basis of an organization the members are then in a position to use their influence and power to force others to do justice to them.

If the law against conspiracy, illegal combinations in restraint of trade and monopoly had been impartially enforced, the farmers of this

country would have had many dollars that have gone into the coffers of the lawbreakers, and their families would have enjoyed many comforts that have been denied them.

STUDY THE INFLUENCES THAT FIX PRICES.

The time has arrived when the farmers should give earnest and intelligent study to the influences that fix the price of the crops they raise.

"The past is the lamp that lights the future."

A study of that which has been done will throw light on that which may be done. If one product has been monopolized and the farmers have been made to suffer by reason of this monopoly, a study of the means by which the monopoly was accomplished and the product of the farmers' toil transferred to the pockets of those who established and controlled the monopoly may enable others to escape a similar fate.

In the section of the country in which I was reared the farmers raise tobacco and cotton and buy their meat from the Illinois stock raisers, and their flour from the Minnesota millers.

Since every portion of this country is so interwoven with every other portion, it is as impossible for one section to be injured without other sections suffering also as it is to cut off the hand of a man without the other portions of the body being affected thereby.

It may, therefore, be of service to the farmers of the Northwest to look into the way in which the tobacco and cotton crops of the South were marketed and the influences that determine what portion of the returns from these crops the farmers receive.

THE TOBACCO MONOPOLY AN EXAMPLE OF OPPRESSION.

In the early days of America, when this portion of the country was the undisputed hunting ground of the Indian and neither the French trapper nor the self-denying missionary had made his abode in these fastnesses, tobacco was a favored crop along the Atlantic coast. It was at times the measuring rod of commerce, and served as money for the early inhabitants.

For many years the law of supply and demand fixed the price of tobacco. This was true until 1890, at which time five tobacco manufacturers, under the guiding hand of James B. Duke, formed a combination and organized the American Tobacco Co. This combination without delay proceeded to effectually repeal the law of supply and demand in so far as it applied to tobacco.

The methods adopted to accomplish this end and to monopolize the tobacco business—to dominate and control it from the time the leaf leaves the smoking tobacco barn until the manufactured article goes into the mouth of the consumer—are varied. The ingenuity of some of the keenest brains of the world has been taxed to the utmost to devise the various methods used for the carrying out of the nefarious purpose of monopolization.

Immediately after the welding of this compact organization the astute gentlemen, who from that day to this good hour have been the dominating force in the tobacco business of this country, had their pliant tools and their equally pliant fools to whisper in the ears of the tobacco farmers of the section of the country along the Atlantic coast where the tobacco used by the combination was produced that by this combination the market for tobacco would be greatly extended and that the demand for the weed would be greatly increased and that the farmers would receive much larger prices for the tobacco that they raised.

To make them believe these statements they talked learnedly of the law of supply and demand—college professors of great renown were quoted to prove their statements as to the effect of the immutable law of "supply and demand."

The smooth gentlemen who represented the Tobacco Trust admitted that the small manufacturers might be driven out of business, but this was explained away as the natural result of business development and the securing of broader markets. Along with this sanctimonious cant there was mixed adroit appeals to the farmer's selfishness. Many of the farmers of that section "swallowed the bait" and helped the Tobacco Trust in its work of monopolization of the tobacco business.

The motto of the trust was "To buy where it could not butcher and to butcher where it could not buy."

The process of elimination went on—the small manufacturer was driven out of business or absorbed. The independent jobber had practically no independent goods to handle and had to seek other avenues for his energy and capital. The retailers were persuaded, cajoled, or forced to show favor to the goods of the trust. The consumers were attracted by coupons, attractive advertising, and by fake "independent" goods which were made by the trust. This process of elimination went on until the Tobacco Trust had more than 80 per cent of the tobacco business in the United States.

But what of the tobacco farmer?

Did he grow rich along with the trust magnates who ran this steam roller over the small tobacco manufacturer, the jobber, the wholesaler, and the retailer?

"Nay, verily." The demand for tobacco increased, but those who were able to compete with the Tobacco Trust had been driven out of business. There was only one bidder for the farmers' tobacco.

In 1901, however, the Imperial Tobacco Co., of England, became a real competitor for the farmers' tobacco. Prices went up, and the farmers were paid a fair price for their crops. This competition continued until September 2, 1902, and at that time the American Tobacco Co. and the Imperial Tobacco Co. made terms—the American eagle and the British lion lay down together—and tobacco dropped from 3 to 5 cents a pound in a single day.

As a result of this unholy alliance the British-American Tobacco Co. was organized and the world parceled out between them.

The Japanese Government, which has a Government monopoly of the tobacco business of Japan, was at one time a competitor for the farmers' tobacco. By some means, which the public has never been permitted to understand, they ceased to be real competitors for the farmers' tobacco, although they continued to use American tobacco. It was generally understood that there was some sort of understanding between the Japanese Government and some branch of the Tobacco Trust by which the Japanese secured their tobacco at the lowest price at which the trust bought its tobacco, so that the Japanese Government would not compete against the Tobacco Trust for the farmers' tobacco. Whatever the arrangement, the Japanese Government ceased to be a real competitor for the farmers' tobacco.

The price of leaf tobacco went down and down until the farmers were paid just enough to keep them raising it, and the prices were varied enough from time to time to cause "hope to spring eternal in the human breast."

Why should the Tobacco Trust pay more for tobacco when one man at 111 Fifth Avenue, New York, had the power to fix the price at such figures as his fancy dictated?

CONSCIOUS WRONGDOERS.

The work of the Tobacco Trust became so bold that it and its organizers and manipulators were haled into court, and the Chief Justice of the Supreme Court of the United States denounced them as conscious wrongdoers, and the highest court in the land decreed the dissolution of the trust, so that competition would be restored.

The Circuit Court of the Southern District of New York was directed to carry out this decree of the Supreme Court. The circuit court, after numerous conferences with the attorneys of the Tobacco Trust, entered a decree which purported to dissolve the Tobacco Trust and restore competitive conditions.

Mr. J. C. McReynolds was at that time assistant to Attorney General Wickersham and in charge of the Tobacco Trust case. He is reported in the newspapers as having pronounced the decree of the circuit court as not worth the paper it was written on and fit only for the scrap heap. Mr. McReynolds was Attorney General under President Wilson until he was elevated to the Supreme Court bench.

It seemed to me that the decree indicated that the ears of the circuit judges were attuned to hear the tick of the stock ticker more than the heartbeat of people who had been injured by these "conscious lawbreakers."

The result of this judicially designated dissolution was to add millions of dollars to the market price of the stocks and bonds of the different companies into which the Tobacco Trust was divided.

This dissolution was simply a dissolution of the hand into the fingers.

The man who knows the history of the Tobacco Trust and the "fingers" into which the "hand" was dissolved by order of the court, who believes that real competition has been reestablished in the tobacco business, or that illegal restraint of the tobacco business has been ended, is, in my judgment, entitled to admission to the institution for the feeble-minded.

The tobacco farmers are still in the grasp of the same men that "held them up" before the Tobacco Trust was judicially dissolved.

THE FIGHT OF THE KENTUCKY FARMERS.

The experience of the farmers who raise burley tobacco illustrates the fact that there has been only a change in the method of accomplishing results and in bookkeeping since the court's decree was rendered.

At a period when the Tobacco Trust thought itself so strong that it dared do whatever it found profitable, the price of burley tobacco was put to about 6 cents a pound.

The farmers of Kentucky and other sections where burley tobacco is grown organized for the purpose of escaping the oppression of the Tobacco Trust. The bankers and business men helped them in their fight, and they held their crops for three years, and then sold it for about 18 cents a pound. While the farmers of Kentucky won a great victory in forcing the trust to pay a reasonable price for three crops of their tobacco, it was a victory that cost them dearly, and doubtless many things were done that can not be approved and are best relegated to oblivion.

The gentlemen who were trained by the trust before the elements into which it had been dissolved were washed by judicial decree and made "whiter than snow," recognized the fact that if the farmers who raised burley tobacco continued to sell their tobacco in bulk that they might cooperate again and force the "fingers" to pay the reasonable value of their tobacco, as they had forced the "hand" to do before the judicial cleansing of the "conscious lawbreakers."

To prevent this, loose-leaf-tobacco warehouses were established all over the burley-tobacco growing section, and the selfishness and jealousy of different towns brought into play as a means of preventing the farmers from cooperating for their mutual advantage.

The scheme is working. The farmers of the burley-growing section are now unorganized, and they sell their tobacco at such prices as the "little trusts" see fit to pay them.

The independent retail tobacco stores are being driven out of business more rapidly than before the court decreed the "establishment of competition." The independent tobacco jobber is a rare curiosity, while the independent manufacturers are so scarce that the skeleton of the last remnant may be preserved by some heavily endowed institution as an extinct animal that was dangerous to "big business."

The methods pursued to monopolize the tobacco business are the methods used by other "conscious wrongdoers" to monopolize and control other lines of commerce.

A study of these methods may enable us to prevent the monopolization of other products.

The trust defender is quick to announce that you can not "unscramble eggs."

From the results attained in dissolving trusts by court decree, those who oppose monopoly have but little basis for encouragement.

It is therefore of all the more importance that every precaution should be taken to prevent the "eggs" being "scrambled."

IS COTTON IN DANGER OF BEING MONOPOLIZED?

Is there any danger that "King Cotton" may become a victim to the "conscious wrongdoers," and fall from his imperial estate to be a serf, doing the bidding of the same selfish interests that dominate and control the tobacco business?

Most men will say that the cotton crop is too great to be monopolized. The undertaking is too great to be thought of. That it is a gigantic undertaking none will dispute, but this is an age of large ideas and great accomplishment.

A few years ago none would have believed that one man would dominate and control the tobacco business, or that the steel and iron business of the Nation would be controlled and dominated by one small group of men, or that the transportation facilities of large sections of this country would respond to the touch of one man's mind as the well-trained horse responds to the hand of his master.

The magnitude of the cotton business and its far-reaching effect on every avenue of commerce makes it all the more important that it should be free from the polluting hand of the monopolist.

Congressman FINLEY, of South Carolina, in discussing the cotton question, gave voice to this idea when he said:

"Cotton is a world commodity—anything that affects it affects not only the whole of this country but countries in Europe, Asia, and Africa. Cotton has its ramifications in every civilized quarter of the globe. The industry can no more be characterized as local than can the effects resulting from its prosperity or adversity be localized. If the South has to sell cotton at less than the cost of production, then she will have no money available to buy the manufactures of New England, New York, Pennsylvania, or the Middle West. In the end the rest of the country must share the hard times the South faces in the immediate future."

In 1913 this country produced 14,315,015 bales of cotton, which, together with the cotton sold, was valued at more than $1,000,000,000. Its value exceeded the world's output of gold and silver more than $400,000,000. Only 42 per cent of the crop was consumed by home manufacturers, the remainder being exported abroad. Cotton has for years been relied on to maintain the balance of trade of this country.

But what is the condition to-day?

Senator HOKE SMITH, of Georgia, thus depicts the conditions that confront the cotton farmers:

"The loss of our European market for cotton has left this country with a crop of 15,000,000 bales and with a market for 5,000,000 bales destroyed by the European war. Our own citizens have in no way been responsible for this condition; it is not a normal case of production and underdemand, but is a normal production with the demand destroyed by a foreign war.

"A week before war was declared in Europe middling lint cotton was selling for an average of 13⅛ cents a pound, and for the past five years it sold for an average of 12⅞ cents a pound, and for the past 10 years for 12 cents a pound average. Our exportation of this great commodity brought back to our country last year through sales abroad $610,000,000. It has no rival as an American product in its value in our international trade or in its contribution to the commerce of our country. To-day we are almost groveling before the English people, consulting with the representatives of the Treasury Department, begging for extension of time on our liabilities to that country, and largely because this product is not being bought by Great Britain as it would be bought, because of this 5,000,000 bales excess for which there is no market."

The condition of the cotton business to-day is such that there has been a coming together of various elements to devise some means of preserving from bankruptcy those engaged in raising this article of commerce that is of such vital importance to this Nation.

Senators and Congressmen proposed various measures to take care of the 5,000,000 bales for which there is no market.

One proposition was for the Government to buy this quantity for which there is no market and hold it for 18 months, so as to make a market for the balance of the crop; another plan proposed was for the Government to loan the money to the farmers direct and permit the surplus cotton to be held in warehouses until the war is over and there is a demand for the entire crop. Other plans were proposed; but the plan finally adopted was for the banks, working hand in hand with the Treasury Department, to loan money to those who desired to hold their cotton for a time when normal conditions should make a demand for the cotton.

There is cooperation between the United States Treasury Department, the banks, and the business men all over the country, and much is being done to relieve the cotton producers of the South from the deplorable conditions in which the European war has placed them.

The farmers of the South are grateful to those who have joined with them in helping to save them from complete bankruptcy and to save from destruction one of the largest businesses in this country.

The Good Book truly says, "No man liveth to himself."

THE CONDITION OF COTTON BUSINESS OFFERS TEMPTATION TO MONOPOLISTS.

During and just after the Civil War graft and corruption ran riot in this country to such an extent as has probably never been equaled in the history of the Nation.

During the Spanish-American War "embalmed beef" was bought from unscrupulous manufacturers and fed to our soldiers.

"Patriotism is the last refuge of a scoundrel," some one has said. The cold-blooded and the vicious often take advantage of the necessities and the sufferings of people to enrich themselves and thereby still further impoverish those who are helpless.

Do not the conditions existing in the cotton business to-day offer the opportunity for the crafty and greedy to do with cotton just what was done with tobacco?

Are those who monopolized tobacco, who crushed and destroyed the hopes of so many engaged in the tobacco business, too kind-hearted to put the same sort of machinery in motion in the cotton business?

Are there not other "conscious wrongdoers" who are ready to take advantage of conditions brought on by the European war and monopolize the cotton business?

Congressman HEFLIN, of Alabama, in asking the passage of an act to relieve the cotton situation, sounded this warning:

"Since Jacob's cunning obtained the birthright of Esau it has been found necessary to place metes and bounds about human conduct and restraints around the improper activities of men, and I call upon this House to provide ways and means to protect the distressed producers of cotton from the pillage and plunder of a band of marauding speculators. With some of the banks unable to do any more for the producer, and some refusing to hand him the money deposited with them by the Government, and with the market closed temporarily to more than half of the cotton crop, the producer is helpless. He is like the ship without a rudder, drifting at sea; and when that occurs, you know what happens—there are friendly vessels that would like to render aid, and there are also pirate vessels that would like to plunder the ship, and if the pirate vessels are strong enough they always rob the ship and despoil the crew. It is sadly true that there are men who delight to prey upon the unfortunate in time of their distress, and there are people who will take advantage of the deplorable and distressing condition that now affects the people of the South. There is a man who says: 'The time to make money is when you catch your friends in trouble; when they are hard pressed and are almost down and out you can make them pay any rate of interest: then is the time to press them.'

"The character of greed and avarice is still abroad in the land; the cruel disposition to rob the man who is in distress, to get rich upon the misfortune of others, is a mean and despicable thing, but it exists and must be reckoned with in a time like this, and something must be done to prevent the pillage and plunder of the people of the South."

BEWARE OF THE TROJAN HORSE.

Have those who are actuated by greed and avarice shown any interest in the cotton business?

Is there any evidence that those who have had experience in building up monopoly have cast covetous eyes at the cotton business?

It may be that the gaze of the cat as he sees the timid mouse come out in the open is only evidence of platonic interest in the little rodent, but the wise mouse puts as much distance as possible between it and the cat.

Of course, those gentlemen knighted as "conscious wrongdoers" have only a platonic desire to render aid to the cotton farmers of the South, but it would be well to be sure that the large and handsome horse presented is not filled with armed Trojans.

WATER POWER ACQUIRED.

The great water-power companies that have harnessed the rivers in North Carolina, South Carolina, Georgia, and other Southern States have been largely acquired by the financiers who are associated with James B. Duke, the brains and force that brought about the tobacco monopoly.

The development of that section of the South under the stimulus of convenient electric power means much, and the praise of Mr. Duke and his associates is on the lips of many, while the newspapers carry large advertisements of trust tobacco and columns of fulsome flattery of the "Great Wizard of Finance."

One of the first results of the acquiring of the great power companies by Mr. Duke and his associates was to induce the various cotton mills to discard their steam plants and secure the power for the operation of their mills from their power companies.

Two objects were gained by this—the mills got more economical and satisfactory power, and the men who controlled the power companies had the mill owners, to a large extent, in their power.

Large capital was invested in cotton mills by Mr. Duke and his associates. This, of course, gave people employment, made for the development of the country, and caused people to think more kindly of Mr. Duke and his associates, and, incidentally, gave them a firmer grip on the cotton business.

COTTON WAREHOUSES.

It is evident from a study of the way that the tobacco monopoly was secured that Mr. Duke recognized the fact that the control of the raw material is desirable if a commodity is to be monopolized.

For many years cotton has been sold direct from the farmer to merchants, the millmen, and exporters. Very little was put in storage warehouses.

The desire of Mr. Duke and his associates to help the cotton farmers—just as he and his Tobacco Trust associates had helped the tobacco farmers—stirred him to action. They doubtless saw that if the cotton farmers would put their cotton in storage warehouses that it would be easier to keep track of the cotton, and that cotton storage warehouse certificates could be gotten hold of with less labor and less publicity than the actual cotton.

Whatever the motive may be, in the early part of this year steps were taken by Mr. Duke and his associates to provide storage warehouses in which to store the farmers' cotton. The Raleigh (N. C.) News-Observer of April 15, 1914, says:

"Relative to the meeting of the American Cotton Manufacturers' Association, made up largely of the cotton-mill men of the South, and particularly North and South Carolina, which will be held in New York April 27–28, local cotton-mill men are in receipt of a letter from Secretary C. B. Bryant, of Charlotte, calling especial attention to the matter of the Duke warehouse plan, which will be up for special discussion at that time. The letter states that the plan will be presented on the night of Monday, April 27, by President Frank Vanderlip, of the National City Bank of New York. As to the manner in which the plan came before the association the letter says:

"'Mr. Duke was in North and South Carolina a couple of weeks ago inspecting the Southern Power Co., Interurban Railway Co., and other properties in which he is interested. He mentioned to the manufacturers he ran across his idea of the warehouse question and it was so convincing that we promptly set about some way of bringing it before the association. As our membership covers such a tremendous territory, it was practically out of the question, both on the score of expense and inconvenience, to get representatives from all the Southern States to attend a hurried meeting.

"Hence the temporary organization committee was necessary, and is composed of three manufacturers from each North and South Carolina, with cotton merchants and cotton farmers associated therewith to such an extent as to get their point of view as well as that of the manufacturers.

"In the meantime, therefore, it is earnestly urged that all cotton manufacturers carefully consider the matter and where possible discuss it among themselves with a view to choosing additional members of the board of governors and other officers of the association in the different States, asking that they cooperate in attending to this important phase of the matter.

"It is very encouraging that so far the plan has met with the warmest commendation from the press; that leading manufacturers all over the country who have talked it over approve it and are anxious to help it along; and that the banking interests of the whole country are really willing to back it.

"No money subscriptions are asked from the mills, and yet they will obtain their full share of the benefits of the low interest rates, their share of profits of the enterprise, and their vote in the management of its affairs."

DOES NOT THE WAR IN EUROPE MAKE IT EASIER TO MONOPOLIZE THE COTTON?

The cotton crop of this country is selling around 6 or 7 cents a pound, which is considerably less than it costs to make it.

The Government is supplying money to loan the farmers; patriotic bankers are doing the same. The bankers of the North and the West are vieing with the bankers of the South in meeting the emergency. This is another evidence of the fact that this is a united country, and he who would accentuate sectional lines is an enemy to progress and to peace, and deserves the contempt of all good men.

Loans at 6 cents a pound are being made on many bales of cotton, and the cotton stored in warehouses and certificates issued for the same.

If, perchance, there should be found men controlling large capital who believe that "the time to make money is when you catch your friends in trouble, when they are hard pressed and are almost down and out and you can make them pay any rate of interest, then is the time to press them," would not this present crisis in the cotton business be a good time "to turn an honest penny"?

There has been made this year 5,000,000 bales of cotton for which there is no market. Is it not well for "all cotton manufacturers to carefully consider the matter"? For, as Mr. Bryant so naïvely says in writing to the cotton millers in the interest of Mr. Duke's plan:

"It is believed that this cotton-warehouse plan can be utilized to furnish the South with the cheapest money in the world and an abundance. The indorsement of the plan by leading bankers in the United States and their offering to take the paper in practically unlimited quantities assures that if we carry this scheme to a successful conclusion, we will have taken probably the greatest step toward economic independence that has yet been made in the development of the South. Frankly, this proposition is whatever we make it."

It is possible that by this Duke warehouse plan "the manufacturers may take the greatest step toward economic independence" "by the cotton manufacturers of the cotton farmer" "that has yet been made in the development of the South."

The war makes more probable the "independence" of the miller, so far as the farmer is concerned.

THE STORY OF JOSEPH.

Suppose Mr. Duke should read the beautiful story of Joseph, and after reading it he and his associates should conclude to follow the biblical example of the gentleman who so virtuously rejected the seductive advances of Mrs. Potiphar, but engrossed the corn market until he had secured all the cattle and lands and had made practical slaves of the people of Egypt as a result of his business acumen.

After the patriotic bankers and business men all over the country, aided by a Secretary of the Treasury who is always alert to use his office and the funds of the people for the benefit of the producers, have done all they could to relieve the unfortunate situation brought on by the foreign war, and as a result of their efforts 4,000,000 or 5,000,000 bales of cotton should be withdrawn from the market and impounded in the storage warehouses, what might a modern Joseph do to corner the cotton market?

A modern Joseph would not find it difficult to buy from the farmers their equity in the warehouse certificates issued for the cotton stored in warehouses on which loans had been made.

In this way couldn't a modern Joseph corner the cotton market by the investment of a minimum of cash, make a name for himself as a philanthropist, and be in position, by the use of the cotton impounded in storage warehouses, to fix the price of the farmers' cotton for years to come and at the same time force the spinners to buy their cotton from or through him?

The possibilities of this cotton scheme would make Joseph turn all the colors of his famous coat of many colors out of pure envy, if he can look down from the battlements of the blessed, or look up from the summerlike temperature of the regions where they are not permitted to water even railroad stock.

The farmers of this country are interested in all conditions that affect life, and I have thus spoken to you of what has been done in monopolizing tobacco and that which appears to me to threaten the monopolization of cotton.

The conditions that the tobacco farmer has suffered from and which the cotton farmers may suffer from are not conditions brought about by natural causes, but are conditions brought about by the violation of the laws of God and man.

The three things that the farmer must consider and prepare himself to deal intelligently with are the making the transportation, and the marketing of his crop.

The making of his crop he must work out himself, depending, to some extent, on labor conditions.

The transportation of his crops he can affect only by the use of his influence and power to secure equitable freight rates and just rules and regulations. He must use his influence to secure on State railroad commissions and the interstate commissions men who are not trained to look at questions of rates solely with the view of paying dividends, but he must endeavor to get men broad enough to consider all phases of rate making and rules regulating transportation, so as to do justice to both the transportation companies and the shippers.

In marketing his crop the farmer must see, above all things, that he has an open market, and that there is genuine competition for the product of his toils.

Speech of Hon. Samuel H. Greeley, of Chicago, delivered before the Equity Cooperative Exchange Convention of Farmers, held in St. Paul, Minn., December 8, 9, and 10, 1914:

Mr. Chairman and farmers of the Northwest: I come to you with a story affecting the prosperity of this wonderful country, and feel sure that you will pardon a personal reference to myself. Most of my life has been spent on the Board of Trade of Chicago, and I know its methods, its power for good if free, and power for evil when monopolized.

Grain marketing should be a simple process of buying and selling. Under present conditions it is anything but simple. The professionals make it complicated to confuse the public and cover their tracks. Let me call your attention to the way they tell what they are doing with your innocent wheat and corn in their newspaper statements during the last few weeks.

"The game in grain," the Minneapolis Tribune of September 15, in its "Notes from the pit," says: "The rumor that Gen. Von Kluck had been forced to surrender gave the peace party in the Chicago pit an opportunity to raid the market." Same paper, same date: "The market acted as if it was going to do better at the opening. There was no hedging to speak of in the pit. Cables were firm, export business was uncovered, but the upturn brought renewed and effective selling pressure." Same paper, same date: "The undertone of the market during the early session was good, but it was not clear that it was more than a temporary recovery on the 'bear onslaught.'"

Professionally analyzed, this is what the above means: Such a thing as a rumor as to what happened to a certain general in Europe gave a band of market raiders called the "peace party" an opportunity to raid the market in the Chicago pits. The market looked firm; there was no hedging to speak of, export business and cable indicated higher prices, but there was a "bear onslaught." Then, referring to the onslaught, it is inferred that there will be more normal markets of sufficient importance to broaden the trading volume again—that is, it won't take long for a new bunch of suckers to come in after the onslaught.

The Chicago Herald of September 15, in "Gossip from the pits," says: "Liquidation has been drastic, and leading commission houses reported last night that all the 'pyramiders' and most of the 'weak holders' in wheat and oats have sold out. Expectations of the trade are that there will be a selling movement early to-day, which they think will clean up the last of the liquidations."

Does the farmer have to have this analyzed professionally to understand its meaning? But let us explain, anyway. "Liquidation has been drastic" tells you, in the language of the professional, that the gullible public, which bought grain on foreign war reports, ran up against a "freeze-out" game and received a good, sound licking in the "exhaust of margins." It was not a partial licking, it was "drastic." There was a break of 20 cents a bushel about that time, which is some "drastic onslaught." Some "raid," wasn't it?

"Commission houses reported that all the 'pyramiders' and most of the 'weak holders' in wheat and oats have sold out." Why should prominent commission merchants report what traders are doing? Whom do they report to? Are they in league with the fellows who freeze out the pyramiders and weak holders in the onslaught process? Notice the report says, "will be a selling movement to-day, which they think will clean up the last of the liquidations." They didn't get all the money yesterday, but to-day will clean them up.

What do you farmers think of commercial exchanges which will permit conditions like these to exist in this country? When the Equity Cooperative Exchange again carries the fight to Washington to make known the curses of the terminals, will you be with them or supporting the grain gamblers?

Do you understand what happens every day while the professionals are making your prices and measuring out your profits to you? Here is another sample. It is as clear as mud.

The Chicago Record-Herald September 16, under "Notes from the Pits," says:

The most severe break in grains of the season has been experienced the last few days. It has carried prices down to a point that has cleaned out all the weak holders, the pyramiders, and the stop-loss orders. Many large traders who were bearish covered on the decline. Wall Street is said to have taken profits on the recent bulge and was a buyer on yesterday's break.

Wall Street! Weak holders and pyramiders cleaned out! A 20-cent break; were not the farmers cleaned out also? How could these games in grain be played unless the Chicago Board of Trade and Minneapolis Chamber of Commerce furnished the machinery? What part did the farmers perform in this 20-cent break? The farmers knew nothing until it occurred. The Equity fights this organized system. It tells the farmer to handle his own grain at the terminal. They want the farmer to raise the grain and then keep still and let them juggle the market.

The Minneapolis Tribune September 17, 1914, published the following:

Wheat went soaring to-day—meaning September 16—largely because of reports of Austro-German advantages that made the end of the war appear remote. After a rise of as much as 5 cents a bushel, the market closed nervous, with gains of 4⅛ to 4⅝ net. Heavy receipts Northwest were ignored.

The same paper, under date of September 18, published as follows:

It was demonstrated that the wheat market has great underlying stubbornness. A very tame opening showed steadiness with a dash of strength, and the market appeared to have settled into a strong position, but more "peace" rumors gave the "pit" "peace" party an opportunity to raid the market. The trade seems to fall for such reports every time they appear. That the buying all through the session was much better than the selling was shown by the drying up of offers and the persistency of the demand largely from cash interests taking off hedges and the firmer tone of the cash market.

The following is a report published in the St. Paul Dispatch, September 17, 1914, as coming from Chicago the same date:

Wheat prices recovered to-day from an early dip that resulted from a selling drive by "pit" speculators.

The following, from the Minneapolis Tribune, September 17, 1914:

Wheat bulls appear to have come into their own again. Speculatively the sharpness of the upturn since Tuesday suggests some distressed covering of commitments. It also indicates that there has been a reentry of strong interest who believe the decline was altogether too drastic and the short account over-extended.

"As far as the news upon which the bear" has made much capital, the Tribune has seen nothing in it substantial enough to justify any such decline as apparently culminated Tuesday. The so-called peace prospects were used most effectively as a "bear" factor, and as much as the Tribune would like to see peace it has been unable to see such a wished-for sign on the horizon.

Following is a quotation from the Minneapolis Tribune in Notes from the Pit, of September 18, 1914:

Adverse peace negotiations gave the "peace" party in the wheat pits of the country another opportunity to raid the market. The break was sharp and rather drastic, having caught the market when it was bare of buying orders.

The Minneapolis Journal, under date of September 18, 1914, published the following:

The wild fluctuations of the last 10 days up to yesterday are demoralizing to business, and, furthermore, legitimate conditions have not warranted them. The big break from the recent high level had demonstrated to the farmers in a convincing way that there are two sides to the price question. The result will doubtless be that they will be more inclined to sell some wheat at around present prices.

The only thing stated plainly in these newspaper notes on the market is the threat to the farmers that, war or peace, "there are two sides to the price question," and therefore the suggestion to get busy and sell. The methods of making both of the "two sides to the price question" do not refer to supply or demand, but are covered by such mysterious terms as the following expressions, used in the above quotations: "Peace party," "Pit," "Raid the market," "Hedging," "Effective selling pressure," "Bear onslaught," "Broaden the trading volume," "Liquidation drastic," "Pyramiders," "Weak holders," "Shorts," "Will be a selling movement," "Clean up the last of liquidations," "Soaring to-day," "Nervous," "Dash of strength," "Pit peace party," "Early dip," "Selling drive," "Pit speculators," "Distressed covering," "Reentry of strong interest," "The bear," "Break was sharp," "Wall Street is

said to have taken profits," "Severe break," "Cleaned out all weak holders," "Stop-loss orders," "Wild fluctuations."

How do you like to compete with "pyramiders" or trust a market that has "cleaned out all weak holders"? When your good honest wheat leaves Dakota and starts for such a market you do not know whether it will meet with a "selling drive," an "early dip," or "a bear onslaught." Would it not be better to have wheat sell on its merits as wheat for flour-making purposes by honest merchandisers to real millers?

It is impossible to have honest prices or fair and open competition in the merchandising of grain under existing conditions because—

1. The State systems of grain inspection lack strength, freedom, and competency, and there is no uniformity of standard in grades or in method of grading.

2. The public warehousing of grain in Chicago is conducted openly and brazenly in violation of State law and common decency, and controls the pit trading on that market, which in turn controls the pit trading of all other markets in this country.

3. That on account of such open and brazen violation of law and the usurpation of a public function by private parties fair, open crop competition is destroyed.

4. That this destruction of competition not only invades grain but "grain future" trading.

5. That unfair competition and the systems and methods resulting therefrom deprive the cash markets of much substantial legitimate support.

6. That this lack of support is an injury to grain values.

7. That this usurpation of public warehouses by proprietor-merchandisers creates larger volumes of grain in public storage than would otherwise exist, the same being created illegally and held illegally to the detriment of crop values.

8. That this system of warehouse prostitution largely enters into the manipulations, fluctuations, artificial skyrocket and diving performances in "futures" or "options," which are neither legitimate nor conducive to the sound, rational courses of values as more natural circumstances would direct them.

9. That it is recognized that "futures" or "options" enter largely into the regulation of cash grain values; that "futures" or "options" are largely dealt in and often controlled by the illegal forces under public warehouse control and that 95 per cent at least of the cash grain which has entered public storage for many years past, has been stored by and controlled by illegally operating warehouse proprietors.

10. That the joint control of the deliverable public warehouse grain receipts and manipulation of "futures," together with questionable inspection systems and practices closely related thereto and apparently friendly therewith, all tend to absorb the money of unwary investors, as well as control prices to producers.

11. That the enormous solicitation of "margin" deposits from those unfamiliar with these conditions, such deposits to be paid in case the "long" or "short" side of the market suffers an advance or a decline from a given price sufficient to absorb such deposits, embodies a system so manifestly injurious to such large numbers of innocent chance takers that in the interests of public policy the system should be abolished.

12. That such innocent individuals are subject to many hardships or "odds" or "percentages" in the "game" which are correspondingly in favor of the combined warehouseman-speculator or merchandiser; that such odds and advantages have already been declared illegal; and that such hardships thus handicapping such individuals are almost insurmountable in the ordinary and average course of the business as now conducted, and almost invariably result in loss.

13. That the warehousemen usually take "the other end" of trades made for grain held in public storage as against outside investors, such grain being held and controlled by such warehousemen; that such possession is a great leverage in causing what is known in the trade as "freeze-outs" or "exhausts of margins" in the "pit," and in the culmination and settlement by the payment of "differences" through a clearing house established and maintained for the purpose.

14. That such warehousemen to evade the law have and do compensate "dummy" substitutes to assist them in the monopolization of cash grain and in the collection of such differences in "futures" or "options."

15. That leased telegraph facilities from public-service corporations are now used to aid and abet the warehousemen in the conduct of their business, in that such wires are used to solicit orders in small towns through the use of blackboard quotations and other means, which are transmitted through such leased telegraph service, the result of which prevails upon unsophisticated traders to "invest in grain," but which really invites and actually does cause them to take a chance on market fluctuations, and the consequent absorption of their margins in the payment of the differences between two quotations, the settlement being made through the clearing house above referred to and the so-called trades in grain for future delivery, subject to the conditions heretofore described.

16. That such leased-wire service in many instances is interstate, and much of the business connected therewith in reference to confirmations and written matter is carried through the mails, and therefore subject to Federal investigation.

17. That certain boards of trade or chambers of commerce permit such trading in "futures" or "options" which is subject to such warehouse domination and control and on which boards of trade such warehousemen are among the largest clearing house users and "difference" collectors, and, indeed, are frequently the absolutely dominating factor in control of the deliverable property which may settle contracts in grain "futures" or "options" under the rules and regulations of such boards of trade or chambers of commerce.

18. That the allegations herein set forth in most instances are not based upon surmises or inferences or suspicion, but many of them have already been tested in court, which makes sworn testimony available, which sets forth clearly the bold methods of market usurpation and law violation, which are "running daily with the doors wide open."

This selling out of futures, month by month, and the profits obtained there by the men who hold and maintain a monopoly of this grain in public storage, when we consider the profits which they receive through the board of trade clearing house which they operate—the profits which they receive as against the man who speculates against them—this is not the big factor involved. The big question is this, that if a man can sell, not only the grain he holds in public storage as a warehouseman and can collect by undue charges his collections from others who are opposed to him in future contracts, if he can go into the open markets through the power of the possession of warehouse receipts which he holds in his own control and can force the liquidation and selling out of futures and collect the money, even that is not the great point at issue. The main point at issue is that when they do create that condition they create a depreciation in the price of the value of all farm products in this country. It is that depreciation in price of the entire crop which decreases the purchasing power of agriculture.

I know what trading in grain is. I know what future trading is. I have been in it. I was brought up in it; bred in it from youth. No man on the board of trade that knows anything will deny that in the wheat pit alone, on an average, every day of the year the total amount of the purchases, plus the total amount of the sales in the futures, will at least total 25,000,000 a day, from 9.30 in the morning to 1.15 in the afternoon. There are those who have boasted that they have traded in 20,000,000 a day, a single firm. Think of it. I myself, although I have been a little dealer, what you might almost term an "insignificant trader," have many a day traded in 500,000 bushels to 1,000,000 bushels, and never thought much about it myself at the time.

And there are men in the business to-day trading in millions upon millions of futures, tens of millions of futures, hundreds of millions of futures, firms that do it every year, that do not know what the color of a warehouse receipt is; they never saw a carload of grain. As a matter of fact, a future trade in grain is never a trade in grain until the trade is consummated with the actual delivery of the stuff. So that what they do do, they deal in contracts. That is what future trading is; it is a contract that they will receive a certain amount of grain to be delivered at a given time in a given warehouse, and the only place where they can receive it is the warehouse that the board of trade makes regular.

Another contention is that the public warehousing of grain, the inspection of grain, and the trading in grain futures are very closely allied. This is true. If public warehouses truly public are established at market centers, stop and think for a moment what an advantage it would be to the farming interests of this country. The profits which now accrue to the elevator people at the terminals would go to the farmers and the curses of "future" manipulation by warehousemen be abolished. An impartial conduct of these warehouses would furnish to the producer ample opportunity to mix, clean, clip, dry, and otherwise improve the condition of his grain. And it is our contention that the business is large enough so that if the Government should institute such terminal warehouses such business would be profitable to the Government; that a fair charge for service could be made that would take care of depreciation, interest, and all other fixed charges of the investment and be an accommodation and assistance, a means of profit to the pro-

ducers who ship their grain to those markets, and eliminate the curse of artificial accumulation.

I call attention to one fact, which should ever remain uppermost in your minds, and that is this: That the great evil of the future and the public-warehouse system is not the few millions of dollars, perhaps no profit at all, which the public-warehouse men receive in the conduct of their business. I am not stating or estimating any amount of profit which they may receive, but this I do think to be true—that their operations confine the price of real grain within the limit of the price for futures, which they largely dictate, and that it is an impossibility in the conduct of the business for cash grain to get outside the limits of the futures in the ordinary normal course of business, although at times a few cars occasionally have escaped the prescribed limits.

Mr. MANAHAN referred in his address to the profits which a combination may have received at Minneapolis, to the extent of perhaps $20,000,000. The profits that any combine may receive in the control of this business is not the only point at issue. I make the general statement, based upon careful investigation and many years of study, that the operations of the Chicago public elevator monopoly, with the assistance of the controllers of the Illinois inspection department and with the assistance of the board of trade, have created a condition in Chicago where an average of at least 10 cents per bushel, and perhaps 25 cents per bushel, has been taken from the values of wheat, corn, and oats for the past 20 years. And if the crops of this country equaled in the last year 5,000,000,000 bushels, we may say for safety that the average for the three crops for the past 20 years has been 3,000,000,000 bushels yearly. If they have taken 10 cents a bushel from the value of the crops by their method of setting a price upon the absolute cash grain of the country through their monopolistic methods, I would estimate that $300,000,000 a year has been taken from the profits of the producers of this country through the operation of mixing and "future" domination. And that does not take into account any very meager millions which their operations as warehousemen may have produced for them.

Now, as regards hedging, these men will advance the argument that "what we need in these markets is some place that we can hedge." Let it be known to every man throughout this country that this thing they call hedging will never be necessary when you take from the market this illegal system of dominated future trading, which can be enhanced or depressed at the will of these men. They say that bankers will more readily advance money when a man's wheat is hedged. What is the security for a banker—the hedge? No; the wheat. Now, which would be the better security for a banker to advance money on, wheat treated and mixed and doctored to the "lowest of the grade" held in a public elevator by these proprietors, manufactured in these hospitals, or good wheat properly placed in public storage under the supervision of the United States Government? Quality means security.

The terminal elevators in Minneapolis and Chicago are public in no true sense of the term. The private owners of these elevators have such an advantage as traders as to insure their control of the market and the prices. Their storage earnings do not measure the gains they make for their owners. There should be no profit and no gain for the owner of a public elevator or warehouse any more than there should be for the owner of a public highway.

The word "public" does not contemplate that any man should receive a profit. The mere fact that elevators are used for public purposes, our contention is that no profit should exist. It should be controlled by organized society. But having grown up in the system where private parties put their money into elevators, in some instances, and where railroads give elevators free of charge in other instances—having grown up under that system, it is not remarkable at all that we should be in this plight in which we are to-day. And that brings me to a statement which I think is largely true: That when any great unrest occurs in this country, when any great agitation is aroused as to monopolistically controlled enterprises, you will generally find, gentlemen, that the cause of that monopoly exists in the usurpation of what should be the public function of government by a private individual, where a private individual assumes the duty which the State itself should perform. Or, stated in another way, the creation of this unrest is occasioned by the fact that the State refuses to perform to the individual that function which the State should perform in the exigency of the hour. And this is a tremendous question which has come up at this time for solution, when, as I said in opening, we are confronted with a volume of business involving every year in three crops 5,000,000,000 bushels of grain, which at an average of 50 cents a bushel is worth $2,500,000,000.

It is said that perhaps this should be an administration matter to secure public warehouses, Federal inspection, and prevention of future trades as dominated by this monopoly, and that action should be taken against the commercial exchanges for their alliance with this monopoly. But I contend that it should be no administration measure. It is not a measure for any faction, any party, any clique, any committee, any fine work, any attempt at doing star-chamber methods, if any such ever did exist or ever will or ever do. This is a question for the broad open daylight, for fair, honest discussion on real merit. And I care not whether a man is a Republican or a Democrat or a Socialist, or a president or a banker or a schoolteacher, or what he may be. This problem is so great in its importance that it should be seriously met, regardless of any administration of any kind, shape, or form. This is a matter of principle, of fairness, of justice, and equity, and in closing, touching upon that subject, let me quote the words which I committed to memory in my childhood:

> Loyalty to principle is higher than loyalty to party. One is a heavenly sentiment from God; the other is a device of this earth.

It is said that we will throw away our votes and our opposition will fail. Fail, sir; no honest, earnest effort in a good cause ever fails. Did the Christians fail when with their precious blood they sowed the seed of the church? Did the 300 Spartans fail when in the narrow pass they did not fear to brave the innumerable Persian hosts, whose very arrows darkened the sun? No; overborne by numbers, crushed to earth, they have left an example greater far than any victory. And this is the least we may do; our example will be a source of triumph hereafter.

I thank you, gentlemen, for so patiently listening to me in presenting so fully this exceedingly difficult problem.

Mr. LEVER. Mr. Speaker——

The SPEAKER. The gentleman from South Carolina has eight minutes.

Mr. LEVER. Mr. Speaker, I am not a constitutional lawyer. In fact, I am not lawyer enough to hurt in any respect. I am hardly competent to pass upon the constitutionality of this bill, although whatever doubt I may have had in this respect was allayed by the judgment of the Democratic lawyers on the Agricultural Committee, whose ability I rank with the best in the House, to whom I have submitted it.

The truth is, Mr. Speaker, that when there is a great general good to be accomplished by legislation I am not so squeamish about the Constitution. I believe that when a thing is to be done, when an object is to be accomplished, it should be reached in the quickest and most direct way. I recognize the fact, as every student of agricultural economics in this country does, that one of the chief problems of agricultural economy is the lack of a proper relationship between farm products and the banking and commercial world. There is no more pathetic sight to me than to see a farmer carrying his products into the market, allowing an outsider to grade and sample them and fixing for him the price for which he must part with them.

The grader may be honest and he may not; he may be an expert and he may not; but whether honest or not, whether an expert or not, the farmer is the man who suffers in any event either because of his ignorance or his absolute lack of honesty. The farmer must stand and deliver upon terms fixed by the other party to the trade. The injustice of such a system to the man who produces must be evident, and yet it is the system under which the bulk of farm products is marketed.

Mr. LINTHICUM. Will the gentleman yield?

Mr. LEVER. Yes.

Mr. LINTHICUM. I wish to call the attention of the gentleman from South Carolina to the fact that in the State of Maryland we have a system of State tobacco warehouses, one of these warehouses having been constructed only a few years ago at a cost of some $400,000. Our tobacco interests of southern Maryland are very large indeed. In some counties tobacco is the staple product. The interests of these people are bound up in the cultivation of a good grade of tobacco. The State of Maryland has endeavored to protect and foster this industry in every possible way by the construction and management of these warehouses. This is a system which does not prevail in other States of the Union but is almost wholly confined to the State of Maryland.

The purpose of this bill is to make the products of the farm as assets as liquid as possible; that is, to authorize the issuing of warehouse receipts, so that those having cotton, tobacco, and other products of like durable nature may be able to store their goods and secure warehouse receipts and borrow money upon them.

I think the intentions of the bill are manifestly highly in the interest of the farmers. It will enable them to store their goods

and await better markets; it will define certain grades so that money can be better secured upon these receipts; it will establish a credit throughout the country for the borrowing of money by virtue of the proper storing and inspection of these products.

I am interested in the purpose of this bill, and while I have no doubt the gentleman intends to protect every interest he had in mind, yet I feel that the bill does not sufficiently make provision for State tobacco warehouses, and for that reason I have risen to bring before the gentleman this matter, which I feel is of vital interest to our people.

In the bill passed by the Senate, by section 16, provision for State tobacco warehouses was made, but in this bill no particular mention is made of them, and, so far as I can see, no provision for the issuing of receipts by them is provided.

I have called the gentleman's attention to this fact and submitted to him an amendment I intended to offer; but as this bill comes up under suspension of the rules, it is impossible in that form to amend. I ask the gentleman his opinion upon the proposed amendment, which reads as follows:

Amend, on page 11, line 19, after the word "determination," by striking out the period and substituting in lieu thereof a colon and the following language:

"*Provided*, That the Secretary of Agriculture may, under such rules as he may prescribe, issue a license to any person not the owner or operator of a warehouse to accept the custody of agricultural products and to store the same in any warehouse or warehouses owned and operated by any State. Each person so licensed shall issue receipts for the agricultural products placed in his custody and shall give bond in accordance with all the provisions of this act affecting the owners and operators of warehouses licensed hereunder, and such rules and regulations as may be prescribed hereunder by the Secretary of Agriculture, and shall otherwise be subject to this act and said regulations.

Mr. LEVER. So far as the amendment is concerned, personally I have no objection to it. I think the amendment only clarifies the language already in the bill.

Mr. LINTHICUM. Then the gentleman has no objection to the amendment.

Mr. LEVER. I would not like to commit myself to it before going into conference.

Mr. RAKER. Will the gentleman yield?

Mr. LEVER. Yes.

Mr. RAKER. Is not this a unanimous report from the committee?

Mr. LEVER. It can hardly be held to be so, because certain members of the committee reserved the right to oppose it; but no minority report is filed.

Mr. Speaker, what does this bill undertake to do? What measure of good does it seek to accomplish? What is its purpose? It undertakes, and will result in, the establishment of a uniform system of warehouses and warehousing for the storage of agricultural products. At present there is no such system. Whatever of storage facilities we have is of a hodgepodge character, entirely lacking in that uniformity so desirable for the greatest simplicity and efficiency and economy.

It will result in the adoption throughout the country of a uniform warehouse receipt for agricultural products of the same kind. This is of the greatest importance. To illustrate: Assume that I am a farmer living in Lexington County, S. C., operating a private warehouse, properly insured and fully bonded, in which I have stored 100 bales of cotton, correctly and expertly graded. Upon this cotton I issue my private warehouse receipt. It is possible that I would be able without difficulty to negotiate a loan upon such receipt with my own local banks, where my integrity is known and my credit established. But suppose I should find myself in the city of Birmingham, the home city of the gentleman from Alabama [Mr. UNDERWOOD], with this receipt in my pocket and a desire to borrow upon it. Does anyone imagine that the Birmingham banker would take the risk of the integrity of this receipt unless he had full confidence in my own personal integrity? The combination might get me the loan; but suppose this receipt had been indorsed to a third party, an absolute stranger to the banker; I think no one will doubt the difficulty which he would have in getting its face value. To him the value of this receipt as collateral or for loans would be worth no more than the paper upon which it was written. But if all warehouse receipts for cotton from Texas to South Carolina were uniform in character and meant in Texas what they mean in South Carolina, the value of such a receipt would of necessity be greatly enhanced; in fact, such a receipt would become easily negotiable and transferable in the ordinary course of trade.

It will give an integrity and a certainty of value to warehouse receipts for agricultural products, which they do not now possess. The meaning of this is clearly brought out in a statement at the cotton conference called by Secretary McAdoo last August of Mr. H. R. Eldridge, of the National City Bank of New York, in which he says:

In the near future the bankers of the wheat-producing sections will probably have surplus funds to invest, and the Eastern and Northeastern States, as well as those of the Middle West and the West, will be reasonably easy in the matter of money and will be attracted toward good paper, well secured and of assured payment when due. Under the old order of things, paper secured by cotton and many other commodities was rarely presented on the market in such form as to command the respect of investors, and it can not be so presented this season, unless conditions are changed in certain respects. One essential to this end is a uniform warehouse receipt of undoubted integrity. As things now are such warehouse receipts are few. Where it is deemed necessary to improve the standing of warehouse receipts, warehouses making application to the proper authorities should be governmentally licensed under regulations to be established, and each warehouse so licensed should be supplied with a Government inspector, who should issue a uniform receipt for each bale of cotton, or other form of package representing a commodity stored, certifying thereon the mark, the weight, and the grade. This system would create a form of security good beyond peradventure and one that would command the respect of all bankers and investors everywhere.

Let me illustrate this by taking up again my private warehouse receipt for cotton stored in my own warehouse in Lexington. Such a receipt will have full integrity among those who know me and know that I have such a warehouse as I claim to have and that I have in it such an amount of cotton of such grade and weight as I claim to have in it and as represented in the warehouse receipt upon which I am seeking to borrow money. Such a receipt is good locally; it would not be good in Houston, Tex.; and a banker in Texas who would loan the face value of such a receipt would be treading indeed upon dangerous ground as a banker. If, however, this receipt should show upon its face that the warehouse issuing it was either supervised or operated by the State of South Carolina and that the State of South Carolina vouched for every claim of the receipt, the Texas banker would be within the bounds of good and safe banking in relying upon the integrity of it. Now, if this last proposition is true, does it not stand to reason that if this receipt had issued from a warehouse supervised by the Federal Government its value as collateral would be greatly enhanced? In my judgment such a receipt would pass current in the channels of trade almost as readily as a bank note. Mr. Eldridge, you will see, says that a warehouse receipt to be of undoubted integrity should issue from warehouses governmentally licensed under regulations and should be uniform in character. Such a system, he says, would create a form of security good beyond peradventure and one that would command the respect of all bankers and investors everywhere. In this opinion Mr. Eldridge is supported by every student of the economic question involved, and this bill proposes just such a system as is suggested.

Under the provisions of the bill uniform warehouse receipts will be issued upon agricultural products stored in warehouses governmentally licensed, graded, weighed, and certificated by governmentally licensed inspectors. We are trying in this bill to make liquid the evidence of the ownership of agricultural products, something that is not the case at present; we are trying to give a more ready negotiability to such evidences of ownership than they now possess; we are trying to bring into proper relationship, to link up, as it were, agricultural products and banking and investing capital. We are trying to make the provisions of this bill dovetail into the provisions of the Federal reserve act in so far as they touch agricultural products. The Secretary of the Treasury has expressed his willingness to issue currency on warehouse receipts for cotton, tobacco, and other staple and nonperishable agricultural products, but the Secretary of the Treasury would be lacking in that wisdom with which I credit him if he should agree to issue currency upon warehouse receipts indiscriminately and without any regard to the character of the supervision of the warehouses from which they issue. He would of necessity, out of business caution and to preserve the integrity of the Treasury, to maintain its credit, examine the manner of supervision of the warehouses issuing the receipts upon which he is asked to issue currency or, through the Federal reserve act, to rediscount agricultural paper secured by such collateral.

The bill will result in furnishing larger storage facilities for agricultural products and will serve as an incentive to farmers not only to store their products, thereby saving millions of dollars of weather loss each year, but, which is more important, enable them to market their product at periods when the demand for them is strongest and the price highest. With us in the South millions of dollars are lost annually because we permit our chief staple crop—cotton—to lie out in the weather; but we lose more, infinitely more, because of our custom and necessity of marketing the bulk of our crop in the course of three or four months. This measure will furnish the machinery by which this enormous waste may be saved and this unbusinesslike system abolished. Not only this, but for the first time in this country machinery under the terms of this bill is provided through which the farmer may know from disinterested sources both the grade of his product and its commercial value. This, in brief, is the bill and what it seeks to accomplish. It is

in every line of it a farmers' bill, and to my mind is the most far-reaching step forward in the building up of a real system of marketing, a system which looks to the benefit of the man who produces the goods to be sold, that has been taken in many a day either by State or Federal enactment.

The SPEAKER. The time of the gentleman from South Carolina has expired.

Mr. LEVER. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD.

The SPEAKER. Is there objection?

There was no objection.

Mr. LINTHICUM. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD.

The SPEAKER. Is there objection?

There was no objection.

Mr. RAKER. Mr. Speaker, I make the same request.

The SPEAKER. Is there objection?

There was no objection.

The SPEAKER. The question is on suspending the rules and passing the bill.

The question was taken; and on a division (demanded by Mr. LENROOT) there were—ayes 158, noes 64.

Mr. LENROOT. Mr. Speaker, I demanded the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 219, nays 98, not voting 111, as follows:

YEAS—219.

Abercrombie	Dixon	Keating	Rouse
Adair	Donohoe	Kelly, Pa.	Rubey
Adamson	Donovan	Kennedy, Conn.	Rucker
Aiken	Doolittle	Kent	Rupley
Alexander	Doughton	Kettner	Russell
Allen	Dupré	Key, Ohio	Sabath
Aswell	Eagan	Kinkaid, Nebr.	Saunders
Baker	Eagle	Kinkead, N. J.	Seldomridge
Barkley	Estopinal	Kirkpatrick	Shackleford
Barnhart	Evans	Kitchin	Shreve
Barton	Faison	Korbly	Sims
Bathrick	Falconer	La Follette	Sinnott
Beakes	Farr	Langley	Sisson
Bell, Cal.	Fergusson	Lazaro	Sloan
Bell, Ga.	Ferris	Lee, Ga.	Small
Blackmon	Fields	Lesher	Smith, Idaho
Booher	Finley	Lever	Smith, J. M. C.
Borchers	FitzHenry	Lieb	Smith, Minn.
Borland	Foster	Lindbergh	Smith, N. Y.
Brodbeck	Fowler	Lindquist	Smith, Tex.
Broussard	Frear	Linthicum	Sparkman
Brown, N. Y.	Garner	Lloyd	Stedman
Browne, Wis.	Garrett, Tex.	Lobeck	Stephens, Cal.
Bruckner	Gill	McGillicuddy	Stephens, Miss.
Bryan	Gilmore	McKellar	Stephens, Tex.
Buchanan, Ill.	Glass	MacDonald	Stevens, N. H.
Buchanan, Tex.	Goeke	Maguire, Nebr.	Stone
Burgess	Goodwin, Ark.	Mahan	Stout
Burke, S. Dak.	Goulden	Manahan	Stringer
Burke, Wis.	Gray	Moon	Sumners
Burnett	Hamlin	Morgan, Okla.	Talcott, N. Y.
Byrnes, S. C.	Hardy	Morrison	Tavenner
Byrns, Tenn.	Harrison	Moss, Ind.	Taylor, Ala.
Candler, Miss.	Haugen	Mulkey	Taylor, Ark.
Cantrill	Hawley	Murray	Taylor, Colo.
Caraway	Hayden	Norton	Ten Eyck
Carter	Heflin	O'Brien	Thacher
Clancy	Helgesen	Oldfield	Thomas
Clark, Fla.	Helm	O'Leary	Thompson, Okla.
Collier	Helvering	Padgett	Underhill
Connelly, Kans.	Hensley	Page, N. C.	Underwood
Connolly, Iowa	Hill	Palmer	Vaughan
Conry	Hobson	Park	Vinson
Cooper	Holland	Peterson	Walker
Cox	Houston	Porter	Watkins
Cramton	Howell	Post	Watson
Crisp	Hoxworth	Pou	Weaver
Cullop	Hughes, Ga.	Powers	Webb
Dale	Hulings	Price	Whaley
Dent	Hull	Prouty	Williams
Dershem	Humphreys, Miss.	Quin	Willis
Dickinson	Jacoway	Raker	Wingo
Dies	Johnson, Ky.	Rauch	Young, N. Dak.
Difenderfer	Johnson, S. C.	Reilly, Conn.	Young, Tex.
Dillon	Kahn	Reilly, Wis.	

NAYS—98.

Anderson	Fordney	Johnson, Utah	Moore
Avis	Francis	Johnson, Wash.	Moss, W. Va.
Bailey	Gallagher	Keister	Mott
Bartlett	Gallivan	Kelley, Mich.	O'Shaunessy
Britten	Gard	Kennedy, Iowa	Paige, Mass.
Brockson	Gardner	Kennedy, R. I.	Parker, N. J.
Browning	Gillett	Kiess, Pa.	Parker, N. Y.
Bulkley	Good	Knowland, J. R.	Patton, Pa.
Callaway	Gordon	Kreider	Peters
Cary	Graham, Ill.	Langham	Phelan
Cline	Green, Iowa	Lenroot	Platt
Crosser	Greene, Mass.	Logue	Plumley
Curry	Greene, Vt.	Lonergan	Rayburn
Danforth	Hamilton, Mich.	McKenzie	Roberts, Mass.
Davis	Hammond	McLaughlin	Roberts, Nev.
Doremus	Hay	Madden	Rogers
Drukker	Hayes	Maher	Scott
Dunn	Henry	Mann	Sherley
Esch	Hinds	Mapes	Sherwood
Fess	Hinebaugh	Miller	Smith, Saml. W.
Fitzgerald	Igoe	Mitchell	Stafford
Steenerson	Thomson, Ill.	Vollmer	Witherspoon
Stevens, Minn.	Towner	Volstead	Woods
Sutherland	Treadway	Wallin	
Switzer	Vare	Winslow	

NOT VOTING—111.

Ainey	Deitrick	Hughes, W. Va.	Patten, N. Y.
Ansberry	Dooling	Humphrey, Wash.	Ragsdale
Anthony	Driscoll	Jones	Rainey
Ashbrook	Edmonds	Kindel	Reed
Austin	Edwards	Konop	Riordan
Baltz	Elder	Lafferty	Rothermel
Barchfeld	Fairchild	Lee, Pa.	Scully
Bartholdt	Flood, Va.	L'Engle	Sells
Beall, Tex.	Floyd, Ark.	Levy	Slayden
Bowdle	French	Lewis, Md.	Slemp
Brown, W. Va.	Garrett, Tenn.	Lewis, Pa.	Smith, Md.
Brumbaugh	George	Loft	Stanley
Burke, Pa.	Gerry	McAndrews	Stephens, Nebr.
Butler	Gittins	McClellan	Taggart
Calder	Godwin, N. C.	McGuire, Okla.	Talbott, Md.
Campbell	Goldfogle	Martin	Taylor, N. Y.
Cantor	Gorman	Metz	Temple
Carew	Graham, Pa.	Mondell	Townsend
Carlin	Gregg	Montague	Tribble
Carr	Griest	Morgan, La.	Tuttle
Casey	Griffin	Morin	Walsh
Chandler, N. Y.	Gudger	Murdock	Walters
Church	Guernsey	Neeley, Kans.	Whitacre
Claypool	Hamill	Neely, W. Va.	White
Coady	Hamilton, N. Y.	Nelson	Wilson, Fla.
Copley	Harris	Nolan, J. I.	Wilson, N. Y.
Davenport	Hart	Oglesby	Woodruff
Decker	Howard	O'Hair	

So, two-thirds having voted in favor thereof, the rules were suspended and the bill was passed.

The Clerk announced the following pairs:

Mr. KONOP with Mr. HUMPHREY of Washington.

Mr. HOWARD with Mr. COPLEY.

Mr. GREGG with Mr. GUERNSEY.

Mr. GODWIN of North Carolina with Mr. GRIEST.

Mr. GARRETT of Tennessee with Mr. GRAHAM of Pennsylvania.

Mr. FLOOD of Virginia with Mr. EDMONDS.

Mr. MCANDREWS with Mr. FAIRCHILD.

Mr. JONES with Mr. HAMILTON of New York.

Mr. SCULLY with Mr. BUTLER.

Mr. LEE of Pennsylvania with Mr. MCGUIRE of Oklahoma.

Mr. MONTAGUE with Mr. LEWIS of Pennsylvania.

Mr. PATTEN of New York with Mr. MONDELL.

Mr. WILSON of Florida with Mr. TEMPLE.

Mr. ASHBROOK with Mr. AINEY.

Mr. CARLIN with Mr. ANTHONY.

Mr. CASEY with Mr. AUSTIN.

Mr. COADY with Mr. BARCHFELD.

Mr. DAVENPORT with Mr. BARTHOLDT.

Mr. DECKER with Mr. BURKE of Pennsylvania.

Mr. DRISCOLL with Mr. CALDER.

Mr. EDWARDS with Mr. CAMPBELL.

Mr. TALBOTT of Maryland with Mr. WOODRUFF.

Mr. RAINEY with Mr. MORIN.

Mr. SLAYDEN with Mr. NELSON.

Mr. GRIFFIN with Mr. HUGHES of West Virginia.

Mr. HULINGS. Mr. Speaker, I desire to vote "aye."

The SPEAKER. Was the gentleman in the Hall listening?

Mr. HULINGS. I was talking.

The SPEAKER. The gentleman does not bring himself within the rule.

Mr. AUSTIN. Mr. Speaker, I desire to vote "aye."

The SPEAKER. Was the gentleman in the Hall listening?

Mr. AUSTIN. Not when my name was called. I desire to be recorded as present.

EXTENSION OF REMARKS.

Mr. BYRNS of Tennessee. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD on the bill just passed.

Mr. LANGLEY. Mr. Speaker, I make the same request.

The SPEAKER. The gentleman from Kentucky [Mr. LANGLEY] makes the same request.

Mr. HARDY. Mr. Speaker, I make the same request.

Mr. SMITH of Minnesota. Mr. Speaker, I make the same request.

Mr. STEENERSON. Mr. Speaker, I want to ask unanimous consent to extend my remarks in the RECORD on the other bill which I discussed.

The SPEAKER. The gentleman already has it. Is there objection to these other requests? [After a pause.] The Chair hears none.

IMPROVEMENT OF EAST RIVER AND HELL GATE, N. Y.

Mr. FITZGERALD. Mr. Speaker, I move to suspend the rules and pass the following House joint resolution with an amendment.

The SPEAKER. The Clerk will report the resolution.

The Clerk read as follows:

Joint resolution (H. J. Res. 366) authorizing the Secretary of War to use any allotment made under the provisions of an act approved October 2, 1914, entitled "An act making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes," for the improvement of East River and Hell Gate, N. Y.

Resolved, etc., That the Secretary of War is authorized and empowered to use any of the allotment made under the provisions of the act approved October 2, 1914, entitled "An act making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes," for the impovement of East River and Hell Gate, N. Y., together with any funds heretofore appropriated for the said improvement and now available, for the removal of Coenties Reef in accordance with the report submitted in House Document No. 188, Sixty-third Congress, first session, for the improvement of East River and Hell Gate, N. Y., to the extent of removing said Coenties Reef: *Provided*, That the work hereby contemplated shall not be commenced until assurance satisfactory to the Secretary of War shall have been received that the city of New York, or other local interests, have made provision for the removal of said rock beyond the depth specified in said project to the depth of 40 feet: *And provided further*, That nothing herein contained shall be construed as adopting the said project beyond the removal of said Coenties Reef to the extent and in the manner specified.

The SPEAKER. Is a second demanded?

Mr. MANN. Mr. Speaker, I demand a second.

The SPEAKER. The gentleman from Illinois demands a second.

Mr. FITZGERALD. Mr. Speaker, I ask unanimous consent that a second may be considered as ordered.

The SPEAKER. The gentleman from New York asks unanimous consent that a second may be considered as ordered. Is there objection? [After a pause.] The Chair hears none. The gentleman from New York is entitled to 20 minutes and the gentleman from Illinois to 20 minutes.

Mr. FITZGERALD. Mr. Speaker, the city of New York is engaged in constructing a system of subways, at a cost of $300,000,000. One of the tubes of the subway system is to connect the Borough of Manhattan with the Borough of Brooklyn. It passes under the East River at a point about opposite to the Battery in the lower portion of the city. It will pass through a reef known as Coenties Reef. At mean low water there is not more than 11 or 12 feet of water at some portions of this reef. A project has been recommended to the Congress for an improvement of the East River to a depth of 35 feet. If the subway tube be constructed before the reef is removed, the Army Engineers state that an attempt to remove the reef later will result in the destruction of the tube.

Unless the authorization can be given to remove the reef at this time, the work on the subway system will have reached such a point that the entire enterprise must be suspended pending legislation at some time by Congress. The tube will pass beneath the river about 50 feet below mean low water. It is stated by Army Engineers that no demand of commerce will ever require that there be more than 40 feet over the reef. It was suggested that if the reef were to be removed at this time it should be removed to the full depth. The committee amendment provides that the money now available for river and harbor improvement in connection with the improvement of Hell Gate and the East River may be utilized to the extent of removing this reef in accordance with the report of the Engineers in House Document No. 188, upon condition that the city of New York gives assurance that the money necessary to remove the reef to a depth of 40 feet will be provided. The city is prepared to spend the additional money to remove the reef to that depth.

Mr. MOORE. Will the gentleman yield?

Mr. FITZGERALD. I will.

Mr. MOORE. New York desires to make an improvement in connection with this tube service, and it is necessary to have the sanction of the Government in this way before that work can go on? Is not that a fact?

Mr. FITZGERALD. Not entirely. The improvement is proposed by the Federal Government, and the Army engineers will not permit the city of New York to construct the tube until the reef is removed.

Mr. MOORE. That is what I mean; but the city of New York expects to do that work except for the proportion of the recent $20,000,000?

Mr. FITZGERALD. The city will provide the funds necessary to take out the additional 5 feet to bring the depth to 40 feet.

Mr. MOORE. I am somewhat familiar with this, and I believe it absolutely necessary for commerce and navigation as well as for the welfare of the people of New York, but I would like to ask the gentleman one question more: Why was not this item incorporated in the river and harbor bill?

Mr. FITZGERALD. It was not incorporated in the river and harbor bill, according to the information given to me, because this resolution was reported from the Committee on Rivers and Harbors in the last session of Congress. It was believed an opportunity would be afforded to pass this resolution, and therefore it should not be included in the river and harbor bill.

Mr. MOORE. It came too late to be considered in the bill? Is that the idea?

Mr. FITZGERALD. No; it was included in last year's bill; but in last year's bill the provision approved a project that would cost over $13,000,000. The committee declined to approve that project at this time except so far as the removal of the reef at this particular point through which the subway tube is to pass.

Mr. MOORE. But this particular project stands by itself? It is not a part of the general project?

Mr. FITZGERALD. No; it is not.

Mr. GOULDEN. Will the gentleman yield?

Mr. FITZGERALD. I will.

Mr. GOULDEN. Is it not a fact that the contract has been let for this tube, and the contractor is ready to proceed just as soon as the Government has decided to remove the rock at Coenties Reef?

Mr. FITZGERALD. The contract was let and the work was commenced in October, and considerable progress has been made toward the construction of the tube down to and out toward the reef.

Mr. GOULDEN. This is a part of the general improvement as provided for by the bill introduced by myself and adopted by the engineers and the Committee on Rivers and Harbors.

Mr. HAWLEY. Will the gentleman yield for a question?

Mr. FITZGERALD. I will.

Mr. HAWLEY. How much money will be required to be taken from the $20,000,000 appropriated last year for this work?

Mr. FITZGERALD. A hasty examination of the report of the Secretary of War showing the allotments made of the $20,000,000 appropriation does not indicate that any of that appropriation was allotted to the project known as the improvement of Hell Gate and the East River, but there are funds on hand coming over from former appropriations on account of that project that can be better utilized in this way than on the project approved some years ago.

Mr. HAWLEY. Will any part of the $20,000,000 appropriated in the last river and harbor bill be used for the work contemplated in this bill?

Mr. FITZGERALD. I think not, because it has all been apportioned and none has been allotted to that particular project.

Mr. SPARKMAN. Mr. Speaker, I will say that it will require, according to the estimates of the engineers, $196,000 to carry the channel down at Coenties Reef to 35 feet. As stated by the gentleman from New York, the city of New York or some local interest will furnish the money to take it down to the additional depth.

The SPEAKER. The question is on suspending the rules and passing the resolution.

The question was taken, and two-thirds having voted in favor thereof, the rules were suspended and the joint resolution was passed.

EDWARD B. KELLEY.

Mr. STEPHENS of Texas. Mr. Speaker, I desire to call up the bill (H. R. 6939) to reimburse Edward B. Kelley for moneys expended while superintendent of the Rosebud Indian Agency in South Dakota, and concur in the Senate amendment. It is on the Speaker's table now.

The SPEAKER. What is the number?

Mr. STEPHENS of Texas. H. R. 6939.

The SPEAKER. The Clerk will report it.

The Clerk read as follows:

Be it enacted, etc., That there is hereby appropriated, out of any moneys in the Treasury not otherwise appropriated, the sum of $1,381.20, to reimburse Edward B. Kelley, formerly superintendent of the Rosebud Indian Agency in South Dakota, for moneys expended for costs and expenses in a suit brought against him by one H. A. Bloom, involving the property of an Indian, a member of the Pine Ridge Sioux Tribe, and for the payment of a judgment entered against him in said suit: *Provided*, That before any part of the amount herein appropriated is paid to the said Edward B. Kelley there shall be filed a duly attested certificate of the clerk of the court in which the judgment was entered, showing that said judgment has been fully paid and satisfied: *And provided further*, That the said Edward B. Kelley shall file a receipt in full of all claims or demands against the United States or any Indian by reason of the moneys expended in connection with the suit herein referred to.

Mr. STAFFORD. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. STAFFORD. What is before the House?

The SPEAKER. The thing that is before the House is a Senate amendment to a House bill.

Mr. STAFFORD. How does it come before the House at this late hour?

The SPEAKER. The gentleman from Texas [Mr. STEPHENS] asked to take it from the Speaker's table.

Mr. STAFFORD. Does the amendment provide an appropriation?

The SPEAKER. The Chair does not know. The Clerk will report the Senate amendment.

The Senate amendment was read.

The SPEAKER. The question is on agreeing to the Senate amendment.

Mr. STAFFORD. Mr. Speaker, the gentleman from Texas asked unanimous consent, I assume?

Mr. STEPHENS of Texas. No; I did not.

The SPEAKER. Is there objection?

There was no objection.

The SPEAKER. The question is on agreeing to the Senate amendment.

The Senate amendment was agreed to.

On motion of Mr. STEPHENS of Texas, a motion to reconsider the vote whereby the Senate amendment was agreed to was laid on the table.

URGENT DEFICIENCY BILL.

Mr. FITZGERALD. Mr. Speaker, I move that the House resolve itself into Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 20241, the urgent deficiency bill.

Mr. MOSS of Indiana rose.

The SPEAKER. For what purpose does the gentleman from Indiana rise?

Mr. MOSS of Indiana. I rose, Mr. Speaker, to move to suspend the rules.

The SPEAKER. The House made a special order to-day to the effect that this urgent deficiency bill should be taken up at a quarter to 5.

Mr. MANN. Not earlier than a quarter to 5?

The SPEAKER. Yes; not earlier than a quarter to 5. The gentleman from Indiana [Mr. Moss] may not have been in the Chamber at the time, but that was the order.

Mr. FITZGERALD. Pending that motion, Mr. Speaker, I ask unanimous consent to dispense with general debate.

Mr. MANN. Well, I shall want a very few minutes.

Mr. FITZGERALD. Then I ask unanimous consent, Mr. Speaker, that the general debate be limited to 10 minutes, 5 minutes to be controlled by the gentleman from Illinois [Mr. MANN] and 5 minutes by myself.

The SPEAKER. The gentleman from New York [Mr. FITZGERALD] asks unanimous consent that the general debate be limited to 10 minutes, 5 minutes to be controlled by the gentleman from Illinois [Mr. MANN] and 5 minutes by himself. Is there objection?

Mr. WATKINS. Mr. Speaker, before we enter upon the consideration of such an important bill as this I think we should have a quorum here. I make the point of order that there is no quorum present.

The SPEAKER. The gentleman from Louisiana [Mr. WATKINS] makes the point of order that there is no quorum present.

Mr. FITZGERALD. Well; that will not help the gentleman from Louisiana to get that special employee in this bill. I can tell him that right now.

The SPEAKER. The Chair will count.

Mr. WATKINS. Mr. Speaker, I withdraw my point of order.

The SPEAKER. The gentleman from Louisiana withdraws the point of no quorum. Is there objection to the request of the gentleman from New York that the general debate be limited to 10 minutes?

There was no objection.

The SPEAKER. The question is on agreeing to the motion to go into Committee of the Whole House on the state of the Union.

The motion was agreed to.

The SPEAKER. The gentleman from Missouri [Mr. RUSSELL] will take the chair.

Accordingly the House resolved itself into Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 20241, the urgent deficiency bill, with Mr. RUSSELL in the chair.

The CHAIRMAN. The House is in Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 20241, the urgent deficiency bill, which the Clerk will report.

The Clerk read the title of the bill, as follows:

A bill (H. R. 20241) making appropriations to supply urgent deficiencies in appropriations for the fiscal year 1915 and prior years, and for other purposes.

Mr. FITZGERALD. Mr. Chairman, I ask unanimous consent to dispense with the first reading of the bill.

The CHAIRMAN. The gentleman from New York [Mr. FITZGERALD] asks unanimous consent to dispense with the first reading of the bill. Is there objection?

There was no objection.

Mr. FITZGERALD. Mr. Chairman, I yield five minutes to the gentleman from Illinois [Mr. MANN].

The CHAIRMAN. The gentleman from Illinois [Mr. MANN] is recognized for five minutes.

Mr. MANN. Mr. Chairman, I ask that the Clerk read the article marked that I send to the Clerk's desk.

The Clerk read as follows:

TERROR RULES MEXICO—"DEATH TO TRAITORS!" IS BATTLE CRY OF BOTH FACTIONS—PLOT AGAINST GEN. VILLA—MANY EXECUTIONS REPORTED AT CAPITAL, CHIHUAHUA, AND VERA CRUZ.

* * * * * * *

EL PASO, TEX., *December 20, 1914.*

"Death to the traitors!" is the battle cry of both factions in Mexico to-day, following orders given by Gens. Carranza and Villa, to show no mercy to those who are found to be wavering in their loyalty.

Unofficial reports of the discovery of a widespread and threatening conspiracy against Villa in Chihuahua City reached the border to-day. It is said the discovery of conspiracy was followed to-day by the execution of several men well known in Chihuahua military circles, and Gen. Fidel Avilla, military governor of Chihuahua, is having the city searched for others who are suspected of being implicated in the conspiracy.

EXECUTIONS AT VERA CRUZ.

Advices from Vera Cruz to-day say that men are being executed there without trial. That Carranza, after giving the order for the general executions, attempted to recall it, but that he is powerless now to stop the riotous soldiers, who are going about the city dealing death to whom they suspect. In Mexico City, according to Carranza advices, there have been innumerable disappearances since Villa left the city, and invariably they are men suspected of being in sympathy with Carranza. Often their bodies are found a day or two later in some secluded spot.

Mr. MANN. Mr. Chairman, the article which the Clerk has just read appeared in the Washington Post this morning. I do not know how accurate the statements in it may be, but I am quite confident that there are a great many statements which could be truthfully made along those lines concerning the situation which exists in Mexico as the result of the impotent policy of the Bryan administration. And as this bill carries an appropriation of something over half a million dollars to pay the expenses of our troops at Vera Cruz, sent there for the purpose of obtaining a salute of 21 guns, which has not yet been given. I thought it was proper to have the article read to the House. Those who are satisfied with the results of the situation in Mexico may smile complacently over it; but the people of the country deeply regret the present chaotic, awful conditions in Mexico, which exist simply because we have not had anybody at the head of anything who had any nerve or sense. [Applause on the Republican side.]

Mr. FITZGERALD. Mr. Chairman, everybody regrets exceedingly the situation in Mexico. No one can fail to deplore what is going on there. During the last administration, when President Taft, a Republican, was in the White House, the President and Vice President of Mexico were assassinated. Conditions in Mexico were unbearable long before the Democratic Party came into power in this country. While not knowing all of the horrible details of the atrocities being committed, I do know that it is hardly credible that any intelligent man in the country, particularly any intelligent man in this House, has any belief whatever that the administration of the United States, either present or past, is at all responsible for or has instigated or connived at the situation existing in our neighboring Republic. I think we all, regardless of party, realize that whoever is in control of the administration of this country has a sufficiently difficult, delicate, and trying task in endeavoring to adjust matters so that life and property will speedily be more secure in Mexico, without having anyone in this country, for partisan, political, or other selfish ends, attempt to embarrass the administration by arousing the sentiments of the people of the country by the circulation of misleading, inaccurate, and ill-tempered statements. [Applause on the Democratic side.]

With this brief reference to the situation in Mexico, and in the spirit of Christian peace prevalent at this time, especially in our own land, I unite with all other good and patriotic citizens—including those misguided ones who have been adhering so long to the Republican Party—in indulging in the hope that peace will speedily settle upon Mexico, and that her citizens may enjoy a happiness, a contentment, and a freedom from turmoil which they have long been denied. [Applause.]

Mr. MANN. There does not seem to be much chance of it, though.

Mr. FITZGERALD. I ask the Clerk to read the bill under the five-minute rule.

The Clerk read as follows:

MILITARY ESTABLISHMENT.

For transportation of the Army and its supplies, including the same objects specified under this head in the Army appropriation act for the fiscal year 1914, $554,371.24.

Mr. GILLETT. Mr. Chairman, I move to strike out the last word for the sake of asking the gentleman from New York a question. I understand that this half million dollars is to pay the expenses of bringing back our troops from Vera Cruz. Can the chairman of the committee tell us what has been the total pecuniary expense of that expedition?

Mr. FITZGERALD. In a speech which I made in the House during the last session of Congress, which the gentleman from Massachusetts listened to very carefully and read several times with great interest, I stated that the situation in Mexico, including certain additional troops carried in the Army, had cost the United States between $8,000,000 and $9,000,000. Back in February the Regular Army was increased by from 7,500 to 8,000 men. That enters into the cost. This appropriation of $554,000 consists of two items—one of $324,000 for the chartering of vessels and the refitting of chartered vessels, and the remainder is to make up a deficiency occasioned by insufficient funds to meet the allowance to enlisted men for travel from the place where discharged to the place of enlistment.

Mr. GILLETT. Then the first amount which the gentleman mentioned covered everything, I suppose—the Army, the Navy, and all the extra expenses.

Mr. FITZGERALD. That is my understanding—between $8,000,000 and $9,000,000.

Mr. MANN. Does it also cover the numerous special representatives sent to spy out the land and report how virtuous and humane the people in control in Mexico are?

Mr. FITZGERALD. I think they were paid out of the emergency appropriation of the State Department.

Mr. MANN. I understand that; but did the sum the gentleman names include this, or not?

Mr. FITZGERALD. It was more than amply sufficient to include it, but I do not believe it did.

Mr. MANN. The gentleman says it was more than amply sufficient; that shows that the gentleman's statement is not accurate. If it did include it, he should say so.

Mr. FITZGERALD. I do not recall whether it does. There was a deficiency appropriation for the emergency fund—the secret fund of the State Department—but I do not recall whether that item was included in the total at the time.

Mr. MOORE. Mr. Chairman, I move to strike out the last two words. A little while ago the leader of the Republican Party——

Mr. FITZGERALD. Which branch of the Republican Party?

Mr. MOORE. The regular branch, of course, and the only branch; for the leader of the Republican Party is a harmonizer. In his reference to the war expenditures made in pursuance of our peace policy in Mexico, he indicated that there were those in control of the affairs of State who did not exercise much nerve.

That remark impressed me, because I think we are exercising a great deal of nerve in the State Department in the interest of peace, which we are bound to have even if we pay for it. Here we have an item to pay upward of $500,000 military expenses in connection with our peaceful occupation of Mexico. How different is the method employed with regard to Colombia. There has been a quarrel between Colombia and the United States with respect to the taking of Panama. Does the State Department justify the expenditures for military defenses at Panama or Colombia? It does not. If we have insulted Colombia, and we seem to have made an abject apology to that country, we are not to engage in a war, but we are to buy our way out. We do not send troops, but still we maintain peace. In view of the admission of the chairman of the Appropriations Committee that we have spent $9,000,000 or $10,000,000 supporting our military maneuvers in Mexico and vicinity, it is interesting to observe how we avoid any such complications with Colombia. The report of the Colombian minister of foreign affairs throws considerable light upon this subject. Colombia is satisfied that we have made an abject apology for our alleged offenses. The Secretary of State is willing to blot out our differences forever by paying the price. It was a matter of considerable negotiation. I quote that portion of the Colombian statement which shows how easy it is to maintain peace if you are willing to pay for it:

This counter proposition was answered by a memorandum from the Colombian Government proposing certain modifications and concessions and repeating the request for $30,000,000 and annual payments of $250,000 for 100 years. This memorandum was answered by another from the American minister raising the indemnity to $25,000,000 without annual payments, on condition of acceptance by Colombia of the remainder of the proposition of the American Government. This was answered in turn by another Colombian memorandum relinquishing annual payments, but requesting in addition to the $25,000,000 a lump sum of $5,000,000 to be employed for the improvement and sanitation of the ports of Buenaventura and Cartagena. The money question was finally fixed at $25,000,000 on receipt of a cablegram from the Colombian minister in Washington, dated March 30, 1914:

"Convinced that Congress will refuse more than $25,000,000."

Mr. FITZGERALD. Mr. Chairman, without discussing the merits of the proposed item of $25,000,000 for Colombia, the fact is the gentleman's own party tendered $10,000,000 to adjust the differences between Colombia and the United States. The $250,000 in perpetuity, which the gentleman mentioned, was provided in the treaty between the United States and Panama, and Colombia believes the annual payments should be made to her.

Mr. MOORE. But the Republican administration did not approve the lump-sum payment to Colombia.

Mr. MANN. If any Republican administration, as has been claimed at different times by this administration as a justification for what this administration has done, made an agreement to pay Colombia $25,000,000 under any conditions, they took particular care to keep it under cover so that the Republicans could never find it out.

Mr. FITZGERALD. That is true of the most of the things that they did. They kept them under cover while we make our actions public for the information of the public.

Mr. MANN. As fast as you can find them you try to copy them, but the trouble is that you can not draw a line and copy those that are right and reject those that are wrong. You can not distinguish. If we make a mistake, we repudiate it; but you take it up always.

Mr. FITZGERALD. Mr. Chairman, the trouble is that the Republican administration did most of its business in secret, in the dark; this administration has been conducting its business in the light. There is a very great difference between the two methods, and it will be a long time before the dark and nefarious methods of the Republican régime that was in power previous to this administration will ever be permitted to be reestablished in the conduct of the Government.

The Clerk read as follows:

OUT OF THE POSTAL REVENUES.

For freight or expressage on postal cards, stamped envelopes, newspaper wrappers, and empty mail bags, fiscal year 1914, $50,000.

Mr. STAFFORD. Mr. Chairman, I move to strike out the last word. I notice here the first deficiency appropriation ever carried for the carriage of postal cards and other freightable articles in the Postal Service. I would like to inquire of the chairman of the committee whether anything developed before the committee as to the reason for this $50,000 deficiency appropriation. I had understood that there was some testimony presented before his committee that the Government is undertaking a new policy of shipping millions of dollars of gold by parcel post instead of sending it by express. If the gentleman has any such information, I wish that he would, in a few words, give it to the House.

Mr. FITZGERALD. Mr. Chairman, the Second Assistant Postmaster General testified that the appropriation of $510,000 made for the fiscal year 1914 for freight or expressage on postal cards, stamped envelopes, wrappers, and mail bags had actually been expended, and there was an ascertained deficit of forty-nine thousand and odd dollars. There was some testimony before the Committee on Appropriations as to the shipment by parcel post of a very large sum of money in coin from the city of Philadelphia to the city of New York. Fifty million dollars in coin was shipped in the recent past from Philadelphia to New York.

Mr. STAFFORD. Can the gentleman inform the House what protection was given for the security of those $50,000,000? It is so out of the ordinary that I think it is worthy of consideration.

Mr. FITZGERALD. Mr. Chairman, this money was shipped in separate cars, and the Second Assistant Postmaster General personally accompanied the shipment, with a number of guards whom he believed to be sufficient to protect the shipment from any possible danger. Thirty men, if I recall correctly, accompanied the shipments.

Mr. STAFFORD. Do the hearings disclose whether that is to be the new policy as to the shipment of gold between the subtreasuries?

Mr. FITZGERALD. Mr. Chairman, I believe the Treasury Department is perfectly satisfied, because the saving to it was very large. An attempt was made to make a shipment by parcel post from Denver to New York, but the Second Assistant Postmaster General was unable to arrange for the services of a special through train, which was the only way in which he was willing to make the shipment. He found it was impossible

to make any arrangement by which the railroads could be compensated for the additional service, and that shipment was not made by parcel post, but was made by express. Of course, the difference in the rate by parcel post and express may to some extent be accounted for by the fact that the charge for the expressage on all sums of money shipped in that way covers the insurance, while the parcel-post shipment does not cover any insurance.

Mr. STAFFORD. There is no charge in the shipment by the Government by parcel post whatsoever, except——

Mr. FITZGERALD. There is the regular parcel-post rate.

Mr. STAFFORD. The Government is not charging itself for the postage or the rates under parcel post.

Mr. FITZGERALD. Oh, yes. The Treasury Department tenders this material for shipment by parcel post and pays the regular parcel-post charges.

Mr. STAFFORD. Who pays for the guards that accompany the trains to safeguard the shipment of these millions of dollars?

Mr. FITZGERALD. I imagine that they are postal employees.

Mr. STAFFORD. The Treasury Department, then, does not?

Mr. GILLETT. I think the Treasury Department did pay that.

Mr. FITZGERALD. I am not certain about it.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

For facing slips, plain and printed, including the furnishing of paper for same; and for card slide labels, blanks, and books of an urgent nature, $5,000.

Mr. WINGO. Mr. Chairman, I move to strike out the last word. I would like to ask the gentleman if there is any deficiency in the item of Rural Mail Service in the appropriation made for the current year?

Mr. FITZGERALD. We have no estimate or knowledge of any deficiency.

Mr. WINGO. The department has not advised that they are short of funds on that account?

Mr. FITZGERALD. No; there was no estimate or statement made that they were short of funds on that account.

Mr. WINGO. The appropriation, I understand, for the current year carried $3,000,000 more for rural mail than was estimated for the Rural Mail Service by the Post Office Department, and the department has not called the attention of the committee to any deficiency?

Mr. FITZGERALD. It has not.

Mr. WINGO. Or that any deficiency was liable to arise?

Mr. FITZGERALD. No. The items in the bill are supposed to be urgent deficiencies, cases in which it is essential to have appropriations made at once. There was no estimate and no reference to any deficit in the Rural Free Delivery Service.

Mr. WINGO. Mr. Chairman, I withdraw the pro forma amendment and send the following amendment to the Clerk's desk.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 4, line 19, insert as a new paragraph the following:
"For extension of rural mail service by the establishment and operation of new routes heretofore approved, $100,000."

Mr. MANN. Mr. Chairman, I make the point of order against the amendment.

Mr. WINGO. Will the gentleman reserve the point of order?

Mr. MANN. Yes.

Mr. WINGO. Mr. Chairman, while the amendment is subject to it, I hope the gentleman will not press the point of order. There are some rural routes that are urgent, and they should be provided for by an appropriation in this bill if there is a deficiency in the present fund.

Mr. MANN. I will say to the gentleman——

Mr. FITZGERALD. There is no deficiency.

Mr. MANN (continuing). That the Post Office appropriation bill will be up for consideration and with full chance to consider. I believe in the establishment of these rural routes, but the gentleman knows this item is not likely to be in this bill if it becomes a law before Wednesday night, even if it should pass the House.

Mr. WINGO. Here is the point to it: The Post Office bill which has been reported is for the next fiscal year.

Mr. MANN. It is and it would be just as much—it might not be in order, but it could be made available at once. I do not think there is a shortage of money.

Mr. STAFFORD. If the gentleman will permit, I may say there is no deficiency in the rural-carrier item at the present time, as the hearings disclosed before the Committee on the Post Office and Post Roads. The annual rate of expenditure on November 1 for the rural service during the present year is $50,200,000, and the appropriation for that service is $53,000,000, so there is at present $2,800,000 available, and has been available for the extension of new routes. The gentleman's remedy does not lie here, because there is ample money available, but lies at the department. These routes have been approved of by the department, but for some reason or other they have failed to install them. There are ample funds.

Mr. MANN. I hope the gentleman from Arkansas will not press his amendment.

Mr. STAFFORD. There is no deficiency.

Mr. MANN. Our side of the House is trying to let the bill go through.

Mr. WINGO. Mr. Chairman, I feel inclined to press for some relief for the routes held up by the department, because I think they are absolutely necessary, and I have been advised they are holding them up for the reason there are not ample funds.

Mr. MANN. One hundred thousand dollars would not amount to anything.

Mr. FITZGERALD. And there is no deficit or lack of funds. There are ample funds, and this $100,000 probably could not be used if appropriated, because there is more money available now than enough for this year.

Mr. WINGO. Now, in view of that statement, if the gentleman will pardon me, because my time is nearly up, the information of the gentleman from New York does not square with the information I have, and that is that these routes are held up on account of financial conditions. Now, the only financial condition that I know of that could hold up a rural route would be a deficit in the funds appropriated for their establishment.

Mr. FITZGERALD. I can tell the gentleman that the attitude of the department probably is that the condition of the Treasury is such that it does not wish to extend these routes, although appropriation has been made, and it can incur the expense if it desires. Let me suggest to the gentleman from Arkansas that there will be a general deficiency bill before the end of the session, and an opportunity will be offered to go into the matter thoroughly. While we did not give the Post Office Department all the money it asked in this deficiency bill, we did give them money on account of every item they presented excepting, I think, one; and it was agreed that on that one it was not necessary to act at this time. They will submit estimates later, I know, in connection with the general deficiency bill.

The CHAIRMAN. The time of the gentleman from Arkansas has expired.

Mr. WINGO. I ask unanimous consent, Mr. Chairman, for five minutes more.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. FITZGERALD. I will undertake to ascertain when the general deficiency bill is under consideration the real reason for the failure to extend these routes, and whether it is due to the fact that there are no available funds, or whether it is simply a desire to curtail expenses. In the Post Office appropriation act a sum very largely in excess of that requested was appropriated by Congress. There should be ample funds to meet the situation.

Mr. WINGO. I do not agree with the contention that the United States Treasury's condition is such as to call for the curtailment of any legitimate line of activity by the Post Office Department. The condition of the United States Treasury is better than it ever has been before, in my opinion, and I see no reason why rural routes that have been approved and that are really a necessity should be held up on the claim that the finances or the condition of the Treasury will not permit their establishment.

I recognize, Mr. Chairman, that with the chairman of the Appropriation Committee holding the view that he does there would be no hope of my amendment becoming a law, even if it should be held in order and adopted, and I have no desire to hold up urgent items embodied in the bill and do not want to see those items held up. But I do insist that we ought to relieve the situation, and I shall insist on it when the regular Post Office appropriation bill comes up for consideration.

The CHAIRMAN. Does the gentleman desire to withdraw his amendment now?

Mr. WINGO. On the statement of the chairman of the committee I will withdraw the amendment.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

The Clerk read as follows:

For the arrest and eradication of the foot-and-mouth disease, the payment of claims arising out of past and future purchases and destruction

of animals affected by or exposed to the foot-and-mouth disease, and for a deficiency in the objects specified under the head "General expenses, Bureau of Animal Industry," in the Agricultural appropriation act for the fiscal year 1915, $2,500,000, to be expended by the Secretary of Agriculture.

Mr. JOHNSON of Kentucky. Mr. Chairman, I offer the following amendment.

The CHAIRMAN. The gentleman from Kentucky offers an amendment, which the Clerk will report.

The Clerk read as follows:

Page 5, line 5, after the word "Agriculture," insert:
"*Provided*, That for all cattle destroyed by the agents of the Agricultural Department the full value of such cattle shall be paid."

Mr. FITZGERALD. Mr. Chairman, I reserve a point of order against the amendment.

Mr. JOHNSON of Kentucky. Mr. Chairman, I do not concede that the point of order lies, but inasmuch as it is reserved, I shall make this statement of the matter:

The Agricultural Department has sent its veterinary agents throughout the country and has destroyed and is destroying cattle which are diseased and which have been exposed to the foot-and-mouth disease. These agents of the Agricultural Department are provided with printed slips by the department. Those slips are presented to the owner of the cattle and his signature is asked, whereby he agrees to take one-half of the value of the cattle destroyed instead of the full value. Now, these agents of the Agricultural Department in going upon farm after farm induce the owners of the cattle to believe they have authority to destroy cattle, when, as a matter of fact, they are not clothed with any such authority. The farmers, believing that their cattle are going to be destroyed anyhow, in some cases have signed these printed slips sent out by the Agricultural Department offering to pay one-half of the value of the cattle instead of the full value.

Mr. BORLAND. Will the gentleman yield at that point?

Mr. JOHNSON of Kentucky. I will.

Mr. BORLAND. Is not that only in States where the State and Federal Governments are cooperating, and the State is paying the other half?

Mr. JOHNSON of Kentucky. No; that is not the case.

Mr. BORLAND. That is my understanding.

Mr. JOHNSON of Kentucky. The gentleman is mistaken.

Mr. BORLAND. My information is that the Government pays one-half and the State pays one-half, and that they are cooperating.

Mr. JOHNSON of Kentucky. I received one of those printed slips to-day from Kentucky. If I am correctly advised—and I feel sure I am—there is cooperation between the State and Federal power toward doing away with the disease, but there is no agreement whereby the State is to pay one-half of the value of the cattle destroyed.

Mr. BORLAND. I think the gentleman will find that there is in most of the States, and probably in Kentucky.

Mr. HAMILTON of Michigan. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. Does the gentleman from Kentucky yield to the gentleman from Michigan?

Mr. JOHNSON of Kentucky. I do.

Mr. HAMILTON of Michigan. Does not the State of Kentucky pay one-half of the value of the cattle destroyed?

Mr. JOHNSON of Kentucky. My information is that she does not. She has nothing to pay it with.

Mr. HAMILTON of Michigan. In the State of Michigan the State is paying one-half.

Mr. JOHNSON of Kentucky. As I am informed, the State of Kentucky can not do this until there is a session of the legislature. There is no authority in Kentucky to do it.

Mr. HAMILTON of Michigan. Kentucky is the only State that the gentleman knows of which is not paying it?

Mr. JOHNSON of Kentucky. I do not know anything about the matter except in the State of Kentucky. I did not know that this matter was coming up to-day. I did not know there was such a provision in this bill until it was called up. If I had known, I could have had one of those slips over here with me.

Mr. FITZGERALD. I have one of them here.

Mr. JOHNSON of Kentucky. In view of the fact, Mr. Chairman, that cattle perfectly well are being destroyed simply because they may have been exposed to this disease, I feel that this appropriation ought to be used toward the payment of the full value of them.

Mr. FITZGERALD. Mr. Chairman, the only authority that the Federal Government has is to quarantine an entire State and to prohibit the shipment from out of the State of cattle if any of the cattle are affected with the foot-and-mouth disease; to prevent the hardship that would result from such action, the officials of the Bureau of Animal Industry cooperate with the State officials, and they quarantine only the portions of the State wherein the disease is prevalent. The Federal Government has no authority to seize and destroy infected cattle or cattle which have been subjected to the infection, but the State authorities in all the States have comprehensive and drastic powers to seize and destroy cattle infected. The result is that an agreement has been entered into by the officials of the Federal Government and the State government by which they cooperate in the effort to stamp out this disease.

Dr. Melvin, Chief of the Bureau of Animal Industry, testified that the Federal Government assumed to pay 50 per cent of the appraised value in all instances, and the States have assumed the other 50 per cent. At present there is no appropriation in some of the States available out of which to pay the 50 per cent payable by the State, and it will be necessary for the money to be appropriated later. One of the forms signed by the owners of cattle is as follows:

Form 93. United States Department of Agriculture, Bureau of Animal Industry.

I hereby agree to accept, as compensation in full from the United States Department of Agriculture ——— dollars, which is 50 per cent of the value of all property destroyed or damaged in disinfecting on account of the existence of contagious foot-and-mouth disease.

That is signed, so that there can be no controversy later as to whether the proportion of the Federal Government was paid before the officials of the Government slaughtered and buried the cattle.

Mr. J. M. C. SMITH. Mr. Chairman, will the gentleman yield for a question?

The CHAIRMAN. Does the gentleman from New York yield to the gentleman from Michigan?

Mr. FITZGERALD. I yield to the gentleman.

Mr. J. M. C. SMITH. Can the gentleman tell us how much was appropriated for the destruction of the cattle and how much for the deficiency of the Bureau of Animal Industry? Is this amount divided?

Mr. FITZGERALD. There has been expended already about $800,000 for this work, commencing the middle of October, of which sum I think $400,000 has been paid to the owners of the cattle destroyed, and outstanding obligations have been incurred, for which provision is made in this appropriation to the extent of $800,000. A slightly different form has been signed in the cases in which the cattle were slaughtered since the exhaustion of the appropriation.

In addition, it is estimated that of the eight hundred-odd thousand dollars also carried in this item about two-thirds is for services and expenses and one-third will be to pay for the cattle to be destroyed.

Mr. J. M. C. SMITH. Can the gentleman tell how the value of the cattle is arrived at?

Mr. FITZGERALD. They are appraised at their meat value, and I think that is fixed without much difficulty. The complaint arises in the case of very fine pedigreed dairy or breeding cattle which have cost large sums of money. The owners of those cattle have been inclined to insist that they ought to be remunerated at the rate they paid for the cattle, but they are paid at the same rates as for the ordinary beef cattle—at their beef value alone. Of course, what the Federal Government could do would be to refuse to participate in the payment at all, and where the disease exists in a State to quarantine the entire State and prohibit the shipment of cattle out of the State, and leave to the State authorities the effort to eradicate the disease.

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. FITZGERALD. I ask for three minutes more.

The CHAIRMAN. The gentleman from New York asks an extension of three minutes. Is there objection?

There was no objection.

Mr. FITZGERALD. The policy now pursued by the Department of Agriculture is the one which has been followed on other occasions when there have been outbreaks of foot-and-mouth disease among cattle in the United States, the only difference being that on former occasions the Federal Government paid 60 per cent of the value and the States 40 per cent. This time the agreement was made that the Federal Government should pay 50 per cent and the States 50 per cent.

Mr. J. M. C. SMITH. Can the gentleman tell whether or not the owner of the cattle has any authority to refuse to permit the destruction of the cattle?

Mr. FITZGERALD. Oh, yes; the owner of the cattle can refuse to permit their slaughter by the Federal officials; but in that event the State officials, under authority conferred under State laws, immediately take control of the situation, and they have ample power to act under State laws.

The CHAIRMAN. Does the gentleman from New York insist on the point of order?

Mr. FITZGERALD. I insist on it. It is legislation within the rule and obnoxious to it.

Mr. JOHNSON of Kentucky. This is a limitation on the expenditure, and it is not subject to the point of order.

Mr. FITZGERALD. It is legislation, and without authority of law.

Mr. JOHNSON of Kentucky. The committee proposition is legislation. Certainly the gentleman will admit that it is legislation, because it provides not only for a past deficiency but for the future. That being true, we can perfect it by amendment. In addition to that, this amendment is only a limitation upon the expenditure. This is not strictly a deficiency item, but it provides that it shall be paid for cattle that have been destroyed and which may hereafter be destroyed. The item itself would have been subject to a point of order. I did not care to make a point of order to it and do not now; but that item being left in the bill, and the point of order not being made against it, under the rules of the House it can be perfected, and that is the nature of my amendment.

Mr. HAMILTON of Michigan. May I ask the gentleman a question?

Mr. JOHNSON of Kentucky. Yes.

Mr. HAMILTON of Michigan. Under the gentleman's amendment the owners of cattle would get the full value of the cattle, and if they were thoroughbred cattle their owners would get the thoroughbred value?

Mr. JOHNSON of Kentucky. No; the price would be 100 per cent of the value, ascertained, as it now is, upon the basis of the beef value.

Mr. HAMILTON of Michigan. The gentleman's amendment does not so state.

Mr. JOHNSON of Kentucky. Neither does the bill state upon what basis the value is to be fixed. It is accepted by everybody that beef prices are the basis of the value.

Mr. HAMILTON of Michigan. The gentleman does not so state in his amendment.

Mr. JOHNSON of Kentucky. Neither does the bill.

Mr. HAMILTON of Michigan. I would be glad to see farmers of Michigan receive the full value of their cattle; but I would not like to have the farmers of Michigan paid the milk value or the meat value of their cattle and have the farmers of Kentucky get thoroughbred value.

Mr. JOHNSON of Kentucky. I would not have it that way, either. All I would have them paid would be the meat value, just as was stated by the gentleman from New York; and in order to cure the objection made by the gentleman from Michigan, I ask unanimous consent to extend my amendment by providing that the valuation shall be fixed as for beef cattle.

Mr. HAMILTON of Michigan. The gentleman had better make it milk and beef value, because they are also rated on their milk value.

Mr. MANN. Let us determine whether the amendment is subject to a point of order, and then fix the amendment correctly.

The CHAIRMAN. The Chair will ask the gentleman from Kentucky one question. The Chair understands that under the present law the Government is liable for one-half.

Mr. JOHNSON of Kentucky. No; there is where the Chair is mistaken. The law is that the Federal Government may purchase and destroy diseased cattle, but there is no law by which the Federal Government can destroy these cattle until they have been purchased by the Federal Government. Now, the Federal Government proposes to purchase, not by paying the full value but by paying half the value.

Mr. FITZGERALD. Mr. Chairman, the gentleman's provision is purely legislation.

Mr. JOHNSON of Kentucky. The proposition offered by the committee is legislation; but no point of order was made against it, none will be made against it, and at this stage of the proceedings none can be made against it. But when a proposition is left in the bill that would have been subject to a point of order, an amendment offered to it to perfect it is in order

The CHAIRMAN. Does not the gentleman from Kentucky understand that his amendment is new legislation?

Mr. JOHNSON of Kentucky. No; the Chairman should not lose sight of the fact that under the rule, when there is an item in the bill that is subject to a point of order and which is left in the bill, that item can be perfected by an amendment which would have been subject to a point of order if the original matter had not been subject to a point of order.

Mr. FITZGERALD. This provision is not subject to a point of order; it is within the law.

Mr. JOHNSON of Kentucky. It is without the law.

Mr. MANN. It is mere appropriation; it is not legislation; it confers no authority.

Mr. JOHNSON of Kentucky. The gentleman from Illinois is mistaken about that.

Mr. MANN. I do not think I am, and I think I know what I am talking about.

Mr. FITZGERALD. The law confers upon the Secretary of Agriculture the power to quarantine diseased cattle whenever in his judgment it is essential to prevent the spread of pleuropneumonia, tuberculosis, or other diseased animals from one State to another. This appropriation is to supply a deficiency in the appropriation for general expenses of the Bureau of Animal Industry. Under the law the Secretary in purchasing these animals, if he be able, can purchase them for half or one-quarter or one-tenth of their value, or he has authority to pay in excess of their value. The proposition of the gentleman from Kentucky is to compel the Secretary to pay according to a certain rate fixed in his amendment. It limits the discretion of the Secretary and it curtails his power, and is legislation within the rule.

Mr. JOHNSON of Kentucky. Mr. Chairman, the gentleman from New York has just read from an appropriation bill which was made for one year. It made no permanent law, and it authorized no future appropriation. The language just read by the gentleman from New York from the last Agricultural appropriation bill was to purchase and destroy diseased or exposed animals. Now, just that language is in the bill, and would have authorized, if no point of order had been made, an expenditure of the appropriation in that bill, but no appropriation for this purpose was made in the bill.

Now, they come along afterwards and undertake to put into this appropriation bill an item which was unauthorized by any other act or by any former act. As I said, no point of order was made to it, because nobody wishes to make a point of order to it. Everybody wishes to see that passed, even if my amendment should not prevail. But since the item is in the appropriation bill without being authorized by any law, a point of order would lie against it, and if no point of order was made, no point of order could be made against my amendment, because this authorization can be perfected.

Mr. MANN. Mr. Chairman, I think the provision in the bill is in order and is not subject to a point of order as suggested by the gentleman from Kentucky. The quarantine law authorizes the Secretary of Agriculture and requires him to take such steps as may be necessary to prevent the spread of disease, including the destruction of the animals affected.

Mr. JOHNSON of Kentucky. Will the gentleman allow me a question?

Mr. MANN. Yes.

Mr. JOHNSON of Kentucky. Does the gentleman mean to convey the impression that there is any law by which these cattle may be destroyed without their being purchased?

Mr. MANN. I mean identically that very thing.

Mr. JOHNSON of Kentucky. The gentleman is in direct conflict with the authorities of the Agricultural Department, who say there is no law.

Mr. MANN. Well, I do not yield for the gentleman to say what I am in conflict with. The quarantine bill came out of the committee of which I was a member. The General Government has no authority, in my judgment, to go and seize property in a State and destroy it, but they have authority to quarantine it and have authority to destroy it when they purchase it. The law gives them the authority to destroy it.

Mr. JOHNSON of Kentucky. Authority to destroy it if they purchase it.

Mr. MANN. The law does not say so.

Mr. JOHNSON of Kentucky. The law has just been read.

Mr. MANN. The trouble with the gentleman from Kentucky is that he does not know where to look for the law.

Mr. JOHNSON of Kentucky. There is none except this.

Mr. MANN. Mr. Chairman, I do not like to take the time of the House, but I have two statutes here on the subject, quite full, which the gentleman from Kentucky has never seen. I say that the bills came out of the Committee on Interstate and Foreign Commerce. I remembered something about it, and the gentleman from Wisconsin, who used to be a member of that committee, remembered more, and he got them. We have authority to appropriate money for the Secretary of Agriculture to use in his discretion, but when you come to direct how much the Secretary shall pay for the animals, that is legislation and not appropriation. The item appropriating the money to be used in the discretion of the Secretary of Agriculture is in order. That is an original provision, because the Secretary of Agriculture is authorized to destroy these animals; but a direction that the Secretary of Agriculture must pay so much for the animals is legislation, and not in order.

The CHAIRMAN. This is purely an appropriation bill, and the Chair understands that fixing the amount that must be paid by the Government would be legislation. The Chair thinks it is new legislation, and the Chair is of opinion that it is out of order and sustains the point of order.

The Clerk read as follows:

BUREAU OF PLANT INDUSTRY.

For the emergency caused by the infectious nature and continued spread of the destructive disease of citrous trees known as citrus canker, by conducting such investigations of the nature and means of communication of the disease, and by applying such methods of eradication or control of the disease as may in his judgment be necessary, $35,000; and the Secretary of Agriculture is authorized to pay such expense and employ such persons and means, in the city of Washington and elsewhere, and to cooperate with such authorities of the States concerned, organizations of growers, or individuals as he may deem necessary to accomplish such purpose.

Mr. MANN. Mr. Chairman, I reserve the point of order on this item. This seems to be an entirely new proposition. Has it been considered in any way by the Committee on Agriculture?

Mr. FITZGERALD. I can explain the matter. This is to take care of a situation from the 1st of January to the 1st of April. A very destructive disease of citrus fruit trees which has been known for some time in Texas, but which because of the hardy character of the plants there has not had much effect, has extended into the Gulf States, and particularly into Florida. It threatens the destruction of the entire grape fruit and orange industry of Florida. The only way a tree can be treated is to burn the tree where it is growing. The tree can not be saved. The Fruit Growers' Association has raised some $30,000, which is being expended, and the Legislature of Florida, which will convene in April, we are assured, will enact the necessary legislation and provide the necessary moneys to take care of the situation. This merely enables the Chief of the Bureau of Plant Industry to take care of it from the 1st of January until the 1st of April.

Mr. MANN. Mr. Chairman, as far as I am concerned, I am satisfied. I withdraw the point of order.

The Clerk read as follows:

FOREST SERVICE.

For "General expenses, Forest Service," including the same objects specified under this head in the Agricultural appropriation act for the fiscal year 1915, $349,243.

Mr. HAWLEY. Mr. Chairman, I would like to ask the chairman of the committee for what purpose this appropriation is made? Is this an emergency due to fire fighting?

Mr. FITZGERALD. Entirely. The appropriation for fire fighting was $250,000, and a very excessive drought in the Northwest last year compelled the expenditure of other moneys, and this is to make good the deficiency.

The Clerk read as follows:

BUREAU OF LIGHTHOUSES.

Lighthouse tender, general service: For constructing and equipping a lighthouse tender for general service, authorized by the act approved March 4, 1913, $250,000.

Mr. MANN. Mr. Chairman, I reserve the point of order on the paragraph. Has not this lighthouse tender been appropriated for once?

Mr. FITZGERALD. No; it never has been appropriated for. This tender is the *James R. Mann.* [Laughter.] It was authorized in 1913, on the 4th of March. Since that time the committee has been willing to appropriate the $250,000, the amount authorized in the law, but the department believed that it was essential to build a larger tender. The gentleman from Illinois has effectively antagonized the legislation, and the department has come to the conclusion that it is impossible to obtain the larger tender and requests the appropriation for this one at this time, because prices are much lower than they have been for some time.

Mr. MANN. I was under the impression that we had appropriated once for this and that the department wanted an additional appropriation.

Mr. FITZGERALD. No. It was in this peculiar situation, that the department wanted a larger sum, and we were willing to give the smaller sum that was authorized, and nothing was ever done.

The Clerk read as follows:

For folding speeches and pamphlets, at a rate not exceeding $1 per thousand, $2,000.

Mr. LLOYD. Mr. Chairman, I want to ask the chairman why he makes this appropriation for $2,000. According to the testimony before the committee and the facts as I understand them, the Doorkeeper has expended thus far a little over $300; and he asks for an appropriation to cover the year 1916, and does not show any necessity, as I understand it, for an appropriation that ought to be included in an urgent deficiency bill.

Mr. MANN. How about the balance of this year?

Mr. FITZGERALD. He asked for the $300 mentioned by the gentleman from Missouri, and for $2,000 in all. He was uncertain whether the entire sum would be utilized during this fiscal year. It would depend entirely on the number of speeches requested by Members. Then he asked that in the event he did not spend it during this fiscal year that it should be made available during the next fiscal year. The committee recommended that an appropriation be made of the amount of money that he might possibly use this year, but declined to carry it over until the next fiscal year.

Mr. LLOYD. Did not the gentleman allow him all he asked—all that he might be able to use during this fiscal year and carry into the next fiscal year?

Mr. FITZGERALD. No; it was necessary, because he could not tell just what the Members of the House would do regarding speeches—as to whether he would actually use $2,000—and he wanted to guard against the possible failure to use the money by having it available after the 30th of June. This bill is to take care of the current fiscal year.

Mr. LLOYD. This is a question that was asked by the chairman:

And the balance is asked for the rest of this fiscal year?

Mr. SINNOTT. Yes, sir. The reason I asked to make it available during the fiscal year 1916 is, in case I did not use it this session, it will be available for the following Congress.

Mr. FITZGERALD. We do not do that. In appropriating money we do not provide that if it can not be expended in the current fiscal year that it shall remain available during the next fiscal year. That system absolutely destroys the fiscal year of the Government. Now, this sum is appropriated, and if it is required during the current fiscal year it can be used. If it is not required during this fiscal year and is not used, it is covered back into the Treasury. The money required for folding speeches after the 1st of July will be paid from the appropriation made for that purpose in the appropriation act for the fiscal year 1916 and not in a deficiency appropriation act for the fiscal year 1915 and prior years.

Mr. LLOYD. Mr. Chairman, the only purpose I have in asking the question is to ascertain whether the testimony shows that the $2,000 would likely be necessary to be used during the rest of this session of Congress.

Mr. FITZGERALD. It may be used after this session of Congress adjourns and still be used during this fiscal year. It is available up to the 30th of June. The Doorkeeper did not know and could not tell whether the demand for folding speeches made upon him would require the expenditure of this money. The committee recommended the appropriation of $2,000 to take care of any demand that might be made upon him up to the 30th of June, which ends the fiscal year. If any money is required for folding speeches after the 30th of June, it will be paid for out of the appropriation carried for that purpose in the appropriation bill for the fiscal year 1916.

The CHAIRMAN. The time of the gentleman has expired.

The Clerk read as follows:

SEC. 2. That the provisions of section 5 of the legislative, executive, and judicial appropriation act for the fiscal year 1915 shall not be construed as applying to the purchase, maintenance, and repair of passenger-carrying vehicles needed in carrying out the various projects adopted by Congress for the improvement, preservation, and protection of rivers and harbors: *Provided*, That the Secretary of War shall, at the beginning of each regular session, report to Congress the number of all motor-propelled and horse-drawn passenger-carrying vehicles acquired for and operated in carrying out the several projects adopted by Congress for the improvement, preservation, and protection of rivers and harbors, and the original cost of each and the year in which purchased.

Mr. MANN. Mr. Chairman, I make the point of order against the section.

The CHAIRMAN. The gentleman from Illinois makes the point of order against this paragraph.

Mr. FITZGERALD. Mr. Chairman, the provision in the legislative bill requires estimates to be submitted for the purchase, operation, and maintenance of passenger-carrying vehicles. In appropriations for rivers and harbors work the department does not estimate in advance; the appropriations are made and then they have to do the work. An investigation regarding this matter disclosed that, while an average of $30,000,000 a year is spent on river and harbor work, they have but two motor-propelled vehicles purchased, one a $1,200 automobile in the Dallas district for the Trinity River improvement, to enable the engineer to go from his headquarters——

Mr. MANN. They need that on the Trinity; they could not go by boat.

Mr. FITZGERALD. Somebody remarked that before; that is becoming quite ancient.

Mr. MANN. Well, it is truthful, of course.

Mr. FITZGERALD. The other was a $500 Ford automobile in Ohio. The committee believed that the peculiar conditions

under which these appropriations are made it was desirable to exempt them from the operations of that law.

Mr. MANN. Mr. Chairman, I will have to insist upon the point of order. I do not doubt the merits of the proposition as stated by the gentleman from New York, but last year when the item went into the law I called attention to the fact that it was crudely drawn and nobody could tell what it would affect; that it ought to be considered before such a thing was written into the law. The only thing that that law has accomplished so far is to interfere with something that ought not to be interfered with and adding a few words to the appropriation bill.

I just wish to impress on the distinguished gentleman from New York the desirability of considering legislation in appropriation bills, at times, before they are enacted. I make the point of order.

Mr. FITZGERALD. Will the gentleman withhold that for a minute?

Mr. MANN. It is too late in the evening.

Mr. FITZGERALD. Oh, no; that provision originated in the Senate.

Mr. MANN. It originated here, and I struck it out on a point of order. You went to the Senate and got it put back in again.

Mr. FITZGERALD. It stopped what was commencing to be an indefensible practice of nearly everyone connected with the administration of the Government who was in a position to do so to provide himself with an automobile at the expense of the public.

Mr. MANN. So that in the legislative bill this year every place where any money was appropriated for the department you include an item for passenger-carrying vehicles.

Mr. FITZGERALD. Yes; but it does not open up the way for automobiles. I admit that the provision is subject to a point of order.

Mr. MONDELL. The gentleman from Illinois has no objection to this applying to those places where there really is no water in the river and harbor work, has he?

Mr. MANN. I understand that a very good argument can be made in favor of an automobile in connection with the Trinity River.

Mr. FITZGERALD. Mr. Speaker, I move that the committee do now rise and report the bill to the House with the recommendation that it do pass.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. RUSSELL, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill (H. R. 20241) making appropriations to supply urgent deficiencies in appropriations for the fiscal year 1915 and prior years, and for other purposes, and had directed him to report the same to the House with the recommendation that it do pass.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, was read a third time, and passed.

On motion of Mr. FITZGERALD, a motion to reconsider the vote by which the bill was passed was laid on the table.

Mr. UNDERHILL. Mr. Speaker——

The SPEAKER. The gentleman from New York [Mr. UNDERHILL] is recognized.

Mr. MANN. Mr. Speaker, I make the point of order that there is no quorum present.

ENROLLED JOINT RESOLUTION SIGNED.

The SPEAKER announced his signature to enrolled joint resolution of the following title:

S. J. Res. 213. Joint resolution authorizing the Secretary of the Senate and the Clerk of the House to pay the officers and employees of the Senate and House, including the Capitol police, their respective salaries for the month of December, 1914, on the 22d day of said month.

ADJOURNMENT.

Mr. FITZGERALD. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 6 o'clock and 37 minutes) the House, under its previous order, adjourned until Tuesday, December 22, 1914, at 10 o'clock a. m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1. A letter from the Secretary of Commerce, transmitting state of expenditures in the Coast and Geodetic Survey for the fiscal year ended June 30, 1914 (H. Doc. No. 1424); to the Committee on Expenditures in the Department of Commerce and ordered to be printed.

2. A letter from the Public Printer, transmitting statement relative to purchase, exchange, and repair of typewriting machines in the Government Printing Office covering the period from July 1 to September 30, 1914 (H. Doc. No. 1425); to the Committee on Appropriations and ordered to be printed.

3. A letter from the Secretary of the Treasury, transmitting copy of communication of the chairman of the Interstate Commerce Commission—a statement of per diem rates paid to employees of the commission while traveling on official business away from their designated headquarters (H. Doc. No. 1426); to the Committee on Appropriations and ordered to be printed.

4. A letter from the Secretary of the Treasury, submitting a request that an indefinite continuing appropriation be authorized by Congress of an amount not to exceed one-tenth of 1 per cent of the amount of 2 per cent bonds converted under the law the first year, and that thereafter a similar indefinite appropriation be authorized not exceeding one twenty-fifth of 1 per cent of the amount permitted to continue while authority to convert exists (H. Doc. No. 1427); to the Committee on Ways and Means and ordered to be printed.

5. A letter from the Secretary of the Treasury, transmitting copy of communication of the Acting Secretary of Labor submitting an amended estimate for rent of offices outside of the District of Columbia (H. Doc. No. 1428); to the Committee on Appropriations and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII,

Mr. TAYLOR of Colorado, from the Committee on the Public Lands, to which was referred the bill (H. R. 18747) to reserve certain lands and to incorporate the same and make them a part of the Pike National Forest, reported the same with amendment, accompanied by a report (No. 1244), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. FITZGERALD: A bill (H. R. 20241) making appropriations to supply urgent deficiencies in appropriations for the fiscal year 1915 and prior years, and for other purposes; to the Committee of the Whole House on the state of the Union.

By Mr. HULINGS: A bill (H. R. 20242) to equalize the bounties of soldiers who served in the late war for the Union; to the Committee on Military Affairs.

By Mr. BAKER: A bill (H. R. 20243) to acquire a site and erect a building thereon for the use of the United States post office at Wildwood, N. J.; to the Committee on Public Buildings and Grounds.

By Mr. LINDBERGH: A bill (H. R. 20244) for the construction of a bridge across the Mississippi River at the point where the line of the proposed Duluth and St. Vincent State highways enters upon the Minnesota National Forest, and also a bridge across the Narrows between Cass Lake and Pike Bay, where the line of said proposed highway leaves said Minnesota National Forest; to the Committee on Interstate and Foreign Commerce.

By Mr. STEPHENS of Nebraska: A bill (H. R. 20245) defining and establishing the judicial district of Nebraska and providing for changes in said district, and a division of said district into divisions, and for holding the terms of court therein, and for other purposes; to the Committee on the Judiciary.

By Mr. McKELLAR: A bill (H. R. 20246) to establish and maintain military training in the several States of the Union, in Alaska, and in the District of Columbia; to the Committee on Military Affairs.

By Mr. ALLEN: Joint resolution (H. J. Res. 392) to determine the construction of an act to increase internal revenue, and for other purposes, approved October 22, 1914; to the Committee on Ways and Means.

By Mr. MANN: Joint resolution (H. J. Res. 393) to discontinue the printing of certain publications; to the Committee on Printing.

By Mr. SMITH of Texas: Resolution (H. Res. 685) to amend the rules of the House of Representatives; to the Committee on Rules.

By Mr. PARKER of New York: Resolution (H. Res. 686) authorizing the Clerk of the House to pay to Wilber H. Estey,

clerk of the late Hon. Edwin A. Merritt, jr., the sum of $125, being an amount equal to one month's salary; to the Committee on Accounts.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BROWNING: A bill (H. R. 20247) granting an increase of pension to Laura N. Thomson; to the Committee on Invalid Pensions.

By Mr. CRAMTON: A bill (H. R. 20248) granting an increase of pension to Amanda Keys; to the Committee on Invalid Pensions.

By Mr. DERSHEM: A bill (H. R. 20249) granting a pension to Mary E. Temple; to the Committee on Invalid Pensions.

By Mr. DOREMUS: A bill (H. R. 20250) granting a pension to Robert Cowan, jr.; to the Committee on Pensions.

Also, a bill (H. R. 20251) granting a pension to George H. Dry; to the Committee on Invalid Pensions.

By Mr. EAGAN: A bill (H. R. 20252) granting an increase of pension to Anna Nau; to the Committee on Invalid Pensions.

By Mr. FESS: A bill (H. R. 20253) granting an increase of pension to Stephen J. Miller; to the Committee on Invalid Pensions.

By Mr. FRANCIS: A bill (H. R. 20254) granting a pension to Dora Hewey; to the Committee on Invalid Pensions.

By Mr. GOOD: A bill (H. R. 20255) granting an increase of pension to Levi Sanderson; to the Committee on Invalid Pensions.

By Mr. GRIEST: A bill (H. R. 20256) granting a pension to Elizabeth Bowman; to the Committee on Invalid Pensions.

By Mr. HENSLEY: A bill (H. R. 20257) granting an increase of pension to J. K. P. Wood; to the Committee on Invalid Pensions.

By Mr. HINDS: A bill (H. R. 20258) granting a pension to Andrew Howard Carpenter; to the Committee on Pensions.

By Mr. LANGLEY: A bill (H. R. 20259) granting an increase of pension to Hanbill Combs; to the Committee on Invalid Pensions.

By Mr. McGILLICUDDY: A bill (H. R. 20260) granting an increase of pension to David Harrison Colby; to the Committee on Invalid Pensions.

By Mr. MORGAN of Louisiana: A bill (H. R. 20261) granting a pension to James G. Caldwell; to the Committee on Invalid Pensions.

By Mr. PAIGE of Massachusetts: A bill (H. R. 20262) to remove the charge of desertion from the service record of Edward Stanton and grant him an honorable discharge; to the Committee on Military Affairs.

By Mr. PROUTY: A bill (H. R. 20263) granting an increase of pension to George W. Barrickman; to the Committee on Invalid Pensions.

By Mr. REILLY of Connecticut: A bill (H. R. 20264) granting a pension to Catherine Steele; to the Committee on Invalid Pensions.

By Mr. SELLS: A bill (H. R. 20265) granting a pension to David Owens; to the Committee on Pensions.

Also, a bill (H. R. 20266) granting an increase of pension to William Allen; to the Committee on Invalid Pensions.

Also, a bill (H. R. 20267) granting an increase of pension to Esau M. Shelton; to the Committee on Invalid Pensions.

By Mr. SMITH of New York: A bill (H. R. 20268) granting a pension to John Fletcher; to the Committee on Pensions.

By Mr. SUTHERLAND: A bill (H. R. 20269) granting an increase of pension to John W. Marks; to the Committee on Invalid Pensions.

Also, a bill (H. R. 20270) to reinstate Alonzo E. Wheat to his former rank and grade in the Philippine Scouts, United States Army; to the Committee on Military Affairs.

Also, a bill (H. R. 20271) to reimburse S. S. Buzzerd, postmaster at Berkeley Springs, Morgan County, W. Va., for cash stolen; to the Committee on the Post Office and Post Roads.

By Mr. TAVENNER: A bill (H. R. 20272) granting an increase of pension to William H. Norris; to the Committee on Invalid Pensions.

By Mr. WATKINS: A bill (H. R. 20273) for the relief of the Shreveport Mutual Building Association; to the Committee on Claims.

By Mr. WILLIAMS: A bill (H. R. 20274) granting a pension to Moses R. Hardin; to the Committee on Invalid Pensions.

Also, a bill (H. R. 20275) granting an increase of pension to Charles E. Marks; to the Committee on Invalid Pensions.

Also, a bill (H. R. 20276) granting an increase of pension to Elijah Cunningham; to the Committee on Invalid Pensions.

Also, a bill (H. R. 20277) granting an increase of pension to John W. Cain; to the Committee on Invalid Pensions.

Also, a bill (H. R. 20278) granting an increase of pension to John W. Gahan; to the Committee on Pensions.

By Mr. WINGO: A bill (H. R. 20279) granting an increase of pension to Edward T. Wolfe; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By the SPEAKER (by request): Memorial of the Synod of California, relative to polygamy in the United States; to the Committee on the Judiciary.

Also (by request), memorial of Federal Council of Churches of Christ of America, relative to our policy toward oriental nations; to the Committee on Foreign Affairs.

By Mr. AINEY: Petitions of 100 voters of Troy, Pa.; 418 people of Wyalusing, Pa.; Rev. J. C. Bryan, of Le Roy, Pa.; and D. A. Ross, of Burlington, Pa., favoring national prohibition; to the Committee on Rules.

By Mr. ALLEN: Memorial of Ohio Building Association League, requesting exemption of building and loan associations from operation of the emergency revenue act; to the Committee on Ways and Means.

Also, memorial of Council of the City of Cincinnati, favoring the passage of the Hamill bill (H. R. 5139); to the Committee on Reform in the Civil Service.

By Mr. ASHBROOK: Evidence to accompany House bill 18003, for the relief of Sidney Smith; to the Committee on Invalid Pensions.

Also, evidence to accompany House bill 19098, for the relief of Anna R. Wright; to the Committee on Pensions.

Also, evidence to accompany bill (H. R. 12479) for the relief of Frank Klingler; to the Committee on Pensions.

By Mr. BALTZ: Petition of business men of Afton, Mulberry Grove, Lebanon, Keyesport, and Collinsville, Ill., favoring passage of House bill 5308; to the Committee on Ways and Means.

Also, telegrams from churches of cities of East St. Louis, New Douglas, Alton, Greenville, and Edwardsville, Ill., favoring passage of House joint resolution 168, for nation-wide prohibition; to the Committee on Rules.

Also, petition of divers persons of Godfrey, Worden, Alton, Reno, Hamel, Edwardsville, Granite City, Venice, Sorento, and Collinsville, Ill., favoring passage of House joint resolution 168, proposing amendment to Constitution for nation-wide prohibition; to the Committee on Rules.

By Mr. BARTHOLDT: Petition of St. Louis Trades and Labor Union, representing 65,000 workingmen, against national prohibition; to the Committee on Rules.

Also, petitions of the Charles Ehlermann Hops & Malt Co., of 830 members of the Brewers and Maltsters' Union, of 480 members of the Brewery Freight Handlers' Union, and of 240 members of the Brewery Oilers' Union, all of St. Louis, Mo., against national prohibition; to the Committee on Rules.

By Mr. BEAKES: Petitions of 750 citizens of the second congressional district of Michigan, in favor of national prohibition; to the Committee on Rules.

Also, petitions of 25 citizens of Memphis and Palmyra, Mich., in favor of national prohibition; to the Committee on Rules.

By Mr. BELL of California: Petitions of the Friends' Church of Huntington Park; the Friends' Sunday School of Los Angeles; the united Sunday schools and churches of San Dimas; the Methodist, Presbyterian, Congregationalist, Baptist, and Christian Churches of Glendale; and various churches and Sunday schools and the Federated Woman's Christian Temperance Union of Pasadena; the First Norwegian-Danish Methodist Episcopal Church, of Los Angeles; and the Methodist Episcopal Church Sunday School and Woman's Christian Temperance Union of Compton, all of California, favoring national prohibition; to the Committee on Rules.

By Mr. BRUCKNER: Petition of N. H. Bern, of New York, favoring civil-service retirement bill; to the Committee on Reform in the Civil Service.

Also, petition of Edmund Pfeuffer, of New York, favoring loan by United States Navy Department of a suitable vessel to be used as a training ship by the New York State Nautical School; to the Committee on Naval Affairs.

Also, petition of the German-American Chamber of Commerce, New York, favoring bill prohibiting export from the United States of munitions of war; to the Committee on Ways and Means.

By Mr. CARY: Petitions of Mrs. Courtney T. Kitchel, 297 Ogden Avenue, Milwaukee, Wis., and Miss Marie Marchant, 297

Ogden Avenue, Milwaukee, Wis., protesting against the passage of the woman-suffrage bill; to the Committee on the Judiciary.

Also, petition of Robley D. Evans Camp, No. 33, Spanish War Veterans, favoring resolution to investigate the War and Navy Departments; to the Committee on Naval Affairs.

By Mr. CRAMTON: Petitions of L. D. Cole and 95 others, of St. Clair County; Y. J. Humphries and 74 others, of Croswell; Miss Lillie Brooks and 51 others, of Brown City; Thomas J. Coote and 137 others, of Huron County; L. N. Moon and 54 others, of Sandusky; Noot Gerger and 12 others, of Pigeon; J. R. Reid and 16 others, of Avoca; Adrian J. Bishop and 9 others, of Wales; O. B. Griffin and 67 others, of Vassar; L. H. Nixon and 29 others, of Almont; John H. Merrill and 19 others, of Yale; I. M. Hurt and 58 others, of Richmond; C. D. Summers and 52 others, of Mayville and vicinity; A. J. Williams and 38 others, of Memphis; Sidney D. Coa and 91 others, of Marine City; Arthur Van Blaricom and 23 others, of Tuscola County; Joseph Armstrong and 62 others, of Lapeer; Earl Clothier and 15 others, of Clifford; J. C. Fritch and 91 others, of Deckerville; Louis Weber and 36 others, of Elkton; A. B. Atkins and 7 others, of Atkins; Decker Thomson and 208 others, of Sanilac County; Rev. William Edgar Brown, of Port Huron; John F. Seeley, of Caro; Adolph Halmhuber, of Sebewaing; and Mrs. Sheldon Smith and 78 others, of New Haven, all of the seventh district of Michigan, in favor of the Hobson resolution for the submission of the question of national prohibition to the legislatures of the several States; to the Committee on Rules.

Also, resolutions of Rev. Sidney D. Eva and congregation of Methodist Episcopal Church, Marine City; Rev. M. P. Karr and congregation of Methodist Episcopal Church, Millington; Rev. L. N. Moon and congregations of Methodist Episcopal Church and Custer Church and other organizations of Sandusky; Rev. B. E. Allen and 80 members of Woman's Christian Temperance Union of North Branch; Rev. W. B. Weaver and congregation of Methodist Episcopal Church, Port Huron; Rev. J. W. Wallace and congregation of First Baptist Church, Capac; Rev. J. G. Haller and 40 men of Methodist Episcopal Sunday school class and 200 of congregation, of Lapeer; Rev. A. V. Brashear and congregation of Presbyterian Church, Marlette; Rev. B. E. Allen and congregation of Methodist Episcopal Church, North Branch; Rev. S. G. Livingston and congregations of Presbyterian and Methodist Churches, Lapeer; Rev. John E. Mealley and congregation of Washington Avenue Church, Port Huron; and Rev. F. T. Kyle, paston of Erskine Church, Bad Axe, all of the seventh district of Michigan, in favor of the Hobson resolution for the submission of the question of national prohibition to the legislatures of the several States; to the Committee on Rules.

By Mr. DONOVAN: Petition of citizens of Bridgeport and Hartford, Conn., against woman-suffrage amendment; to the Committee on the Judiciary.

Also, petition of citizens of Danbury and Bridgeport, Conn., against woman-suffrage amendment; to the Committee on the Judiciary.

Also, petition of citizens of Stamford, Bridgeport, Glenbrook, Greenwich, and Darien, Conn., favoring national prohibition; to the Committee on Rules.

Also, petition of citizens and churches of Bridgeport, Stamford, and New Canaan, Conn., favoring national prohibition; to the Committee on Rules.

By Mr. DOREMUS: Petition of citizens of the State of Michigan, favoring national prohibition; to the Committee on Rules.

By Mr. EAGAN: Petition of sundry citizens of the State of New Jersey, favoring the Mondell resolution, relative to woman suffrage; to the Committee on Rules.

Also, petition of members of the Adult Bible League of Pleasant View Sunday School, of Somerset County, N. J., favoring national prohibition; to the Committee on Rules.

By Mr. FESS: Petitions of J. C. Shewatter, Springfield, Ohio; C. W. Evans, Huntsville, Ohio; Morrow (Ohio) Methodist Episcopal Church; Ralph C. Jones, Morrow, Ohio; R. J. Mason, Waynesville, Ohio; E. J. Whiteley, Waynesville, Ohio; W. D. Piper, Springfield, Ohio; Cedarville (Ohio) Reformed Presbyterian Church; W. R. McChesney, Cedarville, Ohio; Charles A. Magovern, St. Paris, Ohio; D. B., M. A., and A. E. Magovern, St. Paris, Ohio; Charles Scanlon, Pittsburgh, Pa.; Young Men's Christian Association of the Ohio State University; T. P. Cain, Waynesville, Ohio; "Every Man's" Bible Class of Clifton Avenue Methodist Episcopal Church, of Sprinfield, Ohio; T. E. Keelor and Peter D. Hatfield, Lebanon, Ohio, urging favorable action on the Hobson resolution; to the Committee on Rules.

Also, petition of the Ohio Building Association League, asking that such associations be exempted from the tax imposed upon them by the emergency-revenue law; to the Committee on Ways and Means.

By Mr. GARNER: Memorial of Guadalupe County (Tex.) German-American National Alliance and German Club, of Bishop, Tex., protesting against sale of firearms by United States to warring nations; to the Committee on Foreign Affairs.

Also, memorial of executive committee of the Cattle Raisers' Association of Texas, commending Bureau of Animal Industry in its work relative to foot-and-mouth disease among cattle; to the Committee on Agriculture.

By Mr. GRAHAM of Pennsylvania: Memorial of the Ohio Labor Home Rule Association, of Cincinnati, and Union Label Trades Department of the American Federation of Labor; Louis Wreghorst and United Brewery Workers of Philadelphia, Pa., protesting against national prohibition; to the Committee on Rules.

Also, petition of State legislative board, Brotherhood of Railroad Trainmen, of Pennsylvania, favoring the passage of the Goeke bill, H. R. 17894; to the Committee on Interstate and Foreign Commerce.

Also, memorial of Woman Suffrage Party of Philadelphia, Pa., favoring the Bristow-Mondell resolution for suffrage for women; to the Committee on Rules.

Also, petition of Man Suffrage Association, opposed to political suffrage for women, and Marie Watson, of Monessen, Pa., protesting against suffrage for women; to the Committee on Rules.

Also, petition of Navy League of the United States, regarding baseless attack on Navy League in Congress; to the Committee on Naval Affairs.

Also, memorial of the national legislative committee of the Antisaloon League of America and members of Ankaret Lodge, No. 19, International Order of Good Templars, of Chicago, Ill., favoring national prohibition; to the Committee on Rules.

By Mr. GRAY: Petition of Rev. Harry C. Harman, pastor First Methodist Episcopal Church; Rev. H. S. James, pastor United Brethren Church; Rev. C. Raymond Isley, pastor Second English Evangelical Lutheran Church; Rev. M. S. Hinchelle, pastor East Main Street Friends Church; Rev. W. O. Stovall, pastor First Baptist Church; Rev. Conrad Huber, pastor St. Paul's Evangelical Lutheran Church; M. D. Thomas, president Christian Endeavor Society of Second Methodist Episcopal Church; Charles M. Lyons, president Bible class of First Methodist Episcopal Church; A. L. Bramkamp; Mr. and Mrs. Francis W. Shepherd; James Charles; S. E. Nicholson; Dr. Joseph M. Thurston; John F. Holaday; Robert W. Randle; W. P. Richardson; C. Wellbaum; C. E. Newman; J. E. Eves; S. G. Curtis; Elbert Russel; C. Sumner Beard; John R. Jordan; S. A. Mills; Timothy Nicholson; Lenora H. Kenworthy; R. T. Davis; Mahlon Lindley; L. H. Bunyan; J. M. and Zelinda Glugs; Adam H. Bartel; Murray S. Kenworthy; Conrad Huber, president Young Men's Christian Association; A. L. Ellis, of Whitewater Friends' Church; Robert L. Kelly, president Earlham College, all of Richmond, Ind.; Rev. L. E. Brown, pastor Christian Church; Rev. W. D. Lewis, pastor First Presbyterian Church; Rev. J. F. O'Haver, pastor First Methodist Episcopal Church; Rev. F. A. Guthrie, pastor Grand Avenue Methodist Church; Rev. H. H. Peters, pastor German Presbyterian Church, all of Connersville, Ind.; Rev. H. A. Wingard, pastor Christian Church; Rev. H. A. Wingard, Bible school of Christian Church; and Ora McDaniel, all of Morristown, Ind.; Rev. A. W. Jamieson, pastor United Presbyterian Church, of Rushville, Ind.; W. E. Lisher and Davis Birely Table Co., of Shelbyville, Ind.; Rev. Elmer Mater, pastor Homer Church, of Homer, Ind., favoring national prohibition; to the Committee on Rules.

By Mr. GRIEST: Petition of teachers and students of Elizabethtown (Pa.) College, favoring national prohibition; to the Committee on Rules.

By Mr. GUERNSEY: Petitions of 200 citizens of Monticello and 100 of Newport, Me., favoring national prohibition; to the Committee on Rules.

By Mr. HAMILTON of New York: Petition of Young People's Branch of Woman's Christian Temperance Union of Falconer, N. Y., favoring national prohibition; to the Committee on Rules.

By Mr. HINDS: Memorial of church organizations and citizens of the State of Maine, favoring national prohibition; to the Committee on Rules.

By Mr. HOXWORTH: Petition of citizens of Quincy, Ill., favoring prohibition of the Menace from the United States mails; to the Committee on the Post Office and Post Roads.

Also, petition of divers persons of the fifteenth Illinois district favoring the passage of House joint resolution 168, by Mr. HOBSON, of Alabama, providing amendment to Constitution for a Nation-wide prohibition; to the Committee on Rules.

Also, petition of business men of Rushville and Lewiston, Ill., favoring passage of House bill 5308; to the Committee on Ways and Means.

By Mr. IGOE: Petitions signed by Eugene Sarber, of St. Louis, and over 150,000 voters of Missouri, protesting against the passage of all resolutions seeking to amend the Constitution of the United States so as to provide nation-wide prohibition; to the Committee on Rules.

Also, a telegram signed by David Kreyling, secretary of the Central Trades and Labor Union of St. Louis, representing 65,000 organized workingmen of that city, protesting on behalf of the union against the passage of resolutions providing for Nation-wide prohibition; to the Committee on Rules.

Also, a telegram signed by Thomas H. Gaus, secretary of the Brewery Engineers, No. 246, of St. Louis, protesting against the adoption of any resolutions providing for Nation-wide prohibition; to the Committee on Rules.

By Mr. KENNEDY of Rhode Island: Petition of Brewers' Union, Local No. 114, Providence, R. I., protesting against national prohibition; to the Committee on Rules.

Also, petitions of president and secretary of Branch No. 268 of Catholic Knights of America, relative to treatment of Catholics in Mexico; to the Committee on Foreign Affairs.

Also, petitions of Mrs. R. G. Hazard, of Peace Dale, R. I., and Mrs. John K. H. Nightingale, of Providence, opposing woman suffrage; petitions of Mrs. Harriet K. Carpenter, of Peace Dale, R. I.; Anna D. Robinson, Edna Kroener, Annie C. B. Kroener, and Lottie S. Diekesman, all of Wakefield, R. I., favoring woman suffrage; to the Committee on the Judiciary.

By Mr. LANGHAM: Petition of citizens of Apollo, Pa., favoring national prohibition; to the Committee on Rules.

By Mr. LEVY: Petition of citizens and manufacturers of New York; Cincinnati, Ohio; Brooklyn, N. Y.; and Louisville, Ky., against national prohibition; to the Committee on Rules.

Also, petition of Joseph Edelstein, New York, favoring "war preparedness"; to the Committee on Military Affairs.

Also, petition of National Board of Steam Navigation, favoring appropriation for United States Coast and Geodetic Survey; to the Committee on Appropriations.

By Mr. LINDQUIST: Petitions favoring the passage of the Hobson resolution from citizens of Stanton, Big Rapids, Onoway, Rosebush, Mount Pleasant, Hercey, Entrican, Lake View, East Jordan, Breckenridge, Clarion, Petoskey, Good Heart, Harbor Springs, Stutzmanville, Gladwin, Everett, Shepard, Traverse City, North Star, Ithaca, St. Louis, Manton, Copemish, Mesick, Pamona, Elk Rapids, Wildwood, Conway, Allison, Lake City, Howard City, Amble, and Greenville, all of Michigan; to the Committee on Rules.

By Mr. LOBECK: Petition of citizens and churches of Omaha, Benson, Blair, South Omaha, Dundee, Gretna, Springfield, and Valley, Nebr., favoring national prohibition; to the Committee on Rules.

By Mr. LONERGAN: Petition of Mrs. Morgan G. Bulkeley, of Hartford, Conn., and 9 other Connecticut citizens, opposing woman suffrage; to the Committee on the Judiciary.

By Mr. McGILLICUDDY: Resolutions of citizens of East Dixfield, Franklin, Boothbay, Phippsburg, Byron, Oxford, Norway, Paris, West Paris, Round Mountain, Glencove, and North Haven, all in the State of Maine, favoring national prohibition; to the Committee on Rules.

By Mr. MAHAN: Letters from Guilford, Bridgeport, Hartford, Glastonbury, New Haven, Waterbury, Willimantic, West Haven, all in the State of Connecticut, in opposition to the adoption of constitutional amendment granting woman suffrage; to the Committee on the Judiciary.

By Mr. MOORE: Petitions of sundry citizens of Philadelphia, Pa., protesting against national prohibition; to the Committee on Rules.

By Mr. MORIN: Petition of citizens of Pittsburgh, Philadelphia, and Monessen, Pa., and New York, N. Y., against woman suffrage; to the Committee on the Judiciary.

Also (by request), petition of Corporation of Pittsburgh, Pa., against railway mail bill; to the Committee on the Post Office and Post Roads.

By Mr. MURRAY: Petitions of Oklahoma Presbyterians and citizens of Sumner, Mulhall, and Stillwater, Okla., favoring national prohibition; to the Committee on Rules.

By Mr. J. I. NOLAN: Petitions of Division No. 2, Ancient Order of Hibernians, Oakland, Cal., and the Insurance Brokers' Exchange, San Francisco, Cal., favoring the passage of the Hamill bill to pension superannuated civil-service employees; to the Committee on Reform in the Civil Service.

Also, resolutions of the Nord-Oestliche Saengerbund of America, protesting against the passage of the Hobson prohibition resolution; to the Committee on Rules.

By Mr. O'SHAUNESSY: Resolutions and petitions favoring national prohibition from J. G. Johnson, Francis W. Gibbs, Herbert M. Clarke, Raymond I. Blanchard, John Davidson, M. L. Dunning, W. K. Logee, John F. Vickert, George W. Smith, E. L. Clarke, Gideon A. Burgess, George H. Lewis, T. W. Waterman, the executive committee of State Sunday School Association, Sadie U. Rogers, Herbert B. Lee, Sarah A. Ward, Loren A. Clevenger, the Roger Williams Sunday School (330 people), Paul R. Pieri, Inez E. Lakin, Mrs. S. Mellor, A. H. Appleby, C. H. Keach, Gaius Atkins, William H. Fido, E. L. Marsh, A. Totten, F. E. Dodge, O. L. Paine, J. V. Prinly, H. J. Warren, A. A. Church, L. W. Roberts, John Burdsell, A. E. Hodgkins, Frank E. Farmham, Frederick Lockwood, W. W. Bowen, Alexander Potter, Lewis Wiswall, Alexander Hindmarsh, Thomas R. Simmons, Waldron C. Nason, Arthur C. Farmham, Mary E. Marsh, Ellen E. Chandler, Helen B. Waterman, Marion Germaine, Ada M. Field, Minnie Sheldun, A. M. Black, Margaret M. Schellinger, Georgia H. Murray, Fanny D. Lane, Mrs. Matilda A. Roberts, Ellen Rotch, Mrs. R. C. Manchester, Mrs. B. B. Hodgkins, Mrs. H. J. Warren, Mrs. B. L. Davis, Mrs. William E. Mitchell, Marietta B. Billson, Mrs. Nellie F. Farmham, Miss Sarah E. Dyer, Mrs. E. M. Farnham, Mrs. Grace Germanshausen, Ernest George Wesley, the Hope Street Methodist Episcopal Church (34 people), James E. Springer, and Clarence I. Brown, all of Providence, R. I.; the Shiloh Baptist Church, of Newport, R. I.; the Men's Club of the People's Congregational Church (30 people), the People's Congregational Church (84 people), William C. Gardiner, M. M. Tallman, all of Barrington, R. I.; Frank V. Crowell, of Warren, R. I.; Edward B. Ayler, sr., Raymond H. Ayler, Isabell F. Tenap, Louise J. Ayler, Alice L. Ayler, all of Portsmouth, R. I.; Mrs. Martha A. Philips, Mrs. Helen A. Hosmer, Mrs. S. V. Chaffee, Mrs. Alice M. Luther, Mrs. A. C. Potter, Mrs. Susie Ide, Mrs. R. Rossler, Mrs. Schyardson, Mrs. William B. Enos, Mrs. Clifford F. Leonard, all of East Providence, R. I.; F. B. Murch, Leroy L. Daniels, John J. Clarke, the Broadway Baptist Sunday School, the Fourth Baptist Church, Howard P. Norton, L. D. Burlingame, all of Providence, R. I.; to the Committee on Rules.

By Mr. PAIGE of Massachusetts: Petition of 57 organizations of Massachusetts having a total membership of 6,241, favoring national prohibition; to the Committee on Rules.

Also, petition of 53 citizens of Leominster, 59 citizens of Orange, and 35 citizens of Franklin County, all in the State of Massachusetts, favoring national prohibition; to the Committee on Rules.

By Mr. PETERS: Petitions from sundry citizens of Columbus, Liberty, Belfast, Waldo, Cornville, Harmony, Ripley, Ocean View, North Penobscot, Sullivan, Hancock, and Wayne, all in the State of Maine, urging passage of Hobson resolution for national constitutional prohibition; to the Committee on Rules.

By Mr. POWERS: Petitions of citizens and church organizations of the State of Kentucky, favoring national prohibition; to the Committee on Rules.

By Mr. REILLY of Connecticut: Petition of sundry citizens of the third congressional district of the State of Connecticut, favoring national prohibition; to the Committee on Rules.

By Mr. SCULLY: Memorial of First Baptist Church and Woman's Christian Temperance Union, of Holmdel; 131 members of Methodist Episcopal Church of Allenwood; 180 members of First Baptist Church, of Lakewood, all in the State of New Jersey, favoring national prohibition; to the Committee on Rules.

Also, petition of Manalapan Grange, No. 19, Patrons of Husbandry, of Englishtown, N. J., protesting against taking rural free delivery from under civil service; to the Committee on the Post Office and Post Roads.

By Mr. J. M. C. SMITH: Petition of 234 citizens of Kalamazoo, 79 citizens of Charlotte, 91 citizens of Coldwater, 40 citizens of North Adams, 86 citizens of Eaton Rapids, 97 citizens of Albion, 37 citizens of Reading, 87 citizens of Osseo, 87 citizens of Battle Creek, 11 citizens of Camden, 98 citizens of Hillsdale, 47 citizens of Homer, 24 citizens of Jerome, 17 citizens of Somerset Center, 19 citizens of Pinckney, 7 citizens of Howell, 33 citizens of Vicksburg, 3 citizens of Scotts, 12 citizens of Rollins, 14 citizens of Hudson, 10 citizens of Mainton Beach, 11 citizens of Townley, 1 citizen of Addison, 23 citizens of Grand Ledge, 6 citizens of Mulliken, 11 citizens of Sunfield, and 4 citizens of Portland, all of Michigan, favoring national constitutional prohibition; to the Committee on Rules.

Also, papers to accompany bill for pension for Mary A. Tilton; to the Committee on Invalid Pensions.

By Mr. SUTHERLAND: Petition of citizens and churches of West Virginia, favoring national prohibition; to the Committee on Rules.

Also, papers filed in support of a bill introduced for the purpose of granting an increase of pension to John W. Marks; to the Committee on Invalid Pensions.

By Mr. THOMAS: Petition of First Baptist Church and citizens of Bowling Green, Ky., favoring national prohibition; to the Committee on Rules.

By Mr. THOMPSON of Oklahoma: Petition of 50 citizens of Crescent, Okla., favoring national prohibition; to the Committee on Rules.

By Mr. TREADWAY: Petitions from churches and organizations in the towns of Leyden, Great Barrington, Shelburne Falls, Lenox, Stockbridge, North Egremont, Westfield, Greenfield, Lee, Richmond, Cummington, Plainfield, Heath, East Colerain, and the city of Holyoke, Mass., favoring national prohibition; to the Committee on Rules.

By Mr. TUTTLE: Petitions of citizens of Pleasant View, Plainfield, Roselle Park, Rahway, and Elizabeth, N. J., favoring national prohibition; to the Committee on Rules.

By Mr. WALLIN: Petitions of sundry societies and citizens in the fifth New York congressional district, favoring national prohibition; to the committee on Rules.

By Mr. WOODRUFF: Petitions of citizens of the tenth congressional district of Michigan, favoring national prohibition; to the Committee on Rules.

By Mr. YOUNG of North Dakota: Petition of United Commercial Travelers of Fargo, N. Dak., against any increase in cost of railway mileage books; to the Committee on Interstate and Foreign Commerce.

Also, petition of United Commercial Travelers of Fargo, N. Dak., favoring House bill 18683, relative to election of Representatives in Congress and appointment of electors of President and Vice President of the United States; to the Committee on Election of President, Vice President, and Representatives in Congress.

SENATE.

TUESDAY, *December 22, 1914.*

The Chaplain, Rev. Forrest J. Prettyman, D. D., offered the following prayer:

Almighty God, all of our work is begun, continued, and ended in Thee. Thou art the Lord of life. How fully Thou dost hold us in Thy hand. We propose great plans, and Thou dost prevent us. We submit ourselves to the divine rule, and unnumbered blessings are showered upon us. We contend with each other in the sincerity of our purpose to live out a worthy life. We do not contend with Thee who art the Lord of life. Before Thee we submit ourselves, our all. We pray for the divine guidance that our life may be worthy and that we may hear at last from Thee, Well done, good and faithful servant. We ask these blessings in Christ's name. Amen.

NAMING A PRESIDING OFFICER.

The Secretary (James M. Baker) read the following communication:

UNITED STATES SENATE, PRESIDENT PRO TEMPORE,
Washington, D. C., December 22, 1914.

To the Senate:

Being temporarily absent from the Senate, I appoint Hon. CLAUDE AUGUSTUS SWANSON, a Senator from the State of Virginia, to perform the duties of the Chair during my absence.

JAMES P. CLARKE,
President pro tempore.

Mr. SWANSON thereupon took the chair as Presiding Officer and directed that the Journal of the last legislative day be read.

The Journal of yesterday's proceedings was read and approved.

NATIONAL FOREST RESERVATION COMMISSION (S. DOC. NO. 661).

The PRESIDING OFFICER. The Chair lays before the Senate a communication from the Secretary of War, transmitting the report of the National Forest Reservation Commission for the fiscal year ended June 30, 1914. The communication and accompanying paper and illustrations will be referred to the Committee on Forest Reservations and the Protection of Game and ordered printed.

Mr. GALLINGER. I ask unanimous consent that 1,000 additional copies of the report be printed for the use of the commission.

The PRESIDING OFFICER. If there is no objection, it is so ordered. The Chair would suggest that the report includes charts. Does the request of the Senator from New Hampshire include the printing of the charts also?

Mr. GALLINGER. I ask consent that the charts may also be printed. They are not very voluminous.

The PRESIDING OFFICER. If there is no objection, the charts also will be included in the order to print 1,000 additional copies.

SALARIES OF NAVY-YARD EMPLOYEES.

The PRESIDING OFFICER laid before the Senate a communication from the Secretary of the Navy, transmitting, at the request of the National Association of United States Civil Service Employees at Navy Yards and Stations, a scale of salaries adopted by that organization in convention, which, with the accompanying paper, was referred to the Committee on Civil Service and Retrenchment.

FINDINGS OF THE COURT OF CLAIMS.

The PRESIDING OFFICER laid before the Senate communications from the assistant clerk of the Court of Claims, transmitting certified copies of the findings of fact and conclusions filed by the court in the following causes:

In the cause of R. A. Jones, administrator of the estate of Solomon Jones, deceased, *v.* The United States (S. Doc. No. 672);

In the cause of William M. Ross, administrator of Stephen M. Holt, deceased, *v.* The United States (S. Doc. No. 663);

In the cause of Philip H. Andrews *v.* The United States (S. Doc. No. 664);

In the cause of John V. Apthorp *v.* The United States (S. Doc. No. 665);

In the cause of Frederick E. Bullock, son and sole heir of George W. Bullock, deceased, *v.* The United States (S. Doc. No. 666);

In the cause of Elise Brammer, daughter of Henry Kroeger, deceased, *v.* The United States (S. Doc. No. 667);

In the cause of Leonard H. Mahan *v.* The United States (S. Doc. No. 668);

In the cause of George B. Loud *v.* The United States (S. Doc. No. 669);

In the cause of Jerome Tourtellotte *v.* The United States (S. Doc. No. 670); and

In the cause of John Strang *v.* The United States (S. Doc. No. 671).

The foregoing findings were, with the accompanying papers, referred to the Committee on Claims and ordered to be printed.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by J. C. South, its Chief Clerk, announced that the House agrees to the amendment of the Senate to the bill (H. R. 6939) to reimburse Edward B. Kelley for moneys expended while superintendent of the Rosebud Indian Agency in South Dakota.

The message also announced that the House had passed the following bills:

S. 6227. An act granting the consent of Congress to the Norfolk-Berkley Bridge Corporation, of Virginia, to construct a bridge across the Eastern Branch of the Elizabeth River in Virginia; and

S. 6687. An act to authorize the Chesapeake & Ohio Northern Railway Co. to construct a bridge across the Ohio River a short distance above the mouth of the Little Scioto River, between Scioto County, Ohio, and Greenup County, Ky., at or near Sciotoville, Ohio.

The message further announced that the House had passed the bill (S. 6266) to authorize the Secretary of Agriculture to license cotton warehouses, and for other purposes, with an amendment, in which it requested the concurrence of the Senate.

The message also announced that the House had passed the bill (S. 2651) providing for the purchase and disposal of certain lands containing the minerals kaolin, kaolinite, fuller's earth, china clay, and ball clay within portions of Indian reservations heretofore opened to settlement and entry, with amendments, in which it requested the concurrence of the Senate.

The message further announced that the House had passed the following bills and joint resolutions, in which it requested the concurrence of the Senate:

H. R. 12050. An act reserving from entry, location, or sale lots 1 and 2 in section 33, township 13 south, range 4 west, New Mexico prime meridian, in Sierra County, N. Mex., and for other purposes;

H. R. 13222. An act to regulate the use of public school buildings and grounds in the District of Columbia;

H. R. 20241. An act making appropriations to supply urgent deficiencies in appropriations for the fiscal year 1915 and prior years, and for other purposes;

H. J. Res. 234. Joint resolution directing the selection of a site for the erection of a statue in Washington, D. C., to the memory of the late Maj. Gen. George Gordon Meade; and

H. J. Res. 366. Joint resolution authorizing the Secretary of War to use any allotment made under the provisions of an act approved October 2, 1914, entitled "An act making appropria-

tions for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes," for the improvement of East River and Hell Gate, N. Y.

ENROLLED BILL AND JOINT RESOLUTION SIGNED.

The message also announced that the Speaker of the House had signed the following enrolled bill and joint resolution, and they were thereupon signed by the Presiding Officer as Acting President pro tempore:

H. R. 6867. An act to increase and fix the compensation of the collector of customs for the customs collection district of Omaha; and

S. J. Res. 213. Joint resolution authorizing the Secretary of the Senate and the Clerk of the House to pay the officers and employees of the Senate and House, including the Capitol police, their respective salaries for the month of December, 1914, on the 22d day of said month.

PETITIONS AND MEMORIALS.

The PRESIDING OFFICER presented a petition of the Merchants' Association of Manila, P. I., praying for an investigation of the financial transactions of the Philippine Islands with a view of determining whether a sum of money is not still due those islands from the Government of the United States, which was referred to the Committee on the Philippines.

He also presented resolutions adopted by the Municipal Council of Angadanan, Isabela, P. I., praying for the passage of the so-called Jones bill, for the self-government of the Philippine Islands, which was referred to the Committee on the Philippines.

Mr. SHEPPARD presented petitions of sundry citizens of Texas, praying for the enactment of legislation to prohibit the export of contraband articles of war, which were referred to the Committee on Military Affairs.

He also presented petitions of sundry citizens of Texas and of Tyrone, Okla., praying for national prohibition, which were referred to the Committee on the Judiciary.

Mr. GALLINGER presented petitions of Granite State Lodge, No. 235, Brotherhood of Railroad Trainmen, of Manchester; of the Brotherhood of Locomotive Engineers of Concord; and of Mount Washington Lodge, No. 461, Brotherhood of Locomotive Firemen and Enginemen of Woodsville, all in the State of New Hampshire, praying for the enactment of legislation providing for safety appliances on locomotives, etc., which were referred to the Committee on Interstate Commerce.

He also presented a petition of Charity Lodge, No. 53, International Order of Good Templars, of Wilmot Flat, N. H., praying for national prohibition, which was referred to the Committee on the Judiciary.

Mr. TOWNSEND presented memorials of sundry citizens of Michigan, remonstrating against national prohibition, which were referred to the Committee on the Judiciary.

He also presented petitions of sundry citizens of Michigan, praying for national prohibition, which were referred to the Committee on the Judiciary.

Mr. TOWNSEND (for Mr. SMITH of Michigan) presented petitions of sundry citizens of Michigan, praying for national prohibition, which were referred to the Committee on the Judiciary.

He also (for Mr. SMITH of Michigan) presented a memorial of the Federation of Labor of Detroit, Mich., remonstrating against national prohibition, which was referred to the Committee on the Judiciary.

Mr. GRONNA presented petitions of the congregation of the Methodist Episcopal Church of Edmore and of sundry citizens of Hillsboro, Dazey, and Towner, all in the State of North Dakota, praying for national prohibition, which were referred to the Committee on the Judiciary.

Mr. ROBINSON presented petitions of sundry citizens of Arkansas, praying for national prohibition, which were referred to the Committee on the Judiciary.

Mr. McCUMBER presented a memorial of the North Dakota Nurserymen's Association, remonstrating against the free distribution of forest trees by the authorities at the Great Plains Field Station, which was referred to the Committee on Agriculture and Forestry.

Mr. WEEKS presented petitions of sundry citizens of Framingham, Worcester, Osterville, North Tewksbury, North Abington, Hudson, Uxbridge, Haverhill, West Newbury, and New Bedford, all in the State of Massachusetts, praying for national prohibition, which were referred to the Committee on the Judiciary.

Mr. MYERS presented petitions of sundry citizens of Whitehall and Anaconda, in the State of Montana, praying for national prohibition, which were referred to the Committee on the Judiciary.

He also presented a telegram in the nature of a memorial from the Chamber of Commerce of Butte, Mont., remonstrating against national prohibition, which was referred to the Committee on the Judiciary.

BILLS AND JOINT RESOLUTION INTRODUCED.

Bills and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. SHEPPARD:

A bill (S. 7040) to remodel the old post-office building at Austin, Tex. (with accompanying paper); to the Committee on Public Buildings and Grounds.

By Mr. SMITH of Georgia:

A bill (S. 7041) to amend section 260 of an act entitled "An act to codify, revise, and amend the laws relating to the Judiciary," approved March 3, 1911; to the Committee on the Judiciary.

By Mr. CLAPP:

A bill (S. 7042) for the construction of a bridge across the Mississippi River at the point where the line of the proposed Duluth and St. Vincent State highway enters upon the Minnesota National Forest, and also a bridge across the Narrows between Cass Lake and Pike Bay where the line of said proposed highway leaves said Minnesota National Forest; to the Committee on Appropriations.

By Mr. CUMMINS:

A bill (S. 7043) to amend an act entitled "An act granting pensions to certain enlisted men, soldiers, and officers who served in the Civil War and the War with Mexico," approved May 11, 1912; and

A bill (S. 7044) granting an increase of pension to Charles L. Watrous; to the Committee on Pensions.

By Mr. BRADY:

A bill (S. 7045) to increase the cost of construction of Federal building at Coeur d'Alene, Idaho (with accompanying papers); to the Committee on Public Buildings and Grounds.

By Mr. WORKS:

A bill (S. 7046) providing for the purchase of lands for an aviation school; to the Committee on Military Affairs.

A bill (S. 7047) to provide for the closing of barber shops in the District of Columbia on Sunday; to the Committee on the District of Columbia.

By Mr. ROBINSON:

A bill (S. 7048) to authorize the Secretary of the Interior to furnish hot water from the hot springs on the Hot Springs Reservation for drinking and bathing purposes free of cost to the Leo N. Levi Memorial Hospital Association; to the Commitee on Public Lands.

By Mr. SMOOT:

A bill (S. 7049) granting a pension to Edward Robinson (with accompanying papers); to the Committee on Pensions.

By Mr. JONES:

A bill (S. 7050) granting an increase of pension to Charles N. Schreiber (with accompanying papers); to the Committee on Pensions.

By Mr. WEEKS:

A bill (S. 7052) for the relief of John Duggan; to the Committee on Military Affairs.

By Mr. LODGE:

A joint resolution (S. J. Res. 216) to amend the immigration laws; to the Committee on Immigration.

DISPOSAL OF DAMAGED UNIFORMS.

Mr. POMERENE. Mr. President, I send to the desk a bill which I ask may be read twice and referred and that it be printed in the RECORD for the information of the Senate. It is very brief.

If I may be permitted to say just a word on the subject, I will state that about a year ago, during the floods in Ohio, the uniforms of the Ohio National Guard were ruined to such an extent that they became unserviceable and have since been condemned by a surveyor. Under the existing law the department is obliged to destroy these uniforms.

In southeastern Ohio there has been a strike pending for perhaps six or eight months among the miners. Many of them are in dire distress. The governor of the State asked the Secretary of War for permission to distribute these damaged uniforms among the miners. The Secretary of War refused the request because, under the statute, he has no alternative save to order their destruction. I do not feel that the uniforms ought to be destroyed when they can serve a good purpose among the destitute in the mining region. I have provided in the bill that any buttons or braid that may be on the uniforms shall be taken off, so that it can not be charged that the uniforms of the Government will be used for any improper purpose.

I ask that the bill be referred to the Committee on Military Affairs, with the hope that it can be reported out for passage at a very early date.

The bill (S. 7051) to authorize the disposal of clothing or uniforms which have become unserviceable or unsuitable was read twice by its title, referred to the Committee on Military Affairs, and ordered to be printed in the RECORD, as follows:

Be it enacted, etc., That whenever any clothing or uniforms which have heretofore or may hereafter be furnished by the War Department to any State or Territory or the District of Columbia have become unserviceable or unsuitable from use in the service, or from any other cause, they shall be examined by a disinterested surveying officer of the Organized Militia, to be appointed by the governor of the State or Territory or the commanding general of the National Guard of the District of Columbia, to which the clothing or uniforms have been issued, and his report shall be forwarded by said governor or commanding general direct to the Secretary of War, and if it shall appear to the Secretary of War from the record of survey that said clothing or uniforms are unserviceable or unsuitable for the purposes for which intended, then the buttons or braid thereon, if any, shall be removed therefrom, and the said clothing or uniforms shall be turned over to the governor of the State or Territory or to the commanding general of the National Guard of the District of Columbia to which said clothing or uniforms were furnished, to be by him distributed among the destitute of his State, Territory, or District of Columbia, in such manner as to him may seem proper and just.

SEC. 2. All acts or parts of acts inconsistent with these provisions are hereby repealed.

LANDS IN STATE OF WASHINGTON.

Mr. JONES submitted an amendment proposing to appropriate $50,000 to enable the Secretary of Agriculture to effect an exchange of lands and indemnity rights of the State of Washington pursuant to an agreement heretofore made by and between the Secretary of Agriculture and that State through its proper officers, etc., intended to be proposed by him to the Agricultural appropriation bill, which was referred to the Committee on Agriculture and Forestry and ordered to be printed.

REGULATION OF IMMIGRATION.

Mr. LODGE submitted an amendment intended to be proposed by him to the bill (H. R. 6060) to regulate the immigration of aliens to and the residence of aliens in the United States, which was ordered to lie on the table and to be printed in the RECORD, as follows:

On page 12, line 18, after the word "guests," insert the following proviso:

"*Provided*, That the provisions of this act relating to the illiteracy test, contract labor, or induced or assisted immigration shall not apply to agricultural immigrants from Belgium who come to the United States during the course of the present European war or owing to circumstances or conditions arising from the war if it is shown to the satisfaction of the Commissioner General of Immigration that said Belgian immigrants come prepared to take up land in the United States and become American citizens."

CIVIL WAR VOLUNTEER OFFICERS' RETIRED LIST.

The PRESIDING OFFICER. If there is no further morning business, the Chair will declare that order closed.

Mr. TOWNSEND. I move that the Senate proceed to the consideration of the bill (S. 392) to create in the War Department and Navy Department, respectively, a roll designated as "the Civil War volunteer officers' retired list," to authorize placing thereon with retired pay certain surviving officers who served in the Army, Navy, or Marine Corps of the United States in the Civil War, and for other purposes.

The PRESIDING OFFICER. The Senator from Michigan moves that the Senate proceed to the consideration of Senate bill 392.

Mr. SMITH of Georgia. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. Pending that motion the Senator from Georgia suggests the absence of a quorum. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst	Gallinger	Norris	Smith, Ariz.
Brady	Gore	O'Gorman	Smith, Ga.
Brandegee	Grenna	Overman	Smith, S. C.
Bristow	Hardwick	Owen	Smoot
Burton	Johnson	Page	Sterling
Catron	Jones	Perkins	Sutherland
Chilton	Kern	Pomerene	Swanson
Clapp	La Follette	Ransdell	Thornton
Clark, Wyo.	Lane	Reed	Townsend
Crawford	Lee, Md.	Robinson	Vardaman
Culberson	Lodge	Saulsbury	Walsh
Cummins	McCumber	Sheppard	Warren
Dillingham	Martine, N. J.	Sherman	White
Fletcher	Nelson	Shields	Works

Mr. TOWNSEND. The senior Senator from Michigan [Mr. SMITH] is absent from the city, but is paired with the junior Senator from Missouri [Mr. REED] on all votes. This announcement may stand for the day.

Mr. LANE. I wish to announce the unavoidable absence of my colleague [Mr. CHAMBERLAIN].

The PRESIDING OFFICER. Fifty-six Senators have answered to their names. A quorum is present. The question recurs on the motion made by the Senator from Michigan [Mr. TOWNSEND].

The motion was agreed to, and the Senate, as in Committee of the Whole, resumed the consideration of the bill.

The PRESIDING OFFICER. The pending amendment of the Committee on Military Affairs will be stated.

The SECRETARY. On page 4, line 24, the committee proposes to strike out "three-fourths" and insert in lieu thereof "one-half," so that if amended the clause will read:

The retired pay provided for by this act shall begin upon the date of the passage of this act and continue during the natural life of the beneficiary; it shall be payable quarterly, and shall not exceed, in the case of any surviving officer, one-half of the initial active pay now received by a captain in the United States Army.

EXECUTIVE SESSION.

Mr. O'GORMAN. Mr. President, I move that the Senate proceed to the consideration of executive business. There is some business requiring attention which will be neglected if not disposed of to-day.

The PRESIDING OFFICER. The question is on the motion of the Senator from New York. [Putting the question.] By the sound the ayes seem to have it.

Mr. TOWNSEND. I ask for a division.

Mr. OVERMAN. I ask for the yeas and nays.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. FLETCHER (when Mr. BRYAN'S name was called). I wish to announce that my colleague [Mr. BRYAN] is unavoidably absent. He is paired, I understand, with the Senator from Michigan [Mr. TOWNSEND]. I make this announcement to stand for the day.

Mr. CHILTON (when his name was called). I have a general pair with the Senator from New Mexico [Mr. FALL], which I transfer to the Senator from Indiana [Mr. SHIVELY] and vote "yea."

Mr. CLAPP (when his name was called). I have a general pair with the senior Senator from North Carolina [Mr. SIMMONS]. I transfer that pair to the junior Senator from Iowa [Mr. KENYON] and vote "nay."

Mr. CLARK of Wyoming (when his name was called). I have a general pair with the Senator from Missouri [Mr. STONE], who is absent. I therefore withhold my vote.

Mr. REED (when his name was called). I have a pair with the Senator from Michigan [Mr. SMITH]. I transfer that pair to the Senator from Alabama [Mr. BANKHEAD] and vote "yea."

Mr. SAULSBURY (when his name was called). I transfer my pair with the junior Senator from Rhode Island [Mr. COLT] to the senior Senator from Virginia [Mr. MARTIN] and vote "yea."

Mr. KERN (when Mr. SHIVELY'S name was called). I desire to announce the unavoidable absence of my colleague [Mr. SHIVELY], and ask that this announcement stand for the day.

Mr. OVERMAN (when Mr. SIMMONS'S name was called). I desire to announce that my colleague [Mr. SIMMONS] has been called away on important business.

Mr. SUTHERLAND (when his name was called). I have a pair with the Senator from Arkansas [Mr. CLARKE], who is absent. On that account I withhold my vote.

Mr. WALSH (when his name was called). I have a general pair with the Senator from Rhode Island [Mr. LIPPITT], who is absent. I transfer that pair to the senior Senator from Nevada [Mr. NEWLANDS] and vote "yea."

Mr. WEEKS (when his name was called). I inquire if the senior Senator from Kentucky [Mr. JAMES] has voted?

The PRESIDING OFFICER. The Chair is informed he has not.

Mr. WEEKS. I have a general pair with that Senator and therefore withhold my vote.

The roll call was concluded.

Mr. CLARK of Wyoming. I transfer my general pair with the senior Senator from Missouri [Mr. STONE] to the junior Senator from Wisconsin [Mr. STEPHENSON] and vote "nay."

Mr. CLAPP (after having voted in the negative). I am advised that the junior Senator from Iowa [Mr. KENYON], to whom I transferred my pair, is paired with the junior Senator from Kentucky [Mr. CAMDEN]. I therefore withdraw that transfer and now transfer my pair to the junior Senator from Washington [Mr. POINDEXTER], and will allow my vote to stand.

Mr. DILLINGHAM (after having voted in the negative). I withdraw my vote, as I have a general pair with the senior Senator from Maryland [Mr. SMITH], who is not present.

Mr. CUMMINS. My colleague [Mr. KENYON] is absent and is paired with the junior Senator from Kentucky [Mr. CAMDEN].

If my colleague were present and at liberty to vote on the pending motion, he would vote "nay."

Mr. CRAWFORD (after having voted in the negative). I voted inadvertently and now discover that the senior Senator from Tennessee [Mr. LEA] has not voted. I have a general pair with that Senator, and therefore will withdraw my vote.

Mr. JONES. I wish to announce that my colleague [Mr. POINDEXTER] is necessarily absent. I am satisfied that if he were present he would vote "nay."

Mr. CULBERSON (after having voted in the affirmative). I transfer my general pair with the Senator from Delaware [Mr. DU PONT] to the Senator from Kansas [Mr. THOMPSON], and allow my vote to stand.

Mr. MYERS. I inquire if the Senator from Connecticut [Mr. MCLEAN] has voted?

The PRESIDING OFFICER. The Chair is informed that he has not.

Mr. MYERS. I transfer my pair with that Senator to the Senator from Nevada [Mr. PITTMAN] and vote "yea."

Mr. SHAFROTH. I desire to announce the necessary absence of my colleague [Mr. THOMAS] by permission of the Senate and to state that he is paired with the senior Senator from New York [Mr. ROOT].

Mr. TOWNSEND (after having voted in the negative). I had forgotten that I had made a pair with the Senator from Florida [Mr. BRYAN]. I find that I am not able to transfer it, and therefore I withdraw my vote.

Mr. GALLINGER. I was requested to announce the following pairs:

The Senator from Maine [Mr. BURLEIGH] with the Senator from New Hampshire [Mr. HOLLIS];

The Senator from West Virginia [Mr. GOFF] with the Senator from South Carolina [Mr. TILLMAN];

The Senator from Pennsylvania [Mr. OLIVER] with the Senator from Oregon [Mr. CHAMBERLAIN]; and

The Senator from Pennsylvania [Mr. PENROSE] with the Senator from Mississippi [Mr. WILLIAMS].

The result was announced—yeas 29, nays 26, as follows:

YEAS—29.

Ashurst	Martine, N. J.	Robinson	Swanson
Chilton	Myers	Saulsbury	Thornton
Culberson	O'Gorman	Shafroth	Vardaman
Fletcher	Overman	Sheppard	Walsh
Gore	Owen	Shields	White
Hardwick	Pomerene	Smith, Ariz.	
Kern	Ransdell	Smith, Ga.	
Lee, Md.	Reed	Smith, S. C.	

NAYS—26.

Borah	Clark, Wyo.	La Follette	Sherman
Brady	Cummins	Lane	Smoot
Brandegee	Gallinger	Lodge	Sterling
Bristow	Gronna	McCumber	Warren
Burton	Hitchcock	Nelson	Works
Catron	Johnson	Norris	
Clapp	Jones	Perkins	

NOT VOTING—41.

Bankhead	Goff	Oliver	Stone
Bryan	Hollis	Page	Sutherland
Burleigh	Hughes	Penrose	Thomas
Camden	James	Pittman	Thompson
Chamberlain	Kenyon	Poindexter	Tillman
Clarke, Ark.	Lea, Tenn.	Root	Townsend
Colt	Lewis	Shively	Weeks
Crawford	Lippitt	Simmons	Williams
Dillingham	McLean	Smith, Md.	
du Pont	Martin, Va.	Smith, Mich.	
Fall	Newlands	Stephenson	

So the motion was agreed to, and the Senate proceeded to the consideration of executive business. After 30 minutes spent in executive session the doors were reopened.

HOUSE BILLS AND JOINT RESOLUTIONS REFERRED.

H. R. 12050. An act reserving from entry, location, or sale lots 1 and 2, in section 33, township 13 south, range 4 west, New Mexico prime meridian, in Sierra County, N. Mex., and for other purposes, was read twice by its title and referred to the Committee on Public Lands.

H. R. 13222. An act to regulate the use of public-school buildings and grounds in the District of Columbia was read twice by its title and referred to the Committee on the District of Columbia.

H. R. 20241. An act making appropriations to supply urgent deficiencies in appropriations for the fiscal year 1915 and prior years, and for other purposes, was read twice by its title and referred to the Committee on Appropriations.

H. J. Res. 234. Joint resolution directing the selection of a site for the erection of a statue in Washington, D. C., to the memory of the late Maj. Gen. George Gordon Meade was read twice by its title and referred to the Committee on the Library.

H. J. Res. 366. Joint resolution authorizing the Secretary of War to use any allotment made under the provisions of an act approved October 2, 1914, entitled "An act making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes," for the improvement of East River and Hell Gate, N. Y., was read twice by its title and referred to the Committee on Commerce.

PURCHASE OF MINERAL LANDS.

The PRESIDING OFFICER laid before the Senate the amendments of the House of Representatives to the bill (S. 2651) providing for the purchase and disposal of certain lands containing the minerals kaolin, kaolinite, fuller's earth, china clay, and ball clay within portions of Indian reservations heretofore opened to settlement and entry, which were, on page 1, lines 4 and 5, to strike out "within such parts of Indian reservations" and insert "in Tripp County in what was formerly within the Rosebud Indian Reservation in South Dakota"; on page 2, line 11, to strike out "for agricultural purposes" and insert "to be determined by the Secretary of the Interior"; and to amend the title so as to read: "An act providing for the purchase and disposal of certain lands containing the minerals kaolin, kaolinite, fuller's earth, china clay, and ball clay, in Tripp County, formerly a part of the Rosebud Indian Reservation in South Dakota."

Mr. STERLING. I ask that the amendments made by the House be concurred in.

Mr. SMOOT. I do not want to have the Senate concur in the amendments of the House until I know more about them. I should like to have them go over and be printed, so that we can see what effect they will have upon the balance of the bill.

The PRESIDING OFFICER. The Senator from Utah asks that the amendments may go over and be printed.

Mr. STERLING. I can state briefly what will be the effect of the amendments. The bill has just come to my attention this morning in its amended form, but I think I can state the effect of the amendments.

Mr. SMOOT. If the Senator has no objection, I would very much prefer to have the amendments go over until to-morrow and be printed, because it is a very important bill. To the first amendment I have no objection, because it applies to only one Indian reservation, but I do not know what the effect of the other amendment will be upon the bill. I ask that they may go over and be printed.

The PRESIDING OFFICER. If there is no objection, the amendments will lie on the table and be printed.

CIVIC TRAINING IN SCHOOLS (S. DOC. NO. 662).

Mr. OWEN. I ask unanimous consent to have printed in the RECORD a statement by Wilson L. Gill on civic training in schools.

The PRESIDING OFFICER. The Senator from Oklahoma submits a request for the printing of a document, which the Secretary will state.

Mr. OWEN. It is a statement from Wilson L. Gill on civic training in schools.

Mr. TOWNSEND. Mr. President, I rise to a point of order. When we went into executive session Senate bill 392 was pending before the Senate. Having returned to legislative session, my point is whether that measure is now before the Senate.

The PRESIDING OFFICER. It is now before the Senate.

Mr. TOWNSEND. I prefer to have it proceeded with. I will yield, however, to the Senator from Oklahoma for the request he makes.

Mr. OVERMAN. Does the Chair rule that Senate bill 392 is now before the Senate?

The PRESIDING OFFICER. It is. The Chair understands that the Senate by an affirmative vote decided to take up the bill. Its consideration was suspended pending the executive session. When the Senate returned to legislative session the Chair understands that the business which was before the Senate at the time of the executive session is again before the Senate.

Mr. OVERMAN. I move that the Senate adjourn.

Mr. OWEN. I ask the Senator from North Carolina to withhold the motion until action may be taken on my request.

Mr. OVERMAN. I withdraw the motion for the present.

Mr SMOOT. I ask the Senator from Oklahoma if it is his request that the paper be printed in the RECORD?

Mr. OWEN. To print in the RECORD a statement from Wilson L. Gill on civic training in schools. Mr. Gill represented Gen. Wood in the teaching of civic training in the schools of Cuba.

Mr. SMOOT. I am well acquainted with Mr. Gill, and also acquainted with the report he has made. I thought Mr. Gill desired to have the paper published as a Senate document rather than to have it appear in the RECORD.

Mr. OWEN. It is somewhat difficult to get a paper printed as a Senate document under the rule, because the motion has to go to the Committee on Printing and lie over for a certain time.

Mr. GALLINGER. Not unless the request is insisted upon, I will state to the Senator.

Mr. SMOOT. Not unless there is objection.

Mr. OWEN. If there is no objection, I ask permission that it be printed as a document instead of in the RECORD.

Mr. SMOOT. I have no objection to that.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Oklahoma? The Chair hears none, and it is so ordered.

Mr. OVERMAN. I move that the Senate do now adjourn.

Mr. O'GORMAN. I understand a great many Senators will be absent to-morrow, and I move as an amendment to the motion of the Senator from North Carolina that the Senate adjourn to meet at 4 o'clock to-morrow afternoon, at which time I understand the concurrent resolution providing for a recess adjournment will become operative.

Mr. OVERMAN. I accept that.

AGRICULTURAL COOPERATION AND RURAL CREDIT.

Mr. OWEN. I ask the Senator to suspend his motion in order to permit me to offer a resolution to have printed 1,000 additional copies of Senate Document No. 214, Agricultural Cooperation and Rural Credit in Europe, for which there is a very large demand. It bears on rural credits and banking.

The PRESIDING OFFICER. Without objection, the resolution will be read.

The Secretary read the resolution (S. Res. 507), as follows:

Resolved, That there be printed 1,000 additional copies of Senate Document No. 214, part 1, Sixty-third Congress, first session, entitled "Agricultural Cooperation and Rural Credit in Europe," for the use of the Senate document room.

Mr. SMOOT. I ask that the resolution be referred to the Committee on Printing.

Mr. OWEN. That course will be acceptable to me.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and the resolution will be referred to the Committee on Printing.

REPORT ON RURAL CREDITS.

Mr. FLETCHER. Mr. President, if the Senator from North Carolina will withhold his motion, I offer a resolution for the printing of 10,000 additional copies of Senate Document 380, parts 1, 2, and 3, which is the report of the United States Commission on Rural Credits. The copies are entirely exhausted and there is considerable demand for the document.

The PRESIDING OFFICER. If there is no objection, the resolution will be read.

The Secretary read the resolution, S. Res. 508, as follows:

Resolved, That there be printed 10,000 additional copies of Senate Document No. 380, parts 1, 2, and 3, Sixty-third Congress, second session, entitled "Agricultural Credit, Land-Mortgage or Long-Term Credit," for the use of the Senate document room.

Mr. SMOOT. I will ask the Senator what the expense will be.

Mr. FLETCHER. Three hundred dollars.

Mr. SMOOT. There are three volumes of the report.

Mr. FLETCHER. It is in three parts, and is the report of the commission transmitted to Congress by the United States Commission on Rural Credits.

Mr. SMOOT. Has this report been printed by any of the departments?

Mr. FLETCHER. No; it has not. It was printed by the Senate when the report was submitted, but it has not been printed by any department of the Government.

Mr. TOWNSEND. Mr. President, I shall have to ask for the regular order.

Mr. FLETCHER. The copies have been entirely exhausted.

The PRESIDING OFFICER. The Senator from Michigan calls for the regular order, which is the consideration of Senate bill 392.

Mr. FLETCHER. Let the resolution be referred to the Committee on Printing.

The PRESIDING OFFICER. The resolution will be printed and referred to the Committee on Printing.

ADJOURNMENT.

Mr. TOWNSEND. Regular order!

The PRESIDING OFFICER. The regular order is called for. The Senator from North Carolina [Mr. OVERMAN] moves that the Senate adjourn. Pending that the Senator from New York [Mr. O'GORMAN] moves as an amendment that the Senate adjourn to meet to-morrow, Wednesday, December 23, at 4 p. m., when it shall straightway adjourn under the terms of the concurrent resolution of the two Houses already agreed to.

Mr. GALLINGER. I will ask if the concurrent resolution names the hour of adjournment to-morrow?

Mr. OVERMAN. It does not.

Mr. O'GORMAN. It was my impression that it does.

Mr. GALLINGER. If it does not, the Senator should withdraw that part of his motion.

Mr. O'GORMAN. Very well; I withdraw that part of the motion.

Mr. CLARK of Wyoming. I desire to raise a point of order as to whether a motion to adjourn can be amended by a motion to adjourn to a day certain?

The PRESIDING OFFICER. A simple motion to adjourn can not be amended.

Mr. TOWNSEND. Do I understand the motion of the Senator from New York to be debatable?

The PRESIDING OFFICER. It is not. Questions pertaining to adjournment are not debatable.

Mr. TOWNSEND. Upon the motion I demand the yeas and nays.

The PRESIDING OFFICER. The Senator from Michigan demands the yeas and nays on the motion made by the Senator from New York to adjourn.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. REED (when his name was called). I transfer my pair as announced on the previous vote and vote "yea."

Mr. SAULSBURY (when his name was called). I make the same transfer as before and vote "yea."

Mr. TOWNSEND (when his name was called). I transfer my pair with the Senator from Florida [Mr. BRYAN] to the Senator from Wisconsin [Mr. STEPHENSON] and vote "nay."

Mr. WALSH (when his name was called). I transfer my pair with the Senator from Rhode Island [Mr. LIPPITT] to the Senator from Nevada [Mr. NEWLANDS] and vote "nay."

The roll call was concluded.

Mr. CLARK of Wyoming (after having voted in the negative). I have a general pair with the senior Senator from Missouri [Mr. STONE]. I transfer that pair to the senior Senator from Ohio [Mr. BURTON] and will allow my vote to stand.

Mr. CRAWFORD (after having voted in the negative). May I inquire whether the Senator from Tennessee [Mr. LEA] has voted?

The PRESIDING OFFICER. The Chair is informed that he has not.

Mr. CRAWFORD. Then I withdraw my vote, as I have a general pair with that Senator, and have been unable to secure a transfer.

Mr. DILLINGHAM (after having voted in the negative). I find that the senior Senator from Maryland [Mr. SMITH], with whom I have a pair, is not present. I transfer my pair with that Senator to my colleague [Mr. PAGE], who has been necessarily called from the Senate, and will allow my vote to stand.

Mr. CLAPP. I transfer my pair with the senior Senator from North Carolina [Mr. SIMMONS] to the junior Senator from Washington [Mr. POINDEXTER], and I will allow this announcement of my transfer to stand for the day. I vote "nay."

Mr. CHILTON. I transfer my pair with the Senator from New Mexico [Mr. FALL] to the Senator from Indiana [Mr. SHIVELY] and vote "yea."

Mr. MYERS. I transfer my pair with the Senator from Connecticut [Mr. MCLEAN] to the Senator from Nevada [Mr. PITTMAN] and vote "yea."

Mr. SUTHERLAND. I again announce my pair with the Senator from Arkansas [Mr. CLARKE], and on account of his absence I withhold my vote.

Mr. CLARK of Wyoming (after having voted in the negative). The Senator from Ohio [Mr. BURTON], to whom I transferred my pair with the Senator from Missouri [Mr. STONE], having entered the Chamber I withdraw my vote.

The result was announced—yeas 27, nays 30, as follows:

YEAS—27.

Chilton	Lee, Md.	Reed	Smith, Ga.
Culberson	Martine, N. J.	Robinson	Smith, S. C.
Fletcher	Myers	Saulsbury	Swanson
Hardwick	O'Gorman	Shafroth	Thornton
Hughes	Overman	Sheppard	Vardaman
James	Pomerene	Shields	White
Johnson	Ransdell	Smith, Ariz.	

NAYS—30.

Ashurst	Cummins	Lane	Sterling
Borah	Dillingham	Lewis	Townsend
Brady	du Pont	McCumber	Walsh
Brandegee	Gallinger	Nelson	Warren
Bristow	Gore	Norris	Weeks
Burton	Gronna	Perkins	Works
Catron	Jones	Sherman	
Clapp	La Follette	Smoot	

NOT VOTING—39.

Bankhead	Goff	Newlands	Smith, Md.
Bryan	Hitchcock	Oliver	Smith, Mich.
Burleigh	Hollis	Owen	Stephenson
Camden	Kenyon	Page	Stone
Chamberlain	Kern	Penrose	Sutherland
Clark, Wyo.	Lea, Tenn.	Pittman	Thomas
Clarke, Ark.	Lippitt	Poindexter	Thompson
Colt	Lodge	Root	Tillman
Crawford	McLean	Shively	Williams
Fall	Martin, Va.	Simmons	

So Mr. O'GORMAN's motion was not agreed to.

Mr. OVERMAN. The Senate has refused to adjourn to a day certain, as I understand, and now I move that the Senate adjourn.

The PRESIDING OFFICER. The question is on the motion of the Senator from North Carolina.

Mr. GALLINGER. Let us have the yeas and nays.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. CHILTON (when his name was called). Making the same announcement I did on the former ballot, I vote "yea."

Mr. CLARK of Wyoming (when his name was called). I have a general pair with the senior Senator from Missouri [Mr. STONE], who is absent from the city. I therefore withhold my vote. If at liberty to vote, I should vote "nay."

Mr. CRAWFORD (when his name was called). I have a general pair with the senior Senator from Tennessee [Mr. LEA], and therefore withhold my vote.

Mr. DILLINGHAM (when his name was called). I transfer my general pair with the senior Senator from Maryland [Mr. SMITH] to my colleague [Mr. PAGE] and vote "nay."

Mr. SMOOT (when the name of Mr. JONES was called). I desire to announce that the senior Senator from Washington [Mr. JONES] has been called from the Chamber on public business.

Mr. MYERS (when his name was called). I announce the same transfer of my pair as on the last vote, and vote "yea."

Mr. REED (when his name was called). I make the same transfer of my pair as before announced, and vote "yea."

Mr. SAULSBURY (when his name was called). I transfer my pair as on the first roll call and vote "yea."

Mr. OVERMAN (when the name of Mr. SIMMONS was called). I again announce, and will let the announcement stand for the day, that my colleague [Mr. SIMMONS] has been called away on account of important business.

Mr. SHAFROTH (when the name of Mr. THOMAS was called). I desire to announce the unavoidable absence of my colleague [Mr. THOMAS] and to state that he is paired with the senior Senator from New York [Mr. ROOT].

Mr. TOWNSEND (when his name was called). I desire again to announce the transfer of my pair with the Senator from Florida [Mr. BRYAN] to the Senator from Wisconsin [Mr. STEPHENSON], and I vote "nay."

Mr. WALSH (when his name was called). Making the same transfer of my pair as on the previous vote, I vote "nay."

The roll call was concluded.

Mr. CLARK of Wyoming. I transfer my general pair with the Senator from Missouri [Mr. STONE] to the Senator from Washington [Mr. JONES] and vote "nay."

Mr. SMITH of Georgia (after having voted in the affirmative). I observe that the senior Senator from Massachusetts [Mr. LODGE], with whom I am paired, has not voted. I transfer my pair with that Senator to the junior Senator from Kansas [Mr. THOMPSON], and will allow my vote to remain as recorded.

Mr. SUTHERLAND. I have a general pair with the Senator from Arkansas [Mr. CLARKE], and as I have been unable to obtain a transfer I withhold my vote.

The result was announced—yeas 28, nays 26, as follows:

YEAS—28.

Ashurst	Johnson	Pomerene	Smith, Ariz.
Chilton	Lee, Md.	Ransdell	Smith, Ga.
Culberson	Martine, N. J.	Reed	Smith, S. C.
Fletcher	Myers	Saulsbury	Swanson
Gore	O'Gorman	Shafroth	Thornton
Hardwick	Overman	Sheppard	Vardaman
Hughes	Owen	Shields	White

NAYS—26.

Borah	Cummins	Lewis	Sterling
Brandegee	Dillingham	McCumber	Townsend
Bristow	du Pont	Nelson	Walsh
Burton	Gallinger	Norris	Warren
Catron	Gronna	Perkins	Works
Clapp	La Follette	Sherman	
Clark, Wyo.	Lane	Smoot	

NOT VOTING—42.

Bankhead	Camden	Crawford	Hollis
Brady	Chamberlain	Fall	James
Bryan	Clarke, Ark.	Goff	Jones
Burleigh	Colt	Hitchcock	Kenyon
Kern	Oliver	Shively	Thomas
Lea, Tenn.	Page	Simmons	Thompson
Lippitt	Penrose	Smith, Md.	Tillman
Lodge	Pittman	Smith, Mich.	Weeks
McLean	Poindexter	Stephenson	Williams
Martin, Va.	Robinson	Stone	
Newlands	Root	Sutherland	

So the motion was agreed to; and (at 1 o'clock and 35 minutes p. m.) the Senate adjourned until to-morrow, Wednesday, December 23, 1914, at 12 o'clock meridian.

CONFIRMATIONS.

Executive nominations confirmed by the Senate December 22, 1914.

CONSULS.

Lucien Memminger to be consul at Madras, India.

Albro L. Burnell to be consul at Rouen, France.

CONSULS GENERAL.

Frederick M. Ryder to be consul general at Singapore, Straits Settlements.

Edwin S. Cunningham to be consul general at Hankow, China.

SUPERINTENDENT FOR THE FIVE CIVILIZED TRIBES IN OKLAHOMA.

Gabe E. Parker to be superintendent for the Five Civilized Tribes in Oklahoma.

UNITED STATES ATTORNEY.

John A. Fain to be United States attorney for the western district of Oklahoma.

POSTMASTERS.

ALABAMA.

Joseph S. McCain, Lineville.

ARIZONA.

Charles Osborne, Holbrook.

CALIFORNIA.

Ross H. Hille, San Fernando.
C. E. Tabler, Parlier.
B. A. Wilson, Los Banos.

FLORIDA.

Milton D. Bell, Inverness.

IDAHO.

Thomas J. Russell, Post Falls.

KENTUCKY.

Edward O. Gooch, Crab Orchard.

MISSOURI.

James H. Campbell, Higginsville.
William A. Crow, Humansville.
M. H. Estill, King City.
Eugene M. Goodwin, Odessa.
Grover C. Gresham, Parkville.
J. C. Hall, Kearney.
Francis A. Howard, Slater.
Edgar R. Idol, Pleasant Hill.
Louis P. Kern, Sainte Genevieve.
James R. Lowell, Moberly.
R. N. Owsley, Windsor.
Edwin Reavis, Sweet Springs.
Charles A. Stoner, Ridgeway.
Charles L. Welden, Maysville.

MONTANA.

Ephraim E. Hackett, Victor.

NEW JERSEY.

Charles E. Crane, Clayton.
Harry F. Hinchman, jr., Convent Station.
Edward W. Walker, Cranbury.

NEW YORK.

Allen S. Brower, Woodmere.
Thomas J. Courtney, Garden City.
William M. Heaney, Cold Spring Harbor.
Daniel F. Shea, Jamaica.

NORTH CAROLINA.

Mary H. Osborn, Oxford.

OHIO.

John L. Shuff, Cincinnati.

PENNSYLVANIA.

John Kehoe, Pittston.
C. K. Spragg, Waynesburg.
E. H. Sutterley, Morrisville.

TENNESSEE.

G. P. Atchison, Erin.
J. L. Haynes, Decherd.
Kate Penn, Kenton.

VERMONT.

Patrick M. Meldon, Rutland.

VIRGINIA.

J. William Sibert, Winchester.

WEST VIRGINIA.

William W. Irwin, Wheeling.

WYOMING.

W. A. Johnson, Green River.

HOUSE OF REPRESENTATIVES.

TUESDAY, *December 22, 1914.*

The House met at 10 o'clock a. m.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

Infinite Spirit, our heavenly Father, whose resources are boundless, look with compassion upon our limitations, our frailties and infirmities. Let Thy favor be with us in every high resolve, noble impulse, and worthy endeavor. Discourage every petty desire, ignoble ambition and purpose. In all questions of moment, social, political, or religious, give us the courage of our convictions, assured that Thou wilt deal justly with all who strive to serve Thee and their fellow men; that Thy kingdom may indeed come in all our hearts, and Thy will be done in earth as it is in heaven. In His name. Amen.

The Journal of the proceedings of yesterday was read and approved.

PROHIBITION.

Mr. HENRY rose.

The SPEAKER. The Chair wants to suggest, both to the House and to the people in the galleries, that there are going to be 10 mortal hours of speech making here to-day, and maybe more, and some of it, perhaps, will be rather lively, and the Chair asks Members to help keep order, and the people in the galleries, too. The gentleman from Texas [Mr. HENRY] is recognized.

THE HOBSON PROHIBITION AMENDMENT.

Mr. HENRY. Mr. Speaker, I submit a privileged resolution from the Committee on Rules.

The SPEAKER. The Clerk will report it.

The Clerk read as follows:

House resolution No. 687 (H. Rept. 1248).

Resolved, That immediately upon the adoption of this resolution the House shall proceed to the consideration of House joint resolution 168. There shall be not exceeding eight hours of general debate, to be divided equally between those favoring and those opposing the resolution. At the conclusion of such general debate the resolution shall be considered for amendment under the five-minute rule. Whereupon the previous question shall be considered as ordered on the resolution and all pending amendments to final passage without any intervening motion except one motion to recommit: *Provided*, That all Members speaking upon the resolution or amendments offered thereto shall have the privilege of extending their remarks in the RECORD, and all Members shall have the right to print remarks for not exceeding five legislative days: *Provided further*, That all debate shall be confined to the subject matter of the resolution.

Mr. MANN. Mr. Speaker, will the gentleman yield for a question, before the debate commences, as to the form of the resolution?

Mr. HENRY. Yes.

Mr. MANN. I notice that the resolution says that "the resolution shall be considered for amendment under the five-minute rule, whereupon the previous question shall be considered as ordered." When will that be?

Mr. HENRY. That means that the previous question will be ordered after the amendments are offered.

Mr. MANN. Suppose Members keep continually offering amendments for the rest of the night. When would the previous question be ordered?

Mr. HENRY. After they get through offering amendments. There is no desire to cut them off.

Mr. MANN. Men might offer amendments until Christmas.

Mr. HENRY. I have no objection to that.

Mr. UNDERWOOD. Mr. Speaker, as I understand the rule, it allows amendments to be offered, and after the completion of the offering of amendments they will all be voted on.

Mr. MANN. They might offer amendments from now until doomsday if there is no way of closing the right to offer amendments. I do not know that that privilege would be abused, but I can readily conceive that people might keep on offering amendments.

Mr. HENRY. I assume that that course will not be pursued. But if some one should undertake to offer amendments "until doomsday" the Committee on Rules might find a remedy to stop it.

Mr. ADAIR. Mr. Speaker, may I ask the gentleman a question?

The SPEAKER. Does the gentleman from Texas yield?

Mr. CRISP rose.

Mr. HENRY. Just one moment, until we can see if we can agree upon a time for debate on the rule.

Mr. CRISP. Mr. Speaker, will the gentleman yield?

The SPEAKER. Does the gentleman yield?

Mr. HENRY. Yes.

Mr. CRISP. I wanted to ask the gentleman this question: If the resolution made no special provision for amendments, would not the general rules of the House control the situation? There would be four amendments offered.

Mr. HENRY. Yes; I think so; and the debate could be closed by a motion. I do not think that question amounts to anything. I do not think anyone will want to delay the vote on this resolution and amendments to-night.

Mr. ADAIR. Mr. Speaker, will the gentleman yield to me now?

Mr. HENRY. I would like to arrange for an agreement as to time for debate on the rule. Then I will yield to the gentleman.

Mr. ADAIR. Five days are given in which to print. Does that mean five days from to-day?

Mr. HENRY. Five days from now.

Mr. SABATH. Five legislative days.

Mr. BARTLETT. Five legislative days from to-day. May I ask the gentleman a question, Mr. Speaker?

The SPEAKER. Does the gentleman from Texas yield?

Mr. HENRY. Yes.

Mr. BARTLETT. What would prevent anyone who desires to do so, after general debate, from calling for the previous question, regardless of the fact that the rule states that the previous question at a certain time shall be considered as ordered? It is in the power of the House, if it desires to do so, to order the previous question earlier, is it not?

Mr. HENRY. I hardly think the rule would bear that construction.

Mr. BARTLETT. What is to prevent it?

Mr. HENRY. I think it is worded so as not to bear that construction. The idea is to allow freedom of amendment and of debate, and the rule is drawn liberally for that purpose.

Mr. Speaker, I would like to ask the gentleman from Kansas [Mr. CAMPBELL] if we can agree upon a time that shall be allowed for debating the rule?

Mr. CAMPBELL. What suggestion does the gentleman from Texas make in that regard?

Mr. HENRY. I suggest one hour to each side—one hour to be controlled by myself and one hour by the gentleman from Kansas.

Mr. CAMPBELL. Mr. Speaker, I think that will be satisfactory.

The SPEAKER. The gentleman from Texas [Mr. HENRY] asks unanimous consent that the debate on this rule be limited to two hours, one hour to be controlled by himself and the other by the gentleman from Kansas [Mr. CAMPBELL]. Is there objection?

Mr. MANN. Reserving the right to object, Mr. Speaker, I take it that the debate on the rule will be mainly a debate on the resolution. If an hour on each side is granted, is it expected that that time will be equally divided on the two sides between those against and those for the resolution?

Mr. HENRY. That would be my intention; yes. I would like to see it that way.

The SPEAKER. Does the gentleman include in his request that at the end of two hours the previous question is ordered or not?

Mr. HENRY. No; I did not.

The SPEAKER. The gentleman from Texas is recognized for one hour.

Mr. HENRY. Mr. Speaker, I think the reading of the rule is a sufficient explanation of its terms. It provides for eight hours' general debate on what is known as the Hobson resolution. At the end of the general debate the resolution shall be open to amendment under the five-minute rule. Therefore I think the rule is liberal in regard to debate and discussion under the five-minute rule. At the end of that time, if the rule is adopted, the previous question is ordered on the Hobson reso-

lution. One motion to recommit is allowed, and each Member who speaks will have the right to extend his remarks in the RECORD, and others who do not speak will have the right to print remarks.

Mr. MANN. Mr. Speaker, will the gentleman yield for a question?

Mr. HENRY. Yes.

Mr. MANN. The gentleman stated that under the rule the resolution would be open for amendment under the five-minute rule.

Mr. HENRY. Yes.

Mr. MANN. And then he stated that at the end of the offering of amendments the previous question would be ordered on all the amendments.

Mr. HENRY. Yes.

Mr. MANN. But under the five-minute rule amendments are disposed of as they are offered.

Mr. HENRY. Yes; that is true.

Mr. MANN. Is that the expectation in this case?

Mr. HENRY. We expect them all to be offered.

Mr. MANN. Is it the intention to have the amendments disposed of under this rule as they are offered?

Mr. HENRY. Well, I think we could do that. I think that would be a practical way. We do not want to hold to any hard and fast rule about this, if there is any way to allow perfect freedom of amendment.

Mr. MANN. If we know in advance, it may save a great deal of confusion at the end. That is the reason I ask.

Mr. HENRY. I think it would be better to vote on them as they are offered.

Now, Mr. Speaker, I assume that every Member who favors the Hobson national prohibition amendment will vote for this rule; and that Members who are opposed to the Hobson amendment, as I am, will vote for the rule, in order that this House may come to a direct vote on the main proposition. It seems to me that any Member who votes against this rule, with all due respect to that vote, would be evading the question, and would not please either the proponents of the amendment or those who are opposed to it.

This is a great national question, and the time has come when the American people have a right to hear the voices of their Representatives on this national prohibition amendment by direct vote in this House. The Committee on Rules have deemed it wise to bring this matter before the House in order that the Members may settle it for their constituencies and for the people. It is a unanimous report of the Committee on Rules, and after this question has been held in the Judiciary Committee and in the Committee on Rules for a number of months, and has become a great issue in all the States of this Union, we have thought it exactly right to bring it before the House of Representatives, the only body that can make final disposition of the subject, and allow them to vote and determine whether it be deemed necessary to propose the amendment.

As far as I am concerned, my vote in committee was to report the rule. I support it on the floor of this House, and when it is adopted I shall take my stand against the Hobson resolution because I believe it to be unwise and undemocratic and ought not to be a question pending any longer in the American House of Representatives. We ought to meet it squarely and dispose of it here to-day, and when the time comes I shall cast my vote against it.

I reserve the remainder of my time.

Mr. LENROOT. Will the gentleman yield?

Mr. HENRY. I will yield for a question.

Mr. LENROOT. I should like to ask the gentleman a question about the rule itself. The rule seems to be contradictory with reference to implying that there will be pending amendments for consideration when the previous question is ordered. I ask the gentleman if he will not consent to modify the amendment by striking out the words "and all pending amendments"?

Mr. HENRY. Oh, yes; I agree to that. I make that request—to strike out the words "and all pending amendments."

Mr. MADDEN. Then the amendments will be disposed of under the five-minute rule?

Mr. HENRY. Yes; as they are read.

Mr. SABATH. That will not preclude any Member from offering amendments later on?

Mr. HENRY. Not at all.

The SPEAKER. The Clerk will report the proposed amendment.

Mr. HENRY. Mr. Speaker, I hope this will not be taken out of my time.

The SPEAKER. No; it will not be taken out of the gentleman's time.

The Clerk read as follows:

Strike out of the rules the words "and all pending amendments."

Mr. STAFFORD. Mr. Speaker, we would like to have the text of the resolution read as proposed to be amended, so that we will understand the purport of it.

The SPEAKER. So would I like to have it read.

The CLERK. So that as amended the rule will read:

Resolved, That immediately upon the adoption of this resolution the House shall proceed to the consideration of House joint resolution 168. There shall be not exceeding eight hours of general debate, to be divided equally between those favoring and those opposing the resolution. At the conclusion of such general debate the resolution shall be considered for amendment under the five-minute rule. Whereupon the previous question shall be considered as ordered on the resolution to final passage without any intervening motion—

And so forth.

The SPEAKER. The question is on the amendment.

The amendment was agreed to.

The SPEAKER. The gentleman from Texas [Mr. HENRY] used five minutes.

Mr. CAMPBELL. Mr. Speaker, this rule makes in order a discussion and vote on an amendment to the Constitution of the United States to prohibit traffic in intoxicating liquors. The resolution is submitted to the States in the usual way for their consideration. It raises this great question for the first time in the House of Representatives.

Already the people have voted for the suppression of the traffic in intoxicating liquors covering 76 per cent of the area of the United States, and 57 per cent of the population.

The Government at Washington has for years prohibited the traffic in intoxicating liquors on Indian reservations and at military reservations and posts, and recently at naval stations and in the Navy and all United States soldiers' homes.

Twelve years ago the Congress prohibited the sale of intoxicating liquors in the Capitol Building.

Why should any commodity be under the ban of the law to the extent that this already is in the United States? Evidently because the traffic in intoxicating liquors is a bad thing. These are times of great events. Europe has staged, let us hope, the last act in the tragedy of war. [Applause.] Incident to that great tragedy some important things have been done. The Czar of Russia, at the beginning of the war, deemed it important to his Empire and to his people that he should have under his control the best physical and mental fiber that his people possessed, and he issued a ukase prohibiting during the continuance of the war traffic in alcoholic liquors. The Czar of Russia took this important action in the face of the fact that the ukase denied to the treasury of the Russian Empire almost a half billion of dollars in revenue on the very threshold of an expensive war. Evidently the Czar deemed it more important to his Empire and his people that he should prosecute the war with men free from the influence of alcoholic liquors than that his treasury should have a half billion dollars a year for the payment of the expenses of the war.

France very recently has prohibited the sale of absinthe and other alcoholic liquors during the war.

On the 21st day of November, 1910, William, Emperor of Germany, in addressing the naval cadets at Flensburg, said in part what I ask the Clerk to read.

The Clerk read as follows:

I know very well that pleasure in drinking is an old heritage of the Germans, but we must, by self-discipline, free ourselves from the evil.

In the course of my reign of 22 years I have observed that of the great number of crimes which have been appealed to me for decision, nine-tenths were due to alcohol.

Formerly it used to be considered a smart thing for a youth to take and "carry" a great quantity of alcohol. Those ideas belong to the Thirty Years' War, and not longer fit our times.

Naval service demands a height of effort which it is hardly possible to surpass. It is necessary that you be able to endure continual heavy strain without exhaustion in order to be fresh for emergencies. In the next great war * * * nerve power will decide the victory. Now, the nerves are undermined and endangered from youth up by the use of alcohol. Victory will lie with the nation that uses the smallest amount of alcohol. Therefore do not count the use of alcohol one of your privileges.

This is a matter of great importance to our navy and to our people. If you train the troops to renounce alcohol, I shall have sound and sane subjects. The men when they leave the service will carry the thought back to the country. I beg your cooperation in this work.

Mr. BARTHOLDT. Will my friend permit a question?

Mr. CAMPBELL. A very brief one, for my time is short.

Mr. BARTHOLDT. Does my friend regard this as an argument for prohibition?

Mr. CAMPBELL. I submit it as such.

Mr. BARTHOLDT. The Emperor speaks of self-discipline, so that it is an argument for temperance and not prohibition. We agree with him.

Mr. CAMPBELL. The Emperor evidently believed that it was essential to his people that they abstain from the use of

intoxicating liquors so that they could serve their country well in war. If mental and physical fiber of the highest order are important in war, they are alike important in peace, for the duties of peace are no less important than those of war. If the Emperor of Germany deems it detrimental to the naval cadets in the service of his navy to use intoxicating liquors, the American people who look well to the peace of their country may likewise take steps to provide for a sober people to engage in the pursuits of peace.

It is charged against the liquor traffic that it is responsible for 50 per cent of the crime in the United States; the German Emperor says nine-tenths of the crime in Germany. That is a more severe charge than is made by the advocates of prohibition in the United States; but the Emperor of Germany makes that assertion—that in his Empire intoxicating liquor is responsible for nine-tenths of the crime. Anything that is responsible for so great a percentage of crime ought to be prohibited.

It is claimed that in the United States the traffic in intoxicating liquors is, directly or indirectly, responsible for 25 per cent of the poverty, 37 per cent of the pauperism, 45.8 per cent of child misery, 25 per cent of insanity, 19.5 per cent of divorces, and 50 per cent of the crime. These are grave charges, and their truth has not been denied.

Intoxicating liquors cost the American people for the year 1913 almost, if not quite, two and one-half billions of dollars. I ask in all candor what the American people got for that enormous sum of money besides poverty, insanity, crime, and misery for women and children? What good did they get? Whom besides the seller was benefited?

To-day every great railway company in the country prohibits the use of intoxicating liquors by its employees. Recently the industrial enterprises of the country are following in the lead of the railways and are prohibiting the use of intoxicating liquors by their employees.

A few days ago the Illinois Steel Corporation posted a notice over the gates leading into the shops serving notice that the employees could choose between the job inside and the use of liquor. There is something so deleterious and detrimental and harmful in the use of intoxicating liquors that it is worthy of the serious consideration of the American people. The question is, Is prohibition of the manufacture, importation, and sale the proper means of saving all the people from the harm that comes from the use of intoxicating liquors by some of the people?

Every other means has been tried. The growth of the use of intoxicating liquors in the United States is alarming. It is said that it fell off in the last year or two. Well, the consumption of almost everything fell off in the last year or two, but the alarming fact is that there has been an enormous increase in the last half century in the United States in the use of intoxicating liquors. Has it benefited the manhood and the womanhood and the childhood of America? If so, in what respect?

Any scourge that caused injury to the live stock belonging to the American people that the liquor traffic caused to the manhood and womanhood and the childhood of America in 1913 would engage the serious attention of this Congress and of the country, and steps would be taken for the elimination of such a scourge at any cost.

The people will have to make some sacrifice in a pecuniary way in order to rid themselves of this traffic. It pays a tax of nearly half a billion dollars, just about the same amount that the Czar of Russia sacrificed when he prohibited the traffic in his Empire. Are the American people willing to do in peace what the Czar of Russia did on the threshold of war? It is now a question for their serious consideration and for yours.

Mr. KAHN. Mr. Speaker, will the gentleman yield for a question?

Mr. CAMPBELL. Very briefly.

Mr. KAHN. Did I understand the gentleman to say that 76 per cent of the area of the United States is now dry?

Mr. CAMPBELL. That is the claim.

Mr. KAHN. Under prohibition laws?

Mr. CAMPBELL. Local county option and State prohibition.

Mr. KAHN. And yet the gentleman says that the sale of liquor is increasing in this country?

Mr. CAMPBELL. It has grown enormously in the last 40 years.

Mr. HOBSON. Mr. Speaker, will the gentleman permit me to answer the question?

Mr. CAMPBELL. I will answer the gentleman. The trouble about it is that local-option counties are surrounded by counties that permit the sale of liquor, and the liquor flows over into the county in which its sale is prohibited. The same is true of States. Colorado, Nebraska, and Missouri have heretofore sent liquor into Kansas. It would be far easier to enforce prohibition of the traffic in intoxicating liquors in the United States under national prohibition than under prohibition in segregated counties and States, with the business legal immediately surrounding them.

Mr. HOBSON. Will the gentleman permit me one moment?

Mr. CAMPBELL. Mr. Speaker, how much time have I used?

The SPEAKER. The gentleman has used 20 minutes.

Mr. CAMPBELL. I must reserve the remainder of my time.

The SPEAKER. The gentleman reserves 40 minutes.

Mr. HENRY. Mr. Speaker, I yield 25 minutes to the gentleman from Kentucky [Mr. CANTRILL].

Mr. CANTRILL. Mr. Speaker and gentlemen of the House, I take it for granted that the rule will be adopted, and therefore in the limited time that I have I shall address myself to the resolution pending before the House.

Mr. Speaker, I yield to no man in my desire to vote for such legislation as will promote the cause of real temperance in the use of intoxicating liquors. I have the honor to represent on this floor a temperate constituency, not only in the use of intoxicating liquors but one temperate in legislation along with all other matters. No evil is greater than intemperate legislation, and I consider the question now pending before this House the most intemperate measure that could be devised.

The man who keeps himself temperate and practices it in his own household and community has accomplished a great life work, but when he undertakes to force his views upon others contrary to their wishes by unjust and undemocratic laws he becomes grossly intemperate and violates, in my judgment, every true principle of individual liberty and American government.

The intemperate man in the use of liquors can cure himself, but he is the helpless victim of intemperate legislation, because he is forced to seek relief through those who represent him.

I desire first to discuss this measure, commonly called the Hobson resolution, from the standpoint of a Democrat. I believe in the principles of my party, and as a representative of a Democratic constituency I feel that it is my duty to cast my vote here in accord with the declarations of my party in national convention.

From 1856 to 1912 the Democratic Party has in national convention taken a determined stand against the principle involved in this proposed resolution now before the House. I will incorporate in my speech extracts from the platforms of my party which I consider binding on me. In my primary campaign I took an open position against the Hobson resolution, and I desire to say to this House that 10 of the 12 counties in my district are as dry as any counties in the United States. I told the people of my district that if elected I would vote against it, and therefore I am here to-day to redeem that promise. So much for my duty as a Democrat as I see it.

Turning away from the political consideration of this measure, I am opposed to it because, as I read it, if made a part of the law of the land, it would permit the free and unlimited manufacture of intoxicating liquor for personal use in communities where now, under the Democratic principle of local self-government, it is prohibited. I would not vote for a measure to force the manufacture of liquor upon a State or community which had voted against such manufacture, and therefore I would not vote to give the Federal Government power to prohibit its manufacture in a State or community which voted for its manufacture. I believe in local self-government and State rights. The cry goes up from those favoring this proposition that we should be willing to let a majority of the people rule, yet under the resolution it would be possible for 45 per cent to rule 55 per cent of our population. There are 12 States with a population of 51,000,000 people that could be controlled by 36 States with a population of 40,000,000. So that it would be possible under this measure for a minority to control a large majority of our citizens upon a matter which is largely social and moral in its nature. In my judgment this is unwise and unfair legislation. I am not afraid to accept the judgment of the American people, but I contend that on a local, moral, and social matter each community is best qualified to judge for itself. To surrender the idea of local self-government on this question is, in my opinion, detrimental to the true cause of temperance as the term is commonly understood.

Therefore as a Democrat I am in favor of local option as the best way to handle the liquor problem. In taking this view I stand with the great leader of my party, President Wilson, who so clearly and forcibly expressed this idea in a letter recently sent to the Rev. Thomas B. Shannon, of New Jersey. It is very evident that drastic and undemocratic legislation in

the various States along the lines of State-wide prohibition have not brought relief to the true temperance cause or else this resolution would not be asked for to-day. The fact that it is here proves the claims of great progress for temperance is not well founded.

How can we be asked to trust the judgment of the proponents of this resolution when they have made such a failure in the States? The whole program of legislation in the States has been to substitute blind tigers and low dives for the taxed saloon. I make no defense of the saloon, but contend that it is preferable to the blind tiger.

Our friends on the other side tell us that they have been successful in the States in the cause of temperance. I accept Mr. HOBSON as their greatest leader and best-posted adviser, and I quote from a letter which he addressed to President Wilson on September 30, 1914, on this subject:

I am convinced that such an increased tax would wipe out of existence at least 50,000 blind tigers and would produce a net revenue of $125,000,000 to $150,000,000. Let me call your attention to the fact that these blind tigers and blind pigs and other low dives that would be suppressed are the chief agents which debauch the boys. Investigation shows that the drunkard contracts his habits before he reaches his majority, and it is not drinking men that teach the boys to drink, but these blind tigers operated systematically in spite of law and local regulations.

If State prohibition has built up 50,000 blind tigers in this country, how many more thousands will come as the result of national prohibition? The law can only be enforced in communities where public sentiment is back of it, and national prohibition to be enforced would require this country to be Russianized. Our friends on the other side point with pride to the stand recently taken by Russia on the liquor question, but they do not lay stress on the fact that Russia has in the field 5,000,000 armed men with which to enforce that decree. Is it their purpose to give us the same form of Government for its enforcement in this Republic?

Mr. Speaker, as a Representative of a great constituency on this floor, I do not believe that my people would call on me to cast a vote that would destroy millions of dollars' worth of property of the citizens of any other State, without compensation for that property, and therefore I will not cast my vote to-day to permit other States to destroy over one hundred and fifty millions of property belonging to the citizens of my State without compensation to my people.

When this property in Kentucky is destroyed the effect is to almost double the taxes of the citizens of Kentucky on their farms and homes and incomes from all sources. If the citizens of Kentucky walk to the polls and deliberately vote to double their own taxes, that is a different question entirely from other States forcing upon Kentucky a double tax rate against her will. Kentucky has for years paid into the Federal Treasury $35,000,000 per annum in internal-revenue taxes. This money has for years gone into other States of the Union to pay pensions, for river improvements, for all branches of Federal activities. I ask you, gentlemen, since your States have gotten the benefits of this money, is it fair to destroy our property, which has contributed these hundreds of millions to the welfare of the entire country, without compensation to our citizens?

The enforcement of this amendment would destroy two hundred and thirty millions of revenue per annum and at the same time permit the free and unlimited manufacture of intoxicating liquors for personal use. The real and sincere prohibitionist might probably stand for real prohibition and increased taxes, but I doubt if he would be content with increased taxes and increased manufacture of intoxicating liquor that would be sure to come under this resolution. We upon this side of the Chamber should recall what happened last fall, when owing to a great war we were forced to increase the taxes of the people $100,000,000. If we pass this amendment and increase it still further to the extent of two hundred and thirty millions more in taxes on the farms, homes, and incomes of the people, there will not be enough of us left on this side to demand a call of the House. For years there has been a Prohibition Party in this country, but it has never made any headway with the voters. Yet our party, in control of the Nation, is called upon to adopt prohibition, which has been repudiated time and time again at the polls. If we do so, we had as well prepare to go out of power in the Nation, because we have gone back on all of the time-honored teachings of our party and shown ourselves to be utterly incompetent to manage the fiscal affairs of the Government without taxing to the limit the labor and property of our citizens.

I believe that my party has a much greater mission to perform for the Nation than to adopt the one question of prohibition, which adoption would forever put us out of power. I am not prepared to vote to exchange all of the great possibilities for good in my party for the one doubtful trial of national prohibition.

I stated that this resolution does not prohibit the manufacture of intoxicating liquor for personal use. I call attention to pages 20, 21, and 23 of a hearing before the Committee on the Judiciary on April 15, 1914, when Mr. HOBSON admitted that such was the case.

On page 28 of the same hearing Mr. HOBSON made the statement that 55 per cent of the population of this country and 71.5 of the area was under prohibition laws, meaning that this population and this area had neither the sale nor manufacture of intoxicating liquor, and yet he comes here to-day with a proposition which would permit the manufacture for personal use among these millions of people who have already voted that they did not want it manufactured in their midst. I believe that I am a better temperance man than Mr. HOBSON, when by my vote here to-day I vote to uphold the judgment of these millions living in this great area, who have under the Democratic doctrine of State rights and by local option put 71.5 per cent of the Nation under prohibition.

If there is to be prohibition, let it come through the channels of local option, and then no one can complain that his personal rights have been interfered with and his liberties abridged. Certainly our prohibition friends ought to be content with the progress of their work if it is as great as they contend. With but 30 per cent of the area of the country outside of their lines, it seems to me that they make a great mistake when they give up their present policy and go after national prohibition, which they themselves claim they have no hope of securing in the next 25 years.

There is in the land a great body of high-priced paid agitators who are clamoring for national prohibition. It is their profession, and Members of this House should not be swept off their feet by demands from that body. The paid leaders have not dealt fairly with the great body of the people in the country. They have misled thousands of sincere, honest, and God-fearing people into believing that this resolution means prohibition, when in reality it means unrestricted manufacture of intoxicating liquors. It is our duty to be frank with our people and go back before them like men and meet the issue, because they can be trusted to be fair and square with their servants here. For this very reason I presented this question to the people of my district—10 of my 12 counties are "dry"—before election, and explained what it was. As a Democrat I had my views on the question, and stated that I was against it. I stated in my campaign and I state here that I stand for temperance, but a measure which permits the free and unlimited manufacture of liquor is not a temperance measure. The Hobson resolution, instead of being called a prohibition resolution, should be named "a resolution legalizing the unlimited manufacture of intoxicating liquor without taxation."

It is contended that the manufacture of liquor is an evil. If it is, it should be heavily taxed, and these taxes used for good roads, good schools, and good government in city, county, State, and Nation. Then, at least, some good can come to millions of citizens. Under the Hobson resolution we have all of the evils of manufacture and none of the good coming from the taxes. It is admitted that evil comes from the intemperate use of intoxicating liquors; but in a Republic to enact laws which would make the temperate man the slave of another man in that he must take orders as to what he can eat and drink is a greater evil. The theory of prohibition is that a hundred men of temperate habits must have their personal rights denied because the one man is intemperate. The spirit, to my mind, is un-American and undemocratic, and should not be given approval by this body.

This resolution takes away from the city, county, and State the right to settle the liquor question for themselves and delegates that power to the Federal Government. I believe that the voters of my city, county, and State know better what is to the interests of their boys than does the American Congress, and I do not by my vote propose to disfranchise my neighbors and the citizens of my State on this great question of the regulation of the traffic in liquor. I am willing to risk the fathers of Kentucky boys to settle this question in Kentucky as they deem best for the moral interests of their sons. They know the conditions and environments which surround them, and the American Congress as a whole does not. Therefore, with all due respect to my colleagues here, I will without hesitation cast my vote to-day against the disfranchisement of the fathers of Kentucky on this issue.

I warn my colleagues from some of the Southern States against the dangerous ground on which they tread when they vote for the destruction of property without compensation.

I caution you that there is pending another question here involving the same principle as is in this resolution. If you vote for this, then you can not complain if the Federal Government takes away from the States the right to control suffrage, which would bring a revolution in the social life of the South. I expect to stand against the proposition of the Federal Government regulating the suffrage of the States. This question should be dealt with entirely by the States. I stand against this proposition of the Federal Government regulating the personal and social habits of the people of the States. Have the American people become so weak and helpless that Congress must act as their guardian in matters affecting their social and personal habits? Are we superior to those who sent us here in our private habits? Are we to arrogate to ourselves the wisdom of being alone able to legislate on this question as we would have to do under the second section of the resolution? How many of us on this floor, regardless of our political beliefs, have been instructed by the platforms of our parties in State and Nation to vote for this resolution amending the Constitution? If it were of such importance as its advocates would have us believe, practically all of us would be here under instructions. I contend that the sentiment built up for this resolution has been done on a false basis, and that the American people will never stand for it when it is fairly put before them.

Let me ask my Democratic friends here why this resolution was never pressed before Congress while the Republican Party was in power? It is a fact, however, that just as soon as our party came into power the leaders of this movement demanded at our hands the passage of this resolution. Could there be a political conspiracy to break up our party on the question of prohibition and give all power back to our friends across the aisle? I am frank to confess that it appears to me that this is the condition which we have to meet.

During the elections last fall some of the advocates of this resolution sent word to the country that the Democratic Party would not give them a vote in this House. The Democratic Party to-day is giving a vote to the resolution, and it would have been voted on much sooner if the leaders in its behalf had so desired. It is their own fault that the vote was not taken six months ago.

Personally, I have voted in committee to bring this matter before the House; but I desire to say here now that after this trial of its strength, if it fails, I will not be in favor hereafter of lugging it into every session of Congress to embarrass our program of legislation.

After years of agitation by an organized leadership it is entitled to its day in court. Let us settle it here to-day for years to come in Congress, and let us send word to the people of the United States that they can be trusted to handle their own moral and social affairs.

Mr. Speaker, the principle involved in the Hobson resolution means much more than the control of the liquor business in the Republic. If begun, the end can not be foreseen. Shall we have a free citizenship or one controlled in their social habits by arbitrary and almost military power? Let us read from some of the wise men of our country. John Quincy Adams said:

> Seek not to enforce upon your brother by legislative enactment the virtue that he can possess only by the dictates of his own conscience and energy of his will.

Samuel J. Tilden has said:

> A centralized government, meddling with everything and attempting to manage everything, could not know the wants or wishes of the people of the localities. It would be felt only in its blunders and its wrongs.

Dr. Washington Gladden wrote:

> Any law, though framed by angels, that the people did not want and would not enforce would not be a good law for the people. Legislation on moral questions must follow, and not try to force, public opinion. The whole prohibitory movement as at present managed puts physical force at the front and sends moral force to the rear. This is a fatal error.

Our own great Commoner in his paper, the Commoner, this week says editorially:

> A national contest for either amendment—prohibition and woman suffrage—would simply divert attention from other issues upon which the people are ready to act without advancing the cause of woman suffrage or the prohibition movement.

In the face of statements from such distinguished Americans at different periods of our national existence we can make no mistake in voting down this resolution.

Mr. Speaker, at different periods in the history of our country 24 States have tried prohibition. Fifteen out of the twenty-four have repealed those laws. With this record what relief can be hoped for in national prohibition and what can the temperance cause hope to gain? The record shows that prohibition hinders real temperance.

Mr. Speaker, I desire to read from the speech of former United States Commissioner of Internal Revenue, Hon. Royal E. Cabell, of Virginia. No man is in a better position to get at the real facts of the liquor business in the country than the Commissioner of Internal Revenue.

Mr. Cabell, speaking in Richmond, Va., on May 14, 1914, used these words:

> First. Records, Federal and local, show that the enactment of State-wide prohibitory laws not only does not prohibit but that it does not diminish the consumption of strong drink in the area covered by such laws, and that in many sections of such area an actual increase is indicated.
>
> Second. That the economic conditions in States which have had longest experience with State-wide prohibition shows that the enactment of such laws often seriously impairs the economic conditions therein, and that the States with the longest experience show no progress or development superior to that of similar States under similar circumstances in which the regulated sale of alcoholic beverages is continued in those communities in which a majority of citizens believe such is the best method of dealing with and handling the liquor question.
>
> Third. That as State-wide prohibition destroys regulation of the sale and handling of liquor, the handling of that business, or the sale of liquor, passes from the hands of responsible persons into the hands of irresponsible persons, the baser and lower portions of the population, with the result that the vilest kind of liquor and liquor substitutes are sold to people illegally, resulting in increased crime, social disorder, and corruption; that use of habit-forming drugs is promoted and increased; and that, instead of improvement in such States, there is indicated a strong probability and evidence of impairment of the social fabric.

The same eminent authority proves beyond dispute that as prohibition laws increase that illicit stills increase. I quote again from Commissioner Cabell:

> In 1908 the total number of illicit distilleries captured in the entire United States was 1,130, and in 1913 it had more than doubled, reaching the enormous number of 2,374. Bear in mind that in 1913 the entire number of registered distilleries in the entire United States was 821. In other words, there were three times as many illicit distilleries captured as there were registered distilleries in operation. The Lord only knows how many there were that were not captured.

And, Mr. Speaker, what kind of liquor do these illicit distilleries make? Instead of the pure, straight kind, like we make in Kentucky under strict Government supervision, we have the mean "squirrel whisky" described by Commissioner Cabell in the following story:

> I will have to tell you a story, a true one, reported by one of the best revenue agents in the service. There was an old negro in one of the prohibition States up for bootlegging. He plead guilty. The judge spoke to him and said, "What kind of liquor are you selling, Mose?" He said, "Judge, I am selling squirrel liquor." The judge says, "What kind of liquor is that?" "Well," he says, "Judge, that is the kind of licker old man Jones makes up the holler at his still, and when a rabbit get three drops of it he will sit up on his hind legs and spit my hound puppy in the face." The judge says, "That is pretty powerful liquor, Mose; but why do you call it squirrel liquor?" He says, "If you go out on a cool morning and take your gun and sit down under a hickory tree and wait for a squirrel, and you take along your tickler of that licker and take three or four drinks, and presently, when you see a squirrel up on a limb, you forget all about the gun and clam up the tree and catch that squirrel yourself."
>
> When that squirrel liquor gets in a man he goes at whatever comes into his mind. That squirrel liquor is one of the problems that prohibition is aggravating instead of decreasing.

In my judgment, Mr. Speaker, such statements as these coming from one who has had full opportunity to study this question in all of its phases are worthy of the fullest consideration and should guide us as lawmakers to be governed by facts, and not be swept off of our feet with statements from the other side, which have not authorized Government statistics to back them up.

I desire to put this question to some of my colleagues who sit on this side of the Chamber: If national prohibition should be adopted, thereby wiping out annually $250,000,000 of our revenue, how can we as a party hope to carry out the program for a reduction in tariff duties? To make up the deficiency we would be compelled to lay tariff rates that would make the rates in the Payne bill pale into insignificance. No great policy of our party could be carried out if we wiped out this tremendous revenue we obtain from internal-revenue taxes. Are you willing to go back to your people and tell them that you took the tax off liquor and that you intend to fearfully increase their taxes on the farms and homes to make up the difference? Are you willing to say to the laboring man that you took the tax off liquor and that you will fearfully increase the tariff tax on every article of necessity which he must buy for himself and family? Can you intelligently vote to wipe out $250,000,000 annually of the revenues of the Government without some plan defined beforehand to make up that deficiency? There can be but one way to make it up, and that is to tax the necessities of life. In large measure liquor is a luxury. Can you afford to transfer this tremendous amount of taxation from a luxury and lay it on the shoulders of those who labor and on those who own small farms and homes? I do not believe that the

American people ask you to do this, and I believe that those who vote for this resolution strike a great blow at the laboring men of the land.

Samuel Gompers is the chief representative of the laboring men of this Nation. Let me read you his reply to Mr. HOBSON concerning this resolution:

SEPTEMBER 3, 1914.

Hon. RICHMOND P. HOBSON,
House of Representatives, Washington, D. C.

MY DEAR MR. HOBSON: Your favor of August 21 reached my office during my absence on official business and this is the first opportunity I have had to reply thereto. I beg to assure you that I appreciate the honor of your selecting me as a member of the National Constitutional Prohibition Committee on Cooperation, but I must ask you to excuse me from accepting or serving upon the committee. I am frank enough to say to you that I am out of harmony with the prohibition movement by constitutional provision or statute enactment. I know of a better way other than by legalized prohibition to secure temperance and temperate habits, not only in the liquor traffic but in any of the personal activities of men.

There is no movement in all the country so potent to make the people temperate as is the much misunderstood and misrepresented organized-labor movement of the country. Increasing wages, establishing a shorter workday, affording the opportunities for the cultivation of better tastes, better aspirations, higher ideals, which the better standard of living and freedom of burdensome, long hours of toil will bring, the opportunity for better homes and surroundings and better working conditions, all of these, I repeat, have been more potent and will prove to be more potent in establishing temperance and temperate habits than any attempt to regulate the personal habits or to inaugurate prohibition by law.

As you will observe, I am not in harmony with the purpose of your movement, and hence can not consistently accept an appointment upon the committee. I therefore again respectfully request you to remove my name from the National Constitutional Prohibition Committee on Cooperation.

Very truly, yours,

SAMUEL GOMPERS,
President American Federation of Labor.

Nearly $800,000,000 invested in the liquor business in this country which this resolution proposes to destroy without one cent of compensation to the owners of that property; $500,000,000 collected annually in Federal, State, county, and city taxes on the liquor business which under this resolution will be wiped away, to be saddled upon the shoulders of labor and agriculture in the Nation. Think of the monstrousness of the proposition, and then consider that under the resolution that just as much—aye, even more—intoxicating liquor can be made than is now manufactured. Read the resolution carefully. The first section says that the sale—not the manufacture—shall be forever prohibited, and then in the second section says that Congress—not the States—shall have power to regulate the sale for "sacramental, medicinal, mechanical, pharmaceutical, or scientific purposes, or for use in the arts, and shall have power to enforce this article by all needful legislation."

Think of it, gentlemen, vesting in Congress the right to say how the people of this country shall worship in their churches on the matter of the sacrament! Let me warn you that, in my judgment, this is the most dangerous precedent ever set before the American Congress, if this measure passes. The most sacred principle with an American is that he shall have the right to worship God according to the dictates of his conscience; and this measure proposes to vest in Congress the right to regulate the sacrament. God forbid! The very mention of this delicate subject is sufficient to make one hesitate to give his support to this proposition.

The uses classified as medicinal, mechanical, pharmaceutical, or for scientific purposes, or for use in the arts, cover practically all reasons for using liquor; and by the resolution, in effect, the entire trade is taken from the States and lodged with Congress to regulate.

I have an idea that if this resolution should pass that tens of thousands of citizens in dry States will hurry into medicinal, mechanical, pharmaceutical, scientific, and "artificial" pursuits.

Gentlemen of the House, let us be candid with our people and with ourselves. But few Members in this House, in my opinion, really believe that there is merit or temperance in this measure, and let us have the courage to say so to the American people. The people can not long be fooled on this measure, and when the awakening comes they will demand its defeat at our hands. We have nothing to fear by stripping this measure of the hypocrisy which surrounds it and let it appear in its true colors before the bar of public opinion.

The people of this country believe in temperance, but they can not be fooled with an imposter like this proposed legislation. Mr. Speaker, there has been some talk here as to who was responsible for bringing this matter of the Hobson resolution into politics. That can be easily answered by reading from a letter from Mr. HOBSON addressed to the Members of this House last spring in which these words were used: "I think I can say authoritatively that these organized forces of the Nation (referring to the Anti-Saloon League) have decided unanimously that until Congress does transfer the question to the several States, it is to be made the paramount issue in congressional and senatorial campaigns, primary and general." Note the words "primary and general." In other words, if you do not obey instructions from this organization in the primary election they wil beat you in the final election, if possible, with a candidate of opposite political faith. This applies to both Democrats and Republicans. This organization would cheerfully disrupt all party organizations in the land if they could win victories for the single flag of national prohibition. Are we as Democrats willing to surrender and are you as Republicans willing to turn over your party organization to the advocates of this single proposition, upon which its author could not carry his own State in his recent race for United States Senator?

Mr. Speaker, viewing this matter from any angle it is dangerous legislation. As a temperance measure it will not prove of any value to that great and glorious cause. It will not help prohibition, because it means free and unrestricted manufacture of intoxicating liquors.

As an economic proposition it would bankrupt the Nation. As a moral and social proposition it is unwise, because it deprives the people of their right to regulate the liquor traffic in their own communities by transferring that right to Congress.

Its passage would help but one body of men, and they would be those who are now drawing large salaries to keep up this agitation. It would give them a chance to go back to the States for the next 25 years to ask for the adoption of this resolution. For the last 25 years they have been filling the law books of the States with statutes harassing the rights of the citizens, which they now confess is useless by asking us to-day to pass this measure. Their judgment has not solved the evils of the liquor traffic in the past and will not solve it in the future under the present leadership. Let us meet the issue like men and vote it down.

EXTRACTS FROM DEMOCRATIC NATIONAL PLATFORMS.

From the Democratic national platform of 1856:

That the Federal Government is one of limited power derived solely from the Constitution, and the grants of power made therein ought to be strictly construed by all the departments and agents of the Government; and that it is inexpedient and dangerous to exercise doubtful constitutional powers. That Congress has no power under the Constitution to interfere with or control the domestic institutions of the several States, and that such States are the sole and proper judges of everything appertaining to their own affairs not prohibited by the Constitution.

From the Democratic national platform of 1860:

Reaffirmation of the platform of 1856.

From the Democratic national platform of 1868:

And we do declare and resolve that ever since the people of the United States threw off all subjection to the British Crown the privilege and trust of suffrage have belonged to the several States, and have been granted, regulated, and controlled exclusively by the political power of each State, respectively, and that any attempt by Congress, on any pretext whatever, to deprive any State of this right or interfere with its exercise is a flagrant usurpation of power which can find no warrant in the Constitution, and if sanctioned by the people will subvert our form of Government, and can only end in a single, centralized, and consolidated Government in which the separate existence of the States will be entirely absorbed and an unqualified despotism be established in place of a Federal Union of coequal States.

From the Democratic national platform of 1872:

Local self-government, with impartial suffrage, will guard the rights of all citizens more securely than any centralized power. The public welfare requires the supremacy of the civil over the military authority and freedom of persons under the protection of the habeas corpus. We demand for the individual the largest liberty consistent with public order, for the State self-government, and for the Nation a return to the methods of peace and the constitutional limitations of power.

From the Democratic national platform of 1876:

In the liberty of individual conduct, unvexed by sumptuary laws.

From the Democratic national platform of 1880:

The Democrats of the United States, in convention assembled, declare opposition to centralizationism and to that dangerous spirit of encroachment which tends to consolidate the powers of all the departments in one and thus to create, whatever be the form of government, a real despotism. No sumptuary laws; separation of church and state, for the good of each; common schools fostered and protected.

From the Democratic national platform of 1884:

The Democratic Party of the Union, through its representatives in national convention assembled, recognizes that, as the Nation grows older, new issues are born of time and progress and old issues perish. But the fundamental principles of the Democracy, approved by the united voice of the people, remain and will ever remain as the best and only security for the continuance of free government. The preservation of personal rights, the equality of all citizens before the law, the reserved rights of the States, and the supremacy of the Federal Government within the limits of the Constitution will ever form the true basis of our liberties, and can never be surrendered without destroying that balance of rights and powers which enable a continent to be developed in peace and social order to be maintained by means of local self-government.

From the Democratic national platform of 1888:

Chief among its principles of party faith are the maintenance of an indissoluble union of free and indestructible States, now about to enter upon its second century of unexampled progress and renown; devotion

to a plan of government regulated by a written Constitution, strictly specifying every granted power and expressly reserving to the States or people the entire ungranted residue of power; the encouragement of a jealous popular vigilance, directed to all who have been chosen for brief terms to enact and execute the laws, and are charged with the duty of preserving peace, insuring equality, and establishing justice.

From the Democratic national platform of 1892:

The representatives of the Democratic Party of the United States, in national convention assembled, do reaffirm their allegiance to the principles of the party as formulated by Jefferson and exemplified by the long and illustrious line of his successors in Democratic leadership, from Madison to Cleveland; we believe the public welfare demands that these principles be applied to the conduct of the Federal Government, through the accession to power of the party that advocates them, and we solemnly declare that the need of a return to these fundamental principles of a free popular government, based on home rule and individual liberty, was never more urgent than now, when the tendency to centralize all power at the Federal Capital has become a menace to the reserved rights of the States that strikes at the very root of our Government under the Constitution as framed by the fathers of the Republic.

From the Democratic national platform of 1896:

We, the Democrats of the United States, in national convention assembled, do reaffirm our allegiance to those great essential principles of justice and liberty upon which our institutions are founded, and which the Democratic Party has advocated from Jefferson's time to our own—freedom of speech, freedom of the press, freedom of conscience, the preservation of personal rights, the equality of all citizens before the law, and the faithful observance of constitutional limitations. During all these years the Democratic Party has resisted the tendency of selfish interests to the centralization of governmental power, and steadfastly maintained the integrity of the dual system of government established by the founders of this Republic of republics. Under its guidance and teachings the great principle of local self-government has found its best expression in the maintenance of the rights of the States and in its assertion of the necessity of confining the General Government to the exercise of the powers granted by the Constitution of the United States.

From the Democratic national platform of 1900:

We declare again that all governments instituted among men derive their just powers from the consent of the governed; that any government not based upon the consent of the governed is a tyranny, and that to impose upon any people a government of force is to substitute the methods of imperialism for those of a republic.

From the Democratic national platform of 1904:

The Democratic Party of the United States, in national convention assembled, declares its devotion to the essential principles of the Democratic faith which bring us together in party communion. Under them local self-government and national unity and prosperity were alike established. The application of these fundamental principles to the living issues of the day is the first step toward the assured peace, safety, and progress of our Nation. Freedom of the press, of conscience, and of speech; equality before the law of all citizens; right of trial by jury; freedom of the person defended by the writ of habeas corpus; liberty of personal contract untrammeled by sumptuary laws; supremacy of the civil over military authority; a well-disciplined militia; the separation of church and state; economy in expenditures; low taxes, that labor may be lightly burdened; prompt and sacred fulfillment of public and private obligations; fidelity to treaties; peace and friendship with all nations, entangling alliances with none; absolute acquiescence in the will of the majority, the vital principle of republics—these are doctrines which Democracy has established as proverbs of the Nation, and they should be constantly invoked and enforced.

From the Democratic national platform of 1908:

Believing with Jefferson in "the support of the State governments in all their rights as the most competent administrations for our domestic concerns, and the surest bulkwarks against anti-Republican tendencies," and in the "preservation of a General Government in its whole constitutional vigor as the sheet anchor of our peace at home and safety abroad," we are opposed to the centralization implied in the suggestion now frequently made that the powers of the General Government should be extended by judicial construction.

From the Democratic national platform of 1912:

We believe in the preservation and maintenance in their full strength and integrity of the three coordinate branches of the Federal Government—the executive, the legislative, and the judiciary—each keeping within its own bounds and not encroaching upon the just powers of either of the others. Believing that the most efficient results under our system of government are to be attained by the full exercise by the States of their reserve sovereign powers, we denounce as usurpation the efforts of our opponents to deprive the States of any of the rights reserved to them and to enlarge and magnify by indirection the powers of the Federal Government.

Mr. CAMPBELL. Mr. Speaker, I yield 10 minutes to the gentleman from Pennsylvania [Mr. KELLY].

Mr. KELLY of Pennsylvania. Mr. Speaker and gentlemen of the House, I have listened with interest to the address of the gentleman from Kentucky [Mr. CANTRILL], but it seems to me that he evades the question at issue. The main fact is that the people are prepared to vote on this question and are willing to vote upon it. It is not a new or novel proposition, and none can deny that it is thoroughly understood by the people. Public sentiment has been forming during the entire history of the Republic. Dr. Benjamin Rush, chairman of the Committee on Independence in the Continental Congress in 1776, urged action upon it and published a book to place his argument before the people. From that day to this the liquor question has been considered and discussed in every city and town and hamlet, and the electorate of the Nation is prepared and anxious to vote upon it directly. Millions of voters have petitioned Congress to submit this proposal to amend the Constitution to them for their decision.

Regardless of all quibbles and pretexts, fashioned to deceive, the fact remains that Congress has no right to refuse to submit this question to the Nation. It is a representative body, and it has no right to decide with finality a proposed change in the Constitution, which is the original and direct expression of the people, who now demand an opportunity of amending it. Shall Congress usurp sovereign power and, although simply an agent, prevent its principal, the people, from determining the national policy to be pursued in regard to the liquor traffic? That is the vital issue at stake in this vote to-day.

The basic doctrine of this Nation is that sovereign power rests in the people. The various representative forms which have been established arose only because the whole people could not be assembled for the purpose of direct action. But, by its own initial declaration, the people ordained and established the Constitution as the framework of their Government. They provided for a representative lawmaking body and fixed the limit of the legislative authority. Representatives exercise powers not by virtue of any sovereign power in the office or in themselves, but solely because of the power delegated to them by the people. While it is necessary to make laws, it is not necessary to have a Congress, and if the people choose they can act directly and their creature cease to exist.

Does anyone contend that this Congress is greater than the people? Why, then, contend that this body may justly deny to its creator the right to use and exercise its power? It is ridiculous to maintain that Congress may say to the people of the Nation, "Thus far shalt thou go and no farther," and yet that is exactly what it does say if it refuses to submit this amendment to the people for approval or rejection. Chief Justice Marshall summed up the exact situation when he declared:

The people made the Constitution and the people can unmake it. It is the creation of their own will and lives by their own will. But this supreme and irresistible power to make and unmake resides only in the body of the people, not in any subdivision of them.

If Congress now refuses to allow the people to express their will upon this fundamental proposition, we do not have even a representative form of government. Such action is a perversion of the powers of government for the benefit of the liquor traffic.

No one denies that the liquor traffic exists by sufferance of government. There is no inherent right belonging to a citizen to sell liquor. That privilege is granted by the Government to certain individuals under prescribed conditions. The Government has adopted the policy of partnership in the liquor traffic. Surely the people, as the sovereign power, have the right to say whether or not that partnership shall be continued. It is a fundamental policy of the Government that is at issue, and the Government is not Congress or court or President, but the people. There is the final and sovereign power.

Shall the people's will be supreme? That is the question that is preeminent in this vote, and no agile dodging and sidestepping shall escape it. That same question was answered negatively by George III on one occasion, and as a result the British Empire lost the proudest star in its crown. The Tories answered it in a similar manner, and they crossed the boundary lines of Canada with the patriots in pursuit. The great Central Bank gave the same answer to Andrew Jackson, and thereby went over the cliff to destruction. The slaveholding oligarchy reared its ramparts of negation to the question, but four years' strife leveled them to the ground. Always and everywhere the result has been the same, and every force that sought to prevent the triumph of the people's will in the end has bowed conquered.

The attempt now to prevent the people from deciding the liquor question for themselves is a return to the rule of the few, the divine right of rulers, and history will repeat itself. The Representative who puts the power of Congress above that of the people who created Congress has no place in the American democracy, and sooner or later will, like his prototypes of the past, be swept aside by the onrushing torrent of the public conscience.

The fundamental right of the people to vote on this exact proposal was recognized by the Senate Committee on Education and Labor as long ago as 1888. In its favorable report on a constitutional amendment similar to this under consideration the committee sums up the entire case in concise style and with irresistible logic. In part the committee said:

The majority of the committee would deem a refusal to submit the proposed amendment to the States analogous to the denial of the right of a party to be heard in court upon a question of private right. The method provided in the Constitution for its own peaceable amendment would be destroyed by the failure to submit the proposition for amendment in cases of grave moment involving the approval and prayers of multitudes of people, for where the remedy sought is ad-

mitted to be without the jurisdiction of the fundamental law the petition is really addressed to the only tribunal which can enlarge that jurisdiction—that is to say, the States themselves. Should, then, Congress in such case refuse to submit the proposal to the States, such refusal would constitute a substantial denial of the right of petition itself.

The agitation for national legislation for the extirpation of the traffic in alcoholic poison made and sold to be used as a beverage will never cease to disturb and finally destroy great political parties until they submit the question of the enlargement of national constitutional jurisdiction so as to include control of the subject. When this proposed amendment is submitted to the action of the States the subject will pass in its important features from the national area to that of the several States until the fate of the proposed amendment is decided. When decided, if adversely to the ratification, the subject will be eliminated from national politics, at least for many years. If, on the other hand, the proposed amendment should be ratified and become part of the national law, the chief curse of the world would be summoned to the block of national justice and die by the hand of the only power big and sharp which can wield an ax big and sharp enough to cut off its hydra head. Then we should have peace. In any case a hearing at court is a sacred right in a matter of so great national concern.

To my mind this logic of the Senate committee of 1888 is unanswerable, especially in the light of the new conditions of to-day, which have grown out of the ever-increasing interdependence of the citizenship of the Nation.

But there are those here to-day who refuse to accept this reasoning and enter specious objection to it. They declare that it is not a question of submitting the matter to the people themselves, since the ratification by three-fourths of the States might not mean the approval of a majority of the people. This argument is elaborated in a large advertisement of the liquor interests, appearing in the great newspapers of the country, in which it is stated that "acres and not people amend the Constitution."

Coming from this source, this argument is a tissue of false pretense. The liquor interests, and no other power that preys on the people, would agree to a vote to be decided by a majority of the people. Already more than half the people of the country live in no-license territory, while but 14 of the 48 States are in the prohibition column. The present plan of amending the Constitution is unfair and unjust, not to the liquor and other privileged interests but to the people who are shackled by it. I am in favor of making it possible to amend the Constitution by a majority vote of the people, but the very interests who are now protesting so loudly against the present method are the ones most bitter in their opposition to such a change.

These interests argue that the present plan affords a too easy method of amending the Constitution, when, in fact, it makes the task almost impossible, unless the sentiment in favor of the change amounts almost to a revolution. Over 2,200 propositions for amendment have been advocated in Congress, but only 17 have been adopted in the history of the United States. The first 13 were adopted to carry out the original intent of the Constitution. The fourteenth and fifteenth were adopted during the reconstruction period following the Civil War, and the sixteenth and seventeenth, providing for the direct election of United States Senators and the income tax, were only adopted after generations of agitation and when the demand had become well nigh unanimous.

It is easy to talk about the possible adoption of this amendment by a minority of the people. It is far more important to consider the insignificant minority which may prevent its adoption. One-fortieth of the voting population can defeat this amendment, thus defeating the will of the remaining thirty-nine-fortieths of the voters.

For instance, the election in 1912 showed the following vote in 13 States: Arizona, 23,722; Delaware, 48,694; Florida, 51,891; Nevada, 20,044; Louisiana, 79,309; South Carolina, 50,348; Montana, 79,910; Vermont, 62,807; Wyoming, 42,296; Rhode Island, 77,894; Mississippi, 64,319; New Hampshire, 87,961; New Mexico, 49,376. The total vote cast in these States was 738,571, so that 370,000 votes would have dictated the action of all. In other words, such an insignificant number, less than one-fortieth of the votes cast in the country, would have prevented the adoption of this amendment.

Is that an easy method of securing action? It is so unfair to the people themselves that Patrick Henry opposed the adoption of the Constitution for this very reason. He said—

It is a most fearful situation when the most contemptible minority can prevent the alteration of the Government, even when most oppressive.

No; the truth is that the present method is a tremendous handicap to those who favor the abolition of the liquor traffic instead of to those who oppose it. It is a far easier task to secure a majority vote in the United States in favor of this amendment than to secure its adoption by 36 States, and every liquor advocate knows it. In any case, no right-thinking Representative will allow such false-pretense argument as is embodied in this attack upon the constitutional method for its own amendment to influence him in his vote upon this resolution.

Another basis of opposition is shown in the declaration that this resolution deals with a moral issue and that any attempt to deal with it through governmental agencies is an infringement of personal liberty and individual rights.

Such an argument was once all-powerful, but, thank God, its stark individualism, with its Ishmael-like philosophy of every man's hand against his neighbor, is no longer all-controlling. It divorced politics from morals and declared that might was right. But developing civilization has proven that the law of the jungle will not serve humanity's betterment. A new situation has arisen, complex conditions have taken the place of the simple relations of a past era. The Nation is a web and woof of citizenship, and a single torn thread mars the whole fabric. The task of statesmanship to-day is to end the anarchy of selfish individualism and to discover the principles underlying great social movements and to direct their development along lines of human welfare.

Great crimes have been committed in the name of personal liberty. This so-called liberty is impossible in a civilized nation, for wherever there is law there are limitations of personal liberty. The highwayman is prohibited from taking property by force. The embezzler is prohibited from taking money by deceit. Men are prohibited from damaging a city sidewalk. They can not send certain matter through the mails. They can not kill game out of season. In fact, every man is hedged about by thousands of restrictions upon his personal liberty solely because such restrictions advance the comfort, virtue, and welfare of the general public. Every forward step in civilization has been made by new limitations on this so-called personal liberty, and this latter-day argument in its behalf is a demand for steps backward to savagery and anarchy.

The entire trend of legislation for many years shows how increasingly great is the necessity for governmental action in realms formerly held to be purely matters of individual conduct. Providing for public schools, penalizing adulteration of food, regulating hours of labor for women, prohibiting child labor, stamping out contagious diseases, securing sanitary conditions, dealing with white slavery, establishing restrictions of all kinds upon the individual in order to promote the common welfare—all these are eloquent witnesses to the governmental activities which are to-day almost universally recognized and commended.

Now, does the liquor traffic menace the common welfare to a degree sufficient to demand action? The veriest pauper of observation will answer in the affirmative. Its poisonous power combines the dangers of all the evils I have mentioned as being prohibited by legislation. It robs the children of their childhood and the schoolhouses of their children. It means inhumanly hard toil for women and children. In its wake follow white slavery, vice, and crime, while poverty, unwholesome conditions, and dread disease are its inevitable accompaniments.

The Supreme Court of the United States in a noteworthy and illuminating decision shows the extent of this problem and the importance of dealing with it through legislation. It says:

It is urged that as liquors are used as a beverage and the injury following them, if taken in excess, is voluntarily inflicted, and is confined to the party offending, their sales should be without restriction, the contention being that what a man shall drink, equally with what he shall eat, is not properly a matter for legislation.

There is in this position an assumption of fact which does not exist, that when the liquors are taken in excess the injuries are confined to the party offending. The injury, it is true, falls first upon him in his health, which the habit undermines; in his morals, which it weakens; and in his self-abasement, which it creates. But as it leads to neglect of business and waste of property and general demoralization, it affects those who are immediately connected with and dependent upon him. By the general concurrence of opinion of every civilized and Christian community there are few sources of crime and misery in society equal to the dramshop, where intoxicating liquors in small quantities, to be drunk at the time, are sold indiscriminately to all parties applying. The statistics of every State show a greater amount of crime and misery attributable to the use of ardent spirits obtained at these liquor saloons than to any other source.

Mr. Speaker, the enlightened conscience of America is not demanding that Government keep its hands off everything except the preservation of peace. It demands that the Government put its hands on everything that will promote the common good more effectively than individual effort. The question is not whether we shall be governed more but whether we shall govern ourselves more. Such legislation as this is not paternalism; there can be no paternalism in laws made by the people. Such laws are self-imposed and they are based on the principle of self-help, the imposition of laws on the people by the people themselves.

We may admit that the future of the Nation depends upon the character of its individuals. Still I deny that individuals reach their highest development by allowing forces of evil

to work their ravages unrestrained. That simply means the triumph of the law of the jungle. It does not mean the safeguarding of the interests and welfare of individuals. It is just as reasonable to say that a house depends upon its bricks and then expect the bricks to fall together by chance, without plan or specification, into a splendid building. You can not expect a nation of strong individuals without an environment suitable for development. A dusty wayside may throw out a flower which will escape the trampling of hoofs, but ordinarily flowers grow in the gardens of those that love them.

This is a moral issue—yes; but that fact will not serve to keep it out of the realm of politics and government. Rather, it will keep it a vexing political and governmental question until it is settled and settled right. Because slavery was regarded as a moral issue strenuous efforts were made to keep it out of politics. Lawmakers refused to deal with it for many years and touched it only as "hucksters dealing in the relics of the saints." Resolutions were passed in Congress prohibiting its very mention on this floor. But no power could prevent its consideration and settlement, although this very evasion and timeserving made necessary the bloodiest fratricidal strife in history in order that the question might be settled and settled right.

To-day this liquor problem is of the same importance as slavery was in that other day. It is the second grave issue at once governmental, economic, and moral in character which has demanded settlement in the 138 years of national life. As surely as the slavery problem was solved so surely will the day come when the American people will settle this question and settle it right, regardless of all congressional attempts to evade it.

Mr. Speaker, this Republic is founded upon the moral character of its people. It is a monstrous error to regard politics and morals as separate and distinct from each other. Napoleon said: "My dominion ends where the dominion of conscience begins."

No greater calamity would be possible in America than to have a clear line of division between the dominion of government and the dominion of conscience.

The conscience of the people is becoming social; it concerns itself with the common welfare. Because the liquor traffic assaults the rights and happiness of the entire citizenship; because it brings conditions in which vice and crime, disease and degradation, multiply and flourish it is treason to the common welfare. Becaues this traffic does not affect individuals alone, but extends out in ever-widening circles of misery and suffering, it can not be dealt with by individuals pulling in single harness. It is a social disease and must be cured by government acting as the agent of society.

Let the liquor advocates prove that the traffic promotes the common welfare, that it leads men to advance the interests of others as well as their own, and they will have some standing in the argument. As long as they demand the privilege of allowing others to drink to an extent that renders them a nuisance, an expense, and a menace to the welfare, lives, and property of others their plea of personal liberty is entitled to no consideration whatever.

The advocates of this amendment are the real friends of liberty—not the false personal liberty which means license to do wrong. They would grant every liberty save that of injuring the rights of others. They are armed with knowledge; they strike in the cause of civilization and they battle for the rights of all mankind.

But when the upholders of the liquor traffic are driven from their position that no legislation whatever is justifiable they fall back upon the moss-grown State rights argument. They say that it is a State issue, and not one to be dealt with in an amendment to the National Constitution. They now admit that this problem is one to be dealt with by government, but maintain that it must be met piecemeal and solved by fractions.

Local self-government is one of the foundation stones of the Republic, but local power never was intended to be and never should be sovereign over national concerns. Justice Wilson declared in support of this contention:

> The General Government is not an assembly of States, but of individuals, for certain political purposes, to the direction of which no particular State is competent.

No particular State is competent to solve the liquor problem. The traffic is national in scope, and its proportions menace the Nation as a whole. Its great national organizations dictate action to the State and local bodies. It is allied with every power that preys in the Nation and it fights with and beside the whole system of special privilege. Coping with trusts and monopolies is no longer regarded as a State task, and this Congress has passed several measures to deal with these gigantic combinations of capital. The Liquor Trust was among the first great monopolies to be formed in this country, and it led the way for the brood of trusts that have so greatly endangered the integrity of the national structure.

Rest assured that the liquor traffic regards no State lines in its organized effort. From its resources of exploitation it purchases the highest talent. It sends its hired orators on nation-wide journeys to defend it with distorted issues. It controls national periodicals, on whose printed pages are falsehoods calculated to deceive the people. It pours the money collected in Pennsylvania into Alabama and that of California dealers into Maine. It will not confine itself to State limits, and no adequate remedy for the problem will be found within State limits.

Is this Congress competent to pass a corrupt-practices act to protect the purity of elections? It has answered that query by passing the act. But no single force corrupts elections like the organized liquor traffic. No other interest debauches so many voters, degrades so many citizens, debases so many legislators, and dishonors so many public officials.

Trace its slimy way through national records and you will find it industriously at work to-day, as in years past—find it at work in corruption and bribery, as was evidenced in the recent Mulhall lobby investigation; find it in collusion of criminals with the officers of the courts; find it manipulating the ballot and robbing the ballot box; find it thwarting the people's will by the most putrid measures; find it the enemy of good legislation and the friend of vicious measures; find it the foe of good government, the eternal adversary of respectability, morality, and patriotism.

The liquor traffic stands to-day as the foulest stench of governmental corruption in Nation, State, county, city, township, and village. It violates with brazen shamelessness more laws than all the inmates of all penal institutions multiplied by thousands. Its record of debauchery is a scar across the face of the Republic. It is the greatest incentive to corruption and lawlessness in the Nation.

The Pennsylvania political machine, which has ruled the destinies of the State for years, is bottomed on the liquor traffic. Time after time national elections have been influenced by this machine—Cameron, Quay, and PENROSE, in turn, using huge corruption funds contributed by the liquor interests to purchase elections.

The campaign of this year, which resulted in the reelection of Senator PENROSE, witnessed the most brutal and baleful corruption in the history of the State. It is declared on reliable authority that a million dollars was the sum contributed by the liquor dealers of the State to return their patron saint to the United States Senate and his candidates to other offices.

The Personal Liberty ticket of the liquor dealers, for the liquor dealers, and by liquor dealers, was headed by PENROSE in the State. It determined the result in many districts, among them my own. I was defeated for reelection by this ticket alone. It gave my opponent 2,630 votes, and I lost by 1,361 votes. Without that ticket I should have won by 1,269 votes.

I am making no complaint, for I would have it no other way. I would rather be defeated by such forces of corruption than be elected by them. I would not remain a Member of this House five minutes by the grace of these interests, for I hold it the sacred duty of every American patriot to strike a blow at their domination of politics and government whenever and wherever the opportunity affords.

Mr. Speaker, if nothing else were in evidence, the tactics of the liquor interests in every election should settle the State rights argument in every sane man's mind. The purity of national elections, the integrity of national law-making bodies, the preservation of national institutions—all these are deeply involved in this question and demand that action be taken by national authority.

Mr. Speaker, there is no just argument against the submission of this amendment. This Congress should give the people of the Nation the opportunity of deciding the liquor question on its merits, without the injection of other issues to distort the one question before them.

Congress should pass this resolution, because it dares introduce into politics the living vitality of a great moral issue, scorning the fears that have made cowards of public men in the past; because it centers the thought and heart and conscience of the Nation upon evils which must be eliminated if the Republic is to endure; because it places right above might and refuses to be lured from its course by any siren song of compromise; because it seeks no halting, halfway measure, but steadfastly and with stalwart courage assails the strongest citadel of sin in America; because it listens to no taunts of its Utopian visions, but declares that the reality shall be put into

the dream, the foundation under the air castle; because it declares that there shall be no cessation of battle until this question is settled, and settled right.

Congress should pass this resolution because it will place the liquor traffic where it belongs, before the bar of public opinion, to stand or fall as it deserves; because it trusts the people to work out their own destinies, unfettered and unbound; because it is founded upon the belief that the will of the people should be the supreme law of the land; because it asks no favors of rulers, but places its reliance in the heart and brain of the man called "Million;" because it does not attempt to substitute legislative conspiracies for direct popular government; because it does not work in the dark, but throws down its challenge in the full light of day; because it proposes to drive the people's enemy out of the control of government by putting the people in control.

Congress should pass this resolution because it is nonpartisan and runs counter to no man's political faith, contrary to no man's party principles; because it is not a political device to get rid of the liquor question, but the theory of this Republic put into practice; because it is the principle of self-government upon which the Nation is founded, and means the supremacy of the citizenship which is accountable for the Government and upon which the responsibility rests.

Congress should pass this resolution because it affords a fundamental remedy for a fundamental evil; because it does not trifle with symptoms, but deals with the cause and cure of the disease itself; because it does not depend upon men or legislative enactments, but aims to act through the Constitution, the final expression of sovereign power; because it denies that all fountains of inspiration were sealed up when the Constitution was written a century and more ago; because it declares that the dead hand of the past shall not throttle the present, but that this generation shall work out its problems in the light of its own knowledge and experience.

Congress should pass this resolution because it is a national solution for a national problem; because it recognizes that the whole is greater than a part and would not have 48 separate constitutions amended to accomplish what should be accomplished in one; because it attacks the worn-out, outgrown contention that our new problems must be met by piecemeal and solved by fractions; because it proposes to bring justice to bear on national menaces which the State can not reach; because it will let the sunlight into the twilight zone between the States and Nation, in whose shadow national injustices and wrongs have gone unpunished and immune.

Congress should pass this resolution because it defies and disowns the philosophy of Ishmael and substitutes the noble idea of brotherhood and the common good; because it recognizes that anything that causes disease and degeneracy, crime and corruption anywhere is an injury everywhere; because it declares that personal liberty does not mean personal license, and that when the liquor traffic takes a political character with a death's-head as its emblem of liberty, it thereby seals its own destruction by the universal law of self-defense.

Congress should pass this resolution because of the forces that are against it—the allied powers that prey, the vultures of vice, the corrupt combinations of politics, the grafters and gangsters, the parasites that clothe themselves in the proceeds of woman's shame, the inhuman ones that bathe themselves in the tears of little children, the wastrels who wreck and ruin material things while they contaminate childhood, debauch youth, and crush manhood; the plunder-laden ones who fatten themselves upon the misery and want and woe that their own greed has created, the Hessians in the black-bannered troop whose line of march is over wrecked homes and broken hearts and ruined lives.

Congress should pass this resolution because of the forces that are for it—the awakened social conscience of the Nation, the men and women of America who have enlisted in a newer and better crusade to redeem and recover America, which is truly holy land; the knightly hearts and courageous souls who live above the fog in public duty and in private thinking; army of the common good, whose valiant soldiers resent an injustice done the weakest man or woman or little child as a wrong done themselves.

This question is too big for Congress or President or court to decide; it is just big enough for the heart and conscience of the American people. Let us submit the question to them, thus giving them what is theirs by inherent right—the power to solve the liquor problem as they desire, to continue the traffic or put the liquor business out of government, the Government out of the liquor business, and the liquor business out of business. [Applause.]

The SPEAKER. The Chair desires as kindly as may be to suggest to the people in the galleries that they are here by the courtesy of the House, and the rules of the House prohibit either signs of applause or dissent. The House is here for a discussion of business and not as a show. [Applause.]

Mr. HENRY. Mr. Speaker, I yield four minutes to the gentleman from Alabama [Mr. HOBSON].

Mr. HOBSON. Mr. Speaker, I address myself to the rule. It deals with a question of nation-wide importance, of world-wide importance, of race-wide importance. Alcohol has interfered with the orderly evolution of the human race. Some may disagree with me on that proposition, but no one can deny that millions upon millions of American people have a deep conviction similar to my own. Now, I cite the scroll over this body. It is simply a record of resolutions adopted at great public meetings. If the petitions themselves sent in were here they would cover miles in length. Over 6,000,000 American citizens have petitioned on the subject, ten times as many petitioners as ever petitioned any Government in the history of the world. Twelve thousand organizations have passed official resolutions. What do these petitioners ask? Not that this Congress shall make the country dry, but that this Congress shall initiate, as the Constitution provides it the authority to initiate, a referendum allowing the people in the several States to decide upon this change in their own organic law. This question has been before this House now for more than 12 months. It has been upon the calendar of the House since May 9. We have been patient in asking for its consideration. We have been thoughtful and considerate, and I feel that no one now can deny the question of consideration on such a question of referendum demanded by such a vast body of our citizens.

I desire to correct the gentleman from Kansas [Mr. CAMPBELL]. Since the figures he used about the proportion of population and the areas wet and dry were figured out there have been 5 sovereign States added to the dry list, so that to-day about 57 per cent of the people of the United States and about 76 per cent of the area of this country is living under a prohibition law passed by a majority vote of its citizens. The rule does not provide cloture, but permits amendment. If it does not suit the views of Members here, let them offer amendments. The amendment proposed provides a scientific treatment for a deep organic disease. The systematic debauching of the youth is the origin of this terrible evil in our land. Investigations show that the great national organizations of the liquor interests are the agents. Their motive is the gain and profit in the sale of their goods to the crops of young drinkers as they become men. The amendment would remove the motive, the agent would disintegrate, the debauching of the youth would end, and the Nation would grow sober—the real, organic, scientific cure for this disease. [Applause.]

The SPEAKER. The time of the gentleman has expired.

Mr. CAMPBELL. Mr. Speaker, I yield to the gentleman from Wisconsin [Mr. LENROOT].

Mr. LENROOT. Mr. Speaker, I shall vote to adopt this rule; but if adopted, I shall vote against the constitutional amendment to which it relates. I shall vote to adopt the rule, because I believe that the proposed constitutional amendment is of such public interest that it should be considered and acted upon by Congress. In voting against the prohibition amendment I find myself upon the same side as are the liquor interests, but that should not deter me from performing my duty as I see it. I cheerfully accord to others who differ from me upon this question that sincerity of opinion and deliberate and unbiased judgment that I claim for myself.

Whether prohibition is practicable and desirable is not the question before us now. We see before us a large number of posters this morning, setting forth the evils of the liquor traffic. We may well believe every statement contained in each one of these posters is true, and yet, in my view, we are not warranted in submitting this constitutional amendment. In my mind there are but two questions for us to consider—first, is the present state of public opinion upon this question such as would justify the Congress of the United States in submitting this amendment, and, second, is the question one which ought to be the subject of Federal jurisdiction? I am what has been called a Progressive Republican, and am probably regarded as more or less of a radical. I believe the Federal Constitution should be more easily amended than is now possible, but I never have believed, and do not now believe, that Members of Congress have no responsibility in the matter of proposing amendments. On the contrary, I believe that Congress never should propose an amendment unless in its judgment there is a well-settled, deliberately formed public opinion of such extent as to make it probable, at least, that if submitted it will be ratified by the necessary number of States in the very near future. That condition with reference to this subject does not exist to-day, and I think no one will claim that it does exist.

Mr. QUIN. Will the gentleman yield?

Mr. LENROOT. I have not time to yield now.

Members must remember this is not a referendum that can be accepted or rejected by the States. The gentleman from Alabama [Mr. HOBSON] and the gentleman from Pennsylvania [Mr. KELLY] treat it as a referendum. It is not. There is no such thing as the rejection of a proposed amendment to the Federal Constitution by the States. If a State ratifies it, the matter is settled, so far as that State is concerned, for all time to come. But if it rejects it, it means nothing more than the postponement of the matter until another legislature is elected. In other words, if the State ratifies the proposed amendment, it has no power thereafter to reconsider its action; but if it refuses to ratify it, any subsequent legislature may again vote upon it. So when an amendment leaves Congress it is never rejected, never dies, but lives on until ratified by the required number of States; and it might easily be that when the last State has ratified it the States first ratifying it may have changed their views and, in fact, be opposed to it. This is why great care should be exercised in proposing constitutional amendments, and only after public opinion is so well settled as to practically insure early ratification should they be submitted by Congress. This is a general principle that should govern all cases. And believing in that principle as I do I can not make an exception in this case.

Another principle that I believe should govern this constitutional amendment is that the people of the several States should have the largest measure of self-government possible, and whenever they can themselves directly and effectually determine a policy affecting them alone the Federal Government should not intervene. Tested by that principle, I can not support this amendment. Each State now has full power to enact and enforce prohibition laws within its borders. The Federal Constitution provides: "The Congress, whenever two-thirds of both Houses shall deem it necessary, shall propose amendments to the Constitution." The Constitution itself, therefore, imposes upon each Member of Congress the duty of deciding that it is necessary before voting for a proposed amendment. Bearing in mind my oath of office, before I can justify a vote for this amendment I must deem it necessary, and I can not relieve myself from the responsibility which the Constitution imposes upon me by saying that this is only a referendum, and I will vote to submit it, whether I deem it necessary or not. Therefore, when the States have full power over the subject, when only a minority of the States have enacted prohibition laws for themselves, I can not deem it necessary that this amendment be proposed, and, tested by this principle, I must vote against it.

A short time ago we passed the Webb law relating to interstate shipment of liquors. That law was warmly supported, and, indeed, proposed, by some of the organizations that are now urging this amendment. I supported the Webb bill and was warmly commended by the opponents of the liquor interests for doing it. But the Webb law is the very antithesis of this proposition. The Webb law relinquished to the various States all control which the Government had over the shipment of liquor into prohibition States under the interstate-commerce clause of the Constitution. Then the contention was made that the States should have full power over the subject and that the Federal Government should not exercise any jurisdiction whatever over it in prohibition States. I believed that contention was right then, and I believe it is right now. If the contention then made was right, the contention now made by the advocates of this amendment is wrong. The constitutionality of the Webb law is now before the Supreme Court of the United States. If it shall be held that in the Webb law we exceeded our constitutional power, then I stand ready to vote for any amendment to the Constitution necessary to give to the States full and complete control over the subject. In the words of the Constitution, I "would deem it necessary" that such an amendment be proposed as essential to effectual control by the States over their internal affairs and demanded by the well-established public opinion of the country.

There is much more that might be said if I had the time, but in the few minutes that I have I can do no more than outline the principles upon which I base my vote.

One other observation, however, I regard as important. I believe profoundly that upon any great question involving a radical change of policy of government, whether State or Federal, it is desirable, whenever possible, that the people vote directly upon the question. In the matter of prohibition, when it is proposed as a State matter, the people of the State vote directly upon it; but if this amendment is proposed by Congress, the people will not vote upon it at all, but it will be acted upon by the legislatures of the States, which suggests another reason why it should be left for each State to settle for itself.

My friend the gentleman from Pennsylvania [Mr. KELLY], said a number of times during his speech that they wanted to give the people an opportunity to vote upon this question. The gentleman from Pennsylvania, like myself, believes in a more direct participation of the people in government. He believes, I know, as I do, that upon any great principle, instead of submitting it alone to the legislatures the people should have the right to vote upon it. But when you vote for this amendment you take away the power of the people in the States to pass upon it and place it in the hands of representatives only—a principle which both he and I have opposed in the past. [Applause.]

Mr. FESS. Mr. Speaker, will the gentleman yield there?

The SPEAKER. Does the gentleman yield?

Mr. LENROOT. I yield for a question.

Mr. FESS. Do you mean to say that an amendment of the Constitution is not a matter that the people speak on?

Mr. LENROOT. Only in the way that they speak upon every other legislative question that comes up in a State.

Mr. FESS. Then, do you mean by that that our method of amending the Federal Constitution is wrong?

Mr. LENROOT. I do. I would like to see our method changed so that the people themselves would vote upon an amendment to the Constitution. [Applause.] I would like to see the people of each State vote directly upon a constitutional amendment instead of its going to the legislatures only.

Mr. FALCONER. Mr. Speaker, will the gentleman yield?

Mr. LENROOT. I regret I can not. I have arranged to yield back the remainder of my time to the gentleman from Kansas [Mr. CAMPBELL]. Otherwise I would be glad to yield.

The SPEAKER. The gentleman from Kansas has 13 minutes.

Mr. HENRY. Mr. Speaker, I yield 10 minutes to the gentleman from North Carolina [Mr. POU].

The SPEAKER. The gentleman from North Carolina [Mr. POU] is recognized for 10 minutes.

Mr. POU. Mr. Speaker, being firmly convinced that the question of prohibition should be settled by the respective States of the Nation, I have from the beginning opposed the rule now under consideration. My conviction in this respect is so strong that I would have prevented a favorable report if I had possessed the power to do so. [Applause.] I shall, therefore, vote against the adoption of the special rule or resolution now under consideration.

Some of those who favor national prohibition have said, "Surely you are not opposed to giving the people of the Nation the privilege of passing on this question. It is merely a referendum we are asking for. Everyone—even those who are opposed to national prohibition—should be willing to order the referendum we ask for." Mr. Speaker, I can not vote to submit this question to the States without doing violence to a cardinal principle of the party to which I belong, and no man should ask me to put aside my convictions until the people I represent have had opportunity to calmly consider both sides of the question and after careful consideration, understanding fully all the consequences, have ordered me to cast such vote.

I do not believe the people of the district I represent have given House joint resolution 277, known as the Hobson national prohibition resolution, the consideration that resolution is entitled to receive. I do not believe they have considered the effect on the Nation as a whole of the referendum we are asked to order or the result of the ratification of the Hobson amendment by three-fourths of the States of the Union.

What is the nature of this referendum you are asking for? Will this matter be settled by one election or even more in the States respectively? The referendum which some of you say should be ordered as a matter of course will light the fires of a controversy which will rage for a generation. Even the most sanguine do not hope for a settlement of the question within five years, and in my humble judgment there is not a man in this Chamber to-day who will be living when a vote is taken by the legislature of the State which will finally settle the referendum you are asking for. If the legislature of a State votes for the ratification of this amendment, that State is immediately enrolled as one of the 36 States necessary to make this amendment part of the Constitution. If, on the contrary, the legislature of a State votes against the ratification of this amendment, the question is not settled in that State at all, for the next succeeding legislature may ignore the action of the legislature which refused to ratify, and by affirmative vote may thereafter place the same State in the roll of those favoring the adoption of this resolution as part of the organic law of the land. The general assembly of a State ratifies the proposed amendment; the matter is settled so far as that State is concerned; but if the general assembly shall decline to ratify,

nothing is settled so far as that State is concerned, for any succeeding legislature, as I have said, can ignore the action of its predecessor in refusing to ratify this proposed amendment to the Constitution. In other words, we are asked to order a referendum with no date set when the contest, which will surely rage, must end. This Congress is asked to submit this question which arouses the passion and prejudice of the people as no other question of the hour. No matter how many States refuse to ratify, no matter how often any single State withholds ratification, the battle will continue until the necessary 36 States have through their general assemblies ratified the amendment proposed. Therefore, I say, no living man can see the end.

I do not believe the people in the district I have the honor to represent have given this proposed referendum the consideration to which it is justly entitled. I can not agree to submit a question with such far-reaching consequences until I believe I have the mandate of my people to do so.

Mr. Speaker, this is the amendment we are asked to submit:

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled (two-thirds of each House concurring therein), That the following amendment of the Constitution be, and hereby is, proposed to the States, to become valid as a part of the Constitution when ratified by the legislatures of the several States as provided by the Constitution:

"ARTICLE —.

"SECTION 1. The sale, manufacture for sale, transportation for sale, importation for sale of intoxicating liquors for beverage purposes in the United States and all territory subject to the jurisdiction thereof, and exportation for sale thereof, are forever prohibited.

"SEC. 2. The Congress, or the States within their respective jurisdictions, shall have power to enforce this article by all needful legislation."

In the brief time allotted to me I can not, of course, discuss fully this proposed amendment. I will, however, venture to say this right now: It is amazing to me that true temperance reformers should insist that the ratification of such an amendment will prevent the wholesale consumption of intoxicating drink. All of my life I have stood for temperance. I not only supported the Webb law, but I had the honor to present the resolution from the Committee on Rules providing for the consideration of that measure. I voted for State prohibition when it was not popular to do so in the county in which I live. In my own heart I feel that I want to do what I can to promote the cause of temperance. Never in my life have I knowingly voted for an immoral proposition. I stated to the delegation which asked for a special rule to consider the Webb law that I could never support the proposition of national prohibition.

Under the proposed amendment any man who can raise a few dollars to pay for a whisky still can manufacture all the whisky or brandy he cares to manufacture.

The blockade still is the curse of any rural community. If you allow the man who is willing to violate the law to make all the whisky he wishes to make, he will take the chances about selling it. This amendment does not prevent the manufacture of intoxicating liquor at all. It only prevents the manufacture of such liquor where it is made for sale, its transportation for sale, its importation for sale, and, in my judgment, its effect will be to encourage rather than discourage the indiscriminate manufacture of whisky and brandy.

But it is contended that the second section remedies the trouble. In that section Congress or the States shall have power to enforce this article by all needful legislation. Enforce it how? By passing all needful legislation to prevent the manufacture of whisky? Not at all. The States may do that or may not. The only legislation which would enforce this article must be legislation against the sale, manufacture for sale, importation for sale of intoxicating liquor for beverage purposes. The proposed amendment might very properly be entitled an amendment to legalize the illicit still in the United States. It might well be entitled "An act to encourage the manufacture of intoxicating drink by individuals," for any man who can raise a few dollars to pay for a still can manufacture as much as he wishes. I am told that whisky stills are advertised for sale at $15 each. But I have not time, Mr. Chairman, to discuss the merits of the proposed article. Other gentlemen will discuss both sides fully.

My objection to the proposition is fundamental. There are 48 States in the Union. Each of these States should forever retain the power to regulate the liquor traffic according to the will of the people of that State. If there is just one State of the 48 which wishes to remain wet, I say the wishes of the majority of the people of that State should be respected. [Applause.]

If 47 go wet and just one wishes to remain dry, I say the will of a majority of the people of that State should be respected by all the other States of the Union. [Applause.] The principle has stood the test of years. I plant myself upon it now and believe I am right. The people of North Carolina should not wish to dictate to the people of Pennsylvania how they should regulate the liquor traffic. No man can tell what the future has in store. If a resolution were offered to read as follows: No State shall pass a law prohibiting the manufacture and sale of intoxicating drink, I would oppose that amendment upon exactly the fundamental ground I am opposing this. I am willing to go the limit in supporting every State in the enforcement of its laws. But I will never concede the right of Pennsylvania or Maine or California to participate in the internal affairs of my own State, nor will I claim any such right for North Carolina. That is safe, sound Democratic doctrine, and we can not go very far astray so long as we adhere to it. [Applause.]

Our Republican friends were in power for 16 consecutive years. Theirs is not a State rights party, but they were wise enough to observe this principle. Not quite two years of the present administration has passed, and yet the record of achievement is without parallel. It is now proposed to make national prohibition the paramount issue. Everything else must go to the winds. The work of this administration has hardly had a trial, but that does not matter; a firebrand must be cast in the lap of the Nation. Everything must be made subordinate to the great task of securing 36 States to ratify this amendment. It does not matter how long it takes, whether 10 years or 50. You southern Democrats who favor this proposition are about to commit, I firmly believe, a monumental mistake.

When you have ratified that law what condition will you have? In communities where public sentiment is back of your law, it will be enforced; in communities where public sentiment is against your law, it will not be enforced. In States where a majority of the people want prohibition, you will have enforcement; in States where a majority are against the proposed amendment, you will not have enforcement unless you use Federal constabulary, and where is the man who wishes to see officers from one State sent to another State to aid in the enforcement of law? Such a condition is the first step toward civil war. God forbid that we have such condition in any State of this Union. Remember, gentlemen, no law is stronger than the jury box. [Applause.]

Mr. Speaker, let us be practical and let us strive to be sensible in dealing with this matter. This proposed amendment is not going to end drunkenness in this Nation. Quite a number of States have already adopted prohibition. My judgment is that conditions were made better by the action of these States, but the adoption of prohibition by these States did not end drunkenness or the traffic in liquor. In 1901 I was in a city of a State which for years has had prohibition by constitutional amendment, and yet there were at that time, so I was reliably informed, 87 places where a man could buy a drink whenever he would go for it. These places were run openly; some of them on the Sabbath. Their proprietors were known to the city authorities. It is true they were indicted once a year and forced to pay a fine into the city treasury about equal to a moderate license, but they were allowed to run openly and, so far as I have heard, they have never been closed. I expect they are running, some of them, at least, to-day.

It is very much more easy to enforce the law where the unit of enforcement is small. If State laws against the liquor traffic are openly violated in communities where public sentiment winks at such violation, we need not hope that such a law as the one now under consideration will receive any greater respect in communities which are opposed to its enforcement.

You are, therefore, proposing to surrender two hundred and sixty-seven millions of taxes, which the Government collects annually from the liquor traffic, and, in my judgment, you are proposing to bring upon the Nation a worse condition than you have now. This two hundred and sixty-seven millions must be raised. It can only be raised by taxing something. Do you think the people of the Nation are ready to pay two hundred and sixty-seven millions each year to try out an experiment? Even Mr. Bryan says this is not an opportune time.

Mr. Speaker, I have been in public life a good long time. For a quarter of a century, without a break, I have served my State or my country. I think I realize the possible consequences of the vote I am about to cast. I can speak the truth and say that I have tried to persuade myself that I could consistently support this resolution. I have close friends on both sides of this center aisle. I am proud to say. Some of them, at least, know how I have felt about this matter. During all the years I have been in public service, whatever faults may have been mine, I can at least say this: I have been true to the conscience which Almighty God implanted in my breast.

I respect, I admire the noble men and women who are making this fight, and God knows that I hold no brief for any

human being engaged in the liquor traffic; but, Mr. Chairman, if I were to cast a vote in favor of this amendment, I would be surrendering the most cherished principle for which I have fought all my life. I simply can not do it unless I feel I am ordered to do so in clear and unmistakable terms by those I represent.

Mr. Speaker, I can not help having the convictions I cherish on this subject. They are the results of teachings of a lifetime. If I were to surrender these convictions to make myself popular the very people who are urging me to support the Hobson amendment, would have no respect for me. [Applause.] I am not changing my position. I stand just where I stood when the Webb bill was before the House. I supported that measure in order to help the States to enforce the laws which the people of certain States had seen fit to pass. If that law is not strong enough to accomplish the results intended to be accomplished, if it is not strong enough to carry into effect the will of the people of the respective States, I repeat I am ready to vote to make it effective.

Where the people of a State vote in favor of prohibition, I am ready to help the people of that State to make effective their will as expressed by the majority at the ballot box, but I can not surrender the principle that each State should have the right to regulate the liquor traffic, without interference in any way whatever by the people of any other State. If that is not true democracy, then I am not a Democrat. The southern Democrat who votes in favor of this amendment certainly sets a dangerous precedent. We of the South have claimed the right to regulate our State matters, without interference on the part of any other State.

Mr. Speaker, let us consider for a moment the possible effect of the precedent which would be set if this Congress should submit this proposed amendment for ratification, not by the people, but by the legislatures of 36 States.

I am a southern man. While I love my people and am proud of their history, I am as intensely American as any man in this Chamber. I am speaking but the simple truth when I declare that the first solicitude of every man is for his home. When the hour of peril comes, the God of Nature has put in the heart of every man that anxious feeling which prompts him to inquire whether danger threatens his State, his county, his home. Where is the man who will deny the existence of this natural impulse? Where is the man ashamed to own it? Where is the man who is not proud to admit it? We of the South know what it is to suffer. True, indeed, our fathers and mothers knew suffering far greater than we of a later generation. I shall not revive the sleeping passion and prejudice of a former day by reciting the trials through which my people have passed, but I will say this. Men have written books called novels about the trials and suffering of which I speak, and yet the half of what our people endured has not been told. Their trials were so galling, their humiliation so terrible, it is beyond human power to tell it all. Every southern man and many northern men who have cast their lot with us know this is true.

Standing in this presence to-day and looking back down the vista of the last 50 years, I tell you all that the very civilization of my State and of every Southern State depends upon the survival of the principle for which we of the South who oppose this amendment are fighting. We have disfranchised the ignorant negro vote; we were forced to do it to preserve our civilization and our institutions and to have peace. We did what was best for the white man and what was best for the colored man. We did not deprive him of the right to vote in anger or with malice. We took away the ballot as the adult takes the pistol from the hand of a child.

And I want to tell you that the negro himself is better satisfied under the new order of things. If you think we are not doing our duty to our colored population, go down South and ask any intelligent colored man to tell you what we are doing, and while you are there ask that same colored man to tell you what he thinks of conditions now as compared to conditions 25 years ago.

Where is the southern man who would be willing to concede to 36 States the right and power to undo what we have done? If you vote for this amendment, you are voting to surrender that principle. If it is right for the legislatures of 36 States to decide how all the 48 States shall deal with the liquor traffic, it is also right for the legislatures of the same 36 States to prescribe the qualification of the voters in all the 48 States of the Union. Men of the South, argue as you may, you can not escape that conclusion. It follows as night follows day. And if you think this question is settled by the action of the several States of the South, you are woefully mistaken. Almost every year you hear mutterings of discontent. You all know, or ought to know, that States outside of the South have not accepted our action as final. Jealousy exists because we retain our representation in Congress notwithstanding the reduced vote.

Suppose an amendment to the Constitution should be submitted by Congress reading as follows: "No State shall deprive any citizen of the right to vote except upon conviction of crime," how many States through their legislatures are ready now to ratify that or a similar amendment? My own opinion is worth little, but I believe such an amendment would be ratified by the legislatures of more than 25 States within less than six months after its submission by Congress.

If I am correct, then what condition would be presented? Just 11 more States would be needed to make the proposed amendment part of the Nation's Constitution, just 11 States needed to repeal the grandfather law, as it is called in my State and other Southern States, just 11 more legislatures (not the people) to undo all we fought for a generation to accomplish. This is not idle speculation. It is a simple statement of what will certainly be attempted, an effort which may succeed. Congress can go overwhelmingly one way or the other in a short space of time. Since I have been a Member of this House I have seen it change from almost two to one Republican to two to one Democratic.

And let us not forget the course of an amendment prescribing the right to vote would be identically the same as the course of this proposed amendment as pointed out by myself and other gentlemen who have spoken. What would that course be? Let me repeat, if 25 States through their legislatures (not by vote of the people) ratify an amendment prescribing the qualifications of the voter, those 25 States take their place for an indefinite time in the list of those favoring such an amendment. Then the struggle would be narrowed down to 11 States necessary to make the proposed amendment part of the Constitution. No matter how often a legislature voted "no," the next succeeding legislature could vote "yes," and the former vote of "no" goes for nothing. But when a legislature voted "yes," no succeeding legislature could vote "no." Let us keep this in mind. No time would be set when all States must act. If at any time in the future, whether 5 years or 50 years hence, 36 States through their legislatures (not by vote of the people, mind you) should vote "yes," the amendment would become part of the Constitution.

Well has the gentleman from Wisconsin, Mr. LENROOT, said, there is no such thing as the final rejection of a proposed amendment to the Constitution by a State.

Your so-called prohibition amendment, as I have said, would light the fires of a controversy which would probably rage for a generation. And in my humble judgment, if you set this precedent, you do all this Congress can do to induce those who succeed us to submit the other amendment of which I have spoken.

My friends, I submit to you is it worth the risk? Must we do this without instructions clear and explicit from the voters of the districts we represent? Must we do this, when the platform of our party over and over again has said no? Must we do this thing in this the second Democratic Congress elected in 20 years? Do you who propose to vote for this proposition, do you think your constituents have carefully considered the possible consequences? When did you ever discuss it with them? How many people in your districts do you suppose realize there will be no end to the fight when it is once started, unless it ends in the adoption of this so-called prohibition amendment? How many voters in your districts do you think have stopped to consider the danger of the precedent you are about to set? How many voters have paused a single moment to consider the tremendous import of the thing?

In my service as a public man, I say to you never, never have I cast a vote which so vitally affects the liberties of the people I represent, and I declare here and now I will not vote for a proposition which violates every principle and all tradition of the party to which I belong, unless I feel I am ordered to do so by those I represent.

Just one word more about the danger of setting a bad precedent. Do you imagine that the Southern States will always remain Democratic? Has that been their history? Each man can answer that for himself. I spoke of the possibility of Congress submitting an amendment prescribing the qualifications of the voter. I want to remind my friends from the South that twice in my lifetime have legislatures been elected in North Carolina which I firmly believe would have voted "yes" if an amendment such as I have mentioned had been submitted. I regret to say this, but I believe it is the truth, and I believe every Member from my State will agree that the statement is true.

This is not a question of prohibition. It is not a question of temperance. Many who write or wire asking us to vote for it think it is, but when they read this so-called prohibition amendment, when they pause to consider what they are asking us to

do, I predict we will receive letters and telegrams asking us to vote the other way if there is a vote upon this question hereafter. For the Hobson amendment is not going to stop the manufacture of liquor; it is not going to stop the drinking of liquor. The statistical abstract shows that the consumption of intoxicating drink has steadily increased. It does pretend to stop the sale for beverage purposes, and I have yet to see the first Member of this body who insists it will do what is claimed for it by its author.

Mr. Speaker, there are times when it is hard to stand true to a principle. One of those times is when the principle does not exactly fit the occasion. Another time is when there is a popular demand for an exception to be made. This may be one of those times.

So long as I am a Member of this House I shall not be an automaton. I am one of those who believe that public sentiment may not always be right. If public sentiment were always right it would not change so frequently. I for one am not willing to change my views upon a great, vital, fundamental proposition like this because there is or appears to be considerable sentiment among good people favorable to such change, for I believe I am right as firmly as I believe in my existence.

With the great Vance I believe in the right of the people to instruct their Representatives. If hereafter they shall instruct me on this question, if I am a member of this body, I will have the option to obey or resign, but until I do feel that I am instructed by the people I represent, I take my stand with Thomas Jefferson, with Zebulon B. Vance, and with Woodrow Wilson. If I am wrong, Jefferson was wrong, and Vance was wrong, and the President, striving as he is for the good of the average man, is also wrong to-day.

If the Hobson amendment is adopted, men will drink just as they drink to-day. You can not make a nation sober by act of Congress or by constitutional amendment. There is a better self in the heart of every human being; only by appeal to that better self can you wean men away from drink.

Shade of Washington and Jefferson, shade of Lincoln, shade of our own immortal Vance, rise up now and tell us what is right. The God of my father knows I want to do what is right to-day. Whether I shall ever be elected again as a Member of this House is a matter of small importance. My life, Mr. Speaker, like yours, is no more than a bubble on a lake. You see it now, and now it is gone forever. Who can say who will be the next summoned to appear before the bar of God? It may be I; it may be you. If it be I, I can at least say when the summons comes, I voted to-day as my conscience told me to vote. I did what I believed to be right. [Applause.]

Mr. HENRY. Mr. Speaker, how much time did the gentleman from North Carolina use?

The SPEAKER. He yields back two minutes.

Mr. CAMPBELL. Mr. Speaker, how much time have I remaining?

The SPEAKER. The gentleman from Kansas has 17 minutes remaining and the gentleman from Texas has 18 minutes remaining.

Mr. CAMPBELL. I yield four minutes to the gentleman from California [Mr. KENT].

Mr. KENT. Mr. Speaker, while I am in entire sympathy with those who are making the fight against indubitable evils, I have never believed in the feasibility of enforcing national prohibition except by the education of all our people and through the police restrictions applied to smaller units of population.

I can not but be opposed to saloons as being sources of social infection. I am opposed to the liquor traffic as being wasteful as well as demoralizing.

I am in favor of local option and have seen it successfully enforced, whereas I have seen the failure of the attempt in our free country to impose this sort of legislation on large adverse minorities, notably in the impossibility of enforcing the Illinois State law providing for Sunday closing against the will of the majority of the people of Chicago.

I believe in direct legislation by the people and in a referendum vote on such questions as this.

When the question was first asked me, nearly a year ago, as to what position I intended to take on this amendment, I stated that I considered this amendment as offering an opportunity for a nation-wide referendum and that I intended to support it.

But a careful study of the process of constitutional amendment shows that that process does not procure a direct vote of the people on the matter at issue. To validate such a claim would necessitate taking for granted that all Members of Congress and all members of State legislatures privileged to vote on such a question would be elected on one sole and single issue.

Such claim of an amendment being a popular referendum would further presuppose that the people of a State adopting an amendment would never change their minds between the original adoption by their State and the final ratification by three-fourths of the States.

During my campaign there was before the people of my district a State prohibition law for their acceptance or rejection. Here was a direct referendum, unequivocal in its nature, and I stated and mailed the statement to all the voters in my district that I should accept the verdict of the district as instruction in this matter, concerning which I was in grave doubt, not as to end, but as to means.

The vote of the district was overwhelmingly against prohibition, by an adverse majority of practically 15,000 in a total vote of 73,000. It would have been equally large against saloons if opportunity had been offered by the proponents of temperance to vote on the saloon issue. That vote was opposed to qualifying or impeding the right of local option.

It is for this reason, Mr. Speaker, that I, who have always fought against saloons and against the evils of the liquor trade, who voted for the Webb bill as strengthening control by the States, feel myself obligated to vote against this amendment at this time.

Furthermore, Mr. Speaker, I believe that any prohibition act should provide for due notice and in some cases for reimbursement for property destroyed, as was proposed by President Lincoln in the question of emancipation of the slaves.

I can not blot from my mind the undeserved hardship that would come to the many industrious, honest, and sober wine growers of my district, whose industry has always been encouraged by State and National legislation and action. Should their business be declared illicit and destroyed without due redress or compensation? [Applause.]

The SPEAKER. The gentleman from California yields back one minute.

Mr. HENRY. Mr. Speaker, I yield four minutes to the gentleman from Maryland [Mr. COADY].

Mr. COADY. Mr. Speaker, I am opposed to the pending resolution because of the great loss of revenue its passage would entail not only on the National Government but on the government of those States where the sale of intoxicating liquors is now authorized by law.

And I am opposed to it because any attempt to enforce it in the cities of the country would end in failure. Such an attempt would involve the employment of thousands of officials and the expenditure of vast sums of the public moneys without any corresponding moral benefits accruing to the people.

I will not attempt to deal in figures as to the losses that the Federal Government would sustain. The gentlemen who follow me will dwell upon that phase of the case and will show you that the losses from revenue on distilled spirits and malted liquors would amount to over $200,000,000.

To this we should add the loss of income taxes received from individuals and corporations engaged in the liquor business, which would be considerable.

As I have stated, we would have an annual deficit of over $200,000,000. This will have to be made up by imposing additional taxes, unless of course we curtail in our necessary appropriations, which is out of the question. Our appropriations increase annually, and will continue to do so as the country grows larger and expands. So we must therefore get new sources of internal revenue. Where will we find them?

Are you prepared to make the income tax on individuals and corporations 6 per cent instead of 1 per cent?

This might make up the deficiency, if we also impose a tax on all incomes without limit.

Or, as revenues must be raised to run the Government, are you prepared to put an internal-revenue tax on the food we eat and the clothes we wear?

Are you ready and willing to further add to the poor man's burdens?

I represent in part the great city of Baltimore, one of the best governed cities in the country, with a population of nearly 600,000 happy, contented people, and a city as free as any in the land from crime and disorder. We license the saloons there, and our annual revenues from this source total about $1,200,000. The State receives one-fourth of this amount, or about $300,000, and the city retains three-fourths, or $900,000. The loss of this revenue would mean an increase in taxes of 4 cents on the $100 on the part of the State and 30 cents on the $100 on the part of the city. In addition to this there would be the great loss to our taxable basis occasioned by the depreciation of the value of the property of the hotels and other public houses; the virtual destruction of the brewery and distillery plants, for the passage of this resolution would mean their confiscation and the serious or almost total impairment of the value of their stocks and securities now on our tax books. Without question

this would add to our loss in taxes annually of a sum over $1,000,000, all of which would force us to place upon our people and their property new and additional taxes and would increase our city and State tax rates, which now are about $2.30, to a rate of $3 or more. The people, the property, and the commercial and manufacturing industries of my city can not stand such a rate. It would be ruinous to them, and I appeal to you not to force this amendment on them. We have spent millions of dollars in public improvements, and on the strength of these revenues have pledged our public credit.

What I have said about my own city of Baltimore and the effect of this measure on its people and their business applies with equal truth and force to the other cities of this great country, small and large alike.

The conservative business, financial, and laboring people of this country, with but few exceptions, are opposed to this resolution. In the last few days I have been almost swamped with letters and telegrams asking me to vote against it, and they came from the best and most substantial people, and I have received few, very few, messages in its favor.

They claim that it would injuriously affect the trade of the country; that any effort to enforce it would involve an enormous outlay of money; and that it is better to license, regulate, and supervise public drinking places and get the enormous revenues that come from such licensing than by prohibition close them and cause to spring up in their places a lot of untaxed and unregulated blind tigers and speak-easies, such as now abound and flourish in the so-called dry States.

Wherever tried enforced prohibition has been a lamentable and miserable failure. You can not force legislation of this kind on a great mass of people who do not want it and who, not wanting it, will neither observe nor respect it. To attempt to do so would require thousands, perhaps hundreds of thousands, of Federal police, with authority to search and arrest. Think of the probably dangerous and vicious political effect of the employment of such agents, and think, too, of the enormous expense connected with it that must be borne by the people. And then let us ask ourselves if we are prepared to incur the risk.

Let us render our decision according to the merits of this case. Let us be guided in reaching that decision by reason and the experience of mankind. Above all, let us be sincere. [Applause.]

The SPEAKER. The time of the gentleman has expired.

Mr. COADY. Mr. Speaker, I ask unanimous consent to extend my remarks.

Mr. MANN. I suppose the gentleman will have the privilege of extending, under the rule, when the rule is adopted.

The SPEAKER. The Chair does not know whether the speeches on this rule are included in that gift or not.

Mr. MANN. Then I ask unanimous consent that all gentlemen who speak on the rule may have the privilege of extending their remarks.

The SPEAKER. The gentleman from Illinois [Mr. MANN] asks unanimous consent that all gentlemen who have spoken or may speak on this rule have five legislative days in which to extend their remarks in the RECORD. Is there objection?

Mr. HULINGS. I should like to ask the gentleman to include in his request that those who desire to speak on the rule, but who are prohibited from so speaking, be permitted to print their remarks.

Mr. MANN. They will have that right under the rule.

Mr. HULINGS. If the rule is adopted, they will.

Mr. MANN. If the sun rises to-morrow morning—and it will. [Laughter.]

The SPEAKER. The gentleman from Illinois asks unanimous consent that all gentlemen who have spoken or may speak on this rule have five legislative days in which to extend their remarks. Is there objection?

Mr. HULINGS. Mr. Speaker, I desire to call attention to the fact that if this rule is defeated those who do not speak on the rule will be prohibited from printing in the RECORD.

The SPEAKER. As soon as the Chair puts the request of the gentleman from Illinois he will put any request that the gentleman from Pennsylvania has to make. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. HULINGS. And in case the rule is defeated I ask unanimous consent that those gentlemen who desire to print remarks in the RECORD on the rule shall have that permission.

The SPEAKER. The gentleman from Pennsylvania asks unanimous consent that in the event that this rule is defeated any gentleman who did not get a chance to make a speech on the rule shall have five legislative days in which to extend his remarks. Is there objection?

There was no objection.

Mr. HENRY. I yield two minutes to the gentleman from Georgia [Mr. HOWARD].

Mr. HOWARD. Mr. Speaker and gentlemen of the House, I shall vote for this rule, which I hope will be adopted, and I shall vote for this resolution. Sixty thousand of the best citizens of the State of Georgia have petitioned me as one of their Representatives to cast my vote for this rule and this resolution, and I feel that it would be unfair to deny my people the right to register their will upon this, the greatest of our social problems. I do not propose to enter into the moral question involved at all in what I shall say in favor of the adoption of the rule. I am for the adoption of the rule for the same reason that the gentleman from Wisconsin is against the rule—that we will eternally settle the question and leave it up to the States forever if the resolution is adopted; it will leave it up to the people. The economics of the situation do not appeal to me. The gentleman from Maryland [Mr. COADY] says that we can not afford to lose the tax. The gain derived from the sobering of the Nation from one end to the other, the enormous decrease in expense in the administration of the criminal laws, will more than balance the loss of revenue to the Federal Government. [Applause.]

Mr. COADY. Will the gentleman yield for a question?

Mr. HOWARD. I can not yield. For seven years in the prosecution of the laws in the State of Georgia I tried about 7,400 criminals, and 90 out of every 100 were brought into court because they were addicted to the use of liquor or under its influence at the time the crime was committed. That condition throughout the land overweighs and overbalances any argument that can be made to me about the loss of revenue.

It is not a question of whether I am a prohibitionist personally; it is not a question whether you are an antiprohibitionist; it is a question, pure and simple, Are we, as Representatives of American people, so cowardly as to refuse to submit the question to them, that they may through their regularly elected legislatures express the will of a majority as to this great national problem?

The SPEAKER. The time of the gentleman has expired.

Mr. HENRY. Mr. Speaker, I yield to the gentleman from Maryland [Mr. LINTHICUM].

Mr. LINTHICUM. Mr. Speaker, we are asked by those who favor the Hobson resolution to amend the Constitution of the United States—which defines and limits the power of the National Government—by the adoption of this amendment against the sale of liquor. We are asked to do this by a gentleman, a sincere friend of prohibition, but one who seems himself much in doubt as to how to accomplish this result.

I direct attention to the fact that during the past two years the gentleman from Alabama [Mr. HOBSON] has introduced into this House 9 separate and distinct resolutions on this subject on as many different occasions, proposing to amend our Constitution, and to-day he announces that he proposes to offer at the proper time certain amendments to the one now pending, making in all 10 propositions. If he, after such lengthy and profound study, is not yet certain as to what should be done and just how the proposed amendment should be worded, should we, the representatives of the people, vote to insert into our Constitution an amendment of which the author himself seems so uncertain and so unsettled?

This amendment does not prohibit the use of liquor, as the advocates of local option and prohibition believe. It is intended only to prohibit the sale of liquor, and I am utterly astounded in my conversation with the advocates of this measure to find how few of them know its real terms. The amendment reads as follows:

ARTICLE —.

SECTION 1. The sale, manufacture for sale, transportation for sale, importation for sale, and exportation for sale of intoxicating liquors for beverage purposes in the United States and all territory subject to the jurisdiction thereof are forever prohibited.

SEC. 2. Congress shall have power to provide for the manufacture, sale, importation, and transportation of intoxicating liquors for sacramental, medicinal, mechanical, pharmaceutical, or scientific purposes, or for use in the arts, and shall have power to enforce this article by all needful legislation.

You will note that it does not prohibit the making nor the use of liquor, but is merely intended to prohibit its sale or its importation and exportation for sale purposes as a beverage.

Under its terms any man or number of men or club could manufacture liquor for their own consumption. It would permit the distilling by individuals or bodies of men of alcoholic beverages for their own use. In other words, it means that whisky or other liquors may be maufactured by any man or body of men for their own consumption so long as they offer none for sale. Whisky is something which may be distilled by very simple methods. In fact, it can be made on a cooking

stove; and so it would be easy, under this amendment, for persons to manufacture whisky for their own use, while it would be difficult to make the lighter drinks. Thus we would encourage the use of heavy beverages in lieu of the less alcoholic and less harmful drinks.

LET THE PEOPLE RULE.

I do not believe the liquor question can be solved by an amendment to the Constitution, which could be adopted by a minority of the people of the land through their legislative bodies. In the adoption of a constitutional amendment each State, through its legislature, has the same voting power. For instance, the State of Delaware, with its 203,000 people, would have the same power in the adoption of this amendment as the State of New York, with its 8,000,000. Ten States of the Union might vote against the adoption, and yet the balance of the States could enact it. There are 10 States of the Union which contain more than half the population, and their votes might be counted against the amendment, and yet the balance of the States, representing a minority of the people, could enact it.

We have been urging "Let the people rule," and only lately we finished a campaign in which we claimed we had performed a great service to the American people by taking from the legislatures of the several States the naming of United States Senators and vesting their election in the people themselves. Shall we now do diametrically opposite and take from the people local self-government in the control of their liquor traffic, through their police power, and vest that power in the hands of the United States Government?

FEDERAL ESPIONAGE.

It has not been so many years since there went up from the people a great cry against what was commonly known as the force bill, proposing to establish Federal control of national elections; and if there is one thing which stands out above all others in the recollection and esteem of the people of Maryland for our late Senator Gorman, it is for the masterful part he played in the defeat of that proposed measure.

Shall we so far forget the past as to approve an amendment which in its powers and inquisitorial nature is a close parallel to the force bill?

Thousands of Federal employees would be necessary for its enforcement, expense unlimited, and trouble and annoyance untold.

I prefer to leave its solution to the people of the States and of those localities which desire it. Let good men, above reproach, who have the confidence of the community, be intrusted with the execution of the liquor laws, and with public sentiment back of them upholding and aiding in the work we will get the best results. In my judgment, this is the only way to deal effectively with this important question.

You can never enforce a law of this character unless you have public sentiment behind it. You can never legislate people good. They must be trained and educated so. It has been demonstrated time and again that you seldom convict a man before a jury of 12 of his peers if the law under which he is indicted is in conflict with the public sentiment of his community. We can therefore readily see how difficult it would be to enforce such a law against the will of the people of a State which had voted against the adoption of the amendment and in which public sentiment opposed its enforcement.

I realize that some will say that you can not enforce prohibition in a dry State because of the shipment of liquor from other States into dry territory. In answer to this, I direct attention to the Webb law, for which I voted in the Sixty-second Congress, which removes the only possible justification or excuse for this amendment. By its terms the several States of the Union were authorized to prohibit the importation and transportation of intoxicating liquors into a State, or any part thereof, wherein the sale of liquors is made unlawful by the constitution or laws of such State.

STATE RIGHTS.

The President of the United States is the Commander in Chief of our Army and Navy. He appoints all the judges and United States marshals; the postmasters, with their great swarm of employees; the Interstate Commerce Commission, which controls the railroads; the Federal Trades Commission, which controls interstate business; the internal-revenue collectors who, through their appointees, have a look-in at the incomes of our people; and a vast number of other officials too numerous to mention. In fact, with his veto power, he is perhaps endowed with more authority than the great majority of the reigning monarchs of the world. Shall we clear the decks and in effect wipe away by precept and example the last vestige of State rights by placing every home in the land under Federal espionage?

To this I am unalterably opposed. Congress has already extended its jurisdiction into many fields and taken under its wing many powers not formerly exercised, and there are those to-day who believe our Government is already becoming too centralized.

Shall we centralize still further by the passage of an amendment enlarging the powers of the National Government to an extent never dreamed by the framers of our Constitution and thereby render useless the great victory won by those who believed in State rights and demanded protection for such rights in the Constitution itself?

We can not afford to abandon our solemn obligation to preserve local self-government and all the rights and cherished privileges which the people reserved for themselves when they entered into contractual relations in the beginning of our Government when we ordained and established the Federal Constitution. We have heard a great deal of talk about the initiative and referendum in order to bring popular government closer to the people, and now we are asked to adopt a proposition which would take from the people one of their strongest local powers.

THE PRESIDENT'S ATTITUDE.

When a candidate for election I stated to the voters of my district that if elected to Congress I would do everything in my power to carry out the pledges of the Democratic platform, and that I would uphold the policies of the President. The President has expressed himself as believing in local self-government, and as believing—

That every self-governing community which constitutes a social unit should have the right to control the matter of the regulation or the withdrawing of licenses.

That Secretary of State Bryan, who has on numerous occasions voiced the views of the President, and who is probably the strongest advocate of prohibition in the United States, regards the present as inopportune to submit an amendment of this kind, is indicated by his editorial in the Commoner of the present month, in which he says:

A two-thirds vote of the two Houses of Congress is required for the submission of an amendment to the National Constitution, and then the amendment must be ratified by three-fourths of the States. There is no reason to believe that a prohibition amendment or a suffrage amendment would at this time be ratified by three-fourths of the States even if it secured a vote of two-thirds of the two Houses. Believing in both woman's suffrage and the abolition of the liquor traffic, I would vote for either amendment if submitted, but the time does not seem opportune for the submission of either of these amendments.

MARYLAND AND THE CONSTITUTION.

The State of Maryland and its people should be foremost among the guardians of our Constitution. It is a noteworthy incident that it was the Maryland-Virginia convention which met at Annapolis, which called the convention to meet in Philadelphia in 1787, at which convention the present Federal Constitution was framed, discussed, and finally adopted.

The Constitution written at Philadelphia was submitted to the various States, and had been pending before them for ratification for more than six months when the convention of the State of Maryland met for the purpose of taking action on the subject. In several States it had been under close investigation and had been ratified by some. The question had been raised in their several conventions, and it was thoroughly understood, that upon the ratification of the Constitution by nine States or more it was certain that several amendments would be proposed to that instrument securing certain reserved rights to the States. It was manifest to Maryland that these amendments would be proposed and agreed to by the mutual consent of the States, even though the Constitution had been already ratified.

It was plainly agreed and understood by the Maryland convention, as the debates will show, that no power was to be relinquished except that which was delegated by the terms of the Constitution—that is, intrusted for her use and benefit to the Federal agency. The convention of Maryland by resolution ratified the Constitution by a vote of 63 to 11 upon the plain understanding and obligation that the amendments proposed by Gov. Hancock and Samuel Adams, of Massachusetts, and Thomas Jefferson, of Virginia, should be ratified by the States thereafter. The great Marylander, Luther Martin, had laid his views before the convention and the people of Maryland, and after giving due consideration to all that he had said, and the things said and done in the other conventions, Maryland gave her consent to the Constitution upon the sole ground that she delegated only certain powers and reserved all others to herself, including suffrage and the police power.

In that day and generation Maryland had no thought of abandoning her sovereign function to control her domestic affairs. There were a little over 3,000,000 of people in the United States, and Maryland did not then think that these people

could be controlled from a consolidated and centralized government at the National Capital. And now, when our population is 100,000,000 of people, she does not believe that her domestic concerns can be better regulated or controlled from Washington City, and is unalterably opposed to the centralization contemplated by this amendment.

Therefore, standing squarely upon Jeffersonian principles and against the Hamiltonian idea of a central government, cherishing the ancient faith of Democracy, I still believe as Maryland did at that date, and as one of her Representatives shall cast my vote against the repudiation of all that her forefathers held dear when the Constitution was fashioned and established.

In conclusion, I desire to call attention to the following editorial from the Baltimore Sun of the 14th instant, entitled "Mr. HOBSON'S prohibition amendment and its political bearing." This editorial, I believe, expresses the views of the majority of people in my congressional district:

The advocates of the Hobson amendment to the Constitution of the United States apparently overlook its political bearing and potentiality. The wording of the proposed amendment is as follows:

"The sale, manufacture for sale, transportation for sale, importation for sale and exportation for sale, of intoxicating liquors for beverage purposes, in the United States, or territory subject to the jurisdiction thereof, are forever prohibited.

"Congress shall have power to provide for the manufacture, sale, importation, and transportation of intoxicating liquors for sacramental, medicinal, mechanical, pharmaceutical, or scientific purposes, or for use in the arts, and shall have power to enforce this article by all needful legislation."

The United States gathers a revenue of between $200,000,000 and $300,000,000 a year from alcoholic liquors, and the various States and cities perhaps as much more for State and local purposes. The loss of all this revenue would, of course, make an enormous increase in other forms of taxation. But the financial aspect of the case is not the most important.

The most important, and that which sane and patriotic citizens should consider most carefully, is the probable political effect of this amendment, if it should be adopted.

Politically speaking, the important part of the Hobson amendment is that which empowers the Congress to enforce the law. Without this authority the law would, of course, be of no effect. But what does it mean?

It means that if the United States Government should undertake to enforce prohibition it would require a great army of officials—hundreds of thousands. Every community would have these officials. With the General Government in the hands of such politicians as we have had now and then in the past in control it would be an easy matter for an administration to perpetuate its power. With Federal officials everywhere with authority to search and arrest, the political power of the General Government would be such that, in effect, the form of government would be changed and the last vestige of the rights of the States would disappear. It is inconceivable that any person who has the instincts of freedom or democracy should favor any such drastic measure.

It is certain that it is difficult to enforce any sumptuary law or any law affecting the lives and habits of the people unless such law is sustained by public sentiment. The adoption of this amendment would not be by the people. It would not be submitted to the people. The adoption would be by States and the legislatures of 10 States might reject it and it would still be put upon them. Ten of the most populous States contain a majority of the people of the United States. Let us suppose that this law were put by a minority of the people upon the majority without their consent and against their protest, would it not be difficult to enforce? Would the people of California, for instance, submit patiently to the destruction of their great wine industry by the other States? How many Federal officials would it require to enforce a prohibition law in New York City against the will of a vast majority of the people?

The appliances for distilling alcohol are simple and inexpensive, and as soon as the legal manufacture of alcoholic drinks is suppressed, then comes the "moonshiner." In order to reach stills in homes and cellars, domiciliary visits would be necessary. In the mountains armed forces would be required. England for years maintained an army in Ireland to suppress the illicit stills.

In dealing with the suppression of the liquor trade, the plan of the antisaloon league is better. Put it to the vote of the people. If a great majority of the people are against the sale of liquor, in such a community there is the best chance of enforcing a prohibition law. Let the people decide for themselves. Do not let the legislature of one State put this law upon the people of another State against their will.

Mr. CAMPBELL. Mr. Speaker, I yield five minutes to the gentleman from Illinois [Mr. MADDEN].

Mr. MADDEN. Mr. Speaker, I shall vote for the rule and I shall vote against the resolution, for I believe the habits of different people in different localities differ; their happiness should be the first consideration. They know best what will promote their happiness. The proposal would not prohibit the manufacture of intoxicating liquors for personal use or to give away. It would encourage the increase, in fact, of the manufacture of intoxicating liquors for personal use by unregulated private stills.

Mr. Speaker, I believe in temperance. I yield to no man in my desire for law and order. I believe in local option. I believe that the people in every locality are better qualified to decide what they want themselves than are the people in any other locality to decide for them. I believe that the people in every locality should have the right to decide what their habits are to be—whether they are to drink or not to drink, whether they are to be prohibitionists or whether they are to be temperance people. I believe that the great property interests involved in this question ought to be taken into account. The people who are connected with the manufacture and sale of liquor have believed in the past that they were engaging in a business which was recognized by the law. They have invested hundreds of millions of dollars in the business in which they are engaged, and I believe that the Government of the United States, as a just Government, and the American people, as a just people, ought not to decide a question of this importance without taking into account the propriety of compensating those whose property would be taken away.

Switzerland, some years ago, declared against the manufacture and sale of absinthe, but when that legislation was under consideration it provided for the appointment of a commission whose duties were to determine the value of the property to be destroyed. That commission did determine the value of the property destroyed by the legislation, and every man whose property was destroyed has been paid by the Government of Switzerland. Can the Government of the United States do less; are we to be less just; are we to-day to go on record in favor of an amendment to the Constitution which ignores every property right of our people who have in all these years that have gone before invested their money because of the invitation that was held out to them to engage in the business, an invitation that was extended to them by the Government under which they lived and to which they have paid taxes to sustain?

I am in favor of doing everything that can be done by law to promote the happiness and prosperity of the American people. If I believed that this resolution, when adopted both by the Congress and the people of the States, would produce that result, I would cheerfully vote for it; but believing that it would do just the contrary I would be untrue to myself and to my oath if I should to-day go on record here by voting for the adoption of the resolution which does not only not prohibit, but as a matter of fact does encourage the further manufacture of intoxicating liquors by the establishment of private stills without restriction for the unlimited manufacture of intoxicants for private use. [Applause.]

Mr. HENRY. Mr. Speaker, I yield five minutes to the gentleman from New York [Mr. GOLDFOGLE].

[Mr. GOLDFOGLE addressed the House. See Appendix.]

Mr. HENRY. Mr. Speaker, I yield four minutes to the gentleman from Alabama [Mr. UNDERWOOD].

Mr. UNDERWOOD. Mr. Speaker, I assume that the gentlemen who favor the pending amendment will support this rule. At a later hour I expect to discuss the pending amendment upon its merits. I merely rise now to address my remarks to those Members of the House who will vote against the constitutional amendment, as I shall, and to state why I think it is advisable for those who oppose the amendment to support this rule and bring the resolution before the House for consideration. This is not a temperance question. It never has been. Prohibition has not produced temperance in the lands where it has been enforced. [Applause.] I regard this question as an attack upon the fundamental principles of our Government. [Applause.] If it is allowed to go on without being met, it will mislead many of the people of the United States. If it is allowed to proceed without being combated, the day may come when it may be a serious menace to the principles of the Government that you and I believe in and that were established by the men who made the Constitution of the United States. When the time comes to face a great question, there is but one way to face it, and that is in the open. You can not push it aside. If you are right, you should have the courage of your convictions and stand for the right, no matter what be the cause. [Applause.] Therefore I say to-day to the Members of this House who are opposed to the resolution proposing to change the Constitution of the United States that it is not only our right but our duty to the people we represent to face this question in the open and give the reasons why we believe it should not be written into the fundamental law of the land. [Applause.]

Mr. CAMPBELL. Mr. Speaker, how much time have I remaining?

The SPEAKER. Nine minutes.

Mr. CAMPBELL. Mr. Speaker, I yield five minutes to the gentleman from New Jersey [Mr. PARKER].

Mr. PARKER of New Jersey. Mr. Speaker, I am obliged to the gentleman who has just yielded me time, because I shall speak against the view which he entertains and against this rule. The reasons that have been given by the gentleman from Alabama [Mr. UNDERWOOD], who just spoke for working in the open, seem to me conclusive in favor of rejecting this rule as well as the resolution. If this resolution be an attack, as we

believe it to be, upon the fundamental principles of our Government, surely it ought not to be considered by a Congress that stands by those fundamental principles. We may go further and say that the local self-government of the States is at the foundation of all civil liberty. It is so held by Francis Lieber in his great work on Civil Liberty. The opposite of that, centralization, is the form of government that belongs in the end to what you call an empire and not a republic, where each locality should have the right to adjust its own laws to its own conditions. I stand against the consideration of a resolution which takes away from the States the power to regulate their own affairs and gives that power to the United States. This is fundamental.

Mr. Speaker, I am an advocate of temperance. I do not believe that this resolution stands for temperance. I know that temperance is best secured—and I have been studying this subject for 30 years now in legislation, beginning in the year 1885—by careful regulations, including sufficient license fee to provide the means for careful supervision so as to watch the saloons and guard against any ills. These careful regulations must be supported by the enlightened public sentiment of the community, and in my opinion anything else will be an absolute failure. We are given the example of the State of Georgia. It has an absolute prohibition upon its statute books, and if you will go to the city of Savannah you will find that town wide open, because the people will not enforce the law.

We have in my own State a law which was made highly penal with reference to Sunday sales, and Atlantic City will not indict. We have had in Maine a prohibition law for years, and I have seen in Maine the city of Portland wide open. I went to a charity ball there, where I saw more intoxication than I ever saw at a ball in my life, because they had a secret drinking room upstairs. I have seen beer and whisky sold there at soda-water fountains. In other parts of the State, in Bar Harbor in particular, they imposed a fine every year which was equivalent to a license. In the town of Leavenworth, Kans., some years ago—I do not know how it is now—there was a secret list, for the names were not disclosed, of some four or five hundred people who were fined once every year as a license and who then kept their bars open without molestation.

Regulations as to temperance stand on the enlightened public sentiment of the community in which they are made. They can stand on nothing else. No free nation has ever submitted to a law like this which puts the whole power of the customs and excise of the United States against your taking a drink unless you make it yourself or import it from abroad, as a rich man would do. In this it is a rich man's bill. Prohibition does not prevail in Russia. The Czar has prohibited, as I understand it, spirits, of which vodka is equivalent to our whisky. He has not prohibited beer.

Mr. CAMPBELL. Will the gentleman yield?

Mr. PARKER of New Jersey. I do.

Mr. CAMPBELL. I understand he has prohibited wine, beer, vodka—everything.

Mr. PARKER of New Jersey. Then I yield on that point.

Mr. CAMPBELL. He has prohibited the use of it.

Mr. PARKER of New Jersey. I will then say that such a regulation is a regulation that can only be established by an emperor with the powers of a czar, and that it is a war measure simply. [Applause.]

The SPEAKER. The time of the gentleman has expired.

Under leave to extend his remarks, Mr. PARKER submitted the following:

A strict prohibitory law breeds conditions that teach a contempt for all laws. In Boston during prohibition times the large hotels sold in secret, locked rooms. Dens and dives take the place of that proper and open regulation, in which enlightened public opinion can enforce decency. Those who drink at all will use strong drink instead of light beers and wines, which are more bulky and not so easily concealed.

Intoxication is rare in the large German population in my city, which drinks only light beer, as well as in our Italian community, which drinks light wine. Drunkenness was reduced in the Army during the time of the post exchange, which allowed only a glass or two of beer or light wine a day to be drunk in rooms that were under strict military supervision, while the library and amusements in that exchange made it almost a club and induced soldiers to stay in camp instead of going to the vicious dives which prevailed outside.

Local self-government lies at the foundation of our Constitution. It has localized disputes and difficulties which would long ago have broken up the Union if they had been made matters of central regulation. This resolution would be the first step toward that form of centralized arbitrary government which was once called a tyranny and is now called an empire. The rights and duties of the State have been already too far invaded, and my own party is not without blame in this matter. It may fairly be said that the responsibilities belonging to the States under our Constitution are too great and too varied to be assumed by the Nation. We appeal to every patriot not to endanger our very existence by this step toward centralization.

If this resolution be passed, an immediate ill consequence will be the introduction of the liquor question into national politics. Prohibition has never been established in any State without becoming the sole issue for many years. A leading Democratic statesman of New Jersey, once our ambassador at Berlin, and who was himself a total abstainer, told me that when asked to join the Prohibition Party he had refused on the ground that the interests of the United States were too varied and that the political questions as to work, wages, commerce, self-defense, and honest currency were too great to be settled by a party whose sole issue was rum or no rum.

This issue, if once introduced, takes the place of every other. Southerners can answer whether the dispensary system improved the politics of South Carolina. Maine can answer whether the prohibition issue has, on the whole, helped her State politics. We must deprecate the years which would follow the passage of this resolution—years during which all great national issues would be subordinated in the various States, to the one question whether they would pass or recall their consent to this prohibition amendment—years in which the utmost bitterness would prevail, and really national matters would yield their place to a question that is not and should not be national.

This is an indissoluble Union of indissoluble States wherein "no State without its consent shall be deprived of its equal suffrage in the Senate."

No State without its consent should be deprived of any material part of that State self-government in local affairs, which is the foundation of our Union and our liberty.

Mr. CAMPBELL. Mr. Speaker, I yield four minutes to the gentleman from Pennsylvania [Mr. HULINGS].

Mr. HULINGS. Mr. Speaker, I shall vote for this rule, because I believe it will be an exhibition of moral cowardice to defeat it.

If Members vote against this rule, hoping by its defeat to prevent a record vote upon the resolution, they will be held responsible by the people for voting against the resolution itself.

I can understand that a man voting against the resolution after full debate might justify his action in the conscientious belief that he voted for the right, but I can not understand why a man should vote to prevent this great question of nation-wide importance from being debated and discussed upon the open floor of the House.

The old Democratic doctrine of State rights is arrayed in defense of the liquor traffic. We are told this is a question for the States. This, I understand, is President Wilson's view.

When the Constitution was adopted certain, or, rather, very uncertain, rights were reserved to the States. In the old confederation it required the consent of all the States to alter or amend it, but the new Constitution, recognizing that amendments and changes would surely be required, made the changes easier, and provided that three-fourths of the States ratifying any change proposed by Congress such amendment would become a part of the Constitution, which would become the supreme law in all the States.

Now, if three-fourths of the States should ratify this proposed amendment by which the States delegate additional power to the Federal Government to control the liquor traffic, what becomes of the State rights argument? It falls to the ground as flat as a burst petard. The interjection of the State rights doctrine simply obscures the issue. There is no question here of any invasion of State rights. The question is, Shall the States enlarge the powers of the Federal Government and give it the right to control the liquor traffic?

State rights at best is an undependable doctrine. We hear much of "sovereign" States, but there is not a sovereign State in the Union. Each one of them have delegated part of its powers, and it has no power to take them back. No State can secede from the Union; no State can prevent its citizens from leaving the State and taking his goods with him; no State can prevent citizens of another State from coming into it. In many respects its powers are limited, and a limited sovereign is no longer sovereign, especially when its powers are capable of being still further limited by the action of three-fourths of the sister States by amendment of the Constitution.

This is a Nation, and in all those matters of common interest State lines and State rights are being wiped out by obvious necessities arising out of new conditions which State powers

can not meet, and which require the paramountcy of the Federal Government, and hence amendments to the Constitution have been from time to time required. Under the Constitution the negro had no rights which a white man was bound to respect. He was a slave. We changed the Constitution and he became a man. Again we changed the Constitution and he became a citizen and a voter.

The liquor men have flooded this Congress with tons of literature to show that they should be allowed to continue. The arguments ran all the way from constitutional objections and biblical arguments by defrocked preachers to the solemn deliverances of decayed doctors showing that chronic alcoholics as a rule produce slightly healthier children and enjoy on the whole rather better health than nonalcoholic people.

Perhaps the argument on which the liquor men most greatly depend is the great revenues the traffic pays the Government. But common experience shows that for every dollar of revenue it pays it costs the people three, four, or ten times as much to maintain the courts, jails, hospitals, and poorhouses, to say nothing of the poverty, vice, disease, and wrecked lives directly due to the traffic.

The boast is made that the traffic pays $300,000,000 into the Treasury every year. But where does it get the money? Let the men who are poisoned, the households that are wrecked, the wives that are desolated, and the children who are robbed of bread answer!

Why does the Government impose this heavy revenue upon the traffic? Why may men not as freely engage in selling whisky as in selling groceries? Simply because the traffic is a public menace, and the law holding it under suspicion hedges it about with bans and conditions imposed upon no harmless business.

Public sentiment everywhere regards the traffic with fear and has levied heavy license fees.

But the license system is an acknowledged failure. In many of the States it has been abolished and the traffic prohibited, and in many States still under the system the judges of the courts in increasing numbers, compelled by public sentiment, are refusing all licenses.

It is urged with great apparent earnestness that legislation to prohibit the liquor traffic is an invasion of the natural right of a man to eat or drink what he likes. But I answer that in a state of society there are no natural rights. When we talk of the "right of life, liberty, and the pursuit of happiness" we comprehend the rights of a man in a state of civil liberty. The right to go hither and thither, the right to own property, even the right to live, depends upon such limitations as society places upon these so-called natural rights, as the man condemned to be hung realizes.

A man has a natural right to own a hog and sleep with him if he chooses, but society will not permit him to keep a pigsty to the annoyance of his neighbors. He may in a state of nature be at liberty to eat poisons, but, though he be condemned to death for crime, society will not allow him to eat poisons.

Society has been at great pains to protect itself from the man who would dispense poisonous drugs or impure food, even to people who are anxious to buy them.

So with all these so-called natural rights. When a man becomes a member of society he gives up all those rights the exercise of which society considers to be injurious to the public welfare.

I am in favor of the abolition of the traffic because it corrupts the youth, beggars its victims, robs the household, and fills the land with disease, distress, and vice.

I am opposed to the traffic because it is the great corrupting influence in politics. It is a powerful coordinated banditti carrying on guerilla operations between the lines of the great political parties holding the balance of power, subordinating everything to the interests of the traffic, and I know of nothing that will go further in the purification of politics than the abolition of the liquor traffic. The saloon keeper in any of your towns has greater political influence than any preacher in it, and these corrupting influences will exist until the traffic is ended.

But, Mr. Speaker, we are not called to decide whether alcohol is a blessing or a curse; whether it is the brood mother of crime and distress; whether it is a necessary evil; or whether it is curable. All of these nor none of them are before the House.

The simple question is, Shall we give the people of the several States the opportunity to decide in the manner provided by the Constitution whether to change the Constitution as 6,000,000 citizens have petitioned shall be done?

And I deny the right of Congress to forestall or deny the people the right to make such a change in the Constitution in the manner provided for in the Constitution itself. [Applause.]

Mr. HENRY. Mr. Speaker, the gentleman from Pennsylvania [Mr. HULINGS] has made the quaintest and most unique speech I have ever heard. He says we have no natural rights. I think we have a natural right to our lives, our liberties, and so forth, and the only way I can justify the speech which the gentleman has just made is that he had a natural right to make it.

Mr. Speaker, I move the previous question on the resolution.

The question was taken, and the previous question was ordered.

The SPEAKER. The question is now on the adoption of the resolution.

The question was taken, and the resolution was agreed to.

The SPEAKER. The gentleman from Alabama [Mr. HOBSON] is recognized for one hour.

Mr. HOBSON. Mr. Speaker [applause], I desire to allot to myself at this time 10 minutes, and request that I be notified at the expiration of that time. The proposition is to take away, through the exercise of the organic law, the power of both the Federal Government and of the States to propagate the liquor traffic. The limitation is precisely the same for both, so there can be no change in the balance of power as between the two. A State has the right to be dry if it so desires, because in being dry it does not harm or menace any neighboring State; but no State has a real inherent right to be wet, because being wet, under the claims of the Liquor Trust itself, no neighboring State can be protected in its right to be dry. The liquor traffic is an interstate nuisance against which the States have no recourse, and Congress itself can not delegate to the States the right to protect themselves in interstate commerce. Consequently we are dealing with a proposition of protecting the absolute inherent rights of the States without changing the balance of power between the States and the Federal Government.

The method of changing the organic law is through the States. There is a clause in the Constitution that provides that no State, without its consent, shall be deprived of its equal representation in the Senate, not even by a change in the Constitution. I was astonished when I heard even a ripple of applause and commendation when one Member was reckless enough to announce that he would have the Constitution of the United States changed by a referendum majority vote of the people. Why, he could have that done only after a war of revolution. The foundation of our Government is a Union of the States, and the States themselves can not change the Constitution in that respect. The revolutionary suggestion of a popular vote to amend the Constitution has never been made before in the history of this Government until invoked to-day to protect the liquor traffic.

This question in the last analysis is really a matter of fact and not of opinion.

When the fact is established that opium and cocaine and other drugs are poisonous, no question has ever been raised as to the power and the right of the Federal Government and the States to cooperate in the suppression of the popular distribution of such drugs. There never has been any serious conflict of authority in the enforcement of a just law to protect the public health and the public morals. Is alcohol such a habit-forming drug? I call the attention of Members to these posters giving samples of the findings of the great scientists of the world. Alcohol is a hydrocarbon derivative, a chemical compound whose general properties can be and have been established correctly and finally as the properties of other similar compounds. These are its properties: Being the excretion, the loathsome excretions of living organisms, the ferment of germs, alcohol belongs to the family of the toxins. Ferment germs being the lowest forms of life, their toxin, alcohol, is and must always be a poison to all life, a protoplasmic poison. The second finding is that alcohol is a habit-forming drug. The third finding is the most startling. Alcohol is not satisfied with attacking equally all tissues that build up life. It has an affinity, a deadly attack, for the top part of the brain, the line of human evolution. It attacks the line of evolution in plants and animals as well. In this top part of the brain of humanity resides the will power.

Every time a man drinks he takes that much away from his manhood; will power declines. An anaesthetic, like chloroform and ether, that hides the pain and poisoning effect, alcohol fools you and leaves the craving behind, increasing steadily with the drinking. Then, with the will power declining, the habit in time becomes fixed. The use of this habit-forming drug is so widespread and its grip so powerful that to-day there are 5,000,000 American citizens, heavy drinkers and drunkards, who have

shackles on their wrists, a ball and chain upon their ankles. A few thousand brewers and distillers to-day own 5,000,000 slaves.

Nature is not going to tolerate this tearing down where she is trying to build. Any living thing that so violates the evolutionary law of nature must pay the penalty—nature will proceed to exterminate.

I will refer you to these placards: Starting at 20, a young man as a total abstainer will live to be 65; as a moderate drinker he will die at 51. Do not extol temperate drinking, when it will cut 14½ years out of the life of the average man, though he never gets drunk in his life. The heavy drinker at 20 dies at 35; 30 years are cut out of his short life.

Alcohol is not satisfied with shortening life and bringing to an untimely end and premature death hundreds of thousands of our citizens every year; it blights the offspring; it attacks the tender tissues associated with reproduction in both male and female; it affects the tender system of embryo in the prenatal period. For both parents to be simply moderate drinkers, to drink but once a day beer or wine, will quadruple the chance of miscarriage for the mother, increasing 400 per cent the suffering and danger of maternity, will increase nearly 100 per cent the number of children that will die in the first year of infancy. The children of drinking parents die off at the rate of from four to five times as many as those of abstaining parents. Do not talk about prohibition invading the rights of individuals—liquor blights the rights of our citizens before they are born; it denies the rights of the children to be born with parental love; it throws the boys on the streets and into the mines and factories, preventing them from getting the education they are entitled to. It attacks our young during the whole period of minority. It tramples upon the rights of communities, the rights of counties and States. All of this for what purpose? So that this monster may continue to fatten upon the weaknesses and woes of humanity. The liquor interests can not teach old men to drink, so they must teach the boys.

Sixty-eight per cent of our drunkards had contracted their habits before they were 21 years old, 30 per cent before 16, 7 per cent before 12. What is the inevitable result of this terrible shortening of life and blighting of the offspring? It means that no family, no State, no nation, no empire, no civilization can permanently flourish and prosper and survive unles it is sober.

Who is the agent that teaches the boys to drink? Drinking men do not teach boys to drink. I have never yet found a drinking man who made a habit of teaching boys to drink. Who teaches them? These thousands and tens of thousands of agents of the Liquor Trust who are all over the land. You need not think the bootlegger is simply sustained by his peddling; he is sustained by the great National Liquor Trust. They must get those boys, and they go after them systematically. Why do they do it? What is the motive? Not to harm the boys. I am not fanatical on this question. They do it to get the profits from the sale of their goods. We propose to remove the motive; we propose to cut out the sale and everything that pertains to sale.

The SPEAKER. The gentleman from Alabama has consumed 10 minutes.

Mr. HOBSON. Mr. Speaker, under the leave to print I shall insert in the RECORD copies of several telegrams that have just come to me from various parts of the United States.

The telegrams are as follows:

SAN JOSE, CAL., *December 21, 1914.*

Representative HOBSON of Alabama,
Washington, D. C.:

At the regular session of the Grace Baptist Church, San Jose, Cal., Sunday, December 13, the church unanimously and heartily indorsed the Hobson constitutional prohibition amendment bill and urges the passage of the same by Congress.

J. A. SUTHERLAND, *Pastor.*
Mrs. EDWARD NEWELL, *Church Clerk.*

—

BIRMINGHAM, ALA., *December 21, 1914.*

Capt. R. P. HOBSON,
Washington, D. C.:

We implore our Representatives to vote for the Hobson-Sheppard resolution.

METHODIST PREACHERS' MEETING OF BIRMINGHAM, ALA.,
R. T. TYLER, *President,*
S. O. KIMBROUGH.

—

NEW YORK, *December 21, 1914.*

Hon. R. P. HOBSON,
House of Representatives, Washington, D. C.:

Baptist Ministers' Conference of New York City and vicinity, representing 180 ministers and 250 churches, urges the passing of constitutional amendment on prohibition.

C. W. PETTY, *Secretary.*

ANCHORAGE, KY., *December 21, 1914.*

Hon. RICHMOND P. HOBSON,
Member of Congress, Washington, D. C.:

Keenan's "Prohibition in Russia," in last Outlook, is strongest argument against alcohol ever written.

JOHN J. BARRET.

—

ROCHELLE, ILL., *December 22, 1914.*

Hon. RICHMOND PEARSON HOBSON,
Capitol Building, Washington, D. C.:

The Rochele Woman's Club hope to see a favorable report from the committee on national prohibition.

PRESIDENT ROCHELLE WOMAN'S CLUB.

—

LOUISVILLE, KY., *December 22, 1914.*

Hon. RICHMOND HOBSON,
Washington, D. C.:

Kentucky Sunday School Association prays for success of your bill.

GEO. A. JOPLIN.

—

CHICAGO, ILL., *December 22, 1914.*

Hon. RICHMOND P. HOBSON,
House of Representatives, Washington, D. C.:

The Family Altar League, representing over 30,000 families, believes that the saloon must go, and hopes that the United States will not be far behind Russia in banishing the liquor traffic.

J. GILCHRIST LAWSON,
Secretary, 602 Lakeside Building.

—

WAYNESBORO, GA., *December 21, 1914.*

Hon. RICHMOND P. HOBSON,
Washington, D. C.:

Haven Memorial Methodist Episcopal Church prays Congress to pass Nation-wide prohibition bill.

JAS. JACKSON, *Pastor.*
F. WIMBERLY, *Recording Steward.*

—

FORT WORTH, TEX., *December 20, 1914.*

Hon. RICHMOND P. HOBSON AND MEMBER OF CONGRESS,
Washington, D. C.:

Five citizens of Fort Worth, Tex., in mass meeting assembled unanimously request and earnestly pray that you look with favor upon the Sheppard-Hobson joint resolution giving the States of our Nation the opportunity of voting upon the abolition of the liquor traffic.

LINCOLN MCCONNELL.

—

PITTSBURGH, PA., *December 22, 1914.*

Hon. RICHMOND P. HOBSON,
House of Representatives. Washington, D. C.:

Speaking for 200,000 people in 30 States of the Union, I express their united sentiments in favor of prohibition amendment to the Constitution, with the sure conviction that such action will advance the material and moral welfare of our country and serve the cause of all humanity.

LYMAN E. DAVIS,
Editor Methodist Recorder and General Conference,
President Methodist Protestant Church.

—

NEW YORK, *December 22, 1914.*

The HOUSE OF REPRESENTATIVES IN SESSION,
Care Hon. RICHMOND P. HOBSON,
House of Representatives, Washington, D. C.

GENTLEMEN: We women and mothers of the United States of America have just learned that you are to vote to-day on national prohibition and that some of you are thinking of voting against it and in favor of having the United States spend over $1,700,000,000 every year for alcohol, a racial person, while many of its citizens, even children, are cold and hungry; that you are planning to keep up a constantly increasing procession of 1,000,000 confirmed drunkards and 2,000,000 steady drinkers, with 300,000 deaths every year due to this cause directly and countless numbers indirectly due to inefficiency, poverty, disease, heredity, degeneracy, insanity, accidents, crime, etc. This is a national calamity incalculable and appalling not only in its moral and physical, but in its economical results. We have been looking over our children, and we can not find one that we are willing to have recruited to fill the ranks of this fallen dishonored and disgraceful army of incompetents. You can not prevent this reform; you can only delay it. Your names and your administration will go down in history. You have a glorious opportunity. Will it be infamy or will it be immortal honor?

A. JOSEPHINE SHERMAN, M. D.
Supt. of Medical Temperance for New York County. W. C. T. U.
Chairman of the Committee for National Prohibition.

FRANCES E. WILLARD,
W. C. T. U. Treasurer and Chairman of the Department for Anti-Insanity Prevention and Cure; National Betterment League; Treasurer Joan of Arc; Woman's Suffrage League; Rising Sun Woman's Suffrage League; Member of National and New York the Black Cross Society; Representing the Women and Mothers of the United States of America.

Mr. HOBSON. Mr. Speaker, I now yield five minutes to the gentleman from Kansas [Mr. CONNELLY] and reserve the balance of my time.

The SPEAKER. The Chair would like to inquire of the gentleman from Alabama [Mr. HOBSON] if he wants to yield at this time all the rest of his hour except 15 minutes reserved to close?

Mr. HOBSON. That is my purpose, Mr. Speaker, and I now yield five minutes to the gentleman from Kansas.

Mr. CONNELLY of Kansas. Mr. Speaker, I have no apologies to make for the vote that I shall cast upon this resolution when we reach a vote at the end of this discussion. I find that there has here and there crept in a little bitterness in the

discussion, but I do not feel any rancor or resentment for those who find for reasons that they consider sufficient that they can not support the resolution. I shall vote for the resolution firm in the faith that I am not only voting right, but that I am representing a decided majority of those whom I am here to represent.

I feel personally that there has never come and can never come any lasting good to us as a people either from the manufacture or the sale of intoxicating liquors. I want in this matter and in all other matters that come up for consideration here, and upon which men may honestly differ, to exercise that charity for the opinions of others that I would desire that they should exercise for the opinions that are mine. I have never known a man who was intolerant in his opinions whom I would care to follow or for whom I could have a lasting respect.

I am proud of the fact that I come from a State that has for more than a third of a century embraced in its fundamental law a provision that forbade the manufacture or sale of intoxicating liquors. I shall not come to you to-day and say that the driving of the liquor traffic from a State will solve all the ills that humans are heir to. Not all the ills of humanity are due either to the manufacture or sale of intoxicating liquors. If this resolution should carry and the requisite number of States ratify it to make it binding on all the States of the Union, there would still be questions to solve that would require the best thought of the best men and women of the land to find a solution for. But, Mr. Chairman, while I do not contend that liquor is the basis of all evil, I am convinced that no permanent or lasting good can come to a people either from the manufacture of or the traffic in an article that brings benefit to none and brings harm to so many. Feeling this way about it I shall not hesitate to cast my vote for this resolution.

I have heard some contend that prohibition is a failure in the States that have tried it, and it is of this that I desire to address my few remarks to-day. There is not an argument that the opponents to prohibition in States where it has been tried that will, in my opinion, stand the test of reason. There is no evidence anywhere that prohibition has been a failure in the State of Kansas. I have heard some contend that there is more liquor consumed in States having prohibition than there is in States which do not have it. If that statement needed any argument to refute it, the argument could be found in the bitter fight that the liquor interests make against prohibition everywhere, and no one is ready to believe that they are anxious to curtail their output or reduce the consumption of their commodity. I know that no fair man who is informed will contend that the law has increased the consumption of liquor in the State that I am proud to call my home.

In Kansas we have a law which requires the agents of common carriers, such as the railroad and express companies, to furnish the names of the consignee and the amount consigned to the county clerk of each county, and I am persuaded that these companies are very careful to obey this law. This gives a very accurate accounting of the amount of liquor consumed in the State. By this record we find that the amount of intoxicating liquors shipped into the State last year averaged less than $1.50 for each adult male citizen of the State, while other States have an average of $30 per capita.

Kansas is not ashamed of her prohibitory law nor of the progress that she has made in that third of a century which this has been a part of the fundamental law of the land. She has prohibition, and along with it she has some other things that her citizens, no matter where you find them, are proud to enumerate.

She has but half the population of Missouri and has twice the number of students in her State university.

She has more than twice the population of Colorado, and she has fewer prisoners in her State penitentiary.

She has 29 counties without an inmate in a poorhouse and 18 counties without a poorhouse.

Her entire State debt is less than 20 cents for each man, woman, and child, and she has half that amount laid away in her vaults in cash, waiting for the debt to come due.

Her agricultural and live-stock crop alone this year will reach the stupendous sum of $620,000,000.

Last year she sold over $25,000,000 worth of eggs and butter, and this year she raised 160,000,000 bushels of wheat.

While she spent less than $1.50 last year for liquor per capita, she spent over $15,000,000 to educate the 400,000 boys and girls that wend their way to the common schools of that great Commonwealth. The State of Kansas is not ashamed of the fact that 80 per cent of these boys and girls never saw a saloon or a place where intoxicating liquors were legally sold.

Kansas comes to you to-day with no apologies for those laws that you who are not in sympathy with prohibition are pleased to term sumptuary laws.

On the 3d day of last November her citizens, men and women, to the number of 528,000, went to the polls and cast a ballot for governor, and only 1 out of every 11 voted for the candidate on a resubmission platform.

We of Kansas, where the storm over prohibition has ceased to rage, have met and in our honest opinion defeated every contention as to the abolishing the sale and manufacture of liquor, bringing want and squalor to the threshold of the laboring man. We have tried it, and we know that it is not true. Our laboring men and our business men have long since ceased to contend that the man who spends 40 cents out of every dollar that he earns over the bar for strong drink thereby helps himself or helps legitimate business of any kind. We know that every dollar that goes for strong drink is just one dollar less with which to buy food and raiment that adds to the happiness of himself and his family.

A folder sent out by some one who is interested in the defeat of this resolution came to my notice a day or so ago, which says that if you legislate to do away with the jobs of the fellows who work in the breweries and the distilleries it will cause these men great hardship, and they will not be able to support their families and buy their share of the food and clothing that is necessary for them. This is a very legitimate argument were it sound, but to our mind it is by no means unanswerable. It may for a time make a little readjustment necessary, but if the money that men spend for drink was spent for additional food and clothing it would create an additional demand for these articles which would demand additional labor in their production, and the man who is now employed in these industries would find that his services were in demand in other and in our opinion more fruitful lines.

In the transitory period from high license to enforced prohibition in Kansas many towns with 2,000 inhabitants allowed, through a system of fines, which amounted to high license, the running of places where liquor was sold. It was necessary so long as these "blind tigers" were tolerated to have a considerable police force, and to many of them it never occurred that with the driving out of the saloon would go the necessity of much of their police protection. These places were allowed to run in some places because the business men thought the revenue to pay all this police force would necessarily be placed upon them, and they were willing to tolerate the saloon in order, as they thought, to escape the tax. Later, when public sentiment demanded a better enforcement of the law, they in many instances found that with the going of the "blind tiger" there went also much of the necessity for additional expense. It is not an unknown thing in Kansas to-day to see towns of 2,000 people where once three police officers were thought to be necessary now getting along with one, and this one finds his duties limited largely to supervising street improvement, moving the garbage from the back alleys, and enforcing the ordinance prohibiting chickens and pigs from running at large.

To-day we issue this challenge and feel free in so doing: We dare you to find a community in the State of Kansas where the abolishing of the sale and manufacture of liquor has permanently increased the taxes raised in other ways, where it has increased the crime in the community or contention among its citizens, where it has increased want and misery among her people or has made it more difficult for men to reap a recompense for their honest endeavor. I know little about the workings of prohibition elsewhere, but when those who are opposed to the principle desire to point out a place where prohibition has been a failure you must leave Kansas out of your calculations.

You who are here to-day honest in the belief that you should defeat this measure should understand that you are standing at the ocean's edge fighting to beat back the tide that is sure to engulf you. You perhaps may defeat it to-day, but you can hardly hope to make your victory a permanent one, for somewhere and somehow there will always come enough recruits to every cause which involves the highest ideals of a free people to beat down the battlements of wrong.

I am glad to speak to-day for the splendid Commonwealth of prohibition Kansas. A half million boys and girls tread her highways who never saw a place where liquor was legally sold and a hundred thousand of them never saw a drunken man nor do they know the taste of liquor. The older generations are not entirely free from the baneful effects of the liquor habit; but from the loins of that mighty people there is coming into maturity a new generation free from the tyranny of its hurtful reign. May it please God that with the coming of another

generation we may not only appreciate the benign influence of State-wide prohibition, but may we hope that glad day will find no place where a licensed grogshop may find lodgment under the protecting folds of the national flag. For this we dare to hope, for this we dare to pray, for this we dare to vote. [Applause.]

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted as follows:

To Mr. TAYLOR of New York, indefinitely, on account of illness.

To Mr. SLAYDEN, for 15 days, on account of business.

PROHIBITION.

Mr. HOBSON. Mr. Speaker, I now yield to the gentleman from Oklahoma [Mr. MORGAN].

Mr. MORGAN of Oklahoma. Mr. Speaker, we have before us House joint resolution No. 168, which in substance provides for the abolition of the liquor traffic within the jurisdiction of the United States.

The resolution and preamble are as follows:

Whereas exact scientific research has demonstrated that alcohol is a narcotic poison, destructive and degenerating to the human organism, and that its distribution as a beverage or contained in foods lays a staggering economic burden upon the shoulders of the people, lowers to an appalling degree the average standard of character of our citizenship, thereby undermining the public morals and the foundation of free institutions, produces widespread crime, pauperism, and insanity, inflicts disease and untimely death upon hundreds of thousands of citizens and blights with degeneracy their children unborn, threatening the future integrity and the very life of the Nation: Therefore be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled (two-thirds of each House concurring therein), That the following amendment of the Constitution be, and hereby is, proposed to the States, to become valid as a part of the Constitution when ratified by the legislatures of the several States as provided by the Constitution.

"ARTICLE —.

"SECTION 1. The sale, manufacture for sale, transportation for sale, importation for sale, and exportation for sale of intoxicating liquors for beverage purposes in the United States and all territory subject to the jurisdiction thereof are forever prohibited.

"SEC. 2. Congress shall have power to provide for the manufacture, sale, importation, and transportation of intoxicating liquors for sacramental, medicinal, mechanical, pharmaceutical, or scientific purposes, or for use in the arts, and shall have power to enforce this article by all needful legislation."

The resolution under consideration proposes an amendment to the Federal Constitution to prohibit the manufacture and sale of intoxicating liquors.

In reaching a conclusion as to how I shall vote on this resolution I have tried to follow the light of my own reason, judgment, and conscience. I have taken in consideration the views of my own constituents. I have recognized the dominant sentiment of the people of the State which I have the honor in part to represent. I have given weight to the views of the moral and religious forces of the Nation. I have considered the right of the people to vote on this question. Finally, I have had in view the welfare of the Nation—its growth, its strength, its greatness, its perpetuity, and the prosperity, the happiness, and well-being of its citizens.

Personally I am in favor of utilizing every legitimate means or method that will restrict, limit, or lessen the consumption of intoxicating liquor for beverage purposes.

As a means for the suppression of the liquor traffic, I am in favor of the use of moral suasion, agitation, education, and legislation, or any other legitimate method that will be effective.

I believe total abstinence is the only safe rule for the individual, and that prohibition is the only wise policy for the State and Nation.

My views on the temperance question have not been hastily formed. My parents taught me not to drink intoxicating liquors. Before I attained my majority my first effort to make a public speech was at a temperance rally. My early impressions have guided me in all the intervening years. I have never concealed my views. On every appropriate occasion I have expressed them. I can not now, when I am a Representative in Congress, when I am in a position of influence, power, and honor, waiver or recede. I shall keep the faith and cast my vote for the resolution.

VIEWS OF MY CONSTITUENTS.

Aside from my own views, I desire to express the wishes of my constituents. The people of my congressional district are intelligent, industrious, and patriotic. They rank with the best type of American citizenship. They believe in law and order, in civic righteousness, in morality, in temperance, in the church, in the school, and in the home. By petitions, letters, and telegrams they have appealed to me to vote for this resolution. I greatly respect their views; I have the highest regard for their opinions; I have the utmost confidence in their judgment. In all my votes I earnestly desire to do their will, to express their views, to speak their voice, to represent them honestly and correctly. Therefore, in obedience to the will of my constituents, acting as their Representative, as their servant, and as their spokesman, I give my voice and my vote for this resolution.

SENTIMENT OF MY STATE.

In addition to my district, I also in part represent in this House the State of Oklahoma. I deem it my duty to voice the dominant sentiment of the people of my State. They have spoken on this question. In a very impressive way they have instructed their Representatives in Congress on this question. In making their constitution, by a separate vote, they placed therein a clause prohibiting forever within the State the manufacture and sale of intoxicating liquors. The question was subsequently submitted to the people. By a decisive majority they again declared for prohibition. I believe it is the desire of the majority of the people of Oklahoma that the State, through its Representatives in Congress, shall cast a solid vote for this resolution. For myself, in casting my vote I shall be true to Oklahoma, true to her institutions, to her laws, to her policies, and true to the hopes, the ideals, and the aspirations of her 1,700,000 people.

PUBLIC OPINION OF THE NATION.

Further than this, I have a right to consider the public opinion of the Nation. I am one of 435 Members of this House who represent the Nation at large. Every Representative has a Nation-wide responsibility. He owes a duty to the whole country. In an important sense each one of us in part holds the fate and destiny of the Nation in our hands. We can not escape this responsibility. Each of us is duty bound to do our share in solving national problems. The Constitution gives Congress the power to provide for the general welfare. In voting upon questions like this, which affect the entire country, in which all the people of the Nation are deeply and vitally interested, we should look beyond the territorial limits of our own States and survey every foot of soil over which the flag floats. In solving national problems we must heed national sentiment. The moral forces of the Nation to-day are for national prohibition. The distilleries, the breweries, the saloons, and all allied interests are against it. We can not follow both of these antagonistic and warring forces. We can not please both. We can not satisfy both. We can not serve both God and mammon. We must choose between the two. For my part, I prefer to march under the banner held aloft by the moral forces of the Republic and cast my vote in harmony with the dominant moral sentiment of the Nation.

RIGHT OF THE PEOPLE TO BE HEARD.

In voting on this question we must take into consideration the right of petition, the spirit of our free institutions, our republican form of government, and the right of the people to be heard and express their views on public questions.

Our forefathers in making our Constitution assumed that it might be wise and necessary to amend it. They provided a method by which it could be amended. By this method a proposed amendment must be approved by two-thirds of the Members of each House of Congress and by the legislatures of three-fourths of the States. The friends of national prohibition are pursuing the method provided by the Constitution. The prohibition cause has made great progress. Seventeen of the States have prohibited the manufacture and sale of intoxicating liquors within their borders. Over half of the people of the United States now reside in dry territory. No one can tell how many States would approve this resolution. No one knows just how many people are in favor of national prohibition. But we do know that 6,000,000 of the people of the United States have petitioned Congress to submit this great question to the vote of the people of the United States. It is for Congress to decide whether these petitions shall be granted. In my judgment, when any large number of the people ask for a vote upon a question, to refuse to let the matter be submitted to a vote is clearly un-American and out of harmony with our ideas of a free government.

MAGNITUDE OF THE LIQUOR BUSINESS.

The liquor business has grown to immense proportions. It represents great wealth. It employs an army of men. It supports a multitude of people. Its power extends in every direction. It dominates business, permeates society, controls politics, and its gigantic sway molds the tone of the press and influences the attitude of even the church.

Some conception of its mighty influence may be gathered from the wealth it controls, the men it employs, the wages it pays, and the number of people it supports. Seven hundred and seventy-two million dollars in capital are invested in plants and equipment for the manufacture of distilled, malt, and vinous

liquors. Even a larger amount is probably invested by retail and wholesale establishments for the sale and distribution of the product. These liquor-manufacturing establishments have an annual output in excess of two and a quarter billions of gallons. At wholesale prices these liquors are worth $600,000,000. At retail the consumers pay therefor over $2,000,000,000. As a people we consume annually 22.66 gallons of intoxicating liquors per capita. There are at least 250,000 persons employed directly in the business. In 1909 we had 68,215 saloon keepers, 101,234 bartenders, and 77,779 persons in liquor-manufacturing establishments. More than 1,000,000 of our population are supported by this business. In salaries and wages the liquor-manufacturing establishments pay out annually $70,000,000. Add to this the profits of the saloon keepers, the wages paid to bartenders and others supported directly by the liquor traffic, and we have a grand total of more than $250,000,000 distributed annually through this business.

But there is something even more startling than this. In the last fiscal year the Federal, State, county, and municipal governments collected over $325,000,000 in taxes from the business; $245,000,000 went to the Federal Government, $21,000,000 to the States, $6,600,000 to the counties, and $52,000,000 to incorporated towns and cities having a population of 2,500 and over. Through the increased tax placed on beer and other intoxicating liquors by the emergency revenue act, the business this year will pay for the support of our various governments not less than $400,000,000. Last year the Federal Government collected 33 per cent of its ordinary revenue from the liquor business, and by reason of the increased tax the amount this year will be over 40 per cent.

But this liquor business does something else. To support this vast business, to pay dividends on the capital invested therein, to pay $250,000,000 annually in salaries and wages and profits to the people engaged therein and employed thereby, and to contribute annually $400,000,000 in taxes for the support of our various governments; to do all this it is necessary that 1,000,000 of our people shall be drunkards, that 4,000,000 of them shall be heavy drinkers, and that 19,000,000 of them shall be regular moderate drinkers, and that the country at large shall suffer an economical loss estimated at $15,000,000,000.

WHAT THESE STATISTICS MEAN.

What do these figures mean? What do they teach? What do they prove? What significance shall be given them in reaching a conclusion on the question before us?

Those who oppose this resolution point to these statistics—to the capital invested, to the men employed, to the wages paid, to the revenue received—as arguments against the adoption of this resolution.

To my mind they prove directly the reverse. It is almost universally admitted that the liquor business is the greatest evil in existence; that it is the greatest source of crime, immorality, disease, idleness, poverty, and national waste; and that it is highly detrimental and injurious to the social, economic, and moral welfare of our citizens.

If the liquor business be an evil, then the greater its magnitude, the more is the necessity that the National Government shall interfere and aid in its suppression.

If the liquor business be a source of crime, immorality, disease, idleness, poverty, and waste, then to contemplate the vast millions of money invested therein, the hundreds of thousands of men employed in its prosecution, and the hundreds of millions of dollars in wages and profits distributed thereby only emphasize and reinforce the appeal to the National Government for aid and assistance in annihilating the business.

If the liquor business is not a legitimate business and is deteriorating the physical, intellectual, and moral character of our citizenship, this is an unanswerable argument why neither the Federal, State, county, nor municipal governments should make the business the chief source of their revenue.

RIGHT OF MAJORITY PROTECTED.

I shall not undertake to answer all the arguments presented against this resolution. But I want to notice one. It is asserted by the opponents of this resolution that if adopted it might permit a minority of the people of the United States to force prohibition upon the majority. This argument is based on the fact that the 36 States having the smallest number of people have a total population of 40,865,581 and that the other 12 States have a population of 51,106,685.

But if this is a valid argument it will apply to all proposed amendments, and would prevent the people from ever amending the Constitution.

Further, in answer to this argument, it may also be said that 4,526,897 people, comprising the total population in the 12 States having the smallest population, could prevent 87,972,266 people, comprising the total population in the 36 States having the largest population, from amending the Constitution.

Again, the Constitution requires that a proposed amendment must be approved by a two-thirds vote of this House. If when this vote shall be taken on this resolution the entire membership of the House were present and voting, the delegations from six of the States, voting solidly, could defeat this resolution. New York, with 43 votes; Pennsylvania, with 32; Illinois, with 25; Ohio, with 21; Missouri and Texas, each with 16 votes, have a total vote in this House of 153—more than one-third of the total membership of this House. It would seem, therefore, that the interests of the States with large population and where in the main the liquor interests are concentrated are amply protected against any unfair or unjust action on the part of the Representatives or the people from the smaller States.

A MATTER OF PATRIOTISM.

Finally, in casting my vote for this resolution I am performing what I regard as a patriotic duty. I certainly have no desire to inflict injury upon those who are engaged in the business or who are supported thereby. But I must do what in my judgment will contribute most to the public welfare. I must have the interests of my country at heart. I must go where patriotism leads me. The character of our citizenship is the Nation's chief asset. Our national wealth and our great natural resources are not the main pillars of our national strength. For our superiority over other nations, for our leadership among the nations of the earth, for the extension of the power and influence and principles of this Republic we must rely upon the character of our citizenship. Whatever deteriorates our citizenship weakens the fabric of our Government and endangers its perpetuity. Believing, as I honestly do, that the liquor traffic lowers the standard of our citizenship—physically, mentally, and morally—as a lover of my country and its people I can not do otherwise than vote for its suppression.

Mr. HOBSON. Mr. Speaker, I now yield five minutes to the gentleman from Missouri [Mr. DECKER].

The SPEAKER. The gentleman from Missouri [Mr. DECKER] is recognized for five minutes.

[Mr. DECKER addressed the House. See Appendix.]

Mr. HOBSON. Mr. Speaker, I yield to the gentleman from Georgia [Mr. TRIBBLE].

The SPEAKER. The gentleman from Georgia [Mr. TRIBBLE] is recognized.

Mr. TRIBBLE. Mr. Speaker, I shall not discuss the issues of merits or demerits, good or evil, involved in the prohibition question, my time being too limited, and from my viewpoint the merits of prohibition is a question for the people and not for this House.

Mr. Speaker, there is no question on which the American citizens are more divided than the proper regulation of the liquor traffic. The question now before the House, in my opinion, is one that should not be arbitrarily settled by the membership of this House. I believe it is a question for the people to settle, and for that reason I cast my vote to refer it to them. Let them express their will at the ballot box.

It is contended that the proposed amendment for national prohibition is a violation of the State rights. Shall I as the representative of 265,000 people of the eighth congressional district of Georgia decide that this amendment, authorizing legislation to put into existence national prohibition, is a violation of State rights? No, Mr. Speaker, the master minds of the country do not agree on this question, and I do not care to finally determine it for my district; on the contrary, I desire that the people of my district and my State settle it for themselves. There are 30,000 registered voters in the eighth congressional district, and I shall cast my vote to-day to grant to them the opportunity of expressing their will. If this question should be referred to the people, then I shall take my place at the ballot box and decide myself on which side of this question I shall cast my ballot, and the 30,000 voters of my district, side by side with me, will have the same privilege. If I am in error as to my duty, then I err on the side of popular government by the people.

Our fathers intended this Government to be expressive of the people's will. When the Constitution was written the prohibition question was not an issue, but those wise patriots who constructed the Constitution knew as time rolled on new constitutional questions would arise, and they provided a method of submitting such questions to the people. They made it very difficult to amend that instrument which protects the liberties of the American people, but it can be done, has been done, and will be done many times in the future.

It was hard for me to believe that the religious freedom guaranty of our Constitution is an amendment, and I read and reread the Constitution last year trying to find that section. I secured the second copy of the Constitution thinking the one I held in hand contained a clerical error. Finally I looked in

the amendments, and, much to my surprise, I found the religious freedom guaranty was the first amendment to the Constitution.

Mr. Speaker, I shall not arbitrarily shut the door on my constituents who should also be granted the privilege of expressing their wishes. My colleague from Georgia, Judge ADAMSON, made a very significant statement on this question. He said:

So far as prohibition is concerned, I admit that the power of regulation exists, that Congress has power to prohibit.

His statement being true, Mr. Speaker, then why not refer the question to the will of the American people to say whether or not they wish national prohibition? It takes two-thirds of the House to submit the question to the States, and three-fourths of the States to add a constitutional amendment. If two-thirds desire this amendment, then the one-third should not complain, but the people not agreeing with me would have a right to complain if I should force my personal views on them.

Believing as I do, Mr. Speaker, that there is sufficient demand for this constitutional amendment to be submitted to the people, I believe that Members of this House should discard their personal views, and, as provided by the Constitution, seek the views of the American people at the ballot box, and I shall gladly cast my vote for the amendment.

Mr. HOBSON. Mr. Speaker, I yield five minutes to the gentleman from Kentucky [Mr. LANGLEY].

Mr. LANGLEY. Mr. Speaker, I shall vote for this resolution. With due deference to the opinions of those of my colleagues who are going to vote the other way, I can not see how, under our theory of government, a representative of the people can consistently deny them the privilege of deciding, in accordance with the method of procedure laid down by the fathers, whether they want the Constitution amended, when, as in this instance, there is a Nation-wide demand for it. It is the people's Constitution. It was created by their mandate and continues to exist by their consent. We of Congress are only a portion of the great machinery of government and are chosen by them. The sovereign power that moves this machinery is the people's will. [Applause.] Indeed, in a sense, they are the Government, because it is of, by, and for the people. I am speaking from deep conviction, the result of careful thought, and not in any sense in a demagogic spirit, when I say that gentlemen go very far in the direction of arguing that our form of government is a failure when they contend that it is not safe to trust the people to decide such a question right, or that it would be unjust to allow them to decide it by the method prescribed in the Constitution itself. At any rate, such a contention bodes no good for the future of the Republic.

I do not share the sentiments of those extremists who condemn everybody who is engaged or employed in the liquor business, seemingly forgetting that the legitimacy of the business is now recognized by the supreme law of the land, which the language of the resolution itself concedes, and that many among our most patriotic, charitable, and exemplary citizens are engaged in it, who would instantly obey the law if its ban is placed upon it. [Applause.] Neither do I agree with some of our citizens who seem to think that there is only one side to this national prohibition question. That enormous difficulties would be encountered in attempting to enforce it; that it would seriously cripple the finances of the Government, necessitating new and still more drastic methods of raising revenue; and that it will require hundreds of thousands of worthy people to seek other employment and hundreds of millions of legitimately invested capital to seek other fields, no one will deny. Balanced against these and other considerations is the harm the sale of intoxicating liquors has wrought upon the Nation. But as I view the situation, these questions are hardly germane to the present discussion. Mr. Speaker, I distinguish between my duty as a Representative and my duty as a citizen and elector. In the one case I merely exercise my own privileges and rights; in the other I exercise those of other people. After I have voted here to give the people of the States the privilege which this resolution seeks, and to which I think they are clearly entitled at our hands, and when the merits of the proposition itself come before them for decision, it will then be my duty as a citizen and voter to consider with them the grave questions of practicability, economy, sociology, and expediency, and all the other questions which are involved, and act in accordance with my own individual judgment and sense of duty. [Applause.]

Mr. HOBSON. I yield four minutes to the gentleman from Pennsylvania [Mr. LOGUE].

Mr. LOGUE. Mr. Speaker, it has been of considerable interest to me to-day to find such strong expressions in favor of temperance coming from many who are opposed to the resolution offered. In 25 years of total abstinence work I have very seldom met any of the gentlemen on the platform advocating the lessening of excessive drinking.

I am a firm believer in education for the correction of moral or social evil. I believe that mere legislation can not do much in the way of substantial, corrective good, and that education, moral, social, and material, must be in the van of all legislation.

Every State in the Union, recognizing the dangers of drink, has surrounded itself with excise law, with restrictive and regulative legislation. At the same time, it seems strange to me the sentiment against the enforcement of laws enacted to control or regulate the liquor traffic. Why is it that prosecutions can be instituted for the infraction of any other law and no objection be raised, while a false sentiment is created if it is sought to enforce a similar statute against those who violate the liquor law?

I firmly believe in State regulation of the liquor traffic, because I believe that back of any law we try to enforce should be local public sentiment that will support it. I believe that the boy and the girl have a right to be protected by the enforcement of restrictive and regulative measures that have been enacted. I am satisfied as well that it is the duty of the Federal Government to see that States are protected from outside interference in the enforcement of the laws they have placed on their statute books regarding the liquor business.

I have given up much of my time to the work of extending total abstinence. I believe it is our duty to be exemplars in the way we would have people go by the legislation we enact. I regret that the votes that will be cast in this House to-day will in many cases be political, representing either the favor or fear of a constituency, and not solely the expression of belief of the man himself.

"Made in America" is the great cry these days, and we are proud of it, because we feel that from our great industries we can send out the best the world produces. I would like to see it go farther. I would like to see that spirit prevail in the training of the boys and girls from whom we are making the men and women of the future, and much could be accomplished in this line by the real enforcement of restrictive and regulative laws that now exist regarding the liquor traffic, so that, avoiding the great danger of intemperance, we can make our boys and girls the best men and women in the world.

Therefore I feel that much good would be done if the energy and spirit and earnestness displayed by well-meaning people for the extension of our present laws regarding the liquor traffic were directed toward the enforcement of those measures which experience has recognized should be enacted, and which experience also recognizes should be enforced. I believe this enforcement will be more pronounced when the laws are more local in character, and public sentiment will be at hand to support them.

There is no need in attempting to discuss the ravages caused by the use of intoxicating liquor and the individual misery that follows and the public harm done. There should be cooperation on the part of all well-meaning people to regulate and control a traffic that is harmful, and this work should be associated with education on the dangers of indulgence, creating public sentiment that will make the business unprofitable; and when it becomes unprofitable it will cease to exist. [Applause.]

Mr. HOBSON. I yield two minutes to the gentleman from California [Mr. BELL].

Mr. BELL of California. Mr. Speaker, in the scant time allotted to me I can scarce more than say that it is my fervent hope and wish that this resolution, making as it does for the prosperity, the betterment, and the happiness of this Nation, may pass this House by a vote largely in excess of the necessary two-thirds majority.

I have listened with interest to the flights of oratory this morning and to the more or less ingenious and ingenuous arguments for and against this question, and I am proud to think that I stand here representing the citizenry of a district in which an overwhelming majority of the people are in favor of nation-wide prohibition.

We are asked here to-day to pass upon the so-called Hobson resolution, but we are not presented with nor asked to pass upon the question of national prohibition. As the representatives of the people we are asked to permit the voters of this Nation to express their views on this question at the polls. I have strong personal convictions as to the justness of passing a resolution which will permit the people of the Nation to vote for or against the continuance of the liquor traffic as a besetting and destroying national evil.

If the arguments and statements presented and made in the numerous communications which I have received from the liquor interests are true, the whole question could be disposed of by the voters, and the activities of the churches, the Anti-Saloon League, and many temperance organizations, as well as the big

business corporations who bar from employment men addicted to drink, could all be fittingly rebuked at the polls, but those who are financially interested in the manufacture and sale of liquor know full well that a large and increasing majority of the people of this Nation are unalterably opposed to a continuance of the liquor traffic and the inevitable misery, want, and woe that follow in its wake.

Mr. Speaker, I respect the opinions and convictions of every Member of this House as expressed by their votes on measures presented for consideration, but to those Members who are intrenching themselves behind the doctrine of State rights I commend to their thoughtful consideration the following extract from an address by Rev. Sam W. Small, of Georgia:

My countrymen, right now we are confronted by a peculiar situation. When we propose the submission to the States of a constitutional amendment to prohibit the liquor traffic we are met with the cry that we are attacking the doctrine of State rights.

State rights! Why, we stand flat-footed and foursquare upon the very fundamental principle of State rights. It is for that principle we are fighting. In its name we are pleading that the 48 States of this Union be given the opportunity to exercise what Thomas Jefferson and all his compeers declared to be their "indubitable, inalienable, and indefeasible right"—the right to alter, reform, amend, or change the Constitution under which they formed the Union.

Our proposition can not win without the separate consents of 36 of the States. Whether those three-fourths, as provided by the Constitution, desire to change that instrument as we propose can never be rightly known until they are allowed to legislatively express their will.

The man who would arbitrarily deny to them that right is not a friend but an enemy of State rights.

How strangely this doctrine sounds coming from the liquorites of the Nation, whose long record of contempt for State constitutions and State laws is the one broad bar sinister upon the escutcheon of our American civilization.

Put them to the test of their vociferous loyalty to State rights by offering to repeal the internal-revenue laws affecting liquors. Then you will hear wails of protest the like of which issue only from the slaughterhouses of the Chicago stockyards. If there is anything on earth the liquorites of America do not want it is to be released from their partnership with Uncle Sam and to be turned over to the will of each of the 48 States of the Union. They don't want State rights; they only want Congress to weave that doctrine into a coat of mail in certain cases for the protection of the liquor traffic from real State rights.

And to the following extract from the Declaration of Principles of the Anti-Saloon League of America:

The liquor traffic is national in its organization, character, and influence. It overflows the boundaries of States and refuses to be regulated or controlled. It is a Federal evil—a national menace, too powerful for State authority, requiring national jurisdiction and treatment. It beggars the individual, burdens the State, and impoverishes the Nation. It commercializes vice and capitalizes human weakness. It impairs the public health, breaks the public peace, and debauches the public morals. It intimidates and makes cowards of public men. It dominates parties and conventions. It cajoles, bribes, or badgers the makers, interpreters, and administrators of law and suborns the public press.

It claims for itself a special right and privilege asserted by no other interest in all the land, however great or powerful—a right and privilege utterly incompatible with free government—the right and privilege to infract municipal ordinances at will, to violate and break legislative resolves and enactments, and to set aside the constitutional provisions of sovereign States, however solemn and sacred. Refusing all domestic regulation and control, it leaves the American people but two alternatives—the abject surrender of their inherent right of self-government or its national annihilation. Between such a choice free men can not hesitate. We therefore declare for its national annihilation by an amendment to the Federal Constitution which shall forever prohibit throughout the territory of the United States the manufacture and sale and the importation, exportation, and transportation of intoxicating liquors to be used as a beverage.

The question of our preparedness for war has been discussed at length on the floor of the House and in the public press. The nations of Europe now engaged in a life-and-death struggle have taken cognizance of one important item of preparation, viz, the national conservation of human resources, which example might well be followed by the United States, and the passage of this resolution would be one peaceful, righteous step in the line of preparedness. We are advised by the President that we must in future time of need depend upon our citizen soldiery; if this be true we ought to be willing to help equip our men with strong, clean bodies, stout hearts, and steady nerves. In this connection I call attention to the following concise article from the California Outlook:

EUROPE SOBER.

Whatever of good in the law of compensation may come out of the European war, a lesson in temperance will hold a prominent place in it. The warring nations realize that to stand the severe test of physical endurance and nervous strain they must be sober. Russia's first act after mobilization was to stop the sale of vodka. France has taken steps to lessen the use of absinthe and England is appealing to the nation to abstain from alcoholic drink during the war. In England the country is plastered with patriotic posters making this appeal. It is interesting to note that the appeal is on entirely economic grounds—the conservation of resources, both material and human. Four grounds are given for abstinence from alcoholic liquors:

1. The grain destroyed for their production is required for food.
2. The money spent upon drink will purchase many times its value in food.
3. Physical power depends upon food and must not be destroyed by alcohol.
4. Alcohol lowers vitality and diminishes power to resist disease.

It is inconceivable that the effect of this temperance propaganda will pass with the ending of hostilities. So effective a refutation of the widespread fallacy that the consumption of alcoholic drinks makes for prosperity can not but leave a lasting impression on the Nation.

One result of the war is almost certain to be a sober as well as a sobered Europe.

Mr. Speaker, upon the Members of this House has devolved the most solemn duty that has confronted Congress in many years. The vote of to-day will determine whether the Members of this House stand for happy, comfortable American homes or for the body and soul destroying American saloon. The disposition of this resolution will determine whether the moral forces of this Nation shall prevail over the beneficiaries of the liquor traffic, whether the voters of the United States shall be denied the privilege to express at the polls their sovereign right to amend the Constitution under which they live.

Mr. HOBSON. I now yield three minutes to the gentleman from Oklahoma [Mr. FERRIS], and with that I will reserve the remainder of my time. If my figures are correct, I shall have used 44 minutes.

The SPEAKER. The gentleman from Oklahoma [Mr. FERRIS] is recognized for 3 minutes, and the gentleman from Alabama [Mr. HOBSON] reserves 16 minutes.

[Mr. FERRIS addressed the House. See Appendix.]

The SPEAKER. The gentleman from Alabama is recognized for an hour.

Mr. UNDERWOOD. Mr. Speaker, I do not come here to-day to make an issue on the question as to whether men should be temperate or intemperate in their daily lives. I know of no man who would be so false to the teachings of the mother who bore him as to advocate intemperance. I not only believe in temperance, so far as the consumption of liquor is concerned, but I believe in temperance in every walk of life. Men should be temperate in their mental attitude toward other men, as well as temperate in the treatment of their own bodies.

THE ISSUE.

But the proposed amendment does not raise the issue of temperance. It is not a moral issue that is before us. The great moral issues which have confronted the world have not been worked out at the point of the sword or with the force of the governments behind them. The progress that the world has made in morality comes from the heart, following the teachings of God, and not from the force of men. The issue that is presented to this House and the country to-day is a governmental issue as to whether or not the enforcement of certain police regulations had best be controlled by the National Government or left within the jurisdiction of the several States where they were placed by the fathers who builded this Republic.

In order that I may not be misunderstood, I desire to say in the beginning that on the question of the enforcement of temperance laws I believe in local county option so far as my own State is concerned, because I believe that is the best way to enforce the law. My objection to the pending amendment is that it is an attempt to rob the States of their jurisdiction over police matters, in part to destroy the right of local self-government, and to establish a precedent that would concentrate the power of all government in the Government established here at Washington.

I will not call your attention to the many things which have been said in favor of local self-government by the men who builded the Federal Constitution, but I do desire to read to you a quotation from the author of the Declaration of Independence, the author of religious liberty in Virginia, the man who was nearer in sentiment to the people of the United States than any man who has ever lived in our great Republic.

In Mr. Jefferson's autobiography, in commenting upon the power of the Federal judges, he wrote a few sentences that peculiarly apply to the question now in hand. I will trespass on your patience to read it to you. He said:

It is not enough that honest men are appointed judges. All know the influence of interest on the mind of man, and how unconsciously his judgment is warped by that influence. To this bias add that of the esprit de corps, of their peculiar maxim and creed that "it is the office of a good judge to enlarge his jurisdiction," and the absence of responsibility, and how can we expect impartial decision between the General Government, of which they are themselves so eminent a part, and an individual State, from which they have nothing to hope or fear? We have seen, too, that, contrary to all correct example, they are in the habit of going out of the question before them, to throw an anchor ahead, and grapple further hold for future advances of power. They are then, in fact, the corps of sappers and miners, steadily working to undermine the independent rights of the States, and to consolidate all power in the hands of that Government in which they have so important a freehold estate. But it is not by the consolidation or concentration of powers but by their distribution that good government is effected. Were not this great country already divided into States, that division must be made that each might do for itself what concerns itself directly, and what it can so much better do than a distant authority. Every State again is divided into counties, each to take care of what lies within its local bounds; each county again into town-

ships or wards, to manage minute details; and every ward into farms, to be governed by its individual proprietor. Were we directed from Washington when to sow and when to reap, we should soon want bread.

It is by this partition of cares, descending in gradation from general to particular, that the mass of human affairs may be best managed for the good and prosperity of all.

Is there any true American whose soul responds to the genius of our Republic who will deny the truth of that utterance? Without intending any reflection on the motives of the gentlemen who present this resolution, I say, in the language of Thomas Jefferson, that by attempting to secure the adoption of this amendment they are "a corps of sappers and miners working to undermine the independent right of the States." When you abandon the fundamental principles of the Constitution where does it lead you? To the Democratic side of the House I may say, Abandon the fundamental principles of your own party and where will you draw the line in the future? The men who wrote this Constitution that you seek to-day in part to destroy were the men who had given more thought to the necessities of a free government, to the danger of its overthrow, than any men who have ever lived within our Republic. They realized that when the powers of the Government are concentrated in the hands of one central government, without restraint from any source, that we would ride to the same fall to which the Republics of Greece, the Republics of Rome, the Republics of every known country in the world ultimately come. [Applause.] And to protect against that danger they established a central government at Washington to control national affairs, to attend to the business where one nation came in contact with another nation. But they reserved to the several States the powers of government that affect the individual, his rights, his liberty, and his happiness. Shall we begin the work of destruction?

And yet, in an idle hour, cloaked in the robe of temperance—because all men believe in temperance—a faction has arisen in this Republic that would tear down the very fabric of the Government itself and destroy the foundation stones on which it rests. [Applause.]

It is not alone the statesmen of the past who have spoken on this question. I desire to read a few sentences from an editorial clipped from the Louisville Courier-Journal, written by a Democrat of the Samuel J. Tilden school of Democracy, who believed in those principles of our fathers that in this day and time we are asked to abandon. Col. Henry Watterson in an editorial in the Courier-Journal said this:

The prohibition movement—a tyrannous scheme to establish virtue and morality by law, to regulate personal appetite and individual habit by the will of the majority, in embryo to resurrect and reestablish the principle and affinity of church and state—is quite as mischievous a delusion as any of those which have gone before it.

In — counties which have ordained prohibition two-thirds of those thus arraying themselves at the polls believed they were voting for temperance against intemperance, whereas, which the event will prove, they were voting against lawful procedure and just taxation on the one hand and in favor of outlawry and no taxation on the other hand.

If prohibition prohibited, if law reached morals, the argument in favor of drastic legislation would be cogent, indeed. But the actual experience had everywhere shows exactly the contrary. The scheme is the offspring of emotional insanity. It would in nowise accomplish the ends it aims at. It would simply ruin whole classes and regions, reduce values and increase taxes, leaving the drink evil untouched in its nature to readjust itself to changed conditions, as it has done everywhere that prohibition has laid its blight.

The fact can not be successfully contradicted that prohibition established by law does not produce temperance or stop the liquor habit where the public sentiment of the local community does not sustain the law. It merely makes men outlaws instead of encouraging a respect for law and order. I contend that there is no law written on the statute books that is stronger than the sentiment of the jury in the jury box. In the last analysis the law in this land is enforced in the jury box. In most of the States of the Union, if not all, the jury is drawn from the jurisdiction of the county within the State, and when public sentiment in the county is adverse to the statute men who go into that jury box, or at least 1 in 12, will be found who are not in favor of enforcing the law, and you will have a law on the statute books which, instead of producing the desired results, brings about a condition that puts all law into contempt and substitutes outlawry for a just administration of the law of the land. In fact, the resolution itself is not for temperance. It does not contend or propose that men shall be forced to cease drinking liquor. It merely proposes that it shall be unlawful to sell liquor. Nothing in this amendment would prevent any man from manufacturing his own liquor and drinking it when he pleased. It is not difficult to manufacture whisky. If the law does not prohibit it, it can be manufactured on the cooking stove; and I say to my friends from the South that if you merely want to prohibit the sale of liquor and not prohibit its use, and that is as far as you are going, then, so far as this resolution is concerned, you encourage blind tigers throughout the length and breadth of our country. Of course the answer to that would be that the State laws would prohibit, but you are proposing to go beyond the State law. Some gentlemen have argued that you can enforce prohibition by the State law and by the Federal law.

In physics I have been taught that two bodies can not occupy the same space at the same time and in the science of government I have been taught that two governments can not exercise jurisdiction over the same territory for the punishment of the same crime at the same time. Possibly some of the advocates of this resolution may want to go so far as to advocate that a man shall be twice tried for one crime—that he shall be tried in a State court and tried in a Federal court—but I do not believe that such a proposition would meet with the approval of the sane judgment of the American people.

THE FINANCIAL SIDE OF THE ISSUE.

This question can not be disposed of without considering it from the financial side. It is true that the advocates of the resolution, when you say that it will destroy property or wipe out taxation, scoff and jeer at the proposition, but will the American people scoff and jeer at a question of confiscation when they really understand what is intended?

THE SACRIFICE IN REVENUE.

First, let me call your attention to what it will cost the American people in the way of taxes to write this resolution on the statute books. The receipts of the Federal Government in Washington during the fiscal year ending June 30, 1914, from ordinary sources, were as follows:

Receipts into the general fund, including various trust-fund receipts, but excluding postal revenues:		
Customs		$292,320,014.51
Internal revenue—		
Ordinary	$308,659,732.56	
Corporation excise tax	10,671,077.22	
Corporation income tax	32,456,662.67	
Individual income tax	28,253,534.85	
		380,041,007.30
Sales of public lands		2,571,774.77
Miscellaneous		59,740,370.13
Total ordinary receipts		734,673,166.71

This table shows that the total ordinary receipts of the Government for the fiscal year 1914 amounted to $734,673,166.71. Of this amount $245,400,000, or over 33 per cent of it, was received from the internal revenue and customs taxes on malt liquors, spirits, and wines.

Of the taxes levied on liquors $226,200,000 were received from internal revenue and $19,200,000 from customs, making the total of $245,400,000. Aside from the Federal revenue, I find that the revenue derived by the States from licenses amounted to $21,000,000, from counties $6,600,000, and from incorporated places having a population of 2,500 and over $52,000,000, or a total that the States derived from liquor licenses of $79,600,000. This makes the total in the United States from all sources $325,000,000.

I have a table, compiled by the Census Bureau, showing the exact amount of revenue from liquor licenses derived from each State, which I particularly wish to call to your attention. The amount received in the various States is as follows:

Receipts from liquor licenses, 1913.

State.	Total.	State.	County.	Incorporated places having a population of 2,500 and over and school districts.
Total	$79,547,868	$20,992,857	$6,600,010	$51,955,001
Alabama	585,645	26,111	199,705	359,829
Arizona	258,442	1,500	158,876	98,066
Arkansas	440,441	87,135	113,120	240,186
California	2,771,402	.....	216,602	2,554,800
Colorado	672,440	56,838	63,051	552,551
Connecticut	949,639	.....	102,486	847,153
Delaware	76,789	76,789	.....	.....
District of Columbia	436,790	.....	(1)	436,790
Florida	511,029	157,800	65,387	287,842
Idaho	214,308	14,485	115,150	84,673
Illinois	9,727,827	.....	19,225	9,708,602
Indiana	1,404,944	.....	.....	1,404,944
Iowa	1,118,675	.....	494,976	623,699
Kentucky	1,338,526	581,007	.....	757,519
Louisiana	1,524,089	450,700	240,241	833,748

[1] No county organization.

Receipts from liquor licenses, 1913—Continued.

State.	Total.	State.	County.	Incorporated places having a population of 2,500 and over and school districts.
Maryland	$1,728,435	$427,468	$137,843	$1,163,124
Massachusetts	3,274,005	827,535	.....	2,446,470
Michigan	1,991,568	24,542	914,922	1,052,104
Minnesota	1,797,142	54,143	163,604	1,579,395
Missouri	4,319,015	1,504,906	907,068	1,907,041
Montana	545,767	(2)	374,204	171,563
Nebraska	855,143	.....	23,350	831,793
Nevada	152,316	50,640	78,627	23,049
New Hampshire	264,014	.....	135,516	128,498
New Jersey	2,625,414	.....	.....	2,625,414
New Mexico	136,594	.....	53,155	83,439
New York	17,374,408	9,401,083	.....	7,973,325
Ohio	7,975,230	2,542,533	983,898	4,448,799
Oregon	570,750	.....	22,089	548,661
Pennsylvania	6,109,949	1,800,740	423,357	3,885,852
Rhode Island	678,750	170,616	(1)	508,134
South Dakota	257,485	.....	163,735	93,750
Tennessee	590,121	590,121	.....	.....
Texas	1,303,895	687,000	380,356	236,539
Utah	330,557	.....	9,523	321,034
Vermont	78,518	74,118	.....	4,400
Virginia	975,529	529,698	.....	445,831
Washington	1,117,573	206,708	39,944	870,921
West Virginia	922,072	648,641	.....	273,431
Wisconsin	1,363,591	.....	.....	1,363,591
Wyoming	178,441	.....	.....	178,441

[1] No county organization. [2] Not reported.

THE EFFECT OF THE PROPOSED RESOLUTION.

Mr. Speaker, if all revenue derived from the sale of liquor should be destroyed to accomplish a good purpose, it might be well to destroy this source of revenue and place the burden of taxation elsewhere, but I contend that if you adopt the pending resolution you will not accomplish the end you aim at, real temperance, but you will transpose law into license and establish national tyranny in place of local justice. You would not prevent the drinking of liquor or the evils that grow out of it, but you would destroy the supervision of the liquor traffic by local authority. You would destroy this revenue and the evils of intemperance would still exist. Your people would have to bear the burdens of taxation in some other way. Are the people of New York State, where I understand they do not have a direct tax on property and their taxes are raised indirectly, willing to agree to a resolution that would sacrifice $17,000,000 of revenue for a theory, and place that amount of taxes on the land of the people? That is the issue for the American people to consider. Why, I can illustrate that in my own State without in any way intending to reflect on the high morals and character of the people of the great State of Georgia. I wish to call your attention to the fact that in Alabama we have local county option. There are 9 counties in which liquor is sold out of 67 counties. The people of Alabama obtain a revenue of $585,645 from licenses in that State. In Georgia they have State-wide prohibition and no revenue derived, and yet there is as much liquor drunk in the State of Georgia as in the State of Alabama.

THE CONFISCATION OF PROPERTY WITHOUT JUST COMPENSATION.

Some of the advocates of this resolution laugh when it is suggested to them that should the Constitution of the United States be amended in this particular it would confiscate millions of dollars of property of law-abiding citizens. Scorn may be the answer of the fanatic, but the just man will consider the facts. He will realize that a sentiment that may destroy his neighbor's property to-day may carry his own to the shambles to-morrow.

In 1909 there was invested in the liquor industry of the United States $771,516,000. At that time this industry employed 77,779 persons, their annual wage amounting to $70,907,000.

The following table shows the number of persons engaged in the liquor industry, the capital employed, and the salaries and wages paid in 1909:

	Liquors.		
	Distilled	Malt.	Vinous.
Persons engaged in industry:			
Total	8,328	66,725	2,726
Proprietors and firm members	563	639	236
Salaried employees	1,335	11,507	579
Wage earners (average number)	6,430	54,579	1,911
Capital	$72,450,000	$671,158,000	$27,908,000
Salaries	$1,988,000	$22,804,000	$863,000
Wages	$3,074,000	$41,206,000	$972,000

For one I am not prepared to say that when property is destroyed, if it is destroyed for the public good, that the owner of that property should not receive just compensation, nor do I believe that the sentiment of the American people is in accord with the declarations we have heard from some of the proponents of this resolution favoring destruction of property without compensation by law.

DOES PROHIBITION PROHIBIT AND PRODUCE TEMPERANCE?

It is contended that prohibition produces temperance where it is on the statute books, but I find on an examination of the bulletins issued by the Bureau of the Census that the improved conditions which we may naturally expect to find in the lives of men and women who practice real temperance are not found to predominate in the States where prohibition laws have been on the statute books for many years as compared to those States where liquor is sold under a license system or where temperance laws are controlled by the sentiment of the local communities.

VIOLENT DEATHS (EXCLUDING SUICIDE).

Census Bulletin 112, on Mortality Statistics for 1911, at page 77, shows the death rate per 100,000 population from violent deaths, excluding suicide, for certain cities in specified States.

The census investigation in 1911 shows that the average death rate by violence, exclusive of suicide, for cities investigated in 29 States in which liquor was lawfully sold was lower than that of Kansas, for many years a prohibition State. In 3 it was higher. In 6 prohibition States investigated, Tennessee and West Virginia show a higher death rate than Kansas.

The following table is compiled from Census Bulletin No. 112, on mortality statistics for 1911, and shows the death rate per 100,000 population from violent deaths, excluding suicide, for certain cities in specified States.

Death rate per 100,000 population from violent deaths (excluding suicide).

State.	Liquor-license States having an average death rate—		Prohibition States (average).
	Lower than Kansas.	Higher than Kansas.	
Entire registration area	91.1	.....	.....
All registration cities	95.7	.....	.....
Registration cities in—			
Kansas	.....	.....	123.0
Alabama	.....	141.2	.....
California	99.2	.....	.....
Colorado	79.0	.....	.....
Connecticut	93.1	.....	.....
Delaware	76.6	.....	.....
District of Columbia	79.7	.....	.....
Florida	.....	152.7	.....
Georgia	.....	.....	120.0
Illinois	93.8	.....	.....
Indiana	94.1	.....	.....
Kentucky	113.1	.....	.....
Louisiana	114.6	.....	.....
Maine	.....	.....	98.3
Maryland	85.5	.....	.....
Massachusetts	94 5	.....	.....
Michigan	82.6	.....	.....
Minnesota	74.0	.....	.....
Missouri	102.2	.....	.....
Montana	.....	126.2	.....
Nebraska	88.8	.....	.....
New Hampshire	110.2	.....	.....
New Jersey	96.6	.....	.....
New York	88.3	.....	.....
North Carolina	.....	.....	113.6
Ohio	103.4	.....	.....
Oregon	82.8	.....	.....
Pennsylvania	105.8	.....	.....
Rhode Island	87.2	.....	.....
South Carolina	114.9	.....	.....
Tennessee	.....	.....	155.4
Texas	121.6	.....	.....
Utah	85.7	.....	.....
Vermont	83.5	.....	.....
Virginia	107.9	.....	.....
Washington	78.8	.....	.....
West Virginia	.....	.....	159.6
Wisconsin	76.9	.....	.....

SUICIDE.

Bulletin 112 of the Bureau of the Census, on Mortality Statistics for 1911, at page 77, shows the death rate from suicide per 100,000 population for certain cities in specified States.

The table shows that cities were investigated in 38 States. Twenty States show a lower average death rate from suicide where liquor is lawfully sold than Kansas. Eleven show a higher death rate than Kansas. Of the prohibition States, West Virginia was the only one having a higher average rate than Kansas.

The following table is compiled from Census Bulletin No. 112, on Mortality Statistics for 1911, and shows the death rate from suicide per 100,000 population for certain cities in specified States:

Death rate per 100,000 population from suicide.

State.	Liquor-license States having an average death rate—		Prohibition States (average).
	Lower than Kansas.	Higher than Kansas.	
Entire registration area	16.2		
All registration cities in area	19.3		
Registration cities in—			
Kansas			22.0
Alabama	11.9		
California		35.2	
Colorado		28.5	
Connecticut	18.9		
Delaware	15.8		
District of Columbia		26.1	
Florida	18.0		
Georgia			12.4
Indiana		24.3	
Illinois	21.7		
Kentucky	16.1		
Louisiana	13.6		
Maine			13.6
Maryland	17.7		
Massachusetts	13.1		
Michigan	18.3		
Minnesota	18.7		
Missouri		32.8	
Montana		49.3	
Nebraska		28.0	
New Hampshire	12.4		
New Jersey	17.0		
New York	16.8		
North Carolina			7.1
Ohio	20.3		
Oregon		34.6	
Pennsylvania	15.6		
Rhode Island	11.8		
South Carolina	5.1		
Tennessee			16.4
Texas		29.2	
Utah		34.0	
Vermont	[1] 22.0		
Virginia	14.6		
Washington		29.3	
West Virginia			26.2
Wisconsin	18.9		

[1] Same as Kansas.

DIVORCE.

Census Bulletin No. 96, on Marriage and Divorce, page 42, shows the annual average divorce rate per 100,000 married population, by States, in 1900.

It shows that 27 States in which liquor is lawfully sold have a lower divorce rate than Kansas, and that 13 States in which liquor is lawfully sold have a higher rate. Oklahoma is the only prohibition State having a higher divorce rate than Kansas.

The following table is compiled from Census Bulletin No. 96, on Marriage and Divorce, and shows the average annual divorce rate per 100,000 married population, by States:

Annual divorce rate per 100,000 married population.

State.	Liquor-license States having an average divorce rate—		Prohibition States (average).
	Lower than Kansas.	Higher than Kansas.	
Continental United States	200		
Kansas			286
North Atlantic division:			
Maine			282
New Hampshire	272		
Vermont	177		
Massachusetts	124		
Rhode Island	281		
Connecticut	130		
New York	60		
New Jersey	60		
Pennsylvania	94		
South Atlantic division:			
Delaware	43		
Maryland	114		
District of Columbia	162		
Virginia	117		
West Virginia			183
North Carolina			75
Georgia			78
Florida	226		

Annual divorce rate per 100,000 married population—Continued.

State.	Liquor-license States having an average divorce rate—		Prohibition States (average).
	Lower than Kansas.	Higher than Kansas.	
North Central division:			
Ohio	231		
Indiana		355	
Illinois	267		
Michigan	257		
Wisconsin	180		
Minnesota	161		
Iowa	246		
Missouri	281		
North Dakota			268
South Dakota	270		
Nebraska	226		
South Central division:			
Kentucky	237		
Tennessee			261
Alabama	208		
Mississippi			225
Louisiana	127		
Arkansas		399	
Indian Territory		326	
Oklahoma			346
Texas		391	
Western division:			
Montana		497	
Idaho		347	
Wyoming		361	
Colorado		409	
New Mexico	193		
Arizona		344	
Utah	274		
Nevada		315	
Washington		513	
Oregon		368	
California		297	

DIVORCE BECAUSE OF DRUNKENNESS.

Census Bulletin No. 96, on Marriage and Divorce, page 47, shows the number of divorces granted to wives because of the drunkenness of the husband.

This table shows that during the period from 1887 to 1906 there were 33,080 divorces granted to wives because of their husbands' drunkenness. During this time the State of Kansas granted more divorces on account of the drunkenness of the husband than 25 States in which liquor was lawfully sold. Maine was the only prohibition State granting more divorces for drunkenness of the husband than Kansas.

The following table is compiled from Census Bulletin No. 96, on Marriage and Divorce, and shows the number of divorces granted from 1887 to 1906 to wives because of the drunkenness of the husband, by States:

Divorces, 1887 to 1906, granted to wives because of the drunkenness of the husband, by States.

State.	Liquor-license States having a divorce rate—		Prohibition States (number).
	Less than Kansas.	More than Kansas.	
Kansas			630
North Atlantic division:			
Maine			1,756
New Hampshire	519		
Massachusetts		2,378	
Rhode Island	188		
Connecticut		1,279	
New York	3		
South Atlantic division:			
Delaware	8		
District of Columbia	99		
West Virginia			13
North Carolina			20
Georgia			218
Florida	166		
North Central division:			
Ohio		2,536	
Indiana		2,822	
Illinois		7,993	
Michigan	485		
Wisconsin		652	
Minnesota	497		
Iowa		2,719	
Missouri		2,434	
North Dakota			77
South Dakota	133		
Nebraska	569		
South Central division:			
Kentucky		671	
Tennessee			447
Alabama	486		
Mississippi			218

Divorces, 1887 to 1906, granted to wives, etc.—Continued.

State.	Liquor-license States having a divorce rate—		Prohibition States (number).
	Less than Kansas.	More than Kansas.	
South Central division—Continued.			
Louisiana	130		
Arkansas	277		
Indian Territory	155		
Oklahoma			161
Texas	148		
Western division:			
Montana	115		
Idaho	70		
Wyoming	32		
Colorado	99		
New Mexico	42		
Arizona	72		
Utah	83		
Nevada	20		
Washington	166		
Oregon	326		
California		768	

SAVINGS.

The annual report of the Secretary of the Treasury for the fiscal year ended June 30, 1913, at page 466, shows the report of the Comptroller of the Currency with regard to the average saving of each depositor in the savings banks of the United States in 1913.

This report shows that in 27 States in which liquor is lawfully sold the average saving per depositor is higher than that of the average depositor in Kansas. In 9 States where liquor is lawfully sold the average saving is lower than in Kansas. Four prohibition States show a higher average than Kansas and 4 a lower average.

The following table shows the average savings for each depositor in the savings banks of the United States, by States, in 1913:

Average savings for each depositor in the savings banks of the United States, by States, in 1913.

State.	Liquor-license States having an average saving per depositor—		Prohibition States (average saving per depositor).
	Lower than Kansas.	Higher than Kansas.	
Average in United States		$439.07	
Kansas			$231.69
New England States:			
Maine			403.01
New Hampshire		468.18	
Vermont		431.05	
Massachusetts		382.88	
Rhode Island		544.93	
Connecticut		497.02	
Eastern States:			
New York		545.90	
New Jersey		355.46	
Pennsylvania		423.17	
Delaware		338.60	
Maryland		383.85	
District of Columbia	$160.20		
Southern States:			
Virginia		272.77	
West Virginia			168.01
North Carolina			171.56
South Carolina		278.75	
Georgia			239.54
Florida	214.39		
Alabama	91.22		
Mississippi			280.97
Louisiana	165.41		
Arkansas	200.78		
Kentucky	140.18		
Tennessee			262.27
Middle Western States:			
Ohio		356.78	
Indiana		388.01	
Michigan		443.36	
Wisconsin		327.98	
Minnesota		266.98	
Iowa		356.65	
Western States:			
North Dakota			207.15
Nebraska	155.32		
Montana		522.97	
Wyoming		373.96	
Colorado		265.43	
New Mexico	206.55		
Oklahoma			152.83
Pacific States:			
Washington		372.20	
Oregon		364.12	
California		523.48	
Idaho	179.47		
Utah		265.29	
Nevada		781.39	
Arizona		539.33	

CHURCH MEMBERSHIP.

Census Bulletin No. 103, on Religious Bodies, 1906, at page 40, shows the relation of church membership to the population in 1906 by States.

The religious-body investigation of 1906 shows the following interesting facts: That out of 49 State investigations only 4 States had a lower church membership in proportion to the population than Kansas. Two of these States—Wyoming and Oregon—were States in which liquor was sold and two prohibition States—West Virginia and Oklahoma. Thirty-eight States in which liquor is lawfully sold had a larger percentage church membership than Kansas.

The following table shows the relationship of church membership to the population in 1906 by States:

Percentage of church membership to total population in 1906, by States.

State.	Liquor-license States having a percentage church membership—		Prohibition States (percentage).
	Lower than Kansas.	Higher than Kansas.	
Continental United States		39.1	
Kansas			28.4
North Atlantic Division:			
Maine			29.8
New Hampshire		44.0	
Vermont		42.0	
Massachusetts		51.3	
Rhode Island		54.0	
Connecticut		50.0	
New York		43.7	
New Jersey		39.0	
Pennsylvania		43.0	
South Atlantic Division:			
Delaware		36.6	
Maryland		37.1	
District of Columbia		44.4	
Virginia		40.2	
West Virginia			28.0
North Carolina			40.0
South Carolina		45.8	
Georgia			42.1
Florida		35.2	
North Central Division:			
Ohio		39.3	
Indiana		34.6	
Illinois		38.3	
Michigan		38.0	
Wisconsin		44.3	
Minnesota		41.2	
Iowa		35.8	
Missouri		35.7	
North Dakota			34.3
South Dakota		34.8	
Nebraska		32.4	
South Central Division:			
Kentucky		37.0	
Tennessee			32.1
Alabama		40.8	
Mississippi			38.5
Louisiana		50.6	
Arkansas		30.0	
Oklahoma			18.2
Texas		34.7	
Western Division:			
Montana		32.6	
Idaho		36.3	
Wyoming	23.1		
Colorado		33.4	
New Mexico		63.3	
Arizona		31.3	
Utah		54.6	
Nevada		35.3	
Washington		31.2	
Oregon	25.3		
California		37.1	

THE SOLUTION OF THE ISSUE.

In conclusion, let me say that this is not a question of temperance; it is not a moral question; it is merely a question as to whether you are going to substitute for the authority of your State to enforce its laws against your own people the authority of the Federal Government, that may or may not be in sympathy with the sentiment, the character, and the history of your people. [Applause.] In my judgment, there is but one way to work this question out, and that is by education sustained by local laws. The one Government in the world most without prohibition laws is the Empire of Germany. There has been a greater growth of temperance societies in Germany than in our own country where we have more prohibition statutes than any other civilized land.

Let our judgment be guided by the light of experience, and we have had much experience in attempting to secure temperance by prohibition legislation. That experience has proved that, as a rule, the smaller the unit of local option the more

effectively has the sale of liquor been prevented and the greatest progress to complete sobriety obtained.

Let us not forget that every law intended to regulate the sale of liquor is a farce when it does not embody the sentiment of the community in which it is to be enforced. It is a breeder of fraud and corruption and of contempt for constituted authority.

The SPEAKER. The gentleman from North Carolina [Mr. WEBB] is recognized for one hour.

Mr. UNDERWOOD. Mr. Speaker, under an arrangement made with the gentleman from Illinois, I yield him the remainder of my time—20 minutes.

Mr. MANN. And I reserve that time.

The SPEAKER. The gentleman from Alabama [Mr. UNDERWOOD] yields 20 minutes to the gentleman from Illinois [Mr. MANN], and the gentleman from Illinois reserves that time. The gentleman from North Carolina [Mr. WEBB] is recognized for one hour.

Mr. WEBB. Mr. Speaker, I yield to the gentleman from Illinois [Mr. THOMSON].

Mr. ADAMSON. Mr. Speaker, I desire to have read in my time an amendment which I propose to offer. Add at the end of the second section the following:

The SPEAKER. The amendment will be read for information.

The Clerk read as follows:

Add at the end of the second section the following: "But there is reserved to each State the exclusive power to regulate, control, or prohibit within its territorial boundaries the use or the manufacture or conveying into or out of such territorial boundaries of intoxicating liquors for use for all purposes other than as a beverage."

Mr. ADAMSON. Mr. Speaker, in some remarks last Friday I referred to the fact that the liquor men had urged the rule in this case because they believed they could defeat the resolution at this time, and I also stated my attitude as opposing the resolution, giving my reasons therefor. Those reasons appear to me to be sound and my conclusions correct. Standing alone, my position would be satisfactory to me. Certain considerations, however, fall far short of gratifying to me. For instance, very few of the many persons who have congratulated me on my position have based their concurrence on the same reasons which control my views, but on considerations which I can not approve at all nor base a vote upon. I disapprove the resolution because I fear its adoption would result in nullifying the prohibition we have already secured, while those who urge us to oppose it express apprehension that its adoption would extend prohibition throughout the Union; and they set up the vested rights of makers and sellers of whisky, deprecating the proposed destruction of the moneyed interest of liquor establishments as if the gains of rum sellers could justify and compensate for blasted homes, unhappy wives, debauched sons, and ruined human souls. I fear that the adoption of this amendment will supplant local prohibition already secured and will be less effective than State control, but I find myself supported by so few in nursing those fears it makes me lonesome and leads me to doubt the validity of my fears. I have concluded that less than two score of my colleagues who oppose this resolution sympathize with my view far enough to base their opposition on it. That is the only reason that appeals to me to oppose the resolution, and that reason is not fundamental. It is such a one as I may be mistaken about. There is another thing not at all to my taste. All must have noticed that the press and the public regard this as a fight between the "wets" and the "drys," and the "wets" are already exulting in anticipation of victory. If that is really the line-up and the "wets" are to be proclaimed as triumphant I do not care to be one of the victors. I am conscientiously opposed to barrooms and social drinking as a beverage and am unwilling to be advertised as having voted to secure a victory in behalf of their continuance to curse the world.

My State has State-wide prohibition; all but seven or eight counties have enjoyed prohibition for many years, vastly to the advancement of sobriety, morality, education, observance of law, prosperity, and happiness. Four-fifths of the people of my State and the district I represent favor prohibition and oppose barrooms and social drinking. The proposed amendment presents a question of method and efficacy. I do not believe the amendment wise nor well drawn, nor calculated to produce the results desired by its supporters, but if I vote for it and make a mistake, that mistake is approved and shared by my people, and it will be made in the direction and with the intention of supporting and spreading prohibition rather than fostering and making drunkards, poverty, misery, and crime, and in case of doubt it is far preferable in every way to stand with the sober, the orderly, and righteous rather than those who get drunk, or for a price put the bottle to a neighbor "and make him drunken also." [Applause.]

Mr. WEBB. Mr. Speaker, I yield one minute to the gentleman from New York [Mr. GOULDEN].

Mr. GOULDEN. Mr. Speaker, the question under consideration is one of paramount importance to the Nation. It is a distinctive departure from the well-established practices and traditions of our Republic. The matter of amending that sacred instrument, the Constitution of the United States, has been very charily done since its adoption a century and a quarter ago. But 17 amendments so far have been added. The States have the authority and power to regulate their own internal affairs. The liquor traffic is one of those that interests the people perhaps as much as any other, and they are or should be entirely competent to settle this vexed question to their satisfaction.

I regard this attempt as a direct invasion of the rights of the States, and if for no other reason I would vote against the proposition. But there are other reasons that actuate me on this subject. While I cheerfully voted for the rule, always believing in the fullest and freest discussion of every subject in which the people are interested, I yield to no man in Congress in my desire to do everything to benefit the people of the country and improve their condition everywhere, and if I felt that national prohibition would better accomplish these results my vote would gladly and willingly be cast for it.

Being a firm believer in temperance, not only as to liquors but in everything else, both in practice and in theory, and an advocate of local and State self-government, I can not support the proposed measure. I trust that it will be defeated and that the States, counties, and municipalities will take warning from this agitation, world-wide in its character, and adopt sane proper laws for the enforcement of decency and order in the selling of liquor.

In my travels throughout this country and in Europe it has been my observation that prohibition without a strong public sentiment behind it is not only a failure but a positive injury to the people of the community. The creation of a public sentiment against the immoderate use of stimulants and its indiscriminate sale without rigid legal enactments on the part of the States is the only safeguard against drunkenness and the other evils of intemperance.

I shall not in the few minutes allotted me go into the question of revenue or the interference with the personal and social habits of the people, but content myself with voting against the proposition that the Federal Government shall interfere with the rights of the States in the regulation of their own affairs. [Applause.]

Mr. WEBB. Mr. Speaker, I yield four minutes to the gentleman from Missouri [Mr. RUCKER].

Mr. HOBSON. Mr. Speaker, I also yield to the gentleman from Missouri one minute.

The SPEAKER. The gentleman from Missouri [Mr. RUCKER] is recognized for five minutes.

[Mr. RUCKER addressed the House. See Appendix.]

Mr. TALCOTT of New York. Mr. Speaker, Congress has enacted legislation the purpose of which is to give to the States control of the liquor traffic. In the first instance, it was asserted that as State laws in relation to the liquor traffic did not apply to original packages in interstate commerce, enforcement of the laws was ineffective. So the act of August 8, 1890, generally referred to as the Wilson law, was passed, by which intoxicating liquors upon arrival in a State become subject to the operation and effect of the laws of such State enacted in the exercise of its police powers to the same extent and in the same manner as though such liquors had been produced in such State and are not exempt therefrom by reason of being introduced in original packages. This law enlarged the power of the States over liquor in interstate commerce, and the words "arrival in the State" were construed by the courts to mean delivery to the consignee. It was then argued that to be completely effective State laws should become operative as soon as the commodity entered the State. While there has been difference of opinion in relation to the power of Congress to withdraw protection of the rules of interstate commerce from a commodity in course of transportation, still the act was passed known as the Webb law, which took effect March 1, 1913, and provides that the shipment or transportation of intoxicating liquor from one State into another, to be received, possessed, or sold, or in any manner used, either in the original package or otherwise, in violation of any law of such State, is prohibited. If the constitutionality of the Webb law is sustained, each State has complete control not only of the liquor manufactured within its own borders, but complete control of liquor imported into it from other States and

from foreign countries. The object of the legislation enacted by Congress has been to grant to each State such authority over interstate commerce as is necessary for the complete exercise of the police power of the State over traffic in intoxicating liquors. This joint resolution has a wholly different object. It seeks for the first time to vest the police power in the Federal Government by prohibiting the manufacture and sale of intoxicating liquors everywhere throughout the United States and its possessions.

If, as has been stated, complete power is vested in each State to deal with the liquor traffic, it is plain that, without any change in the Federal Constitution, the power now exists to terminate the manufacture and sale of intoxicating liquor in any State when the exercise of that power is deemed necessary or desirable by the people. This joint resolution is not pressed because there is not power now in the States to control the matter, but it is pressed because some of the States do not see fit to exercise that power in the manner provided by this joint resolution. While in one breath we are told of the triumphs achieved in some States by the free use of the ballot, with the very next we are told that the joint resolution is necessary to enforce prohibition in other States, regardless of the wishes of their citizens. Indeed, the chief issue presented by this joint resolution is not in relation to prohibition of the liquor traffic. The chief issue it presents is in relation to increased centralization of power in the Federal Government. The danger of centralization is not imaginary. It has been dwelt on by those who established and by those who have maintained the Government. It is difficult to see how a longer step in centralization can be taken than by vesting in the Federal Government the exercise of the police power. The Federal Government was not organized with that purpose in view. It has neither judicial nor administrative machinery for it. It is a power outside the scope and purpose of the Federal Government. The liquor traffic is controlled by the exercise of the police power, and the police power is the most important of the powers reserved to the States. The State governments have been organized with this power in view, and their courts and administrative systems have been established so that the power can be exercised in a manner consistent with the personal liberty of the citizen. The question can be left to the people of each State to decide for itself. That is the only way it can be decided in accordance with the fundamental principles upon which the Republic is based. It is not a question of State rights. It is broader and deeper. Should the purpose of this resolution prevail, we can not hope to maintain the integrity of our constitutional system.

Mr. WEBB. Mr. Speaker, I yield 10 minutes to the gentleman from Texas [Mr. GARRETT].

Mr. GARRETT of Texas. Mr. Speaker and gentlemen of the House of Representatives, of all the days that have come and gone in the history of this House, none will mark a greater epoch in its history than this day through which we are now passing. This is true because of the great question that is now up for consideration.

I want in the few minutes allotted to me to speak briefly concerning some of the things that have been said during this discussion and to give some of the reasons which impel me to support this resolution. In the outset I want to announce this principle that I favor every law in my State or in my Nation that will make it as easy as possible for men to do right and as hard as possible for men to do wrong. [Applause.]

Mr. Speaker, when we listen to the lamentations of those who are opposing the submission of the proposed amendment to our National Constitution, one would think that Congress was attempting to pass nation-wide prohibition of the liquor traffic by statutory enactment or was attempting to pass a law abolishing all State lines. Let me say to my much-disturbed friends, "Let not your souls be thus troubled." There is nothing being done or attempted here out of the ordinary whatever. We are simply proposing an amendment to the Federal Constitution, to be submitted to all the States, and to become a law when ratified by a majority of three-fourths of the States of this Union. And let me remind you we are proceeding in exactly the way and manner pointed out by our forefathers, who made and bequeathed to us that much-beloved document. The language of the amendment to be submitted, as agreed on by its friends, is plain and to the point. It is as follows:

ARTICLE —.

SECTION 1. The sale, manufacture for sale, transportation for sale, importation for sale of intoxicating liquor for beverage purposes in the United States and all territory subject to the jurisdiction thereof and exportation for sale thereof are forever prohibited.

SEC. 2. The Congress or the States shall have power independently or concurrently to enforce this article by all needful legislation.

Mr. Speaker, section 2 of the proposed amendment absolutely reserves to all the States all the police power they now have to prohibit the manufacture and sale of intoxicating liquors and leaves them free to act independently of or concurrently with the Congress of the United States in the enactment of all needful legislation for the enforcement of section 1 of the proposed article of amendment.

Mr. Speaker, I want now to speak briefly of the question of State rights or State sovereignty as the same affects the question now before us, which, I think, have been somewhat clouded during this argument.

Gentlemen, whenever any State in this Union undertakes to deal with the liquor traffic it has but two rights and only two. One is the right to permit the manufacture and sale—or regulation—of the traffic, and the other is the right to absolutely prohibit the manufacture and sale of all intoxicating liquors within its confines.

In my State I have voted for, spent my time and means advocating, State-wide prohibition by constitutional amendment, thereby trying to persuade my people to surrender the right of that Commonwealth to permit the manufacture and sale of intoxicating liquors. The States being fully protected in all their reserved rights to prohibit the manufacture and sale of intoxicating liquors, as provided in section 2 of the amendment, the question of "State rights" does not bother me, because I am more than willing for the State of Texas to surrender the right to manufacture and sell alcoholic liquors for beverage purposes. And if I am willing for that right to be surrendered in my State, I, as a representative of all the people of Texas, certainly ought to be willing for the prohibitionists and antiprohibitionists of my State to have an equal opportunity with all the other States to say through their legislatures whether or not they are willing for this right to be surrendered.

Mr. Speaker, I yield to no man in his devotion to the doctrine of State rights. Sirs, let me remind you that I come from that stock of American ancestry which has ever held sacred and dear that great doctrine. I am the son of a father who offered three of his own precious boys as a living sacrifice upon the alter of his native southland in defense of the sovereign rights of the Confederate States. My father was a native Virginian, my mother a southern Kentuckian; I was born in old Tennessee, and went to the great Empire State of Texas of my own choosing—because I wanted to live in the greatest and biggest State in the Union. [Applause.] I resent the charge that we who favor the submission of this amendment to the States for their adoption or rejection are attempting to surrender to the Federal Government the reserved powers of the States. I am now and have always been a firm believer in the autonomy of the States. I do now and have always opposed Federal interference with the States in the enactment and enforcement of laws for the general welfare of their people. And I here and now challenge the opponents of this resolution to show wherein any State of this Union would be deprived of any right it now has save and except the one right to permit the manufacture and sale of alcoholic liquors.

If any man upon this floor is desirous of having his State retain the right to permit the manufacture and sale of intoxicating liquors, let him so vote and speak. As for myself, I am willing that such right shall pass forever and forever.

Mr. Speaker, the argument has been advanced here that this amendment should not be submitted because in the event of its adoption a great deal of personal property would be confiscated.

The gentlemen who make that argument seem to have forgotten some very important history in connection with other amendments to the Constitution that have been adopted in the past and their effect upon personal property and the rights of the States.

Why, sirs, back yonder before my eyes ever beheld the dawn of day the thirteenth amendment to the Federal Constitution was submitted and ratified, and it took away from my people and my country, without compensation, over $4,000,000,000 of personal property, to say nothing of the thousands and tens of thousands of lives of the very flower of our southern manhood and the multiplied millions and millions of dollars of other property that was swept away by a cruel and unnecessary war that preceded its adoption.

Do not misunderstand me, gentlemen. I do not refer to that dark period in the history of my people of the Southland and of this Republic in a vindictive or revengeful spirit. Far be it from me, for I doubt if any man deplores more than myself that the institution of human slavery ever existed in this country. My one deep and lasting regret is that the statesmen of that time did not find some other and better way to settle the question than an appeal to arms; and the only reason that I refer to that question now is to remind the opponents of this resolution that there came a time in the history of this Republic when a majority of the people, yea, a three-fourths majority

of the then States of this Union, declared that human slavery was a great national moral wrong; that it had no right to exist anywhere in the United States; and abolished it. And hear me to-day, gentlemen, for I declare unto you a truth, as it has been with human slavery, so shall it be with alcoholic liquors. And yet when we people of the South are willing to join you people from the North to destroy the liquor traffic in the United States, you fellows hollo out to us about State rights and the preservation of property. [Applause and laughter.]

There is not a man engaged in the manufacture and sale of liquor to-day who has not voluntarily gone into the business with the absolute knowledge that the very State in which he is carrying on the business reserves to itself the right by legislative or constitutional enactment to destroy his business any day it sees fit and pay him nothing. A man has no property right in an unlawful business, and the moment that this Government or any State says that whisky and beer and intoxicating liquors of all kinds shall no longer be manufactured or sold because of their contaminating influence upon the morals, health, and happiness of mankind, that moment whatever property right which they may have had in the business is gone, and they must pocket their loss just as our fathers had to pocket theirs when you took their niggers away from them. [Applause and laughter.] That is all there is to it.

Now, Mr. Speaker, in the few moments that I have left I wish to give a few reasons why I am against the liquor traffic. First, however, I want to put this proposition to every Member upon the floor of this House to-day: I want you to rise in your places and tell me one good thing that intoxicating liquor has ever done for mankind, and I will pause for a reply. Name it. Name me just one thing that the saloons of this country ever did to make the world brighter and better.

Mr. Speaker, I am now and expect to remain unalterably opposed to the traffic in intoxicating liquors. I regard the saloon as the one great enemy of the home, the church, the school, and the State, and in my opinion it has no proper place in our civilization. I am opposed to it because of the misery, suffering, and privation it has brought to the human race. Sirs, there is scarcely a home in all our land that has not felt, directly or indirectly, the cruel hand of this great destroyer of human happiness. It is no respecter of persons. It will enter the home of the high or low and will destroy the first born and then scorn the lamentations of a kind father and devoted mother who ever mourn the loss of their loved one. Its unfortunate victims fill our jails, penitentiaries, and asylums for the insane.

It enters the sanctity of the home and destroys the sacred relation of husband and wife, parent and child.

It causes the sins of the father to be visited upon his children even unto the third and fourth generations.

It disregards the laws of God and man.

It has repeatedly invaded local territory where the people by their solemn votes have declared its sale unlawful, thereby utterly disregarding the doctrine of local self-government.

It refuses to be regulated; therefore it must be destroyed.

Mr. Speaker, those who fail to see the end of the liquor traffic in this country belong to that class of people who, having eyes, they see not. They fail to recognize the great forces in this land of ours that will no longer strike hands with the saloon.

Why, sirs, the great religious, moral, benevolent, and commercial organizations of this country have almost, without exception, closed their doors in the face of the liquor traffic. Do you know of a single banking institution, life insurance company, railroad company, manufacturing company, industrial corporation, mercantile company, college, or common school that will employ a young man who is a habitual user of strong drink? Why? I will tell you. It is because experience in the business world has demonstrated beyond question that men who are given to the habitual use of strong drink oftentimes go wrong when least expected. Why is it that such benevolent orders as the Independent Order of Odd Fellows, Knights of Pythias, Woodmen of the World, and many others I might mention have all closed their doors in the face of the saloon? The answer is easy. All of these benevolent orders of brotherhood are founded upon the eternal principles of love, friendship, truth, and charity, and the chain of brotherhood that binds them together is forged from these mighty links. Their mission in the world is one of mutual helpfulness. They care for their sick, bury their dead, and provide for the widows and orphans of their brethren. The saloon makes too many widows and orphans, therefore it has no place with them.

Mr. Speaker, for many years a great number of our good people have opposed precinct, county, and State-wide prohibition upon the ground that as long as the National Government permitted the manufacture and sale of alcoholic liquors and permitted them to be shipped from one State to another under the interstate-commerce clause of the Federal Constitution it would be impossible to ever have effective local prohibition of any kind.

The proposed amendment fully meets this objection. It goes to the very fountainhead of the trouble. If submitted and ratified, it puts an end to the manufacture and sale of intoxicating liquors for beverage purposes in the United States for all time.

Yet I am told that I should vote against this amendment, because my country will be filled with "blind tigers" and the nigger cabins will be full of it all over the country. My God, that is not what I am afraid of for my boy. I am not afraid that a "blind tiger" or a speak-easy nigger cabin will ever get him; but what I am afraid of for him and for myself are those tigers that have glittering and glaring eyes that shine out upon every prominent corner that you find in your cities and are recognized by law. Those are the ones I am afraid of, those tigers that can see, not those that are blind. [Applause.]

You argue here about the brothels and the low dives. Does not this Government issue a license to the very lowest of them? Why denounce them so vehemently? Are not all these but the degenerate children of the liquor traffic? If they exist, as you contend, that fact alone is conclusive proof that the liquor traffic should be destroyed. My dear sirs, I say to you that those are the places where the poor unfortunate victim of the liquor traffic finds his end. The beginning is in the so-called high-class beer gardens and saloons, with mahogany furniture, where nice little drinks are fixed up with all sorts of fruits floating around in them. [Applause.] There is where the boy or young man first gets the appetite for it, and when that appetite is once formed and he becomes a confirmed drunkard and his body all poisoned, money, friends, and his usefulness all gone, he is kicked out of the high-class saloon. Should he, perchance, pause to look back over the rough, hard path of a misspent life, it is sadly true that you may doubtless find him hanging around the doggery. God speed the day when we may have a saloonless Nation, forever at peace with itself, the world, and all mankind. [Prolonged applause.]

The SPEAKER. The time of the gentleman from Texas has expired.

Mr. WEBB. Mr. Speaker, I yield to the gentleman from Illinois [Mr. THOMSON].

The SPEAKER. The gentleman from Illinois [Mr. THOMSON] is recognized.

Mr. THOMSON of Illinois. Mr. Speaker, I shall vote for the adoption of the pending resolution. Whenever a public-policy question of this kind comes before Congress we never fail to witness a tremendous rattling of the old dry bones of State rights. The present occasion has proven no exception to that rule. I doubt not that there are still abroad in the land numerous devotees of that old mossback doctrine who really believe all they tell us about it, and some are with us to-day. I also know, as you all do, that there are many who raise this poor overworked skeleton, in an attempt to scare everybody, whenever a question arises which they feel can not be met successfully with any legitimate argument. On every such occasion they hypocritically raise their hands and eyes to Heaven and implore us here in Congress not to do violence to the sacred rights reserved by the several States to themselves.

What is the Federal Government but the creature of the States, brought into being by them after they themselves had become established, and by the States given certain prescribed functions as laid down in the Federal Constitution? A convention of the representatives of the States adopted the Constitution, setting forth, among other things, the powers of the Federal Government. That Constitution as thus adopted by the convention was duly ratified by the States themselves.

Mindful of the fact that as the States increased in number and developed with the passing of the years, it might prove desirable to change the provisions of the Constitution or add to them, the original States in framing the Constitution laid down the manner in which it could be amended. According to Article V of the Constitution it may be amended in one of two ways, and the resolution now before us submits an amendment to the Constitution according to the first of those two ways, as thus set forth in that article. The proposed amendment would add to the powers of Congress in that it would so extend those powers as to cover the subject matter of the amendment.

If this amendment becomes a part of the Constitution, it can only be with the affirmative approval of at least three-fourths of the States. If three-fourths or more of the States do declare for national prohibition and approve an amendment to the Constitution which adds to the powers of their creature, the Federal Government, by giving it jurisdiction over that matter through its Congress, that they have the right to do it under the terms

of the Constitution no one can deny. And what perfect nonsense it is for us to try to scare ourselves into believing that we have violated the sacredness of State rights if we pass an enabling resolution which makes it possible for the States themselves, by a majority of three-fourths or more, to add to the powers of their Central Government, as originally laid down in the Constitution.

Those who are hiding behind the skirts of State rights to-day are not doing so for any intelligent reason. They are doing so by force of habit. That hiding place has harbored them before, and it will continue to every time a momentous question presents itself which they are afraid to meet in the open and solve with the exercise of common sense. Everybody who is honest with himself knows that we can not be charged with violating the rights of the States if we pass a resolution making it possible for the States to say whether they wish to enlarge the powers originally granted by them to the Federal Government, especially when we know that before those powers can be extended, as proposed, at least three-fourths of the States must act in favor of the proposition.

The question of whether we individually favor one side or the other of the question involved is not the real issue before us. It seems to me that whenever a large and substantial number of the citizens of our States petition this body for the passage of a resolution submitting to the States for their action a proposed amendment to the Constitution, framed originally as it was by the States and containing a clause providing for its amendment in this manner, if we refuse to adopt the resolution, we are by that very act denying to the States the right to express themselves on the question of amending the Constitution in one of the two ways laid down in that instrument and in that one of those two ways which the States themselves have specified that they wish to invoke, as indicated in their numerous petitions to Congress.

No, my friends, let us at least be honest with ourselves. When such a resolution as this is proposed let us not attempt a sanctimonious look and howl about "State rights." Let us either give the real reason for our opposition or let us vote for the adoption of the resolution and thus give the States the right to say whether or not they wish to adopt this constitutional amendment. That is one reason why I shall vote as I have indicated.

We are urged to vote against this resolution because it might lead to a minority of the people of the country adopting an amendment against the wishes of a majority. That argument, if adhered to, would have prevented the adoption of any of the 17 amendments that have already been made to the Constitution, and any such position as that would block the submission to the people of any further amendment on any question.

Many of those who are not in favor of prohibiting the sale of intoxicating liquors as a beverage give as one of their reasons for their position the fact that it would interfere with the property rights of the brewers and others engaged in the manufacture or sale of liquor. This same argument was urged against that paragraph in the Underwood tariff bill which placed sugar on the free list. And the reply made to the Louisiana sugar growers by some of the same gentlemen on the other side of the aisle who are now urging us not to jeopardize any of the property rights of the liquor interests was, "Turn your rich soil to the growing of other crops, for which it is really better adapted and which as a matter of fact will in time bring you greater profits." If in that case you were correct in your premises and your reply was not an unsound one, why reverse yourselves now when a reply along those same lines would be more sound? Every dollar invested in the manufacture and sale of liquor to-day will find its way into other and better avenues of endeavor and of investment if that one is closed to it. Why not answer the brewers as you did the sugar growers of the South only a few months ago and bid them turn their property to the growing of other crops than broken down wrecks of humanity and produce something for which their property is really better adapted and which will in fact bring them greater profits if they really know how to estimate those profits?

The use of intoxicating liquor as a beverage never strengthened or built up a human being since time began, and it never will. Who, on the other hand, will try to even estimate the hundreds of thousands it has broken down and brought to their ruin? Strong drink never reformed a criminal in the world's history, but, on the other hand, it is and always has been and always will be a greater cause of crime than any other one thing. That is not my opinion, but the unanimous judgment and conviction of every criminologist there is.

For every home where intoxicating liquor is used as a beverage without going to excess and without bringing misery to that home you can find a hundred or a thousand homes where the use is carried to excess and where it brings misery in every form and death and agonies worse than death, the victims of which in most cases are not the excessive users themselves, but those who are dependent on them. If all the crime and misery directly due to drink can be done away by prohibiting the use of liquor, what a crime is the selfishness of those who claim they can and want to use it without going to excess and who prefer the gratification of their appetites to the removal of all the crime and misery brought about by others because of drink.

But we are told that prohibition does not prohibit. True, it has not succeeded in doing so in many instances, and one reason why it has not is to be found in the fact that a so-called dry State or community bordering upon a so-called wet State or community is much at the mercy of the manufacturers and sellers in the latter district. Where such districts lie side by side laws against the sale of intoxicating liquor can be violated without much trouble, and often are. But such would not be the case if the traffic were removed from the country entirely. If the manufacture and sale of intoxicating liquor as a beverage is a good thing for a State, it would be just as good for the Nation, and it would be better for that State if it were applied to the Nation.

The day when the manufacture and sale of intoxicating liquor as a beverage shall be no more in this country of ours is coming just as surely as we are present in this Chamber this afternoon. You who are going to vote against this resolution know that as well as I do. If this resolution should be adopted by the requisite vote and be submitted to the States and should fail to be ratified by the number of States necessary to make it a part of the Constitution, I, for one, would be willing to abide the decree of the people, although I would regret the fact that that day had not yet come. If, on the other hand, it should be ratified by the requisite number of States, you who might regret that that day had arrived ought likewise to be willing to abide the people's conclusion. And truer still is the fact that either of us who denies to the States and the people of those States the right to adopt or reject this proposed amendment through their legislatures, as we do when we vote against this resolution, is violating a right which the people and the States are entitled to.

In the language of the Constitution, whenever a substantial number of the people of the States ask an opportunity to vote on such an amendment we in this body should "deem it necessary" to pass such a resolution as is needed to give them the opportunity they seek.

Mr. WEBB. Mr. Speaker, I wish to be advised when I have consumed 25 minutes.

The SPEAKER. Does the gentleman desire recognition for himself?

Mr. WEBB. Yes.

The SPEAKER. The gentleman is recognized for 25 minutes.

Mr. WEBB. Mr. Speaker, I desire to address myself for a little while to what is known as the Morrison amendment. It is understood that Mr. MORRISON, of Indiana, will offer this as a substitute for the pending amendment. It reads as follows:

ARTICLE —.

SECTION 1. The importation of any spirituous, vinous, malted, fermented, or other intoxicating liquors into any State of the United States, or into the District of Columbia, or into the Territory of Alaska, from any other State, District, Territory, country, place, or region, domestic or foreign, is forever prohibited.

It is quite evident, Mr. Speaker, that that amendment is in some respects more drastic prohibition than the so-called Hobson amendment.

Mr. Speaker, I contend that the Congress already has the power to pass just that drastic legislation if it desires to do so, and therefore it would be a useless thing for this House to submit to the various States of the Union a constitutional amendment giving to Congress the power that it already has. In other words, my contention is that this Congress has the power to prohibit the shipment of all liquors in interstate or foreign commerce. If the House believe that to be true, of course you will not think about voting for the Morrison amendment.

As far as I am concerned the Morrison amendment is not objectionable if the States want it.

I may be a little extreme in my views as to the power of Congress over interstate commerce, but I have studied the question so long that I have arrived at the conclusion, not only from my study but from the statements of leading jurists and great lawyers of the country, that the Congress has the absolute power to prohibit all interstate and foreign shipments of whisky, just the same as it has the power to prevent the interstate shipment of lottery tickets.

To go back a little way, before the present Constitution was written, and when the States existed in a federation, each State in the federation was a sovereign, just as sovereign within its own borders as the United States is now sovereign within its domain with reference to foreign countries.

Before the present Constitution was formed, North Carolina could prohibit the importation of Boston shoes into North Carolina. Massachusetts could prohibit the importation of New Orleans molasses into Massachusetts. In other words, each State was a supreme government within itself, so far as interstate commerce was concerned. And that led to a great deal of confusion and difficulty. It led to estrangements between States, and those estrangements led to the formation of a stronger Federal Government. And when the Constitution was written as we live under it now, those States agreed that they could not pass laws with reference to commerce satisfactory to themselves and to their sister States, and therefore all of the sovereign power to control commerce among themselves was transferred to the Federal Constitution and is now given to this Congress under the interstate clause of the Constitution, which gives Congress the power to regulate commerce among the States, with foreign nations, and with the Indian tribes.

One of the earliest cases considered by the Supreme Court was that of Williams, under the embargo laws, and there the very question was decided which many men will ask first: But does the power to regulate include the power to prohibit?

We adopted the expression "regulate commerce" from the English when we made our Constitution. The English had that expression "regulate commerce," and in 27 different cases, I believe, it had been held in England prior to the framing of our Constitution that the power to regulate included the power to prohibit. And so we find the Supreme Court in the Williams case holding that the Congress has not only the power to regulate, but to prohibit. This was understood by the wise fathers, for they knew what the phrase meant when they took it from English law.

A little latter came the famous case of Gibbons against Ogden, reported in Ninth Wheaton. I want to cite briefly a few lines from this case and others, to establish the contention which I make. This is the uterance of Chief Justice Marshall, found on page 196 of Ninth Wheaton, and you gentleman are probably familiar with it:

> We are now arrived at the inquiry, What is this power? It is the power to regulate; that is, to prescribe the rule by which commerce is to be governed. This power, like all others vested in Congress, is complete in itself, may be exercised to its utmost extent, and acknowledges no limitations other than are prescribed in the Constitution. These are expressed in plain terms and do not affect the questions which arise in this case or which have been discussed at the bar. If, as has always been understood, the sovereignty of Congress, though limited to specified objects, is plenary as to those objects, the power over commerce with foreign nations and among the several States is vested in Congress as absolutely as it would be in a single government having in its constitution the same restrictions on the exercise of the power as are found in the Constitution of the United States.

The next case we find bearing on that point is the celebrated case of The United States against Marigold, reported in Ninth Howard:

> Congress are by the Constitution vested with the power to regulate commerce with foreign nations, and however at periods of high excitement an application of the terms "to regulate commerce," such as would embrace absolute prohibition, may have been questioned, yet since the passage of the embargo and nonintercourse laws and the repeated judicial sanctions those statutes have received it can scarcely at this day be open to doubt that every subject falling within the legitimate sphere of commercial regulation may be partially or wholly excluded when either measure shall be demanded by the safety or by the important interests of the entire Nation. Such exclusion can not be limited to particular classes or descriptions of commercial subjects; it may embrace manufactures, bullion, coin, or any other thing. The power once conceded, it may operate on any and every subject of commerce to which the legislative discretion may apply it. (9 How., 566.)

In numerous cases it has been held that the power over foreign commerce and the power over interstate commerce were the same. This power is granted in the same clause of the Constitution.

Now, I read from the case of Forty-three Gallons of Whisky in the United States Reports, page 194. That was a case where Congress, by legislative act, prohibited not only the importation of whisky into the Indian Territory, but prohibited the importation of whisky into a territory the Indians had nothing to do with. It was a territory that was then a part of the State of Minnesota, and the contention was made that Congress did not have that power. The Supreme Court in this case decided that they did have the power under the interstate-commerce clause of the Constitution, which gives this Congress the power over interstate and foreign commerce and over commerce with the Indian tribes. Among other things, the court says:

> In view of this changed condition it would be strange indeed if the commercial power lodged solely with Congress and unrestricted as it is by State lines did not extend to the exclusion of spirituous liquors intended to corrupt the Indians not only from existing Indian country, but from that which has ceased to be so by reason of its cession to the United States.

In re Rahrer, in One hundred and fortieth United States, I find this language:

> The power of Congress to regulate commerce among the several States when the subjects of that power are national in their nature is also exclusive. The Constitution does not provide that interstate commerce shall be free, but by the grant of this exclusive power to regulate it it was left free, except as Congress might impose restraint.

In One hundred and seventy-fifth United States, in the case of Addyston Pipe & Steel Co. against The United States, I find the power of Congress, as enunciated by Chief Justice Marshall in the case of Gibbons against Ogden, reaffirmed.

In One hundred and forty-first United States I find, in the case of Crutcher against Kentucky, it is said:

> It has frequently been laid down by this court that the power of Congress over interstate commerce is as absolute as it is over foreign commerce.

In One hundred and fourteenth United States, in the case of Brown against Houston, we find this language:

> The power to regulate commerce among the several States is granted to Congress in terms as absolute as the power to regulate commerce with foreign nations.

Mr. Justice Miller, afterwards a Justice of the Supreme Court of the United States, in Thirty-second Federal Reporter, in the case of Stockton against the Baltimore & New York Railroad Co., says:

> We think that the power of Congress is supreme over the whole subject, unimpeded and unembarrassed by State lines or State laws; that in this matter the country is one and the work to be accomplished is national; and that State interests, State jealousies, and State prejudices do not require to be consulted. In matters of foreign and interstate commerce there are no States.

Now, Mr. Speaker, I think I have demonstrated by reading from celebrated jurists who sat on the highest bench in the world, the Supreme Court of the United States, that under the commerce clause of the Constitution we have absolute power over foreign commerce. Is there any Member who denies that Congress can exclude from our shores convict-made goods, opium, or anything else that Congress pleases to exclude? To deny that proposition is to deny the sovereignty of the Government. Sovereignty would be lost or suspended without this power. Of course, no such position is taken. We can exclude human beings, we can exclude all manufactures, anything that Congress desires to exclude from American shores.

Mr. HENRY. Will the gentleman yield?

Mr. WEBB. I will.

Mr. HENRY. Is it not a fact also that in every one of these cases from which the gentleman has read, the Supreme Court decided that the power of dealing with and controlling the liquor traffic remains with and resides in the separate States of the Union?

Mr. WEBB. Oh, of course, under the present Constitution the Supreme Court says that the right to control the manufacture and sale of whisky resides entirely within the States, because they are given the police powers reserved to them by the fathers of the Constitution when the Constitution was made. But they never stated that Congress had not the power under the commerce clause to prohibit the shipment of whisky in interstate or foreign commerce.

Mr. HENRY. One more question, because I propose to say something upon this matter later. Then the gentleman concedes that the power to deal with the liquor traffic and control it resides within the police powers in the respective States?

Mr. WEBB. Undoubtedly at present; it has been so decided over and over again.

Mr. TOWNER. Will the gentleman yield?

Mr. WEBB. For a question.

Mr. TOWNER. Have not the same decisions repeatedly said that the exclusive power to control the interstate traffic regarding liquors or any other article of commerce was with the Congress of the United States?

Mr. WEBB. Yes; that was decided in the Rahrer case.

Mr. TOWNER. So it is not quite true to say that the exclusive control of intoxicating liquors resides within the States?

Mr. WEBB. I did not say "control" with reference to interstate commerce, I was speaking of the right of manufacture and sale.

Mr. HENRY. We have the power to regulate interstate commerce, but you want to go further and prohibit the shipment of liquor from one State to another; is this amendment necessary?

Mr. WEBB. No; not the Morrison amendment. That is what I am talking about. The gentleman evidently has in mind the Hobson amendment. I am talking about the Morrison amend-

ment. I say it is a useless proposition to submit the Morrison amendment to the States, because the power conferred in it already resides in the Congress of the United States, and was given the Congress more than 100 years ago.

Mr. HUMPHREYS of Mississippi. Mr. Speaker, will the gentleman yield?

Mr. WEBB. Yes; for a question.

Mr. HUMPHREYS of Mississippi. Granting all that the gentleman has said to be true, and I do grant it and believe it, why does the gentleman say that the Morrison amendment is more drastic than this other one?

Mr. WEBB. Because the Morrison amendment prohibits the shipment of all whisky for whatever purpose—beverage, scientific, medicinal, sacrificial, and all the rest of it—from one State to the other, and if this Congress wants to do that, it can do it now by statute. It does not need any further power, but it does need further power before it can enact the principle of the Hobson amendment. Of course, Congress at present has nothing to do with prohibiting the manufacture and sale of whisky within a State. That is one of the things reserved to the States by our fathers when they made the Constitution. That is the question we have to consider right now, as to whether we are willing to change the policy of a hundred years and let the States grant more power to the Federal Government to help to regulate those things that have been heretofore purely internal, or whether the States will keep them as they have for the last 100 years. It is not a question of State rights at all, and I shall argue that in a moment; it is a question of changing National and State policy.

In the Ames against Champion case, the famous Lottery case, the Supreme Court there had, I believe, almost the last clear say on the power of Congress over interstate commerce. There is nothing wrong about a lottery ticket per se, as far as its being diseased is concerned. It is as clean as a lady's visiting card. The Supreme Court had to march right up to the question, Has Congress the power, under the interstate-commerce clause of the Constitution, to regulate commerce, not only to regulate it but to prohibit it? And the Supreme Court said that Congress did have the power to prohibit the interstate shipment of a lottery ticket, not because it was diseased but because Congress said that it ought to be prohibited, and they were not going back of the policy as expressed by Congress. Granted that Congress has the power, the court will not look for the motive as to why Congress exercises it. I say, therefore, that the Morrison amendment is a useless proposition. If you want a law like that, introduce a bill covering his amendment, and we can pass it through this House, if we have the votes to do it. And we can do it by a mere majority; it does not require two-thirds of the House to pass it. It will be doing an unnecessary and a useless thing to spend your time on the Morrison amendment.

Mr. John W. Yerkes, a distinguished lawyer, was once Commissioner of Internal Revenue, and my recollection is that in appearing for the brewers or the liquor dealers' association before the Senate committee, he stated that Congress had the power to exclude all whisky from interstate-commerce channels. Mr. Bob Crane, probably the leading lawyer of the brewers in the United States—and he is a good lawyer—stated, according to Senator Knox, when he appeared for the brewers, that he thought Congress had the power to exclude all whisky from interstate commerce. So I do not believe that we need have any fear about that, and unless you want to duplicate our power you will vote against the Morrison amendment.

Just one thing further. I said a moment ago that the Hobson amendment, to my mind, does not involve the question of State rights. We southern men have always been jealous of the rights of the States, as many northern men have. If there were some law being offered here which encroached upon the present rights or powers of the States, then we could say that we are abridging the rights of the States; but this is not the situation. The States that made this Constitution, the States that granted the present power as we find it in the Constitution, and reserved to themselves the right to alter or amend it, are now to be asked to say whether or not they want to change the Constitution in respect to the control of the liquor traffic. If a provision for amending the Constitution of the United States had not been put in that great instrument and a method pointed out whereby it could be amended, we probably would have had revolutions in this country many times within the last 100 years. That is the escape valve. That is the foundation principle upon which Thomas Jefferson rested his Government, namely, whenever the people want to change their form of government they ought to have the right to do it; but if they had not been given that right we would probably have had a revolution, and so it was carefully provided that whenever three-fourths of the States of this great Union desired to change any part of the Federal Constitution they have a peaceful, orderly method by which they can do it; and it can not be argued to me successfully that referring a matter to the sovereign States of this country for them to say whether or not they shall change the organic law under which this Federal Government exists is a violation of State rights. It is yielding to the rights of States, the sovereigns of this country, giving them the opportunity to say whether or not they wish to transmit any further authority to the Federal Government; and that is what led me to say that it is not a question of State rights, but a question of policy. Many of us are creatures of habit, many of us love to stick to the old laws and rules of practice, and I confess that I have that sort of feeling myself very often.

The fact that the States have been left to control this question for 100 years makes it a sacred policy in the United States, but the fact that it is referred back to those States to say whether or not they desire to change that policy certainly is no violation of State rights, but it may conflict with some opinion as to what the policy of the country ought to be. A great many friends think that the best policy would be still to leave the States to control this question. They fear that a swarm of Federal officeholders might take charge of the States in executing a Federal law. That is a question that would appeal very largely to the States themselves when they come to express their sovereign will as to whether or not they will amend the Constitution and divide with the Congress of the United States a power which they, the States, now have, but which they no longer want to exercise alone. There is no violation of State rights that I can see in this entire proposition. [Applause.] Therefore I must take serious issue with my friend from Alabama [Mr. UNDERWOOD] when he said that it was an effort to "rob the States." The States surely are not going to rob themselves, and if robbery occurs under this amendment it must be done by the sovereign States themselves, and I can not understand how a man can bring his mind to conclude that there is any robbery of States to leave it to the States themselves to say what shall be done.

I do not care to argue the merits of prohibition. My friend from Alabama [Mr. UNDERWOOD] argues that prohibition does not prohibit and therefore this amendment should not be adopted. That same argument, my friends, may be made in reference to every other evil in the United States. It can be made in reference to larceny. Larceny laws do not prevent stealing, and therefore you should abolish them. Homicide laws do not prevent the killing of men, and therefore you should have no murder laws; and so on down the catalogue. I do not think that is quite a pertinent argument, and when the gentleman talks about Jefferson's statement about the attempt of Federal judges, like miners and sappers, to undermine the Constitution, then I ran back to Jefferson's other proposition, which was that when people desired to change their form of government or their constitution they ought to have the right to do it and men ought not to stand in the way of it, and I can conceive in this instance how a Member may vote here as a public servant, as a Member of Congress, to submit this proposition to the States, and yet go back to the State to which it is submitted and vote against it on its merits.

Mr. HENRY. Will the gentleman yield there?

Mr. WEBB. I am sorry I can not.

Mr. HENRY. Just a short question.

Mr. WEBB. In a minute I may. I can conceive how it is possible for a Member of Congress to feel that he has a dual duty to perform in this respect.

The SPEAKER. The gentleman has consumed 25 minutes.

Mr. WEBB. Mr. Speaker, I will take five minutes additional. Now, I do not think it is pertinent to argue here the possibilities of sometime in the future destroying a large source of revenue. That, again, is for the States to pass upon. I know my friend [Mr. UNDERWOOD] has been caring for the revenues of the Government and doing it well. His mind dwells upon that idea. National prohibition would be a destruction to revenue, and big revenues, too, but that is a question that comes up in every prohibition fight. When you want to close the great running sores of society—the barrooms, as any mercenary man will tell you—you lose your revenues and you can not educate your boys unless you get revenue from the barroom. I believe in education, but long ago I came to the conclusion that rather than let my children be educated on barroom money I would let them grow up in ignorance! [Applause.] That leads me to say that as sure as I stand before my friends here to-day the barroom as a public institution in this country is doomed. [Applause.] The time is coming when the people are not going

to permit these things to exist much longer. I do not say the millennium is coming and people will cease to drink, but the time is coming fast when the men of this country are not going to permit these open barrooms where boys are lured to their death, where drinking is made attractive and where he comes in contact with the worst element of society. They are going to stop it; many men who drink whisky are going to help stop it, and my belief is that before I reach the age of three score years and ten, if I live that long, there will not be a legalized barroom in this broad land. [Applause.] The revenue proposition therefore does not appeal to me. If the revenue idea had appealed to men and not the moral side, we would still have lotteries in this Capital. Time was not more than 100 years ago when lotteries flourished in this city.

If you want revenues, authorize the existence of lotteries and your war revenues would look like 30 cents compared with the revenues you would receive from lotteries. The people of this country had raised their moral standard to a point where they demanded that lotteries should cease regardless of whether we received revenues from them or not. They destroyed them in this city; Congress destroyed them, and destroyed the right to transport lottery tickets in interstate commerce.

Now, speaking of the evils of whisky and the revenue part of it, let me read to you from a famous decision in the License cases (46 U. S., p. 32), where the Supreme Court says:

> If a loss of revenue shall accrue to the United States from the diminished consumption of ardent spirits, she will be the gainer a thousandfold in the health, wealth, and happiness of our people.

[Applause.]

You would not expect a great sentence like this to fall from the lips of Bob Ingersoll, yet I want to read what he said about alcohol, and then I am through:

> I do not believe that anybody can contemplate the object without being prejudiced against the liquor crime. All we have to do is to think of the wrecks on either bank of the stream of death, of the suicides, of the insanity, of the ignorance, of the destitution, of the little children tugging at the faded and withered breasts of the weeping and despairing mothers, of the wives asking for bread, of the men of genius it has wrecked, of men struggling with imaginary serpents produced by this devilish thing; and when you think of the jails, of the almshouses, of the asylums, of the prisons, of the scaffolds on either bank, I do not wonder that every thoughtful man is prejudiced against this damned stuff called alcohol.

[Applause.]

Mr. Speaker, I reserve the balance of my time.

The SPEAKER. The gentleman has 9 minutes remaining. The gentleman from Illinois [Mr. MANN] is recognized for 1 hour and 20 minutes under these circumstances. The gentleman from Alabama [Mr. UNDERWOOD] yielded him 20 minutes, so he has 1 hour and 20 minutes.

Mr. MANN. Mr. Speaker, I am for morality and against immorality. I am for decency and against indecency. I am for temperance and against drunkenness. I am for virtue and against vice. I am for law and order and against crime and disorder. I am for the right and against the wrong. So are we all. But, notwithstanding my sentiments and our sentiments universally, I am not able to vote for the resolution now pending or for what I suppose will be offered as a substitute for it. The gentleman from Alabama [Mr. HOBSON] has introduced in this Congress nine distinct, separate prohibition amendments to the Constitution. Just which one of them we will be called upon to vote for I do not know. They all differ, and I venture to say that in now considering this constitutional amendment there is not a Member of this House besides the gentleman from Alabama who knows what the differences are in these different prohibition resolutions offered by him; and I do not believe that he knows. [Laughter.]

The tendency of governments everywhere has always been toward centralization, and whenever that tendency has proceeded until local powers have been transferred from the local governments to the central government history shows that from its own weight the government has broken down and either revolution occurred or dissolution of the country.

What is the proposition now before us? To-day alcohol is one of the cheapest and most easily produced products. A man with a book before him can manufacture an alcohol still from which he can produce alcohol at a cost of probably not to exceed 15 to 30 cents a gallon, privately, without publicity, except that the Government of the United States, now levying a very high tax upon the production of alcohol, finds it necessary, in order to protect its revenue, to follow up the producers of alcohol unless they pay the Government tax. And the Government tax is very high, so that the main cost of alcohol to-day is the Government tax upon it.

As I understand this proposition, it is not intended that the Government shall hereafter levy tax upon the production of alcohol or alcoholic beverages. The Government's interest in protecting the revenue no longer exists. The National Government is no longer directly interested, so far as revenue is concerned, in preventing the cheap production of alcohol. And not only that, this resolution does not prohibit the manufacture of alcohol ad libitum. There is not a word in the resolution or the proposed amendment which looks to the prohibition of the manufacture of alcohol, or even of alcoholic beverages, unless they are for sale. We can not reach the manufacture of alcohol.

Now, how will this amendment be enforced? The Government of the United States will either do one of two things. It will either have a Government agent spying out the places in every locality in the United States—Government spies everywhere—or else the Government will not attempt to prohibit the manufacture for sale of alcoholic beverages. It is the tendency everywhere, I know, for the local authorities to endeavor to have the General Government enforce a law, make a law upon matters where the local authorities fail, upon the idea, which is not correct, that the Government in Washington can better enforce a law in California than the people of California can enforce it. And so long as the Government has the incentive through the raising of the revenue the Government attempts to enforce the law concerning the manufacture of alcohol. Do you propose by this amendment to have the Government or a Government officer or agent or spy, as you may please to call him, in every township in the United States to detect the production of an article which a farmer or a laborer in his cellar can produce without expense and without publicity, and which when produced is still legal under the amendment unless it be made for sale?

I know it is suggested that you can confer the power of enforcement both upon the General Government and upon the States. It is impossible as a governmental matter to make each of two sovereigns supreme. You can not confer upon the General Government the power to enforce a law or a constitutional amendment and at the same time confer the same power upon the States without inevitable conflict and disaster. The Government would not enforce such an amendment. But you have taken away the governmental control of license. The Government now keeps track—or attempts to do so—of every manufacturer of alcoholic liquor, of every blender of alcoholic liquor, of every rectifier of alcoholic liquor, of every wholesale and retail dealer in alcoholic liquors; but when you forbid by this amendment these things the Government can no longer keep track of them by license or otherwise. It then becomes a matter of detection or spying. The Government of the United States will not be permitted by the people in the different localities in the long run to foster and put upon them thousands of agents or spies to affect them in their immediate locality. And the result will be, if this amendment should be adopted, that liquor will become free, easily made, will sell for 25 or 30 or 40 or 50 cents a gallon, with no prohibition on its manufacture, no penalty for its sale, unless you catch the man at it with a Government spy, the Government itself no longer having any financial interest in detecting the crime. You have practically taken away from the State the power to make and enforce their own laws on the subject. You can not have Government control and State control at the same time.

You say the States can not control it. If the people of a locality can not enforce their local laws, it will never be possible for the National Government successfully to enforce them. It is proposed, is it, where a man has manufactured alcohol at a cost of 30 cents a gallon in his cellar, legitimately, permitted by the law, and has secretly sold it to somebody else, to have the Government agent seize him and carry him a hundred or two hundred miles to be tried in a Federal court instead of being tried in local State courts? Is it the proposition that the enforcement of these ordinary police regulations which must always depend in the main for their enforcement upon the sentiment of the local community shall be brought about by having the offenders dragged into the Federal courts for trial?

If that is attempted, it will break down of its own weight. The result will be as it was years ago, before the Federal Government imposed a high tax upon alcoholic spirits, that whenever a farmer, a laborer, a merchant, or otherwise, desires, he will produce alcohol and give it to his men, like they used to dole out liquor in the harvest fields. It cost nothing to produce it, there was no tax upon it, and no way of preventing it. You have taken away with this resolution the authority of the local governments to protect themselves. You attempt to confer that upon Washington. Well, you will not get Washington unduly excited, or the government in Washington unduly excited, because some man is illegally selling whisky in Portland, Me., or in Portland, Oreg. They do not get too much excited when they sell liquor illegally in the city of Washington.

Mr. SMALL. Will the gentleman pardon a very brief interruption right there, so that I may ask him just one question?

Mr. MANN. Yes.

Mr. SMALL. May I ask the gentleman if there is anything in this proposed amendment which prohibits the manufacture of intoxicating liquors for exportation?

Mr. MANN. It prohibits the manufacture of liquors for exportation for sale.

Mr. SMALL. Exportation, I mean.

Mr. MANN. Exportation for sale. There is nothing in the resolution which prohibits the manufacture of anything. It prohibits the manufacture of intoxicating beverages for sale, and you can make intoxicating beverages of any kind or description, with the proper recipes and a small addition of brown sugar and a few other ingredients, out of plain, pure alcohol, and nobody pretends that you prohibit alcohol or its production.

I understand very well how a wave of excitement goes through and over a country. The bitterest persecutions that have ever been had have been had under the name of religious fervor. People get the impression that they want to accomplish a certain good, as they used to when they proposed to make a man profess a certain religion in order to save his soul, and if he would not save his soul in that way they would destroy his body. Good purposes, laudable desires; but you must test a proposition by its natural results, by the evolution which comes from it; and I declare to you that in my opinion, as a student of government for years, the effort to confer upon the National Government the power to control the manufacture of alcoholic liquors for sale and to prohibit them will result in no tax, no license, no control over the production and sale, and will render them cheap and easy to obtain in every part of the United States, with no government properly equipped to prevent it, and that instead of prohibiting you will have made liquor almost free.

I live in a prohibition district in the city of Chicago, created by an ordinance which I drew years ago, largely enforced by the aid of the good people, its enforcement aided by the saloon keepers on the outskirts. To-day the whisky manufacturers aid the Government as far as they can in the enforcement of the law requiring the payment of a heavy tax upon whisky, because it is to their interest to prevent "moonshine" whisky being made, and most of the information which comes to the Government in regard to attempted illicit stills comes from liquor men, who feel the competition and put the Government on notice and on guard. But when the tax is all removed they will no longer have that incentive. Who will give the information? How will you discover the manufacture and sale of these beverages? The Government is far away. The local people may not be in favor of the enforcement of the law there, as many of them are not in favor of the enforcement of all law.

The prohibitionists, so called, are on the wrong track. I respect their sentiments. I have great regard for them personally. But the way to obtain the restriction of the sale of alcoholic beverages, like the way to enforce any other moral propaganda, is through local authorities, and not by depending upon a strong central government located far away. [Applause.]

Mr. Speaker, I yield five minutes to the gentleman from Wisconsin [Mr. BROWNE]. How much time did I use?

The SPEAKER pro tempore (Mr. DECKER). The gentleman used 22 minutes.

Mr. MANN. I yield five minutes to the gentleman from Wisconsin [Mr. BROWNE].

The SPEAKER. The gentleman from Wisconsin [Mr. BROWNE] is recognized for five minutes.

Mr. BROWNE of Wisconsin. Mr. Speaker, the Hobson joint resolution proposes an amendment to the Constitution of the United States forbidding the sale, manufacture for sale, or importation for sale of intoxicating liquors for beverage purposes in the United States and all territory subject to the jurisdiction thereof.

If this resolution is passed by a two-thirds vote of both Houses of Congress, it will then be submitted to the State legislatures of all the States, and if it is ratified by three-fourths, or 36, of the State legislatures, it becomes a part of the Constitution.

We would thus have national prohibition without giving a single voter the right to go to the ballot box and vote directly upon the question.

If we have the requisite number of votes in Congress to pass this resolution amending the Constitution and the requisite 36 State legislatures to ratify it, would it be wise and for the best interests of the people to so amend our Constitution and have national prohibition?

In considering this question we should consider it without prejudice and as practical people.

We now have State-wide prohibition laws in 14 States. The temperance movement has made tremendous progress in the last 10 years under existing laws by allowing the people in each community to decide the matter for themselves. This movement in this way has kept pace with public sentiment and has kept its workers active in conducting a campaign of education throughout the United States. The Woman's Christian Temperance Union and other temperance organizations whose efforts have been directed toward having scientific temperance taught in schools have done much toward creating public opinion which, when it has been strong enough, has expressed itself at the ballot box and has resulted in the enactment of the prohibition laws which are now on our statute books.

The Webb-Kenyon law passed by Congress, which prohibits the shipment of liquor into dry territory, recognizes the rights of the States whose people have voted for prohibition and has been a great instrument to aid in the enforcement of prohibitory laws in dry States.

Amendments to the Federal Constitution similar to the Hobson amendment have been proposed many times; but the same objection that I now contend for has always been maintained, that this is a matter for the States to decide and not for the National Government, and that the passage of such an amendment would sweep away the last vestige of State rights and would be dangerous in the extreme.

In almost every Prohibition national convention that has been held this same question has arisen, whether prohibition should be left to the respective States or to the Federal Government.

From 1888 until the convention of 1908, a period of 20 years, not a word was said in the platform of the Prohibition Party about constitutional prohibition, although the question was vigorously debated in each convention.

In the last Prohibition national convention the same question was discussed, and it was there decided that the way to proceed was within the boundaries of the separate States and not along the lines of national prohibition.

Is it wise at this time to reverse our policy under which such rapid progress has been made and force prohibition at once upon the people regardless of whether the people of a number of States want it or not?

Shall we abandon our policy of making temperance men and women by education and in its place substitute legislation and coercion and attempt to legislate the appetites and desire for intoxicating liquor out of millions of people at once by a single act of legislation that no king or monarch, except the Czar of Russia, who believes in the divine right of kings, would dare to attempt to do?

The proposed amendment would prohibit the sale and manufacture for sale of products within the boundaries of 48 States of the Union, and also territory subject to the jurisdiction of the United States. Is it within the province of the National Government to say what shall be manufactured or sold within a sovereign State? The theory on which the advocates of this amendment base the right of the Federal Government to enact such legislation is that the product manufactured is harmful.

Is not the question whether it is harmful or not a question that the people of the State where the article is manufactured or sold should decide and be the sole judges of?

If any State attempts to ship any article into another State within the United States, the Government has a right to pass upon the question of whether this article of interstate commerce is harmful or not, and if it believes it to be harmful, to exclude it from interstate commerce, but the article produced and sold exclusively within the boundaries of a State is a matter that should be wholly regulated by that State.

Wisconsin has a law prohibiting the manufacture and sale of cigarettes, which the citizens of that State believe to be a good law. Other States may not have such laws, but this is a matter for each State to decide.

Is it within the province of the Federal Government to place in its Constitution a clause prohibiting the manufacture and sale of various articles believed to be injurious by the people of certain States and not injurious by others? Are such matters a legitimate field for national legislation?

If the people of each State are to give up their rights to the National Government, so that the National Government shall determine what they can manufacture and what they can not manufacture and sell within their own boundaries to their own people, it would be giving up the last vestige of individual rights and turning over the smallest local unit of government to the National Government at Washington.

Would not every advocate of the passage of this amendment claim that it would be an outrage on the rights of a prohibition State for three-fourths of the States to write into the Constitution a clause that no State shall prohibit the manufacture or sale of intoxicating liquors? Why would this be an evasion of the rights of the States? Because each State has the right and should always keep the right to say what shall or shall not be produced and sold by its own people within its own boundaries. The subject matter is the same in both cases, and if one is a violation of the rights of the State the other is also.

If 36 States desire such an amendment and the people of 12 States do not want the amendment, would it be right and wise to force a prohibition law upon the people of those 12 States?

This is not like any of the other amendments to the Constitution. It is without precedent. It deals with a purely local matter which the State and its people have full power to control.

Any State legislature, under the existing laws, can pass an effective prohibition law for its people, or it can write prohibition into its constitution. As a matter of fact very few of the prohibition States or the advocates of prohibition have thought it wise to so amend their constitutions, recognizing that to enforce a law of this kind they must have public sentiment back of it.

A good healthy majority of the people must be back of a law to insure its enforcement.

ENFORCEMENT OF THE LAW.

Suppose 12 great States of the Nation, like Massachusetts, New York, New Jersey, Pennsylvania, Ohio, Indiana, Illinois, Michigan, Wisconsin, Minnesota, Missouri, and California, having an aggregate population of over 50,000,000 people, a majority of the people of the United States, should have prohibition thrust upon them by this constitutional amendment, which they had voted against and to which a large majority of their people were opposed; an amendment which destroyed millions of dollars worth of property and threw hundreds of thousands of men out of employment. Could such a law be enforced, and what would the attempted enforcement of the law mean?

It would mean the appointment of hundreds of thousands of Government officials—marshals and deputy marshals—by the political party in power to go into the various communities to enforce the law. This army of Federal marshals and deputies would be many times larger than the armed military force of the United States to-day. These officers would, of course, be clothed with authority to search and arrest, and with that power any political party, by intimidation or otherwise, could perpetuate itself in office, the rights of the people in the various communities would be transferred to their Representatives at Washington, and the last vestige of the rights of the individual citizens or the local communities and the rights of the States would disappear.

We all know that any law affecting the customs and habits of the people is very difficult to enforce unless there is a strong public sentiment in favor of it.

The adoption of this amendment would be by State legislatures and would not be by a referendum vote of the people. A small State like Nevada, with a population of 90,000 people, would count just as much as a State like New York with 9,000,000 people.

I would be very glad to submit the question to a referendum vote of the people of Wisconsin or to the Legislature of the State of Wisconsin and let it decide the question for itself, but by voting for this resolution I make it possible for 36 States to force this law upon the people of Wisconsin, contrary to what I know is the overwhelming sentiment of the people of the State of Wisconsin.

I do not believe that anyone will seriously question the statement that there is an overwhelming majority of the people of Wisconsin who are against prohibition; but if that statement should be questioned I would cite the fact that the legislature of that State has never memorialized Congress for prohibition; no bill has been introduced in our State legislature for State prohibition—at least none that has been discussed or received any vote—and if such a bill were introduced I do not believe that it would receive the votes of a dozen members of the legislature, for the reason that Wisconsin is not ready for prohibition and a very large majority of the people are against it.

The Prohibition Party in Wisconsin at the last presidential election received 8,467 out of a total of 393,334 votes, and the eighth congressional district of Wisconsin, which I represent, cast only 687 votes out of a total of over 31,000 votes for the prohibition candidate for Congress, who made a thorough canvass of the district upon that issue.

If the people of Wisconsin, through a referendum vote or by their legislature, will memorialize Congress to pass an amendment to the Federal Constitution such as the proposed amendment, Members of Congress from Wisconsin might be justified in voting for it. The people of Wisconsin memorialized Congress to pass the income tax; both political parties declared in favor of it. Not so with the proposed amendment. No party—not even the Prohibition Party itself—has declared in favor of it.

California and Ohio and other States at the recent election overwhelmingly voted down prohibition. Would it be easy to enforce a national prohibition law in those States? Would the people of California submit readily to the destruction of their great wine industry? The appliances for making wine and other intoxicating drinks and for distilling alcohol are simple and inexpensive, and as soon as the legal manufacture of alcoholic drinks is forbidden then comes the illicit stills, not by a few moonshiners in the mountains of Tennessee and Kentucky with a local sentiment against them, but tens of thousands of such places, scattered from San Francisco and the Rocky Mountains to the cellars in New York City, with local sentiment and local officers many times favoring them.

Counterfeiting our currency is a difficult matter. It is condemned by every citizen in every locality, and yet it takes a large number of Secret Service men appointed by the Government to prevent it.

How very easy would it be to manufacture wine and other alcoholic drinks in the United States and also to bring them in over the border without detection, and what an army of officers it would take searching the homes and the cellars of the people for illicit stills.

How many United States marshals and deputies would it take to enforce a prohibition law in the city of New York, with five and one-half million inhabitants; Chicago, with two and one-half million inhabitants; Philadelphia, Boston, St. Louis, San Francisco—all these cities mentioned, aggregating in population over 13,000,000 inhabitants?

How many thousand Federal marshals would it take to attempt the enforcement of a prohibition law in these cities? How many jury trials? How many convictions?

The police force in New York alone is over 10,000, and other great cities are relatively as large. The sympathy of the local officers would be on the side of public sentiment in these cities.

There would be a constant conflict between this army of local police officers and the Federal officers in regard to the enforcement of the law.

The advocates of this amendment to the Constitution of the United States overlook the arguments that have been presented by our greatest judges and constitutional authorities.

Abraham Lincoln said upon an important occasion:

> To maintain inviolate the rights of the States to order and control, under the Constitution, their own affairs by their own judgment exclusively is essential for the preservation of the balance of power on which our institutions rest.

The late Justice Harlan, who represented as liberal a view toward the powers of the National Government as any judge who has sat upon the Supreme Bench of the United States at any time in its history, in one of his last public utterances said:

> A National Government for National affairs and State governments for State affairs is the foundation rock upon which our institutions rest. Any serious departure from that principle would bring disaster upon the American system of free government.

Again Justice Harlan said:

> The people of the United States cherish but will compel adherence to the fundamental doctrine that the States are vital parts of the American system of government. The Supreme Court of the United States has again and again declared, upon full consideration, that a close and firm union is necessary for the happiness of the American people, and that without the States in union there can be no such political body as the United States. If, then, the matchless Government devised by the fathers and ordained by the people of the United States is to be preserved and handed down intact to posterity, National power and State power must go hand in hand in harmony with the Constitution.

The late Justice Miller, one of our great jurists, gave expression to the following:

> While the pendulum of public opinion has swung with force away from the extreme point of the States' rights doctrine, there may be danger of its reaching an extreme point on the other side. In my opinion the just and equal observance of the rights of the States and of the General Government as defined by the Constitution is as necessary to the prosperity of our country and to its existence for another century as it has been for the one whose close we are now celebrating.

President Woodrow Wilson, whom some may differ with on public questions, but whose sincerity and patriotism no one will question, said, in reply to Rev. Thomas B. Shannon, of Newark, N. J., regarding prohibition:

> I am in favor of local option. I am a thorough believer in local self-government, and believe that every self-governing community which constitutes a social unit should have the right to control the matter of the regulation or the withholding of license.

Secretary Bryan, in his editorial in the Commoner, says:

Believing in both woman suffrage and the abolition of the liquor traffic, I would vote for either amendment if submitted. But the time does not seem opportune for the submission of either of these amendments. A national contest for either amendment would simply divert attention from other issues upon which the people are ready to act without advancing the cause of woman suffrage or the prohibition movement.

Eugene W. Chafin, Prohibition candidate for President in 1898 and in 1912, in a speech delivered in Chicago on October 14, 1913, which was published in the Vindicator of October 24, 1913, said in regard to the Hobson amendment:

Of all the foolish and impossible schemes devised to destroy the liquor traffic, this is certainly the worst. Every minute of time and every dollar expended on these schemes is criminally wasteful.

Mr. Chafin further says, after giving facts regarding the framing of the Constitution, and so forth:

Our good friends throughout the United States who have announced themselves in favor of the constitutional-amendment scheme, I venture to observe, have not, a single one of them, had before them the foregoing facts when they committed themselves to such policy.

Again Mr. Chafin states:

Laws may be made and repealed by majorities, and sometimes, through political parties, by plurality of the voters, but the fathers of the Constitution decided that the organic law should not be amended by a plurality, majority, or to suit the fancy of a political party temporarily in power. So they provided that it might be amended when two-thirds of each House of Congress so determined, and then it must receive the approval of three-fourths of the State legislatures; for, you must remember, that amendments are not submitted to the people, but to the political party in power in the several States.

Again this great advocate of prohibition says:

Before the campaign of 1908 was over I saw the poison in the reference to constitutional prohibition in our platform of that year. After consultation with many of our leaders, we determined that it should be left out of our next platform; so when I drew the platform for the Atlantic City convention in 1912 I left it out, and so constructed the first plank that it conformed to our new line of battle—"government by administration"—which repudiates any thought of constitutional amendment. The new plan was unanimously accepted by the platform committee and the convention, and the platform, and that only, is the creed of the Prohibition Party.

THE SAME QUESTION IS INVOLVED IN THE WOMAN SUFFRAGE AMENDMENT.

This same question involved in the prohibition amendment is also involved in the woman-suffrage amendment.

I believe that the regulation of the elective franchise is a matter that rests wholly with the States. This was the idea of the framers of the Constitution, and was never deviated from except in the passage of the fifteenth amendment, giving the negro the right to vote. This precedent is cited by all advocates of the prohibition amendment and the woman-suffrage amendment.

The passage of this amendment, as we all know, was the result of the war, and it was practically a war measure; but if the advocates of the prohibition and woman-suffrage amendments can get any satisafction from citing this precedent they are welcome to it.

This amendment, as we all know, has been a dead letter since its passage, nearly half a century ago. It is not enforced, and the reason it has not been enforced is not that the Government of the United States has not the power, but because the enforcement of any law against the overwhelming sentiment of the people of a sovereign State will always cause more harm than good and can never result in anything but disaster.

When I was a member of the State Legislature of Wisconsin I voted with only a handful of senators to submit the question of woman suffrage to the people of my State, and in every session of the legislature thereafter I voted to submit the question to the people, until it was finally submitted to the people in 1912. The voters in Wisconsin, by a majority of over 90,000, turned the proposition down.

After such a decisive vote by the people of my State, would I be justified by my vote in forcing upon the people something that they do not want? Is a representative of the people expected to assert his personal opinion against the overwhelming opinion of the people of his State and his district expressed at the ballot box?

Again, the constitution of the State of Wisconsin expressly provides (sec. 4, art. 3)—

That the legislature may at any time extend by law the right of suffrage to persons not herein enumerated, but no such law shall be in force until the same shall have been submitted to a vote of the people at a general election and approved by a majority of all the votes cast at such election.

In voting for the amendment giving women the right to vote I would be attempting to nullify a provision of our State constitution and taking away from the people a right to vote upon a matter that the constitution of the State gave them a right to vote upon.

The State legislature could not take this right away from the people, and yet I am asked to unite with the Representatives of other States and take this constitutional right away from my own people.

I do not know of any State passing a prohibition law or a woman-suffrage law without giving the people a right to vote directly upon the question.

The members of the legislatures, in touch with the smallest unit of local government, invariably submit the questions of license or no license to the people themselves, and in Wisconsin the framers of our constitution emphasized the importance of letting the people decide the matter of who shall vote by placing it in their constitution, where it can never be taken out except by a two-thirds vote of both houses of the legislature at two consecutive sessions and a vote by a majority of the people of the State at an election.

Senator BORAH, who comes from a State where women have the right to vote, and who is personally in favor of woman suffrage, objects to the amendment to the Federal Constitution, and in his speech in the United States Senate, March 20, 1914, says:

The corner stone of that fabric, the indispensable element and principle which sheathes it with strength and bids it endure through the ages, is the right of local self-government as to affairs that are local. When you take away from the people the initiative, the right to determine for themselves such questions as are local, when you remove from their shoulders responsibility, you ultimately take from the people all interest in public questions, and you have what has been exemplified in the history of every Republic that ever existed on the face of the earth, a Republic in name only, governed and controlled at Washington, while the masses of the people look on and assume that they are enjoying the great fundamental rights of a Republic, although the Republic, in fact, has passed away.

Senator BORAH makes an argument against this amendment which is equally applicable against the Hobson amendment, and which, in my opinion, is unanswerable.

If the people of Wisconsin want national prohibition, let the legislature pass a resolution memorializing Congress to amend the Constitution. If they are in favor of State prohibition, they can have their legislature submit it to them and vote upon it directly.

I received my commission of office from the people. I have always believed in the people and in submitting every question that could be submitted to them.

I have always been in favor of local communities deciding their own matters for themselves; and I will not vote to take away from my State and its people rights that they have had since the foundation of this Government and transfer those rights to the National Government, unless the people at the ballot box request that it shall be done. [Applause.]

Mr. MANN. Mr. Speaker, I yield five minutes to the gentleman from California [Mr. KAHN].

The SPEAKER. The gentleman from California [Mr. KAHN] is recognized for five minutes.

Mr. KAHN. Mr. Speaker, if there were any lingering doubt in my mind as to the inefficacy of prohibition laws to bring about true temperance, the statement made this morning by the distinguished gentleman from Kansas [Mr. CAMPBELL] would dispel that doubt. The gentleman stated that 71 per cent of the area of this country has become dry territory, and yet the fact remains, also according to his statement, that the increased consumption of liquor throughout the country is a matter of deep concern to those who look with disfavor on the liquor traffic.

Mr. Speaker, prohibition is not temperance. Temperance makes for human progress. It should be invoked in regard to our food, our drink, our dress, and even our physical exercise. As many people die from overeating as die from the excessive use of alcohol. Excessive physical exercise has frequently led to heart failure and death. Temperance, not alone in the use of alcohol, but temperance in everything that affects the human race, is what should be taught in the homes and in the schools of this country. Temperance harms no one; on the contrary, it does good. Prohibition, on the other hand, has generally resulted in making men liars, sneaks, and hypocrites. If men want liquor, they can invariably get it, and they can get it even in prohibition States.

On the 3d day of November we had an election in California on State-wide prohibition. We have local option in that State. On that day a druggist in the city of Pasadena, which had voted itself dry under our local-option laws, displayed a big sign in his window, "Vote the State dry." That very afternoon he was arrested for running a "blind pig." [Laughter.] That is a fair sample of some of the hypocrisy that follows in the wake of prohibition legislation.

Mr. Speaker, wherever the liquor traffic has been regulated by law, and wherever the regulations are honestly enforced, you do not find drunkenness. Wherever the children are taught by their fathers and mothers the evils of intemperance you do not

find drunkenness. The figures presented here to-day by the gentleman from Alabama [Mr. HOBSON] show that the drinking habit is usually formed between the ages of 16 and 21 years. Those are the years in which the parent should point out to the growing youth the evil of overindulgence in alcoholic liquor. But many parents, instead of following a sane course of that kind, lock up even the alcoholic stimulants kept for medicinal purposes and tell their children that they must not under any circumstances take a drink of liquor. And then, just as soon as the youths get away from their mothers' apron strings, that spirit in man which Edgar Allan Poe calls "the imp of the perverse" impels them at all hazards to get a taste of the forbidden fruit. Having never been told that it is not the use but the abuse of alcoholic drink that does the harm, the probability is that the young man, by overindulgence on the first occasion he tastes the liquor, makes a beast of himself. How much better it were for him and all those who are interested in his future if he had been taught at the outset not to abuse the use of liquor if on any occasion he should desire even to take a taste of it.

In Germany, in France, in Italy, in those great wine-growing countries, the children are accustomed to see a certain amount of alcoholic liquor in their homes from their infancy. The percentage of drunkenness in those countries is exceedingly small, because the children are taught from their infancy that they must not abuse the use of alcoholic drink. Is the American less capable of self-restraint than the German, the Frenchman, or the Italian? I have sufficient faith in my countryman to believe he can curb his appetite as well as the former. The present spirit throughout the country, exemplified in the demand for the enactment of this stringent legislation, is but another evidence of the hysteria that one finds sweeping over the United States. We are trying to regulate all human conduct by laws, laws, laws. Efforts of that character are as old as the world. And they have invariably resulted in failure. The liquor traffic can be regulated. But if you pass this constitutional amendment, or any other constitutional amendment prohibiting the sale of liquor, you will not create the temperance in this country which you desire. Education—education at home principally—will accomplish more in that direction than any law which the Congress may see fit to pass. [Applause.]

Mr. Speaker, the attitude of most of those who favor this legislation is excellently expressed in the following verses:

CREEDS.

Believe as I believe, no more, no less;
That I am right, and no one else, confess;
Feel as I feel, think only as I think;
Eat what I eat, and drink but what I drink;
Look as I look, do always as I do,
And then, and only then, I'll fellowship with you.

That I am right, and always right, I know,
Because my own convictions tell me so;
And to be right is simply this to be
Entirely and in all respects like me;
To deviate a hair's breadth, or begin
To question, doubt, or hesitate, is sin.

I reverence the Bible if it be
Translated first and then explained by me;
By churchly laws and customs I abide,
If they with my opinion coincide;
All creeds and doctrines I admit divine,
Excepting those which disagree with mine.

Let sink the drowning if he will not swim
Upon the plank that I throw out to him;
Let starve the hungry if he will not eat
My kind and quality of bread and meat;
Let freeze the naked if he will not be
Clothed in such garments as are made for me.

'Twere better that the sick should die than live,
Unless they take the medicine I give;
'Twere better sinners perish than refuse
To be conformed to my peculiar views;
'Twere better that the world stand still than move
In any other way than that which I approve.

A little more tolerance, a little more reasoning, a little more judgment would undoubtedly yield in the long run much more beneficial results.

The SPEAKER. The time of the gentleman from California has expired.

Mr. MANN. Mr. Speaker, I yield 10 minutes to the gentleman from Pennsylvania [Mr. MOORE].

Mr. MOORE. Mr. Speaker, in the State of Pennsylvania, which would doubtless come under the control of the smaller States of the Union if this amendment should prevail, we have undertaken to regulate the liquor business. The high-license law passed in 1887 has vastly improved conditions. It may be of interest to those who would, by this resolution, attempt the destruction of the liquor business, with all the attendant prospects of outlawry and increased taxation, to know that in Philadelphia prior to the passage of the high-license law there were more than 6,000 saloons, many of them disorderly and disreputable—a hundred times more so, in fact, than any that have existed during the last quarter of a century. They paid into the treasury only $300,000 per annum. The operation of the high-license act, which met the problem of prohibition by the more rational process of regulation, was to drive out the disreputable places and their irresponsible keepers, so that the more than 6,000 dealers were reduced to 1,300, each of whom must be vouched for by responsible citizens and have such property interest in his business as to make violation of the law extremely hazardous.

The natural growth of Philadelphia since 1887 has resulted in an increase of licenses to approximately 2,000, which now cover into the treasury of the city and State more than $2,500,000 per annum. Thus in Philadelphia, where the liquor dealer is careful to obey the law, even though he may sometimes meddle in politics, the law is supreme, and the methods of the "bootlegger" and "blind tiger" of the so-called prohibition States are unknown. In addition to the revenue paid into the treasuries of the city and State, the United States Government derives an internal revenue from Pennsylvania exceeding $17,000,000. With millions of dollars invested in a business thus sanctioned by law, and with tens of thousands of men deriving their daily bread and butter from it, to say nothing of the allied industries, from the pay of the printer to the products of the farmer, it might well be said that Pennsylvania, like any other State of the Union, should be permitted to settle so grave a question as prohibition for itself.

It is doubtful whether national prohibition, forced upon such a State against the will of the people or any large proportion thereof, would tend to perpetuate that cheerful and patriotic compliance with the law upon which so much of our common happiness and prosperity depend. In a matter of such far-reaching importance, indeed, it would appear that tolerance and temperance should be exercised rather than intolerance and intemperance, and that regulation by law would be better than lawlessness.

And, Mr. Speaker, while it may not be pleasing, it may be opportune to observe that the modern tendency of Congress to yield in the matter of new laws to the emotions or designs of some of the people, irrespective of the rights and privileges of all the people, reflects in a degree upon those qualities of statesmanship which, under the Constitution, have been the pride of Americans. The friends of this resolution appear to-day in such goodly numbers as to make this comment appropriate. A short time ago, before the outbreak of the European war, in a moment of enthusiasm like that which prevails to-day, the House passed a resolution on a mere newspaper report that Mr. Winston Churchill favored it, approving a year's cessation of shipbuilding and the like. It is apparent that such a resolution, if brought up to-day, would be considered from a more serious point of view. Indeed, it is doubtful if the country would stand for such a resolution if it came up for consideration at this time. Not long after this, in a similar wave of enthusiasm, drastic legislation was enacted with the view of suppressing vice in the District of Columbia. The law has been in effect long enough for us to learn that vice in the District of Columbia has not been suppressed.

Mr. FESS. Why do you make that statement?

Mr. MOORE. I have read about it and it is common information. It is said that the law is a failure, and that those people who are given to vice in the District of Columbia, instead of being segregated, as they ought to be, are now living in the apartment houses and hotels of the city, and are on the streets, spreading vice, instead of keeping it from the good people of this community. [Applause.]

Do we pass these stringent resolutions merely to deceive ourselves? From our various State experiences we know that so-called prohibitive laws are generally laws in name only, since in most instances they do not prohibit. Local agitation and sudden impulses plus deliberate campaigns to stir up the people are largely responsible for these ebullitions of law. To-day it is prohibition, which may safely and properly be left to the State legislatures or town councils; to-morrow it may be tango dancing or cigarette smoking, according to the strength and virility of the agitators on one side or the other. How long Congress is to take this State and local work upon itself is for the Members of this great body themselves to determine.

The oath of office which a Member of Congress takes, even if it be necessary thus to emphasize his duties and obligations, contemplates the protection and defense of the Constitution and the enactment of such legislation only as will conduce to the happiness and welfare of all the people. It matters not whether we are Jews or Gentiles, Catholics or Protestants, there is nothing in our fundamental law nor in the spirit of our institutions

which justifies the passage at our hands of legislation placing one class above another class or of one creed above another creed. On the contrary, until recent agitations have given rise to a spirit of restlessness, manifesting itself in such resolutions as the one we now have before us, our national policy has been to reserve for the churches the preservation of the morals of the people and to withhold for the statesmen the material problems of politics and economy. This is a policy we should still adhere to.

That the religious men and women of this country, free from hypocrisy and demagogy, may continue under God to exercise those merciful and Christ-like qualities that contribute so much to the happiness of mankind, and that Members of Congress, free from the undue influence of lecturers on the one side or liquor dealers on the other, may also, under God and the Constitution, be wise and tolerant and just is a wish worthy the prayers of a united country.

We can not decently destroy the property or the rights of those whose business Congress has sanctioned since the beginning and from whom perhaps a third of our Nation's revenue has been derived. It would result in poverty, lawlessness, taxation, and distress. Where would we lay this new taxation? Would it be upon the churches and charitable institutions, which are now exempt, or would we lay it upon the backs of the people whom we have already taxed to the very limit of endurance? And what would be gained if we turned into outlaws those who are now obedient to the law? The loss of revenue would be serious enough, but what of the loss of respect for the law? The history of all sumptuary legislation shows that force without just reason is not conducive to obedience. We can not make men good by law.

Unless, therefore, the work of the preacher has been a failure, which the progress and good order of this country thus far disproves, we should not abandon the moral training of our men and our women and our children. Neither should the moral responsibility be shifted to a legal prohibition. That would be an unworthy substitute for the work which Jesus Christ came upon this earth to do. We can not make men good by law, nor can we reach their hearts and consciences by law. If we would reform their habits or change their mode of living, we should employ some other methods than coercion and the club.

Mr. MANN. Did the gentleman from Pennsylvania use all his time?

Mr. MOORE. I yield back the remainder of my time.

Mr. MANN. I yield to the gentleman from Massachusetts [Mr. GILLETT] such time as he may desire to occupy.

Mr. GILLETT. Mr. Speaker, there are constitutional and practical objections to this resolution which in my short time I will not discuss, because there is one consideration which under present circumstances is sufficient to determine my vote. I believe that intemperance is a chief cause of crime, poverty, and misery. I do not myself use intoxicating liquors, and if by my edict I could banish them from this country, I would do it without a moment's hesitation. I think there would result an efficiency, a health, and a happiness which would compensate tenfold for the business and revenue which would be destroyed. But, in my opinion, this resolution would not bring about that result, and I shall vote against it. I do it with great reluctance, for I know my position will be misunderstood and I shall grieve many whose esteem I highly value. I have nothing but admiration for the sincere men and women who are so earnestly pressing this cause, whatever I may think of the wisdom and unselfishness of some of their leaders. I have received many petitions from the churches in my district, people for whose unselfish purpose I have the deepest respect, with whom I sympathize and wish to cooperate, and who, moreover, have been my stanchest friends and supporters and from whom it distresses me to differ; but I hope they will believe that my decision is as conscientious as theirs, and that I differ not at all from their views, but only distrust the wisdom of this policy, which I suspect most of them have adopted instinctively from a pure impulse to check evil, but without thoughtfully considering whether national prohibition would really prohibit. I do not think it would. It is not a matter of theory or abstract reasoning. The evidence and proof are before our eyes. I know, and you all do, a city—and not a very large one—where saloons are prohibited by the constitution of the State, and yet where hundreds of them are as open as in New York or Chicago. Why is it? Because local sentiment will not enforce the law. And what is the result? Not only is liquor more free and popular and destructive than if a policy of license were enforced, but in addition the one fundamental safeguard of a republic, respect for law, is undermined. A form of government where the same power—the people—both makes and executes the law can not long deserve to exist when the law falls into contempt.

A criminal law does not enforce itself; it requires the action not of an army but a jury. Lord Brougham once said:

> In my mind he was guilty of no error, he was chargeable with no exaggeration, he was betrayed by his fancy into no metaphor, who said that all we see about us, Kings, Lords, and Commons, the whole machinery of the State, all the apparatus of the system and its varied workings end in simply bringing 12 good men into a box.

We tried prohibition in Massachusetts years ago, when I think it was quite as law-abiding as it is now, and the results were so deplorable, the refusal of juries to convict so scandalous and corrupting, that we abandoned the attempt and adopted local option, and under it the plague spots are gradually being surrounded and confined and narrowed, and the State is substantially dry except in the cities, where the sale of liquor is constantly being more restricted.

The retort, of course, is made that every criminal statute is violated and nevertheless we do not cease to enact them. But I know of no other offense analogous to this. Drinking is not a crime of itself; it is malum prohibitum not malum in se, and I know of no other offense whose prohibition is looked upon by large communities as such an invasion of their personal rights that they spurn the law—not covertly, but openly and defiantly.

But you ask, Are we helpless before this menace? I think the progress of the past 30 years proves that we are not. Despite the enormous increase of cities the cause of temperance has gained in numbers, in weight, in influence. In this very House, which is representative of the people, there has been a notable change in the time since I first came here. I think a similar change is progressing throughout the country. Drinking becomes constantly less respectable. And I believe that with the growth of this sentiment both the frequency and the area of intemperance will be constantly curtailed.

A short time ago I went to a meeting to hear the last word from the most celebrated advocates of this amendment. With practically all they said I heartily agreed, for it was mostly a dramatic and effective portrayal of the evils of intemperance. But in their exultation over the increase of dry territory there was no intimation that it was not really dry—that there were in it cities such as I have described. It may be that public opinion is so changing that these results need no longer be feared. Denver and Seattle have recently been ordered to close their saloons, and I shall watch the issue in those great cities. But until we can make dry territory really dry, until the experiments now going on in the States on a smaller scale have justified themselves and contradicted earlier experience and proved successful, I do not think we ought to experiment on this enormous national arena and make such a vast change in the activities of the Nation and its relation to the States. In a matter of such vital moment our action ought not to be determined by an enthusiastic hope, but ought to await and be guided by the tests of actual experience.

Mr. MANN. I reserve the remainder of my time.

The SPEAKER. The gentleman from Illinois reserves the remainder of his time, and the Chair recognizes the gentleman from Minnesota [Mr. VOLSTEAD] for one hour.

Mr. VOLSTEAD. I yield to the gentleman from Michigan [Mr. LINDQUIST] 10 minutes.

Mr. LINDQUIST. Mr. Speaker, I can sit silent and listen with patience to the discussions that take place in this House on political problems that trouble our land, for I feel it my duty to consider well the advantages and disadvantages of legislation that may bring happiness and security to our people. But, Mr. Speaker, I can no longer sit silent when there is a call and a demand from the people to grant them a privilege which we have no right to deny, and I fail to recognize a spark of patriotism in the make-up of any man or party who would consider it their duty to question the rights of the American people, and especially when they are asking a privilege to protect and safeguard our homes. [Applause.]

I can see in this measure a great opportunity to conserve the resources of our country, for the real resources of our Nation are its young men. Shall we conserve or destroy them? Too much has already been spent for their destruction.

The shattered walls of forts, the ruins of castles, the destruction of cathedrals, and all the architectural wonders on the Continent could never for one minute be compared with the loss of young men who are strewn o'er the battle fields of Europe. It is not the property loss that will throw civilization back a decade, but it is the loss of the young men with their strength and training and their ideals upon which the permanent structure of every nation depends.

Gentlemen, this is not all sentiment. Only a few days ago my little boy, just 5 years old, pattered his way to the schoolhouse, just starting to school. It seems but a day since he was a babe in the cradle, and now he is part of our great educational

system that is building up our young Americans to a proper and truer appreciation of our American institutions.

I have no greater love, nor hope, nor ambition that my boy shall develop into a strong, clean, American citizen than many of you fathers in this Hall for your own boy, and that same ambition, hope, and desire beats in the hearts of every American parent.

I do not wish to see years of training and our entire educational system go for naught. I want my boy to be a true patriot, a strong, vigorous man, so that he can stand the strain of a great campaign of war, if necessary, for this country. [Applause.]

Millions like him are entering the schools for the first time this fall, and it is for us here to-day to largely determine what percentage of these boys shall be useful citizens and how many shall become charges and dependents upon our States. You can take your statistics, put them all together, and you will find that 90 per cent of the men in the reformatories and State prisons are between the ages of 18 and 24, and there is no room for argument as to the great part that the liquor traffic has played in this most pitiful situation.

Mr. Speaker, the destructive wars of all Europe could never wreck the future progress of a nation as can the curse which we are fighting here to-day. Never has there been such a call to serve humanity. Never has there been an issue before this House that demanded a truer expression of the highest type of patriotism. [Applause.] Can we, as men who have the honor of representing the greatest Nation in the world, openly deny our people the right of wiping out a curse that not a man in this House can conscientiously claim has a right to exist? And I defy any man with a spark of patriotism to deny our people the privilege of expressing their opinion on this matter, which so greatly concerns the moral welfare of our Nation.

Where is there a greater opportunity for the man who believes in conservation? Do not tell me that it is patriotic for any man to stand in this Chamber and preach conservation of our natural resources and then fail to herald with enthusiasm this opportunity to aid in the conservation of humanity. [Applause.]

You men who are preaching for a larger Navy—what is the use of the largest Navy in the world if we lack the man behind the gun? All honor to our Secretary of the Navy, who had the courage as well as the wisdom to understand that first must come the strong and efficient man. But, gentlemen, we must hide our faces with shame in our boasted civilization if we let Russia take this problem and with one gigantic stroke wipe it from the face of their country.

There was no argument to it. The physical strength of the giants of the Czar was unable to stand the hardships and the strain of their campaign, and the cause was quickly discovered that their lowered vitality was due to alcoholism.

Gentlemen, that which fails to make strong, patient, vigorous fighting men also fails to produce strong, vigorous American citizens.

Where is the man who is appealing for a larger Army? Where do you stand on this question? Your appeal will fall far short of consistency if you fail to stand like a true soldier for a cleaner and more efficient American manhood.

Another man stands in the way, and he voices the only reason which sounds like logic in opposing this measure, and he is the revenue man, the man who has no greater pride than to deliberately place the value of the almighty dollar above that of human life. He forgets that revenue can be raised in a hundred ways and that manhood of a nation is the true wealth and glory of any country. What amount of revenue can ever replace the lives which have been ruined, the homes which have been impoverished, and the children which have been left dependent, simply because we are unwilling to protect them from the curse of drink?

Gentleman, right at this very moment while I am speaking there are thousands and tens of thousands of young men who are taking their first drink. How do you know but what your boy is one of them?

Zeppelins, submarines, bombs, and seige guns are not the only things that can destroy a nation. We do not need to wait for a foreign foe to invade our land to find it in peril. Our Nation is already in peril, and the foe is within our borders, making a mighty and devilish campaign to capture our cities. Yea, they have already been captured and they hold supreme power in almost every large city in the land.

Fellow Members, it is nothing short of treason for us to allow our land of liberty to be devastated and robbed of its manhood.

Men with consciences awake to this opportunity to conserve human life. Never before have we enjoyed so great a privilege as is now ours to show whether our love of country shall courageously stand out supreme above that of party or personal prejudice. [Applause.]

I can not believe that there is a single Member of this House who would sacrifice the honor of his country to satisfy his selfish interests by maintaining an evil that is fast undermining our great Nation.

I care not whether my political ambitions shall have been crushed by my actions here to-day. I would gladly sacrifice all rather than to have violated a single confidence that the people of the great State of Michigan have placed in me.

I would consider myself unworthy of this honored position of trust if I failed at this time to support my own convictions and to vote for that which I believe is right. Poverty is fast increasing, our asylums are filled to their capacity, our homes are being deserted, and the youth of the land misled and the children being left dependent. Are we going to sit here and refuse our people a fair and decent chance to live? Can we face the misery of it all and call ourselves citizens of a Christian nation?

I tell you that we fall far short of our Chinese brother, who stamped out opium from China when he learned how it degraded his countrymen.

In 1906 the Chinese people appealed to their Government to stop the use of opium in China, giving as their reason and purpose, to make China strong. The edict went out ordering the discontinuance not only of the use of opium, but also the growth of the poppy plant.

It was a great patriotic movement, which was taken up with great earnestness and zeal by officials and the people. No such note of social reform ever struck any nation. In many cities valuable opium pipes were brought out in the streets and saturated with oil and were burned by fire in the presence of applauding multitudes.

The decree was ridiculed and the foreign press was skeptical of the Chinese sincerity, but the Chinese enforced the law, and by the general cooperation of the people the fixed purpose of the Government was carried out successfully.

China has made more progress with the antiopium campaign in three years than we have made with intoxicating liquors in a generation, and I ask in all sincerity is it not a shame for us to sit here as representatives of the most glorious Nation of people on the globe, and is it not a shame for us to stand in the way of our progress?

Do we need to take a seat back of heathen China in the moral progress of our national life? This is no time to argue, discuss, and to proclaim our patriotism if we fail to measure up to the standard of the very people whom we have the honor to represent.

Mr. Speaker, it seems like Divine Providence that brought about the Boer War, for it was the Boer War that yielded up a secret that has cleared a mystery and identified the real cause of the downfall of nations and empires.

The English Government discovered that there was something wrong with their soldiers, and a commission was appointed, and after a thorough and rigid investigation this commisson reported to their Government that the cause was due to alcoholic poisoning.

Scientists from every part of the globe have substantiated the findings brought in by that commission. The British Government immediately took strenuous steps in placarding the streets of the cities of England with billboards, appealing to their people to desist from drinking alcoholic beverages.

Other nations followed the lead of the British Government. The French Government did likewise. The German Emperor even carried his campaign so far as to undertake to eliminate the drinking of beer, so far as possible, in the German Army and Navy.

In London, in 1909, the scientific men from all over the world congregated, and all agreed that alcohol was a poison, and that its use should be restricted in the same manner as poisonous drugs. Can there be any doubt in any man's mind as to the great harm that liquor brings to the homes of the drinkers?

When the scientists of all the world have agreed to its poisonous effect upon the system of the human being, and that it has no food virtues whatever, as the people have always been led to believe, then is it not our duty to place liquor in the same column with that of cocaine, opium, and other poisonous drugs, which science has proved are debauching the American citizen and converting our innocent youth into criminals and wrecks.

Think of it, gentlemen, Russia, while in the midst of a great crisis, and with all her great need for revenue, has wiped out this great source of revenue from the liquor traffic, because

this traffic was demoralizing her citizens and weakening her armies.

In other words, Russia believed it her first duty to protect the integrity of her people, and found other means for raising revenue. And, gentlemen, I will not believe that Russia thinks more highly of her citizens than we do in America; but this is the time when it is up to us to show it.

In my judgment, it is not a question of whether our Government has the moral right to take this issue out of the hands of the States. Our Government has the right and should protect its people against any evil that is degenerating and destroying the homes of the American people.

If this Government has the right to put out of business the great business monopolies, it certainly has the right to put the liquor monopoly out of business. We have destroyed great business trusts—those industries which have carried on business at the expense of other industries, and for no other reason than that they have ruined the smaller industries of our land. Then have we not the right, and is it not our duty, to destroy the great Liquor Trust, that is daily bringing ruin to other industries? For this business can not survive without injury to all other legitimate industries.

Capital and labor are much the same wherever we find them. Their problems are the same problems. I live in a small city, where we have a few factories, and we have this advantage, that we can study the problem at close range. And some of these factory managers tell me that when we had the saloon the day after pay day, in many cases, their men were incapacitated for their work and unfit for their duties, and for the last four years, since we have abolished the saloon, the day after pay day finds every man at his work, sober, and at his best. So from a business standpoint alone we shall produce more, and industry will thrive more successfully, if we remove this clog in the wheels of business.

What is true in our city in this respect is undoubtedly true everywhere the saloon has a chance at the pay envelope of the wage earner. Without the saloon the pay envelope finds its way into the legitimate channels of business, so that the groceryman, the merchant, and the banker alike are benefited by the abolishment of the liquor traffic.

If you must know and must have this problem figured in dollars and cents, there are many who have gathered the statistics. They can tell you the exact amount of money spent for liquor and the amount of money appropriated for the care of the unfortunates, the criminals, the insane, and the dependents, who are the by-products of this monstrous liquor business. There is a big balance against that traffic in plain dollars and cents without figuring the depreciation of manhood. If you want to foster this business, let it continue, and help them along by going on record by opposing this measure, which gives to the common people the right to say whether this liquor traffic shall longer exist or not.

If there was an institution of any kind in our land that began deliberately to cut off the left hand of every man who came within its walls, there would be a unanimous action by this House in five minutes to imprison and punish its organizers. Such an atrocity would not be tolerated. But this could not be compared, gentlemen, with the atrocities of the liquor organizations. The loss of a hand is not to be compared with the loss of the mind. For liquor steals the mind, weakens the will, and so completely demoralizes a man and robs not only the pocketbook and the home, but also destroys the very temple of the soul. It destroys character, and that which destroys character will eventually destroy this Nation.

If we wish to have a Nation of strong men to carry out the ideals of our great founders of America, we have only one action to take, and that is by our vote on this measure to abolish once and forever this great curse of the liquor traffic, which is contrary to every fundamental principle of our Government.

Mr. Speaker, this is unquestionably a call from the people for freedom, and I count it our opportunity to record ourselves as unanimously in favor of giving the people the right to say whether they shall any longer be slaves to this curse, or whether they shall be free and independent and enjoy the pursuits of happiness.

I long for the day when the red stripes in Old Glory shall symbolize, as ever, the true red blood of manly sacrifice which was shed that this Nation shall be forever free; not merely free from a foreign foe, but free from all that blemishes, that destroys the homes of our American people. [Applause.]

Mr. Speaker, I append herewith the following telegram:

DETROIT, MICH., *December 19, 1914.*

Hon. F. O. LINDQUIST,
Washington, D. C.:

Replying to your telegram of December 18, according to our experience we find efficiency of our employees addicted to liquor greatly reduced in our welfare work. It is the greatest problem we have to contend with. In many cases have been compelled to dismiss employees after repeated endeavor to reform, and this has necessitated employing another member of the family to continue the support and proper care of those dependent upon the discharged employee.

(Signed) E. G. LIEBOLD,
Secretary to Henry Ford.

Mr. VOLSTEAD. Mr. Speaker, I yield 10 minutes to the gentleman from Wyoming [Mr. MONDELL].

Mr. MONDELL. Mr. Speaker, I shall vote for the pending resolution providing for the submission of a constitutional amendment prohibiting the manufacture and sale of intoxicating liquors for beverage purposes. In so voting I do not desire to have it understood that I have resolved all doubts as to the complete efficacy of prohibition as a cure for the monstrous evils of intemperance or as to the wisdom of attempting to enforce Nation-wide prohibition by Federal authority. Neither do I presume to venture an opinion as to what the judgment of a majority of the people whom I have the honor to represent may be when the questions involved in the proposed amendment are presented for their consideration.

This fact I do know, that a very large number of my constituents, among the very best classes of our citizenship, desire the passage of this resolution and have so informed me. Under these circumstances I consider it my duty as a Representative of these people to give my vote and influence in furtherance of the opportunity which the passage of this resolution will present to my constituents and to the people of the United States as a whole to decide by their votes in the manner provided by the Constitution whether or no the proposed amendment shall become a part of the organic law of the Nation.

Of the arguments presented in opposition to the passage of the resolution, none have impressed me less than those advanced in the name of "State rights" because of the enlargement and extension of Federal police authority which the adoption of the amendment would accomplish. In expressing this opinion I in nowise modify my views as an ardent believer in the limitation of Federal authority, and in the maintenance of the largest possible measure of State and local self-government and control. If the question presented were one of the extension of Federal jurisdiction under the present limitations of our Federal Constitution, then these arguments would be entitled to careful consideration, but it is not. What we are called upon to decide is, Does there exist among our constituents and the people of the Nation as a whole a sentiment and desire sufficiently general, earnest, active, and widespread on the subject involved in the proposed amendment to render it our duty to afford the people an opportunity in the manner provided by the Constitution to render judgment on the issue involved?

With my knowledge and information of the sentiment favorable to the submission of the proposed amendment, I have no doubt or hesitation in deciding that question in the affirmative. It is proposed to give the people of the Union an opportunity, in a constitutional way, to decide whether they desire to enlarge the power and authority and make it the duty of the Federal Government to deal with a gigantic evil, a menace of frightful proportions to the physical and moral welfare of the Nation. Gentlemen who are now eloquent and vehement, if not persuasive, in their opposition to this orderly plan of testing the national sentiment and recording the national will, quite recently approved the extension of national police authority as far and as wide for the protection of bird life as the adoption of the proposed amendment would extend it for the preservation of human life and human welfare.

Gentlemen who without constitutional warrant blithely voted to arm the Federal Government with police authority to the utmost boundaries of the Nation for the protection of the feathered denizens of the air can not consistently refuse to give the people an opportunity to pass upon the question of extending Federal authority in a constitutional manner for the protection of mankind.

I have no criticism of those who in good faith strictly construe the powers of the Federal Government under the Constitution. My own inclination is that way. I have, however, but little patience with those who, assuming the responsibility of attempting to widely extend Federal authority by statute, presume to deny the people an opportunity to extend Federal authority by constitutional mandate. Assuming the gentlemen are sincere in their attitude, the only logical conclusion is that they consider themselves more competent to determine what the Constitution ought to provide than are the people of the Nation acting in their sovereign capacity under constitutional methods.

Mr. Speaker, I vote for this resolution because I believe its adoption is desired by so considerable a number of the best people of the country as to make it our duty to submit the ques-

tions it proposes to the test of adoption provided by the framers of the Constitution. Having performed our duty, the final decision rests with the people of the States of the Nation. I for one will cheerfully await their judgment. I and my children will, I am confident, dwell in security and contentment under any constitutional provisions the American people may see fit to adopt. [Applause.]

Mr. VOLSTEAD. Mr. Speaker, I yield 10 minutes to the gentleman from Kentucky [Mr. POWERS].

Mr. POWERS. Mr. Speaker, the essential and vital part of the joint resolution now before the House reads as follows:

SECTION 1. The sale, manufacture for sale, transportation for sale, importation for sale of intoxicating liquors for beverage purposes in the United States and all territory subject to the jurisdiction thereof, and exportation for sale thereof, are forever prohibited.

SEC. 2. The Congress, or the States within their respective jurisdictions, shall have power to enforce this article by all needful legislation.

It is contended by those opposing this resolution that it is a serious and unwarranted invasion of the rights of the several States—a vital deprivation of the liberties of the individual.

They make other contentions, but for the moment let us address ourselves to these. The preamble of the Constitution of the United States sets forth its object in these words:

We the people of the United States, in order to form a more perfect union, establish justice, insure domestic tranquillity, provide for the common defense, promote the general welfare, and secure the blessings of liberty to ourselves and our posterity, do ordain and establish this Constitution for the United States of America.

Does the amendment here proposed militate against a "more perfect union"? Does it interfere with the establishment or maintenance of justice? Does it prevent in any degree "domestic tranquillity"? Does it keep us from providing for "the common defense"? Does it in any way or in any degree retard "the general welfare" of the citizens of this Republic? Does it take from us or our posterity any of the blessings of liberty vouchsafed to us by the Constitution of our country? About this there is contention; but the question of personal liberty or the blessings of liberty aside, will anyone seriously contend that the resolution before us, if passed, and its purposes embodied into law, *interfere* with in a harmful way *any* of the objects as set forth in the Constitution of the United States? Will not this resolution help wonderfully to "establish justice" by keeping the stream of justice free from the contaminating influences of liquor? Will it not help wonderfully "to establish justice" to the great army of wives, mothers, and children, who suffer most—the innocent and helpless sufferers—from the consequences of the demon drink?

Will not this resolution be a wonderfully potent factor in the establishment of "domestic tranquillity"? What is it that disturbs "domestic tranquillity" more than the drinking of 25 gallons per capita of alcoholic beverages every year, as do the people of this country?

Will not this resolution aid wonderfully "to provide for the common defense" by making us, or at least helping to make us, a virile, strong, and sober Nation? We have in this country 1,000,000 drunkards, 4,000,000 heavy drinkers, and 19,000,000 moderate regular drinkers, besides many millions more who drink more or less—sometimes more and sometimes less, but oftentimes more. The lives of 700,000 of these imbibing gentlemen—male and female—are cut short every year in payment for the privilege. Nature always exacts payment. Those who violate her laws must suffer the consequences. Will not this resolution—this amendment to the Constitution of the United States, if it becomes such—aid wonderfully to "promote the general welfare"? What is it that could aid more?

The people of the United States consumed last year 2,500,000,000 gallons of alcoholic beverages. It cost them the neat little sum of $2,000,000,000—about $1,000,000,000 more than Congress appropriates to defray the running expenses of this great Government for one whole year. I am talking now about the hard cash actually paid each year for the beverage itself—but that by no means is a true criterion of the cost; that is but a paltry part of it. The added crime, pauperism, and insanity produced by the use of alcoholic beverages in the United States cost the people of this country each year by direct taxation about $2,000,000,000 in cold cash. Taking into consideration the economic value of the 700,000 men whose lives are each year prematurely cut short by the use of alcohol and the lowered efficiency of the vast millions of other drinkers, it is estimated that it costs this country in productiveness each year about $14,000,000,000. In other words, instead of producing $32,000,000,000 of wealth each year, we ought to produce, and would produce but for the use of alcohol, $46,000,000,000 of wealth each year. But the money loss, big as it is, is but a small part of the damage done by the "Nation's curse." The loss of mere dollars and cents can be supplied by the industry of other days, but the loss in lives, in manhood, in character, in integrity, in virility, in all that which makes a nation proud and great, "when once destroyed can never be supplied."

In the speech before a jury that tried me for my life I took occasion to say of the demon drink this:

Liquor contaminates everything that it touches. It unfits you for business; it degrades your manhood, undermines your vigor, and lays waste your energies; it saps your vitality and loses for you the respect and confidence of your neighbors and friends; it breaks your mother's heart and blots out your attachments for home; it ruins your hopes and prospects for a bright and happy life; it hastens your father to a sad and immature grave; it brings tears down the cheeks of mothers and floods their hearts with misery and woe. Dearth and desolation are found in the wake of whisky's course. It covers the land with misery and crime. It will curse your existence here on earth and finally land you in hell.

Drink will take one on the road to ruin and make him a curse to the country that he calls his home and a disgrace and a dishonor to the State that he loves. It will never do to drink; it has slain too many reputations; it has brought shame and despair and misery and want to too many homes; it has been the father of too many crimes; it does not stop at the havoc and ruin of the poor, but, like a vile and slimy serpent, it crawls across the threshold of our fairest homes and leaves its desolation and ruin there. It creeps into our courts and defiles the streams of justice; it invites famine and courts disaster. It won't do to drink.

These are my sentiments still.

But those opposing the passage of the joint resolution now before the House say, "Suppose we grant you all this, still we have no constitutional right to pass this resolution and help to make it a part of the fundamental law of the land, because it interferes with the personal liberty of the individual—his right to drink when he gets ready." Besides, they say that one of the main purposes of the Constitution of the United States was "to secure the blessings of liberty to ourselves and our posterity," and that if we interfere with a man's right to make, use, or sell intoxicating beverages we interfere with the blessings of liberty vouchsafed him by our forefathers. To get before our minds clearly the terms of the resolution, I know you will pardon me if I read it once again:

SECTION 1. The sale, manufacture for sale, transportation for sale, importation for sale of intoxicating liquors for beverage purposes in the United States and all territory subject to the jurisdiction thereof, and exportation for sale thereof, are forever prohibited.

SEC. 2. The Congress, or the States within their respective jurisdictions, shall have power to enforce this article by all needful legislation.

It will be observed that this resolution deals only with the sale of liquor for beverage purposes and not its use. The question then arises, Has the citizen a constitutional right to sell intoxicating liquors or to manufacture them for sale, or to keep a saloon for the purposes of sale? If he has, then the Constitution, amended as provided for in this resolution, would deprive him of one of the "blessings of liberty"—one of his constitutional rights. Happily for us, the Supreme Court of the United States, as well as many of the highest courts in the various States of this Union, have passed on this identical question.

The Supreme Court of the State of Indiana, quoting from Sherlock *v.* Stuart (96 Mich., 193), and citing with approval Crowley *v.* Christenson (137 U. S., 86), says:

No one possesses an inalienable or constitutional right to keep a saloon for the sale of intoxicating liquor; to keep a saloon for the sale of intoxicating liquor is not a natural right to pursue an ordinary calling; there is no inherent right in a citizen to thus sell intoxicating liquors by retail; it is not a privilege of a citizen of the State or of the United States.

There is no inherent right in the citizen or the State or the United States to sell intoxicating liquors.

The Supreme Court of Illinois, in Harrison against The People, in Two hundred and twenty-second Illinois, page 150, says:

It must be conceded that the business of keeping a saloon or dramshop is one which no citizen has a natural or inherent right to pursue.

The Supreme Court of the United States, in Crowley against Christenson, One hundred and twenty-third United States, page 205. speaking of the saloon, said:

As it is a business attended with danger to the community, it may, as already said, be entirely prohibited.

The Supreme Court of Illinois, in the case of Goddard against The President, in Fifteenth Illinois, page 589, said:

It is not sufficient to say that liquors are property, and their sale is as much secured as that of any other property. Their sale for use as a common beverage and tippling is hurtful and injurious to the public morals, good order, and well-being of society. Playing cards and other gaming instruments, and obscene books, prints, and pictures are likewise property, and the same right of sale might as justly be claimed, yet no complaint is made that even the importation as well as the sale is forbidden. When we defend the sale of liquor for the purpose of tippling we surely draw our arguments from our appetites and not our reason, observation, and experience. We may carefully protect the public morals and the profligate from the evils of gaming, horse racing, cockfighting; from the obscenity of prints and pictures; from horses and exhibitions of mountebanks and ropedancers; from the offensive smell of useful trades and hogpens; from the manufacture and exhibition of fireworks and squibs; from rogues, idlers, vagabonds, and vagrants; and from dangers of pestilence, contagion, and gunpowder; yet, according to the doctrine contended for, this right to vend a slow

and sure poison as a common beverage must remain intact and not amenable to police regulations for its suppression, although all the other evils together will not destroy a tithe of the number of human lives nor produce more moral degradation, or suffering, wretchedness, and misery in the social relations of society, or pauperism, vagrancy, and crime in the political community, or pecuniary destitution of individuals and families than will the constitutionally protected right of destroying our neighbors and fellows for the selfish end of our own individual private gain. I am utterly incapable of so regarding it as above all the claims and interests of society, the peace and welfare of families, and especially above the police powers of government, and shall never be brought to acknowledge the sacredness and inviolability of its rights until I shall be able to forget all that I have seen, observed, known, and experienced of its destructiveness of all that is estimable upon earth. Viewing the great and irreparable mischief growing out of this practice, I am not prepared to say that another nuisance may not be added to the list, and that under the police powers society may find protection from its blighting curse.

Not only have courts decided over and over again that neither the individual, the State, nor the Nation has any inherent or constitutional right to manufacture for sale, import for sale, or sell intoxicating liquors for beverage purposes—and that is all the resolution now before us provides for—but they have denounced its use in unmeasured terms. As an example of this, I cite the case of Pearsons against The International Distillery, reported in Seventy-second Iowa, page 348, where the court said:

The evils flowing from intoxicating liquors arise wholly from its use as a beverage. But this use is widespread, reaching all classes of the people and both sexes and every age. No condition of life is wholly exempt therefrom. An enumeration of all the evils arising from the use of intoxicating liquors need not be attempted. They are numerous and affect the people collectively and individually. Idleness, poverty, pauperism, crime, insanity, disease, and the destruction of human life follow indulgence in the habit of using intoxicating drinks. Millions of our fellow countrymen are addicted to this habit, and of these millions become drunkards. Homes are broken up and domestic peace is destroyed by drunkenness.

The prisons, almshouses, and institutions for the care of orphanage, insanity, and affliction are largely filled by the vice. These are evils, but not all of the evils, of the alcoholic habit, affecting the social conditions of the people and their comfort and good morals. But other evils attending the use of intoxicating beverages affect the State and its government. It is the prolific source of crime, pauperism, and insanity, and thereby entails taxation to defray the expenses of the conviction and punishment of criminals and the support of almshouses, asylums, and hospitals. It deteriorates mentally and physically the human stock, rendering its victims, as well as their progeny, less capable of bearing arms in defense of their country and of discharging other duties of citizens. Soldiers are unfitted for duty by it, and thereby battles have been lost and the liberty of nations, if not lost, has been imperiled. Tradition perpetuates, if history does not fully record, the evils which have flowed from the alcohol habit of officers and soldiers in our Armies. Washington struggled with difficulties occasioned by it, and other commanders of later days have had a like experience, while patriotic soldiers have suffered on account of inebriety of officers in all branches of the military service. The appetite for strong drink, possessed by so many of our countrymen, demands constant gratification and the expenditure therefor of enormous sums of money, thus creating a business—the keeping of saloons and dramshops—in which are employed an immense number of men. Their business and their relations with the idle and dangerous classes of society give them great influence in public affairs. The municipal government of the cities, often burdened with debts and robbed by unfaithful and mercenary officers in all departments, gives evidence of the direction in which this influence is exerted. Thinking men of the day largely concur in the opinion that the influence of the saloon and the idleness and vice of the multitude of its clientage united constitute the great peril of American institutions. We think none will deny that nothing but evil flows from this source.

THE STATE RIGHTS STATESMAN.

But the State rights statesmen say that the Federal Government has no right to prevent the manufacture or sale of intoxicating beverages; that that right, if they choose to exercise it, belongs to the States; that it is wholly within the police power of the States to say whether these things shall be done or not and that the Federal Government has no constitutional warrant to interfere in this matter.

From the decisions already cited I have shown that the States have no natural or inherent right to sell intoxicating beverages, but if further proof is needed to show that the State has neither the reserved right nor the right under its police power to authorize the sale of intoxicating liquors, I want to call your attention to the case of The State against Mississippi, reported in One hundred and first United States, page 814, wherein the Supreme Court of the United States said:

No legislature can bargain away the public health or the public morals. The people themselves can not do it, much less their servants. Government is organized with a view to their preservation and can not divest itself of the power to provide for them.

The police power of the States extends only to the protection of the lives, limbs, health, comfort, and property of the citizens within the State, and not the destruction of them. In other words, the police power is a protective power and not a destructive power. Its mission is to save, not to destroy; and how can the States better save themselves or the United States Government better save itself than in the destruction of the evil of intemperance?

THE GENERAL-WELFARE CLAUSE OF THE CONSTITUTION.

And has not the Federal Government got a right to save itself? Has it not got the power under the "general-welfare" clause of the Constitution, if nowhere else, to reach out and grapple with the monster that is sapping its very foundation, seeking its utter destruction?

Has it not upon divers occasions exercised this power when its necessity was not so great as now? Has it not upon occasions more than one, answering the cry of State rights statesmen, extended a helping hand in the destruction of the boll weevil of Mississippi, Alabama, Georgia, and other sections of the South? Has it not spent already over $2,000,000 in its destruction? Did not State rights statesmen applaud the enterprise? Nothing heard about State rights then.

Every time a pesky tick straddles the back of a mangy steer in any of the barren wastes of the sunny South, has not the State rights statesman risen up in consternation and yelled to Uncle Sam for help? And has not Uncle Sam been generous in expending hundreds of thousands of dollars to eradicate the tick? No question raised about State rights then.

UNCLE SAM AND THE HOG CHOLERA.

And did not Uncle Sam only last year, by the authority of no less a body than Congress itself, appropriate in a bill, which was hastily signed by the President, $500,000 to stop the hog cholera in the Middle West? And did not the State rights statesmen of Arkansas, Iowa, Nebraska, and Missouri applaud that generous act on the part of Uncle Sam? Nothing said by them about State rights then.

UNCLE SAM AND THE HOOF-AND-MOUTH DISEASE.

And is there not a crusade now on, by no less authority than the Government of the United States itself, against the hoof-and-mouth disease, which is afflicting the cattle of our country? And has not the Secretary of Agriculture already expended over $1,000,000 in the suppression of that epidemic? And will not the United States Government be called upon to spend many millions more for the cattle already destroyed by its authority?

Is it good common sense and good State rights doctrine for the National Government to spend millions of money every year in killing boll weevils, destroying ticks, and saving sick hogs, while not a copper goes to suppress the demon drink, which is filling our prisons, despoiling our homes, and damning our children? Is it good common sense and good State rights doctrine for the Federal Government to spend millions of money in determining what to feed the horse and how to care for the cow, especially when afflicted with the hoof-and-mouth disease, while nothing is done for the hoof-and-mouth disease of millions of human beings—our own countrymen—a mouth disease that is ever recurring and that can only be assuaged by that which destroys its victim, and a foot disease that sends every year 1,000,000 drunkards and 4,000,000 heavy drinkers from neglected duties and unembraced opportunities to homes despoiled by their misdoings and dishonored by their misdeeds?

Is it good State rights doctrine and good common sense to deprive the States the right to vote on a question so vital to their welfare as the liquor question? All the proponents of the so-called Hobson resolution are asking is, that the matter be referred to the States and that they have a right to vote on the question as to whether or not the Federal Constitution shall be amended as provided in the resolution.

AMENDMENTS TO THE CONSTITUTION.

Article V of the Federal Constitution provides that Congress by a two-thirds vote can propose amendments to the Constitution, which shall become effective only when ratified by the legislatures of three-fourths of the several States. It will therefore take at least a majority vote of the legislatures of 36 States to ratify the proposed amendment. Whatever the views of the various Members of Congress as to the merits of this resolution, the States have a right to pass upon it; and to give the States that right is all that we, who favor the resolution, are asking. And those who are asking it, if not praying for it, constitute a majority of the citizenship of this country. Within the last year over 6,000,000 petitions have been sent to Congress asking for the passage of this resolution. Priest and pastor throughout the length and breadth of this land have joined hands in making this request. In the main, the Christian people of the entire country are for the passage of this resolution. The better thought of the land and country is that the Federal Government should dissolve partnership with the liquor business; that it should wash its hands of and forever divorce itself from that unholy alliance; that the revenues derived from such a source would be infinitely better for the welfare of our common country if gotten in some other way and from some other source; that their cost in money, in blighted homes—slain reputations and ruined lives, saying nothing of the long train of crime, and misery, and poverty, and want, and woe that follow in the wake of whisky's course is out of all proportion to the value of the revenues derived therefrom. [Applause.]

Mr. VOLSTEAD. Mr. Speaker, I reserve the remainder of my time.

The SPEAKER. The gentleman reserves 30 minutes.

Mr. HENRY. Mr. Speaker, with a century gone the ghost of Alexander Hamilton stalks into the House of American Representatives to reincarnate the doctrine of a consolidated Federal Government. Against the heresy of his teaching I invoke the spirit of Thomas Jefferson, the immortal Democrat. Gentlemen have undertaken to brush aside the principle of State rights and State sovereignty and have addressed themselves solely to the question of the baneful effects of alcohol and the evils of intemperance. I am not willing for the issue thus formed to be the test.

The time has come for plain speech, and I hesitate not in calling upon my brethren of the Democratic faith to pause and take their bearings. This assault on the integrity of State supremacy and local self-government is now at high tide, and from this day forth will wane and perish. The time has come when we as Representatives should stand and defend the rights of the States and the reserved sovereignty of our people.

I challenge the Hobson amendment and arraign its purport and intent as unsound, ruinous, and utterly impracticable, if proposed and ratified.

Nation-wide prohibition would be an empty and idle dream, would undermine State government and debauch the wise doctrine of State sovereignty. Hence, for these reasons, I unhesitatingly attack it and undertake to show that it is indefensible from every standpoint and should to-day have promptly administered to it by this House of liberty-loving Americans the just sentence of death.

While invoking the spirit of Thomas Jefferson, permit me to read a line from his first inaugural address. In stating the general principles of government, amongst them he enumerated the cardinal one as of greatest importance, to wit, the sovereignty and supremacy of State governments in all their rights. He said:

> The support of the State governments in all their rights as the most competent administrators for our domestic concerns and the surest bulwarks against antirepublican tendencies—

is the test of genuine Democracy.

That was sound Democracy when our party sprang into being almost with the birth of the Constitution. It is as sound and important to-day as it was when republican institutions came to bless mankind.

Allow me to read from a distinguished Democrat of this generation who has linked his political life with that of Thomas Jefferson. He said:

> The States are even more needed than they formerly were for the administration of domestic affairs. As a matter of theory that government is best which is nearest the people. If there is any soundness at all in the doctrine of self-government, the people can act most intelligently upon matters with which they are most familiar.

And again, a little later on, this same great Democrat reiterated the principle as follows:

> One of Jefferson's reasons for supporting State governments in all their rights was that they were the surest bulwark against antirepublican tendencies. These antirepublican tendencies exist to-day, and the bulwark can not be dispensed with. * * * A systematic absorption of power by the Federal Government would not only cause discontent and weaken the attachment of the people for the Government, but a withdrawal of power from the State would breed indifference to public affairs—the forerunner of despotism. * * * *The demand for the enlargement of the Federal Government comes from two sources, viz, from those who believe with Hamilton in the theory of centralization and from those who want legislation which the State-rights doctrine obstructs.*

In supreme thought and plain speech William J. Bryan took his stand and fights by the side of the greatest constructive Democrat the world has yet known.

The people of this Republic are not ready to abandon their right to control domestic concerns, and Representatives need not deceive themselves under the spell of this national prohibition impulse. Let me say to my colleagues this day that we are now asked to reverse the course which led us to pass the Webb bill. We all recall that a little more than one year ago the adherents of temperance and prohibition came to Congress and urged that the question of dealing with liquor was purely a local one for the States and had no place in the domain of Federal jurisdiction. They proceeded to the Judiciary Committee and said this problem was one of the sovereign power of the States, and that the Federal Government should loosen its grasp and touch no aspect of it. That committee reported the Webb bill, and then the Committee on Rules were besought for a special rule for the consideration of that measure. The Committee on Rules was evenly balanced, and as chairman it was my proud privilege to cast the deciding vote in favor of the rule to bring before the House for consideration this legislation so near the hearts and prayers of the temperance advocates. They stoutly contended that the Webb bill should be passed, because the question of dealing with liquor was one for State control from every conceivable angle. We heeded their demands, and in a few brief months here they come and importune us to reverse our course, stultify our judgment, and take away the last vestige of State control over the liquor traffic. For 20 years they had stood in the storm of contest and controversy and proclaimed that this question belonged to the States, and that Congress would be guilty of a denial of justice not to remand it to that forum for settlement. We should not forget it; and I predict when the American people thoroughly understand the issue they will stay the hands of those who, like iconoclasts, would destroy State sovereignty and resurrect the terrible doctrine of a consolidated Federal Government at the National Capital. Away with the heresy! I fear not to defy it and go forth to the American people of every State and invoke their verdict and judgment when the rights of the States are thus on trial.

The people were not willing to surrender this power when the Government was formed in 1789. They will not agree to surrender it to-day, and, furthermore, the American people never will surrender their right to control domestic concerns and to retain their unsurrendered police powers. [Applause.]

Permit me to quote what was said before a committee of Congress. This is from the head and front of those who advocated the Webb State-rights legislation. The Rev. Dr. Edwin C. Dinwiddie and those agreeing with him come to-day and demand that we face about, strike a death blow to the inherent powers of the people, and transfer them to the National Capital. His exact language is as follows:

> We are asking for no more than is fair and right under the constitutional powers of Congress when we ask that Congress shall so legislate upon the subject as that *the States will have complete jurisdiction over the subject within their own borders.*

Their fight culminated in victory, and we remanded the subject of controlling intoxicating liquors to the exclusive jurisdiction of the respective States. There it should remain as long as we love republican institutions and individual rights.

It is edifying to further quote from the Rev. Dr. Edwin C. Dinwiddie, who emphasized, iterated, and reiterated his position when appealing to a committee of Congress for State-rights legislation. He proceeds:

> I need not emphasize before this committee the value to the States of what are commonly termed their police powers. They are vital to their prosperity and integrity * * *. All of these cases cited by me go to show the absolute necessity for the exercise of this power by the States.

And he continues, quoting from the opinion of the Supreme Court and cordially approving it:

> The reserve power of the States to guard the health, morals, and safety of their people is more vital to the existence of society than their power in respect to trade and commerce, having no possible connection with those subjects.

And finally, with great emphasis, he quotes Mr. Justice Gray to this effect:

> *The police power is inherent in the States, reserved to them by the Constitution, and necessary to their existence as organized governments.*

And the reverend doctor caps the climax by indorsing this further language of the decision:

> The power of regulating or prohibiting the manufacture and sale of intoxicating liquors appropriately belongs, as a branch of the police power, to the legislatures of the several States and can be judiciously and effectively exercised by them alone, according to their views of public policy and local needs, and can not practically, if it can constitutionally, be wielded by Congress as part of a national and uniform system.

And in closing his contentions he puts his stamp of approval on the State rights doctrine, the wisdom and propriety of the policy, in this strong language:

> I have adverted to the police powers of the States, and in the extracts from the foregoing judicial opinions have sought to emphasize their importance at this juncture, because it is important to bear in mind that these powers are vitally necessary to the integrity of civil government and to show that they are best exercised by the States themselves. *In fact, under our system of Government they can be exercised by no other authority. * * * The reason for this is that we believe that the States, which know their conditions and their needs and are best able to provide for the safety, health, and morals of their people, ought to have absolute and untrammeled control of this subject matter, and it is due from Congress to cooperate to that end and thus furnish what Mr. Justice Johnson called, in his concurrent opinion in the Gibbons v. Ogden case, "a frank and candid cooperation for the general good."*

So, Mr. Speaker, if Dr. Dinwiddie and his adherents were right in their demand for the Webb law, which remanded this question to the exclusive jurisdiction of the States, all the logic and refinement of reasoning ever advanced by man can not justify their position taken here this day in favor of the Hobson national prohibition amendment.

AS DEMOCRATS OUR DUTY DEMANDS ADHERENCE TO STATE SOVEREIGNTY.

Mr. Speaker, here is a book entitled "The Republic of Republics," written by B. J. Sage, Esq., a great lawyer of the New Orleans bar. No living human being can read this volume and successfully challenge his defense of State rights and State sovereignty. It should convert every intellect reading it with honest intent.

When the Constitution was handed down from Philadelphia to the respective States in their conventions for ratification, the States halted before passing their ordinances ratifying the same. Thomas Jefferson from across the sea had said, "You have not sufficiently guarded the States in their rights and have not preserved their sovereignty." Gov. Hancock, of Massachusetts, suggested to Samuel Adams, a signer of the Declaration of Independence, that something in the nature of the first 10 amendments should be agreed to before the Constitution was ratified by the States. In pursuance with these suggestions, the amendments were proposed which were subsequently acquiesced in by all the States. So fearful were our fathers that State rights and State sovereignty were not preserved in the original Constitution, it was with the utmost difficulty that the friends of that instrument saved it from defeat. Washington, Hamilton, Madison, Wilson, Dickinson, Coxe, Sherman, Ellsworth, Adams, Ames, Parsons, Patterson, Livingston, Pendleton, John Marshall, and many others answered the objections by asserting and proving the absolute sovereignty of the States and the vicarious and subordinate character of the Federal Government. With strong arguments for the Constitution from these great men, the Federal system barely escaped disastrous defeat in the larger States. Massachusetts in her convention ratified the Constitution by a majority of only 19 in a convention of 355 members; New Hampshire, by 11 out of 103; New York, by a majority of only 3 in 57; and Virginia, by a scant majority of 10 amongst 168 delegates. North Carolina, now the home of the distinguished chairman of the Judiciary Committee [Mr. WEBB], and Rhode Island rejected the Constitution by overwhelming majorities, because they did not believe State rights and State sovereignty had been safeguarded in the Constitution. Indeed, many historians of that day think that a vast majority of the people of the respective States would have rejected the Constitution on the ground that it encroached too much on the rights of the people if it had been submitted to a popular vote.

On May 10, 1789, the governor and council of North Carolina addressed congratulations to Washington, who had been elected President, and still refused to come into the Union. On June 19, 1789, Washington replied to their congratulatory communication and urged that they enter the sisterhood of States. At a later date North Carolina came into the Union after the 10 amendments had been proposed and ratified. However, she reserved her rights as a sovereign State.

And Massachusetts, tardy in agreement, in specific and strong language, laid down a principle for other States to follow, to wit:

That the people of this Commonwealth have the sole and exclusive right of governing themselves as a free, sovereign, and independent State.

This was the principle cherished and laid down by our fathers at the beginning of this Government. For more than a hundred years we have loved that doctrine, and I am not willing this day to fling it to the winds to gratify those who believe in national prohibition and are ready to sacrifice the most sacred principles of Government ever held by man since the dawn of history began. Our ancestry inherited and reestablished State sovereignty. We have cherished it from the beginning of our Government, and when the sober second thought comes upon the American people they will renew their allegiance to that faith, and national prohibition amendments and all such doctrines must perish from their consideration.

Several of the original thirteen States, by specific and unequivocal language in their constitutional conventions, stated their position. Permit me to illustrate their course by using the words of the most populous State in the Union of this day and one of the greatest at that time. New York in her ordinance ratifying the Constitution asserted:

That the powers of government may be REASSUMED by the people whensoever it shall become necessary to their happiness; that every power, jurisdiction, and right which is not by the said Constitution clearly delegated to the Congress of the United States, or the departments of the Government thereof, remains to the people of the several States, or to their respective State governments, to whom they may have granted the same; and that those clauses in the said Constitution which declare that Congress shall not have or exercise certain powers do not imply that Congress is entitled to any powers not given by the said Constitution, but such clauses are to be construed either as exceptions to certain specified powers or as inserted for greater caution.

And Virginia followed in her wake by using this language:

That the power granted under the Constitution, being derived from the people of the United States, may be RESUMED by them whenever the same shall be perverted to their injury or oppression.

And the State of New Hampshire said in her constitution:

That her people have the right, whenever they deem it necessary to prevent the ends of government from being perverted or to preserve public liberty, to reframe the old or establish a new Government.

If these reservations had not been made by the ratification of the first 10 amendments and secured by ordinances as the various States ratified the Constitution, the States would not have entered the Union, and if they had been violated in that early day the States would have walked out with a unanimity that would have testified to their irrevocable allegiance to State sovereignty.

We may well raise the question here for our deep concern and consideration as to whether we now have the power to rob the States and the people therein of their supreme sovereignty and inalienable rights by such an amendment as this, *unless there is unanimous agreement amongst every State of the Union.* However, aside from any constitutional or legal points here involved, I am not willing, as a matter of policy, to take these reserved rights away from the people of my State or any other State in the Union. It was not contemplated when the thirteen States entered into a solemn compact and assumed contractual obligations toward one another. *It was not good faith in that day to rob the States of their rights, and it is not good faith to urge that three-fourths of the States shall take away the reserved powers and sovereignty of the States constituting this Republic.*

So, Mr. Speaker, let us turn our faces to the future, highly resolved that we will stand by the ancient landmarks of democracy, the Constitution of our fathers, and the traditions that have made us great, and that will yet bring us greater progress, prosperity, and happiness.

One of my colleagues speaks of what he desires for Texas. Permit me to remind this House that thrice Texas has voted on the prohibition question, and has entered her decree against it. Permit me to state that in Texas we are not ready for the State of Wyoming to say to the people of Texas that they shall assist in framing our domestic law and how we shall exercise our police jurisdiction. Nor do we wish to say to Wyoming that she shall enact certain domestic laws and direct her police powers along certain lines.

If you reverse the proposition contained in this amendment and urge that we shall vote for an amendment providing antiprohibition in every State of the Union, I am not willing to accept this converse of the Hobson amendment. It would not appeal to me if I knew that every State in the Union would ratify it, because I wish to leave States free to act for themselves.

The gentleman from Illinois [Mr. MANN] made a great argument this afternoon, and I quite agree with him that when you take their right away from the States, when you remove the Government far from the people, a Nation-wide prohibition law would become a farce. [Applause.]

Mr. Speaker, gentlemen have allowed the dogma of national prohibition to stampede them. Love of my State will prevent me giving my consent to a constitutional amendment which would authorize sending Federal officers, spies, satraps, and intermeddlers into every home throughout Texas. I am against it. On the eternal principles of Democracy I stand with Thomas Jefferson, with Andrew Jackson, with Jefferson Davis, with William J. Bryan, and with that great Democrat in the White House to-day, Woodrow Wilson. [Applause.] The President has written a letter against Nation-wide prohibition, and yields his allegiance to the doctrine of State rights. His letter inveighs against State prohibition and advocates the integrity of States and localities. In the early nineties Mr. Bryan voted against State-wide prohibition in Nebraska, and in 1908, by interview for the benefit of the American people, said he was against Nation-wide prohibition. In that statement he hugged to his bosom the cherished doctrines of Jefferson, defining the meaning of local self-government and the right of the people to rule in every locality.

I am against State-wide prohibition and Nation-wide prohibition, and am not willing to stab the vitals of our Republican institutions and turn over the destinies of a hundred millions of people to Federal officials sent out from Washington.

If you were to propose this amendment to the various States, I would vote against it, because, aside from any constitutional question or any legal proposition involved, my belief is the people can control their affairs in each State better than they can be administered from Washington.

After a while some one will propose a constitutional amendment against the separate-coach laws in the various States. They will seek an amendment providing that certain States shall not have separate schools and churches and graveyards, and that the races shall not be separated socially, and that there shall be no State laws against the intermarriage of the races. Next it will be proposed that there shall be a national constitutional amendment to blot out the red-light districts in the cities throughout the land. All these things should remain in the grasp of the people of the States subject to their will and control.

Mr. Speaker, before "proposing" this amendment we must first determine in our representative capacity that it is "necessary," as provided by the express language of the Constitution, in Article V, specifying how amendments may be secured. We have been told that we should vote to submit the proposed amendment to the people, whether we favor it or not; that we should refer it to the people and give them a chance to vote on it; that the people have the right to amend the Constitution; and that propositions to amend it should be referred to them for such action as they may choose to take. But the Constitution prescribes how it may be amended, and it can be done in no other way; and it provides, not for submitting amendments to the people, but for "proposing" them to the legislatures of the several States or to conventions in the several States for ratification. They may be proposed by Congress or by a convention called by Congress upon the application of the legislatures of two-thirds of the States. But the Constitution does not provide for their submission to a vote of the people. And we have been told that we should vote for it to let the States act upon it and exercise their sovereign right to amend the Constitution.

There are two methods provided in the Constitution for proposing amendments to it—one by Congress whenever two-thirds of both Houses deem it "necessary," the other by a convention which shall be called for that purpose upon the application of two-thirds of the States. It is not necessary for Congress to propose in order to give the people of the States the opportunity to amend. The Constitution authorizes not the submission but the "proposing" of amendments by Congress, and then only when two-thirds of both Houses deem it "necessary."

THE POLICE POWER.

Mr. Speaker, from the beginning of our Government to the present day the police power of the State has been absolute in its control of the liquor question.

Judge Cooley, in speaking of the police power of the States, says:

> The police power of a State, in a comprehensive sense, embraces its whole system of internal regulation by which the State seeks not only to preserve the public order and to prevent offenses against the State, but also to establish for the intercourse of citizens with citizens those rules of good manners and good neighborhood which are calculated to prevent a conflict of rights and to insure to each the uninterrupted enjoyment of his own, so far as is reasonably consistent with a like enjoyment of rights by others.

From the inception of our Government to the present day the regulation of the liquor traffic has been one of the conceded police powers of the various States of the Union. In every case before the Supreme Court of the United States in which any question of the regulation of the liquor traffic has been under consideration there has been reiteration by the court of this doctrine. It has never been denied, but always conceded, and the reasons for the rule have never been questioned.

For more than 20 years all proposed legislation in Congress intending to restrict the liquor traffic has been urged *upon the single principle that the several States of the Union should be supreme in their control of the liquor traffic.* In the License Cases it was urged that liquor shipped in interstate commerce should not be beyond the police powers of the State by reason of their interstate commerce character. From *the date of the passage of the so-called Wilson Act* (August 8, 1890) *it has been consistently argued by the temperance advocates with great force and effect at every session of Congress that the absolute control of the liquor question should be left to the police powers of the State.*

Tiedeman, in his treatise on "States and Federal Control of Persons and Property in the United States," in discussing the tenth amendment to the Constitution of the United States and the police powers of the United States, uses this language:

> In all ordinary cases of police powers the meaning and legal effect of the tenth amendment is clear, viz, that unless the exercise of a particular police power is granted to the United States Government, expressly or by necessary implication, the power resides in the State government, and may be exercised by it unless the State constitution prohibits its exercise. *It may, therefore, be stated as a general proposition that with a few exceptions, which are mentioned in the succeeding sections, the police power in the United States is located in the States.* The State is intrusted with the duty of enacting and maintaining all those internal regulations *which are necessary for the preservation and the prevention of injury to the rights of others.*

A very recent statement that the liquor question belongs to the States was made by Gov. Simeon E. Baldwin, of Connecticut, former professor of law at Yale College, chief justice of the Connecticut Supreme Court, and president of the American Bar Association, in a letter dated October 12, 1914, addressed to Mr. J. H. Mansfield, chairman of the temperance and citizenship committee of the New Haven Christian Endeavor Union. Mr. Mansfield asked the governor whether, if elected to the Senate of the United States, he would support the Hobson prohibition resolution. He replied:

> The prohibition of the manufacture or sale of intoxicating liquors within its borders is within the authority of every State. For that no constitutional amendment is necessary. BUT A CONSTITUTIONAL AMENDMENT TO GIVE THE SAME POWER TO THE UNITED STATES WOULD SERIOUSLY DISTURB THE BALANCE BETWEEN THE STATE AND THE NATION.
>
> It would transfer an important function of the State to the Federal Government.
>
> IT WOULD TAKE AWAY A PART OF THE STATE'S SOVEREIGNTY OVER HER CITIZENS.
>
> IT WOULD TEND STRONGLY TOWARD REPLACING OUR CONSTITUTIONAL SCHEME BY ANOTHER MORE LIKE THAT OF GERMANY OR CANADA OR AUSTRIA-HUNGARY.
>
> It would fortify the national sovereignty AS AGAINST THE SOVEREIGNTY OF THE PEOPLE OF THE SEVERAL STATES. It would, so far forth, centralize political power.
>
> IT WOULD BE UNWISE TO FORCE UPON ANY STATE BY A NATION-WIDE PROHIBITORY LAW A POLICY WHICH IT MAY DISAPPROVE BECAUSE DEEMING IT UNSUITED TO ITS PARTICULAR CIRCUMSTANCES AND CONDITIONS.

WHAT A MINORITY OF POPULATION MAY DO FOR A MAJORITY, AND WHAT 12 STATES MUST SUBMIT TO IN SUCH EVENTS.

There are 12 States which could not prevent the ratification of an amendment to the Constitution if submitted by Congress: Massachusetts, New York, New Jersey, Pennsylvania, Ohio, Indiana, Michigan, Missouri, Illinois, Kentucky, Texas, and California.

These facts are interesting:

Population United States, 1910.	
Total for United States	91,972,266
Twelve States	50,556,065
Presidential vote, 1912.	
United States	15,039,300
Twelve States	9,253,230
House of Representatives.	
Whole number of Representatives	435
From 12 States	238
From 36 States	197
School census, 1910.	
Attending public school in United States	17,646,877
Attending public school in 12 States	9,351,897
All farm property, 1910.	
United States	$40,991,449,090
Twelve States	18,552,127,444

* * * * * * *

MUST THE RIGHTS OF STATES BE EFFACED? IS REGARD FOR STATE SOVEREIGNTY GONE?

Mr. Speaker, the joint resolution proposes a complete departure from our accepted theories of government. Its adoption will inaugurate an agitation Nation wide which will obscure and push to the background important policies and retard the enactment of legislation and reforms awaiting solution by Congress. It will be made an absorbing issue in the legislatures of the 48 States. Not one of these States is denied the power to prohibit within its borders the manufacture, sale, or use of alcoholic beverages, and provision is made for local option in each subdivision of the States. The machinery is at hand to express the wish of the people in the smallest political unit in each State. Under the laws of these States, each one desiring prohibition can have it if the majority of the people so decree.

The ample provision made by the States to provide an expression of opinion by the people on this subject, its adoption by some, its rejection by others, leads to the irresistible conclusion that the object of the present resolution is to force upon States opposed to prohibition something they do not want.

It means that Texas will be called upon to interfere in the domestic affairs of North Dakota, of New York, of California, States and peoples with whom Texas has but little acquaintance.

It introduces into our national life a police regulation which we have heretofore wisely left to the determination of the individual State. If successful, it will force upon communities and people things they do not want, and do it in the most obnoxious way.

The United States has a population of 100,000,000, and is divided into 48 States. Climatic conditions, occupations, manner of living, economic, social, religious, and educational affairs are diversified. We have drawn our people from the great nations of the earth and the national melting pot has not yet proved entirely effective, as we observe from the racial prejudices aroused by the world tragedy now being enacted in Europe. We have but recently witnessed the disastrous effect of the attempt to fasten upon some unhappy people the domination of

a foreign Government. In lesser degree this resolution proposed to do the same thing in the United States, to force upon certain communities things they do not desire and take from them the power to regulate their personal affairs. The Anglo-Saxon can not rule the Teuton nor the Teuton the Latin. Why should a representative from the State of Texas, the southernmost border of the Republic, attempt to dictate to a citizen of Illinois, who is not related by association, by environment, by habits of life, or political point of view? It was not intended by the forefathers that Virginia should control the internal affairs or police regulations of Massachusetts or that Massachusetts should dictate to the Old Dominion the conduct of her citizens in the smaller matters of what her people should eat or drink or wear.

Mr. Speaker, there should be no misapprehension of the object of this law; it intends, and its advocates desire, that it should force upon many States conditions and laws they do not wish.

In my own State of Texas thrice by direct vote of all the people State-wide prohibition was defeated. So this is an attempt to have the Congress give us something we have again and again decided we do not want.

We can trust the enlightened electorate of each State to pass all necessary laws for their domestic control.

Why not establish a national police force for our great cities? Why not have police judges appointed by the President? Do we want the United States marshals entering our homes to search for and seize a bottle of whisky?

Shall we crowd the United States courts with cases against men selling or drinking alcoholic beverages?

It will require an army of marshals and a brigade of new judges to enforce national prohibition.

It will raise vexing questions of authority and jurisdiction between the Federal and State Governments.

Shall the Federal Government next be asked to take national control of our insane wards, of our blind, or deaf, or other eleemosynary institutions, or the red-light districts?

If the Federal Government is called to regulate, to correct, or punish the petty vices of our citizens, why not abolish all State governments, destroy State boundaries, and let Congress make the laws for all the States? When that times comes, we take the first step in the substitution of a monarchy for a republic. Hamilton's consolidated government will be realized.

A national force bill providing for the supervision of State elections by United States marshals was at one time proposed to this Congress. This force bill was identical in theory with the bill now under discussion. It was an attempt of the Federal Government to interfere with the sovereign power of the State, and its defeat was brought about by an outraged public sentiment coming from both North and South.

WHAT ANDREW JACKSON THOUGHT.

Jackson was right when he said:

In the domestic policy of this Government there are two objects which especially deserve the attention of the people and their Representatives, and which have been and will continue to be the subjects of my increasing solicitude. They are the preservation of the rights of the several States and the integrity of the Union.

* * * * * * *

My experience in public concerns and the observation of a life somewhat advanced confirm the opinion long since imbibed by me that the destruction of our State governments or the annihilation of their control over the local concerns of the people would lead directly to revolution and anarchy and finally to despotism and military domination. In proportion, therefore, as a general government encroaches upon the rights of the States, in the same proportion does it impair its own power and detract from its ability to fulfill the purposes of its creation.

Mr. Speaker, what would this old soldier have said if it had been proposed in his time that the Federal Government should go into the small business of regulating saloons and placing Federal officials throughout the various States in the business of spying out the petty vices of men, a gigantic Federal secret service with a hundred thousand inquisitive eyes looking into the private dwellings of men to prevent the use of proscribed beverages?

National prohibition means a Federal police force to enforce prohibition. The logic can not be escaped.

New York City alone requires 7,000 policemen. How many Federal policemen will it require to enforce national prohibition? It will require more men than our present standing Army, and will place in the hands of the Federal Government a vast political power that, when improperly used, can control elections and return to office the men decided upon by the appointing power.

Such interference in the personal affairs of men is resented even when undertaken by a State government. When force is attempted by nonresidents of a State it will breed riot and rebellion.

JEFFERSON STATES THE QUINTESSENCE OF DEMOCRATIC FAITH.

Jefferson said:

Our country is too large to have all its affairs directed by a single government. Public servants at such a distance and from under the eyes of their constituents must from the circumstance of distance be unable to administer and overlook all the details necessary for the good government of the citizens, and the same circumstance, by rendering detection impossible to their constituents, will invite the public agents to corruption, plunder, and waste.

Again he said:

It is not by the consolidation or centralization of powers, but by their distribution that good government is effected. Were not this great country already divided into States, that division must be made that each might do for itself what concerns itself directly and what it can so much better do than a distant authority.

Again he asserted:

When all government, domestic and foreign, in little as in great things, shall be drawn to Washington as the center of all power, it will render powerless the checks provided of one government on another and will become as venal and oppressive as the government from which we separated.

Is there such danger from intemperance that we should take from the State its control and lodge that power in Washington? Have we such little confidence in the morality, the statecraft of our various governors and legislatures, that we must say to them, "You are incompetent; you are derelict; you are unfit to handle your own affairs in the matter of drinking or not drinking; you can not be trusted with this discretion"?

Shall Representatives be called upon to pass laws essentially of State effect, or shall we trust the members of the legislatures to do the work they have done ever since the foundation of our Government?

Mr. Speaker, there are certain powers that are wisely delegated to the Federal Government and other powers reserved for the States.

WOODROW WILSON IN MODERN DAYS LINKS HIS WORDS TO DEMOCRATIC JEFFERSONIAN FAITH.

If there is one question purely local, it is the prohibition question, as President Wilson wrote about two years ago:

I am in favor of local option. I am a thorough believer in local self-government, and believe that every self-governing community which constitutes a social unit should have the right to control the matter of the regulation or withholding of licenses. But the questions involved are social and moral, and are not susceptible of being made parts of a party program. Whenever they have been made the subject matter of party contests they have cut the lines of party organization and party action athwart to the utter confusion of political action in every other field. They have thrown every other question, however important, into the background, and have made constructive party action impossible for long years together.

Is it expedient at this time to inject a new subject not only for national discussion but to force each State to undertake the discussion of a matter that it may have settled to its entire satisfaction?

What right has a Representative from Texas to insist that the State of Missouri, which settled the question of prohibition by a direct vote of its people, shall again take up the matter in its legislature and go over again a bitter and wasteful controversy which it has settled?

Most of our States now refuse to consider the State as a unit on this subject, and have provided a means of expression, not as one unit, but as many, leaving the county or the town to decide as public opinion in the county or the town may dictate. We are asked for a law that will be binding upon 48 States and affecting 100,000,000 people which 75,000,000 may not approve.

The enforcement of prohibition must and should primarily rest upon the public opinion of a small community, first of the town, then of the county, and then the State. We are now asked to ignore this community sentiment and pass a national law that will undoubtedly violate this sentiment in many parts of the Nation.

Mr. Speaker, it is stated that, even in States where a majority of voters favor State-wide prohibition, it is impossible to enforce the law in a community where it is not supported by public sentiment. The attempt to enforce Nation-wide prohibition when it is opposed by entire States would be impossible, even with an army of Federal spies. It will engender the most hostile feeling between different sections of our country, will destroy patriotism, encourage corruption, establish anarchy.

JAMES STEPHEN HOGG FOR JEFFERSONIAN DOCTRINE.

Gov. Hogg, of my State, in 1887, said of prohibition:

Aside from the great fundamental principle involved, which touches the very heart of a freeman's Government, I should oppose the proposed measure on the gound of its utter impracticability and of the prolific evil that would certainly flow from its adoption. The objects of its advocates are commendable in so far as they intend to abate intemperance and to reform the morals of the wicked people. Such results are not possible, however, from prohibition or any species of coercion. Morality, sobriety, and religion spring from a different source than brute force or the lash of the law. Men can not be made moral, forced into temperance, or whipped into religion.

There are millions of citizens who agree with the governor. Can it be expected that they will peacefully acquiesce in a Nation-wide law unsupported by their own or their neighbor's convictions?

This matter falls wholly within the sphere of State government.

A united sentiment gives strength; a divided sentiment brings weakness. Surely you must admit that there is a divided sentiment on this subject.

The American citizen can be persuaded; he can be moved by patriotism and appeals to justice; he can not be coerced. The passage of this law means the application of coercion to millions who will not obey.

THE KNIGHTLY AND BRILLIANT TEXAN, ROGER Q. MILLS, ANNOUNCES TRUE THEORY.

Mr. Speaker, Roger Q. Mills, an ornament to this House, a close observer, a great statesman, said, speaking of prohibition:

It is wrapped in the livery of heaven, but it comes to serve the devil. It comes to regulate by law our appetites and our daily lives. It comes to tear down liberty and build up fanaticism and intolerance. It comes to confiscate by a legislative decree the prosperity of many of our fellow citizens. It comes to send spies, detectives, and informers into our houses; to have us arrested and carried before courts and condemned to fines and imprisonment. It comes to dissipate the sunlight of happiness, peace, and prosperity in which we are now living and to fill our land with alienations, estrangements, and bitterness.

HAMILTON THE CENTRALIZER.

Alexander Hamilton favored a strong, centralized government, but not one that would interfere with matters of personal liberty, which are considered matters of State sovereignty. He said:

The State governments possess inherent advantages which will ever give them an influence and ascendency over the National Government and will forever preclude the possibility of Federal encroachments. That their liberties, indeed, can be subverted by the Federal head is repugnant to every rule of political calculation.

JEFFERSON UNANSWERABLE.

If the State did not have at this time ample power to deal with this subject in all its phases, there might be some excuse for this enactment. Thomas Jefferson stated the undefiled principles of Democracy when he said:

The States should be left to do whatever acts they can do as well as the Federal Government.

Again:

I believe the States can best govern our home concerns.

Again:

To the State governments are reserved all legislation and administration in affairs which concern their own citizens only.

Again:

Interior government is what each State should keep to itself.

Mr. Speaker, we must return to these glorious democratic doctrines. While there is in the Constitution of the United States itself no express limitation of the power to amend, there are certain things reserved, not in express language, but clearly shown by the intent of the promoters of the Constitution and evidenced by the constitutional debates and discussions of that period. The right to control the electorate and the machinery of election is one of these. They expressly reserved them in their State conventions called for ratifying the Constitution. Another is the reservation to the States of the proper exercise of the police power under which a prohibition law will come. The States never dreamed of surrendering these powers when entering into contractual relations to establish the Constitution.

It was not intended that the State of Kansas should have the right to force prohibition on Texas, but the right was reserved for Kansas to do this for Kansas if it so desired. If three-fourths of the States of the Union wish to adopt the policy of prohibition, they have the unquestioned right to do so within their respective jurisdictions, but the sovereign States never surrendered in principle the right to control this function of government for themselves.

A large majority of the population of the United States resides in 12 States, who license the sale of liquor. If this law is enacted, the prohibitionist would concentrate his efforts upon the legislatures of the smallest States and seek to achieve a three-fourths majority, although this three-fourths of these small States would represent but a small minority of our entire population.

The wishes of the 12 or 15 States where the sentiment is overwhelmingly against prohibition will not be consulted. The matter will not be discussed as useless and destined to overwhelming defeat. The plan of the prohibitionist will be to entirely ignore the wishes of these States and, without consultation, force upon them laws and customs which are totally repugnant. This would abrogate the compact by which the Union was formed. This means destruction of State sovereignty and the introduction of Federal coercion by a roundabout method of the minority over the majority.

Gentlemen who advocate this law should be advised to give heed to the statement of the great English Baptist preacher, Charles H. Spurgeon, who said:

Your Sunday bills, or all forms of act-of-Parliament religion, seem to me to be all wrong. Give us a fair field and no care and our faith has no cause to fear. Christ wants no help from Cæsar. I should be afraid to borrow help from the Government. It would look to me as if I rested on an arm of flesh instead of depending on the living God.

Where prohibition has been attempted in a State of large territory, and was favored by one portion of the State and opposed by another, it has been defied and disregarded.

Illegal sale has taken the place of the regulated sale.

Mr. Speaker, the consent of even small communities to the enforcement of a local-option law does not necessarily indicate that these same people favor a national law, for, while believing that in their especial community local prohibition is beneficial, they may not believe, and probably do not believe, that in other portions of the United States it would have the same beneficent effect.

Some States have adopted State-wide prohibition and, after experimenting, have repealed the laws.

Once national prohibition is put into effect it would take a half century of litigation, agitation, unrest, and dissatisfaction to bring about repeal. This, however, can quickly be done by the individual State.

The liquor question is a local one and should be controlled by local rule, not by Federal law. If a Federal rule on this question is desirable, then there are other Federal rules equally desirable.

It is believed by many that the use of tobacco is injurious to the brain and interferes with the functions of the heart; that it is wasteful and serves no useful purpose. If the Federal Government prohibits the use of alcoholic beverages, it can with equal propriety be called upon to prohibit the use of tobacco, the use of playing cards, to prohibit certain games and recreations.

LINCOLN'S VIEW.

Let me quote Abraham Lincoln on this subject:

Prohibition will work great injury to the cause of temperance. It is a species of intemperance within itself, for it goes beyond the bounds of reason, in that it attempts to control a man's appetite by legislation and makes crime out of things that are not crimes. A prohibition law strikes a blow at the very principles on which our Government was founded.

THE VERY SOUL OF TRUE DEMOCRACY AND STATE RIGHTS REECHOES THOMAS JEFFERSON.

Jefferson Davis said:

When our fathers achieved their independence, the corner stone of the Government they constructed was individual liberty, and the social organizations they established were not for the surrender, but for the protection, of natural rights. For this governments were established, deriving their just powers from the consent of the governed. This was not to subject themselves to the will of the majority, as appears from the fact that each community inserted in its fundamental law a bill of rights to guard the inalienable privileges of the individual.

There was, then, a twofold purpose in government—protection and prevention against trespass by the strong upon the weak, the many on the few.

The world has long suffered from the oppressions of the government under the pretext of ruling by divine right and excusing the invasion into private and domestic affairs on the plea of paternal care for the morals and good order of the people.

Our sires rejected all such pretensions, their system being government by the people, for the people, and resting on the basis of natural, inalienable rights. Upon the basis of these general propositions I will briefly answer the inquiry in regard to the prohibition amendment at issue:

"Be ye temperate in all things," was a wise injunction and would apply to intolerance as well as to drunkenness. That the intemperate use of intoxicating liquors is an evil, few, if any, would deny. That it is the root of many social disorders is conceded; but then the question arises, What is the appropriate remedy and what the present necessity? To destroy individual liberty and moral responsibility would be to eradicate one evil by the substitution of another, which, it is submitted, would be more fatal than that for which it was offered as a remedy. The abuse and not the use of stimulants, it must be confessed, is the evil to be remedied. * * *

Mr. Speaker, we must take note of the far-reaching effects of this amendment. National prohibition will destroy $515,000,000 invested in the brewing business and $772,000,000 invested in the distilling business, making the enormous total of $1,287,000,000. It will, in addition, throw out of employment an army of men and women. It will make vacant many thousand houses. It will destroy an annual market for farm products of $200,000,000.

Mr. Speaker, these are but a few of the practical effects of the adoption of this resolution that should at least be considered. But these are not comparable in their harmful influence with the infringement of personal liberty, the destruction of State rights, and the placing in the hands of the Federal Government a police regulation which it was never intended should be thus exercised.

If the Constitution is changed, and national prohibition is provided, either prohibition will be enforced or it will remain a dead letter upon our statute books.

If it is not enforced and remains a dead letter, it will breed deceit, hypocrisy, disrespect of law, and encourage evasion, lying, trickery, and lawlessness.

If it be enforced, it will require an army of United States officials, paid spies and informers, who will go into the business

house and the home, invade the sacred liberties of our people, not in the suppression of crime but for the sole purpose of punishing a vice.

I can not approve of placing people's conscience in matters of morals and religion in the keeping of Government officials. A free people can not exist if their personal affairs are governed by an army of spies. They will cease to speak and write without fear.

It is the freedom from these things that makes men self-reliant, that gives courage, both physical and moral. The preservation of personal rights makes patriots who love their government, appreciate life, and love mankind.

Mr. Speaker, paternalism that interferes with these liberties causes, first, distrust, then fear, and then hatred of government.

The citizen who does not respect the rights of others has no just appreciation of his own and soon ceases to be a useful citizen.

It is the duty of our moral instructors to teach that a thing is right because it is right and not simply because the Government so declares. Men will then know their own virtue and can be relied upon to control their own moral and religious conduct. We do not want the men or women of our country to refrain from wrong simply when constrained by bans or bars.

This is treatment due criminals. We should not assume that men are criminals and restrict them in all their personal habits and moral conduct for fear that a few weak or depraved characters can not control themselves. We must not assume that our people are incapable of self-government and self-control and that they shall be directed and controlled by the official few, for we are capable of individual control.

Individuals honestly differ concerning moral and religious matters, social and personal habits. One is as apt to be right as another, and the Government should not interfere to make one conform to the opinion of the other.

Temperance means moderation; prohibition means extreme force. The use of force in matters of temperance or religion is abhorrent. Regulation is better for temperance than prohibition. Only through freedom of choice can men develop the faculty of self-control. Self-control brings moderation, and moderation brings temperance.

Mr. Speaker, there can be but one honest argument made by the prohibitionist in favor of national prohibition, and that is, State prohibition has proved a failure. If it has proved a failure in the State, it is because it is not supported by public sentiment in the State. *If it has proved a failure because of the nonsupport of public sentiment in the State, how much more reason have we to believe that this law will not be obeyed because it will not have national sentiment behind it!*

For more than a century Democracy has battled for local self-government. Shall we now abandon it and embrace the doctrine of Alexander Hamilton? Let no Democrat mistake the issue. The ghost of Hamilton is abroad in the American Congress and in the country. For my part, I say, "Get thee hence." * * * "Avaunt and quit my sight." Democracy needs no new creed.

Jefferson's name is still enshrined in our hearts as the patron saint of our faith, and will be while republican institutions serve and bless mankind. [Applause.]

The SPEAKER. The gentleman from Texas yields 20 minutes to the gentleman from Illinois [Mr. MANN] or to the gentleman from Wisconsin [Mr. STAFFORD].

Mr. HENRY. I now yield four minutes to the gentleman from Alabama [Mr. HEFLIN].

The SPEAKER. The gentleman from Alabama [Mr. HEFLIN] is recognized for four minutes.

Mr. HEFLIN. Mr. Speaker, just a few years ago we had the licensed sale of whisky in nearly every county in Alabama, but by the intelligent and earnest work of the good men and women in the various localities and by the faithful work of our Christian ministers, not in making political speeches in the pulpit on Sunday but preaching the Gospel and touching the hearts and awakening the consciences of the people, we have driven the whisky traffic from more than 60 of the 67 counties of the State. All this has been accomplished in a few brief years, and instead of being discouraged and impatient, I rejoice at the progress we have made. We have proceeded upon the right theory in employing the home-rule process. If the people of a county or a State are opposed to the enforcement of a law that affects their habits and conduct, that particular law will not be enforced. Then, the thing to do is to convince them of the soundness of our position and of the righteousness of our cause. We must not be un-Christian or intolerant with regard to the opinions of others. It is a great work that we are doing, and it is worth doing well. We often injure a good cause by going about its accomplishment in the wrong way. It is infinitely better to be patient and convince the individual that the thing is good for him and that it is meant for his welfare rather than to disregard his opinion and treat him with disrespect.

Convince the individual and he becomes a missionary in the cause. Then we get the family interested and then the community and then we get the county. Then we get the State and State by State the Union. [Applause.]

You can not force it down the throats of States unprepared to receive it, but when it comes up through the counties and through the States until the sisterhood of sovereign States shall stand in solid phalanx against the whisky traffic, then genuine and permanent prohibition will have come.

We must not undertake to ram down the throats of sovereign States something that they are not prepared to accept, but let us continue the good work in the way that we have accomplished all that we have in this great work—of molding public sentiment of a permanent character. Let us continue the work of convincing the people of various States of the wisdom of our course and the justice of our cause. Let the good work go on in the various States until the State of its sovereign household shall say, as did the patriarch of old, "As for me and my house, we will serve the Lord." Let the county and the State show the sister counties and the sister States that prohibition is the wisest and best solution of the whisky problem. Then, through this home-rule process and this principle of local self-government, other counties and other States seeing our good works will be constrained to follow in our footsteps. [Applause.]

Mr. Speaker, I helped to drive whisky out of my district and I am going to help keep it out, but I am not going, without the express authority from the people of my district to transfer to the Federal Government the power to regulate the domestic affairs of my State.

The trouble with some Members of this House is they soon forget all they ever knew about the time-honored principles of home rule and local self-government. They surrender the teachings of the fathers and fling to the four winds of new nationalism and federalistic control the things that our fathers held dear when they builded this Republic. They do not seem to realize that every Republic that has perished perished because rights and powers that belonged to the people in the smaller divisions of the Government were surrendered to or swallowed up by the Federal Government. Taking the authority away from the community, where it is close to the people, and lodging it with a federal government, where it is far removed from the people, is centralization of a dangerous kind. A strong centralized government may be good for kings and emperors, but it is a deadly thing for a free people. [Applause.]

I am not ready to abandon the doctrine that my people are able and perfectly capable of attending to their own domestic affairs. I am not willing to surrender the right of local self-government.

Mr. Speaker, this love of the principles of local self-government, this devotion to the doctrine of the rights of the States, in reconstruction times inspired our people to drive out the scalawags and carpetbaggers and give back home rule and self-government to every Southern State. Every battle that has been fought and won for prohibition in Alabama has been through the processes of the local government and the instrumentality of the Democratic Party.

The difference, Mr. Speaker, between the advocates here seems to be simply as to the best method of obtaining it. Nearly five years ago a State prohibition amendment was submitted to the people of Alabama, and I supported it. I spoke in favor of it all over my district. The distrive gave a majority of 2,000 votes against the amendment and the State gave a majority of more than 25,000 against it. Those who believe in majority rule would hardly expect me to vote for a Federal prohibition amendment, when the people of my district had given a majority of 2,000 against a State prohibition amendment. Just a few months ago, Mr. Speaker, the gentleman from Alabama [Mr. HOBSON] made a race for the United States Senate before the primaries in Alabama, and he spoke all over the State and spent several weeks canvassing. He made this Federal prohibition amendment the issue in his race for the United States Senate. Mr. UNDERWOOD, the successful candidate, stood for local option and the regulation of the whisky traffic by the State government, and he defeated Mr. HOBSON by a majority of 35,000. I only refer to this to show you that the people of Alabama did not accept the opportunity to indorse Mr. HOBSON's amendment. It is true that many good men supported him and it is equally true that many of the

best prohibitionists in the State supported Mr. UNDERWOOD, and some of them were very active in his behalf.

Mr. Speaker, Alabama is as well grounded in the doctrine of State rights and local self-government as any State in this Union. We believe that there is enough good, enough intellect, enough courage, and enough patriotism among our people to qualify them in every way to conduct their own domestic affairs. [Applause.]

In conclusion, Mr. Speaker, I want to say that Mr. Bryan, the man who has done more in the United States for prohibition than any other one man, says that this is a question for the States to regulate, and he also says that this is not the time to submit a Federal prohibition amendment, and that if it is submitted he believes that it will be defeated by the States.

President Wilson is opposed to this proposition and is in favor of the matter being worked out by the States. The Democratic leadership in this House is opposed to it. Then why inject it at this time into the program of constructive work laid out by the President and the great leaders of our party? [Applause.] I fear, Mr. Speaker, that it is a case of mistaken judgment on the part of some earnest and zealous workers and an effort on the part of others to play politics. If the people of the district that I have the honor to represent had passed upon this amendment and had registered their will in its favor, I would follow their instructions and cast my vote for it. But in the absence of such action on their part and in view of the verdict that they rendered on the State amendment and again on the Hobson-Underwood contest and what I believe to be their devotion to the principles of State rights and local self-government and their desire to regulate their own domestic affairs under the sovereign power of the State—for these reasons and the reasons that I have just given I shall cast my vote against the amendment. [Prolonged applause.]

Mr. STAFFORD. Mr. Speaker, believing as I do that that government is best which reserves the determination of its policy as to internal affairs, particularly as to anything pertaining to the health, happiness, and morals of the community, to the smallest unit of government, is the reason why I strongly oppose this resolution. The regulation of the liquor traffic is especially in point in the application of this well-recognized rule.

This is a solemn occasion, for you are attempting here to adopt as a constitutional amendment that which you know to be directly in opposition to the confirmed views of a strong, virile minority, not only in one-half of the districts of this country, but in every State where prohibition has been adopted.

It has been my good fortune to have seen the conditions in Maine, where they have attempted to put in force a State prohibitory law, which in its enforcement has been a travesty in counties where the sentiment is strongly in opposition, and where sheriffs can not be elected to office unless they enter into an agreement that they will not enforce it, and where in some instances sheriffs parcel out under illicit agreements the right to vend liquor. I have witnessed in Philadelphia the transformation that came over that great city under the Brooks license law when saloons to the number of 6,000 were reduced to 1,200, and have seen the "speak-easy" and the "blind tigers" driven out of existence through a forceful public sentiment in favor of strict regulation.

I visited the city of Davenport, Iowa, during the brief time when the State prohibition law was in force there; and there, again, because of the fact that there was no sentiment in that community to back up its enforcement, it was a failure. And yet we have people from these prohibition States saying that in order to make it a success they must spread the dry territory over the entire country, thus acknowledging by that very statement that it is lacking of enforcement in their respective States because there is no sentiment back of it.

You may enact State prohibitory laws forbidding the sale of liquor or the smoking of cigarettes, but we all know that in those localities where the sentiment is opposed to its enforcement it is absolutely a dead letter and worse than that, it inculcates a disrespect for the law by reason of its nonenforcement. The conditions in every State in the Union where the prohibitory law exists—and I make no exception to my broad assertion—shows that in States where even a majority is in favor of prohibition that if there is a strong minority against its enforcement that you can not control it, that you can not prohibit the traffic.

I would have you contrast the conditions that prevailed in Vermont under State prohibition with the conditions that prevail there to-day under high license. Would you substitute, or would any disinterested voter of Vermont substitute, the conditions that exist there to-day for those that existed under the so-called prohibition of 15 or 20 years ago? Every public man from that State with whom I have spoken—and many of them have been teetotalers—admits publicly that the conditions under present regulation are far better than under the pretended prohibitory law of several years ago. Prohibition in Kansas is flaunted as a travesty in those communities where the sentiment is opposed to it. Everywhere where prohibitory laws are attempted when the sentiment in communities is opposed to its enforcement we find the same lack of control, I do not care where you go. You can not legislate morals into a people nor can you by legislation force them to drink or not to drink, if they so decree.

I come from as law-abiding a community—with a record of less drunkenness, a city in which there are less arrests in proportion to population—as any in this Nation. Its people are liberal-minded, tolerant. They are accustomed to a life that attunes to the general welfare of the city. Liberal as they are, they are not seeking to foist their individual views as to living upon any other community, but are content if they are left alone in the pursuit of their own individual and collective happiness. Yet other communities and collections of communities which have different ideas and ideals as to their method of living would seek under a prohibitory law to force upon us their ways, which are foreign and alien and incapable of enforcement and acceptance in my city.

We believe in the enforcement of law. I challenge anyone to show another city where there is so great respect for the law as in my home city. But I say to you people from prohibition States that we resist and resent your attempting to foist upon us, who have our liquor problem well regulated, your unregulated, blind-tiger system. As the regulation of the liquor traffic is entirely a local issue, I can see no reason why this question of national prohibition should be referred to the people for consideration. Even if all the States in the Union save one had declared in favor of prohibition, and in that one State the sentiment was overwhelmingly in opposition to prohibition, then I would still contend that it was not right to inflict the ideas, so far as this local question is concerned, upon the one individual State.

In adopting a constitutional amendment care should be taken not to go contrary to the expressed sentiment of a strong and active minority throughout the country. There must be practical unanimity in favor of the proposition before it should be adopted. The framers of the Constitution recognized this principle in providing checks so that the amendment would not be submitted even for consideration until two-thirds of both branches of Congress had favorably voted for its submission, and required, further, that three-fourths of the States, through their legislatures, should ratify it.

Never in the history of the country, since constitutional amendments have been proposed, has any amendment been adopted where there was such strong and virile opposition as to this one, except the amendments passed at the close of the Civil War. When we have adopted amendments which are not in harmony with the sentiment of the country those amendments have proved nonenforceable. What do the fourteenth and fifteenth amendments amount to, so far as the Southern States are concerned? They have deliberately nullified their provisions by legislative enactment. The recent amendments which were adopted, the sixteenth and seventeenth, were in accord with a spontaneous demand from the entire country. As Representatives we are failing in the performance of our duty if we submit a prohibitory amendment for ratification when we know the strong opposition sentiment existing throughout the country. A vote in favor of submission when you know that this strong minority exists can not be justified on the ground that it is a referendum. What right has the rural population of this country or of any section of the country to determine the internal policy, such as the regulation of health and living, of any other section? What right has the South to supererogate to itself the determination of the internal policy of the North in its regulation of the liquor traffic or any other matter pertaining to its internal policy, or vice versa?

The fact that Vermont is in favor of high license is no reason why Georgia should adopt that plan. Just because any number of States have for local reasons declared in favor of prohibition is no reason why that rule should be imposed on any of the other States, or even upon any group of States, where the sentiment of the people is opposed to that policy.

I could dwell upon the economic and fiscal side of this question and show what large revenues would have to be derived from other sources if the excise tax were eliminated, and I also would like to emphasize the unfairness of confiscating business establishments under national prohibitory liquor laws which States under their sovereign law have declared to be proper

subjects for property investment, but time does not permit me to go into these considerations for opposing this national prohibitory amendment. I base my opposition fundamentally on the main principle which I advanced in the beginning and have tried to elaborate, that prohibition is a local issue and not a national issue, and that that government is best whose internal affairs are determined by the will of the local community. I believe in home rule; and, believing in that policy, I strongly appeal to you not to submit to the people something that has already been proven to be ineffective. Leave this to the smallest local units to determine and you will obtain the best results. [Applause.]

Mr. Speaker, in the absence of the gentleman from Illinois [Mr. MANN] I yield to the gentleman from California [Mr. HAYES].

Mr. HAYES. Mr. Speaker, I represent a district which has more grape vineyards, probably, than any other district in the country. These vineyards are generally small, averaging, usually, from 10 to 40 acres each. The owner of each of these practically has his all invested in his vineyard, and upon its yearly crop of grapes himself and his family are dependent for their living. It should be said that these grapes are valueless for any purpose except wine making. For many years our State has maintained at public expense a viticultural commission and in every way encouraged the planting of vineyards and the development of the wine industry.

Under these circumstances I can not bring myself to believe that it is my duty to vote for a measure the effect of which will be to render these little vineyards valueless. If this proposed constitutional amendment provided for compensating those who are directly and unavoidably damaged by its provisions, which it should do, I should feel very different about it. This was the method pursued a few years ago by the Cantons of Switzerland when they adopted prohibition, and it is the civilized, the only equitable way to proceed in this case. I regret that the proponents of this measure did not see fit to incorporate such a provision in it. Mr. Speaker, I am here in a representative capacity. I conceive it to be my duty to register here by my vote the will of my constituents when I know definitely and surely what that will is. We have in our State the initiative and the referendum. By means of the former the question of the prohibition of the manufacture and sale of all distilled and fermented liquors as a beverage in California was submitted on the 3d of last November to the people of our State. As applied to the State it was the identical proposition embodied in this amendment, which, however, if adopted, would extend it to all the States. The people of California voted against this prohibition amendment to its constitution by about 175,000 majority. My district went against it by 12,106 majority, the vote being in detail, as follows:

Eighth congressional district.

Counties.	For prohibition.	Against prohibition.
San Mateo	2,357	6,672
Santa Cruz	4,217	4,677
Santa Clara	12,661	16,004
San Benito	1,184	1,671
Monterey	3,367	4,132
San Luis Obispo	2,723	3,640
Santa Barbara	4,065	5,245
Ventura	3,311	3,950
Total	33,885	45,991

Majority against, 12,106.

It will be seen that every county in the district gave a substantial majority against it.

I regard this as a very emphatic expression of the will of my constituents and a very plain instruction to me in this matter. Whatever my personal opinion on the merits of the question at issue, it seems to me to be my plain and imperative duty to vote against the pending resolution. This I shall do.

Mr. STAFFORD. I yield to the gentleman from New York [Mr. CALDER].

Mr. CALDER. Mr. Speaker, if the vote to-day had the effect of submitting this question to the people of the State of New York, it would have my support. This proposition, if made effective, would prohibit, by constitutional amendment, the sale, manufacture for sale, the transportation for sale, or the importation or exportation for sale of intoxicating liquors for beverage purposes in the United States and all territory subject to the jurisdiction thereof. It would be effective when approved by the legislatures of any 36 States, though rejected by the other 12. The law, as it now stands, permits any State to decide this question for itself without regard to the attitude of any other State. Already 14 States have acted affirmatively on the proposition, and soon in many States the people will vote directly upon it.

It is an interesting fact that there are 10 States in this Union whose total population exceeds that of the other 38, so that though these 10 States be unwilling to accept the amendment the other 38 could ratify it and it would be effective against the wishes of a majority of the people. There are 19 States in the country whose total population is less than that of New York, and in settling this matter the vote of every person in each of these States is equal to that of 19 people in New York. I am sure that the calm and deliberate judgment of the people will not seek to foist upon the States a law that might be so unjust to the people who do not favor it. Already we have two constitutional amendments, the fourteenth and fifteenth, affecting negro suffrage, that local self-government has reduced to blank paper. If this amendment is agreed to, we shall have another, or if zeal shall outrun discretion we shall have an imperialistic movement for the subversion of the police power of the States.

I am an ardent believer in local option. In my State this is extended to every town and village. I am willing that it should be extended to the cities; and for that matter, were I a member of the legislature or the constitutional convention to meet in New York next summer, I would gladly vote to submit this question to the people of the State, so that they could determine for themselves whether or not they wish to have it apply to the cities or to the State as a whole. It would give an opportunity to the people to show just exactly what they wish in the matter.

Personally I am a believer in temperance, and am sure that the country would be benefited by it; but we are undertaking it in a way that is not at all satisfactory. New York City contains 5,000,000 people, exceeding the total of at least a dozen of the smaller States. We have in that city a great cosmopolitan population, law-abiding, and I believe these people should determine this question for themselves, affecting, as it does, their everyday life.

Personally I have been an advocate of a high license and a strict enforcement of the law. Let me cite an interesting situation relative to the enforcement of the liquor-tax law in New York. The present law went into effect in 1896. During the first year of its operation 30,184 licenses were granted. Last year 27,685 licenses were granted, a reduction of 2,500, and this despite the fact that the population of the State has increased over 3,000,000 since the law went into effect. The receipts last year from the liquor-tax law were $18,109,261. Of this sum $11,328,000 was collected in New York City alone. I have no desire to argue that the State must have a revenue from this source. That can not enter into a fair discussion of the subject.

As I see it, the question comes down simply to whether the people of a State shall have the right to determine this subject themselves or whether the State of Nevada, with its 81,000 people, or the State of Delaware, with its 200,000 people, shall determine the question for the State of New York, with its 10,000,000 people. I am opposed to this method of determining the subject.

Many of the best citizens of New York have written and petitioned me in favor of this measure, and I very sincerely regret that I can not agree with them. I have the highest admiration for the good people who are advocating this legislation. There are among them some of my very best friends, and it grieves me to differ with them. I hope they will believe that my action in the premises is as conscientious as theirs; I do not quarrel with them for what they are trying to accomplish. They are moved by an impulse to check evil, but, it seems to me, without fully determining whether national prohibition would really prohibit. Every man in this Chamber has observed the condition in places where the law forbids the sale of liquor. It is either sold surreptitiously or under some assumed name—a doctor's prescription or some other subterfuge. Drinking is not a crime of itself, and there is no other offense whose prohibition is looked upon in large communitties as such an invasion of the people's rights—they spurn the law openly and defiantly.

Are we powerless in this situation? It seems to me the experience of the past 25 years proves that we are not. The cause of temperance and good morals has gained immensely. Public opinion on the subject is gradually undergoing a change. Not many years ago it was no uncommon thing to see men of affairs under the influence of liquor at many of our important public functions. Now it is a rare sight. Drinking men are often shunned in the best society. I have cited the great falling off in saloons in New York State. This will continue, and in-

temperance will be constantly diminished. In the last Congress I voted for the Webb-Kenyon law forbidding the transportation of liquor into dry States. This, I am informed, has not been entirely effective. An evidence again of the impossibility of enforcing laws of this character against the will of the people.

I think the vote on this measure will be approached with the determination to preserve the rights of the respective communities, and I am confident that in the end the very best interests of all of the people will be served.

Mr. STAFFORD. I yield 20 minutes to the gentleman from Missouri [Mr. BARTHOLDT].

Mr. BARTHOLDT. Mr. Speaker, in the days of witchcraft every man who dared to raise his voice against that madness was immediately suspected, and many were tortured and murdered merely because, as sensible men, they had appealed to the common sense of the people.

We are reminded of those dark days by the prohibition movement of the present day. Again thousands are under a spell, and the man who has the courage to oppose it by appeals to reason is, if not burned at the stake, as were the witches, at least denounced as a tool of the liquor interest. A mental atmosphere has been created which tends to terrorize political parties, intimidate public men, silence the press, and stifle the honest opinions of the people generally.

There is, of course, no doubt about the final outcome. In the twentieth century it is easier for human reason to triumph than it was in the sixteenth and seventeenth centuries. A nation which has thrown off the shackles of despotism will not, for any length of time, tyrannize over itself. Let me illustrate what will probably happen by means of another historical reference, by an episode which once occurred in the old city of Munich in Bavaria.

At one time there prevailed in that city a terrible epidemic. It was the plague, I believe. Thousands died, and nobody was seen in the streets except those whose business it was to bury the dead. The people, terror stricken, bolted their doors and shut their windows from fear that the germs of the epidemic might be carried into their homes through the air. The total lack of ventilation occasioned by this panic tended quite naturally toward making things worse, and, indeed, the fury of the pestilence was greatly increased. One nice morning, however, the people quite unexpectedly heard the strains of merry music. It turned out that a lot of young dare-devils, led by a brass band, were dancing through the streets. They sang national songs and made merry just as if they were on their way to a picnic. The people opened their windows and seeing the merrymakers took new courage, and lo and behold the spell was broken. Owing to the dissipation of fear and the circulation of fresh air which now penetrated all the homes, the epidemic grew less and less until it finally disappeared.

THE AWAKENING.

I predict that the same thing will happen with the spell of prohibition. It will happen as soon as the American people will open their minds to reason. And, fortunately, they have begun to think. Heretofore, local successes of prohibition were largely due, no doubt, to the forbearance and indifference of the people rather than to the merits of the cause. Since it has been proposed, however, to put prohibition into the Federal Constitution, or, in other words, to deface the great Bill of Rights by engrafting upon it mere police regulations, an awakening has been noticeable and a mighty protest has come to us from all sections of the country. Many people who had put up with prohibition as a local makeshift are now thoroughly aroused and startled by the attempt to wipe out State rights and change our system of government. Therefore I believe that the sober second thought of the American people will do to prohibition what fresh air did to the plague.

THE ALLEGED DISEASE AND THE CURE.

Let us, first, as the physicians do, diagnose the disease, and then consider the proposed cure. The fundamental argument of the prohibitionists is that the use of alcoholic beverages is the principal cause of vice, crime, insanity, and poverty, and the only right way of dealing with the matter, they say, is to prohibit, by stringent laws, the making and sale and consequently the use of such beverages.

I take distinct issue with both propositions. First, it is not true that crime, vice, poverty, and insanity are, in the great majority of cases, caused by drunkenness. Second, it is not true that prohibition will prevent those evils.

While drunkenness is one of the many causes of human unhappiness, I contend it is not the sole nor even the chief cause. The nations notoriously opposed to the use of alcohol are not freer of the burden of misery than is our own. Mohammedans, for instance, are prohibited by their religion from using alcoholic beverages, and it has not yet been observed that their lives are any happier than the lives of people in Christian lands. And in our own country, while intemperance leads to the commission of crimes against persons, yet the most serious crimes against life and property are the result of other causes. It would be tedious to enumerate in detail the several causes of crime. But let us select murder as a sample. The most awful and sensational crimes against human life have, as a rule, been instigated by other feelings than that of intoxication. Neither of our three martyred Presidents was slain by a drunkard; nor have the most sensational crimes against life been induced by drunkenness. Jealousy is more of a menace to life and causes more murders and more mischief than does intemperance. Would you try to cure jealousy by law? You could no more do so than you can promote temperance by prohibition.

It is difficult to conjecture where the reason of prohibitionists is when, in view of the numerous crimes against women and against property, that one thing alone, and that not the chief, is singled out as the cause of all human misfortune. The truth is the charge is not true.

The question of insanity is subject to the same consideration. Unquestionably drunkenness may lead to insanity. So do some other excesses. The most reliable statistics of insanity give as the causes: First, self-pollution and sexual excess; second, religious fanaticism or excessive zeal. And intemperance is given as the third cause. If the logic of prohibition is to prevail it would be right to unsex mankind, and also to forbid altogether those religious bodies whose practices or teachings lead to insanity. This alone shows the fatuity of unscientific reasoning on a profound and intricate social problem.

Let us glance at the problem of poverty—

Says a professor of an American university in a pamphlet against prohibition—

What causes it? Are total abstainers, other things being equal, richer than those who are not? (I am not here referring to drunkards. That question comes under another consideration.) It is well attested, beyond the possibility of any dispute, that poverty, whenever it becomes a general social condition, is not in any sense attributable to the use of beer and wine. And any man whose opinion has any value as a student of social economy knows that the causes, not cause, of poverty are complex, are far beyond the reach of the human will, and defy any and every attempt at removal by any act of legislators.

What is the cause of human misery? What is the verdict of history and experience? Primarily the lack of intelligence, the lack of moral energy, the lack of thrift and prudence; and further, and not least, long-established customs and modes of living that defy reason and morals.

It is illogical and unjust to single out instances of want, of crime, and of ordinary wrongdoing and ascribe them to intemperance when human life for ages past bears testimony to other things more productive of suffering. What shall we say about religious fanaticism, which like a scourge has cursed nations and communities and families? No nation has been exempt from this awful evil. But what is the remedy? Legislation? Force? Only so far as to keep the right of the individual inviolate. The panacea for narrowmindedness, for religious intolerance, is education.

Whenever a government has undertaken to rectify religious errors by force of law it has become the abetter of persecution, the friend of hypocrites, the ally of tyranny.

Is it the duty of the Government to deprive every man of his personal freedom because there are instances where men abuse their freedom? Are there no other forces at work for sobriety except prohibition? Is the American home without power and influence for good? Is education powerless in forming habits of temperance and sobriety? Is the influence of woman for good waning? Must the civil power stigmatize as a crime what is not a crime?

Let our self-styled reformers answer these questions if they can.

THE SUPPLY MERELY A RESPONSE TO THE DEMAND.

Let me show you how fallacious their reasoning is. Indeed, it is both fallacious and superficial. Their whole case is based upon the assumption that by withholding the supply you can stop the demand; while, as a matter of fact, the supply of beverages—and of everything else, for that matter—is the effect and not the cause of the demand. If by confounding cause and effect you proceed from false premises it is quite natural that you will arrive at false conclusions. Suppose there were as many taverns in a city as there are houses, and, on the other hand, all the people were educated to be total abstainers, what would happen? Every tavern keeper would be starved to death. But, again, if you succeed in closing all the saloons, would this kill the appetite for drink? Not at all. The people would either find a way to manufacture it themselves or they would resort to substitutes worse than liquor—to drugs such as opium, morphine, and cocaine. Of this we have ample proofs, one of them being that the consumption of cocaine is relatively largest in prohibition States. Another is the testimony of responsible Army officers before the Military Committee of this House to the effect that soldier boys stationed in Maine and Kansas have been discovered to receive supplies of cocaine from drug stores of the larger cities. And the use of this poison, mind you, is followed by direct attacks upon the brain cells. Furthermore, if people were compelled to concoct their own drinks the vilest

kind of rot-gut would take the place of the pure and well-matured beverages which are now consumed. And have you ever considered that the process of home manufacture would be confined almost altogether to the strong spirituous drinks, because these alone can be made by primitive means?

I have always believed that true temperance could be best promoted by the gradual substitution of the milder and harmless beverages for the strong, but if prohibition, as we see, will have the very opposite effect, can you still claim it as a temperance agency? It is certainly plain from what I have said that you can not cure the drink habit by attacking the supply. By legal edict you can destroy all the distilleries and all the breweries and all the saloons, but you can not destroy or even control the human appetite by such means. The only successful way to serve the cause of true temperance will be to attack the demand, and this can only be done by moral suasion. Therefore, I make bold to say that if all the good men and women who are interested in this cause would use their combined influence to train the youth of the land in the art of self-control and moderation instead of invoking the power of the law and the police club, their efforts would show much more substantial results.

NOT REFORM, BUT DESTRUCTION.

Mr. Speaker, I favor temperance and sobriety as strongly as any of the self-constituted leaders of that movement, but I believe neither in reforms so extreme as to be repugnant to human nature and therefore impossible of attainment, nor in methods the futility of which has been demonstrated beyond the shadow of a doubt. Every civilized country has its honest temperance movement, with moral influences as its weapon to lessen the evil of intemperance. Nowhere, however, would anyone dream of resorting to the law as a means of controlling the tastes and correcting the innocent habits of the people. In the United States alone, as far as we know, such an impossible remedy is seriously attempted. Here alone the temperance movement has degenerated into a crusade of extirpation and indiscriminate destruction. Because out of a hundred retail stores there may be objections to one we are asked to close them all. Because among a hundred citizens there may be one drunkard we are peremptorily told to deprive them all of their personal liberty. No distinction whatever is made between innocent social pleasures and boisterous excesses, or between the sum total of contentment which is produced by the social gatherings of hard-working toilers in which are called the poor man's clubs and the disgraceful revelries of drunkards—all are condemned alike. One man may indulge moderately for sociability's sake and to enjoy the company of his friends, another may seek solace from distress and misery, but the happiness of the one and the comfort of the other are bruskly swept aside and all causes which might press the cup into a man's hand are contemptuously ignored. While admitting, Mr. Speaker, that the inclination to be his brother's keeper is always strong in man's breast, yet it is cause for wonder that such an extremist program should ever have found favor with any respectable number of free-born American citizens. Excess is objectionable and unhealthy in all things, but a failure to discriminate between excess and moderation in matters and habits which are not wrong in themselves will in the long run doom the radicals and extremists to certain defeat.

TEN REASONS WHY PROHIBITION IS WRONG.

Permit me now to give the House 10 reasons why, in my judgment, prohibition is wrong. Many more might be cited, but I have formulated the following as the principal ones, to wit:

First. Prohibition is a deathblow to the liberty of the individual because it prohibits what is not wrong in itself. No despot in history has ever dared to prohibit what is morally right, and the attempt to do so would have cost him his head. The exercise of rights which concern persons individually, and whose exercise does not injure the neighbor, is a basic condition of freedom which prohibition violates. The right to eat and drink what we please is an inalienable human right of which even a majority can not deprive us without at the same time robbing us of our liberty. But let us go to the bottom of this matter. It has ever been the aim of the friends of liberty to wrest the scepter of Government from the hands of individual rulers and place it in the hands of the people. Since this has been achieved in America the problem of liberty was believed to have been solved for all time, for no one dreamed that the Nation would ever need protection against its own will or would ever tyrannize over itself. The prohibition movement teaches us, however, that such tyranny after all is possible under self-government by the majority misusing its political liberty or its right to govern for the purpose of restricting personal liberty. In other words, we are dealing in this case with what John Stuart Mill called "the tyranny of the majority," an evil against which the Nation must protect itself if it desires to remain free; for individual liberty, the right of personal conduct, is an inalienable human right which should never be taken away either by majorities or by law or constitution. From this we can see how much larger than the mere drink problem this question really is, for if it were right in one respect to take away from the individual the privilege of self-control it would be right in all other respects, and the final outcome could be nothing less than a condition of complete slavery.

Our opponents say, "We do not propose to prohibit drinking, but merely the manufacture and sale of beverages," but remember that this hypocritical and insidious subterfuge is the very means by which despots always robbed the people of their liberties. In accordance with recognized principles of law an attempt to accomplish by indirection what you can not do directly is dishonest and, consequently, immoral. Hence our great moralists appear to stand convicted of an immoral trick. It is true that in spite of all that they have achieved great successes. County after county and State after State have fallen into their hands. Yet I have not lost faith in the sound common sense of the American people. These successes are solely due, as I said before, to the unparalleled forbearance and indifference of the people and not to their actual approval. The fact is that the question is not yet generally understood. Once let the people fully comprehend the menace to liberty which is involved in this question and they will make short work, I believe, of the sappers and miners who are dynamiting the foundations of our Government.

In this connection let me again quote John Stuart Mill. Speaking of individual liberties he says:

> No society in which these liberties are not on the whole respected is free, whatever may be its form of government; and none is completely free in which they do not exist, absolute and unqualified. The only freedom which deserves the name is that of pursuing our own good in our own way, so long as we do not attempt to deprive others of theirs or impede their efforts to obtain it. Each is the proper guardian of his own health, whether bodily, mental, or spiritual. Mankind are greater gainers by suffering each other to live as seems good to themselves than by compelling each to live as seems good to the rest.

Second. Prohibition runs counter to human nature because the taste and appetite of man can not be regulated by law. Human laws are powerless against the laws of nature. Pass an enactment abolishing the law of gravity, then jump out of a 10-story window and see what will happen. You will be picked up in a shovel. But, say our opponents, we should at least remove the temptation which the saloon puts in our way. This is the silliest proposition of all, for if we endeavored to remove everything which might tempt man we would have to abolish gold and money, eatables and drinkables, and finally even woman, for all of these might become a source of temptation to man. And when we would be finally through abolishing all causes of temptation there would be nothing left but desert sands to cry to heaven bewailing the idiocy of man. Why, the Creator himself has placed temptation in paradise in the shape of the fatal apple tree, but evidently, according to the logic of our prohibition friends, He has made a serious mistake in doing it, and if Eve had been a Carry Nation no doubt she would have chopped down that apple tree with her little hatchet. No, gentlemen, we can not remove temptation, but we can and should, by discipline and training, strengthen our power of resistance against it.

Third. Prohibition undermines manliness. Its premise is that men are children, who must be led in the leading strings of law. Our conception, however, is that a man should voluntarily do the right and avoid the wrong, and that an interference with his self-control in personal matters is slavery pure and simple. If a man is honest simply because he has had no opportunity to steal, we do not take much stock in his honesty. If a man remains sober because he has never had an opportunity to indulge, we do not think much of his sobriety. But we do rightly give credit to a man who remains honest in spite of opportunities to steal, and we do believe in a man who is sober in spite of all chances to drink. That is the kind of manly citizenship I believe in rearing; it is the philosophy to which I subscribe.

Fourth. Prohibition undermines respect for law. A thousand ways will be found to evade the law, and the result will be a Nation of lawbreakers, a condition which must inevitably lead to lawlessness and anarchy. If the 82 per cent of our population who are moderate drinkers will satisfy their wants in spite of the law, then every thief will find justification in stealing, every burglar in robbery, and all other criminals in their evil deeds, and many will be encouraged to break the law who otherwise would have remained law-abiding citizens. May Heaven protect us against such a state of affairs!

Fifth. National prohibition by constitutional amendment is unworthy of a great people. A constitution should be a bill of rights for the protection of life, liberty, and property, and especially for the protection of the minority. By incorporating in it mere police regulations our National Constitution, of which Gladstone said that it is "the greatest charter of liberty ever struck off by the mind of man," will be perverted, defaced, and desecrated.

Sixth. National prohibition means the complete subversion of the fundamental theories upon which our system of government rests. By the wise foresight of the fathers of the Republic the police power was reserved to the separate States upon which the exclusive right to pass sumptuary laws was thus conferred. This sacred theory would be torn into shreds by conferring police powers on the National Government. I say "sacred theory" because all State rights men up to this time have tenaciously adhered to it. A thing such as Federal police power could not be reconciled with it.

Seventh. Prohibition means the confiscation of property valued at a thousand million dollars, property which has been acquired strictly in accordance with State and Federal law. Even if all the arguments of the prohibitionists were true, it is inconceivable that a nation, whose sense of fair play is proverbial, could seriously permit the wanton destruction of such gigantic values. Do not forget that the bonds of the United States are based upon the wealth of the country, and that by the destruction of such values the security of the bonds must necessarily be impaired and their market value depreciated. I go so far as to assert that the so-called Antisaloon League, by its crusade for the destruction of a legitimate business, is violating the Sherman antitrust law, and should be called to account by the Attorney General of the United States. When a few years ago Switzerland prohibited the manufacture and sale of absinth a commission was created to assess the damage, and this commission has paid indemnities to those who sustained losses on account of the new law, even to the laboring men employed in that industry. Here is an example which our modern crusaders should study. I do not say that compensation would in any way excuse or justify prohibition, but it is the very least which could fairly be expected, and it is the only honorable way to go about it. As regards the financial consequences of prohibition, a disastrous flood or an earthquake would be mere child's play compared with the destruction to be wrought by it.

Eighth. Prohibition will take the bread from the mouths of hundreds of thousands of employees and workingmen, not only of those employed in the breweries and distilleries, but of coopers, blacksmiths, glass blowers, wagon builders, bricklayers, carpenters, and so forth. Indeed, there will not be a single trade which would escape the calamity. To those should be added all the small dealers and business men who are now patronized by these laboring men, and the damage will be felt even by banks, wholesalers, railroads, and farmers, especially those of our farmers who grow barley and hops. The inevitable result would be an economic panic unparalleled in our history, a panic dealing a terrific blow to the whole Nation and the devastations of which would equal those of a civil war. And what do the uplifters offer to the men deprived of their employment and to the country as a substitute? Nothing! "After us, the flood!"

Ninth. Prohibition will cause a deficit in the National Treasury of at least $280,000,000 a year, for this is the amount which the Government now collects from beer, wine, and spirituous liquors, and which, by the way, far exceeds our total expenses for Army and Navy. It is a tax which every consumer, as Garfield said as far back as 1880, pays voluntarily, because no one need pay it who does not wish to. It is, in other words, the voluntary contribution which the moderate drinkers of the country make to the national household. How, I ask, should this deficit be covered? It must be by direct taxes, of course; but we have just imposed a new corporation tax, a new income tax, and a war-revenue tax. Do you propose to pile an additional quarter of a billion on top of those? No political party would ever survive the attempt.

Tenth. Prohibition does not prohibit, and for this assertion I beg to submit incontrovertible proof.

If the patent medicine of the moral uplifters were effectual, the consumption of whisky should have been reduced by at least 50 per cent, because half of the territory of the Union has been voted dry. But what are the figures? The truth is that the consumption has doubled; in fact, has increased much more rapidly than the population. Again, the greatest percentage of drunkenness is recorded in the prohibition States, because the number of arrests for drunkenness was five to nine times greater in those States than, for instance, in liberal Wisconsin. This proves conclusively that you can vote a town dry, but you can not vote a man dry. Or what was it that our farmer friend said? "Yes," he said; "I, too, voted for this movement against alcohol, for as long as we have beer and wine and whisky, what do we want with alcohol?" Many a one might have thought so who, suffering no want himself, voted to close the saloons of his neighborhood. But national prohibition will open the eyes of the people who have been thus misled and fooled. That the above figures demonstrate the complete moral bankruptcy of the cause of prohibition, it is, I believe, unnecessary to point out further to those who are listening to me.

A PROHIBITION AMENDMENT PROVIDING FOR FREE WHISKY.

Most of what I have said relates to the general subject of prohibition. Now, permit me briefly to discuss the concrete proposition before us—the concurrent resolution proposing an amendment to the Constitution providing for national prohibition. After a careful analysis I have come to the conclusion that this is a misnomer. It should be called "a constitutional amendment providing for free whisky," or "a measure to promote home drunkenness." Surely no one can study its effect without having his suspicions aroused, as well as his doubts, as to the sincerity of its proponents. Are they, we are justified in asking ourselves, really sincere in the advocacy of temperance or is it merely a maneuver, a sort of rallying cry for the unthinking or a signal from the leaders to show the country how high they have already dared to climb with their peculiar nostrum for the ills of mankind?

I must confess, Mr. Speaker, that to me it looks as if the leaders, after they had carried prohibition to the doors of Congress, had suddenly lost courage as a result, perhaps, of the tremendous weight of their burden and had mixed their offering of pure and adulterated water with a goodly alcoholic flavor to make it palatable. Let us see. The amendment reads as follows:

> The sale, manufacture for sale, importation for sale, and exportation for sale of intoxicating liquors for beverage purposes in the United States or territory subject to the jurisdiction thereof, are forever prohibited.

Why the repetition of the words "for sale"? Why such cumbersome form of expression? Why, if the amendment was designed to kill the liquor traffic, was it not put in this simple form: "The manufacture, sale, transportation, exportation, and importation, and so forth, are forever prohibited"? In answer to these questions let me quote the words of a good prohibitionist, a Mr. William A. Brubaker, of Detroit, Mich., who writes to the National Issue, a prohibition paper, as follows:

> Anyone who understands the English language can readily see that the Hobson amendment would not prohibit the manufacture of liquor for personal use. Nor its importation for personal use. Hobson admitted in his speech in this city—Detroit—recently that his amendment was not intended to prohibit the manufacture or the importation of liquors intended for personal use.
>
> It will be readily seen that this will open the door to all sorts of evasion and frauds and will make the enforcement of the law exceedingly difficult. If I may manufacture liquor for my own use, several of us may join in such manufacture. A hundred, a thousand, any number of men, may join in such an enterprise. Suppose I own a brewery capitalized at $300,000. When the Hobson amendment is ratified, I at once advertise the sale of 200,000 shares of stock at $1 each, with the inducement that beer will be furnished to stockholders at cost. The entire amount is quickly subscribed and I pocket $200,000 by the transaction. When the amendment goes into effect "our" brewery is furnishing its product only to its owners, at cost—of course, the cost is heavily padded by enormous salaries to the managers—not a pint of it is "for sale." Our product is shipped to its "owners" in all parts of the country, because, as you notice, there is no prohibition against its transportation in the amendment. A "cooperative brewery" could be set up in every town of any size in America, unless prohibited by State law. Clubs would be organized, as they are now in local-option territory, for the importation of liquors, not "for sale," of course, but for the personal use of the members. Beer from Bavaria, champagne from France, whisky from Scotland. The question is, Do the temperance people of America care to spend money and effort for the adoption of such an amendment? Would its enactment better present conditions a particle?

My answer to this last question is, decidedly, no. Not only would it not better present conditions, but it would make them infinitely worse. It would strike down the legitimate business, deprive the Treasury of a revenue of $300,000,000, which would have to be made up by direct taxation, remove all the safeguards which State laws have thrown around the liquor traffic; would rob the 35 States of the Union which still legalize that traffic and their great and small municipalities of all their income from that source; would turn every house into a private distillery, replacing the milder beverages, such as beer and wine, wherever they are now preferred, by strong and impure spirits; and, in a word, would make whisky as free and almost as cheap as water everywhere in the country. In the face of these facts, how any man who has the cause of temperance at heart could vote for such a proposition is more than I can comprehend. Under these circumstances America would be the paradise of the drinker, as well as the drunkard; but what of

that? Have not the crusaders the satisfaction of striking down a legitimate industry, of destroying values amounting to a billion dollars, without compensation and of throwing a million men out of employment, and at the same time depriving them and their families of their daily bread? They started out to ruin the liquor traffic as a business, and this the amendment will accomplish. Alongside of that everything else, including the real issue, namely, temperance, is evidently a matter of secondary consideration.

CONGRESS CAN NOT SHIRK ITS RESPONSIBILITY.

I trust, let me say in conclusion, that the vote on this proposition will not be regarded as merely a referendum. It is not; and when our friends the prohibitionists say that Congress, in permitting the people to decide the question, would not have to pass on its merits they are telling us what is not true. In the first place, the people at large will have no chance to vote on the question at all, because the legislatures will decide it, and this fact alone puts a tremendous responsibility on our shoulders, and for this reason: To be ratified the amendment requires the votes of the legislatures of 36 States. But the 36 States which the crusaders are counting upon to vote affirmatively do not comprise a majority of the people, so that the 12 big States with a real majority would actually be dictated to by a minority, and in a matter which the great liberal States regard as vital. These States are Massachusetts, New York, New Jersey, Pennsylvania, Ohio, Indiana, Illinois, Missouri, Michigan, Wisconsin, Minnesota, and California. They have more Representatives in Congress than the 36 smaller States, cast 9,000,000 out of the 15,000,000 votes for President in 1912, have a larger school attendance, less illiteracy, more church communicants, own two-thirds of the church property of the country, have two-thirds of the wageworkers, produce four-fifths of all the manufactured products, pay two-thirds of all the internal revenue, three-fourths of the corporation tax, and five-sixths of the income tax, and have four-fifths of all savings-bank deposits. According to the census of 1910 these 12 States, by the way, had only 115 State prisoners per 100,000 population, while the 9 prohibition States had 124. The number of prisoners for grave homicide on January 1, 1910, was, in the 9 prohibition States, 1,846; in the 12 license States only 1,664.

To come back to my argument, these figures show conclusively that the only protection which we have in this instance against minority rule must be afforded by Congress. Moreover, the founders of the Republic clearly intended Congress to exercise its mature judgment in the matter of amending the Constitution or else they would not have provided for a two-thirds majority to be required for the passage of an amendment; and is it not also true that the House, being particularly charged with the initiative as to all revenue bills, must carefully exercise its judgment regarding all measures affecting the revenue? And is it possible that we could shirk that responsibility regarding a proposition which threatens to bankrupt the Treasury?

In a telegram recently sent out from Washington it was stated that "the responsible leadership of the House does not regard prohibition as a national issue." Permit me to say, Mr. Speaker, that the destruction of lawful property by the mere expression of opinion without a day in court—"due process of law"—and without just compensation for all losses, can never be a legitimate issue in either State or Nation, however an insistent corporation may urge such piracy under the form of law, and however some courts may permit it by substituting the "police power" for the Bill of Rights. Congress is an independent body and should never assent to control which would swerve it one iota from the great principles upon which our Government was founded. [Applause.]

I thank the House for the time and attention accorded to me.

Mr. STAFFORD. I yield five minutes to the gentleman from Ohio [Mr. GORDON].

Mr. GORDON. Mr. Speaker, the measure under consideration is, in my judgment, indefensible upon two grounds—first, the means by which it is proposed to inject it into the organic law of the Republic; second, the character and the terms of the measure itself.

A proposition so radical and revolutionary as this, which proposes to repudiate the principle of home rule and local self-government, to invade and violate the reserved rights of the States, to deprive them of a material source of their present income, and to take from them the police power over what has always been considered a subject of State and local jurisdiction and control, ought not to originate in the American Congress, but should first be subjected to local debate and consideration and proposed, if at all, by the States themselves.

We are asked in this joint resolution to submit to the legislatures of the several States, each acting as a unit, for adoption the drastic and far-reaching constitutional provisions following, namely:

SECTION 1. The sale, manufacture for sale, transportation for sale, importation for sale, and exportation for sale of intoxicating liquors for beverage purposes in the United States and all territory subject to the jurisdiction thereof are forever prohibited.

SEC. 2. Congress shall have power to provide for the manufacture, sale, importation, and transportation of intoxicating liquors for sacramental, medicinal, mechanical, pharmaceutical, or scientific purposes, or for use in the arts, and shall have power to enforce this article by all needful legislation.

If this measure passes Congress by the requisite vote and is approved by a majority of the legislatures of 36 of the 48 States of this Union, it will have become a part of the organic law of this Republic, although a large majority of the people of the United States may be opposed to its adoption.

Under the peculiar system of representation in the legislature existing in many States, by which the land area instead of the people is represented in their lawmaking body, it is very likely to be the case that the legislature is not representative of the great body of the people. Some New England States have, I understand, a system of town and township representation in their legislatures, thus creating a rotten borough system without regard to population, and practically denying representation to the great body of people residing in the populous centers.

In my own State every county has a member of the general assembly, regardless of its population. Omitting the 15 largest counties, the average population of the remaining 73 is but 30,853, while the populous counties have, under the last apportionment, only one additional member to each 47,671 inhabitants. So that it is entirely possible and very probable that, although Ohio rejected State-wide prohibition at the last election by 84,152 majority, the general assembly, elected at the same time, might swallow this measure with the greatest eagerness if given an opportunity to do so.

I heard a Member of the House from Missouri say a few days ago that the legislature of his State would adopt this measure with avidity if we submitted it to them, and yet only four years ago, and the last time the electors voted on the question, Missouri rejected State-wide prohibition by 218,125 majority, or by more than 2 to 1 of the total vote cast.

In the recent campaign in Ohio those who advocated State-wide prohibition were assisted by the author of this joint resolution, the distinguished gentleman from Alabama [Mr. HOBSON], whose eloquent tongue and ready pen, always forceful and entertaining, no doubt contributed materially to the large vote cast for prohibition. But I submit that he is not according the people of my State fair treatment or consideration when he comes with a motion for a new trial before the Representatives of all the States and asks them to reverse the verdict rendered by the electors of Ohio on this question. The people of my State are much better qualified to pass judgment upon the relative merits of regulation or prohibition as applied to their own Commonwealth than are the Representatives, here or elsewhere, of Utah, Wyoming, or Arizona, or any other State in this Union.

No power is given Congress by the Constitution to submit this or any other proposition to a vote of the electors whether as a whole or by and through the States, and this fact furnishes the reasons for proposing to adopt it from the top instead of commencing at the bottom of our constitutional structure.

No one will seriously contend that anywhere near a majority of the duly qualified electors of the United States favor the adoption of this measure.

The Democratic platform of 1912 contains this declaration:

Believing that the most efficient results under our system of government can be attained by the full exercise by the States of their reserved sovereign powers, we denounce the efforts of our opponents to deprive the States of any of the rights reserved to them and to enlarge and magnify by indirection the powers of the Federal Government.

Article X, amendments to the Federal Constitution, provides:

The powers not delegated to the United States by the Constitution nor prohibited by it to the States are reserved to the States, respectively, or to the people.

This proposed joint resolution is a bald, naked, and palpable repudiation of the letter and spirit of the tenth amendment to the Constitution and of the plank quoted from the Baltimore platform. It proposes to outlaw by prohibiting the use of many hundreds of millions in value of property now utilized in the production, manufacture, and sale of vinous, spirituous, and malt liquors, and to clothe the Federal Government with the police power necessary to enforce this destructive and confiscatory enactment.

It is proposed to do this by a majority vote of the legislatures of three-fourths in number of the States of this Union. Eleven of these States—Arizona, Delaware, Idaho, Montana, New Hampshire, New Mexico, Nevada, Vermont, Rhode Island, Utah,

and Wyoming—represented on the floor of this House by 16 Members and in the Senate of the United States by 22 Senators, had by the census of 1910 an aggregate population of 3,366,313, while by the same census the State of New York had a population of 9,113,614. Neither of these 11 States had as many people as the city in which I live, and all of them combined had 1,400,000 less people than the city of New York or the State of Ohio by the last census. Here we have the actual impelling force behind this proposition; because the people of States like New York, Pennsylvania, Illinois, Ohio, Texas, Missouri, Massachusetts, Michigan, Indiana, and New Jersey refuse to conform to the ideas of rural and sparsely settled States like the first 11 I have named, the latter propose, by their preponderating power in numbers, each State having 1 vote on amending the Constitution, to force this amendment on the 10 States last mentioned, whose combined population by the last census was 234,175 in excess of one-half of the population of all the States in the Union.

If this proposition shall be adopted by Congress, it will remain open for adoption by the legislatures of the several States for an unlimited period of time; its rejection by a majority of the States will not settle the question, and its submission will simply open, and keep open, for an indefinite period a raw and bleeding sore on the body politic of every State in the Union, to the exclusion of intelligent consideration of every other public question, however pressing.

The enactment of the Webb law by the Sixty-second Congress removed the only possible justification or excuse for this measure. By its terms the several States of this Union were authorized to prohibit the importation and transportation of intoxicating liquors into a State, or any part thereof, wherein the sale of such liquors is made unlawful by the constitution or laws of said State.

The preamble to this bill is a mere stump speech in favor of total abstinence, highly colored by fervid rhetoric and gross exaggeration and the frequent use of adjectives and epithets, but as the preamble is no part of the legislation proposed I desire to submit a few observations upon the pertinent provisions of the measure.

It proposes to prohibit in the United States, the Philippines, Hawaii, Guam, Porto Rico, and Alaska the sale, manufacture, transportation, importation, and exportation for sale of intoxicating liquors for beverage purposes, and in section 2 authorizes Congress to provide for the manufacture, sale, importation, and transportation of intoxicating liquors for certain specified purposes deemed proper and necessary, and then authorizes the "needful" legislation to enforce its provisions. If the use of intoxicating liquors is as harmful as stated in the preamble, it is strange that no provision was inserted to prohibit its manufacture for use by the people of the United States; for all that this legislation contains every man can have his own still, brewery, or winery and use or give away intoxicating liquors without limit. No provision is made for supplying the deficiency of about $250,000,000 annually which will be lost to the public revenues of the United States by the adoption of this measure, to say nothing of the loss of revenue to the States and their subdivisions. The consequences of this legislation have not been fully considered by its authors and proponents.

Would the people of States like New York, Pennsylvania, Ohio, and Illinois, after having this amendment forced upon them by the legislatures of such States as New Mexico, Nevada, Wyoming, and Arizona, be disposed to enact the necessary legislation to enforce it? The question answers itself.

The only recourse, then, for its enforcement would be deputy United States marshals. How many would be required for a serious attempt to enforce such a law no one can even estimate. The only result certain to follow the adoption of this measure is a complete breaking down of the whole system of attempted law enforcement by the National Government, and a sickening disregard of this and all other laws as a natural consequence. If it should be adopted, a majority of the States would soon wish to repudiate it, and it would hang like a millstone about the neck of this Nation until three-fourths of the States could be induced to repeal it.

But we are told with vehement emphasis that the question of adoption by the several States of this Union of regulation or prohibition as a means of providing against the evils resulting from the sale of intoxicating liquors is a moral one, which justifies the invasion of the reserved rights of the States and the repudiation of the theory of home rule and local self-government, upon which our dual system is based. There may or may not be force in this contention, since the point of view of each individual and the facts and circumstances in the case alone determine that. If it is contended that legislative prohibition raises the standard of morality in the prohibition States above that of similar States having a system of regulation, I deny it, and cite the experience of the New England States as examples, all of which have had prohibition, and all of which have abandoned it, with but one exception.

There is not much virtue in the term applied, either to an individual or to a system or policy of government. No improvement will be noted in the odor of a jimson weed by calling it a sunflower.

"That which we call a rose, by any other name would smell as sweet."

The gentlemen who propose to assume the guardianship over the morals of the people who reside in the great and populous States of this Union are reminded that the great mass of the people of those States were born and have grown up in their own Commonwealths, are more familiar with the people and institutions of their own States than nonresidents possibly can be, and that the morals of the people, so far as the same are affected by what they eat and drink, are not likely to be improved by outside interference.

There is probably invested in property used in the production, manufacture, transportation, and sale of spirituous, vinous, and malt liquors, by people residing in the territory covered by this joint resolution one thousand millions of dollars. It is proposed to outlaw this property by prohibiting its use for the purposes to which it is adapted, and to place it in the same category with gambling implements and burglars' tools, without notice or compensation.

Whatever may be our opinions of the business of producing, transporting, or selling intoxicating liquors the wholesale confiscation authorized by this measure *does* present a moral question of much graver magnitude and consequence than is involved in the desire to regulate the appetites by controlling through one enactment the business relations of all the people who live under the American flag. [Applause.]

Mr. STAFFORD. Mr. Speaker, I yield three minutes to the gentleman from New York [Mr. OGLESBY].

Mr. OGLESBY. Mr. Speaker, this is a proposition to prohibit forever, by constitutional amendment, the sale, manufacture for sale, transportation for sale, importation for sale, and exportation for sale of intoxicating liquors for beverage purposes in the United States and all territory subject to the jurisdiction thereof.

As the law now stands, the States may decide this question, each for itself, by majority vote of its electorate. In my judgment the manufacture and sale of liquor is not a proper subject for national constitutional provision, but is a matter for regulation by legislative enactment and should be decided in and for each State, or such subdivision thereof as may properly be established for referendum action, by a majority vote of the qualified electors residing therein. Congress has the power, without amending the Constitution, to give full protection to a dry State against importation from a wet State by outlawing liquor as an article of interstate commerce. The amendment, if submitted, is not to be voted upon by the people.

To amend the Constitution as herein proposed, three things are requisite—i. e., first, the resolution must be adopted by a two-thirds vote in the House; second, by a two-thirds vote in the Senate; and third, such action ratified by the legislatures of three-fourths of the several States. The resolution will be adopted by the Senate if it receive the support of 64 Senators, representing any 32 States, and, in the event of its passing this House also, would become effective when ratified by the legislatures of 36 States, though rejected by the other 12.

There are 32 States of the Union with a combined population of about one-half that of the other 16, and 10 with a population exceeding that of the other 38. So that should this House give its consent to the method here proposed of determining the question, United States Senators representing one-third and State legislatures representing less than one-half of the citizens of the Republic could impose their will on the majority.

There are 19 States in the Union whose combined population is less than that of the State of New York. The adoption of this resolution would deprive the voters of the district which I have the honor to represent of all opportunity to express their wishes directly on the proposition and leave them only a wholly disproportionate and unequal representative voice in its determination. It would permit the legislatures of 19 States, with a combined population less than that of my State, to cast 19 votes and the legislature of my State only 1 vote in the determination of this question for my people. It is only in this House that the people of my district and State have an equal representative voice in amending the Constitution.

Whether the method provided in the Constitution for its amendment should be modified or whether it can rightfully be changed without the consent of all the States is open to serious question.

The proposition presented here is in no sense analogous to those embodied in amendments heretofore accepted, for instance, to that contained in the constitutional amendment recently adopted, providing for the election of United States Senators by direct vote of the people. That was merely a change to a more direct method the manner of selecting their United States Senators by the people of the States. It was an amendment of a matter originally contained in the Constitution and properly subject to amendment in the manner therein provided.

I am convinced it was never intended by the people of the States originally entering the Union, or believed by their representatives in convention, that in consenting to the method of amending the Constitution therein fixed a means was thereby provided by which their powers of police regulation could be taken from them against their will. I am clear, at least, that we, the people's representatives, should not by the method proposed here, or in any other manner, foreclose the right of the majority to decide this question as they see fit. [Applause.]

Upon a question which has been long before the people, and opportunity afforded to test public opinion, I deem it to be my duty to vote in accordance with what I believe to be the wishes of the majority of my constituents, and that I should not depart from this rule except upon a matter which threatens the integrity or affects the honor of the Nation.

Mr. STAFFORD. Mr. Speaker, I yield five minutes to the gentleman from Pennsylvania [Mr. BARCHFELD].

Mr. BARCHFELD. Mr. Speaker, in the name of national prohibition there is now at work in this country a political faction which would destroy the frame of the American Government, force a Federal police rule upon every person in the United States, and strike the greatest blow at State rights ever attempted. I purpose to correct some of the falsities of their statements and speak with what skill I have in defense of the system of government which they would disrupt.

The gentleman from Alabama [Mr. HOBSON] has introduced four resolutions for a prohibition amendment to the Federal Constitution. They are all in favor of prohibiting the manufacture and sale of alcoholic beverages, but are all progressive, in that each resolution goes a little further than its predecessor, and the last proposes that the sale, manufacture for sale, exportation for sale, importation for sale, and transportation for sale of all beverages and foods containing alcohol are forever prohibited in the United States and in all territory under their jurisdiction. In passing I may quote from Mr. HOBSON's speech of December 11, 1913, in which he said:

> I want my colleagues to understand from the start, and, so far as we can have them, the American people, that there is no desire, no intent on the part of this resolution to invade either the individual rights or inherent liberties of the citizen, or to climb over the wall that civilization—particularly the Anglo-Saxon civilization—has built around the home.

Probably this has reference to the fact that the manufacture and sale of liquors for sacramental, medicinal, therapeutic, and mechanical purposes is excepted from the grand prohibition of this proposed amendment, and possibly to the idea which the prohibitionists are now seeking to promulgate, that this constitutional prohibition will not prevent the individual citizen being his own distiller or brewer and making for himself in his home all the intoxicating beverages that he can manufacture for his own consumption and gifts to his friends. This does not deceive me, but only adds to my resentment, in the name of our Constitution and of our people, against the colossal fraud which the advocates of this prohibition amendment would commit in the name of temperance.

The prohibitionists must seek one of two things: Either they wish to deprive the States of the power to regulate the liquor traffic and to invade the American home and handcuff the American citizen with a prohibition on his personal habits and individual freedom or else they wish to destroy the regulated liquor traffic and introduce into America in spite of the State and local governments an unlicensed, untaxed, and unregulated free manufacture of intoxicating beverages.

In the first half of the dilemma the prohibition agitators are compelled to admit that their purpose is the invasion of the home with a national police ordinance and the denial to the States of the right to make local liquor laws. All these people who for one reason or another are inclined to give ear to the grand fallacy of national prohibition should take one look at the Hobson prohibition amendment and then conclude, as they must, that it proposes confusion worse confounded and, if nothing more, is an insult to the common sense of Americans.

In the second half of the dilemma the prohibition agitators are reverting to the position of those who insisted that instead of taxing all of the alcoholic liquors manufactured in this country there should be an exemption, so that each man could manufacture not to exceed 80 gallons of whisky a year for family consumption, and this idea was rejected many years ago as offensive to every idea of temperance and decency in the Federal taxation and local regulation of the liquor traffic.

I do not propose, however, to discuss this subject except upon the idea that those who are now advocating national prohibition mean to accomplish what the prohibitionists always have as their single object—that is, to prohibit not only the manufacture and sale of liquors, but to prohibit the use of liquors, and to secure this by compulsion and force through law.

There is no question which more merits calm consideration, and I propose to speak upon it without regard to the hysterical denunciation of those who assume to represent the moral regeneration. I represent a large church constituency, and I do not yield to any agent of any society or organization in the duty of representing those people on this floor. The leader of the prohibition advocates in this House pretends to represent the religious people of this country as a sort of new John the Baptist preparing the way for compulsory constitutional reformation.

He preaches a doctrine of moral coercion in the home and incidentally advocates the construction of a thousand battleships for defense against a host of enemies who are the figment of his own brilliant imagination. The mythical Don Quixote has a fitting successor in the present hero of the prohibitionists. Capt. HOBSON has traveled the chautauqua routes of the country, fighting windmills with windy oratory, finding a Samuri warrior in every inoffensive Japanese servant in America and a great destroyer in every beer bottle that decorates a German laborer's dinner table. He wants to take upon his shoulders the task of Hercules and do what no mortal man has done since time began. In his brief life he would reform the habits and customs which began with Genesis, came down through the history of the sons of Abraham, the records of the children of Israel, and the Acts of the Apostles. He is willing to reform the teachings of the Scripture and prohibit the turning of anything into wine. And he is determined to accomplish this thing, not by teaching, not by persuasion, not by moral reformation, but by amendment of that greatest secular document in history, the Constitution of the United States. Capt. HOBSON fails to realize, however, that his American people can not be coerced even by the supreme law of the land. They may be taught, but they can not be forced.

Prohibition has been the instrument of despotism since the world began, the first aid and last resource of those who would compel where they can not lead. King George tried to prohibit the American Colonies from manufacturing their own wares, from going to market anywhere except in old England, and from having arms. In defiance of these prohibitions the American people created the United States of America, and I, for one, believe that as the American Government grew out of the people's hatred of prohibition in the days of the Revolution, so to-day prohibition of the kind which is fostered by the followers of Capt. HOBSON would meet as great resentment as it did in the earliest days of the country.

Prohibition has now been taken as a trade-mark by the people who want to prevent the sale of intoxicating liquors. They have a good motive, but a wrong method. They want to remove temptation from those who can not resist it. But there is no magnet in the universe so powerful as prohibited temptation. It draws humanity as the flame draws the moth. I do not suppose Adam and Eve would have paid any particular attention to the tree of knowledge if they had not been prohibited from eating the fruit of that tree. There were so many other varieties of fruit in the garden that they could not sample them all. But when that one tree was marked "Prohibited" they went after that particular fruit and neglected all the others. Moses gave the children of Israel several prohibitions and then smashed the tables of stone because they would not obey. The world has been going that way ever since. The striking difference between the Old Testament and the New is the absence of prohibitions in the latter. The Master revised the old version and struck out the word "forbid." He said "forbid them not" when His disciples wanted to keep the children away from Him. He repeated the same request when they wanted to deny tribute to Cæsar and when they wanted to check others from prophesying in His name. Paul rather prejudiced his case with the ladies by forbidding them to speak in public, but he also warned the people against those who commanded them to abstain from meats which God had created.

The one most serious prejudice against Paul has been that prohibition against the ladies. They will never forget Paul or forgive him. In that they show that they are daughters of mother Eve.

It is not simply the people who want to drink or run a saloon or a brewery who object to prohibition; it is the inborn prejudice against the word or any synonym of the word "prohibition." The old Washingtonians tried to make intemperate people temperate by persuasion. John B. Gough and Francis Murphy employed the horrible example. Mother Stewart prayed with the saloon keeper and persuaded him to pour his liquors into the gutter; Frances Willard followed the same example. Gough and Murphy and Mother Stewart and Frances Willard are remembered as great leaders, but who remembers the names of the Prohibition candidates for President in the last 40 years, or even in the last presidential campaign?

It is not because the majority of the people are not temperate and do not want to have all men sober. It is simply the old prejudice against prohibition; against having one man say you shall not eat pork, or roast beef, or oysters, or drink Potomac water, or beer, or something stronger. We have been brought up in the way of regulating our own appetites. We will not even let the doctor prescribe a diet, unless he has us in bed with a nurse on guard. We resent prohibition of any and every kind which concerns ourselves. We have been educated in the way of paying our money and taking our choice. The human race started in that road in the beginning and it has been traveling that road ever since, and we have called that road civilization and enlightenment and progress. So, after many years of this kind of travel, the Americans who claim now to head the procession refuse to have the sign of prohibition put up across the highway.

The question is bigger than the control of the liquor traffic. It is a question of local government; and of the control of the local affairs of the community by the majority of the residents of that community, whether it be a rural township, a village, a town, or a city. We began building this Republic from the bottom, not from the top, as did the people of Mexico. We laid the foundations in local government, and out of these constructed the States, and then from the States the Nation. We did not construct the Nation first and then give it the power to make States, and permit them to construct counties and townships and charter cities, towns, and villages. There have always been different customs in different parts of the country, and there are to-day. We have drawn our inhabitants from all parts of the world, and while we have made them good Americans, combining all that makes a Nation of freemen, we have not tried to prohibit them from following the religious and family customs which they brought with them. There are nearly 200 different religious sects in the United States and 22 great parent churches. The communicants and followers and supporters of these religions and sects are jealous of their rights to worship God as they please, and have their own idea of a God; to accept the Old Testament or the New; to take the Koran or the Book of Confucius or the Vedas.

We have 14 kinds of Baptists, as many kinds of Methodists, and varieties of almost every denomination of the Protestant Church. We have those to believe in Jesus as the Christ, and those who do not; those who have very distinct forms of religious worship and those who have no very definite form. They refuse to be prohibited from following their own form of worship or from having no religious belief whatever. We have infidels as well as Christians. A great many of these people came to America for the specific purpose of escaping just such prohibitions in other countries.

Some of these people believe that no human being should eat meat, some would prohibit particular kinds of meat, or have it prepared for eating after a particular form, and some know no law on this matter except that of necessity and opportunity, eating and enjoying beef, pork, and lamb, fish, or fowl. We have other customs some of them imported and some of domestic development, and the followers of these customs and fads are just as much opposed to being prohibited from following them as are the religious and nonreligious people. Some of them want to go barefoot and some would prohibit that custom as barbarous, some are confident that we should live on predigested breakfast foods, and some believe that thorough mastication is the only rule of health. Some believe in protecting the human form with stays and some disregard the corset as a relic of barbarism. Some have a champagne taste and some a beer taste. It is just as difficult to prohibit one of these customs, fads, or tastes as it is another. The followers of them all hate the word "prohibition." The village may prohibit the drinking of beer or the wearing of Mother Hubbards if a majority of the good people in that village agree that they do not want either. But the residents of that village resent a prohibition of either by a neighboring community. They want to regulate their own domestic affairs. There have been communities from the beginning where the saloon and the barroom in the tavern were unknown, and there have been others where they existed, and the people thought they had a right to have them.

Local option in some States became a popular method of dealing with the question, and the State exercised its police power of taxing the saloon or permitting communities to prohibit it. The people in town meetings, or village or township elections, decided whether they would have the saloon or not. Sometimes the majority voted one way and the next year voted the other way. They exercised their right of local self-government. Then, this option was in places extended to the counties, and the majority took up the question as a State issue, and prohibited the saloon or the manufacture and sale of alcoholic products in whole States.

The State of Iowa did this some years ago, and the people in the river counties resented the prohibition. The majority of the people in the cities, towns, and rural communities along the Mississippi River were Germans, and they wanted their beer just as they wanted cabbage and sausage. They refused to be prohibited from having these things by the State. They elected their city, town, and county officers on an open and distinct pledge that the State law should not be enforced.

Some temperance advocates and prohibitionists thought the open violation of the State law in Iowa was due to close contact with Illinois, a State which did not have prohibition but licensed the saloon. But in Illinois the saloon was regulated, and in some towns on the river next to the Iowa line they were prohibited under the mandate of local option. The people in those Illinois towns who wanted beer or whisky walked across the bridges into prohibition Iowa and were satisfied. The rebellion against prohibition in Iowa was local. The majority in the cities, towns, and counties refused to have their personal affairs regulated by State law. They had been educated in a different way from the people who made up the majority in other parts of the State. They carried their hatred of prohibition to the point of defying the laws of the State and writing this defiance into their local laws. The situation became so serious that the Iowa Legislature felt it wise to enact a mulct law that would recognize the local sentiment of communities, although that law was in defiance of the statute prohibiting the manufacture and sale of alcoholic liquors.

The people of Kansas had similar experience. They have State-wide prohibition in Kansas, with drug stores selling on prescription and furnishing the prescription. In Maine they have prohibition by the State constitution, while bootleggers make up a respectable part of the business community.

Without further discussion of the freaks and failings of prohibition in the States and localities which have experimented with its fundamental impossibilities, I wish to give testimony regarding the great State of Pennsylvania, and more particularly to the marvelous county of Allegheny, part of which I represent here in Congress. We have in Pennsylvania the best liquor law in the United States. I have traveled the States of the Union, have seen prohibition under every condition, and have seen the travesty of local option, where half the community tried to vote the other half into being criminals. I have seen a local option county go wet and dry alternately every two or three years, with the saloons voted in at one election and out at the next, and there was little choice between the irresponsible character of the licensed dealer of one period and the reckless bootlegger of the next. The saloon keeper when the county was wet was so insecure in his business that he had small reason to safeguard his license. The bootlegger had to violate the law to operate, and was subject to no restraint whatever. Under both conditions the people demanded liquors and insisted on a supply.

In Pennsylvania we have the Brooks high-license law. The saloon keeper comes before the court, and under his oath satisfies the judge that he is a proper person to have a license; that he has never been convicted of crime; that he is a man of moral uprightness and has sufficient capital to engage in the business; that he will obey the law and the regulations which the court enforces; that he will religiously observe the first day of the week, commonly called the Sabbath, and refrain from selling on that day. There is not a licensed dealer or a hotel keeper in my county who would violate this law and this order of the court.

Now, what is the result? The licensed dealer is engaged in a lawful business. He has capital invested, and the continuance of his license is his greatest asset. He knows that the court will revoke his license or refuse it at the next licensing period if the law is violated.

We have in Pennsylvania a licensed, respectable, and satisfactory regulation of the sale of liquors. We would not exchange this for the uncertainty of local option, the bootlegger régime of prohibition, or sacrifice our own right of local regulation for a constitutional mandate from Washington, D. C., directing us to forbid the sale of liquors in Pittsburgh.

My district, the thirty-second congressional district of Pennsylvania, is the workshop of the world. I represent a constituency of over 300,000 inhabitants in five city wards and the outlying boroughs and townships of Allegheny County south of the Monongahela and Ohio Rivers. In times of our prosperity 100,000 men go each day, except the Sabbath, to the furnace door of the steel mills, the dark depths of the coal mines, and the furious activity of the factories, many of them with their lives in their hands, and draw from the minerals and materials of the earth the wealth of her resources.

A portion of this section was first called Birmingham, after its counterpart in England, whence came the first English steel workers, to be followed later by the Irish, Germans, the Poles, the Slavs, the Italians, the Huns, and all those others who now make the most cosmopolitan and industrious working community in America. These men of all races and all religions, honest and God-fearing, ask only the opportunity to labor, to live, and to accumulate their savings that they may be happier and more substantial citizens. They are as law-abiding a community as America knows. They wish to have freedom, however, in their ways of life, and to impose upon them rules of sumptuary legislation would be to destroy their confidence in America and her free institutions.

These people look upon alcoholic liquors as a right, inborn and God given. What prohibitionist from the corn fields of Kansas, the cotton fields of Alabama, or the seacoast of Maine, where the bootlegger votes for prohibition, has a right to command a steel worker in my district that faces 2,800° F. at the furnace door that he may not have his beer when his heat is ended? Stimulant to that constituent of mine is a food, and he would tell you it was a necessity. When the long day's work is over, the kind of a day's work that no agitator for prohibition can understand or appreciate, these men, as have their forefathers for generations, drink their beer, their wine, or their whisky, and they will defy all the prohibitionists in America to give one good reason why they should not.

Let me tell you that in times of prosperity the Jones & Laughlin American Iron & Steel Works employs 10,000 men; the United States Steel Corporation, 22,000 men; the Pittsburgh Coal Co., 11,000 men; and other industries similar great numbers in my district; and without drunkenness or excess these men demand places near the mills where they can secure their whisky and their beer, a bowl of soup and a ration of meat, that will replace the mighty energies they expend upon their labors.

I have given you a suggestion of the way liquors are used in my district. Incidentally there are no Keeley cures or other drug sanatoria in my district. You will find the latter in prohibition States. I venture to say that there is just as much reason in principle for insistence on liquors by the people in other parts of the United States, and I am sure that license and regulation will be as efficient and successful in other States and sections as it is in western Pennsylvania.

Just as I deny any stranger the right to dictate to my people, however, I will refrain from even suggesting to other States and localities, regardless of the soundness of my views, the way in which they should regulate their affairs and confine myself to a few observations on prohibitionists and their falsehoods.

I am a doctor of medicine by profession. The Hobson resolution begins with the statement that "exact scientific research has demonstrated that alcohol is a narcotic poison." As a physician I state that this is either a play on words or an outright misstatement. In either event it is misleading, and flies in the face of medical practice and physiological science.

When Capt. HOBSON and his prohibition exponents of denunciation and misapprehension make the sudden discovery in this early part of the twentieth century that alcohol is absolutely destructive the medical profession and all the nonprohibition laity marvel that the civilized population has increased, the wealth, prosperity, and material good have increased, and, strange to say, the moral improvement of the people has been certain despite their universal addiction to this certain destroyer. As a matter of fact, the Empire of Turkey, where alone in all the world alcohol is prohibited by the word of the Prophet, shows the physical, mental, moral, and material palsy which prohibitionists would have us believe is the case with our Anglo-Saxon civilization if alcohol, which we have used, is the agent of degeneracy it is pictured to be. Anglo-Saxon civilization has been destroyed by its use of alcohol. The Turkish people have electrified the world by their abstinence and consequent enlightened progress. Officially and by exact scientific research we are dead, and the Turks are the foremost people of the world, provided Capt. HOBSON and the prohibitionists are right in their diagnosis. Not only are we Americans dead, but the great Germanic peoples of central Europe have, instead of making wonderful progress during the past 50 years, disappeared from the face of the earth.

It is the Christian civilization that is now decadent, while that of the Moslem is triumphant throughout the world. Are we living in the twentieth century and not in the age of Mohammed? After listening to the gentleman from Alabama, as he pictured the failure of our civilization, I was almost persuaded that he had turned back the dial of Father Time a thousand years and that it was the star and crescent rather than the star of Bethlehem that was leading us on.

So far as this scientific aspect of the liquor question is concerned—incidentally, it is exactly the same to-day that it has been since that early day in the dawn of civilization when alcoholic liquors were first made a part of the civilized human's diet—I refer all true students of this great question to the report of the Committee of Fifty on the Physiological Aspects of the Liquor Problem, published in 1905. The conclusions reached by that eminent body of impartial investigators are at variance with the new discovery. Undoubtedly, however, in the prohibition propaganda we will always have the type of expert who, for his preconceived notion or the mere sake of his employment, will reach the kind of conclusion which Capt. HOBSON has so elaborately set forth when he demonstrated that 3 ounces of alcohol, instead of having a food value or a fair effect of stimulation, was truly the great destroyer.

I am not defending alcohol for excessive use or advocating its use at all. I decry drunkenness as much as Capt. HOBSON, and we have little of it in Pittsburgh. I simply say that wanton denunciation of alcohol does more harm than good; that we should honestly teach temperance and not dishonestly preach prohibition; that we should, above all, tell the truth and abstain from lies, and remember that after all each man must control himself, and if he uses liquors be temperate in their use. It is well to remember that a man may kill himself by overeating, and that a favorite method of committing suicide in China is by eating a half cupful of common table salt at one sitting.

So much for the new discovery that alcohol is a poison. Let us now consider what the prohibitionists propose to do with this new discovery as a premise.

Capt. HOBSON and the prohibitionists want to introduce into the Federal Constitution something that is not there now and has never been there—a limitation upon the personal liberties of the citizen. In both Federal and State Constitutions are express restrictions upon the powers of the legislatures, restrictions which were adopted to protect the liberty and the property of citizens and to prevent confiscation and oppression by the mere vote of temporary majorities. In order to prevent local abuses by legislative enactment, the safeguards of liberty embodied in the Federal Constitution were made the supreme law of the land, controlling the action of all courts, Federal and State. It was directly and explicitly provided that the privilege of habeas corpus should not be suspended; that no bills of attainder or ex post facto laws should be enacted against the levying of disproportionate taxes or duties upon articles exported from the States; prohibiting any State from enforcing any law impairing the obligation of contracts and from levying any impost or duty.

This same supreme law prohibits Congress from interfering with the establishment and free exercise of religion, with freedom of speech and of the press, or the right of the people to peaceably assemble and to petition for redress of grievances; against quartering soldiers in any house without the consent of the owners, violation of the security of person and property, and against unreasonable search and seizure without warrants properly verified and issued, and the taking of private property for public use without compensation; insuring the right of trial by jury for criminal prosecutions and the protection of the accused against arbitrary and illegal punishment; prohibiting any State from making or enforcing any laws which shall abridge the privileges or immunities of citizens of the United States, or which shall deprive any person of his life, liberty, or property without due process of law, or from denying to any person within its jurisdiction the equal protection of the law; and prohibiting either the United States or any State from denying or abridging the rights of citizens on account of race, color, or previous condition of servitude.

If these limitations and restrictions are to be taken out of the Constitution as applying to one article of commerce and one class of business, how long will they remain to protect other articles of commerce and other lines of business? If the property of the brewers and distillers, of the wholesalers and retailers is to be taken without compensation, how long will it be before a temporary majority will take other property without compensation or force upon the people some other great privation of rights? Human nature is the same in its prejudices, and retaliation is a favorite weapon with man in his passion.

I have heard the campaigner of the Socialist Party declare that the ultimate object of his party—and they have a national party, just as have the Prohibitionists—was to smash our present form of government and the individual rights of persons and of property, of which it is protective. He inveighed against our government of laws and urged a régime where there will be no legislatures, no courts, because there will be no functions for them to perform; where there will be no master or servant, no distinction between workers and drones, no wage and no private ownership of property. He demanded that the people should take back to themselves the railroads, the mines, the ships, the lands, and the buildings and improvements thereon, the business, the industries, the accumulation of profits—to take these properties without compensation from their present owners, because, as he declared, "all property privately held has been stolen from you and from me." That man was a Socialist, and he was just as earnest, and perhaps as honest, in his convictions as are the Prohibitionists, who propose to follow his program as to one line of business to which they object and the one line of personal conduct which they would control.

If this doctrine of destruction, of removing the protection to life, liberty, and property from the Constitution is to be applied, why not apply it as the Socialist does and remove it absolutely, instead of piecemeal? For if it should be begun as the Prohibitionists demand, it will continue until there is no safeguard to anyone of any class, not even those who claim to represent the religious class. This doctrine has in other countries stripped the religious organizations of their property, taken the churches, and banished those who professed the Christian religion.

Above all else, national prohibition is an attempted coercion of the habits of the people by placing in the Constitution a mere police ordinance which, when stripped of its high-sounding phrases, is still only a rule of conduct operating as organic law in every State and hamlet in the Union, by which the lives and customs of the people are to be constrained and regulated. Coupling this idea with the purpose of the prohibitionist to curtail the freedom of the State governments, the full evil of the proposal is made plain.

How do the prohibitionists propose to bring about this national prohibition? The petitioners for the passage of this resolution say they do not ask Members of Congress to agree with them that national prohibition is necessary. They only ask that Congress submit this amendment to the various State legislatures, that they may decide in harmony with the will of the people. The presumption is that the majority of the State legislatures would represent the will of the majority of the American people. That is not true. The majority of the State legislatures and the majority of the people are two very different propositions. The New York Legislature represents more than 9,000,000 people, and the Nevada Legislature represents less than 90,000 people; the Pennsylvania Legislature represents more than 7,000,000 people, and the Maine Legislature represents little more than 700,000 people. In ratifying an amendment to the Federal Constitution the vote of Nevada is equal to the vote of New York and the vote of Maine equal to the vote of Pennsylvania. The will of the people as expressed by majorities does not enter into the calculation. But the petitioners for this resolution say to the Members of this House: "We do not ask you to believe in national prohibition; we simply ask you to pass this resolution and put the question before the State legislatures, that they may decide in harmony with the will of the people."

They ask us to surrender our convictions, violate our oaths of office, misrepresent our constituencies, and hand this question over to the State legislatures for decision as three-fourths may vote.

An amendment to the Federal Constitution can be submitted to the States by a vote of two-thirds of the House and Senate and ratified by three-fourths of the State legislatures. This House is the only place where the people are represented and where a majority of the people can express their will on such a question. But we are calmly asked to submit this amendment to the State legislatures, regardless of the demands of the people. Now let me give you a little mathematical demonstration. There are 48 States, and 36 of the State legislatures can ratify this amendment; but those 36 States might represent a minority of the American people. They might have a minority of the Members of this House, a minority of the wealth, industry, education, and all that goes to make our boasted civilization and progress. The Anti-Saloon League claims to have great influence in many of the rural States. But there are 12 States which are not in favor of either National or State-wide prohibition, and they represent the majority of the whole people and have a majority of the Representatives on this floor. These States are Massachusetts, New York, New Jersey, Pennsylvania, Ohio, Indiana, Illinois, Michigan, Wisconsin, Minnesota, Missouri, and California. These 12 States have nearly 49,000,000 of the 93,000,000 people in the United States and 230 of the 435 Members of this House. They have the great centers of population, the great industries, the great armies of labor, the great centers of trade.

They also produce three-fourths of the manufactures of the United States and have nearly one-half the total farm values; they have more than one-half the school children of the United States, spend more money for education than do the other 36 States, and have only one-third the whole number of illiterates in the country. They also have more than one-half the church members and church property in the United States. They have a less per capita of crime, a less per capita of divorce, a less per capita of poverty than have the other 36 States. But the Representatives of these 12 States are coolly asked to surrender their own convictions and misrepresent the majority of the American people, a majority of the educated, church-going people, a majority of the wealth and industry, and all that makes the majority sentiment of our civilization, to submit this amendment to the Federal Constitution to the State legislatures on the theory that we are submitting the question to the will of the people. We are asked to surrender our people to the will of the State legislatures in a contest where the unanimous vote of the majority of the people would count for nothing, and run the chance that a minority may fasten upon them a Federal law in place of their own State and municipal regulation of a great local problem.

Does the gentleman from Alabama think that New York and Pennsylvania, Ohio and Illinois would give any better observance of this prohibition amendment than his people do to the fifteenth amendment, which they have openly defied for half a century?

Some people say that prohibition is a church movement. I doubt it. Oklahoma, the latest State to have state-wide prohibition, has the smallest percentage of population identified with the churches of any State in the Union. Kansas stands next lowest and Maine third. Oklahoma had only 18 per cent of her population given as church members in 1906. Kansas had 28 per cent of her population identified with the churches. Maine had 30 per cent of the population recorded as church members. These are all prohibition States. New York has 44 per cent of the population recorded as church members, Pennsylvania 43 per cent, Illinois 38 per cent, and Wisconsin 44 per cent. So the States having the largest percentage of the population recorded as members of churches permit the sale of liquors and the States with the smallest percentage of population identified with the churches are committed to State-wide prohibition. These figures would seem to deny that prohibition is a church propaganda. The same thing is true of the population of the Southern States. Tennessee has 32 per cent of the population in the churches and has prohibition; Louisiana has 50 per cent of the population in the churches and does not prohibit the manufacture and sale of liquors.

The census figures also show that the cities of the country have a greater percentage of the population recorded as church members than have the rural districts. For instance, 225 cities with populations ranging from 25,000 to 2,500,000 have 27 per cent of the population and 32 per cent of the church members of the country. In these 225 cities 47 per cent of the population are church members while in the rest of the country, the small cities and the rural districts, only 36 per cent of the population is identified with the churches. The cities are opposed to prohibition, either State or National, and they not only have a greater percentage of church members, but they also have one-third of all the church members in the country, while having less than one-fourth of the total population. If the religious people should unite in behalf of prohibition, they could more nearly control the cities of the United States than they could the small towns and rural districts. They could control such cities as Chicago and New York and prohibit the sale or use of alcoholic liquors.

That the religious people do not unite in the cities and have prohibition appears to indicate that they do not take that view of this question. It also appears to indicate that those who claim it is a church movement are leading and commanding organizations without the support of the men and women who make up the organizations. In other words, they are professing to represent what they do not represent. In that they are like some other political bosses who pretend to dispose of the influence of great bodies of people they do not represent.

And yet the petitioners for national prohibition say the rural States must come to the relief of the great centers of population and make prohibition nation wide.

I, in part, represent the church people of Pittsburgh; and we have as many church members in Pittsburgh as they have in the whole State of Maine. Allegheny County has as many church members as the whole State of Kansas. More than that, we have a greater percentage of church members in Pittsburgh than can be found in any prohibition State or district anywhere in the United States. Pennsylvania and New York have one and one-half times as many church people as all the prohibition States of the Union put together.

So I assume to speak for the majority of the church people as well as others of my constituents, and I do not leave that to Brother HOBSON or the officers of the Anti-Saloon League.

A great Speaker of this House once said that the most common weakness of the Representative was fear in the presence of hysteria. We have a hysterical demand here from an organization which sets itself up as the real representative of the moral, sober, industrious, and God-fearing people of this land to dictate to the Congress and employ weapons that belong to the old age of absolutism.

The Anti-Saloon League has adopted the methods of the Cæsars and threatens us with proscription—that men shall be set aside and parties abandoned if we Republicans and Democrats do not bow to its will. The legislative superintendent of the league who watches over this Congress publishes to the world the warning, "The graves of many State legislators and Members of Congress can be seen along our line of march." He has put in plain prose what Shakespeare put in poetic form in his Julius Cæsar:

> By proscription and bills of outlawry
> Octavius, Anthony, and Lepidus
> Have put to death an hundred senators.

We have repudiated the lobby, but the boldest, most pretentious lobbyist in Washington still watches over us, and some men may fear his vain threats to consign them to political graves. Away with such pretenses and such threats, and away with the false doctrine they would ingraft on the Federal Constitution. Let us represent our own constituencies without fear or favor of the political organization—they would have us believe it is religious—which employs such methods. It is the legitimate heir to the old Know-nothing Party and its grandchild, the A. P. A.

We Republicans have our national platform, you Democrats have yours, and prohibition is in neither. That is the platform of another party, adopted by another national convention, and I for one propose to stand by the national platform of my party, by the wishes of my constituents, and in defense of the Constitution as a guaranty of local State government and liberty to the people—not as a proscriptive, prohibitive charter which will be hated, scoffed at, and disregarded.

Lest I be entirely misunderstood, I declare now that I am opposed to these resolutions. [Applause.]

Mr. STAFFORD. Mr. Speaker, I yield to the gentleman from Massachusetts [Mr. THACHER].

Mr. THACHER. Mr. Speaker, I wish to state my position in regard to this very important resolution and some of the reasons why I shall vote against this resolution. I would say that there are men and women in my own State, for whom I have the highest respect, who favor the passage of this resolution. I believe that temperance is a blessing and intemperance an evil. Permit me to say that my grandfather, Henry Thacher, was the secretary of the first temperance society, if I am not mistaken, ever organized in this country, which met at Yarmouth, Mass., in February, 1815, just a century ago.

I believe that this very important question of prohibition is one which should be decided by the individual States for themselves and not by the National Government. I believe that these States have the ability to decide this question so far as it relates to themselves. At present some of the 48 States are what are known as prohibition States, while in some other States, as in the case of my State of Massachusetts, the question is left to each town and city to decide annually whether such town or city shall adopt prohibition or local option. In my own town of Yarmouth, where I always attend the annual town meeting when it is possible for me so to do, I have always voted in favor of prohibition. I believe that prohibition or any other law which may be on the statute books should be enforced. I believe that this important question should at this time be left to the States to decide.

Mr. HENRY. Mr. Speaker, I yield to the gentleman from Iowa [Mr. VOLLMER].

Mr. VOLLMER. Mr. Speaker, I am opposed to the pending resolution on philosophical, legal, moral, and economic grounds. I desire to discuss it with entire good nature, but with perfect frankness, and I will call a spade a spade.

It is a matter of regret that political, moral, and religious causes in this country seem to get action only when riding the high waves of hysteria. The emotional insanity of the religious revival as frequently conducted, with its unmeasured and often profane vituperation, with its vocabulary of the baseball field and the prize ring, finds its counterpart in the tornado of fanaticism engendered on the subject of the prohibition of the liquor traffic by a Nation-wide propaganda, thoroughly organized and abundantly financed with Rockefeller's tainted millions.

This is not the atmosphere of calm discussion in which reason, the highest faculty of the mind, can have even-tempered sway. Those who suppose they are the only opponents of drink and drunkenness themselves betray a state of mental intoxication so complete that it justifies doubt as to the trustworthiness not only of their statements of fact but of the inferences which they seek to deduce therefrom. They have not the appearance or attitude of sound counselors, and therefore we need not be surprised to find that their alleged panacea is unsound in theory and a colossal failure in practice.

The question comes to us to-day not in its ordinary form, but in one unprecedented in every way.

It is proposed to put a mere police regulation in the Constitution of the United States.

In voting to-day we are not performing a ministerial act, but are exercising a responsible discretion invested in us by the Constitution.

Those afflicted by moral cowardice or mental lethargy can not escape and shirk this responsibility with the plea that they are merely giving the people a chance to vote on it. This is not a simple referendum.

In the solemn proceeding to change our organic law, the most important act of legislation under our form of government, each Member of Congress, under his oath, must register his individual opinion on the merits of the proposed amendment. He is not an automaton, without intellect or conscience, mechanically passing the proposition on to the legislatures of the States.

The fathers of the Constitution in requiring a two-thirds vote here made certain, or intended to make certain, that no such important step should be taken without the concurrence of twice in number of those elected to this body by the people, Representatives who were supposed to be specially qualified by study and experience to judge such questions, before they were sent to the States for ratification.

The Member who dodges his plain duty in this way violates his official oath to support the Constitution, which, in both letter and spirit, is plain in defining his individual duty in the premises. In this connection it should be remembered that, if this resolution should receive the necessary two-thirds here, it would be on the legislative carpet forever, subject to ratification by the States in the next generation, if not in this.

This is a legislative anomaly that should not exist, but it does exist, and must be borne in mind when you take this vote.

It is barely possible that certain people want the issue kept on the boards this way for an indefinite future, a perpetual disturbing element, a prolific source of income for Chautauqua lectures, and an opportunity for freak statesmen to break into public office and displace those of the safe and sane variety, who do not bend with every wind that blows—a process of elimination of the stronger and better men in our public life recently observed by the President of the United States.

Suppose that we pass this resolution with the necessary vote and turn this proposition over to the populace, already in part in a state of acute hysteria, and suppose that hysteria develops sufficiently to put two-thirds of the State legislatures non compos mentis, and this ripe fruit of madness is finally placed where it can not be removed, in the Federal Constitution. The legislation required of Congress in pursuance thereof to execute it would necessarily displace the legislation of the States on the subject.

Here at Washington would be the center of mobilization of an army of Federal officials to enforce it. A deputy marshal for every township in the United States and one in addition

for every city block in our great cities would be required. In addition Federal prosecutors, Federal jails and jailors, and all the other instrumentalities of the most colossal, most centralized, and most dangerous police system that this old world has ever seen would have to be provided. Where would the money come from with which to pay them? You are now at your wits' ends to raise enough revenue to pay the ordinary expenses of the Government. And you have now, what you would not have then, the internal revenue now collected from this traffic amounting to $222,000,000 a year. Not only must you tell us how to make up the Federal budget, but you must also tell us how the States and the local communities would make up the loss of the many hundreds of millions now raised by them by taxing the liquor traffic.

When the emergency war-tax bill first came up I predicted that when you got all through with the preparation of that measure it would be found that the "Dutchman's" beer had been saddled with the major portion of the burden. And so, indeed, it has come about. When other subjects for taxation were suggested, that superpatriotic part of our citizenship that is always in favor of the old flag and a big appropriation, if somebody else pays for it, emitted a succession of screeches of mortal agony horrible to hear, and one subject after another was dropped until you came back, as you always did come back, to the never-failing resource.

The great American superstition is belief in the miraculous potency of the magical formulæ: Be it resolved, and Be it enacted.

All the ills of humanity are supposed to vanish before this universal panacea in spite of the fact that our codes—municipal, State, and Federal—are littered with dead-letter laws, laws unenforced and unenforcible. One of the great evils of the day, as Herbert Spencer has shown, is overlegislation.

No law should ever be enacted that has not behind it the public sentiment of the community in which it is to operate, because it can never rise higher or go further in operation than that public sentiment which is the motive force without which its machinery stops.

And here we have the explanation of the monumental failure of prohibition to prohibit. I could bring you statistics from every State which has tried it. All teach the same unvarying lesson when studied with the requisite intelligence to separate the wheat from the chaff, the temporary from the ultimate consequences of so complex a matter as the determination of the real effects of a piece of social legislation. The student of such legislation knows that this is not always such a simple matter as it seems to the tyro. However, in this instance the whole matter can be made plain beyond possibility of dispute.

The Antisaloon League claims that approximately one-half of the territory of this country is dry territory—that is, it has dry legislation. This is announced as the triumphal achievement of 60 years of prohibition agitation, lawmaking, and law enforcement. Well, let us go back to the beginning of that period. According to the internal-revenue statistics of the Federal Government—which none can gainsay, for unless the liquor is both produced and consumed taxes will not be paid on it—in 1850 the per capita consumption of alcoholic beverages in this country was 4.08 gallons. In 1860 it was 6.43 gallons. In 1870 it had risen to 10.08 gallons; in 1890 to 15.53 gallons; in 1900 to 17.68 gallons; in 1910 to more than 23 gallons per head of our population. The redeeming feature of this matter is that the average man now consumes far more beer, containing only a small per cent of alcohol, than spirits, containing a large percentage; but for this change prohibition is not responsible, because prohibition increases the sale of ardent spirits, which lend themselves more easily to clandestine sale than the more bulky less-intoxicating beverages.

These paralyzing totals, to my mind, absolutely prove that the American people propose to drink alcoholic beverages, no matter what the law may be. And the only question that remains for the practical legislator, as distinguished from the fanatical zealot, is, How is it probable that the effects of drink will be least harmful to our people? Will it be if they take their beverages by the drink or by the bottle or the jug; in decent, licensed, responsible, well-regulated inns or clandestinely, with proportionate loss of self-respect and proneness to overindulgence and drunkenness in the blind pig and blind tiger and hole in the wall of the prohibition community?

There is another curious, unjust, indefensible result, if you pass this resolution. You put the big States in the power of smaller States, since on ratification of a constitutional amendment after it passes Congress each State counts one, the little jack rabbit, coyote, and sage-brush State of the far West, with its population not equal to a third or fourth class American city, has just as much power as the imperial State of New York, with its 10,000,000 people.

The 10 most populous States of the Union, being precisely those States that are most opposed to prohibition, have more than a majority of the American people in their boundaries. Thus a minority of our people might impose its will by the pending proceeding on a majority in a matter of primarily local concern in which each, even the smallest social unit, should have home rule. Could fanaticism proceed to more monstrous and absurd conclusion than to have Nevada and Arizona tyrannize over New York and Pennsylvania? It would be bad enough on any question, but when it means the confiscation of many hundred million dollars' worth of legal property in their borders without compensation, and an unwarranted invasion of the personal rights and constitutionally guaranteed liberties of their people, it is impossible to fittingly characterize it.

I append hereto figures showing that for the whole country the property values that would be thus confiscated and destroyed amount to the stupendous total of over $4,000,000,000, taking the trade itself and the allied trades affected.

Those afflicted with the prevailing fanaticism often manifest the utmost complacency at such wholesale destruction. I think it was Artemus Ward who said that he was perfectly willing at any time to sacrifice all of his wife's relations for the benefit of the country.

"It all depends on whose ox is gored."

In my State this property is largely owned by people of German birth or descent, who 60 years ago were invited by the immigration commissioners of the State to come to Iowa and build their breweries and raise their barley and establish their vineyards on the banks of the Mississippi, as they had done on the banks of the Rhine.

Is it right now to say after the investment is made, "We have changed our minds on the question and will destroy without reimbursing you the value of your property thus acquired and held by you"? No compensation is proposed in the resolution, and none is intended. Now, the proponents of this measure claim exclusive title to all the ethical sentiment, moral and religious feeling, and working conscience of the country. And yet their proposition involves an outrageous injustice.

I imagine that many silence their consciences on this score with the thought that they are all bad people who make alcoholic liquor and that it is right to smite the Ishmaelites. Among such in the past, it is said, were George Washington, the brewer; Thomas Jefferson, the distiller; Abraham Lincoln, the saloon keeper; and Jesus Christ of Nazareth, who turned water into wine. And, believe me, that was not grape juice, because He made it to add to the festivity of a wedding ceremony. It was His first miracle. By performing miracles He wanted to prove to the people His divinity. If He had made grape juice on that occasion, it would not have made much of a hit with those wedding guests who were accustomed to something with a "stick" in it. Grape juice never added to the joyousness of either wedding or wake.

This proposition, this inherently immoral proposition, to substitute force and compulsion for self-direction and moral suasion, to invade personal rights and destroy personal liberties and confiscate billions of legal property, comes to us in this monstrous form as here presented after a consistent failure of 60 years in every larger city in which it has been tried to accomplish the declared object of its enactment—to cure the evil of intemperance.

Voluminous statistics from all parts of the country show an enormous increase in the number of arrests for drunkenness in all such places. Not only that, but perjury, subornation of perjury, hypocrisy, the evil of spies and informers carrying strife and hatred into the bosom of communities previously harmonious, contempt for all law, secret indulgence, resort to harmful drugs, and horrible secret vices are the ugly procession that accompanies the progress of this great "moral reform."

I do not regard the policeman's club as a moral agent. Morality that is not self-imposed is not morality. The faculty of self-control is only developed by its exercise. To remove temptation would not improve character. Vicious propensities find an outlet in other directions if this one be closed. Dry towns are frequently dead towns, with grass growing in the streets. Wet towns usually flourish. The reason is not to be found in liquor, but in liberty. American liberty can not enlighten the world if its heavenly light be kept from our own people by the shadow of oppressive law.

It becomes ultimately a question of right. If you have the right to tell me I shall not drink, I have the right to tell you

that you shall drink. So said a great American divine, and a great English bishop said:

I would rather see England free than England sober.

Fortunately we are not forced to a choice between liberty and sobriety, because true temperance goes hand in hand with freedom.

Why, oh why, can not sensible, conservative, fair-minded people on both sides of this great question—there are bigots on both sides—get together on some measures within the limit of reason to reduce the admitted curse of intemperance? Great progress has been made in the public attitude toward this evil, and possibly—you see I try not to be bigoted—possibly the prohibition agitation has done some good by arousing the popular sense of it.

There are good people on both sides. Let them get together on a rational solution, in whole or in part, and let all the bigots and fanatics, drunk with their own emotions, be banished from that council. Let reason govern.

I append hereto an article which appeared in a New York paper, giving the statistics which I promised above:

[From the New York Sun, March 7, 1909.]

When the prohibitionist makes his declaration that he wants to drive the brewery and the distillery from the face of the United States he signifies by that word that he wants to wipe out industries that represent at this moment $3,748,826,562 of investment. That is a pretty big contract, sweeping off the map in one signature of the pen property amounting to so much. It means that the annual investments of the brewers and distillers of $359,951,097 to produce and put upon the market their goods no longer are to be made.

The farmer who grows the barley, rye, corn, hops, and other grains used in the processes will be hurt annually more than $108,000,000 worth. A sum of more than $52,000,000 no longer will be put into the labor that produces the beer, liquors, and the like. A mere trifle of $10,000,000 for coal will not be expended when the chimneys of the breweries and distilleries are cold.

There are countless other items which figure in the table of the annual expenditures of the brewers. The lumber, rubber goods, steam engines, machinery, tools, plumbers' supplies, wagons, harnesses, builders' supplies, glass, filtering material, chemical supplies, paint, varnish, furniture, brushes, packing-house products, advertising signs—just a few things, to mention no more—amount to about $150,000,000 every year.

SOME OTHER ITEMS.

The buildings are insured; consequently there are fire-insurance premiums. These are estimated at about $15,000,000 in the course of a year. The railroads get about $20,000,000 a year out of the brewers and distillers who send their produce by freight and express. These are the main items which make up the annual expenditures every year of $359,951,097. Here is the way the figures are put up:

Corn, 36,361,975 bushels (cost to distiller)	$27,274,208
Barley, 62,760,000 bushels (cost to brewer)	62,760,000
Rye, 5,595,000 bushels (cost to distiller)	3,916,889
Hops, assorted grains and other products	16,358,000
Labor (producers only)	54,542,000
Coal and other fuel	10,000,000
Lumber, etc	150,000,000
Fire-insurance premiums	15,000,000
Railroads, freights, and express	20,000,000
Total	359,951,097

There is invested in the brewing and distilling interests in the United States, besides these things, the sum of $650,000,000. This takes in brewery and distillery plants, their machinery, and the like. When it is recalled that some cities owe their entire commercial importance to the presence of these plants it must be realized that they have a keen financial interest in these matters that should not lightly be attacked.

There are interests allied to the actual manufacture of liquors which also involve great sums of money. It is figured that these amount to no less than half a billion of dollars. These are the industries that could not exist without the presence of breweries and distilleries, the bottling works, the manufacturers of brewery machinery, and so on.

SOME INTEREST IN RETAIL TRADE.

The breweries have some interest in the retail trade, because in some cases the saloon dealer gets his start in business with cash advanced by the big men in the trade. There are others, however, who run their saloons and restaurants supplied with their own money only, but they figure in the allied interests.

An estimate of the capital involved in the retail business is something enormous. The saloons and restaurants and their stocks as well as the real estate are figured by those who are close to the trade to total nearly $2,000,000,000. The estimate is $1,900,000,000.

When one considers the number of cities in this country that have saloons, remembering, too, that many of them are located on sites that are very expensive, this estimate is not so startling as at first appears.

It is from these figures that the sum of nearly $4,000,000,000 mentioned at the beginning of this article is derived. It can be seen at a glance that the industry is one of the most important in the country. There are very few which come ahead of it in monetary importance.

The liquor industries are all taxed. Every year the sum of $268,875,465 is paid for State and Government licenses. This is a pretty huge slice to take away from the State and Federal income; but with the driving out of business of these enterprises this will be done. Furthermore, these interests pay every year for city licenses, real estate, and property taxes $70,000,000. This is another large item that will have to be deducted when prohibition becomes general, if, indeed, it does.

About 10 years ago the breweries employed 38,385 helpers of more than 16 years of age, paying them in wages $25,573,612. That was an average of $665 a year. In 1905 the number had increased by nearly 10,000, the figures showing that 48,139 workers were employed in these lines. The sum of the wages had increased by nearly $10,000,000. The actual total was $34,542,897. This makes an average of $718. In comparison with such figures it must be remembered that in 1900 the mean wage was $438. The highest average was that in the engraving trade, where $753 was paid. Compared to this the average wage of the liquor worker, who got $655, is high.

A MILLION MEN EMPLOYED.

It is well nigh impossible to estimate the figures of employment in the entire liquor trades. Taking in everything, from the very lowest form of help in the breweries and distilleries right through to the offices and agencies, and then considering saloon keepers, bartenders, and so on, it is safe to say that the industry runs well up to a million. Surely there is no one other branch of work which has so general an appeal. There must be more than 1,000,000 men employed.

Take merely the production of beer in the last 10 years. A census report which takes in 1900 and 1905 shows that certain industries which produced about $11,411,121,122 in 1900 five years later were producing $13,004,400,143. That was an increase in production of 14 per cent. The gain in beer in the 10-year period has been nearly 28 per cent, or twice that average increase. This gives a very good idea of what is done in one line like that. Brewing is one of the biggest industries in the country.

It is small wonder that the liquor interests are fighting hard against the destruction of so much value. They don't want to be put out of business and to lose all that. With them it is a business proposition, and they contend that as long as they are satisfying a public want, as shown by the figures of production and demand, they should be permitted to go along in that way.

It is said by one man prominent in the trade that the destruction of the brewing and distilling interests will result in the farmer and the men in allied trades in all lines of manufacture being made to suffer great losses through the destroyed market for their products. The brewers and distillers are not so altruistic that they make this the only basis for their plea, but they cite it merely to show that the effect will be much farther reaching than is imagined by those who are waging war on the liquor trade.

GRAIN MARKET DESTROYED.

"The prohibitionists," says this man, "propose to destroy a market for the farmers' grain that takes a territory equal to two States to grow, and all this and the millions it cost may be laid waste and the people employed thereon may wander to the four corners of the earth, for all the prohibitionist cares. The prospect of making deserts of farms and paupers of workingmen and their families does not deter them.

"The thousands of brewery workmen who have learned the trade will find themselves without an occupation and will be thrown out upon an already panic-stricken labor market. The trained workman will be forced to secure work at anything that offers at wages anybody wants to pay him.

"The consummation of the prohibition movement will paralyze the woodworking industry for years, and the woodworkers will be left without jobs. Glassblowing will be an extinct industry, and the plate-glass workers' ranks will be cut almost in two. Union cigar makers will find the market for 50 per cent of their output destroyed, and they will have to look to some other occupation to earn a livelihood. The thousands of boxmakers and coopers who make the millions of boxes and barrels used in the trade will be left destitute, and the thousands of teamsters engaged in hauling these products will find their occupation gone.

"Brick makers, masons, builders, machinists, steamfitters, plumbers, wagon makers, waiters, bartenders, printers, electricians, persons engaged in transportation, and thousands of other workers will find that the prohibition movement is one of the farthest reaching that can be imagined."

EFFECTS OF THE MOVEMENT.

There are many folks at the present time whose only organization is that of the unemployed, but the liquor interests make it appear that they will be as nothing compared to the hordes that will be let loose if the prohibition movement is to have its swing over all the country. When it is looked at in this light, the effects of the movement certainly are not at all small.

What will be the outcome of the general prohibition movement the liquor interests can not yet determine. Throughout all the campaign the men who run the wholesale end of the trade have shown a by no means uncertain willingness to align themselves on the side of good order. They want to see the habits of drunkenness decrease, solely for the reason, if for no other, that it is not good business for them. Their contention is that too much drinking is a bad advertisement for their trade.

They want, moreover, to have the saloon keepers more particular in the management of their places, so that a disorderly element will not be permitted to frequent them. Keeping of dissolute women and minor children out of saloons and making them fit places to enter will help the business and will act to combat the advance of the prohibition movement.

It is pointed out that, for instance, the saloons where German folks go a great deal are orderly enough. They are gathering places for families, and there is nothing that is considered distasteful in having folks sit around in them with women and children in the groups. If that is the case with these, clearly it is not the fault of the liquor trade or of the saloon in general, but of the saloon in particular, that the whole business has got a black eye. The prohibitionist, it is urged, takes no account of particular cases, but says, in a general sweeping statement, "All saloons are bad, therefore all saloons must go."

AS TO TRADE REFORMS.

The liquor interests do not deny that some places certainly could be better managed. They know that there are places where the conditions are not all that they should be, but they can not interfere in places which they do not own. Their only resource would be to refuse to sell to these disorderly places, but then again they know it is practically impossible to prevent a saloon keeper from getting liquors if he wants to buy them.

That is the whole trouble, some of the men in the liquor interests say. If the police and other guardians of public morals and safety were only as eager as they to have the saloon business managed on decent lines, there would be much less complaint. The trouble is that those who are attempting reforms do not have the same reasons for wanting to keep the saloons decent as do the wholesalers. With them it is, if nothing else, a matter of business.

It is contended that if the proper persons went to these saloon keepers who are doing a distasteful business and closed them up effectually, all trouble would cease. But the point is that these men have some means of keeping going, no matter how badly they may conduct themselves. These conditions exist in all cities, the less as well as

the great, and it can not all be blamed on the wholesaler by a great deal.

Mr. HENRY. Mr. Speaker, I yield five minutes to the gentleman from Texas [Mr. BUCHANAN].

Mr. BUCHANAN of Texas. Mr. Speaker, finding the proposed amendment to the Constitution of the United States providing for Nation-wide prohibition in disagreement with my political principles and contrary to the fundamental principles of our republican institutions, I wish to respectfully enter my protest to its adoption.

The necessities of man in community or natural society require organization, and organization necessitates organic law, or a constitution. The Constitution of the United States is the most important of all written instruments of its kind. Its most distinguished virtue consists in its recognition of the fact that the United States is composed of widespread geographical sections materially differing not only in climate, but in social and domestic institutions uninhabited by homogeneous people. That each State possessing different social, racial, and economic problems might justly deal with these diverse and in many instances antagonistic interests and problems the framers of the Constitution of the United States devised a system of confederate and representative sovereign republics, with an appropriate distribution of governmental powers, leaving to each sovereign State full power to conduct its local administration, dispense private justice, and create, control, or eradicate all intrastate institutions, and delegating only such powers for the National Government as were essential for national purposes.

The peculiarities of this Constitution are so significant that the most skilled casuists have engaged in its analysis, and the schools of political thought have barricaded themselves in their respective strongholds of constitutional construction. No field has called for greater statesmanship in creating and determining the application of the provisions of the Constitution of the United States, and no subject has been expounded by greater minds or on greater occasions. Through the passing years of heated debate in Congress, the hustings, and in the public prints the contentions and excitement grew until the distracted Nation, in its maddened spirit of dissension, drove itself to the passionate climax of disunion and engaged in the bloodiest civil strife of all times. Thus was the stability of our great organic charter tried through its ordeal of armed conflict, with the result that the sovereign autonomy of the State was reduced to the right to manage its internal domestic affairs. Then came the amendment to enable the State unit to adjust and agree with the revolutionary changes through which the country has passed, and for half a century of fair tranquillity it has served us a mighty monument to its day and generation.

On the subject before us not another word can be added to explain and expound the State rights doctrine, so long ambiguous, because so ably misrepresented. At last, however, the comment, fact, and logic of controversy are so convincing that the wayfaring man, though a fool, can not fail to see that the jurisdiction of the State and the delegated powers of the General Government are distinctly subordinated to each other by reciprocal and mutual checks and both supreme in their respective spheres.

We now know that the grandeur of the rhetoric that expounded "we the people" as inconsistent and a contradiction to "we the States," and declared that no "compact" of States had organized the sovereign States into a Union of States, was but the florid fervor of great oratory. Though force of arms has substituted conquest for compact and the right of secession has forever disappeared, the State-sovereignty equation is intact in all other respects, and it will be a sad day for this Government and this people when this vested sovereign authority in each State to direct and control its own domestic affairs in its own constitutional way is impaired or destroyed.

Our problem does not therefore, since the blood-red finger of war impaired the sovereign entity of the State, involve the right of a State to cease to move in its own planetary orbit around the sun of centralized gravity, for we know it can exercise no such arbitrary existence, but the happiness and eternal welfare of our people are wrapped up in knowing if the home-bred hand of domestic rule and neighborly intimacy may still lead the way and correct and control in the customary fashion, or shall the distant and imperious voice of an unsympathetic and disconnected centralized power be delegated to wield the authority of another of the reserved rights of the States and be vested with the function of domestic supervision of the State, the community, the home, and the fireside.

Strip this national prohibition controversy of every phase of the question of intoxicating drink or place it in company with any conceivable attempt to usurp or abrogate any of the functional rights of the sovereign State and we would have before us essentially the same problem—no problem at all if we accord the individual his natural accountability to himself, his family, his community, and his God and to the State its constitutional rights as reserved and to the Nation its jurisdiction as delegated by the States.

The gist of the question is: Shall the Constitution of the United States be amended to enable the Federal Government to destroy a State concern heretofore subject alone to the State rule as related to the civil welfare of the citizens of such State?

Under our theory of government and the fundamental principles of the Democratic Party all personal and local emergency is specifically assigned to the home, the community, and the State for whatever relief is demanded. The United States Government can no more challenge the State policy toward its citizenship than can the State executive assume the right to require the Calvinistic theology to be taught in the schools.

This fantastic nostrum by which the National Government shall be equipped and commissioned to cripple and to kill the "drink devil" can no more, under our present Constitution, cross the barriers of State sovereignty to throttle a drunkard than it could by national authority strike from his palsied hand the red liquor lifted to his lips, nor than the Supreme Court of the Nation could by its own dictum prescribe and dose for the insistent craze that pleads and plots for the extinction of the reserved rights and liberties of the individual consecrated and imposed as the sole prerogative of the States.

Mr. Speaker, there is not the slightest danger that the Constitution of the United States will or can be summarily overthrown. There has never been a hostile sentiment of consequence against this great constructive covenant of the States except that the marplots of the Hartford convention of 1815 contemplated "treason, stratagem, and spoils," and the nullification excitement of 1833 defied the national enactment, and the abolitionists of the Garrison and Phillips school denounced the Constitution as "a covenant with death and an agreement with hell," and in their secession frenzy declared that "in withdrawing from the American Union we have the God of Justice with us." In the War between the States was the awful culmination of differences about the doctrine of peaceable withdrawal. But all of these troubles of incidental turmoil and their realities of bitterness and destruction were occasioned by a misunderstanding and interpretation of the organic law and an obstinate appeal to the interpretation that favored a selfish construction. Each and all of these inglorious disturbances were not because of enmity to the Constitution, but were because the fathers were merely mortal, and as to the future were in the same boat with the Dickens character who explained that his vision was limited. Since the secession question was settled by the arbitrament of arms the danger to the Constitution has not been that of any direct assault. No cataclysm threatened our cherished charter of liberty and freedom.

The determination to recast the original Articles of Confederation into the remodeled Constitution of the United States was "to form a more perfect union." The necessity for an authorized general agency to transact certain specified duties and responsibilities for the confederated good of all the States was a pressing question. Thus was the Government of the United States organized, and through this "more perfect Constitution" it was delegated as the creature of the States to represent them in those enumerated respects alone. All such powers as were specifically delegated to the General Government were thus constitutionally imposed upon it and were correspondingly relinquished by the States for the benefit of the general good. All other powers were, of course, to be within the keeping of the States and sacredly regarded as State rights, and specifically provided for and reserved by Article X of the Constitution. This grant of specified powers to the United States Government and specific retainment by the States of those not granted does not involve the question of sovereignty in any controversial sense. It is commonly accepted that the reserved rights are appropriately the sovereignty on which our local self-government depends. Indeed, the fact that this amendment is an appeal to the States for consent by the States to its adoption is an absolute indorsement of the impregnable position that it is an invasion or a proposal for the surrender of the rights of the States. Upon these reserved rights, undisputed by any authority and emphasized whenever amendment is sought by which one of these specific reservations is to be surrendered to the National Government, we may rest our sense of security. It can be disturbed only by some attempt to obtain the surrender of one or more such inherent privileges. This proposed amendment seeks a relinquishment by the States of one of these local rights; though but one, it is but the entering wedge of centralization.

There are those who have preceded it, and regret over an unrepeatable mistake but haunts the memory with unavailing remorse. Others now standing by and joining in the discordant chorus of "me, too," are ready and insistent that the organic law shall yield before them and shall countermand its primal principles, even though it doom the righteousness of local self-government to hades and embark on a very questionable theory of prospective good. And so we are beset by the revolutionary ideas that seek their success by removing the constitutional barriers that obstruct the way, and these radical advocates flock to their unholy work like birds of prey from every point of the compass, and unless we can withstand the muckraking mania of misguided sentimentalists our Republic is to follow the Governments that strew the paths of history with the wreckage of the fickle and truculent infidelity of the pretentious reformers.

A glance at the columns of our dailies is enough to awaken the sentinels of civilization to the extreme dangers of that concentration of power that by any process under the sun proposes its arbitrary reign. Over yonder where human beings crowd the shambles of autocratic empire with its victimized hordes of sacrifices, we may read the consequences of the fatal delusion that has impelled mankind since the creation to yield its trust to a remorseless centralized control.

You may brand the liquor habit and traffic with all the iniquity ascribed to it under its most exaggerated denunciation, and all the ills of its infamy can not curse the world like the despotic scourge of inhumanity that so frequently has characterized the tyrannical rule of centralized government. From the cruelties of monopoly and oppression, whether dictated by the scepter of monarchy, the intolerance of ecclesiastical control or influence, or the unbridled riotous license of a pure democracy, there is no defense or relief as real and effective as the safeguards of a well-regulated local self-government. This, our best inheritance, is in danger from our own thoughtlessness and lack of vigilance. We can not afford it. It is the stealthy insidious encroachment of the "Executive act" and the ill-considered amendments that constantly threaten its deadly usurpation.

Mr. QUIN. Will the gentleman yield?

Mr. BUCHANAN of Texas. I will.

Mr. QUIN. The gentleman does not think that any such disaster will follow if this amendment is adopted?

Mr. BUCHANAN of Texas. I do.

Mr. QUIN. The gentleman does not think it is going to ruin the country when you do away with the liquor interests?

Mr. BUCHANAN of Texas. I say that when you stand up and advocate this resolution you are writing your own indictment of an effete State influence which you are supposed to be dedicated to teach and consecrated to preach.

The superficial reformer who encounters some stubborn trait of human infirmity that he feels called upon to oppose jumps at the conclusion that local, city, county, and State governments are too weak and that the national power must cope with the vicious depravity of the man who manufactures or sells a drink of liquor, and he would set aside all the known influences of effective restriction and reformation and summons the General Government with all its constabulary, and, if need be, backed by its Army and Navy, to coerce the State and dictate the family discipline and to inculcate good morals by a declaration of war. Our would-be reformers seem not to know that every advancement of civilization has been at the instance of the teacher whose chart and compass have been the fundamental truth embodied in the proverbial wisdom:

1.

Train up a child in the way he should go, and when he is old he will not depart from it.

2.

'Tis education forms the common mind;
As the twig is bent the tree's inclined.

"Go into all the world and preach" is the watchword of civilization, and the religious and moral uplift of mankind can be accomplished by no other agency than education, the persuasive voice of sympathy, and the inviting promise of reward, leaving the penalty of violated rules or unworthy conduct to effect one by one whatever result the individual brings upon himself, and this is all of it—good Democratic doctrine. It tends to great individuality and will power and insists upon a government "of the people, by the people, and for the people" as the true gospel of liberty that shall not perish on the earth. This it is that brought into being the Democratic Party, that constitutes its lifeblood, recognizing as its corner stone the mighty principle of local self-government it challenges the trend of the day, to a central power as its most inveterate foe.

It is proposed by this absolute amendment and its advocates that this crowning glory of our nature must be subjected to the whims of the political smart Aleck, who looks at the far-off future through his microscopic eye and beholds his surrounding blessings through the prism of a disordered brain, that variegates the Star-Spangled Banner to suit the lurid colors of his morbid fancy, degrading it from its high function of "o'er the free and the brave" to the low level of the banner of the fanatic and the slave.

And in imagination frames events unknown,
In wild, fantastic shapes of hideous ruin,
And what it fears, creates.

There is no autocratic power to menace personal liberty in America. Our threat is from the misguided, who indict the Almighty for "man's inhumanity to man," and who construe the mistakes of the Garden of Eden as up to them for correction; and in this topsy-turvy recourse to artificial morals mutinies against constitutional local self-government, the best the life of man has ever produced, and proposes the usurpation of the rights of the State and the individual. And for what? That the day of the fanatics and all the dissolute is at hand, and they propose that the shackles of the law shall pinion the mastery of the manhood and womanhood of America and force them from their stronghold of the Bill of Rights and their enjoyment of their constitutional guaranties, through whose instrumentality, as free men and women, they have won and hold their leadership; and through this fanatical craze all of these must go that the drunkards may flourish as they see the agents of State prosperity pilloried in stocks and shambles, that they may be able to spend a virtuous day or draw a sober breath.

But, Mr. Speaker, the proposed amendment is so impracticable from every viewpoint and so at variance with all preconceived American ideas of right that it could not be enforced. There is no proposition to delegate to the Federal Government the right to direct the domestic business of the States that would not be resented and resisted by the people. You can enforce no law that is not demanded by the sentiment of the people, and no matter how great the provocation or how unmitigated the nuisance to be met and corrected the people, always depending on State control and knowing its efficiency, would not entertain for a moment any motion to place their intimate affairs under the direct supervision, control, and direction of a distant Federal power. The necessity of antagonizing remote and unrelated individuals, communities, and States and dictating to them the personal tastes and habits of their daily lives, respectively, from State to State contemplates a monstrous wrong and an impossible success.

The natural right of local self-government and the emphasis with which the consent of the governed has always been sanctified to the American citizen severally by the States, and by their combined voices in the Constitution of the United States, must by this amendment be hushed forever.

Think of it, Mr. Speaker, three-fourths of the States can consent to this legislative act and compel the other one-fourth, against their will, to accept it. Then, by the logic of the situation, each State surrenders its own identity to any system of morals to be imposed by its fellow semisovereigns, when by this amendment this fallacious monstrosity has gone into effect forever.

By this amendment the "Pine Tree State," that has so long and so wearily enacted the farce of trying to suppress the habit and the liquor traffic in a seaport, must yield to the novel absurdity and, by implication, say to California that her vintage pride is so immoral that she, by my "Pine Tree State's" command, must not make nor sell any more wine forever. And grand imperial Texas must confess to her people when we ceded our independent Republic, won and constituted through unparalleled trials of toil, danger, and matchless heroism, to the Union of free and independent States for our own and your community convenience and comfort we did so in the faith that the civil and religious liberty, immemorial spirit of consecrated manhood, was the perennial glory of our country and our days; but now, not by but against her consent, and by the dictation of three-fourths of the States, possibly a minority of the popular vote, we are to be bound in our everyday living and local usages by the hateful shackles of national sumptuary legislation "forever."

And in every nook and corner of this great Christian land numerous alien spies and detectives of the national constabulary will be empowered to thrust aside the social rights of family and community as he insinuates his unwelcome presence

and prying eyes into our most private retreats of home and office and business establishments "forever."

The brain reels and the heart sickens as we contemplate the possibility of the mischievous Utopian dreams that would formulate their impossible theories in the name of human morality and for human progress. It must be borne in mind that human perfection can never be attained and that every successful scheme of Government must allow for the inconsistencies and imperfections of human nature. The idea of a perfect government must logically provide for a virtuous subject. If we were angels in nature and character, there would be no need for government or law, but since "man, born of woman, is of few days and full of trouble" the provisions for the best public welfare must consider him with all his faults and provide for him and his natural, unavoidable infirmities through the everlasting and fundamental principles of the Golden Rule.

The despotism of an individual or of an organized government can never assert its tyrannies acceptably, for the reaction is as certain to follow as the night the day, when the revolutionary spirit is rife. The conservative, successful government considers the character of all the people to be served and provides for their respective peculiarities.

Mr. Speaker, "the thousand ills that flesh is heir to" presents its analogy that should appeal to the reasonable temper. All scientific doctors' treatment is the conservative, careful cooperation with nature and the gentle ministration of the trained nurse.

So it is in the social universe. It is foolhardy to think that the sweeping dictum of the law can effectively treat this infirmity of man, coexistent with time itself. The regenerative effect of a law has never been experienced. Our Government is a union or family of States, bound together by family ties—by the Constitution—and no family was ever governed well or for the household good when the punishment to be inflicted upon a guilty one must penalize alike the entire membership. No community would tolerate the wholesale infliction of pain to compensate a broken law by a single guilty malefactor. You can not incarcerate a whole people to prevent crime by a few of them, nor can a general barrier annul the taste or control an appetite; nor has any agency of history—and it has been the experiment of the race—succeeded in preventing the indulgence of an inborn propensity. Like the pent-up flood that overflows the crest of the dam or the insidious leak that eats and undermines the opposing structure, the ingenuity of man and the nerve of the dare-devil will compass his own wishes in gratification of his inborn appetite.

As I see it, the magnitude alone of this world-wide commercial and domestic concern, distinguished by its universal interest and characterized by the sharpest and bitterest division of sentiment, involves, in its pro and con, even the ecclesiastical world. If for no other reason than its commercial importance it should not become a part of the organic law of our country, to sanction or limit or prohibit it at the instance of the United States Government in conflict with a State prerogative. And especially should our Republic be kept immune from every possible conflict with the States and citizens whose habitual free speech has taught and accustomed him even to the license of invective, and whose independent authority over himself even invests him with the right to expound the Constitution and criticize the law. That alone should check this rampant legislative spirit, for the second nature of habit, ingrained by years of community and legal tolerance, is a dangerous thing to offend and often impossible to control.

The discipline of the family with that of the community and the State, within the scope of our republican idea, has shown and approved the conservative way in dealing with the vicious and excessive practices of humanity. And the State to-day, as always, is treating even the crimes within their borders with admirable efficiency, as it does those inherent and inevitable tendencies that afflict our poor human nature. If the criminal has been handled with satisfactory results by the State, why invoke the national authority to control the simpler indulgence of appetite?

The ingenuity of the most accomplished men of science and the most powerful writers and orators have been enlisted to prove admitted truths and facts, conceded since the divine utterance that the heart of man is "prone to evil as the sparks to fly upward." Not only do I denounce destructive and unseemly immorality, "the exceeding sinfulness of sin," the abusive indulgence of an appetite, but I can join hands in condemnation of all the injuries incident to the liquor traffic in any violation of the law of which it may be guilty and be perfectly consistent in my unequivocal opposition to the enactment of this proposed amendment to the Constitution.

All of these personal, intemperate interference movements have the same erroneous fundamental basic element, namely, that human nature changes in response to the statutes; and all of them are swollen with the same dangerous heresy—the direct governmental control of the personal affairs of its individual constituents.

The police factor, though so regarded, was never a moral or educational agency, and the "big-stick" idea does not and never will accompany the growth of the graces of virtue and character, never incubated nor fostered save under the gentler leading strings of persuasive counsel, education, and sympathy.

This clamor for new police enactments will, if heeded, result in a people in shackles and the mandatory exactions of a machine whose cogs and wheels and bands must reduce manhood to the nakedness of the machine precision. Like the ear of corn that goes through the sheller but leaves the grains behind, so man must go through the legislative grind stripped of individuality and moral manhood, and "the last state of that man is worse than the first."

The man who does not indulge in stimulants becomes possessed with a desire to save his neighbor from doing so, and forthwith would prevent him by the enactment of a law. This has been the unquenchable cry of the unreasoning advocate of virtue according to law; and not only has the letter and spirit of the law been prostituted but the public itself, trained by the constant declaration of these advocates of artificial enforcements, has become hardened as it breathes the atmosphere of the strait-jacket control so persistently taught by the pure and undefiled apostles of national prohibition as the very eureka of temporal salvation.

And so we have a most complicated list of political ailments submitted for treatment by the political doctor, who has already crowded his hospital with a marvelous variety of political patients. What a world of philanthropy and benevolence and home mission work has been already taken from the appropriate field of individual and association enterprise. And it is constantly disturbing and distracting the legislative duty from those problems that alone constitute the great mass of legislative requirement and should command the time and attention due them.

Think of it, Nation-wide prohibition, national woman suffrage! Various acts of Congress encroaching upon the various rights of the States, judicial and departmental invasion of the rights of the States, proposals to nationalize our primary and election laws, contrary to the principles of a Democratic Party, as announced in practically every platform since its creation. All of these and others. Natural to this war of extermination of the reserved rights of the States it is proposed and advocated upon the preposterous proposition that each community, that each State, shall be sacrificed; that each man—yes, individual man—can not and shall not "work out his own salvation with fear and trembling."

In defiance of every divine admonition and the most palpable injunctions of the civil and religious doctrines of our political faith and the unmistakable example of time and tide, these reformers propose not only to destroy the sovereign autonomy of the State and centralize the powers of government in Washington, but they invoke the manacles of the law, the fines and imprisonment of the law and every penalty of the law, to constitute the bulwark of American virtue and to become the compulsory refuge of patriotic manhood. And to this the boasted Anglo-Saxon race is to be reduced from its proud palladium of liberty; and now, then, instead of an independent royal road to a great individuality, a great Americanism, we must tread the by-ways of hypocrisy and call the product of our servile compliance to this Puritanic tyranny, the American citizen, though he be but a machine, the cut and stamped and tagged abortion of a veritable manhood.

Mr. SAUNDERS. Mr. Speaker——

The SPEAKER. The gentleman from Virginia is recognized for one hour.

Mr. SAUNDERS. Mr. Speaker, I will yield 15 minutes to myself. Mr. Speaker, the gentleman from Alabama [Mr. UNDERWOOD] speaks of this resolution as an invasion of fundamental rights. Further he describes it as a movement to rob the States of their jurisdiction over this immediate subject matter. These are not very happy phrases, but adopting them for the purposes of debate, I would like to inquire of the gentlemen who oppose this resolution, whether our Constitution is not in itself an invasion of States' rights?

Before this Nation was formed, every State now in the Union had every right that attaches to sovereignty anywhere in the world, and the formation of the Government under which we now live was of necessity an invasion and curtailment of the rights of the component States. The Constitution contains

a body of provisions which inhibit the States from doing certain things. What are these, but an invasion of States rights?

Further, in the same instrument are found certain powers either afforded directly, or by necessary implication to the Federal Government. These constitute a further invasion of State rights. How then can this resolution be critically assailed as an invasion in any proper sense, of States' rights, when it is a proceeding under the Constitution, by virtue of the Constitution, and in conformity with the Constitution to amend the Constitution, conformably to a reserved right contained in that very instrument? Yet we talk as if some outrageous thing was being done to-day, as if the States were to be robbed of some precious rights, in defiance of the law. Why, we are proceeding in conformity with one of the rights of the States, namely the right to approach this body, and call upon us to exercise our constitutional function by affording to the States of this Union the opportunity to determine whether, or not, they will amend the organic law. That is the proposition with which we are dealing to-day.

Our Constitution is not a fetish, nor a fossil. It must keep step, and be in touch with popular sentiment. The Constitution and the spirit of the age must be one. I do not mean, of course, to say that when the sentiment of the day is out of touch with the provisions of that instrument we must violate the organic law, but I do mean to say that when public sentiment so requires the Congress shall respond to public sentiment and submit the amendments proposed for action. It is a part of the wisdom of that instrument that such is the case and that opportunity to make amendments shall be afforded to those constituent elements of this Government which alone can make effectual amendments to our Federal Constitution.

This instrument has been much amended. The men who lived under the very shadow of the convention which first formulated its terms, were not slow to add something like 10 amendments to our organic law. They were not deterred from taking this action by the imputed sanctity of this instrument. And yet strange to say, with the growth of public knowledge, with the increase of general information, with the development of a larger sense of liberty, there seems to be, on the part of a portion at least of the public of this country, a great, and ever increasing aversion to use the knowledge which we have accumulated during many decades of the past of the operations of our Government, of its merits, and its defects to make that instrument conform to the demands of the intelligent sentiment of to-day. Our Constitution must develop peacefully, else there will be stagnation, retrogression, and revolution.

What is this proposition which has been so vehemently attacked this evening? What is it, I say? Merely a proceeding under the Constitution to determine whether the sentiment of to-day desires to amend our organic law. Is that treason? Is it treason to propose a resolution of amendment for the action of the States? Is such a course treason to the people? Is it treason to the intelligence of modern times for this Congress to realize that there is a sufficiently large and intelligent public demand for this resolution, to justify us in submitting it to the States for their several action? Can we undertake to oppose ourselves to that sentiment, and say that the public shall not even have the opportunity of making that determination which belongs exclusively to the States? Shall we undertake to say that however intelligent or universal may be the demand upon this body, we shall turn a deaf ear to this appeal, and arrogate to ourselves the power to anticipate the action of the States?

The gentlemen who have discussed this proposition seem to me to have lost all sight of what is actually before us for consideration. We are not amending the Constitution of the United States. This body will never vote upon an amendment to the Constitution of the United States. We merely afford the opportunity to the States to exercise their constitutional powers of amendment under the terms of our Constitution. The States will determine whether or not in their wisdom they will add to our fundamental law. May I ask the gentlemen who have spoken in opposition to this resolution, when do they think that the time will arrive when this body ought to submit a constitutional amendment to the States for ratification or rejection? The Constitution says that this body by a two-thirds vote may submit propositions of amendment. Tell me when should this body be informed by public opinion that the time has arrived when a proposition of amendment should be submitted?

State's rights? I am as jealous of them as any Member of this body, when I conceive that they should be conserved, or am not confronted with a demand by a considerable and respectable portion of the public, asking for the opportunity to determine whether the organic law should be amended, even to the extent of a curtailment of present rights. The people have given, the people can take away, and from time to time, in conformity with their demands the amendments to the Constitution must be submitted for their consideration. If State's rights means that the Constitution shall never be further amended, or the opportunity to amend it be afforded, then that is a doctrine to which I, for one, can not give my adhesion. Twenty years ago the first proposition to amend the Constitution in respect of the manufacture and sale of ardent spirits, was submitted in a report from a committee of the Senate of the United States. There were great men upon that committee. The State of Alabama was represented by Senator Pugh, a great lawyer, a man who was as jealous of the rights of his State as any Representative who ever sat in the Congress of the United States. The great State of Mississippi was represented by an even greater lawyer, Senator George.

Yet as members of a committee, dealing with a proposition to submit a constitutional amendment to the above effect they agreed that without regard to whether or not they favored in the ultimate the adoption of the amendment suggested, the committee could not stand in the way of the public sentiment which demanded that the resolution should be submitted to the States. They stated in that report that having in mind the moral forces, having in mind the intellectual forces which even then were demanding that this proposition should be submitted to the States, they did not conceive that in the exercise of their constitutional function they could appropriately withhold it. If the sentiment of that time justified that action, by so much the more, having in mind the multiplication of those forces since that day and the actual results of voting in State after State, should we respond to the call of the people, and not undertake to interpose ourselves as a barrier to the constitutional demands upon us to submit this proposition to the determination of the States.

The public craves at our hands but one boon, namely, the opportunity to determine whether or not they will amend our organic law. In this connection I wish to submit as a part of my remarks a citation from the Senate report filed by Senator George and his associates. That report develops in the most felicitous fashion the rule of action which should control our course in this matter. The analogy of our action in this situation may be found in the action of the very gentleman who reported this rule, the gentleman from Texas. Our friend did not think that he could afford to withhold this proposition from a vote in this body. Hence he reported the rule to the House. But in debate he has avowed his purpose to vote against the very rule which he reported. I have no criticism to make of him for this action, nor do I regard it as inconsistent. Yet our friend seems to think that this body following that analogy should not submit to the States of this Union this proposition of amendment, a proposition which in the ultimate, if it is adopted, will be adopted only after discussion, only after debate, only after the necessary affirmative action on the part of three-fourths of the States of the Union.

One of the participants in this debate stated that he was opposed to the method by which this resolution would be submitted. Will the gentleman pray tell me how he would proceed under the Constitution to submit a proposition of amendment? This is a proceeding by virtue of the Constitution and in strict conformity with its terms. Pray tell me if you are not criticizing the Constitution, when you criticize the present procedure?

I will now read from a report made something like 20 years ago to the Senate by the committee to which I have referred:

> Your committee are of the opinion that the resolution should be favorably reported and should be submitted by Congress to the action of the States for another reason. It being a fact that a very large proportion of the American people are anxious that the National Constitution be amended in accordance with the resolution, we believe that they have a right to be heard in the forum of the State legislatures, where alone the question can be decided, whether the National Constitution shall be amended. That Constitution points out definitely the manner in which a change in its provisions may be effected. The Constitution of the country must be amended from time to time to correspond with the evolution of the Nation itself, for it is impossible to fetter the growth of the Nation in any direction.
>
> It will grow, peacefully or otherwise. The Constitution must yield here and there, corresponding the necessities of the times and of the people, and the necessary changes be peacefully made, in accordance with the methods of amendment pointed out in the Constitution itself, or revolution and bloodshed will perform their work. The Constitution and the spirit of the age must be one. Whenever any considerable and respectable portion of the American people (and no considerable number can fail to be respectable) desire changes in the fundamental law and ask respectable consideration of their propositions by the Nation at large, we hold it to be the duty of the Congress to give them a status in the court provided by the Constitution for its own amendment. They have a right that their contention be placed in proper form before the local legislatures and the people before they have demonstrated that they are able to secure its ratification by three-fourths of the States. That ratification, if it comes at all, will come as a result of agitation and discussion of the very proposition which they ask to have submitted. The true question for Congress to consider is not whether three-fourths of the States will ratify, after discussion and agitation,

but whether the subject concerns the public welfare, and whether those who desire the submission of the resolution be of sufficient number to relieve the proceeding from the charge of triviality and inconsequence.

To-day facing the gigantic petition filed with this body, and having in mind the appeals from countless societies of this country from one end to another, is there a man before me who will charge that the present proceeding smacks or savors of either triviality, or inconsequence?

Deciding upon grounds like these, your committee are impressed by the overwhelming importance of the subject to the Nation and to the world, and by the vast number, not to say the majority of the moral and intellectual forces of the country, which demand a submission of this joint resolution to the consideration of the States. We therefore report it favorably and recommend its passage.

The SPEAKER. The gentleman has used 15 minutes.

Mr. SAUNDERS. I yield myself two more minutes, merely to put into the RECORD one further citation, and then I will have finished. In the course of this debate some of the opponents of the Hobson resolution have drawn a direful picture of the host of officials who will invade the States, should we adopt this constitutional amendment. Let these gentlemen compose themselves. So far as these agents are concerned they are already with us, to enforce the execution of the present revenue laws. Special agents, collectors, deputy collectors, and other revenue agents, now swarm in all of the States, operating under Federal authority. The officials to whom these gentlemen have referred are to-day to be found in every State of the Union. Other participants in this debate have concerned themselves about the possibility of conflict between the two jurisdictions.

I desire to say that up to the present time no conflict between the two jurisdictions in the enforcement of the revenue laws have caused confusion, trouble, or disorder. There is nothing in this law that will bring about any conflict which portends or forbodes evil to the Republic. May I read what the Supreme Court says in this connection upon the subject of concurrent jurisdiction.

Our dual form of government has its perplexities, State and Nation having different spheres of jurisdiction, as we have said; but it must be kept in mind that we are one people; and the powers reserved to the State and those conferred on the Nation are adapted to the exercise, whether independently or concurrently, to promote the general welfare, material and moral. This is the effect of the decision. (Hoke *v.* United States, 227 U. S., 321–323.)

And so, in the future as in the past, the two jurisdictions will work together conjointly, without collision or conflict, to promote the larger interests of all the people of the United States. [Applause.]

Mr. Speaker, I reserve the rest of my time.

The SPEAKER. The gentleman from Louisiana [Mr. DUPRÉ] is recognized for one hour.

Mr. DUPRÉ. Mr. Speaker, I yield to the gentleman from Mississippi [Mr. WITHERSPOON].

The SPEAKER. The gentleman from Mississippi [Mr. WITHERSPOON] is recognized.

Mr. WITHERSPOON. Mr. Speaker, I am rather a radical prohibitionist. I am a prohibitionist because the use of liquor impairs and destroys the mental, moral, and physical natures of man; because it produces disease, insanity, and distress; and because I think the evil should be eradicated by the power of the Government. I became a prohibitionist when there was a saloon at every crossroads in Mississippi and when the people of Mississippi, the people of my own county, and the people of my home town were overwhelmingly in favor of the saloon. My prohibition views did not originate after prohibition became popular in my country, but I have never entertained any such conception of prohibition as would make me an imperialist. I have never had any thought of prohibition which would make me willing to engage in an assault upon the Government of my own country [applause], to overthrow the right of local self-government, to transfer the police power of the State to the Federal Government, and to substitute an empire for our dual form of government. [Applause.] I regret that this matter has been brought here under circumstances where it is impossible to discuss it, and for this reason I am compelled to submit to you a small part of my views upon this subject.

THE MEANING OF RESOLUTION 168.

The first section of resolution 168 prohibits the sale and the manufacture, transportation, importation, and exportation for sale of intoxicating liquors for beverage purposes. The power to make this prohibition of the manufacture, sale, and transportation is one of the reserved powers of the States, and the amendment transfers the power from the States to the Federal Government.

The second section of the amendment also transfers from the States to the Federal Government the reserved power to provide for the manufacture, transportation, importation, and sale of intoxicating liquors for sacramental, medicinal, mechanical, pharmaceutical, and scientific purposes, and for use in the arts, and also the exclusive power to legislate upon these subjects.

If this amendment should become a part of the Constitution, not only will all powers on these subjects be divested out of the States, but the Federal Government, having secured the sole and exclusive jurisdiction to make the prohibition in the cases named, and to provide intoxicating liquors for the purposes mentioned, and the exclusive power to enforce the provisions, will become in duty bound to supply intoxicating liquors for the purposes desired, for the proposed amendment does not authorize the Government to regulate the whisky traffic, but to provide intoxicating liquors for all the purposes enumerated. We must therefore behold the greatest Government on earth provide itself with a sufficient number of stills, a sufficient quantity of corn, rye, fruits, and other raw material out of which intoxicating liquors are made, a sufficient number of railroads, steamboats, wagons, carts, horses, mules, oxen, and goats to transport and import intoxicating liquors into and throughout the 48 States of the Union, and thus supply all demands that may be made upon it for intoxicating liquors desired for sacramental, medicinal, mechanical, pharmaceutical, and scientific purposes, or for use in the arts.

I hope I shall never live to see our great Government embark to any extent, however limited, in the most disreputable business which, by common consent, men now pursue.

THE DIVISION OF THE POWER.

The transfer of these powers over intoxicating liquors from the State to the Federal Government would leave all other powers on the subject as a part of the reserved powers of the State. The State could still authorize or forbid the manufacture, sale, and transportation of intoxicating liquors for all purposes except those named in the proposed amendment. It could still provide that intoxicating liquors should or should not be manufactured or transported for the purpose of being bartered, or for the purpose of influencing elections, or for the use of the manufacturers, or transported to give away to induce trade, or for any other purpose except those named in the amendment. The amendment therefore separates all governmental powers on the subject of intoxicating liquors into two classes, giving the Federal Government exclusive jurisdiction over one class and leaving the other class as one of the reserved powers of the State.

This separation of all governmental powers on the subject of intoxicating liquors into two classes is based on the purposes to which the liquors are designed. If the liquors are to be used for beverage purposes, then the Federal Government is given sole jurisdiction to prevent the sale, transportation, exportation, and importation of liquors, and if the liquors are for certain purposes named in the second section of the amendment the Federal Government has the sole power to supply them. On the other hand, if the liquors are for any other purposes, the State is left to deal with it as it chooses.

THIS DIVISION OF POWERS IS CONTRARY TO OUR THEORY OF GOVERNMENT.

The question is therefore presented whether this separation and division of governmental powers between the Federal Government on the one hand and the States on the other, based solely on the purposes for which the liquors are to be used, is wise or not. Such a line of demarkation between the powers of the Federal and State Governments is contrary to the very genius and theory of our dual form of Government, and if we assume that the principle underlying the amendment is correct the very framework of our dual form of Government rests upon a wrong basis. If the principle upon which all governmental powers are divided between the States and the Union is right, then the principle of the amendment is wrong and leads us to consider whether we are ready to abandon the fundamental principle of our dual form of Government.

THE PRINCIPLE OF THE DIVISION OF POWERS OF GOVERNMENT.

It is not difficult for anyone who has ever read the Federal Constitution to discover the principle upon which all governmental powers are separated into two classes—one of which is vested exclusively in the general and the other in the local government. Within the class of subjects over which the General Government is given exclusive jurisdiction we find the Navy, the Army, the post offices and post roads, the coinage of money and the regulation of the values thereof, the standards of weights and measures, patents, and other subjects which in their natures are matters of general concern and whose natures demand the same laws throughout the Union. On the other hand, we find that the suppression of crimes, the public highways, the education of children, the establishment of benevolent institutions, the right of suffrage, the election of officers, and all other subjects of a local nature in which the States have a special interest are subjects not confided to the jurisdiction of

the General Government but reserved to the control of the States.

The wisdom of this distinction lies in the fact that the General Government can legislate with greater wisdom on all matters of general concern than a local government could possibly do, and that the State governments, legislating upon subjects of general concern, would be in constant conflict with one another and produce endless confusion in laws affecting the interests of the entire country. On the other hand, it is manifest that a local government, on account of a deeper interest in and a more perfect knowledge of local conditions, will pass wiser laws affecting local questions than a central government could possibly do. For this reason the principle of local self-government is not only left to the States but is extended in the subdivision of the States into counties and cities, to whose governments are committed such matters as especially affect them.

The separation of governmental powers, therefore, between the Federal and State Governments and between the State and its subdivisions are based on the principle that to each government in our system should be committed those governmental powers which it is best capacitated to exercise with the greatest wisdom and to the best advantage to the people concerned. To substitute for this fundamental principle a separation and division of governmental powers, as the amendment proposes, on the principle of the purposes for which intoxicating liquors may be used, would be a fantastic experiment of the wildest folly.

THE JURISDICTION OF EACH GOVERNMENT EXCLUSIVE.

Another characteristic of our form of government is that whenever, for any reason, any power is vested in any government, whether Federal, State, county, or municipal, the jurisdiction is made exclusive, and it is manifest that the confusion of jurisdictions over any subject would result in conflicting and unwise laws. If the States, as well as the General Government, had the power to provide and maintain the Navy, it is certain that some of them would provide 10 battleships and some none; and if the jurisdiction to provide and maintain a navy were divided between the General and State Governments according to the purposes for which the ships are to be used, as the proposed amendment divides the jurisdiction over intoxicating liquors according to the purposes for which they are to be used, giving to one government the power to provide such ships as are to be used on the surface of the water and to the other such as are to be used under the water or in the air, or to one government such ships as are to be used as scouts and transports and to the other such as are to fight, the Navy resulting from such a division of powers would be a ridiculous farce.

No Government can deal wisely with any subject and intelligently solve all the questions which will arise out of it unless it has the sole and exclusive jurisdiction thereof. The Federal Government will find it to be impossible to destroy the evils of intemperance with the limited jurisdiction which this amendment will confer upon it. Even if it could perfectly enforce every prohibition in the amendment, the manufacture, transportation, and importation of intoxicating liquors for other purposes than for sale for beverages would result in an evil and drunken debauchery far greater than exists under the prohibitory laws of the States; and in the midst of this evil we will wonder why in the case of intoxicating liquors we departed from the sound principle of substituting a divided for an exclusive jurisdiction over this subject.

WHISKY TRAFFIC A LOCAL EVIL.

But the whisky evil is a local evil, and its removal is a local question. The evil in any community disturbs and injures that community. Of its existence there other communities are ignorant. The community which the evil hurts is the one interested in its removal and is the only one that can and will remove the evil. This it must do through its local officers.

The Federal Government was not designed to deal with such local questions and is not equipped to remove such evils. It has no officers corresponding to justices of the peace and constables, nor to town marshals and policemen, upon whom each locality depends for the enforcement of whisky laws; and if the Federal Government should undertake the enforcement of laws against whisky in every community in the country, it would require such a horde of spies and detectives as would make the soldiers of the Army and the sailors of the Navy look insignificant, and the Federal courts would have to be multiplied a hundredfold to try the cases now disposed of in the State, county, and city courts. The expense of this new departure would double the burdens of the people, and if the Federal courts could not enforce the liquor laws any better than they enforce the antitrust laws national prohibition would be a national farce.

The absurdities of resolution 168 constitute a good reason for the introduction of resolution 277, which seems to be a lame attempt to escape the objections to resolution 168.

THE MEANING OF RESOLUTION 277.

The first section of resolution 277 is practically the same as the first section of 168. It forever prohibits the sale and the manufacture, transportation, importation, and exportation of intoxicating liquors for beverage purposes and leaves the citizen free to transport, import, and export it for any purpose other than for sale, and to sell it for any other purpose than for beverage, unless prohibited by State laws. The enforcement of the prohibition would be wholly dependent upon the proof of the hidden and unexpressed purpose in the mind of the manufacturer, seller, transporter, importer, or exporter. If any citizen should order intoxicating liquors for medicinal purposes expressed, and the liquor should be made, transported, imported, and sold for said purpose, it would all be lawful under the terms of this section, and it would be no violation of the law on the part of the purchaser if he should then use the liquor for beverage purposes.

In every indictment against the manufacturer, transporter, importer, or seller the proof would be made that the liquor was not for beverage purposes, and prohibition would become a failure and a farce.

Resolution 277 is thus subject to these objections in addition to those urged against section 1 of resolution 168. Section 2 of resolution 277 omits that provision contained in section 2 of resolution 168 which seeks to embark the Federal Government in the whisky business and imposes upon it the duty of supplying intoxicating liquors for the purposes therein enumerated. It leaves the citizen free to manufacture, sell, transport, and import intoxicating liquors for all other purposes than the one single one of beverage.

Section 2 reads as follows:

SEC. 2. The Congress or the States within their respective jurisdictions shall have power to enforce this article by all needful legislation.

Here we have a provision that either the Federal Government or the States shall have power to enforce the prohibition in the first section, but it is clear that both of them can not do so. Which of the two Governments shall exercise the power is left for construction. The first section of the resolution will, of course, give the Federal Government exclusive jurisdiction of the subject matter and oust the States of all jurisdiction. If, therefore, the second section means that under any circumstances the State shall have power to enforce the prohibition, then we will have the anomalous spectacle of a Government enforcing laws on a subject of which it has no jurisdiction. If the second section means that Congress shall have power to enforce the prohibition, if it should exercise the power before the State acts, and that the State shall have the power, if it exercises it before the Congress shall act, then the question of which Government shall exercise the power will depend, not as all other powers depend upon which can exercise the power more wisely, but upon the speed and haste which will enable the one or the other to pass the law first. If section 2 means that both the State and Federal Governments can pass laws at the same time and that both Governments can enforce their laws on the subject, then there will be an inevitable conflict between the laws passed by Congress and by each of the 48 States of the Union.

If Congress should in its laws on the subject provide for the punishment of its violations and a State government, controlled by the advocates of whisky, should provide for small punishment, if, for instance, the Federal law should punish the violation with imprisonment and fine of $1,000 and the State law should punish it with a fine of 5 cents, then we will have one of two results: Either the defendant could be made to suffer both punishments in violation of the constitutional guaranty that he shall not be placed in jeopardy twice for the same offense, or else if the State court should first punish him with the 5-cent fine he could plead that judgment as a complete defense to the Federal prosecution. And in all cases either Government would fail to enforce the law unless it could prove to the jury that the manufacture, the transportation, the importation, or the exportation of the liquors was both for the purpose of sale to the consumer and that the consumer purposed to use it as a beverage. The railroad company and the express company could always prove that they had neither of these purposes and that they knew of no such purpose in the mind of the manufacturer and the purchaser. The manufacturer could always prove that he made the liquor for some other purpose than to be used as a beverage, and that he had the written assurance of the purchaser that he had no purpose to use the liquor as a beverage.

If the rankest antiprohibitionist in the land were intrusted to frame a prohibition law, he could not devise one that would more certainly fail to eradicate the whisky evil than this one. In fact, any careful study of this amendment excites the suspicion that it is conceived in the interest of the whisky traffic.

THE DIFFICULTY OF PROHIBITION.

If anyone sincerely and in good faith desires to eradicate the whisky evil, his mind will logically inquire, first, What is the difficulty and obstacle in the way of such eradication? In all the prohibition States we find the most stringent laws, making ample provision against every phase of the evil and covering every condition that has arisen for many years, so that no one can study those laws and discover any defects or imperfections.

Instead of trying to discover and remove whatever difficulty remains, this amendment purposes to substitute for a perfect system of laws on the subject of liquors a law that is as crude, as defective, as impracticable, and as absurd as any whisky man could desire it to be.

The only legal difficulty in the prohibition of the whisky traffic by the States is that Congress has exclusive jurisdiction over interstate commerce, and the importation of liquors is a part of that commerce. The States have no power to prohibit the importation of liquors into their territories. The State is therefore in this condition: It must permit liquors to come into its territory and then do what it can to stop the sale of what it has already received. If the State could inflict adequate punishment upon every railroad company and every express company which brings liquors into it or through it, it could as easily enforce its prohibition laws as it can suppress any other crime. And any real bona fide prohibitionist who wants not to advertise himself, not to bask in the sunshine of popular favor, and whose judgment has not become unbalanced by a long consideration of the enormity of the whisky evil, as portrayed in the premable to the resolution, but who really wants to remove the difficulty in the way of prohibition, would like to see the Constitution so amended as to give the State the power to prohibit the importation of liquors into its territory.

No real prohibitionist who believes that its success would be a blessing to humanity will under the cloak of prohibition seek, as resolutions 168 and 277 seek, to overthrow the Democratic doctrine of local self-government, to abandon the fundamental principles of our Government, to transfer the police powers of the States to the Federal Government, and to concentrate in the Federal Government a power whose exercise would fill the land with spies and detectives and crush out the liberties of the people.

THE REMEDY.

To remove the only difficulty in the way of prohibition we would only have to adopt the following amendment to the interstate-commerce clause of the Constitution, making it read as follows:

3. To regulate commerce with foreign nations and among the several States and with the Indian tribes: *Provided*, That intoxicating liquors shall not be considered as a part of such commerce, and that the right to regulate or prohibit the transportation, importation, and exportation into, from, and within each State shall forever remain one of the reserved powers of each State.

For such an amendment I would gladly vote, for it would remove the only difficulty and overcome the only obstacle in the way of prohibition.

The perception of the difficulty and the willingness to apply the proper remedy is disclosed in resolution 389, the first section of which reads as follows:

SECTION 1. The importation of any spirituous, vinous, malted, fermented, or any other intoxicating liquors into any State of the United States or into the District of Columbia, or into the Territory of Alaska, from any other State, District, Territory, country, place, or region, domestic or foreign, is forever prohibited.

This amendment is entirely free from the absurdities and follies inherent in resolutions 168 and 277 and sounds like its author is really in favor of prohibition. There are only two objections to it. One is that it is in apparent conflict with the interstate-commerce clause of the Constitution. The other objection to it is that the State could not enforce it and would be entirely dependent upon the Federal Government to protect it against the violation of the provision. However, the State is now helpless in this regard, and the provision is such a vast improvement on the conditions as they now stand that I shall vote for resolution 389.

IMPERIALISM IN THE GUISE OF PROHIBITION.

This pretended attempt to secure national prohibition is strange, even mysterious. The facts that it divides the jurisdiction between the States and the Federal Government, making it impossible for either to deal intelligently with the question; that so many loopholes are provided for the escape of violators from punishment that every suggestion or amendment to make the remedy effective are so readily rejected; that the aim is not to unite all the believers in prohibition on the same side, but to drive as many as possible from its support suggest that there is something hidden and concealed behind the movement. It is a part of a scheme of the imperialists, carefully concealed from the great mass of patriotic prohibitionists, to substitute a great empire for the American Union. Afraid to attempt this openly and confessedly the enemies of our country, who have always believed in a great central government, who have never had any love for or confidence in our dual system of government, and who would like to blot out all State lines and concentrate all power here at Washington, have for half a century, under the cloak of some popular reform, endeavored to transfer one after another the reserved powers of the States to the Federal Government. Whenever the people become aroused by some great evil and the remedy therefor it has afforded an opportunity for the imperialist to strike a blow at the Union. The first attempt in this direction was soon after the Civil War, when, under the influence of sectional hate and bitter resentment against the white people of the South, the idea became popular that in order to safeguard the freedom of the negro it was advisable to give him the right of suffrage, and under the cloak of a wild-eyed frenzy to substitute the ignorance and vice of the negro for the intelligence and virtue of the white man in the electorate of the Southern States, the imperialist secured the adoption of the fifteenth amendment to the Constitution and thereby divested out of the States the power to regulate and control the purely local question of the franchise and lodge it in the Federal Government so far as it is affected by race, color, or previous condition of servitude.

When the constitutional amendment for the popular election of United States Senators was considered in Congress there was such a unanimous demand for its adoption that neither political party was willing to oppose it, and the imperialist saw another opportunity to strike a blow at the Union and to transfer another power of the States to the Federal Government. They therefore fastened upon its provisions the Bristow amendment, and thereby effectually transferred the power of the States to control their elections of Senators to the Federal Government.

The American people have been in late years aroused to the importance of good roads, and while the public highway is the most local of all subjects, and from its nature can be best and most economically built by the communities in which they are located, yet the widespread favor of the people for these improvements was a cloak under which the imperialist attempted to have the Federal Government take charge of the public highways of the country and thus transfer to it one of the most important of all the reserved powers of the States. The first step taken in this direction was the passage through the House of the so-called good-roads bill.

In line with all these assaults upon the Union of our fathers is the present attempt, disguised under the name of prohibition and under a hypocritical plea to the moral sentiments of the people, to transfer the police powers of the States to the Federal Government; and it is accompanied by the woman-suffrage amendment, which seeks to transfer the subject of franchise also from the State to the Federal Government so far as it is affected by sex. What the next assault upon the Union of our fathers will be no one knows, but it is certain that the success of each one of these assaults will result in another.

While the Constitution is by degrees being changed and disfigured, and while congressional legislation is usurping the powers of the States, the Federal courts have also been busy in construing the reserved powers of the States into the imperial receptacle of the General Government.

If this dangerous drift of the Union toward the empire were wise and best for the country, if any good reason or plausible argument could be given why we should abandon our dual system of government and concentrate all power in the Federal Government, the advocates of it would not hide their designs under the cover of popular reforms or conceal their purposes under statutory usurpations and judicial interpretations which can never be explained to the people, but would boldly declare their purpose for an empire. If it is wise and best to convert the Union into an empire by slow degrees, by transferring one power of the States to the Federal Government at a time, why would it not be wise to blot out all State lines and to establish an empire on the ruins of the Union all at the same time? Why should we by piecemeal demolish the sublime structure when we could substitute what the imperialists consider better at one stroke? If the dual character of our Government is wise and best, we should maintain it, preserve it, love it, and defend it from every assault; but if it is a mistake, then we should abandon it for something better.

But before we discard it we should ponder well what it is. It is the first and most important principle of the Government which our forefathers transmitted to us as their solution of the great problem of human liberty. This principle, together with the doctrine of representative government, the separation of all governmental powers into the three distinct and independent departments of the executive, legislative, and judicial branches, and the constitutional prohibitions against the impairment of the inalienable rights of the citizen constitute what they determined was necessary to the preservation of our liberties. They had no precedents to guide them in the formation of our Government, but they knew from the teachings of history, as well as from long and bitter experience under the best of all imperial governments, that the tyranny and oppression of the empire is intolerable to a free people. They knew also that all the republics of history had either emerged into an empire or had been dismembered and broken up, because they were not founded upon the principles on which ours was made to rest. Their wisdom in this regard is not only established by the experience of a hundred and twenty years, but is acknowledged by the imperialists themselves, whose conduct shows that the only possible way to destroy the Union is gradually to overthrow the principle of the separation of all governmental powers between the States and the Federal Government and the other great principles which insure its preservation and stability. In solving the problem of human liberty and in adopting a form of government which they believed would preserve it, our forefathers could not have been led into a mistake by any selfish desire to get into the limelight of notoriety, for their fame was already complete, and no motives except the purest patriotism, which had been tested by seven years of suffering and sacrifice, impelled them to seek the truth of the question.

Their wisdom and genius have given them a luminous place in the annals of history with which no one would be cruel enough to contrast the obscurity of the petty imperialists who are struggling to undo the work of their hands. When we study the sublime fabric of our Government, when we recall the heroism of those who framed it, when we read the story of the sacrifices they made to secure the liberties it was framed to perpetuate, when we look upon the pure and unselfish motives in their hearts softened with sorrow for their comrades who had fallen in the strife, how can we fail to admire, to love, and to worship the Union of our fathers? How can we view with patience or tolerance the unholy efforts of the imperialist, as with stealthy steps and hypocritical pretense he removes one stone after another from the foundation of the glorious structure? If the last days of my life should be spent amid the ruins of the great Republic, it will be some consolation that no word or acts of mine ever hastened the drift of the American Union into an empire of its enemies.

Mr. SAUNDERS. Mr. Speaker, I yield to the gentleman from Kentucky [Mr. JOHNSON].

Mr. JOHNSON of Kentucky. Mr. Speaker: I shall avail myself of the opportunity offered to give some, at least, of the reasons why I vote for what is known as the amended Hobson resolution.

As I understand the proposition, and as everyone must of necessity understand it, we are not called upon to-day to vote either "for" or "against" prohibition. The single question that a Member of this House must now answer is: Is he willing or unwilling to have the question of prohibition submitted to the people themselves for their determination?

More than 6,000,000 good citizens of this country have availed themselves of the privilege of "petition" already given them under the Constitution of the United States. By that "petition" they ask the Congress to give to them nothing more than a submission of the question whether they may or may not have prohibition.

Thousands of those who live in the congressional district which I have the honor to represent have petitioned me, not as an individual citizen but as their Representative, to give them the right of suffrage upon this question.

Those who oppose prohibition ask me to vote against prohibition, while all those who favor it ask me, as a Member of Congress, to vote, not for prohibition, but for a measure which will let them vote.

Can I justly answer their plea by saying to them that I concede their right to vote for me as their representative and at the same time deny them the privilege of voting upon the most agitated question now before the American people?

If the question were one wrong or vicious in itself, or if the question were one urged by only a small portion of the people, I might, with the very best of reasons, stand against submission.

But how can I, in my representative capacity, refuse the thousands and thousands of my own constituents their plea for the right to vote upon a question that is not vicious in itself? This is the question which I must answer by my vote upon this occasion.

The fundamental doctrine upon which this great Government is founded is: All power is inherent in the people.

Does any man question that our ancestors could have inserted a prohibition clause in the Constitution if they had so desired? The people were then given a clean piece of paper upon which to write a constitution. In writing it they were careful to protect future generations by reserving to them the right to add to that Constitution such provisions as the people themselves, later on, deemed best for their own welfare.

If our fathers had thought that the original Constitution contained wisdom enough for all ages, they would not have made provision for amending that instrument.

Because the 3,000,000 people who then made up the United States did not see fit to include prohibition in the Constitution is no argument that the 100,000,000 who now, a century and a quarter later, make up the Nation should not have the right to vote upon the question as an amendment to that original paper.

Millions of our people petitioned Congress to give them the right to vote upon the question whether or not we should submit the income-tax proposition. That right was granted them by Congress.

Again, millions of our people petitioned Congress to give them the right to vote upon the question whether or not we should elect United States Senators by the people. That right, too, was granted them by Congress.

In my humble judgment there is no better way to have government of the people than to have it by the people.

That is all which the proposed amendment to the Constitution seeks to accomplish.

When the question of prohibition has been submitted to the people every man can then vote just as he pleases.

The majority in this instance, as in all other instances where we have popular government, will control.

Some of our "wet" citizens oppose submission because they already have the condition which meets their views.

But suppose we now had constitutional prohibition. Would those who are "wet" be entirely satisfied with the vote of their Representative in Congress if he, by his vote, denied their petition for a submission of the question to the people in order to give the opportunity to do away with prohibition?

Would they not feel aggrieved if their Representative, by his vote, denied them the right to vote?

The old question, "Whose ox is gored?" comes up now.

Those who are satisfied with present conditions want no submission of the question.

Those who are dissatisfied with present conditions clamor for the submission of the question to all the people.

This question, in my judgment, is the property of all the people.

I, for one, therefore, am willing that they take their own question to themselves for final determination.

I am convinced that all fair-minded men will—within themselves, at least—admit that there can be no just complaint or criticism of those of us here who delegate to the people the right of government by the people.

Therefore, Mr. Speaker, I shall cast my vote as a Representative of the people to let the people control.

Mr. LINDBERGH. Mr. Speaker, I take it that every individual is willing to yield some of what he may deem to be his personal rights, whether he indulges them or not, for the general welfare. I have never questioned the right of anyone to use liquor, nor to manufacture and sell it, and have no objection to its manufacture, sale, and use in a proper and reasonable way. But it has been shown by a long course of experience that the manufacture and sale of liquors is attended with practices that are extremely detrimental to good government, very bad in its effect on many drinkers, and especially their families, causes much suffering and crime, and serves no sufficient requirement of men and women to offset the damages it causes. The consideration of this resolution therefore becomes one of morals, good government, and economics, rather than one on which to split hairs in discussing technical personal privileges. Besides, no Member should vote against this resolution, because it is simply referring the question to the people, and for that reason I would vote for the resolution even if I opposed prohibition.

As to the evil effects of indulgence in the use of liquors, they are so many and have received so much thought and expression that they may be considered well known without a restatement of them here. I will say, however, that there is

no doubt in my mind that the moral side of this problem is of supreme importance for all the people and furnishes abundant reason for the prohibition of the liquor traffic.

The economic side of this proposition is of very great importance. I shall refer to only one phase of this, however, because I believe the others have been discussed from every viewpoint. The phase that I wish especially to consider is suggested by an argument which appeared in the New York Herald June 7, 1914. The following statement appeared in the argument:

Facts about the liquor business and allied industries in New York State.

Number of persons employed	152,000
Annual wages and salaries	$128,000,000
Value of product and trade	$842,000,000
Internal-revenue tax for 1914	$72,000,000
Number of farms devoted to hop culture	2,227
Acreage of farms devoted to hop culture	12,850

Statements of the above character are often made with the intent that they should impress the public and win them to the support of the liquor interests. They begin at the wrong end of the argument. If the liquor traffic in itself is not desirable and useful, then the employment of 152,000 persons in New York alone, and a much greater number in all the States, is to be deplored, for to take the time of so many persons in a useless and even harmful occupation is a waste. These persons should be engaged in a work that would help in the production and distribution of the things that we need and that are useful. Likewise the investment of $842,000,000 in the liquor product and trade would be immensely more valuable in its service if it were employed in operating enterprises in which the common necessities of these and all other people are produced. It is a mistake to employ anyone in an enterprise that does not serve actual necessities. In the final analysis labor pays for all production, and therefore the production should be of a character to serve our common requirements and not merely to keep persons employed irrespective of the need of the products of their employment.

It is also foolish to claim that the liquor traffic should be supported to furnish revenue to the Government and to villages and cities collecting for licenses. In the first place, the evil effects resulting from the business in themselves create more expenses than all the revenue and license collections amount to. And, furthermore, in accounting for the collections made for village and city licenses we know that the dealers must pay for their stock and the costs of running the business as well as a profit in addition. Since what they sell serves no actual need of the buyers here again is a waste, and the funds used might much better be invested in enterprises that would serve actual needs.

Merchants and other business men in some of the towns in my district, when two or three years ago an effort was made to close the saloons to carry into effect the terms of the Chippewa Indian treaty of 1885, requested me to oppose its enforcement. After the saloons had been closed a few weeks, as some of them were, most of those who had askd me to oppose the closing informed me that it was a mistake for them to have made the request, because they had since discovered that the money that had been paid in the saloons was, after their close, being used in the purchase of goods and services that other business could furnish. Leading merchants in those towns have said that during the time when the saloons were closed they sold more children's shoes and clothing and more Christmas presents than they had ever done before, and that most of the people who had been delinquent came in and paid their debts.

The time will come in the history of this country, as it has done in others, when it will become essentially important to eliminate waste. The ancient Aryan finding his restricted area too small to support the rapidly growing population on the product and increase of his flocks and herds found it necessary to swarm forth to new fields and pastures. Because of the fact that they must conquer a wilderness filled with unknown terrors beyond a natural mountain barrier which would prevent their return to the parent land, they selected for this purpose the best and strongest of the young men and young women. After a feast of farewell to home and kindred, these pioneers of a new race went forth and began anew.

Man has made many improvements since that day until now, by tilling the soil, improved means of transportation, and many mechanical inventions, he is able to support many more people on a given area than was possible in the days of the ancient Aryan. Nevertheless, population is constantly increasing, and man must learn to eliminate waste, else when again he becomes too numerous, where shall he migrate?

I am more than convinced—I am morally certain—that waste caused by the different phases of the liquor traffic is one that mankind can eliminate with none but good results to the great body of the people.

One more objection to the liquor traffic is its persistent meddling with the politics of the country—village, city, State, and national. No one other influence has been so persistent in this work, and it has forced the other special interests to join with it in this work of controlling, wherever it could, the actions of legislatures and Congress, as well as village and city councils, all to the enormous detriment of the country. Everybody knows this, and the people are tired of it. Therefore give them the opportunity to rid themselves of it if they wish, which they can do by a concurrence of three-fourths of the States if we pass this resolution.

During the time that this joint resolution has been pending in the House I have received many circular letters, the purpose of which has, of course, been to influence my mind to cast my vote against it. I do not object to this in the least, as I feel it to be a part of my duty as a representative of the people to seek enlightenment from every possible source. But the peculiarity of all these appeals is that they demonstrate to my mind, at least, a truth exactly opposite of that they wish to establish. In addition to that already quoted, I have before me now a letter sent out by the United Brewery Workmen of America. It claims that there are 75,000 brewery workmen and their families dependent upon the business and that 10,000 miners also are. Also, it is added, that it requires—

Brickmakers, masons and builders, machinists, steam fitters, plumbers, wagon makers, waiters, bartenders, advertisers, printers, electricians, persons engaged in transportation, cash-register makers, and thousands of other workers.

From all the States come these statements from the brewers and their allied industries, showing the great number of people employed and the vast amount of capital and property required to carry on the liquor traffic. The more they show, the stronger I am impressed with the need of passing this resolution in order to take these unfortunate ones out of serving a trade that is a drain on the country's resources without supplying any real necessity. These 75,000 men employed by the great brewery interests and all those others dependent upon the liquor traffic are seeking to have perpetuated an occupation which, indeed, gives them support, but at the expense of very many times their number, whose wives and children must be deprived of all the luxuries and most of the necessities of life, because of this superfluous and unnecessary trade.

Enemies of this joint resolution ask: "What shall these men do to obtain a livelihood after the traffic has been prohibited and their present occupation thereby destroyed?" They talk of confiscation of property involved when it is proposed to cease permitting a small proportion of the population to live off the rest. If the laboring people had their just rights and there were anywhere near a just distribution of the proceeds of labor, there would be no talk of the unemployed, because all would be employed. But I say that even under existing conditions, which are largely the result of the interference in our politics of the liquor and other big special interests, it is not necessary to talk about the increase of the number of unemployed in order to bolster up this losing cause. In northern Minnesota alone—in the three districts represented by my colleagues, Mr. STEENERSON and Mr. MILLER, and myself—there are enough wild, uncultivated, and unoccupied, yet exceedingly fertile lands, to support in comfort a population several times greater than all the unemployed; lands that when subdued are so fertile and productive that this part of our State is becoming known far and wide as "the land of the big red clover"; lands perfectly adapted to general farming, dairying, and stock raising, and only awaiting the coming of capital and labor to make them blossom like the rose.

Let me suggest to my anxious friends who fear that their capital invested in the liquor and brewery interests, and to those who foresee a failure of employment through the adoption of this resolution and its incorporation as an amendment into the Constitution of our country—for that is surely coming, whether we adopt this resolution to-day or not—that they look carefully over the opportunities afforded by our State for the investment of capital and the employment of labor. To all who fear a loss of occupation by reason of the righteous increase of sentiment in favor of prohibitory enactments I say come to northern Minnesota, use your swelling muscles in subduing a portion of the wilderness, and enjoy the rewards of a well-spent life in the old age of comfort that may easily be derived from a well-tilled farm.

Across the sea eight nations are engaged in destructive homicidal war. Practically whole populations have been called from their usual occupations, have been forced to abandon all that heart holds dear and to sacrifice even life itself upon the altar of their country. After the cruel war is over they will be burdened with enormous and oppressive taxation for generations to come. Talk about confiscation! Compared with

what these people will suffer of privation and want, we do not know the meaning of the word. Yet they respond with enthusiasm to a cause, win or lose, which will give them no actual benefit. To-day we are called upon to record our votes in favor of the preservation and not the destruction of our race—to save the boys and girls who will become the future citizens and rulers of our country.

Mr. SAUNDERS. Mr. Speaker, I yield to the gentleman from Mississippi [Mr. QUIN].

Mr. QUIN. Mr. Speaker and gentlemen, I have the honor to come from a prohibition State. I am a prohibitionist, natural born [laughter], and I want to say that the leader of my party, the Democratic Party, said that we ought to fight this matter out in the open, and as a prohibitionist I am willing to strip down to the belt and go to fighting; let us smite them hip and thigh. You can not fight the devil in any other way. [Applause.] I realize the fact that the corrupt agencies of this Government are backing the liquor traffic. I realize the fact that the good Christian people of the United States as a rule, the good women of this Republic, the charitable organizations and churches, all the elements that go to build up society and good government, to make better a virtuous womanhood in this Government, are on the side of prohibition.

The forces of evil, the liquor traffic, with all its chain of corruption and the evils that attend it, are fighting this proposition to-day, and they come in on the ground of State rights. I believe in the doctrine of State rights. I represent the district where Jefferson Davis, the President of the Confederacy, was reared. My father went out and fought for State rights. But we are not living in the past; we are living for to-day and for the future. We can not bring up the traditions of the past to govern this country to-day. I do not believe it is an infringement upon the rights of my State to prevent New York or any other State from emptying its sewage, its corruption, its poison, this liquor that it makes, down into my State. I do not believe in the open saloon, "blind tiger," or any other agency that pollutes society and debauches man, and the way to keep the "blind tiger" out of your country is to keep these men from manufacturing beer and alcoholic liquors for sale. You can not keep them out in any other way. We want to protect society; we want to protect the boys and girls that are growing up; we want to protect our institutions, and the way to do it is to stop the worst evil that is cursing the human race to-day. You need no enlightenment on that, as it is the common knowledge of all men. We all know the liquor traffic is the worst evil that concerns our Republic. We all know it builds up all the houses of prostitution, that it fills up the insane asylums and the jails, and tears down society; and the question resolves itself in the final analysis on your vote here to-day, Are you with the forces of evil and corruption, or are you with the good people who are trying to build up your country? Talk about your little finalities of State rights as you please, it resolves itself down to this: Are you on the side of evil, the forces that are corrupting your Government, the forces that are destroying humanity, the forces that are destroying every environment that will build up society?

They talk about the revenue. Are we willing to debauch men because we can raise a little revenue on whisky? It would do just as well to legalize gambling and take out some small rake-off for the "kitty" to pay the expenses of your Government. [Laughter.]

The American people do not propose to support their Government through the agencies that will finally destroy the Government. The fact that the United States Government is a partner in crime with the liquor traffic is one of the stigmas against the fundamental principles of the civilization of this country. We want to divorce the American Government from its copartnership with the liquor traffic. That traffic has great influence in some sections of this country, and it is going to continue those influences unless this resolution is adopted and is finally ratified by the States of the Nation. Some of the States of this Republic never will vote whisky out of them. We know that. There are certain elements of citizenship that do not care for the country to build up and grow up on those high planes of Christian civilization that every man hopes the American Government will reach. [Applause.]

You gentlemen who have such a fear that the rights of some State in the South might be involved if we pass this resolution proposing to amend the Constitution so as to prevent the manufacture and sale of intoxicating liquors anywhere in the United States seem to be unduly excited. Can not the people amend the Constitution any time they please? All of the antiprohibitionists pretend to adore State rights. Did you have that same reverence for the rights of the States when you abolished slavery and enfranchised the negroes of the South by illegal amendments to the Constitution? You have that same love for us now that you had then. You talk about the wrong we would do to the liquor people if we stop their business and not pay them for their property. Surely slavery was no worse in the South than the manufacture and sale of liquor. You took $4,000,000,000 away from the South when you freed the slaves and never paid a dollar for a single negro. The liquor business is contraband, unlawful, and outlawed by society, and is existing in a few States at sufferance. What right have the few thousand men engaged in that "outlaw" business to expect the Government to pay them for their property invested, engaged in polluting society, and destroying the foundation stones of the Government?

Mr. Speaker, these men who "rear up" on their hind legs and holler that we can not afford to confiscate the property of the liquor traffic know that many of the States have laws to destroy every pistol they find concealed on any person carrying such weapon in violation of law. Is that statute wrong or unsound in principle? You confiscate and destroy the paraphernalia and all property used in carrying on gambling games. What court has ever held such statutes to be unconstitutional? My friends, the trouble is the liquor interests in the United States have powerful and potential influences at work in their behalf. The invisible government that works unseen and in an unknown manner has as its chief ally the liquor interests. These agencies stand for graft and corruption in politics. They stand side by side and shoulder to shoulder with the corporations, trusts, combines, and monopolies. Whenever it is necessary they pool their interests together to make a combined and effective fight. The people engaged in the cause of prohibition work single handed and alone. You find the Christian people, men and women, as a rule, engaged in the fight against the saloon. They are actuated by the highest and purest motives. They know that the liquor traffic is a destroyer of the home. They know that the blind tiger is the offspring of the barroom. They know that the only effective way to eliminate the barroom and blind tiger is for the Government to prevent the manufacture, importation, and sale of intoxicating liquors. These good people have come to Congress and asked us to pass this resolution to let the States vote on it and see if three-fourths of them will not ratify this amendment. The people have that right, and as one Congressman I am going to vote for them to have the privilege in this case to vote for themselves. What man can tell one single good thing the liquor traffic has done for society and the human race? Can you name any good this evil has done the American Government? Mr. Speaker, I can tell a thousand bad things that this great demon has done to the human family and our Government. This demon, the whisky traffic, has reached out his uncanny hands and despoiled homes in every bailiwick in the United States. Aye, the scars of the liquor traffic have been left in almost every household throughout the broad domain of this great Republic. I know its forked lightning has struck close around me and left its sign in an untimely grave.

Mr. Speaker, I shall support this resolution with my whole soul, and hope the prayers of the good mothers of this country will soon be answered and this awful curse to the human race will be no more in our Republic. Would to God this very night that this Congress would by a two-thirds vote pass this resolution. The good people in three-fourths of the States of this Union will do their part. I am conscious of doing my duty on this great occasion to myself, my people, and my country. [Applause.]

Mr. SAUNDERS. Mr. Speaker, I yield to the gentleman from Kentucky [Mr. BARKLEY] 10 minutes.

Mr. BARKLEY. Mr. Speaker, among the important votes which I have had the privilege of casting during my membership in this House I have cast none which I consider more important and far-reaching than that which I shall cast to-day. Likewise, I have cast none with a greater degree of conscious rectitude than I entertain for the vote which I shall cast to-day.

When our forefathers ordained and established the Constitution of the United States, for the purposes set forth in its preamble, they recognized the fact that all human effort is frail and subject to mistakes and errors. They foresaw that there might come a time when change and amendment might become necessary in order to meet new conditions and keep the Government responsive to the will of the people. Therefore they provided in the Constitution a method by which it might be amended by the people in the coming years as they might see fit and proper.

Their foresight and wisdom has been justified by the adoption of 17 amendments to the Constitution of our Nation in the century and a quarter since its first adoption.

The question before this House now is whether we shall vote for the submission to the various States of an amendment to that

Constitution providing for national prohibition with respect to the manufacture and sale of intoxicating liquors. In settling the question of my vote upon the pending resolution, I must approach it from the standpoint not only of my duty as a man, but also from the standpoint of my duty as a representative of the people.

I am not afraid, Mr. Speaker, of the adoption of this amendment, nor of its submission to the people of the United States. There have been some who have spoken against the submission of this amendment because they were afraid the legislatures of the States would not truly represent the people of the States in determining its ratification or rejection. This is one of the methods provided by the Constitution for ascertaining the wishes of the people, and so carefully were the rights of the States guarded in that respect that it provides that before any amendment can be adopted it must be ratified by three-fourths of the States of this Union. But if you are afraid to submit it to the State legislatures, I ask if you would vote to submit it if the people themselves could vote directly upon it? Would you be willing to submit it if Congress should provide that it should be submitted to State conventions, as the Constitution provides may be done, wherein the delegates would be selected upon that issue alone and pledged upon it, one way or the other? You need not offer that as an excuse why you can not vote to submit this amendment, because if that were a valid or sufficient argument it would have prevented the submission of the amendment for the election of Senators by direct vote of the people. If that argument were valid as against the submission of this amendment, it would have been equally valid to have prevented the submission of the amendment authorizing the levying and collecting of an income tax. Such an argument would have been a valid objection to the submission of all the 17 amendments which the people have adopted since the foundation of our Government. But such arguments were not valid then, and they are not valid now, but offer only an excuse for those who desire to vote against the submission of the amendment itself.

Others object to the submission of this amendment because they say it takes from the States the right of local self-government. But they forget that the very fact that this amendment can not be adopted without the concurrence of three-fourths of the States is a recognition of the rights of the States to be heard either in advocacy of or protest against the adoption of constitutional amendments. If the States do not want to adopt this amendment, they have the power to reject it. If they desire to adopt it as a part of the fundamental law of the land, they have a right to its adoption. If 36 of the 48 States of this Union are willing or desire to yield to the National Government a portion of their authority with respect to the regulation of the liquor business, I am willing to go down the road with them and live under that government and abide by the will of the sovereign States. If the States desire to give up a portion of their authority upon this question, they have both the power and the right to do it. If they do not desire to yield even a portion of that authority to the National Government, they have both the power and the right to prevent it. [Applause.]

But this amendment does not deprive the State of its local authority to prevent the manufacture or sale of liquors or to enforce its prohibitory laws upon that subject. The adoption of this amendment, if the people want to adopt it, no more deprives the States of the right of local self-government than does the enactment of a national bankruptcy law, and not nearly so much as does the issue by the Government of what is known as a Government license to sell liquor in local-option territory where the people have said they do not want it sold. [Applause.] If you are so deeply in earnest about the preservation of the rights of the States, why are you not willing to help pass a bill which I have introduced in this House compelling the United States Government to respect the local-option laws of the different States by refusing to issue Government license to sell liquors, thereby encouraging the violation of State laws? [Applause.]

Mr. Speaker, I am not afraid to submit this question to the people of the United States, through their legislatures or by conventions or through the arbitrament of the ballot box, if that were possible. Many millions of the people of this country in all the States have petitioned Congress to submit this question to the people and let them determine whether they want to amend their Constitution so as to prohibit the manufacture or sale of intoxicating liquors. This is their Government. It is their Constitution. As one of their Representatives, I shall cast my vote for this resolution giving them the right to pass upon the questions involved in the proposed amendment. [Applause.]

My friend from Alabama [Mr. HEFLIN] and others have said that they are afraid to submit this question to the people, not because they are adopting it when they vote to submit it but that although all the States might adopt it by a unanimous vote they are still against it because they are afraid of the National Government. What is this National Government of which they are afraid? It is that Government we have all been taught to love. It is that Government which was founded by the suffering and the sacrifice of our forefathers, which has grown from three millions to a hundred million souls. It is that Government which we are all proud to call "the land of the free, the home of the brave," and it can be no worse than the aggregate of all the parts of which it is composed. I am glad, Mr. Speaker, that I do not look upon this great Nation as a monster, as a tyrant, or a despot. If I did, I would not feel like swearing allegiance to that beautiful flag that floats in every breeze. I might not look upon it, as I now do, as being the greatest, the best, the most benign, just, and righteous Nation in all the earth. [Applause.]

My friend from Alabama [Mr. HEFLIN] says he is against the submission of this amendment because, if it were adopted, he is afraid of the Federal officers who might seek to enforce the law in Alabama. We have Federal officers now all over the country enforcing every law upon the statute books of the Nation. Who is afraid of them? Nobody except the criminal or the violator of the law, and I regret that my good friend has been indiscreet enough to admit upon this floor that he is afraid of a Federal officer. [Laughter and applause.]

Mr. BURNETT. Will the gentleman yield?

Mr. BARKLEY. Yes.

Mr. BURNETT. I will ask my colleague if the State-rights fellows did not vote just yesterday for the Government control of warehouses all over the country?

Mr. BARKLEY. They did vote yesterday for Government control of warehouses all over the country without even raising the question of State rights. Not only that, but not long ago we appropriated out of the National Treasury half a million dollars to exterminate hog cholera in the various States. Nobody then claimed that we were infringing upon the rights of the States by taking from them the right to regulate and control hog cholera. Do you think more of your hogs than you do of your children? I voted for the appropriation to check hog cholera, because I believed it was a proper function of the Government to use its efforts and its accumulated scientific knowledge to check the ravages of a disease among the food-producing animals of the Nation. But I would have a contempt for myself if I would vote to help preserve their hogs and then deny them the right to pass upon the adoption of a constitutional amendment which may in the long years to come be instrumental in preserving the lives, the character, and the happiness of their children and their homes. [Applause.]

The gentleman from Alabama [Mr. HEFLIN], who is so afraid of Federal officers, made a speech and voted in this House not long ago for the abolition of all the cotton exchanges in the United States. The doctrine of State rights did not bother him then. But, Mr. Speaker, as I stated, the question of State rights is not involved in this resolution. The question of the regulation and control of the traffic in intoxicating liquors is one which is nation wide. It is one upon which millions of people in this Nation are asking the privilege of passing, and I shall without hesitation vote to submit this national prohibition amendment to the 48 States in this Union, and will abide the result of their verdict upon it. [Applause.]

Mr. SAUNDERS. Mr. Speaker, I yield to the gentleman from Idaho [Mr. SMITH].

The SPEAKER. The gentleman from Idaho [Mr. SMITH] is recognized.

Mr. SMITH of Idaho. Mr. Speaker, I am heartily in favor of the pending resolution, because I believe the people in the various States are entitled to an opportunity to express themselves on the liquor question or any other question which so vitally affects their happiness and prosperity.

I am also in favor of the resolution because I believe its enactment will give such an impetus to the temperance cause as will result in the amendment of our Federal Constitution, so as to give the Government complete control of the traffic in intoxicating liquors, and thus insure the enforcement of any laws which Congress may enact under the authority extended by the proposed amendment.

In all the arguments which have been advanced here to-day no defense has been made of the traffic in intoxicating liquors. Its evils and baneful influences are admitted. The advocates of the resolution contend that complete elimination is the only cure, while the opponents of the measure believe that high license and regulation is the remedy.

It seems incredible that it should be necessary for a portion of the people of this Christian Nation to band themselves together against an insidious foe to the material advancement

and prosperity of all. But like the pioneers of our country who built stockades to protect themselves against the Indians, the temperance people are endeavoring to protect themselves against a traffic which is breaking up homes by the thousands and ruining the prospects of millions of young men throughout this broad land.

From the time our boys reach their teens they are constantly exposed to temptations which, if yielded to, corrupt their morals, weaken their intellect, and unfit them for occupying those spheres of usefulness in life for which they are so well equipped by education and natural accomplishments.

We are all struggling to establish and maintain our homes, to educate our children, and prepare them for the responsibilities which they are to encounter as they grow into manhood and womanhood. We have our churches presided over by loyal, devoted ministers who are constantly endeavoring to upbuild the character of the people and inculcate in them that reverence for religious principles which is necessary to a happy and successful life; Sunday schools to which we send our children; and faithful teachers who are giving their time and strength to guide their feet in the right way. We are doing our utmost to properly clothe and feed our children, to make them comfortable, to encourage them in their effort to get an education, and above all to give them that strength of character which will enable them to resist the temptations and diversions which are so disastrous to the young.

Walk down the streets of many of our towns and cities where the selling of liquor is licensed and you see on every hand the open door of the saloon, the grog shop, and the dive, with brilliant lights and decorated walls. The rooms are warm and comfortable in winter and delightfully cool in summer—made as attractive as possible with a view of enticing the young men and women—for what? That the proprietors may reap a monetary reward, regardless of the fact that they must know that they are contributing to the destruction of the character, self-respect, and reputation of their customers.

The liquor dealers advise moral suasion and education with reference to the evil of intemperance; but what are they doing toward cooperating with the temperance people in influencing the drunkard to reform? Do they issue pamphlets, deliver lectures, or in any other way attempt to influence the tippler to be more temperate? Is it not their business to extend their trade by increasing the number of their customers?

It is most surprising that a great many persons engaged in the liquor traffic are apparently good, kind-hearted men, and yet, because of the profit in the business, shut their eyes to the injury done to the individual and society by the sale and use of intoxicating liquors. These men are banded together with a view of self-protection against the penalty of the laws which are enacted for the control of the liquor business. They employ the best legal talent available with a view of preventing the enactment of laws which will in any way restrict the sale of intoxicating liquor or interfere with their business. They strive to have sent to the legislative bodies men whom they know will prevent the passage of any laws which are intended to restrict the sale of liquor. They appear before committees of legislatures and Congress, through their trained attorneys, and endeavor to prove that their business is honorable and justifiable, and that there is no occasion for legislation restricting it.

Of late years the necessity of the conservation of our national resources has been occupying the attention of our legislators, State and National. Laws have been enacted to protect our forests and water supply. Millions of dollars have been spent in controlling cholera and other contagious diseases among our domestic animals, and to eliminate the boll weevil from the southern cotton fields and the various blights from our fruit orchards. What greater national resource has our country than our boys and girls, and why should not the Government protect them from the blight caused by the use of intoxicating liquors? If the Federal Government can protect the people against the use of opium, why should it not protect them against other poisons.

Many of the young men of the country are realizing that those who drink are greatly handicapped in the battle for employment or advancement of salary. Where can a clerk get a position if he drinks? Who will employ a lawyer if he is known as a drinking man? Who will trust the health of himself or family to a physician who is known to frequent the saloons?

It has been my privilege to train nearly a score of young men as clerks, and every one of them who drank has failed to progress, while the others have been gradually promoted and now occupy positions of trust and responsibility. Those who have failed were brilliant and naturally capable, but drink soon showed its effect; they would come to work late, were drowsy and indifferent; their interest in their work lagged, and they were watching the clock and impatiently waiting for the end of the day's toil; they were disinclined to show initiative or to improve themselves by study and close application; they ceased to be interested in their duties and took no pride in excelling their associates, and as a result they lost their positions and were compelled to take a lower grade of work at a lower salary. I could give you many instances of such failures, but I will not take the time to do so.

Many of the great railroad companies, manufacturers, and other employers of labor employ only men who are abstainers. Sixty-five of the fraternal insurance companies will not admit as members those who are known to frequent the saloons.

If there is a young man within these walls who is inclined to think that he can tipple with safety, I implore him to cease, for he is fastening upon himself a habit that will surely drag him down to failure and despair. Learn from the experience of others, and not attempt to prove that you can drink when you please and stop when you please. It can not be done, and you can not safely undertake it.

In calling the roll of our boyhood friends we observe that many of them have failed to succeed in life. They had good educations and splendid opportunities, but because of being addicted to the drinking of liquor they have been so handicapped in the contest that they have fallen by the wayside, and a large majority of them have already passed over the great divide as the result of this habit.

More progress has been made during the last 50 years in curtailing the liquor traffic than during the entire history of civilization prior to that time. During the dark days of the Civil War the women of this country North and South were left in charge of the families of the brave men and boys at the front. After they had welcomed home the survivors of that terrible conflict they attacked the great dragon of intemperance, which had ruined so many of their sons, fathers, and brothers, and about 40 years ago a number of women gathered in Hillsboro, Ohio, and laid out a plan of campaign against the liquor traffic. These Christian women with prayer and entreaty began to plead with the saloon keepers to give up the business. Great mass meetings were held, which were addressed by reformed drunkards. I remember as a boy attending these meetings in Cambridge, Ohio, and seeing the women daily kneeling in the streets praying that Almighty God might touch the hearts of the saloon keepers and spare their boys from acquiring the habit of drink. Many of them, I am pleased to say, did quit the business. They have kept up the fight, and it seems that victory is in sight. By education, organization, and systematic effort they succeeded in convincing the business men, the professional men, and the farmers of the country that it was their duty to themselves and their families to help annihilate the liquor traffic, and under the leadership of some of the brainiest men and women of this country an organization has been effected which has resulted in 14 States going into the prohibition column, and more will pass prohibitory laws when the legislatures meet next month.

In my own State of Idaho we have local option, and there are no saloons in three-fourths of the counties. The three principal political parties at recent conventions adopted platforms committing the party to prohibition, and I predict that within one year there will not be a saloon in the State.

The liquor dealers admit that their business is of such a nature that laws are necessary for its control. They realize that much of the argument against it is true, and some of them are urging certain reforms, evidently with the hope that the onward march of sentiment in favor of the abolishment of the liquor traffic may be halted.

Many of our most active temperance men throughout the country were only a few years ago indifferent to the cause of temperance, but after they had observed the great injury resulting from the traffic and considered the increase in our criminal population, and the increase in poverty and unemployment because of the drink habit, they had their eyes opened to the necessity of eradicating the saloons. In dry counties and States the number of inmates in the jails has greatly decreased and there is less poverty and distress among the working classes. With the eradication of the saloons the brewery buildings are being turned into flour mills and factories, and the rooms formerly occupied by the saloons are being used for other lines of business. The young men, instead of being tipplers and loafers, are turning their attention to business, the professions and trades, and making homes for their families. How anyone can stand for the saloon in the light of the crime, poverty, and broken hearts it is daily causing is a mystery to me.

TEMPERANCE SENTIMENT IS INCREASING.

In the early days of our Republic it was no uncommon thing for our statesmen, business men, and even ministers of the

gospel to partake of intoxicating beverages. To-day it would be a disgrace for any official or professional man to be seen under the influence of liquor, and if a minister of the gospel should drink intoxicating beverages he would be expelled from the church in disgrace.

I recently talked with men in my State who have always opposed local option, who said they are heartily in favor of State-wide and Nation-wide prohibition because they believe if the liquor traffic could be completely driven out all the people would be more prosperous and happy, thousands of young men who are now addicted to the drink habit would become sober and industrious citizens and be real factors in their community in the upbuilding of the country, and that the money now being spent for intoxicating liquor would go into channels which would make for the prosperity of all the people.

A dozen years ago there was a saloon in either end of the Capitol. It was just as easy to get a drink of liquor there as at any saloon. Senators and Representatives were often under the influence of liquor while engaged in the discharge of their important official duties. Just think of men, who were sent here to represent the interests of the millions of people of this great country, deliberately incapacitating themselves for the transaction of business because of liquor drinking. But, thanks to the good men and women of this country who have been fighting the liquor traffic, public sentiment drove the saloons out. You never see a drunken Member of either House in the Capitol, and if there should be such he would be so discredited by his colleagues and his constituents that he could not be re-elected.

Twenty years ago there were 1,100 barrooms in the District of Columbia, and now there are only 300 because of restrictive legislation.

I sincerely hope this resolution to amend the Constitution to prohibit the sale or manufacture for sale of intoxicating liquors will pass and be speedily ratified by three-fourths of the State legislatures. We are making wonderful progress, and if we continue the fight we will surely win, and then the youth of this country will be freed from the awful temptations which are now carrying so many of them to ruin. No more saloons mean less jails and penitentiaries, fewer hospitals and insane asylums, more happy homes and successful young men and women, and a more contented and prosperous people.

In Lincoln Park in this city there stands a bronze statue of the great emancipator, Abraham Lincoln. In one hand he holds the emancipation proclamation, while the other is stretched out as if in protection over the black man who crouches at his feet. This poor creature is bound hand and foot by heavy chains, typical of the condition of slavery which his race endured for centuries. Upon his back are the marks of the cruel lash. In gazing upon that statue, are you not reminded of the slaves of strong drink, who are bound by chains more galling and hateful than those which bound the African slave, and whose wives and children are appealing to the sober people of this land to send them relief by banishing forever from this country the liquor traffic?

Mr. EDMONDS. Mr. Speaker, I am opposed at this time to voting for House joint resolution No. 168, providing for an amendment to the Constitution to prohibit the beverage-liquor traffic, because I believe that the liquor question is one for the States to solve. This matter, so far as the States are concerned, is still in an experimental stage, and until it has been conclusively proven that it is impossible for the States to eradicate the evil caused by the excessive use of alcoholic beverages, it would be unwise to pass a constitutional amendment which would be so difficult to repeal in the event that it is found that the State laws can better regulate the liquor question than any law that might be passed by our National Government.

Mr. SAUNDERS. Mr. Speaker, I yield to the gentleman from Missouri [Mr. BORLAND] five minutes.

The SPEAKER. The gentleman from Missouri [Mr. BORLAND] is recognized for five minutes.

Mr. BORLAND. Mr. Speaker, some clever writer has said that the average tory mind has just four mental attitudes toward all public questions. Whenever anything new is proposed, especially if it be in the interest of the people, the tory mind at once adopts toward it its first mental attitude. It says, "Why, this thing never was done before. Therefore it is wrong, immoral, and unconstitutional. Our fathers never did anything like this, and that is sure proof that it is wrong." Then, after the people have begun to think the thing over a little and have come to the conclusion that it is not quite so wrong after all, the tory mind adopts toward it its second mental attitude, and it says, "Why, this thing may be all right as a theory, but it is not practical. It will not work. This is a practical world, and you can not make this thing work." And then, after the people have thought it over a while longer and concluded that not only is it right, but that it probably will work, the tory mind adopts toward it its third mental attitude, and it says, "Why, this thing may be all right as a theory, and it may be practical some time, but not now. This is the wrong time to try it. It will unsettle business conditions if you try it now. It is not an issue in this campaign anyway. This is the wrong time to bring it up." And then, after the people have thoroughly made up their minds that it is right and that it is practical, and that they want it, the tory mind adopts its fourth and final mental attitude, and says, "Why, we were for this thing from the very beginning." [Laughter and applause.] I have seen on this floor gentlemen in all four of those mental attitudes this afternoon.

I am going to vote to submit this great question to the arbitrament of public opinion in the United States, and I refuse to place my judgment above the judgment of my fellow-citizens in this country.

I refuse to take the position that a man on this floor may not submit a constitutional amendment, demanded by a respectable number of American citizens, for fear, forsooth, that 36 States in the Union will do an unconscionable wrong. I can not take that position. I am surprised that our friends who frankly represent the liquor interests, and who are opposed on principle to prohibition, should themselves be unwilling to submit the question to the issue of the popular vote. Any man who votes against submitting this proposition votes that he is not willing to trust the manner provided by the Constitution for its own amendment. He is not willing to trust the legislatures of 36 States in the Union. They say that 36 States may control the judgment of 12 States. Aye, they can; and the Constitution was formed upon that very basis. That is the very bond of our Union, that when three-fourths of the States conclude that something is inimicable to the national life they have a right to banish it from our borders. Twelve States have no right to control 36; but every State admitted under the flag, every star planted in that field of blue, was planted under the expressed agreement that it had an equal right with all the other States to vote upon constitutional amendments.

Therefore I say this question must be submitted. I can not understand the attitude of the gentleman from Alabama [Mr. UNDERWOOD], who says that there is a demand of the American people that this question be voted on on the floor of this House, but that there is no demand that it be voted on at home in the several States of the Union. He may be able to reconcile those two statements, but I am not. [Applause.]

The SPEAKER. The time of the gentleman has expired.

Mr. SAUNDERS. I yield five minutes to the gentleman from Washington [Mr. BRYAN].

Mr. BRYAN. Mr. Speaker, up to this very moment I did not know that I was to be recognized. I had agreed to give up the time, and I thought I was not to speak; but I am glad enough to occupy a few minutes on this subject.

In the first place, the city of Seattle, in which I reside, went 15,000 wet in the last election, and the city of Bremerton, in which I resided before I moved over to the city of Seattle, the principal city in the district in which I now reside, went wet by a substantial majority. So that the district in which I now reside, about 90 per cent of it, is about 15,000 wet. But I was elected from the State of Washington at large, and the State of Washington at large went about 19,000 dry. So that if I were to depend upon the verdict of the people who elected me to Congress, I should vote dry. If I were to depend upon the verdict of the people in the district in which I now reside, under the new apportionment, I should vote "wet." But I think there is a greater obligation than that resting upon me. I believe that the subject at issue is so important that any vote of the people of my district, or of my State for that matter, given subsequent to my election, should not in any manner be controlling of my vote. I would not vote with the saloon interest, I would not vote the way the saloons and the liquor dives of this country wanted me to vote on this thing, under any consideration on earth. [Applause.] There are only two sides to the question, according to my idea. They are the wet and the dry. There are those here who by their votes are going to serve the liquor interests, and are going to help the dives and brothels, and the dirty, low places where liquor is sold in this country, and there are others who are going to oppose it. There is no use pretending that you are dry, but are going to vote wet.

I have some respect for the men who stand up here and say that they believe, under all the circumstances and conditions that exist, it is best to vote wet, and that they therefore are

for the liquor traffic continuing; but I can not bring myself to a position where I can respect the views of those who say that they are dry, but nevertheless are going to vote wet. So I say that in this instance I am glad enough to give my vote and my voice against the saloon and against the liquor traffic. My position is in the RECORD here on the subject of the Philippine bill, to which I submitted an amendment to effect prohibition in the Philippine Islands. I am glad enough to say that in the State of Washington, where we had a lick at it the other day, we wiped out the liquor business, and I believe that the people of the State of Washington favor national prohibition. I believe that the people of this country favor national prohibition, and I do not believe it is right or proper, or that it is American, to advance the idea that one-fourth of these States in this Union should be permitted to maintain their brothels and to invade the dry territory in opposition to the will of three-fourths.

There is one gentleman who made a speech here to-day for the wets who, I think, is the most consistent of all who have spoken, and that is the gentleman from Pennsylvania [Mr. MOORE], who stood here and defended the saloon as an institution—not liquor drinking, but defended the saloon as an institution—and right along with it he defended open prostitution as an institution. He believed that the house of ill-fame was right as an institution. He did not defend the practices, but he believed in maintaining the segregated district. He believed in maintaining segregated districts in this country for houses of prostitution, and the two go together. [Laughter.] You may laugh or you may make fun, but the two go together—the saloon and the house of prostitution—and I do not see why any man should stand up here and defend the saloon unless he also does as the gentleman from Pennsylvania [Mr. MOORE] did—defend the houses of prostitution and oppose the Kenyon bill, and oppose any bill that tends, in our cities and municipalities, to put the brothels of any kind out of business. He is consistent, and I glory in his consistency.

The SPEAKER. The gentleman's time has expired.

Mr. BRYAN. Have I any time to yield back?

The SPEAKER. No; the gentleman has consumed his five minutes.

Mr. SAUNDERS. I did not intend to surprise the gentleman from Washington [Mr. BRYAN] by yielding time to him; but the memorandum that I had from the gentleman from Alabama had the gentleman down for five minutes. I now yield five minutes to the gentleman from Missouri [Mr. RUSSELL].

Mr. RUSSELL. Mr. Speaker, it is not my purpose nor my desire to discuss the merits of this resolution, but to give very briefly the reasons for my vote. I have never been extreme in my views upon this question, and while I have always believed that the excessive use of intoxicating liquors is one of the greatest evils of our country, I have believed that under local-option laws enacted by the several States communities could better regulate their sale and with more hope of a proper enforcement of the law when adopted than could be done under State or national prohibitory laws that might be in conflict with the sentiment of such communities.

I have in my home county voted for local option, where I believed it could be and where it has been successfully enforced; but four years ago I voted against State-wide prohibition, believing that, if adopted, it could not or would not be enforced in certain cities and communities of the State where the majority of the people were against it.

I have grave doubt about the wisdom of the consideration of this resolution by Congress, as the most ardent friends of the measure frankly admit that it is marked for certain defeat. I have grave doubts about the wisdom of its adoption even from the standpoint of the temperance people, as it would have no effect till ratified by three-fourths of the States, which probably can not be had now, nor for years to come.

I have no patience with some of our leaders who have told us to-day that this resolution should be considered by the House; that it is a great national question that the people demand us to consider and to settle, but that we should defeat it. They misconstrue the demand of the people. The demand is not that we shall consider it, but to pass it and submit it to the States for their consideration.

I have no patience with these guardians of the old Democratic doctrine of State rights, who stand here to-day and by their votes refuse to give the States an opportunity to pass upon this question.

This resolution is before us, and as I am called upon to vote upon it I will vote as I believe a majority of my constituents desire me to vote. I have received many thousands of requests by petitions, letters, and telegrams from representative citizens asking me to vote for it. True, many good friends—good men and good citizens—have asked me to vote against it; but I believe a large majority of my constituents desire the resolution passed, so as to submit the question to the States for ratification, and acting upon my best information of their wishes, I shall vote for it in obedience to their requests. [Applause.]

The question was taken, and there were—yeas 197, nays 189, answered "present" 1, not voting 41.

LEGATION BUILDING AT HABANA, CUBA.

The SPEAKER laid before the House the following message from the President of the United States, which was read and, with accompanying documents, referred to the Committee on Foreign Affairs and ordered printed:

To the Senate and House of Representatives:

I transmit herewith a letter from the Secretary of State, addressed to the Secretary of the Treasury, requesting that the Secretary of the Treasury transmit to the House of Representatives an item for the acquisition of legation premises at Habana, Cuba, amounting to $100,000.

This request has my hearty approval, and I venture to urge this appropriation upon the Congress with great earnestness. I think that the whole country now sees how desirable it is that we should be upon the same footing of advantage in foreign capitals that other Governments are. This purchase is recommended in the spirit of the recent policy sanctioned by Congress in these matters, and I sincerely hope that we may not miss this unusual opportunity in the city of Habana.

WOODROW WILSON.

THE WHITE HOUSE, *December 22, 1914.*

PROHIBITION.

Mr. SAUNDERS. Mr. Speaker, I yield five minutes to the gentleman from Colorado [Mr. SELDOMRIDGE].

Mr. SELDOMRIDGE. Mr. Speaker, the last session of the Sixty-third Congress is rapidly drawing to a close. This has been a Congress of great moment to the American people, but no vote that has been taken during this session is more pregnant with interest and is more fraught with concern to every American home than the vote that will be taken in this body to-night.

We have listened with patience and consideration to the arguments which have been presented on both sides of this question, and we are now to decide if we shall give to the American people the simple right that is vouchsafed to them by their Constitution to express themselves on the great question of national prohibition of the liquor traffic.

I am not disposed to take responsibility as a legislator to say to the people of my country that they are not entitled and qualified to render a verdict at the ballot box upon a question of such momentous importance.

I represent a State that has recently passed upon the question of State-wide prohibition, and by an overwhelming vote Colorado has joined the number of States which have banished the open and licensed sale of liquor from their borders. We realize that the suppression of the liquor traffic is an advance along lines of social uplift and economical advantage, and we believe that these advantages should be enjoyed by the Nation and not be limited by State lines. The arguments that have been presented here against the adoption of this resolution were advanced against the amendments relating to the income tax and the election of United States Senators by the people. Every reform that has ever been advocated in the interests of the people has been fought by those who were satisfied with present conditions and who saw no evils to redress. They keep their faces to the past and can not read the signs of the times aright. This great issue will not down. This House may defeat it to-night. Congress may refuse to submit it to a vote of the people, but it will come back to this Chamber during the next two years with more insistency and backed by a stronger popular appeal than it has come to-day. Those Members who refuse to give the people the right to vote upon this question may rest assured of the fact that they will have to answer for their votes before a tribunal which will be most eager to justify its right to pass upon this question.

My friends, we are coming to higher ground in this country when as legislators and citizens we are debating and considering questions that touch the welfare and social condition of the American people. All other matters of domestic importance, the tariff question, and all the manifold questions that relate to the lesser life of the people, are subordinate to this question, which not only affects the economic, intellectual, and social life of this

generation, but which relates itself to the life and character of generations yet unborn.

This question has now entered the arena of discussion along economic lines. It has ceased to be solely a moral or altruistic question, and whenever you bring a question to the front in this country that touches the American pocketbook, that increases the efficiency of labor, and adds to the strength and power of production, you have raised an issue which will not down, but will widen its scope until it affects every State and municipality in this country. [Applause.]

Much has been said in this debate which has not been germane to the question at issue. Much time has been given to discussing the ineffectiveness and nonenforcement of prohibitory laws, and the charge has been made that the sacred right of local self-government is being assailed by this legislation. Some Members affirm that this measure is not in the line of true temperance, and predict that its adoption will lead to a greater use of intoxicants through the violation and disregard of prohibition laws. These and other related matters should be left to the sober and intelligent judgment of the electorate. Thousands of our citizens representing every State in the Union have appealed to Congress to submit this amendment. This is the only question at issue. Shall we deny to the people an opportunity to pass upon this question in the constitutional manner provided by the framers of our organic law?

The evils of the liquor traffic have been generally admitted, and its control and regulation by law has been recognized as necessary to the safety and good order of society. The plea is made that we are taking away from the States some right of self-government, and yet Congress has been legislating for many years past on many questions affecting individual and property rights which were formerly regarded as purely within State control, but which Congress has now placed under Federal jurisdiction. Our national growth has been so rapid, means of transportation have become so widely and easily available, the social and commercial interests of individuals, communities, and States have become so intimate that the need for general legislation on all questions arising from these conditions can not be disputed. If the Civil War had never been fought, and if slavery had been abolished through peaceful agencies, the development of the Nation's powers and the needs of our people would have required a substantial modification of the old State rights theory so strongly held by the fathers of the Republic. The advocates of this doctrine have yielded their views so many times, when local interests were to be helped by Federal aid, that they can not justify their opposition to this measure on any such theory.

We have all the facts we need to guide our judgment in our attitude toward the liquor traffic. We know it to be a social, an economic, and a political evil. Its suppression will contribute to a better manhood and womanhood. It will lift the curse of inherited tendency and disease from childhood; young manhood will be free from its tempting allurements; vices which flourish in the physical and mental atmosphere which it creates will find no fruitful human soil in which to be propagated; life will become more sacred; the standard of living will be raised, and there will be an increased demand for the products of the farm and factory; ignorance will be banished through the efforts of State and Nation when relieved of the burdens imposed by the liquor traffic; the school and college will have a much larger place in the thought and purpose of the people. We are pleading to-day for the protection and security of the American home. There are forces at work to break down its influence. We can not build up our Nation if we allow the character and usefulness of the home to be weakened and destroyed. We are opposing one of its greatest enemies when we seek the suppression of the liquor traffic. It contributes no benefit either to the individual or to society; if it could only limit its victims to those who directly surrendered themselves to its control, the cost to society and the Nation might not be so great; but when we see our childhood and womanhood attacked and the State and Nation even becoming accessories to the assault, does not every instinct of humanity and patriotism demand that the Nation, instead of permitting the downfall and destruction of our homes, should become their defender and upbuilder? The adoption of this amendment will place a safeguard around every American fireside. It will brighten the lives of thousands of devoted wives and mothers and give to all our children a free opportunity for the fullest exercise of mental and physical powers.

There is a rising tide of prohibition sentiment throughout the entire Nation. We are giving ourselves with increasing interest to the solution of problems affecting national production and the elimination of waste in the development of our natural resources. We have expended large sums in making investigations and experiments along these lines, and much valuable information has been secured and wise and salutary legislation has been enacted. We are now proceeding to think and plan legislatively for the conservation of the citizen. We can not put into operation agencies of a constructive character without recognizing the necessity of destroying those that make for individual weakness and waste. The movement against the organized liquor traffic, which began as a religious and moral propaganda, has now gathered to itself a mighty company of those who realize that it blocks the way to national and social betterment. The strain of competition for domestic and foreign markets which rests upon our industrial system has produced an intensive study of conditions affecting the output of labor. The employer must not only concern himself in providing his workmen with the most efficient tools and machinery and in giving them a healthful and suitable working environment, but he must be concerned about the lives these men live when they are outside his factory and have some knowledge of conditions affecting their social and family life. The employer, whether individual or corporate, who gives no thought to these matters is neglectful of his economic interests. Society is demanding that the exploitation of labor under unhealthful and needless dangerous conditions shall cease and that the laborer shall be decently housed and fed. In the face of these salutary requirements is there any reason why the State or the Nation should allow a traffic to exist that operates directly against the welfare of the individual and makes for economic loss and waste? The laborer who gives his support to the liquor interests is doing himself the greatest possible injury. It weakens his efficiency and lays upon himself a burden of production he should not bear. The toll of charges laid upon the Nation by the liquor traffic in the suppression of crime, the care of the insane, the relief of pauperism must ultimately be borne by the producers of the country. Those who work in the factory and on the farm must largely carry the load of taxation that is necessary to support the Government and all of its local subdivisions. If we can abolish the liquor traffic we will lighten this burden and contribute much to the welfare of every producer and laborer. The day of national deliverance from the power and influence of the saloon is rapidly approaching. Every contest waged in the cause of temperance is contributing to that end. Those of us who are supporting this amendment will never regret the opportunity which is here given us to enroll ourselves on the side of the Nation, the family, and the citizen. We are voting to dissolve the partnership which has existed for so many years between the Nation and the liquor business. This dissolution must be absolute and perpetual. Let us give the voter an opportunity to express himself on the question of national prohibition.

In conclusion, I desire to append an excerpt from a speech delivered by the great orator and statesman of the South, Henry W. Grady, during a campaign that was waged in Atlanta for the readmission of the saloon. Mr. Grady never rose to a greater height of eloquence nor rendered a more telling service in behalf of his fellow men than when he uttered this terrific and unimpeachable indictment of the liquor traffic:

My friends, hesitate before you vote liquor back into Atlanta, now that it is shut out. Don't trust it. It is powerful, aggressive, and universal in its attacks. To-night it enters an humble home to strike the roses from a woman's cheek, and to-morrow it challenges this Republic in the Halls of Congress. To-day it strikes a crust from the lips of a starving child, and to-morrow levies tribute from the Government itself. There is no cottage in this city humble enough to escape it; no palace strong enough to shut it out. It defies the law when it can not coerce suffrage. It is flexible to cajole, but merciless in victory. It is the mortal enemy of peace and order; the despoiler of men, the terror of women, the cloud that shadows the face of children, the demon that has dug more graves and sent more souls unshrived to judgment than all the pestilences that have wasted life since God sent the plagues to Egypt, and all the wars that have been fought since Joshua stood beyond Jericho. Oh, my countrymen, loving God and humanity, do not bring this grand old city again under the dominion of that power. It can profit no man by its return. It can uplift no industry, revive no interest, remedy no wrong. You know that it can not. It comes to destroy, and it shall profit mainly by the ruin of your sons or mine. It comes to mislead human souls and to crush human hearts under its rumbling wheels. It comes to bring gray-haired mothers down in shame and sorrow to their graves. It comes to destroy the wife's love into despair and her pride into shame. It comes to still the laughter on the lips of little children. It comes to stifle all the music of the home and fill it with silence and desolation. It comes to ruin your body and mind, to wreck your home, and it knows that it must measure its prosperity by the swiftness and certainty with which it wrecks this work. Now will you vote it back?

Mr. SAUNDERS. Mr. Speaker, I yield three minutes to the gentleman from Missouri [Mr. DICKINSON].

Mr. DICKINSON. Mr. Speaker, the Committee on Rules deemed it their duty to report a rule to the House for consideration of this pending proposition or joint resolution proposing an amendment to the Constitution of the United States

relating to the prohibition of the sale, manufacture for sale, transportation for sale, and importation for sale of intoxicating liquors for beverage purposes in the United States, and so forth.

After presenting the rule, the majority of that committee immediately proceeded to hammer the very proposition authorized by the rule for the purpose of withholding consideration of this proposed amendment from the people, the primary source and final arbiter of all political authority.

For my part, I am not willing, by my vote, to withhold consideration of this proposed amendment from the people of my district and of the States who are asking for an opportunity to be heard on this question, and I shall vote in favor of the submission of the proposition to the people of the States, who may determine for themselves, through their several legislatures, whether the Constitution of the United States shall be so amended or not.

What the final result may be I know not, but I believe the majority of the people of my district desire an opportunity to consider this question for themselves, and I believe I would not be doing my duty to the people of the district responsible for my occupying a seat in this body to so vote after the proposition has been submitted to the House for consideration. I am not willing to assume the authority to help kill this resolution in this House. I value not the suggestions made that it violates the rights of the States, nor do I regard the claim or threat made that the law could not be enforced or would be nullified by deliberate violation thereof. If the Constitution should be so changed, there ought to be enough power in the Republic to enforce this law and all laws provided for in the Constitution. It will require three-fourths of the legislatures of the several States to adopt or ratify said joint resolution before this can become an amendment to the Federal Constitution. If there is not sufficient public or general demand for this proposed amendment, why should the opponents fear its submission? Let the people of the States be heard. It is their right.

Mr. SAUNDERS. Mr. Speaker, I yield two minutes to the gentleman from Washington [Mr. FALCONER].

Mr. FALCONER. Mr. Speaker, this day is a record-making day in this the greatest legislative body in the world. No problem or question that has been presented to this Congress is commanding the attention of the people of this country more than the question now before the House. There is a line of demarcation, sir, between the forces in conflict. On one side are those who favor liquor, or at least the liquor saloon, and on the other are the men who favor the prohibition of intoxicating liquor. I get as much satisfaction personally by voting on this proposition as on any problem or question on which I have had the opportunity of registering my vote since I have been a Member of Congress. One characteristic is always observed in a discussion of the liquor question. The opposition to this resolution to-day has used the old stock phraseology that is characteristic of opposition in every city or State in this Union that has debated temperance legislation. It has been suggested by the gentleman from California [Mr. KAHN] that the adoption of this amendment would breed liars, hypocrites, and bigots, and it has been suggested by the gentleman from Missouri [Mr. BARTHOLDT] that the adoption of this resolution would breed hypocrites and bigots. We have heard that stock argument so long and so often that we feel that the antitemperance interests of the country have a subsidized right to use these terms. Out in the State of Washington, some years ago, we were involved in a conflict of this kind. We voted for local option, and the burden of the opposition's argument then was that this was not a local question but a State question. Recently the State of Washington had a contest, and the men who opposed temperance shifted again to what they thought was a safe position, and said that this is not a State question but a National question.

The SPEAKER. The time of the gentleman has expired.

Mr. VOLSTEAD. Mr. Speaker, I yield to the gentleman two minutes more.

Mr. FALCONER. And so we come here to-day, and the eminent gentlemen—men who are high in the affairs of this House and in the affairs of this Nation—tell us that we ought not to destroy property—tell us that prohibition does not prohibit. I would like to see the color of the man's hair who says that prohibition does prohibit absolutely. It does not prohibit in every particular; and when we come to a moral status where prohibitory legislation absolutely prohibits we will not need prohibitory laws. At the present time prohibitory laws do not prohibit murder or thievery. Gentlemen, prohibition is coming. This is the opening gun; and the gentleman from Alabama [Mr. HEFLIN] who said to-day that if you defeat this resolution now it will not come up again for 20 years will have a rude awakening, because the temperance forces of this country will knock continually and continuously at the doors of Congress and demand that which brings much good to the men, women, and children of America. Property destruction! Is there a man on the floor of this House who opposes this resolution who would vote to-day to make Alaska dry, when there is now no property to be destroyed? Alaska has 35,000 white people, and we have just appropriated a thousand dollars per capita for a Government railroad up there; and if we were to come and ask you to vote to make Alaska dry, what would you say? Would you go behind the excuse and say you do not believe in the Government of the United States telling the citizens of Alaska what they should do, notwithstanding the fact that we have more wards and dependents in Alaska whom we are morally bound to protect than there are white citizens, and when it is a fact that this Federal Government owns 99 per cent of the 580,000 square miles of Alaska Territory?

In every mark of the procedure in an antiliquor fight the forces favoring the saloon find one excuse after another, and to-day is no exception.

Here in the Congress of the United States the author of this resolution [Mr. HOBSON] and his supporters are referred to as wreckers of the Constitution, and the gentleman from Alabama [Mr. UNDERWOOD] suggests that the very foundation of this Republic is being threatened. Threatened by whom? The temperance forces of the country. Is there a man in the Congress who seriously believes this? No man says aye.

The gentleman from Wisconsin [Mr. LENROOT] would not vote for this resolution on constitutional grounds, and further asserts that he does not believe in this method of amending the Constitution. Would the gentleman forever bar the people from amending the Constitution? If not, he and they will have to submit to this very method.

The gentleman from Iowa [Mr. VOLLMER] protects his action, voting against this resolution, by stating that Washington was a brewer, Jefferson a distiller, and Lincoln a bartender. Mr. Speaker, there are no limits to which a sympathizer with the modern saloon will not go to attain an end. Every man in America endowed with an average degree of patriotism would hesitate to indulge in such reckless chicanery.

The call comes to-day to every Member to face this issue on his own responsibility. Here is a great opportunity to do a good act with a correspondingly great responsibility.

Mr. Speaker, I recognize the opportunity, and willingly do I accept the responsibility.

Mr. Speaker, my term in the Congress of the United States is limited to two years, a term extraordinary in actual service and the enactment of advanced legislation, and, sir, from the bottom of my heart I am glad of this opportunity to register in the Journal of this legislative body and in the permanent records of my country a vote favoring the passage of this national prohibition resolution, which, in the final analysis, gives the people of each and every State of this Union an opportunity to go on record in electing men to the legislatures of the several States who will vote to eliminate the saloon and its product from our governmental fabric, and eliminate intemperance from the social features of American life. [Applause.]

The SPEAKER. The gentleman's time has expired.

Mr. SAUNDERS. Mr. Speaker, the gentleman from North Carolina [Mr. SMALL] will have time yielded to him later. I want now to yield one minute of my time to him, to be added to that which he will be yielded later, and to reserve the balance of my time.

Mr. DUPRÉ. Mr. Speaker, I yield nine minutes to the gentleman from North Carolina [Mr. SMALL].

The SPEAKER. The gentleman from North Carolina [Mr. SMALL] is recognized for 10 minutes.

Mr. SMALL. Mr. Speaker, I have endeavored to consider this proposed amendment to our Federal Constitution with care and deliberation, and I have reluctantly reached the conclusion that I can not conscientiously support it. I use the word "reluctantly" with all sincerity. North Carolina is a dry State. Several years ago by legislative authority a referendum was taken upon this question, and the electorate by a large majority ratified a law forbidding the manufacture and sale of intoxicating liquors. So far as I am advised, a majority of our people still favor State-wide prohibition. I have received telegrams, letters, and petitions from citizens and organizations asking me to vote for this amendment. Some of these are from valued friends and estimable citizens who are strongly opposed to traffic in intoxicating liquors, and who sincerely wish the National Government to place a ban on the traffic. I wish I could comply with these requests.

It may be quite true that an affirmative vote would offer the path of least resistance. It would be the easiest thing to do and would require less explanation. Let me say, in the first place, that one's duty is not to be tested by the fact that one believes in prohibition or the contrary. One may be the most ardent advocate of prohibitory laws in the form of local option or State-wide prohibition and yet feel impelled to oppose the transfer to the Federal Government of the power to regulate and control its manufacture and sale. This is my position.

Upon my responsibility as a Member of the Federal Legislature I must take a broader view of the subject. In my opinion the right to control should remain with the several States, where it now resides. To surrender this right would constitute a dangerous precedent and would seriously impair our organic form of government. It would return in many ways to plague us in the future.

Whatever method of reasoning others may adopt, no Democrat, and particularly no southern Democrat, can afford to vote for this amendment. My earliest lessons in the fundamentals of Democracy were taught me in North Carolina, beginning about 1885, when I heard our veteran Senators, Vance and Ransom, and other learned and patriotic men condemn the efforts of the Federal Congress and administration to control our elections and regulate the qualifications of franchise. Our press united in maintaining the right of the State to control not only the right of suffrage but all its local affairs. All sumptuary laws have ever been regarded as distinctly local.

The people of every State, one and all, should remain jealous of any invasion of this right. It will constitute a disastrous blow at our form of dual government when the States cease to safeguard their exclusive rights to exercise and enforce all the police powers which they reserved when they framed the Federal Constitution.

Temperance and total abstinence can not be created wholly by law. They are attained by a process of education of the individual conscience and by gradual evolution. Unless a fair proportion of the people in a given community or State have been induced voluntarily to adopt temperate habits or to abstain from the use of intoxicating liquors and to favor the adoption and enforcement of prohibitory laws, then such laws will not be enforced, and the last stage will be worse than the first. Who doubts this proposition? Now, it is true that this process of evolution in the civic mind and conscience has progressed more in some States than others. There are a number of States where a referendum on prohibition would disclose a large adverse majority. It is now seriously proposed to enable these States a majority of whose citizens favor prohibition to impose prohibition on these States whose people do not favor prohibition. Suppose the plan should be successfully carried out; what would be the result? Either the law would be a dead letter and openly ignored, with a consequent disregard of all law, or the Federal Government would send its spies and deputies to enter the homes and shops of the people and arraign its citizens before the courts. Even then the law could not be enforced, but such attempted enforcement would array the people of the States against the Federal Government and promote disorder and crime.

I stated that the growth of a sentiment for prohibition was a matter of education and gradual evolution. Let me illustrate the above proposition by applying it to North Carolina. In 1881 a referendum was had in that State upon the question of State-wide prohibition, and it was defeated by a large majority—more than 50,000, as I recall. Suppose at that time, in the face of that adverse sentiment, the Federal Government had attempted to enforce a drastic prohibitory law. What would have followed? The people would have rebelled. Not only this, but the cause of temperance or total abstinence would have been seriously retarded, if not permanently checked. By a parity of reasoning, why would not the same result follow in Ohio, Wisconsin, Illinois, or New York, assuming that these States are not yet ready to adopt State-wide prohibitory laws? I ask why?

The States of the South have contended that the fifteenth amendment to the Federal Constitution was an egregious mistake and a crime against our civilization. Why? Primarily because this amendment invaded the right of the States to control the qualifications of suffrage and sought to invest the qualifications of an elector upon an emancipated race unfitted to exercise this privilege. This amendment was adopted upon the crest of a wave of human and civic reform stronger even than the present propaganda for prohibition. Thousands—many thousands—of patriotic citizens in the North and West thought they were serving God and their country by advocating the fifteenth amendment. What was the result in the South? The reconstruction era ensued. A saturnalia of disorder and righteous indignation swept over the South. After a vain effort to enforce literally the terms of this amendment the country, North and South, regained sanity and settled down to the conclusion that a mistake had been made. This amendment was intended to benefit the negro. Was this intention fulfilled? Everybody knows it was a mistake. The progress of the negro was retarded, and his best friends, the intelligent white men of the South, were alienated from him. The negro in the South was never so prosperous and contented as he is to-day.

The men of the South are now urged to commit a similar mistake upon the subject of prohibition. In the name of morality and reform they are asked to amend the Constitution so as to impose on unwilling States stringent prohibitory laws which the people of those States do not desire and which they insist they have a right to settle for themselves. Madam Roland's oft-quoted expression is applicable here:

Oh, liberty, what crimes are committed in thy name!

Likewise, may it not be said, "Oh, morality and reform, what mistakes and attacks upon our basic form of government are committed in thy name!" Will the cause of temperance and total abstinence be promoted by this amendment? Unless history belies itself, unless the genius and spirit of our people have changed, a reaction will ensue, and this great cause which has enlisted the sympathy and cooperation of so many good men and women will be checked for a generation or more.

Let us pause and take our bearings. Let sanity prevail. Let us preserve our dual form of government in its integrity under the greatest Constitution ever struck off by the hand of man. [Applause.]

Mr. DUPRÉ. Mr. Speaker, I yield to the gentleman from Ohio [Mr. GOEKE].

Mr. GOEKE. Mr. Speaker, the pending resolution, known as the Hobson resolution, providing for an amendment to the Constitution prohibiting within the United States the traffic in intoxicating liquors, is of great importance not only to those directly or indirectly commercially interested in the business, but also to all of the people, because its adoption means the certain abolition of the free State in this Republic as contemplated and definitely fixed by the framers of the Federal Constitution. Little by little the rights of the State have been invaded. Centralization of power in the General Government has already gone so far in the Nation and in several States that the time-honored Democratic doctrine of local self-government has been impaired, and in many instances the people deprived of the right of governing their own affairs in their own way, which right was supposed to have been guaranteed to them by the Declaration of Independence and always believed to be a permanent, fixed right in the Federal Constitution.

Our Government is dual in form, consisting of the Federal or general scheme made up and comprising within it, each on its own account, the various State governments. The framers of the Constitution surely intended to reserve to the several States the absolute right of local self-government, and there is no one question so typically local as the liquor question. The control of the liquor traffic has for more than a century been regarded and always treated as subject to the police powers expressly reserved by the several States. This police power is not of doubtful jurisdiction, but is clearly and unquestionably within the absolute control of the States and by every reasonable construction of the Constitution denied to the National Government.

The only exception that has ever been made to this general policy occurs in the shipment of liquor in interstate commerce, in which event it comes under the protection of the Federal Government. It therefore clearly follows that all laws with respect to the traffic of liquor wholly within the State ought not to be interfered with by Congress, and that any such legislation is in clear violation of the fundamental principles of the relations of the Federal Government to the State governments and a flagrant encroachment upon the police power of the States, and is an unwarranted interference with the local affairs of the States, materially weakening the strength and sovereignty of the respective States, upon the combination of which depends the perpetuity of this Government.

The most important feature of the Hobson amendment is the creation of power in Congress to enforce the law. Its adoption means that if the United States Government should forbid the traffic in intoxicating liquors it would be obliged to provide the machinery to enforce such prohibition. This would mean an army of officers; and if there is one thing to which the people are unquestionably opposed it is the creation of new offices, necessarily appointive, and thus removed from the people, enabling an administration to build and maintain a gigantic political machine with which to control primaries and elections, thereby destroying the free and deliberate political action of the individual elector. With Federal officials authorized to search and arrest, the police powers of the Federal Government would

be enormous. The last vestige of the rights of the State would necessarily disappear.

We know from common experience that sumptuary laws, or any laws affecting the personal liberties and habits of our people, are impossible of enforcement unless they are unquestionably supported by public sentiment in the locality in which it is sought to enforce the same. For convincing proof of the truth of this statement we need only look to the annual report of the Commissioner of Internal Revenues for the fiscal year ended June 30, 1914, wherein Commissioner Osborn, himself a prohibitionist, says, on the subject on page 29 of the report:

> Bootlegging is principally carried on in the States operating under local prohibition laws and appears to be one of the hardest propositions that revenue officers are called upon to solve. This class of violators of the internal-revenue laws are at no time stationary, but move from place to place, offering and selling their illicit wares. It is impossible, owing to the limited number of revenue officers in the field, to break up this practice entirely, and without a hearty cooperation of the local and State authorities it is believed that the conditions will grow no better. As the various States vote dry the operations of the bootlegger grow larger.

It is urged on behalf of the resolution that its adoption by Congress would simply afford the people of the United States an opportunity to express themselves upon this great question. Let us analyze and ascertain whether this claim is true. In doing so no more convincing argument showing the fallacy of the assertion can be found than is set forth in a speech delivered March 5, 1914, on the question of woman suffrage by the able and distinguished junior Senator from Ohio, Hon. ATLEE POMERENE, the substance of which I take the liberty of reproducing here. In order to have the amendment become a part of the Federal Constitution it would have to be ratified by three-fourths of the States of the Union. Its ratification would come by States and not by a direct vote of the people. It might be thus ratified by three-fourths of the States and yet fall short of receiving the approval of a majority of the electors of the United States.

If the proposition were to submit an amendment to the popular vote in the United States, which can not be done under the Constitution, it would not be so objectionable. But let us analyze and see what the real situation is. In the 12 smallest States of the Union—North Dakota, Rhode Island, New Hampshire, Montana, Utah, Vermont, New Mexico, Idaho, Arizona, Delaware, Wyoming, and Nevada—there are 3,943,009 people, according to the census of 1910. In the 12 largest States—New York, Pennsylvania, Illinois, Ohio, Texas, Massachusetts, Missouri, Michigan, Indiana, Georgia, New Jersey, and California—there are 50,775,616 people, according to the census of 1910, out of a total population by the census of the 48 States of 91,972,266, so that the 12 States last referred to embrace more than one-half the population of the entire country. In the 12 smallest States, to which I have referred, there are less than 4,000,000 people. In those 12 States with 3,943,009 people they would have 12 votes in determining whether or not an amendment should be added to the Constitution, as against 12 votes in the 12 largest States, which I have named, in which there are 50,775,616 people. In the State of New York, according to the last Federal census, there are 9,113,614 people. In other words, that State has about two and one-half times as many people as the 12 smallest States which I have named, and yet when it comes to the ratification of this amendment so as to make it a part of the organic law of the Nation, which, in point of importance, overshadows every amendment that has ever been proposed to the Constitution, we are asked to give to less than 4,000,000 people twelve times the voice that we are giving to more than 9,000,000 people in the State of New York. And yet the advocates of this amendment are using as their battle cry, "Let the people rule." Let us assume that the people of the State of New York were unanimous against this amendment with her 9,000,000 people, she would be powerless against less than 4,000,000 people in the other 12 States.

The people as a whole, as I have said, have no voice in adopting this proposed amendment. No direct vote is to be had upon the proposition. The State of Nevada, the smallest State in point of population in the Union, having a population at the last census of 81,875 people, would have an equal voice with the great States of New York or Ohio in the determination of this great question. And thus it is possible that a minority of the people of the United States, through the process that I have indicated, can force upon an unwilling majority sumptuary laws that the majority of the people do not want, can not be made to obey, and thus throw the country into a turmoil the like of which has never been witnessed before.

The strongest argument in favor of prohibition always has been and still is conceded to be a moral one. Can any moral movement succeed that must resort to unfair methods to accomplish its purpose? Certainly if the advocates of prohibition desire its success on the high plane of morality they ought to be the last ones willing to do violence to the rights of other people in bringing about success. Should the minority of the people of this country succeed in ingrafting upon the majority, without their consent and against their protest, this proposed amendment, how could it ever be enforced? Would the people of the great State of New York submit to the destruction of their personal liberty and their business investment? A great army of Federal officials would be helpless to enforce prohibition against the people in the great cities of this country, and bribery, corruption, contempt for law and order would rapidly take the place of decent and respectable local self-government.

It is not difficult for the individual to distill alcohol, and if by law the legal manufacture thereof is prohibited, moonshining will run riot in this country and the home of every man who insists on having an alcoholic stimulant will manufacture sufficient for its own wants and in many instances for the wants of friends and neighbors. Armed forces would be incapable of coping with the situation in dealing with the suppression of the liquor traffic. I contend, therefore, that any fair-minded and reasonable person who fully understands the true spirit of our form of government will and must concede that the adoption of the proposed amendment would be a clear violation of the true principles upon which this republican form of government rests. The greatest difficulty in the solution of this question is the lack of courage and frankness on the part of the influential men of all vocations. The question has been the football of politics, practical and corrupt politics, for more than half a century, and legislators vote dry when they are dripping wet, not only in opinion but in practice, instead of honestly and frankly treating the subject with a view to reaching a proper solution. The American people are not fanatics nor unreasonable, and if they once fully understand the real situation with regard to the liquor question their verdict will be fair and just. It is to be hoped that the consideration and vote on this resolution will have the effect of interesting the American people in a study of the subject at times other than in the heat of a political campaign or a wet and dry contest, and when they do and the sober second thought sets in they can and will reach but one conclusion, and that is that the solution of this vexing question lies in the strict regulation of the liquor traffic under a license system, in connection with local self-government and the right to prohibit by direct vote the traffic in the smallest political subdivisions as they exist in the respective States or some distinct part carved out of such subdivisions. In this plan, coupled with the honest and strict enforcement of reasonable regulatory laws, lies its true and only effective and workable solution. It is my judgment that the time is at hand when many great molders of public opinion and powerful factors in the solution of public questions will be forced to the front by this resolution, and when they are this hurricane reform movement will disappear, no longer to haunt the frightened and dodging officeholder and officeseeker.

But aside from the political and legal aspects of this question, what of its merits? The use of alcoholic liquors in the United States has been and is so general that it has become a fixed part or custom of the daily life of our citizens. At all events, it must be admitted that at least 90 per cent of the male adults drink liquor in some form, and that notwithstanding such use a still greater per cent of such users are temperate, law-abiding, and good citizens, and do not differ from the mass of decent law-abiding citizens in their personal conduct. That there are evils resulting from the traffic can not be denied. But those evils are generally and in nearly every instance the result of intemperance, and the correction of these evils and reducing them to a minimum lies in regulation, education, home training, the church, and moral suasion, and not in prohibition. The adoption of the Hobson resolution would not prevent the individual from either buying or drinking liquors, if he can get them, although it may be the intention to accomplish this by indirection. As I have said, the individual can manufacture his own alcoholic beverage for his own use, or he can get it in any other way that he finds open to him. Every home in America could have its own distillery, if liquor could not be obtained commercially, and many of them would no doubt do so. A home still can be made for a few dollars, but beer and light wines containing little alcohol could not be made in this manner, so that the inevitable result would be that our people would become whisky drinkers.

When the Swedish Government abolished its monopoly of the distilling business nearly every peasant's cottage became a distillery, and in the early part of the last century there were

more than 173,124 private stills in Sweden, which has a population considerably less than one of our larger States.

Prohibitive legislation has been extensively and fairly tested. During the last 60 years it has been tried on the State-wide scale in the many States of our country and under the most diverse social and political conditions. Fifteen of the States which enacted prohibitive laws have abandoned them, and nearly all of the States which have State-wide prohibition are rural States, and in none of these States has prohibition accomplished its promised object. It has failed to abolish the liquor traffic in any of the States, nor has it lessened the evil of intemperance. Commissions from many foreign countries, as well as our own, have studied the question, and all of them have universally found that prohibition does not prohibit and is a failure, and have so reported.

Let us look at the economic and business side of the question for a moment.

Although the total sum representing the financial value of the liquor traffic is fairly staggering, an absolutely exact calculation would yield even a larger total, for it has not been possible to include all the capital and various expenditures in all the different industries that are more or less dependent upon the liquor traffic. The item of transportation alone would be greatly swelled if all the details could be ascertained. The ramifications in all directions are so many that it is almost impossible to follow them.

For the very greatest part official and other reliable figures have been used, to which a few conservative estimates have been added.

THE IMPORTANCE OF THE LIQUOR INDUSTRY TO AGRICULTURE.

In the course of 1913 corn and other farm products of the value of $113,884,568 were used in the manufacture of liquors. This amount does not represent the value of the products so used in the Chicago and other markets, but the actual sum received by the growers, based upon the carefully compiled reports of the Department of Agriculture published from time to time.

The full significance of this amount, which represents, it may be stated, a return of 5 per cent on an investment of $2,270,279,420, can best be appreciated by a comparison with the reports of the last census on the total values of the crops of various individual States, which show that it exceeded the total combined crop values in the census year of Vermont, Maryland, and West Virginia; of Massachusetts, Rhode Island, New Jersey, and Florida; of Louisiana, with its great cotton and sugar interests; New York, New Hampshire, and Utah; or of Maine, Connecticut, Delaware, Nevada, Arizona, New Mexico, and two Wyomings.

The amount is made up of barley to the value of $55,236,641; corn, $30,924,335; hops, $11,155,215; rice, $7,288,786; rye, $4,604,476; wheat, $869,938; oats, $3,382; molasses, $2,056,626; fruit, $751,835; and secondary products of agriculture not included under the head of corn, $626,119.

It is computed that in raising these products the farmer paid for labor a total of $13,485,460, a sum sufficient to employ 74,919 persons for six months at an average wage of $30 per month.

What would be the effect upon the agricultural industry of the country of suddenly withdrawing a market for these $112,884,568 worth of farm products annually? While they are of a so diversified character that the entire country shares in the benefit of a constant market for them, their production is at the same time so localized that its extinction would fall upon certain sections of the country with all the weight of a calamity. It is only within comparatively narrow limits that one crop can readily be substituted for another. It is therefore easy to realize the embarrassment and loss to the farmer that would be involved by the closing of the market for over $100,000,000 worth of these products annually.

THE RETAIL TRADE.

The outlay for rent is based upon an original inquiry covering thousands of establishments in different States. The outlay for supplies has been obtained in the same manner, and includes such articles as food, ice, cigars, soft drinks, and so forth, but not beers, ale, and liquors of any kind.

LICENSE FEES.

To the local license fees for the wholesale and retail dealers have been added the United States taxes on the wholesale and retail trade.

Disbursements for wages.

	Number of employees.	Total wages.
Brewing	62,363	$64,009,621
Distilling	7,217	5,062,896
Wine making	2,259	1,834,136
Malting	1,982	2,231,700
Total	73,821	73,138,353
Allied manufactures and trades	15,620	14,450,000
Retail trade	409,465	366,314,200
Total employees	498,906	453,872,553

For the industries the wage statement of the United States Census for 1909 is given. The other wage statements are from original sources.

RECAPITULATION.

Capital invested	$1,294,573,426
Annual disbursements	1,566,291,711
Total	2,860,864,137

If to employees are added proprietors of all kinds (estimated number 250,482), the whole number of those deriving their income directly from the liquor traffic may be placed at 749,388. Estimating those deriving their income indirectly from the same sources at about 300,000 yields a total of over a million. They, with their dependents, may conservatively be placed at about 4,000,000. These figures take no account of the persons engaged in raising the agricultural products used in the liquor industry. They may be estimated at 74,500, not counting their dependents.

Annual disbursements other than for wages.

	Materials.	Taxes.	Transportation.	Other.
Brewing	$96,595,637	$75,440,672	$22,500,000	$77,648,156
Distilling	35,976,893	153,641,237	15,000,000	3,650,115
Wine making	6,625,553	844,184		1,409,046
Malting	30,464,299	247,531	4,000,000	1,810,913
Total	169,662,382	230,173,624	41,500,000	84,518,230

Total, $525,854,236.

Allied manufactures and trades—materials	$39,474,000
Allied manufactures and trades—local taxes	37,400
Total	39,511,400
Retail trade:	
Rent	199,438,882
Supplies	247,183,996
License fees	100,430,644
Total	547,053,522
Total annual disbursements other than for service	1,112,419,158

The cost of materials is taken from the census report, 1909. In taxes are included for the brewing industry the Federal tax plus local taxes on property and local license fees; for distillers and wine makers only the United States tax for the last year has been included. The transportation cost is based upon original returns from brewers and upon estimates for the other industries. For the greatest part only railway transportation is in question. If all kinds of transportation cost were estimated, the total would be vastly increased. "Other" expenses are taken from the Census reports for 1909.

Additional financial statistics of the liquor traffic.

I. CAPITAL INVESTED.

[Report of United States Bureau of the Census for 1909.]

Brewing	$671,158,110
Distilling	72,450,336
Wine making	27,908,487
Malting	60,286,113
Total	831,803,046
Allied manufactures and trades	41,179,000
Retail traffic (fixtures and furnishings)	421,601,380
Total of capital	1,294,583,426

From original returns made for the year 1913 by a portion of the allied manufactures and trades, the total is probably much below the whole capital involved. Establishments that only in small part supply the liquor trade have been excluded.

The effect of national prohibition is to destroy and forever eliminate from the commercial world in this country this immense amount of capital or investment and deprive those who are making a living out of it by daily toil from obtaining

a livelihood, without assurance of doing equally well in other directions. That most of the laws are passed by our legislatures in the several States in answer to the demand of highly paid leaders and lobbyists for this fad are palpable invasions of the established principles of human rights as well as property rights is an unqualified truth. The personal and property rights of the citizens of many States have been invaded in direct contravention of the purposes of our Constitution, which provided protection. The people of this country have suffered many infractions upon their personal rights, as legally defined, and have remained passive from the inception of a bad law until some notable incident secured its repeal; but while the individual will often permit the loss of some minor right as to personal conduct, he will instantly assume the aggressive in defense of his property rights. This is but human nature. Our laws as respect property rights are more closely followed, mainly because it is a laudable aim of our citizens to acquire property, and this uniformity of purpose begets a respect for each other's rights of this class and a better understanding thereof. Considering the universal understanding, how is it possible for a man who would scorn to steal or wrongfully deprive another of his property to advocate a law which unjustly confiscates legitimately acquired wealth from part of our citizens but proposes no compensation therefor? The question of property right is separate and distinct from the moral question, but it is more immoral to deprive people of a property right which the Government by a system of taxation and licenses has conceded to the liquor manufacturers and dealers and the people themselves have created by their demand. What person can claim immunity from complicity in the traffic if he has contributed to it? As I have stated, fully 90 per cent of our people have purchased and used intoxicants. They have created the demand, which is the sole reason for the existence of the supply. If selling therefore is immoral, the buying constitutes complicity, and if we who make laws or vote on these questions are wholly moral we should at least protect the property rights which our consumption of intoxicants helped create. No Government which fails to safeguard at all times and under all circumstances and in every particular the rights of its citizens to the peaceful possession of their honestly acquired property, and the unmolested enjoyment thereof, can ever hope for continuous national existence or the tranquillity which our Republic endeavors to promote.

In the entire scheme of our organic law there is but one process by which a citizen can be dispossessed of his property against his will. This is the privilege reserved by the Government known as "the right of eminent domain," under which restriction property held by the individual is subjected to the public use. It is the right of the State to take property for public use or service, but only after it has clearly established that the use by the public is necessary, and not then without paying the owner for the value of his property thus taken. The fairness of this no one will deny. But what of the system contemplated by the pending resolution by which the supporters thereof expect to indirectly confiscate the millions of dollars in this country from the brewers and liquor dealers and pay nothing for it? It certainly would be nothing short of justice that before such confiscation is permitted the owners thereof be paid the true value in money. The owner of a brewery, which by reason of prohibition is thus rendered useless for the avowed purpose of benefiting (?) the public, should be paid in full for his loss by the Government that permits it to be thus destroyed, and likewise so with every liquor dealer engaged in the business. The loss to them is the same, whether it be one law or another which operates to deprive them of the value of their property. A brewery having been built for a special purpose is useful only as such, and to deprive the owner of the right to employ it in the only way it can be of service to him is clearly to deprive him of his property. When we proclaim the great principle of property rights are we to infer that one class of property is to be deprived of and another class of property subject to the protection of the vaunted square deal that this Government is supposed to give everyone?

If this threatened invasion of property rights proposed by the Hobson resolution is to be applied to the one class of property therein named, where will the application cease and how soon will some other class of property be under the ban of another popular fad usually misnamed "reform"? We have had numerous reform movements which appeared revolutionary, affecting only, however, the change in the personnel of our office-holders, but this is the first concrete movement which has attempted reform and morality by indirect robbery. The Constitution of the United States expressly states:

Nor shall private property be taken for public use without just compensation.

What excuse have the exponents of prohibition for disregarding this wholesome provision of the Constitution and for not embodying in the resolution a provision to pay for the property which they seek to destroy? If prohibition that will put people out of business and render their property useless is not for the public service, then it is not worthy of the consideration of any public servant or voter exercising his duty to the public. If prohibition is really for the public good or use, and property is thereby destroyed, let the public pay for it and exemplify the fair spirit that the prohibition advocates profess. The plain truth is that this is reform run amuck and heedless of any that may be injured so long as the paid leaders in their blind zeal may try an experiment in the Nation that has failed in the States.

Our State legislatures have been too willing to clog our statutes with a tangle of these experimental laws. There are some who are not so zealous for the public good as they are to perpetuate lucrative positions as leaders of this movement, with nothing to lose but a good job on their side, while the business interests lose millions on the other side.

The practical leaders of the prohibition cause, or perhaps, to be more accurate, the political prohibitionists who court the footlights and are chronic gallery players, never knew what it was to thread the devious ways of competition in commerce or meet heavy pay rolls, but talk well and depend upon a popular object of attack to perpetuate their notoriety. There are some who are honest in their contentions, but are too neglectful to consider consequences to others, and not sufficiently sound to reach beyond hysteria and impracticability. Behind these come the many that follow and do not think. They are uninformed, and it would be difficult to get them to think about the value of the established rights of private property in this country, except it should happen to be their property. None of them own breweries or saloon property, and the full force of the consequences of their votes on this subject is not brought home to them. They do not think of the far-reaching harm of a dangerous precedent, and their education as to facts depends almost wholly upon the assertions and arguments of prejudiced or paid prohibition leaders that would do more good in the field of moral suasion than in its support of liberty-threatening laws which are plainly a perversion of justice, and can only anger the spirit of American freedom which denies the right, even of law, to thus curtail our privileges. This spirit actuates every American, but, unfortunately, it seems that it is aroused only after it is too late for him to consider that the rights of others and his own are united by unbreakable ties, and that to protect his neighbor is to protect himself. This spirit certainly can contemplate no honor in wrecking a mammoth industry, in taking away the fruits of toil and enterprise from any man, no matter how much he may have been traduced by his enemies, whose calumnies have reached no bounds in the hate and venom poured upon the heads of the makers and sellers of beer.

The American spirit which loves fair play should be insulted and take offeuse at the proposal of ruining this enormous commerce upon the flimsy pretext that it is moral so to do, or that it encourages morality among that very small proportion of our population which lacks the will power to refrain from personal degradation. Not over one in one thousand are drunkards. Are we to be asked for this one-tenth of 1 per cent to wreck commerce, plunge millions of men and women into competition with other lines of trade and labor, make idle over 4,000,000 acres of farm land tilled by over 100,000 farmers, curtail the output of mines and mine labor that supplies the machinery for about 3,000 large plants in this country, curtail the labor and products of glass factories, lumber mills, supply companies, coal mines, and a thousand other lines of trade where men toil and capital has wrought to produce happiness and comfort for millions of families who are all more or less dependent upon the brewing interests for their prosperity? Even were the agitators' specious assumption of a moral necessity true, their plan of harassing legal commerce with their laws which are productive of injury generally to the basic principles of property and personal rights, would bring greater dangers to the body politic than all the inebriates now extant or which would be under any laws hereafter.

Had prohibition not been absolutely proven to be a failure there might be some foundation for the prohibitionists to build upon. The comparison of a saloon, properly conducted and well regulated, with the lawless speak-easies, bootlegging joints, or other secret spots sought out to evade the law, found in nearly all of the prohibition States where the open temperate drinkers of mild beer and other beverages has been transformed into "sneak" indulgence in cheap whisky, is all that is required to convince the most skeptical.

The advocates of prohibition have gone so far beyond the limits of fairness and decency in their assaults upon personal liberty and property rights that it seems that all reason has forsaken them. Unjustified searches and seizures have been made and cruel and unjust punishments have run rampant in the States where the mania of prohibition fanaticism has secured so strong a hold that all constitutional safeguards have been entirely ignored and the individual has suffered serious abridgment of his rights through ignorance of his remedy or lack of means to pursue it through the courts. The force of contracts has often been impaired and the progress of commerce, which must plan ahead, has been delayed and hampered by the creation of dazing uncertainty, reaching out into every avenue of trade, touching the plans of the very Government itself, of whose revenue this traffic forms so formidable a part, amounting during the fiscal year ending June 30, 1914, to more than $220,000,000 to the National Government, exclusive of the war tax and over and above what is paid to the State, county, and municipality. A transfer of this burden which the liquor traffic pays in revenue to Nation, State, county, and municipality to the backs of the taxpayers of this country would bring home to them too late the facts they should think about now when the people are facing this ruinous crusade. No individual, no matter how small his means or how unimportant his occupation, could hope to escape the serious consequences of the loss of this commerce. That such a mammoth revolution of business conditions would save anything by reducing crime or lessening the number of penal institutions is a fallacious conjecture only.

To the moral side of this question there is nothing but the matter of personal volition and the proper conduct of the business. Neither the brewers nor the great majority of liquor dealers object to regulation; in fact, they court it and urge it, that the very few who have been defiant law and order breakers may no longer serve for the basis of unfair and unrighteous condemnation of them all.

Experience of centuries shows that it is as absurd to make a law to compel a man to refrain from drinking beer as it is to compel him to refrain from eating. How foolish, how petty for a law to presume to choose a man's drink for him. If law stipulates what he shall drink, why not what he shall eat? Too much of either will harm him. A wise Government treats personal rights delicately and gives to the individual as wide a range of privilege as is commensurate with good government. It seems that it ought to be unnecessary to assert that in the matter of taking a drink or not the will of the individual should be supreme. If he drinks so much that he becomes a menace to society and useless to himself, let the punishment be on him and not upon the men who raise the barley, corn, and hops. If the cry of prohibition advocates for the complete elimination of liquor from the body politic means anything, why not abolish corn, rye, barley, potatoes, hops, and rice, which are employed in the manufacture of alcoholic drinks. Begin at the roots, so to speak, for as long as these products are raised alcoholic liquors will be manufactured in some form or other. The farmer once compelled to cease raising these grains and products, there would be no more beer or other intoxicants.

But nature has provided many ways to prepare natural and artificial food and drink for us, some of which are not so good for us as others, and it certainly can not seem anything but foolish to rely upon the law instead of persuasion and education to show the youth of this world what is good and what is bad. After this has been taught them at home, in the schools, and churches, it then becomes a matter of their own will power and moral force. Moderation and temperance in all things marks the man—the real man. He requires no man-made laws to guide him to the right or enforce the choice of nature's food and drink when he is hungry or thirsty. If the halfman, the unbalanced weakling, shall fail to choose wisely in kind or quantity and thereby be led to commit a misdemeanor, he should be punished, not that the law hates or seeks vengeance, but that law must protect the rest who have chosen more wisely. The fault lies in the abuse and law punishes. Why should law restrain or punish those who do not misuse or abuse? If it is not right to punish the millions of people who use beer moderately, by what process of reasoning should we punish those who make it for or sell it to them? The truth is that much more good can be accomplished in the solution of this important question if we would constantly turn to the task of bringing up the youth of this country under the influence of right persuasion and make them good men and women, because of the voice of real manhood and real womanhood speaking from their inner consciousness, and not treat them to the humiliating spectacle of a futile attempt to coerce this and future generations into honor, sobriety, and respectability with the lash of the law.

There are many good citizens who have grown to manhood and womanhood under the present conditions. The environment of home, of each particular social circle, has been and always will be mainly responsible for the character of the man. Excursions of the youth or man into new territory should be accompanied by an education and character that will render him immune as far as possible from dangers of new influences. All his life he will be subjected to these changed surroundings, and nothing will make him safe against contingencies but his own power and manhood. No external human power can provide other protection for him. Many have fallen by the wayside and time will never chronicle the period when there are no fallen ones nor no temptations. Apple trees will grow in every Eden and grapes will cluster on the hillside in every age. Teach if you will the bitterness of forbidden fruit and the venom which lurks in the glass, but never will the invocation of human law nor the dominance of faction rob one of the five senses of the body of its natural function nor destroy the personal privilege to employ it. If character is right, to be temperate and avoid temptation will be easy. To be temperate toward a difference in belief, temperance in all things, is a qualification of good character and not of man-made law. To be strong against all temptation—and there are many beside drink—is a qualification of the mind which comes only after conversion and not compulsion. The time is at hand and the hour has come when, if we wish to prosper and maintain the perpetuity of our free institutions, the people must hold fast to these fundamental truths and set their faces like flint against further unwarranted encroachments upon the rights of property and personal liberty and cooperate in the spirit of good-fellowship and the brotherhood of man in the working out of the mission for which we have been placed here. This Congress has passed many necessary reform measures affecting the commercial world and the personal affairs of our people. The prudent and wide-awake legislator must undoubtedly realize that extreme radicalism and destructive legislation will be rebuked at the polls in the next election. If we would have our country prosper, make our people happy and content, and keep them free from hunger and discomfort, we must now devote our efforts to the encouragement and upbuilding of industries and commerce, the employment at good wages of all labor, and restore peace to the business world and rid it from constant agitation and annoyance. Under the reform measures that have already been enacted into law by this Congress and the wise and courageous leadership of President Wilson this is possible, provided he is not interrupted, hampered, and destroyed by wreckless attacks upon legitimate business interests, big or little, honestly conducted. The future continued success of the Democratic Party and the prosperity of the country ought not to be destroyed and prevented by lending a willing ear to irrresponsible agitators who will be entirely helpless to alleviate the loss and suffering of those who will be injured by the wrecking of our commercial institutions. [Applause.]

Mr. DUPRÉ. Mr. Speaker, I yield two minutes to the gentleman from Georgia [Mr. VINSON].

Mr. VINSON. Mr. Speaker, in making this my first speech in this great law-making body I can not commence by sailing out on unknown seas. I can not commence by making a departure from the faith of the fathers and the traditions of the South and the people I represent. The principles of State rights are as sacred to them as were the virtue of the vestal virgins. They love these principles with the same intense affection as doth the Irishman the Green Isle of the sea. They yearn for their preservation and protection with the same degree of devotion as doth the Scotchman for his Scotch mountain home.

This great principle of State rights which we are asked to destroy by our votes has caused more blood to be shed upon American soil than any other question that has ever agitated the minds of American people. State rights were wisely foreseen by the authors of the Confederation and the Constitution to be the great and lasting foundation upon which to build an enduring union of States. There were certain rights reserved to the States when forming the Union, and one of these rights was local self-government, the regulation and control of its internal affairs. This right the Central Government, by fundamental laws, is bound to respect, and as long as I have the honor to represent the people of my district every encroachment of the same shall be resented by me. Every encroachment is one more pillar taken from the temple of liberty and freedom of the individual. I can not consent to cast my vote to destroy local self-government. This Nation of ours is too large to have its affairs entirely directed from Washington. The foundation of Democracy is opposed to a great central power to dictate to

the different States and sections what is best for their prosperity and happiness. The field of State rights has not increased, while centralization has slowly but surely taken place.

I can not become an apostle of that creed which preaches the obliteration of State lines. The people of Georgia do not need Congress to regulate their local self-government. They are qualified and competent to take care of it themselves.

Where must the American citizen look for the security of the rights which he enjoys? Does he look to the Federal Government? He does not. He looks to his State government. Where shall he find security and protection to his life; security and protection for his personal liberty; security and protection for his property; security and protection for his safety and happiness? Only to his State government.

To the care of the State government does the citizen look for protection against all foes within and without; he relies upon its ever-present arm for the safety and security of the person, the home, the property, and institutions.

The real question at issue is whether the sale or consumption of liquor shall be prohibited by the Constitution of the United States. This is a question which essentially belongs to each State, and can be handled by them with satisfactory results. The sale of liquor has been satisfactorily adjusted in the State of Georgia by its legislative powers. The evil formerly complained of that State action on the liquor question was defeated by congressional inactivity, has been cured by the passage at the last session of Congress of the Webb law, which gives to the States absolute protection in the premises, enabling them to enforce their own laws without interference on the part of the Federal Government.

Have the people of America lost faith in the local State government to control and regulate its internal affairs? To do so is to lose faith in our Government itself, and this amendment offered to-day indicates that the supporters of the same have reached the conclusion that the local State governments of this Nation are not qualified and competent to legislate for the protection and welfare of its citizenship.

There is a real variety of opinion among our people in the several regions of the country. We would be but poor lovers of democratic self-government were we to wish to see these differences overridden by the majority of a central legislation. There are four great divisions or sections of this country. The conditions in the sections are different, and the law exactly suited to one does not apply to another. For that very reason each State should control its own internal policies.

I am unwilling that the people of any other State should decide for the people of my own State of Georgia what its internal policy should be, either by seeking to control its electorate or election laws or by deciding whether or not liquor shall be sold within its confines. It is repugnant to our theory of government. To break down this safeguard and destroy this great principle of State rights is but the entering wedge, and who can tell to where it will lead? It is an unknown sea upon which we are asked to sail; a sea that is infested with hidden reefs and bowlders that are dangerous to the peace, the happiness, and the prosperity of the citizens of each State of this Union.

I pray to God that the day is near at hand when every State in this Union, through and by its own laws, shall prohibit the sale and consumption of liquor, but do not ask us to destroy the sacred rights of our States to accomplish this. [Applause.]

Mr. DUPRÉ. Mr. Speaker, I yield six minutes to the gentleman from Massachusetts [Mr. GALLIVAN].

Mr. GALLIVAN. Mr. Speaker, when this discussion shall have ended and the roll shall have been called I trust that there may be found in our number no man who has shown himself either a hypocrite, a demagogue, or a coward. [Applause.]

Lest we forget, I propose to repeat to this House section 1 of the amendment of the Constitution sought for in the resolution now before this body:

SECTION 1. The sale, manufacture for sale, transportation for sale, importation for sale, and exportation for sale of intoxicating liquors for beverage purposes in the United States and all territory subject to the jurisdiction thereof are forever prohibited.

Mr. Speaker, I come from a city whose people do not believe that the Constitution of this Republic needs any amendment of this character, and I come from a Commonwealth whose people, to the best of my knowledge and belief, oppose the passage of this legislation. The "hypocrisy of civilization" has had its day in the old Bay State. For 15 years—from 1855 to 1870—Massachusetts tried prohibition, but after that experience our people found the law vain and injurious. And upon the testimony of several governors who served during that period and our best citizens, among them college presidents and preachers, it was repealed and the system of licensing and regulating the liquor traffic established. Again, in 1889, there was another effort made to write prohibition into the constitution of our State, and that amendment was defeated by a majority of 45,000. The prohibitionists then, as now, tried to make it appear that all the religious and moral sentiment was on their side and that only immorality and crime opposed them. But the most influential newspapers, such religious papers as the Christian Union and Congregationalist and the Christian Register, fought the amendment, and among the many eminent ministers of the church who loudly proclaimed against its adoption were the late Rev. Dr. Phillips Brooks, the Rev. Minot J. Savage, the Rev. Brooks Hereford, and the Rev. Father Conaty. These men, representing all religious denominations, some of them with world-wide reputations as great religious teachers, united in their opposition to prohibition as a farce and a fraud as an aid to temperance. With them were many eminent statesmen who had National as well as State reputations, and such great authors and physicians as Dr. Oliver Wendell Holmes. That was only 25 years ago, but some people in Massachusetts appear to have forgotten the history of that campaign, and they are employing the same methods that were employed by fanatical prohibitionists then.

For instance, about 10 days ago I received a communication from the Rev. Cortland Myers, pastor of the Tremont Temple Baptist Church in my city, requesting me to vote for the resolution now under consideration. With a desire to be perfectly frank in my answer to his request, I wrote him, acknowledging the receipt of his letter, and I closed my brief reply with these words: "I can not do as you would have me, as I am already on record as being against this measure." In record time the domineering doctor returned by Uncle Sam's messenger my letter to him, with a notation in his own handwriting closely following the line, "I am already on record as being against this measure," worded as follows: "So is the devil, and you are a good servant of his." [Laughter.]

Now, Mr. Speaker, the Rev. Cortland Myers is a ministerial monstrosity in Boston, and while it is not pleasant to be called a servant of the devil by anyone, those who know this Rev. Bombastes Furioso expect such characterizations, and laugh aloud when they read them. I console myself with the thought that some of his predecessors in the pulpit of that famous Tremont Temple agreed with me in the position that I now take, and I assert that even at this day he does not represent the religious sentiment of Boston or Massachusetts.

I find in the United States census of religious bodies taken by the Federal Government in 1906 that the Rev. Dr. Myers, as a Baptist, if he speaks for the whole denomination, represents 4.6 per cent of the church communicants in Boston and 5.2 per cent of those in Massachusetts. Boston is a religious city, with more than 64 per cent of the population identified with the churches, and only three other cities have such a high percentage, but, according to the census figures of 1906, of the 376,728 church members in Boston only 77,349 were listed as Baptists. Massachusetts is a religious State, with more than half the entire population listed as church communicants, but of the 1,562,621 people identified with the churches in 1906 only 80,894 were listed as Baptists. The Rev. Dr. Myers may speak for the 2,300 members of the Tremont Temple, but I do not believe that he speaks for the more than 400,000 present-day church members of Boston, or the 2,000,000 church members of Massachusetts, or the 3,500,000 people of my State. He does, however, represent the fanatical methods of prohibitionists, and I have no doubt, like the Pharisees of old, he thanks God every morning that he is not like other men. So, too, am I thankful.

I prefer to follow the footsteps of the former president of my old alma mater, Mr. Charles W. Eliot, of Harvard College, when he sums up the whole case against prohibition in its effect upon the social and political life in these words:

The efforts to enforce prohibition during 40 years past have had some unlooked-for effects on public respect for courts, judicial procedure, oaths, and law, legislature, and public servants. The public have seen law defied, a whole generation of habitual lawbreakers schooled in evasion and shamelessness, courts ineffective through fluctuations of policy, delays, perjuries, negligences, and other miscarriages of justice; officers of the law double-faced and mercenary; legislators timid and insincere. Such is the character and record of prohibition.

[Applause.]

If there be any section of our common country that is prohibitory to-day, I am not convinced that it is so from any moral conviction on the question. Wherever prohibition obtains, it has not decreased drunkenness, but it has notably increased the use of drugs and has multiplied insanity by driving men and women from drink to dope, from alcohol to drugs, thereby giving a greater impetus to abhorrent crime by producing irresponsibility and insanity.

May I here quote the opinion of that eminent churchman, Cardinal Gibbons, who, in a recent interview, said:

While I am a strong advocate of temperance, I am certain that prohibition can never be enforced; and if it should be, it will make hypocrites and violators of the law. It will also cause the manufacture of illicit whisky, which is not a good thing, since it will replace a good product, of its kind, with a bad product. It will also rob the Government of a legitimate tax and a very considerable one. Prohibition can not be enforced in any Christian country.

[Applause.]

Prohibition has been an utter failure wherever it has been put into practice. It cuts off revenue and leads to all sorts of dishonesty and hypocrisy. Prohibition can never be enforced by law. Dispassionate investigators of the liquor problem have, almost without exception, pronounced prohibition no solution for it.

Those who conceived this remedy for the drink evil were unquestionably sincere, and there are doubtless some among them who are sincere to-day. They are honest, but, in many instances, so also were persecutors under the Spanish inquisition.

Mr. Speaker, prohibition has lost its original bearings. Its sincere advocates have expanded it into a religion. Some of them go as far as to say that a man who takes a drink can not be a Christian. Manifestly, nobody should be coerced by law into acceptance of any such belief.

The liquor question is neither a religious nor a political question. It is an individual question. The extinction of the thirst of man is a pretty large order, and it will never be accomplished by fanatics or faddists or politicians. The great desideratum is temperance, and by proper laws temperance may be promoted. Excess in the use of liquor is punishable and can be punished, but prohibition has become so intolerant and intemperate that it can hardly be considered a factor in the promotion of temperance.

Nature punishes all excess, whether it be excess of restraint or excess of indulgence. The man who has been starved is apt to act the glutton when he gets the chance. The man who acts the glutton is apt to reduce himself to a starvation diet. The real virtue lies in the golden mean, and to give to your fellow being the same liberty of action that you would invoke for yourself. Men can not be made temperate by legal enactment any more than women can be made virtuous by like methods. Every man courts personal responsibility. All men resent being forced to do without anything which they are capable of denying themselves, if need be.

Mr. Speaker, to change the Constitution of the United States by the enactment of any such law as is contemplated by the resolution now pending is in absolute violation of the rights of individual States. I agree with those who believe that it was never contemplated by the fathers of the Republic that the Government of the United States should legislate on a subject that is purely local, municipal, and not national. And it is by virtue of the respect I hold for the inalienable rights of others that I demand the same high privilege for myself and the hundreds of thousands of citizens whom I have the honor to represent in this body.

Mr. Speaker, no more logical interpreter of the American Constitution, no sturdier champion of personal liberty has appeared in the annals of our statesmanship than the Hon. Roger Q. Mills, of Texas. In 1887 that State was in the throes of an agitation for prohibition. Mr. Mills at that time delivered a remarkable speech, combating the proposed measure with all his unrivaled powers of logic and eloquence. In his closing words the senior Senator from the Lone-Star State is quoted as follows:

When the manufacture and sale of alcoholic liquors are forbidden the immense revenue now derived from them will be released and one of two things must follow: Either taxation must be increased on land and cattle and horses and other property sufficiently to make up the deficit or the expenditures of the Government be correspondingly reduced. To cover this very large deficit would require a very considerable increase of taxation on other articles and other taxpayers. The class who are now paying it do not mind it. It is paid voluntarily and paid for the enjoyment of a luxury. If this amendment is adopted this tax will be shifted from them to others who are already feeling the burden and who must make up the enormous deficit. If they refuse to permit the legislature to increase the taxes, then the only thing remaining is to reduce the expenditures of the Government. Where will it fall? The legislature must continue to meet—the courts must go on. We can not turn out the deaf and dumb and blind and the unfortunate inmates of our asylums. Then our schools must stop or be cut down. Are we prepared to accept that result?

Fellow citizens, prohibition was introduced into Texas as a fraud; it has been nursed here as a fraud. It is wrapped in the livery of heaven, but it comes to serve the devil. It comes to regulate by law our appetites and our daily lives. It comes to tear down liberty and build up fanaticism, hypocrisy, and intolerance. It comes to confiscate by a legislative decree the property of many of our fellow citizens. It comes to send spies, detectives, and informers into our houses; to have us arrested and carried before courts and condemned to fines and imprisonments. It comes to dissipate the sunlight of happiness, peace, and prosperity in which we are now living and to fill our land with alienations, estrangements, and bitterness. It comes to bring us evil—only evil—and that continually. Let us rise in our might like one man and overwhelm it with such a demonstration of popular indignation that we shall never hear of it again in Texas as long as grass grows or water runs!

[Applause.]

The SPEAKER. The people in the galleries are here by the courtesy of the House, and they must not either show their appreciation of a speech or lack of it. The Chair admonished them this morning when speakers for the constitutional amendment were applauded and admonishes them now when the others are applauded.

Mr. LEWIS of Pennsylvania. Mr. Speaker, having received a large number of letters and telegrams from individuals, church societies, brewers, and wholesale and retail liquor dealers in the State of Pennsylvania which seem to justify the conclusion that the parties sending the same are under the impression that the passage of the Sheppard-Hobson resolution will at once close all the breweries and distilleries in this country, I think it but fair to all concerned to state that a vote for this resolution does not in any way commit any Representative to the principle or policy of national prohibition. It only refers back to the people of the several States the question of the adoption or rejection of nation-wide prohibition, and every Representative who votes for it is entirely free to work and use his influence as a citizen of his State with entire consistency, either for or against its ratification, according to his own judgment or conscience.

I want to state very frankly that I have not made up my mind as to whether national prohibition or a State local-option law is the best or the fairest method to deal with the liquor question, but one thing I am very clear on and that is that it is the right of the people to vote for or against national prohibition, for which reason I am going to vote in favor of the resolution and give my constituents in the Keystone State an opportunity to register their wishes at the polls. I am a firm believer in the referendum and that the majority shall rule, and the only way to ascertain the wishes of the people in this matter is to invoke the referendum so that the people may exercise a right guaranteed to them by the Constitution.

Mr. HENRY. Mr. Speaker, I desire to yield to the gentleman from Louisiana [Mr. ASWELL].

Mr. ASWELL. Mr. Speaker, in the campaign for governor of Louisiana I committed myself to the principle of local self-government and local option. I yield to no man in my stand in the open on the side of clean living and good morals on all public questions. The Hobson resolution proposes to permit individuals to make wine, beer, and whisky for their own consumption and to transport or import liquor for their own use. It does not even seek to prohibit the use of liquor; it rather encourages the use by individuals by making it cheaper. It does not prohibit the manufacture, the transportation, the importation, or the use of liquor.

I have always voted, whenever the opportunity presented itself, for local prohibition, but I shall vote against the Hobson resolution because I am not willing to give the Federal Government the power of police control in the States which would necessarily be the result of the passage of this resolution. I can not be a party to the humiliating conditions which would probably follow of having an army of officers from Washington enforcing the Federal law in my own State. I would not endanger our southern people again with negro rule through the police power of the Federal Government. I am not willing to see the Federal Government encroach any further upon the rights of the States. I shall vote against this resolution for the same reasons that I shall vote against the proposed suffrage amendment to the Federal Constitution. They are both State matters and I am not ready to repudiate the doctrine of State rights. It has always been the policy of the Republic to allow the States to decide these questions. It is a fundamental Democratic doctrine actively supported and bravely defended by our forefathers whose wisdom, courage, and patriotism I am not yet willing to cast aside.

A national political issue should not be made of a local moral question so grave and serious. The man who reads this resolution thoughtfully will note that it befuddles the prohibition question with numerous "for sale" phrases and misleads the people by making them believe they would have a chance to vote upon the measure, which is not true. It is a vast political scheme to which I can not subscribe. I yield to no man in my devotion and service to the young men of the country, but it should be noted that the first principle to teach them is that of honesty. This resolution plays the game of politics with a local moral question in a manner that should make some prominent men here blush with shame. I stand with our forefathers for a straightforward unequivocal policy that will maintain the supremacy of the States. I stand with

Thomas Jefferson and Jefferson Davis, with Woodrow Wilson, W. J. Bryan, and OSCAR UNDERWOOD.

Mr. HENRY. Mr. Speaker, I desire to yield the remainder of my time to the gentleman from Louisiana [Mr. DUPRÉ].

Mr. DUPRÉ. Mr. Speaker, I yield four minutes to the gentleman from Illinois [Mr. GALLAGHER].

Mr. MANN. Mr. Speaker, I yield two minutes to my colleague.

The SPEAKER. The gentleman from Illinois [Mr. GALLAGHER] is recognized for six minutes.

Mr. GALLAGHER. Mr. Speaker, we have before us to-day, and are called upon to consider, a resolution that has for a long time been before this body. It was considered for many months by the Committee on the Judiciary of this House, made up of able lawyers. It was reported back to this House suddenly and without recommendations, a fact that convinces me that the committee was mighty glad to get rid of it.

Section 1 of the resolution provides:

> The sale, manufacture for sale, transportation for sale, importation for sale of intoxicating liquors for beverage purposes in the United States and all territory subject to the jurisdiction thereof, and exportation for sale thereof, are forever prohibited.

The enactment of such a law would disturb and destroy business activities in the United States and take from the people of the individual States the right to govern their own affairs. I do not question the good intentions of those who have asked for the passage of this resolution. I am a believer in temperance and self-control, but not in prohibition, because I am convinced that prohibition does not prohibit the sale of liquor. It is a failure in every State where it has been tried. Above and beyond this question, however, the welfare and the liberty of the citizens of our States, counties, and municipalities are involved in the consideration of this legislation. I am for home rule. [Applause.] We can not have individual freedom or enjoy the privileges of representative government without home rule.

HOME RULE AN AMERICAN PRINCIPLE.

National prohibition would be destructive of the inalienable right of the citizen to life, liberty, and the pursuit of happiness, guaranteed by the Constitution. I am a believer in personal liberty, and as a citizen of this Republic I feel that this resolution would act as an infringement on my right to such liberty. It is considered, and rightfully so, as absolutely un-American by millions of our people, who feel that they are abundantly able to govern their moral habits without limitation or restriction from a law of this kind. It is an abridgment of the right originally guaranteed by the fundamental law to the people of the United States. I am unalterably opposed to it, because I believe firmly in the principle of the largest share of personal liberty to the individual consistent with the general welfare. [Applause.]

Ours is a Government of the people and by the people, in which the voice of the people is supposed to and obviously should rule. The enactment of a resolution of this character would be an unwarranted interference with this right of the people to manage their own affairs. It would be a usurpation by the Federal Government of a domestic question, a question belonging solely to the States. The State now gives every citizen a right to go to the polls and say whether liquor shall be sold in his State, district, or neighborhood. I do not believe it is sound policy or good judgment to pass a resolution here which attempts to tell the citizens of this civilized and free country what they shall drink or when they shall not drink. It is the freedom and liberty we have enjoyed here in the United States that has brought millions to our shores and made this, our country, the greatest Nation on earth. [Applause.]

PROHIBITION A FAILURE.

To show you that prohibition is a failure, let me call your attention to a statement made by Capt. HOBSON on page 29 of the hearings before the Committee on the Judiciary of the House of Representatives. He says:

> I will tell you, gentlemen, that our estimates indicate to-day that something like 55 per cent of the population of the United States are living under prohibition laws, enacted by their majority votes, and that 71.5 per cent of the area of continental United States is under prohibition enacted by a majority vote.

To-day he states that it is 57 per cent of the population and 76 per cent of the area under prohibition laws.

It seems strange, in view of such a statement, that the report of the Commissioner of Internal Revenue for the year ended June 30, 1913, shows that the number of distilleries during such year has increased by 49 over the year ended June 30, 1912. With regard to the quantity of distilled spirits produced, the report above mentioned reads as follows:

	Gallons.
1899	97,066,554.7
1900	105,484,699.8
1901	124,520,599.8
1902	128,623,401.9
1903	141,776,202.1
1904	134,311,952
1905	147,810,794.3
1906	145,666,125.1
1907	168,573,913.2
1908	128,989,740.1
1909	133,450,755.1
1910	156,237,526.4
1911	175,402,395.5
1912	178,249,985
1913	185,353,383.1
1914	174,611,645

It will be noted that the quantity produced in 1913 exceeded that of any preceding year, and was nearly double the quantity produced only 16 years ago—1899. Also, it must be borne in mind that, despite the increased so-called prohibition territory, the number of distilleries has multiplied, the production of spirits also has increased, and so-called patent medicines and fake alcoholic medicinal preparations are most popular in dry territory.

It will also be noted that there is a small reduction in the amount produced in 1914, not because of prohibition, but on account of disturbed business conditions and because men are out of employment. The commissioner goes on to state:

> The production of fermented liquors during the fiscal year ended June 30, 1914, was 66,189,466 barrels, being an increase of 864,590 barrels over the previous fiscal year.

I call your attention to this fact to show that the cheaper drink has been substituted for the more expensive drink.

To me this whole proposition is a matter of business, and, as a business man, I would like to have you consider it not as a matter of sentiment, but from a business standpoint.

Let me call your attention to some figures that are illuminating and that will shed some light on future conditions should this resolution pass:

SOME FIGURES ON REVENUE RECEIPTS.

Of the total ordinary receipts of the Government for 1914, $226,179,689.76 were collected on spirituous and malt liquors, nearly one-quarter of which amount was collected in my State, Illinois, or $50,584,057.36. The fifth Illinois district reported the largest collections of any district in the United States, namely, $33,535,386.95. It will be noticed that such an amount was collected by the Commissioner of Internal Revenue from liquors alone. In the State of Illinois 41,628,073 gallons of distilled spirits were produced, of which 31,818,597 gallons were the output of the fifth district. Of fermented liquors, the first Illinois, which is Chicago, produced 5,893,871 barrels, which was the largest quantity in any district in the country. The total amount produced by the State was 6,987,568 barrels.

From what source do our prohibition friends propose to raise this money to defray the expenses of the Government? With a loss of revenue at our customhouses and a war tax now being levied, it is already difficult to supply the funds necessary for the running expenses of the Government. This joint resolution proposing an amendment to the Constitution of the United States is so far-reaching in its provisions that it is impossible to determine what the result will be if the resolution be passed, involving as it does the destruction of great business interests of the entire country and destroying at the same time millions of dollars of revenue that now go to pay the expenses of our Government.

Hundreds of thousands directly connected with the business of building up and developing the country would be thrown out of employment, and hundreds of millions invested in property, establishments engaged, directly or indirectly, in the liquor business, would be lost. This stupendous wiping out of property values would be accomplished without making provision for reimbursing to the extent of a single dollar the men who would suffer the loss.

WHERE LABOR IS INTERESTED.

Organized labor in all parts of the country would suffer. Its representatives have protested against the passage of this resolution. Agriculturists from every section would be denied, under its provisions, an opportunity to market their crops except at a great sacrifice. The army of unemployed would be largely increased. All trades would be immediately and seriously affected.

I represent, in part, the city of Chicago, which has a population greater than many of the States that would be called upon to determine this question; and yet that great city would have little to say in the settlement of it. Over seven million dollars

are paid annually to the municipality as liquor license fees, and when you take into account the amount that is paid by the liquor interests all over the country in such fees, together with the taxes paid on real and personal property, some idea can be formed as to the calamity which would befall our local governments, which depend largely on this revenue for their support. The proposition to levy a war tax a short time ago was objected to by every interest that reasonably could be taxed. The railroads, banks, insurance companies, and merchants all protested. To the liquor interests we went for the money. What would happen if we eliminated all the revenues from the liquor business of the United States? In the last fiscal year 30,679,549 bushels of grain and 64,721,265 gallons of molasses were used for the production of distilled spirits. In the central Illinois district there are now five distilleries in operation. They are the largest in the world, and one of them has a capacity of 65,000 gallons of spirits daily. It requires the corn from 400 acres, 40 bushels to the acre, to operate this plant for a single day, and it would require the product of 1,000 acres if all the distilleries were in operation at one time for each day's run. Large quantities of rye are also used. There is an average of 2,000 barrels of whisky produced daily; railroads are also interested, as several of the roads handle a solid train of whisky each day, the product going all over the world. I cite this to show that the farmer is somewhat interested in this legislation. Before leaving central Illinois, let me add that Japan buys thousands of barrels of alcohol annually from this district to be used in the manufacture of smokeless powder; and the United States Government is also a customer, and has plants at Mare Island and other points where powder is manufactured with the aid of alcohol. One-half of the whisky consumed in the world is produced there.

Farmers interested in the cultivation of grapes in many of our States would meet with severe losses. A conception of the extent of the wine industry in this country can be gained by referring to the record of California, where over $150,000,000 are invested and 60,000 persons, mostly small farmers, are engaged in the cultivation of their numerous vineyards.

Millions of tons of coal are used annually in connection with this business. Nearly all classes of trade would lose the opportunity for employment—men in the building trades, wagon makers, waiters, bartenders, advertisers, printers, electricians, freight handlers, bakers, sign writers, boiler makers, cigar makers, coopers, engineers, firemen, garment makers, bottle blowers, glassmakers, laundry workers, railroad clerks, teamsters, and cooks. I mention this as another evidence of the general, far-reaching, and injurious effect of enacting this resolution.

NOT AN HONEST MEASURE.

Reverting to another phase of this situation, I wish to point out that this resolution is not an honest prohibition measure, because it allows the manufacture of liquor when not for sale; it allows the importation when not for sale; it discriminates in the interest of those who can afford to bring liquor into the country for their own use, while it would deprive a person less able to secure imported brands from enjoying a glass of beer. When it is generally known that a still can be built for $5 or less, and you can manufacture for your own use, where does prohibition come in? It substitutes bad liquor for light wines and beer. It will be ruinous to the temperance cause. Moonshine whisky will become popular everywhere. Wine and beer will be beverages of the past.

Some idea of conditions in so-called prohibition territory can be gained from the annual report of the Commissioner of Internal Revenue for 1914. In these prohibition sections 1,593 illicit stills were seized and destroyed, 162 being in the State of Alabama, 491 in Georgia, 85 in Kentucky, 312 in North Carolina, 166 in South Carolina, 129 in Tennessee, and 182 in Virginia. The number of retail liquor dealers in Alabama paying the so-called Government license tax was 683; Georgia, 1,197; Maine, 352; South Carolina, 1,260; and Tennessee, 1,793. The total number of such taxpayers throughout the United States was 190,083. There was received as taxes on distilled spirits other than brandy $89,237.17 in the State of Alabama, $3,121.03 in Georgia, $19,762.27 in North Carolina, and $78,704.36 in Tennessee. The amount received from fermented liquors was $45,426.25 in Alabama, $142,430 in Georgia, and $225,843 in Tennessee. The number of barrels of fermented liquors produced in Alabama aggregated 45,426; Georgia, 142,430; Maine, 1,631; New Hampshire, 283,100; South Carolina, 4,607; and Tennessee, 225,923.

Illicit distilling during the past fiscal year increased slightly over the preceding year. During the fiscal year 1913–14 there were seized and destroyed 504 illicit distilleries, as against 459 during the preceding year. Bootlegging is principally carried on, according to the official report of the Commissioner of Internal Revenue, in "States operating under local prohibition laws, and appears to be one of the hardest propositions the revenue officers are called upon to solve. This class of violators of the internal-revenue laws are at no time stationary, but move from place to place offering and selling their illicit wares. It is impossible, owing to the limited number of revenue officers in the field, to break up this practice entirely, and without the hearty cooperation of the local and State authorities it is believed that the conditions will grow no better. As the various States vote 'dry' the operations of the bootlegger grow larger."

NO GREAT PARTY EVER FAVORED PROHIBITION.

Neither of the great parties in convention assembled ever attempted to make prohibition a national issue, and when you take into consideration that the prohibition candidate for President in 1912 received only 206,275 votes in a contest where over 15,000,000 votes were cast, what excuse can you offer for your vote on this resolution that takes from the Federal Treasury one-third of its ordinary revenue without making provision to replace it? Unless Members think more of their $7,500 personal revenue than they do the revenue of the Government they will vote against it. The complaint is now that we have too many laws, and many say that they are in the interest of the few, regardless of the welfare of the many. Every State legislature, every county organization, every municipality are grinding out laws. Is it any wonder that we have unrest and strife in many parts of the country? With all the laws that have been passed we have dissatisfaction, strikes, and explosions, labor wars in Colorado, Michigan, and West Virginia, and a Socialistic Party that cast nearly 1,000,000 votes in the last presidential election for the Socialist candidate for President. Under the Constitution the States have the power to prohibit the manufacture and sale of intoxicating liquors. Under this amendment they propose to take that power from the State and place it with the Federal Government. You want to confer on Congress, by amendment, laws that were never dreamed of by the fathers; to take from the State the sovereign right to control its own affairs with respect to the liquor traffic. There would be no United States if such a proposition had been made in the beginning. States should be free to exercise their police power as they see fit.

A little over a year ago Congress passed the Webb law, which gave to each State the right, if it so desired, to prohibit the shipment into that State of intoxicating liquors. It was contended then by the forces behind this resolution that with such a law the States could control the situation. They put forth the argument that they did not believe the Federal Government had any right to say what the policy of the States should be. What they want to do now is to destroy the liquor traffic regardless of the effect on investments or the revenue of the country. As a business man, deeply concerned in the industrial and commercial prosperity of the Nation, I can not see how under existing conditions a Member of this House can give his support to such an impractical, illogical, and, to my mind, preposterous proposition.

UNITED SOCIETIES PROTEST.

Let me call your attention to a resolution by the United Societies for Local Self-Government of the City of Chicago bearing upon this matter:

To the honorable the Members of the House of Representatives of the United States in Congress assembled:

The United Societies for Local Self-Government of the City of Chicago, Ill., organized in 1900, an organization embracing 781 men's societies and 142 women's societies, with a total membership of 204,000 men and women, residents of the said city of Chicago, Ill., represents unto your honorable body that it is composed in large part of men and women of foreign birth or parentage, men and women, however, thoroughly imbued with the spirit of those principles of liberty and freedom which called this Republic into being.

This organization further represents unto your honorable body that two of the principal purposes for which it is organized are to promote local self-government and personal liberty.

Both of these purposes we conceive to be inimical to the spirit of the proposed constitutional amendment offered by the Hon. Mr. HOBSON of Alabama, as set forth in House joint resolution No. 168, of the Sixty-third Congress, which seeks to prohibit absolutely the manufacture, sale, and importation of spirituous or alcoholic liquors or beverages.

We conceive the proposed amendment to the Constitution of our country to be an unwarrantable infringement upon the personal liberty of the individual to eat and drink as he wishes, and also an infringement upon the principle of home rule—the right of each municipality to regulate its internal affairs according to its own desires.

We deny absolutely the conclusions contained in the preamble to Mr. Hobson's resolution, and point to the character of our membership and the sturdy, strong-fibered citizenship of the various countries of Europe in which indulgence in spirituous beverages, such as malt liquors and light wines, is common, as a palpable refutation of such conclusions.

Our membership embraces many men and women who do not use alcoholic beverages, but all of these, together with that portion of our membership which is accustomed to moderate indulgence in such beverages, are firm in support of the principle that, in compliance with such laws as are necessary to preserve order and the public welfare, the right of every individual peaceably and peacefully to follow his own mode of life and his own desires as to eating, drinking, and other personal matters, should not be abridged or hindered.

We see with dismay the continued insistence of a portion of the Nation to assume a supervisory or paternal attitude of domination over the rest of the country, and we call to our aid the evidence of all history to the effect that such an attitude is subversive of true freedom and eventually leads to its downfall and the substitution of tyranny in its stead.

The first manifestation of this is the division of society into classes or orders—the governing and the governed. Following quickly is the establishment of a State religion and the bitter and relentless persecution of nonconformists. In the train of these comes a long array of impositions and tyrannies, for the principle of liberty being once departed from there is no end to the evils which ensue.

We do not believe it wise to change the organic law of the Nation lightly. The Constitution is the bulwark of our liberties. The men who fashioned that remarkable document have taken high place in the world's annals. The Constitution, since it was given to the world, has been generally recognized as the greatest and most effective charter of freedom which has been evolved since the beginning of time. Its safeguards have been ample in the past. They are not to be changed or abandoned as a matter of mere whim or caprice.

Furthermore, the very men who gave us the Constitution early recognized that a free nation must preserve unimpaired its rights to home rule, to local self-government, in all matters in which national action is not absolutely essential.

It was this which prompted the adoption of the tenth amendment, proposed in the First Congress in 1789, and adopted in 1791, reading:

"The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people."

It was in the very spirit of this amendment that President Wilson only a few days ago expressed himself upon this question. He deprecated its being dragged into the arena of national politics, and wisely said that its settlement should be a matter of local determination.

This is our view precisely. It means that each community should, so far as is possible, govern itself.

We recognize that abuses have grown up in relation to the liquor traffic. We have had recent evidence of the fact that abuses have arisen in the conduct of many branches of trade.

This, however, constitutes no argument for the abolition of the liquor trade any more than it does for the blotting out of all trade in which abuses have been shown.

It is, however, a good argument for the proper regulation of the offending trades, and this we believe in thoroughly.

We desire therefore to reaffirm our principle of belief in the least possible restriction of the liberty of the person and to make clear to your honorable body that we, as individuals and as an organization, are not primarily concerned in the mere matter of gratifying a taste, but in the larger question of being permitted peacefully to pursue our ordinary customs and modes of life in lawful manner, unhampered by officious meddling or unjust and tyrannical laws.

Our position therefore is completely expressed in the following resolutions:

"*Resolved*, That we, the United Societies for Local Self-Government of the City of Chicago, Ill., banded for the purpose of propagating and furthering lawful liberty, favorable to true temperance and abhorring license, either of excess or restriction, denounce the proposed amendment to the Constitution of the United States offered by the Hon. RICHMOND P. HOBSON in House joint resolution No. 168 as a blow at liberty, as unwarranted and unwarrantable interference with the inalienable right of American citizens peaceably to pursue their accustomed modes of life, as the forerunner of the domination of the many by the few, as vicious in principle and undemocratic in practice; and

"*Resolved*, That we call upon all men and women of this Nation by whom the principles enunciated, fought for, and established by the founders of this Republic are held dear to battle earnestly against this proposed injustice and infringement upon true freedom, and especially appeal to the Members of the Congress of the Nation to defeat this proposed usurpation of the popular rights; and

"*Resolved further*, That the members of this organization employ all possible lawful and honorable means to make clear to the Congress that it is the sense of the majority of the people of the Nation and the unanimous sense of the intelligent, liberty-loving portion of the people of the country that the proposed amendment to the Constitution is an act of usurpation and tyranny, is retrogressive, and in opposition to true liberty, and is not tolerable in a really free Nation of free citizens and institutions."

THE UNITED SOCIETIES FOR LOCAL SELF-GOVERNMENT OF CHICAGO, ILL.
By GEORGE LANDAU, *President*.

Attest:
ANTON CERMAK, *Secretary*.

PRESIDENT'S ATTITUDE.

And now I desire to direct your attention to the personal views of President Wilson, in a letter written in 1911, while governor of New Jersey, to the Rev. Thomas B. Shannon, of Newark, N. J.:

I am in favor of local option. I am a thorough believer in local self-government, and believe that every self-governing community which constitutes a social unit should have the right to control the matter of the regulation or the withholding of licenses.

But the questions involved are social and moral, and are not susceptible of being made parts of a party program. Whenever they have been made the subject matter of party contests they have cut the lines of party organization and party action athwart to the utter confusion of political action in every other field. They have thrown every other question, however important, into the background, and have made constructive party action impossible for long years together.

PUBLIC SENTIMENT MUST FAVOR IT.

In closing these remarks I can not give better expression to my views than to quote the language of the Virginia Association for Local Self-Government, which follows:

We stand on the fundamental principle of local self-government, and we believe that as the State is the unit in the Federal system, so the counties and cities should stand in a similar relation to the State. Reaffirming our faith in the Declaration of Independence, that the just powers of the Government are derived from the consent of the governed, we concede to every county and to every city in the State the right to regulate its own internal affairs in the manner best suited to its needs, being firmly convinced that no people will be happy and prosperous where one section forces upon another section laws which are not supported by the preponderant public sentiment of such section.

Since experience teaches that where the majority of the citizens in such subdivisions do not approve of prohibition, the ends of temperance and morality can best be subserved by the lawful sale of liquor therein under strict regulations.

[Applause.]

Mr. DUPRÉ. Mr. Speaker, I yield 25 minutes to the gentleman from Indiana [Mr. MORRISON].

Mr. MORRISON. Mr. Speaker and gentlemen of the House, I have listened with great pleasure to the pending debate, together with the accompanying declamations and orations. They have all been entertaining, some of them interesting. I have heard several men make speeches to-day who are new in the business. I can tell them as soon as they get onto their feet. When one of these men takes the floor the first thing he says is that here in the House all men are divided into two classes. He says that those who are for the Hobson resolution are good men and are the enemies of the saloon and the liquor traffic. He says that those who are against the Hobson resolution are bad men and are friends of the saloon and the liquor traffic. These men doubtless believe what they say, or think they do. The trouble is that they are just now so scared that while they are awake they are indulging in legislative horseplay and they are devoting their sleeping hours to political nightmares. That makes a mighty bad cross.

So you are going to classify men on the floor of this House, and they are to be good or bad, according to their vote on the Hobson resolution. Some of you will sincerely classify them that way, but it will be because you do not know the game. You have never paid the price of knowledge, and no man knows who has not paid the price. No man has paid the price who has not fought in the cause and been persecuted by the national prohibitionists on the one hand and the saloon keepers on the other hand, at the same time. Oh, you tenderfeet! I can recognize you, and you do not know what you are talking about. They say they will classify us. Will they? I have asked newspaper men about the Indiana delegation, but I have not polled the delegation myself. If you want to know the truth, just ask the Indiana newspaper men. In the first place they know, and in the second place they know how to find out—or, rather, in the first place they know how to find out, and in the second place they know. They tell me that the Indiana delegation will vote solidly against the Hobson resolution.

It is often said that Indiana is a pivotal State, and, politically speaking, that is true; but the Democracy of Indiana is not set on a pivot. It is not of the weather-vane variety. We were brought up at the feet of such Democrats as Thomas A. Hendricks, Daniel W. Voorhees, Joseph E. McDonald, and David Turpie. We were taught to believe, and do believe, that the Republic is a sovereign Nation, an indissoluble Union of sovereign and indestructible States. We believe that the Nation is sovereign, supreme, and exclusive in the exercise of the powers delegated to the Federal Government by the Constitution of the United States. We believe that each State is sovereign, supreme, and exclusive in the exercise of the powers which the Constitution reserves to the States. We believe that the wisdom of the fathers in the division of the powers of government between the Nation and the States was almost superhuman. It was, at least, the perfection of human reason, based on accurate and profoundly philosophic knowledge of the previous history of all of the nations of the earth.

Being thus thoroughly grounded in first principles, we do not take to the tall timber every time a sudden wave of sentiment sweeps over the country in favor of accomplishing a popular reform by an impossible method. Certain Members of this House profess to be amazed that the 13 Democrats from Indiana should all be of one mind, while the Democrats of the solid South are literally torn to pieces. I have given you the reasons why we are not stampeded. I do not undertake to characterize or explain the actions of other men.

Under our Constitution the power to regulate or prohibit the manufacture, sale, and use of intoxicating liquors is, and has always been, vested exclusively in the several States as a part of the general police power, which also is vested exclusively in the States. By the same Constitution the power to regulate the importation of intoxicating liquors into a State is, and has always been, vested exclusively in the Federal Government as a part of its general and exclusive power to regulate interstate

and foreign commerce. The Federal Government has no general police power. It has the power to make certain regulations and exercise certain powers which are of the nature of police regulations and police power, but they must be limited to the particular subjects power over which is by the Constitution vested in the Federal Government. As a logical result the Federal Government has neither police officers nor police courts in the sense in which those words are commonly used and understood.

As long as a Member keeps in mind these simple and fundamental truths he can not be seriously tempted to support the Hobson resolution. If he believes that it ought to be within the power of the people to prohibit the manufacture and sale of intoxicating liquor, he can not refuse to support House joint resolution No. 389, unless he also believes that the Congress has the power now to enact its provisions into a valid and effective Federal statute, as does at least one member of the Indiana delegation.

Those who do not know the Representatives from Indiana or the history of Indiana politics may be inclined to look upon us as a typical "wet bunch." Nothing could be further from the truth. Of our 13 men at least 10 are total abstainers. We have no Member who ever takes a drink except in a social way at long intervals and in modest quantities. A little while ago a man offered to make a bet with me that he could find a vociferous advocate of the Hobson resolution—and he would not go far to find him—who single handed and alone consumes more intoxicating liquors in 12 months than all 13 Democrats from Indiana would consume in 12 years. I refused to take the bet.

There is nothing in the history of Indiana politics to induce us to favor the brewers and distillers. Beginning as early as 1886 the wet vote of Indiana was cast almost solidly for Republican nominees at State, county, and municipal elections with almost unbroken uniformity until 1908. In that year the boys were told that it was best to divide their votes according to their several partisan predilections. That policy was pursued in 1908, 1910, and 1912. In the campaign of 1914 there was a very definite and strong tendency of the wet vote back toward its old attitude and policy. It so happens that the present Representatives from Indiana, all Democrats, all know that the "Big Ones" among the brewers and distillers have already sent out the recommendation that the wet vote of the State be cast solidly for Republican nominees in the 1916 and subsequent campaigns, and until further notice.

The Indiana delegation will furnish more than its share of the necessary two-thirds vote to write the provisions of House joint resolution No. 389 into the Federal Constitution, thereby making the nine prohibition States of the Union at once actually and completely dry, establishing such a condition for the first time in the history of temperance legislation in the United States. It would also make it within the power of the people of every other State to become actually and completely dry just as soon as public sentiment shall become strong enough to write and enforce constitutional or statutory legislation for that purpose. This would strengthen the temperance cause at its one weak spot and silence forever the ill-advised demand for so-called national prohibition. Indiana presents to you a remedy that is in line with correct principles and will in actual practice be easily workable and thoroughly effective. Indiana furnishes more than its share of the votes necessary to write this remedy into the fundamental law of the Republic. And yet we do not presume to criticize any professional politician who is under coercion until he is scared almost literally to death simply because he really thinks that he thinks that we are all bad men.

I said a little while ago that I had enjoyed this day's experience immensely, including the denunciation it has brought. I did not enjoy it the first time I went through this experience, but I have been in the harness more than three decades. In my own community I have suffered for conscience sake on the temperance question. We have had there no temperance fight in more than three decades in which I did not bear a share. I have never been able to satisfy the demands of the national prohibitionists. They are most excellent people. Their lives are exceptionally clean and they keep themselves severely free from just criticism. You could not eliminate them from a community without lowering very greatly the moral tone of the community. An orthodox national prohibitionist sees no virtue in any legislative temperance reform except an amendment to the Federal Constitution. He religiously believes that if an amendment properly or improperly denominated a prohibition amendment were written into the Federal Constitution the manufacture, sale, and use of intoxicating liquors would cease at once and the long, hard struggle for temperance reform would be at an end. If you ask him by what means his proposed amendment is to be enforced, he scorns your impudence. If you suggest to him that the particular amendment he is advocating will be as ineffectual as a piece of blank paper, his one answer is that you are friendly to the liquor interests and an enemy to the cause of temperance. I have for national prohibitionists great respect. I love them all and love them all the time. At times they love me not.

In times past I have helped to win substantial victories for the cause of temperance. I never in my life helped to win such a victory when we did not have at the same time the opposition of the national prohibitionists and the opposition of the liquor dealers. The national prohibitionists religiously believe that every other form of activity in the name of temperance is a betrayal of the cause and is useful only to postpone the day of their own genuine reform. The liquor dealers are afraid of any temperance reform by which their enemies seek to do the possible. If, therefore, you are right and practical, the national prohibitionists and the so-called National Liquor Trust are both against you. If they are both for you, as they appear to be for the present consideration of the Hobson resolution, you are wrong. This is an infallible test. Once we were engaged in a fight to make my native city and county dry, and we succeeded. They have both been dry ever since. That fight was made under the leadership of the Antisaloon League, whose officers I see sitting yonder in the gallery, and in that fight the national prohibitionists denounced both them and us because we were engaged in something less, or more, according to one's opinion, than a struggle for national prohibition.

Oh, if you men had had more experience, if this were not the first time you were ever under fire, you would not allow yourselves to be stampeded. There are a lot of men who do not know just now how they are going to vote. A lot of you did not know an hour ago how you were going to vote, but think that you know now. The trouble is that you are stampeded and are trying to reform under fire.

Now let me say a word about the gentleman from Alabama, Capt. HOBSON, for fear I forget it. He has a great speech called "The great destroyer." I have sent many copies into my own district and hope to send many more. He has been generous and thoroughly unselfish in the distribution of his speech. The Chautauqua circuit has given him no fame; he has made it famous. This resolution has given him no fame; he has made it famous and has given to it a credit before the country to which it is not entitled. The country owes him a debt of gratitude, because he has performed a great service and made a great speech. The Members of this House, however, owe him a grudge, because he has made this day, December 22, 1914, a day that will go down in history as the day of the "Slaughter of the innocents." More than a hundred of us are dead now. Some of us know it, and others do not.

I have said all of these things to the gentleman from Alabama in private conversation, but I desire to repeat them publicly. His was a great speech, but that portion of it which relates to his proposed remedy is unsafe and unwise. I do not criticize him for that, for he is about as likely to have a valuable opinion upon the proper construction and the probable effect of a constitutional amendment as a great lawyer would be to have a valuable opinion upon the proper construction and probable efficiency of a battleship.

At the risk of violating well-settled rules of propriety, I feel constrained to say a few things personal to myself. In the old days a lad could join the Good Templars at the age of 12 years. At that age I joined, took the pledge, and have kept it religiously to this hour. At the age of 16 I made my first public speech, a declaration of deathless enmity to "King Alcohol" and his hosts. In the State of Indiana our first law by which the people were enabled to drive out the licensed saloon was our remonstrance law. All the saloons in the city, except two, were in the ward in which I live. That made our ward the battle field and our success or failure the supreme test. I signed the first remonstrance that was gotten out. At that time no other professional man, no merchant, and no banker was willing to put his name upon the remonstrance. The liquor dealers were sorely offended and denounced me openly as I passed along the streets. In 1908 every Democrat in the ninth district of Indiana who was willing to be defeated had been nominated and defeated. No one desired the nomination that year. My Democratic friends said to me, "You take it. You owe that much to the party and you must make the race." It became manifest that my name was to go upon the ticket. They asked me to write the platform, and I did. I wrote two planks on the temperance question. One of them called for prohibition in the District of Columbia. The other called for appropriate legislative

action to make it impossible to evade or nullify the temperance laws of the several States by the importation of intoxicating liquors into the States. I made the fight in 1908 on that platform, at a time when it looked as though I was riding into the very mouth of an open political grave. Many of you men never faced fire until now, and you think that you are now facing real fire; maybe you are.

I voted for the Webb law, and am glad that I did. It invokes a correct principle and takes a very short step in the right direction in which my platform of 1908 pledged me to go all the way. I voted for the Jones-Works law. I am glad that I did, and yet I am almost sorry, because I am sure that one of these days many scandals will grow out of its administration. I voted for an increase in the internal-revenue tax on beer, and I am glad I did.

In order to make the tax on the alcoholic content of beer equal to the present rate on the alcoholic content of whisky the new rate would have to be $2.48 per barrel. I voted to increase it to $1.75, and am sorry I did not get to vote to make it $2.50. After making this record, I went home to the campaign of 1914. To speak more accurately, I went home after the campaign of 1914. Here is the truth about it: If we do not get out of this foolish habit of being in session 11 months 3 weeks and 3 days out of every year some insidious lobby that operates from Washington back through our districts will one day fool all of our constituents at one time, and we will all be left at home. What did I find in the campaign? The Republicans are the shrewdest politicians on earth. They had nominated against me the legal adviser and hired attorney of the retail liquor dealers of the district. His friends said that he was for the Hobson resolution, and I think he is. They said that I was against it, and I am. You can see at once what happened to me. They played both ends against the middle, and nothing but an overruling Providence saved me from the defeat that had been planned by this unholy alliance. Republicans pointed to the fact that I had voted to increase the tax on beer. To ministers of the gospel and other temperance leaders they said: "This new tax is a bribe to the Congress to perpetuate the business of making and selling intoxicating liquors." These statements sounded like an argument and cost me many votes. To the men who sell beer and to those who drink it they said: "This is a new tax on your business and on your liquid bread." They believed it and voted against me. I had seven days in which to canvass the eight counties of the ninth Indiana district. I had five minutes to each speech. When the time was exhausted the county chairman, with his watch in his hand, would say, "The time is up," and we started for the next town. As I started to speak some constituent of mine would say, "In the platform of 1908, did you not declare for prohibition in the District of Columbia?" I answered "Yes"; to which he replied, "They tell me you have 300 saloons in the city of Washington. Did you vote for that law?" I answered, "Yes. I will tell you how I came to vote for it. The Anti-Saloon League had that bill in charge. When I urged straight-out prohibition they said: 'Don't you do that; you will be playing into the hands of our enemies.'" They sent telegrams back into my district, as they are now doing, and urged the temperance people of the district to demand that I give support to the Jones-Works bill. I assumed that the ministers of the gospel, church congregations, and other friends of the cause of temperance knew that the Jones-Works bill provided for hundreds of licensed saloons in the Capital City of the Nation. In my inexperience and unreasoning anxiety to respond to the popular will of my district the lobby was able thus by indirection to force me to renounce my platform declaration in favor of prohibition for the District of Columbia and to vote for the Jones-Works bill, under which licenses have been issued to practically 300 saloons. The district that I have the honor to represent is completely dry, with the exception of two of the smaller cities. I am informed that the sentiment of these two cities has grown so strong that they will both be voted dry at the first opportunity. In the ninth district of Indiana, except in the two cities to which I have referred, it is a crime to sell Near Beer even to mature men. Here in Washington, under the Jones-Works law, grocers sell Near Beer, Frazzle, Home Brew, and other brands of low-grade beers to men, women, and children as freely as they sell to them their bread and meat; and yet the same Anti-Saloon League that put over the Jones-Works law is asking the people of 48 States to give up their own police powers and to turn over the entire work of the enforcement of temperance legislation to the American Congress. The people back in Indiana wonder why we, the Members of Congress, and the officers of the Anti-Saloon League are against the licensed saloon back in Indiana, where our constituents live all year, and favor licensed saloons here in Washington, where we stay all year. I do not wonder that they wonder why.

As against the questions that were being asked me in the campaign, my only plea was in confession and avoidance. Under the practice the confession precedes the avoidance. The confession used up all my time and I had no chance to state my real defense, which is that the temperance organization beguiled my constituents into coercing me to vote for the Jones-Works bill.

At another time a constituent would ask, "Did you not say that you would fix it so that the State constitution and laws could not be evaded by interstate shipment of intoxicating liquors?" I replied that I did not promise so much as that, but did say that I would favor appropriate action to that end. The next question was, "Did you favor such appropriate action?" I replied, "Yes; in a limited sense." His next was, "Did you vote for the Webb bill?" I replied, "Yes." Again he asked, "Why did you not vote for a law that would do the business?" By that time my time was up, and I had no chance to explain that the Anti-Saloon League had said that the Webb bill was the best legislation within our power. I thought they said that it was the best the Congress has the constitutional power to enact. A few days ago they explained to me that that was not what they meant, but what they meant was that the Webb law is the best law they had the power to induce the Members of the Congress to vote for. I do not challenge the correctness of their present statement, although I confess that it came as a great surprise to me. Again the people of the ninth Indiana district sent resolutions, petitions, letters, and telegrams urging me to follow the lead of the Anti-Saloon League, although they knew that I had publicly declared for the broad provisions now set forth in House joint resolution No. 389. For reasons which all of you appreciate to-day as never before, I voted for the Webb law. It involves a correct principle, but it does not go far enough. I have twice followed the Anti-Saloon League, and they have twice led me to cast votes which have in turn led the temperance people of the ninth district to ask me questions that can not be answered in five minutes, and these questions came near costing me my political life.

To-day the gentleman from Alabama [Mr. HOBSON] made a speech that was a great disappointment to me, because I had expected him to state by what means the friends of the Hobson resolution expected its provisions to be enforced. I do not think that it can be made to work. I have waited all day for some friend of the resolution to explain to the House the manner of its enforcement. I desire to touch upon three points made by the gentleman from Alabama. His first point was that every State has the absolute right to be dry, because it thereby hurts no other State. His second statement was that no State has a right to be wet, because it thereby hurts other States, making it impossible for them to be dry. I do not quarrel with his statement of facts, his logic, or his morals as contained in these statements. He has simply stated more concisely than I have been able to do a conviction I have had for many years.

Some day, after the excitement of this day's performances has died away, I am going to ask him to read over very carefully the provisions of House joint resolution No. 389. It furnishes a simple, direct, and complete cure for the one defect he has pointed out. If the temperance forces now in control of this House were to put themselves back of House joint resolution No. 389, they could write its words into the Federal Constitution in less than two years. If the contention of the Anti-Saloon League be correct, and if the Congress has the present power by a majority vote to enact the provisions of House joint resolution No. 389 into a valid Federal statute, then and in that event the Anti-Saloon League, with its undisputed control of a majority of the votes in the two Houses of the Congress, has the present power to accomplish completely between now and March 4, 1915, the only national element there is in the movement for temperance reform legislation. It has the present power to procure between now and March 4 the necessary legislative action, if their contention be well founded, to make the nine prohibition States of the Union actually and completely dry, so dry that certain gentlemen will hereafter come down to the city of Washington "spitting cotton."

The second contention of the gentleman from Alabama was that the preventable harm which we seek to prevent is the harm to boys and to young men, and that this harm is not accomplished by the distillers and brewers nor by the wholesalers nor yet by the retailers, but is done by the bootleggers. He believes that his resolution is aimed directly at bootleggers. I am sure that he is perfectly sincere, and yet there is no man who has studied this question and has learned by practical temperance work out in the field who does not know that the first

result of the Hobson resolution would be immensely to increase the numbers of bootleggers.

The third proposition made by the gentleman from Alabama is that the temperance people have traced the evils of intemperance back to their original source and have found that the original source of all our troubles is the National Liquor Trust. I wish that I were able to believe that the discovery which these gentlemen think they have made was a genuine discovery. I do not impugn the gentleman's motive. I know that he is just as earnest as any man ever was in behalf of a proposition that was dead wrong. I decided to go back myself and try to find out where this thing actually did start. The earliest record I could find is Genesis, the ninth chapter and twentieth and twenty-first verses:

And Noah began to be a husbandman, and he planted a vineyard; and he drank of the wine and was drunken.

The biblical account is necessarily fragmentary. Of course, it could not tell everything, but it told enough to show that Noah blamed everybody but himself. I know exactly what he did, because I am a student of human nature and of current events. As soon as Noah discovered that he was caught he concluded that he would capitalize his own naughtiness. He organized a Chautauqua circuit and went into the business of reforming the lives of other men at so many hundred dollars per hour. In his speech he explained that his sin and his humiliation were brought about by the connivance of the bartender in the saloon around the corner. Now, of course, there was no corner, there was no saloon, and there was no bartender. But that did not affect the manner or the matter of his speech. When a professional reformer makes a speech he evolves his facts to suit his needs, much as a spider is said to weave each time a web of the exact length and strength to meet the demands of his then present necessities. Nobody ever lived in a better environment than did Noah. It was specially prepared for him, and yet I am sure that I can almost reproduce the Chautauqua speech that he made.

Now, what is the trouble? The brewers and distillers say that 82 per cent of adult males like the taste or the effect of intoxicating liquor, and that at intervals longer or shorter they just will have it. They assert that the so-called temperance fight is not a fight against brewers, distillers, and dealers, but is in reality a fight against the social habits and customs of a majority of the people of the United States. I think their figures are somewhat too high. I express no opinion as to the proportion of adult males who, occasionally or otherwise, in moderation or otherwise, drink intoxicating liquors as a beverage. The number is distressingly large, and yet I am sure that the proportion is smaller to-day than it has ever been. I am also convinced that the proportion has been growing smaller, is growing smaller, and will continue to grow smaller, Hobson resolution or no Hobson resolution. It is the drunkard that makes the temperance problem of so great public interest, but it is the moderate drinker who makes the problem so difficult of solution. We must almost always fight him in the dark. He is often of our own ranks, and sometimes he is in command of our own forces. If we had nothing to fight except the distillers and the brewers and the rum sellers and the drunkards, we could crush them all as a man crushes an eggshell. What, then, is the trouble? I answer, Human nature. You can set this down as a general principle, that whenever you understand the human nature of a situation you understand the situation. The human nature of a situation is the situation.

A man said to me the other day—I think his figures were grossly excessive—that if you were to choose at random 10 men out of the ranks of the men who had just participated in a successful local temperance fight and were to go with them on a three-day fishing trip, you would find that eight out of the ten had brought with them in their valises a remedy for snake bite. I do not believe that these figures are correct. I am sure they are too high on general principles. Besides, I am convinced that my friend left out of the account one item that is important. It is a well-known fact that a temperance orator rarely drinks intoxicating liquor in company out of the bottle that he himself carries. I can not give more time to the deep and final philosophy of this problem.

I am going to discuss the Anti-Saloon League, although I have not time to do that adequately. I have a grievance against them, because, as I said, they have misled me twice and are trying to mislead me the third time; but they can not do it. Do you know, Mr. Speaker, that I was about to say some very unkind things of them. If this speech had come five days ago, I would probably have said some things that I should have regretted. In the meantime, I have had a conference with them, and I find that I was wrong. I would have said of them, if I had not communicated with them, that this is a strange situation—the distillers and the brewers combining with the Anti-Saloon League to get this bill reported out of the Committee on the Judiciary, and then combining with the same men to get a special rule out of the Committee on Rules for its consideration; each of them evidently think that such action was the best for his own organization.

I had intended to make an appeal to you in behalf of my own resolution, House joint resolution No. 389. It had been my purpose, Mr. Speaker, to say, "I ask you in all seriousness to adopt House joint resolution No. 389, and save the men, women, and children of this country from the red hand of this unholy alliance." I will not say that now, because of what I have learned in the meantime. I had intended to make another appeal to you, which I would not now be willing to make. I was about to say, "Let us refuse to commit the temperance forces of the country to the Hobson resolution, thereby betraying the cause of genuine temperance reform as a joint trophy into the careless hands of professional reformers and the bloody hands of the brewers and distillers." I would not make that appeal now, because they have assured me that, while the friends of the brewers and distillers did use all of their power to get this resolution out of the Committee on the Judiciary, the friends of the resolution did not need their help, because they had power enough themselves without any help. They have also assured me that, while the friends of the brewers and distillers did use all their power to help to get the Hobson resolution out of the Committee on Rules, the friends of the resolution did not need their help, but had within themselves the power to procure the special rule under which we are now acting. Thus it is asserted that there was no cooperation between these contending forces. Far be it from me now to say that there was. I feel entirely justified, however, in saying that there was, at least, a "suspicious contemporaneousness" in the parallel activities of these two organizations seeking not a common but the same result.

Now, I would have you know that I like the officers of the Anti-Saloon League. Lest I be in anywise misunderstood, I now declare in truth and soberness that I know them personally, and have unlimited faith in their integrity, ability, and good intentions. I beg you to remember in their behalf, however, that they, too, are upon the pay roll, and that sometimes an unhappy situation gets as completely beyond their control, as is the situation here in this House to-day beyond the control of its Members.

I used to contribute by their card system in a small way. I was a candidate in the campaign of 1908 and had a contribution card then in force. They sent a man into my district to work against me, thereby temporarily alienating my affections. When the State superintendent next occupied the pulpit in our local church and asked for subscriptions I did not sign the card. I simply put the money into a blank envelope and put it upon the plate. When the meeting was over I explained my action to State Superintendent Shoemaker. I wanted the league to live for the good things it did, but I was unwilling to create written evidence to prove that I was in any way responsible for the unwise things they sometimes did, some of which were utterly indefensible.

The officers of the Anti-Saloon League have treated me with great consideration and courtesy, and I am grateful to them. The other day they called me into a conference. They said: "Now, you are on the wrong track. The Congress has the power now to do by statute everything that you are seeking to do by an amendment to the Constitution." I said, "Why did not you tell me that when we had up the Webb bill? You knew that I came here pledged to the provisions of the resolution that I now present. I understood you then to say that we did not have the power to do the things provided for in House joint resolution No. 389." They replied: "Oh, that was not what we said. We said that the Congress had the power to do it, but that it was not wise at that time to attempt to go so far." They further said: "If you will withdraw your proposition as a substitute and offer it as a bill, we will be for it." I asked, "Will you be for it just as it is written?" They replied, "Oh, yes."

Since then somebody—perhaps not they; I can not always trace the influences—somebody has sent telegrams into my district, and I am getting telegrams back from the district, all in about the same words, saying: "Your proposed resolution is already within the power of Congress, and if you will withdraw it as an amendment and offer it as a bill, the Anti-Saloon organization will go back of it."

I have told you what these gentlemen said to me out in yonder corridor within five days. In our morning mail each of us found a letter signed by the officers of the Anti-Saloon League.

I interpret it as an attempt to soften down the words they spoke to me and hedge against the future. Permit me to read to you the paragraph of this letter which relates to House joint resolution No. 389:

No doubt amendments will be offered. As we understand it, a substitute will be offered by Mr. MORRISON, of Indiana, to submit an amendment to the Federal Constitution to prohibit intoxicating liquors as articles of interstate commerce. We can not favor the resolution of Mr. MORRISON as a constitutional amendment. Congress already has power to prohibit intoxicating liquors as articles of interstate commerce without amending the Constitution. Why amend the Constitution to give authority to do that which the Congress can do now? If the friends of the Morrison resolution will introduce the proposition as a bill, properly drafted so as to apply to shipments for beverage purposes, we feel sure that the organized prohibition and temperance forces will give it support.

This paragraph of the letter sent out this morning by the Anti-Saloon League asserts in its first lines that Congress has the present Constitutional power to do all that I ask to have done. It concludes by promising to give support to my resolution if introduced "as a bill properly drafted so as to apply to shipments for beverage purposes." My proposition includes all intoxicating liquors. They suggest that it be modified to include only intoxicating liquors to be used at some future time for beverage purposes. The exceptions to the rule make the rule impossible of practical enforcement. My proposition is made broad and all inclusive in order that it may be easily capable of enforcement. The gentlemen who wrote the letter to which I have referred appear to be in favor of any temperance legislation that can not be enforced. It is evident that the trouble with my proposition is that it is simple and direct and will work.

My proposition, briefly stated, is this: Write into the Federal Constitution a provision prohibiting the importation of any knd of intoxicating liquors into any State, from any place, at any time, by any person, for any purpose. Oh, I do not blame the gentleman from North Carolina for saying that House joint resolution No. 389 is more drastic than the Hobson resolution. It was intended to be. I want to make intoxicating liquor an outlaw in interstate and foreign commerce. I want to write into the Federal Constitution a simple provision that will put back of the cause of temperance all the power the Federal Government has, and the only machine it has or ought to have that can be made available to strengthen the cause of temperance at the only point at which the States have a right to ask the Federal Government for its aid. I want to make it easily possible for any State to be actually and completely dry as soon and as long as the people of the State want it to be. The Hobson resolution is said to be sufficient for the purpose I have in mind. House joint resolution No. 168, the particular Hobson resolution now under consideration, refers to seven possible uses to which intoxicating liquors may be put. For six of these uses it gives Congress the power to provide for the manufacture, sale, importation, and transportation of intoxicating liquors. Its prohibitory provision relates only to intoxicating liquors that are at some future time to be used for beverage purposes. Liquors can not be classified and identified in that way. There is no art or science by which anyone can tell in advance for what purpose intoxicating liquors offered for shipment in interstate commerce are at some future time to be used. The limitations written into the Hobson resolution make it incapable of enforcement even within its limitations.

I have submitted a plain, direct proposition, which goes to the one weak spot of the temperance situation as pointed out by the author of the Hobson resolution himself. That House joint resolution No. 389 covers that one weak spot like a blanket no one will have the hardihood to deny. Yet these men who never saw a real fight on this question in their lives, and never gave to it an hour's consideration, say that I am a bad man because I propose to do the possible. In the same sentence they say that every other man is a good man who—like the man who had but one coat, on which there was but one button, for which there was no corresponding buttonhole—refuses to learn what the trouble really is, but prefers to spend the rest of his days everlastingly fumbling after the unattainable.

Doubtless some one will say that there is no Member of this House to whom my remarks apply. If so, I shall be happily surprised and surprisingly happy, for I am using every whit of inventive genius that I possess to devise a speech that will be entirely pleasing to every Member of this House. I flatter myself that I am succeeding remarkably. I have not thus far been able, however, to devise a legislative program for to-day that is entirely satisfactory both to the friends of the brewers and distillers and to their organized enemies. But what is the use? The men in charge of the Hobson resolution have already beaten me to it.

I ask you to consider these plain and direct provisions which House joint resolution No. 389 seeks to write into the Federal Constitution as a new article thereof:

SECTION 1. The importation of any spirituous, vinous, malted, fermented, or other intoxicating liquors into any State of the United States, or into the District of Columbia, or into the Territory of Alaska, from any other State, District, Territory, country, place, or region, domestic or foreign, is forever prohibited.

SEC. 2. It shall be the duty of the Congress from time to time to enact appropriate legislation for the effective enforcement of the provisions of this article.

I respectfully submit that there will be no difficulty in determining the meaning of the language of this proposed amendment, nor will it be difficult to determine in any case whether the intoxicating liquors offered for shipment into a State come within the inhibition of the proposed amendment.

In the prepartion of remedial legislation it was formerly the custom of lawgivers to consider first the law already upon the statute books and then the evil that had grown up under such law or in spite of it. They then undertook to enact a remedial statute that would overcome the defect of existing law and suppress the evil it had not been sufficient to prevent. In the present temperance situation there is but one weak spot. Each State has exclusive power over the manufacture, sale, and use of intoxicating liquors within its borders, subject only to the power which is often used to evade State constitutions and laws by the importation of intoxicating liquors as articles of interstate commerce. House joint resolution No. 389 is plainly sufficient to end forever this abuse. The Federal Government has already complete control of the interstate and foreign commerce, through which alone importations can be made.

The officers of the Anti-Saloon League do not deny that importation of intoxicating liquors into a State is the one element of the present situation that the several States are unable fully to meet. They do not deny that the provision of House joint resolution No. 389 will accomplish everything needed to make the power of the several States absolute and complete. They seek to discredit my proposition by asserting that the Congress has now all of the power which this resolution seeks to confer upon it. In the first place, I seriously doubt the existence of so great power in the Congress. If the power does not exist, it is not denied but that the adoption of this resolution will confer all the power that is needed. If the power does, in fact, exist in the Congress to-day, the Anti-Saloon League has a most difficult defense to make before the American people. The State of Kansas has been nominally dry for many years. Its Representatives have admitted upon this floor to-day that it is not actually dry, because its constitution and laws are continually evaded and nullified by the importation of intoxicating liquors as articles of interstate commerce. Eight other States are nominally dry, and all nine of them are admitted to be actually wet. It is a matter of common knowledge that the Anti-Saloon League controls the vote of a majority of the Members of the Congress.

Assuming that the Congress has the present power by a majority vote to enact a Federal statute prohibiting the importation of any intoxicating liquor into any State, at any time, from anywhere by any person for any purpose, the duty rests upon the Anti-Saloon League to write such a statute into the body of our Federal laws at the earliest possible time. If it shall fail to do so, it will be difficult to convince the country that the officers in charge are as zealous for the relief of the victims of intemperance as we all know them to be.

Newspaper men tell me that the friends of the Hobson resolution are doing what they can to discredit House joint resolution No. 389, and prevent the friends of temperance from giving it any vote. They tell me also that the friends of the brewers and distillers object more seriously to House joint resolution No. 389 than they do to all of the nine Hobson resolutions that have been introduced in this Congress and are now pending. Some one is deceiving himself. Two thousand years ago it was said that—

The children of darkness are wiser in their generation than are the children of light.

I trust that the friends of the Hobson resolution may be right, and that the friends of the brewers and distillers may be wrong, in the several joint activities in which they are to-day engaged, each supposedly for his own good and for the other's harm.

Some have objected that House joint resolution No. 389 does not even except intoxicating liquors for medicinal and other legitimate uses. The question as to what, if any, uses of intoxicating liquors are legitimate and ought to be permitted by law is one for the exclusive determination of the several States in the exercise of the general police powers vested in the States alone. House joint resolution No. 168—the Hobson resolution

under consideration—puts the seal of congressional approval upon six of the possible seven uses to which intoxicating liquors may be put. The people of many States may prefer fewer exceptions to the general rule of prohibition. Certainly none will desire more. It is suggested also that some States do not produce the raw material out of which to make intoxicating liquors needed for legitimate purposes. The amount actually needed in any State will be exceedingly small. Intoxicating liquors are made from wholesome fruit and grain. Under the provision of House joint resolution No. 389 it will be permissible to import into any State the necessary fruits and grains in their wholesome conditions.

I have taken the time to state briefly and imperfectly some of the reasons why I have introduced House joint resolution No. 389 and why I believe that its adoption as an amendment to the Federal Constitution would be a complete and perfect solution of the liquor question, so far as the Federal Government is concerned. Under the special rule adopted this morning we are supposed to be considering House joint resolution No. 168, one of the many Hobson prohibition resolutions pending in this House. I crave permission briefly to state some of the many reasons why I shall vote against House joint resolution No. 168 and why I believe that it would be disastrous to the cause of temperance for the friends of the cause to commit themselves in its favor. Let me read the words which House joint resolution No. 168 seeks to write into the Federal Constitution as a new article thereof:

SECTION 1. The sale, manufacture for sale, transportation for sale, importation for sale, and exportation for sale of intoxicating liquors for beverage purposes in the United States and all territory subject to the jurisdiction thereof are forever prohibited.

SEC. 2. Congress shall have power to provide for the manufacture, sale, importation, and transportation of intoxicating liquors for sacramental, medicinal, mechanical, pharmaceutical, or scientific purposes, or for use in the arts, and shall have power to enforce this article by all needful legislation.

I hope that each of my constituents who thinks that he is in favor of this Hobson resolution or any one or more of the other eight pending Hobson resolutions will take a copy of House joint resolution No. 168 to his own attorney and ask him to study it with care and give his opinion as to its proper construction and probable efficiency. In the ninth Indiana district a vast majority of all the lawyers are total abstainers, are practical workers for the cause of temperance, help to vote their several communities dry, and give time, thought, energy, and money for the proper enforcement of the liquor laws of the State. They give but receive not. Not being upon the pay roll of the professional reformers, it will require no extraordinary courage on their part to give an unbiased opinion. In the days of William Shakespeare it was conscience that made cowards of all men. In our day it is the pay roll that makes cowards of some men.

If any constituent of mine shall submit House joint resolution No. 168 to his attorney, I know now the substance of the opinion he will give.

He will say of section 1 that the multiplicity of its words seriously limits the scope of its meaning. As it is written it refers only to the sale of intoxicating liquors to be used at some future time for beverage purposes. He will suggest that had a few more words been added no intoxicating liquors would have been left within the scope of the provisions of section 1. He will suggest again that the word "sale" has a very definite meaning and is never used alone in the liquor statutes of the States. In State statutes the words "sell, barter, or give away" are all used together, in order to make the statutes capable of enforcement. He will suggest that it requires no inventive genius to formulate a plan by which the distilleries and breweries of the country can continue to operate under the Hobson resolution without inconvenience or loss. There is a fixed relation between the price of corn and other staple cereals and the cost of intoxicating liquors made therefrom. It would be an easy matter to barter a given number of bushels of grain for a given number of gallons of intoxicating liquors. It would be an easy matter also to furnish to a distiller a given number of bushels of grain and pay to him a fixed amount of money as compensation for the work of transforming the fixed number of bushels of grain into a known number of gallons of intoxicating liquor of the popular brand agreed upon between the parties. Neither transaction would be a "sale." The first would be an exchange and the second would be an employment to render a particular service. It is said by some gentlemen that the differences between the three transactions are purely technical. It were as tenable to assert that the difference between the word "one" and the words "one hundred" is purely technical and will be disregarded by the courts.

Not many nights ago I attended a public meeting under the auspices of the Anti-Saloon League. One of the speakers made the statement that 86 per cent of the area of the United States is legally dry, and that 55 per cent of the people of the United States live in territory from which the licensed saloon has been legally excluded. It is manifest therefore that the Hobson resolution is intended to apply only to the remaining 14 per cent of our area. In dry territory intoxicating liquors are procured by and through social clubs and certain secret fraternal organizations, each State-wide in scope and having in each city or town a local lodge or other organization. It is true that these social clubs have not yet learned that they can not sell intoxicating liquors even to their own members, but they are learning rapidly. In the near future they will understand that the club must procure title to the liquor and serve it to its members without price or compensation other than the payment of uniform dues. Under this system the State agent of a State-wide club would be permitted under the terms of the Hobson resolution to procure title to unlimited quantities of intoxicating liquors by either of the methods above suggested. The Hobson resolution would also permit the importation of unlimited quantities of such intoxicating liquors into any State for the exclusive use of the members of such social club or secret fraternal societies.

It is my individual judgment that the retail saloon as an institution is doomed to complete early extinction. It is also my individual judgment that the brewers and distillers are quite willing that it shall be so. In the territory now dry they formerly spent each year millions of dollars for rents, licenses, local taxes, and salaries of local employees and for many other purposes. With 86 per cent of our total area dry, there has been no appreciable decrease in the production or consumption of the finished product of the brewers and distillers. There is no lawyer of the ninth Indiana district who will not easily discover why the brewers and distillers prefer the provisions of House joint resolution No. 168, the Hobson resolution, to the provisions of House joint resolution No. 389.

At the antisaloon meeting to which I have referred I heard an address by one who is said to draw one of the highest salaries that is paid to anyone as a professional reformer. He is a raw recruit to the cause of temperance. He was recently lifted out of a prominent place among the leaders of the opposition, and made at once a field marshal in the grand army of the organized temperance workers of America. In the circumstances it would be unreasonable to expect him to know what he is talking about, and he does not. The only specific suggestion that he had to make was that the internal-revenue taxes on intoxicating liquors be at once repealed. It was an easy speech to make, because it floated upon the current of a certain misguided and ill-advised public sentiment that is now sweeping over the country like a tidal wave.

The officers of the Anti-Saloon League can not be fairly asked to assume the personal risk of denouncing this false doctrine, even in the meetings over which they themselves preside. It is probably best for them not to do so. I know the officers of this league. I know that they know that the repeal of the Federal tax upon intoxicating liquors would do immense harm to the cause of temperance. I have unlimited faith in their integrity and ability. I believe that they will develop courage, if so great necessity shall be laid upon them, and that at the risk of losing their positions by opposing a popular fancy they will at last refuse to permit the Anti-Saloon League to indorse such legislative folly. There is but one fact that makes it difficult for social clubs to permit all their members to drink all they care to of the liquors furnished by the club, without price, or any form of compensation other than the regular payment of moderate dues. That fact is the Federal tax on intoxicating liquor. With grains at their present high price the actual cost of a drink of whisky is substantially less than one-third of 1 cent, while the Federal tax is substantially 2 cents. With the Federal tax repealed, a social club could pay all of its current expenses, including the cost of intoxicating liquors, out of annual dues of $10 per member, provided the members did not on the average take more than six or seven drinks of whisky per day.

The boys of any community could send to Sears, Roebuck & Co. and receive by parcel post a complete distillery at prices ranging from somewhat less than $5 on up. They could assemble, without cost to themselves, 10 bushels of corn and make for themselves, without additional cost, 45 gallons of whisky. Even in a rural community the cost of straight whisky per gallon would be less than the current market price of buttermilk per gallon. Every lad would be his own moonshiner, and every lad would be his own bootlegger. If the twin legislative reforms advocated by these professional reformers were both to be put into force, an era of drunkenness, with its

attendant debauchery and crime, would sweep over this country such as the mind is scarcely able to conceive of.

The attorney of my Hobson resolution constituent would also tell him that section 2 of the Hobson resolution puts the seal of congressional approval upon six so-called legitimate uses of intoxicating liquors. He would further say that the two sections taken together divest the States of fully one-third the general police power now vested in them and turn it over to the Federal Government, which has neither police officers nor police courts. In Indiana we have one Federal judge, one United States marshal, and probably half a dozen deputy United States marshals. It is presumed that they are kept busy with the work now cast upon them. If none of them had anything else to do, they could not adequately enforce the liquor laws in one ward in one of the great cities of the State; which leads me to suggest again that a typical national prohibitionist is always in favor of any law that can not be enforced.

The Anti-Saloon League informed us this morning that, while we are to consider House joint resolution No. 168, we are to vote upon House joint resolution No. 277, another one of the nine pending Hobson resolutions. This resolution is said to have been "tactfully" drawn, so as to enable Democrats from the South to vote for the Hobson resolution without appearing to abandon their strict adherence to the so-called doctrine of State rights. Resolution No. 277 contains this concession to the friends of State rights: "The Congress, or the States within their respective jurisdictions, shall have power to enforce this article by needful legislation."

They say that this provision vests the power concurrently in the Federal Government and the States. The language of this amendment is clearly in the alternative. Under its provisions, so long as the Congress were to fail to act the States would have the power to act, as they now have. If the Congress were to act at all, however feebly, all State jurisdiction and power would terminate at once. It is only an imaginary adherent to the doctrine of State rights that can deceive himself into believing that there is a substantial difference in his favor between resolution No. 168 and resolution No. 277.

I have heard during the day that some of the more extreme advocates of State rights are not satisfied with section 2 of House joint resolution No. 277 and insist on stronger language. It is said that they are not satisfied with language found in any of the nine pending Hobson resolutions. It has been intimated that certain gentlemen, whose identity is unknown to me, are engaged at this minute in the preparation of a tenth Hobson resolution, which is to be presented to the House after the close of the general debate and immediately before the roll call is had upon its final adoption by the House. The newspaper men say, however, that the tenth Hobson resolution is already in the hands of the gentleman from Alabama [Mr. HOBSON], and that he will present it at the close of the general debate. They say that the new section 2, which is expected to satisfy the demands of the advocates of State rights, has a provision that "the Congress or the States shall have the power, independently or concurrently, to enforce" the provisions of the tenth Hobson proposed amendment.

I asked that time be yielded to me near the close of the general debate in order that I might have an opportunity to know the provisions of the proposed amendment upon which we are to be called upon to vote, and in order that I might discuss the question as to whether or not its provisions are capable of enforcement. Behold, the general debate is practically ended and no Member of this House, with the possible exception of the gentleman from Alabama, knows at this minute the provisions of the proposition upon which a vote is to be taken in a few minutes.

If the newspaper men be correct in their statement, and they usually are, section 2 of Hobson resolution the tenth, soon to be introduced, is as indefensible as any of its predecessors. Each Hobson resolution relates to importation, exportation, transportation, and every manner of intrastate, interstate, and foreign commerce. The new section 2, as reported by the newspaper men, undertakes to vest in the Federal Government control of intrastate commerce independently of and concurrently with each of 48 States. It also undertakes to vest in each of the 48 States the control of exportation, importation, interstate, and foreign commerce, to be exercised independently of or concurrently with the Federal Government. It proposes to establish an impossible combination between a central Government vested with all power and a federation of independent States, each also vested with all power. The new section 2 is as inextricable as a Chinese puzzle.

It is said that those of us who favor House joint resolution No. 389 are sticklers for State rights. Those who say this do not understand us any better than they understand the provisions of the Hobson resolution or of House joint resolution No. 389. We never use the expression "State rights." States have no rights, neither has the Federal Government. People have rights. The Federal Government and the several State governments are instrumentalities created by the people for the protection and maintenance of the rights of men, women, and children. The Federal Government has certain powers, duties, functions, and governmental machinery. It has the duty to regulate interstate and foreign commerce, and it has organized and in operation the necessary machinery to enable it to perform this duty. Each State has the duty to prohibit or regulate the manufacture, sale, and use of intoxicating liquors. It is vested with the general police power, and has the police officers and police courts to enable it to perform this duty. We think it inadvisable to transfer any of the general police powers of the States to a General Government that has neither officers nor courts with which to enforce the law. We also think it inadvisable to attempt to vest in the several States power to regulate, in whole or in part, independently or concurrently, importation, exportation, and all forms of interstate and foreign commerce.

It has been said to-day that every Federal statute is always strictly enforced, and that the statutes of the several States are rarely enforced. We have been asked to point to one Federal statute that is not strictly enforced. I take great pleasure in doing so. Every time a bootlegger in dry territory or elsewhere makes a sale of intoxicating liquors, he violates at once a Federal statute and a State statute. It is a matter of common knowledge that for every bootlegger that is prosecuted and punished in the Federal courts many bootleggers are prosecuted and punished in the State courts.

Those who believe that lawbreakers never violate Federal statutes point to a fact well known in dry territory, that the keeper of a blind tiger usually pays to the Federal Government the special retailer's tax before he begins business. This is supposed to be conclusive evidence that he is afraid to violate a Federal statute. Those who thus reason leave out of account another fact quite as well known, that in the old days these same men paid each year a license fee of $100 to the county and $250 to the city. They would gladly make these larger payments now, and much larger payments still, were some officer to come to them authorized to accept the money. Thus it is manifest that this, another unanswerable argument, answers itself.

Again, it is said that ministers of the gospel and temperance workers throughout the country are unanimous in their support of the Hobson resolution. On the surface of things that appears to be true. In reality it is not true. I have received many resolutions adopted by churches and other organizations urging my support of the Hobson resolution. I have received many letters and telegrams practically demanding that I give the Hobson resolution my support. From many, but not from all, of these meetings I have received fuller information by letters from personal friends. In no meeting from which I have received private advices was there present a copy of any of the Hobson resolutions; no one claimed ever to have read one or to have heard it read. It is manifest, therefore, that no one present had knowledge or means of knowledge of its provisions. In the circumstances, the most that any resolution could mean was that those present were in favor of temperance and against intemperance. The people who adopted these resolutions and sent these letters and telegrams are the best people on earth, and yet they are the same people who by the same means practically coerced me into voting for the Jones-Works bill with its 300 licensed saloons. I hope that no one will suggest that it is passing strange that the best people on earth would give enthusiastic indorsement to a proposition of which they had neither knowledge nor means of knowledge. I never criticize my own constituents, nor will I permit others to criticize them in my presence.

I know full well that no Member of this House will criticize anyone for indorsing a proposition of which he has no knowledge. We are not in condition to make such criticism. We are operating under a special rule for the consideration of House joint resolution No. 168. The general debate is practically closed, and the only thing we know for sure is that we are not to vote on House joint resolution No. 168. We have been told to-day that we are to vote on House joint resolution No. 277. The newspaper men have just informed us, and I am sure that it is safe to take their word; that we are not to vote on House joint resolution No. 277, but are to vote on a new proposition, the terms of which are to be disclosed to us after the close of the general debate and just before the roll is to be called for the final adoption of this new proposition of whose provisions we have neither knowledge nor means of knowledge.

Is this what professional reformers call a campaign of education? Is this what we statesmen had in mind when we promised our constituents to "give to the Hobson resolution careful consideration"? For the votes which we are just about thus blindly to cast each of us is drawing a princely salary. I sometimes think that it is a shame for us to take the money.

Finally, my colleagues, "of making many books there is no end; and much study is a weariness of the flesh. Let us hear the conclusion of the whole matter," so far as I am personally concerned.

In 1908 the Democrats of the ninth Indiana district declared for prohibition in the District of Columbia, and also for appropriate action to prevent the evasion or nullification of State constitutions and statutes by the interstate shipment of intoxicating liquors. We were then far in advance of the Anti-Saloon League; we are still further in advance of them now. We are right; they are wrong. We can not be in complete harmony with the Anti-Saloon League until it shall declare for straight out prohibition in the District of Columbia instead of the present Jones-Works law with its 300 licensed saloons; and shall declare for the principle involved in House joint resolution No. 389 instead of the innumerable ineffectual propositions contained in the endless chain of Hobson resolutions. When the Anti-Saloon League shall accept the platform of the Democracy of the ninth Indiana district it will get right. If the Anti-Saloon League shall get right, it will adopt our platform. Then, and not till then, can we work together in complete accord. Then, and not till then, will the temperance forces of America achieve the tremendous victory which now lies easily within their power.

Mr. DUPRÉ. Mr. Speaker, how much time have I remaining?

The SPEAKER. Five minutes.

Mr. MANN. Mr. Speaker, I think I have one minute remaining, which I yield to the gentleman from Louisiana.

The SPEAKER. That gives the gentleman from Louisiana six minutes.

Mr. DUPRÉ. Mr. Speaker, last May, when the House Judiciary Committee, of which I am a member, performed its memorable feat of legislative side-stepping and reported this important resolution to the House without recommendation, I took occasion to file some minority views, in which I criticized the action, or, rather, the inaction of the committee, and in which I placed myself on record as to the merits of the resolution itself. I have had no occasion since that time to alter my views on the subject, and I have not the opportunity to-night to elaborate them. Suffice it to say that I am not a prohibitionist. The district I represent does not believe in that fallacy, and I shall vote against this resolution to-night. But if I were a prohibitionist, as a southern man and as a Democrat, I certainly would not seek to secure prohibition through the medium of the National Government or through an amendment of the Federal Constitution.

I make no fetish of State rights, but I should like to retain some vestige of autonomy for the sovereign State I have the honor to represent in part upon this floor. I believe the time is coming when the line must be drawn somewhere, and that we must make a stand against the encroaching power of the Government as against the States. Now is the time. For my part, I want to see so essential a domestic and internal matter as the State control or abolition of liquor retained within the authority of the State of Louisiana.

I want further to say that the same principle which guides me in voting against this measure has moved and will move me to protect my people against the attempt of the Federal Government to control the State of Louisiana in choosing her electorate and making her election laws.

I am looking forward to some future, early happenings with interest. The same Committee on Rules which "fathered" this rule, as I understand, has "mothered" a rule for submission to the House of the question of woman suffrage. Oh where, oh where, then, will be my southern brethren who in a mistaken sense of appreciation of the views of their constituencies are about to vote for this measure?

Mr. Speaker, there will be some somersaulting done here that will make a circus acrobat pale with envy. There will be some ground and lofty tumbling on that proposition. "Oh, yes, we were in favor of seeing the Government control the liquor traffic in the respective States, but we are against the Government having anything to do with the question of who is to vote in our States." Yet the underlying principle is the same. To the honor of the consistently courageous and the courageously consistent gentleman from my sister State [Mr. WITHERSPOON], be it said that he has seen what is coming and he has sounded a note of warning. I hope that other gentlemen from the South will realize what is in store for them and will not be led astray under the specious plea of morality.

When the question of national woman's suffrage is presented to the House I shall vote against it, as I shall against this proposition, because I regard them both as unjustifiable perversions of the functions of the National Government. [Applause.]

I wish to add as a part of my remarks my minority views as follows:

[H. Rept. 652, pt. 2, 63d Cong., 2d sess.]

NATIONAL PROHIBITION.

Mr. DUPRÉ, from the Committee on the Judiciary, submitted the following minority views:

Finding myself unable to agree with the recommendation—or, to be more exact, the lack of recommendation—of the Committee on the Judiciary on House joint resolution 168, being a joint resolution proposing an amendment to the Constitution of the United States providing for national prohibition, I beg respectfully to submit the following dissent from the committee's report:

The question is one of large importance and widespread public interest, and it is eminently proper that it should be released from the committee room and an opportunity given for its consideration by the membership of the House. It is to be regretted, however, that it comes before the House with neither a favorable nor an unfavorable report and occupies the anomalous position of having received no recommendation from the committee to which it was referred. Some decisive action should have been taken on the resolution, and the House should have been furnished with the reasons which prompted the committee's conclusions.

In my view of the case, the merits of prohibition vel non are not involved in the discussion of the pending resolution. It makes no difference whether one favors or opposes the sale or consumption of liquor, the real question is whether the same should be prohibited by the Constitution of the United States. In the first place, it is a question on which there is the sharpest division of sentiment, and no policy or principle so widely controverted should find lodgment in the organic law of the land. In the second place, it is a question which essentially belongs to the respective States, and can be and has been handled by them with satisfactory results. The evil formerly complained of, that State action on the liquor question was defeated by congressional inaction, has been cured, if indeed it ever existed, by the enactment in the last Congress of the Webb law, which gives to the States absolute protection in the premises, enabling them to enforce their own laws without interference on the part of the Federal Government.

If the application of the principle of local option which I heartily favor should render my city "dry" territory, I would recognize the right of that community to regulate its own affairs, and if in extension of that principle the State of which I am a citizen should provide for State-wide prohibition, I would recognize the justice of the result; but I am unwilling that the people of any other State should decide for the people of my own State of Louisiana what its internal policy should be, either by seeking to control its electorate or election laws or by deciding whether or not liquor should be sold within its confines. I can imagine the general denunciation throughout the country that would greet a proposition to put into the Federal Constitution a provision authorizing the manufacture, sale, or consumption of liquor in any and every part of the United States, and yet it is as unfair and unjust and as repugnant to our theory of government that the converse of this principle should be advocated, and that this same Federal Constitution should absolutely prohibit the manufacture and sale of liquor in any and every part of the country. There is no more reason why "wet" territory should be made "dry" at the pleasure of three-fourths of the States than that "dry" territory should be made "wet" upon the dictate of the same proportion of States.

If the argument for majority rule be urged in this connection, and if it be said that before this resolution can become operative it will require the assent of more than a majority of the States—indeed, the assent of three-fourths of them—I will reply that it is quite possible—in fact, it would probably happen—that 36 States in the Union might ratify the amendment and yet fall far short of representing a majority of the people of the country.

I do not care further to elaborate these views, and content myself with saying that the pending resolution should not pass.

Mr. MORGAN of Louisiana. Mr. Speaker, in the limited time allotted me I shall endeavor to explain my attitude with reference to the pending resolution. Now, each State, according to my understanding, has the indisputable right to choose its own form of government and, moreover, to determine what activities its citizenry may pursue. In other words, the laws of the States are absolutely supreme within their respective boundaries so long as such laws are not repugnant to the provisions of the Federal Constitution. This inestimable blessing our fathers studiously reserved to the States and to their posterity, therefore no word or act of mine will lessen or detract from their immortal work.

We find ourselves confronted to-day with the proposition to enlarge the powers of the National Government, and this, every mother's son knows, can only be accomplished by the curtailment of the inherent powers of the State governments or brought about by the surrender, in a measure, of one of the most essential attributes of the States, namely, the administration and control of their internal affairs as they deem best. Now, all my training and all my inherited traditions impel me to decline to delegate to the Federal Government the right to interfere with the States' regulation and conduct of business, trade, and industry within their borders.

This principle was inculcated and enforced by the framers of the organic law of the Nation, and to obediently follow their footsteps entails no loss of patriotism, loyalty, or self-respect. I respectfully submit that, seemingly, it does not lie well in

the mouths of the apostles of the doctrine of State rights to here urge and advocate the passage of a resolution which seeks to yield to the General Government an important part of the sovereignty of the States. Perchance we may be indifferent; but we can not be insensible to the fact that we are about to set our feet in a perilous path by attempting to centralize in the Federal Government the functions and sovereign powers which inherently belong to and are wisely exercised by the several States. My colleagues, permit me to commend to your serious consideration these words: "We but teach bloody instructions which, being taught, return to plague the inventor."

There are men, yes, and splendid men, too, who are eternally dissatisfied with the existing order of things and who are incessantly clamoring to reform them. However, I have neither the right, desire, nor inclination to attempt to disparage the worth or wisdom of such men, nor question their sincerity, for oftentimes they are actuated by the highest motives of patriotism and humanity.

Mr. Speaker, prohibition may be conducive to the welfare, prosperity, and happiness of the human family. It may stimulate man's ambitions and improve his morals. About this I shall quarrel with no one. However, I am peremptorily opposed to the pending resolution, primarily for the reason that I imagine I see in it the initiation of an effort to reduce the sovereign States of this country to mere servile provinces, and for the further reason that experience has taught me the lesson that a law which has for its object the suppression of the whisky traffic is a cheat and a delusion, unless that law reflects the wishes and sentiments of the people of the community wherein it is to be interpreted, executed, and enforced.

Moreover, it certainly occurs to me that the Hobson resolution, which contemplates the removal of the internal-revenue license, and at the same time seeks to legalize the manufacture of spirituous liquors, is not in the interest of temperance, but, on the contrary, I verily believe that it will appallingly increase the consumption of liquor, and this belief would make it rather difficult for me to subscribe to the Hobson resolution, even if I were inclined to favor Federal intermeddling.

Mr. Speaker, I readily appreciated the wisdom, merit, and exigencies of the Webb bill, and therefore gladly contributed to its passage, believing, as I did then and do now, that when a sovereign State, or any of its political subdivisions by legal enactment, seek to penalize the sale and distribution of spirituous liquors within its jurisdiction, that law should not be violated or its purposes defeated or evaded by the unrestricted and remorseless shipment of liquors from a wet territory into the prohibited territory, but I find myself unable to support the pending resolution for reasons assigned.

Mr. STEPHENS of Mississippi. Mr. Speaker, I desire to state very briefly my position on the proposed amendment to the Constitution of the United States relating to national prohibition. There have been several resolutions introduced on this subject, but the prohibition forces have agreed upon House joint resolution 277 as the one to be pressed at this time. The resolution reads as follows:

Resolved, etc., That the following amendment of the Constitution be, and hereby is, proposed to the States, to become valid as a part of the Constitution when ratified by the legislatures of the several States as provided by the Constitution:

SECTION 1. The sale, manufacture for sale, transportation for sale, importation for sale, and exportation for sale of intoxicating liquors for beverage purposes in the United States and all territory subject to the jurisdiction thereof, are forever prohibited.

SEC. 2. The Congress, or the States within their respective jurisdictions, shall have power to enforce this article by all needful legislation.

Mr. Speaker, the resolution shall have my earnest and cordial support. Every instinct of my nature, my judgment, my love for humanity, and my regard for the interests of my country, all impel me to this course. The liquor question is not a new one. It has been discussed in the public forum and in the press of the land for many years. Both sides of the proposition have been presented in their strongest light. There are many strong, forceful arguments against the liquor traffic; but I have never heard one single argument with any merit to it in favor of it.

PERSONAL LIBERTY.

One of the arguments that has frequently been advanced by the advocates of the liquor interests is that prohibition is wrong because it deprives men of their rights; it takes away their personal liberties. They say that a man has a right to drink, if he cares to do so; therefore there should be no curtailment of opportunities for him to procure intoxicants.

They follow this argument up by saying that the Government has just as much right to prescribe what a man shall eat or what kind of clothes he shall wear as it has to legislate on the liquor question. Of course this argument is the veriest rot. There is absolutely no analogy between the propositions. To state the argument is to refute it.

A learned judge in Illinois, in passing upon a case before him, once said: "When we defend the sale of liquor for the purpose of tippling, we surely draw our arguments from our appetites and not from our reason, observation, and experience."

"Personal liberty!" Every State has laws prohibiting the doing of many things, yet no one would denounce or oppose those laws on the ground that they interfere with the "personal liberty" of the citizen.

There are laws prohibiting gambling. Why deny the citizen a right to engage in that pastime if he sees proper to do so?

There are laws prohibiting a person from being drunk in a public place. Why deprive him of his "personal liberty" in this matter?

There are laws against profanity. Why infringe upon his "personal liberty" or his right to freedom of speech?

There are laws against vagrancy. Why not allow a man to loaf as much as he wants to?

There are hundreds of laws that provide for the punishment of those who violate them. Why not repeal all laws that make the doing of certain things unlawful and give every man his "personal liberty" to the fullest extent?

The answer to all these questions is, that the interests of society, morals, and good government require protection from the criminal, the vicious, and the immoral.

NATIONAL DISHONOR.

It is a disgrace to our Nation that ever since its birth it has virtually been in league with the liquor traffic. The manufacture of intoxicants has been regulated by law, and a large part of the revenues of the Government have been raised by means of a tax imposed on distilleries and breweries. This fact is now being used by the whiskyites as an argument against prohibition.

Nearly every mail for several days has brought me compilations of statistics showing the amount of revenue obtained from those sources, and the argument is made that if this source of revenue is lost it will place additional burdens upon other industries to raise this revenue.

Such an argument is without merit; it is not the truth. Those who make it overlook the fact that the saloon imposes burdens upon the taxpayers and upon legitimate industry far in excess of those that will come from a loss of revenue that comes from liquor.

It is estimated that nearly 90 per cent of the crime in the world can be traced directly or indirectly to whisky, therefore it adds large burdens of taxes to pay court costs. It requires a large outlay of taxes to provide for asylums and hospitals. It causes idleness, profligacy, and loss of efficiency. Legitimate industry pays a large toll because of the fact that many accidents, involving the loss of life and property, and for which they pay, are due to the use of intoxicants. This is such a well-known fact that many individuals and many large corporations will not employ a man who drinks. It is undoubtedly true that not only from the standpoint of morals, but from the economic view as well the liquor traffic is enormously expensive.

STATE RIGHTS.

Some members of this body—good men and ardent prohibitionists—are going to vote against this resolution on the ground that prohibition is not a national question, and that it ought to be left to the States to regulate and control the liquor traffic. The honesty of their motives shall not be questioned by me, because I know them to be sincere, patriotic, moral men, who have the best interest of the Nation at heart.

The controlling force with them is that they consider this an invasion of the right of the States to regulate and control their own affairs. There is no man in this House who believes more strongly in the doctrine of State rights than I do. It is one of the first great political principles that was instilled into my mind.

However, in this instance, I see no invasion of the rights of the States contemplated. State rights simply means that the State shall have the right to exercise any or all of its powers without any interference whatever. No right of any State is to be usurped, overridden, or disregarded. It is not a question of taking away a right from the State. The proposition is simply to give the States an opportunity to say whether the Federal Government shall be granted additional power over this particular subject matter.

The Federal Government is one of delegated powers only. All powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States or to the people. The Constitution provides, however, for the

amendment of that instrument. Each State, when it became a member of the Union, accepted and agreed to that provision of the Constitution.

Even though an amendment shall have the effect of depriving a State of some right that it now possesses, the State has no ground of complaint, and that there is no infringement of the doctrine of State rights, if such amendment is adopted in the manner prescribed by the Constitution. There is a wide and well defined distinction between an invasion of the rights of the States and a delegation of further power to the National Government by the States.

No one will contend that the States are unable to delegate further powers to the General Government. The very fact that provision is made for amendment would settle the proposition if it were brought in question. That it is unnecessary to obtain the consent of every State to amend the Constitution is also settled by the provision for amendment, for it requires the consent of three-fourths only. The only exception is in regard to representation in the Senate, which is "that no State, without its consent, shall be deprived of its equal suffrage in the Senate."

I contend, Mr. Speaker, that this is not an invasion of State rights. Three-fourths of the States are given the right to amend the Constitution, and it is a denial of a constitutional right granted that number of States, if we assert that an amendment shall not be made to the Constitution because some State opposes the amendment. The doctrine of State rights is not involved here, though the question of expediency might be a legitimate subject for discussion when the issue is presented in the States. Each State must settle it for itself, subject only to the right of three-fourths of the States to ratify the proposed amendment.

The doctrine of State rights never had an abler champion than John C. Calhoun. He said:

In connection with this point the Senator, to prove that the Constitution is not a compact, asserts that it is wholly independent of the State, and pointedly declares that the States have not a right to touch a hair of its head; and this with that provision in the Constitution that three-fourths of the States have a right to alter, change, amend, or even to abolish it staring him in the face.

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The plain state of the facts as regards our Government is that these States have agreed by compact to exercise their sovereign powers jointly, as already stated, and that for this purpose they have ratified the compact in their sovereign capacity, thereby making it the constitution of each State, in no wise distinguished from their own separate constitutions, but in the superadded obligation of compact—of faith mutually pledged to each other. In this compact they have stipulated, among other things, that it may be amended by three-fourths of the States—that is, they have conceded to each other by compact the right to add new powers or to subtract old by the consent of that proportion of the States without requiring, as otherwise would have been the case, the consent of all—a modification no more inconsistent with their sovereignty than any other contained in the compact. In fact, the provision to which I allude furnishes strong evidence that the sovereignty is as I contend in the States severally, as the amendments are affected not by any one three-fourths but by any three-fourths of the States, indicating that the sovereignty is in each of the States.

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But, independently of these considerations, there were strong reasons for adopting that proportion in providing a power to amend. It was at least as necessary to guard against too much facility as too much difficulty in amending it. If to require the consent of all the States for that purpose would be in effect to prevent amendments which time should disclose to be or change of circumstances make necessary—so on the other hand to require a bare majority only, or but a small number in proportion to the whole, would expose the Constitution to hasty, inconsiderate, and even sinister amendments on the part of the party dominant for the time. If the one would give it too much fixedness, the other would deprive it of all stability. Of the two, the latter would be more dangerous than the former.

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Again, he said in reference to the amending power:

It is safe, because the proportion is sufficiently large to prevent a dominant portion of the Union or combination of the States from using the amending power as an instrument to make changes in the Constitution adverse to the interests and rights of the weaker portion of the Union or a minority of the States. It may not, in this respect, be as perfectly safe as it would be in the unmodified state in which it outlined and established the Constitution; but for all practical purposes it is believed to be safe as an amending power. It is difficult to conceive a case where so large a portion as three-fourths of the States would undertake to insert a power by way of amendment which, instead of improving and perfecting the Constitution, would deprive the remaining fourth of any right essentially belonging to them as members of the Union or clearly intended to oppress them. There are many powers which a dominant combination of States would assume by construction and use for the purpose of aggrandizement which they would not dare to propose to insert as amendments. But should an attempt be successfully made to engraft an amendment for such a purpose the case would not be without remedy, as will be shown in the proper place.

Senator James Z. George, an eminent Mississippian, who was recognized as one of the greatest constitutional lawyers that this country ever produced, while a Member of the Senate signed a committee report favoring the submission of a prohibition resolution. This language was used:

Your committee, whether unanimous or otherwise, in the holding to this view, are of the opinion that the resolution should be favorably reported, and should be submitted by Congress to the action of the States for another reason; it being a fact that a very large proportion of the American people are anxious that the National Constitution be amended in accordance with the resolutions, we believe that they have a right to be heard in the forum of the State legislatures, where alone the question can be decided whether the National Constitution can be amended.

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The method provided in the Constitution for its own peaceful amendment would be destroyed by failure to submit the proposition for amendment in cases of great moment involving the approval and prayers of multitudes of the people, for where the remedy sought is admitted to be without the jurisdiction of the fundamental law the petition is really addressed to the only tribunal which can enlarge that jurisdiction; that is to say, to the States themselves. Should, then, Congress in such case refuse to submit the proposal to the States, such refusal would constitute a substantial denial of the right of petition itself.

I am willing to follow the thought of that great and distinguished Mississippian.

PROTECTION OF SOCIETY.

This is not a local question, but it is one to be handled by the National Government. We owe a duty to the people of the Nation to give them an opportunity to submit this matter to the States. We owe a duty to society to protect it against the many and varied evils that result from the liquor traffic. Society is composed of individuals; it is made up of units, and it can not be at its best until those units reach the highest development.

Men are often weak. The fewer temptations that are put before them, the better for them. It is hard to "walk through the pools of earthly pollution and through the furnace of earthly temptation and come forth white as linen that has been washed by the fuller, and pure as the golden wedge of Ophir that has been refined in the refiner's fire."

We have made the proud boast that we are a Christian Nation. Let us live up to our obligations as such. The highest service that we, as a Nation or as individuals, can render, is to serve humanity. To serve men is to serve Christ. We pray, "Lead us not into temptation"; let us take away the strongest temptation that many good men have.

One gentleman has said, "I deny that the moral excellence of the Federal Government is superior to that of my State." It is very probable that he is correct. However, that is not the question that we have to consider. We are not contrasting the moral excellence of any State with that of the Federal Government. What we are concerned about is what is the best method of suppressing the liquor traffic. Is it best to give the National Government additional power, or shall the matter be left as it is?

TOLL OF THE LIQUOR TRAFFIC.

The toll of the liquor traffic is too great for me to cast my vote in its interest.

It creates moral leprosy, it blights the intellect, and it wrecks the physical body.

It makes the wise foolish; it makes the strong weak; it makes the honest dishonest; it makes the virtuous corrupt; and it makes the courageous cowardly.

It makes demons of men and women; it destroys the best instincts of mankind; and it causes many of those made in the likeness and image of God to degenerate into brutes.

It fills the jails, the hospitals, the asylums, and it piles up court costs and increases the burdens of taxation.

It cuts off many a man in the very flower of his manhood and causes his feet to go down into the chambers of death.

It brings sorrow, shame, disgrace, and poverty to thousands of good women and innocent children.

It leads many into dangers and temptations and causes them to sink into horrible depths of crime and degradation and wretchedness.

It makes many a good man a pauper, a murderer, a libertine, a thief.

It blights love; it wrecks homes; it destroys affection; it mars all that is beautiful and good and true in human nature.

It makes widows and orphans, and it causes hot tears more bitter than the water of Marah to flow down innocent cheeks.

It destroys reverence for the highest and best things of life; it creates contempt for virtue; and it mocks at religion.

Mr. Speaker, the prohibition question is a national question; it is a moral question; and I shall vote for the resolution, taking a stand, as I verily believe, on the side of good morals, good government, civilization, and Christianity. [Applause.]

Mr. VOLSTEAD. Mr. Speaker, I yield five minutes to the gentleman from Illinois [Mr. MCKENZIE].

Mr. MCKENZIE. Mr. Speaker, the right to amend their Constitution is a privilege guaranteed to the American people. The framers of the Constitution, with clearness of vision which sometimes causes us to marvel, anticipated the possibilities of our country and realized that amendments to the Constitution

would perhaps be necessary, and prescribed, in plain and unmistakable language, how it could be accomplished.

The requirement that a proposed change in our Constitution must be approved by three-fourths of the States, in my judgment, is a wise one. The fundamental law should not be subject to change by every passing whim of public opinion. Being aware of the difficulties in amending the Constitution, the people have wisely refrained from demanding of Congress the submission of amendments for ratification by the States. The people well understand the futility of submitting an amendment unless there is a general popular demand for the same.

We are asked at this time to submit to the States a proposed amendment for the prohibition of the liquor traffic. This is a matter that has been agitated for many years. In practically all the cities and hamlets in this land it has been a local issue. In counties and States it has been a subject for discussion and for legislative action. In short, it is one of the vexed problems of the age. It goes without saying that it is a question of great concern to the people of our land. However, a discussion of the merits or demerits, the wisdom or folly, the propriety or impropriety of the national prohibition of the liquor traffic is not germane to the pending resolution, and is but a waste of time. These are matters for discussion by the people when called upon to finally determine this matter in the States.

A large number of the American people, convinced that the liquor traffic in this country should be prohibited, have petitioned Congress that an amendment to the Constitution prohibiting the same be submitted to the States for ratification or disapproval. Whether this is the opportune time to submit such a proposition has ceased to be a matter of discussion. The resolution is here. It is before us for action to-day. In thus petitioning Congress these citizens have but exercised their rights under the Constitution. We are not asked to prohibit the liquor traffic by our votes at this time. Our individual convictions on the matter have nothing to do with our duty to-day.

The sole question for us to determine in our representative capacity as Members of Congress is whether we shall acknowledge the right of the people to have this matter submitted to the several States as the Constitution provides.

To my mind our duty is plain. The citizens asking for this have proceeded in the regular and orderly way, and all there is for us to do is to follow the course prescribed by the Constitution.

If this is our duty, then why should we, creatures of the Constitution and representatives of the people, deny them the privilege of amending their Constitution? Let us not confuse our privilege as citizens with our duty as representatives of the people.

I am conscious of the sincerity of purpose of my colleagues who oppose this resolution. But whatever our views as to the propriety of submitting the resolution for consideration at this time, to deny by my vote the exercise by the people of an inherent right would be a usurpation of power wholly unwarranted. Such an attitude I have never assumed, and with a consciousness of the importance of the matter, desiring sincerely to perform my duty as a Representative as I understand it, I shall support this resolution.

I am not unmindful of the many arguments earnestly indulged in by those opposing the resolution, chief among which is the time-worn doctrine of the rights of the States. This argument has been answered very ably, and I shall not take any time in discussing it further than to say that, in my judgment, it is unsound. It may be that as a disciple of Alexander Hamilton I am too much of a Federalist. However, the sacredness of State lines is growing less and less potent with me as the years pass. The fiction that we are 48 different peoples finds no lodgment in my mind. Our rivers cross State lines as they go murmuring on their way to the sea; our mountain ranges link together the different States; our railroad, telephone, and telegraph lines cement the different Commonwealths together as one great country. In fact, we are one people with one language. Our hopes and aims are one. All that would benefit or injure any part of the country indirectly benefits or injures the whole. That the liquor traffic is national in its bearing seems to me requires no argument. And in my humble judgment the man who takes the position that it is a question for the States alone to settle will find his position hopelessly weak and his arguments, when scrutinized under the searching light of public opinion, will be scattered like "autumn leaves before a winter wind."

Mr. VOLSTEAD. Mr. Speaker, I yield to the gentleman from Iowa [Mr. TOWNER].

Mr. TOWNER. Mr. Speaker, the House has before it joint resolution No. 168, introduced by the gentleman from Alabama [Mr. HOBSON], and yet it is well understood that the gentleman from Alabama will offer as a substitute joint resolution No. 277, which, in substance, expresses the present views of the friends of the measure as to a desirable and satisfactory form for the submission of the proposed amendment to the States. Gentlemen opposing the proposition in any form find it agreeable to attack the earlier form of the resolution, although they well know it will not be pressed in that form, and notwithstanding the fact that many of the objections they urge against the earlier form are not valid as against the later draft, upon which we will be called upon to vote.

In order that there may be no misunderstanding and that Members of the House may know just what proposition will be voted upon, I will read the resolution as it will be presented at the close of this discussion:

SECTION 1. The sale, manufacture for sale, transportation for sale, and importation for sale of intoxicating liquors for beverage purposes in the United States and all territory subject to the jurisdiction thereof, and the exportation thereof, are forever prohibited.

SEC. 2. The Congress or the States shall have power independently or concurrently to enforce this article by all needful legislation.

CONFLICT OF AUTHORITY BETWEEN NATION AND STATE.

It will be observed that the argument that the adoption of the amendment will bring about a conflict of authority between the Nation and the States has no force if the amendment shall be adopted in this form. If power is given both the Nation and the States to enforce the prohibition, either independently or concurrently, there can be no conflict. It is true that, if acting independently, both the Nation and a State might provide penalties for the same violation of the prohibition, and the person so violating might be subject to two prosecutions and liable to two punishments for the same act. But such conditions exist in many instances now. The same act may be a violation of both a Federal and a State law. No serious difficulties arise. The individual is never twice punished. The court which first acquires jurisdiction usually retains it and the other yields.

But it is not likely that any such result would follow. Exercising concurrent jurisdiction and each yielding to the other the scope of regulation which is appropriate, the Nation enforcing the prohibition as to those things which are national in their operation and which transcend State control, and yielding to the States local control and enforcement as a police measure, complete control can be secured and conflict avoided.

In the earlier forms in which the amendment was proposed the exclusive right of legislation would have rested in Congress. That would have vested the exclusive jurisdiction for the enforcement of the prohibition with the United States courts and the prosecutions for violations in the hands of the United States marshals and attorneys. This would have been a serious objection. Under the proposed form of the amendment, however, this objection can not be urged. Jurisdiction may be granted to either or both Federal and State courts, as may be deemed best in particular instances.

It always must be remembered that a mere prohibition in the Constitution does not of itself have any efficacy to accomplish its declared purpose. Merely to declare a prohibition and not to provide penalties for violations of the prohibition is to do a vain and useless act. Penalties must be imposed, and, in order that this may be done, legislation is required. In this case, if the proposed form of the amendment is adopted, both Congress and the States, acting either independently or concurrently, will have power by appropriate legislation to enforce the prohibition by fixing penalties and providing for the prosecution of those who violate the prohibition. It is not to be presumed that either Congress or the States will not so legislate as to best secure the enforcement of the prohibition declared in the amendment.

INVASION OF STATE RIGHTS.

It is urged that the proposed amendment is an invasion of the rights of the States.

In view of the fact that the prohibition can not affect a single State until it has been approved and ratified by 36 of the 48 States which constitute the Union, it is somewhat singular that this objection should be urged. If there is any one exercise of the governmental power where the rights of the States are regarded, it is in amending the National Constitution.

Indeed, it is urged as an objection here to-day that the amendment is to be submitted to the States and not to the people. However, under the constitutional form of submission which we must follow, we must have the approval of three-fourths of the States; and as a practical result the approval of three-fourths of the people of these States must be secured. While the legislatures of the States are to pass upon the question of ratification, the issue will be raised at the election of members of these legislatures, and in this manner will be passed upon by the people.

UNDUE EXTENSION OF POWERS OF GENERAL GOVERNMENT.

It is claimed that to amend the Constitution by prohibiting the traffic in intoxicating liquors will unduly extend the power of the General Government.

But shall not the Nation protect itself? Are armies and navies and arsenals and forts the only means by which a nation can defend its people? We extend the power of the Nation to protect the people from impure food, to protect them from the imposition of the trusts and the extortion of the railroads, to protect their fields from boll weevil and their herds from hog cholera, and there is little protest. Gentlemen who now cry out against the danger of extending the power of the Government to prevent the evils of the liquor traffic, which extends its baleful influence into every State and Territory of the Nation, did not lift their voices in protest against those endeavors of the Government to meet evils less harmful in their nature and less extended in their scope. Evils which are nation-wide in extent must be corrected by the exercise of powers which are nation-wide in application. The value of the Federal system is not more shown in its recognition of the right of local self-government regarding those things which are local in their nature than in its power to deal with those great evils which transgress State lines and are truly national in their influence and injury. National maladies require national remedies.

HOME RULE.

It is also asserted that to adopt the amendment would be a violation of the doctrine of home rule and local self-government.

This objection would be a valid one if the liquor business or liquor traffic was local and not national, was exclusively intrastate and not interstate. But the very fact that the traffic in intoxicating liquor is chiefly interstate and not intrastate makes national legislation necessary. It is said that 75 per cent of the liquor manufactured in the United States is not consumed in the State where it is manufactured. Like many other matters which are both National and State in their scope of application both National and State legislation is necesary. We have a dual government. We owe a dual allegiance. We obey both National and State laws. There are many acts which now are violative both of National and State prohibitions. There are involved in many transactions both National and State interests. It is necessary with regard to many things that there be both National and State legislation in order to secure complete control. If there is any one thing regarding which both National and State legislation is necessary in order to secure complete control, it is the traffic in intoxicating liquors. It will be only by the complete exercise of the powers of both Nation and State that the traffic can be either effectively regulated or entirely suppressed.

CONTROL VERSUS PROHIBITION.

It is argued that the power to legislate with the right to control should be given, not an absolute prohibition.

This objection has weight until examined in the light of our experience and existing conditions. The great variety of State regulations, ranging all the way from absolute prohibition to easy tolerance and loose control, would make it impossible for Congress to legislate in harmony with such divergent conditions. But there is one common ground upon which all legislation, both National and State, can rest, and that is the extinction of the traffic. Toward that goal it is believed all effort should be directed. Upon that basis it is believed all laws may be harmonized. When three-fourths of all the States of the Union shall unite upon that determination it is believed that there will be such unity of purpose, such a preponderance of public opinion as to make concerted action certain of success.

CONSTITUTIONAL AMENDMENT NECESSARY.

It is argued that the interstate traffic in intoxicating liquor can now be controlled by Congress without additional constitutional authority.

This is only partly true. It is only as an article of commerce that the constitutional power can now attach. Complete control or an entire suppression of the traffic can only be obtained by a national constitutional amendment. What is needed is the power to deal with the whole matter absolutely, entirely, as affecting every phase of the question; and such legislation can not be based upon the commerce clause of the Constitution. The authority to legislate on the question fully and directly must rest upon constitutional provision.

LOSS OF REVENUE.

It is strongly urged that the United States can not afford to deprive itself of the revenue derived from the tax on intoxicating liquors.

Again it may be answered that the country can not be benefited by sharing in the profits of a pernicious business. The loss that is inevitable because of the economic waste and malevolent influence of the liquor traffic far outweighs any benefit derived from the tax. It is not the liquor dealers who pay the tax. It is the victims of the drink habit who pay it, and it comes from the scanty store which should be applied to the support of wives and children who can least spare it. A nation can not justify the imposition of a tax the payment of which rests most heavily on those of its citizens least able to bear the burden and most entitled to protection and help. A nation relieved of the burden of the liquor traffic, a citizenship freed from the curse of drunkenness, can bear any measure of taxation necessary to the support of the Government without sharing in the profits of a traffic condemned as economically harmful and morally wrong.

CAPITAL INVESTED IN LIQUOR BUSINESS.

It is said that there is invested in the liquor business in the United States $3,748,826,562; that there is annually expended in the production of liquor $359,951,097; and that to wipe out this business and investment, to deprive the farmers of this market for their corn, barley, rye, and hops, to take away their employment from the laboring men engaged in this business, would be unjust and a great economic waste.

This proposition may be considered from at least two points of view. From a legal standpoint it has been many times decided that there is no vested right in the manufacturing or selling of intoxicating liquor. Every man engaging in such business does so with full knowledge that it is subject to control, restraint, or absolute prohibition, and that he must embark on such hazardous enterprise at his peril.

From an economic point of view the business is indefensible. It adds nothing to the productive or distributive forces of the Nation. On the contrary, it withdraws immense sums from investment in beneficent enterprises; it diverts food products from helpful to harmful uses; it impairs the efficiency of the laboring man; it deprives the family and the home of adequate support; it increases the burdens of government by increasing the number of criminals, paupers, and the insane.

It is now generally accepted as fundamental that violations of the generally acknowledged principles of morality are harmful to the State. Anything such as the saloon, which is inimical to moral growth, is therefore a burden and not a blessing. No possible permanent prosperity can be based on or traced to the saloon.

PERSONAL LIBERTY.

The argument so often presented is again urged to-day, that prohibition is an infringement of the personal liberty of the individual, that each person has a right to determine for himself what he shall drink.

It seems almost needless to again point out the fact that such an argument has no validity against either the regulation or the prohibition of the traffic. Every civilized country in the world exercises the power of regulating the manufacture and sale of intoxicating liquors. Some tax it, some license it, some prohibit it; but all, in one way or another, exercise the right to control it. The personal-liberty argument is as valid against restraint as against prohibition. Once admit the right to restrict in any degree and there is nothing left of the personal-liberty argument.

Again, it may be said the traffic in intoxicating liquor is one thing, the use of it another. If in the regulation of the traffic, or if as an incident to the prohibition of the traffic, it becomes more difficult for the individual who uses it to obtain it, that is the user's misfortune. The Government is under no obligation to make it easy for him to obtain it.

THE SALOON AS AN INSTITUTION.

There can be no traffic in intoxicating liquor without the saloon. Either the Government must handle it and be its own saloon keeper or else it must allow some one else to keep a place and sell it, and that means a saloon. The enlightened judgment of our people and the world is rapidly being formed against either. It is now almost universally admitted that the saloon is an unmixed evil. Gentlemen who, because of their positions here to-day, stand as the champions and defenders of the saloon do not avow the cause for which they strive. Not one of them but would do all in his power to prevent the location of a saloon next his home. If an evil there, is it any less an evil in proximity to another home or a church or a school? And if an evil because of its proximity to any of these, what distance can be named that will make the bane a blessing? In short, if we are honest with ourselves we shall admit that the saloon as an institution is inherently bad; that society ought not to recognize it nor tolerate it; that it is always a good thing to put it as far away from our homes as possible; that it is still better to lessen the number in any community, and that it is best to banish it altogether from town and State and Nation.

PROHIBITION DOES NOT PROHIBIT.

Again, the argument is presented that prohibition does not prohibit.

There is and always has been a measure of strength in this argument. There are communities in the country, there are cities where at this time prohibition would not prohibit. But this fact does not in reality constitute any argument against national prohibition. It is a mistake to assert that prohibition lessens any of the forces that make for prohibition. On the contrary, it strengthens all of them. Gradually the power of public opinion gives strength to the opposing forces, the territory in insurrection is gradually reduced, until finally there is complete surrender and peace follows. Beginning with a condition where three-fourths of the entire area of the country is already prohibition territory, it is not too much to expect that the remaining one-fourth will soon come into harmony with the majority when the power of the Nation is added to that of the States to bring about such result.

Of course, there will be violations of the law, just as there are violations of all laws. Larceny has been made a crime since the beginning of time, but thieves still "break through and steal." As civilization advances and the opinions and judgments of men become more enlightened, as the nobler impulses develop and the moral faculties strengthen, when we can establish a more equitable condition of society and have secured a larger measure of justice for each individual, we may reasonably expect that all violations of law will diminish and finally cease. There is, however, no justification for an abandonment of law because there are violations of it. It is hardly the part of good citizenship to denounce the law and thereby encourage its violation. We shall have done our full duty only when we provide the law and then use our constant endeavor to uphold it and sustain its enforcement.

DUTY OF CONGRESS TO SUBMIT TO THE PEOPLE.

I have considered the main objections urged by those who oppose this resolution. These objections go to the ultimate object, which is the adoption of the constitutional amendment. But that we can not do to-day. The language of the Constitution is that Congress "shall propose amendments to the Constitution." It is not ours to adopt or pass amendments, but to propose them. It is for the States to adopt and ratify, and it requires three-fourths of them to accomplish such result. Those who oppose this resolution oppose even its consideration by the people of the States. They reject the proposition as so unreasonable or so unimportant that it need not even be submitted for consideration. They hold that the millions of persons who have petitioned for its submission are not entitled to consideration. They consider the fact that 76 per cent of the territory and 57 per cent of the population have already declared for prohibition is not of enough importance to influence their action.

It may be admitted that unimportant and trivial matters should not be submitted by Congress to the States. It may be admitted that Congress should be certain that the matter involved is serious enough and the demand of the people general enough to warrant action. But in this case there can be no question on either requisite. There is no proposition before the people affecting their interests that is more vital than this. There has been no proposition ever presented to Congress which has been so generally demanded by the people as this. It is a serious responsibility which gentlemen so lightly assume to refuse the demand of millions of citizens that they may have this great question submitted to the people.

Under what circumstances would these gentlemen feel justified in submitting any question? Will they feel that they are doing their duty in voting against every proposition which does not approve itself to their judgment and conform to their desires? Such a conception of duty, in my judgment, would be indefensible and would not be creditable to the individual who proclaims it. We are the representatives of the people, and whenever any general demand comes from them for the submission of an important amendment to their fundamental law it is our duty to propose such amendment in the manner prescribed by the Constitution, which we are sworn to uphold and support.

Mr. Speaker, for these reasons and many others that appeal to me as convincing, I shall support this resolution. It may fail of the necessary two-thirds, but I am rejoiced to believe that at least a majority of this House will favor it. It will thus be a glad day for the good people of the country. The knowledge of that fact will bring renewed courage to millions who hope and pray for the success of this resolution. It will be a historic day as well, for no more important event can be chronicled than the fact that in this great conflict the first victory has been won by the forces which stand for progress, for civilization, and for the perpetuity of American institutions unstained and unimpaired.

Mr. VOLSTEAD. Mr. Speaker, I yield 10 minutes to the gentleman from Ohio [Mr. FESS]. [Applause.]

Mr. FESS. Mr. Speaker and gentlemen of the House, December 22, 1914, will stand as one of the great dates, not only in the history of the American Congress, but in the history of our country. To-day is the Nation's decision day. This Congress is not deciding whether the Nation is to prohibit the traffic in intoxicating liquors. It is simply deciding whether under the form of constitutional amendment we shall allow the States to say that they are willing to forbid the manufacture and sale of intoxicants. The RECORD, through the pencils of these reporters, will find a permanency that will be read 50 years from now and will contain some of the most remarkable utterances, when measured by their significance, that will be recorded as having been spoken in the American Congress.

The chairman of this Committee on Rules reports to this House the right of the American Representatives to speak upon this question, and then he comes upon this floor and argues that we should not refer it to the people with the right to let them say what they want, and thus inconsistently justifies himself in letting us speak, but denies to the people of the country the right to say what they want. [Applause.] The distinguished leader of the majority party here quotes Thomas Jefferson in the establishment of a certain political theory, and argued from that statement that we ought not to allow the people of a State to speak on this, because it will disorganize the Government. Let me quote from Thomas Jefferson, from the Declaration of Independence:

> Whenever governments become subversive of the people's rights, it is not only the duty but it is the right of the people to change it and, if necessary, to abolish it.

Let me further state from the same document:

> Governments should not be changed for light and transient causes, but all history shows that people will suffer evils so long as they are sufferable rather than to right them.

That is what the opposition of this resolution are doing now. They insist that we should suffer the evil rather than right it. The leader of my party has made, in my judgment, the strangest argument that could have been produced upon this floor upon the proposition before the House. He says you must not pass this resolution, for in so doing you will multiply the manufacture of liquor, because it can be done by the individual in the cellar; and more than that, you will take away from the State the right to enforce the law and put it in the hands of the Federal Government. He asserts this amendment would increase rather than reduce the evils. Let me say to the leader, whom I generally follow, that I will not follow him when he goes against the organization of a public opinion through an aroused public conscience that demands that this evil be submitted to the people of the country to say whether it shall continue or not. [Applause.] And he can neither lead my party nor the country on that line.

There never has been a man great enough in America who could lead in a cause against which the public conscience of the country is aroused. History is replete with evidence of this proposition. The liquor business is indicted by the twentieth century and it must go. [Applause.] If it does not go now, it will go later. The facts are that if you take the element of profit out of the business, destroy the power to sell it for gain, you will have no interest in it, and it will cease to be a problem. If a man could make it in his cellar and could not sell it for profit, he would not care anything about it. The next point my leader made was that you take it out of the power of the State by this amendment. I deny it. The State has concurrent power with the Nation in the exercise of police power, and if the Nation wants to enforce it, it can do so. If the State wants to enforce it, it can do so. All legislation which involves Federal relations shows the concurrent power of Nation and State. My State has suffered recently from the foot-and-mouth disease. It is within the State's jurisdiction to take measures of precaution. The National Government has stepped in and put an inhibition on it. This action of the Federal Government does not interfere with the State's jurisdiction. There is no conflict; the two act concurrently, and so it will be in all police powers. The Federal Government can put a quarantine upon any disease. So can the State, and when a man says you are taking the power from the State and putting it into the hands of the United States it is simply a use of words. The one does not preclude the other. The State still has concurrent power with the Nation.

I have heard it said here on this floor that if you vote for the proposed amendment you vote to multiply speak-easies and blind alleys. This infers that there are speak-easies only where

there are no open saloons. Men, you know that in the cities that are wet, where the saloon is permitted, the speak-easy is prevalent and coincident with the saloon. In many cases the wet cities have more speak-easies than dry cities. As I heard it said upon this floor I do not care if we can not prohibit it fully, close it up, we can drive it into the back alleys, put it in the third stories where the old soak might find it, but where our boys are not likely to go. I would prefer to drive it where it is in the blind alley if it has got to be anywhere at any time. Then there has been an argument here that it is against personal liberty. I will admit it, but the Government can say to me, "You are on a boat which has a victim of smallpox. We are going to stop you out in the harbor." I say to the authorities, "I have not the smallpox; you are interfering with my liberty." At once the Government says to me, "Yes; I am, but the rights of the public are superior to your liberty." My personal liberty stops before it interferes with your right. I can go through this alley swinging my arms with personal liberty until my hand comes in conflict with your face, before which it must stop. My liberty to do a thing must stop before it comes in conflict with organized society, and that is exactly what the saloon business is doing. [Applause.]

You tell me that it destroys property. I admit it. Every man who enters into the saloon business does it at his own risk. We did the same thing with slavery. You say, "You are confiscating property." That is a subsequent question. We can deal with the property after the resolution goes into effect.

The SPEAKER pro tempore (Mr. CRISP). The time of the gentleman has expired.

Mr. VOLSTEAD. I yield two minutes more to the gentleman.

Mr. FESS. Fellow Members—

Once to every man and nation
Comes a moment to decide
In the strife twixt truth and falsehood
For the good and evil side.

To-day is the time that this House is deciding one way or the other on a momentous issue. Do not allow the bogie of State rights to interfere, for if that be true, then, as the gentleman from Wisconsin [Mr. LENROOT] said, our method of amending the Constitution is wrong, which was to me a startling statement of a man who usually is careful of his utterances. We have amended the Constitution seventeen times since its adoption. In every instance we did what we now propose to do. Three-fourths of the States said whether the Constitution shall extend over the other fourth. Take that right away and you allow one-fourth of the States to deny to the three-fourths the right that ought to belong to them. Its denial thus gives the control of the majority into the hands of the minority. When this Federal Constitution superseded the Articles of Confederation, 9 States made our Constitution effective, and did away with the former government of 13 States. Was that wrong? That is the fundamental principle written in the Constitution, the very last words of that immortal instrument.

Mr. GARNER. Will the gentleman yield?

Mr. FESS. Yes.

Mr. GARNER. The gentleman says there is one time in our life when we have an opportunity to speak for good or wrong. Is the gentleman willing to abide by the vote to-night and cease this agitation?

Mr. FESS. No. The gentleman would say that a convention can resolve, like the convention of 1850, that the slavery question must not longer be discussed, but when you undertake to say we must cease the discussion of this question, I reply to you, as long as right is in a struggle with wrong you will not cease until the right succeeds over the wrong. This struggle is on. You may defeat us to-night, but you are simply deferring the solution. [Applause.]

The SPEAKER. The time of the gentleman has expired.

Mr. DUPRÉ. Will my colleague yield just a moment so that I may yield the balance of my time to the gentleman from Louisiana [Mr. LAZARO]?

Mr. VOLSTEAD. I will.

Mr. LAZARO. Mr. Speaker, I shall vote against the Hobson amendment because it is an absolute invasion of our State rights. It seeks to take away the police powers of the sovereign States and have us surrender them to the National Government at Washington, and to submit ourselves to having our police regulations enforced by Federal inspectors appointed at Washington and inviting them to swarm our localities and be constantly meddling in our home affairs.

As a principle of democracy, I believe that this question, like the question of suffrage, is one for each State to determine for itself. As a Democrat, I do not believe that the State of Maine or New York or Washington, or any other State in this Union, should be given the right to dictate to my people in Louisiana what their laws shall be relative to suffrage, nor that they should be given the power to dictate to them whether they shall have prohibition or not.

We are asked here to-day to reverse ourselves and abandon the fundamental principle of Democracy, the right of self-government on a question which comes absolutely within the scope of the police powers of each separate State, and for that reason I shall cast my vote against this proposed amendment, to the end that my State shall retain its sovereign power to legislate on this question as its people shall see fit to ordain.

Mr. VOLSTEAD. I yield six minutes to the gentleman from North Dakota [Mr. NORTON]. [Applause.]

[Mr. NORTON addressed the House. See Appendix.]

Mr. VOLSTEAD. Mr. Speaker, I desire to yield to the gentleman from Missouri [Mr. ALEXANDER] three minutes.

Mr. SAUNDERS. Mr. Speaker, I will add to that two minutes, so as to make it five minutes.

The SPEAKER. The gentleman from Virginia adds to the time given by the gentleman from Minnesota two minutes, and the gentleman from Missouri is recognized for five minutes.

Mr. ALEXANDER. Mr. Speaker, I have listened attentively to the arguments made to-day for and against this resolution. I will not undertake in the brief time allotted to me to discuss the merits of the resolution. Congress is proceeding in a regular and orderly way to submit to the people of the United States an amendment to the Constitution. It is not a question of State rights or whether the people will give up to the United States Government the exercise of the police power which they have enjoyed and exercised in times past. That will be determined by the people of the several States if this Congress submits this resolution to their consideration. Much has been said of the merits of the resolution that is aside from the question before us to-day. The question now is whether or not there is a sufficient sentiment among the people of the United States to justify us as their representatives to permit them to decide this question for themselves. If they really wish to surrender one of the rights reserved to them in the Constitution when first adopted, that is their privilege, and it is not for us to withhold that right from them. If the Committee on Rules felt there was such overwhelming public sentiment in favor of the consideration of this proposition by Congress, it follows as a corollary that that same public sentiment should be respected, and we, as the agents and representatives of the people of the United States, should pass the question to them and let them determine it for themselves.

I do not understand that I have the right to prejudge the question for my people, to determine for them whether it is better for them to adopt national prohibition or not to do so. It is not for me to determine whether prohibition prohibits or does not prohibit; but, believing, as I do, that the people, after full discussion and consideration, can best settle the question for themselves, I shall vote to submit this question to the States. [Applause.]

My district in 1910 voted for State-wide prohibition. Every county in my district is under local option. Every town in my district is under local option, save one. In 1914, when we had a referendum on a State statute providing for the county unit, every county in my district voted for the county unit, save one.

I interpret the vote in my district on these questions as reflecting the sentiment of my district, and in connection with the numerous petitions, letters, and telegrams received by me as a warrant for me to permit my people to vote on this question for themselves, and I am not going to arrogate to myself the high privilege of saying to them that they may not do so. On the other hand, in the years past, I do not know of any question that has ever been submitted to the people of the United States that has more in it for the welfare of the American people than this question of how best to deal with the liquor traffic.

Whether it may be done in the manner proposed in this resolution is open to serious consideration, but I can not imagine that any thoughtful man, having regard for the public welfare, any good citizen, any father, any husband, any brother or son, would not willingly abolish this iniquitous traffic from among the American people if he had it in his power to do so. [Applause.] It is fraught with more misery and more woe to the people of our country than all other ills combined. [Prolonged applause.]

Mr. VOLSTEAD. Mr. Speaker, I yield to the gentleman from Washington [Mr. LA FOLLETTE] such time as he may desire.

The SPEAKER. The gentleman from Washington [Mr. LA FOLLETTE] is recognized.

Mr. LA FOLLETTE. Mr. Speaker, twelve millions of people have petitioned the American Congress to have this resolution submitted to the States, practically one-eighth of our popula-

tion. Not the representative citizens of a few States, not the representative citizens of the small States, but representative citizens of the entire 48 States of the Union have signed this petition.

Mr. Speaker, when I consider that that vast number have petitioned the American Congress for the right to have it demonstrated whether or not their opinion has really become the opinion of the majority of the people of the United States, I believe that the American Congress should respond to their request.

Mr. Speaker, I can not agree with the gentleman from Wisconsin [Mr. LENROOT] that representative government is a failure and that the legislators of the States of the Union will not reflect the wishes of their people.

There are individual legislators who do not and who will not; but the great majority of the legislators and legislatures of our various States do respond to the preponderant ideas and desires of their citizenship.

Mr. Speaker, this debate has taken wide latitude. Eminent lawyers, students of constitutional rights and law, have expounded their deductions, some of them elaborately, some, for lack of time, briefly; and others, in many cases, very perfunctorily, indeed.

Some of the most earnest advocates of national conservation who are wont to discuss eloquently of the Government's duty and right to conserve the forest resources, the mineral resources, and water-power resources, the birds of the air, the beasts of the field—in fact, all of the resources of the country, both animate and inanimate, excepting alone and objecting to the national conservation of our most valuable asset, namely, the youth of our country, the human element, the Nation itself. When an attempt is made here in an orderly and lawful way to provide for national conservation of humanity they immediately cry that the rights of the States are being invaded, and these eloquent advocates of national conservation as against State conservation, of national control as against State control, hold up their hands in holy horror and argue that the States should not be permitted to vote on the proposition in a way provided by the Constitution, because, forsooth, representative government is a failure, hence the States are not worthy to be trusted to change their National Constitution, presumably because they might amend that Constitution in such a manner that it migh work a financial loss to certain interests and individuals, this financial loss outweighing and overshadowing all moral and material benefit such amendment might be to the large majority of the inhabitants of these States.

Seventeen times, Mr. Speaker, have the people of the United States, through their legislatures, amended the original Constitution framed by the fathers, and in every case three-fourths or more of the States voluntarily renounced their State rights in the matters, and those States that did not bowed to the will of the majority and acquiesced as they agreed to do when they entered the Union of States.

Is the resolution now under consideration any more of a surrender than was made in all former amendments? I contend that it is not and that it is much more worthy than were some of the others.

Mr. Speaker, gentlemen have raised here not only the question of State rights as an argument against the passage of this resolution, but have also cried out against the invasion of the personal-liberty rights of the individual, and have advanced the argument that neither State nor Nation should dictate as to what the individual should eat, drink, and so forth. This contention is, in my judgment, so fallacious as to be almost ridiculous—the Government is indirectly saying what the citizen may eat and drink every time it passes a pure-food law and enforces the same.

It sounds fine to hear a member of society who has an income of several thousand dollars per annum say, "It is nobody's business what I eat and drink. I am a gentleman; I will not drink to excess; my family will not suffer, consequently no laws should be passed abridging my liberty or right to purchase and drink what I please."

Without going into the phases of the question other than those affected by finances, I desire to ask whether the Government is not justified in passing just such a law for the majority of our citizens who do not have incomes of thousands per annum. On the contrary, we know the average is only a few hundreds of dollars per annum. Would the gentlemen contend that it is not the business of society if a man drawing a salary of $20 per week, who has a wife and children to support, takes the same attitude as to his personal right to eat and drink as the man with ten times his income and spends one-half his income in drink, thereby reducing the food, raiment, and living comforts of his family, lessening their chances to become useful members of society and handicapping them in the pursuit of life, liberty, and happiness, I say, would the gentlemen contend that this is not the business of society as embodied in the laws of State and Nation? I think not, and more than that, gentlemen all know that there are hundreds of thousands of such cases throughout the length and breadth of this land.

The only reason that can be raised against the passage of this resolution that is actually receiving any consideration is the one that, unfortunately for the human race, has always been predominant—the dollar.

Gentlemen may delude themselves with State rights theories, with personal liberty theories, and sophistries of many kinds to satisfy their consciences in the matter, but I say to come down to the last analysis it is the greed of gain, the almighty dollar, that controls, and if it were not for that influence the use of intoxicating beverages would have ceased long ago. And right now if it could be fixed in such a manner that no being could derive a profit from the traffic in it, the sale of intoxicating liquor would not be tolerated for a twelvemonth. We would all be able to see the evil of it, its banefulness to society, its destruction of manhood, its cruelty in the family. The mothers' tears, the children's cries, the wives' distress would be immediately heeded.

Oh, Mr. Speaker, I can but feel that this land of the free and home of the brave would profit at a time like this if we had an all-powerful czar who would say for the benefit of the race, "I forbid its manufacture for sale or its use as a beverage." And I predict that darkest Russia will, under this new dispensation, if its ruler only adheres to his edict, make the most stupendous strides in moral and material welfare ever experienced by any nation on the face of the earth, advancement only possible to men and nations not steeped in alcohol.

I have heard that alcohol is a good preservative of the dead, but not of the living. Yes; quite the reverse. It is a very useful agent in its place, but that place should not be in the beverages of our people.

Gentlemen say here that each State should settle the matter for itself; that sounds well, but no State is of itself sufficient. The Government is taking means to check the spread of the foot-and-mouth disease. The Appropriations Committee is being asked to recommend a large appropriation to be used in its eradication. Well, under our laws we can prohibit the interstate shipment of cattle and hogs. We have no laws, nor any probability of any, prohibiting the interstate shipment of our normal people, consequently it is not enough to say that each State can settle the matter for itself. The youth of our land does not stay at home forever. The mother's heart throbs and longs for the welfare of her boy, let him be where he will. The mothers of one State are interested in the welfare of all the States, likewise the fathers and all good citizens, let them live where they will.

It is a national question and can not be confined to the narrow boundaries of a State.

I will not go into statistics to prove the extent or magnitude of this traffic or its baneful influence or evil effects. That has been gone into fully here, and it forms a part of the records of every court, of every city, of every hamlet of our broad land.

Mr. Speaker, I believe the States of the Union should be given an opportunity to vote on this question, as provided for by our National Constitution. I know of nothing comparable to this question in importance, that so largely influences the moral and physical well-being of our people, not the people of one State or one community but the people of the entire Nation, the question of the prohibition of the sale or of the manufacture for sale of alcoholic liquors for beverage purposes. May this prohibition come speedily.

The SPEAKER. The gentleman from Minneosta [Mr. VOLSTEAD] has five minutes left.

Mr. VOLSTEAD. Mr. Speaker, I yield to the gentleman from Illinois [Mr. COPLEY].

The SPEAKER. The gentleman from Illinois [Mr. COPLEY] is recognized.

Mr. COPLEY. Mr. Speaker, I first read the resolution under discussion:

Joint resolution proposing an amendment to the Constitution of the United States.

Whereas exact scientific research has demonstrated that alcohol is a narcotic poison, destructive and degenerating to the human organism, and that its distribution as a beverage or contained in foods lays a staggering economic burden upon the shoulders of the people, lowers to an appalling degree the average standard of character of our citizenship, thereby undermining the public morals and the foundation of free institutions; produces widespread crime, pauperism, and insanity; inflicts disease and untimely death upon hundreds of thousands of citizens and blights with degeneracy their children unborn, threatening the future integrity and the very life of the Nation. Therefore be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled (two-thirds of each House concurring therein), That the following amendment of the Constitution be, and hereby is, proposed to the States, to become valid as a part of the Constitution when ratified by the legislatures of the several States as provided by the Constitution.

"ARTICLE —.

"SECTION 1. The sale, manufacture for sale, transportation for sale, importation for sale, and exportation for sale of intoxicating liquors for beverage purposes in the United States and all territory subject to the jurisdiction thereof are forever prohibited.

"SEC. 2. Congress shal have power to provide for the manufacture, sale, importation, and transportation of intoxicating liquors for sacramental, medicinal, mechanical, pharmaceutical, or scientific purposes, or for use in the arts, and shall have power to enforce this article by all needful legislation."

Only one other question in the entire history of our people has been fraught with so much danger to the institutions of our country, and like slavery this involves many considerations. Our people are divided into two camps and are growing more and more hostile year by year. Although every degree of enthusiasm is represented in both camps, the more radical element is gradually getting control of each. The people who believe that alcohol is a poison and that the manufacture and sale of intoxicating liquors should be forever stopped in any form feel as deeply on this subject as did the abolitionists of the late fifties.

The men who have invested money in buildings and machinery for the manufacture and distribution of alcoholic liquors during a period when the Government recognized it as a legitimate industry naturally resent any action that will destroy the value of their investments, just exactly as any the rest of us would resent legislation destroying property which we have accumulated in any other line under the sanction of custom and law. Not only has the law sanctioned this industry, but it has even collected revenues running into scores of billions of dollars when you consider the total of Federal, State, and municipal taxes levied against it in this country since such taxes were first levied.

I shall not take your time to-day to discuss whether or not alcohol is a poison. I feel my inability to do so in a manner sufficiently intelligent to warrant trespassing upon your attention. Even great scientists disagree on this phase of the subject, and like any other contested point both sides can marshal an imposing list of expert witnesses whose authority—no matter on which side it is thrown—probably no one of us here would be able to successfully combat.

Another phase which has to do with the moral consideration of this question, namely, the balancing of want and suffering and degradation on the one side against an alleged weakening of the human fiber through the medium of attempting to legislate goodness into the human race on the other, also opens up a realm of speculation so vast and so shrouded in the abstruse that again many of us might be tangled up in some of the complications and lose sight of that which is most important.

From the correspondence which I have received from people interested in both sides it is perfectly evident to me that there is a widespread misunderstanding among the people of this country as to the effect of this vote. We all here realize that we are not voting for prohibition, and yet most of the letters and telegrams to me indicate that both the "drys" and "wets" in my district generally seem to believe that this is a vote either for or against prohibition, whereas the fact is that the only effect of a vote on this floor on this resolution will be either to deny or give to the people of this country the right to determine for themselves whether or not they want this traffic abolished.

Under our Constitution we can not invoke an exact referendum of a majority of our people on this subject, for it requires two-thirds of all the Members of the House and again two-thirds of all the Members of the Senate voting affirmatively before it can possibly be presented to our qualified voters; and even then they can not vote on it directly but must elect members of the legislatures of the various States, for before this can become a law three-fourths of all our States must, through their legislatures, vote affirmatively on the same resolution. It comes the nearest to being a referendum of anything that we can get, and if it is finally agreed to by the necessary 36 States it will undoubtedly mean that a great majority of all the people of this country desire that it should become a law. As I said, this is not a perfect referendum, because if any 13 States should withhold their assent it would prevent its adoption as a part of our Federal Constitution, and all the work that had previously been done would count for nothing.

The population of our country at the present time holds about the same ratio between the States that it did when the census was taken in 1910. Using those figures as a basis the total population of the present States was 91,972,266 at that time. If the 13 States having the smallest population, namely:

Nevada	81,875
Wyoming	145,965
Delaware	202,322
Arizona	204,354
Idaho	325,594
New Mexico	327,301
Vermont	355,956
Utah	373,351
Montana	376,053
New Hampshire	430,572
Rhode Island	542,610
North Dakota	577,056
South Dakota	583,888
Total	4,526,897

Should refuse to give their consent, it would mean that 4,526,897 people could absolutely nullify the wishes of 87,445,369. On the other hand, if only the 36 States having the smallest population, viz:

Nevada	81,875
Wyoming	145,965
Delaware	202,322
Arizona	204,354
Idaho	325,594
New Mexico	327,301
Vermont	355,956
Utah	373,351
Montana	376,053
New Hampshire	430,572
Rhode Island	542,610
North Dakota	577,056
South Dakota	583,888
Oregon	672,765
Maine	742,371
Florida	752,619
Colorado	799,024
Connecticut	1,114,756
Washington	1,141,990
Nebraska	1,192,214
West Virginia	1,221,119
Maryland	1,295,346
South Carolina	1,515,400
Arkansas	1,574,449
Louisiana	1,656,388
Oklahoma	1,657,155
Kansas	1,690,949
Mississippi	1,797,114
Virginia	2,061,612
Minnesota	2,075,708
Alabama	2,138,093
Tennessee	2,184,789
North Carolina	2,206,287
Iowa	2,224,771
Kentucky	2,289,905
Wisconsin	2,333,860
Total	40,865,581

Should vote affirmatively it would mean that 40,865,581 people could force their policy upon an unwilling 51,106,685. We can see from this how possible it is to fail of a perfect referendum; and yet the chance that only the smallest States will dissent or affirm is so remote that I think we can safely assume that if this resolution secures the necessary two-thirds vote in the House of Representatives and in the Senate, and if 36 States ratify it and it becomes a law, that the resolution has met with the approval of a vast majority of all of our people.

If there ever was a question before the American people which ought to be decided by a referendum vote it is one like this, which so irreconcilably divides the thought and actions of our citizens. A great moral question must always be decided by the ballot or the bayonet. We decided another such question 50 years ago by the latter method, and I think no man living to-day believes that it was the better way to determine the issue.

Whenever any considerable percentage of people want a certain policy adopted, and when it is impossible to determine in advance whether it is a minority or a majority that so desires, it makes for good citizenship to determine definitely which faction shall control. Our Republic itself is built on the foundation of the right of a majority to rule and that carries with it the right to expect the minority to acquiesce in the expressed will of the majority.

I feel that I should be derelict in my duty, not only as a Member of Congress but as a citizen of the United States, if I deny an opportunity to determine whether or not the people who believe in prohibition are in a sufficient majority to amend the Constitution.

There is one very practical phase of this question which must be thrashed out in every man's heart. The Federal Government collected as taxes from alcoholic liquors and dealers therein for this fiscal year ending June 30, 1914, $228,178,849.58. This coming year, owing to an increase of 75 cents per barrel on beer and other increased taxes, it will probably collect very nearly $300,000,000, over 40 per cent of all the money this Government now raises from all sources of taxation. The various

State and municipal governments collected very nearly $200,000,000 more, making a total of about $500,000,000 per year. This would mean that we must raise from some other source $5.43 for every man, woman, and child in this country, provided the population has not increased since the census of 1910. The best estimate, however, of the increase would give us about 100,000,000 people at the present time, which would mean $5 per capita to be raised from other sources. There are on an average 5.1 members to each family. This would mean that the average family throughout the entire country must be prepared to pay over $25 per year to replace the revenues now drawn from these sources.

Every citizen when he votes on this question must take this into consideration, and must prepare himself in his heart for the possibility of making up his share of this amount out of his own pocket.

The real meaning of this bill can perhaps be summed up in the one question: Are the people of this country able to govern themselves—able to determine for themselves that which is for their own best interest? We have now had 138 years' experience, and if popular government is a failure it is high-time for us to find it out. I have every faith in the ability of the people of this country to select that which is best for themselves after they have made a careful study of any question.

I am certain that if this resolution carried with it a provision for paying for the actual property losses sustained by individuals who have invested money upon implied assurance that our Government recognized such investments as legitimate, it would be much more likely to become a law, and in such an event the minority would be much more likely to acquiesce in the will of the majority.

When I look at the great centers of population of this country I wonder how easy it would be to enforce such a law in New York, Cincinnati, Chicago, St. Louis, Milwaukee, and many other cities, for, after all, a law can only be enforced when it has back of it the weight of popular opinion. I do not quite see how even the entire standing Army of the United States, with its present proportions, could enforce such a law in all the great cities of this country at the same time, and yet a sufficient number of our States have already declared for State-wide prohibition to warrant the presumption that a very considerable percentage desire an opportunity to express themselves on this subject, and I shall, therefore, vote for this resolution.

Mr. VOLSTEAD. Mr. Speaker, I yield to the gentleman from West Virginia [Mr. SUTHERLAND] such time as he may desire.

The SPEAKER. The gentleman from West Virginia [Mr. SUTHERLAND] is recognized.

Mr. SUTHERLAND. Mr. Speaker, I deire to avail myself of the rule and extend my remarks in the RECORD. [Applause.]

Mr. VOLSTEAD. Mr. Speaker, I yield to the gentleman from West Virginia [Mr. Moss] such time as he may desire.

The SPEAKER. The gentleman from West Virginia [Mr. Moss] is recognized.

Mr. MOSS of West Virginia. Mr. Speaker, by a majority of about 100,000 votes West Virginia declared herself in favor of prohibition, so that you may all know where West Virginia's delegation stands.

I ask leave, Mr. Speaker, to extend my remarks in the RECORD. [Applause.]

Mr. VOLSTEAD. Mr. Speaker, I desire to reserve the balance of my time.

The SPEAKER. The gentleman reserves three minutes and a half. The gentleman from North Carolina [Mr. WEBB] has nine minutes.

Mr. WEBB. Mr. Speaker, I yield two minutes to the gentleman from Pennsylvania [Mr. FARR].

The SPEAKER. The gentleman from Pennsylvania [Mr. FARR] is recognized for two minutes.

Mr. FARR. Mr. Speaker, do we believe in the rule of the people—government of the people for the people by the people?

Do we believe they are intelligent enough to decide this question for themselves?

Shall we respect their numerous vigorously expressed desires?

Are we truly representatives of the people?

These are questions, vital ones, that enter into this issue.

No one disputes that there is a clearly defined, widespread, profound interest in this important question. Millions of people have petitioned this Congress to give them a chance to decide for themselves whether or not they want nation-wide prohibition.

I have received petitions, resolutions, letters, and telegrams representing thousands of my constituents on both sides of this important question. What right have I as their Representative in Congress, elected by them, to stand in the way of an expression by them on a question in which they are so greatly concerned?

Many of my constituents are opposed to prohibition. In voting for the resolution I do no injustice to them, because they will have equal opportunity with those in favor of it to express their convictions.

I regard it as a duty, so far as my vote will do it, to give the people that opportunity—a right which belongs to them. [Applause.]

The SPEAKER. The gentleman from North Carolina [Mr. WEBB] is recognized.

Mr. WEBB. Mr. Speaker, I yield the remainder of my time to the gentleman from Oklahoma [Mr. MURRAY].

The SPEAKER. The gentleman from Oklahoma [Mr. MURRAY] is recognized for seven minutes.

Mr. MURRAY. Mr. Speaker, the gentleman from Indiana [Mr. MORRISON] suggested that this may mean the death—the political death, of course—of many of us. Be it even so. But each chooses his own form of burial. We stand between an opportunity of having the church choir sing a hymn and the preacher pronounce a holy benediction over the departing soul departing for the spirit land, or to have our graves decorated with saloons and breweries. Which will you take? [Laughter and applause.]

I would not vote for the Morrison amendment unless I were either conniving at the defeat of this movement or so fanatical that I could not recognize that alcohol has a useful purpose in medicine and in science. I would not vote for any prohibition amendment that did not recognize that legitimate use.

We are not here finally to determine the solution of the liquor problem. We had to begin this battle to destroy the organized saloon element, and until we have destroyed the organized saloon there can never be a final solution of this problem.

Men may say—and they do say—that you can not enforce prohibition. I say to you, you can enforce it in any county where you have the judge, the sheriff, the prosecuting attorney, and the jury composed of law-abiding citizens. It is true that you may not in certain localities elect all from that class, but with the Federal power having a concurrent jurisdiction, appointive and representing the whole American people, you will have that judge, that prosecuting officer, that marshal, and a citizenship who will uphold the law when they sit upon the jury. It will then be strong, because the jury box will be strong. It is for the purpose of destroying the saloon element, who insinuate themselves into all our political battles and defeat the best measures of government, both State and Federal, for which we are now working. My opinion is that there will never be a final solution of the liquor problem until the Government itself assumes the monopoly of the entire manufacture and control of alcohol for the legitimate purposes provided by law.

Now, my friends, it is urged that because there is a joint control or jurisdiction between the States and the Federal Government it would wipe out that dear principle of twice put in jeopardy for the same offense. In Oklahoma we have that concurrent jurisdiction.

The east half of Oklahoma, which comprised the Five Civilized Tribes, is "virgin prohibition territory." It is the only territory under our flag that never had a saloon since government was organized. May it never have one. [Applause.] We have there a joint control of the State and Federal authority, which operates just as this provision will operate when adopted. Mark what I say. It will in the end be adopted. No man, however great, and no political party in this Republic can live against the temperance movement for the destruction of the organized saloon. [Applause.] For a man to say that a conviction in a State court could not be pleaded in bar of a conviction in the Federal court, or vice versa, is to overlook another provision of our Constitution, which prohibits twice in jeopardy. Lawyers know that you must read all sections of law together. Constitutional lawyers also know that whenever there is a conflict between one provision of a constitution and the provisions in the Bill of Rights the other provisions must give way to the Bill of Rights. The provision in our Constitution that is in itself a bill of rights, to wit, that no man shall be put in jeopardy twice upon any charge, will prevail over this amendment or any other, and when you read this section, when adopted, with that section there will be complete harmony; and whenever the State government chooses to prosecute it can do so, and if it fail the Federal Government will step in, as it does in my State in some sections, where it is difficult for local authority to control, and will enforce the law. Do not be uneasy about that. Do not be uneasy about this provision prohibiting the traffic. After its adoption there will be no more saloons or traffic. [Applause.]

The SPEAKER. The time of the gentleman has expired. The gentleman from Minnesota [Mr. VOLSTEAD] has three minutes and a half and the gentleman from Alabama [Mr. HOBSON] has 16 minutes.

Mr. VOLSTEAD. I yield my three minutes and a half to the gentleman from Alabama [Mr. HOBSON].

The SPEAKER. The gentleman from Alabama [Mr. HOBSON] is recognized for 19½ minutes. [Applause.]

Mr. HOBSON. Mr. Speaker, I listened with great interest to the entertaining speech of my friend from Indiana [Mr. MORRISON]. I have never taken a personal view of this question at all. The thing that surprised me and puzzled me somewhat in his detailed elaboration of his own antecedents was that, having received direct instructions in 1908 on the matter involved in his amendment, he has never yet seen fit to introduce it until the last few days. Now, I may not be a great lawyer, but I certainly have this much knowledge of our organic law, that the first requisite for an intelligent and timely submission, or laying before Congress for submission, of an amendment to our Constitution, is to know that there is a call, a demand from the people in the several States; and my friend [Mr. MORRISON] seems to have forgotten, in his detailed description, to enumerate what petitions he has received in the interest of his substitute. He referred to no resolutions having been passed by any temperance, prohibition, church, or other organizations in the land. Now, I confess to having been a naval constructor in my day, and to having the ability in my profession at least to help build a battleship. That was my profession. But what puzzles me is how my able friend [Mr. MORRISON], so full of humor, should have imagined that this body or the American people would try to attain an object through the passage by both Houses of Congress by a two-thirds majority, and a ratification by three-quarters of all the States, that which could be attained by a simple majority vote of the Congress.

I may not be versed in the intricacies of the law, but my scientific training has enabled me to see how clear this great and difficult and complex question really is.

What is the object of this resolution? It is to destroy the agency that debauches the youth of the land and thereby perpetuates its hold upon the Nation. How does the resolution propose to destroy this agent? In the simplest manner. It does not attempt to abuse him. It simply says that he shall not make profits in barter and sale out of a business in which he can not get customers by teaching old and grown-up men to drink, but has to debauch the youth of the land. It does not coerce any drinker. It simply says that barter and sale, matters that have been a public function from the semicivilized days of society, shall not continue the debauching of the youth. Now, the Liquor Trust are wise enough to know that they can not perpetuate their sway by depending on debauching grown people, so they go to an organic method of teaching the young to drink. Now we apply exactly the same method to destroy them. We do not try to force old drinkers to stop drinking, but we do effectively put an end to the systematic, organized debauching of our youth through thousands and tens of thousands of agencies throughout the land. Men here may try to escape the simplicity of this problem. They can not. Some are trying to defend alcohol by saying that its abuse only is bad and that its temperate use is all right. Science absolutely denies it, and proclaims that drunkenness does not produce one-tenth part of the harm to society that the widespread, temperate, moderate drinking does. Some say it is adulteration that harms. Some are trying to say that it is only distilled liquors that do harm. Science comes in now and says that all alcohol does harm; that the malt and fermented liquors produce vastly more harm than distilled liquors, and that it is the general public use of such drinks that has entailed the gradual decline and degeneracy of the nations of the past.

They have no foundation in scientific truth to stand upon, and so they resort to all kinds of devious methods.

Their favorite contention is that we can not reach the evil because of our institutions. This assumes that here is something very harmful and injurious to the public health and morals, that imperils our very institutions themselves and the perpetuity of the Nation, but the Nation has not within itself, because of its peculiar organization, the power to bring about the public good and end a great public wrong. They invoke the principle of State rights. As a matter of fact, we are fighting more consistently for State rights than they ever dreamed of. We know the States have the right to settle this question, and furthermore our confidence in three-quarters of all the States to act wisely does not lead us to fear that if we submit the proposition to them they might establish an imperialistic empire. We believe that three-quarters of all the States have the wisdom as well as the right to settle the national prohibition question for this country.

They talk of the size of the unit for prohibition. We know perfectly well that the size of the unit is not involved in the principle. If we were contending to-day for a State-wide unit the opposition would say that the county unit is the proper unit. If we were contending for the county unit, as in Indiana, they would at once say the township is the proper unit.

They can not find refuge behind the superficial proposition of not being able to collect revenue and taxes. We collect $230,000,000 revenue, but what does that revenue mean? It is the people's money. What does the collection of that money entail upon the people? Crime, pauperism, and insanity, which the Liquor Trust ought to be compelled to support but does not. The liquor interests, involving a burden of direct taxation of nearly $2,000,000,000, collect over two billions of actual cash from our people. They lower terrifically the average standard of productiveness, entailing $8,000,000,000 loss annually, and cause the premature death of hundreds of thousands of our people that ought to live on as producers, entailing other billions of loss. Why, gentlemen, it mounts up in the region of sixteen billion dollars a year, the loss entailed in the collection of a revenue of $230,000,000.

Gladstone said to the brewers that claimed special consideration at the hands of the Government because of the revenue which they paid:

> Do not speak to me about the revenues from strong drink. Give me a people who do not squander their substance in strong drink and I will find an easy and ready means of raising the necessary revenue for carrying on the Government.

It was the same philosophy in the maturity of his years which led him to declare that strong drink is more destructive than the historic scourges of war, pestilence, and famine combined.

Neither can they take refuge about any assumed question of individual liberty. We do not say that a man shall not drink. We ask for no sumptuary action. We do not say that a man shall not have or make liquor in his own home for his own use. Nothing of that sort is involved in this resolution. We only touch the sale. A man may feel he has a right to drink, but he certainly has no inherent right to sell liquor. A man's liberties are absolutely secure in this resolution. The liberties and sanctity of the home are protected. The liberties of the community are secure, the liberties of the county are secure, and the liberties of the State are secure.

Let no one imagine that a State to-day has the real power and right to be wet of its own volition. Under the taxing power of the Federal Government by act of Congress, Congress could make every State in the country dry. They need not think it is an inherent right for a State to be wet; it is not; but there is an inherent right in every State and every county and every township to be dry, and these rights are now trampled upon, and this monster prides himself in trampling upon them.

Why, here to-day Member after Member has proclaimed that prohibition does not prohibit, and I have heard them actually tell us that prohibition could not prohibit. They tell us that this interstate liquor power is greater than the National Government. It is analogous to the days of piracy. The pirates were strong, so they adopted the flag of a skull and crossbones. They would board a ship, put the crew to the sword, and then, in defiance of all organized society, would hoist the black flag above the flag of the ship and set it adrift on the high seas, priding themselves that they were greater than and defied all organized society.

Here is this monster intruding itself upon the floor of this House, speaking through the mouths, whether consciously or unconsciously, of men standing high in power and influence, and telling us that they will hoist the black flag with the skull and crossbones above the Stars and Stripes themselves.

My friend from Indiana [Mr. MORRISON] must be blind in one eye. He saw the influence of the temperance forces in this struggle, but he failed to see the powerful hand of the great organized liquor forces.

Mr. Speaker, one of my colleagues from Alabama had to flaunt in my face here that I had been defeated by my opponent in the recent Democratic primary. I will say to my colleague and to all Members assembled here that my powerful and influential opponent did not fight alone in Alabama. Whether he knows it or not, the National Liquor Trust of America opened up three different headquarters and conducted the major part of that great campaign against me, with over 100 stenographers there and 800 men on their salaried pay rolls.

An army of workers, 500 workers called out at $5 a day, $2,500 a day in one county alone. Wall Street—and I am not guessing—raised a fund which was sent there "to help defeat HOBSON." Wall Street brought their great financial power to

bear upon our corporations until they were fighting me practically to a unit; their hand was felt in the great mines and in the great mills. The party organization fought me instead of being neutral; the governor and his administration fought me; the President and his administration fought me. I fought single-handed and alone against the mighty political forces of the Nation. After my defeat, an echo of which we have here to-day, they held me up as a warning to all men in public life—HOBSON buried beneath a political avalanche, HOBSON politically dead!

Mr. Speaker, I entered the Navy at the age of 14 and served in the Navy for 18 years. I never knew anything but to serve my country. When I left the Navy it was my hope that I might be in public life and serve my country all my days. My colleagues, I may be politically dead, but I say to you that I am not afraid of political death. I would rather have held my head up and fought these mighty forces for eight months, day and night, like a man, though it had cost me political death a hundred times. [Applause.] I appreciate what an honor it is to be a United States Senator, but I would rather hold my head up and do a man's part in my day and generation now, when it is dangerous; I would rather have it go down to my children that I tried to be a man in the midst of political danger; I would rather do a man's part to help cut this millstone of degeneracy from the neck of suffering humanity—I would rather do that, you think, than to be a United States Senator from Alabama? If I know my own mind I would rather do it ten times over than be President of these United States. [Applause.]

And I say now, as I said before, I will meet this foe on a hundred battlefields. If the Sixty-third Congress does not grant this plain right of the people for this referendum to change their organic law, to meet this mighty evil, the Sixty-fourth Congress will be likewise invoked. I do not say that we are going to get a two-thirds majority here to-night, I do not say that we will get a two-thirds majority in the Sixty-fourth Congress, because we have not yet had a chance to appeal to Caesar; but I do say that the day is coming when we shall have that referendum sent to the States, nor is that day as far distant as some may imagine. Unless this question has been made a State matter, as we are asking now for it to be so made by being removed from national politics, and referred to the States—if this is not done by the intervening Congresses, I here announce to you the determination of the great moral, the great spiritual, the great temperance and prohibition forces of this whole Nation to make this question the paramount issue in 1916, not only to gain a two-thirds majority in the Houses of Congress, but to have an administration that neither in the open nor under cover will fight this reform, so that in the spring of 1917 with an extraordinary session of the Sixty-fifth Congress we will have a command from the masters of men and of Congress to grant this right to the people. My appeal is to each one of you now, be a man when the vote is taken and do your duty. [Applause.]

My time has been so short and divided into separate parts that in order to have continuity I will under leave to print insert the following, even at the risk of some repetition:

THE TRUTH ABOUT ALCOHOL.

"And ye shall know the truth, and the truth shall make you free."—St. John, viii, 32.

Mr. Speaker, when we reach the consideration of the pending resolution under the five-minute rule the friends of the measure propose to offer amendments that would substitute House joint resolution 277 for House joint resolution 168. The wording of the former resolution is preferred because it removes all objections founded upon the fear that the rights of the States might be curtailed.

GREATEST PROBLEM SINCE SLAVERY.

Mr. Speaker, this resolution places squarely before Congress the greatest question and the most difficult problem that has confronted Congress and the American people since slavery. There is a close analogy between the two, both dealing with great human wrongs. There is some general analogy between the way in which the two problems were met. After many compromises and efforts at regulation the solution of the slavery question was found in complete abolition. We have completed the analogous efforts at regulation, and this resolution brings us squarely up to the final proposition of the abolition of the liquor traffic. Slavery was deeply rooted in the social structure of the world and gripped with vested hold the business, politics, and Governments of the nations. The liquor traffic is more deeply and wider rooted with a stronger vested grip. The abolition of slavery entailed a great struggle in arms. The abolition of the liquor traffic has now risen with a mighty pending struggle at the ballot, to be settled in 1916.

GREATEST QUESTION OF HISTORY.

This question, Mr. Speaker, antedates human slavery. This question has baffled every civilization that has passed through the panorama of history. It is the greatest question in the life history of the human species, actually determining more than all other questions combined the perpetuity of any civilization.

AGITATING THE NATIONS OF EUROPE.

The civilization of western Europe, the civilization of central Europe, and the civilization of eastern Europe and of Asia are now involved in a great world war, and the respective Governments involved have come to recognize that to survive their nations and their armies must be sober, so that to-day this question is foremost in the councils of all nations of the world. The fact at the foundation of this world interest is the recent discovery made by science that a man, a family, a State, a nation, an empire, a civilization, or a race to survive must be sober.

"The fight against alcohol is the most important phenomenon of our epoch—weightier than all State affairs, wars, and concluded peaces."—Prof. Fick, of Wurzburg.

AMERICA MUST BE SOBER.

The object of this resolution, Mr. Speaker, is to establish those conditions that will make our Nation ultimately a sober nation—able to compete in the world's struggle for commercial and industrial supremacy; able to maintain and preserve the liberties that have come down from our forefathers; able to protect and defend our territory, our institutions, and to defend the cause of justice, liberty, and peace in all the world.

ORGANIC TREATMENT FOR AN ORGANIC DISEASE.

The method proposed in the resolution, Mr. Speaker, is a recourse to our organic law, applying organic treatment to this deep organic disease. In the wisdom of our fathers, vindicated by the experience of history, the organic law of our Nation is lodged in the hands of the several States. The first and most fundamental of all the rights of the States is the right to change the organic law. The part played by Congress is simply that of giving to the States a referendum.

QUESTION OF REFERENDUM.

Mr. Speaker, we are not asking Congress to make a country dry. Let no Member be deceived in this matter. We are simply asking Congress to refer the question for its decision to the States, where the legislators can either decide themselves or take recourse to a referendum to the people. The Member who votes against the rule or the resolution votes to deny the States and the people their right of referendum.

We made no complaint against the Judiciary Committee when it reported House joint resolution 168 without recommendation, for the main question before them was to refer the question to the House. This committee acted in the spirit of our institutions, and we now call on Members of Congress, whether wet or dry, to do likewise.

THE PEOPLE DEMAND THIS REFERENDUM.

Mr. Speaker, in the spirit of an institution the first and paramount consideration in such a case is whether there is a public demand, whether the people want to settle the question for themselves, as indicated by requests or petitions from a respectable number of citizens.

I ask Members to examine that scroll stretching across this Chamber, more than 150 feet long. That is only a partial record of the lists of public meetings where resolutions were adopted, giving the number of voters. If the petitions themselves were assembled end to end, they would stretch for miles. More than 6,000,000 American citizens have petitioned Congress, ten times more petitioners than have ever signed any petition in the history of the world. More than 12,000 organizations have adopted formal resolutions calling on Congress to grant this referendum.

To-day 14 sovereign States are State-wide dry, and 5 more are expected to become State-wide dry in 1918. To-day over 1,800 counties are dry by law. This number should really be increased to get the number of dry counties, for 68 out of 78 counties in Ohio went dry in the recent elections, and scores of counties in Pennsylvania, Indiana, and States without county option are dry.

To-day 56 per cent of all the people of the United States live under prohibition law enacted by their own majority votes.

I call attention of members to this black and white map. It shows that 76 per cent of all the area of continental United States is now dry territory. No one need talk about a minority of the people trying to dictate to a majority. Mr. Speaker, a majority of the people of the United States are dry to-day. This majority on the whole represents, though not exclusively, the conscience, the religion, the moral-uplift forces of the whole Nation. A small percentage of the votes can secure a referen-

dum in the referendum States. Three States of the Confederacy could secure the submission of a constitutional amendment. How can any Member from a referendum State or any American refuse this mighty appeal?

Mr. Speaker, upon the demand of the public the Congress, in compliance with the spirit of our institutions, has submitted many proposed amendments to the States, but never yet has there been such a public demand; never yet has there been such a fraction of a demand.

The first and paramount consideration, whether the people want to pass on this question, leaves no ground for doubt. Mr. Speaker, the American people have a right to this referendum, and they demand from Congress the opportunity to exercise this right.

NOT A TEMPORARY WAVE.

Let no Member imagine that this great demand is a temporary wave of popular emotion likely to subside. On the contrary, it is the manifestation of the gathering power of a mighty conviction rooted in education. The truth about alcohol is rapidly bringing men and nations out from under the

ALCOHOLIC ANÆSTHESIA OF HISTORY.

As they awaken, they behold the awful nature of the malady and its limitless ravages. This resolution is but the crystallization of the deepest public conviction into a plan of action.

QUESTIONS OF FACT, NOT OF OPINION.

Mr. Speaker, these convictions are permanent, because they are founded on questions of fact and not of opinion. They revolve about the nature of alcohol, a chemical compound whose properties have been definitely ascertained at the hands of science. Whether Members of this House are "wet" or "dry," all should acquaint themselves with the recent findings of science as to what alcohol really is, and the effect it really has upon the human organisms, and through the human organisms upon the political and social organisms. In other words, Mr. Speaker, the whole question hinges upon

THE TRUTH ABOUT ALCOHOL.

The Good Book tells us, "And ye shall know the truth, and the truth shall make you free."

I assume, Mr. Speaker, that every Member in this House will be loyal to the truth when in his own reason and in his own conscience he has found it. Loyalty to the truth is really the true test of a man, whether he is in the image of his Maker and is worthy of that dignity that attaches to human life above the life of the brute living on the plane of self-preservation.

MAN EDUCATED IN ERROR.

I realize full well, Mr. Speaker, how with the deceptive properties of alcohol and the powerful financial interests connected with it the average man of to-day has been molded in an atmosphere of error as to its real nature. The educational effects of his observation as to the harmful effects of drunkenness have been partly dissipated by the constant reiteration that the harm comes from the abuse and not the temperate use, the results of which do not appear on the surface. As a matter of fact the effect of the moderate use of alcoholic beverages spread over the whole Nation has done and is doing vastly more harm than all the drunkenness and intemperance combined.

ALCOHOL A POISON TO ALL LIFE.

The substance about which this whole question revolves is a chemical compound of the group of the oxide derivatives of the hydrocarbons, its formula being $C_2H_5(OH)$, 2 atoms of carbon, 6 of hydrogen, and 1 of oxygen. Among the other members of this group may be mentioned carbolic acid, chloral hydrate—popularly called chloral—morphine, and strychnine. Alcohol is produced by the process of fermentation, in which process ferment germs devour glucose in solution derived from grain, grapes, and other substances, and in their life processes they throw off waste products like other living organisms. One of the waste products is the gas that causes bubbling. The other waste product is the liquid alcohol. Alcohol is then the toxin, the

LOATHSOME EXCRETION,

of a living organism. It comes under the general law governing toxins, namely, the toxin of one form of life is a poison to the form of life that produced it and a poison to every other form of life of a higher order. The ferment germs are single-cell germs—the lowest form of life known—consequently their toxin, alcohol, is a poison to all forms of life, whether plants, animals, or men—a poison to the elemental protoplasm out of which all forms of life are constructed. The first scientific finding about alcohol is that "alcohol is a protoplasmic poison." An organic substance placed in alcohol is preserved indefinitely, because no living thing—neither germs of decomposition nor the ferment germs themselves—can penetrate the alcohol.

NO FOOD VALUE.

We must therefore surrender all our preconceived ideas about the supposed food value and benefits of alcohol, even in the smallest quantities. As an illustration, one mug of mild beer—supposed to be beneficial and helpful—will in 30 minutes lower the efficiency of the average soldier 36 per cent in aiming his rifle.

A HABIT-FORMING DRUG.

Alcohol has the property of chloroform and ether of penetrating actually into the nerve fibers themselves, putting the tissues under an anæsthetic which prevents pain at first, but when the anæsthetic effect is over discomfort follows throughout the tissues of the whole body, particularly the nervous system, which causes a craving for relief by recourse to the very substance that produced the disturbance. This craving grows directly with the amount and regularity of the drinking.

UNDERMINES THE WILL POWER.

The poisoning attack of alcohol is specially severe in the cortex cerebrum—the top part of the brain—where resides the center of inhibition, or of will power, causing partial paralysis, which liberates lower activities otherwise held in control, causing a man to be more of a brute, but to imagine that he has been stimulated, when he is really partially paralyzed. This center of inhibition is the seat of the will power, which of necessity declines a little in strength every time partial paralysis takes place.

LITTLE LESS OF A MAN AFTER EACH DRINK.

Thus a man is little less of a man after each drink he takes. In this way continued drinking causes a progressive weakening of the will and a progressive growing of the craving, so that after a time, if persisted in, there must come a point where the will power can not control the craving and the victim is in the grip of the habit.

SLAVES IN SHACKLES.

When the drinking begins young the power of the habit becomes overwhelming, and the victim might as well have shackles. It is estimated that there are 5,000,000 heavy drinkers and drunkards in America, and these men might as well have a ball and chain on their ankles, for they are more abject slaves than those black men who were driven by slave drivers.

SLAVERY CONTINUES.

It is vain for us to think that slavery has been abolished. There are nearly twice as many slaves, largely white men, to-day than there were black men slaves in America at any one time.

PRESENT-DAY SLAVE OWNERS.

These victims are driven imperatively to procure their liquor, no matter at what cost. A few thousand brewers and distillers making up the organizations composing the great Liquor Trust, have a monopoly of the supply, and they therefore own these 5,000,000 slaves and through them they are able to collect two and one-half billions of dollars cash from the American people every year.

LIQUOR TRUST ABSORBS NEARLY TWO-THIRDS OF ALL THE MONEY IN CIRCULATION.

In this way nearly two-thirds of all the money in circulation in America in the course of a year passes into the hands of the Liquor Trust.

HEAVY LOCAL LOSSES.

Very little of the money paid for liquor remains in circulation locally, because liquor employs so few men for the capital invested and pays them such poor wages.

LIQUOR THE DEADLY ENEMY OF LABOR.

Labor unions ought to realize that liquor is their deadliest enemy. It lowers the standard of character and the standard of living of labor. It dissipates the earnings of labor, interferes with savings, and increases the dependence of labor upon the will of capital. It breeds the violence and disorder that often bring labor's cause into disrepute and give the victory to their opponents. In an industrial struggle, as in any other struggle, if both opponents are sober, there is good chance for arbitration. If one side is debauched by liquor, it will lose. The road to solve the problems between capital and labor is to make the whole country dry as the mining regions of Colorado were made dry in the strike. If the capital now invested in liquor were put to useful channels it would employ more than a million and a half additional men, wage earners, and largely solve the problem of the unemployed. This tremendous increase in the demand for labor would cause a general rise in wages and a corresponding rise in the standard of living.

LIQUOR THE DEADLY ENEMY OF CAPITAL.

Railroads, armies, manufacturing plants, and other employers of men are rapidly coming to realize the heavy toll of inefficiency and loss of productiveness on the part of men in their employ even from moderate drinking. Scientific management of modern industry in every branch is rapidly coming to demand total abstinence.

CHIEF CAUSE OF INDUSTRIAL ACCIDENTS.

Investigations in connection with employers' liability for accident and sickness are rapidly disclosing the responsibility of liquor for the bulk of the accidents and the sickness in mines, mills, and shops and other operations.

BILLIONS YEARLY LOST THROUGH LIQUOR.

My figures indicate a general loss of efficiency of about 21½ per cent for the American producer, on the average. This entails an economic loss of over eight billions of dollars by the Nation. As I shall point out in a few moments, liquor causes the premature death of about 700,000 American citizens every year. This entails an economic loss of about five billions.

CHIEF CAUSE OF CRIME, PAUPERISM, AND INSANITY.

I call attention of Members to the charts that show that liquor is causing the bulk of the crime, pauperism, and insanity, and, leaving the support of these upon the public, causes a burden in direct taxation upon the American people of nearly two billions. Taking away from our people, as pointed out above, two and one-half billions, the sum total of the economic burden laid upon the shoulders of the Nation approximates the total sum of about sixteen billions of dollars. We call the Federal Government extravagant when it lays a burden of one billion for purposes of uplift and we stand by complacently as liquor places a burden of sixteen billions for purposes of degeneracy and destruction, and there are some so deluded as to imagine that the Government should encourage liquor because of the paltry two hundred and odd millions of revenue. Let no enlightened Member talk about the need of liquor revenues. I say to him what Mr. Gladstone said to the deputation of brewers who made the same claim:

Give me a sober people who do not waste their substance on strong drink and I will find ready means of raising the necessary revenues for their government.

LIQUOR CORRUPTS ELECTIONS.

The Liquor Trust through its vast hordes of money corrupts our elections, not only to control the results in wet and dry campaigns, but the election of officers and political parties subservient to liquor interests. In many wet and dry campaigns bankers have been put under duress and required to notify farmers, merchants, and other business men that they would call in their loans if the elections went dry.

CREATES MENACING DEGENERATE VOTE.

The growing degenerate vote directly due to liquor is now menacing not only the elections in our great cities, but in the States that have large cities, and even in the Nation itself. Liquor not only creates this degenerate vote, but it also keeps a corruption fund available to purchase that vote, and does not hesitate to spend vast sums for this purpose. In this way it stands with club in hand over politicians and political parties.

HOLDS CLUB OVER POLITICIANS AND POLITICAL PARTIES.

It is not surprising, therefore, to find the menace of this great blighting influence in our political life, by which our elections can not be normal and political forces can not follow in their normal course without cross currents and counter currents. It is vain to hope for honest elections until the country is dry.

THE BLIGHT OF FREE INSTITUTIONS.

The liberties and institutions of a free people must depend for their perpetuity upon the average standard of character of the electorate. In America where we have manhood suffrage the degeneracy produced, particularly in big cities, is undermining the foundations of our institutions.

THE DOWNFALL OF REPUBLICS.

It is this same lowering of the average standard of character of the citizenship in the past that entailed the overthrow of the liberties of Greece and Rome and other Republics. It seems rather ironical for liquor men to call upon the name of liberty.

GRIPS THE THROAT OF GOVERNMENT.

Through control of political parties and politicians and from the supply of needed revenues liquor gets a strangle hold upon the Government, and for ages governments have largely looked to liquor to supply revenues and give support for continuance in power.

LIQUOR AND THE WORLD WAR.

It is a clear sign of the times to note the general change of attitude of the Governments of Europe toward liquor. All governments should now be in full possession of the findings of science as to the real nature of alcohol, consequently when the general war broke out in Europe the Governments, though in great need of revenues, promptly took advantage of the powers conferred under martial law to strike liquor a deadly blow.

THE RUSSIAN EMPIRE DRY.

Shortly after the promulgation of martial law the Russian Government, in spite of the loss of hundreds of millions in revenue, issued a proclamation to compel prohibition of the national drink—vodka. This order has been made permanent and, broadly speaking, the Russian Empire is to remain dry forever.

PARTIAL PROHIBITION IN FRANCE.

The French Government likewise issued a proclamation of prohibition of the manufacture and sale of absinthe, and has since extended this to include other distilled liquors.

GERMANY PARTIALLY DRY.

After the proclamation of martial law the Government closed down the breweries throughout the Empire and has promulgated drastic measures for prohibition in the war zone of the East. When a child is born in Germany the Government sends a card to the mother warning against the deadly nature of alcohol. When a child enters public school in Berlin the Prussian Government sends an antialcohol card to the father and mother by the child.

GERMANS IN AMERICA OUT OF ACCORD WITH THE FATHERLAND.

It seems too bad that the Germans who have cast their lot in America should not have caught the progressive spirit of the Fatherland. Eight hundred German scientists, 116 of them professors in German universities, have made a unanimous report on the nature of beverage alcohol, recommending its complete elimination. A German staff physician of the German army has announced that "we should not discuss moderation with a man. The thing has long since been settled by science. The use of narcotic poisons is simply indecent and criminal."

OUR GOVERNMENT STILL LIQUOR RIDDEN.

It should be a source of humiliation to well-informed Americans that our Government shows no indications of change of attitude toward liquor. Our need for revenue is much less than that of the nations at war, and yet in sections 1 and 2 of the revenue bill recently passed we turned to liquor for nearly one-half the total amount, strengthening the hold of liquor upon the finances of the Government. Liquor has the same strangle hold upon the throat of our Government to-day that slavery had before 1860. Congress has not permitted the cotton planter to deposit his cotton in bond, but it has done everything for the distiller so he can place his liquor in bond and on these warrants get financial advances.

LIQUOR DEGENERATES THE CHARACTER.

The first finding of science that alcohol is a protoplasmic poison and the second finding that it is an insidious, habit-forming drug, though of great importance, are as unimportant when compared with the third finding, that alcohol degenerates the character of men and tears down their spiritual nature. Like the other members of the group of oxide derivatives of hydrocarbons, alcohol is not only a general poison, but it has a chemical affinity or deadly appetite for certain particular tissues. Strychnine tears down the spinal cord. Alcohol tears down the top part of the brain in a man, attacks certain tissues in an animal, certain cells in a flower. It has been established that whatever the line of a creature's evolution alcohol will attack that line. Every type and every species is evolving in building from generation to generation along some particular line. Man is evolving in the top part of the brain, the seat of the will power, the seat of the moral senses, and of the spiritual nature, the recognition of right and wrong, the consciousness of God and of duty and of brotherly love and of self-sacrifice.

REVERSES THE LIFE PRINCIPLE OF THE UNIVERSE.

All life in the universe is founded upon the principle of evolution. Alcohol directly reverses that principle. Man has risen from the savage up through successive steps to the level of the semisavage, the semicivilized, and the highly civilized.

LIQUOR AND THE RED MAN.

Liquor promptly degenerates the red man, throws him back into savagery. It will promptly put a tribe on the war path.

LIQUOR AND THE BLACK MAN.

Liquor will actually make a brute out of a negro, causing him to commit unnatural crimes.

LIQUOR AND THE WHITE MAN.

The effect is the same on the white man, though the white man being further evolved it takes longer time to reduce him to the same level. Starting young, however, it does not take

a very long time to speedily cause a man in the forefront of civilization to pass through the successive stages and become semicivilized, semisavage, savage, and, at last, below the brute.

THE GREAT TRAGEDY.

The spiritual nature of man gives dignity to his life above the life of the brute. It is this spiritual nature of man that makes him in the image of his Maker, so that the Bible referred to man as being a little lower than the angels. It is a tragedy to blight the physical life. No measure can be made of blighting the spiritual life.

THE BLIGHT OF DEGENERACY.

Nature does not tolerate reversing its evolutionary principle, and proceeds automatically to exterminate any creature, any animal, any race, any species that degenerates. Nature adopts two methods of extermination—one to shorten the life, the other to blight the offspring.

DISEASE AND UNTIMELY DEATH.

Alcohol, even in small quantities, attacks all the vital organs and the nervous system, the tissues, and the blood. A large percentage of premature deaths arising from disease are due to this cause. The attack on the blood lowers the efficiency of the white blood corpuscles to destroy the disease germs, exposing the drinker far more than the abstainer to the ravages of consumption, pneumonia, typhoid, and other germ diseases. The records of insurance companies show that in the periods from 25 to 45 the mortality of total abstainers is only a fraction of that of the average. This means that the bulk of deaths in young manhood are due to alcohol. It means that people ought not to die in their prime any more than animals.

THE MODERATE DRINKER SHORTENS HIS DAYS BY ONE-THIRD.

The records of the insurance companies show that a man starting at the age of 20 as a total abstainer lives to the average age of 65, whereas starting at the age of 20 as a moderate drinker he dies at 51, losing over 14 years, or a cutting down of nearly one-third of his days.

THE HEAVY DRINKER SHORTENS HIS DAYS BY TWO-THIRDS.

Starting at the age of 20 as a heavy drinker a man dies at 35, a shear loss of two-thirds of the span of his whole life.

MILLIONS SLAIN.

We are dying at the rate of 1,000 deaths per 61,000 of the population. Total abstainers in our midst are dying at the rate of 560 per 61,000 of the population, though living under the same conditions. The latter figures are those applied to adult males as shown by the insurance companies' figures. Investigations show that the shortening of life of the offspring is far greater and more serious than that of the parent, as I will point out later, and since the adult males are the fathers of the young of both sexes it is on the side of conservatism to apply the proportion to the whole population, so that we can conservatively say that 440 additional deaths are caused every year per 61,000 of the population—deaths that are premature and unnecessary. This means that alcohol actually kills fully 700,000 American citizens every year.

LIQUOR'S ATTEMPT TO ESCAPE.

When these figures were first printed they were subject to some ridicule and to many attempts to disprove them. Several German scientists have employed the same methods of reasoning, and the liquor interests of the continent have a standing offer of 6,000 marks to any scientist that can disprove the figures of the great insurance companies which are the foundation of this awful conclusion.

KILLS 2,000 A DAY.

When the great *Titanic* sank in mid-ocean with her precious cargo and shocked the whole world, she carried down less than 1,600 souls. Alcohol carries down to a premature grave every day more than 2,000 American souls.

MORE DESTRUCTIVE THAN WAR, PESTILENCE, AND FAMINE.

Mr. Gladstone in the maturity of his philosophy announced that "strong drink is more destructive than the historic scourges of war, pestilence, and famine combined." The old philosopher was eminently correct. Many battles have been fought in history for which there is no authentic report of the casualty, but of those of which there are records, from the Macedonian War, 300 B. C., down to and including the Russo-Japanese War, the sum total foots up to 2,800,000 killed and wounded, which, being apportioned, would make a little more than 2,100,000 wounded and a little less than 700,000 killed. Bearing in mind the qualifying circumstances, it can be generally said, therefore, that alcohol brings to a premature grave more Americans in one year than all the wars of the world, as recorded, have killed on the field of battle in 2,300 years.

LIQUOR MORE DESTRUCTIVE IN AMERICA THAN UNIVERSAL WAR IN EUROPE.

When the great war in Europe is over it will be found that the sum total killed on the field of battle for all nations will average less than 1,500 a day. Alcohol averages 2,000 Americans a day. Europe is really in the eyes of nature better off to-day in the midst of her great tragedy than she has been for centuries, because Europe is almost dry. The convention of life insurance presidents recently announced that Russia is saving fully 50,000 lives of her adult males per year from her recent prohibition order, which in a brief period of time will far more than make up for the soldiers killed in battle. No great nation was ever overthrown in war until after its vitality had been undermined by degeneracy arising from alcoholic dissipation.

THE SOUL TRAGEDY.

When a soldier falls on the field of battle we all realize the tragedy, but in reality it is only his physical life that has been snuffed out. The bullet that pierced the brave soldier's heart never touched his character. When his soul rose to appear before its maker it had no wound. But when the victim is stretched out in premature death from alcohol not only are his heart and other organs and tissues of his body wounded but the ghastly wound is the rent torn in his soul.

ALCOHOL RESORTS TO DUM DUMS.

Civilized nations forbid in warfare the use of flat-nosed bullets that spatter in the flesh and bone. Alcohol uses dum dums that not only spatter in the flesh and bone but crash into the soul.

BETTER FOR AMERICA TO FACE THE COMBINED WORLD IN WAR.

I realize full well how cruel war is, having had friends of mine among Spanish officers, men who had been kind to me in prison, who had treated me like a brother, mortally wounded, dying in agony. On board the Spanish wrecks shortly after the Battle of Santiago I saw the dead men about the decks where they had fallen at their posts of duty. I realized they were brave men and good men, and my soul cried out at the cruelty of their being killed at our hands. I realized not only the cruelty but also the calamity of war, particularly when it overtakes a nation unprepared as our Nation is; but if I had to choose one or the other of these two destructive agents, alcohol or war, I would rather see America, sober, stand alone and face the combined world; I would rather see my country, as defenseless as I know she is, face all the great armies of the world rather than to see this great internal destroyer continue unchecked his deadly ravages throughout our land.

BLIGHT UPON THE OFFSPRING.

Alcohol makes a deadly attack upon the organ of reproduction in both male and female, and upon the nervous system of the little life before birth in the embryonic period. One-half of 1 per cent of alcohol in solution, such as a future mother might easily have in her circulation in attending a banquet or fashionable dinner, drinking only wine or beer, will, oft repeated, kill the little life and endanger the life and health of the mother.

MULTIPLIES DANGERS AND SUFFERINGS OF MATERNITY.

If both parents are moderate drinkers, drinking but one glass of wine or beer per day at one meal, the effect will more than quadruple the chances of miscarriage of the mother, increasing over 400 per cent the dangers and sufferings in maternity, and will nearly double the parcentage of their children that will die the first year in infancy. The children of drinking parents on the whole die off four to five fold more rapidly than the children of abstaining parents.

THE SLAUGHTER OF THE INNOCENTS.

This means that scores and scores of thousands of little children die every year from cruel wounds inflicted upon their little lives before they were born at the hands of their parents who did not know.

VISITATION OF SINS OF FATHERS UPON THE CHILDREN.

If both parents are alcoholic one child in five of those that do survive will become insane before it is grown. One child in seven will be born deformed. One child in three will become epileptic, hysterical, or feeble-minded. Only one child in six will be normal; five out of six will be blighted.

NATURE'S HIGHEST BLESSING.

On the other hand, if both parents are total abstainers, there will be no more dangers and suffering in maternity than in the case of other species; and no matter how hard the lot in life of the parents may be, nine out of ten of their children will be absolutely normal. These children normally born will be easy to bring up, and, kept safe from degeneracy in their youth, will tend to rise one degree higher and nobler in character than their parents, following the line of the species evolution. If a family or a nation is sober, nature in its normal course will cause them

to rise to a higher civilization. If a family or nation, on the other hand, is debauched by liquor, it must decline and ultimately perish.

THE RISE AND FALL OF NATIONS AND EMPIRES.

Rome during long centuries was frugal and abstemious, practicing absolute prohibition within its walls, and during this period we see the wonderful rise of the Roman Empire. When the Romans gathered into their great city and the youth gave themselves over to dissipation, we see the decline and finally the fall of that great empire. Similarly the other nations and empires of the past have risen only to fall.

THE MILLSTONE OF DEGENERACY.

We are all familiar with thoroughbred races of horses, dogs, and so forth, but who ever heard of a thoroughbred race of men? We know that great aggregates of plants and animals continue to rise, but a great nation is only born to die. Heretofore a nation has only been able to rise to a certain level, when, gathering in great cities, liquor has overtaken the youth and a great millstone has settled about its neck. Back it sank, never to rise again. We stand in the presence of this most startling discovery of science—that alcohol has absolutely disrupted the orderly evolution of the great human species.

THE VERDICT.

Science has thus demonstrated that alcohol is a protoplasmic poison, poisoning all living things; that alcohol is a habit-forming drug that shackles millions of our citizens and maintains slavery in our midst; that it lowers in a fearful way the standard of efficiency of the Nation, reducing enormously the national wealth, entailing startling burdens of taxation, encumbering the public with the care of crime, pauperism, and insanity; that it corrupts politics and public servants, corrupts the Government, corrupts the public morals, lowers terrifically the average standard of character of the citizenship, and undermines the liberties and institutions of the Nation; that it undermines and blights the home and the family, checks education, attacks the young when they are entitled to protection, undermines the public health, slaughtering, killing, and wounding our citizens many fold times more than war, pestilence, and famine combined; that it blights the progeny of the Nation, flooding the land with a horde of degenerates; that it strikes deadly blows at the life of the Nation itself and at the very life of the race, reversing the great evolutionary principles of nature and the purposes of the Almighty.

There can be but one verdict, and that is this great destroyer must be destroyed. The time is ripe for fulfillment. The present generation, the generation to which we belong, must cut this millstone of degeneracy from the neck of humanity.

THE REMEDY.

What is the remedy for this great organic disease that is Nation-wide and world-wide in its blight? Evidently the treatment must itself be organic and must itself be Nation-wide and world-wide.

ORGANIC TREATMENT.

We can look to nature and find out in what organic treatment consists, for instance, in diseases of the body physical. In the case of a cure for such a disease the cure consists not in the curing of the old diseased tissues, but in the growth of young tissue, and the very essence of the cure is to insure that the disease or contagion shall not extend to the young tissue, giving nature an opportunity to grow the cure.

NOT A QUESTION OF OLD DRINKERS.

The cure of the old drinkers is not nature's cure for such an organic disease. It is not possible by enactment of a law to make old drinkers stop drinking, to change the deep-seated habits of a lifetime. The amendment proposed in this resolution does not undertake to coerce old drinkers or to regulate the use of liquor by the individual.

BUT A QUESTION OF THE YOUNG.

The cure for this disease lies in the stopping of the debauching of the young. Our generation must establish such conditions that hereafter the young will grow up sober. This proposed amendment is scientifically drawn to attain this end.

ALL GOOD MEN MUST AGREE.

Upon this all must agree. A man may drink himself, but if he is a good man he would love to see such conditions established that the young hereafter would grow up sober.

DEBAUCHING THE YOUTH.

I call the attention of Members to the chart showing that 68 per cent of all the drunkards had their habits contracted before they were 21, 30 per cent before they were 16, and 7 per cent before they were 12. Less than 2 per cent of men begin to drink after they are grown and settled down. Some vast agent in our midst is systematically teaching the boys to drink and debauching the youth. Who is it that carries on this sinful business? Certainly it is not the drinkers. A man may drink but unless he is a hopeless degenerate he would not teach boys to drink. I have known many drinkers, but I have never yet known one who made a habit of teaching boys to drink. This sinister agent is the Liquor Trust of America.

LIQUOR TRUST MAINTAINS ITS VAST BUSINESS BY TEACHING THE YOUNG TO DRINK.

Tens of thousands of paid agents all over the land are carrying out this devilish work. The most deadly work thus far has been in the cities where it is hard for parents to keep track of their boys, but it extends to towns and is now being systematically extended to country settlements The usual method in cities is to operate where boys come together, sometimes having the boys rendevous in saloons but more frequently in pool rooms and other places of amusement, sometimes on vacant lots. The bootlegger or licensed agent of the Liquor Trust arranges to have the boys drink before breaking up to be sociable or as a sign of manliness. To better influence the young boy who is just beginning a special drink is prepared called "Cincinnati," which is sweetened to appeal to the boy's taste. In some cases where it is difficult to reach the boys through agents, as for instance in the State of Oklahoma, the Liquor Trust has written to them giving them numbers so that without the knowledge of their parents, by mail or express, they can ship them liquor free.

WHAT IS THE MOTIVE?

In order to effectively and scientifically solve this question we must discover and must remove the motive. What is the motive of the liquor trust in this vast debauching of the youth? Some have assumed that the motive is to harm the boys, blighting the homes, and degenerating society in general. On this assumption many have set about heaping abuse upon the agents of the great liquor trust. For my part I realize this is not the motive, that most of these agents are in the business to make a living, and that the business has come down in natural courses from the past, an occupation for which the whole of society stands responsible. Recognizing this, I have abused none; I have no bitterness; I have no desire to harm any man's business.

DISTILLER M'COLLOUGH'S PROPOSITION.

Mr. John McCollough, president of the Green River Distilling Co., of Owensboro, Ky., one of the big liquor men of the country, has written to the big men in the business, suggesting that the wise thing to do would be to stop fighting and ask for terms on the basis of being allowed 10 years in which to adjust their business and for the Government to set aside 10 per cent of the revenue collected from the business every year, and at the end of the 10 years for this fund to be used to compensate those engaged in the business when the business is closed. I have no authority to speak for others, but I do not hesitate to say that if such a course were pursued by the liquor trust it would certainly have my sympathetic consideration for statutory adjustment. The South could have received hundreds of millions of dollars for its slaves without war, but when it chose war it could not come back after war and hope to receive a dollar in compensation. The conditions are analogous for the liquor traffic, though liquor has no real legal vested rights, as held by slavery. If liquor continues its barbaric warfare to the bitter end, it need not come asking for compensation.

The real motive in teaching the boys to drink is to develop future customers. With a reasonably small outlay the Liquor Trust can develop this appetite in the young and when the young grow up with an appetite then as men they buy the liquor, over the supply of which the Liquor Trust has a monopoly. The large profits in the sale of their goods to customers thus developed is the real motive of the great Liquor Trust in systematically debauching the youth of the Nation.

SCIENTIFIC TREATMENT.

The real scientific way to cure this evil therefore is to remove the motive—the profits in the sale of the goods. Clearly, this can not be done by undertaking to coerce those who drink, but it can be done by prohibiting the sale and everything that relates to the sale, particularly to the manufacture for sale. This can be done the more readily as barter and sale for profit have been subject to public control since the earliest days.

When the motive is removed and the liquor interests can no longer derive profits from the sale, then the great Liquor Trust of necessity will disintegrate. The debauching of the young will thus end and the young generation will grow up sober.

INDIVIDUAL LIBERTY—SANCTITY OF THE HOME.

In this way no effort is made to coerce any citizen. Some old drinkers desiring to stop will take advantage of the changed environment and stop, and other old drinkers desiring to do so will continue drinking until they die, subject to local or State regulation or control; but when they die no new drinkers will

take their place and the next generation will be sober. This method thus takes no chance of invading the sanctity of the home or the liberties of the individual. Some men may feel that they have an inherent right to drink liquor, but no man will feel that he has a right to sell liquor. The proposed amendment does not touch the question of the use of liquor, and partakes in no manner of the nature of a sumptuary measure.

NO MAN HAS A RIGHT TO SELL LIQUOR.

Twelve decisions of the United States Supreme Court have declared that no citizen has an inherent right to sell liquor. What this amendment does is to declare that the Liquor Trust shall not for petty lucre continue to debauch the young; that neither Federal Government, nor State, nor any citizens shall fatten upon the weaknesses and miseries of the people.

SHALL PROHIBITION BE LOCAL OR NATIONAL.

In carrying out the prohibition of the sale, manufacture for sale, and all that relates to sale, the next question that arises is whether the scope of the prohibition should be limited to small units, like the town and the county, or should extend to the large units making it State wide and nation wide. It is good to have a town dry rather than wet. It is better to have a county dry rather than wet; but if prohibition is by the small unit, then wet towns and wet counties will be found near by, and the virus there generated will pass over continuously and reinfect the dry town and the dry county. It is a good thing to cut out one root of a cancer, it is a better thing to cut out another root, but as long as a single root remains it will generate the virus and inject it into the circulation and reinfect the whole system. As long as there is one State in the Union that is wet it will be the base of operations and source of supply for the national Liquor Trust, from which, through interstate commerce, to infect all the other States. Poison generated in any part of the body, projected into the circulation, will reach all parts of the body, and no part can protect itself. The States can not protect themselves against interstate commerce, nor can Congress delegate to the States this power. The liquor traffic is the most interstate of all business. Their organization is a national organization. It is dealt with by the National Government.

LIQUOR AN INTERSTATE NATIONAL OUTLAW.

Under our present system limiting prohibition to small units the great Liquor Trust has trampled upon the rights of States, of counties, and of towns, and has taken pride in proclaiming that "prohibition does not prohibit."

This pose of the liquor outlaw that he is above the operations of local law is a complete and conclusive demonstration of the need of a national law. There can be no cure of a cancer until all the roots have been cut out, until no centers of contagion are left to reinfect. Local option in various forms, and even State-wide prohibition, though valuable and useful, have not proved adequate. Our whole experience shows that PROHIBITION MUST BE NATIONAL.

SHALL PROHIBITION BE STATUTORY OR CONSTITUTIONAL?

If Congress, in the exercise of the taxing power, should undertake to establish prohibition by statute, the great Liquor Trust would not permanently disintegrate, because what any one Congress can do another Congress can undo. Wet and dry elections would be continually following each other all the time, and the country would be wet part of the time and dry part of the time, and the youth would not have time to grow up sober—the remedy would only be superficial.

THE FINAL CONCLUSION.

To cure this organic disease we must have recourse to the organic law. The people themselves must act upon this question. A generation must be prevailed upon to place prohibition in their own constitutional law, and such a generation could be counted upon to keep it in the Constitution during its lifetime. The Liquor Trust of necessity would disintegrate. The youth would grow up sober. The final, scientific conclusion is that we must have constitutional prohibition, prohibiting only the sale, the manufacture for sale, and everything that pertains to the sale, and invoke the power of both Federal and State Governments for enforcement. The resolution is drawn to fill these requirements.

THE POWER OF THE TRUTH.

If you ask me how to cause the people of a generation to take the question into their own hands and act, I answer without hesitation, reach them with the truth about alcohol. Thorough education in this appalling truth, if it comes not too late in life, will cause the individual to adopt total abstinence and the people to destroy the traffic root and branch. The liquor interests realize this fact full well. They spend millions every year in their efforts to control the liquor policies of the press and keep the truth about alcohol from the people. They try to destroy any man who dares to undertake this work. After my first investigations as to the truth about alcohol I introduced the results of my labors and put them in the CONGRESSIONAL RECORD in a speech called the Great Destroyer and proceeded to send this speech systematically to the youth of America. I estimate that I have sent out about 2,500,000 copies and have sent out more than a million and a half individual letters to the youth on this subject. It is this work that has brought down the arm of the great liquor interests in their efforts to destroy me politically.

In the recent senatorial primary in Alabama it was not simply my distinguished and powerful opponent, but the great liquor interests of the Nation that I had to fight. Their national political agent, Charles Lewis, came to Alabama and organized the fight. They opened up three different headquarters, independent of my opponent's regular organization, and must have had a pipe line connecting these with their national treasury from the magnitude of the campaign they conducted, not only through the columns of the press and an army of paid workers, but through great political agents, such as the governor of the State and his administration. I do not say that the Liquor Trust directly secured the cooperation of the President, but I do say that the President and his administration brought their powerful influence against me. Of course I was defeated and my fate was held up as a warning to other men in public life. Perhaps I might add what I said in a card to the papers of Alabama the day after the primary, to notify the liquor interests of America that I had simply finished my training, and that I had only begun to fight, and that I would meet them on a hundred battle fields and they would find me in the thick of the fight when the thirty-sixth State ratifies the resolution, which may perhaps go down in history under the name of the Hobson resolution, that will put prohibition into the Constitution of the United States forever. I wish to serve notice now that the Liquor Trust need not imagine that it will always be able to choose its own battle ground nor to concentrate its whole national strength against one man or even against one State. Forces of righteousness are now organizing into a compact army. If the Sixty-third and the Sixty-fourth Congresses deny the people their plain and inherent right to pass on this great question, the Liquor Trust will find in 1916 a battle line in front of them extending from the Great Lakes to the Gulf and from ocean to ocean—a battle line organized, compact, and inspired by the conscience and patriotism of the whole people, as in the campaign of 1860.

LIQUOR'S FIGHT.

The campaign in Alabama is typical of the general methods employed in liquor's fight. Finding themselves indefensible on the merits of liquor they use their great resources to put forward other issues. In a high-protection State they will put forth the tariff and capitalize its strength. In the Southern States they will invoke the race question, declaring it a question of supporting a Democratic administration. If the struggle is for county local option, they will declare that township local option is the thing. If it is a question of State-wide prohibition, they will become staunch advocates of county local option. Now that it is a question of national prohibition they are declaring in favor of the State unit.

REFUGE BEHIND MODERATE DRINKING.

They no longer debate the question of the nature of alcohol, but take the ground that it is only the abuse that is harmful. In the case of distilled liquors they claim that it is adulteration that does the harm. Now, seeing the handwriting on the wall, some of their forces are trying to save what wreckage they can and declare that distilled liquors do the harm, that wines and beers, fermented and malted liquors should be supported. Of course, as pointed out above, alcohol in any form or in any quantity is a poison of a deadly nature. Here on the floor of the House, however, very little effort is made to defend drinking, and we will see the fight adroitly maneuvered to change the battle front by an appeal to some other method to obtain the same object. Many of the real friends of temperance are liable to be deceived by such tactics. A proposition is advanced to prohibit the transportation of alcohol in interstate commerce by an amendment to the Constitution, though there has been no demand from the country at large for any such change; there have been no petitions, no resolutions, no temperance, prohibition, or moral forces ever recommended for the self-evident reason that Congress to-day has power by a majority vote to prohibit the interstate transportation of intoxicating liquors.

QUESTION OF STATE RIGHTS.

The question of State rights is advanced largely for the purpose of influencing Members from the South. As a matter of

fact, liquor tramples upon the rights of the States. The wet States of the Union can and do invade the rights of the dry States. They forget that the fundamental right of the States and the people is to protect the general welfare by not only upholding the organic law that has come down from the past, but by changing that organic law to meet whatever conditions arise in the interest of the public welfare.

They talk of minorities dictating to majorities. As a matter of fact, they can not find any practical conditions where a majority of the people of the United States to-day would be found against national prohibition. A substantial majority of our people to-day are living under prohibition law. They do not seem willing to let three-fourths of the States decide upon the organic question, but would rather have one-fourth of the States insist upon allowing the country to remain wet.

They did not propose a popular vote of referendum to change the Constitution for the direct election of United States Senators or the imposition of the income tax. Baseless indeed would be the proposition of changing our organic law other than by having three-fourths of the States given that power by popular vote or any other method. They talk of confiscation of their property without realizing that the court decisions are all in line in denying that any vested right goes with the license to manufacture or sell liquor. They never think of the property rights of families of drinkers or drunkards. They never think of the financial rights of the society, upon whom they throw their finished products, the insane, the pauper, and the feeble-minded. They talk of personal liberty, when they themselves own 5,000,000 slaves, when liquor undermined the liberties of Greece and Rome, and is now through its degenerate vote threatening the liberties of America.

They call out in the name of law and pretend to be against creating bootleggers and blind tigers, and as a matter of fact they are the fathers of these whelps, and they themselves are the very lawbreakers against whom they cry. They are, indeed, the modern pirate with skull and crossbones, defying organized society, defying the laws of God and of man.

They quote the Scriptures as readily as the devil himself. They dethrone the preachers with the epithets of fanatics and set themselves up as authorities on spiritual matters.

LIQUOR TRAFFIC INDEFENSIBLE.

Liquor really has no case in the light of discoveries of science giving us the truth about alcohol.

The further continuance of the liquor traffic is absolutely indefensible. The forces of society are now gathering throughout the whole world. The battle line is drawn. Some might wish that the battle be deferred for their own reasons, but the war is now on, the first battle is now in progress. I want all members to bear in mind when they cast their vote what this great war means. When our country is sober and degeneracy no longer lowers the standard of character of humanity it will then be possible to solve the problems of the Nation which are now so acute on account of degeneracy, social, economic, and moral problems. It will permit the rapid advance of humanity to the point where it will be possible to have universal peace, hastening the day when liberty and free institutions will be universal and when man will cooperate in a great brotherhood of man under the fatherhood of God.

Some of my colleagues are not to return to the Sixty-fourth Congress, like myself; others are to remain here. To both alike I make my appeal. I know there is danger in confronting this great and powerful enemy, but in time of war the good soldier does not stop because of danger. I do not ask you to go where I would not go myself. It may be that I am politically dead, my political life destroyed by the liquor interest, but I do not hesitate to say that I am not afraid of political death. I would rather hold my hand up and fight like a man though I had to die a hundred political deaths. I would rather to-day do a man's part in this struggle to cut the millstone of degeneracy from the neck of humanity—I would rather do that than to be United States Senator from Alabama, and if I know my own mind I would rather do that than be President of the United States. I call on you, my colleagues, to hold your heads up in the face of this enemy and be men. In the name of your manhood, in the name of your patriotism, in the name of all that is held dear by good men, in the name of your fireside, in the name of our institutions, in the name of our country, and in the name of humanity and of humanity's God, I call on you to join hands with me and each one to do his full duty.

The SPEAKER. The time of the gentleman from Alabama has expired. All time has expired.

Mr. HOBSON. Mr. Speaker, I desire to offer an amendment.

Mr. MANN. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. MANN. Is not the resolution to be read for amendment under the rule?

The SPEAKER. The gentleman from Illinois is correct in that. The Clerk will read the resolution for amendment.

Mr. MANN. Mr. Speaker, a further parliamentary inquiry. Can the resolution be read for amendment in three parts, or in one part?

Mr. HOBSON. That is my understanding.

Mr. MANN. It is the understanding of the gentleman from Alabama that it will be read in three parts?

Mr. HOBSON. In three parts.

The SPEAKER. The Clerk will report the resolution.

Mr. MANN. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. MANN. Will the preamble be read now?

Mr. HOBSON. I would prefer to have it read now.

Mr. MANN. Under the rules the preamble should not be read until the resolution is disposed of.

The SPEAKER. The gentleman from Illinois is correct. The Clerk will read the resolution and omit the preamble.

The Clerk read as follows:

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled (two-thirds of each House concurring therein), That the following amendment of the Constitution be, and hereby is, proposed to the States, to become valid as a part of the Constitution when ratified by the legislatures of the several States as provided by the Constitution.

THE MANN AMENDMENT.

Mr. MANN. Mr. Speaker, I offer the following amendment, which I send to the desk and ask to have read.

The Clerk read as follows:

Amend, on page 2, line 3, after the word "by" strike out the words "the legislatures" and insert in lieu thereof the following: "the conventions."

Mr. MANN. Mr. Speaker, under the Constitution of the United States an amendment may be submitted by Congress to become a part of the Constitution when ratified by the legislatures of three-fourths of the several States or by conventions in three-fourths thereof, as the one or the other mode of ratification may be proposed by the Congress. I think it is wiser, if this question is to be submitted to the States, that they vote directly for members of a convention in the State, called for the purpose of determining this question, instead of throwing it into legislative bodies elected for and necessarily dealing with many other questions——

Mr. HOBSON. Will the gentleman yield for a question?

Mr. MANN (continuing). And let the people pass upon the direct question. I yield.

Mr. HOBSON. Has the gentleman in the course of his experience in Congress on occasions where other amendments have been proposed to be submitted to the States ever recommended this substitute?

Mr. MANN. I have.

Mr. HOBSON. Again, will the gentleman tell me whether he knows of a case where it has ever been ratified since the original adoption of the Constitution?

Mr. MANN. I think not. But do I understand my friend from Alabama to claim that because it has not been done that therefore it should now be done when it was provided for in the Constitution?

Mr. HOBSON. Well, I do not pretend to say on that; but I do wish to say beware of the Greeks who come bringing gifts. [Applause and laughter.]

Mr. MANN. Well, Mr. Speaker, the gentleman from Alabama may think that is an argument, but, after all, if this proposition is to be submitted to the people, I desire to perfect it, so that the question can be properly submitted to the people and have a direct vote upon it. Is the gentleman afraid of that? [Applause.]

Mr. HENRY. Will the gentleman from Illinois yield for a question?

Mr. MANN. Certainly.

Mr. HENRY. When we proposed a constitutional amendment providing for an income tax was this amendment offered? Does the gentleman remember whether it was offered or not, and what the gentleman's attitude was on that?

Mr. MANN. I do not remember whether it was offered or not. I tried to get it in the resolution——

Mr. HENRY. I know the gentleman tried to get it done, and I am willing to vote for it. I believe in these constitutional conventions.

Mr. HOBSON. Mr. Speaker, I do not desire to prolong the debate on this amendment, but I would point out that if the amendment should prevail it would mean two stages for ratification instead of one. Congress has no power to call State con-

ventions. The legislatures would have to call them. The people have never had anything like this in the memory of man. Upon its face it is simply a move to place obstacles in the path of ratification. I hope all friends of the resolution will vote against the amendment.

Mr. MADDEN. Will the gentleman yield?

Mr. HOBSON. Certainly.

Mr. MADDEN. Does not the gentleman understand that it will give the people a direct vote upon the question of ratifying this resolution?

Mr. HOBSON. On the contrary, they would simply select delegates to a convention. Now, I would say to the gentleman from Illinois if the Legislature of Illinois wanted to be instructed by the people of Illinois, it could call a referendum election before acting. Every legislature in the United States could do the same.

Mr. HENRY. Will the gentleman yield?

Mr. HOBSON. Certainly.

Mr. HENRY. Does not the gentleman recall that the Constitution of the United States was submitted to constitutional conventions in the various States of the Union and delegates were selected to those constitutional conventions called for that purpose; and this very Article V, under which the gentleman proposes to submit this amendment, was ratified by constitutional conventions in the various States. Now, would not this give the people a chance to vote and the temperance forces an opportunity to instruct delegates to State conventions, and no one could say there had been snap judgment in any way by such action?

Mr. HOBSON. I will say, on the contrary, that not since the original Constitution was adopted and the original Bill of Rights amendments were ratified has there ever been a method of this kind. It would be confusing in the utmost. There is one way, and one way only, in which you can get a direct vote of the people, and that is for the legislatures in the States to be instructed by referendum and to withhold their power of ratification until after they have received the verdict from such a referendum.

Mr. STANLEY. Mr. Speaker——

The SPEAKER. For what purpose does the gentleman from Kentucky rise?

Mr. STANLEY. Will the gentleman from Alabama [Mr. HOBSON] yield?

Mr. HOBSON. Certainly.

Mr. STANLEY. Did the gentleman from Alabama vote for the amendment to the Constitution permitting direct election of United States Senators?

Mr. HOBSON. I voted for it, and I have introduced joint resolutions for the direct primaries and election of President and Vice President.

Mr. STANLEY. Why did the gentleman vote to elect Senators by direct vote of the people and not have them elected by vote of the legislature?

Mr. HOBSON. The gentleman remembers that in that case conventions were not called to ratify in the several States. The amendment was submitted to the legislatures of the several States.

Mr. STANLEY. That is not the question. I asked the gentleman whether he voted to take away from the legislatures the right to name Senators and give it to the people direct?

Mr. RUCKER. It did not give it to any political convention, though.

Mr. STANLEY. The same people that elect the delegates——

Mr. HOBSON. Can elect the State legislatures also.

The SPEAKER. The time of the gentleman from Alabama has expired.

Mr. BROWN of New York. Mr. Speaker, before voting on the question of national prohibition I have endeavored to discover the sentiment of the people of the first congressional district of the State of New York.

The laws of the State of New York give to each township of each county in the State the right to go "wet" or to go "dry" in the following terms:

[Sec. 13, chap. 485, laws of New York.]

In order to ascertain the will of the qualified electors of each town the following questions shall be submitted at each biennial town meeting hereafter held in any town in this State, provided the electors of the town to the number of 10 per cent of the votes cast at the next preceding general election shall request such submission by written petition, signed and acknowledged by such electors before a notary public or other officer authorized to take acknowledgments or administer oaths, which petition shall be filed not less than 20 days before such town meeting with the town clerk of the town:

Question 1. Selling liquor to be drunk on the premises where sold. * * *

Question 2. Selling liquor not to be drunk on the premises where sold. * * *

Question 3. Selling liquor as a pharmacist on a physician's prescription. * * *

Question 4. Selling liquor by hotel keepers only. * * *

What proportion of the territory within the first congressional district is "dry"? Not over 2 per cent. A few years ago one large township went "dry" for a short time, and it is now "wet." With every facility already provided under State law for local option, with the township as the unit, and yet with no considerable portion of the first district "dry," is there more than one conclusion to be drawn? The people of the district which I have the honor to represent, in my most careful judgment, desire to be left alone in this domestic matter, and I have no choice but to represent their wishes.

Yet in voting against the Hobson resolution I am voting contrary to the wishes of a number of men who have dedicated their lives to the service of their fellow man—ministers, preachers, educators. Undoubtedly they are molding public opinion. Their lives are lived on a plane far higher than the average, and yet I believe that so vast a majority of the people of the first congressional district still desire to be left undisturbed in the possession of their present privileges, no matter of how doubtful value these privileges may be, that I vote "no."

My thanks are due those who have so clearly laid their reasons—pro or con—before me. My sympathies are with those earnest people who so greatly desire to enact their convictions into law—and can not.

The SPEAKER. The question is on the amendment offered by the gentleman from Illinois [Mr. MANN.]

The question was taken, and the Speaker announced that the noes seemed to have it.

Mr. MANN. Mr. Speaker, I ask for a division.

The House divided; and there were—ayes 137, noes 193.

Mr. MANN. Mr. Speaker, I ask for the yeas and nays. [Cries of "No!" "No!"]

Mr. MANN. Are you afraid? Those who are cowards can go out.

The SPEAKER. The gentleman from Illinois demands the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 177, nays 211, answered "present" 1, not voting 39, as follows:

YEAS—177.

Adair	Drukker	Kent	Rayburn
Allen	Dunn	Kettner	Reilly, Conn.
Anthony	Dupré	Key, Ohio	Reilly, Wis.
Aswell	Eagan	Kinkead, N. J.	Riordan
Bailey	Eagle	Knowland, J. R.	Roberts, Mass.
Barchfeld	Edmonds	Korbly	Roberts, Nev.
Barnhart	Estopinal	Lee, Ga.	Rogers
Bartholdt	Evans	Lee, Pa.	Rouse
Bartlett	Faison	Lenroot	Sabath
Bathrick	Fitzgerald	Lesher	Scully
Blackmon	FitzHenry	Levy	Shackleford
Booher	Fordney	Lieb	Sherley
Britten	Francis	Linthicum	Sherwood
Brodbeck	Gallagher	Lobeck	Slayden
Browning	Gallivan	Loft	Sloan
Bruckner	Gard	Lonergan	Small
Buchanan, Ill.	Gardner	McAndrews	Smith, Minn.
Buchanan, Tex.	Garner	McGillicuddy	Smith, N. Y.
Bulkley	Gerry	Madden	Stafford
Burgess	Gill	Maguire, Nebr.	Stanley
Calder	Gillett	Mahan	Stephens, Nebr.
Cantrill	Gilmore	Maher	Stevens, Minn.
Carew	Goeke	Manahan	Stone
Carlin	Goldfogle	Mann	Stringer
Cary	Gordon	Miller	Talbott, Md.
Casey	Goulden	Mitchell	Talcott, N. Y.
Chandler, N. Y.	Graham, Ill.	Moore	Thacher
Church	Gray	Morin	Treadway
Clancy	Greene, Mass.	Moss, Ind.	Tuttle
Cline	Greene, Vt.	Mott	Underhill
Coady	Griffin	Mulkey	Underwood
Conry	Hamill	O'Brien	Vaughan
Cox	Hardy	Oglesby	Vinson
Crosser	Hart	O'Leary	Vollmer
Cullop	Hayes	O'Shaunessy	Wallin
Curry	Heflin	Paige, Mass.	Walsh
Dale	Henry	Parker, N. J.	White
Danforth	Hill	Parker, N. Y.	Williams
Davis	Hinds	Peters	Wilson, N. Y.
Dent	Howell	Peterson	Winslow
Dixon	Igoe	Phelan	Witherspoon
Donovan	Johnson, Utah	Platt	Woods
Dooling	Kahn	Porter	
Doremus	Kennedy, Conn.	Pou	
Driscoll	Kennedy, R. I.	Rauch	

NAYS—211.

Abercrombie	Avis	Bell, Ga.	Brown, N. Y.
Adamson	Baker	Borchers	Browne, Wis.
Aiken	Barkley	Borland	Bryan
Alexander	Barton	Bowdle	Burke, S. Dak.
Anderson	Beakes	Brockson	Burke, Wis.
Austin	Bell, Cal.	Broussard	Burnett

Butler	Gudger	Lewis, Md.	Shreve
Byrnes, S. C.	Hamilton, Mich.	Lewis, Pa.	Sims
Byrns, Tenn.	Hamilton, N. Y.	Lindbergh	Sinnott
Callaway	Hamlin	Lindquist	Sisson
Campbell	Hammond	Lloyd	Slemp
Candler, Miss.	Harrison	Logue	Smith, Idaho
Cantor	Haugen	McKellar	Smith, J. M. C.
Caraway	Hawley	McKenzie	Smith, Md.
Carr	Hay	McLaughlin	Smith, Saml. W.
Carter	Hayden	MacDonald	Smith, Tex.
Clark, Fla.	Helgesen	Mapes	Sparkman
Collier	Helm	Mondell	Stedman
Connelly, Kans.	Helvering	Montague	Steenerson
Cooper	Hensley	Moon	Stephens, Cal.
Copley	Hinebaugh	Morgan, La.	Stephens, Miss.
Cramton	Hobson	Morgan, Okla.	Stephens, Tex.
Crisp	Holland	Morrison	Stevens, N. H.
Decker	Houston	Moss, W. Va.	Stout
Deitrick	Howard	Murray	Sumners
Dershem	Hoxworth	Neely, W. Va.	Sutherland
Dickinson	Hughes, Ga.	Nelson	Switzer
Difenderfer	Hulings	Norton	Taggart
Dillon	Hull	O'Hair	Tavenner
Donohoe	Humphrey, Wash.	Oldfield	Taylor, Ala.
Doolittle	Humphreys, Miss.	Padgett	Taylor, Ark.
Doughton	Jacoway	Page, N. C.	Taylor, Colo.
Esch	Johnson, Ky.	Palmer	Temple
Falconer	Johnson, S. C.	Park	Thomas
Farr	Johnson, Wash.	Patton, Pa.	Thompson, Okla.
Fergusson	Jones	Plumley	Thomson, Ill.
Ferris	Keating	Post	Towner
Fess	Keister	Powers	Tribble
Fields	Kelley, Mich.	Price	Volstead
Finley	Kelly, Pa.	Prouty	Walker
Flood, Va.	Kennedy, Iowa	Quin	Walters
Floyd, Ark.	Kiess, Pa.	Ragsdale	Watkins
Foster	Kindel	Rainey	Watson
Fowler	Kinkaid, Nebr.	Raker	Weaver
Frear	Kirkpatrick	Reed	Webb
French	Kitchin	Rubey	Whaley
Garrett, Tex.	Kreider	Rucker	Whitacre
George	Lafferty	Rupley	Willis
Glass	La Follette	Russell	Wingo
Good	Langham	Saunders	Woodruff
Goodwin, Ark.	Langley	Scott	Young, N. Dak.
Green, Iowa	Lazaro	Seldomridge	Young, Tex.
Griest	Lever	Sells	

ANSWERED "PRESENT"—1.

Dies

NOT VOTING—39.

Ainey	Davenport	Guernsey	Neeley, Kans.
Ansberry	Edwards	Harris	Nolan, J. I.
Ashbrook	Elder	Hughes, W. Va.	Patten, N. Y.
Baltz	Fairchild	Konop	Rothermel
Beall, Tex.	Garrett, Tenn.	L'Engle	Taylor, N. Y.
Brown, W. Va.	Gittins	McClellan	Ten Eyck
Brumbaugh	Godwin, N. C.	McGuire, Okla.	Townsend
Burke, Pa.	Gorman	Martin	Vare
Claypool	Graham, Pa.	Metz	Wilson, Fla.
Connolly, Iowa	Gregg	Murdock	

So the amendment offered by Mr. MANN was rejected.

The Clerk announced the following pair:

Until further notice:

Mr. WILSON of Florida with Mr. GRAHAM of Pennsylvania.

The result of the vote was announced as above recorded.

Mr. HOBSON rose.

The SPEAKER. The gentleman from Alabama [Mr. HOBSON] is recognized.

Mr. HOBSON. Mr. Speaker, after the reading of the first section I desire to offer an amendment.

The SPEAKER. Has not the first section already been read?

Mr. HOBSON. No. Let the Clerk read the first section.

The SPEAKER. The Clerk will read.

The Clerk read as follows:

Page 2, line 5:

"ARTICLE —.

"SECTION 1. The sale, manufacture for sale, transportation for sale, importation for sale, and exportation for sale of intoxicating liquors for beverage purposes in the United States and all territory subject to the jurisdiction thereof are forever prohibited."

Mr. HOBSON. Mr. Speaker, I offer the amendment which I have already sent to the Clerk's desk.

The SPEAKER. The Clerk will report it.

The Clerk read as follows:

Amendment offered by Mr. HOBSON: In section 1 strike out the words "and exportation for sale," in line 7; and in line 9, after the word "thereof," insert the words "and exportation for sale thereof," so that the section will read as follows:

"SECTION 1. The sale, manufacture for sale, transportation for sale, importation for sale of intoxicating liquors for beverage purposes in the United States and all territory subject to the jurisdiction thereof and exportation for sale thereof are forever prohibited."

Mr. HOBSON. Mr. Speaker, a slight mistake was made there. That last clause was "and exportation thereof." The words "for sale" should not have been repeated.

The SPEAKER. What is the modification?

Mr. HOBSON. The words "for sale" are there by mistake in the last amendment. It should read "exportation thereof." The words "for sale" are in there by error.

The SPEAKER. Without objection, the modification of the amendment will be made.

There was no objection.

Mr. MORRISON. Mr. Speaker——

Mr. HOBSON. Mr. Speaker, I do not desire to make any extended discussion of the section. It is merely a formal matter, because you could not export in a country. You had to transpose the words, and then the "for sale" part was taken out, for the reason that we felt that the exportation for any purposes might be used as a basis for manufacture, and that would be an opening for the partial vitiation of the section.

Mr. SABATH. Mr. Speaker, will the gentleman yield?

Mr. HOBSON. Yes.

Mr. SABATH. In one of these provisions you do not prohibit the importation, so that anyone can import any amount or quantity for any use that he might desire?

Mr. HOBSON. For his own use.

Mr. SABATH. For his own use?

Mr. HOBSON. Yes; and it would leave the States and local authorities free to go further and regulate the question of use.

Mr. SABATH. But it would in no way prohibit the importation for use on the part of any citizen of the United States, such as he desires?

Mr. HOBSON. No.

The SPEAKER. The gentleman from Indiana [Mr. MORRISON].

Mr. MORRISON. Mr. Speaker, if it would be in order, I desire to offer a substitute for section 1—the substitute which I send to the Clerk's desk.

Mr. ADAMSON rose.

The SPEAKER. For what purpose does the gentleman from Georgia rise?

Mr. ADAMSON. My idea, Mr. Speaker, is that the text of the original must be perfected first.

The SPEAKER. Of course; but that does not keep the gentleman from offering a substitute.

Mr. ADAMSON. I desire to offer a substitute for section 2 when read.

The SPEAKER. The Chair wishes to inquire of the gentleman from Indiana [Mr. MORRISON] if this substitute is a substitute for the Hobson amendment to his own resolution?

Mr. MORRISON. No; it is not.

Mr. HOBSON. Mr. Speaker, it is not in order quite yet; and if the gentleman will withhold it until we finish this, then it will be in order.

The SPEAKER. The question is on agreeing to the Hobson amendment.

The question was taken, and the amendment was agreed to.

The SPEAKER. The Clerk will read the second section.

Mr. MANN. Mr. Speaker, I offer an amendment.

The SPEAKER. The gentleman from Illinois offers an amendment, which the Clerk will report.

Mr. HOBSON. Is this an amendment to the first section?

Mr. MANN. It is.

The SPEAKER. The Clerk will report the amendment.

The Clerk read as follows:

Page 2, strike out in section 1 the words "for sale" wherever they occur, and strike out the words "for beverage purposes."

Mr. MANN. Mr. Speaker, the purpose of this amendment is to permit an amendment which will prohibit the sale, manufacture, and importation and exportation of intoxicating liquors. That will not create so many "blind pigs" as the proposition of the gentleman from Alabama, and those who are in favor of prohibiting the production and use of liquor as a beverage ought to vote for it.

Mr. HOBSON. Will the gentleman yield for a question?

Mr. MANN. Yes.

Mr. HOBSON. Is the gentleman from Illinois in favor of having the Constitution prohibit the use of intoxicating liquors or any kind of sumptuary regulation?

Mr. MANN. Is the gentleman from Alabama in favor of it?

Mr. HOBSON. I am against it.

Mr. MANN. That is what the gentleman's proposition is, sumptuary legislation. I am opposed to any proposition which will bring before the country all the time an issue which will make everything else in the country, at every election in the country, swing around the enforcement of a prohibition amendment which can not be enforced. [Applause.] If we are to submit to the people and have them pass upon the question of prohibiting intoxicating liquors in the country, I am in favor of submitting to them that proposition and abiding by their judgment. The gentleman from Alabama wants to submit a proposition which, if it shall be adopted as a part of the Constitution, will cause more misery, more "blind pigging," more "bootlegging," the consumption of more liquor improperly, more temptation to the youth of the land than is now the case. If we are to prohibit, let us prohibit. [Applause.]

Mr. HOBSON. Mr. Speaker, I do not desire to prolong the discussion, but I will say to the gentleman from Illinois that while I disagree with him about the enforcement, knowing, as my investigation shows, that blind pigs and blind tigers and other violations of the law are maintained by the Liquor Trust, I do not believe that it is still a necessity. But suppose they did, I would rather have them than have this great monster. Elections to-day do revolve about the great Liquor Trust of America, and the object of forbidding the sale is to avoid even a suspicion of any desire to impose sumptuary legislation upon the American people or invade the rights of the individual and the home. We do not propose that the gentleman from Illinois, either now or at any future time, shall prescribe to the friends of temperance and prohibition and the moral forces of America how to bring about prohibition in this country.

Mr. MANN. Mr. Speaker, if I had done no more for the moral forces of America than has the gentleman from Alabama, I would not speak. I have accomplished more in this House for the good morals while the gentleman was drawing pay on the Chautauqua circuit than he ever has or ever will. [Applause.]

Mr. HOBSON. Mr. Speaker, I regret that the gentleman from Illinois——

Mr. DONOVAN. Mr. Speaker, a point of order.

The SPEAKER. For what purpose does the gentleman from Connecticut rise?

Mr. DONOVAN. A point of order. Gentlemen can not rise out of their seats and address this assemblage without addressing the Speaker first.

The SPEAKER. The gentleman is entirely correct. The question is on the amendment offered by the gentleman from Illinois.

The question was taken, and on a division (demanded by Mr. MANN) there were 77 ayes and 209 noes.

Mr. MANN. Mr. Speaker, I ask for the yeas and nays.

The question of ordering the yeas and nays was taken.

The SPEAKER. Forty-seven Members have arisen—a sufficient number.

Mr. HOBSON and others called for the other side.

The other side was taken.

The SPEAKER. Two hundred and eighty-seven Members have arisen. Forty-seven is not a sufficient number, and the yeas and nays are refused.

Mr. MORRISON. Mr. Speaker, I offer the first section of the resolution which I send to the desk as a substitute for the first section of the Hobson resolution.

The SPEAKER. The gentleman from Indiana offers a substitute for the first section of the Hobson resolution, which the Clerk will report.

The Clerk read as follows:

Substitute by Mr. MORRISON for section 1:

"ARTICLE —.

"SECTION 1. The importation of any spirituous, vinous, malted, fermented, or other intoxicating liquors into any State of the United States, or into the District of Columbia, or into the Territory of Alaska, from any other State, District, Territory, country, place, or region, domestic or foreign, is forever prohibited.

Mr. HARRISON. Mr. Speaker, I make a point of order against the amendment.

The SPEAKER. What point of order does the gentleman make?

Mr. HARRISON. The amendment is not germane to the resolution.

The SPEAKER. The Chair will hear the gentleman.

Mr. HARRISON. Mr. Speaker, the object of the Hobson resolution is to prohibit the sale and the manufacture for sale and the transportation, importation, and exportation for sale of intoxicating liquors in the United States for beverage purposes. The amendment offered by the gentleman from Indiana [Mr. MORRISON] deals with the question exclusively and entirely from an interstate-commerce standpoint. In other words, instead of prohibiting the sale or manufacture for sale of intoxicating liquors for beverage purposes, as the Hobson resolution proposes, the amendment of the gentleman from Indiana would do directly the opposite, and instead of prohibiting the sale and manufacture for sale of intoxicating liquors this amendment would license the sale and manufacture for sale of intoxicating liquors not only for beverage purposes but for every other purpose in some of the States of this country. The amendment proposed by the gentleman does not seek to do the same thing as is sought in the Hobson resolution, and is therefore not germane to the subject matter or the purposes embodied in the original resolution. I want to read one precedent that I think is in line. It is found in Hinds' Precedents, volume 5, at section 5841. This precedent was decided on a bill relating to commerce between the States, and an amendment was offered relating to commerce within the several States, and it was held not germane. The bill that was pending was one to regulate corporations engaged in interstate commerce, and an amendment was proposed giving to the State jurisdiction over commerce transported wholly within the State by corporations that were chartered by the Federal Government.

The proponents of the amendment were doubtful whether or not, if the bill that was then being considered and dealing with corporations engaged in interstate commerce should become the law, it would deprive the States of their jurisdiction over the railroads wholly within the State and engaged in interstate commerce. For a clear understanding of the precedent I read:

On September 13, 1888, the House was considering the bill (S. 2851) to amend an act entitled "An act to regulate commerce," approved February 4, 1887, and Mr. KNUTE NELSON, of Minnesota, offered this amendment:

"*Provided further*, That any railroad company or other common carrier heretofore or hereafter created or incorporated under the laws of the United States shall, as to the transportation of passengers or property from one place or station to another place or station in the same State over a route wholly in that State, be subject and amenable to the laws of such State relating to the transportation of passengers and property the same as though it were a railroad company or common carrier created or incorporated under the laws of that State."

That is what is proposed in this amendment offered by the gentleman from Indiana [Mr. MORRISON]. He proposes to allow certain States in this Union to continue to license liquor or to give to them jurisdiction over its regulation.

Mr. Charles F. Crisp, of Georgia, made the point of order that the amendment was not germane to the bill.

The Speaker sustained the point of order upon the grounds that the bill under consideration was one relating solely to commerce between the States, while the proposed amendment related solely to commerce within the States severally, and was therefore not germane to the bill.

You will note, Mr. Speaker, that the primary and major purpose of the Hobson resolution is to prohibit the sale and manufacture for sale of intoxicating liquors for beverage purposes. The transportation for sale or importation for sale are merely incident to the main object desired to be accomplished, namely, to prohibit the sale and manufacture for sale in the United States of intoxicating liquors.

If the sale and manufacture for sale of intoxicating liquors is prohibited in the United States, then certainly none could be transported for sale or imported for sale.

The sale and manufacture for sale of intoxicating liquors in the United States certainly precludes the possibility of intoxicating liquors, being imported for sale or transported for sale. And the prohibition on the importation and transportation of intoxicating liquors for sale is merely surplusage. They are incident to the major purposes of the bill.

The Morrison amendment, therefore, in prohibiting the importation of intoxicating liquors from one State or Territory into another State or Territory is not dealing with the subject matter embraced in the Hobson amendment, except purely in an intrastate way.

The Morrison amendment is analogous in the circumstances to the amendment offered in the precedent cited, and in my opinion, the point of order should be sustained.

Mr. MANN. Mr. Speaker, the precedent cited by the gentleman from Mississippi is one which has been often cited in this House, but it has no application to this case.

Section 1 of the Hobson amendment covers the sale, manufacture, transportation, importation, and exportation.

It covers the transportation between the States; it covers the importation from foreign countries; it covers the production in the States. Apparently it covers the whole subject. The amendment offered by the gentleman from Indiana covers the importation into the particular States, a subject embraced by the Hobson resolution, which provides against both the importation into the United States and the transportation from one State to another, so that the Hobson resolution embraces the subject matter of the Morrison amendment.

Mr. SAUNDERS. Mr. Speaker, there is a simple test to show that this amendment is germane. The gentleman from Indiana at one stroke by his amendment has arrived at a result that could be readily arrived at by motions to strike out portions of the Hobson resolution. It is simply a reduction of the general sweeping effect of the resolution offered by the gentleman from Alabama. That being so, it is plainly in order.

The SPEAKER. The Chair having some hint made to him that this Morrison resolution would be offered took occasion to look up the matter and examine the whole question of the germaneness from beginning to end. The Chair does not think that the case cited by the gentleman from Mississippi [Mr. HARRISON] is a parallel case, and he does think that the Morrison amendment is in order. The Hobson resolution provides for transportation, and so forth, and the Morrison amendment goes to the very same point. Consequently, the point of order made by the gentleman from Mississippi is overruled.

Mr. MORRISON. Mr. Speaker, is this open now to debate? If it is, I desire to say one or two words.

The SPEAKER. It is open to debate under the five-minute rule.

Mr. MORRISON. Mr. Speaker, I only want to make this suggestion. Here is the situation. Each State has general police power, police officers, and police courts, and has under existing conditions the right to control the manufacture and sale of intoxicating liquors. The Federal Government has the right to control interstate and foreign commerce. It has the machinery with which to control it. The people of the States have asked but one thing, namely, that the power shall no longer exist to evade the force of State constitutions and State statutes by shipment of intoxicating liquors into States under Federal control of interstate commerce.

If the temperance people of this country will get back of the proposition I have offered, they can write it into the Federal Constitution in less than 18 months, and then the prohibition people of this country will be satisfied with the result. I am sure that you are not going to do this. You are not going to do it, but will claim that we have the power to do it now in the form of a statute. I think you are mistaken, and that you ought to adopt it as a substitute. But if you do not do that, I have done some good, for I have compelled the Antisaloon League to have their representatives on this floor say that a majority of this House and a majority of the Senate can by statute between now and the 4th of March make it impossible to import any kind of intoxicating liquors at any time into any State for any purpose. If the 4th of March does not find that condition of affairs, the people who want prohibition for the benefit of this generation will think that you do not want to lose your jobs, and therefore you are not willing to go the shortest way to a final result. [Applause.]

Mr. HOBSON. Mr. Speaker, I do not care to discuss this amendment, and I trust that all friends will promptly vote it down.

The SPEAKER. The question is on the Morrison amendment.

The question is on the Morrison amendment.

The question was taken; and on a division (demanded by Mr. MORRISON) there were—yeas 41, noes 213.

Mr. MORRISON. Mr. Speaker, I demand the yeas and nays.

The SPEAKER. The gentleman from Indiana demands the yeas and nays. Those in favor of ordering the yeas and nays will rise and stand until counted. [After counting.] Forty-one Members have risen, not a sufficient number, and the yeas and nays are refused.

So the Morrison amendment was rejected.

The SPEAKER. The Clerk will read.

The Clerk read as follows:

SEC. 2. Congress shall have power to provide for the manufacture, sale, importation, and transportation of intoxicating liquors for sacramental, medicinal, mechanical, pharmaceutical, or scientific purposes, or for use in the arts, and shall have power to enforce this article by all needful legislation.

Mr. HOBSON. Mr. Speaker, I offer the following amendment, which I send to the desk and ask to have read.

The Clerk read as follows:

Amendment offered by Mr. HOBSON: In section 2 strike out the section and in lieu thereof substitute the following:

"SEC. 2. The Congress or the States shall have power independently or concurrently to enforce this article by all needful legislation."

Mr. HOBSON. Mr. Speaker, I do not desire to discuss the section. It is thoroughly understood by Members, but I should refer to the evolution of this section.

The gentleman from Illinois [Mr. MANN] has referred to the fact that I have introduced a number of resolutions in the last two years, and he asked which one I preferred. Well, I will say to the gentleman that if he has followed the evolution of these resolutions——

Mr. MANN. I have.

Mr. HOBSON (continuing). He will find that the last resolution (H. Res. 277) is very close to the original, the first one introduced.

Mr. MANN. Oh, it is very different; I have them both here.

Mr. HOBSON. Very close.

Mr. MANN. Very different.

Mr. HOBSON. I will say to the gentleman that the resolution has gone the rounds of most of the temperance and prohibition forces and organizations, and that its final wording was practically determined in the subcommittee of the Judiciary Committee of the Senate, as the result of a long conference between Senators CHILTON, BORAH, SHEPPARD, and SHIELDS, with Mr. Dinwiddie and myself present. I will add that the main object was to provide absolutely against any chance either of a conflict of authority or of an encroachment by the Federal Government upon the rights of the States. The changes since then have been unimportant.

[Cries of "Vote!"]

Mr. ADAMSON. Mr. Speaker, inasmuch as the amendment now offered by the gentleman from Alabama is diametrically opposed to the amendment which I have given notice I would offer, it would be necessary to offer my proposed amendment as a substitute to the amendment which the gentleman has just offered, because, if the gentleman succeeds in passing his amendment, it is directly contrary to the effect that would result if my matter is adopted, and therefore I shall offer my proposition as a substitute for the amendment.

The SPEAKER. The Clerk will report the amendment.

Mr. ADAMSON. In lieu of the amendment offered by the gentleman from Alabama, which proposes a reconstruction of this section, I propose to add at the end of section 2 the following language.

The SPEAKER. The Clerk will report the amendment.

The Clerk read as follows:

Add at the end of section 2 the following:

"But there is reserved to each State the exclusive power to regulate, control, or prohibit within its territorial boundaries the use or the manufacture or conveying into or out of such territorial boundaries of intoxicating liquors for use for all purposes other than as a beverage."

Mr. ADAMSON. Mr. Speaker, I propose——

Mr. MANN. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. MANN. What is this offered as now?

Mr. ADAMSON. It is offered as a substitute for the amendment offered by the gentleman from Alabama.

Mr. MANN. The amendment of the gentleman from Alabama was a substitute.

Mr. ADAMSON. No; he offered to amend.

Mr. MANN. No; he offered it as a substitute for section 2. I do not care how it is offered, but I would like to know before we vote.

Mr. ADAMSON. Then I misunderstood the gentleman. I thought he offered to amend certain language in the section.

Mr. MANN. No; he offered it as a substitute.

Mr. ADAMSON. Of course, if he offered his amendment as a substitute, I shall have to offer mine as an amendment to the substitute.

Mr. MANN. Or to the original section.

Mr. ADAMSON. The gentleman's proposition changes the entire structure of the section.

Mr. MANN. It strikes out and inserts a substitute.

Mr. ADAMSON. It adds only this, that instead of concurrent jurisdiction there may be independent jurisdiction. I desire it to stand so that the State will have exclusive jurisdiction to enforce this provision.

Mr. MANN. I understand, but the gentleman could not very well offer his amendment as an amendment to that of the gentleman from Alabama, as the two are directly contradictory. The gentleman could offer it to perfect the original text.

Mr. ADAMSON. Well, to offer it as an amendment to the original text is satisfactory to me. This amendment to the original text ought to be made before the substitute is acted upon. Then I offer it as an amendment to the original text of section 2.

The SPEAKER. The gentleman from Alabama offered his proposition as a substitute for section 2.

Mr. ADAMSON. Then we should perfect the original text before that is voted on.

Mr. HOBSON. Is it not too late to offer the amendment now? Not that I do not want my friend to offer it, but I want the parliamentary situation to be clear.

Mr. MANN. It is in order to amend the original section before you vote on the substitute.

Mr. GARNER. Mr. Speaker, where the substitute is offered for a section, it is always in order to perfect the section before the substitute is voted upon.

Mr. ADAMSON. It has to be done.

The SPEAKER. The Clerk will report the Hobson amendment.

The Clerk read as follows:

In section 2, strike out the section, and in lieu thereof substitute the following:

"SEC. 2. The Congress or the States shall have power independently or concurrently to enforce this article by all needful legislation."

Mr. ADAMSON. Mr. Speaker, I think my amendment ought to go to the original text to be acted upon before the substitute is considered.

The SPEAKER. The Chair thinks the better practice would be to vote on the Hobson proposition first. It is to strike out and insert.

Mr. ADAMSON. I think the trouble would be, Mr. Speaker, if you did that you would necessarily have to rule that the House had already adopted something entirely contrary to my proposition.

The SPEAKER. Of course, you could not perfect a thing that is stricken out.

Mr. MANN. The House can not very well determine whether it wants to strike out section 2 as it may be amended, and insert something else, until it has had a chance to perfect the original section. If it should adopt the Hobson amendment it could not then change it, because it would be adopted.

The SPEAKER. Of course, that is true.

Mr. MANN. So that once permission is given to perfect the original text, the House would never have that opportunity.

Mr. HENRY. Mr. Speaker, I ask unanimous consent that the Adamson amendment be voted on first.

Mr. ADAMSON. I gave notice of an amendment to the original text.

Mr. HOBSON. Mr. Speaker, reserving the right to object, I want to let my colleague and friend from Georgia know that almost the exact wording, substantially the exact wording, was introduced and was a part of the deliberations of these Senators and friends of temperance working together, and was practically unanimously, after long discussion, declared to be unnecessary; that all those powers and rights exist now; but I do not wish to deprive my friend from Georgia of the opportunity to introduce his amendment.

The SPEAKER. The gentleman from Texas [Mr. HENRY] asks unanimous consent that the proposition——

Mr. HOBSON. I would prefer, if my friend would allow, my substitute to be voted on first and then his be voted on afterwards.

Mr. ADAMSON. I do not think that is in order, and I do not think unanimous consent is necessary.

The SPEAKER. The unanimous consent is asked, and if it is given it cuts the matter short.

Mr. HOBSON. What is the unanimous consent?

Mr. HENRY. That we vote on the Adamson amendment first.

Mr. HOBSON. I withhold my objection until the gentleman has had a chance.

The SPEAKER. Is there objection to the request of the gentleman from Texas that we vote on the Adamson proposition first? (After a pause.) The Chair hears none.

Mr. HENRY. Now I ask that the original text of section 2 be read as it would appear after the Adamson amendment is added, if it is adopted.

The SPEAKER. The Clerk will read the section as it stands, and then read the Adamson proposition, so that the House can tell how it will read.

The Clerk read as follows:

SEC. 2. Congress shall have power to provide for the manufacture, sale, importation, and transportation of intoxicating liquors for sacramental, medicinal, mechanical, pharmaceutical, or scientific purposes, or for use in the arts, and shall have power to enforce this article by all needful legislation, but there is reserved to each State the exclusive power to regulate, control, or prohibit within its territorial boundaries the use or the manufacture or conveying into or out of such territorial boundaries of intoxicating liquors for use for all purposes other than as a beverage.

The SPEAKER. The question is——

Mr. ADAMSON. Mr. Speaker, I submitted the proposition to the gentleman from Alabama [Mr. HOBSON], as he states, several days ago. He encouraged me very much this morning by imparting to me the information which he has given the House, that he had submitted it to those Senators, and that they had had wisdom enough to approve it and say it was all right, but not necessary. So that they and he, and all whom they represent, can support this if it is necessary.

I maintain that it is absolutely necessary, and while I bow with deferential respect to those august Senators, I also submit that I have been voting for prohibition longer than they have, and know more about interstate and foreign commerce than they do. [Applause.] And I say it is necessary, if we are to maintain the integrity of prohibition in the separate States.

If the Federal Government legislates about these purposes other than as a beverage, the States can not do it, even if you put in the language suggested by the gentleman from Alabama [Mr. HOBSON], saying that they can do it either independently or concurrently, because if the Federal Government acts in matters of commerce, the State law is nullified, if there is any on the subject.

If Capt. HOBSON and those Senators stay in Congress and dominate Congress it might not be necessary. They say, and the captain, my esteemed friend from Alabama, told me that they expected the States could do this; that Congress would not be called upon to do it; and if the Congress were always to have the benefit of their services in Congress, they might dominate Congress, and Congress would not legislate, and would leave the States to do it. But unfortunately men are mortal. There may come a Congress in here that will assert Federalism enough to say that Congress shall enact exclusive law on the subject. If so, down goes prohibition in all the States that have it, because they can legislate enough on these exceptions outside of beverage purposes to make loopholes and subterfuges sufficient to destroy all vestiges of prohibition. I am in favor of prohibition by the States if I can get it; and as between the States and the Federal Government I prefer to rely on the States if the States want prohibition; and in order to maintain the integrity of State prohibition I want to put in this amendment that the States shall have exclusive power to legislate as to the use, sale, manufacture, transportation, and importation for medicinal purposes and mechanical purposes, and for use in the arts.

I insist that it is necessary and that it is consistent with the captain's views; and the captain's friends being for it, I am sure all my eloquent friends here who advocate State rights will support me in it. [Applause.]

The SPEAKER. The question is on agreeing——

Mr. MANN. Mr. Speaker, the gentleman from Alabama [Mr. HOBSON] a few minutes ago referred to the fact that I called attention to the number of resolutions which he had introduced on this subject, commencing, I believe, last April a year ago. There were nine of those resolutions. We were told during the day that the ninth resolution was perfect, and would be offered as a substitute for the resolution which was made in order; but when my friend from Alabama offers his substitute for section 2, it is not taken from the ninth resolution, but is a tenth proposition. Ten distinct propositions in less than two years! And this great legislative body is called upon to vote upon an amendment to the Constitution where, since morning, the gentleman from Alabama has changed it, and gives as the reason for the change that he has it, in private conversation, from a Senator of the United States!

I knew that this House had largely deteriorated in public opinion, but I had not supposed that we had gotten so low that, after a Member of this House had tried it ten times, he would ask a Senator, privately, to change it, so that it could be presented correctly to this great body. Have we no one left in the House of Representatives who can prepare section 2 after nine trials without appealing to one Senator to put it in proper shape? I am ashamed of the House temporarily if that be the case. [Applause and cries of "Vote!" "Vote!"]

Mr. SLOAN rose.

The SPEAKER. For what purpose does the gentleman from Nebraska rise?

Mr. SLOAN. I rise to discuss the Hobson amendment.

The SPEAKER. The Hobson amendment is not up. It is the Adamson proposition that is now before the House. The question is on agreeing to the Adamson amendment.

The question was taken, and the Speaker announced that the noes seemed to have it.

Mr. ADAMSON. Mr. Speaker, I ask for a division. I would like to have a division to see how my State-rights friends vote.

The House divided; and there were—ayes 32, noes 179.

Accordingly the amendment of Mr. ADAMSON was rejected.

The SPEAKER. The question is on the motion of the gentleman from Alabama [Mr. HOBSON] to strike out and insert.

Mr. SLOAN. Mr. Speaker——

The SPEAKER. For what purpose does the gentleman from Nebraska rise?

Mr. MANN. He is entitled to five minutes.

The SPEAKER. The gentleman from Nebraska is recognized for five minutes.

Mr. SLOAN. Mr. Speaker, I rise to oppose the amendment to section 2 offered by the gentleman from Alabama, the author of House joint resolution 168.

At this stage of the debate section 2 is the most important part of the resolution, yet during 12 hours of debate it was scarcely referred to. The debate has generally taken the course as to whether prohibition of the liquor traffic was wise or unwise. The real questions are:

First. Is there such a general demand by the people of the United States for an opportunity to express themselves through the machinery of the several States upon this subject? This demand need not be by a majority. It should be a general well-defined demand of a large percentage of the people to express themselves on that subject.

Second. If the submission is to be made, in what form shall it be submitted? This form involves two distinct elements:

First, the prohibitive mandate, which is easy to state; second, the jurisdiction and means of enforcement.

Section 2 of the original resolution 168, which, up to a few minutes ago, was kept before the House, reads as follows:

> The Congress shall have power to enforce by appropriate legislation the provisions of this article.

That is a straightforward statement, about the meaning of which there can be little doubt. However, Members were notified to-day that section 2 of House joint resolution 277 would be offered as a substitute therefor. Knowing that this last resolution was introduced in deference to results determined or clearly forecasted in the Alabama and Texas campaigns of this year, wherein special State rights were thought to be involved, and believing that if this Government enters into consideration of national prohibition it should divide its prerogatives and jurisdiction with no other power, I could not favor such an amendment.

We have too many amendments to our Constitution now which are flouted by certain States without adding another with a doubtful statement as to a mixed jurisdiction by State and Nation.

That proposed amendment I had time to examine, and should the substitution have been proposed I should have opposed it; and if the substitution were made I should not vote for the resolution so burdened.

There is proposed now, without time or opportunity for examination, an amendment that does not appear from hasty examination to meet my approval. Yet there is an attempt to make the matter of jurisdiction somewhat more certain. I therefore oppose the proposed amendment to section 2, although I shall probably vote for the resolution, notwithstanding this amendment.

Hereafter both friends and opponents of the general measure will probably deal more frankly in discussing section 2 as a very important part of the proposed constitutional amendment.

If an amendment of this general character is submitted to the American people, it should not be hobbled by any doubtful provisions for its enforcement nor by any pandering to any rights of the States which might under any circumstances be regarded as superior to the rights and powers of the General Government or in any wise interfere with them.

A large number of votes are to be cast here to-day by those who do not believe in the transfer of the control of the liquor traffic to the General Government. These Members believe that it should be left with the States. Their votes are simply in deference to the demand of the people to express themselves and not a belief that the new method will be more efficacious. But in any event, if the United States Government is to undertake this stupendous administrative task, it should clear the field; and while not denying other jurisdictions the right to follow, its absolute leadership should not be qualified.

The SPEAKER. The question is on agreeing to the motion of the gentleman from Alabama [Mr. HOBSON] to strike out and insert.

The motion was agreed to.

The SPEAKER. The question is on the Hobson resolution——

Mr. HOBSON. The preamble still remains, Mr. Speaker.

Mr. MANN. You can dispose of that after the resolution has been agreed to.

Mr. HOBSON. I ask unanimous consent that the preamble be stricken out.

The SPEAKER. The gentleman asks unanimous consent to strike out the preamble. Is there objection?

Mr. HOBSON. Before that is done, I want to take this occasion to say that under the spirit of the Constitution and the rules of this House—I mention this now that we are approaching the final vote—any Member who is financially interested in the outcome of the vote shall not vote.

Mr. STAFFORD. That disqualifies you, then.

Mr. MANN. I will ask the gentleman——

The SPEAKER. That proposition is not before the House.

Mr. HOBSON. I ask unanimous consent to strike out the preamble.

The SPEAKER. The gentleman from Alabama asks unanimous consent to strike out the preamble. Is there objection?

There was no objection.

Mr. HOBSON. Now, Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. HOBSON. Whether Members of this body who are financially interested, by owning bonds or stocks in breweries, distilleries, or other establishments of manufacture, or who own saloons or an interest in saloons, or property rented for saloons, or other properties which make them financially interested in this measure, can conscientiously vote on this measure, or whether they can do so under the rules of this House and under the spirit of the Constitution, which provides not only for the judiciary but for the legislative branch of the Government?

Mr. MANN. Mr. Speaker, what is before the House, except the gentleman from Alabama?

The SPEAKER. The gentleman is making a parliamentary inquiry.

Mr. MANN. I thought he was making a speech. He is dealing in buncombe, at least.

The SPEAKER. The rule about that is Rule VIII:

> Every Member shall be present within the Hall of the House during its sittings unless excused or necessarily prevented; and shall vote upon each question put, unless he has a direct, personal, or pecuniary interest in the event of such question.

It was decided after a bitter wrangle in the House in the case of John Quincy Adams, who came back to the House after he had been President, that you could not make a Member vote unless he wanted to. It has practically been decided by Speaker Blaine in a most elaborate opinion ever rendered on the subject that each Member must decide the thing for himself, whether he is sufficiently interested pecuniarily to prevent his voting. It must affect him directly and personally and not as a member of a class. If it were not so long, the Chair would read it in full. It arose in this way. They had a bill about national banks before the House and Mr. Hooper, of Massachusetts, who was the president of a national bank, voted. Somebody raised the point of order that his vote ought to be stricken from the RECORD. Speaker Blaine made this kind of a ruling of which I will give the substance; that where it affected an individual he could not vote, but that where it affected a class he could vote. He cited two different classes, one of which was national banks—a law that affected every national bank in the country, and a great number of Members of the House were more or less interested in national banks. Another class he cited was the old soldiers, of whom there were many in the House, and bills were constantly coming up at that time providing for pensions and bounties. He said that nobody would claim that these old soldiers should not be permitted to vote on that kind of a bill. He wound up finally with the suggestion that knowing the fine constitution of the mind of the gentleman from Massachusetts and his high sense of honor, and how jealous he was of his reputation, he would suggest to him whether he would withdraw his vote or not, and he withdrew the vote.

Now, if there was a bill here affecting one institution, if you call it that, the Chair would be inclined to rule that a Member interested in it pecuniarily could not vote, but where it affects a whole class he can vote.

Mr. MANN. Like the cotton-warehouse bill that the gentleman from Alabama voted for. [Laughter.]

The SPEAKER. Here is a ruling of Speaker Randall on the same subject in section 5950, volume 5, of Hinds' Precedents:

> On March 2, 1877, the yeas and nays were being taken on a motion to suspend the rules in order to take up the Senate bill (No. 14) to extend the time for the construction and completion of the Northern Pacific Railroad.
>
> During the call of the roll Mr. William P. Frye, of Maine, said that he did not feel at liberty to vote on the bill until the Chair had ruled upon his right to do so, since he was a stockholder in the road.
>
> The Speaker said:
>
> "Rule 29 reads: 'No Member shall vote on any question in the event of which he is immediately or particularly interested.'
>
> "Having read this rule, it is for the gentleman himself to determine whether he shall vote, not for the Chair."
>
> Mr. Frye declined to vote.

The question is on the passage of the Hobson resolution submitting a constitutional amendment.

Mr. HOBSON, Mr. UNDERWOOD, and Mr. MANN demanded the yeas and nays.

Mr. HENRY. Mr. Speaker, I suggest that the request has not been put as to striking out the preamble.

Mr. MANN. And I would like to make the suggestion, Mr. Speaker, that the bill has not been engrossed and read a third time.

The SPEAKER. The Chair thinks he submitted the request to strike out the preamble.

Mr. MANN. That was agreed to.

The SPEAKER. What was the suggestion of the gentleman from Illinois?

Mr. MANN. It has not been ordered to be engrossed and read a third time.

The SPEAKER. That is true.

The resolution was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER. The question now is on ordering the yeas and nays.

The question was taken, and the yeas and nays were ordered.

The question was taken, and there were—yeas 197, nays 190, answered "present" 1, not voting 40, as follows:

YEAS—197.

Abercrombie	Flood, Va.	Kinkaid, Nebr.	Shreve
Adamson	Floyd, Ark.	Kirkpatrick	Sims
Aiken	Fordney	Kitchin	Sinnott
Alexander	Foster	Kreider	Sisson
Anderson	Fowler	Lafferty	Slemp
Anthony	Francis	La Follette	Sloan
Austin	French	Langham	Smith, Idaho
Avis	Garrett, Tex.	Langley	Smith, Md.
Baker	Glass	Lever	Smith, J. M. C.
Barkley	Good	Lewis, Md.	Smith, Saml. W.
Barton	Goodwin, Ark.	Lewis, Pa.	Smith, Tex.
Bell, Cal.	Green, Iowa	Lindbergh	Sparkman
Bell, Ga.	Griest	Lindquist	Stedman
Borchers	Gudger	Lloyd	Steenerson
Borland	Hamilton, Mich.	McKellar	Stephens, Cal.
Brodbeck	Hamilton, N. Y.	McKenzie	Stephens, Miss.
Bryan	Hamlin	McLaughlin	Stephens, Tex.
Burke, S. Dak.	Harrison	MacDonald	Stout
Burnett	Haugen	Mapes	Sutherland
Butler	Hawley	Mondell	Switzer
Byrnes, S. C.	Hay	Moon	Taggart
Byrns, Tenn.	Hayden	Morgan, Okla.	Tavenner
Campbell	Helgesen	Moss, W. Va.	Taylor, Ala.
Candler, Miss.	Helm	Murray	Taylor, Ark.
Caraway	Helvering	Neely, W. Va.	Taylor, Colo.
Carr	Hensley	Nelson	Temple
Carter	Hinds	Norton	Thomas
Clark, Fla.	Hinebaugh	O'Hair	Thompson, Okla.
Collier	Hobson	Oldfield	Thomson, Ill.
Connelly, Kans.	Holland	Padgett	Towner
Copley	Houston	Page, N. C.	Tribble
Cramton	Howard	Park	Volstead
Crisp	Hoxworth	Patton, Pa.	Walker
Decker	Hughes, Ga.	Peters	Wallin
Deitrick	Hulings	Plumley	Walters
Dershem	Hull	Post	Watkins
Dickinson	Humphrey, Wash.	Powers	Watson
Difenderfer	Humphreys, Miss.	Prouty	Weaver
Dillon	Jacoway	Quin	Webb
Doolittle	Johnson, Ky.	Ragsdale	Whaley
Dunn	Johnson, S. C.	Rainey	White
Evans	Johnson, Wash.	Raker	Willis
Faison	Jones	Rubey	Wingo
Falconer	Keating	Rucker	Woodruff
Farr	Keister	Rupley	Woods
Fergusson	Kelley, Mich.	Russell	Young, N. Dak.
Ferris	Kelly, Pa.	Saunders	Young, Tex.
Fess	Kennedy, Iowa	Seldomridge	
Fields	Kiess, Pa.	Sells	
Finley	Kindel	Shackleford	

NAYS—190.

Adair	Dies	Kennedy, Conn.	Platt
Allen	Dixon	Kennedy, R. I.	Porter
Aswell	Donohoe	Kent	Pou
Bailey	Donovan	Kettner	Price
Barchfeld	Dooling	Key, Ohio	Rauch
Barnhart	Doremus	Kinkead, N. J.	Rayburn
Bartholdt	Driscoll	Knowland, J. R.	Reed
Bartlett	Drukker	Korbly	Reilly, Conn.
Bathrick	Dupré	Lazaro	Reilly, Wis.
Beakes	Eagan	Lee, Ga.	Riordan
Blackmon	Eagle	Lee, Pa.	Roberts, Mass.
Booher	Edmonds	Lenroot	Roberts, Nev.
Bowdle	Esch	Lesher	Rogers
Britten	Estopinal	Levy	Rouse
Brockson	Fitzgerald	Lieb	Sabath
Broussard	FitzHenry	Linthicum	Scott
Brown, N. Y.	Frear	Lobeck	Scully
Browne, Wis.	Gallagher	Loft	Sherley
Browning	Gallivan	Lonergan	Sherwood
Bruckner	Gard	McAndrews	Slayden
Buchanan, Ill.	Gardner	McGillicuddy	Smith, Minn.
Buchanan, Tex.	Garner	Madden	Smith, N. Y.
Bulkley	George	Maguire, Nebr.	Stafford
Burgess	Gerry	Mahan	Stanley
Burke, Wis.	Gill	Maher	Stephens, Nebr.
Calder	Gillett	Manahan	Stevens, Minn.
Callaway	Gilmore	Mann	Stevens, N. H.
Cantor	Goeke	Miller	Stone
Cantrill	Goldfogle	Mitchell	Stringer
Carew	Gordon	Montague	Sumners
Carlin	Goulden	Moore	Talbott, Md.
Cary	Graham, Ill.	Morgan, La.	Talcott, N. Y.
Casey	Gray	Morin	Thacher
Chandler, N. Y.	Greene, Mass.	Morrison	Treadway
Church	Greene, Vt.	Moss, Ind.	Tuttle
Clancy	Griffin	Mott	Underhill
Cline	Hamill	Mulkey	Underwood
Coady	Hammond	O'Brien	Vaughan
Conry	Hardy	Oglesby	Vinson
Cooper	Hart	O'Leary	Vollmer
Cox	Hayes	O'Shaunessy	Walsh
Crosser	Heflin	Paige, Mass.	Whitacre
Cullop	Henry	Palmer	Williams
Curry	Hill	Parker, N. J.	Wilson, N. Y.
Dale	Howell	Parker, N. Y.	Winslow
Danforth	Igoe	Patten, N. Y.	Witherspoon
Davis	Johnson, Utah	Peterson	
Dent	Kahn	Phelan	

ANSWERED "PRESENT"—1.

Small

NOT VOTING—40.

Ainey	Brown, W. Va.	Davenport	Garrett, Tenn.
Ansberry	Brumbaugh	Doughton	Gittins
Ashbrook	Burke, Pa.	Edwards	Godwin, N. C.
Baltz	Claypool	Elder	Gorman
Beall, Tex.	Connolly, Iowa	Fairchild	Graham, Pa.
Gregg	L'Engle	Metz	Taylor, N. Y.
Guernsey	Logue	Murdock	Ten Eyck
Harris	McClellan	Neeley, Kans.	Townsend
Hughes, W. Va.	McGuire, Okla.	Nolan, J. I.	Vare
Konop	Martin	Rothermel	Wilson, Fla.

So, two-thirds not having voted in favor thereof, the resolution was rejected.

The Clerk announced the following pairs:

Mr. DAVENPORT and Mr. HARRIS (for) with Mr. KONOP (against).

Mr. NEELEY of Kansas and Mr. MARTIN (for) and Mr. GREGG (against).

Mr. AINEY and Mr. GUERNSEY (for) with Mr. FAIRCHILD (against).

Mr. L'ENGLE and Mr. DOUGHTON (for) with Mr. SMALL (against).

Mr. MCGUIRE of Oklahoma and Mr. GARRETT of Tennessee (for) with Mr. BURKE of Pennsylvania (against).

Mr. SMALL. Mr. Speaker, I voted "nay." I am paired with my colleague, Mr. DOUGHTON, who has just been compelled to leave the city, and I wish to withdraw my vote and answer "present."

The name of Mr. SMALL was called and he answered "Present."

The result of the vote was announced as above recorded.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Tulley, one of its clerks, announced that the Senate had passed joint resolution of the following title, in which the concurrence of the House of Representatives was requested:

S. J. Res. 214. Joint resolution authorizing the Secretary of Commerce to postpone the sale of certain sealskins.

ENROLLED BILL SIGNED.

Mr. ASHBROOK, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bill of the following title, when the Speaker signed the same:

H. R. 6939. An act to reimburse Edward B. Kelley for moneys expended while superintendent of the Rosebud Indian Agency in South Dakota.

The SPEAKER announced his signature to enrolled bill of the following title:

S. 6687. An act to authorize the Chesapeake & Ohio Northern Railway Co. to construct a bridge across the Ohio River a short distance above the mouth of the Little Scioto River, between Scioto County, Ohio, and Greenup County, Ky., at or near Sciotoville, Ohio.

ADJOURNMENT.

Mr. UNDERWOOD. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; and accordingly (at 11 o'clock and 34 minutes p. m.) the House adjourned until to-morrow, Wednesday, December 23, 1914, at 12 o'clock noon.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the several calendars therein named, as follows:

Mr. OLDFIELD, from the Committee on Patents, to which was referred the bill (H. R. 20036) to extend temporarily the time of filing applications for letters patent and registration in the Patent Office, reported the same without amendment, accompanied by a report (No. 1245), which said bill and report were referred to the House Calendar.

Mr. SLOAN, from the Committee on Ways and Means, to which was referred the bill (S. 5449) to make Pembina, N. Dak., a port through which merchandise may be imported for transportation without appraisement, reported the same without amendment, accompanied by a report (No. 1247), which said bill and report were referred to the House Calendar.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII,

Mr. MILLER, from the Committee on Indian Affairs, to which was referred the bill (H. R. 19376) confirming patents heretofore issued to certain Indians in the State of Washington, reported the same without amendment, accompanied by a report (No. 1246), which said bill and report were referred to the Private Calendar.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. ADAIR: A bill (H. R. 20280) to incorporate the Supreme Lodge of the World, Loyal Order of Moose; to the Committee on the Judiciary.

By Mr. ALEXANDER: A bill (H. R. 20281) to provide for the appointment of certain assistant inspectors, Steamboat-Inspection Service, at ports where they are actually performing duty, but to which they are at present detailed; to the Committee on Interstate and Foreign Commerce.

Also, a bill (H. R. 20282) to provide for the appointment of 11 supervising inspectors, Steamboat-Inspection Service, in lieu of 10; to the Committee on Interstate and Foreign Commerce.

By Mr. LOFT: A bill (H. R. 20326) to amend an act entitled "An act to reduce tariff duties and to provide revenue for the Government, and for other purposes," approved October 3, 1913; to the Committee on Ways and Means.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ALEXANDER: A bill (H. R. 20283) granting a pension to James Boyer; to the Committee on Pensions.

Also, a bill (H. R. 20284) granting a pension to Bradford H. Bennett; to the Committee on Invalid Pensions.

Also, a bill (H. R. 20285) granting a pension to James W. Tippett; to the Committee on Invalid Pensions.

By Mr. ANTHONY: A bill (H. R. 20286) granting an increase of pension to Margaret M. McLellan; to the Committee on Pensions.

By Mr. BURKE of Wisconsin: A bill (H. R. 20287) granting an increase of pension to Aaron Fanshaw; to the Committee on Invalid Pensions.

By Mr. COLLIER: A bill (H. R. 20288) granting an increase of pension to Lawrence Foot; to the Committee on Invalid Pensions.

By Mr. EAGAN: A bill (H. R. 20289) granting an increase of pension to Andrew Silberman; to the Committee on Invalid Pensions.

By Mr. FORDNEY: A bill (H. R. 20290) granting an increase of pension to Joseph Hasler; to the Committee on Pensions.

By Mr. GREEN of Iowa: A bill (H. R. 20291) for the relief of James Owens; to the Committee on Military Affairs.

By Mr. HAY: A bill (H. R. 20292) for the relief of the heirs of James Bowles, deceased; to the Committee on War Claims.

By Mr. HILL: A bill (H. R. 20293) for the relief of James Price; to the Committee on Military Affairs.

By Mr. KINKAID of Nebraska: A bill (H. R. 20294) granting a pension to Magdalena Baer; to the Committee on Pensions.

By Mr. KINKEAD of New Jersey: A bill (H. R. 20295) granting an increase of pension to Luther W. Callaway; to the Committee on Invalid Pensions.

By Mr. LESHER: A bill (H. R. 20296) granting an increase of pension to Isaac Zerbe; to the Committee on Invalid Pensions.

Also, a bill (H. R. 20297) granting an increase of pension to James J. Mitchell; to the Committee on Invalid Pensions.

Also, a bill (H. R. 20298) granting an increase of pension to Charles P. Harder; to the Committee on Invalid Pensions.

By Mr. MOSS of Indiana: A bill (H. R. 20299) granting an increase of pension to Austin Murphy; to the Committee on Invalid Pensions.

By Mr. NEELY of West Virginia: A bill (H. R. 20300) granting a pension to John L. Long; to the Committee on Pensions.

By Mr. PORTER: A bill (H. R. 20301) granting an increase of pension to John M. Langsdale; to the Committee on Invalid Pensions.

Also, a bill (H. R. 20302) granting an increase of pension to William W. Giles; to the Committee on Invalid Pensions.

By Mr. POST: A bill (H. R. 20303) granting a pension to Mary A. Rose; to the Committee on Invalid Pensions.

By Mr. RAINEY: A bill (H. R. 20304) granting a pension to Edwin Lawson; to the Committee on Invalid Pensions.

By Mr. REED: A bill (H. R. 20305) granting a pension to Dennis Ring; to the Committee on Invalid Pensions.

By Mr. SELLS: A bill (H. R. 20306) granting an increase of pension to Susan Long; to the Committee on Invalid Pensions.

By Mr. SLAYDEN: A bill (H. R. 20307) for the relief of E. C. Grossenbacher; to the Committee on Claims.

Also, a bill (H. R. 20308) for the relief of R. H. Keene; to the Committee on Claims.

By Mr. TAGGART: A bill (H. R. 20309) granting a pension to Susan A. Lautzenheiser; to the Committee on Invalid Pensions.

Also, a bill (H. R. 20310) granting a pension to Ann Brown Powell; to the Committee on Invalid Pensions.

Also, a bill (H. R. 20311) granting a pension to Elizabeth Reynolds; to the Committee on Invalid Pensions.

Also, a bill (H. R. 20312) granting an increase of pension to John W. Ballard; to the Committee on Invalid Pensions.

Also, a bill (H. R. 20313) granting an increase of pension to Fernando C. Cash; to the Committee on Invalid Pensions.

Also, a bill (H. R. 20314) granting an increase of pension to Daniel R. Cole; to the Committee on Invalid Pensions.

Also, a bill (H. R. 20315) granting an increase of pension to Andrew McMains; to the Committee on Invalid Pensions.

Also, a bill (H. R. 20316) granting an increase of pension to William L. McClellan; to the Committee on Invalid Pensions.

Also, a bill (H. R. 20317) granting an increase of pension to Benjamin F. Mikesell; to the Committee on Invalid Pensions.

Also, a bill (H. R. 20318) granting an increase of pension to Jesse Ready; to the Committee on Invalid Pensions.

Also, a bill (H. R. 20319) granting an increase of pension to Abraham Riley; to the Committee on Invalid Pensions.

Also, a bill (H. R. 20320) granting an increase of pension to George H. Solifelt; to the Committee on Invalid Pensions.

Also, a bill (H. R. 20321) granting an increase of pension to Adam D. Bright; to the Committee on Pensions.

By Mr. REED: A bill (H. R. 20322) granting a pension to George S. Adams; to the Committee on Invalid Pensions.

By Mr. STEPHENS of California: A bill (H. R. 20323) for the relief of the Fidelity Savings & Loan Association of Los Angeles, Cal.; to the Committee on Claims.

By Mr. HAMILTON of New York: A bill (H. R. 20324) granting a pension to Olivia Pattison; to the Committee on Invalid Pensions.

By Mr. SUTHERLAND: A bill (H. R. 20325) granting an increase of pension to Henry Arthur; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By the SPEAKER (by request): Memorial of the Young Men's Christian Association of Pittston, Pa., favoring national prohibition; to the Committee on Rules.

Also (by request), memorials of citizens and Order of Good Templar Lodges of Blue Island and Chicago, Ill., and citizens of Boston, Mass., and United Presbyterian Church of Sheriden, Pittsburgh, Pa., favoring national prohibition; to the Committee on Rules.

Also (by request) memorial of Manila (P. I.) Merchants' Association, relative to financial relations existing between Philippine Islands and the United States; to the Committee on the Territories.

Also, petitions of citizens of the State of Missouri, favoring national prohibition; to the Committee on Rules.

By Mr. AINEY: Petition of the Men's Fraternity, Brotherhood of Andrew and Philip, and Men's Bible Class of Temple Lutheran Church, Philadelphia, Pa., indorsing the Hobson amendment; to the Committee on Rules.

By Mr. ANTHONY: Petition signed by citizens of a number of towns in northeastern Kansas, favoring national prohibition; to the Committee on Rules.

By Mr. BAILEY: Petition of business men of Stoyestown, Pa., favoring passage of House bill 5308; to the Committee on Ways and Means.

By Mr. BARCHFELD: Petition of voters of Allegheny County, Pa., protesting against national prohibition; to the Committee on Rules.

By Mr. BEAKES: Petition of professors and students of the University of Michigan, favoring national prohibition; to the Committee on Rules.

By Mr. BRUCKNER: Petition of Woman's Christian Temperance Union of the State of New York, favoring national prohibition; to the Committee on Rules.

Also, petitions of Theodore Haeblee, H. Hupkel's Sons, Jacob Eichler, and 35,000 workers in brewing industry, all of New York City, protesting against national prohibition; to the Committee on Rules.

Also, memorial of National Board of Steam Navigation, relative to funds for the ships, etc., required by the United States Coast and Geodetic Survey; to the Committee on Appropriations.

Also, petitions of American Wine Growers' Association, Retail Liquor Dealers' Association, and International Union of the United Brewery Workmen, and citizens of New York City, protesting against national prohibition; to the Committee on Rules.

Also, petition of Boston Maritime Association, of Boston, Mass., protesting against Government-owned merchant marine; to the Committee on the Merchant Marine and Fisheries.

Also, petitions of Central Federated Union, Jacob Froelich, and De La Verger Machine Co., all of New York, protesting against national prohibition; to the Committee on Rules.

Also, petition of Cattle Raisers' Association of Texas, favoring eradication of cattle diseases by United States Department of Agriculture; to the Committee on Agriculture.

Also, petition of the Equal Franchise Society of New York City, favoring woman suffrage; to the Committee on the Judiciary.

By Mr. BURKE of Wisconsin: Telegram from chairman of Federated Churches of Hartford, Wis., stating that the Federated Churches of Hartford, Wis., are unanimously in favor of national constitutional prohibition amendment; to the Committee on Rules.

By Mr. CARY: Petition of L. Pechong, T. O'Reilly, H. Retzek, J. Ryan, and 200 others, all residents of St. Francis, Wis., protesting against the Menace being sent through the mails; to the Committee on the Post Office and Post Roads.

Also, petition of H. Paulus, M. G. Ball, B. Jansen, J. Weber, I. Schuster, E. Stollenwert, F. Haase, R. Schemacher, F. Schroeder, T. L. Decker, P. Dombrowski, H. Schecle, H. Reiske, M. Blankenheim, and 500 others, all residents of the fourth congressional district of Wisconsin, protesting against the Menace being sent through the mails; to the Committee on the Post Office and Post Roads.

By Mr. COADY: Petition of citizens and manufacturers of Baltimore, Md., against national prohibition; to the Committee on Rules.

Also, petition of citizens of Baltimore, Md., favoring national prohibition; to the Committee on Rules.

By Mr. COPLEY: Petitions of citizens of the eleventh district of Illinois, favoring national prohibition; to the Committee on Rules.

By Mr. DEITRICK: Memorial of sundry churches and Sunday schools of Massachusetts, favoring national prohibition; to the Committee on Rules.

By Mr. DONOVAN: Petition of citizens of Bridgeport, Conn., against national prohibition; to the Committee on Rules.

Also, petition of citizens of Stamford and Bridgeport, Conn., favoring national prohibition; to the Committee on Rules.

Also, petition of Miss Annie B. Jennings, New York City, against woman suffrage; to the Committee on the Judiciary.

By Mr. DRUKKER: Petitions of citizens of Passaic, Paterson, Clifton, and Carlsbad, N. J., favoring House joint resolution 377, forbidding exportation of munitions of war; to the Committee on Foreign Affairs.

By Mr. EAGAN: Petitions of citizens of East Orange, Montclair, and Orange, N. J., favoring woman suffrage; to the Committee on the Judiciary.

By Mr. ESCH: Petition of executive committee of the Cattle Raisers' Association of Texas, favoring prevention by United States Department of Agriculture of cattle diseases; to the Committee on Agriculture.

Also, petition of National Board of Steam Navigation of New York, favoring appropriation for United States Coast and Geodetic Survey; to the Committee on Appropriations.

Also, petition of Western Association of Short Line Railroads, against House bill 17042, the Moon railway mail-pay bill; to the Committee on the Post Office and Post Roads.

Also, petition of commercial club of Ashland, Oreg., relative to appropriation for Crater Lake National Park; to the Committee on Appropriations.

By Mr. GALLIVAN: Petition of 18 organizations, total membership 5,091, of Massachusetts, favoring national prohibition; to the Committee on Rules.

Also, petition of citizens of the State of Massachusetts, and Iven Lodge, No. 14, International Order of Good Templars, of Boston, Mass., favoring national prohibition; to the Committee on Rules.

By Mr. FITZGERALD: Petition of the Associated Electrical Contractors of New York City, favoring 1-cent postage; to the Committee on the Post Office and Post Roads.

Also, petition of New York Methodist preachers, favoring national prohibition; to the Committee on Rules.

Also, petition of the Washington Board of Trade, against Johnson amendment to the District of Columbia appropriation bill; to the Committee on the District of Columbia.

Also, petition of the United Retail Grocers' Association of Brooklyn, N. Y., favoring Gardner resolution providing for a national security commission; to the Committee on Rules.

Also, petition of the National Association of Vicksburg Veterans, favoring H. R. 19375, providing national celebration at Vicksburg in 1915; to the Committee on Appropriations.

Also, petition of the commission on relations with Japan, appointed by the Federal Council of the Churches of Christ in America, favoring an adequate oriental policy; to the Committee on Foreign Affairs.

By Mr. GERRY: Petitions of Miss Anna D. Robinson, Lottie S. Dickerman, Edna Kroener, Annie B. C. Kroener, Wakefield; Rhode Island Woman Suffrage Party, Providence; Mrs. Elisha A. Peckham, Middletown; Lydia L. Manchester, Anthony; J. Ellery Hudson, Phenix; Cora Mitchel, Bristol Ferry; Grace J. Connor, Mrs. Harriet K. Carpenter, Peace Dale; Marion E. Mason, A. L. Hall, Mrs. F. H. Carr, Elizabeth F. Buckew, Pawtucket; Hazel C. Harvey, Bessie H. Curtis, Mrs. George F. Curtis, all in the State of Rhode Island, urging the passage of legislation providing for equal suffrage; to the Committee on the Judiciary.

Also, Petitions of Abbie P. Gardner, Rev. Francis M. Mitchell, Rev. F. J. Follansbee, Katherine McKone, Wickford; Louisa C. Sturtevent, Margaret Baker, Mary Sturtevent, Annabel L. Berry, Elizabeth A. Peckham, Elizabeth B. Peckham, Charles Bissell, Mary C. Sturtevent, Maud Howe Elliott, Newport; Arthur L. Washburn, Ingeborg Kindstedt, Elizabeth U. Yates, Mrs. Mary R. Ballou, Mrs. Emma G. Miller, Mary B. Anthony, Mr. and Mrs. Edwin C. Smith, Mrs. Alice F. Porter, Miss Enid M. Pierce, Providence, all in the State of Rhode Island, urging the passage of legislation providing for equal suffrage; to the Committee on the Judiciary.

Also, Petitions of Mary B. L. Stedman, Providence; Newport Branch of Rhode Island Association Opposed to Woman Suffrage, Newport; Mrs. R. G. Hazard, Peace Dale; Mrs. John H. K. Nightingale, Jessie L. Coggeshell, Providence; Mrs. Walter W. Hill, Newport, all in the State of Rhode Island, protesting against the passage of legislation providing for equal suffrage; to the Committee on the Judiciary.

Also, petitions of Brewers' Union, Local No. 114, Providence, R. I., protesting against the passage of legislation providing for national prohibition; to the Committee on Rules.

Also, petitions of Woman's Christian Temperance Union, Phenix; Broadway Baptist Sunday School, Providence; Six Principle Baptist Church, Crompton; C. M. Pike, Providence; Providence Christian Endeavor Society; First Presbyterian Church, Providence; First United Presbyterian Church, Providence; Ellen Casey, Raymond L. Brown, and Mr. and Mrs. William E. Spencer, of North Scituate; United Baptist Sunday School; I. B. Crandall, Providence; Calvary Baptist Church and Sunday School, Westerly; Second Westerly Seventh-day Baptist Church and Sunday School, Bradford; Bradford Woman's Christian Temperance Union, all in the State of Rhode Island; and Presbyterian Board of Temperance, Pittsburgh, Pa., urging the passage of legislation providing for national prohibition; to the Committee on Rules.

By Mr. GRAHAM of Illinois: Petition of citizens of Auburn, Springfield, Rochester, and Christian, Ill., favoring national prohibition; to the Committee on Rules.

By Mr. GRAHAM of Pennsylvania: Petitions of National Model License League, Louisville, Ky., and the Nord-Oestliche Saengerbund of America, protesting against national prohibition; to the Committee on Rules.

Also, memorial of the congregation and Sabbath schools of Locust Street Methodist Episcopal Church, favoring national prohibition; to the Committee on Rules.

By Mr. GRIEST: Memorial of Brewery Workers' Local No. 206, of Lancaster, Pa., and International Union of the United Brewery Workmen of America, protesting against national prohibition; to the Committee on Rules.

By Mr. HART: Memorial of sundry church organizations of the State of New Jersey, favoring national prohibition; to the Committee on Rules.

By Mr. HOBSON: Petition of citizens of Chicago, Ill., favoring national prohibition; to the Committee on Rules.

Also, petition of National Good Citizenship Movement in South Dakota, Oregon, Wyoming, Idaho, Wisconsin, Colorado, Indiana, West Virginia, Virginia, Kentucky, Nebraska, California, New York, Michigan, Tennessee, Alabama, Kansas, Washington, and Oklahoma, favoring national prohibition; to the Committee on Rules.

Also, petitions of citizens of States of New York, Georgia, Pennsylvania, North Carolina, and Ohio, favoring national prohibition; to the Committee on Rules.

Also, petition of the Atlanta (Ga.) Baptist Ministers' Conference; Young People's Society of the First Evangelical Lutheran Church, Moline, Ohio; and churches of Florida, favoring national prohibition; to the Committee on Rules.

Also, petition of citizens of States of Pennsylvania, Ohio, New York, Alabama, Massachusetts, Florida, Washington, Virginia, Illinois, Indiana, Iowa, California, Vermont, and New Jersey, favoring national prohibition; to the Committee on Rules.

By Mr. IGOE: Petition of St. Louis (Mo.) Cooperage Co., against national prohibition; to the Committee on Rules.

Also, petition of Fellhauer & Delabar, St. Louis, Mo., against national prohibition; to the Committee on Rules.

Also, petition of Brewers and Malsters' Union, No. 6, of St. Louis, Mo., against national prohibition; to the Committee on Rules.

Also, petition of Schoperkotler Cooperage Co., St. Louis, Mo., against national prohibition; to the Committee on Rules.

Also, petition of the Brewery Freight Handlers of St. Louis, Mo., against national prohibition; to the Committee on Rules.

Also, petition of the Brewery Oilers' Local Union, No. 279, of St. Louis, Mo., against national prohibition; to the Committee on Rules.

By Mr. KENNEDY of Rhode Island: Petition of Miss Cora Mitchel, of Bristol Ferry, R. I., favoring woman suffrage; to the Committee on Rules.

Also, petition of Rev. Charles C. Parker, of Slatersville, R. I., favoring national prohibition; to the Committee on Rules.

Also, petitions of Mrs. Susan A. Ballou, of Woonsocket, R. I., and Mrs. Walter N. Hill, of Newport, R. I., opposing woman suffrage; to the Committee on Rules.

Also, petitions favoring woman suffrage from Mary C. Sturtevant, Louisa C. Sturtevant, Mrs. Eugene Sturtevant, Margaret Baker, Charles Biesel, Elizabeth B. Peckham, all of Newport, R. I.; Elizabeth Upham Yates, Ingiborg Kindstedt, Mrs. Carroll Miller, Mrs. Mary H. Ballou, and Mrs. Mary B. Anthony, all of Providence, R. I.; to the Committee on the Judiciary.

Also, petition of Jeanette S. French and Louisa Meader, Pawtucket, R. I., favoring woman-suffrage amendment; to the Committee on the Judiciary.

Also, petitions in favor of woman suffrage from Hon. L. F. C. Garvin, of Lonsdale; Mrs. Elisha A. Peckham, of Middletown; Lydia L. Manchester, of Anthony; Grace J. Connor, Peace Dale; Mrs. Frank A. Jackson, Miss G. M. Partridge, Cora M. Emery, of Woonsocket; Katherine McKone, Abbie P. Gardner, Rev. Francis M. Mitchell, of Wickford; Elizabeth F. Bucklin, Althea L. Hall, Mrs. F. H. Carr, Pawtucket; Mrs. Edwin C. Smith, Enid M. Pierce, Edwin C. Smith, Providence; Elizabeth A. Peckham, Mrs. Maude Howe Elliott, Newport; Mrs. Alice F. Porter, Providence; Hazel C. Harvey, Bessie H. Curtiss, Mrs. George F. Curtiss, Wakefield; all in the State of Rhode Island; to the Committee on the Judiciary.

Also, petition of Annabele L. Berry, Newport; Marion E. Mason, Pawtucket; and Arthur L. Washburn, Providence, R. I., favoring woman suffrage; to the Committee on the Judiciary.

By Mr. LANGHAM: Petitions of members of the First Presbyterian Church of Apollo, Pa., favoring national prohibition; to the Committee on Rules.

By Mr. LEVY: Petition of citizens of New York City, against national prohibition; to the Committee on Rules.

By Mr. LIEB: Petitions of John W. Boehne, C. E. Schultz, Joseph W. Lamey, sr., and George W. Bohn, all of Evansville, Ind., favoring the passage of House bill 5139, known as the Hamill bill, providing for the retirement of aged and infirm civil-service employees; to the Committee on Reform in the Civil Service.

Also, petitions of the Woman's Christian Temperance Union, Mrs. Sadie McGregor, president; the United Presbyterian Church, by Morris Watson; the Reformed Presbyterians, by Rev. M. S. McMillan, all of Princeton, Ind.; also S. J. W. Barbour and Iglehart Bros., and the Federation of Men's Bible Classes, by W. B. Miller and Charles Zahn, of Evansville, Ind., indorsing the Hobson amendment to the Constitution of the United States for the prohibition of the sale of liquor; to the Committee on Rules.

Also, petitions of members of the Beer Bottlers' Local Union No. 153, by Fred Hohenberger, secretary, and Local No. 84, of the International Union of the United Brewery Workmen, by John Singel, secretary, both of Evansville, Ind., protesting against national prohibition; to the Committee on Rules.

Also, petitions of M. D. Helfrich, Ernest C. Kleinknecht, Jacob Kleinknecht, Charles G. Kleinknecht, Gotlieb Kleinknecht, sr., Gottlieb F. Kleinknecht, William Kleinknecht, William Rahm, and J. H. Henke, all of Evansville, Ind., and Carl A. Timmel, of Littles, Ind., urging the passage of House joint resolution 377, relative to exportation of war munitions to Europe; to the Committee on Foreign Affairs.

Also, memorial of the Indiana Branch of the National German-American Alliance, comprising over 30,000 American citizens, signed by Joseph Keller, president, of Indianapolis, Ind., and Carl Dreisch, of Evansville, Ind., secretary, protesting against the furnishing of ammunition and war materials of any kind to any of the powers at war; against the furnishing of shoes for their armies; horses and mules for military purposes; against the sale of hydroplanes, submarines, automobile trucks, and trench-digging machines, and similar articles to the powers at war contrary to neutrality; and further protesting against the distortion of news or withholding of same in connection with reports from our foreign representatives, ambassadors, consuls, or naval officers; against interference with the publication or suppression of news concerning the war; against the attitude with reference to the status of naturalized citizens of the United States intending to visit belligerent countries; and favoring other measures to maintain the spirit of neutrality; to the Committee on Foreign Affairs.

By Mr. LOBECK: Petition of 400 members of Westminster Presbyterian Church, of Omaha, Nebr., favoring national prohibition; to the Committee on Rules.

Also, petitions of Halleck F. Rose, John L. Kennedy, and F. A. Brogan, of Omaha, Nebr., favoring Mondell resolution for woman suffrage; to the Committee on Rules.

Also, petitions of Nebraska Woman's Christian Temperance Union and Brotherhood of Hanscom Park Methodist Episcopal Church, of Omaha, Nebr., favoring national prohibition; to the Committee on Rules.

By Mr. LONERGAN: Petition of Frijo Lodge, No. 17, International Order of Good Templars, Hartford, Conn., favoring national prohibition; to the Committee on Rules.

Also, petitions of Manager William Tee, Hotel Heublein, Hartford, Conn., and various other citizens of Connecticut, opposing national prohibition; to the Committee on Rules.

Also, petition of the Rev. S. G. Youngert, of the Swedish Lutheran Emanuel Church, Hartford, Conn., and various other Connecticut citizens, favoring national prohibition; to the Committee on Rules.

Also, petition of Mrs. Lucy Morgan Brainard, of Hartford, Conn., and other citizens of Connecticut, opposing woman suffrage; to the Committee on the Judiciary.

Also, petition of the New Britain Christian Endeavor Union, New Britain, Conn., favoring national prohibition; to the Committee on Rules.

Also, petition of the Connecticut Woman Suffrage Association, Hartford, Conn., favoring woman suffrage; to the Committee on the Judiciary.

By Mr. McCLELLAN: Protests of Joseph Englemann and 12 residents of Monticello; George Hauck & Sons Brewing Co., Rondout; and C. H. Evans & Sons, Hudson, N. Y.; Minot D. Finch and 18 residents of Roscoe, N. Y., against national prohibition; to the Committee on Rules.

Also, petition of Wesleyan Methodist Episcopal Church, Saugerties, N. Y., and Cecil Whitaker, Saugerties, N. Y., favoring the Sheppard-Hobson resolution; to the Committee on Rules.

By Mr. MAHAN: Petitions of sundry citizens of Noank, West Haven, Niantic, Hebron, Hartford, Lynn, Moosup, and Westerly, Conn., favoring national prohibition; to the Committee on Rules.

Also, petition of citizens of Hartford, Conn., protesting against woman suffrage; to the Committee on Rules.

By Mr. MITCHELL: Petition of 47 organizations, total membership 7,477, and citizens of Waltham, Mass., favoring national prohibition; to the Committee on Rules.

By Mr. MORIN: Petition of voters of Allegheny County, Pa., protesting against national prohibition; to the Committee on Rules.

Also, petition of citizens of Pittsburgh, Starjunction, Johnstown, Swissvale, Nesquehoning, Wilkinsburg, Mechanicsburg, Allegheny County; Bethlehem, Warren, Center Hall, Beaver County; New Castle, Sullivan, Kennor, Elk County, and Chester, all in the State of Pennsylvania, favoring national prohibition; to the Committee on Rules.

Also, petition of citizens of Pittsburgh, western Pennsylvania, and Ohio, against national prohibition; to the Committee on Rules.

Also (by request), petition of Washington Branch of the Woman's Movement for Constructive Peace, favoring House joint resolution 381, providing for an advisory referendum on the matter of foreign policy; to the Committee on Military Affairs.

Also (by request), petition of citizens of Pittsburgh, Pa., against woman suffrage; to the Committee on the Judiciary.

By Mr. MOSS of West Virginia: Petition of citizens of Parkersburg, Pennsboro, and Charleston, all in the State of West Virginia, favoring national prohibition; to the Committee on Rules.

By Mr. NEELY of West Virginia: Papers to accompany bill for the relief of John L. Long; to the Committee on Pensions.

By Mr. PAIGE of Massachusetts: Papers to accompany House bill 20262; to the Committee on Military Affairs.

By Mr. PETERS: Petition of 12 citizens of Waterville, Me., favoring national prohibition; to the Committee on Rules.

By Mr. RAKER: Petition of citizens of Red Bluff, Cal., favoring national prohibition; to the Committee on Rules.

Also, memorial of Los Angeles (Cal.) Chamber of Commerce, favoring House joint resolution 344, for national marketing commission; to the Committee on Rules.

By Mr. REILLY of Connecticut: Petitions of sundry citizens of the third congressional district of Connecticut, favoring national prohibition; to the Committee on Rules.

Also, petition of the Nord-Oestliche Saengerbund of America, protesting against national prohibition; to the Committee on Rules.

By Mr. ROGERS: Petition of members of Christian Endeavor of First Congregational Church of Woburn, Mass., favoring national prohibition; to the Committee on Rules.

By Mr. SCULLY: Petitions of Pleasant View Sunday School, of Somerset County, N. J., favoring national prohibition; to the Committee on Rules.

Also, petition of New Jersey League of Building and Loan Associations, urging that they be exempt from the emergency-revenue act; to the Committee on Ways and Means.

By Mr. SELDOMRIDGE: Petitions of sundry citizens and organizations of the State of Colorado, favoring the passage of the Hamill bill (H. R. 5139); to the Committee on Reform in the Civil Service.

Also, petitions of sundry church organizations and citizens of the State of Colorado, favoring national prohibition; to the Committee on Rules.

Also, petition of citizens of congressional district No. 2, State of Colorado, favoring passage of bill known as United States warehouse act; to the Committee on Banking and Currency.

By Mr. SIMS: Petition of citizens of Westport, Tenn., favoring national prohibition; to the Committee on Rules.

By Mr. J. M. C. SMITH: Protest of George Fulwell and Detroit Hotel Association, citizens of Detroit; 4 citizens of Kalamazoo; 1 citizen of Battle Creek; Michael Dawson and Cigarmakers' Union No. 209, Coldwater, all in the State of Michigan, against national prohibition (Hobson resolution); to the Committee on Rules.

Also, petitions of F. S. Goodrich and 10 other citizens of Albion, C. S. Burns and 9 other citizens of Coldwater, W. E. Westworth and 84 other citizens of Battle Creek, Albert Murray and 16 other citizens of Charlotte, Howard H. Hicks and 3 other citizens of Hillsdale, W. W. Warren and 22 other citizens of Union City, A. T. Vary and 24 other citizens of Marshall, S. J. Wykkel and 16 other citizens of Kalamazoo, all in the State of Michigan, in favor of national prohibition; to the Committee on Rules.

By Mr. SMITH of Idaho: Petition of Mednallsolan Lodge, No. 34, International Order Good Templars, of Sandpoint, Idaho, and Boise Valley Ministerial Association, of Caldwell, Idaho, 5,000 members, urging national prohibition; to the Committee on Rules.

Also, papers to accompany H. R. 20890, granting a pension to Lizzie C. Bren; to the Committee on Pensions.

Also, memorial of First Baptist Church of Boise, Idaho, urging the passage of the Hobson resolution; to the Committee on Rules.

By Mr. STEENERSON: Petition of associations opposed to woman suffrage of Minneapolis, State of Minnesota, St. Paul, Minn., and Man Suffrage Association Opposed to Woman Suffrage, of New York State, against woman suffrage; to the Committee on the Judiciary.

Also, petition of J. B. Gilfillan, of Minneapolis, Minn.; International Union of the United Brewery Workmen; and Model License League, of Louisville, Ky., against national prohibition; to the Committee on Rules.

Also, petition of National Congressional Suffrage Association, favoring woman suffrage; to the Committee on the Judiciary.

Also, petition of Antisaloon League of America; president of Woman's Christian Temperance Union of Minnesota; Rev. George Michael, of Walker, Minn.; Synod of Minnesota, Presbyterian Church of America; and Sunday School Association of Wilkin County, Minn., favoring national prohibition; to the Committee on Rules.

By Mr. STEVENS of California: Petition of sundry citizens of Los Angeles, Cal., favoring national prohibition; to the Committee on Rules.

Also, petition of citizens of Los Angeles, Cal., favoring national prohibition; to the Committee on Rules.

Also, petition of National Model License League, of Louisville, Ky., and citizens of San Francisco and Los Angeles, Cal., against national prohibition; to the Committee on Rules.

Also, petition of citizens of Oakland, Cal., favoring the Hamill civil-service retirement bill; to the Committee on Reform in the Civil Service.

By Mr. SUTHERLAND: Petition of citizens of West Virginia, favoring national prohibition; to the Committee on Rules.

By Mr. WILLIS: Petition of union label trades department of the American Federation of Labor, protesting against House joint resolution No. 158, favoring national prohibition; to the Committee on Rules.

SENATE.

WEDNESDAY, *December 23, 1914.*

The Chaplain, Rev. Forrest J. Prettyman, D. D., offered the following prayer:

Almighty God, we bow before Thee in this Senate of a great Nation and pray for the reign of the Prince of Peace. At this time, when little children sing for joy, when holy memories are awakened, when strong men know the passion of helpfulness and the poor the touch of sympathy, when wise men look back upon the lessons of an ancient past, when great nations feel the thrall of an angel song—at this holy time, we pray for peace and good will among men. For His name's sake. Amen.

NAMING A PRESIDING OFFICER.

The Secretary (James M. Baker) read the following communication:

UNITED STATES SENATE, PRESIDENT PRO TEMPORE,
Washington, D. C., December 23, 1914.

To the Senate:

Being temporarily absent from the Senate, I appoint Hon. CLAUDE AUGUSTUS SWANSON, a Senator from the State of Virginia, to perform the duties of the Chair during my absence.

JAMES P. CLARKE,
President pro tempore.

Mr. SWANSON thereupon took the chair as Presiding Officer and directed that the Journal of the last legislative day be read.

The Journal of yesterday's proceedings was read and approved.

PETITIONS AND MEMORIALS.

Mr. WARREN presented a petition of Local Lodge No. 288, Brotherhood of Railway Trainmen, of Cheyenne, Wyo., and a petition of Comfort Lodge, No. 438, Brotherhood of Locomotive Firemen and Enginemen, of Cheyenne, Wyo., praying for the extension of the boiler-inspection laws, which were referred to the Committee on Interstate Commerce.

Mr. GRONNA presented petitions of sundry citizens of Taylor, N. Dak., praying for national prohibition, which were referred to the Committee on the Judiciary.

Mr. BRISTOW presented petitions of sundry citizens of Winfield, Redfield, Delphos, and Leavenworth, all in the State of Kansas, praying for national prohibition, which were referred to the Committee on the Judiciary.

He also presented a petition of sundry citizens of Kansas City, Kans., praying for the enactment of legislation to provide pensions for civil-service employees, which was referred to the Committee on Civil Service and Retrenchment.

Mr. ROBINSON presented a petition of sundry citizens of Arkadelphia, Ark., praying for the further extension of the Rural Free Delivery System, which was referred to the Committee on Post Offices and Post Roads.

Mr. DU PONT presented a memorial of members of the Jewish Community, of Wilmington, Del., remonstrating against the enactment of legislation to further restrict immigration, which was ordered to lie on the table.

Mr. SHERMAN presented a memorial of the Young Men's Associated Jewish Charities of Chicago, Ill., remonstrating against the enactment of legislation to provide a literacy test for immigrants to this country, which was ordered to lie on the table.

He also presented a memorial of the Post Office Clerks' Association of Chicago, Ill., remonstrating against the dismissal of clerks from the Chicago post office, etc., and praying for the retirement of civil-service employees, which was referred to the Committee on Civil Service and Retrenchment.

Mr. KERN presented petitions of sundry citizens of Marion, Ind., praying for national prohibition, which were referred to the Committee on the Judiciary.

He also presented a petition of the Commercial Club of Hobart, Ind., praying for the creation of a national security commission, which was referred to the Committee on Military Affairs.

He also presented a memorial of the St. Peter's Benevolent Society, of La Porte, Ind., remonstrating against the transmission of anti-Catholic publications through the mails, which was referred to the Committee on Post Offices and Post Roads.

He also presented a petition of local lodge, Brotherhood of Locomotive Firemen and Enginemen, of Peru, Ind., praying for the extension of the boiler-inspection laws, which was referred to the Committee on Interstate Commerce.

He also presented memorials of Retail Clerks' Union; of Brotherhood of Painters and Decorators; of Sheet-Metal Workers; of Cigar Makers' Union, No. 50; of Stationary Engineers' Union; of Stage Employees' Union; of Barbers' Local Union; of Bakers' Local Union, No. 70; of Electrical Workers' Union; of Plumbers' Union; of Butchers' Local Union; of Vigo Lodge, No. 292, Machinists' Union; of Brickmasons' Union; of Street Car Workers' Union; and of Bookbinders' Union, all of Terre Haute, in the State of Indiana, remonstrating against national prohibition, which were referred to the Committee on the Judiciary.

Mr. JONES presented petitions of sundry citizens of Kent and Seattle; of the 3 x 3 Dry League, of North Yakima; of Local Lodge No. 6, International Order of Good Templars, of Seattle; of Dauntless Lodge, No. 93, International Order of Good Templars, of Tacoma; of United Lodge, No. 95, International Order of Good Templars, of Kent; and of Framot Lodge, No. 20, International Order of Good Templars, of Preston, all in the State of Washington, praying for national prohibition, which were referred to the Committee on the Judiciary.

Mr. PERKINS presented a petition of the Chamber of Commerce of Ocean Park, Cal., praying for the enactment of legislation to provide pensions for civil-service employees, which was referred to the Committee on Civil Service and Retrenchment.

He also presented a petition of Local Council No. 1271, Knights of Columbus, of San Luis Obispo, Cal., praying that the President of the United States use his friendly offices to stop the persecution of Catholic religious organizations in Mexico by the constitutionalist party, which was referred to the Committee on Education and Labor.

Mr. CRAWFORD presented petitions of the congregations of the Congregational churches of Fort Pierre and Ipswich, in the State of South Dakota, praying for national prohibition, which were referred to the Committee on the Judiciary.

Mr. BURLEIGH presented petitions of sundry citizens of Maine, praying for national prohibition, which were referred to the Committee on the Judiciary.

Mr. RANSDELL. I have a telegram from Horace H. Harvey, chairman of the inland waterway committee, New Orleans Association of Commerce, which I ask may be printed in the RECORD.

There being no objection, the telegram was ordered to be printed in the RECORD, as follows:

NEW ORLEANS, LA., *December 22, 1914.*

Hon. JOSEPH E. RANSDELL,
United States Senate, Washington, D. C.:

The inland waterway committee of the Association of Commerce deeply disappointed that rivers and harbors bill does not provide appropriation for New Orleans-Morgan City link in intercoastal canal. Louisiana and Texas regard intercoastal as unit project and New Orleans-Morgan City link as most essential link in that project, giving connection from the Mississippi River to the entire coast region as far as Brownsville. Appropriation for this link would certainly be an appropriation to carry out a project already under way. If you deem wise, can get to Washington on any date necessary delegation representing demands of whole region affected by canal. This committee deeply regrets announced decision of the administration not to press for passage at this session of Congress a comprehensive problem of waterway improvement further developing the Nation's activities in this direction. Sentiment in this region will support congressional activity to have such an enlarged program written into the laws of the country and sees no true economy in postponing improvements which mean tremendous saving from flood damage and tremendous saving in the transport of goods. Please convey this expression to all members of the Louisiana delegation in House and Senate; also please have this telegram read into the RECORD.

HORACE H. HARVEY,
Chairman Inland Waterway Committee,
New Orleans Association of Commerce.

Mr. RANSDELL presented a petition of sundry citizens of Minden, La., praying for national prohibition, which was referred to the Committee on the Judiciary.

Mr. POMERENE. I have received a letter from the Greater Dayton Association, a civic organization of the city of Dayton, Ohio, which includes certain resolutions adopted by that association against the movement for an increase of the armament of the United States. I ask that the letter be incorporated in the RECORD without reading.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

THE GREATER DAYTON ASSOCIATION,
Dayton, Ohio, December 17, 1914.

Hon. ATLEE POMERENE,
United States Senate, Washington, D. C.

MY DEAR SIR: At a meeting of the board of directors of the Greater Dayton Association, held in Dayton, Ohio, on the 15th day of December, 1914, the following resolutions were adopted:

"Whereas through Hon. AUGUSTUS GARDNER, Member of the House of Representatives, the following preamble and resolution were presented for our adoption, viz:

"'Whereas statements have been publicly made in the United States House of Representatives, and not denied, to the effect that the United States is unprepared to defend itself in case of attack: Therefore be it

"'*Resolved*, That the ——— urges the Congress of the United States to adopt the Gardner resolution (H. J. Res. 372) providing for a national security commission to inquire into the question of the preparedness of the United States for war.

"'*Resolved*, That a copy of this resolution be forwarded to the United States Senators representing this State and the Congressman representing this district.'

"And whereas these proposed resolutions do not represent the views of the board of directors of the Greater Dayton Association: Therefore be it

"*Resolved*, That in our judgment this is not the proper time to consider any increase of armament by the United States, under whatever guise such a proposition may be presented. In view of the total collapse of the theory that excessive armament or general preparedness for war constitutes an insurance against war; in view of the approaching exhaustion of the great powers of Europe, with each of which the United States maintains the most friendly relations; in view of the prospect that the mediation of the United States may be a factor in a lasting peace; and, finally, that our view of the situation is wholly in harmony with the policy of the President of the United States as expressed in his message to Congress on December 8, 1914, we, the directors of the Greater Dayton Association, deprecate all military agitation in the United States as most untimely."

We respectfully ask and urge that you adopt this same attitude if you have not already done so. We believe the situation sufficiently serious to warrant suppression of all efforts to arouse a wrong spirit among our people.

May we have the courtesy and pleasure of a reply from you on the subject?

Yours, truly,

J. M. GUILD,
Executive Secretary.

PRINTING OF DECISION OF INTERSTATE COMMERCE COMMISSION.

Mr. NEWLANDS. Mr. President, I present the decision of the Interstate Commerce Commission in the Five Per Cent Rate case and ask for the publication of 5,000 copies. The cost will be moderate. The decision covers some 30 pages.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Nevada?

Mr. VARDAMAN. What decision is to be published?

The PRESIDING OFFICER. The Secretary will state the title.

The SECRETARY. The Five Per Cent Rate case—revenues of rail carriers in official classification territory; rate increases in official classification territory.

Mr. SMOOT. What is the request?

The PRESIDING OFFICER. That 5,000 copies be printed as a public document.

Mr. NEWLANDS. There is a very large demand for it.

Mr. SMOOT. I ask that the request may go to the Committee on Printing.

Mr. BRISTOW. My attention was attracted to another matter. What is the document?

Mr. NEWLANDS. It is the decision of the Interstate Commerce Commission in the Five Per Cent Rate case.

Mr. SMOOT. I ask that it may go to the Committee on Printing.

Mr. NEWLANDS. I ask the Senator from Utah whether he will not forego that demand? The pamphlet covers only about 30 pages. There is a universal demand for it. The Interstate Commerce Commission have requested its publication as a public document.

Mr. SMOOT. I understand that the Interstate Commerce Commission have already published it, and they have a perfect right to publish it and send it to whomsoever they please. We are not at the present time making public documents out of departmental publications. If we are going to enter into that policy there will be no end to it; it will cost the Government hundreds of thousands of dollars. Before a policy of that kind is established I think the Committee on Printing had better pass upon it.

The PRESIDING OFFICER. Objection being made by the Senator from Utah, the matter will be referred to the Committee on Printing for action.

COTTON WAREHOUSES.

Mr. SMITH of Georgia. The House has passed the bill (S. 6266) to authorize the Secretary of Agriculture to license cotton warehouses, and for other purposes, with an amendment in the nature of a substitute, and it has been received by the Senate. I ask that the bill be reprinted, showing the amendment of the House of Representatives.

The PRESIDING OFFICER. The Chair hears no objection, and it will be so ordered.

THE ANGEL-HERALDED BABE.

Mr. RANSDELL. Mr. President, when the Senate adjourns to-day it will be in honor of the birth of Christ—Christmas

Day—the season of "peace on earth and good will toward men." I ask leave to read a few lines from the pen of W. C. Chevis, an illustrious journalist of the State of Louisiana, on this theme:

"THE ANGEL-HERALDED BABE.

"'Twinkle softly, stars of light,
"'Christmas eve is babies' night.

"Besides Christmas, is there in all the wide world a holiday consecrated to the memory of a babe? In America, in Europe, in Asia, holidays have been decreed commemorative of the achievements of colossal, sun-crowned men; but such holidays are local in their character, ephemeral, speaking comparatively, in point of duration. Monuments of brass, marble, and granite are erected in honor of Washington, Napoleon, Cæsar, but these monuments shall crumble into dust; the nations that constructed them shall become but dim memories of antiquity, and alien feet shall tread the massive ruins that shall slumber by the banks of the Potomac, the Seine, and the Tiber. Archæologists, peering among broken columns and moldering frieze and cornices of stately temples and palaces, shall decipher the hieroglyphics carved by stalwart races that spent their brief day upon a mighty stage, became atrophied, and melted away amid the gathering shadows of the somber twilight.

"But the Heaven-sent Babe, over whose advent angel choristers discoursed celestial anthems and Magi journeyed from the ends of the earth under the leading of a lustrous star, to lay their kingly offerings beside His lowly manger, commands the homage of men and angels now and through the endless ages. While the throne of the Cæsars was yet in its prime, the Christ child came to bless the home of an humble carpenter. With the purple blood of royalty in His veins, He was born in a manger, but kings journeyed over strange lands and through deserts wild to that lowly manger and bowed low before Him. He spent His brief life among the common people doing acts of mercy and deeds of self-sacrificing heroism.

"No crown save that of thorns adorned His kingly brow. He waged no wars, erected no stately palaces, temples, or monuments, and the scepter of His power was love. And thus He lived and wrought, from childhood on to mature manhood, when His course was ended and Calvary became the throne of power from whence emanated the marvelous doctrine of victory over all things through love. No newborn babe was ever honored as He was honored, no patriot ever endured the ignominy He experienced in reward for service that was pure and unselfish.

"And the merry Christmas season reminds the thoughtful parent that there are kingly boys and queenly girls in the homes of the land, before whose face the paths lead to mighty conquests through service if only the right impetus be given. Little recked Mary, when she sought the seclusion of the cheerless manger to provide a nesting place for Him who was to become the Prince of Peace, that swift-winged angels of light should disclose her obscure lodging place among the beasts of the stalls and that the stars of heaven should guide illustrious travelers in their weary search for Him 'born to command and strong to save.' But so it was, and so it will ever be where high destiny awaits the command of ready and efficient service.

"When the three kings of the East prostrated themselves in adoration before the Infant Prince there is no record that any resident of Bethlehem understood the significance of the event or even manifested any special interest in it, but the birth in the manger conferred immortality upon their town, and 'Mary kept all these things and pondered them in her heart.' The potentiality of the baby might furnish an excellent Christmas theme, and it is certain that more intelligent interest is being felt in the babies of the land to-day than was the case in the time of the Cæsars. Considered from this angle, every mother is a divine Madonna and every babe an Infant Prince.

"Whether in the places of power or in the hovel of poverty, the birth of a child is a momentous event, for none knows whence are coming the boys and girls whose divinely ordered lives are to make of them living magnets, to the doors of whose cottages the world will make beaten paths across trackless deserts and build tunnels beneath granite mountains. And 'Christmas eve is babies' night,' in commemoration of the Blessed Babe whose influences have swayed men and nations and the magic of whose name thrills the hearts of millions in every land and clime. The high minstrelsy of heaven inducted the Bethlehem Babe into His heaven-ordained work, and His homely philosophy and matchless precepts constitute a priceless part of the literature and art of every enlightened nation on this planet.

"It is needless to inquire, 'What think ye of Christ?' for men are divided in opinion as whether He be Messiah or mere man, but none challenge the all-persuasive influence of the service He rendered or of the supreme sacrifice He made. The lesson conveyed is, the potential life is the life of service; the man who leaves a mighty impress upon succeeding generations is he who has given himself for his fellows. Men and women, even in this sordid age, are doing this every day; hence the association of ideas that link babies and Christmas so beautifully together should inspire within every heart a more generous appreciation of these little ones—

"Whose gentle souls might be
"Tuned to highest minstrelsy."

CALLING OF THE ROLL.

Mr. DU PONT. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The Senator from Delaware suggests the absence of a quorum. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst	Fletcher	Nelson	Smith, Ga.
Borah	Gallinger	Newlands	Smoot
Brandegee	Gronna	Norris	Sterling
Bristow	Hardwick	O'Gorman	Sutherland
Burleigh	Hitchcock	Perkins	Swanson
Catron	Jones	Pomerene	Thornton
Chilton	Kern	Ransdell	Townsend
Clapp	La Follette	Reed	Vardaman
Clark, Wyo.	Lane	Robinson	Walsh
Crawford	Lee, Md.	Saulsbury	Warren
Culberson	McCumber	Sheppard	White
Dillingham	Martine, N. J.	Sherman	Williams
du Pont	Myers	Smith, Ariz.	Works

Mr. DILLINGHAM. I desire to announce that my colleague [Mr. PAGE] is necessarily absent.

Mr. KERN. I desire to announce the unavoidable absence of my colleague [Mr. SHIVELY]. This announcement may stand for the day.

Mr. LANE. I wish to announce the unavoidable absence of my colleague [Mr. CHAMBERLAIN].

The PRESIDING OFFICER. Fifty-two Senators have answered to their names. A quorum is present.

Mr. NEWLANDS and Mr. KERN addressed the Chair.

The PRESIDING OFFICER. The Senator from Nevada.

Mr. NEWLANDS. I desire to make a short statement regarding the river and harbor bill. It will take only a few moments.

Mr. ROBINSON. Will the Senator from Nevada yield to me that I may introduce a bill?

Mr. NEWLANDS. I do not care to yield the floor.

Mr. ROBINSON. We were under the head of introduction of bills when the question of the absence of a quorum was raised, and I insist upon——

The PRESIDING OFFICER. The Senate was under the order of presentation of petitions and memorials.

Mr. ROBINSON. If there is no objection, I ask leave out of order to introduce a bill.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Arkansas?

Mr. BRISTOW. Why can not we have morning business completed?

The PRESIDING OFFICER. If objection is made, the Senator from Nevada can only proceed by unanimous consent.

Mr. BRISTOW. Let us have the morning business completed. Mr. President. Then I shall have no objection to the Senator from Nevada proceeding.

The PRESIDING OFFICER. The regular order is called for.

Mr. NEWLANDS. The statement which I desire to make will be very short and I shall not consume more than five minutes.

Mr. BRISTOW. Some Senators have bills to introduce, and when the morning business shall have been concluded I shall be very glad to listen to the statement the Senator desires to make.

Mr. VARDAMAN. Mr. President, the rule of the Senate, to which the Vice President called attention a day or two ago, unequivocally prohibits the Chair from recognizing a Senator to introduce a bill while another Senator is occupying the floor or discussing a question.

The PRESIDING OFFICER. The Chair will state to the Senator from Mississippi that, under the rule of the Senate, the order of morning business can not be dispensed with except by unanimous consent. The Senator from Nevada can only proceed by unanimous consent under the rule. The rule is specific. Is there objection to the Senator from Nevada making his statement?

Mr. NEWLANDS. I shall be compelled to leave the Chamber in a few moments, and I request the indulgence of the Senate while I make a statement, which will not consume more than a few moments.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Nevada? The Chair hears none. The Senator from Nevada will proceed.

THE NEWLANDS RIVER-REGULATION BILL.

Mr. NEWLANDS. Mr. President, the Democratic platforms of 1908 and 1912 call in the most emphatic terms for full and comprehensive treatment of all the rivers of the country from source to mouth, including their tributaries, with a view to so regulating the run-off of the waters that fall from the heavens as to promote the beneficial uses of water and prevent destruction by floods.

The main benefits to be derived from the full control of the waters are the irrigation of arid and semiarid lands, intensive cultivation in the humid regions, development of water power, reclamation of swamp lands, and the promotion of transportation.

The Democratic platform calls for legislation directed to all these considerations, for coordination of the scientific services of the Government that relate in any way to water, and for cooperation between the Nation and the States through the creation of a coordinating commission with ample funds for the undertaking.

The bill which I have been urging for years, commonly known as the river-regulation bill, provides for all this and establishes a fund in the Treasury of $60,000,000 annually for a period of 10 years, or $600,000,000 in all, to be apportioned among the natural watersheds of the country, so that work can be contemporaneously performed in every section.

Through this bill all the rivers that empty into the Great Lakes, the salt and alkali lakes of the Great Basin, the Pacific Ocean, the Gulf of Mexico, and the Atlantic Ocean, with their tributaries and source streams, will be regulated, their floods controlled, and the beneficial use of the water promoted.

The interdepartmental committee appointed by the President, consisting of the Secretaries of War, Interior, Agriculture, and Commerce, has reported favorably to the President upon the general plan of the bill, without committing itself to the size of the fund or other details. The President is so far in sympathy with the general principles of the bill that he recommended at the last session an amendment to the rivers and harbors bill organizing the commission called for by the river regulation bill and consisting of the Cabinet chiefs referred to for the purpose of bringing into coordination the various scientific services of the country in the making of investigations and plans to be submitted to Congress. This provision, in the form of an amendment offered by me to the rivers and harbors bill, was reported, with slight changes, favorably by the Senate Committee on Commerce at the last session, but it failed with the rivers and harbors bill.

The question came up at this session, the short session, as to whether this amendment should be urged as an amendment to the rivers and harbors bill now pending. The President was willing to recommend it, provided the friends of the river-regulation bill thought it advisable. The question for discussion at the recent conference at the White House, in which the four Cabinet chiefs referred to and myself took part, was whether it would be advisable to accept this amendment as a step forward toward the ultimate passage of the river-regulation bill or whether the whole matter should go over to the next Congress, with a view of then passing a complete bill, providing not simply for investigations and reports, but for actual work.

The difficulty of the present situation is that the Rivers and Harbors Committee of the House and the Commerce Committee of the Senate are favorable to the old system of a rivers and harbors bill which, so far as rivers are concerned, looks only to channel development and levee protection and gives the initiative to Members of Congress as to projects to be considered, each project being individualized and considered in the main without relation to other projects or to a comprehensive plan.

My individual view is that we have had enough of investigations and reports. The Inland Waterways Commission, appointed by Mr. Roosevelt, and the National Waterways Commission, consisting entirely of Members of the Senate and House, appointed by Congress, have both made exhaustive reports showing the necessity for the coordination of services and cooperation between the Nation and the States. I am of the opinion therefore that the appointment of another investigating commission will simply delay ultimate accomplishment and that the entire public pressure should be directed toward securing the early enactment of a broad, liberal, and comprehensive measure such as I have introduced, which will mean the immediate commencement of the actual work of construction, with an ample fund and all the machinery necessary for its continuous prosecution in every watershed of the country for a period of 10 years.

All this work should be directed to the important problem of slowing up the run-off of the water into the gulfs, bays, and oceans in such a way as to prevent destructive floods and to utilize the water on its way to its ultimate destination for every beneficial and profitable purpose.

The President, without committing himself to this or any measure, is inclined to favor the general principles of the bill; but he does not think that there is time enough for its consideration at the short session.

While I am reluctant to lessen the pressure for legislation on this important question, and believe that the force of public sentiment should be continuously exerted, and while I have reason to believe that the measure which I have been advocating has the support of thinking people in every section of the country, I can not take exception to the position of the President, burdened as he is with the advocacy of other measures of great importance. I have therefore concluded not to press the matter in any form at this session unless a decided change in the conditions takes place.

I wish, however, to impress the friends of river regulation and water development with these facts:

First. That public opinion is against the present system of river and harbor improvements.

Second. That the committees of the Senate and House are favorable to the present system and will abandon it with great reluctance.

Third. That it is necessary for that reason to maintain the pressure of a sound public opinion in order to force the consideration of the measure.

To this end I think it important that the development of the rivers should be entirely separated from the development of the harbors. The harbors are a part of foreign commerce. The rivers are a part of interstate commerce. The harbors bill should go to the Commerce Committee in the Senate. The river regulation bill should, in my judgment, in the Senate go to the Interstate Commerce Committee, of which I am chairman, and not to the Commerce Committee, as the chairman of the Commerce Committee contends.

In the Senate this bill now lies on the table awaiting the determination of the Senate itself as to which committee the bill shall go to. If it goes to the Interstate Commerce Committee, we can then formulate all the necessary legislation that will make river development dovetail with the development of railroad transportation. Provisions can be secured in that legislation that will prevent the destruction of river transportation by the unfair competition of the railroads. Interstate commerce is one subject, and it should not be divided between two committees.

For the reasons above given I have concluded not to press the river regulation bill at this session, but to press it with vigor at the next session of Congress, and I urge all who feel the importance of river regulation to bring the weight of their personal influence to its support. It has been indorsed throughout the entire country by chambers of commerce, boards of trade, and waterway associations. It has been hospitably received by the press of the country. It has received the indorsement of several State legislatures. It is the only concrete measure upon which public opinion can be concentrated. It is no new thing.

Pressure for the bill gives concrete expression to a favorable public sentiment regarding the principles of the bill and does away with the necessity for tedious elaboration in its advocacy. I invite the hearty support of all people who believe that water is a valuable asset; that it should be conserved and regulated as such, and that its highest uses should be developed and maintained with scientific accuracy. As the President so happily expressed it to the irrigation congress at Salt Lake, "the floods should be turned from a menace into a blessing."

Now, Mr. President, I offer, but not with a view to pressing the matter, an amendment to the river and harbor bill similar to the one which I offered at the last session. That amendment refers simply to the organization of the commission, and not to the creation of a fund.

Mr. GALLINGER. Mr. President, I will ask the Senator to what river and harbor bill he refers?

Mr. NEWLANDS. The river and harbor bill now pending in the House.

Mr. GALLINGER. Is the Senator proposing to amend a bill pending in the House?

Mr. NEWLANDS. No; but it is quite customary to offer in advance amendments to bills before they come to this body.

Mr. GALLINGER. Mr. President, it will probably do no harm, and if the bill does not come here the Senator's amendment will be of just as much value then as it will be anyway, I think.

Mr. NEWLANDS. I ask that the proposed amendment be printed in the RECORD, Mr. President.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

The proposed amendment of Mr. NEWLANDS is as follows:

Insert as a new section the following:

"SEC. —. That a commission, to be known as the River Regulation Commission, consisting of the Secretary of War, the Secretary of the Interior, the Secretary of Agriculture, the Secretary of Commerce, two Members of the Senate to be selected by the President of the Senate, and two Members of the House of Representatives to be selected by the Speaker, is hereby created and authorized to investigate questions relating to the development, improvement, regulation, and control of navigation as a part of interstate and foreign commerce, including therein the related questions of irrigation, forestry, fisheries, swamp-land reclamation, clarification of streams, regulation of flow, control of floods, utilization of water power, prevention of soil waste, cooperation of railways and waterways, and promotion of transfer facilities and sites, and to formulate, if practicable, and to report to the Congress comprehensive plans for the development of the waterways and water resources of the country for every useful purpose through cooperation between the United States and the several States, municipalities, communities, corporations, and individuals within the jurisdiction, powers, and rights of each, respectively, assigning to the United States such portion of such development, promotion, regulation, and control, if any, as can be properly undertaken by the United States by virtue of its power to regulate interstate and foreign commerce and by reason of its proprietary interest in the public domain, and to States, municipalities, communities, corporations, and individuals such portion, if any, as properly belongs to their jurisdiction, rights, and interests, with a view to properly apportioning costs and benefits, and with a view to so uniting the plans and works of the United States within its jurisdiction, and of the States and municipalities, respectively, within their jurisdictions, and of corporations, communities, and individuals within their respective powers and rights, as to secure the highest development and utilization of the waterways and water resources of the United States. Such river regulation commission is authorized for the purpose of said investigation and report to bring into coordination and cooperation with the Corps of Engineers of the Army, as a board or boards, the other scientific or constructive services of the United States that relate to the study, development, and control of waterways and water resources and subjects related thereto, and to the development and regulation of interstate and foreign commerce, and to consider as a part of its study of a comprehensive plan the continuance of such a board or of such boards with a view to keeping such services in coordination and cooperation; and such river regulation commission is authorized to appoint as members of such board or boards such engineers, transportation experts, experts in water development, constructors, and other employees as it may deem advisable to appoint and employ in connection with the investigation and the formulation of plans herein authorized and to lease offices. And for the expenses of such investigation, organization, and formulation of plans the sum of $500,000 is hereby appropriated."

APPENDIX.

Telegram from Gov. Woodrow Wilson to Hon. FRANCIS G. NEWLANDS:

SEA GIRT, N. J., *September 30, 1912.*

Hon. FRANCIS G. NEWLANDS,
President National Irrigation Congress, Salt Lake, Utah:

Please express to the National Irrigation Congress my hearty approval of the policy it is met to promote, and especially of the policy of supplementing bank and levee protection by storage of flood waters above for irrigation and water power, turning floods from a menace into a blessing and at the same time abundantly feeding navigable waters.

WOODROW WILSON.

DEMOCRATIC PLATFORM, 1908.

WATERWAYS.

Water furnishes the cheaper means of transportations, and the National Government, having the control of navigable waters, should improve them to their fullest capacity. We earnestly favor the immediate adoption of a liberal and comprehensive plan for improving every watercourse in the Union which is justified by the needs of commerce; and, to secure that end, we favor, when practicable, the connection of the Great Lakes with the navigable rivers and with the Gulf through the Mississippi River, and the navigable rivers with each other, by artificial canals, with a view of perfecting a system of inland waterways to be navigated by vessels of standard draft.

We favor the coordination of the various services of the Government connected with waterways in one service, for the purpose of aiding in the completion of such a system of inland waterways; and we favor the creation of a fund ample for continuous work, which shall be conducted under the direction of a commission of experts to be authorized by law.

NATURAL RESOURCES.

We repeat the demand for internal development and for the conservation of our natural resources contained in previous platforms, the enforcement of which Mr. Roosevelt has vainly sought from a reluctant party; and to that end we insist upon the preservation, protection, and replacement of needed forests, the preservation of the public domain for homeseekers, the protection of the national resources in timber, coal, iron, and oil against monopolistic control, the development of our waterways for navigation and every other useful purpose, including the irrigation of arid lands, the reclamation of swamp lands, the clarification of streams, the development of water power, and the preservation of electric power generated by this natural force from the control of monopoly; and to such end we urge the exercise of all powers, national, State, and municipal, both separately and in cooperation.

DEMOCRATIC PLATFORM, 1912.

WATERWAYS.

We renew the declaration of our last platform relating to the conservation of our national resources and the development of our waterways. The present devastation of the lower Mississippi Valley accentuates the movement for the regulation of river flow by additional levee and bank protection below, and the diversion, storage, and control of the flood waters above, and their utilization for beneficial purposes in the reclamation of arid and swamp lands and the development of water power, instead of permitting the floods to continue, as heretofore, agents of destruction. We hold that the control of the Mississippi River is a national problem. The preservation of the depths of its water for the purpose of navigation, the building of levees to maintain the integrity of its channel and the prevention of the overflow of the land, and its consequent devastation, resulting in the interruption of interstate commerce, the disorganization of the mail service, and the enormous loss of life and property, impose an obligation which alone can be discharged by the General Government.

To maintain an adequate depth of water the entire year and thereby encourage water transportation is a consummation worthy of legislative attention and presents an issue national in its character. It calls for prompt action on the part of Congress, and the Democratic Party pledges itself to the enactment of legislation leading to that end.

We favor the cooperation of the United States and the respective States in plans for the comprehensive treatment of all waterways with a view of coordinating plans for channel improvement with plans for drainage of swamp and overflowed lands, and to this end we favor the appropriation by the Federal Government of sufficient funds to make surveys of such lands, to develop plans for draining the same, and to supervise the work of construction.

We favor the adoption of a liberal and comprehensive plan for the development and improvement of our inland waterways with economy and efficiency, so as to permit their navigation by vessels of standard draft.

CONSERVATION.

We believe in the conservation and the development, for the use of all the people, of the natural resources of the country. Our forests, our sources of water supply, our arable and our mineral lands, our navigable streams, and all the other material resources with which our county has been so lavishly endowed, constitute the foundation of our national wealth. Such additional legislation as may be necessary to prevent their being wasted or absorbed by special or privileged interests should be enacted and the policy of their conservation should be rigidly adhered to.

Mr. FLETCHER. Mr. President, I should like to inquire of the Senator from Nevada whether I correctly understood him? In offering the proposed amendment to the river and harbor bill I understood him to say that he did not intend to press it at this session in connection with that bill.

Mr. NEWLANDS. I will content myself at this time with simply inserting the amendment in the RECORD as the amendment referred to in my remarks.

Mr. FLETCHER. The Senator, then, will not insist upon action on his amendment by the committee handling the river and harbor bill?

Mr. NEWLANDS. No. I shall not press the consideration of river regulation in any form, whether by amendment to the river and harbor bill or by separate bill, unless, as I have previously stated, there should be a decided change in the present conditions regarding legislation.

Mr. CHILTON. Mr. President, I ask unanimous consent——

Mr. SMOOT. I ask for the regular order.

The PRESIDING OFFICER. The regular order is called for. If there are no further petitions and memorials, reports of committees are in order. If there are no reports of committees, the introduction of bills is next in order.

BILLS INTRODUCED.

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. ROBINSON:

A bill (S. 7053) to authorize the construction of works for the protection of the bank of White River and the harbor at Batesville, Ark.; to the Committee on Commerce.

By Mr. MYERS:

A bill (S. 7054) granting an increase of pension to Eliza M. Doran; to the Committee on Pensions.

By Mr. BRISTOW:

A bill (S. 7055) granting an increase of pension to Louisa Walters (with accompanying papers); to the Committee on Pensions.

By Mr. GRONNA:

A bill (S. 7056) to limit campaign contributions and expenditures and to provide for publicity thereof; to the Committee on Privileges and Elections.

By Mr. SHERMAN:

A bill (S. 7057) granting an increase of pension to Daniel W. Coan; and

A bill (S. 7058) granting a pension to Elizabeth S. Chaplain; to the Committee on Pensions.

By Mr. BURLEIGH:

A bill (S. 7059) granting a pension to George R. Acheson, Isabel M. Acheson, and Lillian J. Acheson; to the Committee on Pensions.

By Mr. JONES:

A bill (S. 7060) granting an increase of pension to Luther H. Palmer; to the Committee on Pensions.

AMENDMENTS TO APPROPRIATION BILLS.

Mr. WARREN submitted an amendment proposing to increase the appropriation for clerks in the office of the surveyor general in the State of Wyoming from $12,500 to $20,000, etc., intended to be proposed by him to the legislative, etc., appropriation bill

(H. R. 19909), which was referred to the Committee on Appropriations and ordered to be printed.

Mr. JONES submitted an amendment proposing to increase the appropriation to enable the Secretary of Labor to exercise the authority vested in him by section 8 of the act creating the Department of Labor and to appoint commissioners of conciliation, etc., from $50,000 to $75,000, intended to be proposed by him to the legislative, etc., appropriation bill (H. R. 19909), which was referred to the Committee on Appropriations and ordered to be printed.

Mr. CLAPP submitted an amendment proposing to appropriate $3,000 to pay the persons who filed, annotated, and indexed volume 3, Indian Laws and Treaties, etc., under Senate resolution of March 3, 1911, and August 14, 1912, etc., intended to be proposed by him to the general deficiency appropriation bill, which was referred to the Committee on Indian Affairs and ordered to be printed.

OMNIBUS CLAIMS BILL.

Mr. SHIELDS submitted an amendment intended to be proposed by him to the omnibus claims bill (H. R. 8846), which was referred to the Committee on Claims and ordered to be printed.

RIVER AND HARBOR APPROPRIATIONS.

Mr. FLETCHER submitted an amendment intended to be proposed by him to the river and harbor appropriation bill (H. R. 20189), which was referred to the Committee on Commerce and ordered to be printed.

ADDITIONAL MINORITY EMPLOYEE.

Mr. GALLINGER. I submit a resolution, for which I ask present consideration, and after it has been read I will make a very brief statement.

The PRESIDING OFFICER. The Secretary will read the resolution submitted by the Senator from New Hampshire.

The resolution (S. Res. 509) was read as follows:

Resolved, That an additional employee in behalf of the minority be appointed for service in the folding room of the Senate at a salary at the rate of $1,000 per annum.

Mr. GALLINGER. Mr. President, the resolution I have offered is in behalf of the son of a man who served in the position of Sergeant at Arms of this body for a great many years, with rare fidelity and with great courtesy—the late Col. Ransdell. In view of the fact I have stated, I trust that this employee may be granted to the minority. I ask unanimous consent for the present consideration of the resolution.

Mr. KERN. As similar courtesies were extended to the minority by the majority when conditions were reversed, and under the peculiar circumstances of this case, I hope the resolution will be adopted without delay.

The PRESIDING OFFICER. Is there objection to the present consideration of the resolution?

Mr. WILLIAMS. Mr. President, I should like to inquire of the Senator whether it is a joint resolution or simply a resolution of the Senate?

Mr. GALLINGER. Simply a Senate resolution.

Mr. WILLIAMS. Is payment to be made out of the contingent fund of the Senate? If so, under the rule the resolution will have to go to the Committee to Audit and Control the Contingent Expenses of the Senate.

Mr. GALLINGER. The resolution does not provide that payment shall be made out of the contingent fund. I suppose, if the employee is placed on the roll, he will be paid out of the regular fund.

Mr. WILLIAMS. If that is the case, very well; but if it comes out of the contingent fund, of course, the rule expressly provides that resolutions of this kind shall go to the Committee on Contingent Expenses.

Mr. GALLINGER. It does not so provide.

The resolution was considered by unanimous consent and agreed to.

COMMITTEE SERVICE.

Mr. MYERS was, on his own motion, excused from further service upon the Committee on Revolutionary Claims.

PRESIDENTIAL APPROVALS.

A message from the President of the United States, by Mr. Latta, executive clerk, announced that the President had approved and signed the following act and joint resolution:

On December 22, 1914:

S. J. Res. 213. Joint resolution authorizing the Secretary of the Senate and the Clerk of the House to pay the officers and employees of the Senate and House, including the Capitol police, their respective salaries for the month of December, 1914, on the 22d day of said month.

On December 23, 1914:

S. 94. An act to amend an act entitled "An act to codify, revise, and amend the laws relating to the judiciary," approved March 3, 1911.

PROPOSED EXECUTIVE SESSION.

Mr. KERN. Mr. President, as there is considerable executive business that should be attended to before the holiday adjournment, I move that the Senate proceed to the consideration of executive business.

The PRESIDING OFFICER. The Senator from Indiana moves that the Senate proceed to the consideration of executive business. [Putting the question.] By the sound, the ayes seem to have it.

Mr. McCUMBER. I call for the yeas and nays.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. DILLINGHAM (when his name was called). Because of the absence of the senior Senator from Maryland [Mr. SMITH], with whom I have a pair, I withhold my vote.

Mr. MYERS (when his name was called). I transfer my pair with the junior Senator from Connecticut [Mr. McLEAN] to the junior Senator from Nevada [Mr. PITTMAN] and will vote. I vote "yea."

Mr. PERKINS (when his name was called). I have a general pair with the junior Senator from North Carolina [Mr. OVERMAN]. In his absence I withhold my vote.

Mr. SAULSBURY (when his name was called). I transfer my pair with the junior Senator from Rhode Island [Mr. COLT] to the senior Senator from Virginia [Mr. MARTIN] and will vote. I vote "yea."

Mr. SUTHERLAND (when his name was called). I have a pair with the senior Senator from Arkansas [Mr. CLARKE]. On account of his absence I withhold my vote.

Mr. TOWNSEND (when his name was called). I have a pair with the junior Senator from Florida [Mr. BRYAN], which I transfer to the junior Senator from Wisconsin [Mr. STEPHENSON], and will vote. I vote "nay."

Mr. WILLIAMS (when his name was called). Transferring my pair with the senator Senator from Pennsylvania [Mr. PENROSE] to the junior Senator from South Carolina [Mr. SMITH], I vote "yea."

The roll call was concluded.

Mr. CLARK of Wyoming. I desire to announce my general pair with the senior Senator from Missouri [Mr. STONE], who is necessarily absent from the city. I therefore withhold my vote.

Mr. DILLINGHAM. I transfer my pair with the senior Senator from Maryland [Mr. SMITH] to my colleague [Mr. PAGE] and will vote. I vote "nay."

Mr. CLAPP. I transfer my general pair with the senior Senator from North Carolina [Mr. SIMMONS] to the junior Senator from California [Mr. WORKS] and will vote. I vote "nay."

Mr. LODGE. I desire to announce the pair of my colleague [Mr. WEEKS] with the senior Senator from Kentucky [Mr. JAMES].

Mr. CRAWFORD (after having voted in the negative). I observe that my pair, the senior Senator from Tennessee [Mr. LEA], has not voted. I transfer my pair with that Senator to the senior Senator from Idaho [Mr. BORAH] and will allow my vote to stand.

Mr. REED (after having voted in the affirmative). I cast my vote forgetful of the fact that my pair, the senior Senator from Michigan [Mr. SMITH], is absent. I transfer that pair to the senior Senator from Alabama [Mr. BANKHEAD] and will allow my vote to stand.

Mr. CULBERSON (after having voted in the affirmative). I transfer my general pair with the senior Senator from Delaware [Mr. DU PONT] to the junior Senator from Kansas [Mr. THOMPSON] and will allow my vote to stand.

Mr. FLETCHER. I wish to announce that my colleague [Mr. BRYAN] is unavoidably absent. He is paired with the junior Senator from Michigan [Mr. TOWNSEND]. This announcement may stand for the day.

Mr. GALLINGER. I have been requested to announce the following pairs:

The junior Senator from Maine [Mr. BURLEIGH] with the junior Senator from New Hampshire [Mr. HOLLIS];

The junior Senator from West Virginia [Mr. GOFF] with the senior Senator from South Carolina [Mr. TILLMAN];

The senior Senator from New Mexico [Mr. FALL] with the senior Senator from West Virginia [Mr. CHILTON];

The junior Senator from Iowa [Mr. KENYON] with the junior Senator from Kentucky [Mr. CAMDEN];

The senior Senator from Rhode Island [Mr. LIPPITT] with the junior Senator from Montana [Mr. WALSH];

The junior Senator from Connecticut [Mr. MCLEAN] with the senior Senator from Montana [Mr. MYERS];

The junior Senator from Pennsylvania [Mr. OLIVER] with the senior Senator from Oregon [Mr. CHAMBERLAIN]; and

The senior Senator from New York [Mr. ROOT] with the senior Senator from Colorado [Mr. THOMAS].

Mr. VARDAMAN. I have been requested to announce the unavoidable absence of the senior Senator from Oregon [Mr. CHAMBERLAIN]. He is paired with the junior Senator from Pennsylvania [Mr. OLIVER].

The result was announced—yeas 26, nays 18, as follows:

YEAS—26.

Ashurst	Lane	Reed	Swanson
Chilton	Lee, Md.	Robinson	Thornton
Culberson	Martine, N. J.	Saulsbury	Vardaman
Fletcher	Myers	Sheppard	White
Hardwick	O'Gorman	Shields	Williams
Hitchcock	Pomerene	Smith, Ariz.	
Kern	Ransdell	Smith, Ga.	

NAYS—18.

Brandegee	Gallinger	Nelson	Sterling
Bristow	Jones	Norris	Townsend
Clapp	La Follette	Poindexter	Warren
Crawford	Lodge	Sherman	
Dillingham	McCumber	Smoot	

NOT VOTING—52.

Bankhead	du Pont	McLean	Simmons
Borah	Fall	Martin, Va.	Smith, Md.
Brady	Goff	Newlands	Smith, Mich.
Bryan	Gore	Oliver	Smith, S. C.
Burleigh	Gronna	Overman	Stephenson
Burton	Hollis	Owen	Stone
Camden	Hughes	Page	Sutherland
Catron	James	Penrose	Thomas
Chamberlain	Johnson	Perkins	Thompson
Clark, Wyo.	Kenyon	Pittman	Tillman
Clarke, Ark.	Lea, Tenn.	Root	Walsh
Colt	Lewis	Shafroth	Weeks
Cummins	Lippitt	Shively	Works

The PRESIDING OFFICER. No quorum has voted. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst	Hardwick	Norris	Smith, Ariz.
Brandegee	Hitchcock	O'Gorman	Smith, Ga.
Bristow	Kern	Perkins	Smoot
Catron	La Follette	Poindexter	Sterling
Clapp	Lane	Pomerene	Sutherland
Clark, Wyo.	Lee, Md.	Ransdell	Swanson
Crawford	Lodge	Reed	Thornton
Culberson	McCumber	Robinson	Townsend
Dillingham	Martine, N. J.	Saulsbury	Vardaman
Fletcher	Myers	Sheppard	Warren
Gallinger	Nelson	Sherman	White
Gronna	Newlands	Shields	Williams

Mr. TOWNSEND. I wish to announce that my colleague, the senior Senator from Michigan [Mr. SMITH], is absent from the city and is paired with the junior Senator from Missouri [Mr. REED]. This announcement may stand for the day.

Mr. LANE. I wish to announce the necessary absence of my colleague [Mr. CHAMBERLAIN].

Mr. LODGE. I desire to announce the unavoidable absence of my colleague [Mr. WEEKS]. He has a general pair with the senior Senator from Kentucky [Mr. JAMES]. I will allow this announcement to stand for the day.

The PRESIDING OFFICER. Forty-eight Senators have answered to their names—not a quorum. The Secretary will call the names of the absentees.

The Secretary called the names of absent Senators and Mr. CHILTON answered to his name when called.

The PRESIDING OFFICER. Forty-nine Senators have answered to their names. A quorum is present. Before proceeding with the call of the roll on the motion to go into executive session, if there is no objection, the Chair would be pleased to lay before the Senate for reference a very short message from the President of the United States.

Mr. LODGE. Mr. President, I do not think any business is in order when the roll is being called.

The PRESIDING OFFICER. The Chair stated that if there was objection it could not be done.

Mr. LODGE. I have no objection.

The PRESIDING OFFICER. The Chair stated that a roll call had been ordered, and that without consent the message could not be read. If there is objection, of course the message can not be laid before the Senate at this time. The Chair wishes to state that this message ought to be referred before the Senate adjourns for the holidays.

If there is no objection, the message will be read now, before the roll is called. Is there objection?

Mr. REED. Mr. President, we were in the midst of a roll call on a motion to go into executive session.

Mr. LODGE. Nothing is in order but the calling of the roll, of course.

The PRESIDING OFFICER. Nothing else is in order. The Chair stated that if there was objection the message could not now be read. Is there objection?

Mr. POINDEXTER. I call for the regular order.

The PRESIDING OFFICER. The regular order is called for and objection is made. The Secretary will call the roll upon the motion that the Senate shall proceed to the consideration of executive business.

The Secretary proceeded to call the roll.

Mr. CHILTON (when his name was called). I have a general pair with the Senator from New Mexico [Mr. FALL], which I transfer to the Senator from New Jersey [Mr. HUGHES], and vote "yea."

Mr. CLARK of Wyoming (when his name was called). I desire again to announce my pair with the senior Senator from Missouri [Mr. STONE], who is absent, and I withhold my vote.

Mr. CULBERSON (when his name was called). Again announcing my pair and its transfer, I vote "yea."

Mr. DILLINGHAM (when his name was called). I again transfer my pair with the senior Senator from Maryland [Mr. SMITH] to my colleague [Mr. PAGE] and vote "nay."

Mr. GRONNA (when his name was called). I have a general pair with the senior Senator from Maine [Mr. JOHNSON]. As he is not present I withhold my vote.

Mr. MYERS (when his name was called). I announce the same transfer of my pair as before and vote "yea."

Mr. PERKINS (when his name was called). I again announce my pair with the junior Senator from North Carolina [Mr. OVERMAN] and withhold my vote.

Mr. REED (when his name was called). I make the same transfer that I made on the previous vote and vote "yea."

Mr. SAULSBURY (when his name was called). Making the same transfer as before, I vote "yea."

Mr. SUTHERLAND (when his name was called). I again announce my pair with the senior Senator from Arkansas [Mr. CLARKE], and I withhold my vote on that account.

Mr. TOWNSEND (when his name was called). Again announcing my pair with the Senator from Florida [Mr. BRYAN] and its transfer to the Senator from Wisconsin [Mr. STEPHENSON], I vote "nay."

Mr. WALSH (when his name was called). I am paired with the Senator from Rhode Island [Mr. LIPPITT]. He is absent, and I refrain from voting.

Mr. WILLIAMS (when his name was called). Repeating the announcement made on the previous roll call, I vote "yea."

The roll call was concluded.

Mr. CLAPP. I transfer my general pair with the senior Senator from North Carolina [Mr. SIMMONS] to the junior Senator from California [Mr. WORKS] and vote "nay."

Mr. SMITH of Georgia (after having voted in the affirmative). I do not think the senior Senator from Massachusetts [Mr. LODGE] has voted.

The PRESIDING OFFICER. He did not vote.

Mr. SMITH of Georgia. I will transfer my pair with that Senator to the senior Senator from Illinois [Mr. LEWIS] and let my vote stand.

The roll call resulted—yeas 27, nays 13, as follows:

YEAS—27.

Ashurst	Lane	Ransdell	Smith, Ga.
Chilton	Lee, Md.	Reed	Swanson
Culberson	Martine, N. J.	Robinson	Thornton
Fletcher	Myers	Saulsbury	Vardaman
Hardwick	Newlands	Sheppard	White
Hitchcock	O'Gorman	Shields	Williams
Kern	Pomerene	Smith, Ariz.	

NAYS—13.

Catron	La Follette	Poindexter	Townsend
Clapp	McCumber	Sherman	
Dillingham	Nelson	Smoot	
Gallinger	Norris	Sterling	

NOT VOTING—56.

Bankhead	Cummins	Lippitt	Simmons
Borah	du Pont	Lodge	Smith, Md.
Brady	Fall	McLean	Smith, Mich.
Brandegee	Goff	Martin, Va.	Smith, S. C.
Bristow	Gore	Oliver	Stephenson
Bryan	Gronna	Overman	Stone
Burleigh	Hollis	Owen	Sutherland
Burton	Hughes	Page	Thomas
Camden	James	Penrose	Thompson
Chamberlain	Johnson	Perkins	Tillman
Clark, Wyo.	Jones	Pittman	Walsh
Clarke, Ark.	Kenyon	Root	Warren
Colt	Lea, Tenn.	Shafroth	Weeks
Crawford	Lewis	Shively	Works

The PRESIDING OFFICER. The yeas are 27 and the nays 13. There are 5 Senators present who did not vote; but if those present were counted, as may be done under the rule

heretofore adopted, it would not make a quorum. A quorum is not present. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst	Kern	Poindexter	Smoot
Catron	La Follette	Pomerene	Sterling
Chilton	Lee, Md.	Ransdell	Sutherland
Clapp	Lodge	Reed	Swanson
Clark, Wyo.	McCumber	Robinson	Thornton
Culberson	Martine, N. J.	Saulsbury	Townsend
Dillingham	Myers	Sheppard	Walsh
Fletcher	Nelson	Sherman	White
Gallinger	Norris	Shields	Williams
Hardwick	O'Gorman	Smith, Ariz.	
Hitchcock	Perkins	Smith, Ga.	

The PRESIDING OFFICER. Forty-two Senators have answered to their names. A quorum is not present. The Secretary will call the roll of absentees.

Mr. KERN. I move that the Senate do now adjourn.

The motion was agreed to, and (at 1 o'clock and 10 minutes p. m.) the Senate adjourned, the adjournment being, under the concurrent resolution of the two Houses, until 12 o'clock m., Tuesday, December 29, 1914.

HOUSE OF REPRESENTATIVES.

WEDNESDAY, *December 23, 1914.*

The House met at 12 o'clock noon.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

With inexpressible love and gratitude, our Father in heaven, we would draw near to Thee and pour out our hearts in thanksgiving and praise for Thine own best gift to the children of men, the "Light of the World," the incarnation of Thy love; the express image of Thy glory; the Anointed One, whom Thou didst send to preach the gospel to the poor, to heal the broken hearted, to preach deliverance to the captive and recovering of sight to the blind, to set at liberty them that are bruised, and preach the acceptable year of the Lord. Hence, we pray for an universal faith which shall sweep away all doubt; an universal justice which shall right all wrongs; an universal love which shall dispel all hate, bringing in an universal peace which shall be stronger than war and unite all hearts in the glad acclaim, "Glory to God in the highest, and on earth peace, good will toward men." And now, O God our Father, as we separate to commemorate the Christmastide, open Thou our hearts to generosity and kindness, that we may give happiness to those in need, joy to those of our homes, and know the blessedness of self-sacrifice and bring us together again, the better prepared to do the work which waits on us. In the spirit of the world's Great Exemplar. Amen.

The Journal of the proceedings of yesterday was read and approved.

EXTENSION OF REMARKS.

Mr. FALCONER. Mr. Speaker, I would like unanimous consent to insert in the RECORD certain correspondence and affidavits in relation to actual homesteaders living on lands now contested by a railroad company in the State of Washington.

The SPEAKER. The gentleman from Washington asks unanimous consent to extend his remarks by publishing certain telegrams, affidavits, and so forth, about homesteads. Is there objection? [After a pause.] The Chair hears none.

Mr. FITZHENRY. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD on the subject of education.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none. Is there objection to the approval of the Journal? [After a pause.] The Chair hears none.

Mr. BRYAN. Mr. Speaker, I ask permission to extend my remarks in the RECORD on House bill 6143.

The SPEAKER. The gentleman from Washington asks unanimous consent to extend his remarks on the bill up last Wednesday when the House adjourned and which will be in order in a few minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. JOHNSON of Washington. Mr. Speaker——

The SPEAKER. For what purpose does the gentleman rise?

Mr. JOHNSON of Washington. I rise to ask unanimous consent to extend my remarks in the RECORD by inserting remarks made by Mrs. Cushman, the mother of the late Francis W. Cushman, on woman's duty in politics.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

Two or three days ago the President sent a message here, which was duly read in the House, about building a legation at Habana, and asking an appropriation of $100,000, accompanied by a letter from the Secretary of State to the Secretary of War, and the Chair ordered the message printed and referred to the Committee on Foreign Affairs, and also that the accompanying document be printed; but he did not notice that there was a plan of the legation in it, and, without objection, the Chair will ask that the plan of the legation be printed as a part of the document.

Mr. MANN. Mr. Speaker, reserving the right to object, does the Committee on Foreign Affairs desire to have this printed?

The SPEAKER. The Chair really does not know whether it does or not.

Mr. MANN. It probably will not be printed until after Congress adjourns if the plan goes in.

The SPEAKER. Well, let it stand over, then.

Mr. MANN. If they want it, all right.

ENROLLED BILL PRESENTED TO THE PRESIDENT FOR HIS APPROVAL.

Mr. ASHBROOK, from the Committee on Enrolled Bills, reported that this day they had presented to the President of the United States, for his approval, the following bill:

H. R. 6867. An act to increase and fix the compensation of the collector of customs for the customs collection district of Omaha.

NATIONAL FOREST RESERVATION COMMISSION.

The SPEAKER. The Chair lays before the House the following communication from the Secretary of War.

The Clerk read as follows:

DECEMBER 19, 1914.

The SPEAKER, HOUSE OF REPRESENTATIVES.

SIR: In accordance with the provisions of section 5 of the act of Congress approved March 1, 1911 (36 Stat., 961), I have the honor to transmit herewith report of the National Forest Commission for the fiscal year ended June 30, 1914.

Inasmuch as there is considerable demand for information as to the lands being acquired and procedure adopted, it is requested that in addition to the usual number of copies printed there be printed an additional 1,000 copies.

Very respectfully,

LINDLEY M. GARRISON,
Secretary of War, President.

The SPEAKER. The Secretary of War asks that 1,000 extra copies of this be printed. It is the report of the National Forest Reservation Commission. He says there is a great demand for it. Is there objection?

Mr. MANN. I think they ordered some extra copies printed in the Senate. I think it ought to go to the Committee on Printing.

The SPEAKER. There is another question about this. There are two maps to go with this, and the Committee on Agriculture wants the maps printed. Is there objection to having the maps printed along with the document? [After a pause.] The Chair hears none. This is referred to the Committee on Agriculture, together with the document, and ordered printed, including the map.

Mr. UNDERWOOD. Mr. Speaker, I understand that it may be difficult to proceed with Calendar Wednesday to-day, and I am anxious to conserve Calendar Wednesday as far as possible, because there are some bills that ought to be considered at this session, and the only chance for them to be considered will be on Calendar Wednesday. I understand the gentleman from Tennessee [Mr. MOON] has some general debate if he can go ahead with the Post Office bill to-day. I would like to ask unanimous consent that the business of Calendar Wednesday be transferred until next Thursday.

Mr. MANN. Mr. Speaker, reserving the right to object, how much time remains for general debate on the Post Office appropriation bill?

Mr. UNDERWOOD. I did not mean to say next Thursday, but Thursday week from to-morrow.

Mr. MANN. How much time for general debate remains on the Post Office appropriation bill?

The SPEAKER. Not quite two hours.

Mr. MANN. I am told by the gentleman from Minnesota that gentlemen to whom he had promised time are not present. One of them has been ill for some time and is not always present, but was here late last night. I think it would not be convenient.

Mr. MADDEN. Could you not consider the bill under the five-minute rule?

Mr. MANN. You can not consider the Post Office bill under the five-minute rule to-day.

Mr. UNDERWOOD. We might go ahead under the five-minute rule, and questions that are objected to can go to the end of the bill.

Mr. MANN. I have no objection to that, although I think likely one of the first things——

Mr. MOON. What is the suggestion?

Mr. UNDERWOOD. To take up the bill under the five-minute rule, and the questions that are objected to go to the end of the bill.

Mr. MOON. We might do some of it that way, but that is a mighty unsatisfactory way of disposing of the bill. If it is satisfactory, however, to members of the Post Office Committee and gentlemen on the other side, I do not object.

Mr. STEENERSON. I did not understand the suggestion.

Mr. UNDERWOOD. The proposition is here that we pass to-day's business—Calendar Wednesday's—over to December 31, and that we take up the Post Office bill to-day and consume such portion of the general debate as the gentlemen are ready to consume, and let the balance go over, and then to read the bill under the five-minute rule, and any paragraphs that are objected to to go to the end of the bill, to be considered when it is taken up after the Christmas holidays.

Mr. STEENERSON. Any paragraph objected to?

Mr. UNDERWOOD. Yes.

Mr. STEENERSON. The gentleman from Michigan [Mr. SAMUEL W. SMITH] said he could not be here, and all the other members of the Post Office Committee belonging to the Republican side are absent, except the gentleman from Illinois [Mr. MADDEN].

Mr. MADDEN. Mr. SMITH is here. I saw him about five minutes ago.

Mr. STEENERSON. I saw him, and he said he could not remain.

Mr. BORLAND. Will the gentleman from Alabama yield?

Mr. UNDERWOOD. Yes.

Mr. BORLAND. Is there not some of the general debate that can be had to-day?

Mr. STEENERSON. I suppose so.

Mr. BORLAND. Is there not some gentleman on that side ready to debate?

Mr. STEENERSON. I have not discovered any orator on my side yet, but I might discover one later.

Mr. BORLAND. It seems to me it is a good time to get rid of it.

Mr. MOON. I will suggest to the gentleman from Minnesota [Mr. STEENERSON] that we do not intend to use any more time in general debate.

Mr. STEENERSON. I have had only one application, and that for 10 minutes; but I want to give public notice——

Mr. MOON. Suppose you let that gentleman speak, then, if the others come in and want to speak afterwards, you may use up the balance of your time, so far as I am concerned, under the five-minute rule.

Mr. STEENERSON. The understanding is that any paragraph that is objected to will go over?

Mr. UNDERWOOD. Any paragraph that any Member does not care to have taken up to-day.

Mr. STEENERSON. I would say to the gentleman that I do not know whether the gentleman from Wisconsin [Mr. STAFFORD], who is very active in the matter, has any objection or not, but I am willing to agree to that.

Mr. UNDERWOOD. Mr. Speaker, I ask unanimous consent that the business of to-day, Calendar Wednesday, be transferred to Thursday, December 31, in order that the gentleman from Tennessee [Mr. MOON] may move to go into the Committee of the Whole House on the state of the Union to take up the Post Office bill, with the understanding that general debate may proceed as long as anybody wants to debate; that the balance of the time of the gentleman from Minnesota [Mr. STEENERSON] that is not consumed to-day can be consumed next week when we meet, and the bill shall be read under the five-minute rule, and any paragraph that is objected to shall go over to the end of the bill and be considered after the Christmas holidays, when the bill is taken up.

Mr. WEBB. A parliamentary inquiry, Mr. Speaker.

The SPEAKER. The gentleman will state it.

Mr. WEBB. That request would simply mean that the bill now pending on Calendar Wednesday will come up for consideration next Wednesday and not next Thursday week?

Mr. UNDERWOOD. It will go until Calendar Wednesday of next week.

The SPEAKER. The bill now pending would come up Wednesday of next week.

Mr. WEBB. I have no objection.

The SPEAKER. The gentleman from Alabama [Mr. UNDERWOOD] asks unanimous consent that the business to-day under the Calendar Wednesday rule be transferred until to-morrow week, and that the House now resolve itself into the Committee of the Whole House on the state of the Union to consider the Post Office bill; that such gentlemen as are ready to speak in general debate shall proceed to do so, and whatever is left of that time shall go over, and the bill shall be read; and such parts of it as are objected to shall go over until the end of the bill. Is there objection?

Mr. MANN. Reserving the right to object, Mr. Speaker——

Mr. SHERLEY. Mr. Speaker, I reserve the right to object. I suggest it is impracticable and not a very orderly way to proceed to have the bill read subject to having provisions go over at the suggestion of any Member. We are not going to make any real progress by doing that. I have no objection to general debate on the bill to-day, and I have no objection to considering the bill regularly with the requirement of a quorum. But I do think it is wrong to consider matters and have them go over if anybody objects to them.

Mr. MANN. Reserving the right to object, I would like to make this inquiry: When the Congress recesses it will meet next Tuesday. If there is not a quorum in the city now, after 400 Members were here last night, I presume there will not be a quorum next Tuesday, and I do not see that you can expedite business any, because the Post Office bill will come up next Tuesday in the regular order of procedure. But would we be in any better shape next Tuesday unless some arrangement was made about Tuesday?

Mr. MOON. Mr. Speaker, I find so much opposition to the suggestion of the gentleman from Alabama [Mr. UNDERWOOD], particularly from members of the committee, that I believe that I shall give notice that I shall not make a motion to go into the Committee of the Whole House on the state of the Union to consider this bill until Tuesday next.

Mr. MANN. Mr. Speaker, I would like to ask the gentleman from Alabama this question, in view of what he just said about next Tuesday: Would it not be desirable to make next Tuesday a Unanimous Consent Calendar day, so that we may dispose of some of the business on the Unanimous Consent Calendar? It is almost certain that you can not get very far with the Post Office appropriation bill.

Mr. BORLAND. Would the gentleman include in that the Private Calendar? We have not called that for some time.

Mr. MANN. Oh, we will undoubtedly call the Private Calendar some time before the end of the session, I will say to the gentleman.

Mr. UNDERWOOD. Is the gentleman willing to take up the Unanimous Consent Calendar to-day?

Mr. MANN. So far as I am concerned, I am willing.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

Mr. UNDERWOOD. I first understood from the gentleman from Tennessee [Mr. MOON] that he was willing to go ahead to-day; but his statement, just made, was that he desired not to do so, so that if that is the case there is no use in putting the request.

The SPEAKER. The gentleman from Alabama [Mr. UNDERWOOD] asks unanimous consent to postpone the business of to-day until next Thursday—that is, until to-morrow week—and, pending that, he asks the gentleman from Tennessee [Mr. MOON] if he gets into the Committee of the Whole House on the state of the Union on the Post Office appropriation bill to agree that those gentlemen who are ready to make speeches under general debate shall proceed to do so, and the rest of general debate shall go over, and that the bill shall be read and such parts of it as are not objected to by anybody shall be passed upon, and the parts to which objection is made shall go over. Is there objection?

Mr. BRYAN. A parliamentary inquiry, Mr. Speaker.

The SPEAKER. The gentleman will state it.

Mr. BRYAN. Reserving the right to object, Mr. Speaker, I want the Committee on the Judiciary to understand that so far as this shipowners' bill, to dodge liability in case of the death of employees and passengers, is concerned, in all probability it will be in the same condition when Calendar Wednesday comes as it is in to-day, because I do not intend to allow that bill to be passed until we get a quorum or allow the present status of it to be changed.

The SPEAKER. The chances are that there will be a quorum here.

Mr. REILLY of Connecticut. I object, Mr. Speaker.

The SPEAKER. The gentleman from Connecticut [Mr. REILLY] objects.

Mr. UNDERWOOD. Then, Mr. Speaker, I ask unanimous consent, inasmuch as the gentleman from Washington [Mr. BRYAN] has indicated that he is not willing to go ahead with Calendar Wednesday without a quorum—and evidently there is not a quorum in town—that Unanimous Consent Calendar be taken up in lieu of Calendar Wednesday.

The SPEAKER. The gentleman from Alabama asks unanimous consent that the Unanimous Consent Calendar be taken up to-day in lieu of Calendar Wednesday.

Mr. JOHNSON of Kentucky. Mr. Speaker, reserving the right to object, would that mean also that the Speaker would have the right to entertain a motion to suspend the rules?

Mr. UNDERWOOD. No; I did not include that.

Mr. ADAMSON. I think, Mr. Speaker, that the gentleman from Connecticut [Mr. REILLY] objected only to that part of the request touching the appropriation bill. I do not think he objected to the second part of the request of the gentleman from Alabama with respect to Calendar Wednesday.

The SPEAKER. He objected; that is all there is about it.

Mr. UNDERWOOD. Mr. Speaker, I renew my request that we may take up the Unanimous Consent Calendar in lieu of the business that is in order.

The SPEAKER. The gentleman from Alabama asks unanimous consent to take up the Unanimous Consent Calendar to-day instead of the business in order on Calendar Wednesday.

Mr. COOPER. Mr. Speaker, I regret that I feel obliged to object to that request, and I do it for this reason: The Unanimous Consent Calendar is one of the most important calendars that the House can consider, and each Member of the House is entitled to know when it is to be considered. To take it up in the absence of a large number of Members might not be doing the right thing. Therefore I feel constrained to object.

Mr. UNDERWOOD. Mr. Speaker, I have endeavored to arrange for the House to work to-day without a quorum, which we have not got. It seems impossible to do so, and I move that the House do now adjourn.

Mr. MOORE. Mr. Speaker, I ask the gentleman to withhold that for a moment.

The SPEAKER. The gentleman from Pennsylvania asks the gentleman from Alabama to withhold his motion for a moment.

Mr. UNDERWOOD. I withhold the motion.

Mr. MOORE. Mr. Speaker, pending the motion of the gentleman from Alabama, I ask unanimous consent, rather than make it a question of personal privilege, to proceed for five minutes.

The SPEAKER. The gentleman from Pennsylvania asks unanimous consent to address the House for five minutes on a personal matter. Is there objection?

There was no objection.

Mr. MOORE. Mr. Speaker, I regret very much to rise for the purpose of making a personal statement this morning. I do not know whether under ordinary circumstances I would have done so, because much is said in debate that should be taken as debate merely and not too seriously; but so many Members have spoken to me about the comments made by the gentleman from Washington [Mr. BRYAN] yesterday on the speech that I delivered here on the prohibition question that I feel it necessary, having read in the RECORD this morning what he said, to say a few words. I am glad he is here to take notice, because I was not present yesterday when his remarks were made. Had I been present, of course I would not have permitted those remarks and insinuations against my personal integrity, against my morality, against my home, against my children, to have gone unchallenged.

I do not want to magnify the importance of the gentleman from Washington. I realize that most of us have taken his measure in this House. I do not intend to be sarcastic in this at all; because the gentleman from Washington may be conscientious, he may not be hypocritical, he may not be demagogic, and I trust he is neither. But the gentleman from Washington has a flippant way of saying things about other Members. Some of us may be guilty of the same offense. The gentleman from Washington some time ago inserted in the RECORD certain things about——

Mr. BRYAN. I hope the gentleman will permit me——

Mr. MOORE. No; I will not permit the gentleman.

The SPEAKER. The gentleman from Pennsylvania declines to yield.

Mr. BRYAN. I will make the point of no quorum, then. I want it understood that I am to proceed after him.

The SPEAKER. Well, but the gentleman must obey the rules of the House, and he can not interrupt a Member when he has the floor without his consent.

Mr. BRYAN. I merely want it understood that I am going to make the point of no quorum, unless I am allowed to proceed after him, by unanimous consent.

The SPEAKER. The Chair can not make any such bargain with the gentleman.

Mr. FITZGERALD. No; and nobody else will make any bargain.

Mr. MOORE. I realize that the gentleman from Washington belongs to that element of our citizenship which believes its views must prevail, and which thinks there is only one side to a question, and that is the side to which it gives its adherence. He believes there are no two parties to any problem; and there are no rules that apply to a man who believes he has the right to do what the gentleman from Washington thinks he has a right to do, regardless of any rights that others may reserve to themselves or which they are entitled to under the rules or under the law.

Now, I do not intend unduly to advertise the gentleman from Washington, because I think that is what the gentleman is after. I think the gentleman's particular specialty here is to get as much notice taken of him as anyone may be inclined to give. I say this good-humoredly, because the gentleman from Washington is a good-humored man. But I wish to say that when he invades the privacy of my home and speaks of those things of which he does not know; when he undertakes to misinterpret my motives, which he has no right to do, I have a right to resent what he says. And I say this in all kindness, because if I were to attribute to him things which he did not believe, if I were to ascribe to him motives that did not accord with his own principles, he would have the same right to criticize me.

Yesterday I made a perfectly fair argument upon the prohibition question. It is in the RECORD and speaks for itself. I have conscientious convictions on that subject. I have no leader on either side of the question—neither a prohibition leader nor a liquor leader. The best guide I have is my own conscience, and my conscience is supported by my understanding of the teachings of the Master Himself when He came upon this earth not to punish but to save the souls of men.

The gentleman from Washington took exception to what I had to say, and made capital for himself before that vast audience which sat here yesterday throughout the discussion. As to me, he said:

> There is one gentleman who made a speech here to-day for the wets who, I think, is the most consistent of all who have spoken, and that is the gentleman from Pennsylvania [Mr. MOORE].

For his suggestion of consistency I am duly thankful, but his statement that I spoke for the "wets" is an inference and is not true. I did not speak for the "wets," as he understands them and as I understand them. I spoke for what I believed to have been the best thing for all the people under the circumstances. I took no side for liquor, nor did I undertake to defend liquor in any part of the speech. I spoke as a legislator, for that which seemed to me to be just and right.

The gentleman from Washington continued:

> Who stood here and defended the saloon as an institution.

I did not defend the saloon as an institution. That statement is gratuitous; that statement is scandalous; that statement is untrue. The gentleman continued:

> And right along with it he defended open prostitution as an institution.

That statement is gratuitous; that statement is scandalous; and that statement is false. I did not defend open prostitution; I do realize what the gentleman from Washington and some others will not admit, that prostitution does exist, and in the spirit of Christ, whom they profess to serve, more with the lip than I do, I believe that something should be done to relieve that condition; to relieve and redeem those souls, if possible; to strengthen their lives, if possible, rather than by law and force, to ever and eternally curse them and send them to damnation. [Applause.] Upon this question I am no hypocrite; upon this question I do not vote or speak as a hypocrite. I realize that these unfortunate women are in the world; I realize that the cause of their sinning is man himself. I do not excuse the man, and I am ready to forgive the woman. I do not want to curse them nor deprive them of the right to fall upon their knees and ask for redemption. Christ Himself was crucified for doing that which some men are being crucified for to-day—standing for the rights of humanity.

The gentleman from Washington who is the representative of those who want to curse and eternally damn rather than save the wretched soul goes on and says:

> He believed that the house of ill fame was right as an institution.

That statement is gratuitous, maliciously scandalous, and is as false as hell. He continues:

> He did not defend the practices—

The gentleman from Washington seems to have had some opinions on this subject—

> but he believed in maintaining the segregated district.

I have said here before that vice prevails. I am not satisfied it has been eradicated because we have passed a law. The

question is one of treatment. I have heard of these women being taken from their haunts and driven hither and yon. I recall an instance where in a large eastern city a spectacular raid was made upon one of these places. The women were driven out, so that all the world might see, even the little children for whom men pleaded here so piteously yesterday—those little children who have been made to sign petitions asking sedate Members of Congress to vote upon these great moral questions, sometimes contrary to their consciences and convictions. I have heard of instances where women have been taken out to be made a spectacle of, and then when they appealed to those who pointed out their sins there was no helping hand, simply a curse and the advice to go on—somewhere, nowhere.

The SPEAKER. The time of the gentleman from Pennsylvania has expired.

Mr. MOORE. I ask, Mr. Speaker, for three minutes more.

The SPEAKER. The gentleman from Pennsylvania asks that his time be extended three minutes. Is there objection?

Mr. BRYAN. Mr. Speaker, reserving the right to object, I ask permission that I may have as much time to answer as the gentleman from Pennsylvania; that is, that I may have eight minutes.

The SPEAKER. The gentleman from Washington asks that he may proceed for eight minutes after the gentleman from Pennsylvania has closed.

Mr. MOORE. Reserving the right to object, I will say that I have no objection to the gentleman from Washington befouling his nest as long as he sees fit.

Mr. BRYAN. It will be the nest of the gentleman from Pennsylvania.

The SPEAKER. The gentleman from Washington must not infringe on any man's time without his consent. Is there objection to the request that the gentleman from Pennsylvania may have three minutes more and the gentleman from Washigton may have eight minutes to reply?

There was no objection.

Mr. MOORE. Now, Mr. Speaker, I have read enough of the speech of the gentleman from Washington. It is composed of scandal and billingsgate, and I suppose there will be more, because the gentleman is a master of that art—and that is about the only one that he is master of. I have observed his brief career in this House only and have not had time to hunt him up. He seems to have been something of a wanderer on the face of the earth, until he finally landed in the State of Washington.

The people there appear to have got his measure, for they have called him back from Congress. Let him, as he proposes, make the most of his invasion of my character. Let him go to my next-door neighbors to find out what they think of their Representative. I welcome the scrutiny. When it comes to the moral issue, when it comes to the question of right or wrong, when it comes to the question of sincerity or hypocrisy, I would a thousand times rather stand here and before God with the conscience I have than be a hypocrite and a scandalmonger, even though the galleries applaud it. Mr. Speaker, I guess that is enough. [Laughter and applause.]

Mr. BRYAN. Mr. Speaker, so far as the insult, the billingsgate that the inhabitant of Pennsylvania and the denizen of Philadelphia has just delivered himself of is concerned, I will say this: I am not at all surprised that that kind of language should come from him and that that kind of a position should be taken by him. What I said yesterday was, every word of it, especially so far as it referred to the gentleman from Pennsylvania, true, exactly as stated, and any statement that there is anything false in that——

Mr. MOORE. Mr. Speaker, will the gentleman yield?

Mr. BRYAN. Not until I conclude.

Mr. MOORE. I have just said that it is false.

The SPEAKER. The gentleman from Pennsylvania must not interrupt without the consent of the gentleman from Washington.

Mr. BRYAN. The statement of the gentleman that what I said was false——

Mr. MOORE. I return the statement to the gentleman.

The SPEAKER. The gentleman from Pennsylvania must observe the rules of the House, as well as the gentleman from Washington.

Mr. MOORE. Mr. Speaker, I beg the Chair's pardon.

Mr. BRYAN. The statement of the inhabitant of Philadelphia is as false as his utterance was proprostitute yesterday. When we had up the Kenyon bill here the gentleman got down into the pit there, and about the only man in all the roll of all of the Members of Congress who would open his mouth on behalf of the restricted district of the city of Washington, and inferentially the restricted district of his own City of Brotherly Love, so called, was Mr. MOORE.

Mr. MOORE. Speaking for humanity.

Mr. BRYAN. Oh, yes!

The SPEAKER. The gentleman from Pennsylvania must not interject remarks while sitting in his seat.

Mr. MOORE. I beg the Chair's pardon again.

Mr. BRYAN. He opposed the principle of the Kenyon bill. He opposed the idea of doing away with these segregated districts, and then yesterday in his speech he backed up his argument made then by making that common brothel argument, that is furnished by every foul-mouthed brothel in the country, that when you do cut out the restricted districts you scatter the vice all over the city—just like he was making an argument that when you do prohibit a saloon you scatter the illicit sale of liquor all over the city, and here is what I said—and while he was speaking the gentleman from Ohio [Mr. FESS] said something in an undertone, and the gentleman from Pennsylvania retorted, "Perhaps you know more about it than I do." The gentleman from Ohio, who has the respect of every man in this House, certainly to as measured a degree as the gentleman—Mr. MOORE——

Mr. MANN. Mr. Speaker, I call the gentleman to order. The gentleman knows the rules of the House.

The SPEAKER. The correct way to refer to a Member of the House——

Mr. BRYAN. Mr. Speaker, I withdraw the word "gentleman." [Laughter.]

Mr. MANN rose.

Mr. BRYAN. Did I say "Mr. MOORE," or what did I say?

Mr. MANN. Mr. Speaker, the gentleman did not observe the rules of the House, and if he does not observe them I shall insist upon his taking his seat.

The SPEAKER. The correct way to refer to another Member of the House is as the gentleman from so and so or as the Member, not "Mr. MOORE" or "Tom Moore" or anything of the sort.

Mr. BRYAN. Well, the Member from Pennsylvania—that is all right, is it not?

The SPEAKER. Yes; and then the gentleman can say, parenthetically, "Mr. MOORE."

Mr. BRYAN. Yes; Mr. MOORE made this remark to the gentleman from Ohio, and the gentleman from Ohio told me afterwards that it was about as gross an insult as he had ever received, a public insult thrown at him in that form; and here is what I said:

There is one gentleman—

I said "gentleman," and what do you think of that? [laughter]—

who made a speech here to-day for the wets who, I think, is the most consistent of all who have spoken—

Mr. Speaker, I did not accuse him of anything wrong—

and that is the gentleman from Pennsylvania [Mr. MOORE], who stood here and defended the saloon as an institution—

Why, he told us that originally they had 6,000 saloons in Philadelphia, and that by benign and beneficient laws passed by the City of Brotherly Love the number was reduced to 2,000 and that it is the most law-abiding city in the country; and he defended that proposition and the licensing of saloons, and there is no question about his defending them in exactly the words I said—

and right along with it he defended open prostitution as an institution. He believed that the house of ill fame was right as an institution. He did not defend the practices, but he believed in maintaining the segregated districts. He believed in maintaining segregated districts in this country for houses of prostitution, and the two go together.

I say that the gentleman made that identical argument, and it comes with very poor grace for him to come here to-day and say that a plain, clear, clean-cut statement of his argument befouls his nest; that a clear, clean-cut statement of the argument that he makes causes him to be accused of ill and filthy practices or views, or something of that kind.

I did not accuse him of anything in the world except his own language, and there is no gentleman, there is no fair person, who will interpret the remarks he made, who can fail to come to the conclusion that Mr. MOORE is opposed to the Kenyon bill, as he was here before, and as he expressed that opposition yesterday and gave the failure of the Kenyon law, as he alleges, here in the city of Washington as a reason and a ground for his support of the liquor interests or his opposition to the Hobson amendment. I certainly can not understand the processes by which any person could render any other judgment. That is exactly the fact, and he did make that defense.

As far as I am concerned, Mr. Speaker, the remarks that he makes about me and about my own standing in the community

where I live do not bear out. There is no truth in it, and, as I have said before, his utterances along those lines are just as false as his argument was proprostitute, just exactly, and there is no question about his position.

There is no question about the views he takes, and when I said that the saloon and the brothel go together, when I said the segregated districts and licensed saloons were defended from the same source, I said exactly the truth, and I find verification for it in his argument. I did not mean to asperse the character of the gentleman at all. I gloried, I said, in his consistency, and I supposed that he would stand to-day for what he said yesterday. The matter of licensing houses of that kind is always brought up in every city where the liquor traffic is licensed, and it is argued that they ought to be licensed, that the women ought to be brought up and made to pay a regular license. That is the theory and doctrine of the restricted districts which the gentleman defended.

Mr. Speaker, I would say something about the character of the gentleman from Philadelphia along the line he spoke about my character, but there is nothing to it. [Laughter.]

HOLIDAY ADJOURNMENT.

Mr. UNDERWOOD. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 12 o'clock and 52 minutes p. m.) the House, in accordance with the concurrent resolution previously agreed to, adjourned to meet Tuesday, December 29, 1914, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1. A letter from the Secretary of the Treasury, transmitting revised or supplemental estimates of appropriations for public buildings, construction and sites, for the fiscal year ending June 30, 1914 (H. Doc. No. 1430); to the Committee on Appropriations and ordered to be printed.

2. A letter from the assistant clerk of the Court of Claims, transmitting findings of fact and conclusions in the case of Felix Scott Chambers *v.* The United States (H. Doc. No. 1431); to the Committee on War Claims and ordered to be printed.

3. A letter from the Secretary of the Treasury, transmitting copy of a communication of the Secretary of Commerce submitting an estimate of appropriation for a clerk to the Deputy Commissioner of Fisheries for the fiscal year ending June 30, 1916 (H. Doc. No. 1432); to the Committee on Appropriations and ordered to be printed.

4. A letter from the Secretary of the Treasury, transmitting copy of a communication of the Secretary of War submitting supplemental estimate of appropriation for the fiscal year 1916, for defraying the cost of maintenance and extensions and betterments of the Washington-Alaska military cable and telegraph system (H. Doc. No. 1433); to the Committee on Military Affairs and ordered to be printed.

5. A letter from the Secretary of the Treasury, transmitting item of proposed legislation to be incorporated in the sundry civil bill relating to appropriation for Hygienic Laboratory, Public Health and Marine-Hospital Service (H. Doc. No. 1434); to the Committee on Appropriations and ordered to be printed.

6. A letter from the Secretary of the Navy, transmitting letter from the National Association of United States Civil Service Employees at Navy Yards and Stations, Passaic, N. J., of scale of salaries adopted at the annual convention held at Philadelphia, Pa., May 9, 1914 (H. Doc. No. 1435); to the Committee on Reform in the Civil Service and ordered to be printed.

7. A letter from the Secretary of the Treasury, transmitting copy of an opinion of the Attorney General relating to the Government's claim against the central branch, Union Pacific Railroad Co. (H. Doc. No. 1436); to the Committee on Ways and Means and ordered to be printed.

8. A letter from the Secretary of War, transmitting report of the National Forest Reservation Commission for the fiscal year ended June 30, 1914; to the Committee on Agriculture and ordered to be printed, with illustrations.

9. A letter from the Secretary of the Treasury, transmitting report of the Surgeon General of the Public Health Service for the fiscal year 1914 (H. Doc. No. 1393); to the Committee on Interstate and Foreign Commerce and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII,

Mr. STEVENS of New Hampshire, from the Committee on Interstate and Foreign Commerce, to which was referred the bill (H. R. 16875) to promote the safety of employees and passengers on railroads engaged in interstate or foreign commerce, reported the same with amendment, accompanied by a report (No. 1249), which said bill and report were referred to the House Calendar.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. BRITTEN: A bill (H. R. 20327) to increase the personnel of the Army and organize a reserve force of citizen soldiery; to the Committee on Military Affairs.

By Mr. BUCHANAN of Texas: A bill (H. R. 20328) to remodel the old post-office building at Austin, Tex.; to the Committee on Public Buildings and Grounds.

By Mr. VINSON: A bill (H. R. 20329) to effect certain reforms in the civil service by segregating clerks and employees of the white race from those of African blood and descent; to the Committee on Reform in the Civil Service.

By Mr. ALLEN: A bill (H. R. 20339) to define the rights and privileges of the trustees of municipally owned interstate railways and construing the act to regulate commerce with reference thereto; to the Committee on Interstate and Foreign Commerce.

By Mr. BROWN of West Virginia: A bill (H. R. 20340) to increase the appropriation for a public building at Elkins, W. Va.; to the Committee on Public Buildings and Grounds.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BROCKSON: A bill (H. R. 20330) granting a pension to Sarah E. Carpenter; to the Committee on Invalid Pensions.

Also, a bill (H. R. 20331) for the relief of George E. Megee; to the Committee on Claims.

By Mr. CANTRILL: A bill (H. R. 20332) granting an increase of pension to Nancy Jane Bush; to the Committee on Invalid Pensions.

By Mr. CRAMTON: A bill (H. R. 20333) granting a pension to William F. Leach; to the Committee on Pensions.

By Mr. DALE: A bill (H. R. 20334) granting an increase of pension to Isaac Bernkopf; to the Committee on Invalid Pensions.

By Mr. GRAHAM of Pennsylvania: A bill (H. R. 20335) to appoint J. D. Nevin a second lieutenant on the active list of the United States Marine Corps; to the Committee on Naval Affairs.

By Mr. LANGLEY: A bill (H. R. 20336) granting an increase of pension to Samuel P. Murrell; to the Committee on Invalid Pensions.

By Mr. ROGERS: A bill (H. R. 20337) granting a pension to Charles E. Hall; to the Committee on Invalid Pensions.

By Mr. FERRIS: A bill (H. R. 20338) granting an increase of pension to Job Ingram; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By the SPEAKER: Petition of sundry citizens of the State of Missouri, favoring national prohibition; to the Committee on Rules.

By Mr. DALE: Memorial of the executive committee of the Cattle Raisers' Association of Texas, relative to work of the Bureau of Animal Industry; to the Committee on Agriculture.

By Mr. GRAHAM of Pennsylvania: Memorial of 150 men of the Men's Fraternity, Brotherhood of Andrew and Philip, and Men's Bible Class of Temple Lutheran Church, Philadelphia, and sundry citizens of Philadelphia, Pa., favoring national prohibition; to the Committee on Rules.

Also, memorial of the executive committee of the Cattle Raisers' Association of Texas, relative to work of Bureau of Animal Industry; to the Committee on Agriculture.

By Mr. KENNEDY of Rhode Island: Petitions of the Friends Society, of Providence; the Friends Bible School, of Providence; Franklin Perry, Russell H. Perry, and Henry F. Perry, of Greenville, all in the State of Rhode Island, favoring national prohibition; to the Committee on Rules.

Also, petition of Columbus Branch, No. 689, Catholic Knights of America, of Providence, R. I., favoring protection for priests and sisters in Mexico; to the Committee on Foreign Affairs.

Also, Petitions in favor of woman suffrage from Barton P. Jenks, of Providence; Mrs. John W. Ellis, of Woonsocket; C. A. Crombe, of Wickford; Mrs. William H. Park, of Pawtucket;

and Ellen M. Anthony, of Providence, all in the State of Rhode Island; to the Committee on the Judiciary.

By Mr. LIEB: Petitions of Mrs. C. O. Baltzell, of Princeton, chairman of the First District Woman's Franchise League; Francis C. Hankins and Dr. Mary E. Phelps, of the Evansville Branch, Woman's Franchise League; and Luella C. Embree, of the Woman's Franchise League of Princeton, all in Indiana, in favor of the Bristow-Mondell resolution proposing Federal constitutional amendment providing that right of citizens to vote shall not be denied or abridged on account of sex; to the Committee on the Judiciary.

Also, petition of the Brotherhood of Locomotive Engineers, Division No. 154, Charles Setter, secretary, favoring the Cummins-Goeke boiler-inspection bill; to the Committee on Interstate and Foreign Commerce.

By Mr. LOBECK: Petition of Sioux Falls (S. Dak.) Bureau of Animal Industry employees, indorsing the Lobeck-Lewis bill; to the Committee on Agriculture.

Also, petition of Mrs. L. F. Kreymoborg, favoring the Bristow-Mondell resolution for woman suffrage; to the Committee on Rules.

By Mr. O'SHAUNESSY: Petition of United Brotherhood of Carpenters and Joiners, protesting against national prohibition; to the Committee on Rules.

By Mr. SLOAN: Petition of sundry business men of Polk, Hordville, and Stromsburg, Nebr., favoring House bill 5308; to the Committee on Ways and Means.

SENATE.

TUESDAY, *December 29, 1914.*

The Chaplain, Rev. Forrest J. Prettyman, D. D., offered the following prayer:

Almighty God, Thou dost fill our lives with precious memories. We have come out of the joyous season of the Christmas time, out of the holiest day in our Christian calendar, with the memories of home associations, the friendships, with the hopes created in us by the Christian faith, with the blessed ministry of a Christian civilization about us. We have come out of this holy season to address ourselves once more to the tasks of life. We remember the ideal life whose coming to the world we have commemorated, the standard of all greatness, the touchstone of all truth, the guide unto all the blessed destiny beyond us. Grant us the Christ spirit in all we undertake for our fellow men and for our country. Guide us unto great success and prosperity in our national life. We ask it for the sake of Jesus, our Lord. Amen.

NATHAN GOFF, a Senator from the State of West Virginia, appeared in his seat to-day.

NAMING A PRESIDING OFFICER.

The Secretary (James M. Baker) read the following communication:

UNITED STATES SENATE, PRESIDENT PRO TEMPORE,
Washington, D. C., December 29, 1914.

To the Senate:

Being temporarily absent from the Senate, I appoint Hon. CLAUDE AUGUSTUS SWANSON, a Senator from the State of Virginia, to perform the duties of the Chair during my absence.

JAMES P. CLARKE,
President pro tempore.

Mr. SWANSON thereupon took the chair as Presiding Officer and directed that the Journal of the last legislative day be read.

The Journal of the proceedings of Wednesday, December 23, 1914, was read and approved.

LEGATION BUILDING, HABANA, CUBA.

The PRESIDING OFFICER laid before the Senate the following message from the President of the United States, which was read and referred to the Committee on Appropriations and ordered to be printed:

To the Senate and House of Representatives:

I transmit herewith a letter from the Secretary of State, addressed to the Secretary of the Treasury, requesting that the Secretary of the Treasury transmit to the House of Representatives an item for the acquisition of legation premises at Habana, Cuba, amounting to $100,000.

This request has my hearty approval, and I venture to urge this appropriation upon the Congress with great earnestness. I think that the whole country now sees how desirable it is that we should be upon the same footing of advantage in foreign capitals that other Governments are. This purchase is recommended in the spirit of the recent policy sanctioned by Congress in these matters, and I sincerely hope that we may not miss this unusual opportunity in the city of Habana.

WOODROW WILSON.

THE WHITE HOUSE, *December 22, 1914.*

[Letter and inclosure accompanied similar message to the House of Representatives.]

RATES FOR OCEAN TRANSPORTATION (S. DOC. NO. 673).

The PRESIDING OFFICER. The Chair lays before the Senate a communication from the Secretary of the Treasury and the Secretary of Commerce, transmitting, in response to a resolution of the 18th instant, a preliminary report relative to the increased rates for ocean transportation since July 1, 1914, together with certain facts which adversely affect or injure American commerce, and so forth.

Mr. FLETCHER. The communication is in response to a resolution submitted by me, and I ask that it be printed and referred to the Committee on Commerce.

The PRESIDING OFFICER. The communication and accompanying papers will be referred to the Committee on Commerce and ordered to be printed.

POWELL SCHOOL (S. DOC. NO. 674).

The PRESIDING OFFICER laid before the Senate a communication from the Secretary of the Treasury, transmitting a letter from the acting president of the Board of Commissioners of the District of Columbia submitting a supplemental estimate of appropriation for buildings and grounds, public buildings, District of Columbia, for an eight-room addition to the Powell School, $66,000, which, with the accompanying paper, was referred to the Committee on Appropriations and ordered to be printed.

STREETS IN THE DISTRICT OF COLUMBIA (S. DOC. NO. 675).

The PRESIDING OFFICER laid before the Senate a communication from the Secretary of the Treasury, transmitting a letter from the president of the Board of Commissioners of the District of Columbia, submitting an estimate of appropriation for inclusion in the urgent deficiency appropriation bill for increasing the width of roadway of Fourteenth Street NW., between F Street and Pennsylvania Avenue, to 70 feet, which, with the accompanying paper, was referred to the Committee on Appropriations and ordered to be printed.

REPORT OF COMPTROLLER OF THE CURRENCY.

The PRESIDING OFFICER laid before the Senate the annual report of the Comptroller of the Currency for the year ended October 31, 1914, which was referred to the Committee on Finance.

CREDENTIALS.

The PRESIDING OFFICER. The Chair lays before the Senate the credentials of Hon. JAMES W. WADSWORTH, Jr., chosen by the electors of the State of New York a Senator from that State for the term beginning March 4, 1915. The credentials are duly certified by the governor of the State. The Secretary will read the credentials in full, and if there be no objection, they will be referred to the Committee on Privileges and Elections.

The credentials were read and referred to the Committee on Privileges and Elections.

Mr. PERKINS presented the credentials of JAMES D. PHELAN, chosen by the electors of the State of California a Senator from that State for the term beginning March 4, 1915, which were read and referred to the Committee on Privileges and Elections.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by J. C. South, its Chief Clerk, announced that the Speaker of the House had signed the following enrolled bills, and they were thereupon signed by the Presiding Officer as Acting President pro tempore:

S. 6227. An act granting the consent of Congress to the Norfolk-Berkley Bridge Corporation, of Virginia, to construct a bridge across the Eastern Branch of the Elizabeth River in Virginia;

S. 6687. An act to authorize the Chesapeake & Ohio Northern Railway Co. to construct a bridge across the Ohio River a short distance above the mouth of the Little Scioto River, between Scioto County, Ohio, and Greenup County, Ky., at or near Sciotoville, Ohio; and

H. R. 6939. An act to reimburse Edward B. Kelley for moneys expended while superintendent of the Rosebud Indian Agency in South Dakota.

PETITIONS AND MEMORIALS.

The PRESIDING OFFICER presented resolutions of the Municipal Council of Bolinao, Province of Pangasinan, Phil-

ippine Islands, favoring the passage of the so-called Jones bill, for the self-government of the Philippine people, which were referred to the Committee on the Philippines.

Mr. SMITH of Georgia. I have a telegram from the Brunswick (Ga.) Board of Trade. It is short, and I would be glad to have it read and referred to the Committee on Foreign Relations.

There being no objection, the telegram was read and referred to the Committee on Foreign Relations, as follows:

BRUNSWICK, GA., *December 26, 1914.*

Senator HOKE SMITH,
Washington, D. C.:

This organization protests emphatically the action of the English Government in declaring naval stores and resinous products absolutely contraband of war. The South has suffered the loss of untold millions through the effects of the European war on her three great sources of wealth—cotton, lumber, and naval stores. If this action of Great Britain is allowed to stand, the naval-stores industry will be brought to a standstill and its recovery will require many years. No American industry has suffered such serious reverses as have been endured by the naval-stores industry during the past 18 months, and Great Britain's action may well be the blow that will kill this rich source of revenue and profit to the South. We urge you to use every means in your power to have the United States Government take a firm stand against this action of Great Britain.

THE BRUNSWICK BOARD OF TRADE.

Mr. HITCHCOCK presented a petition of sundry citizens of Long Island and Brooklyn, in the State of New York, praying for the prohibition of the exportation of contraband of war, which was referred to the Committee on Foreign Relations.

Mr. SHEPPARD presented petitions of sundry citizens of Texas, praying for the prohibition of exportation of contraband of war, which were referred to the Committee on Foreign Relations.

Mr. THORNTON presented a petition of sundry citizens of Minden, La., praying for national prohibition, which was referred to the Committee on the Judiciary.

Mr. CHAMBERLAIN presented petitions of sundry citizens of Oregon, praying for national prohibition, which were referred to the Committee on the Judiciary.

He also presented a petition of sundry citizens of Oregon, praying for the enactment of rural-credit legislation and referendum on war declarations, which was referred to the Committee on Banking and Currency.

He also presented a petition of Bert J. Clark Camp, No. 12, United Spanish War Veterans, Department of Oregon, of McMinnville, Oreg., praying for the enactment of national-defense legislation, which was referred to the Committee on Military Affairs.

Mr. GALLINGER presented the memorial of Adolph Wagner, of Concord, N. H., remonstrating against the exportation of arms and ammunition to Europe, which was referred to the Committee on Foreign Relations.

Mr. CLARK of Wyoming presented a petition of sundry citizens of Laramie County, Wyo., praying for national prohibition, which was referred to the Committee on the Judiciary.

Mr. BRISTOW presented petitions of sundry citizens of Goodland, Fort Scott, and Osawatomie, all in the State of Kansas, praying for the enactment of legislation for the further inspection of locomotive boilers, which were referred to the Committee on Interstate Commerce.

He also presented a petition of sundry citizens of Kansas City, Kans., praying for the enactment of legislation to provide pensions for civil-service employees, which was referred to the Committee on Civil Service and Retrenchment.

He also presented petitions of sundry citizens of Winfield and Ness City, in the State of Kansas, praying for national prohibition, which were referred to the Committee on the Judiciary.

He also presented a memorial of sundry citizens of Wellington, Kans., and a memorial of sundry citizens of Divide, Colo., remonstrating against the exclusion of anti-Catholic publications from the mail, which were referred to the Committee on Post Offices and Post Roads.

He also presented a petition of sundry citizens of Topeka, Kans., praying for the adoption of an amendment to the Constitution to prohibit polygamy, which was referred to the Committee on the Judiciary.

Mr. GRONNA presented petitions of sundry citizens of North Dakota, praying for the enactment of legislation to prohibit exportation of contraband of war, which were referred to the Committee on Military Affairs.

He also presented petitions of sundry citizens of North Dakota, praying for national prohibition, which were referred to the Committee on the Judiciary.

Mr. SHIELDS presented petitions of the Lookout Mountain Christian Endeavor Society, of Chattanooga; of the Baptist Sunday School of Cumberland Gap; of the First Cumberland Presbyterian Sunday School of Chattanooga; of the quarterly conference of the Methodist Episcopal Church South, of Fayetteville; of the Baptist Tabernacle Sunday School, of Chattanooga; of the Whiteside Street Methodist Episcopal Sunday School, of Chattanooga; of the St. James Methodist Episcopal Sunday School, of Chattanooga; of sundry citizens of Winchester, Madisonville, Soddy, Big Sandy, New Market, Copperhill, Kingston, Maryville, Sale Creek, Howell, Westport, Decherd, Livingston, and Briceville; of the congregations of the Nazarene Church, of Erin; the Centenary Methodist Episcopal Church South, of Knoxville, the Methodist Episcopal Church South, of Kenton; the Presbyterian Church of Benton; the Methodist Episcopal Church South, of Franklin; the Methodist Episcopal Church South, of Savannah; and the New Providence Presbyterian Church, of Maryville, all in the State of Tennessee, praying for national prohibition, which were referred to the Committee on the Judiciary.

Mr. BURTON presented petitions of sundry citizens of Ohio, praying for the enactment of legislation to prevent the exportation of munitions of war to belligerent nations, which were referred to the Committee on Foreign Relations.

Mr. TOWNSEND presented memorials of sundry citizens of Michigan, remonstrating against the circulation of anti-Catholic publications through the mails, which were referred to the Committee on Post Offices and Post Roads.

He also presented memorials of sundry citizens of Michigan, remonstrating against the enactment of legislation to prohibit the circulation of anti-Catholic publications through the mails, which were referred to the Committee on Post Offices and Post Roads.

He also presented petitions of sundry citizens of Michigan, praying for the enactment of legislation to prohibit export of contraband of war, which were referred to the Committee on Military Affairs.

He also presented petitions of sundry citizens of Michigan, praying for national prohibition, which were referred to the Committee on the Judiciary.

Mr. BRANDEGEE presented a memorial of sundry citizens of Waterbury, Conn., remonstrating against the exclusion of anti-Catholic publications from the mails, which was referred to the Committee on Post Offices and Post Roads.

He also presented memorials of sundry Hebrew organizations of New Haven, and of Norwich Camp, No. 75, Order Sons of Zion, of Norwich, in the State of Connecticut, remonstrating against the enactment of legislation to further restrict immigration, which were ordered to lie on the table.

He also presented petitions of the Methodist Episcopal Sunday School of Noank; of Nordstjernon Lodge, No. 48, International Order of Good Templars, of Bridgeport; of sundry citizens of Bridgeport; and of members of Chapter 1216, Methodist Brotherhood, of New London, all in the State of Connecticut, praying for national prohibition, which were referred to the Committee on the Judiciary.

Mr. VARDAMAN. I have received two telegrams, one from Bay St. Louis, Miss., and the other from Pascagoula, Miss., which I ask may be received and printed in the RECORD.

There being no objection, the telegrams were ordered to be printed in the RECORD, as follows:

BAY ST. LOUIS, MISS., *December 28, 1914.*

Hon. JAMES K. VARDAMAN,
United States Senate, Washington, D. C.:

Announced intention of English Government declaring turpentine and rosin absolute contraband of war will prove seriously detrimental to the turpentine industry. Will you not invoke the influence of the State Department against such action on part of foreign Governments?

IMPERIAL NAVAL STORES CO.
HANCOCK NAVAL STORES CO. (LTD.).
JORDAN RIVER TURPENTINE CO.
HANCOCK COUNTY BANK.
MERCHANTS' BANK.
W. J. GEX.

PASCAGOULA, MISS., *December 28, 1914.*

Hon. JAMES K. VARDAMAN,
United States Senate, Washington, D. C.:

I observe that the English Government proposes to declare rosin and turpentine absolute contraband of war. Such action would be disastrous to a great industry, in which a large number of people in this immediate section are interested. Will you not use your influence with the Secretary of State against the proposed English action?

J. I. FORD.

Mr. PITTMAN. I have a telegram from I. Wood, of Reno, Nev., which I ask may be printed in the RECORD.

There being no objection, the telegram was ordered to be printed in the RECORD, as follows:

RENO, NEV., *December 21, 1914.*

Hon. KEY PITTMAN, *Washington, D. C.:*

The Business Men's Association of Washoe County, Nev., at a regular meeting, has instructed me as secretary to telegraph all Nevada Representatives to oppose national prohibition.

I. WOOD.

Mr. KERN presented a petition of the State legislative board of the Brotherhood of Locomotive Engineers of Indiana, praying for the enactment of further boiler-inspection legislation, which was referred to the Committee on Interstate Commerce.

He also presented a petition of sundry citizens of Logansport, Ind., praying for the enactment of legislation to prohibit exportation of contraband of war, which was referred to the Committee on Foreign Relations.

He also presented a petition of sundry citizens of Owen County, Ind., praying for the enactment of legislation to provide a volunteer officers' retirement list, which was ordered to lie on the table.

He also presented memorials of the Iron Molders' Local Union, of Musicians' Local Union No. 25, of Teamsters' Local Union No. 144, of Coopers' Local Union No. 66, of Tailors' International Union, and of Stationary Firemen's Local Union, all of Terre Haute, in the State of Indiana, remonstrating against national prohibition, which were referred to the Committee on the Judiciary.

Mr. POINDEXTER presented a petition of the Chamber of Commerce of Spokane, Wash., praying for the creation of a national security commission, which was referred to the Committee on Military Affairs.

He also presented the petition of Emma L. Parks, president, Mrs. D. J. Orner, vice president, and other officers and members of the University Woman's Christian Temperance Union of Seattle, Wash, praying for national prohibition, which was referred to the Committee on the Judiciary.

Mr. PERKINS presented petitions of the National Pacific Oil Co., of Coalinga, Cal., praying for the enactment of legislation to provide for the leasing of the public lands, etc., which were referred to the Committee on Public Lands.

He also presented a memorial of the passenger steamboat lines of the Great Lakes, remonstrating against the so-called La Follette seamen's bill unless passenger and excursion steamers on the Great Lakes are exempted, which was referred to the Committee on Commerce.

He also presented a petition of the Central Labor Council of Los Angeles, Cal., praying for the enactment of legislation looking to the betterment of the condition of employees in the Canal Zone, which was referred to the Committee on Interoceanic Canals.

He also presented petitions of sundry fraternal organizations of Los Gatos, San Jose, Creston, and Oakland, and of the Chambers of Commerce of Truckee, Quincy, Grass Valley, and Decoto, all in the State of California, praying for the enactment of legislation to provide pensions for civil-service employees, which were referred to the Committee on Civil Service and Retrenchment.

Mr. BURLEIGH presented a memorial of the Congregation Beth Israel, of Bangor, Me., remonstrating against the enactment of legislation to provide a literacy test for immigrants to this country, which was ordered to lie on the table.

Mr. CLAPP presented a memorial of sundry citizens of Minnesota, remonstrating against the enactment of a literacy test for immigrants to this country, which was ordered to lie on the table.

He also presented the petition of George W. Freerks and 120 other citizens of Ortonville, Minn., praying for the enactment of legislation to prohibit the exportation of contraband of war, which were referred to the Committee on Foreign Relations.

He also presented a petition of sundry citizens of Minnesota, praying for national prohibition, which was referred to the Committee on the Judiciary.

Mr. ROOT presented a petition of sundry citizens of Montezuma, N. Y., praying for national prohibition, which was referred to the Committee on the Judiciary.

AGRICULTURAL COOPERATION AND RURAL CREDIT.

Mr. FLETCHER. I am directed by the Committee on Printing, to which was referred Senate resolution 507, submitted by the Senator from Oklahoma [Mr. OWEN], to report it favorably without amendment, and I ask unanimous consent for its immediate consideration.

The PRESIDING OFFICER. The resolution will be read.

The resolution was read, as follows:

Resolved, That there be printed 1,000 additional copies of Senate Document No. 214, part 1, Sixty-third Congress, first session, entitled "Agricultural Cooperation and Rural Credit in Europe," for the use of the Senate document room.

The PRESIDING OFFICER. Is there objection to the present consideration of the resolution?

Mr. SMOOT. My attention was diverted. To what document does it refer?

Mr. FLETCHER. It is the resolution in reference to Senate Document 214. The committee approved it this morning.

Mr. SMOOT. I have no objection.

Mr. JONES. I wish to ask how the document will be distributed when printed. Will it be allotted to the different Senators pro rata?

Mr. FLETCHER. They will go to the document room.

Mr. JONES. Then those who get there first will get the document. I shall object to the present consideration of the resolution. I have a great many requests for the document. I think the copies ought to be allotted to different Senators, so that we can at least take care of our constituents as far as the printing is provided for.

Mr. FLETCHER. I will say to the Senator from Washington there is no particular objection to that except that probably some Senators will not care for them particularly and there are others who will want more than their allotment. If the Senator will let me know how many he needs, I shall be very glad to see that he gets them.

Mr. JONES. If there are Senators who do not want them, they can very easily transfer their allotment to Senators who desire them. I have had 25 or 30 requests already, which I have not been able to supply. I am getting requests for it almost every day. It is quite a large document and quite an important one. I think it should be distributed pro rata among Senators, and those who do not need it can very easily transfer their allotment to those who do.

Mr. VARDAMAN. I suggest to the Senator from Washington to let the resolution be considered at this time, when it will be open to amendment, and then we can provide for a pro rata distribution. I think his suggestion is a very good one.

Mr. FLETCHER. I have no objection if the Senate desires to have the resolution amended so that they will go to the folding room instead of to the document room.

Mr. JONES. With that amendment I will have no objection to the resolution.

Mr. VARDAMAN. Let the resolution be considered and amended.

The PRESIDING OFFICER. Does the Senator from Washington object to the present consideration of the resolution?

Mr. JONES. I do not, with the understanding that the chairman of the committee will have no objection to having the resolution amended so that the documents will go to the folding room instead of to the document room.

There being no objection, the Senate proceeded to consider the resolution.

Mr. JONES. I offer the amendment I suggested.

Mr. SMITH of Georgia. If the documents go to the folding room, does not the law require that they shall be distributed not only to Senators but also be sent to libraries all over the country, and have they not already been distributed in that way?

Mr. FLETCHER. A distribution of that kind has already been made, so that none of these copies will be sent to the libraries.

Mr. SMITH of Georgia. They are simply to be distributed to Senators?

Mr. FLETCHER. Yes; to Senators.

The PRESIDING OFFICER. The amendment submitted by the Senator from Washington will be stated.

The SECRETARY. Strike out the words "document room" from the end of the resolution, so as to read "for the use of the Senate."

Mr. JONES. That carries the document to the folding room?

Mr. FLETCHER. Yes.

The amendment was agreed to.

The resolution as amended was agreed to.

REPORT ON RURAL CREDITS.

Mr. FLETCHER. From the Committee on Printing I report back favorably with an amendment Senate resolution 508, providing for printing additional copies of Senate Document 380, and I ask for its present consideration.

There being no objection, the Senate proceeded to consider the resolution, which was read, as follows:

Resolved, That there be printed 10,000 additional copies of Senate Document No. 380, parts 1, 2, and 3, Sixty-third Congress, second session, entitled "Agricultural Credit—Land-Mortgage or Long-Term Credit," for the use of the Senate document room.

The amendment of the committee was, before the word "thousand," to strike out "10" and insert "5."

The amendment was agreed to.

Mr. JONES. I think the resolution should be amended the same as the other resolution.

Mr. FLETCHER. I have no objection to the amendment.

The PRESIDING OFFICER. The amendment will be stated.

The SECRETARY. Strike out from the end of the resolution the words "document room."

The amendment was agreed to.

The resolution as amended was agreed to.

BILLS INTRODUCED.

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. GALLINGER:

A bill (S. 7061) granting an increase of pension to Allen P. Gilson (with accompanying papers); to the Committee on Pensions.

By Mr. LODGE:

A bill (S. 7062) granting an increase of pension to Ellen Lyle Mahan; and

A bill (S. 7063) granting an increase of pension to Caro G. Moore (with accompanying papers); to the Committee on Pensions.

By Mr. CHAMBERLAIN:

A bill (S. 7064) for the purchase of a site and the erection of a public building at Ashland, Oreg.; to the Committee on Public Buildings and Grounds.

A bill (S. 7065) for the appointment of William Sooy Smith, late a brigadier general of United States Volunteers, to the rank of brigadier general on the retired list of the United States Army; and

A bill (S. 7066) for the relief of Amos Dahuff (with accompanying papers); to the Committee on Military Affairs.

By Mr. SUTHERLAND:

A bill (S. 7067) providing for appeals in bankruptcy matters, and repealing sections 24 and 25 of "An act to establish a uniform system of bankruptcy throughout the United States," approved July 1, 1898; to the Committee on the Judiciary.

By Mr. STERLING:

A bill (S. 7068) granting a pension to Bernard Christianson; to the Committee on Pensions.

By Mr. BRISTOW:

A bill (S. 7069) to provide for a nominating election for postmasters; to the Committee on Post Offices and Post Roads.

A bill (S. 7070) granting an increase of pension to George E. Harris (with accompanying papers); to the Committee on Pensions.

By Mr. WORKS:

A bill (S. 7071) to provide for the disposition of the public lands for the supply of water for irrigation and the generation of power; to the Committee on Public Lands.

By Mr. BRADY:

A bill (S. 7072) granting an increase of pension to La Fayette Piatt (with accompanying papers); to the Committee on Pensions.

By Mr. REED (for Mr. STONE):

A bill (S. 7073) granting an increase of pension to James Enloe;

A bill (S. 7074) granting an increase of pension to John Stone;

A bill (S. 7075) granting an increase of pension to Rachel W. Carney (with accompanying papers);

A bill (S. 7076) granting an increase of pension to Alie McGloughlin (with accompanying papers); and

A bill (S. 7077) granting an increase of pension to William A. Reames (with accompanying papers); to the Committee on Pensions.

By Mr. MYERS:

A bill (S. 7078) to repeal an act entitled "An act granting to the city of Twin Falls, Idaho, certain lands for reservoir purposes," approved June 7, 1912, and to revoke the grant made thereby; to the Committee on Public Lands.

By Mr. SHAFROTH:

A bill (S. 7079) granting an increase of pension to Delilah Lobenthal; to the Committee on Pensions.

By Mr. JONES:

A bill (S. 7080) granting an increase of pension to Asa Gatton (with accompanying papers);

A bill (S. 7081) granting an increase of pension to Ellen Conley (with accompanying papers);

A bill (S. 7082) granting an increase of pension to Henry Harpham (with accompanying papers); and

A bill (S. 7083) granting an increase of pension to Augustus A. Rice; to the Committee on Pensions.

By Mr. PERKINS:

A bill (S. 7084) to authorize aids to navigation and other works in the Lighthouse Service, and for other purposes; to the Committee on Commerce.

By Mr. TOWNSEND:

A bill (S. 7085) granting a pension to Michael Lacey (with accompanying papers); and

A bill (S. 7086) granting an increase of pension to William W. Waters (with accompanying papers); to the Committee on Pensions.

By Mr. POINDEXTER:

A bill (S. 7087) granting an increase of pension to James Hammond; to the Committee on Pensions.

By Mr. BURLEIGH:

A bill (S. 7088) granting a pension to Ada Tenney; to the Committee on Pensions.

By Mr. CHAMBERLAIN:

A bill (S. 7089) granting an increase of pension to Henry Walker (with accompanying papers); to the Committee on Pensions.

By Mr. SMOOT:

A bill (S. 7090) authorizing and directing the Secretary of the Interior to patent certain lands to the State of Utah and to accept relinquishment from the State of Utah of certain other lands in lieu thereof; to the Committee on Public Lands.

By Mr. HUGHES:

A bill (S. 7091) to create an additional judge in the district of New Jersey; to the Committee on the Judiciary.

AMENDMENTS TO APPROPRIATION BILLS.

Mr. LODGE submitted an amendment proposing to appropriate $130,000 for the purchase of a site and the construction and equipment of a building or buildings for a municipal lodging house and wood and stone yard in the District of Columbia, intended to be proposed by him to the District of Columbia appropriation bill (H. R. 19422), which was referred to the Committee on Appropriations and ordered to be printed.

Mr. McCUMBER submitted an amendment proposing to appropriate $88,850 for the support and education of 250 Indian pupils at the Indian school at Wahpeton, N. Dak., etc., intended to be proposed by him to the Indian Appropriation bill (H. R. 20150), which was referred to the Committee on Indian Affairs and ordered to be printed.

He also submitted an amendment proposing to appropriate $100,000 to enable the Secretary of the Treasury to pay to the employees of the Senate and House of Representatives, including secretaries to Members of Congress, who, by reason of the duties assigned to them, may be required to return to their respective places of appointment, mileage at the rate of 5 cents a mile each way, etc., intended to be proposed by him to the legislative, etc., appropriation bill (H. R. 19909), which was referred to the Committee on Appropriations and ordered to be printed.

He also submitted an amendment proposing to appropriate $50,000 to enable the Secretary of the Treasury to pay to the employees of the Senate, who, by reason of the duties assigned to them, may be required to return to their respective places of appointment, mileage at the rate of 5 cents per mile each way, etc., intended to be proposed by him to the legislative, etc., appropriation bill (H. R. 19909), which was referred to the Committee on Appropriations and ordered to be printed.

He also submitted an amendment proposing to increase the appropriation for the support and education of Indian pupils at the Indian school at Bismarck, N. Dak., from $20,000 to $45,000, intended to be proposed by him to the Indian appropriation bill (H. R. 20150), which was referred to the Committee on Indian Affairs and ordered to be printed.

Mr. SUTHERLAND submitted an amendment proposing to appropriate $1,200 for the salary of a chief clerk at the assay office, Salt Lake City, Utah, and also to increase the appropriation for wages of workmen and other employees at the assay office, Salt Lake City, Utah, from $1,500 to $2,000, intended to be proposed by him to the legislative, etc., appropriation bill (H. R. 19909), which was referred to the Committee on Appropriations and ordered to be printed.

Mr. MYERS submitted an amendment proposing to appropriate $15,000 for the improvement of the Federal building at Billings, Mont., intended to be proposed by him to the sundry civil appropriation bill, which was referred to the Committee on Appropriations and ordered to be printed.

Mr. JONES submitted an amendment proposing to appropriate $6,000 for the appointment of temporary statistical clerks and stenographers under the Bureau of Labor Statistics, District of Columbia, to be selected from the civil service register and to be paid at the rate of not exceeding $100 per month, etc., intended to be proposed by him to the legislative, etc., appropriation bill (H. R. 19909), which was referred to the Committee on Appropriations and ordered to be printed.

He also submitted an amendment proposing to increase the appropriation for constructing and equipping a lighthouse tender for general service, Department of Commerce, Bureau of Lighthouses, from $250,000 to $325,000, etc., intended to be proposed by him to the urgent deficiency appropriation bill (H. R. 20241), which was referred to the Committee on Appropriations and ordered to be printed.

Mr. LEE of Maryland submitted an amendment proposing to appropriate $9,600 for the purchase of 12 small automobiles for the use of the police department in the regulation of traffic, intended to be proposed by him to the District of Columbia appropriation bill (H. R. 19422), which was referred to the Committee on Appropriations and ordered to be printed.

He also submitted an amendment providing that in the expenditure of appropriations for public schools in the District of Columbia there shall be no discriminating charge made against pupils from any State or Territory of the United States, etc., intended to be proposed by him to the District of Columbia appropriation bill (H. R. 19422), which was referred to the Committee on Appropriations and ordered to be printed.

OMNIBUS CLAIMS BILL.

Mr. SHIELDS submitted an amendment intended to be proposed by him to the omnibus claims bill (H. R. 8846), which was referred to the Committee on Claims and ordered to be printed.

REGULATION OF IMMIGRATION.

Mr. LEWIS submitted an amendment intended to be proposed by him to the bill (H. R. 6060) to regulate the immigration of aliens to and the residence of aliens in the United States, which was ordered to lie on the table and be printed.

Mr. NELSON submitted an amendment intended to be proposed by him to the bill (H. R. 6060) to regulate the immigration of aliens to and the residence of aliens in the United States, which was ordered to lie on the table and be printed.

WITHDRAWAL OF PAPERS—JAMES GARNETT.

On motion of Mr. WORKS, it was

Ordered, That the papers in the case of James Garnett (S. 1652, 63d Cong., 1st sess.) be withdrawn from the files of the Senate, no adverse report having been made thereon.

ADDITIONAL MINORITY EMPLOYEE.

Mr. GALLINGER. Mr. President, a few days ago, on behalf of the minority, I submitted a resolution providing for an additional employee in the folding room of the Senate. The resolution was agreed to; but I find that even if provision is made for such an employee, as I think there will be in a pending appropriation bill, there will be no payment of his salary until the beginning of the next fiscal year. I therefore submit the following resolution, which I send to the desk and ask that it be read and referred to the Committee to Audit and Control the Contingent Expenses of the Senate.

The resolution (S. Res. 510) was read and referred to the Committee to Audit and Control the Contingent Expenses of the Senate, as follows:

Resolved, That an additional employee, in behalf of the minority, be appointed for service in the folding room of the Senate at a salary of $1,000 per annum, to be paid from the contingent fund of the Senate until otherwise provided by law.

COPPER SHIPMENTS TO NEUTRAL COUNTRIES.

Mr. WALSH. I offer the resolution which I send to the desk and ask that it may be read and lie on the table.

The PRESIDING OFFICER. The resolution will be read.

The resolution (S. Res. 511) was read and ordered to lie on the table, as follows:

Resolved, That the President is respectfully requested, if not incompatible with the public interest, to cause to be transmitted to the Senate copies of all communications transmitted to or received from representatives of foreign Governments touching the seizure or detention by any belligerent nation of shipments of copper from the ports of the United States consigned to neutral countries of Europe.

Copies of any communications so transmitted or received touching the proclamations of certain of the belligerents declaring copper to be either conditional or absolute contraband.

Copies of any such communications touching the declaration made in proclamations of certain of the belligerents to the effect that articles scheduled by them as conditional contraband shall be liable to capture on board a vessel bound for a neutral port, if the goods are consigned to order, and the further declaration therein that such goods shall be subject to confiscation unless the owners prove an innocent destination.

And copies of any communications touching the following recital of the so-called Declaration of London Order in Council, No. 2, 1914, to wit:

"2. Where it is shown to the satisfaction of one of His Majesty's principal secretaries of state that the enemy Government is drawing supplies for its armed forces from or through a neutral country, he may direct that, in respect of ships bound for a port in that country, article 35 of the said declaration shall not apply. Such direction shall be notified in the London Gazette and shall operate until the same is withdrawn. So long as such direction is in force a vessel which is carrying conditional contraband to a port in that country shall not be immune from capture."

Mr. WALSH. Mr. President, I desire to give notice that on Thursday morning next, immediately before the conclusion of the morning business, I shall address the Senate on the subject matter contained in the resolution.

NATION-WIDE PROHIBITION.

Mr. SHEPPARD. Mr. President, I wish to say that in naming the delegates from Southern States to the Constitutional Convention of 1787 in my address of Friday, December 18, I gave only those who signed the Constitution after its completion. I intended also to give the names of others who participated in the convention from these States, but neglected to do so. They were Edmund Randolph, George Mason, George Wythe, and James McClurg, from Virginia; Alexander Martin and William Richardson Davie, from North Carolina; William Pierce and William Houstoun, from Georgia; John Francis Mercer and Luther Martin, from Maryland. Of these delegates John Francis Mercer and Luther Martin, of Maryland; George Wythe and James McClurg, of Virginia; Alexander Martin and William Richardson Davie, of North Carolina; William Pierce and William Houstoun, of Georgia, were not present on the last day of the convention and failed to sign. Edmund Randolph and George Mason, of Virginia, were the only ones present on the last day who refused to sign. The name Jacob "Brown," as it appears in the RECORD, should be Jacob Broom; that of "Hu" Williamson should be Hugh Williamson.

I intended also to refer in that address to the tenth amendment to the Constitution, and to say that, like the Kentucky and Virginia resolutions, it was aimed at the assumption of undelegated powers by the General Government and contradicted in no sense the right of the peoples of the States to grant further powers through the regular process of amendment. In support of this statement I wish to cite an excerpt from the Supreme Court of the United States in Kansas against Colorado, Two hundred and sixth United States, page 46, in which the opinion of the court was delivered by Mr. Justice Brewer. The excerpt is as follows:

But the proposition that there are legislative powers affecting the Nation as a whole which belong to, although not expressed in, the grant of powers is in direct conflict with the doctrine that this is a Government of enumerated powers. That this is such a Government clearly appears from the Constitution, independently of the amendments, for otherwise there would be an instrument granting certain specified things made operative to grant other and distinct things. This natural construction of the original body of the Constitution is made absolutely certain by the tenth amendment. This amendment, which was seemingly adopted with prescience of just such contention as the present, disclosed the widespread fear that the National Government might, under the pressure of a supposed general welfare, attempt to exercise powers which had not been granted. With equal determination the framers intended that no such assumption should ever find justification in the organic act, and that if in the future further powers seemed necessary they should be granted by the people in the manner they had provided for amending that act. It reads: "The powers not delegated to the United States by the Constitution nor prohibited by it to the States are reserved to the States, respectively, or to the people." The argument of counsel ignores the principal factor in this article, to wit, "the people." Its principal purpose was not the distribution of power between the United States and the States, but a reservation to the people of all powers not granted. The preamble of the Constitution declares who framed it—"we, the people of the United States," not the people of one State, but the people of all the States—and Article X reserves to the people of all the States the powers not delegated to the United States. The powers affecting the internal affairs of the States not granted to the United States by the Constitution nor prohibited by it to the States are reserved to the States respectively, and all powers of a national character which are not delegated to the National Government by the Constitution are reserved to the people of the United States. The people who adopted the Constitution knew that in the nature of things they could not foresee all the questions which might arise in the future, all the circumstances which might call for the exercise of further national powers than those granted to the United States, and after making provision for an amendment to the Constitution by which any needed additional powers would be granted they reserved to themselves all powers not so delegated.

REGULATION OF IMMIGRATION.

The PRESIDING OFFICER. If there be no further concurrent or other resolutions, the Chair will declare morning business closed. The calendar under Rule VIII is in order.

Mr. ROBINSON. Mr. President, I am in receipt of a telegram from the Senator from South Carolina [Mr. SMITH], stating that his train has been delayed some two or three hours and requesting me to submit a motion to the Senate which he would make if he were present. I therefore move that the Senate proceed to the consideration of House bill 6060, being the immigration bill.

The motion was agreed to; and the Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 6060) to regulate the immigration of aliens to and the residence of aliens in the United States.

The PRESIDING OFFICER. The pending amendment will be stated.

The SECRETARY. The pending amendment is the one offered by Mr. THOMAS, as modified, proposing to strike out certain words on page 9, lines 6 to 12, and in lieu thereof to insert:

That the following classes of persons, when otherwise qualified for admission under the laws of the United States, shall be exempt from the operation of the illiteracy test, to wit: All aliens who shall prove to the satisfaction of the proper immigration officer or to the Secretary of Labor that they are seeking admission to the United States to avoid religious, political, or racial persecution, whether such persecution be evidenced by overt acts or by discriminatory laws or regulations.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

Mr. O'GORMAN. Mr. President, I am opposed to the literacy test embodied in the pending bill; but, if it is to be the judgment of the Senate that it should be retained, I am in favor of the amendment now pending, which extends the immunity class of aliens so as to embrace those who are escaping racial persecution as well as political and religious persecution.

Mr. President, when it is proposed to abandon a policy which has contributed much to the greatness of the Republic, the advocates of the plan might properly be expected to present some reasons justifying the departure which they recommend. The reasons that have been advanced are not persuasive to me, and to my mind furnish a wholly inadequate basis for the suggestion that a policy which has been favored by this Government since its beginning should now be cast aside.

The policy of the American Government has always been to encourage free and unrestricted immigration. We have held out our country as the asylum of the oppressed of all the world, and because of that policy we have seen our settlement of three millions of people, scattered along the Atlantic coast, grow in a little more than a century to one of the great and powerful nations of the earth.

What reasons are suggested for the abandonment of this policy at this time? It is said that ignorance is a menace in a republic. I deny it. Ignorance may be a misfortune, but it ill becomes a nation boasting our ideals to penalize the victims of that misfortune. Besides, this proposed literacy test, which is designed to check and prevent immigration, is not confined to the exclusion of the ignorant. A man may be illiterate and yet not ignorant. It has been within the observation of all of us that there are many intelligent men who are nevertheless illiterate, as that term is understood. My mind reverts to a citizen of a Southern State who was one of the most intelligent men in his community, and yet he could neither read nor write. He was a good, law-abiding, industrious citizen, willing to support his Government in time of peace and, if need be, in time of war to give his life in defense of the liberties of the Republic. Was he an undesirable citizen? He was without education, but a son of that illiterate was elevated to the high post of attorney general of his State and another son came to the House of Representatives and made a brilliant reputation that survived his departure from that body.

I knew a resident of a New England State who never knew the privilege of learning to read and write, but he was a good, honest, industrious citizen. I would match his patriotism against that of any Member of this body. In his simple way he contributed something to the community in which he lived, and when he died his influence permeated that State in the splendid achievements of two of his sons who had won rank and reputation as clergymen and another of whom was elevated to the bench of one of the high courts of another State. No, Senators, it is a mistake to urge that an illiterate is ignorant; I deny it.

Those aliens who are undesirable are provided against by other and specific provisions of this bill. Of course it is said that while this system may not be the best means of excluding undesirable aliens, it is, nevertheless, as good as any that has been proposed. I deny that. We have in other parts of this bill safe and adequate provisions tending to exclude from our shores all undesirable aliens. It provides for the exclusion specifically of all immigrants who are mentally, morally, and physically unfit. We provide for the exclusion of the criminal and the vicious. We provide specifically for the exclusion of all who may become a charge upon any State or upon any community. How much further should you go? Have you not embraced within those classes all who would be undesirable? If you have, what excuse is there for imposing for the first time in the history of the Republic an educational test upon those who seek the opportunities and are willing to assume the burdens of living with us in this country.

Why, Senators, if this educational test had been applied years ago its operation would have excluded the parents of at least one if not two citizens of this Republic who have occupied the White House. It would have excluded from our shores Nancy Hanks, the sainted mother of Abraham Lincoln. It would have made impossible the entrance into our country of President Andrew Johnson, who never knew how to write his name or read a line until he was taught by his wife after his marriage. If that test had been applied years ago, there are honorable and distinguished Members of this exalted body who would not to-day be occupying seats in this Chamber.

Senators, we are all a nation of immigrants. Every white man in the United States to-day is either an immigrant or the descendant of an immigrant. How can you justify yourselves now in violating the ideals that you have preached for a century and, with the quintessence of selfishness and ingratitude, be willing to close the doors and shut the gates upon those unhappy people in other lands who are looking forward to the day when they may be free men upon the free soil of this great Republic?

It is suggested that by permitting free and unrestricted immigration we are doing some injustice to American workmen; that the foreigner comes into competition with American labor. Senators, that has been true for a century; and what is the result of this competition, such as it has been, for that long time? In no place in all the world are the wages of the laborer and workman so high and the hours of service so short as in the United States.

But it is not correct to say that the immigrant comes into competition with American workmen. The work that every succeeding generation of immigrants does is the work that the American will not do. They carry on the tiresome grind with which the American workman will not stain his hand. It is the most unremunerative work. It is the work of building your railroads, of excavating your tunnels, and doing all of that class of work that fortunately the American workman does not find it necessary for him to undertake. Check this immigration and you paralyze our development and arrest the progress of the Nation. We have no better educated nor more patriotic citizenship than the children of the sturdy, though illiterate, aliens who throng to our shores. The percentage of literacy among the children of alien parentage is far higher than among the children of native whites. Immigrants and their offspring have done their share in building up our country and developing its resources. Unskilled labor, which the country needs on the farm and in the workshops and in great mining and railroading enterprises, must necessarily be recruited from the illiterate aliens. The value of the immigrant does not depend upon his ability to read 40 words. It depends upon his industrial capacity, his usefulness for the work of the country, and his probable behavior as a law-abiding citizen. A man meeting these reasonable tests has an economic value which it would be unwise to destroy. A man may be able to read 40 words and yet meet none of these safe and sane requirements which make for character and usefulness.

It is suggested as a reason for this extraordinary departure in our national policies that our country is now crowded, and that policies that we might have permitted 60 or 70 years ago can not safely be continued. Why, Senators, we have in continental United States 3,000,000 square miles of territory, an area twelve times as large as that of Germany. If it be assumed that we have a population of 100,000,000, it means that at the present time we have an average of but 33 persons for every square mile of United States territory. Before the disastrous war that is now afflicting Europe the average population there was 500 persons to the square mile. In Belgium alone it was 650 persons to the square mile. If we assume that a country will maintain 500 persons to the square mile—and the experience of all history demonstrates that that number can be maintained—then, with our vast area, we will not be overcrowded, we will not even approach that condition, until we have a population of 1,500,000,000, something which, in the course of nature, if it ever occurs, can not occur for many centuries.

There are in this country vast tracts of uncultivated and undeveloped land. Why should we not encourage the ambitious, the sturdy, the industrious alien to come and help us till and develop these sections of our country? Our country is in need of development through industrious muscle and brawn. We should welcome men of enterprise, of push, of energy. The aliens who seek admission to our country are men of this type or they would not come. The man who leaves his home and friends in Europe and undergoes the hardship and danger of a long ocean voyage, stimulated by the hope of bettering his condition in life, must be a man of energy and ambition, and these qualities make for desirable citizenship. Our country with its vast area is comparatively uninhabited. We have room and pressing need for more people in time of peace as well as in time of war. Our natural increase is insufficient for the needs and development of our country.

Extraordinary as this departure is from a governmental standpoint, the attitude of the Democratic Party on this question is still more extraordinary. From the earliest days the Democratic Party has been the liberal party. It has been the party that was always prepared to extend a welcome to the foreigner if he was worthy to take his place in this country. It is not surprising that the Republican Party takes the other side of this proposition. It has declared in its national platform in favor of a literacy qualification. The Democratic Party never made such a declaration, and the representatives of the Democratic Party have no commission from the people of the

country to give their aid and encouragement to an un-Democratic and un-American law which excludes the worthy foreigner from a place in this Republic. Presidents Cleveland and Taft have vetoed similar laws, and as recently as 1892 the Democratic Party, in national convention, declared as follows:

We condemn and denounce any and all attempts to restrict the immigration of the industrious and worthy of foreign lands.

Enact this law and you repudiate this declaration.

Now, Mr. President, I should like to say a word intended especially for my Democratic brethren. The political prospects of our party are not as bright as we would like them to be today. Republicans are asserting, with apparent confidence, that in the contest two years from now the Democratic Party will be unable to carry a single State north of the Ohio and east of the Mississippi. Some little support is given to those Republican claims by a declaration made but a day or two ago by the governor of a great Democratic State in the South. Political predictions two years in advance are not of much value, and I believe these Republican predictions will not be realized. But we should not ignore the existing conditions. One thing is certain, there is no demand in the North for this literacy inhibition and disqualification. Do you wish to make our struggle two years from now worse than it naturally must be by estranging from us thousands and hundreds of thousands who, if this bill is passed, will say that while the Republican Party was once the exclusive party the Democratic Party has taken its place, and that having repudiated its historic attitude toward the foreign born now has become the party of exclusion?

I urge you, Senators, before you give your approval to this literacy test, to think of our political necessities in the North. In this connection let me say frankly, and with the best and kindest spirit, that I can not understand why my distinguished brethren from Southern States, who are comparatively strangers to the immigration problem, are so insistent that immigration must be checked when the number of foreign illiterates in their States is insignificant; only 1,000, 2,000, or 3,000 in some instances, while even among the white natives the illiteracy runs as high as fifty and seventy thousand. Why, I ask, are those who apparently are not immediately concerned with this great problem so insistent upon closing the doors to the worthy alien who is ambitious to enjoy the opportunities and to assume the responsibilities that attach to our citizenship?

Let me assure you, Senators, that there is no demand in the Democratic Party in the North for this restrictive policy, for this repudiation of the professions of the Democratic Party of 125 years. The great Democracy of New York has not asked for it; and I want to say again, and remind my southern friends, that it may happen in the future, as it has happened in the past, that when the solid Democracy of the South looked upon the horizon the only kindly, sympathetic spot on this continent which gave comfort to their gaze and encouragement to their hopes was the State of New York, which did not falter in its devotion to the Democratic Party when a hostile political doctrine dominated the rest of the country excepting the Southern States.

You have heard from the distinguished senior Senator from New Jersey [Mr. MARTINE], who is competent to speak for the Democracy of his State. He protests against it. I have not yet heard a single favorable opinion of the proposed policy from anyone competent to speak for the Democracy of the North. Surely the great State so well represented by my distinguished friend from Illinois [Mr. LEWIS] does not ask for it, and will protest against it. What is to be gained by it?

I ask those who advocate this restrictive policy what is to be gained by it? We need immigration. Why, we need it more than some of us appreciate. Do you stop to realize that the birth rate among the native Americans is year by year getting lower and lower? Fortunately, in that respect we are not so badly off as France, but we may profit by her example. At the time of the Franco-Prussian War—44 years ago—France had a population of 37,000,000; Germany had 40,000,000. In the intervening 44 years the population of Germany has increased to 70,000,000, while the French are almost where they were 44 years ago, because they only show a net increase of 2,000,000. If we do not encourage foreign immigration, the consequences will be upon our own heads; the misfortune will be felt by the American people.

Mr. President, the agitation for the exclusion of the immigrant at this time seems to be one of the manifestations of hysteria now afflicting the American people. They want change. They want experiment. There was a time in our history when we were regarded as an indestructible Union of indestructible States. Nearly every one of the great propositions urged in the Congress in the recent past has been entirely destructive of State rights. The wisdom of the fathers is no longer respected. There are those who think they can improve upon the work of the venerable men who made our Constitution. A movement is now engaging the attention of the country by which a number of States are eager to impose on unwilling States their belief in prohibition. There are other States that are seeking to impose on unwilling States their views regarding woman suffrage. In the consideration of this bill there are States having no immediate interest in the subject that are striving to interfere with the liberty of the States that are willing to encourage immigration—that want immigration. When will an end come to this extraordinary hysteria and its manifestations?

Mr. President, for myself, I believe this proposed legislation unwise and destructive of the best interests of this country. I hope it will not have the approval of this body. If, unfortunately, it should receive its approval, then I hope the amendment which was proposed by the distinguished and able Senator from Colorado [Mr. THOMAS] and to which I took the liberty of proposing an amendment, will be adopted; that is, that the classes to be immune from the literacy test shall not only be those who come to this land seeking to escape religious and political persecution, but that they shall also embrace those who come here seeking to escape racial persecution.

What is the reason for any differentiation of those three elements? It is persecution whose victims we are trying to relieve by this legislation. We might eliminate all these adjectives and say that an alien shall not be required to comply with the literacy test if he comes here seeking to escape persecution. It is of little concern to us whether the persecution he is escaping is religious, political, or racial. It is the persecution itself which ought to warrant us in making a reservation in this bill if, unhappily, we adopt the literacy test.

Mr. VARDAMAN. Mr. President——

The PRESIDING OFFICER. Does the Senator from New York yield to the Senator from Mississippi?

Mr. O'GORMAN. I do.

Mr. VARDAMAN. I am very much interested in the Senator's discussion of this question, and if he has given any thought to the phase of it which I am about to mention, I should like to have him discuss it before he takes his seat. Does the Senator know, or is there any way by which he can approximate, what percentage of the immigrants that come to this country go to the rural districts?

Mr. O'GORMAN. I have not that information; but there are active agencies at work now in my State encouraging the immigrants to go out through the country to the farms and parts of the country where they are needed, as can be testified to by other Senators in this body.

Mr. VARDAMAN. I think, though, one of the great dangers that confronts us and which immigration accelerates is the urbanization of our population. While my information is not accurate or extensive, my understanding is that a very large percentage of the people who come here stop in the cities.

Mr. O'GORMAN. Granting that, Senator, do you appreciate how beneficial it is to Mississippi and other Southern States that supply our food market that when we have a large population in the city of New York your State and other similar States indirectly derive an advantage from it? Mr. President, I may on another occasion trespass upon the indulgence of the Senate to submit some further observations in connection with the pending legislation.

Mr. VARDAMAN. If the Senator will pardon me, I can not sympathize with him in his idea of sectionalizing this question. We are a united and harmonious whole as a Government, and you can not create an economic sore or a social evil in any section of the entire country without hurting the whole. These questions are not local issues; they are national.

Mr. O'GORMAN. I have concluded, Mr. President.

Mr. REED. I wish to inquire if the Senator from Illinois [Mr. LEWIS] desires to speak at this time. If he does, I shall be very glad to yield to him.

Mr. LEWIS. I will say to the Senator from Missouri I understand the Senator from Vermont [Mr. DILLINGHAM] expects to follow the Senator from New York if the Senator from Missouri has no objection.

Mr. DILLINGHAM. It makes no difference to me when I proceed.

Mr. LEWIS. I am sure the Senator from Missouri would prefer to defer a little while.

Mr. REED. I shall be glad to yield.

Mr. DILLINGHAM. Mr. President, in view of the range which the discussions have taken upon this question, I feel rather impelled to address myself to that feature of the bill that deals with the literacy test, and in doing that to examine to some extent the history of immigration legislation, the in-

vestigation of immigration conditions which has been made by the commission appointed for that purpose, and the reasons upon which they recommend the adoption of the literacy test as the one most feasible method of restricting certain classes of immigration which seem undesirable.

I wish to say in this connection that when I entered the Senate I was opposed to any restrictive measure whatever. I believed with the Senator from New York that our area was so great, our resources so unbounded, that we were able to receive aliens in unlimited numbers from every part of Europe, to utilize them, to assimilate them, and make it to their advantage and our own to have them come.

During the years I have served upon the Committee on Immigration, and especially since serving as a member of the Immigration Commission which made an exhaustive examination of this subject, I have been compelled to reverse my opinions and have come to favor some measure that shall in some degree restrict certain streams of immigration which have more recently been coming to our country.

In order to understand the situation we must remember that down to 1882 there was no Federal legislation regulating immigration into this country. In that year legislation was adopted which had for its basis the principle of selection. In other words, all legislation from that time until the present has been based upon the principle that all shall be admitted who are sound in body, sound in mind, and of good moral character. The object of all legislation has been to reject those who were unsound in body and unsound in mind and who were undesirable by reason of their personal character.

RECOMMENDATIONS OF THE IMMIGRATION COMMISSION.

The law of 1907 was simply the old law rewritten with amendments added to make the selections more perfect, but in that law there was a provision providing for the appointment of a commission to investigate all phases of the subject of immigration. The commission spent three years in its work and has made its report, which is contained in 41 volumes, the first two of which contain a summary of everything contained in the entire number.

The scope of its work I do not need to describe at this time. It is sufficient to say that it covered every phase of the subject both in this country and abroad. The pending measure is the existing law, with such provisions added as were recommended by the Immigration Commission and which have been recommended also by the Department of Labor, the latter mostly of an administrative character.

The most important provision in this bill—the one which has been most discussed—is that providing for the literacy test. Inasmuch as the discussion has indicated that this is looked upon as a moral test, a quality test, rather than a restrictive test, I wish to call the attention of the Senate to the statement of the Immigration Commission upon that subject. I read from their recommendation on page 45 of volume 1, where they say:

> The measure of the rational, healthy development of a country is not the extent of its investment of capital, its output of products, or its exports and imports, unless there is a corresponding economic opportunity afforded to the citizen dependent upon employment for his material, mental, and moral development.
>
> The development of business may be brought about by means which lower the standard of living of the wage earners. A slow expansion of industry which would permit the adaptation and assimilation of the incoming labor supply is preferable to a very rapid industrial expansion which results in the immigration of laborers of low standards and efficiency, who imperil the American standard of wages and conditions of employment.

The commission made a number of recommendations, which I omit at this time, but I direct attention to paragraph 8 of their recommendations, where they say:

> The investigations of the commission show an oversupply of unskilled labor in basic industries to an extent which indicates an oversupply of unskilled labor in the industries of the country as a whole, a condition which demands legislation restricting the further admission of such unskilled labor.

I want to impress that phrase "unskilled labor" upon the minds of Senators, and I propose before I shall have concluded my remarks to give ample reasons for this recommendation. The commission adds:

> It is desirable in making the restriction that—
>
> (a) A sufficient number be debarred to produce a marked effect upon the present supply of unskilled labor.
>
> (b) As far as possible, the aliens excluded should be those who come to this country with no intention to become American citizens or even to maintain a permanent residence here, but merely to save enough by the adoption, if necessary, of low standards of living to return permanently to their home country. Such persons are usually men unaccompanied by wives or children.
>
> (c) As far as possible, the aliens excluded should also be those who by reason of their personal qualities or habits would least readily be assimilated or would make the least desirable citizens.

The commission then proceeds as follows:

> The following methods of restricting immigration have been suggested:
>
> (a) The exclusion of those unable to read or write in some language.
>
> (b) The limitation of the number of each race arriving each year to a certain percentage of the average of that race arriving during a given period of years.
>
> (c) The exclusion of unskilled laborers unaccompanied by wives or families.
>
> (d) The limitation of the number of immigrants arriving annually at any port.
>
> (e) The material increase in the amount of money required to be in the possession of the immigrant at the port of arrival.
>
> (f) The material increase of the head tax.
>
> (g) The levy of the head tax so as to make a marked discrimination in favor of men with families.

Then the commission say:

> All these methods would be effective in one way or another in securing restrictions in a greater or less degree. A majority of the commission favor the reading and writing test as the most feasible single method of restricting undesirable immigration.
>
> The commission as a whole recommends restriction—

I want to emphasize that fact—that every member of that commission recommended restriction.

> The commission as a whole recommends restriction as demanded by economic, moral, and social considerations, furnishes in its report reasons for such restriction, and points out methods by which Congress can attain the desired result if its judgment coincides with that of the commission.

It is an open secret that of the nine members of that commission there was only one who declined to join in recommending the adoption of the reading test as the most feasible single method of securing restriction of immigration of the character set forth in their report.

Now, in order to determine——

Mr. REED. Mr. President——

The PRESIDING OFFICER (Mr. SAULSBURY in the chair). Does the Senator from Vermont yield to the Senator from Missouri?

Mr. DILLINGHAM. Gladly.

Mr. REED. If it would not disturb the course of the Senator's remarks, I call his attention to the fact that he stated in the early part of his address that it was desirable to exclude immigrants from certain countries. I am interested in knowing, in order that I may follow the course of the Senator's logic, what races and countries he alluded to.

Mr. DILLINGHAM. To whom this test should apply?

Mr. REED. No; whom it was desirable to exclude.

Mr. DILLINGHAM. No race or country.

Mr. REED. Then I misunderstood the Senator.

Mr. DILLINGHAM. I did not say that. At least, I did not intend to say it.

Mr. REED. Then I misunderstood the Senator; and, of course, if I misunderstood him——

Mr. DILLINGHAM. No; I stated that certain streams of immigration that have been going to particular sections of this country where labor is overcrowded would be more particularly affected by this test than other streams of immigration.

Mr. REED. While that is not what I understood the Senator to say, and I probably misunderstood him, we understand now the Senator meant to say just what he is now saying.

Mr. DILLINGHAM. Precisely.

Mr. REED. Now, what streams of immigration does the Senator refer to? Will he make that a little more definite?

Mr. DILLINGHAM. If the Senator will bear with me, I will take up that whole question and discuss the different streams of immigration, of what nationalities they consist, where they have gone, how they are employed, the conditions under which they are living, and how the reading test would affect them. It will take me some time to do it, but if the Senator will have patience with me, I will proceed.

Mr. REED. Certainly.

THE OLD AND THE NEW TYPES OF IMMIGRATION.

Mr. DILLINGHAM. In order to understand the basis of such recommendation we must follow these streams, note their course, and measure their volume. In doing this we want to remember one remarkable fact, because we have had two types of immigration in this country—what the commission terms the old type of immigration and also what they term the new type. Down to 1882, 87 per cent of all European immigration coming into the United States came from western and northern Europe—England, Scotland, Ireland, Germany, France, the Scandinavian States, and Belgium. Eighty-seven per cent down to the time when we first adopted legislation upon this subject came from that section, and only 13 per cent of the whole came from other sections of Europe. Yet we find 25 years later that this 87 per cent coming from northern and western Europe had been reduced to 20 per cent, so that 80

per cent of the entire immigration was coming from other sections of Europe; very largely from eastern and southern Europe.

Prior to the Civil War we had received about 5,000,000 aliens and they became thoroughly assimilated under the fusing heat of that contest. From 1860 to 1882, when we adopted our first legislation upon this subject, we had received something over 6,000,000 aliens, very largely, probably 80 per cent, from northern and western Europe. Since 1882 we have received 21,000,000 aliens into this country, making in the whole more than 32,000,000 who have come since the foundation of the Government, and 27,000,000 have been admitted since the beginning of the Civil War. This number becomes impressive when you remember that at that time the population of the United States was only 31,000,000.

Mr. REED. Will the Senator tell us whether those are the figures showing the net increase of aliens——

Mr. DILLINGHAM. They represent the number of aliens admitted.

Mr. REED. Or the gross immigration.

Mr. DILLINGHAM. They do not take into consideration those who have returned.

Mr. REED. What period of time does the Senator cover with those figures?

Mr. DILLINGHAM. The last statement I made was that about 27,000,000 have come since 1860.

Mr. REED. Up to the present time?

Mr. DILLINGHAM. Yes.

Mr. REED. At least one-half of those people are dead by this time.

Mr. DILLINGHAM. Of course many of them are dead.

Mr. REED. Could the Senator give us the aggregate of the people of the United States who have died during that time so that we can get a proper comparison?

Mr. DILLINGHAM. I am unable to give those statistics. I do not know whether they are available or not.

Mr. REED. The point I am making, and I just want to make it plain, is this: It is absolutely unfair to take the total number of immigrants who have come to a country in a half century of time and compare that total of all who came in a half century of time with the fixed population in a given period, because you are comparing the living and the dead of the immigrants with only the living population of the country.

Mr. DILLINGHAM. I have made no such statement as that. I will say for the benefit of the Senator from Missouri that the statistics show that substantially one-third of the immigrants admitted return to the Old World.

THE OLD IMMIGRATION.

The immigration of 1860–1882, and known as the old immigration, came mostly from England, Scotland, Ireland, Wales, Germany, France, Scandinavia, and Belgium. It went almost wholly to the great Central West, to take advantage of the opportunities afforded by the homestead act which was adopted during the Civil War. During the period between 1860 and 1910 the number of farms in this country increased from 2,500,000 to 6,000,000, and we are told that the agricultural area thus opened up is as great as the whole area of Great Britain, France, Germany, Italy, Spain, Norway, Sweden, Austria, Switzerland, Portugal, and the Netherlands all combined. In the homestead act there was an invitation to men to come not only from the East and the West, but from Europe as well, to come with their families to take up these lands and to establish homes. The immigration of that period consisted almost wholly of homemakers who quickly became assimilated, who made splendid citizens, and who have added greatly to the progress of the Nation.

The system of railroad construction in the United States entered upon during the Civil War, and which has come to be the greatest system ever developed in any country, also served to attract them. Substantially one-seventh of the entire national wealth has been invested in the construction and equipment of the railroads of the country. In mileage they exceed all the railroads of Europe. These men helped us in this vast development, as they have helped us to establish the vast trade now existing between the States.

Of the immigration of that period, 75 per cent came from the countries I have named, and it proceeded to the sections I have indicated. I have in my hand a table from which it appears that between 1850 and 1860, 52 per cent of such immigration went to the Central West; from 1860 to 1870, 55¼ per cent went there; from 1870 to 1880, 56 per cent went there, and only 27 per cent went to the Atlantic States.

THE NEW IMMIGRATION.

During the decade from 1880 to 1890 the type of immigration changed; only 46⅝ per cent went to the Central West, while 43⅛ per cent went to the Atlantic States. From 1890 to 1900 the change was still more marked; only 12⅝ per cent went to the Central States, while 80⅝ per cent went to the Atlantic States. This change in the distribution of the immigrant masses was indicative of the change in its character, as well as the change in the industrial conditions of the country which induced them to come in such largely increased numbers.

Mr. REED. Will the Senator permit one question there?

Mr. DILLINGHAM. Certainly.

Mr. REED. Did not the movement of the American-born citizen to the cities correspond almost exactly in proportion with the increase of the foreigners in the cities? In other words, was there any greater movement of the foreigner to the cities than there was of the American-born citizen to the cities?

Mr. DILLINGHAM. I think there has been an altogether greater movement in that direction by the foreign element.

Mr. REED. Does not the Senator know that in those States that are peculiarly American, as that term is ordinarily applied, there has been a constant increase in the city population, that there has been a constant decrease of the farm population, that the influx of foreigners into the cities has not been any greater in proportion than has been the influx of Americans, and that that movement of both foreigners and Americans from the farm to the city has been purely an economic movement?

Mr. DILLINGHAM. It is undoubtedly true that there has been an increase in the population of the cities of the world as commerce has increased and as industries have been established, but I think I shall be able to show that the conditions which have induced the very large immigration of recent years have sprung from the great industries located in the cities of the North; that the current of immigration has been toward the seats of the great basic industries, and that the type of this new immigration differs from the old in that it has sought employment in our manufactures rather than in tilling the soil.

INCREASED DEMAND FOR LABOR IN UNITED STATES.

To understand this movement we have only to remember that in 1860 the value of our manufactured products annually was only $2,000,000,000, but that in 1910 such products amounted to $20,000,000,000. During the intervening period the products of our mills not only became equal to those of France or of Great Britain or of Germany as individual nations, but we passed them, as Bismarck had prophesied we would do, at a gallop. To-day the products of our mills are greater in value than the combined manufactured products of England, Germany, and France. It is because of the marvelous growth of these industries in the United States that the immigration of recent years has occurred. It represents races entirely different in stock from ours and conditions so entirely different that we can hardly comprehend them. It comes largely from Russia, Austria-Hungary, the Balkan States, and Italy, especially south Italy, in which nations conditions are below those in western and northern Europe and vastly below those existing in the United States.

Mr. LODGE. As, for instance, Syria and Armenia.

Mr. DILLINGHAM. Yes; I have omitted the Syrians and Armenians, as the Senator from Massachusetts suggests. Consider conditions in south Italy, from which we have received such vast numbers. When the commission was there in 1907 it appeared that the average wage paid to agricultural laborers had been 25 cents a day until the emigration from Italy to the United States had been so great in volume that the price of labor had been so enhanced that at that time the price paid was 40 cents a day, although they did not include the keep of the laborer.

What was true in southern Italy has been true in Austria; it has been true in Hungary; it has been true in Russia. The wages are far lower in those countries than in Great Britain, and lower than they are in Germany, although German wages are not high. It is because of the low wages paid in these countries and consequent low living conditions, and a knowledge of the better conditions and the larger opportunities afforded working men in America, that such large numbers have been seeking our shores.

CONDITIONS IN EUROPE WHICH ENCOURAGE EMIGRATION.

In its report, volume 1, page 186, the commission discusses the causes which induce emigration from European countries. I ask permission to insert an extract from the commission's report upon that subject.

The PRESIDING OFFICER. Without objection, permission to do so is granted.

The matter referred to is as follows:

The purely economic condition of the wageworker is generally very much lower in Europe than in the United States. This is especially true of the unskilled-laborer class from which so great a proportion of the emigration to the United States is drawn. Skilled labor also is

poorly paid when compared with returns for like service in the United States, but the opportunity for continual employment in this field is usually good and the wages sufficiently high to lessen the incentive to emigration. A large proportion of the emigration from southern and eastern Europe may be traced directly to the inability of the peasantry to gain an adequate livelihood in agricultural pursuits either as laborers or proprietors. Agricultural labor is paid extremely low wages, and employment is quite likely to be seasonal rather than continuous. In cases where peasant proprietorship is possible the land holdings are usually so small, the methods of cultivation so primitive, and the taxes so high that even in productive years the struggle for existence is a hard one, while a crop failure means practical disaster for the small farmer and farm laborer alike. In agrarian Russia, where the people have not learned to emigrate, a crop failure results in a famine, while in other sections of southern and eastern Europe it results in emigration, usually to the United States. Periods of industrial depression, as well as crop failures, stimulate emigration, but the effect of the former is not so pronounced, for the reason that disturbed financial and industrial conditions in Europe are usually coincidental with like conditions in the United States, and at such times the emigration movement is always relatively smaller.

The fragmentary nature of available data relative to wages in many European countries makes a satisfactory comparison with wages in the United States impossible. It is well known, however, that even in England, Germany, France, and other countries of western Europe wages are below the United States standard, while in southern and eastern Europe the difference is very great. The commission found this to be true in its investigations in parts of Italy, Austria-Hungary, Greece, Turkey, Russia, and the Balkan States. In fact, it may safely be stated that in these countries the average wage of men engaged in common and agricultural labor is less than 50 cents per day, while in some sections it is even much lower. It is true that in some countries agricultural laborers receive from employers certain concessions in the way of fuel, food, etc., but in cases of this nature which came to the attention of the commission the value of the concessions was insufficient to materially affect the low wage scale.

It is a common but erroneous belief that peasants and artisans in the European countries from which the new immigrant comes can live so very cheaply that the low wages have practically as great a purchasing power as the higher wages in the United States. The low cost of living among the working people, especially of southern and eastern Europe, is due to a low standard of living rather than to the cheapness of food and other commodities. As a matter of fact, meat and other costly articles of food, which are considered as almost essential to the everyday table of the American workingman, can not be afforded among laborers in like occupations in southern and eastern Europe. The same is true of the American standard of housing, clothing, and other things which enter into the cost of living.

Mr. LEWIS. Mr. President, if I do not interrupt the Senator from Vermont to his inconvenience, at this very point might I ask him for information—first assuring him that certain people for whom I speak assert that the commission to which the Senator alludes and from whose report he draws his extracts, was made up of membership wholly excluding any person whomsoever having knowledge of, much less bearing any racial relation to, the people whom they now ask to have excluded, and for that reason those people living in the city from whence I come and the State which I represent with my colleague, contend that this very commission on which the able Senator now descants, is partial as against them, for that they were allowed neither voice, hearing, nor representation—will the Senator at some time in the course of his remarks, when it does not divert him from a regular arrangement, address himself to that point, so that I may have his views on it?

Mr. DILLINGHAM. Mr. President, I am not quite sure that I comprehend the inquiry of the Senator, but I will say that the Immigration Commission as constituted was made up of three Senators, three Representatives, and three gentlemen from civil life, appointed by the President. From the Senate there were five different Members at various times, one or two having died. Of the three gentlemen who came from civil life one was Mr. William R. Wheeler, of California; another was Prof. Jenks, of Cornell University; and the third was Dr. Neill, who was Commissioner of Labor and who was from Texas.

The people from Chicago who were referred to, were heard by the commission, and investigations were made, as will appear further on in my remarks, of the industries in Chicago and in all parts of the country.

Mr. FLETCHER. Mr. President, may I interrupt the Senator to inquire whether or not, according to his information, wages have been increased since the data which the Senator is to insert in this part of his remarks were compiled by the commission? Does the Senator know whether in recent years, since those data were compiled, wages have advanced in those countries to which the data apply?

Mr. DILLINGHAM. Mr. President, I do not know to what extent wages have advanced. I know that in Italy we found farm labor had advanced from 25 cents to 40 cents a day during the 10 or 15 years in which we received such a vast volume of immigrants from that country. Beyond that I am unable to state.

Mr. FLETCHER. Can the Senator give us the date when those tables were prepared?

Mr. DILLINGHAM. They were prepared in 1907.

Mr. FLETCHER. One further question in that connection. I desire to ask whether the Senator is advised as to the cost of living in those countries since then—whether or not the price of food products has gone up? That might have some bearing on the question of wages in those countries.

Mr. DILLINGHAM. I think that the prices of commodities have advanced to a certain extent throughout the world, but not uniformly by any means.

Mr. FLETCHER. I wanted to bring that information, if I could, down to date.

Mr. DILLINGHAM. I should be glad to have any statement the Senator has in his possession.

Mr. FLETCHER. I have no statement, only a memorandum given me while in France last August, showing that the wages paid farm hands in France were from 40 to 60 cents a day with board, or 60 to 80 cents a day without board. Then there are other schedules of wages. I do not know that it is very material in this connection; but inasmuch as the Senator was putting into the RECORD the data furnished by the commission in 1907 as to wages in certain foreign countries, I thought it would be better to bring the information down to date, if it could be done, showing the changes.

Mr. DILLINGHAM. Mr. President, I have stated that wages in western Europe were higher than they were in eastern Europe. It has been stated by writers on economics that you may trace the history of free institutions by the rate of wages paid in a country, and we know that in Great Britain, in Germany, in France, and in western Europe generally institutions are much more free than they are in eastern and southern Europe. I have no doubt that wages in France are higher than they are in the section which I was mentioning.

BEST OF PEASANT CLASS COME.

Now, Mr. President, I wish to call attention to the fact that the Immigration Commission did not recommend the exclusion of any particular race or nationality, but they recommended the adoption of the literacy test in the hope that it would limit to some extent certain streams of immigration which had been admitted in such volume that the market for common or unskilled labor in the United States was found to be overcrowded to such a degree that immigrants of this class were competing against themselves. The commission had no prejudice against any one of the nations that have been mentioned or against their people. The immigration from those countries is largely of the peasant class; and we undoubtedly get the best of that class, because only those come who have a desire to better their conditions and with that desire enterprise enough to scrape together the money necessary for the outlay, and courage enough to assume the responsibility of the change.

GOOD PHYSICAL CONDITION—HOW SECURED.

Not only that, but the immigrants are as a rule a good class from a physical standpoint.

Our laws against the admission of diseased persons are broad and comprehensive, and they are rigidly enforced. Among the classes excluded are idiots, imbeciles, feeble-minded persons, epileptics, insane persons, paupers, persons likely to become a public charge, professional beggars, persons afflicted with tuberculosis or with a loathsome or dangerous contagious disease, persons not comprehended within any of the foregoing excluded classes who are found to be and are certified by the examining surgeon as being mentally or physically defective, such mental or physical defect being of a nature which may affect the ability of such alien to earn a living, persons who have been convicted of committing a felony or other crime or misdemeanor involving moral turpitude, polygamists, anarchists, prostitutes, women or girls coming into the United States for the purposes of prostitution, and so forth.

These provisions of the law are not only enforced at our ports, but a medical examination of every proposed emigrant is required at all ports of embarkation in foreign nations. Under that law we say to the steamship companies: "If you bring to this country an idiot or an imbecile, or an insane person, or one who has epilepsy or who has tuberculosis, or who has a loathsome or dangerous contagious disease, whose condition might have been discovered by a competent medical examination at the port of embarkation, we will impose a fine upon you of $100"—$200 I think it is now—"and compel you to transport that person back to the country whence he came." That provision of the law has relieved the officers at our ports very largely of the burden which they formerly bore, as it has greatly reduced the number of the defective classes presenting themselves for admission. The result has been that the steamship companies, at their own expense, have employed surgeons

to examine with reference to all of these diseases every person who offers himself or herself as an intended immigrant to the United States.

As a consequence, so many were discarded at the ports of Germany that they became a burden upon the cities where such examinations were held. The German Government then compelled the steamship companies to establish what they call "control stations" all along the borders of Germany, at which every intended immigrant to the United States coming from Russia or from Austria or from Hungary or from Italy to a German port to take ship is compelled to be examined at the expense of the steamship company. If the immigrant is unable to pass this medical examination, he is sent back to the country whence he came and does not become a burden to Germany. So that all those coming from foreign ports are examined abroad, and those coming from Germany are twice examined. As a result of such examinations, nearly 40,000 intended immigrants were rejected at foreign ports during the year 1907, and our officers were saved from the necessity of sending them back upon their arrival at an American port. To be accurate, during the 13 months to December 31, 1907, there were rejected at ports of embarkation 27,799; at the control station which I have mentioned, 11,882; making in all 39,681. During the same period there were rejected at our own ports about 13,000, making in all something over 52,000 who were rejected because of physical or mental defects. So that, with such examinations as I have indicated, the immigrants who are admitted to this country as a whole are a splendid body of people from a physical standpoint.

In addition to that they are, from the standpoint of age when admitted, a most desirable class. Ninety-five per cent of them were under 45 years of age. Substantially 83 per cent of them were between 14 and 45 years of age. In other words, the great proportion of them were admitted at a time in life when they were capable of maintaining themselves.

NOT HOMEMAKERS—PREPONDERANCE OF MALES.

There are, however, some characteristics connected with the immigration from eastern and southern Europe which must not be disregarded, and I can not do better, perhaps, than to direct the Senate's attention specifically to some of the races and nationalities which contribute most largely to the "new immigration," as it is called. During the period of 15 years, 1899–1913, we admitted nearly 8,000,000 immigrants of the following races, named in order according to the relative importance of each in the numbers admitted: South Italians, Hebrews, Polish, North Italians, Slovaks, Croatians, Slovenians, Hungarians, Greeks, Lithuanians, and Ruthenians. Out of that entire number, 66 per cent are Italians, Hebrews, and Polish. The significant feature of this immigration is that 73 per cent of the whole were males.

Have they come here to make homes? Have they brought their families, as did the immigration from northern and western Europe?

I have before me another table showing the percentage of males among the aliens coming in the years 1899 to 1910, for the 10 leading races, from which the same startling fact appears. Of the South Italians, Hebrews, Polish, Slovaks, North Italians, Hungarians, Croatians, Slovenians, Greeks, Lithuanians, and Ruthenians, furnishing a total immigration of 5,989,000, 73 per cent were males.

Mr. FLETCHER. Mr. President——

The PRESIDING OFFICER (Mr. WHITE in the chair). Does the Senator from Vermont yield to the Senator from Florida?

Mr. DILLINGHAM. I do.

Mr. FLETCHER. We do not get from the description of all those classes and where they come from an idea as to where the Hebrews come from. The Senator says "South Italians, Poles, and Hebrews" without specifying from where the Hebrews come.

Mr. DILLINGHAM. They come from all sections, but very largely from Russia and from Austria.

I will say that of these different nationalities 78 per cent of the South Italians were males. Only 56 per cent of the Hebrews were males. On the other hand, of the Polish 69 per cent were males; of the Slovaks, 70 per cent; of the North Italians, 78 per cent; of the Hungarians, 72 per cent; and of the other races even a larger percentage.

MOSTLY COMMON LABORERS.

Another significant factor in the problem lies in the fact that while this new immigration is made up so largely of males, it consists almost wholly of common or unskilled laborers. In volume 1, page 121, of the commission's report, a table will be found which shows that common or farm laborers, or those without occupation, received during the 12 years from 1899 to 1910 constituted the following proportions of the immigration by races in that period:

South Italians, 85.4 per cent; Hebrews, 32.9 per cent; Polish, 93.7 per cent; Slovaks, 95.6 per cent; north Italians, 79.6 per cent; Hungarians, 91.4 per cent; Croatians and Slovenians, 95 per cent; Greeks, 92.3 per cent; Lithuanians, 93.3 per cent; Ruthenians, 79.5 per cent. Of the Bulgarians, Servians, and Montenegrins, 96.7 per cent of them belong to those classes; of the Finnish, 94 per cent; of the Roumanians, 97.3 per cent; and of the Portuguese, 93 per cent. So it appears that the males making up this immigration were almost wholly common or farm laborers in the countries from whence they come. You would naturally think, therefore, that they would go to the farms in this country. But have they done so? I regret to say that they have not.

I was interested in what the Senator from New York [Mr. O'GORMAN] said this morning about the area of our land and the opportunity there is for this class of immigrants to find places upon the soil; but the fact is that the new immigration does not go to the soil. It proceeds almost wholly and directly to the cities. From the year 1880 to 1909, a period of 30 years—and I might say that this will be an answer to an inquiry that was made in the debate this morning by the Senator from Mississippi [Mr. VARDAMAN]—we received from Austria-Hungary, in round numbers, 2,850,000 immigrants; from Italy, 2,801,000; from Russia, 2,134,000; in all, 7,785,000 immigrants. That was in the period of 30 years. Now, the census of 1910 reveals the most remarkable fact that of that entire number less than 1 per cent were found in that year to be managers of farms in this country, either as owners or as tenants. To be exact, only nine-tenths of 1 per cent of the entire immigration from those countries, covering a period of 30 years, was found managing farms in this country, either as owners or as tenants.

INCREASE AND DECREASE OF DIFFERENT RACES IN THE UNITED STATES.

The census also shows that during the last 10 census years there was an absolute decrease in the residents of this country who had their birth in northern and western Europe. Of those born in Great Britain, Germany, Scandinavia, the Netherlands, Belgium, Switzerland, Ireland, and France there was an absolute decrease of almost 4 per cent—to be accurate, 3.9 per cent—in this country; while, on the other hand, there was an increase of 175.5 per cent in the residents of this country who had come from Portugal, Spain, Italy, Russia, Finland, Austria-Hungary, Roumania, Servia, Montenegro, Bulgaria, and Greece.

The percentage of increase in the population of this country among certain races is shown in the fact that those from Greece have increased during the 10 census years 1,000 per cent, those from Italy 177.5 per cent, those coming from Russia and Finland 170.4 per cent, and from Austria-Hungary 162.3 per cent.

I call attention to these facts to show the trend of the modern immigration, how different it is from the old immigration, and I propose as I proceed to show where they have gone and how they are employed.

Mr. STERLING. Mr. President——

The PRESIDING OFFICER. Does the Senator from Vermont yield to the Senator from South Dakota?

Mr. DILLINGHAM. I yield.

Mr. STERLING. I should like to ask the Senator if he has the figures showing the proportion of Italian immigrants from north Italy and from south Italy, respectively?

Mr. DILLINGHAM. I have not it at my command at this moment, but the immigration from south Italy is vastly greater than that from north Italy and differs in character in every way. It differs in racial origin and in instincts and in business habits. I suppose 56 per cent of the southern Italians are illiterate, while probably not more than 4 or 5 per cent of the northern Italians are illiterate, and yet the same law governs both sections of the country. The two classes differ in origin, in education, mental characteristics, and in occupation.

NEW IMMIGRATION FOUND MOSTLY IN CITIES.

Now, as to the trend of the people who have come to this country: I am speaking still from the census reports. I find that of the more than a million Italians found in this country when the last census was taken, 78 per cent were in the cities.

Mr. MARTINE of New Jersey. Mr. President, will the Senator permit a word?

The PRESIDING OFFICER. Does the Senator from Vermont yield to the Senator from New Jersey?

Mr. DILLINGHAM. Gladly.

Mr. MARTINE of New Jersey. It seems to me this may be very readily accounted for by the fact that the cities, with

their great manufacturing industries, must necessarily offer better and larger wages than the agricultural regions can offer.

Mr. DILLINGHAM. The Senator is undoubtedly right, and that is just the point I am making—that these people come over and go to the cities, where the manufactories are located, where the sewers are to be installed, where the street railroads are to be constructed. They flow directly toward the great centers of industry.

Mr. MARTINE of New Jersey. I have held, and still hold—I want to say just what I feel—that the iniquities of the high protective system have overstimulated manufacturing industries to a degree that has drawn from the rural population so largely that agriculture has languished, to our detriment—hence the high price of foodstuffs—and our cities have been flooded and overpopulated. Now, I realize the importance and necessity of an immigration bill; I want to vote for an immigration bill; but I am so utterly and totally opposed to the so-called literacy test that if it must remain in the bill, I shall have, very much to my regret, to vote against the whole measure.

Mr. DILLINGHAM. Before I conclude, Mr. President, I shall show the ground upon which the commission recommended that test and the facts upon which it based its opinion when that action was taken. Then, of course, the Senator will act upon his judgment.

Returning to the subject of aliens in the cities. Of the Russians in this country, 87 per cent were found to be denizens of the cities, while of those from Austria-Hungary the proportion was 75 per cent; of those from Roumania, 92 per cent; of the Turks, 83 per cent. Of the immigration during the four years immediately preceding the census of 1910, 78.5 per cent of the whole number admitted proceeded directly to the cities. Think of that! Almost eight-tenths of the whole went directly to the centers of population.

I have already commented upon the fact that a very large proportion of these adult men were common or farm laborers in the countries from which they came. Over 70 per cent, probably nearer 75 per cent of them, came from southeastern Europe, and 82 per cent of them went to New England, the Atlantic, and east-north-central States.

I wish you would consider that statement for a moment. New England, New York, Pennsylvania, New Jersey, Ohio, Indiana, Illinois, Wisconsin, and Michigan constitute only about 13 per cent of the area of continental United States, and yet it appears that over 80 per cent of this entire immigration found its destination in that area; and that is where they are found to-day—in the large manufacturing towns of that large manufacturing section of the United States.

Mr. REED. Mr. President, will the Senator pardon a question?

The PRESIDING OFFICER. Does the Senator from Vermont yield to the Senator from Missouri?

Mr. DILLINGHAM. I do.

Mr. REED. Assume that they were not there. It follows, does it not, that if these foreigners were not there, working, the mills would have to shut down or employ somebody else, some natives? You would then have exactly the same degree of congestion in the cities that you now have, so far as numbers are concerned.

Mr. DILLINGHAM. No; I think not.

Mr. REED. Why not?

Mr. DILLINGHAM. We want them there. We welcome immigration. We welcome these races. I have nothing against any one of these races. I am not criticizing them. We want them in sufficient numbers to supply the demand for labor, but under conditions that will enable them to live upon an American basis; but they have come there in such numbers, as our investigation showed, that they are living under conditions that are un-American and absolutely undesirable. They are unable to secure employment a sufficient portion of the time to enable them to live under conditions that we like to have American laborers enjoy. I am coming to that subject a little later on.

Mr. REED. I am addressing myself only to the question of congestion in cities for the present. I can not discuss half a dozen questions at once.

Manifestly, if these people come from Europe, go into New England, and gain employment in the mills, that means the addition of a certain number of people to that population. It also follows that if these men were not working there, and nobody came to take their places, the mills would close. It also follows that if others did come to take their places you would have exactly the same amount of congestion.

Mr. DILLINGHAM. Provided the same number came.

Mr. REED. Now, is it not true that the mills of all New England have been complaining for years that the reason why they can not compete is because they have to pay wages that they claim are too high?

Mr. DILLINGHAM. I never heard that.

Mr. REED. Well, is it not true?

Mr. DILLINGHAM. What we claim is, having to pay American wages, that we should have protection as against European labor.

Mr. REED. Oh, yes. Still, you either do pay American wages or you do not. If you have not been paying American wages, then you ought not to have been clamoring for protection. If you have been paying American wages, then these foreigners are collecting American wages and have the ability to live the same as American citizens live.

It seems to me one of those arguments eats up the other. I do not know which it is.

Mr. STERLING. Mr. President——

The PRESIDING OFFICER. Does the Senator from Vermont further yield to the Senator from South Dakota?

Mr. DILLINGHAM. I yield.

Mr. STERLING. I should like to ask the Senator from Vermont whether the lowest American wages paid are not higher than the laborers receiving wages abroad would get?

Mr. DILLINGHAM. I think the wages paid to these classes—and they were vastly too low—were at least three times as great as the wages they received in the countries from which they came.

Mr. REED. Let me ask one further question: Who fixes the wages of these classes and puts them at a beggarly stipend? Is it the foreign laborer or is it the American employer?

Mr. DILLINGHAM. They are fixed by the conditions in each particular locality. Of course they are fixed by the employer, except where it becomes a matter of agreement, as it is in most cases in Vermont, between the employer and organized labor.

THE IMMIGRANT IN THE INDUSTRIES.

It is probable, Mr. President, that from 80 to 90 per cent of all the wages paid in the manufacturing industries of the United States are paid in the States to which I have alluded, and very naturally the immigration coming here to get employment goes where employment is to be had. There is no question but that the employers delight in having on hand a larger force of labor than can be employed at all times, that the supply may be ample in time of unusual activity; but the commission found that immigrants of the new class had come in such excessive numbers that out of kindness to the laborers themselves others of their class should be discouraged from coming.

The commission, in order to investigate the condition of aliens in American industries, sent out their agents and caused to be examined 37 of the leading industries in the United States east of the Rocky Mountains. In doing so they came in contact with 700,000 different employees in the different industries. They made 23,000 family studies, apportioning them among the different classes of industries, and they went into 200 industrial communities to study conditions there. They found that of that 700,000 employees with whom they came in contact 59.9 per cent—call it 60 per cent—of the whole were born abroad, that 15 per cent were their children, and that less than 20 per cent were the sons or the daughters of American-born parents.

In the iron and steel industry they found 57.7 per cent foreign born; in the slaughtering and meat-packing industry, 60.7 per cent; in wool and worsted manufacturing, 61.9 per cent; in the coal industry, 61.9 per cent; in the copper mining and smelting industry, 65.3 per cent; in the leather tanning, currying, and finishing industry, 67 per cent; in cotton-goods manufactures, 68.7 per cent; in clothing manufactures, 72.2 per cent; in silk-goods manufactures, 75.1 per cent, or an average of 65.6 per cent of foreign-born employees in these industries.

Mr. FLETCHER. I will inquire of the Senator whether he has a showing of the percentage of those he has been mentioning who became citizens?

Mr. DILLINGHAM. I am coming to that later, if the Senator pleases.

Mr. FLETCHER. I think it would have an important bearing to show what per cent of them have become American citizens, registered voters who have become a part of the Government.

Mr. DILLINGHAM. I have tables bearing upon that subject, but they are farther along in my notes. I will refer to them a little later. I want to say, however, that of the old immigration about three times as many proportionally became citizens as those of the new.

OVERCROWDED CONDITIONS.

That the new immigration has overcrowded the industries in the country is shown by the results of the investigation of the commission, perhaps more so in the iron and steel industry than in any other. In their investigations our agents came in

contact with 86,000 employees of the iron and steel industry, and of these 57.7 per cent were foreign born, 13.4 per cent were their sons, constituting 71.4 per cent of the whole. Eighty-eight per cent of all this vast army of employees came from southern and eastern Europe and represented the new immigration. Yet out of that whole number working in the iron and steel industry only 8.6 per cent—less than 9 per cent—ever had any previous experience in it, and 65 per cent of them had been common laborers in the countries from which they came.

It was found in that investigation that the weekly wages paid to these people as a class were, upon an average, $14.35. Had they been employed full time, they would have received $750 a year; but, as a matter of fact, the annual average earnings of the 86,000 employees so interviewed amounted to only $326, or about one-half what they should have earned had they had work during the entire year. As a matter of fact, the industry was so overcrowded with applicants for common unskilled labor that those employed had worked only about one-half the time.

The great body of these laborers are single men, but there were some families among them, and of such families less than 8 per cent were supported by the husband and the children; the balance eked out their income by taking roomers or boarders. Forty-one per cent of them were found to be taking boarders.

The conditions were worse in the iron and steel industry than in any other examined. I will not weary the Senate by going through each one of them separately, but will content myself by saying that in the bituminous-coal industry, silk manufacturing, and the woolen industry it was found that the men had work only two-thirds of the time; in leather, clothing, and oil refining, three-fourths of the time; and in cotton, sugar refining, boots and shoes, and some others, about four-fifths of the time; but we found that everywhere among all the industries of our country there was a greater supply of common unskilled labor than was demanded by the ordinary business of the industries.

LEAST DESIRABLE CLASSES.

In their recommendations to Congress the commission says that if we are to reduce any of these streams of immigration, the individuals of which are competing against each other, we should select those that are the least desirable.

The Senator from Florida [Mr. FLETCHER] has just requested information as to the number among the different classes who have become naturalized citizens of the United States. From the census of 1910 it appears that of the races constituting the old immigration the following had become naturalized or had taken out first papers: Of the Germans, 76.7 per cent; of the English, 66.3 per cent; of the Irish, 73.6 per cent; of the Welsh, 73.7 per cent; of the Swedish, 64.7 per cent; of the Norwegians, 72.3 per cent; of the Danes, 74.2 per cent; of the Swiss, 71.3 per cent; and of the Hollanders, 67.5 per cent.

The number who had become naturalized or who had taken out first papers among the races of the new immigration appears from the following statement: Of the South Italians, only 30 per cent; of the Russian Hebrews, 57.2 per cent; of the other Hebrews, 61.6 per cent; of the Polish, 33 per cent; of the Slovaks, 22.8 per cent; of the North Italians, 45.8 per cent; of the Hungarians, 26.8 per cent; of the Croatians, 22.5 per cent; of the Slovenians, 35 per cent; of the Greeks, 20 per cent; of the Lithuanians, 32.5 per cent; and of the Ruthenians, 19.5 per cent.

Mr. REED. Mr. President——

The PRESIDING OFFICER. Does the Senator from Vermont yield to the Senator from Missouri?

Mr. DILLINGHAM. Gladly.

Mr. REED. The Senator has given in these tables the percentage of immigrants who have become naturalized or have taken out their first papers and he has compared what he terms the old immigration with the new. Manifestly an old immigration—that is, an immigration which reached its climax some years ago—can not be justly compared with an immigration which has just reached its climax at this time, because the old immigrant has been here more years upon the average, has had the greater opportunity to become naturalized, whereas the man who has just arrived has had substantially no opportunity at all. Does the Senator think that a comparison of recent immigration with old immigration is a proper test as to the intention of people who have recently come to become American citizens?

Mr. DILLINGHAM. There is very much force in the suggestion made by the Senator from Missouri, but the Senator will remember that the figures I am giving are taken from the census of those in the United States in 1910, and that this new immigration has been coming since 1882 in increasing numbers. Of course those who have come more recently have not had the same opportunity to become citizens as the others. I have no doubt the Senator is right to a certain extent, but, on the other hand, we have been receiving of the old type immigration substantially one-third of our immigration all this time, and it is just about in the proportion of one-third of the old type and two-thirds of the new type. So we have a very large number from northern and western Europe, who have come recently, as well as from eastern and southern Europe.

Mr. REED. But, nevertheless, to take an example, if there were an aggregate of 10,000,000 foreign-born people in the United States, and if the first 5,000,000 of those people had come from England, Ireland, Scotland, and Wales, and four-fifths of that 5,000,000 had been here for 10 years on the average, whereas four-fifths of the other 5,000,000 who came from the other parts of Europe had been here only 2 or 3 years, in endeavoring to ascertain the intention of these people to become American citizens by the test as to the number who had made application for citizenship, the comparison could not be fairly made between the recent immigrant and the one who had been here for many years, speaking on the average.

I want to ask the Senator this question, because it is very pertinent: Does the Senator think that the foreigner who comes here is the more desirable who takes out naturalization papers, or does he think that the one who does not become a citizen is the more desirable?

Mr. DILLINGHAM. Mr. President, I think that the man who comes here and brings his family, who comes here for the purpose of casting his lot with us and becoming an American citizen, sharing in our privileges, and assuming his burden of responsibility, is the desirable citizen, and he is the man who naturally takes out his naturalization papers.

Mr. REED. Then the Senator must believe that the addition of the foreign voter to our electorate is a benefit to this country. What, then, becomes of the cry abroad in this land that the foreigner is seizing the Government and running it and therefore is an undesirable citizen?

Mr. DILLINGHAM. Mr. President, in answer to what the Senator from Missouri has said, I think the desirable man to have come to this country is the man who wants to become a citizen of the country. A certain proportion of them may not make desirable citizens; we have a great many American born who are not desirable citizens, but I think that the most desirable immigrant who comes here is the man who comes with the idea of permanency, in the hope and expectation of improving his condition and giving his children the opportunity which this country affords, and he is the man who as a rule takes steps to become a citizen of the United States.

Mr. VARDAMAN. Mr. President——

The PRESIDING OFFICER. Does the Senator from Vermont yield to the Senator from Mississippi?

Mr. DILLINGHAM. I do.

Mr. VARDAMAN. If I may interrupt the Senator, I would like to ask him if he has any statistics as to the percentage of those who returned to the country from which they came?

Mr. DILLINGHAM. Taking it year by year, substantially one-third of all who come to this country return to the country from whence they came, and a larger proportion of the new immigration return than of the old immigration.

Mr. VARDAMAN. What is the average time of their residence here?

Mr. DILLINGHAM. I am unable to state it. That depends very much upon conditions existing in this country. The very large proportion of our immigrants are wage earners and are leading single lives. I will show you a little later their movements are determined by the industrial conditions in this country.

Mr. VARDAMAN. As I take it, they are undesirable persons for one reason, and that is that they come here and what they accumulate here they take back home with them.

Mr. DILLINGHAM. Very largely.

Mr. VARDAMAN. They make no investments here. They do not become a part of the Government.

Mr. REED. In the interest of accuracy I would just like to interrupt the Senator from Vermont.

Mr. DILLINGHAM. I shall be very glad to be interrupted.

Mr. REED. Are not the figures which show the net increase of foreign immigration made up in this way: All who come here are counted as immigrants the first time they come in, and all who return to Europe are counted as having left this country and are deducted from the total coming in?

Mr. DILLINGHAM. What figures does the Senator refer to?

Mr. REED. Those the Senator was himself just referring to.

Mr. DILLINGHAM. I was giving the results shown by the census of the foreign-born in this country.

Mr. REED. The question was asked by the Senator from Mississippi [Mr. VARDAMAN] what proportion of these immigrants return to Europe, and the Senator said in reply substan-

tially one-third. What I am inquiring about is whether our immigration authorities do not charge up as returning to Europe every man who comes here and who has not become naturalized, even though he may be returning to Europe for only a few months or a few weeks.

Mr. DILLINGHAM. I think not.

Mr. REED. When they return intending to come back.

Mr. DILLINGHAM. If the Senator will permit me, I will state that prior to 1907 the records were not accurately kept. The law did not require it and the best estimate we could make, having examined the question from all available sources, was that substantially one-third returned to the countries from which they came.

Mr. REED. Permanently returned?

Mr. DILLINGHAM. Some permanently and some not; but they returned. Under the law of 1907 a record is kept. Unfortunately, I have not that record before me at this time; but a record is kept, showing those who are going abroad temporarily and those who are going permanently, and that record the Senator can secure from the Department of Labor.

Mr. DU PONT. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. WHITE in the chair). The Senator from Delaware suggests the absence of a quorum. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst	Fletcher	Nelson	Shields
Borah	Gallinger	Newlands	Simmons
Brady	Goff	Norris	Smith, Ariz.
Brandegee	Gore	O'Gorman	Smith, Ga.
Bristow	Gronna	Overman	Smoot
Bryan	Hardwick	Page	Sterling
Burton	Jones	Perkins	Sutherland
Chamberlain	Kern	Pomerene	Swanson
Clapp	Lane	Ransdell	Thomas
Clark, Wyo.	Lee, Md.	Reed	Thornton
Culberson	Lewis	Robinson	Vardaman
Cummins	Lippitt	Saulsbury	White
Dillingham	McCumber	Shafroth	Williams
du Pont	Martine, N. J.	Sheppard	

Mr. KERN. I desire to announce the unavoidable absence of my colleague [Mr. SHIVELY].

Mr. CLARK of Wyoming. I desire to announce the fact that my colleague [Mr. WARREN] is unavoidably absent from the city. He is paired with the Senator from Florida [Mr. FLETCHER].

Mr. MARTINE of New Jersey. I was requested to announce that the Senator from West Virginia [Mr. CHILTON] is absent on important public business and that he is paired with the Senator from New Mexico [Mr. FALL].

Mr. SWANSON. I desire to state that my colleague [Mr. MARTIN of Virginia] is detained from the city on account of illness in his family.

The PRESIDING OFFICER. Fifty-five Senators have answered to their names. A quorum is present. The Senator from Vermont will proceed.

NOT HOME MAKERS.

Mr. DILLINGHAM. Mr. President, when interrupted I had been speaking of the proportion of the recent immigrants who have become citizens or who have taken out their first papers as one of the elements which enter into the question of their desirability as citizens, but as further showing that the new immigration to a very large extent has not come here for the purpose of establishing homes and becoming members of the great American family I want to call attention to the fact that between 1899 and 1910, a period of 12 years, of all those admitted 69.5 per cent were males and only 30.5 per cent were females. Taking them by nationalities, the proportion of males in the immigration from south Italy was 78.6 per cent; Hebrews, 56.6 per cent; Polish, 69.5; Slovaks, 70.5 per cent; North Italians, 78.3; Hungarians, 72.2; Croatians, 84.9 per cent; Slovenians, 70.5; of the Greeks, 95.1; and Lithuanians, 70.6 per cent, from which it appears that of the nationalities, the races, to which I last referred substantially from 70 to 80 per cent, upon an average, were males, and they constitute a large element in the immigration of those 12 years.

Returning to the commission's investigation of the industries in the United States, the following startling conditions are disclosed: Of the wage earners in the manufactories of America, it was found that 55 per cent of them were married men, but that three-fourths of all the married men had left their wives in Europe, and substantially 86 per cent of all the men engaged in the manufactures of the United States were leading single lives, without any of those home influences which everybody in America recognizes as being so essential to good citizenship. They were living in colonies in the cities and under conditions which were undesirable and un-American, leading lives that ought not to be led in a country that is self-governing, as is the United States.

DANGER TO OUR POLITICAL INSTITUTIONS.

In this connection I direct the attention of the Senate to another startling condition disclosed by the census of 1910, and I want to call it sharply to the attention of every thinking person, to all who are considering seriously the problem that confronts us, and to submit to them the question whether there should not be some measure of restriction to decrease the volume of the streams of immigration that are flowing toward the United States. We can not deny the fact, the census of 1900 shows it, that in that year there were in this country 900,000 aliens, men of 21 years and over, who had not at that time become citizens of the United States. The census of 1910 shows that instead of there being 900,000 of that class there were in the last-named year 2,260,000.

Now, mark the fact, every one of those men is liable to become a citizen of the United States within five years. They belong to the classes that may become naturalized if they so desire. What does it mean to our institutions to have in the United States, and very largely in that little strip of territory reaching from New England to the Mississippi River and north of the Ohio River, 2,260,000 of that class? You can not realize the significance of the situation without instituting comparisons.

POSSIBLE FUTURE CITIZENS.

I want to call the attention of the Senators from the Pacific and the Rocky Mountain States to the fact that in California, Oregon, Washington, Montana, Idaho, Wyoming, Nevada, Utah, Colorado, Arizona, New Mexico, North and South Dakota, Nebraska, and Kansas there were cast for President of the United States at the last election 2,281,000 votes, and yet we had in 1910 in this country alien males over 21 years of age who had not taken the first step toward becoming naturalized citizens of the United States almost equal in number to the entire voting force of those 15 States.

Let me institute another comparison which will interest the gentlemen from the South. In Delaware, Maryland, Virginia, West Virginia, North Carolina, South Carolina, Georgia, Florida, Alabama, Mississippi, Tennessee, Kentucky, 12 States, the votes cast for President at the last election numbered only 1,922,740. Yet we have right here in the United States, as I have said, 2,260,000 men who are eligible to naturalization, but who had not in 1910 taken out their first papers, a number largely in excess of the entire presidential vote in those 12 States.

Mr. REED. Mr. President——

The PRESIDING OFFICER. Does the Senator from Vermont yield to the Senator from Missouri?

Mr. DILLINGHAM. I do.

Mr. REED. Does the Senator desire that those 2,000,000 unnaturalized people shall become naturalized?

Mr. DILLINGHAM. I do not, unless they will bring their wives and their families with them. If they will bring their wives and their families with them, I do not care how quickly they are naturalized; the sooner the better.

Mr. REED. Then, it is solely the fact that they have not brought their wives or that they are not married on which the Senator bases his objection. Does the Senator think that a man who is unmarried is unfit for citizenship in this country?

Mr. DILLINGHAM. Not at all, everything else being equal.

Mr. REED. I did not think the Senator would claim that. Is it not a fact that the men who come here, the recent immigrants who have left their wives at home, are simply duplicating what the Germans and the Irish and the Scotchmen did in the days of adversity for their countries when they came here?

Mr. DILLINGHAM. I do not think they did it.

Mr. REED. They left their wives at home until they could get money enough to send for them.

Mr. DILLINGHAM. I think the Senator from Missouri will find that very few of them did that.

Mr. REED. Is it not a fact that these foreigners are every day bringing their families here just as rapidly as they can get the money to bring them? I do not know what the Senator's experience is, but there is hardly a day in my life which passes when there is not some trouble about getting in the child or the wife of some man who is here, and it takes a good deal of my time trying to assist them through the red tape that has been set up in the Immigration Bureau of the country.

Mr. DILLINGHAM. But, Mr. President, I think the Senator from Missouri forgets the statement that I made, that out of the 700,000 employees in the manufactories of America with whom the commission came into contact three-fourths of the married men had left their wives in Europe.

Mr. REED. Well, Mr. President, I undertake to say that the Irish immigration to this country showed substantially the same condition. These people come here with barely enough money to get here; they can not bring their wives with them; but they send back and get them. The Senator from Vermont does not mean to charge these people with having abandoned their families?

Mr. DILLINGHAM. If they would send for their wives and bring them here it would be well, but the majority of them do not do so. The Irish immigrants to whom the Senator from Missouri refers intended to bring their wives and the Germans and the English did the same.

Mr. REED. Exactly; and I contend that the people against whom the Senator is now inveighing intend to do the same thing; at least there is no evidence whatever to the contrary.

The Senator speaks of the agents of the Immigration Bureau having come in contact with six or seven hundred thousand people. Manifestly that must have been a very slight contact. It could not have been a real investigation of the homes of these people; that would have been physically impossible.

Mr. DILLINGHAM. We sent out agents and we used a card system, and I have told the Senator the number of homes which we investigated.

Mr. REED. How long had those people been here, on the average, who were here without their wives?

Mr. DILLINGHAM. I can not give the Senator the exact time.

Mr. REED. Of course that is very pertinent if they had only been here a few months and had not earned enough money to bring them.

Mr. DILLINGHAM. But you have to assume when an investigation covers 37 industries of the United States, and when a system has been growing with great rapidity since 1860 that the greater portion of the employees must have been here a considerable length of time.

Mr. REED. I thank the Senator. I will not interrupt him further.

Mr. DILLINGHAM. Mr. President, to show that this vast volume of eligibles to naturalization to which I have just referred, are more largely of the new immigration than of the old, let me again refer to the census of 1910. From this it appears that the proportions of the immigrants of the various races who had failed to take out first papers were as follows: Of the Germans, 9.9 per cent only had failed to take out papers; of the Irish, only 13.8 per cent; of the Canadians, 28.3 per cent; of the English, 18.8; of the Swedes, 14.9; of the Norwegians, 16.2 per cent; of those from Scotland, 21.5 per cent; of those from Denmark, 13.8 per cent; of those from Holland, 19.6 per cent; of those from France, 27.8 per cent; and of those from Wales, 10.3 per cent.

Among those representing the new immigration the percentage was much larger: Of the Russians, there were 52.4 per cent; from Italy, 65.7 per cent; from Austria, 57.3 per cent; from Hungary, 68.2; from Mexico, 66.6 per cent; from Greece, 77.6; from Finland, 45.9 per cent; from Portugal, 64.3 per cent; and from Roumania, 45.2 per cent.

It is apparent that the proportion of those not desiring citizenship is very much larger among those immigrants coming from eastern and southern Europe than those coming from western and northern Europe.

I find, by making another reference to the census, that out of the 3,075,000 of the old immigration in this country in 1910, only 12 per cent, or 370,000, have failed to take out first papers or to become naturalized; while of the new immigration, out of the 1,980,998, 55 per cent, or 1,301,000, had failed to take out such papers.

HOW WILL THE READING TEST APPLY.

How will the literacy test apply? What will it accomplish? What races will it most affect? This can best be ascertained by an examination of official records of the Department of Labor. These disclose the fact that in the 11 years from 1899 to 1909 we received of aliens over 14 years of age 7,197,060—of the old immigration 1,983,000, in round numbers, and of the new immigration 5,215,000. Of the old immigration there were only 2.7 per cent who were unable to read, of the new immigration there were 35.6 per cent who were unable to read. In that connection I want to say to the Senator from New York [Mr. O'GORMAN] that I do not look upon this as necessarily a test of quality; I would not advocate its adoption upon that ground, although I would rather admit an educated rather than an uneducated person. If education was not desirable as an element of good citizenship, compulsory school laws would not have been adopted in all the States of the Union; we would not be spending vast millions of dollars every year to educate the children of this country at public expense to fit them for citizenship. Everybody knows that it is a part of our national policy to make men intelligent by education, because intelligence, as well as virtue, is the foundation of our civilization and the guaranty of the stability of free institutions. My advocacy of this amendment is because it is a mild restrictive measure, one intended to restrict the flow of these streams of immigration that have overcrowded with common or unskilled laborers the great centers of industrial operations, where these new elements have competed against each other as well as against American labor in the industries of the country, and because I look upon it as the one most feasible measure for that purpose.

The records of the Department of Labor indicate pretty clearly the scope and operation of this provision. During a period of 11 years—1899 to 1909, inclusive—the percentage of illiterates among the different races admitted was as follows: Only four-tenths of 1 per cent of the Scandinavians were illiterate; only seven-tenths of 1 per cent of the Scotch; only 1.1 per cent of the English; only 2 per cent of the Welsh; only 2.7 per cent of the Irish; only 4.7 per cent of the Dutch; only 5.4 per cent of the Germans; and only 5.4 per cent of the French.

The degree of illiteracy was, it will be observed, very low among all the races of northwestern Europe, and the operation of the reading test will hardly be felt by any of them. On the other hand, out of the million and a half admitted from south Italy, 54.2 per cent were unable to read; out of the 742,000 coming from Poland, or of the Polish race, 35.4 per cent were unable to read; of the almost half million of Hebrews, 25.7 per cent were unable to read; of the 312,000 Slovaks, 24.6 per cent were illiterate; of the 311,000 from north Italy, 11.8 per cent were illiterate; of the 283,000 from Hungary, 11.4 per cent were illiterate; and of about the same number of Croatians and Slovenians and Magyars, 36.4 per cent and 11.4 per cent, respectively, were illiterate; of the Russians, 34.7 per cent were illiterate. It will, therefore, be seen that the literacy test will apply more particularly to those races and nationalities that I have described than to any of the others. It will decrease the number coming from Russia, Austria-Hungary, the Balkan States, and from southern Italy, but will have hardly any effect upon the immigration coming from Great Britain, Germany, Ireland, Wales, the Scandinavian States, and France.

OVERCROWDED CONDITIONS DEMAND RESTRICTION.

The commission found in all of the seats of the basic industries, where labor was so overcrowded, that the men as a rule were living on from $9 to $15 a month, $15 a month being the maximum amount expended and $9 the minimum. The conditions under which they were living are described in the commission's report, as follows:

> The living conditions of southern and eastern Europeans and the members of their household is shown in the detailed studies of the various industries, the most significant indication of congestion and unsatisfactory living arrangements being the low-rent payments each month per capita. The recent immigrant males being usually single, or, if married, having left their wives abroad, have been able to adopt in large measure a group instead of a family living arrangement, and thereby to reduce their cost of living to a point far below that of the American or older immigrant in the same industry or the same level of occupations. The method of living usually followed is that commonly known as the "boarding-boss system." Under this arrangement a married immigrant or his wife, or a single man, constitutes the head of the household, which, in addition to the family of the head, will usually be made up of 2 to 20 boarders or lodgers. Each lodger pays the boarding boss a fixed sum, ordinarily from $2 to $3 per month, for lodging, cooking, and washing, the food being usually bought by the boarding boss and its cost shared equally by the individual members of the group. Another common arrangement is for each member of the household to purchase his own food and have it cooked separately. Under this general method of living, however, which prevails among the greater proportion of the immigrant households, the entire outlay for necessary living expenses of each adult member ranges from $9 to $15 each month. The additional expenditures of the recent immigrant wage earners have been small. Every effort has been made to save as much as possible. The life interest and activity of the average wage earner from southern and eastern Europe has seemed to revolve principally about three points: (1) To earn the largest possible amount of immediate earnings under existing conditions of work; (2) to live upon the basis of minimum cheapness; and (3) to save as much as possible. The ordinary comforts of life as insisted upon by the average American have been subordinated to the desire to reduce the cost of living to its lowest level.

Among these classes the usual avenues through which aliens come in touch with American life are largely lacking. Eighty-six per cent of the married men were living single lives, having left their wives in Europe, so that in these communities children were very few in number. Everyone who has studied the subject knows that in the work of assimilating our foreign population the public schools are the greatest of agencies in bringing them into touch with American life. Why? Because just as soon as the child of an alien enters the public schools he stands upon an equality with the native-born child; there is a perfect democracy in the public schools. They become acquainted, one with another; they join in sports;

they visit the homes of others. You have seen it, and I have seen it. Through the agency of children the foreign family comes in touch with the American family, and the American housewife gets interested first in the alien children and then in the alien housewife. In that way the foreigners are brought under American influences; in touch with community and family life. They are made to feel that they are welcome, and they gradually develop into American citizens. But under the conditions described by the commission the men were found to be so many labor units, leading isolated lives, unable to come in touch with and caring nothing for American institutions, either National or State or municipal. It is an undesirable class to have in any thickly populated city, unless work is so plentiful that they can have constant employment, because when work is not plentiful and they are driven to the hardship which comes from poverty they become a dangerous element—not because they are bad men by nature but because they are ignorant of our institutions and are living isolated lives. They know and care little about us. To them American life and American institutions are sealed books. In prosperity they are industrious, quiet, and law-abiding; but in adversity they are suspicious, and when an agitator appeals to them, particularly if he be of foreign birth, they are the tinder to which he applies his torch, and they are the element that can be fanned into the flame that results oftentimes in riot, as was the case at Lawrence, Mass., only three years ago. They are a danger to society when living under such conditions.

I can not conceive of anything more dangerous in a thickly populated city than vast volumes of people of alien birth, the product of alien civilization, many of them unable to speak the English language, who never come in contact with American thought or American sentiment, who are not actuated by any of the impulses of American citizenship, and who are here simply to gain a livelihood which they can not get at home.

It may be interesting for the Senate to consider for a moment that in the city of New York there is a population of between four and five millions—about 4,700,000—and that only 19.3 per cent of that entire number have native-born fathers and mothers, 38.2 per cent are either of foreign or mixed parentage, and 40.4 per cent were actually born abroad. They are largely of the new immigration, right enough in regard to race, right enough in regard to purposes, composed of men who are willing to work, who are frugal in their habits; but, of course, they are common laborers; and if industries are threatened and depression comes that is the element from which we must expect more danger than from any other.

What I have said of New York can be said of Chicago. Only 20.4 per cent of the population of that city have native-born parents, while 41.8 per cent are either of foreign or mixed parentage, and 35.7 per cent were actually born abroad.

I select a town in New England—Lawrence—where that terrible and most deplorable strike occurred two or three years ago. It is a city with a population in round numbers of 85,000. Only 13.6 per cent of that population have native-born parents. Thirty-seven and nine-tenths per cent are of foreign or mixed parentage and 48.1 per cent—almost half of the population of the manufacturing city of Lawrence—were actually born abroad. What occurred there is known to all the world. In that overcrowded body of newly arrived aliens the Industrial Workers of the World found the material they desired, and in 24 hours had so succeeded in inflaming its passions that masses marched upon mills in which they had no interest with the purpose by force to stop their operation.

Mr. REED. Mr. President——

The PRESIDING OFFICER. Does the Senator from Vermont yield to the Senator from Missouri?

Mr. DILLINGHAM. Yes.

Mr. REED. Why did those people in Lawrence strike? Was it not for better wages?

Mr. DILLINGHAM. They struck for better wages, and they also struck because they could not get steady employment, as they were there in such large numbers.

Mr. REED. Well, they struck for better wages.

Mr. DILLINGHAM. And they struck because agitators incited them to strike.

Mr. REED. They struck for better wages, and they struck at a time, at least, when they were encouraged by other people who came in. Was not the leader who came in and agitated this strike an American-born citizen?

Mr. DILLINGHAM. If the Senator knows, I wish he would state it, because I do not know whether he was or not.

Mr. REED. I think he was; that is my understanding. I supposed the Senator could answer the question.

Mr. GALLINGER. Mr. President——

Mr. REED. Now, I wish to ask the Senator——

The PRESIDING OFFICER. Does the Senator from Vermont yield further, and to whom?

Mr. DILLINGHAM. I had yielded to the Senator from Missouri.

Mr. GALLINGER. I will not interrupt the Senator from Missouri now.

Mr. REED. I wish to ask now if it is not true that acts of violence by strikers have been engaged in by American citizens just as they have been engaged in by foreign-born citizens? I call the attention of the Senator to the great railroad strike of a few years ago, when the whole commerce of our Nation was arrested, and I ask the Senator if the great majority of those railroad men were not only American citizens, but were they not also good citizens?

Mr. GALLINGER. Mr. President, if the Senator will permit me——

The PRESIDING OFFICER. Does the Senator from Vermont yield to the Senator from New Hampshire?

Mr. DILLINGHAM. I yield to the Senator from New Hampshire.

Mr. GALLINGER. I do not know to which of the strike leaders the Senator from Missouri alludes. I do not know whether or not Mr. Ettor is an American citizen by birth, but it has been stated over and over again that Mr. Giovannetti, who was one of the leaders of that strike, is not only not an American citizen, but that at that time he was a candidate for office in Italy. I do not know that that is a fact, but it has been stated to me by people who say that they know it to be a fact.

Mr. REED. Well, Mr. President, this matter ought to be settled upon the right and wrong of it, and not upon any isolated case or upon impression. My understanding is that the head of the Industrial Workers of the World is an American citizen. If I am wrong in that, I should like to be corrected. My understanding further than that is that the majority of those who struck in the West Virginia mines recently were native-born American citizens. My understanding is that in the great railway strike of a few years ago the vast majority were American citizens. My understanding is that strikes are not confined to foreigners and that violence is not confined to foreign-born people; and I undertake to say that the figures will show that they have been more patient, more long-suffering, and less likely to rise in violence than our own native-born American citizens; and I can demonstrate that absolutely.

Mr. DILLINGHAM. Mr. President, I hope the Senator did not understand my argument to be what his remarks would indicate. The point I was making was not that these are undesirable races, not that they are undesirable as individuals, but that when they come in such vast numbers as to compete against themselves and to live under the conditions I have described, where they are overcrowded, where they are without employment, they become then, under those conditions, an especially dangerous element in our society.

Mr. President, having shown that in these overcrowded communities of the industrial States the aliens constituting them are of the classes that I have indicated, largely males leading single lives, common or unskilled laborers in the main, a large proportion of them without steady employment, all of them living under conditions most undesirable, and a considerable percentage of them coming from nations where elementary education is sadly neglected, it is apparent that the Immigration Commission were wise when they recommended the reading test as the one most feasible method of meeting the situation. That is the point I wish to emphasize to the Senate, because in this discussion the merits of the literacy test and the purposes hoped to be accomplished through its inauguration have been discussed and considered upon every other ground than the true one.

Mr. REED. Mr. President, I do not want to be led afield from the matter that is now pending before the Senate. The question we are discussing is within very small bounds. It is this, Shall an immigrant who can pass the moral test, the physical test, and the financial test be denied admission solely because he is unable to read and write, even though he can affirmatively show that he has been driven from his own country by persecution on account of his race?

The committee has reported a bill exempting from the literacy test those who are fleeing to escape religious persecution and those who are fleeing to escape political persecution. The sole question we are now discussing is whether we shall enlarge the literacy exemptions so as to also include within them those who are fleeing to escape racial persecution. It is not proposed a single man can come in because of racial persecution if he be morally or physically unclean. It is not proposed

that he shall be admitted here unless he can pass every single test save the one test of literacy.

So far as I am concerned, I am unwilling to deny a human being who is fleeing from persecution the right of asylum and drive him back to the arms of his tormentors simply because he is uneducated. At the same time I do not believe we ought to permit those races of men who are incapable of amalgamating themselves with the American people to ordinarily settle within our borders. I recognize the fact that there are certain races of men who can not become American citizens as we understand that term, and who can not be brought to an understanding of our governmental conditions or our social life. They are of a different blood. They have different habits of thought. Our civilization from the home life to governmental methods is in antagonism with their very natures. Hence, if they were to become a part of the body politic, they would not only be foreign to it when they joined it, but they and their children and their children's children would remain foreign.

The oriental is in a class by himself. His instincts, mental processes, aspirations, passions, and philosophy are all fundamentally different from ours. I am willing to join the committee in excluding by name all such races of men; but the question we are discussing is not that question. This bill proceeds upon the assumption that it is right to admit emigrants from all foreign countries save China. It proposes to exclude certain individuals who can not pass particular tests. Now, the question is whether some of those races whom we admit it is proper to allow to emigrate to this country, whom we admit will be entitled to residence and to citizenship here if they can read, shall be excluded because they can not read if they have come to this country to escape racial persecution. That is the whole question now before the Senate.

I shall discuss that special question a little later on. Just now I deem it pertinent to call attention to the real purpose back of this bill. That purpose is to limit foreign immigration of every kind. I have not the slightest doubt that the responsible authors of this bill, if they thought it possible so to do, would have here a bill prohibiting all immigration into the United States. They seek to escape from that broad position, and yet in a measure accomplish their end, by declaiming against recent immigration. They do not dare stand before the American people on the old know-nothing platform, which has been a byword now for nearly half a century, and declare that this country of America is for Americans. They do not dare condemn the German citizen and his sons, the Irishman and his children, the Englishman, the Scotchman, and the Welshman. These nationalities are strong in this country. The political party that undertook to condemn them would find itself relegated to privacy at the next election. Not only would these foreign-born people and their sons vote against such a proposition and such a party, but broad-minded, native-born American citizens would join in the condemnation.

I took occasion several days ago, I think on the 10th of December, to discuss this question of who are foreigners and who are Americans. When, if you please, does one get to be an American citizen? I listened to the marvelous array of figures presented here by the Senator from Vermont [Mr. DILLINGHAM] in which, in order to demonstrate that there was a very large proportion of foreign population engaged in certain industries, he added to the foreign-born citizens those who were the children of foreign-born citizens. That kind of juggling with figures does not impress me.

When do you get to be an American citizen, anyway? If a boy whose parents or one of whose parents was born in Europe, but who was himself born upon this soil, and who is entitled to all the rights and privileges of an American citizen, is not entitled in this discussion to be regarded as an American citizen, then will his son in turn be an American citizen? How many generations must one's parents have lived in this country in order that he may be entitled to call himself an American?

When I hear this cry against foreigners I wonder if we or our ancestors were not all once foreigners. Whence did we come? If the Senator from Vermont can trace his ancestry back—and I know not how far he can—through a long line of individuals who happened to be born upon this soil, is he thereby any better citizen than the man who finds that his parents were born in Europe and he himself was born here? Or is that individual any better than the man born in Europe?

What constitutes an American citizen? Is it the number of generations your people have been here? If so, if you set the number at more than one generation, you would exclude many Members of this body; you would exclude many Members of the House of Representatives; you would exclude from your list poets, orators, statesmen, artists, physicians, lawyers, ministers, musicians, merchants, manufacturers, historians, who have contributed to the glory of our Nation. You would exclude them by the thousands and tens of thousands—those who have helped establish our industrial primacy.

What constitutes the length of pedigree you must have before you can be said to be "standard bred"? When are you standard bred? Must you be able to show that no ancestor back to the third generation has been guilty of the crime of being born under a foreign sky, or must it be five or six or seven generations, or shall it be but one? When are you entitled to wear the royal purple? And then, when you trace your ancestry back to five or six or seven generations, is it necessary that you shall find that your ancestors came from a certain country and measured up to certain conditions? If you apply that test, how many shall be entitled to be regarded as really blue blooded?

Mr. MARTINE of New Jersey. Mr. President, this is a question of most vital importance, and it seems to me we should have a quorum. I raise the point of no quorum.

The PRESIDING OFFICER (Mr. SWANSON). The Senator from New Jersey suggests the absence of a quorum. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst	Hardwick	Page	Smith, Ariz.
Brady	Hollis	Perkins	Smith, Ga.
Bryan	Hughes	Pittman	Smith, S. C.
Chamberlain	Jones	Pomerene	Smoot
Clapp	Kern	Ransdell	Swanson
Clark, Wyo.	La Follette	Reed	Thomas
Culberson	Lane	Robinson	Thornton
Cummins	Lee, Md.	Root	Vardaman
Dillingham	Lewis	Saulsbury	White
Fletcher	Martine, N. J.	Shafroth	Williams
Gallinger	Nelson	Sheppard	
Gore	Newlands	Shields	
Gronna	Overman	Simmons	

Mr. MARTINE of New Jersey. I again announce regarding the senior Senator from West Virginia [Mr. CHILTON] that he is absent from the Senate on public business. He is paired with the senior Senator from New Mexico [Mr. FALL].

The PRESIDING OFFICER. Forty-nine Senators have answered to their names. A quorum is present. The Senator from Missouri will proceed.

Mr. REED. Mr. President, I was asking the question how long a man's pedigree had to be in this country in order to entitle him to call himself an American citizen. Then I suggested that if we went back to the time when his ancestors came to this country, we might find that they came under the same difficulties, had the same vile habits, and were of the same low order of intellect that it is now charged afflict the present-day immigrant.

I wonder if some of these American aristocrats, if they were to go back far enough, might not find that some one of their remote grandmothers was sold upon the auction block and paid for in long green tobacco? In those days, when we had the "old immigration," now so highly praised by the authors of this bill, European nations dumped their prison hordes upon these shores. Shipowners carried over indentured servants here and sold them into practical slavery. I wonder how many of the modern aristocrats, who curl their lips in fine scorn at the poor fellow who now seeks asylum, could trace their ancestry back to that kind of an immigrant?

When in this Chamber I hear these people who flee from persecution in other lands denounced as vicious and bad because they are unlettered I can not forget that when some of our early immigrants, now so much lauded, landed upon these shores they came with instruments of torture in one hand and the Bible in the other and sought to find in the words of Holy Writ a warrant for religious persecution. I have in mind the fact that some of these old immigrants whom we now so much do eulogize and love drove Roger Williams into the wilderness, and that upon the hills of Massachusetts they lighted the flames that drank up the blood of poor old women being executed for the imaginary crime of witchcraft. I recall to mind that some of this original immigration and parent stock was willing with fagot and sword to exterminate an entire colony because its inhabitants worshiped God under a cross that now points toward the sky from every hamlet and village of our land.

We are told that the ancient immigration was all good, that it was a most noble class of noble men and women, and yet, sir, this cry that is made in the Senate in the closing days of the year of our Lord 1914 has been upon the lips of the proscriptionist from the days when our Republic was born. The same charge that is being made to-day against certain classes of foreigners has been made against every class of foreigners. I can duplicate every condition of horror that has been adverted to to-day by the utterances of those who stood opposed to foreign immigration in the early days of this Republic. I can cite you to illustrious examples and to words that fell

from the lips of great men, who were sincere then as these even greater men of the present are sincere.

It is just a part of human nature, that is all. Everybody thinks he is an ornament to the State; that what he does is right. Likewise he thinks his family is better than his neighbors. For the same reason he regards the people of his community as better than the people of other communities. He has no difficulty in convincing himself that the people of his State are better than the people of any other State; he considers it an act of treason not to insist that the people of his country are better than the people of all other countries, and so reasoning from the standpoint of his own egotism and his own ignorance, he elevates himself to a pinnacle of glory, and he condemns all who are not of his country, kith, and kin to a position of ignominy. Accordingly he translates the sentence "The world is the Lord's and the fullness thereof" into "the world is mine," and asserts the right to deprive others of a home upon God's footstool.

That, sir, is the creed of ignorance. It is the doctrine of proscription and hate. It is the philosophy of the Pharisee who wraps the mantle of his holiness about him and "thanks God he is not as other men." It is as old as human selfishness. It was born in cruelty. It has been nurtured in the lap of superstition. It has carried the torch and the thumbscrew and the rack into many lands. It has made this world to run red with blood. It has lighted the night of fear with the flames of martyrdom. It has no more place in America than has a wild beast of the jungle in the crowded street of a city. It is the voice of the fourteenth century echoing through the corridors of the twentieth century. It is the ugly visage of hate and scorn and malice leering through wicked eyes into the faces of the oppressed. It is nothing new.

The argument you make, sir, that the old immigration was good and that the new immigration is bad is a mere subterfuge and avoidance of the question. What you really want to do is to deprive the oppressed of other lands of a refuge in this land of freedom.

I said a moment ago that the same cry was raised against every race of men that ever landed on our soil, and I am about to prove it. It was raised against the Irish, the Germans, the Dutch, the Swedes, the Norwegians, the Welshmen, the Englishmen, the Scotchmen—all races of men. Somebody got here first, and then in his egotism, in his smallness, in his narrowness, he said, "I will keep all others out. Here God spread out the immeasurable forest; here He made the level plains; here He set the streams to flowing in majestic beauty; here He spread the flowers over the face of the land. I got here first, and nobody else shall come. I came here in rags and tatters and poverty; I came here in rebellion against the Government where I was born; I came here to worship God according to the dictates of my own conscience and make everybody else do the same thing and kill them if they would not; and now that I am here I say to those who are yonder, 'My clothing is now better than yours, my home is now better than yours. Continue in your rags and poverty and strain the eager eyes of hope and desire toward this land that God made for you the same as for me, but you shall stay where you are, always and forever to dwell in the hopeless night of tryanny and despair.'"

Thus have the exclusionists always sought to write the laws. At the same time we send missionaries and Bibles to the people we drive from our shores. We are willing to lead them to salvation, but we refuse them a place whereon to lay their heads. The doctrine of proscription ought never to be on the tongue of an American citizen.

But I return to call the attention of those who do me the compliment of listening to the proof I propose to advance that the old immigrant was no better regarded than the present immigrant; I exclude, of course, the undesirable races referred to in the early part of my remarks. The old immigrant was inveighed against as is the new immigrant. The country was warned of the awful fate impending if it permitted them to land. And now a word or two upon that. Senators will find it, I think, somewhat interesting to see how thoroughly narrow we have always been, and yet these narrow utterances have always been repudiated by the American people.

I warn Democratic Senators that if we pass a bill that is proscriptive, that is built on any other than the broad principle that we will admit to this country all people capable of becoming good citizens here, you will find that bill a millstone around the neck of the Democratic Party.

Returning, however, to my promised demonstration that the early immigrant was in his day and generation inveighed against as bitterly as is the present-day immigrant, I call your attention to a somewhat startling quotation. I read you a contemporaneous dissertation on the ancient immigrant, whom you now describe as "the good immigrant, the man who carried in his veins the royal blood that specially fitted him to become a great American citizen," the man you now credit with having built our railroads, erected our temples of worship, constructed our mighty cities, and otherwise done so much for our great country. Here is the contemporary dissertation I want to read on him, and then I will tell you its author and you will see that ignorance can not be charged to this man, and that he must have voiced a sentiment quite universal in his day among his class. The statement was made May 9, 1753. Its author was speaking of the Germans who had come to settle in Pennsylvania—ah, the sturdy Germans that we now say because they came from the north of Europe are the exact kind of people to make good citizens of. Speaking of them he said:

> Those who come hither are generally the most stupid of their own nation.

That is what these gentlemen are saying now about the recent immigrants:

> Those who come hither are generally the most stupid of their own nation, and as ignorance is often attended with great credulity, when knavery would mislead it * * * it is almost impossible to remove any prejudice they may entertain. * * * Not being used to liberty, they know not how to make modest use of it. * * * I remember when they modestly declined intermeddling with our elections; but now they come in droves and carry all before them, except in one or two counties.
>
> Few of their children know English. They import only books from Germany, and of the six printing houses in the Province two are entirely German, two half German half English, and but two are entirely English. They have one German newspaper and one half German. Advertisements intended to be general are now printed in Dutch and English. The signs in our streets (Philadelphia) have inscriptions in both languages and some places only in German. They begin of late to make all their bonds and other legal instruments in their own language, which (though I think it ought not to be) are allowed in our courts, where the German business so increases that there is continued need of interpreters, and I suppose in a few years they will also be necessary in the assembly, to tell one half of our legislators what the other half says. In short, unless the stream of importation could be turned from this to other colonies, as you very judiciously propose, they will soon outnumber us, that all the advantages we will have will, in my opinion, be not able to preserve our language, and even our Government will become precarious.

That is what was said of the Germans in 1753, on the 9th day of May, by Benjamin Franklin. How far Franklin was mistaken! That narrow view of a great people is undoubtedly the greatest mistake of that great man's life. People were narrower then than they are now or than they have been until very recently. That is what Franklin thought of the sturdy Germanic people who were then coming to this country.

But what did these immigrants do? They made the land to blossom as the rose. They brought with them their religion; they erected schoolhouses and temples of worship; they gathered their families about them, and from their veins flowed that stream of blood the committee declares gave added strength and vigor to the American commonwealth.

If Benjamin Franklin lived to-day, I have no doubt what his position would be. He was capable of learning, and he would have frankly acknowledged his mistake.

But, sir, it is a fact that the Germans did come in such numbers that the apprehension became in part true. Franklin feared that the proceedings of the Legislature of Pennsylvania would have to be conducted in the German language, and it is a fact that from July 15 to September 28 the legislature ordered its minutes printed in both the German and English tongues, and that that practice was continued as late as 1790.

But did Pennsylvania become a German Province? What part of this country has more steadfastly stood for the dignity and greatness of our land than has Pennsylvania at every period of her history?

I pass from the Germans and from this comment upon them to another class of immigrants. Mr. Walker, who has written much on immigration questions, has this to say of the early immigrant, "the good immigrant," "the desirable immigrant," the immigrant whom the committee would have us believe was not at all like these poor fellows of to-day.

> The great majority of immigrants to this country were so poor that they could not buy their passage, and in order to meet the obligations incurred by them for passage money and other advances they were sold, after their arrival, into temporary servitude.

Is there anything like that going on to-day? There was something a little like it when we had the contract-labor laws that were put on the books at the instigation of New England, for which section the Senator from Vermont so eloquently speaks. I read on:

> The prepayment of the passage was the exception, and its subsequent discharge by compulsory labor the rule. The shipowners and ship merchants derived enormous profits from the sale of bodies of immigrants, as they charged very high rates for the passage, to which they added a heavy percentage—often more than a hundred per cent—for their risks. But the immigrants suffered bitterly from this traffic in human flesh. Old people, widows, and cripples would not sell well,

while healthy parents with healthy children and young people of both sexes always found a ready market.

These are doubtless the progenitors of some of the aristocrats of to-day.

If the parents were too old to work, their children had to serve so much longer to make up the difference. When one or both parents died on the voyage, their children had to serve for them. The expenses of the whole family were summed up and charged upon the survivor or survivors. Adults had to serve from 3 to 6 years; children from 10 to 15 years, till they became of age; smaller children were, without charge, surrendered to masters, who had to raise and board them. As all servants signed indentures, they were called "indentured servants." Whenever a vessel arrived at Philadelphia or New York its passengers were offered at public sale. The ship was the market place, and the servants were struck off to the highest bidder. The country people either came themselves or sent agents or friends to procure what they wanted, be it a girl, or a "likely" boy, or an old housekeeper, or a whole family. * * * Parents sold their children in order to remain free themselves. When a young man or girl had an opportunity to get married they had to pay their master £5 or £6 for each year they had to serve. Yet a steerage passage never cost more than £10. * * * If the master did not want to keep his servant, he could sell him for the unexpired time of his term of servitude.

And you stand here advocating this bill, denouncing the poor fellow who comes to the country now, and must come with money in his pocket and without any contract and must pass a physical examination before he can enter and can show that he is morally clean. You stand here and denounce him and pronounce a eulogy and an encomium upon the ancient immigrant who came here in bonds and legal chains. How many of the aristocrats of to-day can trace their ancestry back to that illustrious period?

But, sir, I do not pause at this. Are there any here who have Irish blood in their veins? If I looked around this room I would see many; and who is there of them will for a moment deny his race? Those of us who have some Irish blood in our veins believe that it is the blood of a great race that was greatly wronged; a race that once the shackles were broken and it was given a fair chance in the contests of life demonstrated to all the world that in everything that makes for manhood and womanhood it can hold its place well at the head of the column of human progress and achievement.

As to the Irish, here is what Mr. Walker said about them when they were migrating, and I shall show you a little later on that the newspapers of that day said the same thing, for the American citizen of that day who believed in "America for Americans" joined in the cry. All the cries sound to me like the snarling of gray wolves mingled with the yelping of coyotes around the sheepfold of humanity.

Said Walker:

The conditions under which they (the Irish) had been born and brought up were generally of the most squalid and degrading character. Their wretched hovels, thatched with rotting straw, scantily furnished with light, hardly ventilated at all, frequently with no floor but the clay on which they were built, were crowded beyond the bounds of comfort, health, or, as it would seem to us, of simple social decency; their beds were heaps of straw or rags; their food consisted mainly of buttermilk and potatoes, often of the worst, and commonly inadequate in amount; their clothing was scanty and shabby.

Are any class of immigrants coming here now who are worse off than that? Why were these Irish poor? Ah, that is the question. Why are these immigrants coming now poor? That is the question. Is it the result of slothfulness, of indolence, of vice, of inherent disposition to be of the lazzarone, or is it because oppression's iron hand has closed the door of opportunity in their faces? If it be the former, exclude them; but if it be the latter, then in the name of the God of humanity do not deny them entrance to a land of hope.

Why was Ireland poor? Her mills had been closed by the decree of a conqueror. Her people had been crushed to the earth by those who took the lands away from their fathers. Her schools that once had flourished and had shed the light of intelligence throughout Europe had their windows barred. Her sons were hunted like wild beasts, and for sport. Cromwell soldiers had marched across the land bearing upon their bloody pikes the heads of slaughtered babes of Ireland. And so at last the Irish were made poor. They were driven into hovels. They did sleep upon rotten straw; it was the best they could get. They lived like animals, because they could not live like men. Yet through it all they clung to their religion and their wives and their children. But when they came to this country, sir, when they entered the land of opportunity, what did they do? Ah, they lived humbly here a while. They probably crowded into tenements, and they crowded many of them into a single room. They got work at any price they could obtain.

Their shovels and pickaxes were soon busy building railroads across the continent; they were glad to get the work; they lived in shanties. We used to call them "shanty Irish." Many of them could not read or write, but they had in their hearts glowing the flame of manhood; they had in their souls the courage to get on and to fight on in the world. After awhile the section hand became the section foreman, the section foreman became the superintendent of construction, and the superintendent of construction became the president of the railroad. After awhile the little, ragged urchin who played in the mud of the Irish shanty made his way in school; after awhile we heard of him at the bar, where the wonders of his eloquence thrilled and enthralled all who heard him; after awhile we saw him in the Halls of Congress; after awhile we heard his wonderful music upon the platform; after awhile we learned that the blossoms of beauty in the cheeks of the Irish girls had won the love of the American aristocrat's sons, and that, when Irish and native American bloods were united in the veins of their children, a stronger race had been produced. Now the Irish are respectable, and they are pointed to by this committee as illustrious examples of a desirable immigration.

In the good old days there were committees and newspapers to warn the people against the Irish, as there are those now to warn us against the present-day immigrant. On May 2, 1846, they had a strike of Irishmen. Behold these good Irish had struck as did the wicked people at Lawrence, Mass.

The same danger loomed big in the horizon then that now obscures the vision of my friend from Vermont [Mr. DILLINGHAM]. The New York Weekly Times on May 2 1846, discussed the strike of Irish laborers in Brooklyn and said their earnings were barely sufficient to pay the rent of a decent tenement, so they were allowed to build miserable shanties on ground allotted them by the contractor on the plot occupied by them in performing the work.

A quarter of a century later—this brings us down now to a period after the war—these people were charged with living in "sickening kennels." That will be found in the report of the Massachusetts bureau of labor and statistics for 1869 and 1870, at page 80.

Here is a report by a city inspector in 1864. Speaking of the Irish, he says:

The tenants seem to wholly disregard personal cleanliness, if not the very first principles of decency, their general appearance and actions corresponding with their wretched abodes. This indifference to personal and domiciliary cleanliness is doubtless acquired from a long familiarity with the loathsome surroundings, wholly at variance with all moral or social improvements.

That is found in the report of the industrial commission at page 456.

Now, my friends, just for the sake of variety, let me call your attention to the fact that the Germans were no better than the Irish, according to the opinions of the people of those days. Here is another report on the foreign sections of New York City, made in 1878:

In many quarters of the city family life and the feeling of home are almost unknown—

How much that sounds like the dissertation of the Senator from Vermont, who a few moments ago complained that there were a lot of people who came here and left their wives behind because they did not have money enough to bring them; he complained that they did not have the feelings of home and he complained of how they lived together in great numbers in small quarters. Let me read this all again:

In many quarters of the city family life and the feeling of home are almost unknown; people live in great caravanseries, which are hot and stifling in summer, disagreeable in winter, and where children associate together in the worst way. In many rooms privacy and purity are unattainable, and young girls grow up accustomed to immodesty from their earliest years. Boys herd together in gangs and learn the practices of crime and vice before they are out of childhood. Even the laborers' families who occupy separate rooms in these buildings have no sense of home.

Dr. Griscom as early as 1842 had called attention to the "depraved effects which such modes of life exert upon the moral feelings and habits," and the city inspector in 1851 remarks that "these overpopulated houses are generally, if not always, seminaries of filthiness, indecency, and lawlessness."

That was made to apply to both the Irish and the Germans. Surely there is no new thing under the sun. The old serpent of proscription has had its habitat in every country. In every age it has crawled forth to thrust its forked tongue into the faces of the hopeless and the despairing. Here is something more about the Irish. The Association for the Improvement of the Condition of the Poor in New York in 1859 reported that the Irish immigrant "had an utter distaste for felling forests and turning up the prairies for themselves. They preferred to stay where another race would furnish them with food, clothing, and labor, and hence were mostly found loitering on the lines of the public works in villages and in the worst portions of the large cities, where they competed with negroes for the most degraded employments."

Why, that is what you are saying now about the present-day immigrant, just as a few years ago you were charging that the Irish herded in the cities, that the Germans herded in the

cities, that the Swedes herded in the cities, and that all these wicked foreigners herded in the cities. It was charged then just as truthfully as it is charged now. It is perhaps true that the Irish and Germans herded in the cities for a short time, but you now admit that they ultimately went to the farm, to the towns of the interior, where they and their descendants are found by the million.

Let us argue this question fairly. The same cry is upon your lips to-day that was upon the lips of the proscriptionists in 1859. That which you breathe out now against the immigrant who comes to our shores was then being uttered against the immigrant from Great Britain and the north of Europe, who you now say is an ornament to our society and a strength to our Republic. The whole mistake lies in this, that then, as now, the poor creature from an oppressed land who had lived under the iron rule of despotism, who had been denied opportunity, and who came here half starved and half naked, was estimated according to his condition when he arrived instead of estimating him according to his condition after he has had opportunity to benefit himself.

Mr. President, I could read at much greater length of the Irish and the Germans. I pass on, however, to show that the same cry has been raised against other races. In 1885 the New York Bureau of Immigration Statistics held a long hearing, just as this committee has had some hearings, and just as this commission we have heard about had hearings. They summed up their observations—they were speaking of the immigrants from northern Europe, the Danes and the Swedes—and they said of them that they "interfere very much with the keeping up of the wages in the trade," and that, therefore, they were an undesirable people. Whoever desires to follow that subject can read the Sixteenth Annual Report of the New York Bureau of Labor Statistics for 1898 and find the comment on page 1047.

So we find protest against Danes, against Swedes, against Irish, against Germans, against Dutch, and a general protest against all immigration, at least against German immigration, from Benjamin Franklin himself.

One of the principal arguments of the Know-nothing Party against foreign immigration, and particularly against Irish immigration, was that the Irish were a criminal race. The Know-nothing Party asserted that 1 out of every 154 Irishmen was a criminal, and hence they argued as follows—I am reading from Mr. Hourwich's very illuminating work:

> One of the favorite arguments against immigration since the days of the Know-nothings has been the assertion that "the foreigner, in proportion to his numbers, furnishes by far the greater part of crime." In the middle of the nineteenth century the Irish immigrant was the object of popular odium as one one hundred and fifty-fourth of a criminal.

That was the charge.

> The newspapers and pamphlets of that time published statistics which showed that, although the foreign population was only an eighth of the whole, yet it furnished * * * 1,000 more criminals than all the remaining seven-eighths of the people.

And they asserted that—

> Every 154 of them produced a criminal.

Of course those statistics were inaccurate; of course they could not be sustained; but it was the charge of the day; it was the attitude of the time; it was the cry then, as we have the cry now, against the people who come from impoverished lands seeking an opportunity and home here.

Mr. President, what is the reason for these views that have always been expressed with reference to immigrants to this country? A little sober analysis will afford the reason and a little fairness ought to give a correct anwser. The wealthy, the opulent, the happily situated in other lands remain where they are. We do not migrate from this land to Europe because our condition here is better than it would be in Europe. If conditions in America were to become worse than they are in Europe, there would be a migration from this country to Europe; but who would migrate? It would not be those who hold good offices; it would not be those who own the banks and the railroads; it would not be those who have good salaries; it would be that class of our people who found their condition most intolerable and who were seeking to better that condition.

That same rule has obtained at every period of history with reference to immigration from Europe, if we make the possible exception of those periods when there were considerable numbers fleeing to this country purely for conscience's sake and for religious liberty. There were, of course, in the very early days a few adventurous spirits who came here to establish themselves in principalities, to obtain enormous land grants, and so forth. I except them from the rule; but with these small exceptions—and they are so small as not to affect the grand total—the people who have come to this country in every age of our development have been those who in their own land were for the most part unhappily situated.

They came here because there were better wages; they came here because they were impoverished in their own land; and consequently when in the early days they migrated they indentured or mortgaged themselves—their bodies and almost their very souls—for passage across the ocean.

They came here from Ireland because the oppressor's heel was on the land and because poverty had cast its ghastly pall over the Green Isle until the Irish people were lined along the lanes almost in windrows of dead, rotting in the sun. They came here from other countries under similar conditions. Of course when they came they were poor, indescribably and unutterably poor. They did not look well. They had not had sufficient food for their bodies or enough clothing for their backs. That was true of most of them. There were others who came, of course, in somewhat better condition, but nearly all of them were poor, nearly all of them were fleeing oppression or fleeing poverty; all of them were coming here to better their condition; but when they came under those circumstances they often did not look well.

The American aristocrat turned up his nose and he said, "What a horrid-looking lot of horrid people are coming to this blessed land of ours." And yet his own ancestors only a few years back had come in the same or in a worse condition. The test is not how an immigrant looks when he comes here, but how he behaves when he gets here and what he develops into after he has been here a reasonable time.

So that, looking at these people as they come and as they exist the first few years after they are here, everyone can make a bad report and tell the truth. Uncharitable tongues have always been busy with evil prophecies; so it was spoken of the Irish and Germans. But after they had been here a while, when they had risen to respectability and power, we were told, and are now told, "that class of immigrants is all right." The Irishman is respectable now. Why? He has made his traducers respect him. The German is respectable now. Why? Because he has so built himself in this country that none dare traduce him.

The Swede, also, has become respectable, and he has come here at a later period; and the Norwegian, also, is respectable; yet I can remember when certain people were greatly alarmed lest the Swede would injure our country. But how long was it until these Swedes and Norwegians had made the prairies of Minnesota and of Dakota to blossom? How long was it until they had demonstrated to the people of this country that they were bone of their bone and flesh of their flesh, and that, measured by any standard of manhood or civilization, they were entitled to their place along with the best?

Mr. President, I heard an argument made here this afternoon that we ought to exclude the Austrian. Pray, who are the Austrians? Is the Austrian not of as good blood as the German? Is he not as strong in body? Is he not as moral in life? Is he not of the white race? Is he not brave upon the field of battle? Is he not patriotic? Does he not obey the law? Does he not love wife and children? Does he not erect homes? Does he not build temples of art? Does he not bow to the same God you worship? Has he not given to history thousands of illustrious names?

Prejudice is a veil that, drawn before the eyes of man, distorts his vision. He sees the fairest forms distorted into diabolic shapes; he beholds the evil countenance of satan transformed into the visage of an angel. Prejudice is the narrowest thing in all this world; it is the meanest thing in human nature; it is at once the parent and the child of ignorance; it has done more to withhold the march of human progress than all other human imperfections.

I heard here some sneering remarks aimed at the Servians; and yet that little people, poor but gallant, brave almost beyond belief, are at this hour standing within the natural fortresses of their hills and dying for their homes, their wives, their children, and their liberty as courageously as ever stood the soldiers of the Revolution with Washington in the days when our country sought to throw off the oppressor.

I hear read these statistics showing that there are many illiterates among the Belgians, and I find the fine-grained, delicate sensibilities of some American citizens are tremendously disturbed at the ignorance of the Belgians. Ah, my fellow Senators, that argument does not sound as well to the ears of people to-day as it would have 22 weeks ago, for now we see that people—men, women, and children—rallying in defense of the fatherland they love. We see every boy capable of bearing arms standing on the red line and dying for his country and his home. We behold them charging into the roaring mouths of cannon, and in the grip of death cheering for that liberty

for which they yield their lives. What man is there now to say that the Belgian people are incapable of becoming good American citizens?

If the Senator who has introduced this bill could introduce a million Belgians into his State, in 50 years of time its wealth would quadruple and its swamps and its morasses and its forests would be turned into gardens that would be equal in beauty to the gardens that his ancestors and his people have already planted. If a time ever came when it was necessary to defend this flag and this country, would God we had a million of the sons of Belgium to touch elbow with the sons of Ireland and the sons of England and of France and America in defense of the home of human liberty!

Why, about all the leaders of the world's dominant thought have done for a thousand years has been to teach people to hate each other. The Englishman stood and looked across the little narrow channel and denounced the Frenchman. The Frenchman hated the Englishman. Both of them scorned the German. The German in turn gave back their contempt in good measure. So prejudice was built up, and nations were taught to distrust and despise each other. They could give each other credit for nothing. After a while that iron bond of prejudice made these countries provincial and caused them to retrograde. If you want to find a progressive country you go to one that has opened its doors generously. If you want to find a country that is rotting and dying, search for one that has proscribed other peoples.

China rose to a position of greatness marvelous beyond our present knowledge, I doubt not. Her literature was the most wondrous in the world, her cities the most beautiful, her people the most cultured. She taught, before the days of Christ, the principles of the Golden Rule. Her philosophers produced thoughts of such beauty that they are read to-day and counted as among the choicest jewels in the casket of human knowledge. But China walled herself in. She denied her ports to other peoples. She concluded to live by herself and for herself; and so, save as she atrophied and died, she sat unchanging and unchanged while the procession of human progress marched on and the world left her behind.

Japan closed her ports and declared herself to be superior to other nations. She excluded foreigners. She would have neither foreign blood nor foreign learning, until she sank to a condition where a half dozen little vessels could enter her ports, humble her, and compel her to open her doors to the commerce of the world. Let me say to you that when Japan awoke, she awoke because those doors had been battered down with cannon. She began to find out that there were superior races and nations, at least in power, to her. She began sending her young men to the universities of the world. She began to invite trade and commerce and settlement; and suddenly there ran through her veins a new life, and Japan rose, a giant, from the bed in which she had slumbered for centuries.

India closed her doors. She sank into an intellectual torpor. She stretched herself upon a couch of death. Still she sleeps on.

Turkey excluded foreigners, and behold the "unspeakable Turk," who lives as lived his ancestors of 3,000 years ago, save this, that all their glory is departed and all their genius has expired.

What nations have flourished? It has been those nations that have opened their doors and that have reached out their hands to gain knowledge from other countries. It is those nations that have had an admixture of blood that have led the van of human progress.

Why, sirs, if you were to ask me to point you to the great primal cause that has brought about the civilization of this day I would say that it was due to the fact that from the forests of Germany there swept out a tidal wave of emigration so powerful that it could not be stopped by proscription or by the mandate or armies of a king. It poured on in a resistless flood and transformed ancient Gaul into France. Another stream overran ancient Brittany and transformed it into England. Another stream from Norway and Sweden and Denmark broke against the shores of England and of France; there the Norsemen established themselves, built cities, and mixed their blood with the parent blood of the conquered peoples, and from that united stream there came a stronger race of men.

If you were to ask me to point you further, I would say that Germany's first great step toward dominance and world power was taken when Frederick the Great invited the learned men of every land to come to Prussia, when he raked the world almost with a fine-toothed comb for its genius, when he said to the artisans of Europe and all other countries, "Come hither! Here awaits you an opportunity to develop your genius and to help upbuild this State." It was because of that, more than because of his genius in war, that Frederick the Great was able to lay the foundations of the Prussian Kingdom, which became ultimately the nucleus of the German Empire.

England for centuries has led the van of human progress. England's doors have been swinging open for centuries. Her laws have been more generous than those of the countries which surrounded her. France has stood in the very forefront, and France has generously welcomed the foreigner. But turn to Spain, if you will, and if you ask when Spain took her first fatal step, I answer you, when she drove the Jews from her borders.

Mr. CLAPP. Mr. President, will the Senator pardon an interruption?

The PRESIDING OFFICER. Does the Senator from Missouri yield to the Senator from Minnesota?

Mr. REED. I do.

Mr. CLAPP. In connection with that same thought, France at one time closed her doors against the Jews, and became so desolate in her distress that she opened them again, and from that time on came her progress.

Mr. REED. I thank the Senator. I was going to mention that, but I thank the Senator for his contribution. France and all of these countries at one time drove out some of their own peoples. The Huguenots were expelled, and when France expelled the Huguenots she cast out the best part of her genius and her courage and suffered for it for centuries afterwards.

Proscription has never made any nation great. The nations that have reached out, gathered in the surrounding people, adopted them into themselves, seized upon their superior qualities, and made them their own are the nations that have always prospered in this world.

Now, let me for a moment review our own history. Ah, let us be frank! There are those of us so proud of this country that we have almost convinced ourselves that God created a peculiar race especially that it might come here and populate this land; that all the women were queens of beauty and paragons of virtue, and all the men were lordly knights, gallant chieftains, to whose proud veins we trace our illustrious lineage. But what are the facts? I have already adverted to them, but briefly.

First, the adventurer; but when the adventurer came he brought with him many of the humble class, the hewers of wood and the drawers of water. Then came some who were persecuted for their religion. Then came some fleeing from political persecution; but then came the great mass which makes up the body of the ancient American people, if I may use that term. They were the starvelings of Europe. They were the impoverished. Many came, as I have shown you, as indentured servants. They sold their bodies for their passage. They came here in ignorance, in poverty, in rags, in superstition; but they came here in response to one sentiment which, if it dwell in a human heart, will transform that human being into a man and a citizen. That was the love of liberty, the hatred of oppression, the determination, at whatsoever cost, to achieve liberty. And so they sold their bodies into chains temporarily, to the end that they and their children might walk on free soil, gaze with free eyes upon a free sky, and enjoy the blessings of liberty.

Whenever you find in a race of people a willingness to sacrifice so much to gain freedom, you need not fear them. Aye, they are the people who will most carefully guard liberty. Think you, sir, that the Irish, who came here from their impoverished land, who all their lives had seen English landlords skimming the cream from the land, who saw their sons dragged to jail, their women mistreated, their industries ruined, their families crowded into tenants' hovels with thatched, rotten roofs—think you that when they came to this country and found a government that gave equality of opportunity to all they would not love that government with a fervor that could not for a moment thrill the heart of a man who had not been thus oppressed? Do you think, sir, that if a hundred thousand Belgians were to land upon our coast next year there would be, in the hundred thousand, a single man who would want to see this government transformed into a military autocracy? Nay. On the other hand, he would join every patriot here to protest against it. Think you, if he saw a foreign monarch with his fleets of war entering our ports, this man, who had felt the oppressor's heel, who had clanked the oppressor's chains, would not be the first to offer his life in defense of liberty? The whole question is, Have the people coming here the quality of progress? Have they love of liberty?

In the opening days of this new century, at the close of the greatest century of the world's progress, we are asked to change our policies; and why? Always our doors have stood open. These poor people have come here from other lands and have accepted the office of the hewer of wood and the drawer of water. They have lived humbly. They have lived in poverty,

They have lived as best they could live until the hard conditions of life could be ameliorated. Always the proscriptionist has stood and warned us that these people would sink the ship of State, that they would destroy our Government, that they would ruin our population; but always, in everincreasing hordes, they have come, more and still more of them, and as our population has increased they have increased in numbers.

What is the result? Have our farms depreciated in value? Why, sirs, the little narrow strip of settlements upon the eastern coast have been extended to the Pacific. The desert has been rescued from the grip of drought and turned into splendid farms. We have expanded until we are 90,000,000 of people, and proudly say these 90,000,000 of people are the best people on earth. I am in accord with that sentiment. Who are they? They are the offspring of these immigrants.

Who built these railroads? Have we been slow in our progress? Who erected our mighty cities? Have we been backward in that? Who has put up the walls of these schools and seminaries? Have we been behind the world in that?

Why, my fellow citizens, the marvel and miracle of all the ages is the progress of America. We have gone forward, step by step—aye, we have gone forward by bounds. In two centuries of time we have builded the greatest Nation the sun has looked upon since first it kissed the horizon of creation. Is there anything in that history to make us fearful?

The Jew has come. Has he ruined us? Are we afraid of the Jew? The Irishman came. Did he ruin us? Are we afraid of the Irish? Why, if this country were in danger to-day, do you fear what the Irish citizen would do, whether born here or born yonder? Have the Germans ruined us? Have not the combined energies of all these races of men united in one gigantic forward movement that has pushed the car of progress, in a hundred years of time, a greater distance than it traveled since Adam was created? In all the intervening time it did not go so far.

Is our race dwindling physically? I think not, sir. I think, man for man, we are better than the other races of the earth. Have we dwindled mentally? I think not, sir. I think, man for man, we are keener, shrewder, and superior to the other races of the earth; and yet I do not think we know it all, nor that we can not learn from others.

Has this country been ruined? I affirm that if we had set up a policy of proscription on the 4th day of July, 1776, we would probably have been reconquered by England in 1812. I affirm that we would have been a weak and puny nation; that our civilization probably would not yet have reached the western borders of Ohio; that in all likelihood some foreign country would have established itself in all the western two-thirds of the United States; and that we, instead of being the greatest Nation of the earth, would have been among the weakest, even if we were at all able to maintain our independence.

RECESS—HOUR OF MEETING TO-MORROW.

Mr. KERN. Mr. President, I move that not later than 6 o'clock to-day the Senate shall take a recess until 11 o'clock to-morrow.

Mr. SMOOT. Is it the idea of the Senator to begin the daily sessions at 11 o'clock hereafter?

Mr. KERN. No; simply for to-morrow.

The motion was agreed to.

EXECUTIVE SESSION.

Mr. O'GORMAN. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to, and the Senate proceeded to the consideration of executive business. After 15 minutes spent in executive session the doors were reopened, and (at 5 o'clock and 7 minutes p. m., Tuesday, December 29, 1914) the Senate took a recess until to-morrow, Wednesday, December 30, 1914, at 11 o'clock a. m.

NOMINATIONS.

Executive nominations received by the Senate December 29, 1914.

INTERSTATE COMMERCE COMMISSIONER.

Henry Clay Hall, of Colorado Springs, Colo., to be an interstate commerce commissioner for a term of seven years from January 1, 1915. (A reappointment.)

JUDGE OF THE DISTRICT COURT.

Charles E. Bunnell, of Valdez, Alaska, to be judge of the district court of the District of Alaska, division No. 4, vice Frederic E. Fuller, resigned.

UNITED STATES MARSHAL.

Martin F. Farry, of Wilmington, Del., to be United States marshal for the district of Delaware, vice George L. Townsend, removed.

PROMOTIONS AND APPOINTMENT IN THE NAVY.

The following-named ensigns to be lieutenants (junior grade) in the Navy from the 5th day of June, 1914:

Marion C. Robertson,
Ernest L. Gunther, and
Henry T. Settle.

William V. Fox, a citizen of Pennsylvania, to be an assistant paymaster in the Navy from the 18th day of December, 1914.

Maj. Thomas C. Treadwell to be a lieutenant colonel in the Marine Corps (subject to examination required by law) from the 27th day of September, 1914.

Maj. Dion Williams to be a lieutenant colonel in the Marine Corps (subject to examination required by law) from the 10th day of November, 1914.

Capt. Reynold T. Hall, an additional number in grade, to be a rear admiral in the Navy from the 12th day of December, 1914.

Ensign Edmund S. R. Brandt to be a lieutenant (junior grade) in the Navy from the 5th day of June, 1914.

The following-named warrant officers of the Navy to be ensigns in the Navy from the 30th day of July, 1914:

Machinist Morris J. Lenney and
Machinist John D. Edwards.

Capt. John F. McGill to be a major in the Marine Corps from the 27th day of September, 1914.

First Lieut. Harold F. Wirgman to be a captain in the Marine Corps from the 27th day of September, 1914.

Second Lieut. Frederick R. Hoyt to be a first lieutenant in the Marine Corps from the 27th day of September, 1914.

RECEIVER OF PUBLIC MONEYS.

Raymundo Harrison, of Anton Chico, N. Mex., to be receiver of public moneys at Fort Sumner, N. Mex., vice Enrique H. Salazar, deceased.

POSTMASTERS.

ALASKA.

Mary A. Carroll to be postmaster at Treadwell, Alaska, in place of Elna Olson, resigned.

IOWA.

Earl Bronson to be postmaster at Spencer, Iowa, in place of Charles C. Bender. Incumbent's commission expired December 13, 1914.

SOUTH CAROLINA.

Martha E. Nichols to be postmaster at Yorkville, S. C., in place of Maggie M. Moore. Incumbent's commission expired March 31, 1914.

TEXAS.

J. L. Sandel to be postmaster at Saratoga, Tex., in place of E. B. Hill. Incumbent's commission expired December 16, 1914.

VIRGINIA.

C. F. Ratliff to be postmaster at Floyd, Va., in place of James H. Sumpter, resigned.

CONFIRMATIONS.

Executive nominations confirmed by the Senate December 29, 1914.

CONSULS.

Milton B. Kirk to be consul at Orillia, Ontario, Canada.

Thomas D. Bowman to be consul at Fernie, British Columbia, Canada.

José de Olivares to be consul at Hamilton, Ontario, Canada.

James H. Goodier to be consul at Niagara Falls, Ontario, Canada.

John Fowler to be consul at Rimouski, Quebec, Canada.

Nelson T. Johnson to be consul at Chungking, China.

John Q. Wood to be consul at Chemnitz, Germany.

Carl F. Deichman to be consul at Bombay, India.

REGISTER OF THE LAND OFFICE.

Henry P. Andrews to be register of the land office at Sacramento, Cal.

POSTMASTERS.

ARKANSAS.

I. N. Deadrick, Parkin.
Linn Turley, Forrest City.

COLORADO.

Andrew V. Sharpe, Fruita.

KANSAS.

Wenslow Cipra, Lincoln.
Clarence Coulter, Blue Rapids.
Frank H. Higley, Cawker City.
Jeremiah M. Hopper, Ness City.
Lloyd E. Jackson, McPherson.
Allen W. Jones, Minneola.
Joseph J. Keraus, Wakeeney.
R. D. McCliman, Seneca.
Louis C. Orr, Atchison.
S. T. Osterhold, Holton.
Nathan E. Reece, Stafford.
Thomas J. Ryan, St. Marys.
Henry F. Schmidt, Dodge City.
John Wolfert, Downs.

MISSOURI.

William S. Dray, Savannah.

NEBRASKA.

Frederick A. Mellberg, Newman Grove.

NEW YORK.

William J. Ferrick, Chappaqua.

NORTH DAKOTA.

Carl L. George, Sarles.
A. A. J. Lang, Sanborn.
Myrtie Nelson, Bowman.
W. W. Smith, Valley City.

SOUTH DAKOTA.

Demetrious S. Billington, Spearfish.

TEXAS.

Sallie M. Ayres, Frankston.
Samuel H. Bell, Deport.
Edwin Forrest, jr., Blum.
Edmund Herder, Shiner.
E. G. Keese, Stamford.
C. T. McConnico, Kerens.
Bessie L. Rorex, Panhandle.
Martha A. Smith, Pleasanton.

VERMONT.

George W. Pierce, Lyndonville.

WEST VIRGINIA.

Charles Lively, Weston.

HOUSE OF REPRESENTATIVES.

TUESDAY, *December 29, 1914.*

The House met at 12 o'clock noon.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

Our Father in heaven, we thank Thee that Thou hast spared our lives and permitted us to enjoy another Christmas, with its hallowed associations, sacred memories, and holy influences, which strengthens the ties of friendship, deepens the affections, and brings us nearer to Thee and our fellow men. Grant, O most merciful Father, that the Christ spirit may abide with us and lead us on to greater attainments in the work Thou hast given us to do. We thank Thee that peace abides within our borders; continue, we beseech Thee, our peaceful relations with all the world. And glory and honor and praise be Thine forever, in the spirit of the Prince of Peace. Amen.

The Journal of the proceedings of Wednesday, December 23, 1914, was read and approved.

PEACE RESOUTIONS, SALEM QUARTERLY MEETING OF FRIENDS.

Mr. BROWNING. Mr. Speaker, I ask unanimous consent to have read from the Clerk's desk a memorial in the interest of peace by the Salem Quarterly Meeting of Friends, at Woodbury, N. J., December 10, 1914.

The SPEAKER. The gentleman from New Jersey [Mr. BROWNING] asks unanimous consent to have read from the Clerk's desk the paper to which he has referred. Is there objection? [After a pause.] The Chair hears none. The Clerk will read.

The Clerk read as follows:

To the Speaker and House of Representatives, United States Congress, Washington, D. C.:

The Salem Quarterly Meeting of Friends (with a membership of about 1,000) were earnestly engaged on the subject of peace during its sessions at Woodbury, N. J., December 10, 1914.

We wish to commend our President and United States Congress for your successful effort in maintaining peace with other nations and wish to assure our continued support in maintaining this attitude both in Mexico and in Europe.

We also wish to offer our protest against the increase of armament, war vessels, and greater fortresses in preparation for war. The present fortifications along our 4,000 miles of seacoast have been sufficient for the last 100 years. We therefore most earnestly urge our Congress to refuse the consideration of any measure tending toward war, not only because we, a Christian body, believe war is wrong, but we are opposed to adding greater burdens of taxation upon our people by creating and maintaining such warlike defenses as is now proposed.

If the United States can maintain its position of neutrality until the end of this European war, we trust that it will be able to exert a decisive influence for the establishing a plan for the settlement hereafter of all international differences, without resorting to war.

On behalf of Salem quarterly meeting.

CHAS. D. LIPPINCOTT, *Clerk.*

SWEDESBORO, N. J., *December 10, 1914.*

ARMY APPROPRIATION BILL.

Mr. HAY, from the Committee on Military Affairs, reported the bill (H. R. 20347) making appropriations for the support of the Army for the fiscal year ending June 30, 1916, and for other purposes (H. Rept. 1250), which was ordered printed and referred to the Committee of the Whole House on the state of the Union.

Mr. MANN. Mr. Speaker, I reserve all points of order.

RURAL CREDITS.

Mr. FOSTER. Mr. Speaker, I ask unanimous consent to print in the RECORD a speech made by J. P. Doyle, a farmer living in Illinois, on the subject of rural credits and some problems of the farmer.

The SPEAKER. The gentleman from Illinois asks unanimous consent to extend in the CONGRESSIONAL RECORD a speech made by one of his constituents, a Mr. Doyle, on the subject of rural-bank credits. Is there objection?

Mr. FITZGERALD. Reserving the right to object, has the gentleman read the paper?

Mr. FOSTER. I have.

Mr. FITZGERALD. Does the gentleman think the information is of value to the membership of the House?

Mr. FOSTER. Well, I think so, and it is an expression of a farmer who is interested in the matter of rural credits and has studied the question, and that class of people are directly affected by legislation that I hope will come before Congress at an early date.

Mr. FITZGERALD. I will not object to this request, but I think it ought not to be taken as a precedent that every farmer who has an opinion can extend his remarks in the RECORD.

Mr. FOSTER. There are some of us who represent large agricultural districts who believe that the farmers have a right to be heard on the floor of this House and to give expression to views which they may have on subjects that directly affect them.

Mr. FITZGERALD. I am always glad to hear from the farmers on this floor through their accredited representatives. That does not mean that every farmer has a right to speak, however.

Mr. FOSTER. I take pleasure in presenting the views of such men as Mr. Doyle and other men who work upon the farm, and the farmers are the large producers of wealth in this country and entitled to be heard.

Mr. BRYAN. The gentleman should remember that the leader of the Democratic Party on this floor promised the gentleman from Arkansas [Mr. WINGO] and the gentleman from Oklahoma that in all probability there would be a bill brought out before Congress for action if they called off their filibuster. They called it off, and the gentleman has not been able to bring it up. Has the gentleman from Illinois any inside information that they will be able to bring in such a bill, despite the opposition referred to?

Mr. FOSTER. "The gentleman from Illinois" has no inside information. He is only an humble Member on the floor of this House, representing a large constituency of farmers, but he does believe before this present administration ends and before Mr. Wilson is reelected President of the United States——

Mr. MANN. That will run till the end of time.

Mr. FOSTER. Or another Democrat is elected President of the United States, which will be in 1916, and another Democratic Congress is elected in 1916, if not at this session, there will be legislation upon this particular subject that will be satisfactory to the farmers of the country, and I am sure every effort will be made in the House and among Democratic leaders to enact such legislation as will give to the farmers of this country that which was not given them during the long term of your party in the House and in complete control of the Government.

Mr. MANN. They were all prosperous then.

Mr. WINGO. Mr. Speaker——

The SPEAKER. Is there objection?

Mr. MANN. Reserving the right to object, I would like to ask my friend from Illinois [Mr. FOSTER] whether this is intended as an explanation of, or an apology for, the fact that the Democrats do not intend to enact such legislation?

Mr. FOSTER. The gentleman who writes this article is not a Democrat, but he is a real farmer, and politics should make no difference anyway in such legislation.

Mr. MANN. There are very few farmers who are Democrats.

Mr. FOSTER. But he looked to your party for so many years for relief, and which the party failed to give him, that he now looks to a Democratic Congress and a Democratic administration to give the relief that ought to have been afforded while your party was in power.

Mr. MANN. I think it is asking in vain.

Mr. FOSTER. Oh, not at all.

Mr. ADAIR. Regular order, Mr. Speaker.

The SPEAKER. Is there objection?

Mr. SLOAN. Reserving the right to object, Mr. Speaker, I would like to ask the gentleman a question.

Mr. WINGO. Mr. Speaker, reserving the right to object, I would like to get some information about the article.

The SPEAKER. The regular order is demanded.

Mr. WINGO. I shall have to object, if I can not get some information.

The SPEAKER. Is there objection?

Mr. WINGO. I object, Mr. Speaker.

The SPEAKER. The gentleman from Arkansas [Mr. WINGO] objects.

Mr. JOHNSON of Kentucky rose.

The SPEAKER. The debate on that other matter is ended. The gentleman from Kentucky [Mr. JOHNSON] is recognized.

EXTENSION OF REMARKS.

Mr. JOHNSON of Kentucky. Mr. Speaker, just before the House adjourned for the Christmas holidays we had under discussion here a proposition relative to the extermination of the foot-and-mouth disease among cattle. On that subject I ask leave to extend my remarks in the RECORD.

The SPEAKER. The gentleman from Kentucky [Mr. JOHNSON] asks unanimous consent to extend his remarks in the RECORD. Is there objection?

There was no objection.

ORDER OF BUSINESS.

Mr. SMITH of Minnesota. Mr. Speaker, I ask unanimous consent to address the House for a few moments.

The SPEAKER. For how long?

Mr. SMITH of Minnesota. Say 10 minutes.

The SPEAKER. The gentleman from Minnesota [Mr. SMITH] asks leave to address the House for 10 minutes.

Mr. UNDERWOOD. Mr. Speaker, I desire to ask the gentleman from Minnesota what is his purpose? Is it a personal question?

Mr. SMITH of Minnesota. It is a personal question, as I understand it.

Mr. UNDERWOOD. Then I have no objection.

The SPEAKER. Is there objection?

Mr. UNDERWOOD. Will the gentleman state what it is?

Mr. SMITH of Minnesota. I have some committee work, or some matters before the committees, and I want to inquire about them.

Mr. UNDERWOOD. That is evidently a question that involves the working of the House. If it were a matter personal to the gentleman I would not object, but if it is a matter of general debate, Mr. Speaker, I can not agree to it at this time.

Mr. SMITH of Minnesota. I wish to state, Mr. Speaker, to the gentleman from Alabama [Mr. UNDERWOOD] that what I have in mind is important to this House, as I conceive it, and I think I ought to be permitted to have 10 minutes. I have been here 21 months and I have not asked to consume much of the time of this House.

Mr. FITZGERALD. What is it about?

Mr. SMITH of Minnesota. Well, it has nothing to do with appropriations.

Mr. FITZGERALD. I might object if it had anything to do with appropriations, but I might not object if it were about some other matter.

Mr. UNDERWOOD. Mr. Speaker, we shall have an appropriation bill up in a few moments, when everybody can discuss some outside subject under general debate. I do not think that at the short session of Congress we can consent to general debate outside of appropriation bills and otherwise than at the places where it would naturally come. Of course I would not object to a personal explanation of the gentleman, or a question of personal privilege; but if it is a matter of general debate, relating to politics or the machinery of the House, I shall be compelled to object.

The SPEAKER. The gentleman from Alabama [Mr. UNDERWOOD] objects.

Mr. SMITH of Minnesota. Mr. Speaker, I make the point of order that there is no quorum present, and therefore I move to adjourn.

The SPEAKER. Will the gentleman withhold that point until the Chair can lay some matters before the House?

Mr. SMITH of Minnesota. Yes.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted as follows:

To Mr. AUSTIN, for one week, on account of illness.

To Mr. BRUMBAUGH, for two weeks, on account of illness in hospital.

To Mr. BURKE of Wisconsin, for 10 legislative days, on account of illness in his family.

To Mr. KENNEDY of Iowa, indefinitely, on account of serious illness in his family.

To Mr. BARTON, indefinitely, on account of sickness.

To Mr. DAVIS, for five days, on account of illness.

EXTENSION OF REMARKS.

Mr. WEAVER. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD on the subject of the mineral resources of Oklahoma.

The SPEAKER. The gentleman from Oklahoma [Mr. WEAVER] asks unanimous consent to extend his remarks in the RECORD on the subject of the mineral resources of Oklahoma. Is there objection?

There was no objection.

The SPEAKER. The gentleman from Minnesota [Mr. SMITH] makes the point of order that there is no quorum present.

Mr. SMITH of Minnesota. Mr. Speaker, I shall get some time in the discussion of the Post Office appropriation bill, and I withdraw my point for the present.

POST OFFICE APPROPRIATION BILL.

Mr. MOON. Mr. Speaker, I move that the House resolve itself into Committee of the Whole House on the state of the Union for the further consideration of the Post Office appropriation bill.

The motion was agreed to.

The SPEAKER. The gentleman from Virginia [Mr. SAUNDERS], if he is here, will take the chair. If not, the gentleman from Oklahoma [Mr. FERRIS] will take the chair until the gentleman from Virginia gets here.

Accordingly the House resolved itself into Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 19906, the Post Office appropriation bill, with Mr. FERRIS in the chair.

The CHAIRMAN. The House is in Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 19906, the Post Office appropriation bill, which the Clerk will report.

The Clerk read the title of the bill, as follows:

A bill (H. R. 19906) making appropriations for the service of the Post Office Department for the fiscal year ending June 30, 1916, and for other purposes.

The CHAIRMAN. The gentleman from Tennessee [Mr. MOON] is recognized.

Mr. MOON. Mr. Chairman, I yield five minutes to the gentleman from Minnesota [Mr. SMITH].

Mr. STEENERSON. Mr. Chairman, I yield to the gentleman five minutes more.

The CHAIRMAN. The gentleman from Minnesota [Mr. SMITH] is recognized for 10 minutes.

Mr. SMITH of Minnesota. Mr. Chairman and fellow Members, I have been with you about 21 months. I have not consumed any time for the purpose of padding the RECORD.

I have tried to do my duty as I have seen it. I represent a constituency which is of some importance in this great country, and they look to me and to this House for results. About 400,000 people in my district are expecting results at the hands of this Congress, and they have delegated me to come here and make their wants known. The great people whom I represent pay into the National Treasury of the United States, in the way of postal receipts, customs receipts, internal-revenue receipts, and special revenue taxes and income taxes, nearly $8,000,000 annually, or about $20 for every man, woman, and child in my district, about twice what the average citizen throughout this country pays to support this Government.

I wish it distinctly understood that I have the most friendly feeling for the great Speaker of this House. I have the most pleasant feelings for the leaders of this House on both sides. I have the warmest spot in my heart for every Member here personally, and what I am going to say is not in the way of complaint actuated by ill feeling. It is simply to call the attention of this House to a system that ought not to exist in

this great body. Too much is at stake for us to while away our time in idleness. I have before the committees of this House at least half a dozen bills, if not more. Those bills affect in one way or another the interests of the district which I represent, and up to this time I have not been able to get a hearing upon them.

We have been told that a program of legislation has been laid out for us to follow, and I have patiently, earnestly, and diligently cooperated with the powers that be to put through that program of legislation.

Now we are confronted with another program of legislation, and what does it contain? It contains a general dam bill that smells to heaven with its rottenness. It contains a ship-purchase bill that is of very doubtful value to this great Government. About half a dozen committees out of fifty are doing the work of the House. We sit here day in and day out, playing thumbs up and thumbs down when the great leaders of this House give the word. We are getting our money under false pretenses. I admire and respect our leaders, but at the same time I want to impress upon them now that while they are devoting their attention to a few big things the minor matters of legislation are being neglected—the measures which keep this country moving. Those things go by the board. You gentlemen who are responsible for appointing these committees should ascertain what they are doing. Each committee has three or four clerks, good men, all anxious to work; but I venture to say that outside of five committees in this House not one of those clerks has earned a day's wages in three months. Is that business? Is not that taking the people's money under false pretenses? Are we not carrying on a sham battle here? How long is it to continue?

I have no criticism against any individual be he a leader or be he the chairman of any committee. I am simply pointing out to this House to-day that there are at least 40 committees doing nothing to help along the legislation that they have before them; that they are doing nothing to help our constituents. For over a year they have had important bills before them, bills which they have never considered, and which the chairmen of those committees do not even know are pending before them. Gentlemen, this is not business; this is not the way to conduct business.

I want to serve notice on you now that during the remainder of my term in this House I want the matters pertaining to my district to receive proper consideration. If they are not fair measures, then disallow them, but at least give them a hearing. And I want the same respect given to every other Member's bills. The interests of this great Government can not always be properly cared for by having only a few measures pending and only a few men attending to big things. Let those of superior knowledge and great wisdom in matters of state take care of those big things, but let us with less experience take care of the minor matters that are of more importance to our respective districts.

Because of the courtesy of the Post Office Committee in allowing me this opportunity to speak, I shall not raise the point of no quorum to-day, but I give notice now that after to-day you will keep a quorum here if you are going to transact business or else you gentlemen who are responsible for the make-up of the committees of this House will see that the chairmen of those committees hold committee meetings. That is a fair proposition; it is an honest proposition; it is a proposition that I regret to have to make, but I have no apologies for making it. I am sincere about this matter. I am in dead earnest. I am not disappointed. I am simply doing what any honest official ought to do—expose a system that is wrong, that has grown up in such a way as to stifle legislation instead of promoting it. How long will it continue? It is for this body to say, unless these great leaders remedy this condition.

Mr. HOWARD. Mr. Chairman, will the gentleman yield for a question?

The CHAIRMAN. Does the gentleman from Minnesota yield to the gentleman from Georgia?

Mr. SMITH of Minnesota. I will yield.

Mr. HOWARD. I am in the same position that the gentleman is in. Will the gentleman suggest some method by which this House can possibly consider 20,000 bills which the other Members of this House think are as important to them as the gentleman thinks his bills are important to him?

Mr. SMITH of Minnesota. You know and I know that 19,000 of those bills are duplicates that do not have to be considered.

Mr. HOWARD. Oh, no.

Mr. SMITH of Minnesota. But you all know that you have measures before this House that are important to your respective districts and to the people of the whole country. Let us get them out. Do you not think that it is about time that we cease following a legislative program which presents for our consideration, in part, at least, legislation that is apt to be very detrimental and mischievous and take up a program of our own until we have disposed of such matters as are pressing for immediate action, and then, if we have any time left, we can fall back on this made-to-order and furnished-free-of-expense program and see what there is in it that commends itself to us?

Mr. DIES. Does the gentleman realize that he is now preventing the House from considering the Post Office appropriation bill?

Mr. SMITH of Minnesota. I realize this, but I want the House to understand that unless the committees of this House get to work——

Mr. DIES. How can they get to work when the gentleman has the floor? [Laughter.]

Mr. SMITH of Minnesota. Never mind, that is cheap witticism, but I will give you something that is not cheap. Until the committees get to work there will be no work done in this House on unanimous-consent day, or at any time, without a quorum.

Mr. BARKLEY. Will the gentleman yield?

Mr. SMITH of Minnesota. My time has expired.

Mr. STEENERSON. Mr. Chairman, how much time is remaining for general debate?

The CHAIRMAN. The gentleman from Minnesota has 47 minutes remaining, and the gentleman from Tennessee has 37 minutes.

Mr. STEENERSON. Mr. Chairman, I yield to the gentleman from Illinois such time as he desires.

Mr. MANN. Mr. Chairman, in the Washington Post of Sunday, and I suppose in many other newspapers were similar articles, there appeared an article headed:

FAMINE STALKS THROUGH MEXICO; WIDOWS AND ORPHANS BEG FOOD.

Conditions of famine and suffering in Mexico, said by some observers to rival the distress in the European theaters of war, are described in reports yesterday to the American Red Cross with appeals for help.

Consul General Hanna has sent the following message from Monterey:

"There is an alarming shortage of staple food supplies. Several outlying towns are appealing to me for help. If the winter keeps cold there will be great suffering. I need 2,000 cheap blankets. After four years of war this whole country is short of food."

The consul at Matamoras confirms an appeal, which said:

"The conditions in Europe which shock the civilized world have existed here against our borders for four years unconsidered. Mexico is peopled with widows and orphans, and famine is in the land. One sees it daily in emaciated forms, shrunken cheeks, tightly drawn skin, and burning eyes, sees it in the faces of women, old men, and little children. Many have died on American soil during the past year, ostensibly from obscure diseases, but actually from starvation, and there are hundreds of children who have never had sufficient food in their lives. The sound of laughter and playing children is stilled in Mexico."

In another article in the same paper is the statement:

MEXICO CITY, *December 26.*

The circular by Provisional President Gutierrez ordering all generals recognizing the Anguascallentes convention to cease summary executions declares:

"There has come to my knowledge, causing me both pain and displeasure, that all social classes in this city are in a state of alarm and even panic-stricken at the continual disappearance of individuals who are kidnaped by night, either to exact money from them or to be murdered in some secluded place."

We do not let anybody else interfere in Mexico; we permit no other Government to go there and demand order, and I fear that this policy of ours, as it has been pursued of late, makes us responsible for the secret murders, as well as for the famine, the starvation, the stilling of sound of laughter and play of children in Mexico.

Mr. ADAIR. Will the gentleman yield?

Mr. MANN. Yes.

Mr. ADAIR. The article just read by the gentleman from Illinois says that this horrible war has been going on for four long years, two and a half years of which was under Republican administration, at a time when the gentleman from Illinois was the leader of the Republican side of the House. Will the gentleman tell us why it was not stopped during the two and a half years that his party was in power, when it was more easily stopped than it is now?

Mr. MANN. Is that a satisfactory question to my friend from Indiana?

Mr. ADAIR. It may not be satisfactory to the gentleman from Illinois, and although I would like an answer I do not want to embarrass the gentleman from Illinois.

Mr. MANN. Is it satisfactory to the gentleman from Indiana?

Mr. ADAIR. What is satisfactory?

Mr. MANN. The question that the gentleman has just asked.

Mr. ADAIR. Is the question satisfactory? Why, the statement that the gentleman makes on the floor of the House is that this administration is responsible for this situation, and that is not satisfactory, because it is not true.

Mr. MANN. I have made no statement concerning this administration. What I have said is true, and when the gentleman from Indiana says it is not true, he is trespassing on common politeness. He knows that it is true.

Mr. ADAIR. Why will not the gentleman explain to the House why his party did not stop it?

Mr. MANN. I have not had a chance.

Mr. ADAIR. I will give the gentleman a chance.

Mr. MANN. Whenever a proposition is made in this House concerning existing conditions, some gentleman on the Democratic side of the House, with more enthusiasm than information, rises, always hoping to get into the debate, and says "Why did not the Republicans fix it when they were in power." Well, we made a great many reforms while we were in power, but we could not make the world entirely perfect. The question is now, What will we do concerning the situation in Mexico? The gentleman from Indiana defends the present situation by asking, "Why did not the Republicans correct it while they were in power years ago?"

Mr. ADAIR. Will the gentleman yield?

Mr. MANN. No; I do not yield. The gentleman does not hit the point on any question.

Mr. GARNER. Will the gentleman yield for a pertinent question?

Mr. MANN. Certainly; if it is pertinent.

Mr. GARNER. What would the gentleman's remedy be for the present conditions in Mexico?

Mr. MANN. I am not called upon to state what my remedy would be.

Mr. GARNER. The gentleman has stated that certain conditions exist, and I agree with him that some remedy, if possible, ought to be applied.

Mr. MANN. Does the gentleman think that every remedy has been applied? If the gentleman will answer that, I will answer his question.

Mr. GARNER. When the gentleman states what he has he ought to have some remedy in mind himself.

Mr. MANN. Not necessarily. I frequently call attention to evils without attempting to specify the method of correcting them. I have not reached the point, like the gentleman from Indiana, where I think I know it all.

Mr. MOORE. Will the gentleman yield for one question?

Mr. MANN. If it is a pertinent question.

Mr. MOORE. I think it is. Did this condition of things which the gentleman has described in Mexico prevail during a Republican administration?

Mr. MANN. They did not; but that is neither here nor there.

Mr. BARKLEY. Will the gentleman yield?

Mr. MANN. Yes.

Mr. BARKLEY. Does the gentleman admit that he has no remedy?

Mr. MANN. I am perfectly willing to admit that I am not the administration. I do not have the executive authority, and I can not undertake to say what I would do if I had that authority. Does that help the gentleman? But if I had the authority, I would find a way of correcting these evils. [Applause on the Republican side.] There are the evils—executions, murders, starvation, famine, rapine, throughout the land of Mexico. We are preventing anyone else from obtaining order there, and we have not as much nerve in the present Department of State upon this subject as would supply an angleworm. [Applause on the Republican side.] It may satisfy some gentlemen to say that we can not do any better. If we can not do any better, then we ought to withdraw our assumed power over Mexico. We have no moral right to say that anarchy must continue to exist in Mexico, and we are responsible before the world to-day for the deplorable conditions existing there. If there were a proper conception of our duties, we could easily—yes, easily—bring order out of chaos, and that without war.

Mr. KENT. Mr. Chairman, will the gentleman yield?

Mr. MANN. Yes.

Mr. KENT. Mr. Chairman, I would like to ask the gentleman from Illinois in what consists our assumed authority in Mexico?

Mr. MANN. Oh, I do not think it is necessary to go into that. Everyone knows that we assume the authority. We do not let any other nation exercise jurisdiction there.

Mr. GOODWIN of Arkansas. Mr. Chairman, will the gentleman yield just there?

Mr. MANN. For what?

Mr. GOODWIN of Arkansas. For a question.

Mr. MANN. Yes.

Mr. GOODWIN of Arkansas. This is not asked except in good faith, I assure the gentleman, and speaking of our failure to take cognizance of the matters existing in Mexico, the gentleman has just said that we have refused——

Mr. MANN. That is not a question.

Mr. GOODWIN of Arkansas. Oh, the gentleman will not be too facetious. I would like to frame my question.

Mr. MANN. Very well.

Mr. GOODWIN of Arkansas. The gentleman has said that we will not permit others to bring about a remedy there. That being the case, how would that involve us as to the Monroe doctrine, and what would be the gentleman's position with reference to that doctrine?

Mr. MANN. Mr. Chairman, I am in favor of maintaining the Monroe doctrine; that is the Monroe doctrine. [Applause on the Republican side.] I am not in favor of abandoning Mexico to anarchy in Mexico or to control by European Governments. [Applause on the Republican side.]

Mr. Chairman, in to-day's morning papers appears an article stating that the administration had protested to Great Britain against its policy of seizing neutral vessels with neutral goods consigned to neutral countries. If the statement is true that a sharp protest has been made—and I say if the statement is true, and I hope that it is true—I commend the administration for taking the action that it has. I agree entirely with the proposition that it is the duty of this country to keep out of entangling alliances in connection with the European war, but I do not believe that because that is true we ought to resign all of our rights on the seas to foreign countries. England has been persistently seizing neutral vessels containing neutral cargoes consigned to neutrals in neutral countries, carrying those vessels and their cargoes into her own ports. I know of one instance where a vessel was seized on the 5th of November, a long time ago, which contained perishable goods. It is still lying in an English harbor; and I am glad that the administration is now taking the position that we have our rights on the seas, both as to England and as to Germany, and as to all of the other countries which may be involved in this war. [Applause.] We do not intend, in order to keep out of the war, to say to warring nations, "You can do what you please, without regard to our rights or international law, with our goods on the high seas." We have rights. There is not any danger of our getting into war because we stand up for those rights. England can not afford to war with us; neither can Germany; and neither country will insist upon seizing our property contrary to the rules of international law, and I hope the administration will insist that we have the right to ship goods in neutral vessels to neutral countries and preserve our rights abroad. They have no moral right to destroy all of our commerce. It may be that some of the nations would like to destroy American commerce while they are destroying the commerce of each other, but we must uphold our rights upon the high seas with dignity and with firmness. [Applause.]

Mr. STEENERSON. Mr. Chairman, I yield to the gentleman from Washington [Mr. JOHNSON].

Mr. JOHNSON of Washington. Mr. Chairman, a little time yet remains for general discussion of the Post Office appropriation bill. I desire to use a few moments in which to discuss the difficulties which confront the Postal Service in the outlying portions of the extreme Northwest. I call the attention of the committee to the post-road map of the State of Washington. I feel sure the Members will be surprised to learn that a considerable portion of the letter-carrying service from this point in Clallam County, at the extreme northwest of the United States, clear down below this great forest reserve—the Olympic—and below this great Indian reservation—the Quiniault—through this more or less settled country to the city of Moclips, has entirely broken down.

The extension of the parcel post, while a great blessing generally, has been fatal on mail routes in the mountains. Pioneers away out yonder, who can keep in touch with the world only by means of letters and papers, now receive neither. Time was when the mail carriers came through once or twice a week, regardless of storm or condition of road. Now they come no more. Their bids for carrying the mail, including the 50-pound packages, are so high that the department declines to accept them.

For instance, the lowest bid for carrying the letter mail and parcel post on the route from Taholah to Elk Park, 45½ miles, was $12,000 a year. Note the fact that Taholah is in the Indian reservation and Elk Park is in the great forest reserve. Also that this route offered the only connection for getting mail into all of southwestern Jefferson County. Now, then, the department says:

The sum is entirely out of proportion to the importance of the postal facilities to be afforded by the route, particularly in view of the re-

quirement of law that the Postmaster General should have due regard to productiveness in the establishment and maintenance of star routes.

Mr. Chairman, the little offices along that route are not particularly productive. That is true. The productiveness is at the other end—out in the United States generally—where parcel-post packages originate. This particular route was broken down with 50-pound packages, and while sometimes there was a shortage of packages there never was a shortage of catalogues from mail-order houses, each catalogue as weighty as a piece of hickory stove wood.

The business for these little outlying offices originated outside and broke down the routes, so that now the pioneers away out there, far from the beaten lines of travel, receive neither letters, newspapers, nor packages by mail. They are again victims of the march of progress, just as they were victims when the great forest-reserve blanket was thrown over them, destroying their chances for development, progress, more population, good roads, schools, and churches.

Now, Mr. Chairman, while the Government holds the land and the timber in the sacred name of conservation, these citizens who heeded the call "Back to the land" are denied that boon which this Government has gladly given since Ben Franklin founded the Postal Service—the free delivery of letters.

Last summer the Interior Department had workingmen in that country and paid them $3 a day and board, and also paid well for horses and their keep. In that country the Forest Service maintains a pack train, paying $1 a day per horse, furnishing feed, and giving the owner of each horse $75 a month.

Now, then, consider that the unfortunate Indian, Toby by name, who had the contract to carry the mail into western Jefferson County the other way—via Forks—began by carrying the letters and papers on his back, and going as a runner for 30 or 35 miles. Then, when the 12-pound parcel post was introduced, he bought an old gray horse, and when 50 pounds became the limit of weight he kept on adding horses, until when he threw up his contract he found himself riding his old horse and leading six others, all for the original price. He had to ford Hell Roaring Creek—rightly named, by the way—and had to unpack the mail from the six pack horses and swim them across the Bogachiel River, then carry the mail across the footbridge and repack the horses—all for the original mail-packet price.

When Indian Toby quit his bondsmen endeavored to keep up the route. The next man who tried it had a sad experience. W. P. Elliott, of Pins, writes:

Since the expiration of the last contract, June 30, 1914, we have no mail carrier. Parcel post nearly ruined the contractor during his contract term and forced him to mortgage his homestead and finally to throw up the job. As a result, all bids tendered the department are too much above the former figures for a new term and the department seems loath to accept any of the new bids offered.

Mr. Elliott, by the way, offers to carry the route at considerably less than paid by the Forest Service for men and pack horses, and to accept pay only per number of horses needed. Mr. Elliott now travels 18 miles for his own mail.

Mr. HAMILTON of Michigan. About how large a population occupies the counties the gentleman is describing?

Mr. JOHNSON of Washington. I should say that in these vast country districts, covering portions of three counties, there are something like eight to twelve hundred people who are staying on the land and who wish to see the country prosper and develop.

Mr. HAMILTON of Michigan. Considerable of a rural community there?

Mr. JOHNSON of Washington. Yes; and they appreciate not only the mail, but the parcel post. It is not their fault that the roads are not better. The United States Government itself owns most of the land there, and withholds it for far distant generations.

Parcel post, before the routes there collapsed, gave these people a market. Why, they shipped out dressed hogs, cut in halves or quarters; they shipped out butter, and goodness knows what. Now they send no mail at all, and get none at all, and are met with the charge that their little post offices are not productive.

Mr. STEENERSON. Is it your theory that the parcel mail obstructs the first-class mail?

Mr. JOHNSON of Washington. Yes; in these cases the weight has broken down the routes to the outlying communities.

Now, in other localities in my district the Government has saved the situation by making double contracts; that is, one contract for letter and paper mail and another for parcel post. For instance, on the daily route from Morton to Lewis, 34 miles, the carrier receives $3,333 for carrying the mail proper and 2 cents a pound for all parcel-post packages—that is, $40 a ton.

Mr. BORLAND. Mr. Chairman, I desire to ask the gentleman whether this is a rural or a star route?

Mr. JOHNSON of Washington. Star route, with a rural-route attachment. Patrons hang their outgoing mail on forked sticks, in small waterproof sacks, and the star-route carrier drops small sacks along the route with the mail for patrons. The bulk of his freighting business—parcel-post freight, if you please—goes from town to town.

The CHAIRMAN. The time of the gentleman has expired.

Mr. JOHNSON of Washington. Mr. Chairman, I would like 10 minutes more.

The CHAIRMAN. The time has been fixed and is in control of the gentleman from Tennessee and the gentleman from Minnesota.

Mr. STEENERSON. Mr. Chairman, how much time have I remaining?

The CHAIRMAN. The gentleman has 25 minutes remaining.

Mr. STEENERSON. I yield the gentleman an additional 10 minutes.

Mr. SAMUEL W. SMITH. Will the gentleman yield?

Mr. JOHNSON of Washington. Certainly.

Mr. SAMUEL W. SMITH. Is this carrier making 34 miles every day?

Mr. JOHNSON of Washington. Yes; 34 miles a day.

Mr. FITZHENRY. Have you any figures on the route that runs out of Clallam Bay?

Mr. JOHNSON of Washington. Yes.

Mr. FITZHENRY. Is not there one which runs from out to a place called Quillayute Bay?

Mr. JOHNSON of Washington. Yes; that is the route which connected with two roads, twice-a-week routes, one down into the forest reserve.

Mr. FITZHENRY. And you say that route is 34 miles long?

Mr. JOHNSON of Washington. I do not know what the length of that route is. It looks as though it were about 25 miles long.

Mr. FITZHENRY. And that carrier receives $3,300?

Mr. JOHNSON of Washington. No; that pay goes to another carrier over in a much more thickly populated section of the district.

Mr. FITZHENRY. Has the route to Clallam Bay been abandoned?

Mr. JOHNSON of Washington. No; it has not been abandoned, but its connections have been.

Mr. FITZHENRY. Well, I would not carry mail on that route for $3,300 a month.

Mr. BORLAND. In which is the failure, the star routes or the rural routes?

Mr. JOHNSON of Washington. In both, I think; but principally in these outlying star routes. The territory is, of course, rough; it is sparsely settled, and the Post Office Department—ever since parcel post was introduced—has labored earnestly to solve the problem; so has the House Committee on the Post Office and Post Roads, I am pleased to say.

Mr. COOPER. Will the gentleman yield?

Mr. JOHNSON of Washington. Certainly.

Mr. COOPER. Did I understand the gentleman to say that one of these carriers received $3,300?

Mr. JOHNSON of Washington. One carrier on a rural route receives $3,333 per year for carrying letters and papers and 2 cents a pound for parcel post.

Mr. COOPER. How long is that route and under what circumstances is this mail carried?

Mr. JOHNSON of Washington. It is 34 miles long.

Mr. COX. What is the average weight of the mail carried?

Mr. JOHNSON of Washington. I can not say. The letter and paper mail, I presume, amounts to three or four sacks daily. The carrier receives $3,333 for carrying that, and he receives 2 cents a pound on all parcel post which he carries.

Mr. COX. What is the total weight?

Mr. JOHNSON of Washington. It varies, of course. It runs into tons. A big wagonload daily, over 34 miles over as good a road as the people—already overtaxed—can provide, but, withal, as poor a road as man ever permitted to be called by the special designation "good road."

Mr. COX. Does not he get that salary now under the new appropriation for rural routes?

Mr. JOHNSON of Washington. I do not think he does.

Mr. COOPER. I want to find out something about this carrier——

Mr. JOHNSON of Washington. Well, we are discussing him. He certainly earns his pay.

Mr. COOPER. I want to find out about him, because it is the most extraordinary statement. In my country when they

say a carrier has 25 miles to travel it means 25 miles out and 25 miles back.

Mr. JOHNSON of Washington. He has a route 34 miles long and 34 miles back; what is known as a double route. He keeps horses at both ends of the route, and relays besides.

Mr. COOPER. But he does not make it in one day over that route.

Mr. JOHNSON of Washington. Oh, yes, he does.

Mr. COOPER. Sixty-eight miles?

Mr. JOHNSON of Washington. Yes. He makes it in one day. He starts very early in the morning and gets back very late at night. He earns the 2 cents a pound paid him for hauling parcel-post freight, even if the Government receives only 1 cent a pound. The Postal Department is prosperous. It shows a surplus. What it loses on this route it makes on others. I contend that similar double contracts should be made on all hard, mountainous routes, not only in the State of Washington, but in all of the States from the Rocky Mountains west. I hold that if it is advisable to appropriate a liberal sum, as is done on page 25 of this bill, for mail-carrying emergencies in Alaska, it is also advisable to appropriate extra money for emergency mail carrying in each of the 11 so-called public-land States, where the Government holds—withholds—many of the principal resources.

Further, it is proposed in this bill to put the straight rural routes on a contract basis. Under such a plan bids in the West will either be so low that the successful bidders will be unsuccessful in attempting to live and pay for horse feed, or the bids will be so high that the post-office officials will refuse to accept them, and the hard, outlying rural routes will be like some of these star routes—as dead as Hector. Remember, a heavy incoming parcel post and a small outgoing mail on a route is supposed to be bad business from the standpoint of a Post Office Department that schemes to show a profit, as if the postal system must be a business proposition rather than a convenience to all the people.

Mr. Chairman, while we have the outline map of Washington before us, permit me to call attention to two or three things that are tending to diminish the incomes of these outlying offices.

Here [indicating] is a great national monument, comprising 600,000 acres. No mining or prospecting permitted in there. Strike away that unnecessary monument and you will open the way for the development of great tin mines—probably the greatest in the United States.

Here is the Olympic forest reserve and here are river valleys all through these slopes. Open these valleys to agriculture.

Here is British Columbia, from whence was shipped to Puget Sound a few days ago the largest raft of logs ever put together—dumped on a broken free-trade market. And yet some persons have the effrontery to say that the Underwood tariff bill has not hurt that country.

Here are the Straits of Fuca, into which come ships bringing free butter, made in Australia's summer to sell in our winter, and ships from China bringing eggs to further make it harder for these pioneers, these frontiersmen, to extract a living from the tracts that a generous Government has given them, where they live without electricity, without railroads, and now without that greatest boon of all—the United States mail.

The CHAIRMAN. The time of the gentleman from Washington has again expired.

Mr. STEENERSON. Mr. Chairman, I reserve the balance of my time.

Mr. MOON of Tennessee. I yield five minutes to the gentleman from Tennessee [Mr. McKELLAR].

Mr. McKELLAR. Mr. Chairman, when the Post Office appropriation bill first came up several days ago and a rule was presented from the Rules Committee making certain proposed legislation in order in that bill I voted against that rule.

My reasons for this vote are, first, that one of the proposals made in order was a wholesale cutting down of salaries of postmasters and certain other officials named in first and second class post offices and the entire abolition of the offices of assistant postmasters. The other was a proposal providing for an interference with the rural carrier service. I do not undertake to say that the matter of these salaries of postmasters and their heads of departments ought not to be readjusted. Perhaps they should. At all events, if this had been the only trouble I might not have voted against the rule, though I doubt the wisdom of making the sweeping reductions proposed in this rule. Nor do I think assistant postmasters ought to be abolished. In many of the offices they are necessary and ought to be retained. I have never believed, however, that they ought to be under civil service, but, on the contrary, believe that they should be appointed by the postmasters. If their services in any way have become ineffective, it is because of the ridiculous idea that placed them under civil service. The idea that a postmaster, especially of an important office, is obliged to have an assistant chosen for him, who holds his office independently of the postmaster, is one that I do not think commends itself to any reasonable person, unless that person has an ax to grind. Naturally the Republicans desiring to perpetuate themselves in office put in the system and would like to continue it, but when they put these offices under civil service they rendered them practically of very much less value than they were before. I would much have preferred a rule providing that these assistant postmasters be appointed by their chiefs, or certainly appointed on his recommendation.

RURAL CARRIER SERVICE.

Another proposal provided for by the rule was the experimental contract system of rural-route service.

I am opposed to any interference with the rural-route service, and I voted against the rule on this account. I wish, first, to quote from the last report of our able Postmaster General, when he says, on page 6:

> The service has been administered for the convenience of the public, not for profit.

And again, on page 7:

> The Postal Service may not be operated wholly upon lines of private enterprise.

In addition to this, as shown by this same excellent report, and we know from other sources, never in the history of the department has there been such a successful and efficient service as we have now, and probably for the first time in its history it is on a paying basis. Why, then, this sweeping reduction in salaries of officers and a desire to change the rural-route service to a contract system? The rural-route system is the especial pride of the department and of the country. It is one of the most important factors, if not the most important factor, in building up and making pleasant country life. Its educational advantages can not be overestimated. It has done more to ameliorate and make happy the life of the rural resident in the last few years than all other causes put together. It has done more to give him and his children educational advantages than any other cause except, perhaps, public schools, and in many instances its educational value is greater than that of the public school. It has put the rural resident in regular and daily touch with all the rest of the world. It has given him a new interest in life. It has relieved him from that personal isolation which makes for deterioration of both moral and mental strength. Seeing every day what his farmer neighbors from all parts of the country are doing, it encourages his ambition to achieve better results on his own farm. He is kept in closer touch with city life, and accordingly becomes more familiar with its wants and necessities. He knows better what to raise for sale. He is made familiar with the markets and knows better how to supply them. He is taught the advantages of diversifying his crops. He learns the immense saving in raising all his own food supply at home. He soon finds that he may easily raise just as much staple crops, like corn, wheat, and cotton, and yet at the same time raise cattle, hogs, sheep, poultry, vegetables, fruits, and berries for home consumption, and even for sale in home markets. The parcel post, conducted by the same rural carrier, gives him a market for anything he may have to sell direct to the consumer at a larger price, and a ready means of obtaining anything he might want to buy at a lower price. No one who has never lived in the country under the old conditions and in the country under the new conditions, with rural-carrier service as we now have it, can understand the untold blessings and advantages that come from the successful building up of this service and what its efficient maintenance means to the country resident.

In the last few decades there has been a tremendous influx to the cities from the country districts, greatly to the detriment of the whole country. Without this rural mail service that influx would have been vastly greater and the damage caused would have been vastly more. We must not let it be interfered with except for better reasons than an anticipated lessening of expense.

RURAL CARRIERS.

I know many rural carriers. They are intelligent, honest, honorable, industrious, accommodating, and polite. They live in the open air. They see many people every day, and are, or soon become, good mixers. They take great interest in their work. They take a great interest in the people along their routes. They are good citizens, good neighbors, and good friends. The installation of the parcel-post system has added greatly to their labors and responsibilities. They are all advocates of good roads. They are advocates of better education. They are advocates of rural development. They are advocates

of diversified farming. They are advocates of home industries. They are advocates of local markets. They are advocates of direct exchange between producers and consumers, without the expense of middlemen. They are for all these things because it is in their direct interest so to be. Their salaries are—to some extent, at least—dependent upon the business they have to do and the business done along their route.

They come from the communities which they serve. They represent the best and most enterprising element of their several communities. They form a leading part in their own local life. They mold in a large degree the local thought. They are influential in religious, in moral, in social, and in the business life. They stand well because, as a rule, they come from the best people and because they represent and are looked upon as representing the great Government of the United States.

The Government picks the best men for this service. They have to stand competitive examinations. They have to be educated and honest and straight. They have to be first-class men in every respect. They have to be reliable, sober, and energetic men. They perform one of the greatest economic functions of our national life, and they perform it so successfully that every thinking man is proud of the system and of them.

WHY THE CHANGE?

Why should we change this system that has worked so well? Simply because it may be done cheaper? As stated before, our Post Office Department—certainly under its present most excellent management—does not intend that it should be run for profit. Of course the department wants and we all want to get the best service at the lowest price. But will a change to a contract system bring this about? I do not believe it. I believe it will be a false economy to try it. I do not believe we can get any satisfactory results from a rural contract system. It is true at present we pay our rural carriers well. It is doubtless true they make more in this service than they could make in any other rural work; but, as stated before, they are picked men; they ought to have more for that reason. They ought to be paid well as long as they so successfully perform their duties. Let us cut down expenses in some other way, but not at a place where it will hamper and injure the most effective service that the Government is now doing. The rural carrier has won his place in our economic life by merit. Let us render to him his just due and not take away from him that which he has made.

Mr. MOON. Mr. Chairman, I yield to the gentleman from the Philippines [Mr. QUEZON].

Mr. QUEZON. Mr. Chairman, as if the European war did not afford enough sensational news, there have been sent during the past week by newspaper correspondents at Manila or from some other source dispatches that must have put the nerves of many readers in this as well as in my own country to a severe test. I refer to the current reports of an uprising among the Filipinos.

It is my purpose to call the attention of the House and of the American people to the true nature and purpose of these reports. A review of them will furnish a fair idea of what the so-called revolt now announced really is. On December 18 the following telegram was printed in the New York Herald and elsewhere.

MANILA, *Thursday.*

American and foreign business men here express the fear that the promises contained in the Jones bill providing for a measure of independence for the Philippines might lead to an uprising of the natives.

This dispatch is very significant, because it at once affords the means for an interpretation of the other dispatches. We are told, in effect, that in the opinion of the American and foreign business men in the Philippines there will be an insurrection there should the preamble of the Jones bill, which contains this promise of independence, be approved by the Senate, where the bill is now pending. Who these American and foreign business men may be we are not told; why they fear an uprising of the natives should the islands be promised independence we are left to guess. Only one thing is apparent from the dispatches—the Senate is advised to strike out the preamble of the Jones bill lest it produce a revolt among the natives. As to this I desire only to note that if there is one feature in the Jones bill that meets with practically universal approval on the part of the Filipino people it is the preamble of the bill. Why, then, should they revolt if the Congress of the United States should satisfy their desire? I do not suppose that the correspondent of the Herald or his informants—if he had any—will ever be able to give us any adequate explanation of so absurd a conclusion.

But let me continue: At the time this dispatch was sent from Manila there was as yet no apparent sign of impending revolt; there was only the assertion that revolt would ensue upon the passage of the Jones bill, provided it contained a promise of independence. At the very earliest this bill could not get through the Senate before the month of February, so that we who had been forewarned of this impending outbreak could not look for the threatened trouble before that time, and then only in case the preamble had not been defeated in response to the suggestion contained in this dispatch.

Alas! On December 21, just three days after the above-referred-to dispatch saw the light in this country, the New York Times published the following cablegram:

MANILA, *December 20.*

Soldiers arriving from Corregidor Island report that two companies of Scouts there have been disarmed and that American soldiers have been supplied with full ammunition. They allege that a plot has been discovered to free the prisoners and start an uprising.

The military is silent, but the wildest rumors are current.

Many other newspapers published this same story, some of them with such details that the War Department deemed it necessary to inquire of the Governor General what truth there might be in these dispatches. Consequently the department sent to the Governor General the following cablegram:

Special dispatch to New York Herald, December 17, reports threatened revolt Filipinos. Special dispatch New York Times, December 20, reports two companies Scouts on Corregidor Island have been disarmed, and that plot has been discovered to free prisoners and start an uprising.

To which the Governor General answered:

Referring to telegram from your office of 21st instant, no foundation whatever known here for either report.

It thus appears that neither the dispatch to the New York Herald nor that printed by the New York Times had any foundation in fact. How could such a disregard for truth be possible? In the dispatch to the Times we are given the number of companies that have been disarmed and the place where the attempted uprising took place, and yet there was not even a shadow of foundation for the whole thing. But this is not the worst. After the American authorities at Manila—the Governor General and the commanding general—had officially denied that there had been any attempt on the part of the Scouts to make trouble, those who sent these messages to the newspapers I have quoted, instead of honestly acknowledging their misinformation, sought to make the American public believe that they told the truth, but that the military authorities were concealing it, as can be seen from the following cablegram published in the New York Tribune of December 24:

MANILA, *December 23.*

Trustworthy but unofficial reports declare that Artemio Ricarte is in the Philippines directing the seditionists. Tagalogs, it is stated, are drilling openly, and Cavite is a hotbed of revolutionists. Gov. Gen. Harrison is taking no action, but the military authorities are preparing for an outbreak. The infantry at Manila are sleeping on their arms. It is denied by military officers that they have discovered a plot among the Filipino Scouts on Corregidor Island, under Ricarte's direction, to liberate prisoners, seize the treasury, and send money to Hongkong to finance a Philippine revolt. The report, however, is credited by others. The government has issued arms to civilians on Fraile and Carabao Islands.

This cable reiterates the alleged plot among the Filipino Scouts, and asserts that while it is denied by the military authorities, "the report is credited by others." Can any reasonable person fail to recognize the unfairness—nay, the evident malice—of this dispatch?

It is to be noted not only that in this latest report the story of a plot among the Scouts is reiterated, but that other more alarming news is given. "Artemio Ricarte," it is asserted, "is in Manila directing the seditionists. The Tagalogs are drilling openly, and Cavite is a hotbed of revolutionists. Gov. Gen. Harrison is taking no action, but the military authorities are preparing for an outbreak. The infantry at Manila are sleeping on their arms."

Mr. Chairman, I must pause here for an instant to sound my most energetic protest against the infamous suggestion contained in this telegram, that Gov. Gen. Harrison is guilty either of criminal negligence of his duties or of disloyalty to his own Government—the Government of which he is the official representative in the insular administration. Such a suggestion as this should provoke the just indignation of every self-respecting American. While I am a Filipino, and while, as everybody knows, I advocate early withdrawal of American sovereignty over the Philippines, yet so long as the American flag is there I owe allegiance to that flag, and therefore I resent this cowardly and absolutely baseless aspersion upon the integrity of the man who represents this Nation in my country.

But the New York Tribune is not the only newspaper which has been furnished such news. On December 23 the New York Times submitted to the Secretary of War the following cablegram which had been received by it from Manila:

Riot guns are being distributed to American civilians on Carabao and Fraile Islands, and 100 rounds, with full equipment, has been dis-

tributed to soldiers in Manila. Barrels supposed to contain cement were shipped to Corregidor and found to contain bolos. Two native scout officers and companies were disarmed and confined in Corregidor.

The plan was to free prisoners by a sudden night attack, overpowering scout guard and capturing the island. The day was fixed for between Christmas and New Year. In the past few months there has been notable increase so-called boy scout organizations, composed mostly of grown men, drilling throughout Manila Provinces.

Thereupon the Secretary of War, on December 24, sent to the Governor General the following cablegram:

New York Tribune publishes cable to-day from Manila announcing preparations military to prevent carrying out plot followers of Ricarte for insurrection and disarmament two companies scouts at Corregidor and armament civilians in the islands in Manila Harbor. New York Times has cable as follows:

"Riot guns are being distributed to American civilians on Carabao-Fraile Islands, and 100 rounds, with full equipment, has been distributed to soldiers in Manila. Barrels supposed to contain cement were shipped to Corregidor and found to contain bolos. Two native scout officers and companies were disarmed and confined on Corregidor. The plan was to free prisoners by a sudden night attack, overpowering scout guard and capturing the island. The day was fixed for between Christmas and New Year. In the past few months there has been notable increase so-called boy scout organizations, composed mostly of grown men, drilling throughout Manila Provinces."

New York Times says the above information was received on high authority. Publication of this was probably suppressed because of strong statement of the Secretary of War to Washington representative of New York Times.

The Secretary of War desires to know whether there is any foundation whatever for reports of this character, recently become frequent.

While the War Department was awaiting the answer of the Governor General practically every newspaper in the United States published, on December 26, the story that an outbreak had taken place in Manila on Christmas Eve.

Let me read one of these stories:

REVOLT PLOT IN THE PHILIPPINES WAS SERIOUS—10,000 FILIPINOS IN MANILA PLANNED TO ATTACK FORTS—OUTBREAKS IN THE PROVINCES.

MANILA, *December 26.*

Eight Filipinos have been arrested on the charge of sedition as a result of an abortive rising in Manila and its environs Thursday night. Further arrests are probable.

From Army sources it is learned that a general warning was sent to all officers Thursday afternoon that fully 10,000 Filipinos in Manila alone were ready for a concerted attack on Fort Santiago, the Cuartel España, the Cuartel Infantería, and the medical depot.

Military units were immediately prepared, and a street patrol was started at dusk.

Constabulary agents who are members of the secret societies disclosed the plans for an uprising, thus enabling a force of constabulary and police to disperse gatherings at Bagumbayan, Paco, and Navetas, near Malabon.

SAILORS FIGHT WITH CHAIRS.

At Caloocan a squad of American sailors seized chairs when a force of Filipinos approached a dance hall in which they were gathered and, using the chairs as weapons, routed the Filipinos, of whom quite a number were injured.

The rising was evidently poorly organized and lacked leaders. It was composed mostly of persons implicitly trusting Artemio Ricarte, a revolutionary, who conducts a continual propaganda from Hongkong, to which he was banished by the American authorities some time ago.

Ricarte, it is said, advised that the anti-American attempt be made on Christmas Eve, when American officers would be celebrating the holiday.

Reports from the Provinces tell of minor risings and occasional violence, but details are lacking.

SITUATION WELL UNDER CONTROL.

The situation to-day, from all appearances, and according to official statements, is well under control.

In more or less the same language this story was printed in many newspapers and was apparently taken very seriously by many editors, since it called forth editorials pointing out the unwisdom of enacting at this time any measure granting more self-government to the Filipinos and looking toward independence. This result is exactly what the authors of these dispatches have been trying to accomplish. In order to influence American public opinion against any liberal legislation for the Philippines they told of uprisings said to be probable if such legislation should be written into the statute books; then, of a plot of scout soldiers, of the arming of civilians by military authorities, and finally of an actual general revolt said to have occurred on Christmas Eve.

I have already demonstrated that both the civil government and the Army headquarters have denied that any plot on the part of the scouts has been discovered, and that there had been any arming of civilians. Let me now analyze the character of this general outbreak, as disclosed by the story itself as I have read it. The dispatch says that "fully 10,000 Filipinos in Manila alone were ready for a concerted attack on Fort Santiago, the Cuartel de España, the Cuartel de Infantería, and the medical depot." This sounds like a very serious uprising, does it not? Ten thousand Filipinos ready for a concerted attack on all the garrisons at Manila! And yet note the statement of the paragraph immediately preceding, which says: "Eight Filipinos have been arrested on the charge of sedition as a result of an abortive rising in Manila and its environs Thursday night." Eight Filipinos arrested! What became of the remaining 9,992 rebels? Does not the arrest of eight men point rather to some infraction of a municipal ordinance—a common occurrence anywhere, especially on Christmas Eve—than to a general rebellion?

Let us examine another paragraph:

At Caloocan a squad of American sailors seized chairs when a force of Filipinos approached a dance hall in which they were gathered, and using the chairs as weapons routed the Filipinos, of whom quite a number were injured.

Mr. Chairman, how it is possible for any man with common sense to give serious credence to such news of revolt as this is beyond my comprehension. Think of it! Rebels picking out as their point of attack a dance hall and are met and repulsed with chairs by the dancers. The whole thing should be considered a joke, were it not for the serious consequences that stories of this kind might sooner or later bring about, unless the originators be unmasked. Do the writers of these stories realize that what they say is a reflection upon the Government of the United States? What has become of your work in the Philippines, proclaimed as altogether good, if after 15 years of American administration you are likely almost any day to be confronted with a revolt there? [Applause.]

The CHAIRMAN. The time of the gentleman has expired.

Mr. MOON. Does the gentleman want more time?

Mr. QUEZON. Yes; if I could have more I should appreciate it very much.

The CHAIRMAN. How much more time does the gentleman yield?

Mr. MOON. I yield the gentleman five minutes.

The CHAIRMAN. The gentleman from the Philippine Islands is recognized for five minutes more.

Mr. QUEZON. What has become of your police organization said to be so magnificent? What has become of the proclaimed beneficence of your Government in the Philippine Islands if it does not at least serve to establish there an orderly government?

Mr. Chairman, the Governor General, after these stories had been published, responded to the cablegram of inquiry from the War Department as follows:

Referring to telegram from your office of the 24th instant, Army headquarters state there is absolutely no truth in the reports about Corregidor, Carabao, and Fraile alleged occurrences.

On Christmas eve there was a small and unsuccessful movement in Manila, connected with the Ricarte campaign. Ricarte has for several years conducted from Hongkong revolutionary propaganda, appealing to the most ignorant classes of Filipinos, and selling through his agents in the islands commissions in his so-called army for sums from a peseta to 10 pesos. During the past three months five of the Ricarte leaders have been arrested and sentenced to four and six years, including Ricarte's right-hand man. It has been regarded as a grafting scheme under a revolutionary guise, but from time to time arouses excitement among uneducated classes.

Christmas eve about 75 men, extremely ignorant, without firearms, met at the Botanic Garden in Manila and were dispersed by the municipal police without disorder, except that three shots were fired into the air by police and 20 men arrested. Eight of the latter were held upon the charge of carrying concealed weapons—knives and bolos. Nobody was injured, except one man shot by a policeman later in the night in another part of the city when he attacked policeman with bolo.

Movements of similar character occurred at Navotas, 10 miles from Manila, where about 40 men assembled and endeavored unsuccessfully to loot municipal safe, taking provincial governor prisoner, who afterwards escaped uninjured. Twenty of this party captured by constabulary or municipal police.

Ten men with two firearms in Laguna de Bay attempted to make trouble last night, with no results. Everything quiet now and vigorous attempt will be made to secure leaders, chief of whom believed to be man under sentence of imprisonment for homicide who has jumped his bail. Nobody of any standing or influence is concerned in this movement.

Mr. COOPER. What is the date of that?

Mr. QUEZON. This was sent from Manila on December 27. The Governor General, I say, after reiterating his previous cable advice regarding the lack of foundation for the earlier stories about a scout plot in Corregidor and the alleged arming of civilians on the Carabao and Fraile Islands, goes on to explain what happened in Manila on Christmas eve. He says:

Christmas Eve about 75 men, extremely ignorant, without firearms, met at the Botanic Garden in Manila and were dispersed by the municipal police without disorder, except that three shots were fired in the air by the police, and 20 men were arrested. Eight of the latter held upon charge of carrying concealed weapons—knives and bolos. Nobody was injured except one man shot by a policeman later in the night in another part of the city when he attacked policeman with bolo.

It is thus seen that the "revolt" in Manila, wherein 10,000 Filipinos were to take part, according to newspaper reports, consisted, after all, in a gathering of "75 men without firearms," according to the cablegram of the Governor General. The police fired three shots into the air, and the rebels dispersed without disorder. Eight men were arrested on the charge of carrying concealed weapons.

What kind of a "revolt" is this that can be dispersed by three shots in the air, without disorder, and in which the rebels

are without arms? As to the eight arrested men who were charged with carrying concealed weapons, it must be noted that in the Philippines the police could, if they chose, put into jail the whole population of the archipelago on the charge of carrying bolos and knives, because practically all of the laboring people carry either knives or bolos as a tool. This fact is well known to everybody familiar with Filipino life, and there is no law in the Philippines prohibiting the use or carrying of knives or bolos. Who, knowing the location and nature of the Manila Botanic Garden, could believe that would-be rebels would pick out as a gathering point this open and central place, where people go for their daily walks or rides? The Botanic Garden is like the parks in the United States—a common place of resort. I have seen thousands of people in that garden without their being interfered with by the police. Why this unusual apprehension at so small a gathering? Why should the police fire shots in the air to disperse the assemblage? Evidently these rumors of uprising have been circulated to the extent of exciting the nerves of the police, and at the sight of 75 men together an officer lost his self-control, thought it was time to be ready for the worst, and started firing into the air. How ridiculous! It must be remembered, Mr. Chairman, that this deplorable incident took place on Christmas eve, when, even in the United States, the municipal police is obliged to check disturbances of public order, except that here no one thinks of revolt. But in the Philippines some one had plainly made up his mind to find a revolution, and lacking better ground for his stories took hold of these insignificant police affairs to justify his desire to show that there was a revolution. Now, a word about Ricarte, the alleged head of this conspiracy. Ricarte is in Hongkong now, not in Manila, as stated by these reports. He has been carrying on his propaganda for many years. Governors General Wright, Smith, and Forbes all knew of it. And to show that there is absolutely nothing new in this matter, let me quote a part of a cablegram sent by Gov. Gen. Wright to the Secretary of War in 1904. It is as follows:

He is now reported to be in Ilocos Norte, and having followed closely. Am satisfied that he can accomplish little. Times and Cablenews are trying to make a great sensation, and have probably sent wild telegrams to the United States, hence detailed. With the exception indicated everything wired as usual.

So the game is not new. Sensational stories of this kind have been reported in the past on the part of some people in the Philippines as handy means to accomplish certain purposes. Never, Mr. Chairman, since American occupation, have the Filipino people been so convinced of the high purposes of this Government toward them as they are now, and therefore never has there been so little discontent as there is now. As I recently said to the representative of a newspaper in this city, who asked me about this revolution, if every American soldier were taken away to-day from the Philippines, we, the Filipinos, would defend the American flag against possible invaders. [Applause.]

The policy of President Wilson, the policy of Gov. Gen. Harrison has made of every Filipino a real friend of the United States. We know that we need not despair; that our national ambitions are on the road to realization, and we are not going to do the very thing that alone would defeat it. We know only too well that a revolt on our part against the United States would mean the ruin of our country, the slaughter of defenseless and innocent men, women, and children. For these reasons, if for no others, I say, these stories of revolution are the most outrageous falsehoods that could be invented. [Applause.]

The CHAIRMAN. The time of the gentleman has expired.

Mr. STEENERSON. Mr. Chairman, I yield 10 minutes to the gentleman from Minnesota [Mr. MILLER].

Mr. MILLER. Mr. Chairman and gentlemen of the House, I find myself in many respects quite in accord with the gentleman from the Philippines [Mr. QUEZON], who has just spoken. I can indorse a great deal that he said, especially if I am permitted to add a few words. Like him, I have minimized the reports of an insurrection in the Philippine Islands. Like him, I do not believe the intelligent people in the Philippine Islands are now working for a revolution or an insurrection or in any way countenancing it. Like him, I know that anything like a revolutionary propaganda in the Philippine Islands to-day would be absolutely destructive of the best interests of the Filipinos, and many of them know it. Unlike him, however, I can not close my eyes to certain things of near moment and grave concern disclosed by these reports. But no final opinion should be formed upon the fragments of information thus far available, and I join with Señor QUEZON in eagerly awaiting that more complete information, in time sure to come, advising us of the exact nature of this insurrectionary movement, informing us of the names of the leaders and the extent of the disaffection. But without waiting for another word of information I can indorse what he said and what Gov. Gen. Harrison said, that no distinguished, leading Filipinos were implicated in the movement, and I do not for one moment believe they will be. Nevertheless we should not close our eyes to these disturbances. They are not to be cast aside with a joke and a sneer. They have a serious, mighty serious, aspect, and we must meet these facts as they are. I say this with all the sincerity I can command, having regard to the interests of the Filipinos themselves.

A sporadic insurrection in the Philippine Islands is nothing new to this season. It is nothing new to this administration or to this year. Even while I was there, but little more than a year ago, across the bay at Zambales, in the mountains, 65 men or thereabouts started an insurrection with two shotguns. They called it an insurrection. They were all rounded up and captured and taken to prison, but most of them let out, because they were simply misguided individuals; and I could only think of the time when I myself as a boy joined some neighborhood boys and ran away. We stayed away one whole night, but came back hungry in the morning. This so-called insurrection is not indicative of anything nation-wide or fundamentally of grave concern, but is indicative of the fact that certain classes of the Filipino people are very easily aroused, easily misled, and easily made to play a false part by designing leaders. Not infrequently during past years there have been seditious movements, sporadic, local, with no well-defined purpose, all of which have been easily put down and more or less smiled at, because there has been a strong, stable, protecting Government ever since the American occupation. This is not the first occurrence of late. Two months ago a Filipino servant notified his employer in Manila of a definitely planned insurrection. The papers in this country have said not a word about it. Secretary Riggs took prompt action, placed constabulary in the disaffected region, and quashed any possible revolutionary spirit before it really burst forth. The Governor General, Mr. Harrison, ordered the constabulary home peremptorily, saying the alleged uprising was a joke. Recent events disclose that Secretary Riggs was right and the Governor General was wrong. A short time ago the administrative people in the Philippine Islands were shocked when there occurred what you might call an insurrection at the Iuahig penal colony on the island of Palanan, where honor prisoners of Bilibid are grouped as colonists. There have been several of these insurrectionary ebullitions during the past few months. I think they teach an important lesson. The lesson is important to our Democratic brethren especially, but I do not suppose they will take it strongly to their hearts. After I came back from the islands, a year ago, I said on numerous occasions that there would be work for the Army of the United States and for the scouts and the constabulary in the islands within about a year unless some things were stopped. I find that what I said has come true.

It is important for us on this occasion to consider what the things were, the forces then observed, that in my opinion should have been stopped. One of the things that was notorious and that ought to have been stopped was the spreading broadcast among the people of a disrespect for the American flag. You can not call it anything else. When this administration got into full swing there was unconsciously given to the people the idea that to criticize, to belittle, to arraign, to condemn, to cry out against that which had been done by the American Government in the islands was to display good judgment and an easy way to win favor with the new authorities. I have heretofore called the attention of the House to this important fact. The inevitable result was that Filipinos lost respect for American sovereignty. This loss of respect has manifested itself in many press utterances and has now found expression in sporadic and puerile insurrection against our authority. No particular harm was done as long as the new spirit was confined to the educated, the self-reliant, and the self-contained, but all harm followed when it was utilized by renegade rascals like Ricarte, inflamed and infuriated, spreading in and utilized in a revolutionary propaganda. This man Ricarte has been carrying on this propaganda for several years—he and others like him. He was deported because he refused to recognize or obey American sovereignty. Formerly the work of this man and those of his ilk has been easily suppressed by a vigilant and efficient constabulary, who form a very effective military body. Nobody paid much attention to these little ebullitions. The men engaged in the work never got very far; they were apprehended and amputated from their beguilement of the simple-minded native into the treacherous avocation of a revolutionist. But recently, during the past year, Ricarte's men, and others engaged in the same business, have been very much more active, have grown vastly

bolder, have seized the anti-American feeling begotten by the policies and utterances of this administration when it was first instituted, seized hold of this wanton spirit, directed its activities, and brought forth an insurrection that really requires immediate and vigorous attention.

The other lesson taught by this incipient insurrection is more important yet. Of late in the islands all men seeking election to any political office, either important or insignificant, have been preaching independence. The people engaged in political activities have taken their cue from their leaders like Señor QUEZON and Señor Osmeña, and have vigorously promised the people to work for independence. Furthermore, these candidates for office have promised the people that when the Democratic Party secures control of the American Government Philippine independence will at once follow. Independencia immediatiste has recently been preached with redoubled vigor. It was my belief when I left the islands that real trouble would follow consequent upon this. They greatly overtrained in their independence talk. In fact, I told some of the leaders I believed trouble would follow. It would follow because they knew and I knew that the Democratic Party would not, could not grant independence to the islands during any period near at hand. Furthermore, immediate independence would be shunned like the plague by the leading, thinking Filipinos if there was real danger that it might come at once. So it seemed to me then that when the ignorant among the Filipinos, who had been so liberally fed on independence promises, found there was to be no redemption of those promises now their disappointment might not be curbed except by the use of force. That is exactly what happened. Disguise it as you will, there has been keen, bitter disappointment among many Filipinos, especially in and around Manila, over the failure of the Jones bill, now pending, to grant independence outright. The better class of Filipinos are not among them; the real able leaders of the Filipinos are not among them; they are almost devoid of leadership, hardly armed at all; but outbreaks of this character may be expected in different parts of the islands.

There is another lesson we should not overlook. We here all minimize this insurrectionary movement; and why? Because there is in the islands and over the islands to-day a strong, stable, beneficent Government, that will protect life and property, that will preserve peace—the Government of the United States. Were that Government not there, what chaos might result.

I was very glad that the gentleman from the Philippine Islands [Mr. QUEZON] to-day did not repeat what he is credited in the press as saying, that this insurrection—if you want to call it that, although I do not wish to dignify it by too vigorous a name—has been stirred up by American interests in the island hostile to Philippine independence.

Mr. QUEZON. Will the gentleman yield?

Mr. MILLER. Yes.

Mr. QUEZON. If I am credited with having said that, it is not so. I said that these reports were inspired by business men or business interests.

Mr. MILLER. I accept the gentleman's correction. Very likely what he has stated is the true statement that he gave the press. But I am glad that the gentleman did not repeat even that, because I know that he does not believe it now after the information that has been received from Gov. Gen. Harrison. Such a statement is more ridiculous and more absurd than it is to say that this is a general insurrection of all Filipinos, trying to force Philippine independence. Both are absurd. It is utterly unthinkable that any American or American business interest would encourage any such enterprise. Such a statement is a gratuitous insult to the public spirit and the loyalty, both to Filipino welfare and to the honor of America, possessed by these men in such an eminent degree. It is also utterly unthinkable that any foreign business institution or interest would engage in any such business enterprise with such a disreputable reprobate as Ricarte or people of that character and kind. Nor have these interests in any way been instrumental in circulating the reports that we have received. Let the President, or anyone, make that statement at his peril. It has no foundation, in fact, and can rest only upon conjecture. But the truth will be known. While I do not think it ever will be shown that this movement is particularly serious or consequential, yet I venture it will be found that the facts thus far published will be found short of the truth.

I do not believe that this movement should have any particular effect on the passage of the Jones bill one way or the other, excepting as to the preamble of that bill. But I do believe that it indicates that the people who are implicated, the unlettered class—for no other group of people would gather as it is indicated they did and engage in the things they did unless they were ignorant and unlettered—are easily misled. It also indicates that we should be careful as parties and as a Nation not to promise that which we can not and should not give, and that while we are in the islands, whether for a year or forever, that while American sovereignty is there, it shall have respect and loyalty from every soul it benefits and protects. [Applause on the Republican side.]

Mr. STEENERSON. Mr. Chairman, I yield five minutes to the gentleman from Michigan [Mr. CRAMTON].

Mr. CRAMTON. Mr. Chairman, there appeared in the Washington Times to-day a statement by the distinguished gentleman from Illinois [Mr. HINEBAUGH], chairman of the national congressional committee. It is a very wise and patriotic statement, and I ask to have it read in my time.

The Clerk read as follows:

HINEBAUGH IS FOR REUNION IN 1916 VOTE—SAYS BY THIS MEANS ONLY CAN REACTIONARIES BE DRIVEN OUT OF REPUBLICAN PARTY AND DEMOCRATS DEFEATED—IN STATEMENT ISSUED TO-DAY PROGRESSIVE LEADER POINTS OUT COOPERATION OF MOOSE AND RADICALS IN CONGRESS.

Advising members of the Progressive Party to unite with progressive Republicans in the 1916 campaign, to the end that the reactionary element of the Republican Party may be "cleaned out," and the continued domination of the country by the Democratic Party prevented, Chairman Hinebaugh, of the Bull Moose congressional committee, to-day gave out a statement.

Chairman Hinebaugh's statement undoubtedly will be considered by many politicians as pointing to a return to the Republican Party of the great bulk of the Bull Moose voters.

Mr. Hinebaugh does not believe that, under all the circumstances, it is for the public welfare for the Progressive Party to continue as a separate organization in the 1916 campaign.

WANTS WILSON DEFEATED.

He declares the reelection of Wilson and the Democratic Party "would not be a good thing for the country." He wants the Bull Moose voters and progressive Republicans to unite their forces, thus making the Republican Party subject to the control of the progressive Republican element and men of progressive views. He points out that Progressive Party men and progressive Republicans are practically one in their views, and can stand on the same platform.

Chairman Hinebaugh says the decision of the recent conference at Chicago to continue the Progressive organization was wise, but as to what shall be the ultimate object of that organization opinions may differ.

His statement is as follows:

"Personally I believe the Progressives who were lifelong Republicans—and 90 per cent of them were—should join with the progressive Republicans in the next fight, and clean out what is left of the reactionary element in the Republican Party, and thus compel the adoption of a progressive platform and the nomination of progressive Republican candidates to office.

CITES HIS REASONS.

"There are many substantial reasons for this view. First and foremost, the welfare of the people should be considered. The continuance of the Progressive Party as a distinct organization could have but one result, in my judgment, in the 1916 campaign, and that result would be to greatly increase the chances, if not insure the reelection, of Wilson and the Democratic Party.

"It is my judgment, based on my experience in the Sixty-third Congress, that such a result would not be a good thing for the country. Then, again, the record shows that on all matters of important legislation the Progressives and the progressive Republicans voted together, demonstrating beyond question that they think and believe alike.

"Again, the result of the recent primaries and election shows that if the Progressive voters had gone into the Republican primaries the old guard would have been defeated.

"The Progressive who left the Republican Party in 1912 can unite with the progressive Republicans and secure the results for which they both stand. Under separate organizations and divided at the polls, neither will be able to accomplish in a constructive way their ultimate objects, and the common enemy will win control of the Government.

"The rule of the minority, made possible only by a divided majority, where that majority has practically a common purpose can not result in working out the best interests of the people."

Mr. STEENERSON. Mr. Chairman, how much time have I remaining?

The CHAIRMAN. The gentleman has five minutes remaining.

Mr. STEENERSON. I yield three minutes to the gentleman from Nebraska [Mr. SLOAN].

Mr. SLOAN. Mr. Chairman, I have on several occasions addressed at the desk criticisms of the Underwood tariff law on account of discrimination against the producers of the country. I ask to have read in my time a statement by the biggest Democrat of the biggest Democratic State in this country, Gov. Colquitt, of Texas.

The Clerk read as follows:

The administration's tariff law was pledged to lower the cost of living, and it has had the contrary effect. By putting raw material on the free list and keeping the protective tariff on manufactured goods it has condemned American farms by the hundreds of thousands to peonage, and has enabled the manufacturers, getting their raw materials cheaper, to charge higher prices for their goods, which they have done.

Hides were free listed, and shoes have gone higher. This is true of virtually every single item similarly treated in the administration tariff law. The American farmer gets less for his raw materials, the American workingman pays more for the finished product, and both are robbed to further enrich the protected manufacturing trusts and combines.

Mr. STEENERSON. Mr. Chairman, I reserve the balance of my time.

Mr. MOON. How much time have I remaining, Mr. Chairman?

The CHAIRMAN. The gentleman has 19 minutes.

Mr. MOON. I yield five minutes to the gentleman from Washington [Mr. BRYAN].

Mr. BRYAN. Mr. Chairman, the gentleman from Michigan [Mr. CRAMTON] caused to be read a statement from the gentleman from Illinois [Mr. HINEBAUGH], a purely personal statement, in reference to the Progressive Party, and a possible reunion with the Republicans. That statement carries only the present view of Mr. HINEBAUGH. There are certain kinds of reunion that may possibly be on the boards. We Progressives might possibly go aboard the Republican ship under certain conditions. You know the Revolutionists went on board a British ship on a certain occasion. They did not care so much to find themselves beneath the British flag, for they went on to throw the tea that was on that vessel overboard into Boston Harbor. If it be possible for the Progressive Party members to go back into the Republican Party with ax handles and baseball bats in their hands to put out of business the old machine that dominated the party at Chicago and put Progressive men and women in charge of that ship, then the Progressives of the country might think about the matter. If the terms of surrender were satisfactory, we might accept.

It is evident from the reading of the article submitted by the gentleman from Michigan, who is himself a member of the Republican Party, that he figures that there is a reactionary element in the Republican Party that needs just that kind of treatment.

Mr. CRAMTON. Will the gentleman yield?

Mr. BRYAN. Yes.

Mr. CRAMTON. Does not the gentleman from Washington believe that that is true of all parties? And I ask the gentleman if he has not felt that there is a reactionary element in the Progressive Party also?

Mr. BRYAN. Mr. Chairman, no doubt there is some reactionary spirit in the Progressive Party and in every party in existence to-day.

Since the Hobson prohibition amendment was voted upon, however, I think the Progressive Party is more likely to maintain its integrity and to continue to be a fighting force and a triumphant force in this country than ever before. The roll call the other day and the proceedings here on this floor showed that the Democratic Party is wet from the head of the party, the President, on down; that is, President Wilson is wet on any proposition involving prohibition as a national or State-wide question, according to the citations from his pen and according to the words of Mr. HOBSON in the debate the other day. In our recent campaigns for State-wide prohibition in the States of Washington and Oregon it was President Wilson's influence for the wets that gave us the most trouble. His letters were published against us, and his portrait was posted in all the liquor centers as opposed to prohibition.

The Secretary of State, Hon. William J. Bryan, was quoted here on the floor by Mr. HENRY, of Texas, a strong administration Democrat and chairman of the Committee on Rules, as having declared against national prohibition and having voted against State prohibition in Nebraska. Mr. HENRY said he himself was opposed to prohibition nationally and locally. The able leader of the Democratic Party on this floor [Mr. UNDERWOOD] took a position against prohibition. The chairman of the Committee on Appropriations, Mr. FITZGERALD, of New York, the chairman of the Committee on Claims, Mr. POU, of North Carolina, and other leaders, including Mr. DOREMUS, of Michigan, chairman of the congressional committee of the Democratic Party, almost the entire Texas delegation, the Boston Democrats, and the Tammany Democrats of New York, all took that position plainly and clearly, and showed that the party as organized is as wet on national prohibition as it could well be.

If that is true of the Democratic Party, the record shows that the Republican Party is water-logged, or liquor-logged, on the subject.

The President of the United States who retired when Mr. Wilson took his seat, President Taft, vetoed the Webb bill, which was the plainest and fairest kind of a demand of the prohibitionists of this country for justice and the right to put the traffic out of business locally and for legislation which passed this House finally over his veto. Then the able leader of the Republican Party on this floor, Mr. MANN, of Illinois, took his position the other day against the amendment, and earnestly and vociferously fought it. The so-called Progressive Republicans, led by Mr. LENROOT, of Wisconsin, were against the amendment.

The Prohibition Party platform has only one fundamental plank in it that the Progressive Party has not, and that is national prohibition. In a few days there is going to come up the question of woman's suffrage in this House, if it is not successfully choked off, and again the Progressive Party membership in this House will go on record as it went on record on roll call on the Hobson resolution on December 22, with all except one for prohibition of the liquor traffic. The Progressive Members will go on record unanimously for equal suffrage. I believe that with prohibition added to the Progressive platform we will have a permanent force of Progressives, Prohibitionists, suffragists, and public-ownership adherents that will have more strength in this country than either of the other parties, and we have a leader who is no more afraid of the liquor traffic than he is of African lions, party bosses, or big business, and who has already gone into Ohio and Michigan and campaigned against the liquor traffic, thereby supporting Progressive platforms which declared for prohibition, and I believe we are going to whip both the old parties and carry that amendment through under the Progressive Party.

The suffrage issue will prove an important factor. The women's clubs all over the country are against the liquor traffic and most of them are for equal suffrage. Add prohibition to the Progressive Party platform and let the Prohibition and the Progressive Parties join forces with the women in the game and it would be some fight. It would be a crusade; party lines would be forgotten. Political meetings would become religious gatherings. A great revival of justice would be the result, and the majority in the House of Representatives, as shown by the roll call the other day, would be repeated when the roll was called in the electoral college. We would elect our candidates and put the liquor traffic out of business forever in this country.

The CHAIRMAN. The time of the gentleman from Washington has expired.

Mr. MOON. Mr. Chairman, I will ask the gentleman from Minnesota whether he has any desire to occupy what time remains to him?

Mr. STEENERSON. No.

Mr. MOON. We have only one more speech on this side, and the gentleman who was to make that is not present. I ask unanimous consent that the gentleman from Texas [Mr. HARDY] be allowed to place some articles in the RECORD on subjects that have been discussed here this afternoon.

The CHAIRMAN. The gentleman from Tennessee asks unanimous consent that the gentleman from Texas [Mr. HARDY] be entitled to place in the RECORD certain articles. Is there objection?

Mr. MANN. What does the gentleman mean by "articles"?

Mr. MOON. Some newspaper articles, I think. The gentleman from Texas [Mr. HARDY] went over to his office to bring them here and he wanted to read them in the debate.

Mr. MANN. I have no objection to any Member reading in the few minutes he would have in general debate whatever articles he desired, but I think we had better wait until he gets here.

Mr. MOON. Very well. I will ask that the Clerk read.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

For travel and miscellaneous expenses in the Postal Service, office of the Postmaster General, $1,000.

Mr. MOON. Mr. Chairman, at this point I ask unanimous consent that the gentleman from Texas [Mr. HARDY], who has returned, may address the House for five minutes on a subject not now under consideration.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. HARDY. Mr. Chairman, yesterday I sent the following article to the Washington Herald for publication. It has not yet been published. I will read it:

WASHINGTON, D. C., *December 27, 1914.*

On the way down to my office this morning I bought a Washington Herald. On the front page, in large letters, I read "Colquitt dons war paint; flays all Wilson's policies." At the door of the House Office Building I met an Oklahoma Democrat. "Your governor is mad," said he. "Yes," I replied; "he has for some time had Wilsonphobia." I was present at Dallas, Tex., about two years ago or more when Mr. Wilson, then Gov. Wilson, upon invitation, delivered an address at the fairgrounds. Our governor seemed to me to have the "phobia" then, and I think has had it ever since. If the crash of worlds and the end of time were at hand, Gov. Colquitt would see in it nothing but the work of President Wilson and the Democratic tariff law. Of course he is given front-page headlines by papers hostile to Democracy and may be quoted to impress the people of other States with the idea that the great Democratic State of Texas condemns the President and the present Democratic

Congress. People outside of Texas do not generally know that our governor was foaming at the mouth in just the same way when our last Democratic State convention met and most heartily indorsed the President.

The simple truth boiled down is that our governor thinks he is a great figure, and perhaps would like to go to the Senate, and he must make a big noise. Also he must catch onto some special interests. Also, to boost himself, he must be loud in his denunciation, even if the denunciation does make white black and black white, and assume that all the people are ignorant of what all the people know. All the people save perhaps our governor know that the greatest and most desperate war of all time is being now fought, involving directly half the population of the world, and that as a result of that war there is a vast surplus of our cotton beyond the demands of the market, while there is a greater demand than supply for foodstuffs, and all the world save our governor knows that this would produce low prices for cotton and high prices for foodstuffs.

Informed and intelligent persons know that hides being placed on the free list did not raise the price of shoes. Such persons know that when hides were put on the free list the duty on shoes was also absolutely taken off, and they also know that taking the duty off shoes could not have raised their price. Yet that is the inference "our governor" seeks to have his readers draw. Every leading Democrat in the South for the last 40 years has declared that the Republican tariff on corn and wheat was a fraud intended to delude the farmer into becoming a protectionist, yet "our governor," in the face of the fact that corn and wheat now sell for more than ever, and were higher even before the war in Europe than under the Payne law, says, "The American farmer gets less for his raw material." Our governor also charges the President with our low price of cotton because he allowed England to make it contraband of war. This charge is amazing, or perhaps I ought to say would be amazing if made by a sane person. Then he charges that the repeal of that part of the Panama act which exempted our coastwise vessels from payment of tolls was a weak surrender to England, and that but for that repeal hundreds of foreign-built ships would have come under our flag to get the benefit of the exemption and carried our goods—cotton—to foreign markets. Apparently he did not know that the exemption law which was repealed was only an exemption from payment of tolls for our coastwise trade in which those foreign-built ships were forbidden to engage; that our ships in the foreign trade either of export or import were never given exemption from tolls. The trouble is that so many of Mr. Colquitt's readers may know no more on this subject than he does. Then he denounces the administration for seeking to buy some ships in which our cotton might be carried to foreign markets. "Spending the taxpayers' money," he says, "buying a subsidized national shipping service." If he had been paid by the shipping combination to do it, he could have made no argument more to their liking. It is true that the administration wanted Congress to authorize the buying of ships in which to carry our goods to foreign markets under our present conditions of distress and dearth of vessels to do this carrying. It was proposed to let the Government buy ships wherever they could be bought cheapest and use them to help out our foreign transportation service for which we have practically no privately owned merchant marine flying the American flag.

If the measure had passed, these Government-owned ships could and would have carried much of our cotton to foreign markets at reasonable prices and not at $15 per bale as is being charged by the shipping combination now. Speaking of a shipment of 6,500 bales of cotton from Galveston to Bremen, the Washington Times of yesterday says editorially:

> Entirely aside from the importance of resuming the export of cotton to Germany interest attaches to this shipment because of the freight rate on it. The owners of the cotton will pay, despite that it is not a war risk, $3 per hundred pounds, whereas a year ago the charge would have been just about 10 per cent of that rate. The reason is said to be the scarcity of shipping to handle the business of the world.

"Our governor," however, is more concerned to denounce a Democratic President than to denounce the extortions of a shipping combination or to try to help our people who are charged such enormous rates. It is worth noting, but not answering, that "our governor" denounces the President's Mexican policy. We in Texas well understand that if "our governor" had had the power he would have plunged us into war with uphappy and stricken Mexico. Let those who feel with him be content. There ought to be enough war in Europe to satisfy them. "Our governor" is dissatisfied with everything the present administration has done and has not done, and to its doing or not doing he charges everything he complains of from the high price of shoes and beefsteak to the low price of cotton. He can not quite trace the revolution in Mexico or the war in Europe to the President's door, but he can do nearly as well. He can show that all ills that come to us from them come by way of the White House. After some reflection I am persuaded that the real point and purpose of "our governor" was to convince the people of Texas that had he been President we would have had no 6-cent cotton. All the rest of his denunciation was thrown in for good measure and because it chimed in with his general hostility to Wilson. Surely, if as President, he would have given us 10 or 11 cent cotton he ought to be made Senator. Meantime, being governor, he has done or tried to do nothing sensible about the matter. I do not wish to assume the rôle of "denouncer" myself, but I do wish to say that in my opinion had the governors and legislatures of the cotton-growing States gone about it in earnest to arrange to issue State bonds with which to buy the surplus of our 1914 cotton, as advocated by me in a speech at Corsicana, October 31, and then put a tax on all cotton grown in 1915 and provided for State aid by way of purchase of seed for other crops for those needing but unable to buy such seed, and in that way relieved our present cotton market of its surplus, discouraged the planting of a big cotton crop, and encouraged the planting of other crops for next year, much could and would have been done to help our people. The bond issue and buying of our present surplus cotton is now a dead issue, but it is still opportune to urge that all cotton States discourage cotton growing next year by a tax on it and encourage planting other crops by wise State aid. In 1877 Minnesota had a grasshopper plague, and in 1878 she passed a law for the borrowing of money by the State with which to buy seed grain to be furnished to her farmers who needed it at cost. I believe that almost any European Government would take similar steps under our present conditions. "Our Gov. Colquitt" has had his busy "storm-tossed" day in office and is now about to step down and out, but may I not urge our several governors and legislatures to consider the suggestion I have made.

RUFUS HARDY,
Sixth District, Texas.

DECEMBER 28.

I see the Herald of to-day, in front page, first column, parades Texas, under the leadership of Gov. Colquitt, as heading revolt against Wilson.

R. H.

Mr. Chairman, I ought not to take my seat without remarking that the Washington Post, which carried "our governor's" denunciation of Mr. Wilson, carried also, so I am told, a letter to the President from the National Manufacturers' Association demanding the repeal of the Democratic tariff law, notwithstanding "our governor" declares that by putting raw materials on the free list we have robbed the farmer and enriched the manufacturer.

Mr. MOORE. Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD by inserting in the RECORD the newspaper article written by Gov. Colquitt, of Texas, to which reference has just been made.

The CHAIRMAN. The gentleman from Pennsylvania asks unanimous consent to extend his remarks in the RECORD by inserting the address of Gov. Colquitt referred to. Is there objection?

Mr. HARDY. Mr. Chairman, I understand that has already been inserted to-day, and if it has I do not see any need for inserting it twice.

Mr. MANN. It has not been inserted. There was just a little extract of it inserted.

Mr. HARDY. I have no objection.

The CHAIRMAN. Is there objection?

There was no objection.

The Clerk read as follows:

OFFICE OF THE FIRST ASSISTANT POSTMASTER GENERAL.

For compensation to postmasters, $30,750,000.

Mr. STEENERSON. Mr. Chairman, I offer the following amendment which I send to the desk and ask to have read.

Mr. MOON. Mr. Chairman, I suggest that we had first better finish the reading of the section.

Mr. STEENERSON. Perhaps the amendment would come in just as well after the proviso.

Mr. MANN. Oh, no; it comes properly here. That is where it was before.

Mr. STEENERSON. The amendment proposes the existing law, providing pay for assistant postmasters, which is omitted.

Mr. MOON. I suggest that we first read the section, and then take the matter up. I desire to offer an amendment myself.

Mr. MANN. I think that it ought to come in here.

Mr. STEENERSON. We have not debated that proviso, and it is new legislation and made in order by this rule. I desire to offer it now.

Mr. MOON. I do not desire to object to the gentleman offering it, but I think we had better understand the way amendments are to be offered. I think the better and orderly way would be to wait until the section is read and then offer amendments. However, I shall not object.

Mr. MANN. It is in order at this point.

The CHAIRMAN. The gentleman from Minnesota offers an amendment, which the Clerk will report.

The Clerk read as follows:

After line 8, on page 5, insert the following:

"For compensation to assistant postmasters at first and second class post offices, 5, at not exceeding $4,000 each; 42, at not exceeding $3,000 each; 10, at not exceeding $2,500 each; 5, at not exceeding $2,000 each; 16, at not exceeding $1,900 each; 45, at not exceeding $1,800 each; 95, at not exceeding $1,700 each; 150, at not exceeding $1,600 each; 180, at not exceeding $1,500 each; 150, at not exceeding $1,400 each; 350, at not exceeding $1,300 each; 560, at not exceeding $1,200 each; 525, at not exceeding $1,100 each; 300, at not exceeding $1,000 each; 130, at not exceeding $900 each; 100, at not exceeding $800 each; in all, $3,200,000."

Mr. STEENERSON. Mr. Chairman, the bill as reported and as it is before us omits——

Mr. MOON. Mr. Chairman, I will ask the gentleman if his amendment is identical with existing law?

Mr. STEENERSON. It is—omits entirely to provide for the assistant postmasters and this amendment is simply the existing law proposed to be inserted in the proper place. The existing law first provides for the payment of postmasters' salaries, and then for assistant postmasters' salaries; and this bill as reported leaves out entirely assistant postmasters, upon the theory, we are told, that they are going to provide them new places under different designations, as additional superintendents of finance, superintendents of mail delivery, etc., who will perform the duties now performed by the assistant postmasters. Now, Mr. Chairman, I am opposed to that proposition. I do not believe that it is in the interest of the service. The Postal Service, above all others, requires training and experience. We all know that since the present administration came into power there has been a great many changes in the personnel of first and second class postmasters. Probably within a short time, if the hopes of ardent advocates of Democracy are fulfilled, all experienced postmasters will be retired to private life and the only trained and experienced men left at the head of affairs in the first and second class offices will be the assistant postmasters. Now, you may think that this perhaps only affects the incumbents, but in a larger sense it affects every person who has any business with the post offices. It is of the utmost importance to the people that an efficient Postal Service should be maintained. With all due respect to the present administration, I want to say right here that complaints are coming to me as a Member of the Committee on the Post Office and Post Roads as they never have come before of the service now being rendered. In some places the complaints are similar to the complaints made by the gentleman from Washington [Mr. JOHNSON], that the first and second class mail is choked out and delayed by the freight business. In other places it is the inexperience of new postmasters and of incompetent men.

Mr. SAMUEL W. SMITH. Will the gentleman yield for a question?

Mr. STEENERSON. Certainly.

Mr. SAMUEL W. SMITH. I would like to have the gentleman explain how these assistant postmasters are to be cared for, and when?

Mr. STEENERSON. I am very glad the question has been asked, because if I can understand the situation it is proposed to reappoint these assistant postmasters, provided they are acceptable to the powers that be, but if they are not acceptable they will be retired. I predict that if this measure goes through——

The CHAIRMAN. The time of the gentleman has expired.

Mr. STEENERSON. Mr. Chairman, I would ask unanimous consent that I may have five minutes more.

The CHAIRMAN. Is there objection to the request of the gentleman from Minnesota? [After a pause.] The Chair hears none.

Mr. STEENERSON. I predict that if this amendment is not adopted and the assistant postmasters not provided for that a large number of them will be retired to private life. A year ago when the appropriation bill was up it was advocated without any concealment by the leaders of the Democracy that they wanted to abolish assistant postmasters. It looked a little like spoils, and it was criticized. At that time there was an affirmative provision to do away with assistant postmasters, which the chairman and a majority of the committee inserted in the bill, but they failed to get a rule to make it in order, and then ensued that memorable dispute between the leaders of the administration and the leaders of the Democratic Party on the floor on this question. They have since agreed upon this provision, which simply means to starve them to death, and it gives the administration the right to designate perhaps some of these assistants as superintendents of mail, finance, and the opportunity will be to discharge them or to leave them out of the service entirely.

Mr. GOULDEN. Will the gentleman yield for a question?

Mr. STEENERSON. Yes.

Mr. GOULDEN. I would like to ask the gentleman what is the estimated saving in the proposition here suggested by the committee to take the place of the amendment offered by the gentleman from Minnesota? What will be the estimated saving yearly?

Mr. STEENERSON. I believe there is a little saving estimated, but the salaries of the supervisory employees provided for in the following section eat up all the proposed savings entirely, and it can not be defended on the ground of economy at all.

Mr. GOULDEN. Then, what is the purpose of making the change from the present law if it is not on the ground of economy or better service?

Mr. STEENERSON. Just one purpose, I believe, is to get offices for Democrats; that is one purpose——

Mr. GOULDEN. I can not agree with the gentleman on that.

Mr. STEENERSON. It so looks to a man up a tree.

Mr. GOULDEN. I opposed that proposition last year. I am opposed to any interference with the civil service.

Mr. STEENERSON. I know the gentleman opposed it last year, and I think it was very creditable for him to stand up here for the merit system as he did, and I hope he will vote to continue this system and appropriate money to pay the salaries of these men.

Mr. SAMUEL W. SMITH. Will the gentleman yield for one further question?

Mr. STEENERSON. Yes.

Mr. SAMUEL W. SMITH. I would like to ask the gentleman if these assistant postmasters, in order to secure the positions which the gentleman has named, will have to pass a civil-service examination again?

Mr. STEENERSON. Probably not, but they will have to be appointed and you know who makes the appointments, and I will guarantee there will not be very many Republicans appointed and you could not expect them to be. I hope that the proposition will be agreed to.

Mr. MADDEN. Mr. Chairman, I am opposed to the amendment offered by my colleague on the committee, and I want to tell the committee why. To begin with, I think the Post Office Department ought to be run as a strictly business institution. Next, every assistant postmaster in the United States is provided for in this bill in some place where he will have work to do. Now, let us take for example an assistant postmaster in a second-class office. The present compensation to assistant postmasters in second-class offices amounts to from $800 to $1,400 a year. Every one of those men, if this provision of the bill is enacted into law, will be given some kind of a supervisory place or clerkship, and the bill itself provides for them.

Mr. SWITZER. Mr. Chairman——

Mr. MADDEN. In just a moment; let me explain the bill first.

And appropriations are provided in the sections following for every assistant postmaster in the service; not, it is true, as an assistant postmaster, but in some place of equal importance.

Now, the man who is an assistant postmaster to-day and getting $800 a year may be promoted to a clerkship in the office at $1,100 a year if this bill passes as it is proposed. The man getting $1,400 a year may be promoted to a place at $1,500 a year as superintendent of finance. Or, if the condition of the office and the lack of ability of the man is such that it would not be justified, he may possibly be reduced to a place not exceeding $1,100 a year. But in the whole reorganization provision is made for every man who occupies the position of assistant postmaster now. No civil-service examination will be required to retain this man in the service—not at all. He will go as a matter of right into the working force of the office over which he now presides as assistant postmaster.

There can be no politics in an item like this. It is strictly and purely a business suggestion. It can not be said that the department is doing an injustice to anybody when, as a matter of fact, it simply recommends a measure which will recognize the necessities of the operation of the great department over which the Postmaster General presides.

Mr. COX. Will the gentleman yield for a question?

Mr. MADDEN. Yes.

Mr. COX. Is it not also one of the purposes to require the postmaster himself to become more familiar with the work?

Mr. MADDEN. I was just coming to that.

Mr. SWITZER. Will the gentleman yield?

Mr. MADDEN. Not now. When I get through with this I will answer any question connected with the work that may be asked of me.

The assistant postmaster is really the executive officer and the postmaster is merely a figurehead in many places throughout the country. The payment given to the postmaster is, in many cases, a gratuity for political favors done or expected. I am dealing with this question outside of politics. I am a Republican and I am for this proposition because I believe it is just and fair.

Mr. HAMILTON of Michigan. The postmasters work eight hours a day, do they not, now?

Mr. MADDEN. I think the recommendation of the committee, if adopted, will result in greater efficiency in the management of the Post Office Department. It will make the postmaster the executive officer of the post office instead of his assistant. It will compel him, as postmaster, to devote his time and thought to the business of the public, for which he is paid. It will give to the assistant postmaster the recognition to which his ability entitles him by placing him in a position of responsibility, and if this bill in its present form be adopted the Postmaster General or his First Assistant will see that no man is unjustly dealt with.

The CHAIRMAN. The time of the gentleman from Illinois has expired.

Mr. MADDEN. I ask unanimous consent, Mr. Chairman, for five minutes more.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. MADDEN. The pay of the assistant postmasters of the United States amounts to a little over $3,000,000 a year. The saving by the reorganization proposed only amounts to $300,000, and that may well occur by reason of the fact that the man who is now getting $800 may go up to $1,100 per annum, and the man who is getting $1,400 may possibly go down to $1,300, although he may go up to $1,500 as superintendent of mails or as superintendent of finance. It will be the duty of the postmaster, if this bill shall become law as proposed, under a regulation to be fixed by the Postmaster General, to designate either the superintendent of finance or superintendent of mails as the acting postmaster in the absence of the postmaster. This will be a permanent designation. And it is the purpose of the department and the understanding of the committee that recommended this bill that wherever an assistant postmaster is qualified and the business of the office justifies it, he shall be appointed superintendent of finance or superintendent of mails, and that he may also be designated as the acting postmaster of the office.

Now, there can be nothing more fair than this. If the recommendation of the Committee on the Post Office and Post Roads would result in the dismissal of these men from the service, I would be the last man in the House that would be for it. But it does no such thing. It not only does not dismiss them from the service, but it gives them absolute security of tenure under the civil-service law.

Mr. SAMUEL W. SMITH. Will the gentleman yield?

Mr. MADDEN. I yield now.

Mr. SAMUEL W. SMITH. I would just like to ask this one question: Does it provide for every assistant postmaster in the present office where he is serving?

Mr. MADDEN. It provides for every assistant postmaster to be cared for, and presumably in the office in which he now serves. It does not say so in the bill.

Mr. STEENERSON. It does not say anything in the bill.

Mr. MADDEN. It does say this in the bill, namely, it provides for the number of men including the assistant postmasters, and the appropriation distinctly sets forth that a certain number of men of a certain class are to be provided for and that number includes the assistant postmasters. Now, what it does is this, namely, it increases the number of men beyond a certain salary 4,010, and 2,210 of these men are assistant postmasters, and 1,800 of the 4,010 increases are to provide for the ordinary growth of the department, so that there can be no claim based upon truth or justice that any man is to be driven from the place he occupies without having an equivalent provision made for him in some other place.

The CHAIRMAN. The time of the gentleman has expired.

Mr. MOON. Mr. Chairman, I want just a moment on the question. I want to say to the committee that it is not the purpose of this bill to deprive any man of his official position. The department has the purpose to make two divisions of administration—the division of finance and the division of mails—and to fix the responsibility upon some responsible head as postmaster, and to eliminate the office of assistant postmaster as such. Yet the bill provides for superintendents of mails and superintendents of finance—positions to which these assistant postmasters will go practically at the same salary.

Now, they are not taken out of the service. They are not required even to take a civil-service examination, although they have never done that, as other employees of the department have.

Mr. GOULDEN. Mr. Chairman, will the gentleman yield there?

Mr. MOON. Yes.

Mr. GOULDEN. Who has the power of making these changes from assistant postmasters to the positions of superintendent of finance and the superintendent of mails?

Mr. MOON. The Postmaster General has the ultimate control of it, as a matter of course.

Mr. SWITZER. Mr. Chairman, will the gentleman yield for a question?

Mr. MOON. Yes.

Mr. SWITZER. What assurance is given that the assistant postmasters, who are let out by reason of no appropriation, will be reappointed to any of these positions known as superintendent of finance or superintendent of mails?

Mr. MOON. It is only that assurance that you can have in the faith and confidence and honesty of the administration of a public officer. You could not have it under any other commission.

Mr. HUMPHREY of Washington. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. Does the gentleman yield?

Mr. MOON. No; not now. Let me go through with what I want to say, and then I will yield.

Now, a good many gentlemen think that the third-class offices, which are most numerous, are going to be seriously affected by this proposed change of grade and salary of postmasters. Well, this law does not touch third-class post offices at all. The table furnished by the department here shows that they are not even touched in any respect. In the second-class post offices—and I am discussing these postmasters' salaries in connection with it now—where the receipts are $40,000 the salary is $3,000 under the old plan. That is a first-class officer, and it is $3,000 in the new class. In the next four grades, $3,100, $3,200, $3,300, and $3,400, they are simply dropped, and the salary where the amount is between $40,000 and $60,000 of receipts is fixed at $3,000, and then where the amount of receipts is $160,000 the salary goes to $3,500. Then in the next higher grade, when receipts reach $340,000, the salary is $4,000 in the old plan, just as it is in the new. The material changes are in the larger offices that run between $1,000,000 and $13,000,000 of receipts.

Now, on the question of assistant postmasters, the department thinks it very proper and advisable that the office of assistant postmaster, as such, be not appropriated for. You know that under the general law that does not take that officer out of the classified service. It leaves him there to perform the supervisory duties that he now has the right to do under the classified service, but it fixes the responsibility in the postmaster and does not give a dual administration of the office in that respect. I do not know that I can do any better in explanation of this matter than to read what First Assistant Postmaster General Roper says.

The CHAIRMAN. The time of the gentleman from Tennessee has expired.

Mr. MOON. I move to strike out the last word, Mr. Chairman.

The CHAIRMAN. The gentleman from Tennessee moves to strike out the last word.

Mr. MOON. I read:

In enforcing the Postmaster General's requirement that every postmaster shall be the working executive of his office and perform service commensurate with the salary he receives, a long step has been taken toward the eventual classification of all postmasters. This consideration, together with the rapid extension of the two-division plan of post-office organization, forcibly suggests the desirability of abolishing the position of assistant postmaster. At the present time, under the regulations, every postmaster is required to appoint an assistant. At first-class offices the salary of the assistant postmaster is fixed by law at not exceeding 50 per cent of the salary of the postmaster, graded in even hundreds of dollars from $1,500 up to $4,000, and at second-class offices the salaries are fixed at various sums, graded in even hundreds of dollars from $800 up to 50 per cent of the salary of the postmaster. At offices of the third class where the salary of the postmaster is $1,800 or $1,900 a year, assistant postmasters may be appointed at a salary of $600 per annum. In offices below the first class postmasters are not in need of supervisory assistance, and as assistant postmasters in these offices usually perform only clerical duties their official designation should be changed accordingly. It is the intention of the department to reorganize all first-class post offices on the "two-division" plan outlined previously in this report, which eliminates the need for assistant

postmasters. It is believed that in the interest of a more efficient and economical administration of the service the position of assistant postmaster should be abolished, that each first-class office should be provided with a superintendent of finance and a superintendent of mails, one of whom should act as postmaster in the absence of that official, and that at offices of the second, third, and fourth classes one of the clerks should be designated as a chief clerk and act in the absence of the postmaster.

With a view to effecting this important reform, this bureau in its estimates for 1916 has provided for all the clerical and supervisory assistance necessary, but has made no provision for the position of assistant postmaster. The proposal, however, does not contemplate the separation from the service of trained and efficient assistant postmasters, but to place and utilize them in the service to better advantage than heretofore.

Now, this is a plan for the reorganization of the department. There will be considerable saving effected by it. This question was asked of the First Assistant Postmaster General:

In case the committee should not decide to follow the recommendation of the department by abolishing the assistant postmasters, then state what appropriation you would recommend under the present system for the next fiscal year?

The answer was this:

For 1916 we estimated that the total amount would be $3,350,000.

Now, there is a pure matter of business. I do not want the House to misunderstand me as saying that the abolition of these offices would save that much money, perhaps, but inasmuch as those officials are retained as supervisory officials in the positions of superintendent of finance and superintendent of mails, the same salary would attach to those offices that now attaches to the office of assistant, except in some of the higher places of supervisory positions, and the net saving to the Government would be only about $300,000.

Now, there is an advantage in the plan beyond the amount to be saved. I know that gentlemen feel that they do not want a change of plan. They are conservative and do not want this reorganization. But, gentlemen, you can not administer this great department without leaving to the department heads and officials down there the discretion to administer it on business plans. I understand, too, that it is just as well to touch on that question openly and candidly. A good many gentlemen think that because a large majority of these assistant postmasters are Republicans they will be removed. But you are absolutely safe against such a conclusion under the existing law. If the department wanted to put these Republicans out, you know they could find a way to do it. When you were in power you did not have a bit of trouble to do that, and they do not have any trouble down there now when they want it done. It is only a question of expediency and a matter of consideration.

The CHAIRMAN. The time of the gentleman from Tennessee has again expired.

Mr. MOON. Mr. Chairman, I ask unanimous consent for five minutes more.

The CHAIRMAN. Is there objection to the gentleman's request?

There was no objection.

Mr. HAMILTON of Michigan. Mr. Chairman, will the gentleman permit me to ask him a question?

Mr. MOON. Yes; I will answer the question the gentleman asks me.

Mr. HAMILTON of Michigan. I was going to inquire of the gentleman from Tennessee if this was not one of the ways by which the assistant postmasters could be removed under this administration? The gentleman stated it could be done.

Mr. MOON. I think, under the law, it can be done without any change of law at all. Under the law it can now be done. You have got to trust this administration in order to secure the best results, and if you have in office a man under the civil-service law, no matter what the politics of such a man is, you can not turn him out unless he has done something that justifies you in turning him out, and you turn him out, after examination, as the result of a report.

Mr. HAMILTON of Michigan. Well, your examination of fourth-class postmasters, for illustration, was one way of getting rid of them.

Mr. MOON. I do not think we got rid of them.

Mr. HAMILTON of Michigan. You got rid of a good many of them.

Mr. MOON. I am complaining very much personally, so far as my district is concerned, that the department down here give me a Republican every chance they can. They do it because they think the Republican is competent and fit for the place. I do not think they exercise a very wise discretion about it, but that is what they do.

Mr. HAMILTON of Michigan. In the first place, this bill abolishes the position of assistant postmaster.

Mr. MOON. Yes; and provides for the two-division plan, which is a new proposition.

Mr. HAMILTON of Michigan. That leaves the assistant postmasters who are now in the service without a job, does it not?

Mr. MOON. No, sir; it does not.

Mr. HAMILTON of Michigan. Does the bill provide in any way for these assistant postmasters?

Mr. MOON. It provides for the money for the pay of these men and provides for the office of superintendent of finance and superintendent of mails, to which they can go.

Mr. HAMILTON of Michigan. But it leaves the discretion, does it not, to drop them from these positions?

Mr. MOON. It is bound to be left in the discretion of the department. We can not say here that these men shall slide into one office out of another.

Mr. HAMILTON of Michigan. We would like to say that, of course.

Mr. MOON. I know you would like to put into this bill the provision that nobody but a Republican shall hold the office of assistant postmaster.

Mr. HAMILTON of Michigan. No. I should like to see the assistant postmaster assured of a place.

Mr. MOON. The supervisory service is fully protected in the creation of these two positions. The only question is whether this House is going to permit the department to adopt this plan, by which a more efficient service can be given to the country, and by which the postmaster may be made responsible as the head, without dividing the responsibility with the assistant under the law and with a reduction of expense.

Mr. SAMUEL W. SMITH. Will the gentleman permit a question?

Mr. MOON. Certainly.

Mr. SAMUEL W. SMITH. Would you object to an amendment stating that these places that you speak of that are provided in the bill shall be filled by these assistant postmasters, so as to make it clear and certain that these places shall be so filled?

Mr. MOON. I do not want the gentleman to misunderstand me, as I am afraid, from his question, he does. I did not say that every one of these places was going to be filled by an assistant postmaster.

Mr. SAMUEL W. SMITH. That is the trouble.

Mr. MOON. I said the postmaster would have the right to determine who should fill the place, and that he would take the man best fitted for it, and that usually the assistant postmaster would be the best man. I have no doubt that in some places the assistant postmaster will not be the superintendent of finance or the superintendent of mails, but in the vast majority of post offices, on account of the knowledge which the assistant postmaster has of the service, I have not the slightest doubt that he will be appointed.

Mr. MADDEN. But he will get some place.

Mr. MOON. He is bound to get some place in the service, and he can not be demoted below his proper place.

Mr. STEENERSON. What authority has the gentleman for that statement?

Mr. HAMILTON of Michigan. Would it not be possible to send the assistant postmaster away from his home into some branch of the service entirely out of his environment?

Mr. MOON. I do not think there need be any change in the law to do that. They remove them now.

Mr. HAMILTON of Michigan. They could do it, but they are not doing it; but it would be possible to do that under this provision?

Mr. MOON. It can be done right now. There need not be any change in the law.

Mr. BROWNING. Mr. Chairman, I trust that the amendment offered by the gentleman from Minnesota [Mr. STEENERSON] will be adopted. In 1889 I had the honor to be appointed postmaster of the city of Camden, N. J., by President Harrison, and I want to say that I was no "figurehead" postmaster. I took charge of my office. I found, however, that a good assistant postmaster was a great help to me.

The assistant postmaster of a post office is under very heavy bond. He has charge of all the stock that is in that office, and he has practically the running of the office itself; and by that I mean the management of the office force. When you abolish his place and appoint him to another position are you going to reduce his bond and his duties as well as his salary? Because if that is to be done probably there will not be so much opposition on the part of the assistant postmasters.

In the absence of the postmaster, even if he only wishes to go away for a day at a time, or when his vacation time comes,

the assistant postmaster can always take his place. I think the position of assistant postmaster should not be abolished. I think it is too important to be done away with. The assistant postmaster of my city said to me on Saturday last, when I was in the post office, "I have spent 20 hours a day in this office for the past five days." The postmaster there is not a figurehead. He is a recent appointee and a Democrat, appointed by the present administration, and he assumes the charge of his office. It is not a sinecure with him. He is there continuously attending to business; and yet, without the assistant postmaster, I am sure he would find it very difficult to run his office at anything like its present high standard. I think it is a great mistake to abolish this position and to appoint the assistant postmaster superintendent of finance or superintendent of mails and to say that he will really have the position of assistant postmaster. The plan would not work out satisfactorily; it is not consistent.

In most offices—I know it is true of the Camden, N. J., office—there is right now a superintendent of finance and also a superintendent of mails; so when the position of assistant postmaster is abolished the incumbents will not be appointed either superintendent of finance or superintendent of mails, as there will be a vacancy in neither of those positions. In my opinion, this is a well worked out plan to oust from civil-service positions such of these loyal and efficient assistant postmasters as happen to be Republicans.

Mr. Chairman, I trust the amendment of the gentleman from Minnesota will be adopted.

Mr. HUMPHREY of Washington. Mr. Chairman, I have been listening to this discussion for some time, and about as nearly as I can make out from the information we have received so far it is a change of name, but will not save the Government any considerable sum of money.

Now, in spite of all the talk that has been made on both sides of this aisle, it is perfectly apparent that the purpose is to get rid of these assistant postmasters, and that is all there is to the proposition, unless they happen to meet the approval of the powers that be. It is a proposal to remove them for political purposes. I am not now objecting to your doing that if you want to, but why not be fair and frank about it? What is the use of playing the hypocrite? You are not deceiving anybody on either side of the aisle by this performance.

Mr. MOON. I want to ask the gentleman what he means by that. I do not understand him?

Mr. HUMPHREY of Washington. I mean this, and I hope the gentleman can understand it. I mean that when you make a pretense that there is no politics in this I do not think you are being frank with the House. That is what I mean.

Mr. MOON. I have not attempted any pretense or to mislead the gentleman.

Mr. HUMPHREY of Washington. I know you have not, and I honor the gentleman for it. It has been my province to know the gentleman well, to serve on a great committee with him, and I never knew the gentleman to be guilty of any false pretense.

Mr. MOON. I have stated the facts as I understand them and stated the facts as the department says they are, and I have stated, too, that in my judgment it was impossible to make a change.

Mr. HUMPHREY of Washington. The gentleman from Tennessee will not say that this will not result in the assistant postmasters being removed for political reasons.

Mr. MOON. Demoted, you mean?

Mr. HUMPHREY of Washington. Demoted and removed.

Mr. MOON. I think it will be done in some instances, and I say that it can be done now without this law.

Mr. HUMPHREY of Washington. The motive is to make it easier to do so and to remove the assistant postmasters under the pretense of economy.

Mr. MOON. No; no pretense of economy; the economy is demonstrated.

Mr. HUMPHREY of Washington. It has not been demonstrated.

Mr. MOON. I do not want the gentleman to misunderstand me, because if I had my way I would wipe out the 2,500 Republican assistant postmasters and put in 2,500 Democrats. [Laughter and applause on the Democratic side.]

Mr. HUMPHREY of Washington. I honor the gentleman for his honesty, but I do not want gentlemen to pretend differently. That is the way the chairman of the committee feels, but some other gentlemen who are not quite so sure of their political ground try to deny it. That is what I am complaining about. I want you gentlemen to be frank and tell the truth and stop this hypocrisy, when the real object is to get rid of the assistant postmasters. If you intend to do this, say so.

Mr. MADDEN. Will the gentleman yield?

Mr. HUMPHREY of Washington. Yes.

Mr. MADDEN. I want to say to the gentleman from Washington, for whom I have the highest regard and whom I honor as much as any Member of the House, that as a member of the committee, having given careful consideration to every question connected with this, it is my honest opinion that there is no attempt or desire to displace the assistant postmasters, except by taking away the title and transferring them to some other place in the department where they will be more useful than ornamental in the position that they occupy now.

Mr. HUMPHREY of Washington. Will the gentleman show me any specific provision in the bill that will retain the assistant postmasters?

Mr. MADDEN. There is no specific provision that will do that; but if the gentleman will allow me——

Mr. HUMPHREY of Washington. The gentleman is answering in my time.

Mr. MADDEN. Well, the gentleman has no right to ask me a question and not let me answer.

Mr. HUMPHREY of Washington. The gentleman has answered it.

Mr. MADDEN. But I did not complete my answer.

The CHAIRMAN. The time of the gentleman from Washington has expired.

Mr. HUMPHREY of Washington. Mr. Chairman, I ask for five minutes more.

The CHAIRMAN. The gentleman from Washington [Mr. HUMPHREY] asks that his time be extended five minutes. Is there objection?

There was no objection.

Mr. MADDEN. I desire to say in answer to my friend——

Mr. HUMPHREY of Washington. Will the gentleman permit me?

Mr. MADDEN. But I want to answer the gentleman's question.

Mr. HUMPHREY of Washington. Well, proceed briefly.

Mr. MADDEN. If the gentleman asks me a question and insists on an answer, he must let me answer it in my own way.

Mr. HUMPHREY of Washington. I will let the gentleman answer it, but I do not have to let him answer it in his own way in my time; he is mistaken about that. However, I will yield to the gentleman to answer briefly.

Mr. MADDEN. Mr. Chairman, there is nothing on the face of the bill that indicates that these men who are assistant postmasters will be transferred except in the enumeration of the number of men required in the various grades in the clerical force of the department, the number now engaged as assistant postmasters are included, for example——

Mr. HUMPHREY of Washington. Mr. Chairman, I do not want the gentleman to go any further; he went over that a while ago, and I heard the whole of it. I want to ask this question: Has the gentleman any objection to a specific amendment providing that these assistant postmasters shall not be dismissed except under the civil-service rules? He can answer that "yes" or "no."

Mr. MADDEN. Oh, I will not answer it "yes" or "no."

Mr. HUMPHREY of Washington. I want to call the attention of my genial friend from Illinois to the fact that he made the statement that the postmasters of this country were practically figureheads and were appointed for political purposes. I do not want to misrepresent the gentleman——

Mr. MADDEN. The RECORD will show what I said.

Mr. HUMPHREY of Washington. I presume that this opinion arises largely from the fact that the gentleman from Illinois has never had any experience in the appointment of postmasters.

Mr. MADDEN. Thank God for that!

Mr. HUMPHREY of Washington. It has been my duty to recommend postmasters for 200 or 300 offices. I know personally every postmaster in my district where there is an assistant postmaster, and most of them do more work than any clerk in the office and more than the assistant postmaster. After 12 years here in Congress, in the last campaign, of all these many postmasters I had recommended there was not a single complaint against any one of them. The same thing can be said of the Democratic postmasters appointed in my district. What higher tribute could be paid to any class of men? They are there performing the duties well and to the general satisfaction of the public. They are not simply figureheads. The gentleman from Illinois does not know that the Government requires each postmaster to devote so much time to the duties of his office.

Mr. MADDEN. I may not know it, but I know they do not do it.

Mr. HUMPHREY of Washington. It may not be true of Chicago, but is true everywhere else in the country.

Mr. MADDEN. It is not true of Chicago either, for that is an office that it requires a genius to run.

Mr. HUMPHREY of Washington. I suppose it requires a political genius, according to the gentleman's statement.

Mr. MADDEN. No; there are no politics in the Chicago office.

Mr. HUMPHREY of Washington. The gentleman when he made that statement a while ago was a little bit prejudiced. I am afraid he was about as fair and impartial on that as he is when he says that it is not the purpose to remove assistant postmasters. The gentleman's statement about the postmasters makes me doubt his judgment on the other proposition.

The CHAIRMAN. The time of the gentleman from Washington has expired.

Mr. HOWARD. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. HOWARD. Mr. Chairman, as I understand it, the rule excluded the provisions, in line 8, relative to the salaries of assistant postmasters. I want to ask the Chair whether or not a point of order has been made against that provision in the bill?

The CHAIRMAN. No point of order has been made.

Mr. MOON. Mr. Chairman, I suggest that it is rather late for a point of order on any of this matter now.

The CHAIRMAN. The status is that the gentleman from Minnesota [Mr. STEENERSON] has offered an amendment to reinstate the assistant postmasters.

Mr. MOON. Mr. Chairman, I move that all debate be closed on this section in five minutes.

Mr. MANN. Oh, not on the section.

Mr. MOON. On the amendment.

The CHAIRMAN. The gentleman from Tennessee asks unanimous consent to close debate on the pending amendment at the expiration of five minutes. Is there objection?

Mr. STEENERSON. I object.

Mr. MANN. Let us see if we can not agree on time.

Mr. RUCKER. Mr. Chairman, I want to have two or three minutes.

Mr. MOON. Mr. Chairman, we have debated under the rule for quite a while on this, but I have no objection if other gentlemen desire to be heard.

Mr. MANN. We want 20 minutes more on this side.

Mr. MOON. Mr. Chairman, I move that all debate be closed in 20 minutes and that the other side have 15 minutes of it.

Mr. MANN. I suggest the gentleman ask unanimous consent.

Mr. MOON. How much does the gentleman want?

Mr. MANN. We wanted 20 minutes.

Mr. MOON. Can the gentleman get along with 15 minutes?

Mr. STEENERSON. Twenty minutes on this side.

Mr. MOON. Very well. Mr. Chairman, I ask unanimous consent that all debate be closed in 30 minutes, 20 minutes to be given to the other side.

The CHAIRMAN. The gentleman from Tennessee asks unanimous consent that at the expiration of 30 minutes all debate be closed on the pending amendment and all amendments thereto, and that 20 minutes be controlled by the gentleman from Minnesota [Mr. STEENERSON] and 10 minutes by the chairman of the committee, Judge MOON. Is there objection?

There was no objection.

Mr. HOWARD. Mr. Chairman, I would like to get the parliamentary inquiry which I submitted to the Chair a moment ago answered. I asked as to whether or not any point of order had been made against the provisions in this bill commencing on line 8 and whether or not it is too late to make the point of order. As I understand it, they are reading this under sections, and there are four Assistant Postmasters General, which are dealt with by sections. This is under the head of the First Assistant Postmaster General. A rule was brought in here, as I understand it, amended, excluding this from the operation of the rule, and it would be subject to a point of order, if the point of order is not too late.

Mr. STEENERSON. Mr. Chairman, I desire to say that the point of order is not too late. They have not yet read the proviso.

The CHAIRMAN. The proviso has not yet been read.

Mr. STEENERSON. Mr. Chairman, I intend to make the point of order on the proviso.

Mr. HOWARD. I wanted to know the status of it.

The CHAIRMAN. We have read only to the end of line 8, and an amendment was offered by the gentleman from Minnesota reinstating the assistant postmasters, and the committee is debating that. There has been no point of order made.

Mr. RUCKER. Mr. Chairman, the gentleman from Illinois [Mr. MADDEN] did not speak with his usual accuracy a few moments ago when he made the remarkable statement that postmasters are appointed as a reward for political services rendered or to be rendered, and that they are not expected to perform service and do not perform service. More recently, in a colloquy with a gentleman upon that side of the aisle, he said that he knew they did not perform services. The gentleman just thinks he knows, but really does not know. The fact is that under this Democratic administration the Post Office Department is getting a little bit too severe.

Mr. MADDEN. Mr. Chairman, will the gentleman yield?

Mr. RUCKER. Just for a moment.

Mr. MADDEN. I want to say that if I have said a word which reflects on anybody's integrity of purpose or upon his efficiency in the service I withdraw it now.

Mr. RUCKER. Mr. Chairman, I know the gentleman would not reflect on anyone. In my district one of the best Democrats there is holding a postmastership, and within a week or two the Post Office Department notified him that if he did not cease devoting time to running a Democratic newspaper and devote eight full hours' time to the post office he would be removed.

Mr. MADDEN. Then, as a matter of fact he had not been devoting his time to the duties of the post office.

Mr. RUCKER. Ah, but the Post Office Department requires it, and he has to do it, and he is rendering the service now.

Mr. Chairman, I was somewhat inclined to vote for the amendment offered by the gentleman from Minnesota [Mr. STEENERSON] and think I should have done so if these gentlemen had not made me believe there is some politics in this bill. They have almost convinced me that this bill provides one way to get around that infernal humbug—civil service—and get rid of a few Republicans. I am not one of those the gentleman from Washington [Mr. HUMPHREY] speaks of as being deceitful or cowardly. I am one who does not hesitate to say that I am now and have always been in favor of naming assistant postmasters and doing away with this humbuggery of civil service by which Republicans are kept in office under Democratic administration. I would get every one of them out before to-morrow night if I had the power to do it, and believing now that the language written in this bill will help get rid of some of them, if not all, I am inclined to vote against the amendment of the gentleman from Minnesota, though I was very much inclined to vote for it at first.

Mr. STEENERSON. Mr. Chairman, I yield three minutes to the gentleman from Minnesota [Mr. SMITH].

Mr. SMITH of Minnesota. Mr. Chairman, I would not inject any remarks into this discussion at this time if it were not for the fact that a good deal has been said about the uselessness of assistant postmasters or the postmaster in case the assistant were a good and active man. In the district which I represent we have had a revision of our post office such as has been had throughout this country. We have reduced it from a five-division proposition down to a two-division proposition. Now we have but a superintendent of mails and a superintendent of finance, and both of those positions are filled by men now in the service. Nearly every first-class post office throughout the country is now upon that basis, and has those places filled, which makes it apparent that the assistant postmaster would not get one of those positions. I want to say at the present time we have a Democratic postmaster and a Democratic assistant postmaster, but it was not by operation of law. The Democratic assistant postmaster was appointed on account of the death of the Republican assistant postmaster. Both the assistant postmaster and the postmaster are live, up-to-date men, giving the city as fine a service as it is possible, and the Republicans who preceded them, both the postmaster and the assistant postmaster, were the hardest worked men in our city, and they made good, and they were both necessary. And I say it is just as necessary to-day that we have in our first-class post offices an assistant postmaster as it is necessary that we should have a postmaster.

Why, gentlemen, in that city, which is of small size, of only about 350,000 people, the assistant postmaster twice a month signs in the neighborhood of 2,000 checks, besides doing hundreds of other things that the postmaster would be tied down in doing. It seems to me it would be unwise on account of the fact that it may be possible to retain a Republican assistant postmaster under a Democratic régime. Now, it is just as possible that we may retain a good Democratic assistant postmaster under a Republican régime.

The CHAIRMAN. The time of the gentleman from Minnesota has expired.

Mr. LEWIS of Maryland. Mr. Chairman, as I understand, this reform has been recommended by the Postmaster General. It is the duty of the Postmaster General—and he has an opportunity as well—to understand the details upon which he makes this recommendation. If it is our duty to understand them, for the most part, it must be said it is a duty we can not perform. A knowledge of the details of all the activities of the Government now are quite beyond the reach of any one man, and if as legislators we are able to pass upon general principles we have discharged our duty very well. I want to say that, in my opinion, from such experience as I have, that if there is any weakness in the postal institution as a working organization it is a weakness which springs from not giving it the same liberty of action that is accorded the other great industrial institutions of our country.

And this brings me to the principal recommendation of the Postmaster General, charged with the very greatest importance, not only to the postal institution but, as I believe, to all the people of the United States. I quote from his recent report:

POSTAL TELEGRAPHS AND TELEPHONES.

The Postmaster General renews the recommendation embodied in his last annual report that Congress seriously consider the question of declaring a Government monopoly over all utilities for the public transmission of intelligence, and that steps be taken as soon as practicable to incorporate into the postal establishment the telegraph and telephone systems of the country.

In that report reference was made to the anomalous condition in this country under which the telegraph and telephone utilities, being vehicles for the public transmission of intelligence, infringe upon a function reserved by the Constitution to the National Government. They inherently, as well as constitutionally, belong to the Postal Service. That it has been the policy of this Government to ultimately acquire and operate these electrical means of communication as postal facilities, as is done by all the principal nations, the United States alone excepted, is evidenced by the fact that the first telegraph line in this country was maintained and operated as a part of the Postal Service, and, further, by the act of July 24, 1866, which provided for the Government acquisition of the telegraph lines upon the payment of an appraised valuation, and again by the act of 1902, which directed the Postmaster General "to report to Congress the probable cost of connecting a telegraph and telephone system with the Postal Service by some feasible plan."

The firm conviction of the department is here reiterated that telegraph and telephone service is inevitably monopolistic and, when operated under private control, does not render the maximum of public service at the minimum cost to the whole people.

It is an interesting fact that, whereas policies of government have been advocated and some adopted, the constitutionality of which have been seriously questioned, the principle of Government ownership and control of the telegraph and telephone finds its greatest strength in the Constitution. This opinion has been shared by practically all Postmasters General of the United States, who have held that the welfare and happiness of the Nation depend upon the fullest utilization of these agencies by the people, which can only be accomplished through Government ownership.

It is therefore recommended that early action be taken by Congress looking to the accomplishment of this end.

ECONOMIC PRINCIPLES.

[Notes from 1 to 21 are given in the appendix.]

Mr. Chairman, in approaching the subject I propose to present to the House to-day, the telegraph and the telephone agencies of the country, it is appropriate, I think, that they should be treated not as mere ephemeral incidents of legislation, but with a view to those more fundamental truths which determine our actions in disposing of the most serious problems of government.

What is the relation of the public and the post office to the telegraph and the telephone, those great agencies of communication between the people, which now eclipse the postal system in the taxes levied upon national communication?

Do they differ from the post office in the function they perform; and if not, how do they differ from industrial activities consigned by general consent to private control? Is there something in their nature which distinguishes them from the farm and the retail store, some difference which reaches the dignity of a principle of classification, assigning one to the domain of postal action, while leaving farm and store to the field of competitive control?

Mr. Chairman, there is a science of political economy; it speaks with an authority, not to say with a thoroughness of analysis and breadth of view, which I could not claim. It speaks, too, with a responsible sense, a knowledge of those perplexing varieties and complexities of modern society and industry. It knows that society has never governed itself well by utilizing merely a single truth or principle, whether it be laissez faire, unqualified individualism, socialism, or communism; that society is not a one-idea or a one-fingered institution, but that it possesses aspirations and appropriate organic attributes and powers which it is its duty to utilize to promote its welfare. Now, what does it say on the subject before us, first as to the natural division defining those activities which should and those which should not, on economic and social grounds, be assigned to the control of the individual? I quote from the work of Prof. Adams, "The State and Its Relation to Industrial Action":

CLASSES OF INDUSTRY.

All industries fall into three classes, according to the relation that exists between the increment of product which results from a given increment of capital or labor. These may be termed industries of constant returns, industries of diminishing returns, and industries of increasing returns. The first two classes of industries are adequately controlled by competitive action; the third class, on the other hand, requires the superior control of State power.

FIRST CLASS—CONSTANT RETURNS.

Industries of the first class are such as demand a proportional increase in capital and labor to secure a given increase in product. That is to say, if 2x capital and labor result in 2y product, the application of 3x capital and labor would gain 3y product. The increment of return is equal to the increment of capital. All those businesses in which success depends on attention to detail and where the personal element of the laborer is brought prominently into view fall under this class. For example, the retail business of merchants is subject to the rule here stated.

e. g. Retail business: The struggle for superior success in these businesses is a struggle to depress the cost of rendering services rather than to raise the prices of services rendered.

It is not necessary for public officials to inquire if sugar is sold as low as fair dealings demand, for this business is one that admits easily of multiplication, and consequently invites competition. The step from a clerkship in a grocery to the proprietorship of a new establishment is not a difficult one to take, and for this reason we are assured that the profit of an ordinary grocer will not greatly exceed the salary which he pays his head clerk. There can, therefore, be no motive for endeavoring to apply the rule of public financiering to businesses of this sort.

SECOND CLASS—DECREASING RETURNS.

Farming: The same conclusion applies to the second class of industries, where a given increment of product calls for a proportionally greater increment of capital and labor. Assuming the same relation to exist in an established business as before, if 2x capital is required for 2y product, an additional x of capital will not produce an additional y of product, but something less. That is to say, 3x capital may produce but 2½y product. Industries of this sort are said to be subject to the law of diminishing returns, and it calls for no abstruse argument to recognize that society is quite safe in submitting such lines of industry to the control of competition. The rate of product in the new industry is greater than that in the one that is further developed, and for this reason we may rely upon individual interest to maintain a large number of separate producers. The agricultural industry is usually cited as an illustration to which the principle of diminishing returns may be said to apply, and, if we leave out of view the element of accruing rent, the conclusion which we have suggested may be applied in its most extreme form to the business of farming. There is no call for Government farming.

THIRD CLASS—INCREASING RETURNS.

The peculiarity of those industries belonging to the third class, which we now come to consider, lies in the fact that they conform to the law of increasing rather than to the law of constant or decreasing returns. The increment of product from an expanding enterprise is greater than the increment of capital and labor required to secure its expansion. Adopting the algebraic formula, as before if 2x capital give 2y product, an economic application of 3x capital will give more than 3y product. * * * The important thought in this connection is that where the law of increasing returns works with any degree of intensity the principle of free competition is powerless to exercise a healthy regulating influence. This is true, because it is easier for an established business to extend its facilities for satisfactorily meeting a new demand than for a new industry to spring into competitive existence. If this analysis of industries be accepted as correct, there can be no question as to the line which marks the duties of the State. The control of the State over industries should be coextensive with the application of the law of increasing returns in industries.

There are many other lines of business which conform to the principle of increasing returns, and for that reason come under the rule of centralized control. Such businesses are by nature monopolies. We certainly deceive ourselves in believing that competition can secure for the public fair treatment in such cases or that laws compelling competition can ever be enforced. If it is for the interest of men to combine, no law can make them compete. For all industries, therefore, which conform to the principle of increasing returns, the only question at issue is whether society shall support an irresponsible extra-legal monopoly or a monopoly established by law and managed in the interest of the public. In this latter way may the benefits of organization in the form of monopoly be secured to the people, and in no other.

Thus where we have the law of increasing returns as a cause we have monopoly as a result. How shall that monopoly be rendered of the greatest service to society? Well, that, it is said, is a question of motive in financiering:

Private financiering: The relations here set forth will present themselves more clearly to our minds if we throw into comparison the rule of public and the rule of private financiering. A private business is managed to secure a profit, and, other things being equal, the higher the price secured for any service rendered, the higher will be the profit. The rule of private financiering therefore is to maintain the price of goods or services at the highest price which has no tendency to curtail profitable business. The price of goods in this case will equal the cost of production, plus the profit to the undertaker, and the only guaranty against exorbitant rates lies in the fact that purchasers are free to choose from whom they will buy.

Public financiering: The rule of public financiering, on the other hand, conforms to an altogether different principle. It is the purpose of government to render services at the lowest price consistent with efficient service. Price equals cost. This is true, because the State, being the manager of the business, has no motive in acquiring riches. The officers of the State receive their salaries which, roughly speaking, may be said to correspond to the profit secured by the managers of private enterprises. The guaranty that price will not be more than cost of production, including salaries of officers, lies in the publicity of accounts and in all that goes to make up efficient service. In theory,

therefore, we should expect parallel results from a monopoly under control of the State and from a business privately organized directed by the principle of free competition.

The public-service motive: In institutions, as with individuals, motive is everything. The motive to serve one's self is the common motive, and to impose sufficient restraint upon its operation, when unsocial, is, stated in a broad way, the principal object of government. There is much illogical complaint in this respect against what are called "public utilities." Their owners, who have invested their money with the purpose of gain, are expected to behave differently from investors in general. Of course they do not, but why should we expect them to? Because they have a monopoly, it is argued. Well, this may impose an inferential duty, yet who will say that it can have a decisive influence upon the normal motive of the investor to gain all he can?

Where public needs and social considerations become the principal and dominating purpose, where imperative public service is the object, the world naturally has not yet found the restricted private motive adequate to the work. Let me illustrate the normal action of this motive under the rule of private financiering.

An English railway, some 60 years ago, had the question presented to it as to how to graduate its passenger rates to secure the best returns. Much as one adjusts his opera glass in the theater to obtain the clearest line of vision, these railway officers adjusted and readjusted their passenger rates. They tried rates all the way from 6 cents a mile to one-half a cent a mile, and found that as the rate was 3½ cents a mile or one-half cent a mile, the higher charge produced 6 per cent and the lower charge only 4 per cent dividends; and, acting on the private motive, or the rule of private finance, they rejected the rate which would have produced the greater public service and adopted that yielding the higher returns.

The rule of private financiering is obviously applicable to Classes I and II of the economists, while the rule of public financiering is equally applicable to Class III, to which the publicists and economists formally assign telegraphy, the telephones, expressage, and similar services. Against this view we have only the misapplication, by the superficial or interested, of the doctrine of laissez faire. Let us see what this doctrine is.

Prof. Cairnes says:

I must ask you, in the first place, to note what this doctrine of laissez faire, if it is to be taken as a scientific principle, really means. The implied assertion, as I understand it, is this: That, taking human beings as they are, in the actual state of moral and intellectual development they have reached; taking account of the physical conditions with which they are surrounded in the world; lastly, accepting the institution of private property as understood and maintained in most modern States, the promptings of self-interest will lead individuals in all that range of their conduct which has to do with their material well-being spontaneously to follow that course which is most for their own good and for the good of all. Such is the assertion with which we have now to deal, and you will see at once that it involves the two following assumptions: First, that the interest of human beings are fundamentally the same—that which is most for my interest is also most for the interest of other people—and, secondly, that individuals know their interests in the sense in which they are coincident with the interests of others, and that, in the absence of coercion, they will, in this sense, follow them.

Applied in its extreme or absolute form, Mill observes that "it excludes some of the most indispensable and unanimously recognized functions of government," and even Cairnes, far from claiming for it finality in application, cautions us thus:

Only let us remember that it is a practical rule and not a doctrine of science; a rule in the main sound, but, like most other sound practical rules, liable to numerous exceptions; above all, a rule which must never be allowed to stand in the way of a candid consideration of any promising proposal of social or industrial reform.

It is strongly pointed out by the sociologists that the misapplication of this maxim of laissez faire, and the consequent neglect of society to discharge its true functions with respect to monopolies, is charged with serious dangers.

The policy of restricting public powers within the narrowest possible limits tends to render government weak and inefficient, and a weak government placed in the midst of a society controlled by the commercial spirit will quickly become a corrupt government; this in its turn reacts upon commercial society by encouraging private corporations to adopt bold measures for gaining control of government machinery. Thus the doctrine of laissez faire overreaches itself; for the application of the rule which it lays down—

Major premise: All human interests are the same.

Minor premise: Each man knows his own interest, and if left to himself will follow it.

Conclusion: The best possible form of social relations will emerge from the unrestricted play of industrial freedom—

* * * will absolutely destroy that harmony between public and private duties essential to the best results in either domain of action. (Ibid.)

Mr. Chairman, I shall not, at this point, take the time of the House to point out the moral adduced in the last excerpt. I shall not compare the public morals of New York and Berlin in street railway history; nor of London and San Francisco in the matter of the telephone. Nor will it be necessary to point to the contrast presented by our untainted postal system, the peer of any postal organization in efficiency and honorable history.

Now, I think it plain that the doctrine of laissez faire has its true interpretation in the statement that society ought not to enter upon fields of activity where the forces of competition insure to consumers, who represent the social interest, the prevalence of competitive prices. It surely can not be applied to a monopoly, since the conditions for the play of individual freedom and struggle, predicated by the statement of the doctrine itself, are excluded in its very terms. But what is an industrial monopoly? The answer of the economist is: "An industrial monopoly may be defined as a business superior to the regulating control of competition." And what are its advantages and characteristics? Their answer is:

Provided a business admits of something like military organization; provided the details of its management have been well worked out; provided its extension to meet new demands may be accomplished by merely duplicating what already exists; and provided the social want which it supplies is widespread and constant, exclusiveness in management must lead to efficiency of management, if only men of adequate ability may be found to assume authority. Under such conditions a service may be rendered at less cost to the public than if the agents of the monopoly were broken up into competing groups. There are several reasons why this is true. The fact of an assured demand for services rendered admits of the closest calculations; the extent of the demand also allows of a minute application of the principle of division of labor; the absence of any rivalry between competing concerns precludes the necessity of expending more capital than is required for an economical performance of the service; and, what is perhaps of as much importance as any other consideration, there is no temptation to adopt speculative methods of management which lead to the covering of unnecessary losses of one period by the arbitrarily high profits of another. Thus the possibility of cheapness and efficiency seems to lie in the very nature of a monopoly. This is the beneficent principle of which mention was made, and the practical question is how to realize the benefits of this principle for society. (Prof. Adams, The State, etc.)

It is enough, sir, to add at this point that the conclusions of these authorities are much more than mere dicta. Every important country of the world—England wholly, as to the telephone only but recently—has long adopted these views. I insert later a list of them which finds the United States looking very solitary, with only Spain for respectable company. The authority of the above conclusions of science, supported by the almost unanimous examples of other countries, will be argument sufficient to most people for like postal assumption here. They will intuitively liken the telegraph and the telephone with our experience with the express companies and the parcel post, so long delayed by certain causes, and will feel that at last the age of constructive statesmanship has crossed the Atlantic and inspired a great party, suppressed for two generations, with its purposes to serve mankind. But, sir, I should be derelict to rest the argument on the authority of examples, however general and impressive, and so I must ask the patience of the House while I enter into a minute analysis of the facts which govern approach to businesslike conclusions on this subject.

ANALYSIS AND COMPARISON.

THE TELEGRAPH.

Let us briefly summarize the conclusions reached by the economists:

(a) That the store and farm are competitive, not monopolistic, in character, as shown by the circumstances that the prices are fluctuating. But the telegraph and telephone services are not truly competitive. Their prices do not tend to fluctuate. Thus they have the price characteristic of monopolies.

(b) There being no competition, the rule of private financiering obtains, if the monopoly be privately owned; the higher the price secured the higher will be the profit.

(c) Conducted with this motive—private—the utilization of the monopoly is restricted to rendering only that degree of social service consistent with maintaining such prices.

(d) Accordingly the private conduct of a monopoly is not productive of its highest utilization or greatest social service.

Social efficiency: These maxims may be illustrated in the most direct way. In the United States there was up to the eighties something of competition between rival telegraph companies, and at competing points there were 10, 15, and 20 cent rates. The inevitable law is that such interests will not compete when it is more profitable to combine. There is now a complete concentration of the Western Union and Postal Telegraph Cos. with respect to rates, and the 10, 15, and 20 cent rates have been raised to 25 cents. The result is that while street-car fares, electric-lighting charges, even the price of gas, and transportation rates have, generally, gone down with the increase of business, telegraph rates remain substantially the same as they were fixed by these companies in 1888.

In New Zealand the telegraph system is under the principle of public financiering and conducted by the post office. Since price levels there generally, as well as social and educational

conditions, resemble those of the United States, it will be permissible to compare the service there with our own. As against the minimum rate under private financiering of 25 cents in the United States, the New Zealand minimum rate is 12 cents. This illustrates the normal functioning of the telegraph monopoly as publicly and privately financiered, for both rates are equally normal in relation to their facts of ownership. By which it is meant to say that if the private financier should discover that only the lowest rates would produce the maximum of profit, and the public financier that only the highest rates would insure the most extensive public service, we should immediately have the New Zealand rate in the United States and the American rate in New Zealand.

But is it equally true that the rule of private financiering prevents the highest social service or full potential use of this particular form of monopoly? In answer I will continue the comparison with New Zealand:

Country.	Rate	Number messages for 100 population.
New Zealand (1)	$0.12	896
United States (2)	0.25 to 1.00	115

Thus, under what appears to be similar price and wage levels and social and industrial conditions, we have a telegraph institution under the rule of public financiering yielding about eight times the social service attained by private financiering.

From this experience we adduce another conclusion. The New Zealand State compares with one of our own of like extent and population. Its experience indicates a potential demand of eight telegrams per capita per annum for the United States, seven-eighths of which fails to find a permissible rate, and is thus suppressed by the relatively prohibitive tariffs under private financiering. If this be the case, the defects are economically unpardonable; for in offending against the law of normal efficiency, by an almost complete failure to perform the function, the functionary's right to control becomes forfeit. A high rate, the highest rate, of profit, even at the cost of excessive prices, society may be willing to grant as a concession to the rights of the private financier; but a radical failure to consummate its function and afford effective accommodation for the normal requirements of society is fundamental delinquency.

INADEQUACY OF EXTENSION.

It has been suggested that substantially the entire capital and current expenditures of the rival telegraph company is wasted with reference to competitive territory. The antonym of this condition is the absence of any telegraphic service at points which are unattractive to private finance. There are 64,022 post offices and branches in the United States and but 8,849 (1912) offices maintained by the telegraph companies themselves, although they treat some 22,282 railway-signal stations as telegraph offices. Converting the railway telegraph into phone signaling is reducing this rather doubtful claim for proper geographical distribution of the telegraph service, where, with the railway business having necessary precedence, the citizen's message, even where service was given, came as a third and last attention. These telegraph offices are maintained by the railways at their own expense and for their own purposes, and would be quite as available for the postal administration as they are now to the telegraph companies. They can hardly be claimed as belonging to the service rendered by the telegraph companies proper. A comparison of the service rendered under postal administration elsewhere and private financiering here may be of interest.

Country.	Number of telegraph offices to number of post offices.
Luxemburg	1 to 0.04
France	1 to 0.07
Belgium	1 to 1.0
Netherlands	1 to 1.1
New Zealand	1 to 1.2
Germany	1 to 1.1
Hungary	1 to 1.3
Sweden	1 to 1.4
Italy	1 to 1.5
Great Britain	1 to 1.7
Japan	t1 o 1.8
Switzerland	1 to 1.8
Russia	1 to 2.0
Norway	1 to 2.2
Austria	1 to 2.2
Denmark	1 to 3.0
United States [1]	1 to 7.2

[1] Commercial offices, maintained by the companies.

Two telegraph offices to three post offices, at least, elsewhere, but one to seven here.

Stated in another way, the commercial telegraph companies maintain less than one (0.8) office for 10,000 of population in the United States, while their rate averages 49 cents per message as against 16 cents in New Zealand, which maintains over 18 (18.51) telegraph offices to each 10,000 of its population. Why, sir, the nearest county seat to this Capitol is without a telegraph office. Such a statement can not be made of the postal system. When this is considered in connection with the fact that New Zealand gets a working efficiency of 3,980 telegrams per employee per annum out of its personnel—telegraph—and the American companies but 2,933, it is not difficult to see how far the private financier falls short of realizing that higher efficiency which economists declare feasible in properly financiered monopolies.

A TRAFFIC-KILLING TELEGRAPH RATE.

Mr. Chairman, the most serious exaggeration of the high cost of service per message in Western Union finance remains to be stated. It is the factor inseparable from the financiering of a private price-making monopoly. I refer to the necessarily low plant utilization practicable, measured in units of service attained, where the rates are made with a view to the maximum profit. Now, the effect of raising the price of any commodity or service is to correspondingly diminish the effective demand for it, and this principle is well exemplified for the telegraph service in an experience which I shall take the time to relate. The following statement is taken from page 26 of "Investigation of Western Union and Postal Telegraph-Cable Cos." by the Bureau of Labor:

> In this connection it is interesting to cite the case of the Chicago & Milwaukee Telegraph Co., which was organized in 1878. It began by charging a 10-cent rate for 10 words and 1 cent for each additional word between Chicago and Milwaukee. It does principally a board-of-trade business, having its office in the board of trade building in Chicago. In 1878 the Western Union cut the rate to 5 cents for 10 words, or one-half cent a word for all words between these points. The Chicago & Milwaukee Co. met the cut so far as quotations were concerned, but kept up its 10-cent rate on orders, and this rate continued for several years to board of trade members. Finally, in 1904, the Western Union raised the rate to 25 cents for all except members of the board of trade, to whom a 15-cent rate still obtains, and the smaller company raised its rate to 15 cents for 10 words and 1 cent for each additional word to all except board of trade members, to whom it gave a 10-cent rate. Later it made a 15-cent rate to all. It does not deliver messages except by telephone, and will not accept a message for delivery to other than board of trade members, unless the delivery can be made by telephone.
>
> The company reports handling an average of 354 messages a day, at an average charge of 17½ cents per message, on a rate of 15 cents for 10 words and 1 cent for each additional word. This Chicago and Milwaukee rate is perhaps the only survival of the low rates which were wiped out by the understanding between the Western Union and the Postal Telegraph Cos., referred to by Mr. A. B. Chandler, ex-president of the Postal Telegraph-Cable Co., in his testimony before the Industrial Commission, March 5, 1901 (printed in Vol. IX, p. 195), as follows:
>
> "Q. Have you any understanding or agreement with your competitors in regard to a division of business or in regard to the method of conducting business?
>
> "A. We have no agreement or understanding with the Western Union Co. with reference to any division of business. They have no interest in our company, its property, or its business, and we have no interest in theirs; but we have an understanding with them respecting rates and respecting certain methods of competition, the giving of rebates, and things of that kind, that are equivalent to paying for the obtaining of business. We aim to put an end to that form of wasteful competition.
>
> "Q. What has been the practice concerning rebates and other forms of cutting prior to this agreement?
>
> "A. Such methods had prevailed to a very large extent previous to 1888 to a very injurious extent to all concerned. At the time such understanding was had a large number of rates were reduced, long-distance rates particularly, and the very low rates—10, 15, and 20 cent rates—that had been established by the various smaller competing companies were done away with, it having been well ascertained that the more business done on that basis the worse for the doer of it."

The sequel of this episode is that the Bell system at length secured control of the Chicago & Milwaukee Telegraph Co. and substituted a 25-cent rate. I have a statement of the business done under the 15-cent rate and under the 25-cent rate:

1909. Messages at 15-cent rate	103,248
1912. Messages at 25-cent rate	57,689
1913. Messages at 25-cent rate, 6 months, January to June 30	22,018

That is, a two-thirds increase in the rate resulted in a reduction of the traffic of about one-half, and this is, of course, according to the principles laid down. It appears the company secured about 18 cents per message in 1908 and about 27½ in 1912; that the gross receipts were $18,563.92 for 1909 and $19,355.71 for 1912, and since the expenditures about equaled receipts in 1912, it is apparent that the change in rates makes the operating cost per message nearly double that of 1909.

The accounting report of this company giving the items of disbursements is referred to as a clear illustration of the high expensiveness of private as compared with postal administration. Certainly, 40 per cent of its expenses would be susceptible of elimination under postal auspices. The motive of the increase in the rate for those making it was, however, that they secured about as much revenue for half the messages as they did for the normal number of messages; and with the reduction of the service to the public by one-half they were able to dismiss two operators and two messengers, saving their salaries as profit. But the effect, none the less, was to cut the plant utilization by one-half and reduce the service to the public by an equal amount. By the same set of causes the operation cost per telegram was nearly doubled.

At this point I shall insert a table, giving the telegraph rates and the social use made of them here as compared with the postal telegraph rates, and like uses in other countries.

Minimum rates and average receipt per telegram. (12) (3).

Country.[1]	Minimum rate.	Number of words.	Each word extra.	Average receipt per telegram.
	Cents.		*Mills.*	*Cents.*
Luxemburg	6.7	10	6.7	10.1
France	9.65	10	9.6	13.3
Japan				12.6
Norway	9.65	10	13.4	19.5
Belgium	9.65	15	[2] 19.3	11.2
Netherlands	10.0	10	[2] 20.1	12.7
Sweden	6.7	5	13.4	14.2
New Zealand	12.0	12	10.0	15.7
Great Britain	12.0	12	10.0	15.1
Switzerland	[3] 6.8		4.8	13.0
Germany	11.9	10	12.0	17.2
Italy	11.6	10	9.7	
Denmark	13.0	10	13.0	16.3
Austria				21.2
Hungary				24.1
Australia	[4] 12.0	16	20.0	
Do	[5] 18.0	16	20.0	25.9
Do	[6] 24.0	16	20.0	
Russia	[3] 7.5		25.0	41.5
United States	25.0	[7] 10	20.0	
Do	30.0	10	20.0	
Do	35.0	10	20.0	
Do	40.0	10	30.0	[8] 47.9
Do	50.0	10	30.0	
Do	60.0	10	40.0	
Do	75.0	10	50.0	
Do	100.0	10	70.0	(13)

[1] This table is confined to domestic telegrams.
[2] Each 5 words extra, up to 50 words, 2 cents; 2 cents for each additional 10 words beyond 50.
[3] Basal charge; each word extra.
[4] For 15 miles.
[5] To any point within the State.
[6] To any point in Australia.
[7] Address and signature not counted.
[8] Up to 150 miles. Up to 250 miles. Up to 350 miles. Up to 450 miles. Up to 700 miles. Up to 1,500 miles. Up to 2,400 miles. Any distance in United States proper. Distances roughly approximated.

Telegrams and letters per capita.

State.	Telegrams per person.[1 2]	Letters per person.[3]	Rank in telegrams.	Rank in letters.
New Zealand	8.96	93	1	2
West Australia	6.16		2	
Queensland	3.63		3	
Middle Australia	3.61		4	
New South Wales	2.73		5	
Tasmania	2.35		6	
Victoria	2.30		7	
Great Britain	2.01	87	8	3
France	1.64	34	9	11
Norway	1.62	28	10	13
Switzerland	1.61	70	11	4
Belgium	1.26	37	12	10
United States	1.15	101	13	1
Netherlands	1.09	38	14	9
Luxemburg	.99	39	15	8
Denmark	.97	49	16	6

[1] 1912 data; see note 1.
[2] 1910 data; see note 3.
[3] Includes international service and cables, but does not include telegrams handled in transit between sending and receiving countries.

Telegrams and letters per capita—Continued.

State.	Telegrams per person.	Letters per person.	Rank in telegrams.	Rank in letters.
Germany	0.94	64	17	5
Austria	.73	45	18	7
Italy	.72	13	19	16
Sweden	.69	29	20	12
Japan	.65	23	21	14
Hungary	.64	19	22	15
Russia	.26	7	23	17

But it may be suggested that the long-distance telephone has taken the place here of the telegraph, and that if such telephone messages be added to the telegrams the disparity would disappear. This does not happen to be true, because the long-distance or interurban telephone rates being even more prohibitive than the telegraphic rates result in the same restriction of traffic. In the telephone census the long-distance message is confused with the local "toll" and local public-booth messages and the total for the country given as 340,772,803. If we regard half of these as representing local talks as estimated by a qualified authority, then the comparison, so far as the data permit comparison, is as follows:

Communications per capita.

Country.	Telegrams per 100 persons.	Interurban messages per 100 persons.[1]	Total per 100 persons.	Rank.
Denmark (private)	97	1,600	1,697	1
New Zealand	896	261	1,157	2
Luxemburg	100	891	991	3
Germany	94	651	745	4
West Australia	616	73	689	5
Middle Australia	361	112	473	6
Switzerland	135	336	471	7
Queensland	363	100	463	8
Sweden	69	328	397	9
Norway	158	233	391	10
New South Wales	273	93	366	11
Victoria	230	83	313	12
United States (private)	115	(14) 170	285	13
Great Britain	202	80	280	14
France	164	100	264	15
Netherlands	109	108	217	16

[1] Includes toll and long-distance messages.

It appears that we rank second in postal rates and first in utilization, while we rank eighteenth in the telegraph rate charged and thirteenth in resulting social service.

Having applied these economic principles as criteria to determine the social efficiency of our telegraph service, let us now apply them to determine their administrative efficiency.

ADEQUACY OF ORGANIZATION.

Mr. Chairman, I present now the elements laid down by the political economists as necessary in the working organization of a monopoly in order that its service be rendered at the lowest cost, and that society should realize the benefits of a monopoly in the class of enterprises for which that form of capital and labor is economically and socially adapted. The elements are stated to be:

(a) Unity and exclusiveness of organization.
(b) Details of management well worked out.
(c) Facility for extension by mere duplication of existing structure.
(d) A social demand for the service which is widespread and constant.
(e) Adequate ability in authority.
Results:
(f) Service at less cost than if broken into groups, because
(g) Assured demands for service admits of closest calculations.
(h) Extent of demand admits of most minute division of labor.
(i) Absence of rivalry reduces to a minimum the amount of capital and other expenditures necessary for the performance of the service.
(j) Speculative management is eliminated;
(k) And thus, with public financiering motives,
(l) The maximum of cheapness and efficiency is rendered possible.

Mr. Chairman, it is, of course, not a matter of criticism that our telegraph monopoly is lacking in a main essential—the

public-service motive. As a privately financiered organization, such a motive is against nature and should not be asked.

It is only by the employment of these factors that the highest utilization of the monopolistic institution can be attained. As we review them let us notice which kind of financiering, the privatative or the public, is most adapted to virilizing the respective factors.

(a) Unity and exclusiveness of organization: That this is a primary essential is almost a truism, admitted on all sides. The Bell Co. frankly justifies its war of capture or destruction of its rivals on this ground, and but recently in its campaign of advertising against the procedure of the Department of Justice for the enforcement of the antitrust laws declared:

We believe that the highest commercial value—

In which they mean to include the element of public service—

can only be attained by one system under one common control, and that it can not be given by independent systems unless they are controlled by agreements in effect making them a single system—and that is what the Bell system is.

Mr. Chairman, my preceding remarks have been mostly descriptive of the results under the principle of public and private financiering. Only by general analysis have they suggested, on a priori grounds, the processes of fact which cause the disappointing results where private financiering has been allowed to take the place of public financiering in the conduct of the telegraph monopolies. At this point, sir, it becomes necessary to make a painstaking investigation of the minute facts and circumstances comprising the management and workings of these agencies. If the inefficiency of our telegraph networks, as conducted in the United States, is plain, while our postal agency and competitive industries show, at least, more than the average efficiency, it may be that the particular causes of such inefficiency can be identified and brought to light. Let us take up these agencies of communication and compare their methods of operation with those of the post.

EFFICIENCY OF TELEGRAPHIC ADMINISTRATION.

Recurring now to the elements of organization essential to the highest utilization of a monopoly, for social purposes, we can dispose of the first, "unity and exclusiveness," by the mere statement that there are some 25 telegraph companies doing commercial business, and that two of them duplicate their agencies in more than half of the country. The next element, "efficiency in details of management," will require more elaborate discussion.

Mr. Chairman, the public is familiar with the high state of simplicity attained in postal administration, especially in dealing with the mail piece and safeguarding the revenues. I have had experienced telegraphers outline the processes and acts of attention devoted to the telegram under private administration of these agencies. They are as follows:

HANDLING OF COMMERCIAL MESSAGES.

THE TELEGRAPH COMPANY.

1. Figures charges on telegrams.
2. Reads each message for purpose of properly deciphering it.
3. Marks on each message "time filed."
4a. Enters each telegram on sheet "receiving clerk's record."
5. Turns in cash to local cashier.
6. Sends telegram.
7b. Puts time sent, numbers, sending and receiving operators' signals on telegram.
8c. Checks off numbers on number sheet, and initials sheet.

RECEIVING OPERATOR.

9. Receives and transcribes telegram on proper blank.
10d. Checks off number on number sheet and initials opposite the number.

DELIVERY CLERK.

11e. Makes wet copy of telegram.
12f. Puts delivery number on telegram.
13g. Makes out delivery sheet for messenger.
14h. Enters telegram on "delivery clerk's record."
15. Incloses telegram in envelope and addresses envelope.
16i. Examines delivery sheet to see telegram is properly receipted for.
17j. Collects cash from messenger to cover "collect received" telegrams.
18k. Turns in cash to local cashier.

MESSENGER BOY.

19. Delivers telegram to proper addressee.
20l. Secures receipt for telegram on delivery sheet.
21. Collects cash on "collect" telegrams.
22m. Returns delivery sheet and cash to delivery clerk.

RECEIVING OPERATOR (RELAY POINT).

23. Receives and transcribes telegram on proper blank.
24n. Checks off number on number sheet and initials sheet.

SENDING OPERATOR (RELAY POINT).

25. Sends telegram.
26o. Times telegram, etc.
27p. Checks off number sheet.

Here, then, are 27 processes, for 16 of which (the lettered ones) an argument of elimination might well be made with the introduction of the stamp and other simplified postal methods.

But whatever may be thought of the susceptibility to elimination of half of the above items, it is believed that the following, some 47 in number, all accounting processes, would give way under public management to the prepaid or postage-due stamp. We find it safe to intrust three hundred millions of postal revenue to such stamps now.

OPERATIONS IN THE ACCOUNTING DEPARTMENT.

CASHIER (LOCAL).

1. Checks up and balances "receiving clerk's record" of messages.
2. Checks up and balances "delivery clerk's record" of messages.
3. Checks up and balances money-order clerk's sent-and-received record.
4. Checks up "charge accounts," weekly or monthly bills of customers for messages.
5. Turns over above four accounts to bookkeeper.
6. Checks up receiving clerk's record, branch offices.
7. Checks up delivery clerk's record, branch offices.

BOOKKEEPER (LOCAL).

8. Records cash received, daily receiving clerk's record.
9. Records cash received, daily delivery clerk's record.
10. Records cash received, "sent" money orders record.
11. Records cash received, "received" money orders record.
12. Records cash received, receiving clerk's record, branch offices.
13. Records cash received, delivery clerk's record, branch offices.
14. Records all charge accounts.
15. Records payment of charge accounts.
16. Makes out weekly balance sheet.

CHARGE-ACCOUNT CLERK.

17. Makes out charge accounts (weekly and monthly).
18. Balance with bookkeeper.
19. Sends out bills of charge accounts.

AUDITOR'S OFFICE (LOCAL).

20. Balances with cashier "receiving clerk's" record.
21. Balances with cashier "delivery clerk's" record.
22. Balances with cashier receiving clerk's record, branch offices.
23. Balances with cashier delivery clerk's record, branch offices.
24. Checks up number sheets of main and branch offices.
25. Keeps book record of branch office receipts.
26. Inspects "sent messages" to see that they all bear number, time, and operator's signature.
27. Makes daily record of messages on forms supplied for "Sent paid," "Sent collect," "Received paid," "Received collect," for public, press, and Government accounts.
28. Statement of Government messages sent paid, for Government, for general auditor.
29. Statement of Government messages sent collect, for Government, for general auditor.
30. Statement of Government messages received paid, for Government, for general auditor.
31. Statement of Government messages received collect, for Government, for general auditor.
32. Statement of messages upon which there are other line tolls, for general auditor.
33. Makes daily check sheets for each city (amount of tolls).
34. Makes statement of "deadhead" messages.
35. Makes monthly statement of uncollected messages.
36. Sorts all messages as to cities.
37. Sorts all messages as "sent paid."
38. Sorts all messages as "received paid."
39. Sorts all messages as "sent collect."
40. Sorts all messages as "received collect."
41. Figures amount of tolls on each message.
42. Files all messages by dates.
43. Answers all check-error sheets.
44. Makes daily statement of "sent" press report (number of words and city).
45. Counts number of words in "sent" press matter.
46. Makes daily statement of "received collect" press matter.
47. Counts number of words in "received collect" press matter.

If it is objected that all these are very little things, let it be remembered that so, too, is the telegram; and that if it is to be loaded down with an accounting burden only to be compared with the accounting applied to a carload lot of freight in railway transportation, as the express companies have done with their packages, the 25-cent minimum of the railway and of the express company and the like minimum of the telegraph company becomes logical enough, even if economically indefensible for a mere electrical letter.

It is exactly accurate to say that merely affixing the stamp to the letter replaces these 47 accounting processes with the individual telegram under postal practice. That is, the postal system realizes the first great canon of a publicly financiered monopoly. Its "details of management have been well worked out."

It is not meant to criticize the fiscal management of the telegraph companies here described. There are many reasons why the conservative private financier may find it essential to employ all the processes set forth, although under postal financiering the postage-paid or postage-due stamp would safely suffice. The same phenomenon of relative rather than actual waste or inefficiency appears in the handling of the parcel by the express company when compared with the Postal Department.

LIST OF EXPRESS PROCESSES.

THE EXPRESS COMPANY.

1. Ascertains the rate to be paid. (The quotation of the parcel-post rates is nearly wholly from memory; that is, automatic.)
2. Makes out waybill.
3. Copies waybill into record of shipments "forwarded."
4. Copies same into record of shipments "received."
5. Makes statement of "shipments sent" to auditor.
6. Makes same of shipments "received."
7. Auditor checks waybills against record of "sending" agent.
8. Auditor checks same against record of "receiving" agent.
9. In case of "through" waybills previous items repeated.
10. Auditor makes division of percentages going to express company and the railway or railways.
11. In case of "through" waybills auditor makes like division of percentages between express companies and railways.

Affixing the postage stamp replaces all these processes in the post office.

If the Postal System were to copy express practice—that is, if it had to keep in view such a set of privatative relations to the shipment—the first pound parcel rate would have at least to be doubled to pay the expense. It is likely true that the telegraph companies would find it as impossible to eliminate these accounting processes as do the express companies. At the same time, the postal method finds the stamp a sufficient accountant and conservator of its revenues.

Traffic density and efficiency.

Country.	Telegrams per employee.		Telegrams per office maintained.	
	Per annum.	Per day.	Per annum.	Per day.
New Zealand (1)	3,980	10.9	4,573	12.5
United States (6)	2,933	(2) 8.0	15,114	41.4

The New Zealand postal telegraph employee gives a daily and yearly product exceeding the private employee of the United States by over 36 per cent, and this in the face of the circumstance that the traffic supply in the American office exceeded the New Zealand by 231 per cent. If the New Zealand postal employee had presented him a daily supply of telegrams as great as the American, his product might have been twice or three times as great.

The vital test, as well as the instinct, of a truly private or competitive business is its ability to cheapen the productive cost of its unit of production. An increase of supply, or gross amount of production, is one of the factors which enable it to cheapen such cost. New Zealand wage levels are as high as our own, and its postal employees are said to enjoy an eight-hour day. Its telegrams cost it for all the expenses of operation just 24 (24.32) cents, while the American telegram cost 50 (49.76) cents, without including interest or taxes in either case. (Cablegrams, included with telegrams in operative expenses. See note 2.) Although the New Zealand postal employee in the telegraphic service got an average wage of $727.11 against $662.15 here, and had to maintain 4 (3.76) miles of wire per 100 persons served, as against 2 (1.97) miles here, and 1 (1.15) miles of pole line, as against one-quarter (0.26) of a mile here, it handles the telegram under high-plant utilization at an expense just half that of the private motive in the United States.

With three times the traffic density per office the telegraph companies of the United States still do not take first place in product per employee. Here attention is called to the gross amount of idle plant implied in the small number of telegrams per employee per average day—not more than 8 messages per day. This compares with 193, the average mail pieces per day for the average postal employee, with its collection, 620 miles of railway transportation, distributions, and deliveries over the city and rural routes.

I have thus far treated the question of efficiency as related to the amount of work or product which privately financiered and public financiered monopolies secured from their employees. But I put it to the serious judgment of the House whether the question of efficiency ought to be decided on such narrow grounds. Ought not such a question include a comparison of the rates charged to the public, and consequent degree of social service?

WASTES OF DUPLICATION.

Finally we have the competition of the Western Union Telegraph and the Mackay or Postal Co. The former has 220,938 miles of pole line and the latter 66,154 miles. The Postal Telegraph Co.'s lines are largely leased telephone wires. The 1912 census gives the total telephone pole lines as 247,528 miles, and the miles of wires 1,814,196. (Note 2.) The Postal Telegraph Co. has its complementary offices maintained by itself or numerous constituent companies. Nearly all of these are stationed at points where the Western Union maintains like offices. It is almost accurate to say that if one of them were to instantly withdraw from all these points the remaining company could handle the entire business without substantial increase of men or material. At such points there is a profit for both companies, although at 50,000 points where they have no offices the Postal Department maintains its offices without profit, using the profits from the larger ones to recoup the loss. Here is a fundamental defect which private financiering can not overcome. It will exploit to the point of wasted plant and personnel at the points of profit, but naturally refuses to apply its excess revenues from such points to maintain services at nonremunerative points.

Need it be suggested that the Postal Department at all these 50,000 points has its agencies established, and that where the wires are in the neighborhood to be connected with its existing offices, no additional expense would be incurred to furnish these services to that large portion of the public now denied them? Thus the plethora of service in the cities would be removed to the towns and country to correct the entire absence of service there. The Morse operator could be employed where the traffic justified. At the fourth-class, or even third-class, office, where it did not, the automatic receiver or mechanical sender or the phone might be employed to forward the message to or from a regular office. All this with only such additional expense as the traffic at such points would make necessary in extra compensation to the postmaster. But I need not detail the complete adaptability of the Postal System to readily absorb this secondary form of communication in nearly all instances without any of the costs which now attend telegraphy, except for maintenance and the wages of its operators, linemen, messengers, and necessary technical engineers.

Mr. Chairman, it is evident that our private exploitation of the telegraph agencies of communication fail to gratify the laws of either administrative or social efficiency. Their rates are the highest, their services the lowest, and their product per unit of economic energy employed among the lowest in the world. And all these failures are according to the laws laid down by the political economists of our time.

We turn now to the postal employee. Let us see what it is he does. Obviously, in the main, it is to handle the mail piece. How well does he perform this work? Here is the record for 27 years:

Year.	Number of employees.	Estimated number of pieces mailed, including foreign matter.	Number of mail pieces per employee per annum.	Cost per average mail piece, in cents.	Cost per average mail piece, in cents, excluding assignable cost of Rural Delivery Service.
1886	122,698	3,474,000,000	28,313	1.44	.....
1887	127,288	3,495,100,000	27,458	1.49	.....
1888	134,112	3,576,100,000	26,665	1.55	.....
1889	129,295	3,860,200,000	29,855	1.58	.....
1890	153,857	4,005,408,206	26,033	1.61	.....
1891	162,855	4,369,900,352	26,833	1.63	.....
1892	171,780	4,776,575,076	27,806	1.57	.....
1893	178,018	5,021,841,056	28,209	1.57	.....
1894	183,916	4,919,090,000	26,746	1.67	.....
1895	189,671	5,134,281,200	27,069	1.64	.....
1896	194,533	5,693,719,192	29,268	1.54	.....
1897	199,846	5,781,002,143	28,927	1.57	1.57
1898	208,573	6,214,447,000	29,752	1.50	1.50
1899	215,904	6,576,310,000	30,459	1.47	1.47
1900	224,029	7,129,990,202	31,826	1.44	1.43
1901	235,327	7,424,390,329	31,549	1.48	1.46
1902	246,524	8,085,446,858	32,797	1.47	1.42
1903	256,673	8,887,467,048	34,625	1.49	1.40
1904	268,685	9,502,459,535	35,366	1.53	1.40
1905	272,034	10,187,505,889	37,449	1.56	1.36
1906	278,658	11,361,090,610	40,770	1.49	1.28
1907	278,010	12,255,666,367	44,083	1.48	1.26
1908	283,481	13,173,340,329	46,469	1.50	1.25
1909	288,036	14,004,577,271	48,620	1.49	1.25
1910	291,320	14,850,102,559	50,975	1.47	1.22
1911	291,113	16,900,552,138	58,054	1.33	1.12
1912	290,701	17,588,658,941	60,504	1.34	1.10

Mr. Chairman, during the years of that record not only have the units of service more than doubled but city and rural delivery have been added, virtually doubling the quality of the service. And not only has the quality nearly doubled, the cost of the service, as we see, has been reduced for each piece. Sir, I invite any privately financiered public-service agency to compare its record as against this. Can any telegraph or telephone company enter the lists on this showing of advancing efficiency and progress?

At this point it may be interesting to compare our postal accomplishments with that of other nations.

Number of postal-service units per postal employee.[1]

Country.	Units.	Rank.
Belgium	85,819	1
United States (1912)	60,651	2
Netherlands	53,621	3
Italy	42,947	4
Luxemburg	40,321	5
Denmark	38,930	6
Switzerland	37,562	7
Germany	37,236	8
Sweden	35,837	9
France	33,697	10
Norway	32,414	11
Austria	30,528	12
New Zealand	28,696	13
Great Britain	26,056	14
Hungary	23,025	15
Japan	21,820	16

[1] Data 1910.

Mr. Chairman, from this table it appears that Belgium is first and the United States second in postal efficiency among all the nations of the world. And if Belgium were not composed virtually of one large city with suburban surroundings I think we should really rank first.

The cost per message should decrease with the increase of the traffic, as shown with the mail piece, and another element of economy thus be added. The intent has been to show the failure to realize operative economy by merely confederating otherwise autonomous groups which, in the cases of the telegraph and telephone systems and their rate-making agreements, fail to produce the advantages or operative economy of a pure monopoly, but instead only an effective power to fix the rates most desirable to the owners.

THE TELEPHONE.

ANALYTICAL AND COMPARATIVE.

Mr. Chairman, so far I have placed under survey the telegraph agencies in relation to the postal systems of the principal countries of the world. My next duty is to apply the same standards of economic science to the telephone. In doing this I shall think it unnecessary to repeat what has already been stated of the telegraph where the matter is obviously equally applicable, nor shall I repeat the opinions of the economists whose criteria I mean to apply to telephone administration.

EFFICIENCY OF TELEPHONE MONOPOLY.

The canons of efficiency are the same for the telephone and telegraph:

(a) The social test: What is the degree of service rendered to the public?

(b) The economic: What does it cost the public?

(c) The publicist: What are the social influences?

How do these compare under private and postal financiering?

The telephone service subdivides itself into, first, the local and, second, the toll and long distance, and the statistics for each of these is twofold in character; that is to say, there are the varying rates fixed in the contracts corresponding, differing in the different cities and towns of the country, by which the patron secures a limited or an unlimited local service, or a measured, or a one or more party line service, or by which for toll or long-distance conversations the rate is graduated into day and night distinctions. Then there is the rate which is constituted from the sum of all these; that is to say, the total number of conversations, local, toll, and long distance, for a year is taken, and for each class, respectively, is divided into the receipts from that class, thus giving the average local, toll, and long-distance rates collected. This rate is called the statistical rate or average charge; the former, the tariffs paid by the patron, is called the tariff rate. I shall first present the local rates for the different countries statistically and compare them with the letter rates prevailing in each country:

Subscribers' local telephone rates.

Rank.	Country (1).	Average local phone rate.
		Mills.
1	Sakhalin, postal	4.4
2	Norway, private	4.5
3	United States, mutuals [1]	4.7
4	Japan, postal	4.8
5	Netherlands, municipal [2]	5.0
6	Netherlands, private [2]	5.0

[1] Census 1907. [2] Estimated.

Subscribers' local telephone rates—Continued.

Rank.	Country (1).	Average local phone rate.
		Mills.
7	Norway, postal	6.2
8	Manchuria, postal	6.2
9	Russia, postal	6.6
10	Bulgaria, postal	6.9
11	Formosa, postal	7.1
12	Sweden, postal	7.4
13	United States, independents	8.8
14	Chosen, postal	8.9
15	Tunis, State	9.5
16	Austria, postal	10.1
17	Denmark, private	10.5
18	Hungary, postal	10.5
19	Servia, postal	10.6
20	Queensland, postal	12.7
21	Tasmania, postal	13.1
22	West Australia, postal	13.3
23	Victoria, postal	13.9
24	Bosnia, postal	14.4
25	Germany, postal	14.6
26	Belgium, postal	16.6
27	Switzerland, postal	17.0
28	New South Wales, postal	17.3
29	United States, Bell (4)	18.6
30	France, postal	19.9
31	Middle Australia, postal	20.2

A computation of all the local calls between subscribers for all the telephone institutions reporting the data, including the American independents, shows that, including such calls of the Bell system, according to its report in 1912, there were altogether 19,572,244,474 such messages.

The Bell system secured $1.86 per 100 calls; the average for the others was but 93 cents per 100 calls. (5.)

Thus the Bell system places us twenty-ninth in line among telephone institutions, although we have the lowest letter rates in the world with the single exception of Japan, which charges 1½ cents per letter.

It will not do to say that our letter rate is too low or does not pay. It yields, in fact, a profit of about one-third. The local and other telephone rates given for the United States are for 1912, those of the Bell system embracing about two-thirds of the entire traffic. Our mutuals give a much lower rate, according to the statistics of 1907. The Bell system secures about twice the rate for its service collected by the independents, presumably giving a local service as good as the Bell's.

Let us review this 1907 American experience:

Average rate and operating expense per message.

	Rate.	Equals rate per year.	Operating expense.
Mutuals	$0.0047	$5.35	$0.0039
Independents	.0114	18.50	.0062
Bell system	.0211	42.35	.0148

The above table includes local, toll, and long distance for the independents and the Bell, whose statistics, taken from the census and the Bell report for 1907, were as follows:

	Receipts.	Expenses.	Number of messages.
Bell	$128,556,506	$87,908,000	5,977,000,000
Independents	55,227,531	29,782,964	4,829,547,057

The Bell data for 1907 are taken from its own report, while the independents' are taken from the census by deducting the Bell figures. The item of Bell receipts represents an estimate of $7,803,306 for its long-distance receipts, being double the amount of the item "Net $3,901,653 from telephone traffic." The item for maintenance and depreciation, $34,665,700, in the Bell account largely represents an element of undistributed profits which have been turned into new construction or purchase of other companies, the whole of this element for a series of years representing, according to the report of 1912, the sum of $165,000,000. This item probably largely accounts for the alleged much higher operating expense per phone of the Bell system.

It is urged by Mr. Vail, in his report for the Bell system in 1913, that:

We are opposed to Government ownership because we know that no Government-owned telephone system in the world is giving as cheap and efficient service as the American public is getting from all its telephone companies. We do not believe that our Government would be any exception to the rule.

And (12) the following table is cited in support of the declaration:

Average exchange revenue per telephone, by countries.

Austria, 1912	$24.96
Belgium, 1911	39.05
France, 1912	28.61
German Empire, 1911	22.69
Great Britain, 1912 (not including municipal systems)	32.60
Hungary, 1912	30.81
Switzerland, 1912	18.43
New Zealand, 1912	24.44
Australia, 1912	28.53
Average for foreign countries	26.82
Bell system, 1912	30.93

This method merely shifts one from the call or message to the phone as the unit of price measurement. But even so, the assertion is not sustained by the facts. The following tables are taken from official sources (1) and give the average revenue per phone from (a) local calls between subscribers and (b) the average revenue per phone from toll and long-distance messages.

Product and revenue per phone compared with Bell system.

Country.	Local subscribers calls per phone.	In per cent of Bell calls per phone.	Receipts per phone.	Per cent of Bell receipts per phone.
Tunis	393	24	$3.72	12
Norway, private	1,984	119	8.88	29
Switzerland	607	37	10.55	34
Norway, State	2,172	131	13.70	44
Sweden, State	1,842	111	13.76	44
Luxemburg, State	613	37	14.89	48
Tasmania, State	1,210	73	15.98	52
Denmark, private	2,634	158	16.21	52
Servia, State	1,592	96	16.98	55
United States, independents	2,013	121	17.64	57
Bosnia, Herzegovina, State	1,287	78	19.10	62
Sakhalin, State	4,352	262	19.25	62
Bulgaria, State	2,837	171	19.80	64
Japan, State	4,315	260	20.84	64
Germany, State	1,407	85	21.03	68
West Australia, State	1,668	100	22.19	72
New South Wales, State	1,583	95	22.58	73
France, State	1,162	70	22.97	74
Queensland, State	1,839	111	23.84	77
Austria, State	2,441	147	24.90	81
Victoria, State	1,883	113	25.47	86
Hungary, State	2,613	157	27.40	90
Formosa, State	3,919	236	28.18	91
Russia, State	4,466	269	29.72	94
Bell system	1,662	100	30.93	100
Manchuria, State	5,385	324	33.58	109
Middle Australia, State	1,672	101	34.16	110
Chosen, State	3,911	235	34.24	111
Belgium, State	3,129	190	47.15	152

Thus the Bell system ranks the highest but 4 among 29 in the gross amount collected per phone for the local service, and the highest but 2 judged by price and product, France and middle Australia alone exceeding it.

A like table for the toll and long-distance services is now submitted:

Country	Toll and interurban calls per phone.	Per cent of Bell messages per phone.	Receipts per phone.	Per cent of Bell revenue per phone.
Denmark, private	612	1,275	$3.04	33
Luxemburg, State	592	1,233	4.88	53
Germany, State	313	652	11.96	130
Tunis, State	205	427	16.46	179
Tasmania, State	176	367	11.19	121
Victoria, State	169	352	6.75	73
Norway, State	160	333	13.51	147
Bulgaria, State	150	312	17.95	195
Sakhalin, State	149	310	10.86	118
Chosen, State	144	300	9.15	99
Switzerland, State	143	298	17.55	191
France, State	143	298	12.87	140
Formosa, State	137	285	12.42	189
Sweden, State	134	279	12.20	131
Norway, private	133	279	2.38	26
Belgium, State	133	279	10.80	117
Bosnia, Herzegovina, State	108	225	14.10	153
West Australia, State	104	217	5.03	55
Russia, State	102	212	8.10	88
Japan, State	101	212	11.96	130
Manchuria, State	101	212	15.90	162
Queensland, State	94	196	11.38	124
Austria, State	76	158	10.76	117
Middle Australia, State	74	154	6.75	73
Hungary, State	64	133	$10.47	114
Bell system	48	100	9.21	100
Servia	48	100	15.92	173
United States, independents	42	87	4.20	46
New South Wales, State	39	81	5.21	57

Thus, for what it does, the Bell phone secures the highest payment; on the subscribers' local call service greater than all other 29 systems, except France and middle Australia, two belated telephone countries; on the toll and long distance greater than all 29 except Servia. That is—

Rank of Bell system, local service, in 29, twenty-seventh.

Rank in toll and long-distance service, in 29, twenty-eighth.

The fact that the independents rank at a point representing the average of other countries precludes the defense of American price levels. The Bell system, because of its great size, not to speak of its initial advantages as the patentee, and excellent management in this respect, is said to cost less per phone than either the independents or foreign systems. (12.)

An effort is made to explain the disparity by the higher American wages paid; but the rates of the independents are but half those of the Bell system, and they work under American conditions. But there is a prodigious difference between the number of employees per phone and pole line unit between the two. It is possible that much of the current expense and personnel, as in the case of many railroads in the past, is being devoted to development and construction by the Bell system, which, if true, might account for the difference.

THE TARIFFS.

The statistical charges give but a very deficient conception of the situation as to actual telephone tariffs. While there are points at which a phone may be rented on the basis of yearly tariffs of $24 for business and $18 for residence service; as a matter of fact, with the Bell system at least, the rule of 5 cents a call comes more nearly expressing the rate available to the city public. This is seen in the following examples allocated according to the density of the different centers of population.

Table giving annual tariffs, unlimited, exclusive service, for leading cities of different countries.

City.	Population.	Tariff.
Christiania	227,623	$21.44
Stockholm	351,000	24.44
The Hague	271,300	25.00
Copenhagen	608,000	32.00
Tokyo	2,168,151	34.00
Auckland, New Zealand		34.09
Amsterdam	557,614	36.00
Rotterdam	417,900	36.00
Berlin	2,320,000	43.20
Budapest	880,000	57.90
Paris	2,940,000	77.20
London [1]	7,280,000	82.79
Oakland, Cal	150,174	84.00
Chicago [2]	2,185,283	[3] 84.00
New Haven	133,605	84.00
Philadelphia	1,549,008	[3] 90.00
Seattle	237,194	90.00
Cincinnati	364,463	100.00
Boston	670,585	125.00
Denver	213,381	138.00
Washington	331,069	168.00
Baltimore [4]	558,485	174.00
San Francisco	416,912	180.00
New York [4] (17)	2,331,542	228.00

[1] See appendix for limited service rates.
[2] The Bell rate is $125.
[3] Competition.
[4] Baltimore and New York limited to 5,400 and 5,700 calls.

Note 17 covers Manhattan only. See note 17 in appendices.

Comparisons based on the flat or unlimited-service rate do not adequately present the field of traffic. While, except in small towns and for the residence service, the flat-rate business works out the lowest average charge per call, it does not reflect the degree to which a popular use of the service may be had. To measure these possibilities we must go to the limited or measured-service rates, under which the user is asked to pay in accordance to the number of calls. This comparison can not be made as simple as for the flat-rate tariffs without circumscribing, which I shall do by taking selected numbers of rates as, for example, the cost per call of the first 2,000, 5,000, and 10,000 calls for one-party business lines:

Rates per call for measured service in principal cities of the world.

Country.	Per call.		
	2,000 calls.	5,000 calls.	10,000 calls.
Switzerland, Berne	$0.0140	$0.0116	$0.0100
Covington, Ky	.0450	.0360	.0238
Belgium, Brussels	.0184	.0100	.0060
Baltimore, Md	.0500	.0336	.0312
Australia, Sydney	.0197	.0106	.0085
Washington, D. C	.0490	.0366	.0283
Italy, Rome	.0200	.0140	.0120
New Orleans, La	.0400	.0280	.0240
Austria, Vienna	.0200	.0160	.0100
Cincinnati, Ohio	.0450	.0360	.0330
Germany, Berlin	.0216	[1].0086	[1].0043
Boston, Mass	.0450	.0360	.0330
France, Paris	.0240	[1].0154	[1].0077
New York, N. Y	.0555	.0420	.0400
Denmark, private	.0294	.0197	.0171
San Francisco, Cal	.0648	.0487	.0265
Average postal telephone rate	.0197	.0123	.0085
Average American telephone rate	.0493	.0371	.0300
American rate exceeds postal (per cent)	167	200	215
American rate exceeds Australian (per cent)	150	250	250

[1] Computed on flat rates.

Postal telephone rates, like mail rates, are uniform for similar services. The following table of the same rival gives the rates of the Bell system for some 60 cities, graded from the highest to the lowest populations. The letter (c) indicates competition.

The depressing influence of competition on the rates is obvious:

Flat rates, exclusive service.

No.	City.	Population.	Rate.
1	New York, N. Y	2,331,542	[1] $228-a
2	Chicago, Ill	2,185,283	84-c
3	Philadelphia, Pa	1,549,008	90-c
4	St. Louis, Mo	687,029	78-c
5	Boston, Mass	670,585	125
6	Cleveland, Ohio	560,663	72-c
7	Baltimore, Md	558,485	174-b
8	Pittsburgh, Pa	533,905	80-c
9	Buffalo, N. Y	423,715	72-c
10	San Francisco, Cal	416,912	180
11	Cincinnati, Ohio	364,463	100
12	Washington, D. C	331,069	168
13	Los Angeles, Cal	319,198	63-c
14	Seattle, Wash	237,194	90
15	Indianapolis, Ind	233,650	54-c
16	Providence, R. I	224,326	80
17	Rochester, N. Y	218,149	48-c
18	Denver, Colo	213,381	138
19	Portland, Oreg	207,214	72-c
20	Toledo, Ohio	168,497	48-c
21	Oakland, Cal	150,174	84
22	New Haven, Conn	133,605	84
23	Memphis, Tenn	131,105	48-c
24	Scranton, Pa	129,867	42-c
25	Richmond, Va	127,628	72
26	Hartford, Conn	98,915	84
27	Trenton, N. J	96,815	36-c
28	Springfield, Mass	88,926	63
29	Wilmington, Del	87,411	46-c
30	Des Moines, Iowa	86,368	60
31	Norfolk, Va	67,452	60
32	Savannah, Ga	65,064	36
33	Portland, Me	58,571	60
34	Johnstown, Pa	55,482	30-c
35	Altoona, Pa	52,127	30-c
36	Springfield, Ill	51,678	36-c
37	Mobile, Ala	51,521	48
38	Springfield, Ohio	46,921	36-c
39	York, Pa	44,750	48
40	Sacramento, Cal	44,696	72
41	Berkeley, Cal	40,434	84
42	San Diego, Cal	39,578	48-c
43	Dubuque, Iowa	38,494	48
44	Tampa, Fla	37,782	54
45	Roanoke, Va	34,874	48
46	Jackson, Mich	31,433	30-c
47	Decatur, Ill	31,140	30-c
48	Lynchburg, Va	29,494	48
49	San Jose, Cal	28,946	60
50	Newport, R. I	27,149	60
51	Fresno, Cal	24,892	60
52	Everett, Wash	24,814	48-c
53	Burlington, Iowa	24,324	72
54	Alameda, Cal	23,383	84
55	Oswego, N. Y	23,368	36
56	Stockton, Cal	23,253	60
57	Kenosha, Wis	21,371	42
58	Winona, Minn	18,583	48
59	Helena, Mont	12,515	60-c
60	Iowa City, Iowa	10,091	63

[1] Rates recently reduced 10 per cent.

NOTE (a): Limited to 5,700 calls; Manhattan district only. NOTE (b): Limited to 5,400 calls.

Twenty-four cities, averaging 342,486 in population, pay an average rate of $53 under competition, while the remaining 36 cities, averaging 188,620 in population, without competition, pay $81. Even where competition is absent there does not appear to be any rational order of rates. Stockton, Cal., with 23,253 population, pays the same rate ($60) as Des Moines, Iowa, with 86,368, and pays twice as much as Johnstown, Pa., with 55,482 population, and only $24 less than Chicago, Ill., under competition.

Mr. Speaker, I have now to present, comparatively, the toll rate for the different countries. Except in the United States and where otherwise stated, the service is postally conducted. (7), (11).

Long-distance tariffs.

Country.	100 miles.	300 miles.	500 miles.	700 miles.
(a) Sweden	$0.08	(a) $0.13	(a) $0.20	(a) $0.27
(b) France	.10	(k) .24	(k) .36	(k) .48
(c) Italy	.19	(e) .34	(n) .38	(b) .58
(d) Belgium	.19	(b) .35	(b) .53	(g) 1.12
(e) Norway	.20	(n) .38	(m) .81	(l) 1.26
(f) Denmark	.20	(c) .38	(h) .84	
(g) Japan	.20	(g) .50	(g) .87	
(h) New Zealand	.24	(f) .54	(o) 1.50	
(i) Great Britain	.24	(m) .61		
(k) Germany	.24	(o) .62		
(l) Australia	.32	(h) .72		
(m) Austria	.38	(l) .80		
(n) Hungary	.38	(i) .84		
(o) Russia	.38			
(p) United States (Bell)	.60	(p) 1.80	(p) 3.00	(p) 4.20

NOTE.—The letters preceding the name of each country are used to identify the countries to which the rates given for 300, 500, and 700 miles belong.

Thus the Bell system gives the United States the fifteenth and last place in the scale of efficiency with respect to long-distance charges. This is a most serious circumstance for us economically and socially, in view of the American scale of distances, as may be seen in our average freight haul, which is ten times that of Great Britain, and from four to five times as long as in the other countries. This circumstance but lightly reflects our need for utilizable rates over the telephone for the scale of distances which separate the centers of communication in the United States. The Bell Telephone has an even rate of 6 mills a mile for a three-minute conversation; and a thousand miles therefore commands a Bell charge of $6 per talk. This happens to be about the same rate (7.53 mills) the railways secure for hauling a ton of freight a mile. But the railways do not make their charge arithmetically progressive. If they were to do so, their rate on the longer distances would be so high as to sweep such traffic from the rails. What they do in fact, although not in theory, is to double the charge as the distance quadruples. Thus the charge for 25 miles might be 10 cents per 100 pounds, first class; the rate for 100 miles would be 20 cents; for 400 miles, 40 cents; for 900 miles, 60 cents; the rate increasing not arithmetically but according to the square root of the number of miles. Thus if the charge for a phone call were placed at 10 cents for 25 miles, on the square-root formula it would increase to 20 cents for 100 miles, 40 cents for 400 miles, 50 cents for 625 miles. In fact, such a rate would slightly exceed the long-distance rates on the Continent.

Continental rates for long-distance compared with square-root formula.

Country.	25 miles.	100 miles.	300 miles.	400 miles.	500 miles.	700 miles.
Sweden	$0.04	$0.08	$0.13	$0.20	$0.27	$0.34
Norway	.07	.20	.34	.40	.....	.....
France	.05	.10	.35	.43	.53	.53
Italy	.10	.19	.38	.38	.38	.....
Belgium	.10	.19	.....	.....	.....	.....
Denmark	.07	.20	.54	.....	.....	.....
Germany	.06	.24	.24	.36	.36	.48
Austria	.12	.38	.61	.61	.81	.....
Hungary	.10	.19	.38	.38	.38	.....
Average continental rate	.08	.20	.37	.39	.46	[1]
Formula rate	.10	.20	.35	.40	.45	.53
Bell rate	.25	.60	1.80	2.40	3.00	4.20

[1] Average is $0.45, but rates of only 3 countries are given.

It will be urged, of course, that prices are higher here; but they are not higher here, they are higher in Europe on the copper and metal poles, which mainly enter into the capital cost of a long-distance line; higher by the price of the transportation of such material from this country to the Continent. It may cost more to conduct such a line here in the expense of personnel, but the difference could hardly be more than 10 per cent of the continental rate. It is true, however, that a special charge is made abroad for an urgency, or preferential, use of the line, but its payment secures one the preference, while with the Bell system the charge is all the same and one has to wait his turn despite the rate.

The effect of these abnormal rates upon the utilization of the long-distance service may readily be seen. The number of

interurban conversations per phone in the different countries is as follows:

Interurban and long-distance conversations per phone.

Country.	Number of conversations.	Rank.
Denmark	761	1
Netherlands	634	2
Denmark (private)	348	3
Germany	301	4
Sweden	150	5
Russia	142	6
Norway	135	7
Switzerland	130	8
France	125	9
Norway (private)	109	10
Italy (private)	73	11
Japan	69	12
Italy	62	13
United States (1912, Bell)	48	[1]14
Belgium	44	15
Austria	37	16
Hungary	34	17

[1] But see note 14.

Mr. Chairman, it is apparent, of course, that our telephone rates fail to satisfy the law of social efficiency.

The truth is that no attempt is made to justify these rates on the grounds of social efficiency. This is frankly declared by the managers of the Western Union and Bell telephone system. I quote from the report of the Bell system for 1911:

> Instantaneous and immediate transmission of communications is as yet a convenience or luxury, although under modern methods of business and commerce it is an economical alternative to the cheaper mail service in business operations. The use of the telegraph may be a popular convenience, but it is not a necessity and is still confined to the comparatively few, and for that reason should be at the cost of the few that find benefit and profit in that use.

This is bold language. We are virtually told that of the three great agencies of communication only one, the letter post, may be used by all the people, and that the other two, the phone and the telegraph, are conveniencies or luxuries, not popular necessities, and for that reason should be at the cost of the few; that is, of the business office and the rich, to which class largely the present rates confine the service. But this is not a justification. It is a confession. These tariffs are endured because the service is known only to those in easy circumstances, who overlook the rates in the glamour of the marvelous character of the process of communication.

I should utter a caution against the spirit of prejudice likely to be elicited by the great disparity shown in the rates under postal and private financiering. The gentlemen who are exploiting this service for profit as their private property have, doubtless, decided correctly that the American rates yield the very maximum of profit. This is what people do in the conduct of a hotel, I suggest. True, this is what we all should do if we could; it is the normal rule of private financiering. But competition plays its part where monopoly is inadmissible and protects us from ourselves. So we do not blame the individual. He is obeying the laws of his nature. But the Government, without whose incidental approval or protection such a monopoly could not exist—is it to be held blameless for abandoning its functions and submitting its citizens to exactions which are the scandal of public-service rates the world over, and with which only our former express rates can justly be compared?

ADMINISTRATIVE EFFICIENCY.

Let us look now into the question of the operative efficiency of the privately financiered telephone as compared with its public and postal management in other countries:

Telephone and postal operative efficiency.[1]

Country.	Phone calls per employee per annum.	Rank.	Country.	Postal units per employee per annum.[2]	Rank.
Norway (postal)	[3] 118,500	1	Belgium	85,819	1
Russia (postal)	113,315	2	United States	60,651	2
United States (ind.)	111,014	3	Luxemburg	40,321	3
Netherlands (municipal)	106,637	4	Denmark	38,930	4
Denmark (private)	92,323	5	Switzerland	37,562	5
Belgium (postal)	79,265	6	Germany	37,236	6
Sweden (postal)	78,439	7	Sweden	35,837	7
Netherlands (private)	73,138	8	France	36,697	8
Bell (United States)	65,265	9	Norway	32,414	9
Norway (private)	58,686	10	Austria	30,528	10
France (postal)	38,939	11	Hungary	23,025	11
Switzerland (postal)	37,665	12	Japan	21,820	12

[1] 1912, see note 1. [2] Data of 1910, see note 3. [3] Includes local service and personnel.

Thus judged in terms of the amount of product per employee, or the degree of institutional functioning per employee, the Bell system ranks but ninth among the 12 telephone institutions for which the data permit comparison, while 5 public and 3 private institutions excel it, according to the same standards.

In the column for phone efficiency the long-distance or interurban call is included and rated as equal to four local calls in its demands upon the personnel. The column for postal efficiency is inserted to show the performance of the postal personnel. For this purpose the postal-service unit is treated as the average mail piece and the telegram as equal in service to 10 mail pieces, while the local call is rated as equal to one-half mail piece, or unit, and the interurban as equal to 2 mail pieces. All kinds of employees of the telephone and post are included in the statement. While these service valuations are only assumptions, it is believed that they are approximately accurate, and certainly in no case unfair to the phone service, as may be seen in the cases of Norway, Russia, and the independent companies of the United States, where the phone performances per employee reach as high as 118,500, 113,315, and 111,014, respectively. It appears that the American postal system ranks second among 12 countries on the mail piece, while the Bell Co. on the phone ranks but ninth, among 12 telephone institutions, in institutional efficiency, or product per employee.

Now, what is the cause of this disparity? An inferior American personnel? No; the record of the American postal personnel answers that charge. What, then, is it? My explanation is that it is the deterrent influence of high rates on the amount of the traffic and consequent plant utilization. Obviously the amount of traffic will depend on the rate. If it should cost me but a cent a call, I will use the phone freely; if it cost me a nickel, I should probably restrict my calls. So, too, not only may the message rate be so high as to discourage the degree of use of the phone (see discussion of regulation for exemplification of this fact), but the rate for phone subscription may keep the phone out entirely. In short, to a vast majority of the people the degree of utilization depends on the cost, and these as subscribers will spend less at the higher rate than they will at the lower. The low performance, therefore, represents the unutilized time of the employees and wires caused by rates, which to that extent are prohibitive of potential utilization; the plant is subjected to low service performance, while the same cause operates to deny society its use. This statement is susceptible of illustration in the experience of American telephone administration. As we have seen, the Bell average charge in 1912 was 1.86 cents per call, while that of the independents was 0.88 cent, or about half.

We reach the same conclusion for the telephone that we had reached for the telegraph. Private financiering fails to secure either the maximum of social service or the maximum of plant utilization. Its rule condemns the agency to a half marketing of its potential yield. Society under its rule must sacrifice half or more of the utility of this great agency of public communication. Suppose the farmer should organize into a monopoly, restraining the marketing of half his wheat production, half the normal yield, on the theory that the half crop would produce the same revenue as the whole. Will the defender of half service and double pay reply that the cases are different; that the "instantaneous and immediate transmission of communications is as yet a convenience or luxury, confined to the comparatively few, and for that reason should be at the cost of the few that find benefit or profit in that use"? It remains to be seen whether this ambitious rival of the postal function, like the express companies, can defy the public for 40 years.

ADEQUACY OF ORGANIZATION.

Mr. Chairman, in treating of the telegraph I presented the elements laid down by the political economists as necessary in the working organization of a monopoly, in order that its service be rendered at the lowest cost, and that society should realize the possible benefits of a monopoly in the class of enterprises for which that form of capital and labor is economically and socially adapted. But it may not be amiss to restate them here for application to our telephone agencies. The elements are stated to be:

(a) Unity and exclusiveness of organization.

(b) Details of management well worked out.

(c) Facility for extension by mere duplication of existing structure.

(d) A social demand for the service which is widespread and constant.

(e) Adequate ability in authority.

RESULTS.

(f) Service at less cost than if broken into groups, because—

(g) Assured demands for service admit of closest calculations.

(h) Extent of demand admits of most minute division of labor.

(i) Absence of rivalry reduces to a minimum the amount of capital and other expenditures necessary for the performance of the service.

(j) Speculative management is eliminated.

(k) And thus with a public-service motive,

(l) The maximum of cheapness and efficiency is rendered possible.

Mr. Chairman, it is, of course, not a matter of criticism that the telephone monopoly, like the telegraph, is lacking in a main essential—the public-service motive. In a privately financiered organization such a motive is against nature and should not be asked. With the other elements, while it may be painstaking, it may be instructive to deal.

UNITY OF ORGANIZATION.

Exclusiveness of organization is, of course, denied to the Bell Co. where a rival service has found location. But to what extent does it possess unity of organization even within itself? There is likely to be a great deal of misapprehension on this point, and unity of administration may be erroneously inferred to exist merely from the fact of the concentrative power to control the making of rates. Thus the Mackay and the Bell companies have agreed on rates, just as the fire insurance companies have done. But in neither of these instances is it claimed that unity of management or organization has been attained. The perfection of unity and of exclusiveness—except as to the express service—is, of course, found in the postal organization. In which class will the Bell system be assigned? I think it clear that it can be assigned in neither; that it is not an organization in the organic sense, but an amalgamation for which the most appropriate word of description is that used by its officers, namely, the "associated companies." But an "amalgamation" or a system does not imply the reduction of methods to the ultimum of simplicity, or the number of processes to the feasible minimum. If the structure of each company amalgamated, with its distinct officialdom and accounting institutions, is preserved, as would appear to be necessary with a distinct legal proprietorship for each, then, while the methods of a holding company with a majority of stock may give the power over rates and appointment of officials for the constituent company, this mode may be far from reducing to a minimum either the personnel or the interproprietary transactions.

It is this method of controlling rather than of assimilating the different exchanges which characterizes the Bell system; in fact, the expression employed is "the associated companies." Thus, speaking of them, Mr. Vail says: "The organization as constituted will be flexible enough to enable any rearrangement to be made of the whole or any part, in any way which may be found necessary or advantageous from reasons of policy or from business or legal reasons without affecting business." The aim has evidently been to so articulate the different exchanges that they can be used for a common purpose and yet so preserve the autonomous elements in each to meet any business or legal situation that may arise—the enforcement of the antitrust laws, for example. Such conditions preclude simplicity and singleness of process, the concomitants of economy and efficiency attained by the institution possessing unity and exclusiveness of organization. That the Bell system is not organized to realize the maximum economies of a single organization is seen in the comparison of its operating costs per message as compared with the independents on a preceding page. Equating the employees into work done, we have:

	One employee serves—		
	Phones.	Miles of pole line.	Miles of wire.
Bell system	36	2.5	107
Independents	54	7.7	94

GENERAL CONCLUSIONS.

Sir, it appears that, despite our high price and wage levels in the United States, we take first place as to postal rates; but our standing on the electrical communication is as follows:

RANK OF THE UNITED STATES.

In telegraph rates, among 18 countries, eighteenth.

Bell system local phone rates, among 31 telephone systems, twenty-ninth.

In long-distance rates, among 15 countries, fifteenth.

Mr. Chairman, let me explain the significance of these conditions. Recurring to the analysis of industries placing meras Class II, because of its law of diminishing returns; and such industries as the post, the express service, and the telegraph and telephones in Class III, under the law of increasing returns: The first two classes belong to the realm of competition, and therefore to private financiering, while the third class—the public-service monopolies—belong to the domain of public financiering. Now, what do we find? That in the United States Classes I and II—the store and farm, privately financed, according to their natures, and acting under circumstances of struggle and competition—are unquestionably among the most economically conducted of their kind among nations. That our Postal Service, publicly financed, in spite of our high price levels, is giving rates the lowest prevalent in the world, and possesses the very highest working efficiency; while the two examples of the third class—the telegraph and telephone monopolies, like the express companies, subjected unnaturally to the rule of private financiering—rank among the very lowest in working efficiency and among the highest in the rates exacted from the public.

I think it apparent from all these comparative experiences that the doctrine of laissez faire is clearly inapplicable to the telegraph and the telephone; i. e., that these public agencies of communication do not belong legitimately to the field of the rule of private financiering. I quote Prof. Adams again:

> In taking the position here assumed it need not be implied that one is arguing either for or against State socialism, but merely that the doctrine of laissez faire does not permit society to realize in any adequate degree the benefits of organization in the form of monopoly. This is true for several reasons, but especially because there are many industries which from their nature are monopolies and can not therefore be safely consigned to the guidance of the rule of private financiering. It is certainly absurd to say that a business superior to the regulating influence of competition, conducted according to the principle that the highest possible price should be demanded for services rendered, can be managed in a spirit of fairness to the public. Such a business ought to be made to conform to the rule of public financiering, but the common prejudice aroused by the teachings and superficial application of laissez faire renders this difficult of accomplishment. "In some countries," says Mr. Mill, "the desire of the people is not for being tyrannized over, but in others it is for an equal chance to everybody to tyrannize." So long as public opinion refuses to enter upon a candid analysis of the nature of industries for the purpose of discovering which of them may be safely consigned to the guidance of competition, large numbers of private monopolies will be maintained. If men persist in thinking themselves free because the law grants them an equal chance with their fellow men to became monopolies, the great majority will pass their lives in that state which even conservative writers call commercial dependence. Bastiat is right when he speaks of the interest of the consumer as identical with the "social interest," in so far as this question of monopolies is concerned, for it is only when we regard the problem from the point of view attained by considering the collective interest of society that we can secure a just appreciation of the relation of government to business activity.

To what conclusion does all this lead? Plainly, I suggest, to the conclusion that we are violating the laws of sound public economics. Plainly, I suggest again, that we have violated the laws of economic science in allowing to the functionaries of private finance those things which were not theirs. There is a law of private finance; there is a law of public finance. Each has its subjects upon which, properly confined, each will normally operate for the maximum of human service. We are ignoring one of these laws by yielding to the private financier a postal duty. Let him rule in his own field restrained by the laws of competitive industry, he will prove a social servitor and a blessing. But continue him in the field of public finance where his instincts of profit making can only be misapplied, and those unwelcome results follow which would be expected to follow if public finance were applied to store and farm, namely, high prices and the lowest social and operative efficiency.

COMPETITION.

Mr. Chairman, with regard to this method as a corrective agency, I can not do better than quote from the work of Prof. Holcombe, one of the Harvard economic studies, entitled "Public Ownership of Telephones on the Continent of Europe." After stating the theory of competition in relation to prices generally, he speaks of the telephone service:

> The difficulty with the theory of competitive rates in the telephone business is that the liberty of choice between rival undertakings is illusory. No two competing systems can offer the same range of communication. The subscribers to one system will have no means of conversing with those to the other. Consequently the prospective subscriber is not free to compare the price levels and conditions of service of the rival undertakings. He is compelled to join that system to which are already connected those persons with whom he most desires to converse.
>
> Moreover, unless he is so fortunate as to find all those persons with whom he desires to converse connected to the same system, he can not choose between rival services without being thereby deprived of the possibility of effecting a certain proportion of the communications which he would like to carry on by means of the telephone. The utility of the telephone lies in its marvelous power of transmitting the spoken word and reproducing it at a distance. The greater the number of persons who are enabled to converse with one another, regardless of intervening space, by means of a telephone system the greater is the utility of the system. The most useful telephone system would be one which, like the Postal Service, reaches everybody. Whatever excludes a portion of the community from participating in the benefits of a tele-

phone system impairs by so much its usefulness. Now, a competitive undertaking does just that. The subscribers to each undertaking are debarred from carrying on telephonic conversations with the subscribers to the other undertaking. If there are several competing systems, the impairment of the usefulness of the service is correspondingly greater. If there were as many sellers of telephone service as buyers, and all were determined to remain in the business, the telephone would have no usefulness at all.

Since the policy of free competition offers no adequate assurance of reasonable rates for telephone service, the question at once arises, How shall they be determined? The only alternative to competition is monopoly of some sort. The forces of demand and supply will operate under a régime of monopoly, as under one of free competition, but the results will not be the same. In the latter case the interests of the monopolist will ordinarily lead him to fix his rates at a level which is intended to yield him the maximum of profit. Having adopted a tentative schedule of rates, he carefully observes the extent of the demand for his services at those rates and readjusts them, if need be, until the actual sale of his services verifies his calculations. His purpose always is to make as large as possible the surplus that remains after deducting from his gross receipts all the expenses of rendering the service. Consequently, under a régime of unregulated private monopoly rates are certain to be exorbitant.

In the telephone business, to this disadvantage, from the viewpoint of the community of monopolies in general, must be added a further special disadvantage. Not only is there no protection against exorbitant rates, but also there is no security that the distribution of the total charges beween the different classes of telephone users will be made on a basis calculated to promote the widest utility of the service, such as it is. For the criterion of a sound monopolistic rate policy is not the greatest utility of the service but the greatest profit of the monopolist. Unfortunately the two do not coincide. There will, for example, be no incentive to extend the service to wider circles of users unless such an extension will increase the gross receipts more than it will increase the operating expenses. The enhanced profits, therefore, which the monopolist will obtain from those users whose demand for the service is least elastic will not be put into extensions for the benefit of those whose demand is more elastic and to whom, consequently, a small reduction in price would mean a great increase in satisfaction. Monopoly rates will not enable the community at large to derive from the telephone service the maximum of satisfaction. Therefore they are not reasonable rates.

Two courses are open to the public authorities in order to protect the interests of the community at large. They may intrust the management of the monopoly to a private monopolist, who will be expected to adopt a policy of unreasonable rates. They may then attempt to set a limit to his unreasonableness by prescribing in advance the highest rates that he may lawfully charge. They may even provide for later reductions of rates when profits shall exceed a certain amount. Finally, they may secure a certain measure of compensation to the community for the distress caused by the unreasonableness of the rates, such as they may be, by stipulating for a share of the monopoly profits.

The alternative is for the public authorities themselves to administer the monopoly, and thus preserve in their own hands complete power to take whatever steps they may deem expedient in order to secure to the community the enjoyment of reasonable telephone rates.

His final conclusions, after a complete survey of the Continent, are:

In the telephone business competition is a failure. Considered as an automatic arrangement for maintaining an accurate adjustment of the supply of telephone facilities to the demand, it easily gets out of order. So long as it remains in order its effect is to diminish the utility of the service to render which telephone facilities are created. For a while it is capable of bringing about low rates and stimulating a rapid development. Sooner or later, however, the self-interest of the competitors or the disillusionment of the public authorities will cause the termination of competition and the substitution of a régime of monopoly. This has been *the result everywhere* in Europe where competition has once existed, except in Stockholm, and in Stockholm the bankruptcy of the private company or the purchase of its business by the Government is only a matter of time. Competition as a permanent status in the telephone business is neither desirable nor possible.

REGULATION.

Mr. Chairman, there are many things to be predicated of regulation, of course, and I shall make no attempt to cover them all. Among them, however, are some effects that are certain. A régime of regulation will—

(a) Eliminate competition.

(b) Strongly tend to crystallize the rates and, with them, local discriminations.

(c) Remove personal discriminations.

(d) Limit extension to places of sufficiently high profit to attract private finance.

(e) Thus defeat the attainment of the maximum extension of social service.

The first three propositions are exemplified in our railway history of the last 10 years and in that of England for 20 years. The progressive decline in average rates, which began with the introduction of the railway, continued in both countries to the time when the State exerted its power and converted the unstable rates into legal rules. In neither England nor here has the average rate fallen substantially since. I say such rates, including any local discriminations, crystallize under regulation fixing them as rules of the State. The shipping interests, unable to set one railway underbidding the other, urge reductions upon the regulating power, only to be met by the proprietary defenses of the railway owners. And they, when trying to secure rate increases, are met by the defenses of the shipping interests. The antagonistic forces are so nearly equal that, impeded by the complexity of the subject matter and the inertia of court procedure, they meet only in an impasse, with a triumph usually in favor of the status quo.

But there is a more profound reason for the impasse thus reached and the practical inability to reduce rates under regulation. It is the instinct of respect for private property so highly developed in modern civilization. The stockholders earnestly defend their right to the profits their capital and enterprise have created; the effect of reducing the rates renders so uncertain what the rate of profit may be; moreover, its reduction affects not merely the dividend they are to receive but the commercial value of their capital itself, a reduction of from 12 to 6 per cent, cutting such value in two for purposes of sale; all these deterrents, with the ability of the conductor of the enterprise to suppress or disguise those inner facts of his business, of which he alone has intimate and real knowledge, usually leave but one safe recourse for the regulating tribunal, and that is to heed the inevitable doubt in the proprietor's favor. Count von Bismarck has summarized the weakness of the regulating theory as follows:

The attempts to bring about reform by laws have shown the futility of hoping for a satisfactory improvement through legal measures, without trenching materially on established rights and interests.

State ownership is necessary to attain unity and economy under conditions in harmony with the public welfare and to secure direct attention to public interests which do not permanently find sufficient furtherance and protection in the hands of private corporations whose object is gain. The inadequacy of private management and State supervision becomes daily more obvious.

Mr. Chairman, efficacy has never been claimed for regulation as a method for obtaining the maximum social service. Take the case of the Bell Co. controlling the Chicago & Milwaukee Telegraph Co., which raised its rates per telegram from 15 to 25 cents, abridging its former social service nearly 50 per cent. Contrast this with the British post office in 1885 reducing its rate from 24 cents to 12 cents and increasing the number of messages about 60 per cent. In the former case there was an increase, perhaps a justifiable increase, of profits to the private owners; in the latter there was a slight loss in the revenues, but a tremendous gain in public service rendered. It comes back, then, to the fundamental principle involved in the rule of private financiering. Regulation is helpless to invest the private investor with a public-service motive; and without that motive, not the maximum social service, but naturally enough for the investor, the maximum return on his investment, is the rational rule of conduct.

Conservative students of the telephone subject do not propose or consider regulation as a means to attaining the maximum of utilization in this service. I shall quote again from the work of Prof. Holcombe on this subject. He says:

The great advantage of the ownership of business undertakings by the community lies in the power that goes with possession. While the ownership of business of general public importance remains in private hands there is no protection for the ordinary economic interests of consumers except by free competition or by public regulation. In the telephone business the former is neither desirable nor possible. The latter may be obtained in only two ways: (1) By special contract between the private owners and the public authorities; (2) by direct legislative action, subject to appeal to the courts for the protection of individual rights. Under either method of public regulation the antagonism of interest between the private monopolist and the consumer may be subdued but is never removed. It was in order to possess complete control over the management of the telephone business that the Governments of Europe adopted the policy of public ownership. By retaining complete control in their own hands those Governments have had the opportunity to adopt methods for the establishment of rates and the maintenance of service that would have been impossible under any form of private ownership. In a business such as the telephone, the best security for the establishment of reasonable rates is to give those who are to pay the rates a voice in their making, and the best security for the accurate adjustment of the supply of telephone facilities to the demand is to give to those who are to use the facilities a share of the responsibility for their creation.

But once it is recognized that in a particular industry the hypothetical alternative of free competition is an illusion it becomes evident that the community's saving by the assumption of the risks of the enterprise is not a mere recompense for the sacrifice of a more rapid rate of industrial progress, but a clear gain. For under the actual alternative to public ownership in such an industry, namely, a regulated private monopoly, there is no greater security for sound industrial progress than under public ownership, and it is certain that at least a portion of the advantages of industrial progress will be appropriated by the monopolist solely by virtue of the fact that he is a monopolist. The great merit of public ownership, therefore, as an agent of production is that under the proper industrial conditions it fulfills more economically than any other method of industrial organization the direct purpose of production; that is, the supply of the consumer with the kind and quantity of goods that he desires.

The telephone industry can only attain its highest utility when managed as an exclusive monopoly in a given territory. The market for telephone service comprises the whole body of individuals in the territory covered by a connected telephone system and in practice can be limited for administrative purposes without great inconvenience by the political boundaries of a country. Hence, when owned by the Government, owner and consumer are identical. Furthermore, the mechanical nature of the service and the stability of the demand for the service make possible accurate prediction of the demand by statistical methods. In those industries in which these conditions are present the policy of public ownership is best fitted to enable the community to avoid both the periodical overproduction of free competition and the perpetual underproduction of private monopoly.

REGULATION APPLIED.

An illustration may be given of the futility of expecting postal rates through the medium of regulation. The following data are taken from the opinion of such a public-service commission, dated December 30, 1911, and relate to a city of approximately 600,000 population:

Number of phones		43,000
Value of property		$5,665,729
Number of messages		42,701,000
For the year the operating revenue was		$1,507,550.56
While the operating expenses were		645,960.83
So that the net operating revenue was		861,589.73
Deducting these charges:		
Rentals	$3,701.82	
Taxes, property	79,898.72	
Taxes, franchise	40,754.44	
Depreciation (6 per cent)	337,065.01	
		461,419.99
Leaves the net income		400,169.74

Which is less than 8 per cent on the amount invested.

Considering the nature of the business and the risks to which it is subject, and guided in a measure by the conclusions of the railroad commissioners of Wisconsin and the public-service commission for the first district of New York on the same or a similar question, we are of opinion that 8 per cent is a fair and reasonable return on an investment in telephone property. We also think that for property of this character the allowance for depreciation should be about 6 per cent on an average. In this case, therefore, we are not so much concerned to bring about a reduction in the company's net income as we are to see that the rates which produce that income are fairly and equitably distributed among the users of the telephone service.

Analyzing the above data we get:

Number of messages per capita	71
Number for United States	156
Number of messages per phone:	
Independents	2,013
Bell system	1,828
For this city	993
	Cents.
Receipt per message, independents	0.88
Receipt per message, Bell system	1.86
Receipt per message, this city	3.53
Expenditures per message:	
Operating cost	1.50
Rentals, taxes, depreciation	1.08
Profits	.95
	3.53

In this city the social charge for the service is four times the average of the independents and nearly twice that of the Bell system. The effect is to reduce the use of the phone, in the number of calls, to about one-half the average for the United States.

In such a case it is clear that the Postmaster General would reason thus: The phone in "A" city is yielding only half the average call service. Its rates are from two to four times the average rates. Less than 20 per cent of the operating expenses—exchange operators—would be increased by a double average of calls per phone, and the item for rentals, taxes, depreciation, and profit would not have to be enlarged. I believe if I reduce the rate 50 per cent the number of calls will double, thus leaving my gross income unchanged. My exchange-operator item may double—from $125,000 to $250,000—and the manual exchange added to one-half, a gain in expense of $143,000 (19). But as I have interest charges at 3 per cent only to meet—$170,000—and my net income is $400,000, I can afford to take the chance on the traffic doubling, going up to normal, if the rates are reduced by 50 per cent.

This is indeed just what the postal motive did with the parcel rates. And thinking men will justify the Postal Department in acting on such principles. That is, they would approve the Postmaster General in taking a necessary experimental chance on the net income if the facts rendered probable a doubling of the public service.

But what would a regulating tribunal do in such a case? Would it take such a chance? Would it have a right to take such a chance and cut the net returns down from 8 per cent, the rental value of private capital, to 3 per cent?

Obviously it could do nothing of the kind, because it would be wrong to take the chance of reducing the return to private capital below its fair rental value, which in this case the commission held to be 8 per cent.

Let us see what would happen if the regulating tribunal should order the normalizing of these rates. It is assumed that if the rates were cut in half the service would double. Thus the receipts would not be changed. But the exchange-operator item would double, that is, advance $125,000. To this must be added, say, 8 per cent on the cost of adapting the exchange or switchboard to handling twice the number of calls, say, $600,000, making an increase of expense amounting to $173,000. Deduct this from the $400,000 of net receipts and you have but 4 per cent left to pay charges on capital. This would be ample for the Postmaster General, but only half the amount necessary to secure private capital. In this case, which is fairly representative of the larger cities of the country, it is apparent that whether the telephone capital has to pay 4 per cent or 8 per cent determines whether the rates can be reduced one-half and the service doubled.

But the difficulty for private capital would not end even here. Stockholm and San Francisco each have more than 20 telephones per 100 population. The city whose experience I am giving has about 7 per 100. If the rates were cut in half, might not the number of phones increase; probably double? There would be an effective demand equal to approximately doubling the plant. How should the private financier secure this new capital; on a promise of merely 4 or 5 per cent? A remedial theory must be such as to maintain the vital conditions of the institution to which it is applied; one of the principal conditions of telephone life is new capital. We have seen the regulating theory break down in this very respect as applied to our railways. It would break down even more conspicuously if applied to the telephone agencies of our large cities with the object of securing those popular rates and service extension rationally attainable by the postal system.

From this case it appears, clearly enough, that the law of increasing returns can only be taken advantage of, to its realizable limits, by the public financier operating under a rational public service motive. The Bell system, for example, claims 8 per cent as a proper return. The Public Service Commission concedes this. There will probably be few, if any, cases where it can be clearly shown that the companies are getting more. And so the program of substantial rate reduction through regulation is shown to be impracticable on its face.

Naturally enough, sir, the managers, for the most part, when confronted by a proposal to postalize, object and point to the alternative of regulation. But this attitude on their part, it is not considered unfair to suggest, is dictated rather by private than by social considerations. Postalization puts an end to their power. Regulation may or may not curtail them in a degree, while the stability of their monopoly is actually augmented by regulation, bringing with it an increment to the value of their securities. In this connection it ought to be remembered that, whatever our hesitation may be on administrative grounds to applying the State principle to all forms of natural monopoly in obedience to the principle that "private monopolies are intolerable," such hesitation need not be felt as to postal subjects given the postal department. It may be confidently asserted that no bank or railroad organization, private or public, has better assurances of administrative efficiency to offer.

OBJECTS OF RELIEF.

Mr. Chairman, having completed the analyses of the economics and the traffic effects of our systems of communication by wire, let us put the direct question, What, if any, are the deficiencies to be corrected? Answering this question just as directly, I wish to say that, while our postal rates are as low as those of other countries, we find that in the United States—

(a) The telegraph charge averages more than double,

(b) The local-call phone charge about double,

(c) The toll and long-distance telephone charge about four times, the rates generally prevailing in the principal countries of the world.

Proceeding on the assumption that our postal system can do as well for the wire forms of communication as it does for the letter—that is, can handle the wire messages as cheaply, compared with these countries, as it does the letter—it is suggested that these forms of communication should be postalized; that is, the postal agency should be permitted to conduct these communications in order to normalize the rates and extend the service to the great body of the people.

Proceeding, again, on the further assumption that the abnormal rates operate to abridge the total service rendered in the same percentage that the rates are excessive—a moderate statement, I think—then the Nation has short-work claims on such services, as follows:

(a) The telegraph: Number of messages, 175,000,000.

(b) Local phone service: Number of messages, 7,500,000,000.

(c) Toll and long distance: Number of messages, 300,000,000.

That a twice normal rate will inhibit at least half the traffic, or, stated in the reverse way, that cutting the rates in half will double the traffic in a service for which, like these, there is a universal and constant demand, is an assumption sustained by postal experience with the telegram, with the letter, and now with the postal-express parcel, not to speak of definite experiences with the passenger traffic.

The difference between the potential traffic and the traffic which will actually move under abnormal rates is aptly illustrated by the parcel post. In 1909 the total number of shipments by express was found to be 300,000,000, in round numbers. In the year ending July 1, 1914, the express receipts indicated a traffic of 317,758,118 parcels. The postal-express traffic at present, as indicated by the count taken in October, is 300,000,000. (Includes only parcels of 1 pound and up, as indicated by the count in October, 1914.) The following table presents the effect of the postal-express service in saving potential traffic that was "killed" by the express rates:

Express shipments, 1913	337,761,846
Express shipments, 1914	317,758,118
Postal-express shipments, 1914	300,000,000
Total	617,758,118

Thus, one-half of the potential traffic was sacrificed by the express rates, only to be saved by the postal agency after 40 years of denial to the public of an institution they were as much entitled to as the Postal System itself. In brief the Nation has been denied the right to ship half its small-shipment traffic merely because a private agency that could not make rates to move the whole traffic has insisted upon a private discharge of a public function.

The doubling, or more probably the expected quadrupling, of the number of electrical communications is not predicated merely on the demands of present patrons, for the effect of prohibitive rates is not merely to reduce the number of calls by present subscribers, but to seriously reduce the number of subscribers themselves.

The Bell phone shows 1,795 calls per annum, against 2,055 calls for the independents, and yet the Bell phone is largely a business phone, where the user should hesitate less about the cost of the message than the user of a residence phone concerned only with the nonrevenue-producing affairs of the home.

It is interesting to compare the telephone development in residence phones under high and low rates. We may take Washington, D. C., and Cumberland, Md., my home town, as examples: In Cumberland the minimum annual residence rate (unlimited) is $18; the population (1910), 21,839; and the number of residence subscribers, 2,736, which equals 125 phones to each 1,000 persons. In Washington, D. C., the minimum rate for residence is $48 unlimited service, and the measured $30, limited to one call a day. The population for 1910 was 331,069, and the number of residence phones 27,676, or 83 phones to each 1,000 persons, a difference in favor of the lower Cumberland rate of 46 per cent. And yet it is probably true that Washington, with its greater social wealth, would rank much higher in phones per capita than Cumberland, under the influence of the lower rate (21).

It is true that the rate renders the telegram merely an incident to some calamity, like death, and so forth, for the working classes. But the use of the telephone, which is an hourly convenience if not a necessity, is at present confined to a small percentage of the homes of the country. The proportion of telephones is 1 to each 11 persons. If the number of office or business phones be deducted from this proportion, it is indeed doubtful whether more than 1 family in 6 enjoy this convenience.

Now, the Postal object is not merely to confer equal privileges *in form*, but to effectuate equality in practice. It, therefore, so organizes its service and formulates its rates as to remove any economic barriers to their use. The poor man, the very poor man, can actually utilize any form of the Postal Service. Its rates are adapted to his means. Mr. Vail, president of the Western Union Telegraph Co., declares:

> There is a road to every man's door; there should be a telephone to every man's house.

The parallel is indisputable, but its complementary fact should also be noted. It was society, and not any privately financed monopoly, that built these roads. He also adds, apologetically for the Bell, that the system must be—

> Under common control * * * it must be sufficiently strong to constitute practically one system, *intercommunicating, interdependent, universal.*

Now, is this possible in the United States? Sir, I feel justified in saying that it is possible here, if nowhere else, on account of our higher wage levels; and the Swiss tariff system. I submit, affords demonstration of this statement. But of this the point fundamental—indeed, the whole objective of the discussion, the supportive facts—must be developed later.

METHOD OF RELIEF.

THE TELEGRAPH AND TELPHONE SERVICES INTERDEPENDENT.

Mr. Chairman, these two methods of communication are economically and operatively so interrelated and so identical in characteristics that the only difference which now suggests itself is that the communication in one case is addressed to the eye and in the other to the ear. The mechanism, the wire, and the active principle—electricity—are the same for both; moreover, it is a fact at present that the same telephone wire may be and actually is simultaneously engaged in conveying both the forms of communication, especially for longer distances, where the telegram formerly was the more efficacious. Coupled with this fact that every telephone wire is in fact or potentially a telegraph wire is the circumstance of conclusive economic importance. Since the telephone wires permit the discharge of the double function without interference one with the other, the duplication of the physical agencies will involve a doubling of the expenses of each service—except for the points of large telegraphic traffic, where the skilled telegrapher will be needed as a supplement to the exchange personnel. I shall leave to Mr. Theodore N. Vail, president alike of the Western Union and the Bell telephone system, the task of completing this statement. I quote from the report of the Western Union for 1912:

> There are estimated to be less than about 5,750,000 rural habitations in this country. The Bell system has over 3,200,000 rural telephone stations; that is, more than half the rural habitations are connected by exchange wires with central offices of rural centers and these central offices, by means of branch telephone lines, with and form a part of the Bell telephone system. These branch lines extend to substantially every rural center. They are not used to nearly their capacity. The lines and the operating staff have to be maintained for one purpose. Under a joint working between the telegraph and telephone, these facilities, both plant and operating, could be utilized without appreciable extra cost for telephoning the occasional telegraph message. In this way a telegraph service could be given to practically every center of population in the country and by means of the rural telephones made to reach nearly every habitation.
>
> If the public desire, as they do, not only improved facilities but additional methods of intercommunication, and eventually cheaper rates, these benefits can only be obtained through a combined use of plant, and to bring about such a combination, not only the purpose but the reasons must be understood, and if it results in a broad combined system extending over the whole country, such a system is inherent to the object to be accomplished and it can not be accomplished in any other way.
>
> It is an axiom that the cost of operating and the cost of construction and maintenance of plant facilities must be borne by the service. If, then, plant facilities are only partially utilized the cost of service is greater and so must be the charges. If additional use of facilities is made, then the cost of service is less and the charges can be reduced.
>
> If the public insist upon a duplication of plant for each kind of service, then the cost of these plants must be borne by the service and the public must pay the cost. If you hire two carriages to carry two loads that one would carry as well, the two carriages must be paid for. No individual or corporation can be expected to, nor can they be required to, provide a permanent service to the public at less than cost and a fair profit. Waste of facilities and waste of duplication come out of the public, either through the additional cost of service which must be maintained or through the loss of the investment made on the facilities which were unnecessary.

In a like report for the Bell Telephone system in 1911, Mr. Vail illustrates the complementary character of the two services with a chart.

And then he makes the following observations as to the operative and economic advantages of their unification of ownership and management:

> The joint use of such lines and operatives would be a source of economy. At busy offices and on busy circuits, the circuits could be "composited" for the simultaneous use for telegraph and telephone purposes. Each service would require its distinct operating force and its distinct offices, as the services rendered by the telegraph and the telephone are functionally and fundamentally different, although both use wire circuits. The telephone makes up a circuit and places it at the use of the customers, who do the communicating, i. e., it leases its circuits to others for personal communication. The telegraph, by its own operators, performs all the services of collecting, transmitting, and delivering messages, i. e., it transmits over its circuits, for others, personal communications.
>
> The greatest economy and advantage would come from the "compositing" or simultaneous use of one system of circuits for the two services, eliminating entirely one of the wire systems. The advance in the state of the art of "compositing" lines for joint use of the telephone and telegraph has been very marked in the very recent past.
>
> The accompanying daigram [not printed] illustrates a small section each of the telephone and telegraph system. It is self-explanatory.
>
> The diagram shows that the existing wire mileage of the present telephone toll circuits and telegraph plants, brought up to standard construction with some provision for deficiencies or extensions, if "composited" or used jointly, would for all practical purposes be the equivalent of two plants, each of the same mileage, one for telephone and one for telegraph; or, to put it another way, the wire mileage necessary to give the same service need be about half the combined wire mileage of the two systems separately operated, as now.
>
> The annual gross revenue from either a telephone or a telegraph system should be approximately 33 per cent of the total cost of or the investment in plant. If in two systems of equal size one plant were eliminated and both services were performed over the other, the percentage of joint revenue to plant would be substantially doubled, or 65 per cent. To put it in another way: The maintenance of a wire plant costs about 30 per cent of the annual gross revenue from that plant. The simultaneous use of a plant for both purposes would mean maintenance of one wire system against the doubled revenue from both services, or a decrease in maintenance alone of about 15 per cent of the gross revenue. In addition to these savings there would be the savings of the capital charges and of taxes on plant, which would be made unnecessary. This brings within the realm of possibility a reduction of

from 20 per cent to 25 per cent in the gross charges or gross revenue without affecting the profits of the business.

In order to avoid confusion, it must be distinctly borne in mind that the telephone service referred to here is the toll or long-distance service and not the circuits of the exchange service, which could not be used for any other purpose. This toll or long-distance service is so intimately interwoven and interdependent both in operation and use with the telephone-exchange service that it could not be separated, but the operation of the toll circuits in connection with the exchange circuits would not interfere with their use for telegraph purposes by a regularly organized telegraph staff.

These are the possibilities, fraught with all sorts of advantage to the public.

Mr. Chairman, I think it sufficiently obvious that the telegraph and telephone are not two services, but really one service; as, indeed, they represent besides but one function, the function of intercommunication. Accordingly, it may be that they will require the application of but one policy and method of treatment.

We have seen that our problem is threefold, viz, the extension of postal relief to the three forms of electrical communication—the local call, the long-distance conversation, and the telegram—which I name in the priority of their importance. It appears that the postalization of but one agency, the telephonic network, may be effective for all these forms of relief. But let us look more carefully into this important matter by reviewing the subject in its constructive relations.

RECONSTRUCTION.

Mr. Chairman, having concluded that on both economic and social grounds these agencies of communication require public or, more exactly speaking, postal financiering, it is now in order to consider the subject in its constructive aspects.

The postal method: The examples of nearly all the principal countries point in but one direction as to the agency which should be employed. It is the postal. Its truly wonderful genius for doing little services cheaply and well is now winning for it the express function in the United States, and in the following countries has added the telephone and the telegraph to the mail piece:

LIST OF COUNTRIES OWNING BOTH TELEGRAPH AND TELEPHONE.

POSTAL TELEGRAPH AND TELEPHONE COUNTRIES.	COUNTRIES OWNING TELEGRAPHS ONLY.
Australia, Austria, Belgium, Bosnia-Herzegovina, Bulgaria, New Caledonia, Dahomey, Denmark (at least part—state, private, and municipal), Egypt (part), Formosa, France, Tunis, Germany, Switzerland, Great Britain, Sweden (greater part), Greece, South Africa (Union of), French Guinea, Servia, Hungary, Roumania, India (British—state and private), India (Dutch—state and private), French Indo-China (Government), Italy (state and private), Norway (greater part), Japan (including Korea), New Zealand, Luxemburg, the Netherlands (state, municipal, and private), Russia (state and private), Siam (state and private).	Abyssinia (Ethiopia), Alaska, Argentina, Bolivia (not all), Brazil, Chile (nearly all), Colombia, Costa Rica, Cuba, Mexico, Montenegro, Paraguay, Persia, Peru, Portugal, Spain, Turkey, Uruguay.

Mr. Chairman, all the civilized—yes, almost all the uncivilized—countries have postalized the electrical message, and it will be observed that Spain and Brazil only among the greater countries join the United States in licensing out the telephone agencies of communication to private parties. England naturally has been the last to yield, but since January 1, 1912, even she has assumed the entire postal function of conveying intelligence by taking over the Bell service. Some of the Provinces in Canada took the step a few years ago, so that our situation is now so exceptional as to be actually noteworthy. The causes for our condition are not different from those which for 40 years denied us the parcel post, namely, the "tory" and the "system" largely consequent upon the private financiering of these natural monopolies.

THE POSTAL TELEGRAPH AND TELEPHONE STRUCTURES.

Construction de novo of the wire agencies, as a program, is denied us, of course, on the grounds of national economy as well as on sound political consideration. It therefore becomes necessary to compare existing structures and determine their adaptability for economical postal management and the purposes of the desired relief.

There is considerable likeness between the postal and wire mediums, even in their physical methods. If the wire be taken as the path of the electrical communication, the parallel is almost perfect. Both systems are susceptible of classification into units of: (a) Number of offices; (b) number of employees engaged; and (c) miles of routes of communication. Let us see how the two compare in these respects; I say "the two," for they are not three in number. The telegraph and telephone are but one agency, since the same wire—that is, the telephone wire—now carries the written and the spoken communication at the same time.

Number of offices.	
Postal	64,000
Telegraph, commercial	8,499
Telephone, public exchanges	11,515
	20,014
Number of employees.	
Postal	290,701
Telegraphs (land)	35,639
Telephone (94,360 women)	183,361
	219,000
Miles of route.	
Postal, railway and water	436,469
Postal, rural routes	1,021,492
Postal, city carrier routes (estimated at 40 per cent of daily travel of city carriers, which was 375,000 miles)	150,000
	1,607,961
Telephone—toll pole line, exchange pole line (toll and exchange wire, 20,248,326 miles)	671,686
Telegraphs—land pole line (telegraph wire, 1,814,196; excludes 314,329 miles of wire wholly owned and operated by railways for their own business)	247,528
	919,214
Postal receipts (year ending July 1, 1914)	$287,934,565
Surplus	$4,376,463
Telegraph receipts	$56,293,469
Telephone (receipts from telephone companies having an annual income of less than $5,000 not reported)	$255,081,234
	$311,374,703

The extent or spread of these structures has been thus summarized in order to give the student a total glance for preliminary comparison. Each must be subjected later to minute analysis. I wish now merely to observe that the postal organization and structure far exceeds the other agencies. The postal personnel exceeds the wire by 30 per cent; the post routes exceed the duplicated telephone and telegraph pole line by 43 per cent; and the number of post offices—64,022—exceed the commercial wire offices and exchanges by about 220 per cent. In revenue or gross charges only does the wire communication exceed the popular agency. No one will contend, notwithstanding, that the social service of the wires equals that of the postal system.

Attention is invited to the fact that the pole-line mileage—247,528 miles—of Western Union and Postal Telegraph, and the interurban and long-distance telephone wires triplicate each other to the extent of their pole mileage. If some 50,000 miles of toll or interurban wire of the independents are added to the Bell, we have a long-distance phone mileage of 221,000 miles, identical in extent with the Western Union. Therefore telegraphic communications are feasible over four routes:

First. The Western Union. (The Western Union pole line was 221,000 miles according to its statement.)

Second. The Postal Telegraph Co. (The Postal Telegraph pole line was 67,000 miles; probably largely including the use of telephone wires.)

Third. The Bell and independent toll and long-distance wires, 221,000 miles. (The Bell toll pole line in 1912 was 171,161; the independent is estimated.)

Fourth. Entire telephone network toll and exchange pole line, 671,686 miles.

Mr. Chairman, considered merely from the standpoint of their value in economic use to the postal system, however, the Postal, or Mackay, telegraph lines would have to be rejected because of their insufficient extension. The Post Office would have to more than treble the Mackay mileage to do a general service. The Western Union is not subject to the same objection; it has the extension as a telegraph agency merely. But investigation discloses that only two-fifths of its wire—600,000 miles—is copper, so that three-fifths—900,000 miles—of its system would not be susceptible of satisfactory telephonic use. The third system, the Bell and independent toll or long-distance lines in combination, suffices in extent and mechanical construction for both telegraphic and telephonic objects, being entirely copper and having the requisite range and extent. All of which means that if we wished to give relief merely to telegraph users we might do so by the use of the Western Union. If we wished to extend relief as well to toll and long-distance users, the interurban and long-distance phone system would alone suffice. But if in harmony with other countries we wished to extend relief to users, actual and potential, of all the forms of communication by wire, we could do so completely by the single expedient of utilizing the Bell and independent telephone systems, since the telephonic network is potentially a telegraph network as well.

Recurring to the estimates of communication services now lost to the public by relatively prohibitive wire rates, let us see in what measure these losses could be saved by the different methods of wire acquisition possible. Let the telegraphic service loss equal 14 per cent of the total loss, the toll and long-distance 21 per cent, and the local phone service 65 per cent, in all 100 per cent, then the following gains in service results may be predicated of postal acquisition:

	Per cent.
(a) By taking over the Western Union, 14 per cent on the telegraphic	14
(b) By taking over additionally the Postal, or Mackay, telegraph	00
(c) By acquisition of telephonic, long-distance, and toll lines, 14 per cent on telegraphic and 21 per cent on toll and long-distance service	35
(d) By acquisition of the entire telephone network, 14 per cent on telegraphic service, 21 per cent on toll and long-distance, and 65 per cent on local telephone service	100

The costs of propositions (a) and (b) collectively would be about $144,000,000 on the basis of their capitalization; of proposition (c), about $200,000,000; and of proposition (d), about $1,000,000,000, on the like basis. But let us consider these phases of the subject matter with a little more detail.

COST OF ACQUISITION OF TELEPHONE NETWORK.

The census of 1912 gives the following data as to the finances of the telephone network (telephone companies of less than $5,000 annual income not included):

Capital stock	$586,763,879	
Funded debt	404,530,236	
Mortgages, floating debt, and accounts payable	71,742,634	
	1,063,036,749	
Cash and current assets	96,618,255	
Net liabilities		966,418,494

An item of $1,081,433,227 is given as "Cost of construction and equipment," but how much of this represents values which have lapsed through use or obsolescence is not stated. The figures in the table represent the following local and long-distance telephone structure:

	1912		
	Total.	Bell system.	All other systems.
Number of systems	1,916	176	1,740
Miles of single wire	19,019,391	15,133,186	3,886,205
Miles of pole line	671,686	353,422	318,264
Number of public exchanges	11,515	5,853	5,662
Number of telephones	7,326,748	5,087,027	2,239,721

It should be noted that the above pole line embraces something over 200,000 miles of toll and long distance, or, better, interurban wires, corresponding to the distribution of the railway network of the country. As already pointed out, it would meet the requirements of a national postal telegraphic system as well as the conversation uses to which it is now put.

The commercial telegraphic network in 1907 reached 6,828 offices and the railway network 22,282. Generally speaking, by far the greater number of railway offices are in towers and otherwise inaccessible, not to say so engrossed with the prior claims of railway messages that the nonrailway public is hardly to be said to secure a real telegraphic service. As opposed to this, the telephone network, through the Bell alone, reaches 70,000 places, and probably nearly 100,000 places as a whole. As against the 6,828 distributing offices of the telegraphic network, the telephonic network possessed in 1907 some 43,819 public and private exchanges—offices from which to dispatch or receive the telegram—and now some 9,000,000 phones through which instantaneous and economical collection and delivery of the message may be had. Another feature possessed by the telephonic network not possessed entirely by the telegraphic is that the former lines are copper, while but 40 per cent of the Western Union and an unknown proportion of the others are of such material. In consequence of this condition the telegraph lines would require almost complete reconstruction in order to be susceptible of telephonic usage. President Vail, of the Western Union, refers to this fact in his report for 1912. He says:

> No telegraph company could go into the telephone business without substantially reconstructing its telegraph plant to adapt it for toll or long-distance use, and, in addition, building exchange plants, involving an investment many times that of its telegraph plant.
>
> The two wires which are necessary for one telephone circuit can by multiplying be made into four, six, or eight telegraph circuits and can be used for both telegraph and telephone transmission at the same time.

And, again:

> A single telegraphic circuit or wire can not be used for telephonic purposes.

Another circumstance is that the telephonic lines are metallic circuits; that is, have the return wire necessary for the spoken message, while the telegraph lines do not, but rely on the "earth return," which is adequate for the telegram but unsuited for speech, except in uninhabited districts like Alaska, where the interferences of adjacent electrical industries are absent.

The practical effect of these differences is that the telegraphic network is fitted only to carry the telegram, with poorer collection and delivery facilities, while the telephonic network is adapted to carrying the telegram and also the conversation, and has the best collection and delivery facilities.

Stated in a more formal manner:

The telegraphic network will—

(a) Dispatch the telegram and

(b) Deliver it at, say, 7,000 places.

The telephonic network will—

(a) Dispatch the telegram and

(b) Deliver it, through 50,000 exchanges, at 100,000 places.

(c) Provide instantaneous and economical delivery through 9,000,000 phones.

(d) Provide toll conversations.

If, in connection with these patent advantages of the telephonic network, economy in operation is also to be considered, it ought to be observed that in maintaining and personneling the telephonic network for telephonic uses the operating and capital expenses will have been met and discharged for the telegraphic service as well. Except for the employment of telegraph operators at points of high density, and the telegraphic instruments necessary in the telegraphic traffic, no additional expense would be incurred for the telegraph service. Indeed, this element is involved in a triplicate way on the telegraphic lines. To the extent that the Postal Co. duplicates the lines of the Western Union we should in effect be paying two bills of maintenance expense; first, on the Western Union, discharging only the telegraphic function, and then again on the Postal, a mere duplicate of the former. If to this be added the circumstance that the toll telephonic network left in private hands could give a telegraphic service, practically without cost to itself, which, whatever its rates, supplemented by its instantaneous telephonic delivery and collection, would take the most lucrative business from the Postal Telegraph agency, it becomes evident that the proposition to acquire the telegraphic in preference to the telephonic network can reflect only a superficial view, rational 30 years ago, but wholly untenable since the interurban and long-distance telephone wire has been developed. To take over the telegraph wires at this time would for these reasons be only to invite unnecessary failure and, perhaps, postal bankruptcy.

A much more efficacious method of treating the telegraphic problem, if regarded alone, would be to use the interurban and long-distance telephone wires as we now use the railways. The following clause in the form of a bill or attached to the Postal appropriation bill is suggested for the purpose:

(a) The Postmaster General is hereby authorized and directed not later than the 1st day of July, 1915, to establish and conduct, at rates to be determined by him, a system of telegraphic communication by wire or otherwise which, so far as practicable, shall connect with all the points within the United States at which postal facilities may be established. And for this purpose he may use the telephone lines connecting such points, and it shall be the duty of the owners thereof to permit such use of such lines and render such service as may be required by the Postmaster General in the establishment and conduct of such system of electrical communication.

(b) The compensation to be paid the owners for the use of such telephone lines shall, in case of dispute as to the amount thereof, be determined by the Interstate Commerce Commission, which shall consider the gross revenues derived by the owners from such lines, the amount of business done thereon by the Postmaster General, the cost of maintaining the same, a fair return on the investment, and the cost and value of any services rendered by such owners in the postal operation thereof.

(c) The Postmaster General shall have power to make such regulations as may be necessary to carry this section into effect.

The lines would still be used by the private owners for their telephone business and be maintained by them. Thus the expenses of upkeep would be divided probably about equally between the postal and the telephone uses, while the salaries of the operatives could be divided in the proportion that their time might be devoted to the telegraph and telephone functions. At points of dense traffic the postal system would have its own operators and offices. The Interstate Commerce Commission might determine the compensation to be paid the owners in case of dispute. I have no question that under such a system

telegraphic rates as low as any in the world might be obtained and the telegraphic function be made to realize its maximum service to the people of the United States. In his argument against the acquisition of the telephone lines by the Government Mr. Vail, president of the Bell System and at that time president of the Western Union Telegraph Co., in the report of the Bell System for 1913, observes:

The only practicable way for the Post Office to use the telephone lines for telegraphic service would be to lease the telegraph rights, much as the Post Office Department now uses the railroad facilities for the mails. No other separated operation or control of the same wires for telegraph and telephone service would be practicable from either standpoint. The interurban toll lines and the exchange trunk lines and their equipments are necessarily so interwoven and used so interchangeably that it would be next to impossible to segregate them. While it is perfectly feasible to use wires for both telephone and telegraph service—and either the telephone circuit or the telegraph circuit could be looped into any office—the arrangement and distribution of the lines for both purposes must be under common control, and that the telephone. The manipulation of the lines is a telephonic proposition, not a telegraphic.

History of subject: In a preceding portion of this study a list has been given of the countries which have postalized the telephone along with the telegraph. In nearly every instance the postalization of the telephone service took place as a measure of protection against the encroachments of the telephone on the revenue of the postal telegraphs. It was foreseen that the telephone in private hands would make such inroads upon the telegraphic service as to seriously abridge, if not bankrupt, the postal operation.

Prof. Holcombe, of Harvard, in his work on Public Ownership of the Telephone, has developed the history of the subject in this respect quite clearly. I can not here go over his ground for each country, but I shall take the time to briefly review the history of the subject in England, whose example in all the fields of sociology has been so potent in our past history:

HISTORY OF ENGLISH TELEPHONE.

1870–1871. Transfer of telegraphs to State.

1879. Edison Telephone Co., of London, and the Bell negotiate with the post office for the sale of their patents without success.

1880. The two companies amalgamate. Courts decide that the post office has a monopoly of all wire communication under telegraph act of 1869.

1881. Postmaster general grants licenses to companies for local exchanges, subject to a royalty of 10 per cent of gross revenues, to replenish prospective losses of telegraph revenues. The Bell Co. holding patent rights refuses to sell the post office its phones. Post office refuses permission to construct interurban lines or local lines beyond 5 miles. Patents do not expire until 1890 and 1891. The post office established several telephone exchanges in provincial towns to enable it to dictate satisfactory public-service terms with the private licensees.

1882. Postmaster general refused to issue further licenses unless the licensees agreed to sell lines on request to the post office.

1883. Post office engages in active competition with the telephone companies. Post office constructs interurban lines and rents wires to the Bell at an annual rate of £10 per mile of wire plus one-half of receipts beyond that sum.

1884. Post office issues new licenses applicable to whole country; licensees not to receive or deliver written messages, but allowed to erect trunk or long-distance lines. Post office reserved right to compete by itself or through competitive licenses. New licenses to terminate in 1911, with the option in post office to purchase plants in 1890, 1897, or 1904. Bell required to charge the telegraph rate, 24 cents for interurban messages, giving one-half to the post office, to protect telegraph revenues.

1885–1888. The United Telephone Co. applied for the right to lay wires underground in streets. Refused. In spite of these protective measures the telegraphic service fell, and in 1885 the minimum rate was reduced from one to one-half shilling per message to save the business. The annual increase of telegrams had been 15 per cent; it jumped to 65 per cent the first year after the reduction.

1889. The privilege of erecting trunk lines connecting the various exchanges of the telephone companies is given. In this year there culminated the amalgamation of the companies into the National Telephone Co.

1891. Duke of Marlborough, in the name of the New Telephone Co., inaugurated a campaign for cheaper telephone services, but this company was captured by and was then merged in the National Telephone Co.

1892. Public discontent with telephone service and increase of private telephone competition with the Postal Telegraph becomes acute. Post office arranges to take over all trunk wires, which was accomplished in 1896. The local exchanges were required to make the trunk or long-distance connections without charge.

1897. Glasgow asks for license for municipal plant to compete with private company. Refused on grounds that two systems would prove wasteful and embarrass the post office in 1911, when postal acquisition might be undertaken.

1898. Select committee reports that telephone service "was not likely to become of general benefit so long as the present practical monopoly in the hands of a private company shall continue." Advised competition in local areas, to extend service, and avoid inflated price to Government in 1911. Resolution of Associations of Municipal Corporations that "the subject of telephone supply should be treated as an imperial and not as a local one, and that the postmaster general should have the sole control of the telephone system," and, on failure of the postmaster general to act, municipalities should have right to do so.

1899. Appropriation of $10,000,000 for development of postal telephone system. Municipalities authorized to operate local systems. License of National Telephone Co. made coextensive with other local licenses on the condition that the company should permit free interurban communication with new licenses in same locality—that is, all-round competition was inaugurated. The post office itself established a competitive system in London.

1901. Postmaster general coerced London company into granting free intercommunication for postal and company subscribers, and both established identical rates.

1905. Government contracted to take over the exchanges of the National Telephone Co. at the end of 1911.

1910. The effect of the encroachments of the telephone on the telegraph in number of messages and revenue had been such that the former became practically stationary, while the balance of the revenues showed a continuously increasing deficit:

Year.	Number of messages.	Deficit.
1900	89,576,961	£337,641
1907	89,493,000	652,055
1911	91,614,000	848,611

Meanwhile both the local and the trunk-line telephone service of the post office continued to show satisfactory financial results.

1912. On January 1 all exchanges of the private companies were taken over by the Government and postalized.

The English experience appears to be conclusive upon this point, namely, that an independent telegraph business, because of the growing inroads of the telephone traffic, is, for the future, of doubtful financial feasibility. Even in the United States the long-distance communications by phone exceed the telegraph, while in Germany the ratio is 5 to 1. Prudence therefore clearly dictates that our Postal System should deliberately avoid the telegraph wires and select instead the telephone lines. Such a choice would enable the Postmaster General to render both services at minimum rates, since he would have but one bill of expenditure to pay for their joint operation.

It may be suggested that the Government content itself with taking over the toll or long-distance wires, and through these do the telegraphic and long-distance or interurban business, leaving the local communication in private hands. It is first to be noted that both England and France tried this method, and found it unsatisfactory from want of harmony between the conflicting managements concerned in taking and delivering the message through the local termini. Another objection is that such a disposition would leave much the largest portion of the communicating problem unadjusted. If a postal simile may be employed, I should say that the telegram and long-distance messages compare with the local calls or conversations about as the Parcel Post Service compares with the letters and mail pieces—that is, scarcely compare at all—the local phone and the letter services being immeasurably the more important.

As the Bell system includes about three-fourths of the telephonic institution, it is apparent that its operations present conditions which are national in character. This deduction will graphically appear when we compare it with even the national telephone institutions of the greatest countries, which it overshadows in capital invested as well as in wire development and in gross expenditure and income. It is only our Postal System which exceeds it in scope and extent or the other characteristics of a national institution. It would seem to be unnecessary to indicate the similarity between the postal function of communication and that of the wires, while attention has already been given to the fact that but about one home in six can now be reached by the electrical communication. That this is due to the limitations natural to the rule of private financiering may be shown in a comparison of the universality of the postal agency under contemporaneous conditions. It is certain that under private financiering the wires are not destined to follow the mail carrier into the ordinary home. And yet, for even more pressing reasons of use and necessity, this is what they should do. It is as much the necessity and the right of society to have the effective means of sending its communications to the homes of the masses by wire as by human carriers, not to speak of the similar necessity and the right of the masses to enjoy such facilities for their own uses. Private financiering has exhausted its right to a longer lease of the agency to realize this end, even if it were to convince us of the sincerity of such a program. That such a program is impossible in its hands, but requires institutional motives and resources, which it can not be expected to command and which are yet available for society acting for itself, shall be the subject of our next chapter.

POSTAL SOCIO-ECONOMICS.

Mr. Chairman, Mr. Vail, president alike of the Western Union and the Bell system, declares in one of his reports:

There is a road to every man's door; there should be a telephone to every man's house.

The parallel is indisputable, but its complementary fact should also be noted. It was society and not any privately

financed monopoly that built these roads. He also adds apologetically for the Bell monopoly that the system must be—

under common control * * *. It must be sufficiently strong to constitute practically one system, intercommunicating, interdependent, universal.

For such an object I make bold to say that nothing less than the social power and motive can be made adequate.

Now, the postal object is not merely to confer equal privileges in form, but to effectuate equality in practice. It therefore so organizes its service and formulates its rates as to remove any economic barriers to their use. The poor man, the very poor man, can actually utilize any form of the existing postal service. Its rates are adapted to his means.

The rate methods by which this is accomplished with the mail piece are well known, and it now becomes necessary to apply them to the different kinds of communication by wire and determine their availability for procuring like results in that field.

The rates: It must be obvious that the universality of the postal service has been accomplished through the lowness or social serviceableness of its rates. In treating the forms of wire communication, the local call, the toll, and the telegraphic message will be separately taken up.

Subscribers' rates: Academically speaking, a railway rate structure has two functions to perform:

(a) The function of the body of rates is to produce sufficient revenue to keep the property whole and pay operative and capital charges.

(b) The function of the particular rate is to move as much of the potential traffic as possible to which it relates without actual loss in the operating expense.

If function (a) should fail, transportation must ultimately cease, while if function (b) fails, transportation does not take place at all. What all this means in practice is that the railways have not found it practicable to move the traffic of the country with rates based upon the quantity of service rendered; that is, rates compounded of the average cost of service plus a proportionate apportionment of the fixed and capital charges. At first they tried this plan, but very shortly learned that an immense proportion of the potential, low-priced traffic, able to pay its share of the operating costs and a small proportion of the fixed charges, was not able to pay its full share of the fixed or capital charges. The consequence was that such traffic did not move at all, and the railway lost the slight gain over operating expenses which it might have secured, while society lost the service of having many of its commodities moved from their places of production to their natural market. The railways accordingly threw overboard the cost and capital-charge theory of rate making and adopted instead the system of class and commodity rates which universally obtains to-day. In other words, they have frankly espoused the principle that transportation rates, especially that proportion of them from which they derive their revenues for fixed and capital charges, must be levied, like taxes, according to the subject's capacity to pay; and so, if you will look into a freight car, you will observe shipments of equal weights and sizes moving on the same train from the same point of consignment to the same destination, each paying a different rate for what appears to be an identical service. Rates per 100 pounds actually vary from 95 cents for first class to 31 cents for the sixth class when consigned from St. Louis to points in Massachusetts, which is not an exceptional ratio. At first we may resent the idea that a private organization should formally assume and exercise the power to tax us, and this feeling doubtless has had much to do with the Government acquisition of the railways in other countries; but as necessity knows no law and a substantial part of transportation would have failed under cost-of-service rates, the American public has long acquiesced in this private taxing power.

It is worthy of note that only the railway has adopted this State or social principle in rate making. None of our public utilities, such as water, gas, electric, street railway, or telephone companies, have followed its example; and, indeed, it is doubtful if such a program would be permitted them even if traffic conditions made it desirable. Although it will appear sufficiently clear that the universalization in use of the local telephone service will require just the treatment the railway has applied, still we can understand why no telephone company has discriminated in its charges in favor of the poorer, potential subscribers as the railways have done in favor of the poorer paying articles of commerce. It is the object of this chapter to show that such a policy is actually necessary and that it is also fundamentally ethical and economically sound.

Ethics of rate making: It is only necessary, I submit, to clearly apprehend the relations of the subscriber to his phone and to other subscribers to make proof of the above assertion.

Let us see what are the uses of a phone:

First. To save A a walk to B's office.

Second. To save B a walk to A's office.

Thus my phone is intended, or its functions, as much for Jones as for me. From this it follows that having supplied myself with a phone, society is obligated to supply the conditions whereby Jones can similarly provide himself. That is, my material interests in the case of the phone, as in the case of the road, entitles me to have a phone connection with Jones's house. The analogy with the public-road system is obvious, and my right to a means of ingress to his premises, now secured by general taxation, would seem to be the same in one case as in the other.

Let us suppose, now, that the system cost of maintaining each telephone is $15 per annum, of which $6 is the expense of making connections and $9 the charge for depreciation and interest. Let us suppose that A earns $2 per day, or $0.20 an hour, which would enable him, impelled by its convenience, to subscribe for a phone, if he could rent it at not more than $6 per annum. On the other hand, let it be supposed that B earns $8 per day, or $0.80 an hour, four times the wages of A, and impelled like A, would subscribe at a rate of $24 per annum. In that case the joint subscriptions of A and B would equal $30, or $15 per phone, the gross sum required. In order that A may reach B and that B may reach A, why should not the tariffs be formed on the theory that would make them both subscribers? Would not this be making a like use with the railways of a principle just as applicable to a similar state of facts in local communication by wire?

It may be answered that such a proposal amounts to a gross discrimination between A and B, and that while the railway tariffs do discriminate between the different classes they do not discriminate between persons, but merely between inanimate commodities. But is there, in fact, any discrimination in either case? Is it not the fact that the railway, theoretically at least, is simply charging each class for service according to the value of such service to the commodity as the only practical mode of fully performing the function of transportation? Let us now recur to the assumed conditions of the illustration for A and B and their telephones. B receives four times the wages of A, therefore his time has four times the monetary value of A's time. In saving the time of the walk for A the agency renders him, accordingly, only one-fourth of the benefit it renders to B. Obviously the tariffs assumed in the hypothesis express the relative utility of the service rendered to each.

Now, if A may be taken to represent the phoneless homes and offices of the country to which the present nondistinguishing tariffs deny this great service, B may be taken to represent the body of relatively well-to-do subscribers, about one-sixth of the population, who are equally denied access to such phoneless population representing the immense body of the people. The five-sixths who are phoneless suffer a great inconvenience from inability to communicate with each other or the more fortunate one-sixth, but it is not improbable that the B class suffer even more from their greater need of communicating with the more numerous body of society.

It is a condition, therefore, rather than a theory that confronts us. If the present class of subscribers had the number of accessible persons multiplied by 6, could they complain if the tariffs should be based on assignments of the cost of service proportioned only to the value of service rendered to the subscriber, especially if such tariff making were found to be the only means, the actual sine quo non, of securing for them the required connections or accessibility to society?

Some such method ultimately must be applied to secure the maximum of social service in the local exchange. Society has resorted to much more aggressive measures in the case of the public road and the common schools. To maintain these agencies it levies its tax without regard to the utility directly resulting to the individual taxpayer. He may be a sailor or a bachelor, yet civilized mankind adopts but one policy—it is general taxation to secure the maximum result, otherwise unattainable.

Evolution of tariffs: In the beginning the phone was treated as the unit of service, and the monthly or annual rates were identical, whether for residence or business uses. No difference of charge was made even for business houses where the calls might be 30,000 a year as against one-tenth that number in some quiet office or even less in the residence. The next step was to charge a higher tariff for business than for residence uses, and this classification still largely obtains in the smaller towns where the limited number of subscribers prevents serious overuse and financial loss. In the larger cities the differentiation of the tariffs has proceeded forward to what is called the measured-service rate.

There is added as an appendix a table giving the local rates for a number of countries as perhaps the best means of studying the varieties of local rate growth throughout the world.

While I believe both the economics and the ethics of the subject would justify the use of discriminating rates based on the value of the service to the user, if such rates proved necessary to exploit the potential traffic, yet it is not thought necessary that they should assume such a form at any time, even if judged necessary. The grades of service from one-party exclusive lines to two, three, or four party lines with graduated rates could be made effectually to cover up the merely apparent discriminations. The base rates could be made sufficiently low for the multiple party lines and sufficiently high for the exclusive to achieve both revenue and traffic producing qualities, with the rate per call alike for all. If eventually, as it is believed the event will show, the cent rate proved adequate alone, the base rate could be commuted into so many calls—for example, base rate, $10, giving 1,000 free calls. Devices for collecting the call rates and for registering their number are cheap and have reached the practical stage. Ultimately the base rate itself might be susceptible of elimination, except temporarily as security against loss in improvident new installations of the phone, where it might be retained as a guaranty of the necessary utilization. The rate evolution here described might bring us ultimately to the "pay as you use" phone, with a low and uniform rate per call for the entire country.

Local rates: It would be highly desirable, if financially feasible, to secure for the phone user a local rate of a cent per call, the average statistical receipts per call for postal-telephone countries, and approximately the average receipt with the independents. Such a rate would, if uniformly available, place the phone service within the reach of every American home. No one should complain of such a rate, as with our wage levels the 1 cent is an actually negligible price. Thus, if such a rate can be finally rendered compensatory, the local phone charge will be completely halved and universal satisfaction with the tariff secured. The letter rate, and if not in a few instances the postal-card rate assuredly, represents that desideratum at present.

The closest tariff approaches to the cent-a-call rate are the German and Swiss tariffs for measured service with a cent-a-call charge. But the Germans have a basal fee besides, and the Swiss also a basal arbitrary charge amounting, after the second year, to $7.72 per annum. Serious apprehension of inability to attain the cent rate as an average statistical result need not be felt in view of the experience of the American independents and foreign postal systems. But grave doubt may be felt as to applying such a rate to the metropolitan populations. It will be argued that while more than compensatory in the towns and villages, on the average, as it has been shown to be, yet in a city like New York such a rate would be ridiculous, especially when compared with existing New York charges. This is an extreme case, it is true, but let us see how the facts stand with respect to New York and the rest of the country.

The Bell reports give the average cost per phone for its entire system, excluding the cost of toll lines, as $111 each. The total book cost of construction of the New York Telephone Co. is given in the report of the public utilities commission as follows:

Number of phones	546, 136
Book value, less toll lines	$62, 612, 107
Investment per phone (Note 16)	$115

Thus the cost per phone is but 3 per cent greater than the average. The assumption that a metropolitan plant exceeds the town and rural so greatly in cost does not seem to be borne out. When millions of miles of wire can be massed in a single conduit, even though at an underground expense, the cost per mile and the maintenance service are greatly reduced.

It may be justly said, in answer, that while the investment per phone does not seriously enlarge for the great cities, the exchange operating expenses do, since a large percentage of the calls (70 per cent in New York) have to be trunked—i. e., the services of a second operator becomes necessary—and the service costs for exchange operators, about 15 per cent of total telephone income, may be added to by 50 per cent for this peculiar metropolitan condition. This is approximately true where the manual telephone system is retained. (Note 18.)

But no discussion of local rates is actually valid that does not explain the use being made in many American cities and other countries—Munich, and so forth—of the automatic system with which the subscriber quickly and simply makes his own connection, eliminating the exchange operator, and by switching and trunking devices reducing the miles of manual wire per phone in the most substantial way. There is now but one phone to 11 persons, and these phones are in the stores and offices, probably not more than one home in five being so provided, especially in the larger cities. Each city block of fifty or a hundred homes has a few subscribers, whose lines, in connection with the automatic system and its switching and trunking devices, could be used as trunks to the central for the multitude of block party lines that would follow the introduction of the postal cent-a-call rate. The total investment per subscriber might thus be brought down to $70 or lower, while the expenses of operation in the cities would be reduced by the amount of the expense of exchange operators. One should feel rather hesitant to make the above statement if the actual facts of practice and accomplishment were not before him. In the case of these local rates so various and incongruous even within the Bell network, it is submitted that while a goal should obtain toward which the postal department would direct its aim, yet the approaches to an ultimate uniform rate for local services should for a time be experimental and only tentative in spirit. The widest latitude should be given the department to conduct its experimentation, and specific freedom to try out its plans in selected places.

If it be found that metropolitan centers represent a greater capital cost per phone, I think it will also be found that such phones represent an even greater potential traffic. On a measured service basis with postal rates, it is only rational to expect a larger number of calls and therefore a larger revenue per phone from city subscribers. The average utilization of the subscriber's phone is said to be less than 2 per cent of its time capacity. We all feel at liberty to write as many letters as we wish, but the visitor to New York who is asked first to pay the telephone company as much as the street car fare would be and then the hotel as much more, if his means are limited, is likely to count the cost.

TENTATIVE RATES.

For all practical purposes the cost of conducting the agency will be nearly the same whether the lines be used at their maximum or their minimum capacity. The problem of the rate maker is therefore twofold:

(a) The body of rates must on the average pay the total cost of service.

(b) The particular rate or adaptations of the rate should produce the maximum utilization of the agency and thus the greatest service to the public.

Therefore, according to the hypothesis, if the gross annual cost of operation were known and the amount of traffic which a given rate graduation would result in might be predicated, it would be feasible, theoretically, to adjust the rates to gratify both maxims. So much for the theory, which, of course, is not precisely realizable, although the universality of postal operations renders theoretical reasoning highly useful and almost accurate, as applied to average periods. What in practice is feasible is a system of approximations as to cost and traffic; and it is by these methods that private financiers pass upon such projects in the establishment of public utilities of the various kinds. Applying this method to our subject, let us observe the probabilities.

COST OF MAINTENANCE AND OPERATION.

INTERURBAN NETWORK.

The operation of 220,928 miles of pole line of Western Union in 1912 represented expenditures as follows:

Operating expenses, including rent of leased lines, reconstruction, repairs, miscellaneous interest, etc	$35, 350, 422
Taxes	713, 413
Total	36, 063, 835

This represents the operating and maintenance expenses of a pole-line network identical in mileage with the toll and long-distance network, including depreciation on 1,500,000 miles of wire, as against about 3,000,000 miles of such telephone wire. It also represents the wastes of telegraphic accounting previously set forth, as well as other elements of expense indicated as susceptible of elimination under postal operation, e. g., office rents, legal expenses, corporate salaries, and so forth. If we ignore these savings and add to the total sum interest at the rate of 3 per cent on 200,000,000 of Government bonds and 4 per cent to cover the depreciation not fully included in the expenditures statement of the Western Union, and also add 5 cents per telegram and 2½ cents per call for the extra business to follow the proposed reduction in rates, then the table following approximately represents an annual fiscal statement for the telegraphic and long-distance telephone services under the new system.

Expense of operation and maintenance of 221,000 miles of pole line and 3,000,000 miles of interurban network	$36,000,000
Additional for depreciation, 4 per cent	8,000,000
Interest on bonds, 3 per cent	6,000,000
600,000,000 telephone connections, at 2½ cents each	15,000,000
300,000,000 extra telegrams, at 5 cents each	15,000,000
Total	80,000,000

The application of continental rates to this traffic has produced a result of over five long-distance calls per capita per annum in Germany, and our phones double theirs in per capita distribution. With reference to the number of telegrams, the New Zealand experience, now nine per capita, is presented. From all these data it is assumed that under postal rates the long-distance phone traffic would equal the German and half equal, at least, the New Zealand development for the telegram. Such results in tabulated form would be as follows:

Average receipt, 300,000,000 telegrams, at 25 cents each	$75,000,000
Average receipt, 600,000,000 conversations, at 10 cents each	60,000,000
Total	135,000,000
Deduct estimated expenditures	80,000,000
Profit	55,000,000

Obviously the figures as to the prospective traffic can only be speculative; but they are no more so than the conditions and computations of private enterprises in the same field.

That the substitution of low-service rates for high ones will find a complementary potential traffic inhibited by the higher rates has been made sufficiently evident. Yet it seems justifiable to add that the experience of the parcel post in giving mobility to an immobile but potential express traffic sustains the thesis.

TELEGRAPH RATES.

Mr. Chairman, the present telegraph tariffs, beginning with a minimum of 25 cents for 10 words, are graduated for increasing distances in multiples of 5 cents up to 50, whence the rate is 60, 75 cents, and $1. The additional word rates correspondingly rise from 2 cents to 3, 4, 5, and 7 cents, respectively. These rates yield now an average on the message of 48 cents. Special rates are given the press on individual messages as set forth in an appendix; while the great body of the news is handled by the press associations over leased wires, for which the telegraph company is commonly paid $20 per mile per annum, the association supplying its own operators. The data are insufficient to permit an opinion as to the merit of this lease rate, but since it is a wholesale rate it is not so likely to be excessive as the individual message rates.

We have seen that, differing from our postage rates, which are quite as low, the telegraph rate here averages about twice on the shorter, and on the longer distances from three to four times as high as in other countries.

Thus, in Germany the rate is 12 cents and 1 cent, with possible distances of 700 miles. In the United States the rate for a like distance would average 50 cents. There are a few foreign rates lower than the German, but it represents a mean for postal-telegraph countries, including New Zealand, with its American wage levels. It is not believed that a flat rate for all distances in a country so large as the United States could be made compensatory without making it too high for the shorter—as it is in Russia—and too low for the extreme distances of which our country abounds. Tentatively, it is proposed to adopt the 12-cent minimum, plus a cent per additional word, which is typical for postal systems, the 12 cents to embrace but 12 words, counting address and signature. This rate, it is proposed, shall be effective for 200 miles. For greater distances a rate scale based on the declension of freight rates for increasing distances is suggested. Broadly regarded, the railway class rates double as the distance quadruples; or, stated in mathematical terms, the rate increases in proportion to the increase of the square root of the mileage of the journey. This law is a recognition of the fact that the terminal service does not increase with the lengthening haul, a fact which would seem to be of even greater importance for increasing telegraph and telephone message journeys. Applying this law to the telegraph message, we should have a result as follows:

Twelve cents, up to 200 miles.

Twenty-four cents, up to 800 miles.

Forty-eight cents, up to 3,200 miles.

But the above table, which is merely expository, contains only three jumps from coast to coast, while the telegraph companies have found it prudent to have not less than eight, from their 25-cent to their $1 charge, for the most part representing increases of 5 cents per advance. The scale following is therefore presented as supplying the necessary gradations.

Cents.	Miles.	Additional word.
		Cents.
12	200	1
18	500	1
24	800	1
30	1,400	1
36	2,000	2
42	2,600	2
48[1]	3,200	2

[1] The Australian rate is 24 cents, and 1 cent, for any distance, with an area as large as our own.

It is thought that the day and night letter services adapted to the above rates should be retained, in order that the wires be utilized during otherwise idle hours of the day and night, and to these should be added a new species of telegram, auxiliary to the long-distance conversation. I call it the phone-appointment telegram, say, at a flat cent-a-word rate, to be used by parties in fixing a definite moment for long-distance talks. Much time and annoyance, it would seem, might be saved thus to the parties themselves as well as otherwise wasted plant and personnel in the preliminaries of the attempt to connect long-distance parties.

The above tariffs would average a little less than one-half of the present telegraphic rates, and it is thought would produce an average receipt of 25 cents, somewhat exceeding the average 21-cent receipt for Denmark on a flat 13-cent minimum and 1½-cent additional word rate. Such rates, when taken in connection with the extension of the service to all the post offices, homes, and offices reached by the telephone wires, could hardly fail, ultimately, to render effective the maximum of business and social demand for this form of correspondence. Surely such a development is due us. The people of the United States exceed all others in the number of letters per capita on identical postal rates. It is humiliating to think that we must occupy but the eleventh place among the nations in the degree of use made of the wonderful telegraph agency. Great Britain, Switzerland, France, Norway, and Belgium, all with lower wage levels than ours, precede us in this respect, while New Zealand, with wage conditions like our own, manages to extend its average citizen eight times the telegraph service we get here. And this has been done for a generation. Surely the country has paid enough for its tory statesmen and monopolistic financiers.

The toll telephone rate: It has been said that the telegraphs have word-miles for sale, and that the limit of their capacity might only be reached when the best word-sending devices were fully occupied in transmitting words over every mile of their wire. It is equally true that the telephone agency has mile-minutes to sell, and that its theoretical limit is only reached when every wire is conveying a conversation every moment during the year. Such is the theory. In fact, during sleeping hours, say from 12 to 6 a. m., there can be but a very reduced demand. The conversation unit is 3 minutes in all countries, and according to the reports of the Bell Co. the time consumed in making the connection and the conversation runs from 5 to 7 minutes. Taking the average as 6 minutes, if a circuit were, theoretically, in constant use throughout the year, 87,500 conversations might take place. The German toll and long-distance network consists of 19,623 circuits, while the Bell Co.'s network, reaching about the same number of people, appears to be 33,164. The number of conversations per circuit in Germany was 16.417 in 1910, while on the American system the average was but 7.164. It is pertinent to remark, however, that the average charge in Germany was less than 4 (0.036) cents, while in the United States it was 21 cents. The German rates were effective to induce traffic equal to one conversation to each 31 minutes, or 19 per cent of the theoretically available phone time; while the American rates produced one conversation to each 73 minutes, or a utilization of about 8 per cent of such time. The low utilization in the United States is indubitably the result of her higher rates—over five times those of Germany. This low utilization is made a matter of observation, if not of complaint, in the reports of the American system.

Unlike the telegraphic agency, where the press and the night letter largely preserve the nighttime from waste, while the day letter may use the idle moments of the day, little has been done in the United States to distribute the distance telephone traffic equally throughout even the day hours. In Germany considerable effort has been made to effect such a distribution. There are rates for urgency or immediate demand service, rates for regular subscribers at given hours, regular day and regular night rates, and monthly contract rates.

Under the operation of postal motives it would be interesting to sketch the possibilities of the use which might be made of the waste hours from 12 p. m. to 6 a. m. A purely fanciful case is presented for illustration. The mother lives in New York and her daughter in Chicago. The scale rate is now $6 for a 3-minute talk, and this talk, purely domestic, never takes place between poor people. But the wires are idle, and in Germany the rate would be but 48 cents. Why not permit the use of the lines during midnight hours at that rate for such purpose? The postal rate maker would say, like the railway rate maker, "Well, if it be not diverting higher-priced traffic from the day business, anything I get beyond the cost of exchange operator will be velvet to me, and I will open the wires to this social traffic at the German rates." "Nonsense," objects the private financier, "such a rate is absurd."

Well, let us see as to that. In another part it is shown that the total cost of maintaining and operating the interurban telephonic network for telegraphic and telephonic uses would be about $80,000,000. If half of this represented the telephonic share, the cost per mile of wire, exchange service included, would be at the rate of $13,333 per 1,000 miles. The New York to Chicago wire measures about 1,000 miles, and with return wire 2,000 miles; thus the half annual cost of maintenance and operation would be $26,666, or about 30 cents per six-minute period, counting every moment of the year. These figures are not to be taken as accurate, or even approximate, and yet it is asserted that the true figure, when secured, will not differ enough to impair the case.

The truth is that the German rate, while not seductive to him, might well be introduced during these midnight hours, if the private financier did not fear the effect in two directions. It would call attention to the abnormal day rate, some ten times as high, and might divert a serious proportion of the high-priced day traffic to the cheaper service. Perhaps it might have been wiser for the gentlemen controlling these really postal agencies to have taken the public into their confidence and formulated rates designed to secure the maximum utilization of their plants, even if their rates at first appeared utterly incongruous. But they are not sure that it would be wise. Nor, indeed, can it be very certain that their fears are groundless, considering the state of ignorance and indifference which has permitted the agencies to fall into private hands at all. Their patriotic night rates might indeed be made the false basis of a demand for irrational day rates. And yet this has not been the experience of the railways, with their wisely discriminatory class and commodity rates.

The basis for a long-distance rate, it is believed, would include (1) the total number of messages likely to be transmitted on a given rate—the experience of other countries would afford approximate means of computing them; (2) the total cost of service divided into units of mile-minutes; (3) the graduation of rates for the different hours of the day and night to correspond with the relative desirability as determined by traffic demands; (4) the distribution of wasted or unused plant values into special hour rates in a way the least deterrent to the demand for the service. Doubtless it would require considerable experimentation by the Postal Department to acquire data for the use of these bases, but the Postal System would have a motive to experiment, and it could rely on the support of the public in its efforts. It is highly probable that the result would be a very great salvage of telephonic plant life now lost, to be devoted to public services, which the present rates preclude.

Expository toll rates: With the object rather of stating the conditions of the problems connected with the long-distance rates, I am presenting a tentative tariff for the different distances up to 1,000 miles. Two administrative purposes are sought to be realized, the utilization of the blank period between 12 m. and 6 a. m., and the comparatively blank period from 6 to 9 a. m., as also from 8 p. m. to 12 m., in the telephonic plant day of 24 hours. Conversely, it is sought to cut down the traffic peaks one-half between the hours of 9 a. m. and 12 m. and 6 p. m. and 8 p. m.

It is obvious that if the blanks could be partly filled by new traffic such business would represent nearly all gain to the Postal Department. It is equally obvious, of course, that if future increases of traffic during peak periods could be diverted to the comparatively blank periods by sufficiently attractive rates, a business from three to four times that now done could be accomplished on the present capacity of the wires. Theoretically the rates should rise with the degree of the demand and fall with it in order to scatter or distribute the traffic as nearly equally over the 24 hours as possible, and thus secure the maximum effective capacity of the plant. With a view to illustrate rather than to propose methods for this purpose the following tariff is presented:

Long-distance traffic distributing tariff (3-minute units).

	12 m. to 6 a.m.	6 a. m. to 9 a.m.	9 a. m. to 12 m.	12 m. to 6 p. m.	6 p. m. to 8 p.m.	8 p. m. to 12 m.
Up to 10 miles:						
Regular	.....	$0.05	$0.10	$0.05	$0.10	$0.05
Urgent	.....	.05	.10	.10	.10	.10
Up to 50 miles:						
Regular	$0.10	.20	.30	.20	.30	.20
Urgent	.....	.30	.45	.30	.45	.30
Up to 100 miles:						
Regular	.15	.27	.40	.27	.40	.27
Urgent	.....	.40	.60	.40	.60	.40
Up to 150 miles:						
Regular	.20	.30	.60	.40	.60	.40
Urgent	.....	.45	.90	.60	.90	.60
Up to 200 miles:						
Regular	[1].25	.53	.80	.53	.80	.53
Urgent	.....	.80	1.20	.80	1.20	.80
Up to 250 miles:						
Regular	.30	.67	1.00	.67	1.00	.67
Urgent	.....	1.00	1.50	1.00	1.50	1.00
Up to 400 miles:						
Regular	.40	1.04	1.60	.97	1.60	.97
Urgent	.....	1.60	2.40	1.60	2.40	1.60
Up to 600 miles:						
Regular	.50	1.60	2.40	1.60	2.40	1.60
Urgent	.....	2.40	3.60	2.40	3.60	2.40
Up to 800 miles:						
Regular	.60	2.14	3.20	2.14	3.20	2.14
Urgent	.....	3.20	4.80	3.20	4.80	3.20
Up to 1,000 miles:						
Regular	.70	2.67	4.00	2.67	4.00	2.67
Urgent	.....	4.00	6.00	4.00	6.00	4.00

[1] Add cost of appointment telegram, 1 cent a word. Sunday, half week-day rates from 6 a. m. to 12 m. Overtime, one-sixth of given rate per additional minute.

The busy-hour rates could be very much further reduced in the event that the schedule proved effective in more equally distributing the traffic. It is for this purpose that the urgency rates are made so high; for the five busy hours they are as high as at present. Doubtless there is a body of demand that cares not for the highness of the rate—most of the present patronage, perhaps—if it can secure quick and instantaneous service. This character of service is called "urgent" in Germany, and pays three times the regular rate for its preference over the regular traffic.

The rates outlined are of seven varieties. The midnight rate for social objects slightly exceeding the German day rate; the 6-to-9 morning rate and the 8-to-12 night rate, designed to attract traffic from peak periods; the 9 a. m. to 12 m. and the 6 to 8 p. m., or peak periods, with the rates purposely left high to divert excess demands at those hours to other periods; the urgent or quick-service rates; the Sunday rates for social uses; and the one-half or one-sixth per minute additional rate, for overtime, which corresponds to the first three-minute rate since the additional allowance of three minutes for making the connection is included in the first charge.

It will require some years of experimentation to determine just what graduation of rates to busy and nonbusy periods of the day and night will secure the highest attainable utilization of the plant; and the consummation of the lowest rates must await, and is dependent on, such a degree of utilization. Meanwhile the present rates, under the above schedule, run from but one-fifth to two-thirds of the existing rates, with it is believed a substantial enlargement of plant capacity during peak demands. Even if our long-distance traffic carries a rate four times normal, and the public service is at perhaps but one-fourth of its potential, yet normal, though compensatory, rates would not be practicable if the effect was only to exaggerate the peaks and thus perhaps require immediate additions to the plant, although its average utilization, as shown, might be but a paltry 8 per cent of its total capacity. Time and experiment only will qualify the rate maker to formulate the most desirable rate structure.

COMPARISON OF PROBABLE RECEIPTS AND EXPENDITURES.

Mr. Speaker, it may be of interest to ascertain how the account would have stood, say, for 1912, had the telephones been under postal management, with the telegraph function added. Taking the receipts and expenditures of the telephones for that year and adding also the receipts and expenditures which the superimposing of the telegraph traffic of the telephone network would have involved, we should have the following statement:

Receipts, 1912.

Telegrams (300,000,000)	$75,000,000
Telephone receipts (2)	243,327,611
Total receipts	318,427,611

Expenditures: (2)	
Telegrams, 7 cents each	$21,000,000
Telephone, operation and maintenance	28,444,000
Salaries and wages	96,040,541
Rents, real estate	2,280,545
Rentals of conduits, etc	1,206,015
Miscellaneous	402,784
Taxes	12,411,516
Depreciation charges	40,755,657
Interest, 3 per cent, on Government bonds	30,000,000
Total expenditures	232,541,058
Résumé:	
Total receipts	318,427,611
Expenses, interest, and depreciation	232,541,058
Net balance	85,886,553

The above table substantially reflects what the postal budget for 1912 would have been had it conducted the telephone and telegraph services over the telephone network upon the existing telephone rates, supplemented by the telegraph rates proposed. It is plain enough that the department will be on safe financial ground, with a surplus of over a fourth of its receipts to apply to the extension of the service to the farmside and the homes of the masses.

Against this alluring balance it will be urged that the statement takes no account of the higher wages which the Postal System would have paid. Granted; its scale would have been higher. But as a future factor it is submitted, as the judgment of the telephone engineers, that the reduction of the personnel concomitant with the certain introduction of the automatic phone much more than meets the difference between private and postal wages.

SUMMARY OF BENEFITS.

Let us see what our reasoning supports as the advantages to be ultimately derived from a postalization of the telephonic network.

(a) A cent-a-word telegram.

(b) Long-distance rates from one-half to one-fourth those prevailing.

(c) A cent a call, local conversation.

(d) Universal use of the telephone.

Only item (d) presents an achievement not already attained in other countries; i. e., the phone in every man's house. But with item (c) within reach our American wage levels offer the highest assurance that a service so cheap and necessary will become as universal as the letter service.

That we can be confident as to the economic feasibility of the above service program is indicated by our present postal achievements.

They are:

(a) The 1 and 2 cent letter rates, good to all our possessions, to Canada, Great Britain, and Germany, and to the farms of the country.

(b) The cent-a-pound, or 2 (2.38) mills per mail piece, for educational publications consisting of the magazine, the periodical, and newspaper of the country.

(c) The parcel post, extending to the farm with rates as low as 5 cents, against the 25 cents hitherto charged by the privately financiered express service.

Besides these, it dispatches money and pays interest on deposits, insured by the indubitable security of the Nation, and performs other services. All these services it renders as cheaply as any other postal system, stated in terms of money (except Japan), and in terms of price levels performs them, along with Canada, for the lowest payments in the world. These are some of the advantages of public or postal financiering. And we ask no consideration in this comparison for the higher wages of the postal employee of the United States or of the higher price levels here, nor for the fact that railway mail transportation is paid for here, which is commonly not the case elsewhere.

Of the great advantage which should flow to society in the way of relieving the local governing institutions from the strain to which they have been subjected by the corrupting influences of franchise hunters, it seems unnecessary to do more than refer to the experience of San Francisco recited more fully in the chapter on social effects. The New York (Bell) Telephone Co. recently put forward a claim of $30,000,000 as representing the value of the franchise it obtained from the city government to lay its wires in the streets. If private capital is to be relied on, then such franchises must continue, and if conceded any value it is apparent that bribery and corruption, whether frequently exposed and punished or not, are likely to continue; and with such stupendous amounts involved ordinary virtue in the promoter and official can only be expected to give way. On both economic and social grounds the verdict of the nations has been "postalize"; and possessing an institution as trustworthy and efficient as our postal agency there is nothing to discourage the expectation of even higher accomplishments here.

OBJECTIONS.

I distinguish the difficulties which attach to any constructive program from objections which take the character of fundamental defects in the proposal itself; such difficulties, for example, as the inconvenience of financing the project, the adjustments and readjustments necessary to secure the desirable properties in the rates, the extensions of the network to meet additional demands, the addition to the Postal Service of the numerous personnel essential to the conduct of correspondence by wire, and, finally, the effect of competition by the postal telegraph on the telegraph lines in private hands, all of which may be difficulties and yet not objections. It is meant to meet these in an absolutely frank way, and so I shall take them up in their order:

Financing the acquisition: It is assumed that the acquisition of the total telephone network, embracing local exchanges, toll and long-distance lines, would cost about ten hundred millions of dollars. The purchase would, of course, be financed by the issue of Government bonds. The question presented is, therefore, whether the marketing of this amount of bonds would be so difficult as to render the proposition undesirable.

Great financing enterprises during recent years have been as follows:

The Panama Canal.
The United States Steel Co.
Acquisition of the railways by Japan.
Acquisition of the railways by Switzerland.
Acquisition of one-third of the railways by France.
Acquisition of the national telephone network of Great Britain.

The plan would not involve the compensation of the owners in one gross payment or at one time. While it would, of course, be necessary to acquire title and possession of the networks by a single process of statutory appropriation, and on the same day, it by no means follows that payment for the properties would or could be invoked in the same total or single way. There are, altogether, some 3,000 companies or distinct legal proprietorships of the network, and even the Bell associated companies number more than 200. There would, therefore, be as many distinct payments as there are different proprietorships. Moreover, these payments would naturally extend over a period of time sufficiently long to enable the Interstate Commerce Commission to make its appraisals and the courts to adjust such legal questions as to valuation as may arise. It is thus apparent that the payments would be distributed throughout a period of several years and be decentralized into as many acts of payment as there are distinct legal owners. The extension by such postal acquisition of the securities of the superseded companies would be likely to create an equal demand for substitute securities and render it but natural that most of such bond issues would be accepted by the former owners in lieu of their displacing private holdings. Thus ample time and opportunity to market the bonds necessary would seem to be assured, and it is not likely that the program would present any difficulties not successfully encountered in financing the Panama Canal.

Extensions of network: This represents a difficulty under any kind of proprietorship, but more especially does it represent a fundamentad deficiency under private financiering. We have seen that the normal action of the private motive will be to extend the network only to those points promising sufficiently attractive profits. This motive has under our conditions substantially worked out its potency, except for the normal increase from year to year. Nearly every office and store and the residences of the well to do in the cities have been reached, and with these achievements the private financier has attained his practical limitation. The homes of the masses he has no motive to reach by the only means competent to reach them, namely, lower rates devoid of the desirable margin of profit.

As a high-priced haberdasher he naturally prefers the patronage of the gentry, and, as boldly proclaimed by the Bell system, meets demands of the masses with the assertion that "Instantaneous transmission of communications is as yet a convenience of luxury; it is not a necessity, and is still confined to the comparatively few, and for that reason should be at the cost of the few that find benefit and profit in that use."

The experience of the Bell system is that 48 per cent of their phones are "business." Whether this includes hotel-room phones does not appear. If half only of the phones are in the residences, we should have about 4,000,000 out of 20,000,000 homes supplied with phones, or one in five, embracing the 20 per cent of the population that is rich enough to patronize

this alleged "luxury." It is not fair to expect that extensions to the other 80 per cent will be made by merely profit-seeking capital.

In the legislation proposed all existing agencies for extension and new development, together with important additional ones, are put in service. That is to say, individuals, associations, and corporations, together with the Postal Department, the municipalities, counties, and States, may engage in the work of extension of the system under license from the Postmaster General. They may operate them themselves, or have them postally operated, but the right to postalize the ownership is reserved upon paying a price for the extensions which shall not be so low as to discourage nonpostal construction. The above methods have been successfully employed by the Austrian Government to assure freedom and adequacy of railway development under a régime of State ownership and management, and there is every probability that these methods would prove effective to secure the maximum of telephonic extension in the United States.

Rate adjustments: It is of the highest importance that there should exist complete flexibility in the rate structure. Private financiering until the recent era of regulation possessed this advantage for use as its motive might impel. There is a disposition to associate postal rates with the inertia of Congress and the inflexibility of our statutes. This objection is a fundamental one, but it is provisional none the less. If Congress undertook to make the rates, as it does the rates of postage, and gave no administrative power to the Postal Department to revise such rates, as it did in the case of the parcel post, then I should consider this objection to be a serious one indeed. But Congress has already shown that it can distinguish between what is a legislative and what is an administrative function. It has not undertaken to make freight rates or express rates, and recently delegated to the Postmaster General the power to revise the parcel-post rates and weight limit. The rate-making function is treated as administrative elsewhere and, moreover, the legislation proposed does not undertake to formulate the rates at all, but vests that duty with the postal administration under the restriction that the rates shall be revised from time to time in order to make them compensatory and to promote the public service.

The personnel: In the 1912 census the total number of employees is given as 183,361. This compares with approximately 300,000 employees in the Postal Service, who, to an extent, would replace the telephone personnel. More than half of the telephone employees—96,322—were exchange operators, and of these 94,360 were girls and women. Improvements in telephone practice, the automatic switchboard now being installed abroad and in prospect, involve the elimination of nearly all exchange operators, so that the future telephone personnel need not exceed relatively one-half the present number. Two difficulties will be urged as involved in acquiring this personnel. First, probable postal hesitancy to eliminate the employee as mechanical improvement renders him unnecessary. This difficulty will happily take care of itself. The exchange operators are girls, and experience, as reported in a study of the Bureau of Labor, shows that the average time of their employment is less than three years, when their service is terminated by marriage. This is also the experience in Great Britain, I am informed by the British postmaster general. Accordingly, by simply refusing to fill the vacancies, the necessary reduction of the exchange-operator force will accomplish itself within a period sufficiently brief for improvement purposes.

The other difficulty that may be urged is that increases of wages and reduction of hours of service will be asked by the personnel and conceded by the Government. This is probably true. But is it an objection? Would it not, on the whole, be socially desirable that some of the savings of unification and postalization should go to the necessary employees to lift them to the wage and service level of the postal personnel? The rank and file of the latter are admittedly better paid and their working conditions more favorable than employees in nearly similar private employments. But instead of being an objection, this fact may fairly be appealed to as supportive of postalization. The employees should be placed in the protected classified list and their wages and conditions of employment, like the rates, left plastic until, through experience, the Postal Department has developed a complete system of regulations for the service. If it be feared that the efficiency of the employees in work done might not be as great for the future, reference is confidently made to the efficiency tables in former pages, where the Bell performance per employee is compared with the publicly conducted telephones of other countries, and then again to a comparison of our own postal performance with those countries. The student can not be left in doubt as to the verdict, which is highly creditable to the American postal workman.

Telegraph competition: The acquisition of the telephonic network alone, as proposed, would leave the telegraph lines undisturbed in the hands of their present owners. But the postal system would engage in telegraph business over the telephone wires, at least to the extent of transmitting individual messages. This would mean, of course, competition with the telegraph companies. President Vail, of the Western Union, is of the opinion that it need not fear such a situation, and asserts:

> There is not a single instance of telegraph and telephone companies operated by private corporations in competition with Government operation where the private service is not better than the Government, and profitable, against unprofitable Government operation, if untrammeled by Government interference. (Bell report, 1911, p. 40.)

Since Mr. Vail spoke as president alike of the Western Union Telegraph Co. and the American Telephone & Telegraph Co., its major stockholder, this difficulty would seem to be answered for the Western Union, which, having granted none, asks no quarter from the public. The opinion of the Mackay companies as to Government competition is not available, but, even if unfavorable, it is submitted that it is estopped to complain. It went into the field itself with a deliberate purpose of competition, and its activities so far have been merely to duplicate the preoccupying lines of its rival. But this company is even under more distinct duty not to complain of postal rivalry. When, in the eighties, the Government was about to give the public a postal telegraph at reduced rates, it came forward and asked the Government to desist, giving it the formal assurance that it would, as fast as its lines were extended, give the public as low or lower rates.

The result was that the Government forbore at that time to postalize. Instead of keeping its promise this system joined hands with the Western Union to eliminate the popular 10 and 15 cent rates in existence, raising them to 25 cents, and has since maintained an effective agreement with it to keep the telegraph tariffs of the United States the highest in the world. A flagrant violator of its pledge to the public to furnish it the reasonable rates the Government was about taking measures to provide, it surely can not now contend that the people should give heed to any opposition it may make.

Such opposition might take the form of claiming that the telegraphic lines should be immune from competition. That is, in effect, that the telegraph companies refusing to give the public the benefit of competition in rates, the postal agency should not be permitted to do so. Many persons will fail to see any distinction between the competition of the post office and express companies and the like procedure with the telegraph companies. It may be urged by the latter companies that they should be purchased and not be subjected to competition from the Government. There are two circumstances preventing such a course, for one of which—the second—the companies are responsible. First, in posssession of the telephone network the telegraph lines would be only an unnecessary and very expensive adjunct to the Post Office; second, the telegraph lines notoriously are so water-logged by false capitalization that the maxim "caveat emptor" obviously applies itself, and no Government could risk their forcible appropriation. If abandoning Mr. Vail's position that postal competition need not be feared, it be argued that such competition will reduce the value of the properties and that the people should shoulder the loss by buying the properties without needing them, then a question of ethics is presented to be answered by another question of ethics, thus: Should the people, who have suffered from exorbitant telegraph rates for generations, now also be made to unpocket besides the amount of capitalization of the declining telegraph institution merely that their owners, who took the profits with the chances of the enterprise, may escape the results of the progress of mechanical civilization? On what ethical theory can a few thousand stockholders ask that the obsolescent losses of private property shall be shifted from them to the innocent taxpayer of the country?

It does not follow, however, that the gloomy picture of injury to the telegraph companies shall come true. There are several reasons for a more hopeful view. The competition would not extend to the whole field of telegraphic activity. With reference to much of it their rates are not so unsatisfactory. For example:

First. The Associated Press business.

Second. The stock-quotation business.

Third. The patronage of those who do not object to higher rates.

Fourth. Lease of the wires to various business demands.

Fifth. The growing demands of the railways for such wires which are mostly located favorably for railway use.

All of these varieties of business would likely remain to the companies unimpaired, as also their cable traffic. With proper initiative and the elimination of the nonpaying offices, as also the use of devices to economize on their extravagant telegram accounting, it is not apparent why fair returns on the fair value of their property should not follow. At all events, no claim should be made by them for a charitable purchase of their lines until they have exhausted their ability to "make good" under the new conditions. If they succeeded, there would be no problem of charity to deal with. If they failed, we should know in what degree and the exact character of the problem.

The wireless: The startling character of the discoveries and innovations involved in the wireless method of communication may suggest to some the possibility that it may be applied to the domestic, or, rather, land and municipal, correspondence, and thus perhaps diverting the correspondence from the wires, place them on the scrap heap. This phase of the matter has been carefully inquired into, with the result that the Government experts declare such a prospect to be baseless. They explain that the method of the wireless is by the principle of disturbance of the medium—that is, by waves which disturb the ether between the point of sending and the point of receiving the message; indeed, the waves actually extend backward as well as in the direction of the address. This is illustrated by the wavelets caused by the throwing of a stone into a pool, which move equably in all directions.

If many persons were throwing stones in such a pool at the same time, the wavelets would commingle and lose their identity or definition. Just so when the wireless messages are being sent from different stations, attuned alike, a confusion of vibrations results and the messages can not be deciphered because of the "interference" thus caused. It is true that attuning to different wave lengths is possible and, when correctly done, the interference is avoided. But the limits within which this distinguishing of wave lengths can even mathematically be carried is said not to exceed 33 in number; and so the nature of things would prevent more than 33 stations working constantly between two points. Thus, the Government scientists affirm that no development of any now known principle of communication can take the place of the telephone wires where selectiveness and secretiveness are necessary in the message. A wireless message flares itelf to the whole world and correspondingly attuned instruments must listen. Thus, in a city where a half million phones are employed, or even in the smallest exchanges, it is apparent that the nonconducted or unisolated wireless message is out of the question for meeting the requirements of the telephone. For trans or intra oceanic uses where the number of communications is at its lowest, or even in uninhabitable districts like Alaska, with great distances to traverse, the wireless offers an ideal and economical agent, and for such fields its future would seem to be unrivaled. It is a supplement to and not a substitute for existing telephone agencies.

It is important, however, that provisions should be made to meet the contingencies of future discovery and invention in order to devote them to their greatest usefulness for society, and it is for this reason mainly that a monopoly of all electrical forms of communication is reserved in the bill to the Postal Department.

ARGUMENTS AGAINST POSTALIZATION.

Perhaps the arguments against our Postal System discharging the whole function of communications, as is done nearly universally elsewhere, have been best stated by Mr. Vail in his report as president of the Bell system for 1913. Beginning with the assertion that the owners of the property would not suffer, since they would be fully compensated, he makes the objections which I shall now proceed to consider. Should it be self-sustaining? Mr. Vail:

> Should Government operation be self-sustaining in its full significance, entirely maintained and operated out of its own revenue, or should such properties be operated at a charge on general revenue at the cost of the whole public for the benefit of a part? There may be some things which should be made free and convenient for the whole public even at the expense of the public revenues, but the telegraph and telephone are not of them.

The answer to this is, of course, a formal "Yes." The receipts ought at least to balance expenditures. But this has a meaning of more potent significance under the rules of public finance than it possesses with the private financier. For him each exchange must be self-sustaining—unless it is maintained to overcome a rival. He could not rationally be expected to say: "There is a point that needs an exchange; it will not be self-sustaining, but I will maintain it, and pay its losses out of my profit from the other exchanges." He would be a fool to establish any exchange that did not promise a profit. Conversely the postal financier, with a maximum of public service in view, will make the fat agencies replenish the lean; will borrow from the postal profits at metropolitan centers to establish and maintain the star and rural routes, over a million miles in extent. The Bell system has for this reason wholly neglected the countryside, and bars the workman's residence in even the city by its prohibitive rates, while the postal agency is giving us the most extraordinary rural and city carrier service the world now knows.

Before the parcel post eliminated it with a substantial surplus the postal "deficit" was made the excuse for such attacks as were made upon the efficiency of the Postal System.

It may be said, with regard to the postal deficits, they represent only a small part of the amount of social service rendered under statutory public policies for which the public is not directly called upon to pay. The franking privilege (1.85 per cent of the total postal service), the carriage and handling of second-class matter for educational purposes constitutes 29.24 per cent, carried at about one-seventh its proportional cost; these are the items which take the form of a "deficit," only because the department has no "public-service" statement showing the amount and value of service rendered, like a railway does. If such a table were presented there would be no deficit, but a surplus of very many millions, quite as many millions as the telegraphs and telephones show as the profits of their private financiering. This very clearly appears when we charge to the franked matter and the second-class educational mail pieces the rates charged on other postal matter. Thus only 5.19 per cent of postal revenues are derived from the 29.24 per cent of the total postal services devoted to such second-class matter, and no revenues from the 1.85 per cent of such service given to franked and penalty matter.

It can be readily seen, therefore, that 25.90 per cent of the postal service goes unaudited, and that a correct statement of its services would credit its receipts with that additional amount. In that event the department would have shown a surplus at all times since the war, and in 1912 a surplus of more than $60,000,000.

The objection to the postal deficit fails, moreover, to comprehend the distinction between private and public financiering. The test of success in the former is the degree of profit it brings the private investor; in the latter the test is the degree of social service rendered. This argument of a deficit might be as well made—and doubtless would be if the financial motive existed for making it—against the public roads, schools, and colleges, not to say the churches and other eleemosynary institutions which are all expenditures and show no audited fiscal profit. But the challenger has disavowed such standards of the private financier and proposes to justify its tenure of these public monopolies on social service principles. Even so, it can not call that a deficit which simply represents unaudited services to the Nation, performed at its command upon grounds of settled educational public policy. Moreover, these deficits are in another sense chargeable to the influences of the private financier who has succeeded for 40 years in debarring the postal system from the very profitable function of the parcel post. Had this business been in its hands the department would have shown no deficit, but surpluses in much the greater number of years. The initiatory experience of the very limited service we now enjoy shows that even with the most substantial reductions in the rates the service is highly profitable to the department.

I present a statement showing the financial results where the postal institutions are exercising the telephonic and telegraphic functions in connection with the mail.

Financial results, receipts, and expenditures of postal systems in respect to mail, telegraph, and telephone services. (1910) (3).

Country.	Receipts.	Expenses.	Surplus.
Germany	$194,272,463	$171,594,102	$22,678,361
Austria	37,494,963	36,774,693	720,270
Belgium	11,276,039	7,286,550	3,989,489
Denmark	5,151,680	4,052,103	1,099,577
France	69,688,373	60,765,697	8,922,676
Great Britain	130,145,874	107,815,457	22,330,417
Hungary	18,779,415	13,217,728	5,561,687
Italy	22,922,406	17,580,193	5,342,213
Japan	31,881,235	16,557,372	15,326,863
Norway	3,849,538	3,242,909	606,629
Netherlands	7,786,553	7,418,162	368,391
Russia	68,222,406	33,590,294	34,632,112
Sweden	9,684,515	8,116,610	1,567,905
Switzerland	14,169,411	13,673,772	495,639
New Zealand	5,805,750	5,112,762	692,988
Total	631,133,621	506,798,404	124,335,217

Such are the results with the postal establishments completely exercising their normal functions. Who can doubt that our so-

called postal deficits represent the deprivation of those profitable functions which the express companies and the wire agencies for 40 years have succeeded in diverting from our Postal System.

FUNCTIONS OF GOVERNMENT.

Mr. Vail's view of these is as follows:

The functions of government and the causes of its being are "control" and "regulation"—control of the individual and regulation of the community so far as is necessary to secure the enjoyment of life, liberty, and happiness by all, and "control" or "regulation" of anything that might in any way become a menace to the social organization or to its individual members.

To the extent that anything is a necessity in its absolute sense to the enjoyment of life and health—the absence of which would endanger the community as a whole—it is a proper function of the Government either to provide it or to see that it is so provided as to bring it within the reach of every individual member of society, even to provide it for all at the cost of the general revenue.

A sufficient supply of potable water available to all is a necessity. The street car, the electric light, the telephone, or telegraph are conveniences of the highest importance, but are not necessities in the foregoing sense.

Water is a necessity, but so is food, clothing, heat, shelter, and if all these productive agencies were to be taken over by the State it would be almost completely socialized. I do not think "necessity," in the sense Mr. Vail suggests, is the test which conservative people will consider applicable. They will much prefer the rule of the economists, who confine the activities of the State to those "monopolies that are superior to the influences of competition" and in which the social-service motive is necessary to realize the maximum utilization of the plant and working force; and this, as we have seen, becomes almost entirely a question of the lowness of the price at which the product can be sold and depends but little on the kind of necessity characterizing the demand for the product.

THE TELEPHONE ESSENTIALLY A MONOPOLY.

Telephone and telegraph systems operated under common control can avoid duplication by making use of the same wires.

For practicability of management, economy of operation, or efficiency of service there should be one combined telephone and telegraph system. This has been the Bell contention and this is the conclusion reached by the Post Office Committee and by congressional advocates of Government ownership, who say in substance that the telephone and telegraph should constitute one system, and that a monopoly.

Upon this point the agreement is complete. There should be a monopoly. It is only to be decided whether in its operation the postal or the private motive should govern. The private motive makes its rates and builds its extensions in obedience to the right of the investor to seek the highest profit, and this means low utilization per unit of capital engaged. The postal motive makes its rates and extensions with a view to the greatest public service, and this means the maximum of utilization and service to society.

REGULATION.

The Bell system, as against the advocates of social service and popular rates, falls back on "regulation."

Government regulation can effectually curb "monopoly" and "selfish exploitation" and make them useful without destroying them by subordinating them to the public for the public advantage. Government ownership and operation would destroy individual initiative; they would create monopoly and increase and strengthen its evils by placing it in the control of officials and servants responsible only to themselves as a political party and parts of the organization which made or unmade the Chief Executives.

In answer to the "regulation" proposal the following questions are suggested:

First. Could the regulating tribunal order our telegraph rates cut in half?

Second. Could it order the telegraph companies to maintain service at all points where we have post offices?

Of course it is obvious that either order would bankrupt the telegraph companies, whereas as a postal side service both results are within the reach of postal operation.

Third. Would the regulating tribunal order the introduction of rates that would yield only a 3 per cent return to investors?

Fourth. Would it declare "the average toll and long-distance rates elsewhere are less than one-third those of the United States?" They must be reduced in that proportion here.

Fifth. Would it declare "the Independents collect less than a cent a local call for their service on the average; the Bell rates average more than twice as much"? The Bell system must adopt a universal cent-a-call rate.

Certainly no sane regulating tribunal would take any such liberty with another man's property. The implication that popular or postal rates or service will be attained through "regulation" is, if really meant, simply insincere.

"Regulation" will not accomplish the postal objects of universal and cheap communication simply because society has no right to take chances with other people's property. It may take chances with its own. You go to the Postmaster General and say, "Cut your rates in two and your traffic will double and the service to the public will be similarly doubled." This is, in fact, what was said to the Postmaster General as to parcel-post rates (10)—and this is what he did, cutting the rates from 4 to 1 and from 3 to 1 cent a pound on the shorter zones—and the traffic has more than doubled while the profits have not suffered (9). Even a small deficit for experimental purposes would be justified, especially if the rate were elastic and the Postal Department could protect itself by adjustments of the rate. If you start out with the assurance that the service would be doubled and the deficit would be 1 per cent, to ultimately disappear with the development of the traffic, a public-service agency like the post office would be more than justified, because in that instance it is losing 1 per cent in one pocket but it is making 100 per cent in the other pocket—the people and the Postal System being identical terms.

The naturally different disposition of the private functionary in such a situation was illustrated by the action of the Bell system with the Chicago & Milwaukee Telegraph Co. case, where it raised the telegraph rate from 15 to 25 cents when it secured control, and thereby reduced the telegraphic traffic by nearly one-half.

Of this experience Mr. Vail remarks:

The Chicago & Milwaukee Telegraph has been set up as an example of the evils of private operation. Why this single line of some 50 miles in length should have been selected is difficult to understand. Any line situated under such favorable conditions, doing business only between two large cities, should and could be operated at rates which could not apply to lines or systems which take business from and to all points, while the peculiar conditions under which this particular line operated put it absolutely outside of comparison, whether with other lines or with any system. The history of this company is well known, and if not known to those who have used it as an illustration, it could have been obtained with little effort.

Built in 1878 by some linemen as a speculation, it was sold to some members of the boards of trade of Chicago and Milwaukee and incorporated with a stock of $50,000. The business of this line was confined almost exclusively to messages from floor to floor of the two boards, to news service, and to leasing private lines. While it accepted other service, it had no organization to and did not deliver or collect messages except by telephone. The company apparently made large profits, but it must have been at the expense of maintenance and depreciation, for later on the company was reorganized, with a capital stock of $50,000 and $50,000 of bonds, and the lines reconstructed. This new company operated until 1905, when it went into receivership, and the lines were operated by the receiver until 1907, when it was offered for sale, and the Chicago and the Wisconsin telephone companies, needing additional lines, purchased it in connection with the American Telephone & Telegraph Co. for toll and long-distance telephone business. This was five years before an interest in the Western Union was acquired or contemplated.

The lines are now used for telephone business principally.

We learn from the above that the line doubled its functions at the same time it nearly doubled its telegraphic rate. It went into use as a telephone line as well as a telegraph line, and secured two sources of income instead of one. This would mean that its expenses of upkeep and maintenance would be divisible between both functions. And yet the telegraph rate was raised 60 per cent. Just so. It is what any private individual would do—seek as much profit from his property as he could. But it seems pertinent here to ask, Where was the regulator? What patron had enough interest in his 15-cent rate to pay the expenses of calling upon the regulator? And if he had called upon him, what would have likely resulted?

In a larger sense the whole theory of regulation, when extended beyond the point of eliminating competition and discriminations, seems to have broken down, especially when applied to the tariffs, even of our railways. We have found that we can not take from the investor his right to determine the rate of interest he shall secure without breaking down his initiative as an investor. The old investment we can subject to any rate of interest the courts will sanction. But in fixing such a rate we have killed the investor's spirit for new enterprises. He will refuse to take the chances of loss where the possibilities of profit are restricted to any percentage which the public may consider rational and moderate. A rate of return, say, 8 per cent, as maintained by the Bell system, even for a property national in scope, is likely as low as the private financier can work with and induce the flow of new capital. And yet the difference between a telephone rate that had to carry 8 per cent for capital charges and a postal-telephone rate that had to carry but 3 per cent would probably determine the feasibility of reducing the average rates of the Bell system—1.86 cents per local call—to 0.93 cents, the average of the rest of the telephone institutions of the world.

GOVERNMENTAL OPERATION AND EFFICIENCY.

Government administration is more or less a game of politics, and while with Government operation it may sometimes be possible to have efficiency it will always be impossible to have economy.

This is a mere assertion utterly at variance with the facts. The efficiency of our telegraphic agencies, in work done per worker, has been shown to be but 8 telegrams per day as against 10.9 for the worker in New Zealand, although the former had a daily traffic supply of 41 messages per office as against 12 for the latter. And although wages are higher in New Zealand the operative cost of the telegram there is about

one-half what it is here. In the matter of the telephone we similarly find the Bell system ranking but ninth in product per employee, while our Postal System in product per employee ranks second at least, and perhaps first, among the nations of the world. In the light of the facts presented under the title of "Efficiency" the quoted declaration can fairly be dismissed.

NEW ZEALAND.

Mr. Vail:

Why New Zealand's experience should be put forth so prominently as a reason for Government operation is difficult to understand. It is a fringe of people on a narrow circumference of the islands. It is a country of recent settlement and many social experiments. It has one-thirtieth the area and one-hundredth the population and a debt already equal to one-third of that of the United States. If the so-called advantages of Government operation are the cause of the debt, the United States wants none of it.

New Zealand has been selected because it is, in price and wage levels particularly, the fairest comparison. If you compare with European rates, the answer of dissimilar and lower wages is at once made. In a comparison of the American wires with those of New Zealand all the conditions—wages, hours of labor, density of population, pole line per 100 inhabitants, supply of traffic per office—are favorable to cheap operation in the United States. The truth is that our telegraph agencies are, economically speaking, a carnival of waste, which only their managerial interests can find a motive to defend. Private initiative—what is it worth when it neglected to add the telephone conversation to the telegraph wire while postal systems were actually doing so?

It is suggested that the public debt of New Zealand is nearly one-third as great as ours. Perhaps; but New Zealand owns her telegraphs, her telephones, and her railroads, and the United States owns nothing.

TELEPHONE DENSITY.

Mr. Vail:

In the United States there are 9.7 stations (telephones) to each 100 population—more than double that of any other country, nearly six times that of Great Britain, over thirteen times that of France, more than four times that of Switzerland. There are nearly 2,500,000 telephones in rural habitations in the United States—nearly one to every two strictly rural habitations.

This is the one fact of real importance presented in the argument for the private financing of this branch of communication. But the same fact is true of the American automobile, and the disproportion is even greater, although the automobile properly enough is under private financing in those countries.

The relative density of our telephones, like the automobiles, is a coincidence of our social wealth. It may never happen that the working classes of Europe can afford a telephone, even at the cent-a-call rate (plus $7.72 annually after second year) universal in Switzerland. But such a rate here would place the telephone within the reach of the home having an income of $700 a year and make the use of the telephone as extensive as the action of the Postal System. This would result from our higher wage levels. And with the introduction of the automatic telephone and the consequent reduction of the investment per telephone and the operative cost a cent-a-call rate, competent authorities assure us, would prove amply compensatory.

THE TOLL AND LONG-DISTANCE RATES.

Of this, Mr. Vail observes:

It is claimed that telephone-toll and long-distance charges of the Bell system are excessive as compared with government-owned plants of Europe. This is not the fact if the service given is considered. The charge for the immediate service, which is the ordinary service given by the Bell system, is higher than for the ordinary service, which is a deferred service, given by those systems, but it is not higher than their charge for immediate service; where immediate service is given, if at all, it is from two to three times that for ordinary.

That the facts may be before us I reproduce the rates:

Long-distance tariffs.

Country.	100 miles.	300 miles.	500 miles.	700 miles.
(a) Sweden	$0.08	(a) $0.13	(a) $0.20	(a) $0.27
(b) France	.10	(k) .24	(k) .36	(k) .48
(c) Italy	.19	(e) .34	(n) .38	(b) .58
(d) Belgium	.19	(b) .35	(b) .53	(g) 1.12
(e) Norway	.20	(n) .38	(m) .81	(l) 1.26
(f) Denmark	.20	(c) .38	(h) .84	
(g) Japan	.20	(g) .50	(g) .87	
(h) New Zealand	.24	(f) .54	(e) 1.50	
(i) Great Britain	.24	(m) .61		
(k) Germany	.24	(o) .62		
(l) Australia	.32	(h) .72		
(m) Austria	.38	(l) .80		
(n) Hungary	.38	(i) .84		
(o) Russia	.38			
(p) United States (Bell)	.60	(p) 1.80	(p) 3.00	(p) 4.20

NOTE.—The letters preceding the name of each country are used to identify the countries to which the rates given for 300, 500, and 700 miles belong.

These are ordinary rates quoted for other countries. So is the Bell rate; it is the only rate it has. Some of the other countries have other rates, e. g., the "urgent" (Note 7). If your business will not wait and you must have the communication at once, you may push the "ordinary" patron aside and secure a preferential use of the line by paying.

The same characteristics obtain with the telegram in many instances. The American companies have but one rate, the ordinary, which is twice that elsewhere, and even more for long distances. In other countries a preferential service can be purchased by paying a double rate. But people make no more use of that privilege in those countries than they do here of the privilege of having the telegram repeated back, to assure its accuracy, by the payment of a double rate.

Let it be conceded, for analysis sake, that the American service is, in effect, preferential. With the result, as is stated, that the wires from New York to Chicago are in use less than one-third of the working 10 hours of the day, is there any more occasion that all such service should be "preferential" or "immediate" than that all letters should carry special-delivery stamps? What about the potential traffic that would move at a "take-your-turn" rate of one-third or one-fourth the Bell rates, but which is inhibited by the preferential rates? Is a great public agency of communication justified in confining its service to the merely preferential class; in denying its facilities to the ordinary traffic of our country? Suppose the railways should say, "We shall henceforth run only Pullman cars and the rate shall be three times the rate in the day coach." Our American long-distance telephone institution is copying the methods of the king's haberdasher who does not want the patronage of the $25-a-suit man, but who has a minimum of $50 to drive him away. But there are haberdashers who will serve the common man at his price. Our telephone monopoly excludes him in most cases.

But these postal establishments also carry rates that are lower than the ordinary. Their night rates are as follows: France, from 9 p. m. to 7 a. m., three-fifths, and by monthly contract, two-fifths of day rates; Italy, 9 p. m. to 6 a. m., 20 per cent less, by contract, 40 per cent less on 6-minute, 50 per cent on 12-minute, and 60 per cent on 18-minute calls; Denmark, night, about 50 per cent reduction; New Zealand, night rates, one-half of day rates; Germany, night, monthly subscription, one-half day rates; and Hungary, night, one-half rates for press. My experience and information is that the Bell system is withdrawing its night rates. In view of the highly satisfactory state of its finances, is it not pertinent to inquire why?

Mr. Vail admits the financial feasibility of these cheaper rates:

Even at the higher wages paid in this country, a deferred or waiting telephone service, more satisfactory and more dependable than the foreign service, could be given at rates more or less equal to the foreign rates for such service, notwithstanding that the companies here must pay capital charges, including dividends, all administration expenses, taxes, and other charges.

This admission is almost startling. Why are such rates not given, then?

Mr. Vail replies:

Deferred service is not given because our public demands a better service.

But the Bell system can give them both just as the postal systems do.

Again:

In the Bell system the toll and exchange service is immediate; that is, the customer is given service when he calls for it and not put on a waiting list and made to await his turn. Sufficient operating facilities are provided for all the *normal peaks* of load. The foreign Government-owned plants used for comparison only provide facilities for the *average* load. Customers must await their turn, which during certain times of the day means hours, not minutes. *Such deferred service, causing an even and continuous load during active hours, more than quadruples the possible service which can be given by operators and plant.*

The italics are Mr. Vail's.

Now, we know, if Mr. Vail knows, and he has a full opportunity of knowing, that, despite our high-wage levels, the postal-telephone rates of other countries are feasible here. No one would object to their retaining the present rates for their immediate or urgent service, and that done, certainly no patron should have reason to oppose their giving long-distance rates "more or less equal to the foreign rates for such service."

According to Mr. Vail his stockholders would welcome the change. He says:

Deferred service bears to profitable operation of the telephone the relation of the "strap hanger," or "stander," to transportation service, but with this difference: The "strap hanger," or "stander," is getting some return for his discomfort; he is getting to his destination—that is, accomplishing his object. The deferred-service telephone user, while waiting, is not getting anything or anywhere; he is sacrificing his time and possibly jeopardizing the purpose for which he wants the connection.

But what does that signify if the patron prefers it, because he can not pay the preferential rate, but can wait, or because he can make more money waiting or the matter at hand does not require momentary attention. Suppose he is a drummer in New York and his child ill 500 miles away. The "immediate" service rate is $3, half or more of his daily wages. He can not afford that. But the average continental rate for that distance is only 37 cents. He is at his hotel, and can put in a waiting call, and perhaps save a sleepless night. And Mr. Vail admits that this is practicable. Yes; and as profitable as the "strap hanger to the transportation service."

All this has been true, I presume, for as long a period as these low rates have obtained with postal institutions.

What a commentary on the private conduct of a postal function; what a commentary on the boasted efficacy of "regulation." We have some 40 State public-service commissions and the Interstate Commerce Commission, each with power to act. The above statements have been before them since the early part of 1914; not one of them has acted, despite the well-known fact that the individual patron can hardly have a sufficient financial stake in the matter to undertake a proceeding on his own account. Finally I present this:

Mr. Vail:

Regulation by commissions of high standing, composed of individuals of ability and integrity and good impartial judgment, is the greatest protection to the public interests as against private exactions that ever was devised.

POSTAL EFFICIENCY.

Mr. Vail asks:

Is there anyone who doubts that if the Post Office Department had the organization, the management, that many of the large private industries have it would be possible to give at least the present efficiency and at a much less cost of operation?

Perhaps, if it had the motive. But would it? Does not the experience, just cited, with the long-distance rate rather indicate that we should be paying at least 5 cents for the letter? And with such postage rates, could the average postal employee then have 60,000 mail pieces a year to his credit?

OPERATION.

Operation, economical and efficient, requires high organization continuously maintained, superior methods, and efficient service. There must be supervision by able executives, assisted by experts, all of long experience as executives as well as in the particular industry. They must have large discretionary powers, assume responsibilities, and have undisputed directive authority over subordinates. It is purely administrative and executive in its nature.

And again:

Every new head of a department is of necessity a reformer; his average incumbency is less than four years; there is seldom any continuity of departmental policy and never any continuity of departmental staff. The important assistants come and go with the head.

It is conceded that the above injunctions are sound, and they have not been overlooked in the bill drafted to define the proposition. So far as it is assumed that continuity of technical and expert talent may not be secured to conduct the service as a Government institution, this fear is not sustained by the facts. The Navy and the Army and the Agricultural Departments are each of a kind requiring the kind of special qualifications and continuity of policy assumed. There is in each technical training, expert ability, and even the scientific inventor, as witness Lieut. Col. Squier, whose exploits in electrical invention represent the greatest achievements. Nor is there any break in the required continuity of staff or policy in these cases. Hitherto the Postal System has not seemed to require this, because its methods had become standardized. It proposed its budget to Congress, which was commonly accepted. Development of policy—this was denied it, only because private financiers had absorbed its evolutionary functions in the field of electrical communication. With the parcel post came a new opportunity, which it can fairly be said it has utilized more progressively than any other public service of our time.

But it is proposed to take the telephone personnel and its working practices along with the property; and this includes the superintending staff, the engineers, and entire operating and constructive régime. It is very likely true that it is the best in the world. It ought to be, since the Bell system is not merely the initiator but the largest telephone agency, collecting and expending annually nearly half of the telephone revenue of the world. Moreover, the bill provides a continuing fund for development and extension, without recourse to belated legislative appropriations. The depreciation reserves, which may be deducted from the revenue to the extent of 10 per cent annually, together with $70,000,000 of bonds to be issued from time to time, are made available for this purpose. With all this liberty of action and the same men in charge as now conduct the properties, unless their nature and loyalty should be revolutionized by the mere change of ownership, it is hard to understand why satisfactory technical management and mechanical development should not be attained under postal auspices. Much laughter is excited by the spokesman of the Bell system when describing the trouble and delay of the prospective patron in getting an appropriation through Congress so he can get a phone. This objection, if not fanciful, is merely provisional, and adequate provision is made to avoid it in the only bill that has been proposed.

LEGISLATIVE METHODS.

Mr. Chairman, my object has been to present the economic, social, and institutional features of the subject, and so but the briefest discussion of legal questions will be undertaken.

Method of acquisition: The bill proposed itself condemns and appropriates the telephone network, except farmers' lines, to the use of the Government as of a given date. The transfer of title therefore takes place by force of the statute at the same moment for all the many distinct legal ownerships. This method leaves open only the question of valuation, which, under the Constitution, must consist of "just compensation." Possession may be taken anterior to the act of valuation or payment, provided an appropriation is made to cover the amounts of the awards when found. (10 Am. & Eng. Ency., p. 1068.) The Interstate Commerce Commission is constituted a board of appraisal to value the properties without a jury (Nichols on Eminent Domain, secs. 302–306) and directed to report its awards to the parties, and if either objects the valuation is sent for review to the appropriate circuit court of appeals. The Secretary of the Treasury is directed to make payment of the final awards and is directed to issue such 3 per cent bonds as may be necessary for that purpose. On a given date, say, the 1st of January, 1915, the Postmaster General takes possession, retaining the former employees so far as necessary, who are placed in the classified service, which will define the tenure of their employments.

The constitutional power to condemn the properties appears to be clear, independent of the fact that they are means of communication and correspondence and therefore postal instrumentalities. The Supreme Court has frequently decided that the wires possess interstate-commerce characteristics, and has as often affirmatively declared that Congress in its right to regulate commerce may condemn the instrumentalities through which such commerce is carried on; for example, the railroads. (Wilson *v.* Shaw, 204 U. S., p. 24.) But the constitutional resources are multiple. The military power is now used to construct and operate numerous telephone and telegraph agencies by the War Department, both for Government and private correspondence. The post-offices and post-roads clause, of course, is apposite. It will hardly be denied that the nearly universal postalization of the communicating wires establishes them as postal instrumentalities as much as it does the mail car or pneumatic mail tube, and as to postal instrumentalities the power of condemnation is well established. (Kohl *v.* U. S., 91 U. S., 367.)

The bill should contain a provision for the allowance of interest on the awards and perhaps its quarterly payment pendente lite, or from the time of Government possession up to the date of payment. Judgments in the Federal courts between private parties now bear interest at the rate provided in the State where the controversy arises; but the statutes do not apply to the Government, which pays none. A rate of 4 per cent is suggested as fair to the parties under the circumstance of a Government guaranty. A greater rate of interest might tempt prolonged litigation in many cases to defer the events of final payment.

It will be observed that the cooperative or "farmers' lines" are excepted from the act of appropriation. There are two reasons for this: First, such lines appear to be giving rates as low as should be desired, about one-half cent per call, and where not already articulated with the commercial lines may be so connected by postal permission. The second reason is that there are some 18,000 to 20,000 of such lines, each under distinct ownership; and if merger into the Postal System be later desired it might be much more efficaciously accomplished by agreements with the Postmaster General than through the methods of statutory condemnation of so great a multitude of ownerships.

The licensing method: To protect its functions and its investments in the field of correspondence it is considered necessary that a monopoly be reserved to the Postal Department for the future, which is according to the practice in nearly all of the leading countries. In our civilization science is likely to develop improved methods from time to time, and it would seem to be the part of prudence to place the postal establishment in a

situation where it could take the primary advantage of such progress as may occur. However, there may be, and frequently is, a period when such innovations are purely tentative and experimental and when it may be desirable to grant the private exploiter a temporary privilege, such as patentees are given, in which to put such new ideas into practice. Society might thus employ the fruits of all the pioneering which the Postal System may conduct on its own initiative as well as that of private financiering without the alternative in the latter case of yielding itself over for generations to badly functioning private monopolies. Moreover, there are the present telegraph agencies, which, being left undisturbed, should be placed under license, and thus given definite relations to the postal monopoly.

In order to accomplish these objects the proposed bill first declares a monopoly of the whole field of electrical correspondence and then provides a system of licenses for existing telegraph lines, farmers' lines, and such telephone lines as may be used exclusively by the railways. These licenses may also be extended by the Postmaster General to private parties for developmental construction upon terms to be fixed in the license, so that future conditions and contingencies may be seasonably and rationally provided for without impairment of the principle of postal supremacy.

PARLIAMENTARY PROCEDURE.

Mr. Chairman, since 1871 no less than 17 favorable reports of committees of the House and Senate, providing bills for some form of postal telegraphy, have been made to these bodies. They are:

March 3, 1845. House Report 187, Twenty-eighth Congress, second session. Committee on Ways and Means.
July 5, 1870. House Report 114, Forty-first Congress, second session. (Washburn.) Select Committee on Postal Telegraphy.
House Report 115, Forty-first Congress, second session. (Palmer.)
1872. House Report 6, Forty-second Congress, third session.
1875. House Report 125, Forty-third Congress, second session. (Gen. Butler.) Judiciary Committee.
1881. House Report 137, Forty-sixth Congress, third session. Committee on the Post Office and Post Roads.
1883. House Report 2004, Forty-seventh Congress, second session. (Bingham.)
1884. House Report 1436, Forty-eighth Congress, first session. Committee on the Post Office and Post Roads.
1888. House Report 955, Fiftieth Congress, first session. (Rayner.) Committee on Commerce.
1870. Senate Report 18, Forty-first Congress, second session. (Ramsey.) Committee on Post Offices and Post Roads.
1872. Senate Report 20, Forty-second Congress, second session. (Ramsey.) Committee on Post Offices and Post Roads.
1872. Senate Report 223, Forty-second Congress, second session. (Zachary Chandler.) Committee on Commerce.
1872. Senate Report 242, Forty-second Congress, third session. Committee on Post Offices and Post Roads.
1874. Senate Report 242, Forty-third Congress, first session. Committee on Post Offices and Post Roads.
1875. Senate Report 624, Forty-third Congress, second session.
1884. Senate Report 577, Forty-eighth Congress, first session. (N. P. Hill.) Committee on Post Offices and Post Roads.
Senate Report 577, part 2, Forty-eighth Congress, first session.
1896. Senate Document 291, volume 11, Fifty-fourth Congress, first session. (M. Butler.) Committee on Post Offices and Post Roads.

In not a single instance has one of these bills succeeded in getting before either House for a vote. They were crowded out by appropriation bills and other bills having the right to prior attention in the respective sessions. That is, to use courthouse parlance, the court adjourned at each session before the postal telegraph bill "came up" for trial; when under parliamentary practice a new bill would have to be reported at the next session, and so forth, only, however, to fail again for the want of the momentously valuable parliamentary time. In a generation, I am informed, not a single piece of postal legislation has passed Congress except as a part of the Post Office appropriation bill. Sufficient research would probably disclose that this statement is equally true of legislation relating to the other departments; and Members of Congress will understand why this has been true in the past, and must become increasingly so in the future.

All of which means that there can be no hope for such legislation unless it is made a part of the Post Office appropriation bill. That bill can not be pigeonholed. An independent bill could be, and most probably would be, in the House or Senate. Accordingly, there would be two methods to defeat the measure without its getting a single opposing vote. One would be to have the Post Office Committee report a separate bill; the other would be to have the Committee on Rules of the House to refuse to grant a rule for the consideration of the measure as a part of the Post Office appropriation bill. So far as I know, this committee has never vetoed the action of the Post Office Committee in such a way; and so if the Post Office Committee includes the measure in its appropriation bill, as it did the parcel post, the measure could not fail to come before the House for its action. If this be not done the history of the other 17 postal telegraph bills would become the history of this. It would simply be the eighteenth chapter in a story of never-ending parliamentary jugglery and calendar failures.

SOCIAL PRINCIPLES.

Mr. Chairman, having discussed the numerous other features, I shall devote my closing remarks to the social and institutional aspects of the subject, namely, the effects of the misapplication of private financiering in the field of public economics. The experience of the United States has been almost unique among nations in this respect, for it is only here that the accepted distinction between private and public financiering has been frankly thrown to the winds. Most people have been compelled to draw a very unfavorable comparison between American and foreign municipalities. With a view to explaining this fact I quote again from the work of Prof. Adams. Speaking of our State and local governments, he says:

The policy of restricting public powers within the narrowest possible limits tends to render government weak and inefficient, and a weak government placed in the midst of a society controlled by the commercial spirit will quickly become a corrupt government; this in turn reacts upon commercial society by encouraging private corporations to adopt bold measures for gaining control of government machinery. Thus the doctrine of laissez faire overreaches itself, for the application of the rule which it lays down will surely destroy that harmony between public and private duties essential to the best results in either domain of action.

The great argument against public monopolies is that government is inefficient and corrupt, and this brings us to a consideration of the third class of evils which result from the theory of noninterference as maintained in modern society.

SOCIAL HARMONY MAY BE RESTORED BY EXTENDING THE DUTIES OF THE STATE.

As a class of evils attending the attempted realization of the doctrine of laissez faire may be mentioned the injury worked to established government. The policy of restricting public powers within the narrowest possible limit tends to weaken government and render it inefficient; this leads to corruption on the part of public officials, which, in its turn, invites to yet greater corruption in private practices. Excluding for the present Federal administration, no one will deny the inefficiency of the government of our States, while that of our municipalities is generally regarded as a dead failure. This fact is urged by the advocates of laissez faire as the strongest argument in favor of their doctrine. See, they say, what a weak and halting thing this Government is; it can not do well what now is in its hands; how absurd to extend the range of its activity. There seems to be sound sense in this statement; and yet, notwithstanding its apparent reasonableness, it is believed to rest upon superficial reasoning, for it commits the grave error of mistaking a result for a cause. I would not go so far as to say that the statement would be wholly true if turned end for end, but there is truth in the charge that the inefficiency of local government is, in a large measure, traceable to the endeavor to realize the nolle tangere policy among a people whose energies are directed by the commercial spirit.

The policy of progressive denial of function and the consequent lessened ability of the functionary for efficient service is thus illustrated:

The advocates of noninterference have treated the Government as the old physicians were accustomed to treat their patients. Was a man hot, he was bled; was he cold, he was bled; was he faint, he was bled; was he flushed, he was bled; until fortunately for him he passed beyond the reach of leech and lance. This has been, figuratively speaking, the form of treatment adopted by the people of the United States for their local governments, and it has worked its natural result of feebleness and disintegration.

It is quite possible that some of my readers will protest against such a presentation of the case, resting their criticism upon the well-known tendency toward an increase in legislation in these latter days. This is what Mr. Spencer complains of, and it is also the occasion of that remark, so often heard, that sessions of legislatures are far too frequent. But there are two thoughts which suggest themselves in reply to such criticism:

First. The multiplication of laws, so far from being out of harmony with the theory of individualism as understood by democratic peoples, is a natural consequence of its general acceptance. A philosophy of social relations, like that of laissez faire, which tends to efface the sharp distinction between public and private interests, must inevitably result in an extension of pernicious legislation; for, under the direction of such a philosophy, men feel themselves warranted in using public machinery for private ends. This conclusion is fully sustained by considering the nature of the bills which gain the approval of our modern lawmaking bodies.

Second. It is believed that the above criticism mistakes the true center of public power. The importance of government or the extent of the functions assigned to it is not measured by the amount of legislation which its lawmaking bodies turn off from year to year, but rather by the nature of the administrative duties imposed upon it. Indeed, the stronger the executive department of a government, the less opportunity there will be for particular legislation, and the more likely it will be that such laws as are passed will conform to the just requirements of general laws. It is especially the administrative functions of government that the doctrine of laissez faire attacks; and the strength of the attack lies in this, that individuals desire the opportunity of performing services of "collective interest" under the ordinary rule for private financiering. It must, then, be admitted that the above criticism does not touch the point. The increased legislation which we all deplore does not prove that government is growing strong and extending its range of duties; it is rather the evidence of increasing weakness, for it shows that the government is incapable of adequately defending the public against the encroachment of individuals.

The constitutional history of the various States of the Union, so far as it pertains to the legal restrictions imposed upon their administrative powers, bears directly upon the point under consideration. I can

not, of course, present even the outline of this history, but there are two facts well worth a moment's notice. The contemporaneous growth of the power of corporations, on the one hand, and of municipal corruption, on the other, bears for us a deep significance. The rise of corporations into such power that they menace the stability of society, by controlling in their favor legislation, dates from the time when the States were deprived of all direct control over inland transportation.

The causes of State and municipal corruption are said to inhere in such a situation:

In all matters where any possible question arises between government and corporations the advocates of governmental control are obliged to prove their case. At the present time the waterworks in many of our towns are managed by private companies. It is the exception for gas to be supplied through public works, while there is no city, except now Cleveland and San Francisco, so far as I am aware, that maintains control over its street railways. And in perfect harmony with this whole line of policy is the morcellation of government among separate and independent boards rather than the concentration of power in the hands of responsible officials in such a manner as to make it worth their while to attend to business. Under the sway of this policy municipal government has become corrupt, while in many cases corporations have passed the bounds of all decency. These two tendencies have developed contemporaneously, and the question is whether there is any casual relation between them.

As I view the matter, there is certainly a close relation between the rise of the menacing power of corporations and the rise of municipal corruption. They are both an inevitable result of the too great confidence that has been placed in the regulative potency of competition on the one hand and the too great suspicion with which governmental action is viewed on the other. It is impossible, as society is at present organized, properly to correlate public and private duties. The motives leading men in one direction are overpoweringly strong when compared with the motives leading in the other direction. And under such circumstances it is futile to expect that either domain of activity will exercise a healthful regulating influence upon the other.

A line of demarcation between public and private functions essential to moral order and efficiency is presented:

The basis of this distinction has already been suggested. We have said that society, being the fundamental fact disclosed by an analysis of human relations, confines within itself all individual growth and action. The activity which it displays is either public or private; that is to say, the activity of the State, embracing all governmental functions, or that of individuals or corporations, which is undertaken for private ends. But the important point that should be noticed in this connection is that these departments of social activity are constantly acting and reacting each upon the other. The line which separates them is clearly defined so far as the principles are concerned to which each must conform, for the one is subject to the rule of public and the other to the rule of private financiering; but the growth of society demands continuous modification in the assignment of specific functions. Recognizing, then, the mutual relations that exist between public and private duties, it is easy to understand why failure to achieve the best results in one department of activity must injuriously affect the other; and the pertinent question for one who would direct by his thought the development of society is, Under what conditions may the best results be expected from both departments of activity?

This question has already been answered. The best results may be expected when the duties assigned to public officials and the functions performed by private individuals are so correlated that the inducements offered are of about the same strength in both domains of activity. It is, of course, necessary, in applying this rule, to take into consideration other than merely pecuniary motives by which men are led to act. Considerations of social distinction, the desire to exercise such powers as one may possess, the pleasure of filling well a responsible position—indeed, all the varied demands of human nature must be admitted into the account.

The neglect to observe these fundamental conditions, the depreciation of the public functionary, and the demoralization of the invader of public functions are treated thus:

In our own country, on the other hand, one observes that society has developed in the opposite direction. The great prizes here offered are in the line of individual initiative. Our civil, State, and municipal service is so poor that an official has no social position, while a business man who accumulates money is generally regarded with deference. The salary paid by the State is nothing when compared with what men of ordinary talent may secure, either as profit, if engaged in business on their own account, or as salary if working for a private employer. It is therefore no occasion for surprise to learn that in this country we have very perfect sewing machines but poorly administered cities.

One can not fully appreciate this view of the case without calling to mind the possibilities of acquiring wealth in a rapidly developing industrial society. The atmosphere of such a society is intensely commercial, and not only do men of ability and energy refuse to consider a public position as desirable to themselves, but they regard with supercilious condescension one who is willing to assume public office in a municipality. And it may be added in this connection, as bearing on the question of municipal corruption, that the moral judgments of a public officer are very much like those of his neighbors who elect him, and the sentiments which control in the transactions of their daily business will probably give color to his administration. But the ordinary business life of the nineteenth century is such as to render men familiar with methods of speculation and to conform their ethical principles to the law of supply and demand. The spirit of speculation partakes in character of the spirit of gambling. It judges all businesses undertaken on the basis of their pecuniary success, and has little care for the equivalent given for what is gained. A fine sense of what is just can not exist where it prevails, nor can a delicate appreciation of what is honest be long retained by business men.

In his excellent work upon the Philosophy of Wealth, Prof. Clark portrays the moral effect of this transformation in the following language:

"The man of the present day is actuated now by one influence, now by the other, and has two distinct codes of outward conduct. Moral philosophy, indeed, teaches that his fundamental character is one and unchanging; but as there is one code of practical conduct for war and another for peace, so there is one for mercantile life and a different one for the family, the social circle, and the church. The man of business is constantly passing from the jurisdiction of one code to that of another.

"It is a common remark that business practices are not what they should be, and that a sensitive conscience should be left at home when its possessor goes to the office or the shop. We helplessly deprecate this fact; we lament the forms of business depravity that come to our notice, but attack them with little confidence. We are appalled by the great fact of moral dualism in which we live and are inclined to resign ourselves to the necessity of a twofold life."

And what of the effect of these perversions upon the ambitions of public men?

Suppose, now, that a man of good intentions came into office in a community breathing the atmosphere of commercial speculation—let us say the office of mayor in his town or governor in his State—what does he see upon looking into the society whose welfare is placed in his hands? He sees it to be no uncommon thing, where contracts are uncontrolled and where the rule of individual ownership is indiscriminately applied to all of the agencies of production, that fortunes are established in the hands of men and families having no peculiar right to them. He sees also that many businesses which from their very nature must be carried on as monopolies are given over to private control; that the principle of private financiering is applied to them with all its vigor; and that in this manner large fortunes are accumulated and large power over men acquired, exceeding by far the importance of any individual to society. He sees also that in many businesses naturally subject to the regulating influence of competition artificial combinations are established, by means of which monopoly prices are secured from customers. But such privileges as these can not pass unchallenged, and it follows that the important lawyers of every town are retained at large salaries to defend, by their tempered talents, the privileges that monopolies have secured, while other lawyers are hired to depart from their legitimate profession to secure for business men some special legislation. Yet all this lies within the law. It can not be branded as corrupt, although the least sum taken by a public official beyond his stated salary is properly called robbery.

As contrasted with this state of affairs, what does our successful candidate see in the office to which he has been elected? He will not long remain an incumbent before discovering that the position which he sought as a dignity brings with it no honor. What he thought to be a place of responsibility and power proves to be the center of no great influence, demanding in reality little beyond the perfunctory duties of a ministerial officer. He finds there is small demand for the exercise of judgment and a narrow field for the development of manly faculties; he also learns through the sinister suggestions of those whose personal interests he does not forward that his tenure of office is insecure; and, last of all, he finds that his salary does not suffice to keep his family respectably in the social circles in which they wish to move and that the gratitude of republics does not extend to provision for their servants against sickness and old age. Repeating again the assumption that our candidate is honest—at least within the meaning of the law—and that he is conscious of ordinary business capacity, we are warranted in concluding that the career of an official will not harmonize with his tastes. He will, upon the first opportunity, retire to private life, which presents larger scope for efficient activity and where the prizes to be gained are much greater.

Such are the conditions of a public career in most of the municipalities of the United States, and observed results are altogether what might have been expected. The incumbents of local office are usually men of indifferent ability. If not actually depraved, they are at least colorless in character. Among "city fathers" of this sort there appears from time to time the shrewd yet unscrupulous man who for personal aggrandizement assumes complete control over public affairs. This is the explanation of "rings" and "jobs." Public corruption therefore is no accident. It is the necessary result of the idea that the best thing to do with a public official is to lay him on the shelf out of harm's way.

Is it not, then, correct to say that the theory of noninterference, which regards individual enterprise as the only proper depository of industrial power, and which relies wholly on competitive action as the guaranty of fair treatment in business affairs, is an obstacle to the restoration of harmony in social relations? Under the influence of the sentiment engendered by this theory we see corporations to have attained power at the expense of the importance of the States; we see the symmetry of government to have been destroyed; we see the line between public and private interests to have been practically effaced; and, as a natural consequence, the machinery of government easily perverted from its high purpose to serve the private ends of corporations and individuals.

A concrete case of what Prof. Adams has in mind may be given. It relates to the telephone in San Francisco: The Pacific States Co., a Bell company, and a rival, the Home Telephone Co., were engaged in a struggle for possession of the field, with stupendous bribes as their weapons. The Schmitz-Reuf combination was in political control. The following narrative is from McClure's Magazine for February, 1911, in the form of a dialogue between "Boss" Reuf and Detective Burns:

"What next?" said I [Detective Burns], when the gas case was finished.

"The Home Telephone Co.—$120,000. Sixty thousand went to the board of supervisors, through Gallagher; the other sixty thousand was divided between Schmitz and me."

("Thirty thousand apiece for them," said Burns, interrupting his story, "while each of the 18 supervisors, poor devils, who were necessary to grant the franchise and who served as a cloak, were glad to get away with their little three thousand apiece.")

There were absolutely no bounds to Reuf's greed. He is the only boss I've ever heard of who never showed an atom of loyalty or gratitude to those who served him. He admittted that, although for years he had received from the Pacific States Telephone Co. $1,000 a month, when Detweiler, of Toledo, president of the Home Telephone Co., outbid the Pacific States, he went over straightway. And in connection with the transaction Reuf told this story:

"The Pacific States Corporation," said he, "attempted to do some individual bribing of the supervisors on their own account. They

thought they could beat me," and Reuf swelled out his chest. "Their local agent, Theodore V. Halsey, had made an arrangement with Boxton, of the board, who had promised to procure the pledges of 10 of the supervisors to favor the old corporation—a majority of the 18, you see—when I was informed by some of the board of what was going on. They came to ask me what to do. 'Sure; take the money from the Pacific States people,' I advised. 'All you can get. And then give them the double-cross.' So Halsey started his little game," said Reuf. "Oh, he thought he was laying me out. He engaged a room in the Mills Building; Krause, his secretary, who has since committed suicide in Europe, ushered the supervisors into the inner office, where Halsey handed each a package containing from twenty-five hundred to five thousand dollars. Halsey told them that the balance, making ten thousand for each, would be given them at the expiration of their terms of office, provided they refused the franchise to the Home Telephone Co.

"Halsey paid out about $75,000 in this way," grinned Reuf. "Then, when the Home people got their franchise, he went wild. He came to me and wept and begged me to make the supervisors give him back his money; he said he'd lose his job if he didn't get it back. 'It serves you right, Halsey,' said I, 'for trying to steal my supervisors from me.'" (Burns imitated Reuf's virtuous indignation.) "'But I'll see what can be done.' I then told the supervisors to return to Halsey one-half of the Pacific States Telephone bribe; I knew they wouldn't; only two of them did."

"But I was going to tell you the Reufesque windup of this telephone affair," Burns resumed. "For in this case the boss surely did shine as a dyed-in-the-wool grasp-all. He forced the supervisors to credit their Halsey money to the Home Co.'s account. The Pacific States actually paid their rival's bribes to the supervisors and Reuf pocketed all the Home people gave."

The San Francisco conditions have not been repeated in every city, at least not to the same degree, although they are implicit wherever the temptation and prize are equal, and the municipal government has been weakened by the policy of denying it its powers.

The Federal administration has been excluded—very justly, I think—from the above desertation on the causes and character of municipal weakness and inefficiency. Its functions have not been so badly neglected, and agencies like the Interstate Commerce Commission, the Agricultural Department, the Army and Navy, and the postal system have made it administratively reliable and respected. This fact is recognized by Prof. Adams. He says:

> So far as the Federal Government is concerned, the extension of its powers thus far does not seem to be open to severe criticism, and we are only solicitous as to what this tendency will bring about in the future. The present condition of affairs is easily stated. Men are now coming to realize the disastrous consequences likely to emerge from the continued sway of irresponsible corporate power. They see that an extension of governmental agency can alone retain for them the fruits of an advanced industrial civilization; and, inasmuch as the States are incompetent to deal with such difficult questions, they turn of necessity to the Federal Government.

Municipal phone administration: There has been some suggestion that the interurban and long-distance lines be run by the post, but that the local exchanges be left to municipal administration. The above reflections on the present municipal situation with respect to administrative deficiencies seem to preclude that course. But even should the administrative capacity of our municipalities be restored, as foreign and many home examples indicate they shall be, yet there are grave institutional and objective reasons why the wire service should be completely postalized instead of, as suggested, being partly municipalized. It is the same thing as proposing that the mail trains and the rural delivery should be in the hands of the Government, but that the local post office should be run by the mayor. The examples of all the world are against such a method.

Some of the reasons for this postal solidarity in phone administration in countries like England, Switzerland, and Germany, possessing full-fledged local governing institutions like our own, but exempt from the inefficiency charges we must bear here, are not unlikely the following:

First. Wastes of personnel service in maintaining and management of distinct institutions. Thus during breakdowns of the wires in storms local and long-distance men can be concentrated for immediate relief, if there be but one management.

Second. The postal institution articulates with and embraces all varieties of the population, whether massed in cities, towns, villages, or individual homes. The municipal institution, on the other hand, is limited to a corporate area, while many towns and villages have no administrative machinery and no means of supplying it, whatever the cost.

Third. The postal system by virtue of its universality is able to standardize its rates and service by employing the principle of averages, and thus is able to universalize the service, extending it to points which, while generally necessary, might be locally unprofitable.

It is not perceived what municipal administration of the exchanges could offer in the way of advantages over the postal method, and no such arguments have been presented. Its advocates are probably wholly influenced by the doctrinal view which deprecates all appreciation of Federal activity where local action is possible. But the makers of the Constitution, even in their day, strongly impressed as they were with a preference for local authority, plainly distinguished the function of communication as dominatingly Federal in its character, and so treated it in their grant of powers. There does not seem to be any claim that the Federal discharge of the full postal function of communication would throw the Federal and the State and local governments out of equilibrium. The amount of Federal expenditures is probably much exceeded by the combined municipal, county, and State expenditures. In 1912, the latest data, the Federal expenditures were less than 40 per cent of the whole public expenditures, a disparity which is likely to have continuous growth as the local governments take up the much-needed road improvements of the future—a field they might occupy to much greater advantage and a field likely to fully tax their financial resources.

RÉSUMÉ.

Mr. Chairman, I am only too conscious of the extreme advantage I have taken of the courtesy of the House, and now wish to conclude with a hurried summary of the leading features of the discussion. To be brief, the investigation discloses that our telegraphic rates are the highest among 18 countries, running from 25 cents to $1, while in other countries they average about 12 cents, or a cent a word. The result of these abnormal rates is that we rank but thirteenth as telegraph users, with one and three-twentieths telegrams per person to our credit per annum, while in New Zealand, with the 12-cent rate and our price and wage levels, the use of the telegraph reaches as high as 9 telegrams per person.

Against these conditions it appears that our postal rates average lower than other countries, and that the number of letters here—101 per person—is the highest in the world.

The telegraph companies seem to be lacking in institutional economy or efficiency. The operation of sending a telegram is loaded down with 74 incidental services and processes, not less than 50 of which would be replaced by affixing the postage stamp. Notwithstanding they have the greatest business per office, yet their daily product is 8 telegrams per employee, against 11 for New Zealand, with less than one-third the business per telegraph office. The American inefficiency is further exaggerated by the duplication of telegraph offices in all the important towns and cities, and the denial of the service at many thousand necessary points.

A striking feature is the discovery that the telegraph service is a relatively declining institution, and that it would be unwise now to postalize it alone and as a single service. For 10 years in England the number of telegrams has been actually stationary. To take over the telegraph lines alone and operate them merely as telegraph lines might result in postal bankruptcy. Separated from the telephone, they are not now surely self-sustaining as mere telegraphs. Because you would rather talk with than write to a person, you use the telephone rather than the telegram, if the rates permit. In Germany, where both telegraph and telephone rates are normal, there are five times as many toll or long-distance conversations as there are telegrams, and even in the United States nearly twice as many. There would be no advantage in taking over the telegraph lines; the investigation makes this clear.

But our toll and long-distance rates compare with those of other countries even less favorably than do our telegraph rates. The average interurban receipt in Germany is but 4 cents; here it averages 21 cents. The long-distance rates here are made on a scale of 6 mills a mile per three-minute conversation, as against an average charge of about 7 mills a mile received by the railways for transporting a ton of freight. The average charge on the Continent for a 300-mile talk is 30 cents; here it is $1.80, or six times as great. It is not unfair to say that the American interurban telephone rates are the scandal of public-service rates the world over. The American telephone monopoly takes the last place among 17 countries with regard to the lowness of these rates.

With respect to local telephone exchange rates, we have three main divisions—the farmers' lines, which cost the average subscriber about a half cent a call; the independents, which cost a little less than 1 cent a call; and the local rates of the Bell monopoly, which average a little less than 2 cents per call, or twice the average charge in other countries. While our postal rates give us the first rank in lowness of charges, this company ranks but twenty-ninth among 31 telephone systems with its local charges, and we one among only three countries where the average local rate approximates the rate for letter postage.

The subscribers' rates in American cities, compared with continental cities, are about three times as high. For example, New York, where 5,400 calls, about 15 per day, under a measured service tariff cost more than the four unlimited yearly rates of London, Paris, Berlin, and Stockholm together. For like services, Baltimore people pay more than the rates for London and Paris combined, and Washington pays as much as the five cities of Amsterdam, Rotterdam, Auckland, Tokyo, and Copenhagen combined. In postal-telephone countries the local toll tariffs tend to run about one-half the charge for a letter, while here it runs with the street car fare, and sometimes exceeds it, when it is three times the letter rate.

While competition does not supply a remedy because it divides the service and necessitates the payment for two phones, yet it throws an interesting side light on the tendency of a private monopoly to jack up the rates. Thus of 60 of the great American cities, 24 averaging 342,486 in population, pay an average annual phone rate of $53 under competition; while the other 36 cities, averaging but 188,629 in population, without competition, pay an average rate of $81. Since competition can only augment the total cost of operation it is apparent how private monopoly and high rates go hand in hand.

Telephone development has reached its substantial limits in the United States under private capital with the extension of the service to the very profitable office and well-to-do home traffic. To extend it to the homes of the masses, as the public roads and Postal Service now are extended, the postal agency is necessary. If the telephone lines are postalized, both the telephone and telegraph business can be done over them, as in other countries, where a telegram and a conversation go over the same wire at the same time. It will be unnecessary to take over the telegraph lines here, as both kinds of communication can be handled on the telephone wires, which exceed the telegraph wires in mileage and geographical distribution.

The telegraph lines would have to be substantially reconstructed to add a telephone business to them, while the addition of the telegraph instruments to the telephone wires may be accomplished at a negligible total cost. This circumstance shows the weakness of private monopoly. Instead of duplicating the telegraph network with a separate toll and long-distance system as the American Telephone & Telegraph Co. has done, the postal telegraph countries have made the one network serve for both functions, by articulating the telegraphic with the telephone exchanges.

The cost of acquiring the telephone networks is indicated as about $1,000,000,000; for which it is proposed to issue 3 per cent bonds, payable in 20 years. It is calculated that the Postal System by superimposing the telegraph service on the telephone lines at half present telegraph rates may net some fifty millions annually from that traffic alone, which, with the present profits of the telephones, and after the deduction of interest on the bonds and depreciation, would supply the department with a large surplus for extensions, and so forth.

The telephone rates should be worked out experimentally by the Post Office Department in a few years, with the assured prospect of ultimately securing telephone and telegraph rates, like our letter rates, as low as those abroad. That is, rates about half those now obtaining for the telegraph and local telephone services, and about one-fourth those charged for the long-distance telephone conversation. Our other postal rates, including the highly profitable parcel-post rates, have been made as low as in other countries, and the indications are that like results can be obtained for the wire service when postalized.

The suggestion that the interurban and long-distance lines alone be postalized and the telephone exchanges be left to the municipalities is found to be unsound. The postal system can finance and operate the exchanges the more economically and efficiently, and the divorcement of the exchanges from the interurban and long-distance lines would necessitate the maintenance of two personnels at substantially increased cost. It would be like divorcing the local post offices from the Post Office Department and turning them over to the mayors to run. The towns and cities have enough to do if they give proper attention to those utilities which are distinctly local. Moreover, the farms and countryside villages which are without local administrative governments would not be reached by a municipal service.

The financing of the acquisition and the valuations of the properties would cover several years; and while the properties should be taken at one time with their personnel and systematized the payments for them would have to await the final valuations by the Interstate Commerce Commission, the Treasurer paying the owners 4 per cent interest quarterly during the interim. The financing would thus be decentralized into as many payments as there are distinct legal ownerships. It is not thought this financing would involve difficulties seriously greater than those of the Panama Canal. Switzerland has recently successfully financed the purchase of her railways, amounting to about $50 per capita, while the telephone acquisition here would be less than $10.

With respect to management, it is found that our postal system is highly efficient. It ranks next to the highest—Belgium—among 16 countries, and perhaps is actually in advance of her. Our product per average postal employee in 1912 was over 60,000 mail pieces per man as compared with Germany at 37,000 and France at 34,000, countries which rank eighth and tenth, respectively, in postal efficiency. In the matter of telegrams handled per employee, our companies are outranked by New Zealand, notwithstanding the concentration of the telegraph business in a relatively few offices here. The Bell telephone monopoly ranks but ninth in operative efficiency among 16 countries. In 1912 it handled 64,000 telephone calls per employee, as against 118,500 per employee in Norway. This is mainly because its abnormal rates condemn the operative plant to comparative idleness—its interurban lines show but 8 per cent of utilization as against 19 per cent in Germany—while the number of operators engaged in maintenance and other services remain the same, whether the phones are actively or but sparingly used. The Postal System with normal rates might easily double the Bell efficiency in number of calls per employee, and the independents do better it greatly on account of their lower rates and consequent higher utilization of plant and personnel. With the number of calls thus doubled, the expense per call would be practically reduced one-half, and it may thus be seen what the postal motive could accomplish in rate reduction without substantial increase of expense. This illustrates the natural infirmities of private monopoly exercising a postal function, it is without a motive to double the service even where expenses and profits will remain the same.

RECAPITULATION.

Standing of the United States on telegraph rate, eighteenth highest in 18.

On long-distance rate (Bell system), fifteenth highest in 15.

On local telephone rate (Bell system), twenty-ninth highest in 31.

On letter rate, second lowest in all.

SOCIAL UTILIZATION.[1]

Letters, first in all.

Telegrams, eleventh in 16.

Long distance, eighth in 16.

Telegrams and long distance, thirteenth in 16.

Number of phones, first in all.

INSTITUTIONAL EFFICIENCY.[2]

Postal Service, first in 16.

Telephone service (Bell system), ninth in 12.

Telegraph service.[3]

The United States exceeds other countries, on telegraph rates, 125 per cent.

On local telephone rates (Bell system), 100 per cent.

On long-distance rates (Bell system), 300 per cent.

Such, sir, are the results of a business and economical survey of the field of communication by electricity. In the domain of public morals the lesson is not different. The perversion of the laws of public and private financiering, by which public governments have been disinherited of their normal functions, has led to such corruption and demoralization—of the functionaries giving and the alien claimants receiving the despoiled inheritance—that cities like New York with its street railways, Philadelphia with its gas works, and San Francisco with its telephones, have shamed the scions of Roman corruption in their most dishonorable days. The policy of weakening these governments by alienating their functions to ambitious private finance has made them despised and attractive only to such weak political creatures as see opportunity for individual enrichment. Compare them, sir, with the proud cities of other lands, undespoiled of their rightful attributes of public service and where public position gives honor, prestige, and respect.

[1] That is, number of communications per capita.
[2] That is, in product per employee.
[3] See discussion of telegraph efficiency. Our companies are probably among the very lowest, considering the small number of offices they operate and the consequent density of traffic. They are like the Russian postal system. It maintains only 15,701 offices in an area much larger than the United States; about one-quarter the number maintained here.

TABLE A.—*Unlimited service.*

Country.	Exclusive.	Each of 2 parties.	Per additional party.[1]	Number of subscribers.	Population.	Distance from exchange in miles.	Area of free service.
Denmark:							
1. Zealand (Seeland) and Amae Isles.						$1.24 per additional 0.062 mile.	
(a) Copenhagen	[2] $24.00	[3] $17.40			555,400	0.75	
	37.36					1	
(b) Outside—							
I	[4] 10.70						City.
II	13.40						Radius of 12.5 miles.
2. Moen Island	16.00				14,100		
Stege City	10.70				2,500		
3. Laaland and Falster Islands.	20.00				105,000		
4. Fyen Island	33.50						Entire system.
City	12.00–14.75						Only city.
5. Langeland Island	16.00				19,000		
6. Aero Island	[2] 10.70				11,000		
	16.00						
7. Jutland district					1,198,500		
(a) City	9.25						City.
(b) City and suburbs	17.40						City and suburbs.
8. Veile	9.25				16,200		City.
Veile and suburbs	17.40						City and suburbs.
9. Samso Islands	16.00						
10. Bornholm Island	16.00				41,000		
France: [5]							
Paris system	77.20		[6] $9.65			Old city limits	
Lyons system	57.90		[6] 7.72			do	
Other systems and places	[7] 28.95		[6] 7.72		([8])	In all other cases subscribers for unlimited service pay cost of connection at the rate of $2.90 or $3.86, respectively, per 328 feet of single or double line in air; 3 times that amount for underground line.	
	38.60		7.72		([9])		
Germany	19.04			[10] 50		3.10 miles; $1.20 per additional 0.062 mile.	Local, adjoining, and such neighboring places as do not pay a higher fee than the place of origin of the call, $4.76 per additional apparatus in the same establishment; $7.14 outside of it.
	23.80			100			
	28.55			200			
	33.32			500			
	35.70			1,000			
	38.08			5,000			
	40.46			20,000			
	42.84			[11] 20,000			
Great Britain:							
London	82.75					2 miles	London system.
Hungary:							
Budapest	57.90						
Budapest and suburbs	69.48						
Other cities	23.16						
Other cities and suburbs	46.32						
Province—							
Same district	11.58						
Inter-district	23.16						
Connection with city	27.79						
Inter-Province—							
Border districts	27.79						
Italy	[12] 38.60					1.87 miles; per additional 0.122 mile, $1.16 or (underground) $1.55 is allowed to be charged.	Local system.
	[13] 57.90						
Japan	34.00	25.00				Class A, B, C, D, city. Out of city $1 is added and the cost of connection to city limits.	Local, adjoining, and suburbs.
	28.00	22.00					
	25.00	19.00					
	19.00	16.00					
Luxemburg	19.30					Local. Within 0.93 mile from main line, subject to charge of cost of connection.	Entire Duchy.
Netherlands:							
I. Government networks—							
Alphan	14.00					0.31 mile; per 0.062 mile beyond	Entire network.
Bergen	14.00				13,091	$1.20 up to 3.10 miles	Do.
Boskoop	14.00					$2 up to 3.72 miles	Do.
Culenborg	14.00					$2.80 up to 4.34 miles	Do.
Eukhinzen	14.00				6,733	$3.60 up to 4.96 miles	Do.
Goes	14.00				6,746	$4.40 up to 5.58 miles	Do.
Gorinchem	14.00				11,879	$5.20 up to 6.20 miles	Do.
Harlingen	14.00				10,308	$6 beyond 6.20 miles	Do.
Heerenveen	14.00						Do.
Heerlen	14.00						Do.
Lochem	14.00				3,979		Do.
Neuzen	14.00						Do.
Noordwyk	14.00						Do.
Rozendaal	14.00				11,311		Do.
Staalwyk	14.00						Do.
Winterswyk	14.00				9,879		Do.
Zandvoort	14.00						Do.
Zierikzee	14.00						Do.
Lisse and branches at Stillegorn and Sassenheim.	20.00					3.10 miles	Do.
Nymegen	18.00				55,828	3.10 miles	Do.
Rheden [14]	20.00						Do.

[1] In addition to the connection charges at the rate given in column "Distance from exchange in miles."
[2] Private business.
[3] Private.
[4] See area.
[5] In France, towns within a radius of 15.5 miles from certain cities (17 in all) are included in the system of the respective city. Paris appears to embrace a larger radius, including 50 or more towns and cities.
[6] Only in the same establishment.
[7] See remarks. (Distance from exchange in miles.)
[8] Below 25,000.
[9] Or over 25,000.
[10] Up to.
[11] Above.
[12] Maximum for air line.
[13] Maximum for underground line. The maximum rates are not usually charged.
[14] The central office being Duren and branches at Steeg and Velp.

TABLE A.—*Unlimited service*—Continued.

Country.	Exclusive.	Each of 2 parties.	Per additional party.	Number of subscribers.	Population.	Distance from exchange in miles.	Area of free service.
Netherlands—Continued.							
II. Commercial networks—							
Amsterdam	$36.00				566,200		Entire network.
Apeldoorn	16.00				35,800	1.55 miles; per additional 0.062 mile up to 4.65 miles 60 cents; beyond, 80 cents.	Do.
Armhem	18.00				64,000	Out of commune, $40	Do.
Assen	16.00				12,900	1,864 miles; per additional 0.062 mile out of city, $1.	Do.
Doesburg	18.00				4,500	Local. Per 0.62 mile out of city, $1.20	Do.
Edam	16.00				6,600	1.24 miles	Do.
Do	20.00					Beyond 1.24 miles	Do.
Eindhoven	14.00				57,000	0.93 mile	Do.
Enschede	14.00				34,200	Local	Do.
Do	20.00					1.864 miles	Do.
Hague (The)	26.00	[1] $16.00			271,300	Same in Voorburg and Ryswick. Outside of these cities, $2 per additional 0.062 mile, with minimum of $32 exclusive; $20 each of 2 parties; $15.40 each of 3; $13 each of 4; the rate per 0.062 mile for parties being $1, $0.68, and $0.50, respectively.	Do.
Helmond	14.00				14,800	Per 0.62 mile out of city, $1.20	Do.
Kampen (city)	18.00				19,246	Per 0.062 mile out of city, 80 cents	Do.
Kampen (commune)	22.00					0.76 mile; per 0.62 mile in addition, 80 cents.	Do.
Katwyk	18.00					Out of commune 40 cents per 0.062 mile.	Do.
Maastricht	16.00				37,500	Per 0.62 mile out of city, $1.20	Do.
Meppel	14.00				11,000	1.861 miles	Do.
Do	20.00					Beyond 1.864 miles; per 0.62 out of city, $1.20.	Do.
Oldenzaal	16.00				66,000	Per 0.062 mile out of city, 60 cents	Do.
Purmerend	14.00				5,800	0.62 mile	Do.
Do	18.00					Beyond 0.62 mile; per 0.62 mile out of city, $1.20.	Do.
Rheuen	18.00				6,000	0.155 mile from city hall. Others 24 to 80 cents per 0.062 mile from exchange.	Do.
Rotterdam	[2] 26.00				417,900		Do.
Do	[3] 36.00						Do.
Sliedrecht	20.00				9,892	Central part of commune. Per additional 0.062 mile, $1.20.	Do.
Sneek	16.00					0.31 mile; per additional 0.62 mile, $1.60.	Do.
Veulo	18.00				17,100	Per 0.62 mile out of city, $1.20	Do.
Wagenmgen	14.00				9,600	1.864 miles	Do.
Do	20.00					2.485 miles	Do.
Do	24.00					3.106 miles	Do.
Wyk by Duurstede	18.00				3,000	0.155 mile from city hall. Others 24 to 80 cents per 0.062 mile from exchange.	Do.
Winschoten	16.00				9,700	0.466 mile. Per additional 0.062 mile, $1.20.	Do.
Woerden	18.00					0.155 mile from city hall. Others 24 to 80 cents per 0.062 mile from exchange.	Do.
New Zealand:							
Private	24.35	17.00	[4] $14.60			1 mile	Do.
Business	24.35	21.87	19.47			½ mile	
If service continuous	34.05	26.74	24.34			Parties: ½ mile per party	
Norway:							
Trondhjem	[5] $18.76	[6] $18.00	[7] $6.43 [8] 9.11		45,228	0.93 mile	
Sarpsborg	[6] 13.40		[7] 5.36 [8] 6.70		9,300	City	
Drobak	[5] 10.72		[7] 5.36 [8] 6.70		2,800	....do	
Brevik	[5] 10.72	[6] 8.58	[7] 4.29 [8] 5.36		2,200	0.62 mile	
Farsund	[5] 10.72		[7] 4.29 [8] 5.36		1,500	City	
Voss	[5] 10.72		[7] 4.29 [8] 5.36		7,700	0.62 mile	
Levangor	[5] 10.72	[8] 8.04	[7] 6.43 [8] 9.11		1,977	9.93 miles	
Bvdo	[5] 13.40	[6] 10.72	[7] 4.29 [8] 5.36		4,300	City	
Larvik	[5] 16.08		[7] 4.29 [8] 5.36		10,151	0.62 mile	
Tromsoe	[5] 16.08		[7] 6.70 [8] 9.38		10,000	City	
Russia			[9] 5.00			1.33 to 2 miles	Do.
Akerman [10]	[5] 37.50			154	32,470		
Alexandrowsk	[5] 37.50			288	42,186		
Balaklava	[5] 62.50			7	2,347		
Balakova [10]	[5] 15.00	[6] 37.50		124			
Balta	[5] 25.00	[6] 30.00		40			
Bar [10]	[5] 28.00			37	13,434		
Batum	[5] 30.00	[6] 37.50		221	30,008		
Bausk [10]	[2] 15.00			128			
Druskeniki [10]	[5] 15.00			22			
Ekaterinoslav	[5] 30.00	[6] 37.50		1,701	156,511		
Fellin [10]	[5] 20.00			57			
Friedrichstadt [10]	[5] 20.00			32			
Gatshina	17.50	37.50		360	11,557		
Gourzouf				26			
Jacobstadt [10]	20.00			64	2,168		
Jitomir	30.00	[11] 37.50		276	89,108		
Kamenetz-Pod	30.00	[11] 37.50		222	40,135		
Kharkov	30.00	[11] 37.50		3,991	206,315		
Khvalinsk	25.00	[11] 30.00		62	22,642		
Kishinev	30.00	[11] 37.50		891	127,487		
Kodinzovo	62.50			4			
Koreiz	50.00			72			
Kurisovo	62.50			6			
Lipetsk	25.00	[11] 30.00		102	16,834		
Lodz	30.00	[11] 37.50		4,103	393,526		
Moghiley-Pod [10]	24.00	[11] 40.00		164	53,718		

[1] Each of 3 parties, $12; each of 4 parties, $11.
[2] Home.
[3] Business.
[4] Up to 6.
[5] Double line.
[6] Single line.
[7] Same building.
[8] Different building.
[9] If in the same building.
[10] Private company under concession.
[11] The higher rates are for collective service.

TABLE A.—*Unlimited service*—Continued.

Country.	Exclusive.	Each of 2 parties.	Per additional party.	Number of subscribers.	Population.	Distance from exchange in miles.	Area of free service.
Russia—Continued.							
Mo(g)hilev	$30.00 [1]$37.50			295	25,141		
Moscow, district of: Moscow [2]	32.00 [1] 51.00			43,348	1,468,563		
Odessa [2]	25.00 [1] 36.00			6,842	520,000		
Riga [2]	26.00 [1] 37.50			8,876	318,400		
Righval [2]	12.50			4			
Rovno [2]	29.00			261	7,964		
St. Petersburg [2]	25.00 [1] 36.00			46,842	1,907,700		
Warsaw [2]	31.00 [1] 45.00			28,935	771,000		
Sweden	13.40 –16.08					Local	Local and in some cases environs.

[1] The higher rates are for collective service.
[2] Private company under concession.
[3] The maximum for business is $21.44 for the first 5 years; thereafter, $16.08. Entry fee for business, $13.40. Installation contract is 5 years in all cases. Extra apparatus in appt's (minimum, 10 apparatus); 15 cr. ($4.02) per apparatus.

TABLE B.—*Limited service.*

Country.	Basal annual charge.					Additional charges for service.				
	Exclusive.	Number free calls included.	Each of—			Per additional party.	Number calls per party.	Number calls.	Amount.	Charge per call (estimated).
			2 parties.	3 parties.	4 parties.					
Australia	$14.60	None.	$12.17			$9.74	None.	4,000		$0.01
	17.05	None.	13.37			11.00	None.	[1] 4,000		.00[2]
	19.50	None.	14.60			12.17	None.			
Austria	23.00	[2] 2,400	16.00		[3] $10.00			2,400		None.
	24.00	3,000	16.00		10.00			3,000		None.
	30.00	6,000	16.00		10.00			6,000		None.
	36.00	12,000	16.00		10.00			12,000		None.
	26.00	[2] 2,400	18.00		11.00			2,400		None.
	29.00	3,000	18.00		11.00			3,000		None.
	36.00	6,000	18.00		11.00			6,000		None.
	43.00	12,000	18.00		11.00			12,000		None.
	29.00	[2] 2,400	20.00		12.00			2,400		None.
	34.00	3,000	20.00		12.00			3,000		None.
	43.00	6,000	20.00		12.00			6,000		None.
	52.00	12,000	20.00		12.00			12,000		None.
	34.00	[2] 2,400	24.00		14.00			2,400		None.
	40.00	3,000	24.00		14.00			3,000		None.
	52.00	6,000	24.00		14.00			6,000		None.
	64.00	12,000	24.00		14.00			12,000		None.
	40.00	[2] 2,400	29.00		17.00			2,400		None.
	48.00	3,000	29.00		17.00			3,000		None.
	64.00	6,000	29.00		17.00			6,000		None.
	80.00	12,000	29.00		17.00			12,000		None.
	48.00	[2] 2,400	36.00		20.00			2,400		None.
	60.00	3,000	36.00		20.00			3,000		None.
	80.00	6,000	36.00		20.00			6,000		None.
	100.00	12,000	36.00		20.00			12,000		None.
Belgium	21.23	None.						1,200	$7.72	
	23.16	None.						2,000	11.58	
	25.09	None.						3,000	15.44	
								4,500	20.27	
								6,000	25.09	
								8,000	30.88	
								10,000	34.74	
Denmark (business):										
Copenhagen	32.00	5,000			10.70		[4] 400	[5] 1,200		
Fyen Island	18.75	1,200						100	1.75	.0268
Fyen City	12.00–14.75	1,200						100	1.34	.0268
France:										
First year	19.30	None.								.0193
Second year	15.44	None.								.0193
Third year	11.58	None.				[5] 5.79				.0193
Thereafter	7.72	None.								.0193
Germany	19.04	400								.0119
	22.60	400								.0119
	25.18	400								.0119
	27.56	400								.0119
Great Britain:										
London County	[10] 24.55	None.	[11] 14.60			Up to 10				[6] .02
Out of London County, but in London	[10] 19.45	None.		$9.74	9.74	9.74				[7] .04 [8] .02 [9] .04
Italy: [12]										
First year	19.30	None.								.00965
Thereafter	11.58	None.								.00965
Norway						8.04				
Christiania	21.44	6,000				10.72		Per 1,000	2.68	
Switzerland:										
First year	19.30	None.								.00965
Second year	13.50	None.								.00965
Thereafter	7.72	None.								.00965

[1] Above.
[2] Residence only.
[3] Business houses can subscribe only to two-party lines.
[4] Per additional.
[5] Only in the same establishment.
[6] In London County.
[7] Outside.
[8] Same exchange.
[9] With other exchanges.
[10] Minimum amount for calls, $14.60.
[11] Minimum annual amount for calls, $12.17.
[12] These measured service rates may be enforced by Government.

TABLE B.—*Limited service*—Continued.

Country.	Additional charges for service.					
	Total cost per call, including basal charge.	Additional apparatus.	Population.	Number of subscribers.	Area.	Distance from exchange.
Australia		(1)	10,000		5-mile radius	2 miles. Per additional ¼ mile: Exclusive, $2.40; per party, 60 cents.
			100,000		10-mile radius	
			[2] 100,000		do	
Austria				200	Network	0.62 mile.
				200	do	Do.
				200	do	Do.
				200	do	Do
				500	do	0.93 mile.
				500	do	Do.
				500	do	Do.
				500	do	Do.
				2,000	do	1.25 miles.
				2,000	do	Do.
				2,000	do	Do.
				2,000	do	Do.
				5,000	do	1.86 miles.
				5,000	do	Do.
				5,000	do	1.86 miles.
				5,000	do	Do.
				20,000	do	2.50 miles.
				20,000	do	Do.
				20,000	do	Do.
				20,000	do	Do.
				[2] 20,000	do	3.73 miles.
					do	Do.
					do	Do.
					do	Do.
Belgium		$4.83 to 6.75		1,000	18.64 miles, in some cases 28 miles from exchange.	1.864 miles.
				10,000		Do.
				[2] 10,000		Do.
Denmark (business):						
Copenhagen					Island	1.24 miles. Per additional 0.062 mile, $0.75 to $1.
Fyen Island					Network	
Fyen City					City	
France:						
First year		5.79	[3] 80,000			0.62 mile.
Second year		5.79	[3] 80,000			
Third year		5.79	[3] 80,000			
Thereafter		5.79	[3] 80,000			
Germany		[4] 4.76		1,000		3.10 miles.
				5,000		Do.
				10,000		Do.
				[5] 10,000		Do.
Great Britain:						
London County						2 miles.
Out of London County, but in London						
Italy: [6]						
First year						1.864 miles.
Thereafter						Do.
Norway, Christiania						0.93 mile.
Switzerland: [7]						
First year						1.24 miles.
Second year						
Thereafter						

[1] Same as parties.
[2] Above.
[3] Maximum.
[4] In the same establishment only.
[5] Per additional.
[6] These measured service rates may be employed
[7] In nonlucrative Government offices (i. e., other than railway, gas, electricity, etc.) the $7.72 fee from beginning.

TABLE C.—*Long-distance or interurban rates.*

Length of line in miles.	Australia (see note).		Belgium, per 3 minutes.		Denmark, per 3 minutes.	France, per 3 minutes.	Germany, per 3 minutes.	Great Britain.	Hungary, per 3 minutes.[1]	Italy, per 3 minutes.	Japan.	Luxemburg.[2]	Netherlands.	New Zealand, unit of 3 minutes.		Norway.	Russia.	Sweden, per 3 minutes.		Switzerland, per 3 minutes.
	First 3 minutes.	Per additional 3 minutes.	Single calls.	Monthly contract.										First.	Per additional.			Day.	Night.	
2.5											$0.025					$0.0268				
5											.025					.04				
7.5										$0.04	.05					.04	$0.05			
10										.06	.075		$0.08			.04	.075			
12.5										.06	.075					.067	.075			
15	$0.04	$0.04				[3] $0.05	$0.047			.06	.10					.067	.075			
20	.06	.06					.06			.06	.10					.067	.15			
25	.08	.06					.06			.096	.10			[4] $0.06	[4] $0.02	.067	.15			
31	.12	.10			$0.027		.06			.096	.125					.067	.15			$0.03

[1] Flat rate of $0.39.
[2] Between subscribers, free; nonsubscriber called subscriber, $0.05 per 3 minutes; other calls, $0.10 for first 3 minutes, $0.05 per additional 3 minutes.
[3] $0.05 per 50 miles air distance between capitals of departments in which the terminals are located; night rate three-fifths (by subscription, two-fifths) of day rate.
[4] Subscriber only.

TABLE C.—*Long-distance or interurban rates*—Continued.

Length of line in miles.	Australia (see note).		Belgium, per 3 minutes.		Denmark, per 3 minutes.	France, per 3 minutes.	Germany, per 3 minutes.	Great Britain.	Hungary, per 3 minutes.	Italy, per 3 minutes.	Japan.	Luxemburg.	Netherlands.	New Zealand, unit of 3 minutes.		Norway.	Russia.	Sweden, per 3 minutes.		Switzerland, per 3 minutes.
	First 3 minutes.	Per additional 3 minutes.	Single calls.	Monthly contract.										First.	Per additional.			Day.	Night.	
35	$0.12	$0.10	.....	$0.026	$0.0938	.....	$0.12	.....	.....	$0.096	$0.125	.....	.....	.....	.....	$0.0938	$0.15	.....	.....	$0.10
37.5	.16	.12	$0.10	.064	.0938	.....	.12	.....	.....	.096	.125	.....	.....	.....	.....	.0938	.15	.....	.....	.10
45	.16	.12	.....		.0938	.....	.12	$0.12	.....	.096	.125	.....	.....	.....	.....	.0938	.15	.....	.....	.10
50	.16	.12	.14	.039	.0938	.....	.12	.24	.....	.096	.125	.....	.....	$0.12	$0.04	.0938	.15	.....	.....	.10
55	.24	.18	.14	.096	.0938	.....	.12	.24	.....	.096	.125	.....	.....	.18	.06	.0938	.15	.....	.....	.10
62.5	.24	.18	.14		.0938	.....	.12	.24	.....	.096	.125	.....	.....	.18	.06	.0938	.15	$0.04	.....	.10
67.5	.24	.18	.14	.039	.134	.....	.24	.24	.....	.193	.15	.....	.....	.18	.06	.134	.25	.08	$0.04	.....
70	.24	.18	.14	.096	.134	.....	.24	.24	.....	.193	.15	.....	.....	.18	.06	.134	.25	.08	.04	.....
75	.24	.18	.14		.134	.....	.24	.24	.....	.193	.15	.....	.....	.18	.06	.134	.25	.08	.04	.....
80	.32	.24	.14	.....	.134	.....	.24	.24	.....	.193	.175	.....	.....	.24	.08	.134	.25	.08	.04	.....
85	.32	.24	.....	.....	.134	.....	.24	.24	.....	.193	.175	.....	.....	.24	.08	.134	.25	.08	.04	.....
90	.32	.24	.....	.....	.134	.....	.24	.36	.....	.193	.175	.....	.....	.24	.08	.134	.25	.08	.04	.....
93	.32	.24	.....	.....	.134	.....	.24	.36	.....	.193	.20	.....	.....	.24	.08	.134	.25	.08	.04	.....
100	.32	.24	.....	.....	.201	.....	.24	.36	.....	.193	.20	.....	.....	.24	.08	.20	.25	.08	.04	.....
110	.44	.32	.....	.....	.201	.....	.24	.36	.....	.193	.20	.....	.....	.36	.12	.20	.25	.08	.04	.....
120	.44	.32	.....	.....	.201	.....	.24	.36	.....	.193	.225	.....	.....	.36	.12	.20	.25	.08	.04	.....
130	.44	.32	.....	.....	.268	.....	.24	.48	.....	.193	.25	.....	.....	.36	.12	.20	.25	.08	.04	.....
140	.44	.32	.....	.....	.268	.....	.24	.48	.....	.193	.25	.....	.....	.36	.12	.20	.25	.08	.04	.....
150	.44	.32	.....	.....	.268	.....	.24	.48	.....	.193	.275	.....	.....	.36	.12	.20	.50	.08	.04	.....
160	.56	.42	.....	.....	.268	.....	.24	.48	.....	.193	.30	.....	.....	.48	.16	.20	.50	.08	.04	.....
170	.56	.42	.....	.....	.268	.....	.24	.48	.....	.29	.325	.....	.....	.48	.16	.268	.50	.134	.08	.....
180	.56	.42	.....	.....	.268	.....	.24	.60	.....	.29	.35	.....	.....	.48	.16	.268	.50	.134	.09	.....
190	.56	.42	.....	.....	.268	.....	.24	.60	.....	.29	.375	.....	.....	.48	.16	.268	.50	.134	.08	.....
200	.56	.42	.....	.....	.402	.....	.24	.60	.....	.29	.40	.....	.....	.48	.16	.268	.50	.134	.08	.....
210	.68	.50	.....	.....	.402	.....	.24	.60	.....	.29	.425	.....	.....	.....	.....	.268	.50	.134	.08	.....
220	.68	.50	.....	.....	.402	.....	.24	.96	.....	.29	.45	.....	.....	.....	.....	.268	.50	.134	.08	.....
230	.68	.50	.....	.....	.402	.....	.24	.96	.....	.29	.475	.....	.....	.....	.....	.268	.50	.134	.08	.....
240	.68	.50	.....	.....	.402	.....	.24	.96	.....	.29	.50	.....	.....	[1].12	[1].04	.268	.50	.134	.08	.....
250	.68	.50	.....	.....	.402	.....	.24	.96	.....	.29	.50	.....	.....	.....	.....	.268	.50	.134	.08	.....
275	.80	.50	.....	.....	.....	.....	.24	.96	.....	.....	.50	.....	.....	.....	.....	.335	.50	.134	.08	.....
300	.80	.60	.....	.....	.....	.....	.24	1.08	.....	.....	.50	.....	.....	.....	.....	.335	.50	.134	.08	.....
325	.92	.68	.....	.....	.....	.....	.36	1.08	.....	.....	.625	.....	.....	.....	.....	.335	.50	.134	.08	.....
350	.92	.68	.....	.....	.....	.....	.36	1.08	.....	.....	.625	.....	.....	.....	.....	.335	.50	.134	.08	.....
375	1.04	.78	.....	.....	.....	.....	.36	1.32	.....	.....	.625	.....	.....	[1].60	[2].10	.....	.77	.134	.08	.....
400	1.04	.78	.....	.....	.....	.....	.36	1.32	.....	.....	.75	.....	.....	.....	.....	.....	.77	.20	.....	.....
435	.....	.....	.....	.....	.....	.....	.36	1.32	.....	.....	.75	.....	.....	.....	.....	.....	.77	.20	.....	.....
470	.....	.....	.....	.....	.....	.....	.....	1.44	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
515	.....	.....	.....	.....	.....	.....	.36	1.56	.....	.....	.825	.....	.....	.....	.....	.....	.77	.20	.....	.....
585	.....	.....	.....	.....	.....	.....	.36	.....	.....	.....	1.00	.....	.....	.....	.....	.....	.....	.268	.134	.....
620	.....	.....	.....	.....	.....	.....	.36	.....	.....	.....	1.00	.....	.....	[1].60	[2].10	.....	.....	.268	.134	.....
655	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	1.125	.....	.....	.....	.....	.....	.....	.....	.....	.....
755	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	1.25	.....	.....	.....	.....	.....	.....	.335	.....	.....
870	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.40	.20	.....
994	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.469	.268	.....
Any distance	.....	.....	$0.193	$0.052 .128	.536	[3]$0.58 [4].35	.48	.....	.....	.385	1.375	.....	$0.12	.....	.....	.402	.....	.536	.268	.15

[1] Per additional 50 miles.
[2] Six minutes via telegraph circuits.
[3] Day.
[4] Night.

NOTE.—Press rate per 5 minutes about 65 per cent of public rate per 3 minutes.

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NOTE 1.—Journal Telegraphique, 1911, 1912, 1913, 1914, published by the Universal Postal Union, and gives the postal, telephone, telegraph, and wireless statistics in French. These statistics for the year 1910 are set forth in the reference Note 3, which may be obtained from the Postmaster General.

NOTE 2.—Telephone and Telegraph Census, 1912.

TELEPHONE.

All systems and lines—Miles of wire, number of telephones, and estimated number of messages or talks, classified as the Bell telephone system and all other systems: 1912, 1907, and 1902.

	Year.	Miles of wire.[1]	Number of telephones.	Estimated number of messages or talks.[2]
United States	1912	20,248,326	8,729,592	[3] 13,735,658,245
	1907	12,999,364	6,118,578	[3] 10,400,433,958
	1902	4,900,451	2,371,044	[4] 5,070,554,553
Bell telephone system	1912	15,133,186	5,087,027	9,133,226,836
	1907	8,947,266	3,132,063	6,401,044,799
	1902	3,387,924	1,317,178	3,074,530,060
All other systems	1912	5,115,140	3,642,565	[3] 4,602,431,409
	1907	4,052,098	2,986,515	[3] 3,999,389,159
	1902	1,512,527	1,053,866	[4] 1,996,024,493

[1] Exclusive of 1,565 miles in Canada in 1912 and 5 miles in 1907.
[2] The number of messages reported by the Bell telephone system includes only completed calls, while the figures for all other companies may include some original calls not necessarily completed, such as calls that the operator reports as "Line busy," or "Does not answer."
[3] Exclusive of systems reporting an annual income of less than $5,000.
[4] Exclusive of independent farmer or rural lines.

Telephone systems reporting an annual income of $5,000 or more, classified as the Bell telephone system and all other systems—Traffic: 1912, 1907, and 1902.

	1912	1907	1902	Per cent of increase.[1]		
				1902–1912	1907–1912	1902–1907
TOTAL.						
Number of systems	1,916	1,636	4,151	−53.8	17.1	−60.6
Number of telephones	7,326,748	4,906,693	2,315,297	216.4	49.3	111.9
Estimated number of messages or talks	13,735,658,245	10,400,433,958	5,070,554,553	170.9	32.1	105.1
Local exchange	13,394,885,442	10,160,630,944	4,949,849,709	170.6	31.8	105.3
Long distance or toll	340,772,803	239,803,014	120,704,844	182.3	42.1	98.7
Average messages or talks per telephone	1,875	2,120	2,190	−14.4	−11.6	−3.2
Local exchange	1,828	2,071	2,138	−14.5	−11.7	−3.1
Long distance or toll	47	49	52	−9.6	−4.1	−5.8
BELL TELEPHONE SYSTEM.						
Number of systems	176	175	44	300.0	0.6	297.7
Number of telephones	5,087,027	3,132,063	1,317,178	286.2	62.4	137.8
Estimated number of messages or talks	9,133,226,836	6,401,044,799	3,074,530,060	197.1	42.7	108.2
Local exchange	8,886,838,093	6,209,430,515	2,998,344,933	196.4	43.1	107.1
Long distance or toll	246,388,743	191,614,284	76,185,127	223.4	28.6	151.5
Average messages or talks per telephone	1,795	2,044	2,334	−23.1	−12.2	−12.4
Local exchange	1,747	1,983	2,276	−23.2	−11.9	−12.9
Long distance or toll	48	61	58	−17.2	−21.3	5.2
ALL OTHER SYSTEMS.						
Number of systems	1,740	1,461	4,107	−57.6	19.1	−64.4
Number of telephones	2,239,721	1,774,630	998,119	124.4	26.2	77.8
Estimated number of messages or talks	4,602,431,409	3,999,389,159	1,996,024,493	130.6	15.1	100.4
Local exchange	4,508,047,349	3,951,200,429	1,951,504,776	131.0	14.1	102.5
Long distance or toll	94,384,060	48,188,730	44,519,717	112.0	95.9	8.2
Average messages or talks per telephone	2,055	2,254	2,000	2.8	−8.8	12.7
Local exchange	2,013	2,227	1,955	3.0	−9.6	13.9
Long distance or toll	42	27	45	−6.7	55.6	−40.0

[1] A minus sign (−) denotes decrease.

Telephone systems reporting an annual income of $5,000 or more—Income and expenses: 1912 and 1907.

	1912	1907	Per cent of increase: 1907–1912.	Per cent of total.	
				1912	1907
Income, total	$255,081,234	$176,700,408	44.4	100.0	100.0
From telephone business, including assessments	243,591,929	167,148,389	45.7	95.5	94.6
From leased lines, wires, and conduits	4,076,278	2,403,650	69.6	1.6	1.4
All other income	7,413,027	7,148,369	3.7	2.9	4.0
Expenses, total	203,754,909	135,475,177	50.4	100.0	100.0
Operating expenses: Salaries and wages	96,040,541	65,009,349	47.7	47.1	48.0
All other	75,138,892	48,316,961	55.5	36.9	35.7
Taxes	12,411,516	6,213,472	99.8	6.1	4.6
Interest	20,163,960	15,935,395	26.5	9.9	11.8
Net income	51,326,325	41,225,231	24.5	.....	.....
Dividends declared during year, total	34,120,809	23,448,212	45.5	100.0	100.0
On common stock	32,255,125	21,753,565	48.3	94.5	92.8
On preferred stock	1,865,684	1,694,647	10.1	5.5	7.2
Surplus	17,205,516	17,777,019	3.2	.....	.....

Telephone systems reporting an annual income of $5,000 or more—Income and expenses, 1912.

	1912	Per cent of total.
Income, total	$255,081,234	100.0
From telephone business	243,427,611	95.4
Interest on bonds and dividends on stock of other telephone companies	857,619	.3
Interest on bonds and dividends on stock of companies other than telephone companies[1]	3,507,347	1.4
From leased telephone lines, wires, and conduits	4,076,278	1.6
Real estate rentals	464,949	.2
Interest	1,698,777	.7
Assessments	164,318	.1
Miscellaneous	884,335	.3
Expenses, total	203,754,909	100.0
General operation and maintenance	28,444,000	14.0
Salaries and wages	96,040,541	47.1
Rentals of instruments and apparatus	116,425	.1
Rentals of offices and other real estate	2,280,545	1.1
Rentals of conduits and underground privileges	1,206,015	.6
Payments for telephone traffic made to other companies	1,187,265	.6
Miscellaneous	402,784	.2
Taxes	12,411,516	6.1
Interest	20,163,960	9.9
Payments for use of leased lines	405,907	.2
Depreciation charges	40,755,657	20.0
Sinking fund charges	340,294	.2
Net income	51,326,325	.....
Dividends declared during the year, total	34,120,809	100.0
On common stock	32,255,125	94.5
On preferred stock	1,865,684	5.5
Surplus	17,205,516	.....

[1] Includes income from other permanent investments.

Telephone systems reporting an annual income of $5,000 or more—Employees, salaries, and wages: 1912, 1907, and 1902.

	1912	1907	1902	Per cent of increase.[1]		
				1902–1912	1907–1912	1902–1907
Employees, total:						
Number	[2] 183,361	131,670	78,752	132.8	39.3	67.2
Salaries and wages	$96,040,541	$65,009,349	$36,255,621	164.9	47.7	79.3
Salaried employees:						
Number	38,753	22,819	14,124	174.4	69.8	61.6
Salaries	$32,681,482	$18,542,619	$9,885,886	230.6	76.2	87.6
Wage earners:						
Total average number	144,608	108,851	64,628	123.8	32.8	68.4
Total wages	$63,359,059	$46,466,730	$26,369,735	140.3	36.4	76.2
Operators—						
Average number	96,332	72,518	39,858	141.7	32.8	81.9
Wages	$32,474,093	$22,636,671	$10,765,098	201.7	43.5	110.3
Men—						
Average number	1,972	2,457	2,525	−21.9	−19.7	−2.7
Wages	$870,671	$942,455	$729,666	19.3	− 7.6	29.2
Per cent of total operators	2.0	3.4	6.3	.....	.....	.....
Women—						
Average number	94,360	70,061	37,333	152.8	34.7	87.7
Wages	$31,603,422	$21,694,216	$10,035,432	214.9	45.7	116.2
Per cent of total operators	98.0	96.6	93.7	.....	.....	.....
All other wage earners—						
Average number	48,276	36,333	24,770	94.9	32.9	46.7
Wages	$30,884,965	$23,830,059	$15,604,637	97.9	29.6	52.7

[1] A minus sign (−) denotes decrease.

[2] Number employed Sept. 16, 1912.

Telephone systems reporting an annual income of $5,000 or more—comparative summary: 1912 and 1907.

	Total.		Bell telephone system.		All other systems.	
	1912	1907	1912	1907	1912	1907
Number of systems	1,916	1,636	176	175	1,740	1,461
Miles of single wire	19,019,391	11,921,960	15,133,186	8,947,266	3,886,205	2,974,694
Miles of pole line	671,686	553,752	353,422	287,458	318,264	266,294
Number of public exchanges	11,515	10,613	5,853	5,418	5,662	5,195
Number of telephones	7,326,748	4,903,693	5,087,027	3,132,063	2,239,721	1,774,630
Estimated number of messages or talks	13,735,658,245	10,400,433,958	9,133,226,836	6,401,044,799	4,602,431,409	3,999,389,159
Income, total	$255,081,234	$176,700,408	$206,130,830	$138,803,831	$48,950,404	$37,896,577
Expenses, including taxes and fixed charges, total	$203,754,909	$135,475,177	$163,024,105	$107,356,551	$40,730,804	$28,118,626
Net income	$51,326,325	$41,225,231	$43,106,725	$31,447,280	$8,219,600	$9,777,951
Dividends	$34,120,809	$23,448,212	$29,709,841	$20,201,937	$4,410,968	$3,246,275
Assets, total	$1,295,670,101	$940,357,998	$934,805,563	$623,036,358	$360,864,538	$317,321,640
Cost of construction and equipment	$1,081,433,227	$794,096,971	$780,017,745	$526,079,031	$301,415,482	$268,017,940
Stocks and bonds and other permanent investments	$104,554,667	$60,731,090	$72,629,170	$25,090,735	$31,925,497	$35,640,295
Cash and current assets	$96,618,255	$82,963,172	$82,158,648	$71,866,532	$14,459,607	$11,096,640
Sundries, including stock and bond discount and sinking and other special funds	$13,063,952	$2,566,765			$13,063,952	$2,566,765
Liabilities, total	$1,295,670,101	$940,357,998	$934,805,563	$623,036,358	$360,864,538	$317,321,640
Capital stock	$586,763,879	$456,788,725	$397,885,433	$294,578,646	$188,878,446	$162,210,079
Funded debt	$404,530,236	$301,333,489	$295,872,053	$197,071,800	$108,658,183	$104,261,689
Real estate mortgages, floating debt, and accounts payable	$71,742,634	$74,388,503	$49,818,920	$50,825,741	$21,923,714	$23,562,762
Cash investments	$3,287,138	$2,583,833			$3,287,138	$2,583,833
Interest, taxes, and dividends, due and accrued	$17,520,891	$11,855,910	$14,405,707	$9,703,462	$3,115,184	$2,152,448
Reserves	$148,818,981	$38,991,858	$137,967,085	$36,168,979	$10,851,896	$2,822,879
Sundries	$2,234,721	$6,210,884	$434,304		$1,800,417	$6,210,884
Net surplus	$60,771,621	$48,204,796	$38,422,061	$34,687,730	$22,349,560	$13,517,066
Salaried employees:						
Number	38,753	22,819	31,435	17,039	7,318	5,783
Salaries	$32,681,482	$18,542,619	$27,004,837	$14,501,916	$5,676,645	$4,040,703
Wage earners:						
Average number	[1] 144,608	108,851	[1] 110,468	78,772	[1] 34,140	30,079
Wages	$63,359,059	$46,466,730	$49,896,524	$36,073,994	$13,462,535	$10,392,736

[1] Number employed Sept. 16, 1912.

TELEGRAPH.

Land and ocean telegraph systems combined: 1912, 1907, and 1902.

	1912	1907	1902	Per cent of increase.[1]		
				1902–1912	1907–1912	1902–1907
Number of companies or systems	[2] 27	[2] 26	25	8.0	3.8	4.0
Miles of pole line	[3] 247,528	[3] 239,646	[3] 237,990	4.0	3.3	.7
Miles of single wire owned and leased	[4] 1,814,196	[4] 1,577,961	[4] 1,318,350	37.6	15.0	19.7
Nautical miles of ocean cable	67,676	46,301	16,677	305.8	46.2	177.6
Number of messages	109,377,698	103,794,076	91,655,287	19.3	5.4	13.2
Number of telegraph offices	30,864	29,110	27,377	12.7	6.0	6.3
Income, total	$64,762,843	$51,583,868	$40,930,038	58.2	25.5	26.0
Telegraph traffic	$60,403,009	$45,255,187	$35,300,569	71.1	33.5	28.2
All other sources	$4,359,834	$6,328,681	$5,629,469	−22.6	−31.1	12.4
Net income	$6,383,891	$9,704,255	$9,982,004	−36.0	−34.2	−2.8
Expenses, total	$58,378,952	$41,879,613	$30,948,034	88.6	39.4	35.3
General operation and maintenance, including salaries and wages and legal expenses	[5] $46,780,041	$34,057,298	$24,455,511	91.3	37.4	39.3
Interest and taxes	$3,955,381	$3,436,690	$2,539,008	55.8	15.1	35.4
All other expenses	$7,643,530	$4,385,625	$3,953,515	93.3	74.3	10.9
Balance sheet:						
Assets, total	$298,288,906	$261,807,899	$195,503,775	52.6	13.9	33.9
Construction and equipment	$222,046,746	$210,045,959	$161,679,579	37.3	5.7	29.9
Stocks and bonds of other companies	[6] $33,933,679	[6] $36,486,446	$25,939,944	30.8	−7.0	40.7
Cash and current assets, including supplies and sundries	[7] $42,308,481	$15,275,494	$7,884,252	436.6	177.0	93.7
Liabilities, total	$298,288,906	$261,807,899	$195,503,775	52.6	13.9	33.9
Capital stock	[8] $163,645,810	$155,089,575	$117,053,525	39.8	5.5	32.5
Funded debt	$62,741,000	$65,204,000	$45,893,000	36.7	−3.8	42.1
Reserves	$20,803,780	$8,257,963	$7,859,648	164.7	151.9	5.1
Accounts payable [9]	$19,755,480	$10,411,379	$6,244,585	216.4	89.7	66.7
Dividends, interest, and taxes due and accrued, and sundries	[10] $15,492,888	$2,519,043	$373,976	4,042.7	515.0	573.6
Net surplus	$15,849,948	$20,325,939	$18,079,041	−12.3	−22.0	12.4
Capitalization:						
Capital stock outstanding, par value	$163,645,810	$155,089,575	$117,053,525	39.8	5.5	32.5
Dividends on stock	$6,180,061	$7,477,033	$6,256,693	−1.2	−17.3	19.5
Funded debt outstanding, par value	$62,741,000	$65,204,000	$45,893,000	36.7	−3.8	42.1
Employees and salaries and wages:						
Average number	[11] 37,295	28,034	27,627	35.0	33.0	1.5
Salaries and wages	$24,964,994	$17,808,249	$15,039,673	66.0	40.2	18.4

[1] A minus sign (−) denotes decrease.
[2] Commercial Cable Co. of Cuba (not reporting in 1902) counted as a separate company in both 1912 and 1907.
[3] Exclusive of pole line wholly owned and wholly operated by railway companies.
[4] Exclusive of wire wholly owned and wholly operated by railway companies; this in 1912 was 314,329 miles. In 1902 includes mileage operated outside of the United States by Western Union Telegraph Co.
[5] Includes charges for depreciation.
[6] Includes treasury stock and "other permanent investments."
[7] Includes sinking funds and stock and bond discount.
[8] Includes assumed stock of subcompanies.
[9] Includes floating debt and cash investments (for unincorporated companies).
[10] Includes deferred noninterest-bearing obligations payable only on determination of leases—not reported at previous censuses—and real estate mortgages.
[11] Number employed Sept. 16, 1912.

Land telegraph systems: 1912 and 1907.

	1912	1907	Per cent of increase.[1]
Number of companies or systems	21	20	5.0
Miles of pole line	[2] 247,528	[2] 239,646	3.3
Miles of single wire owned and leased	[3] 1,814,196	1,577,961	15.0
Number of messages [4]	106,532,530	101,424,759	5.0
Number of telegraph offices	30,781	29,056	5.9
Income, total	$56,293,469	$43,912,168	28.2
Telegraph traffic	$52,337,211	$37,916,907	38.0
All other sources	$3,956,258	$5,995,261	−34.0
Net income	[5] $3,431,044	$5,675,181	−39.5
Expenses, total	$52,862,425	$38,236,987	38.2
General operation and maintenance, including salaries and wages and legal expenses	[6] $42,771,823	$31,852,359	34.3
Interest and taxes	$2,740,827	$2,246,382	22.0
All other expenses	$7,349,775	$4,138,246	77.6
Balance sheet:			
Assets, total	$190,705,751	$166,183,007	14.8
Construction and equipment	$143,910,631	$132,607,620	8.5
Stocks and bonds, including "other permanent investments"	[7] $17,122,592	$23,514,882	−27.2
Cash and current assets, including supplies and sundries	[8] $29,672,528	$10,060,505	194.9
Liabilities, total	$190,705,751	$166,183,007	14.8
Capital stock	[9] $108,156,410	$102,289,575	5.7
Funded debt	$34,741,000	$37,204,000	−6.6
Reserves	$5,254,329	$1,876,838	180.0
Accounts payable [10]	$18,295,683	$7,916,138	131.1
Dividends, interest, and taxes due and accrued	$1,460,733	.....	.....
Sundries	[11] $13,444,926	$66,692	.....
Net surplus	$9,352,670	$16,829,744	−44.4
Capitalization:			
Capital stock outstanding, par value	$108,156,410	$102,289,575	5.7
Dividends on stock	$3,139,861	$4,944,042	−36.5
Funded debt	$34,741,000	$37,204,000	−6.6
Employees and salaries and wages:			
Average number	[12] 35,639	26,827	32.8
Salaries and wages	$23,797,980	$16,893,166	40.9

[1] A minus sign (−) denotes decrease.
[2] Exclusive of pole line wholly owned and used by railway companies.
[3] Does not include 22,816 nautical miles of ocean cable operated by the Western Union Telegraph Co. Exclusive, also, of 314,329 miles of wire wholly owned and operated by railway companies for their own business.
[4] Does not include land messages sent over its 207 miles of leased land wire by a wireless company in 1912 nor ocean cable messages except those reported by the Western Union Telegraph Co.
[5] Less all expenses, including charges for depreciation.
[6] Includes charges for depreciation which were not included in expenses in 1907.
[7] Includes treasury stock.
[8] Includes sinking fund and stock and bond discount.
[9] Includes assumed stock of subcompanies.
[10] Includes floating debt and cash investments (for unincorporated companies).
[11] Includes deferred noninterest-bearing obligations payable only on determination of leases and real estate mortgages.
[12] Number employed Sept. 16, 1912.

Land telegraph systems—Revenue and income account: 1912 and 1907.

	1912	1907	Per cent of increase.[1]
Gross receipts from operation	$52,337,211	$37,916,907	38.0
Operating expenses	45,527,564	34,205,745	33.1
Net earnings from operation	6,809,647	3,711,162	83.5
Income from other sources	3,956,258	5,995,261	−34.0
Interest on bonds and dividends on stock of other companies	375,903	1,081,619	−65.2
Leased telegraph lines, wires, and conduits	2,419,065	4,430,245	−45.4
Real estate rentals	191,154	210,014	−9.0
Miscellaneous [2]	970,136	273,383	254.9
Gross income less operating epenses	10,765,905	9,706,423	10.9
Deductions from income (fixed charges)	7,334,861	4,031,242	82.0
Taxes	1,132,234	753,378	50.3
Interest	1,608,593	1,493,004	7.7
Payments for use of leased lines	4,594,034	1,784,860	157.4
Net income	3,431,044	5,675,181	−39.5
Dividends on stock	3,139,861	4,944,042	−36.5
Surplus	291,183	731,139	−60.2
Total	45,527,564	34,205,745	33.1
General operation and maintenance	42,771,823	31,852,359	34.3
Salaries and wages	23,797,980	16,893,166	40.9
Operation and maintenance, including legal expenses	15,269,031	14,959,193	2.1
Charges for depreciation	3,704,812	.....	.....
Rentals of offices and other real estate	2,247,311	1,596,456	40.8
Rentals of conduits and underground privileges	101,035	5,920	1,606.7
Payments for telegraph traffic made to other companies	228,907	667,501	−65.7
Miscellaneous	178,488	83,509	113.7

[1] A minus sign (−) denotes decrease. [2] Including interest.

Ocean cable telegraph systems—Summary: 1912 and 1907.

	1912	1907	Per cent of increase.[1]
Number of companies or systems [2]	6	6	.....
Nautical miles of ocean cable [3]	44,860	40,572	10.6
Number of messages [3]	2,845,168	2,369,317	20.1
Number of cable offices [3]	83	54	53.7
Income, total	$8,469,374	$7,671,700	10.4
Telegraph traffic	$8,065,798	$7,338,280	9.9
All other sources	$403,576	$333,420	21.0
Net income	$2,952,847	$4,029,074	−26.7
Expenses, total	$5,516,527	$3,642,626	51.4
General operation and maintenance, including salaries and wages and legal expenses	$4,008,218	$2,204,939	81.8
Interest and taxes	$1,214,554	$1,190,308	2.0
All other expenses	$293,755	$247,379	18.7
Balance sheet:			
Assets, total	$107,583,155	$95,624,892	12.5
Construction and equipment	$78,136,115	$77,438,339	0.9
Stocks and bonds of other companies, treasury stock, and "other permanent investments"	$16,811,087	$12,971,564	29.6
Cash and current assets, including supplies [4]	$12,635,953	$5,214,989	142.3
Liabilities, total	$107,583,155	$95,624,892	12.5
Capital stock	$55,489,400	$52,800,000	5.1
Funded debt	$28,000,000	$28,000,000	.....
Reserves	$15,549,451	$6,381,105	143.7
Accounts payable	$1,459,797	[5] $2,495,241	−41.5
Dividends due and sundries	$587,229	[6] $2,452,351	139.5
Surplus	$6,497,278	$3,496,195	85.5
Capitalization:			
Capital stock outstanding, par value	$55,489,400	$52,800,000	5.1
Dividends on stock	$3,040,209	$2,533,041	20.0
Funded debt	$28,000,000	$28,000,000	.....
Employees and salaries and wages:			
Average number	[7] 1,656	1,207	37.2
Salaries and wages	$1,167,014	$915,083	27.5

[1] A minus sign (−) denotes decrease.
[2] Does not include returns for Western Union Telegraph Co., as no segregation could be made of financial statistics or employees for the cable business of this company. The number of nautical miles of ocean cable owned and leased by this company was, in 1912, 22,816 miles, and in 1907, 5,729 miles. The number of ocean messages reported by this company for 1912 was 2,996,112, and as estimated by it for 1907, 3,500,000.
[3] Includes sinking and other special funds and sundries for 1912 and sundries only for 1907.
[4] Includes floating debt.
[5] Includes interest due and accrued.
[6] Number employed Sept. 16, 1912.

Ocean cable telegraph systems—Revenue and income account, 1912 and 1907.

	1912	1907	Per cent of increase.[1]
Gross receipts from operation	$8,065,798	$7,338,280	9.9
Operating expenses	4,214,264	2,373,339	77.6
Net earnings from operation	3,851,534	4,964,941	−22.4
Income from other sources	403,576	333,420	21.0
Gross income less operating expenses	4,255,110	5,298,361	−19.7
Deductions from income (fixed charges)	1,302,263	1,269,287	2.6
Taxes	54,554	30,308	80.0
Interest	1,160,000	1,160,000	.....
Payments for use of leased lines	87,709	78,979	11.1
Net income	2,952,847	4,029,074	−26.7
Dividends on stock	3,040,200	2,533,041	20.0
Surplus	([2])	1,496,033	.....

[1] A minus sign (−) denoted decrease. [2] Deficit of $87,353.

Ocean cable telegraph systems—Operating expenses: 1912 and 1907.

	1912	1907	Per cent of increase.
Total	$4,214,264	$2,373,339	77.6
General operation and maintenance	4,008,218	2,204,939	81.8
Salaries and wages	1,167,014	915,083	27.5
Operation and maintenance, including legal expenses	2,841,204	1,289,856	120.3
Rentals of offices and other real estate	104,748	87,896	19.2
Miscellaneous [1]	101,298	80,504	25.8

[1] Includes also rentals of conduits and underground privileges and payments for telegraph traffic made to other companies.

[Bell report, 1912, extracts.]

BELL TELEPHONE SYSTEM IN UNITED STATES.

Comparison of earnings and expenses, 1911 and 1912. (All duplications, including interest, dividends, and other payments to American Telephone & Telegraph Co. by associated holding and operating companies excluded.)

	1911	1912
Gross earnings	$179,477,998	$199,172,154
Expenses:		
Operation	60,085,425	65,246,677
Current maintenance	30,184,522	31,762,636
Depreciation	28,655,832	34,942,802
Taxes	8,965,922	10,333,349
Total expenses	127,891,701	142,285,464
Net earnings	51,586,297	56,886,690
Deduct interest	13,610,860	14,205,365
Balance net profits	37,975,437	42,681,325
Deduct dividends paid	25,966,876	29,460,215
Surplus earnings	12,008,561	13,221,110

Combined balance sheets, 1911 and 1912.

(Duplications excluded.)

	Dec. 31, 1911.	Dec. 31, 1912.
Assets:		
Contracts and licenses	$2,943,381	
Telephone plant	666,660,702	$742,287,631
Supplies, tools, etc.	20,749,568	23,601,262
Receivables	32,916,127	37,700,623
Cash	41,878,140	35,729,037
Stocks and bonds	66,777,231	84,942,265
Total	831,925,149	924,260,818
Liabilities:		
Capital stock	379,727,832	393,209,925
Funded debts	241,032,822	294,380,353
Bills payable	41,198,431	38,268,341
Accounts payable	23,382,438	25,320,335
Total outstanding obligations	685,341,523	751,178,954

Combined balance sheets, 1911 and 1912—Continued.

	Dec. 30, 1911.	Dec. 31, 1912.
Liabilities—Continued.		
Employees' benefit fund		$8,845,000
Surplus and reserves	$146,583,626	164,236,864
Total	831,925,149	924,260,818

Average operating units of associated operating companies, 1895 to 1912.

(This table covers the companies owning all the exchanges and toll lines of the Bell Telephone System except the long-distance lines of American Telephone & Telegraph Co.)

Average per exchange station.	1911	1912
Earnings:		
Exchange service	$30.85	$30.93
Toll service	$8.98	$9.21
Total	$39.83	$40.14
Expenses:		
Operation	$15.36	$15.17
Taxes	$1.94	$2.02
Total	$17.30	$17.19
Balance	$22.53	$22.95
Maintenance and depreciation	$13.41	$13.66
Net earnings	$9.12	$9.29
Per cent operation expense to telephone earnings	38.6	37.8
Per cent telephone expense to telephone earnings	77.1	76.9
Per cent maintenance and depreciation to average plant, supplies, etc.	9.2	9.3
Per cent increase exchange stations [1]	10.8	10.5
Per cent increase miles exchange wire [1]	12.3	14.3
Per cent increase miles toll wire [1]	6.5	6.2
Average plant cost per exchange station (including exchange and toll construction)	$141	$143
Average cost per mile of wire (toll) (including poles and conduits)	$68	$71
Per cent gross telephone earnings to average plant	28.7	28.9
Per cent net profits to average capital stock	7.93	8.34
Per cent dividends to average capital stock	6.30	6.35

[1] Increase during year shown over previous year.

BELL TELEPHONE SYSTEM IN THE UNITED STATES.

Condensed statistics.

	Dec. 31, 1895.	Dec. 31, 1900.	Dec. 31, 1905.	Dec. 31, 1910.	Dec. 31, 1911.	Dec. 31, 1912.	Increase, 1912.
Miles of exchange pole lines	25,330	30,451	67,698	120,175	131,379	143,842	12,463
Miles of toll pole lines	52,873	101,087	145,535	162,702	163,351	171,161	7,810
Total miles of pole lines	78,203	131,538	213,233	282,877	294,730	315,003	20,273
Miles of underground wire	184,515	705,269	2,345,742	5,992,303	6,831,667	7,804,528	972,861
Miles of submarine wire	2,028	4,203	9,373	24,633	26,936	30,301	3,365
Miles of aerial wire	488,872	1,252,329	3,424,803	5,625,273	6,074,012	6,775,984	701,972
Total miles of wire	675,415	1,961,801	5,779,918	11,642,212	12,932,615	14,610,813	1,678,198
Comprising toll wire	215,687	607,599	1,265,236	1,963,994	2,060,514	2,189,163	128,649
Comprising exchange wire	459,728	1,354,202	4,514,682	9,678,218	10,872,101	12,421,650	1,549,549
Total	675,415	1,961,801	5,779,918	11,642,212	12,932,615	14,610,813	1,678,198
Total exchange circuits	237,837	508,262	1,135,449	2,082,960	2,306,360	2,576,789	270,429
Number of central offices	1,613	2,775	4,532	4,933	5,014	5,182	168
Number of Bell stations	281,695	800,880	2,241,367	4,030,668	4,474,171	4,953,447	479,276
Number of Bell connected stations [1]	27,807	55,031	287,348	1,852,051	2,158,454	2,502,627	344,173
Total stations	309,502	855,911	2,528,715	5,882,719	6,632,625	7,456,074	823,449
Number of employees	14,517	37,067	89,661	120,311	128,439	140,789	12,350
Number of connecting companies, lines, and systems				17,845	21,454	24,013	2,559
Exchange connections daily	2,351,420	5,668,986	13,543,468	21,681,471	23,483,770	25,572,345	2,088,575
Toll connections daily	51,123	148,528	368,083	602,539	644,918	737,823	92,905

[1] Includes private line stations.

NOTE 3.—Government ownership of electrical means of communication, Senate Document No. 399, second session Sixty-third Congress, 148 pages. Its mail, telephone, and telegraph statistics are for 1910, but are translated into English.

NOTE 4.—The data for these are taken from the Bell report of 1912. On page 4 it gives the total calls as 8,472,000,000, of which 97.19 per cent, or 8,233,136,800, were local calls, and 2.81 per cent, or 238,863,200, were toll calls. The number of phones is given (p. 41) as 4,953,447, with a local call revenue of $30.93 per phone (p. 13), or $153,210,115.71, and the number of employees (p. 41) as 140,789.

TRAFFIC.

Including the traffic over the long-distance lines, but not including connecting companies, the daily average of toll connections was about 738,000, and of exchange connections about 25,572,000, as against corresponding figures in 1911 of 645,000 and 23,484,000; the total daily average for 1912 reaching 26,310,000, or at the rate of about 8,472,000,000 per year. (P. 4, Bell Rept., 1912.)

NOTE 5.—

Country.	Local subscribers' calls.	Receipts.
		Francs.
Germany	1,883,520,280	142,316,899
Victoria	43,140,345	3,109,600
Queensland	22,163,306	1,469,910
Middle Australia	10,608,022	1,119,712
West Australia	13,497,470	937,213
Tasmania	3,554,428	241,920
Austria	353,540,971	18,784,474
Belgium	132,779,747	11,045,773
Bosnia-Herzegovina	1,330,727	100,437
Bulgaria	8,599,754	310,958
France	352,801,260	36,359,424
Hungary	198,459,918	10,808,580
Japan	837,839,027	20,982,378
Chosen (Japanese)	35,388,947	1,646,687
Formosa (Japanese)	17,106,425	636,938
Sakhalin (Japanese)	1,731,381	39,739
Manchuria (Japanese)	20,087,233	648,225
Norway, private	78,781,424	1,821,214
Luxemburg	2,453,507	308,464
Russia	309,066,906	10,654,235
Servia	5,802,894	322,390
Sweden, State	277,047,500	10,732,638
Switzerland	55,474,572	5,004,358
Tunis	910,845	44,642
Norway, State	86,741,950	2,833,697
Netherlands, municipal	121,567,996	3,039,199
Netherlands, private	36,100,859	902,521
		[1] 286,222,226
Independents, United States	4,508,047,349	39,511,998.00
Independents, United States, companies less than $5 000 received [2]	750,767,535	6,606,754.30
Mutuals and rural lines [2]	1,170,195,096	5,558,426.70
Bell system	8,233,136,800	153,210,115.71
Total	[1] 19,572,244,474	[1] 260,128,184.32

[1] Which when reduced to dollars and cents, equals: $55,240,889.61.

[2] These companies (1912 census) represent 1,402,744 phones for which the calls and other financial data are not given. They embrace commercial companies having an annual income of less than $5,000, as also "Mutuals" and "Farmer or rural" lines. In 1907 the census showed a revenue of 47.5 cents per 100 calls for the mutuals, which is adopted as the rate in the above table, and a utilization of 1,128 calls per phone. Allowing the mutuals the same growth (50 per cent) as shown for the rest of the country, since 1907, the number of their phones should have correspondingly increased from the then 125,956. The rurals had 565,649 phones in 1907, and on the same reasoning the "Mutuals" and "Rurals" would show at present about 1,037,407 phones. Together, at the figure given, this would mean 1,170,195,096 phones. The (1907) revenue per phone for the "Rural" was $3.97. This would leave 365,337 (of the 1,402,744 unreported phones) upon which to estimate the calls and receipts. Applying the reported experience of the Independents to them we should have 2,055 calls per phone at 88 cents per 100 calls, equaling the figures given in the table.

NOTE 6.—In 1907 the commercial telegrams were 103,838,242, of which 5,923,483, or 5.70 per cent, were transmitted by railway employees. If a like percentage of the number reported in 1912 census were transmitted by railway employees, as seems probable, then the correct number of telegrams per employee was 2,766 per annum, and per day 7.6.

NOTE 7.—

Sweden: Urgent calls, double rate.

France: From 9 p. m. to 7 a. m. three-fifths, and by monthly contract two-fifths, of day rate.

Italy: 9 p. m. to 6 a. m., 20 per cent less; by contract, 40 per cent less on 6-minute, 50 per cent on 12-minute, and 60 per cent on 18-minute call.

Denmark: Urgent, double rates; night, about 50 per cent reduction.

New Zealand: Night rates, one-half.

Germany: Urgent, triple rates; night, monthly subscription, one-half day rate; one-half rates for daily calls, same persons, same time.

Australia: Press rate per 5 minutes, 65 per cent of 3-minute rate.

Austria: Probably same as Hungary.

Hungary: Urgent, triple rates; night, one-half rates for press.

NOTE 8.—The 1909 express report showed a receipt of 50 (50.64) cents per package. The 1914 receipts were $158,879,059, and the 1913, $168,880,923, which, at a like rate per package, would give the figures used in the text. While their rates have been reduced some 15 per cent since 1909, the parcel post having taken from them the packages carrying the minimum rates, has probably balanced the 15 per cent reduction, leaving the average receipt per package by express about the same.

NOTE 9.—The first change made in parcel-post rates, August 15, 1913, was to raise the weight limit from 11 to 20 pounds up to 150 miles and to reduce the rate from 3 to 1 cent per pound on the 50-mile zone and from 4 to 1 cent on the 150-mile zone. January 1, 1914, the weight limit was raised to 50 pounds up to 150 miles and to 20 pounds for any distance. The rates on the respective zones were reduced as follows:

To 50 miles from 3 cents to 1 cent per pound.
To 150 miles from 4 cents to 1 cent per pound.
To 300 miles from 5 cents to 2 cents per pound.
To 600 miles from 6 cents to 4 cents per pound.
To 1,000 miles from 7 cents to 6 cents per pound.
To 1,400 miles from 9 cents to 8 cents per pound.

The effect of these changes on the traffic has been to raise the number of shipments from 1 pound and up, as indicated by the counts, as follows:

Count of April, 1913	2,820,623
Count of October, 1913	4,347,722
Count of April, 1914	6,926,034
Count of October, 1914 (increase, 182 per cent)	7,955,264

The counts were for the 50 largest cities, representing approximately 62 per cent of the parcel traffic, and indicate an annual flow of traffic of—

April, 1913	109,200,000
October, 1914	307,946,400

which is at the rate of about 3 per capita, as against 4 per capita in Germany and 9 per capita in Switzerland. The high traffic of the Swiss seems to be induced by the very low rates, the minimum being 3 cents, as against 6 cents in Germany and 5 cents here.

NOTE 10.—Brief for a general parcel post, May, 1913, addressed to Postmaster General Burleson, by David J. Lewis, Member of Congress, Library of Congress.

NOTE 11.—Except for the Bell system, the rates are for "two-number" services. Norway, for the "particular-person" service, adds 27 mills for distances up to 100 miles; 57 mills for longer distances. Sweden and Denmark add 67 mills for all distances, Germany adds 60 mills, and Austria 61 mills for all distances. The mill is American currency; i. e., 10 mills equal 1 cent.

NOTE 12.—Commercial Bulletin No. 7, March, 1914, American Telephone & Telegraph Co.

NOTE 13.—Much point is made of the fact that under the American rate the words in the address and signature are not counted. That the granting of these words costs the companies but trivially is shown by the circumstance that some countries charge as little as 2 cents for 10 words above a given number, while even the companies charge less than a half cent a word on 50-word night letters. Whether a message contains 5 words less or more, while important to the patron, is of negligible operative significance if it is getting the highest rate that telegram will pay and move.

URGENT RATES.

An effort is also made to class the American rates with the double or triple charges in some countries for urgent and preferred service. There is no such service here, and if there were it would be as little used as in those countries.

NOTE 14.—The American "toll" and long-distance messages numbered 340,000,000, as given in the census of 1912. Of these it is estimated that one-half consisted of local calls, such as cash calls in booths and by guests in hotels, etc., all of which are included under the word "toll." The estimate is based on the opinion of a competent telephone student.

NOTE 15.—The number of telegraph offices in 1907 was (census) 29,056, of which 6,828 were commercial offices maintained by the telegraph companies and the others railroad signal offices. In 1912 the whole number of both kinds of offices was 30,781, but no segregation is made. Taking the same percentage as in 1907, the commercial offices number 8,499, as given in the text.

NOTE 16.—The data are taken from the following news item of December 10, 1914:

Gives telephone values. Accountant testifies company's property in New York City is worth $65,961,661. Basing his computation upon the book accounts of the New York Telephone Co., Dean Langmuir, accountant, yesterday testified before the public service commission, in the Metropolitan Building, that the value of the plant of the telephone corporation in New York City is worth $65,961,661. This estimate, given for the first time, was regarded as valuable by counsel for civic organizations and individuals who have asked for a reduction of telephone rates in this city.

At the outset Seymour Van Santvoord, chairman, and William Temple Emmet, member of the commission, intimated that testimony bearing only upon the plant of the telephone company in New York City would be considered, which caused rejoicing among the petitioners, who are seeking a reduction of rates between the various boroughs.

According to Mr. Langmuir, the central-office equipment of the company is worth $14,001,178; land and buildings, $14,725,350; station equipment, $3,656,166; station installments, $2,632,386; private branch exchanges, $4,579,747; booths and special fittings, $643,432; exchange lines in New York City, $20,491,931; and toll lines, $3,349,554.

And number of phones from New York Public Service Commission:

Manhattan	375,567
Bronx	33,748
Brooklyn	105,383
Queens	24,098
Richmond	7,340
	546,136

A like report from Baltimore shows an investment of $132 per phone September 30, 1910; number of phones, 43,000; book investment, $5,781,356, less depreciation, $115,627. I do not know whether it includes the toll lines. It should not, since the value given was posted for an adjustment of local rates only. However, since the Bell report (1913) gives its average cost of construction as $111 per phone, and including toll $141, while the average for the United States, including the independents, local and toll, is $147, it is apparent that the investment costs per phone in the large cities would not alone justify the disparity in rates. The $111 local investment per phone is derived from the Bell report of 1913, where the cost per mile of toll-line wire is given as $70 and the wire mileage as 2,333,541, $30 per phone for toll lines, and $141 per phone for local and toll.

NOTE 17.—The rate quoted for New York is applicable within and restricted to the Borough of Manhattan; calls beyond the Borough of Manhattan are subject to a toll charge in addition.

NOTE 18.—

Number of calls which an operator in the Prospect central office, Brooklyn, should handle in the busy hour and the "labor units" of such calls.

[From the Telephone Review, May, 1912.]

From—	To— Other Prospect subscribers.		Other Brooklyn subscribers.		Subscribers in Manhattan.		Subscribers in Newark, Jersey City, etc.		Subscribers in Lakewood, Stamford, etc.		Subscribers at long-distance points.[1]	
	Calls.	Units.	Calls.	Units.	Calls.	Units.	Calls.	Units.	Calls.	Units.	Calls.	Units.
Flat rate, individual line	245	1.00	163	1.50	102	2.40	92	2.65	188	1.30	188	1.30
Flat rate, party line	245	1.00	163	1.50	91	2.70	83	2.95	153	1.60	153	1.60
Message rate, individual line	181	1.35	132	1.85	102	2.40	92	2.65	188	1.30	188	1.30
Message rate, party line	148	1.65	114	2.15	91	2.70	83	2.95	153	1.60	153	1.60
Public telephone, individual line	181	1.35	132	1.85	102	2.40	92	2.65	188	1.30	188	1.30
Public telephone, party line	148	1.65	114	2.15	91	2.70	83	2.95	153	1.60	153	1.60
Prepay coin-box, individual line	231	1.06	157	1.56	66	3.70	62	3.95	188	1.30	188	1.30
Prepay coin-box, party line	231	1.06	157	1.56	61	4.00	58	4.25	153	1.60	153	1.60
Post-pay, coin-box, individual line	98	2.50	82	3.00	66	3.70	62	3.95	188	1.30	188	1.30
Post-pay, coin-box, party line	98	2.50	82	3.00	61	4.00	58	4.25	153	1.60	153	1.60

[1] Does not include labor at or in connection with toll board.

The great economy of the automatic system in the case of main exchanges seems to begin at 5,000 subscribers and increases with their number until it becomes as much as one-half of the total working expenses at 40,000 subscribers. The economy consists of three main items—the elimination of the operator, the reduction in the average length of subscribers' wires, and the cheapening of the switchboard unit through complete pliancy to increasing subscribers.

The system has been adopted by the postal establishments of Germany, Austria, France, England, Italy, Australia, and New Zealand, and has been introduced into Canada, Denmark, the Argentine Republic, Cuba, and the Hawaiian Islands and the Far East, and I am informed is in use by the Bell system at Newark, N. J., experimentally, while the Federal Telephone Co., of Buffalo, has recently substituted it in place of the familiar manual system.

Besides its financial economy, it possesses some other advantages, among which is the circumstance that it gives an all-night service under circumstances when the night business might not justify the employment of an operator. Two principal changes would be involved in imposing it on the present manual system, namely, the substitution of an automatic exchange and the attaching of a dial on the receiver.

See Automatic Telephony, Smith & Campbell, McGraw Hill, N. Y.

Monthly Journal, Automatic Electric Co., Chicago.

NOTE 19.—According to the census the average cost per 1,000 calls for exchange operators was $2.36, or a little less than a quarter of a cent a call.

NOTE 20.—The toll and long-distance table includes all calls except those between subscribers locally, for all countries.

NOTE 21.—These data have been courteously supplied by the Bell system. The number of business phones in Cumberland (November, 1914) was 1,220 and in Washington (July, 1914) 20,088.

The following bill, except matter in brackets in sections 6 and 3, is tentatively presented by the Post Office Department to provide for the acquisition and operation of the telephone network:

A bill to secure to the United States a monopoly of electrical means for the transmission of intelligence for hire; to provide for the acquisition by the Post Office Department of the telephone networks; and to license certain telephone lines, radio and telegraph agencies.

Be it enacted, etc., That in order to promote the Postal Service the Postmaster General of the United States is hereby vested with a monopoly of the function and means of electrical communication for hire within the United States and the Territory of Alaska except as hereinafter provided.

SEC. 2. The telephone systems and networks within the United States and the Territory of Alaska employed in the transmission of communications for hire, and such as may be necessary of the central-office equipment, underground cable, underground conduit, aerial cable, aerial wire, poles, building cable, subscribers' stations, including indoor wiring and drops to premises of subscribers, private branch-exchange switchboards, land, buildings, furniture and fixtures, tools and teams, stores and supplies, and all other property used in the telephone service and appropriate and necessary for the operation of the same by the United States, are hereby declared to be, and the same are hereby, condemned and appropriated to and for the use of the United States of America, to be used by it for such public purposes as may be proper: *Provided*, That this section shall not apply to telephone lines known as farmer lines.

SEC. 3. That it shall be the duty of the Postmaster General, and he is hereby empowered and directed, on the 1st day of July, 1916, to take charge and possession, in the name of, for, and by the authority of the United States of America, of all long-distance telephone lines, and of such interurban toll telephone lines connecting therewith, condemned in section 2, as he may deem advisable. He is further empowered and directed to take charge and possession, immediately or within a reasonable time, of the remaining telephone properties condemned in section 2 of this act, in their entirety or by operating units or divisions or such part thereof as he may deem wise; and it shall be the duty of the Postmaster General to use the properties and facilities of which he has taken possession in conjunction with the Postal Service for the transmission of telegrams, messages, correspondence, and communications under such rates and regulations as he may prescribe in order to promote the usefulness of the service to the public and to insure the receipt of revenue adequate to pay the cost of such service, including depreciation and a sinking-fund charge of 1 per cent per annum on the aggregate amount of the bonds issued for said properties and interest on the bonds which may be issued therefor. The Postmaster General is hereby authorized to use so much of the revenue arising from the telephone and telegraph business as may be necessary to employ persons to operate the service, to pay rents, the costs of maintenance, and such other expenses as may be essential in the conduct of the service, and shall render a report in detail of such expenditures to Congress at the beginning of each regular session thereof.

The positions of all employees engaged in operating the service under this act shall be within the classified civil service of the United States, but any employee who remains in the service after the properties are acquired by the Post Office Department shall not be given a classified status until he establishes, under rules and regulations to be prescribed by the Civil Service Commission and to the satisfaction of the Postmaster General, his capacity for efficient service.

There is hereby constituted a board of directors of the Post Office Department to consist of seven persons, as follows:

Two telephone electrical engineers, one person skilled in the parcel or express traffic, two persons skilled in financial matters, one person skilled in transportation, one person experienced and skilled in postal administration.

It shall be their duty to act in an advisory capacity to the Postmaster General on matters affecting the administration and development of the Post Office Department, to initiate improvements in the service to the public, and safeguard the revenues thereof. Their tenure of office shall be 10 years, and salary

$10,000 per annum, payable monthly. They shall be appointed by the President, by and with the consent of the Senate, from a list of 14 persons submitted to the President by the Interstate Commerce Commission (Civil Service Commission) and certified by it to be specially reliable and expert in their respective professions.

SEC. 4. That immediately after the passage of this act it shall be the duty of the Interstate Commerce Commission to proceed to appraise the values of the properties condemned and appropriated by section 2 of this act, such appraisals of the parts to be made in the order in which the Postmaster General elects to take them over and award to the respective owners thereof just compensation therefor, and said Interstate Commerce Commission shall, as soon as possible, file an inventory of the physical assets in use and useful in conducting such service and the values of the same, proper allowance being made for depreciation. Each Commissioner of Interstate Commerce shall make oath before a judge of a court of the United States to faithfully perform such duty, and each person employed by said commission for such purpose shall make oath before one of said commissioners to report to such commission all facts and circumstances connected with the determination of the values of such properties. The said Interstate Commerce Commission shall have power, and it shall be its duty, to summon witnesses with books and papers before it for either of the parties, and to require such witnesses to testify, and it shall give to each party a full hearing on the compensation to be awarded; and it shall be the duty of said commission to file a separate award of appraisal for each distinct ownership of such condemned properties, and give notice of the filing of such award to the Postmaster General and the owner thereof It shall be the further duty of the Interstate Commerce Commission to prescribe such methods of keeping records and accounts as may be necessary to determine the changes, by improvements and extensions and depreciation in the condition of the properties appraised and the changes in the values thereof between the date of the original appraisals and that of taking possession by the Postmaster General, if any such interval there be, which differences in values, if any, shall be added to or deducted from such original awards. And if either party be dissatisfied with the amount of such award it may, on appeal by either party, be reviewed by the circuit court of appeals of the United States having jurisdiction where the owner has its principal office, which circuit court of appeals is hereby vested with jurisdiction for such purpose; and an appeal may similarly be taken from such circuit court of appeals to the Supreme Court of the United States for a final review of the amount of the award. Such final award shall bear interest at the rate of 4 per cent per annum from the date the Postmaster General shall have taken possession of the property until the date of its final payment, which interest may be paid quarterly to the owners pendente lite on such principal sum as may, for that purpose, be agreed upon between the Postmaster General and the owner; the excesses or shortages, if any, of payments of interest, as determined by the amount of the final award, to be credited or debited thereto as the award may finally warrant.

SEC. 5. That the Secretary of the Treasury is hereby authorized and directed to make payment to such telegraph and telephone owners of the money adjudged to be due them by said awards as aforesaid out of the Treasury of the United States, and said telephone owners shall be entitled to payment of such awards as compensation from the Treasury of the United States after the Postmaster General takes possession of the property valued in said awards, and the amounts of said awards are hereby appropriated to the parties entitled thereto out of the Treasury of the United States.

SEC. 6. That the Secretary of the Treasury shall cause to be issued from time to time in the proper form bonds of the United States of America in denominations of $20 or multiple thereof, in such sum or sums as may be necessary to make payment of such awards, and also from time to time, as necessity requires, bonds to the maximum sum of $70,000,000, to be used by the Postmaster General for extensions and improvements of the telegraph and telephone service and to provide for the reimbursement of the depreciation reserves for funds advanced for extensions. Such bonds shall be exempt from all taxes or duties levied by the United States or any State, county, or local governing body, and the interest thereon shall be paid quarterly. All citizens shall have an equal opportunity to subscribe therefor, and a sum not exceeding one-tenth of 1 per cent of such bonds, or so much thereof as may be necessary, is hereby appropriated out of the Treasury to defray the cost of preparing, advertising, and issuing the same. Said bonds shall be payable within 50 years from the date of issue and shall bear interest at the rate of 3 per cent per annum, and the Secretary of the Treasury shall maintain a fund for the payment of such interest and for the redemption of the bonds issued under this act; and for such purposes the Postmaster General shall pay quarterly out of the receipts of such service into the Treasury of the United States a sum equal to such interest and a redemption charge equal to 1 per cent per annum of the aggregate awards. The said sinking fund shall be invested from time to time in such securities as the Secretary of the Treasury may deem secure and profitable. The sum of $1,000,000, or so much thereof as may be necessary, is hereby appropriated out of any money in the Treasury not otherwise appropriated, $500,000 of which sum may be used by the Post Office Department and a like sum by the Department of Justice in order to defray the expenses incurred by these departments incident to acquiring such properties.

Until January 1, 1920, there shall be paid from the revenues by the Secretary of the Treasury to the respective States, municipalities, counties, and minor civic authorities the same amounts in taxes payable by the owners at the time the Postmaster General shall take possession, and he shall make provision to continue any institution for the relief of injured, sick, or superannuated employees which he may find in operation.

SEC. 7. That the Postmaster General shall annually set aside out of the gross receipts of the telephone and telegraph business a sum not to exceed 10 per cent of the value of such telephone properties owned by the United States as a depreciation fund which he may invest and expend to extend and develop such systems of electrical communication, and the Postmaster General may lease, purchase, or condemn in the name of the United States such property as may be necessary therefor, including, by agreement, "farmer lines." He may also confer the privilege by license on any State, county, municipality, company, association, or individual, under such regulations and conditions as he may prescribe, to construct and operate telegraph or telephone lines as well as telephone exchanges and radio stations, or he may require that the same be operated by the Post Office Department, but he shall stipulate in said license the right of purchase by the United States.

SEC. 8. That the existing telegraph companies which have accepted the provisions of the act of Congress of the 24th day of July, 1866, are hereby licensed to do a telegraphic business, subject to the act to regulate commerce between the several States, until they are acquired. The lines of telegraph or telephone which are now or hereafter may be used in connection with the operation of any railroad are hereby licensed to do an exclusively railroad business; and the existing "farmer lines" and radio and wireless stations are hereby licensed to do a telephone and radio business, subject to the provisions of existing laws. And the owners of the telephone properties condemned in section 2 of this act are also hereby licensed to continue the business in which they are engaged until said properties are taken possession of by the Postmaster General under section 3 of this act.

SEC. 9. Whoever shall construct and operate any telephone or telegraph line for the conveyance of messages or communications for hire without first securing from the Postmaster General a license so to do in accordance with section 7 of this act shall be fined not less than $1,000, or imprisoned not less than one year, or both.

Whoever shall willfully interfere with the operation of any telephone or telegraph line operated by the Post Office Department or with the transmission of any telephone or telegraph message over lines operated by the Post Office Department or with the delivery of any such message, or whoever being employed by the Post Office Department shall divulge the contents of any such telephone or telegraph message to any person not authorized to receive the same shall be fined not exceeding $1,000, or imprisoned not less than one year, or both.

All statutes relating to offenses against the property belonging to or in use by the Post Office Department, or the embezzlement, conversion, improper handling, unlawful retention, use, or disposal of postal or money-order funds, and to offenses against the mails, and the punishment provided for such offenses are hereby made applicable to the telephone and telegraph and radio service operated by the Post Office Department.

All acts or parts of acts inconsistent herewith are hereby repealed.

Mr. STEENERSON. Mr. Chairman, I yield five minutes to the gentleman from Georgia [Mr. HOWARD].

Mr. HOWARD. Mr. Chairman and gentlemen of the committee, I am opposed to this legislation, which substitutes other officers in the Postal Service for the assistant postmasters. In the post office in the city of Atlanta, in my district, the receipts are about $1,450,000 a year. On account of the great volume of business done there the assistant postmaster in that office is the real administrative officer. I see by the provisions of this bill that his salary will be decreased about $600 a year. The bond given by a postmaster to the Government of the United States in a post office of that size is a large one. While it is true that under the system proposed here the postmaster would have the same right of selection of the superintendent of finance that he has of the assistant postmaster, the duties imposed under the provisions of this bill on what is now the assistant postmaster are greatly multiplied, and I do not believe that in an office where the receipts are nearly $1,500,000 any one man can comply with the duties imposed by this bill.

Now, as I said, the postmaster gives the bond. He is responsible to the Government of the United States for not only the administration of the office, but he is the guardian of all the Government property—its stamps, its money-order business, its registry business—and he selects the man in whom he has confidence to administer the duties imposed upon the present assistant postmasters. I do not believe that it is possible, and I have read this bill pretty carefully, to get any one man on earth in a very large office to intelligently discharge the duties that are imposed under the provisions of this bill.

Now, there is nothing in this political talk indulged in by Members about putting Republicans in and Democrats out, or Democrats in and Republicans out. We do not enter into this argument at all as to whether it is wise or unwise, because under the present system, if there happens to be a Republican who is obnoxious to a postmaster, all on earth he has to do is simply to recommend his demotion and he is demoted. I do not suppose that there is a single instance where there has been proposed that an assistant postmaster be demoted under this or any Republican administration that it has not been adhered to by the department.

Then it gives a right to the postmaster himself to select who shall be his assistant postmaster. Now, I do not think that any man who is handling a million and a half dollars of the funds of this Government ought to be handicapped in the selection of his assistant.

Mr. STEENERSON. Will the gentleman yield?

Mr. HOWARD. With pleasure.

Mr. STEENERSON. In the case of Atlanta, is it not a fact that the assistant postmaster would be required under the new plan to do additional work and for about $600 less pay?

Mr. HOWARD. That is true. That is what I remarked a moment ago. You have multiplied his duties and reduced his salary.

Mr. STEENERSON. And he must also give a bond and pay for it.

Mr. HOWARD. That is true. Now, I will say that I do not believe that this piece of legislation will be satisfactory to my district. In fact, I know it will not. I am in favor of economy, and my record here is consistent so far as economy is concerned, but I am not going to indulge in foolish economy. [Applause.] I am not going to dissatisfy or disarrange the post-office employees in the city of Atlanta by reducing salaries and increasing the labor. That is what this does. You get the service demoralized by doing such a thing as this; you can not get the most efficient service from these men.

The CHAIRMAN. The time of the gentleman from Georgia has expired.

Mr. STEENERSON. Mr. Chairman, I yield five minutes to the gentleman from Colorado [Mr. KINDEL].

Mr. KINDEL. Mr. Chairman, I doubt if any of you have seen any of the reports that are supposed to have been gathered during the period of October 1 to the 15th on the results of the parcel post. Last week I had occasion to go to New York for the special purpose of determining the status of profit or loss on the parcel post as it affects New York City and Brooklyn. I made the statement to the New York World reporter that the New York people, the unsophisticated, the not-knowing ones, who have implicit confidence in our Government, were held up to the tune of over $1,000,000. I now say a million and a half. I came from New York, after having worked on that report for several days, to get the leave of our post office, from the assistants at the building down here, to check it up, and I was told that the reports were not available. Have any of you gentlemen seen the reports? Now, in order that you may know what I said in the New York World, I will ask to have the Clerk read this article to the committee.

The CHAIRMAN. The Clerk will read in the gentleman's time.

The Clerk read as follows:

ONE MILLION DOLLARS A YEAR "LARCENY," HE SAYS, BY PARCEL POST—REPRESENTATIVE KINDEL ASSERTS NEW YORKERS PAY ANNUALLY THAT MUCH EXCESS OVER EXPRESS RATES—THE PUBLIC SLOW TO USE FARM-TO-TABLE SERVICE—4,940 PACKAGES BETWEEN 20 AND 50 POUNDS SHIPPED HERE WITHIN 150-MILE ZONE IN TWO WEEKS.

Representative GEORGE J. KINDEL, who was sent to Congress largely because of his 20-year fight for equitable express and freight rates for Denver, has been in New York since last Thursday looking into the operation here of the parcel post. He went back to Washington last night declaring that he had "new proof of the petty larceny of the system."

"New York people," he said to a reporter for the World, "are paying not less than $1,000,000 a year more for service by parcel post than they would for the same service by express. For distances of from 50 to 150 miles the parcel post beats express, and for uninsured 5-pound packages up to 600 miles. But beyond that it's very different.

"Between New York and Boston the parcel-post rate on 20 pounds is 44 cents. Post Office officials say they pay the railroads 33 cents for this haul, but the express company will pick up the package, insure it for $50, and deliver it at the other end, all for 36 cents. Isn't it petty larceny for the Government to accept 44 cents for service that a man can get done next door for 36 cents?

EXTRA INSURANCE FEE.

"To get $50 insurance by parcel post means an extra fee of 10 cents. When that is taken into consideration, parcel-post rates meet express rates on 5-pound packages in the 300-mile zone, they practically meet them on 10-pound packages in the 150-mile zone, and they do meet them on 20-pound and 50-pound packages in that zone. When you get to the 1,000-mile zone—New York to Chicago, for instance—the insured rates by express and parcel post are, respectively, as follows: Five pounds, 31 and 42 cents; 10 pounds, 42 and 72 cents; 20 pounds, 64 cents and $1.32.

"Now, here comes the thing that angers me. The new express and parcel-post rates which went into effect February 1 last were fixed by the Interstate Commerce Commission, which said to the express companies, 'You must put in these rates,' and to the Post Office Department, 'You may put in these rates.'

"When was the commission right—when it ordered the present express rates or when it approved the present parcel-post rates?

"We are paying $2,000,000 for the Interstate Commerce Commission, and that is the kind of service we are getting. I have been making speeches in the House about this for the past year, and I have been declaring that if we were statesmen instead of false alarms we'd appoint a committee to investigate the commission and do what any business house would do—discharge the commissioners or impeach them for dereliction, if not for inefficiency."

TWO WEEKS' TRAFFIC HERE.

While in New York Mr. KINDEL got the figures of the parcel-post traffic here for the two weeks ending October 15. To all zones, 8,994,175 packages, weighing 9,491,747 pounds, were carried in that time, the postage paid being $521,361.54. By zones this business was distributed as follows:

First (50 miles), 811,180 packages, postage, $38,410.57; second (150 miles), 1,125,529 packages, $48,609.21; third (300 miles), 1,262,918 packages, $54,846.03; fourth (600 miles), 1,173,216 packages, $62,675.28; fifth (1,000 miles), 1,411,718 packages, $74,035.48; sixth (1,400 miles), 1,243,944 packages, $69,275.07; seventh (1,800 miles), 770,929 packages, $72,919.77; eighth (over 1,800 miles), 773,129 packages, $83,375.72.

"You will notice from these figures," Mr. KINDEL said, "that the average weight of the packages was less than 1 ounce over 1 pound. The meaning I read in that is that people are chiefly sending by the 'new' parcel post the things they sent by the 'old.' The great glory of the parcel post, you know, was to be its effect on the cost of living—as the Democratic 'record of achievement,' used in the last campaign, put it, 'so that the life of the city man as well as the farmer has been made easier and cheaper.'

"You are not going to reduce the cost of living by packages that weigh a pound each. This result was to have been achieved by the extension of the parcel post to packages weighing 20 pounds, a limit that has since been raised to 50 pounds. Well, what happened in New York during these two weeks?

"In the local, first, and second zones the number of packages weighing above 21 pounds was 4,940; their weight was 141,482 pounds, and the postage paid on them was $1,378.99. The bulk was just one-sixtieth of 1 per cent of the total.

BEATING THE PARCEL POST.

"If you in New York want to know exactly how the parcel post works out, ask a mail-order man about it. He will ship 100 pounds by express to Des Moines, for example, break the package up there into five 20-pound parcels, and reship by post. He will save $5 per 100 pounds on the all-parcel-post rate by doing so.

"They are doing it right along, and in their saving they are figuring the hire of the boy that breaks bulk and pastes on the stamps at the reshipping point.

"Let me give you one other illustration of our system: Lord & Taylor have houses in both this country and Germany. The rate on their 11-pound parcels from Germany to Cuba is 50 cents; to Costa Rica, 55 cents; to Mexico, 55 cents; to Nicaragua, 85 cents; to Panama, 60 cents; to Colombia, 90 cents. The tax levied on parcels from their American houses to all countries with which we have parcel-post conventions is $1.32. From Germany they can post 11 pounds to San Francisco for 81 cents; from New York the rate is $1.32.

"What I want to do about all this is to have the weight limit increased, first of all, to 100 pounds. Then I want the rates revised. To illustrate what I would do, let me take a shipment from Baltimore or St. Paul to New Orleans. The express rate in each instance is $4, of which approximately one-half is paid to the railroads. The parcel-post rates are $6.02 and $8.01, respectively.

HIS IDEA OF RATES.

"If I were the Government, I would say: 'Mr. Railroad, in order that you shall not have any complaint, and since you dare not attack the rates fixed for you by the Interstate Commerce Commission, instead of giving you $2 I will give you 50 per cent more; I will pay you $3.' Then I would add the rate that Postmaster General Burleson figures for the delivery of the parcel, namely, 30 cents. That would produce a parcel-post rate of $3.30 instead of $6.02 or $8.01.

"You can't get away from that. It's a question of mathematics and, since it is, the next generation will have a real parcel post, even if we don't get one."

Mr. KINDEL has worked out a complete parcel-post tariff on this basis, and he said last night that he meant to devote as much of the remainder of the present session as possible to impressing its merits on the House.

The CHAIRMAN. The time of the gentleman has expired.

Mr. KINDEL. Can the gentleman from Minnesota kindly extend my time?

Mr. STEENERSON. I will yield the gentleman two minutes.

Mr. KINDEL. Mr. Chairman, I would say the only one way to arrive at that is to build a map and take 50 points, or any other number of points, and distribute them and then have them interlocking one with the other. I have done that in this case [exhibiting map] and find that the city of Portland, Me., out of 23 points I have named here in green, there are 50 points where the parcel-post rate on 20 pounds is 50 per cent higher than the express rate. My contention is that a post office, to be honest, should put a sign on the outside in a case like this for people to see, "If you want to save money, ship by express, because we will have to charge you anywhere from 50 to 100 per cent higher in some cases." I say it is wrong. It is not the smart, it is not the business man whom it catches, but it is the unsophisticated. In New York alone, as I pointed out at the outset, there was lost over a million dollars. Whom was that taken from? Not from the very rich, but from the unsophisticated I again say, who do not know the real condition that applies, because at one point the rate is right, but, as the gentleman from Washington [Mr. JOHNSON] so ably pointed out this morning, on the average distant point you find the parcel post is entirely out of line with every other line of transportation. You are loading down, you are defrauding the mail service by insisting on pe'k'ng on the rural and star route all of this first and second zone parcel-post business. I my own State we can ship from Denver to Steamboat Springs at $1.04, and by freight it is $1.60. We no longer need the cow train or freight train. We do it all by passenger train now. The parcel post, more than anything else, is knocking out our railroads. I believe in being fair in all things, and if we had some of these assistant postmasters engaged in looking into——

The CHAIRMAN. The time of the gentleman has expired.

Mr. KINDEL. Mr. Chairman, I wish to extend my remarks.

The CHAIRMAN. The gentleman from Colorado asks unanimous consent to extend his remarks in the RECORD. Is there objection? [After a pause.] The Chair hears none.

Mr. KINDEL. Having been given but seven minutes to discuss so important an economic question as the parcel post, which affects every citizen in the land, it is ridiculous to expect that it can be intelligently discussed in so brief a time and explain why the House of Representatives and the Senate have such a meager fund of information on the subject.

The published interview, just read, brought forth several letters of commendation, among which are these highly prized letters, as follows:

["Davies cars"—Fast freight refrigerator service—Economy, safety, and efficiency—6 Harrison Street.]

NEW YORK, *December 22, 1914.*

Hon. GEORGE J. KINDEL,
House of Representatives, Washington, D. C.

MY DEAR SIR: I was agreeably surprised and edified upon reading the interview published in the World this morning setting forth some of your instructive views on railroad matters.

I was sorry that I had not known of your coming here. It is always a real pleasure with me to discuss with you the tragedies of transportation that are presented before the American people under the auspices of their Government.

I am always glad to inspect the last contribution of the hides of the vermin that are nailed on your barn door. The time is not far distant when even the vermin themselves will observe the collection and take note of it.

This splendid service which you have been doing for the people at such personal sacrifice and labor to yourself is, to anyone interested in the problems as you discuss them, a source of valuable instruction, and if you can keep this up for a year or two a much greater good will be accomplished than through any attempt that you may make to tell a bunch of honorable gentlemen in Congress anything that relates to transportation questions. It is only by building a fire under our Congressmen, such as you are doing, that gives the people encouragement and hope that after a while—if you make it hot enough—they will warm up to the subject and manifest their approval of your honest and tireless efforts.

Very sincerely, yours,

ED. GEO. DAVIES.

—

COBBLE HILL FARM, *Lanesboro, Mass.*

Congressman GEORGE J. KINDEL,
Washington, D. C.

MY DEAR SIR: I am much gratified to note from the newspapers that there is at least one Congressman who is thoroughly alive to the disgraceful conduct of the Post Office Department, which is doing business under false pretenses in regard to parcel post. It is more than surprising that such unjust treatment of the railroads and other carriers of mail should be sanctioned by the officials who are responsible for the formulating of administrative plans. * * * The parcel post should be run on an equitable and honest basis or not at all.

You have taken the right and honest side of the parcel-post matter. Will be glad to learn of any action looking to the operation of a parcel post void of robbery and injustice.

Very truly, yours,

HENRY I. NEWELL.

Under leave to print I must ask your indulgence to again publish in the RECORD comparative tables of parcel post and express tariff for your perusal, more particularly a graduate on 20-pound parcel post, which is the weight limit beyond the second zone at present; also a graduate on the 100-pound limit, which the Postmaster General contemplates putting into effect soon. These, together with other accompanying tables, will no doubt be of great assistance to students and prospective shippers of parcels, epecially to the credulous and unitiated, who believe in the false statements sent out by the Post Office Department that the present parcel post has cheapened the cost of living.

On my return from New York I asked to see the original copies of reports of the New York office, that I might check them over here. I was told very curtly by those in charge, "The reports are not available." Has any Member on the floor of this House seen any of the several reports reputed to have been made on parcel post; and if not, how can we be expected to proceed to act intelligently on the Post Office appropriation bill?

Having, however, obtained sufficient data from the copies of the New York reports, I stand ready to challenge any member of the Post Office Department or the Interstate Commerce Commission, or either or both of the House committees, that none can successfully refute my allegations that Greater New York is paying $1,500,000 excess on parcel post over what it would pay by express on packages weighing over 5 pounds and beyond the second zone per year, providing the report of October 1 to 15, as analyzed, is taken as an average of a year's business.

The main purpose of my address is to inform the unsophisticated, who believe the Government can do no wrong, and thus save them from petty larceny now being practiced on them through the parcel post. It is a case of "Many mickles make a muckle," as shown here, that these many parcels amount to over $16,000,000 in one year's business in Greater New York, of which $1,500,000 is excessive and inexcusable.

Since the numbers of parcels, weights, and zones are known, and the rates of both parcel post and express are published, it only requires a little mathematical calculation to substantiate my charge, on which I stand ready to submit further proof if necessary.

The whopping story by the Post Office Department that parcel post makes living cheaper is not borne out by the facts—see Tables No. 1 and No. 2—neither has the increase of weight from 20 to 50 pounds to the second zone increased the traffic to the volume expected or desired in the East, where it is less than one-half of 1 per cent on packages above 20 pounds to the second zone, when compared with the volume of the entire business, in respect to both weight and proceeds; and how could this be otherwise? Take the 20-pound rate between Chicago and New York, the parcel-post rate is $1.22 uninsured, while by express insured it is only 64 cents. Now, suppose we apply the argument of the Postmaster General on reducing the cost of living through the parcel post, and what do we find? Edibles are 25 per cent less than merchandise rate by express. The merchandise rate on 20 pounds being 64 cents, the edible rate thus becomes 48 cents, as against $1.22 by parcel post, and uninsured at that. What kind of an imagination is here required to make you feel satisfied that the cost of living is made cheaper by parcel post? And yet this political accident of a Postmaster General, who may know all about hog cholera and foot-and-mouth diseases, but who does not know the first principles of transportation, is setting himself up as an authority on economics, and is now presumptuously advocating governmental ownership and control of the telephone and telegraph, notwithstanding his manifest botch of the parcel post herein exposed; and to think that we have a pedagogue of a President, who is supposed to be master of mathematics and economics, who humors such a farce, and, in addition to that, who appoints men on the Interstate Commerce Commission whose greatest recommendation is that they were railroad attorneys and have sanctioned the present parcel-post rates confessedly with a rubber stamp.

HOW IT WORKS OUT.

My friend the gentleman from North Dakota [Mr. YOUNG] has been learning something about the parcel post, but not without cost. He likes butter, and he wants the best, which he claims is made in North Dakota. Having repeatedly read the long-winded effusions of our Postmaster General on "how the parcel post aided in making the cost of living cheaper," he concluded to give it a trial, hence ordered an 8-pound shipment of butter. In transit the butter was evidently placed over a heater, for it had melted and leaked out. Mr. YOUNG'S surprise and disappointment can be better imagined than described when he discovered the container empty and 73 cents of canceled stamps plastered over it.

By express this package, insured, would have cost 53 cents. He was informed by the postal authorities that he could not recover the loss, for the reason it was not insured. Mr. YOUNG, like many other parcel-post victims, now uses the express companies, which is cheaper and always insured.

On the express rates the Interstate Commerce Commission says in its report:

No rate prescribed in the order hereto attached has been made without an investigation and hearing. The rates determined by the commission to be reasonable and just have also followed a like exhaustive investigation, and have also been in detail submitted to the analysis and criticism of the respondents and of shippers throughout the country for a period of several months.

That was under Commissioner Lane.

Can our present commissioners say that they examined into the parcel-post rates before putting on the required O. K.? If not, why not? Why did Congress insist that no rates shall be made by the Postmaster General without the knowledge and indorsement of the Interstate Commerce Commission?

Again, the generally accepted opinion that the present parcel post is of untold benefit, especially to the rural dwellers throughout the country, was rudely dissipated by the remarks of the gentleman from Washington [Mr. JOHNSON], who to-day pointed out—

WHY CERTAIN STAR ROUTES HAVE COLLAPSED.

The extension of the parcel post, while a great blessing generally (?), has been fatal to mail routes in the mountains. Pioneers away out yonder who can keep in touch with the world only by means of letters and papers now receive neither. Time was when the mail carrier came through once or twice a week, regardless of storm or the condition of roads; now they come no more. Their bids for carrying the mails, including the 50-pound packages, are so high that the department declines to accept them.

Thus the railroads throughout the Rocky Mountain region are frequently forced to discontinue freight trains and substitute mail cars, for which no adequate compensation has been allowed, and rural routes are often suspended, to the detriment of our citizens and section; yet we are reminded by the Democratic textbook of 1914, in its concluding paragraphs on parcel post, that—

> Eventually parcel post should provide universal parcel-transportation service, moving at true economic rates a sufficient number of direct shipments to reduce materially the cost of living and to ameliorate the condition of all the people.
> Cautiously, vigilantly, earnestly, enthusiastically the present administration is addressing itself to the attainment of this ideal.

The following telegram tells quite a different story:

> MANCOS, COLO., *January 1, 1915.*
>
> Hon. GEORGE J. KINDEL, M. C.,
> *Washington, D. C.:*
>
> December 31 we sent Ganado, Ariz., 10,000 pounds oats parcel post, three equal lots to follow December 26. Shipment refused by postmaster on instructions from Washington. Requested postmaster to wire Washington our expense. No answer yet. Needless delay causing loss at both ends. Can you help us out, or is this parcel post applicable only to mail-order houses or other favorite parties? One thousand pound shipments declined December 30 also.
>
> MILLER HARDWARE CO.

In the East the Postmaster General is frantically endeavoring to increase the parcel-post business in order to reduce the cost of living (?). In my section and beyond he reverses himself and refuses the business when offered. Where is he right?

The profound indifference of the general public west of the one hundredth meridian on the subject of transportation is amazing; every conceivable transportation discrimination is heaped upon them, coming and going. For a score of years it has been my purpose to call their attention to the facts and arouse them from their lethargy by publishing these tables of comparison.

Of my previous speeches on this subject I have sent out so many that I find myself poorer by several thousand dollars than I was before I was honored to represent my constituency on the floor of this House.

"WHAT FOOLS THESE MORTALS BE."

Because I rubber stamped the cost of my speeches on the back of them, the Post Office Department saw fit to send me a bill for $4,000 for having sent out 200,000 copies. Many inquiries come to me, "Have you paid that $4,000 post-office bill yet?" My answer is, "No; and I never shall (shell out)."

In order that I may not again be caught inadvertently violating the postal laws (?) or depriving myself of the franking privilege, I must inform my readers that I can not longer supply them with my speeches gratis. The cost on the average of a CONGRESSIONAL RECORD is about 10 cents. My speech alone in RECORD form will cost probably not more than 1 cent each. I will undertake to supply them to commercial bodies at cost, which I guarantee will not be over 1 cent per copy. All others will please inclose 1-cent stamp for each copy desired. My having inserted this and made it a part of my speech makes it frankable; otherwise not. What a joke!

Now, if our Post Office Department were half as zealous to correct and make efficient, especially the parcel-post branch, as they are to punish an insurgent who continues to fearlessly denounce the idiotic graduate and rules that control the parcel post, or to devote their time and energy to business instead of politics, then we would soon enjoy a beneficent and profitable parcel post, as do the other countries so frequently referred to as model systems.

Just at present the powers that be are engaged in the scandalous performance of ousting the Hon. Joseph H. Harrison, the postmaster of Denver, on account of alleged inefficiency. He is a Republican—enough said. Why make such a hypocritical excuse? Just as soon as the Democratic Senators of my State can agree on his successor Mr. Harrison will be politically decapitated, although he is one of the most efficient and gentlemanly postmasters in these United States. I have known him as a splendid fellow townsman for 35 years. I venture the prediction if tried before a jury of his peers, he not only would be acquitted on the infamous charge but would be commended as an A1 ideal postmaster.

What a travesty on "honor, justice, and efficiency" for the Post Office Department to use these adjectives!

What if we had a captain of industry like Mr. Ford, of automobile fame; Mr. Wanamaker, of department-store fame; Mr. Woolworth, of the tallest-building fame, at the head of our Postal System? With a man of their caliber as our Postmaster, how long would political hacks such as our Third Assistant Postmaster continue feeding at the public crib?

What valuable service has he rendered to entitle him to a perpetual meal ticket at the hands of our Government?

I have repeatedly challenged the department, or any of its champions, to meet me on the floor of the House or elsewhere to reconcile, if they thought it possible, the foolish and unjust graduate and rules I complain of, so that the public may be spared further suffering of the petty larceny tricks the parcel post now imposes upon them.

In view of the fact that President Wilson, in his message of December 8, indicated early adjournment of the House, which reads—

> Our program of legislation with regard to the regulation of business is now virtually complete—

Therefore no action to reform parcel post can be hoped for in the near future which would correct the errors complained of. I now suggest the adoption of this general rule to the public, especially east of the Mississippi River, which should be given the widest publicity through the press and otherwise:

Warning { Never ship above 5 pounds beyond the third zone.
Never ship above 10 pounds beyond the second zone.
Never ship anything edible by parcel post.[1]

The merchants of the country are crying out "Send business men to Congress. Why should business be the football of politics?" But when they get here, unless they have got a working majority, they will not cut much ice with this overwhelming body, which is composed of 95 per cent of Democratic lawyers of whom southerners are largely in control.

However well intentioned and fitted you may be for any special work, you are not permitted to butt in on the circle of control. You ask at headquarters for reports to study and check up, as I did at the Post Office Department, and you are told "it is not available." What are you going to do about it other than I am doing now—to publish to the world the facts in the hope that the people will become aroused and interest themselves sufficiently to select proper and vigilant business men to represent their interests here?

In conclusion, I would call attention to the magazine section of our Sunday papers of January 3, in which appeared another one of the frequent effusions of several pages by our Postmaster General on parcel post on the theme of how the parcel post reduces the cost of living. Here is a sample of his advice:

> When writing to the farmer for his prices it is well to tell him what the same articles are costing in the city markets at the time. This is advisable, because some farmers have an exaggerated idea as to the prices that city people are willing to pay for fresh country produce, whereas others are entirely moderate and reasonable.

"For downright rot and piffle that takes the bakery." Why does not Mr. Burleson publish figures and tables to prove it? *"A truth once told, in however feeble voice, is bound to be heard."*

The cost of transporting a 20-pound parcel-post package from New York to Newark, N. J., is 24 cents. The parcel post has an advantage there. For distances 50 miles and 150 miles the parcel post beats the express company; but here in this table, No. 2, is shown what the Government pays the railroads for hauling. In the zone from New York to Boston the parcel-post rate on 20 pounds is 44 cents. The Post Office officials say they pay the railroads 33 cents; but the express company picks up the package, insures it for $50, and delivers it at the other end, and does it all for 36 cents. Is it not petty larceny to accept 44 cents for the service when a man can go next door and get it done for 36 cents? And as you go down the line it gets more violent.

In the Saturday Evening Post of January 31, 1914, appeared an advertisement of the express company, showing new and old express rates. Instead of reproducing the old express rates I have substituted the parcel-post rates for comparison and the enlightenment of the public, which is being fluked by both the express company and the United States post office.

The new express and parcel-post rates, effective February 1, 1914, were both in conformity with the Interstate Commerce Commission. When was or is the Interstate Commerce Commission right? When they ordered in the present express rates or when they sanctioned and approved of present parcel-post rates?

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[1] Express rates on edibles are 25 per cent less than merchandise rates. See tables 1, 2, and 4.

Table No. 1.

	From New York to—								
	Newark, N. J.	Philadelphia, Pa.	Boston, Mass.	Pittsburgh, Pa.	Grand Rapids, Mich.	Des Moines, Iowa.	Denver, Colo.	Salt Lake City, Utah.	San Francisco, Cal.
	Zones.								
	1	2	3	4	5	6	7	8	8
5 pounds.									
Parcel post	$0.09	$0.09	$0.14	$0.23	$0.32	$0.41	$0.51	$0.60	$0.60
Post-office railroad cost	.425	.675	.105	.18	.28	.28	.48	.58	.73
Express rates, Merchandise	.23	.23	.24	.26	.30	.35	.47	.58	.71
Express rates, Edibles	.19	.19	.18	.20	.23	.27	.37	.44	.54
Kindel proposed rate	**.13**	**.15**	**.18**	**.23**	**.27**	**.29**	**.38**	**.47**	**.57**
10 pounds.									
Parcel post	.14	.14	.24	.43	.62	.81	1.01	1.20	1.20
Post-office railroad cost	.055	.105	.18	.33	.53	.73	.93	1.13	1.46
Express rates, Merchandise	.25	.27	.28	.33	.41	.51	.75	.95	1.22
Express rates, Edibles	.19	.20	.21	.25	.31	.39	.57	.62	.90
Kindel proposed rate	**.18**	**.20**	**.25**	**.30**	**.36**	**.43**	**.56**	**.76**	**.97**
20 pounds.									
Parcel post	.24	.24	.44	.83	1.22	1.61	2.01	2.40	2.40
Post-office railroad cost	.08	.18	.33	.63	1.03	1.43	1.83	2.23	2.86
Express rates, Merchandise	.31	.34	.36	.46	.62	.82	1.30	1.71	2.24
Express rates, Edibles	.24	.26	.25	.35	.47	.62	.98	1.29	1.68
Kindel proposed rate	**.25**	**.30**	**.35**	**.42**	**.54**	**.69**	**1.05**	**1.35**	**1.76**
50 pounds.									
Parcel post	.54	.54	1.04	2.03	3.02	4.01	5.01	6.00	6.00
Post-office railroad cost	.16	.35	.75	1.53	2.53	3.53	4.53	5.53	7.03
Express rates, Merchandise	.47	.65	.60	.85	1.35	1.85	2.95	3.98	5.30
Express rates, Edibles	.36	.49	.45	.64	1.02	1.39	2.22	3.01	3.98
Kindel proposed rate	**.50**	**.63**	**.70**	**.79**	**1.16**	**1.54**	**2.36**	**3.14**	**4.13**
100 pounds.									
Parcel post	1.04	1.04	2.04	4.03	6.02	8.01	10.01	12.00	12.00
Post-office railroad cost	.38	.78	1.53	3.03	5.03	7.03	9.03	11.03	14.16
Express rates, Merchandise	.75	1.10	1.00	1.50	2.30	3.30	5.70	7.75	10.40
Express rates, Edibles	.57	.83	.75	1.13	1.73	2.48	4.28	5.82	7.80
Kindel proposed rate	**.75**	**1.00**	**1.05**	**1.42**	**2.03**	**2.77**	**4.57**	**5.59**	**8.10**

The following tables are illustrative of some of the differences between the express and parcel-post rates as now in effect:

TABLE NO. 2.—*Merchandise rates.*

	5 pounds.		10 pounds.		20 pounds.	
	Express.	Parcel post.	Express.	Parcel post.	Express.	Parcel post.
Between New York and—						
Chicago	$0.31	*$0.32*	$0.42	*$0.62*	$0.64	*$1.22*
St. Louis	.32	*.32*	.44	*.62*	.68	*1.22*
New Orleans	.41	*.41*	.63	*.81*	1.06	*1.61*
Dallas	.45	*.41*	.70	*.81*	1.20	*1.61*
Denver	.47	*.51*	.75	*1.01*	1.30	*2.01*
San Francisco	.71	*.60*	1.22	*1.20*	2.24	*2.40*
Between Philadelphia and—						
Portland, Me	.27	*.23*	.34	*.43*	.48	*.83*
Buffalo	.27	*.14*	.34	*.24*	.48	*.44*
Cincinnati	.29	*.23*	.38	*.43*	.56	*.83*
Milwaukee	.31	*.32*	.43	*.62*	.66	*1.22*
Mobile	.38	*.32*	.55	*.62*	.91	*1.22*
Seattle	.67	*.60*	1.14	*1.20*	2.09	*2.40*
Between Atlanta and—						
Jacksonville	.28	*.14*	.35	*.24*	.51	*.44*
Memphis	.30	*.23*	.40	*.43*	.60	*.83*
Cincinnati	.31	*.23*	.41	*.43*	.63	*.83*
Richmond	.31	*.23*	.43	*.43*	.66	*.83*
Baltimore	.33	*.23*	.46	*.43*	.72	*.83*
New York	.34	*.32*	.48	*.62*	.77	*1.22*
Between St. Louis and—						
Birmingham	.30	*.23*	.39	*.43*	.59	*.83*
Detroit	.28	*.23*	.36	*.43*	.52	*.83*
St. Paul	.30	*.23*	.41	*.43*	.62	*.83*
Philadelphia	.32	*.32*	.43	*.62*	.67	*1.22*
San Antonio	.40	*.32*	.59	*.62*	.99	*1.22*
Los Angeles	.62	*.51*	1.05	*1.01*	1.90	*2.01*
Between Chicago and—						
Boston	.31	*.32*	.43	*.62*	.65	*1.22*
Oklahoma City	.36	*.32*	.52	*.62*	.85	*1.22*
Jacksonville	.36	*.32*	.52	*.62*	.85	*1.22*
Galveston	.39	*.32*	.59	*.62*	.98	*1.22*
Salt Lake City	.52	*.41*	.84	*.81*	1.48	*1.61*
Portland, Oreg	.63	*.51*	1.06	*1.01*	1.93	*2.01*

TABLE NO. 2.—*Merchandise rates*—Continued.

	5 pounds.		10 pounds.		20 pounds.	
	Express.	Parcel post.	Express.	Parcel post.	Express.	Parcel post.
Between San Francisco and—						
Houston	$0.63	*$0.51*	$1.06	*$1.01*	$1.93	*$2.01*
Minneapolis	.63	*.51*	1.07	*1.01*	1.94	*2.01*
Chicago	.65	*.60*	1.11	*1.20*	2.02	*2.40*
Cleveland	.67	*.60*	1.14	*1.20*	2.09	*2.40*
Washington	.70	*.60*	1.21	*1.20*	2.22	*2.40*
Boston	.71	*.60*	1.23	*1.20*	2.26	*2.40*
Total	15.51	*13.25*	23.87	*25.85*	40.68	*49.83*

From the above table it is the inevitable conclusion that the parcel-post rates are, in round numbers, 50 per cent higher on edibles than express rates, as shown by the following summary:

	Express.	Parcel post.
5 pounds	$15.51	$13.25
10 pounds	23.88	25.85
20 pounds	40.68	51.05
Total	80.07	90.15
Express, 25 per cent less on edibles	20.01	.....
Total	60.06	90.15

NOTE.—Express rates on food products are 25 per cent less than on merchandise. No reduction by parcel post on same. Express rates carry $50 insurance without charge. Parcel-post charges 10 cents extra for $50 insurance.

TABLE NO. 3.—*Statement showing the postage at the proposed rates and the estimated cost of handling parcels (Nov. 20, 1913).*

[This table of parcel-post rates and cost of service to the Government was issued by the Post Office Department.]

Weight.	Zones.							
	1	2	3	4	5	6	7	8
	50 miles.	150 miles.	300 miles.	600 miles.	1,000 miles.	1,400 miles.	1,800 miles.	1,800 miles and over.
1 pound	$0.05	$0.05	$0.06	$0.07	$0.08	$0.09	$0.11	$0.12
	.0325	.0375	.045	.06	.08	.10	.12	.14
2 pounds	.06	.06	.08	.11	.14	.17	.21	.24
	.035	.045	.06	.09	.13	.17	.21	.25
3 pounds	.07	.07	.10	.15	.20	.25	.31	.36
	.0375	.0525	.075	.12	.18	.24	.30	.36
4 pounds	.08	.08	.12	.19	.26	.33	.41	.48
	.04	.06	.09	.15	.23	.31	.39	.47
5 pounds	.09	.09	.14	.23	.32	.41	.51	.60
	.0425	.0675	.105	.18	.28	.38	.48	.58
6 pounds	.10	.10	.16	.27	.38	.49	.61	.72
	.045	.075	.12	.21	.33	.45	.57	.69
7 pounds	.11	.11	.18	.31	.44	.57	.71	.84
	.0475	.0825	.135	.24	.38	.52	.66	.80
8 pounds	.12	.12	.20	.35	.50	.65	.81	.96
	.05	.09	.15	.27	.43	.59	.75	.91
9 pounds	.13	.13	.22	.39	.56	.73	.91	1.08
	.0525	.0975	.165	.30	.48	.66	.84	1.02
10 pounds	.14	.14	.24	.43	.62	.81	1.01	1.20
	.055	.105	.18	.33	.53	.73	.93	1.13
11 pounds	.15	.15	.26	.47	.68	.89	1.11	1.32
	.0575	.1125	.195	.36	.58	.80	1.02	1.24
12 pounds	.16	.16	.28	.51	.74	.97	1.21	1.44
	.06	.12	.21	.39	.63	.87	1.11	1.35
13 pounds	.17	.17	.30	.55	.80	1.05	1.31	1.56
	.0625	.1275	.225	.42	.68	.94	1.20	1.46
14 pounds	.18	.18	.32	.59	.86	1.13	1.41	1.68
	.065	.135	.24	.45	.73	1.01	1.29	1.57
15 pounds	.19	.19	.34	.63	.92	1.21	1.51	1.80
	.0675	.1425	.255	.48	.78	1.08	1.38	1.68
16 pounds	.20	.20	.36	.67	.98	1.29	1.61	1.92
	.07	.15	.27	.51	.83	1.15	1.47	1.79
17 pounds	.21	.21	.38	.71	1.04	1.37	1.71	2.04
	.0725	.1575	.285	.54	.88	1.22	1.56	1.90
18 pounds	.22	.22	.40	.75	1.10	1.45	1.81	2.16
	.075	.165	.30	.57	.93	1.29	1.65	2.01
19 pounds	.23	.23	.42	.79	1.16	1.53	1.91	2.28
	.0775	.1725	.315	.60	.98	1.36	1.74	2.12
20 pounds	.24	.24	.44	.83	1.22	1.61	2.01	2.40
	.08	.18	.33	.63	1.03	1.43	1.83	2.23
25 pounds	.29	.29						
	.0925	.2175						
30 pounds	.34	.34						
	.1050	.255						
35 pounds	.39	.39						
	.1175	.2925						
40 pounds	.44	.44						
	.13	.33						
45 pounds	.49	.49						
	.1425	.3675						
50 pounds	.54	.54						
	.155	.405						

The first amount in each of the above blocks indicates the present postage; the other the estimated cost.

The average haul is based on the radial distance of the zones, except the eighth, where it is fixed at 2,200 miles.

TABLE NO. 4.—*Kindel's exhibit; 100 pounds parcel-post and express rates.*

Miles. 1,377	Denver to San Francisco			Mdse. $6.02—P. P.
	" " "	Food—Express	$5.06	6.75—Exp.
	" " "	Food—K. & B.	4.09	5.35—K. & B.
Miles. 1,256	Denver to Cincinnati			Mdse. $8.01—P. P.
	" " "	Food—Express	$3.23	4.30—Exp.
	" " "	Food—K. & B.	2.71	3.52—K. & B.
Miles. 1,933	Denver to New York			Mdse. $10.01—P. P.
	" " "	Food—Express	$4.28	5.70—Exp.
	" " "	Food—K. & B.	3.51	4.58—K. & B.
Miles. 915	Cincinnati to Boston			Mdse. $6.02—P. P.
	" " "	Food—Express	$1.84	2.45—Exp.
	" " "	Food—K. & B.	1.68	2.13—K. & B.
Miles. 1,201	Cincinnati to San Antonio			Mdse. $8.01—P. P.
	" " "	Food—Express	$3.53	4.70—Exp.
	" " "	Food—K. & B.	2.94	3.82—K. & B.
Miles. 1,763	Cincinnati to Salt Lake			Mdse. $10.01—P. P.
	" " "	Food—Express	$5.14	6.85—Exp.
	" " "	Food—K. & B.	4.15	5.33—K. & B.
Miles. 1,280	Portland, Me., to Nashville			Mdse. $6.02—P. P.
	" " "	Food—Express	$2.40	3.20—Exp.
	" " "	Food—K. & B.	2.10	2.70—K. & B.

TABLE NO. 4.—*Kindel's exhibit: 100 pounds parcel-post and express rates*—Contd.

Miles. 1,300	Portland, Me., to St. Louis			Mdse. $8.01—P. P.
	" " "	Food—Express	$2.37	3.15—Exp.
	" " "	Food—K. & B.	2.07	2.60—K. & B.
Miles. 2,170	Portland, Me., to Denver			Mdse. $10.01—P. P.
	" " "	Food—Express	$4.47	5.95—Exp.
	" " "	Food—K. & B.	3.64	4.75—K. & B.

Legend.—The food rates are 25 per cent less than merchandise—by express. The K. & B. rates are combination of Kindel and Burleson rates.

Here (see Table No. 4) I have taken three points—that is, one point with three points—and I show you the parcel-post rates there are $6.02, $8.01, and $10.01 on the 100 pounds. I am giving the mileage between points for convenience sake. Here [pointing] is Denver to Cincinnati, the second example on the diagram. The rate by parcel post, 100 pounds, would be $8.01, or by express $4.30. Now, if it is a food product or a drinkable product—except candy—then it is allowed 25 per cent less, or $3.23 by express. If you apply the Kindel-Burleson system of mine to the latter, it is $2.71 on food products as against $8.01, the parcel-post rate. The merchandise express rate is $4.30, which, under the Kindel-Burleson system—which pays the railroads 50 per cent more than express companies—it would be $3.52 as against $8.01. And you tell me it can not be done? That the parcel post is so neglected by Congress, which permits the compounding and perpetuating of gross errors herein indicated is, to say the least, surprising.

Every State having two Senators, I selected two cities in each State that are on railroad and enjoy both express and post office, with the following result.

The rates are on 20 pounds, the present weight limit beyond the second zone.

TABLE No. 5.

[Express rates are shown in roman figures and parcel-post rates in italic. Edible rate by express is 25 per cent less.]

From Denver to—	20-pound express rate.	20-pound parcel-post rate.
1. Fayette, Ala.	$1.19	*$1.61*
2. Dothan, Ala.	1.31	*1.61*
3. Fayetteville, Ark.	.83	*1.22*
4. Monticello, Ark.	1.12	*1.22*
5. Tucson, Ariz.	1.05	*1.22*
6. Holbrook, Ariz.	.90	*.83*
7. Eureka, Cal.	1.81	*1.61*
8. Truckee, Cal.	1.51	*1.22*
9. Danbury, Conn.	1.30	*2.01*
10. Plainfield, Conn.	1.32	*2.01*
11. Dover, Del.	1.27	*2.01*
12. Georgetown, Del.	1.29	*2.01*
13. Washington, D. C.	1.25	*2.01*
14. Baldwin, Fla.	1.43	*2.01*
15. Pensacola, Fla.	1.34	*1.61*
16. Brunswick, Ga.	1.43	*2.01*
17. Rome, Ga.	1.19	*1.61*
18. Boise, Idaho.	1.16	*1.22*
19. Montpelier, Idaho.	.88	*.83*
20. Chicago, Ill.	1.00	*1.22*
21. Springfield, Ill.	.96	*1.22*
22. Muncie, Ind.	1.00	*1.61*
23. Evansville, Ind.	1.00	*1.22*
24. Marshalltown, Iowa.	.90	*1.22*
25. Council Bluffs, Iowa.	.74	*.83*
26. Great Bend, Kans.	.65	*.83*
27. Wichita, Kans.	.72	*.83*
28. Elizabethtown, Ky.	1.05	*1.61*
29. Covington, Ky.	1.02	*1.61*
30. Napoleonsville, La.	1.25	*1.61*
31. Shreveport, La.	1.05	*1.22*
32. Augusta, Me.	1.37	*2.40*
33. Portland, Me.	1.35	*2.01*
34. Hagerstown, Md.	1.22	*2.01*
35. Baltimore, Md.	1.25	*2.01*
36. Chatham, Mass.	1.37	*2.01*
37. Boston, Mass.	1.32	*2.01*
38. Marshall, Mich.	1.08	*1.61*
39. Detroit, Mich.	1.10	*1.61*
40. New Ulm, Minn.	.93	*1.22*
41. St. Paul, Minn.	.93	*1.22*
42. Ellisville, Miss.	1.22	*1.61*
43. Jackson, Miss.	1.16	*1.22*
44. Boonville, Mo.	.86	*1.22*
45. St. Louis, Mo.	.93	*1.22*
46. Missoula, Mont.	1.27	*1.22*
47. Billings, Mont.	.93	*.83*
48. Grand Island, Nebr.	.61	*.83*
49. Sidney, Nebr.	.48	*.24*
50. Austin, Nev.	1.24	*1.22*
51. Elko, Nev.	1.10	*.83*
52. Concord, N. H.	1.33	*2.01*
53. Manchester, N. H.	1.32	*2.01*
54. Atlantic City, N. J.	1.30	*2.01*
55. Trenton, N. J.	1.28	*2.01*
56. Albuquerque, N. Mex.	.71	*.83*
57. Deming, N. Mex.	.87	*.83*
58. Rochester, N. Y.	1.22	*2.01*
59. New York, N. Y.	1.30	*2.01*
60. Durham, N. C.	1.37	*2.01*
61. Asheville, N. C.	1.24	*1.61*
62. Fargo, N. Dak.	.96	*1.22*
63. Bismarck, N. Dak.	.96	*.83*
64. Cincinnati, Ohio.	1.02	*1.61*
65. Cleveland, Ohio.	1.10	*1.61*
66. Poteau, Okla.	.90	*1.22*
67. Muskogee, Okla.	.86	*.83*
68. Astoria, Oreg.	1.63	*1.61*
69. Baker City, Oreg.	1.25	*1.22*
70. Lock Haven, Pa.	1.22	*2.01*
71. Pittsburgh, Pa.	1.14	*1.61*
72. Kingston, R. I.	1.32	*2.01*
73. Providence, R. I.	1.32	*2.01*
74. Florence, S. C.	1.38	*2.01*
75. Columbia, S. C.	1.36	*1.61*
76. Deadwood, S. Dak.	.68	*.83*
77. Aberdeen, S. Dak.	.90	*.83*
78. Mufreesboro, Tenn.	1.13	*1.61*
79. Memphis, Tenn.	1.05	*1.22*
80. Fort Worth, Tex.	.93	*1.22*
81. El Paso, Tex.	.90	*.83*
82. Price, Utah.	.78	*.83*
83. Salt Lake City, Utah.	.90	*.83*
84. Montpelier, Vt.	1.32	*2.01*
85. Rutland, Vt.	1.32	*2.01*
86. Charlottesville, Va.	1.25	*2.01*
87. Staunton, Va.	1.22	*1.61*
88. Seattle, Wash.	1.55	*1.61*
89. Spokane, Wash.	1.47	*1.22*
90. Martinsburg, W. Va.	1.22	*2.01*
91. Wheeling, W. Va.	1.12	*1.61*
92. Madison, Wis.	1.00	*1.22*
93. Milwaukee, Wis.	1.02	*1.22*
94. Evanston, Wyo.	.79	*.83*
95. Cheyenne, Wyo.	.44	*.24*
Total	105.99	137.41

TABLE No. 6.—*Kindel's graduate of parcel-post rates as introduced in the Senate by Senator Bristow.*

Pounds.	Local zone.	First zone, 150 miles.	Second zone, 150 to 350 miles.	Third zone, 350 to 600 miles.	Fourth zone, 600 to 950 miles.	Fifth zone, 950 to 1,350 miles.	Sixth zone, 1,350 to 1,800 miles.	Seventh zone, 1,800 to 2,300 miles.	Eighth zone, 2,300 miles and over.
1	$0.03	$0.04	$0.05	$0.06	$0.07	$0.08	$0.09	$0.10	$0.11
2	.04	.05	.07	.09	.11	.13	.15	.17	.19
3	.04	.06	.09	.12	.15	.18	.21	.24	.27
4	.05	.07	.11	.15	.19	.23	.27	.31	.35
5	.05	.08	.13	.18	.23	.28	.33	.38	.43
6	.06	.09	.15	.21	.27	.33	.39	.45	.51
7	.06	.10	.17	.24	.31	.38	.45	.52	.59
8	.07	.11	.19	.27	.35	.43	.51	.59	.67
9	.07	.12	.21	.30	.39	.48	.57	.66	.75
10	.08	.13	.23	.33	.43	.53	.63	.73	.83
11	.08	.14	.25	.36	.47	.58	.69	.80	.91
12	.09	.15	.27	.39	.51	.63	.75	.87	.99
13	.09	.16	.29	.42	.55	.68	.81	.94	1.07
14	.10	.17	.31	.45	.59	.73	.87	1.01	1.15
15	.10	.18	.33	.48	.63	.78	.93	1.08	1.23
16	.11	.19	.35	.51	.67	.83	.99	1.15	1.31
17	.11	.20	.37	.54	.71	.88	1.05	1.22	1.39
18	.12	.21	.39	.57	.75	.93	1.11	1.29	1.47
19	.12	.22	.41	.60	.79	.98	1.17	1.36	1.55
20	.13	.23	.43	.63	.83	1.03	1.23	1.43	1.63
21	.13	.24	.45	.66	.87	1.08	1.29	1.50	1.71
22	.14	.25	.47	.69	.91	1.13	1.35	1.57	1.79
23	.14	.26	.49	.72	.95	1.18	1.41	1.64	1.87
24	.15	.27	.51	.75	.99	1.23	1.47	1.71	1.95
25	.15	.28	.53	.78	1.03	1.28	1.53	1.78	2.03
26	.16	.29	.55	.81	1.07	1.33	1.59	1.85	2.11
27	.16	.30	.57	.84	1.11	1.38	1.65	1.92	2.19
28	.17	.31	.59	.87	1.15	1.43	1.71	1.99	2.27
29	.17	.32	.61	.90	1.19	1.48	1.77	2.06	2.35
30	.18	.33	.63	.93	1.23	1.53	1.83	2.13	2.43
31	.18	.34	.65	.96	1.27	1.58	1.89	2.20	2.51
32	.19	.35	.67	.99	1.31	1.63	1.95	2.27	2.59
33	.19	.36	.69	1.02	1.35	1.68	2.01	2.34	2.67
34	.20	.37	.71	1.05	1.39	1.73	2.07	2.41	2.75
35	.20	.38	.73	1.08	1.43	1.78	2.13	2.48	2.83
36	.21	.39	.75	1.11	1.47	1.83	2.19	2.55	2.91
37	.21	.40	.77	1.14	1.51	1.88	2.25	2.62	2.99
38	.22	.41	.79	1.17	1.55	1.93	2.31	2.69	3.07
39	.22	.42	.81	1.20	1.59	1.98	2.37	2.76	3.15
40	.23	.43	.83	1.23	1.63	2.03	2.43	2.83	3.23
41	.23	.44	.85	1.26	1.67	2.08	2.49	2.90	3.31
42	.24	.45	.87	1.29	1.71	2.13	2.55	2.97	3.39
43	.24	.46	.89	1.32	1.75	2.18	2.61	3.04	3.47
44	.25	.47	.91	1.35	1.79	2.23	2.67	3.11	3.55
45	.25	.48	.93	1.38	1.83	2.28	2.73	3.18	3.63
46	.26	.49	.95	1.41	1.87	2.33	2.79	3.25	3.71
47	.26	.50	.97	1.44	1.91	2.38	2.85	3.32	3.79
48	.27	.51	.99	1.47	1.95	2.43	2.91	3.39	3.87
49	.27	.52	1.01	1.50	1.99	2.48	2.97	3.46	3.95
50	.28	.53	1.03	1.53	2.03	2.53	3.03	3.53	4.03

100 pounds. This graduate can be extended to any weight without discriminations.

The rate is found by multiplying the pounds by the zone and adding 3, the overhead charge, except in the local zone, where the rate is found by dividing the weight in pounds by 2 and adding 3. Thus the rate on 10 pounds in the local zone is 10÷2=5+3=8. Fractions are disregarded. The rate on 10 pounds to the eighth zone is 10×8=80+3=83.

The ounce rate to be 1 cent per ounce until the pound rate is reached, when the pound rate shall apply.

For packages of unusual or excessive dimensions the charge should be made upon a basis of 10 pounds per cubic foot.

ANOTHER PARCEL-POST OR "16 TO 1" PUZZLE—WHAT IS IT; A JOKE OR AN OUTRAGE?

Parcel-post rates to eighth zone.

1-ounce package	1 cent.
4-ounce package	4 cents.
5-ounce package	12 cents.
5-ounce package (by mail sealed)	10 cents.
16-ounce package	12 cents.
17-ounce package	24 cents.
17 ounces divided into 4 packages of 4¼ ounces each	48 cents.
17 ounces divided into packages of 1 ounce each	17 cents.

When and how does this make the cost of living cheaper?

Legend to Tables No. 7 and No. 8.

In order to find the rates from New York to Pittsburgh, for instance, you must observe the numbers in which they fall, 17 and 19 in this case, and get their junction point thus: Follow 19, which is Pittsburgh, until you reach the junction with New York on the lower column, which is 17, and there you will find the figures 83, 46^2, and 43. The first is the parcel-post rate on 20 pounds of merchandise. The second is the express rate, while the superior figure 2 represents the zone that applies to the Kindel graduate. For table and rule, see Table 6. The last figure, 43, indicates the second or new Kindel method by which the railroads are paid 75 per cent instead of 50 per cent of the express rate, as now practiced by express companies, and to which is added the Burleson pick-up and delivery charge of 8 cents on 20 pounds. (See Table 3.) On 100 pounds the pick-up and delivery charge is 30 cents.

TABLE No. 7.—*East—Parcel post, express, and proposed Kindel-Burleson rates, based on 20-pound shipment.*

20-POUND RATES.

		1 Baltimore.	2 Birmingham.	3 Boston.	4 Buffalo.	5 Chicago.	6 Cincinnati.	7 Cleveland.	8 Detroit.
1. Baltimore.									
2. Birmingham	Parcel post rate	$1.22							
	Express rate	.78 [4]							
	Kindel-Burleson rate	.67							
3. Boston	Parcel post rate	.44	$1.22						
	Express rate	.46 [2]	.92 [5]						
	Kindel-Burleson rate	.40	.77						
4. Buffalo	Parcel post rate	.83	1.22	$0.83					
	Express rate	.46 [2]	.76 [4]	.48 [3]					
	Kindel-Burleson rate	.43	.65	.44					
5. Chicago	Parcel post rate	.83	.83	1.22	$0.83				
	Express rate	.61 [2]	.64 [2]	.66 [4]	.52 [3]				
	Kindel-Burleson rate	.54	.56	.58	.47				
6. Cincinnati	Parcel post rate	.83	.83	1.22	.83	$0.44 [2]			
	Express rate	.54 [2]	.62 [2]	.65 [4]	.50 [3]	.41			
	Kindel-Burleson rate	.49	.55	.58	.46	.39			
7. Cleveland	Parcel post rate	.83	.83	.83	.24	.44	$0.44		
	Express rate	.50 [2]	.70 [2]	.56 [2]	.39 [1]	.44 [2]	.41 [2]		
	Kindel-Burleson rate	.46	.61	.50	.38	.41	.39		
8. Detroit	Parcel post rate	.83	.83	.83	.44	.44	.44	$0.24	
	Express rate	.58 [2]	.69 [4]	.61 [2]	.44 [2]	.41 [2]	.41 [2]	.39 [1]	
	Kindel-Burleson rate	.52	.60	.54	.41	.39	.39	.38	
9. Galveston	Parcel post rate	1.61	.83	2.01	1.61	1.22	1.22	1.22	$1.22
	Express rate	1.20 [5]	.78 [2]	1.28 [6]	1.10 [5]	.98 [4]	.96 [4]	1.03 [5]	1.02 [5]
	Kindel-Burleson rate	.98	.67	1.04	.91	.82	.80	.86	.85
10. Indianapolis	Parcel post rate	.83	.83	1.22	.83	.24	.24	.44	.44
	Express rate	.56 [2]	.60 [2]	.65 [4]	.50 [1]	.36 [1]	.34 [1]	.44 [2]	.41 [2]
	Kindel-Burleson rate	.50	.52	.57	.46	.35	.34	.41	.39
11. Kansas City, Mo	Parcel post rate	1.22	.83	1.61	1.22	.83	.83	1.22	1.22
	Express rate	.80 [4]	.80 [2]	.90 [5]	.74 [4]	.58 [3]	.63 [3]	.71 [4]	.67 [4]
	Kindel-Burleson rate	.68	.68	.76	.64	.52	.56	.62	.59
12. Louisville	Parcel post rate	.83	.83	1.22	.83	.44	.24	.44	.44
	Express rate	.58 [3]	.60 [2]	.67 [4]	.54 [3]	.41 [2]	.34 [1]	.46 [2]	.44 [2]
	Kindel-Burleson rate	.52	.53	.59	.49	.39	.34	.43	.41
13. Memphis	Parcel post rate	1.22	.44	1.61	1.22	.83	.83	1.22	.83
	Express rate	.75 [4]	.51 [2]	.87 [5]	.69 [4]	.58 [3]	.58 [3]	.65 [4]	.64 [3]
	Kindel-Burleson rate	.65	.47	.74	.60	.52	.52	.57	.56
14. Milwaukee	Parcel post rate	1.22	1.22	1.22	.83	.24	.44	.44	.44
	Express rate	.66 [4]	.71 [4]	.71 [4]	.56 [3]	.34 [1]	.48 [3]	.50 [3]	.44 [3]
	Kindel-Burleson rate	.58	.62	.62	.50	.34	.44	.46	.41
15. Nashville	Parcel post rate	.83	.44	1.22	.83	.83	.44	.83	.83
	Express rate	.67 [3]	.44 [1]	.79 [4]	.65 [3]	.51 [3]	.83 [3]	.58 [3]	.54 [3]
	Kindel-Burleson rate	.59	.41	.68	.57	.47	.71	.52	.49
16. New Orleans	Parcel post rate	1.22	.83	1.61	1.61	1.22	1.22	1.22	1.22
	Express rate	.96 [5]	.57 [2]	1.08 [6]	.93 [5]	.78 [4]	.79 [4]	.86 [4]	.85 [4]
	Kindel-Burleson rate	.80	.51	.89	.78	.67	.68	.73	.72
17. New York	Parcel post rate	.24	1.22	.44	.44	1.22	.83	.83	.83
	Express rate	.36 [1]	.85 [4]	.36 [2]	.46 [2]	.64 [4]	.59 [3]	.54 [3]	.59 [3]
	Kindel-Burleson rate	.35	.72	.35	.43	.56	.53	.49	.53
18. Philadelphia	Parcel post rate	.24	1.22	.44	.44	1.22	.83	.83	.83
	Express rate	.31 [1]	.81 [4]	.44 [3]	.48 [3]	.62 [4]	.56 [3]	.50 [3]	.58 [3]
	Kindel-Burleson rate	.31	.69	.41	.44	.55	.50	.46	.52
19. Pittsburgh	Parcel post rate	.44	.83	.83	.44	.83	.44	.24	.44
	Express rate	.41 [2]	.72 [3]	.54 [3]	.34 [2]	.50 [3]	.44 [2]	.36 [1]	.46 [2]
	Kindel-Burleson rate	.39	.67	.49	.34	.46	.41	.35	.43
20. Portland, Me	Parcel post rate	.83	1.61	.24	.83	1.22	1.22	.83	[1.22
	Express rate	.50 [3]	.96 [5]	.34 [1]	.52 [3]	.69 [4]	.69 [4]	.59 [3]	.61 [4]
	Kindel-Burleson rate	.46	.89	.34	.47	.60	.60	.53	.54]
21. St. Louis	Parcel post rate	1.22	.83	[1.61	[1.22	.44	.44	.83	.83
	Express rate	.65 [4]	.59 [3]	.71 [5]]	.60 [4]]	.44 [2]	.46 [2]	.54 [3]	.52 [3]
	Kindel-Burleson rate	.57	.53	.62	.53	.41	.43	.49	.47
22. St. Paul	Parcel post rate	1.22	1.22	1.61	1.22	.44	.83	.83	.83
	Express rate	.86 [4]	.82 [4]	.90 [5]	.76 [4]	.57 [3]	.65 [3]	.72 [3]	.62 [3]
	Kindel-Burleson rat	.68	.70	.76	.65	.51	.57	.62	.55
23. Washington	Parcel post rate	.24	.83	.83	.44	.83	.83	.44	.83
	Express rate	.31 [1]	.77 [4]	.50 [3]	.48 [3]	.61 [3]	.54 [3]	.50 [3]	.58 [3]
	Kindel-Burleson rate	.31	.66	.46	.44	.54	.49	.46	.52

A summary of the above table, obtained by the Burroughs adding machine, for 20-pound rates in the East is shown by the following:

Parcel post		$236.43
Express	Merchandise	164.66
	Edibles	123.50

TABLE No. 7.—*West—Parcel post, express, and proposed Kindel-Burleson rates, based on 20-pound shipment.*

20-POUND RATES.

		1 Butte.	2 Cheyenne.	3 Denver.	4 Los Angeles.	5 Omaha.	6 Portland, Oreg.	7 Salt Lake City.	8 San Antonio.	9 San Francisco.	10 Seattle.
1. Butte.											
2. Cheyenne	Parcel post rate	$0.83									
	Express rate	1.09 [3]									
	Kindel-Burleson rate	*.90*									
3. Denver	Parcel post rate	.83	$0.24								
	Express rate	1.20 [3]	.44 [1]								
	Kindel-Burleson rate	*.98*	*.41*								
4. Los Angeles	Parcel post rate	1.22	1.22	$1.22							
	Express rate	1.35 [4]	1.44 [4]	1.46 [4]							
	Kindel-Burleson rate	*1.10*	*1.16*	*1.18*							
5. Omaha	Parcel post rate	1.22	.83	.83	$1.61						
	Express rate	1.25 [4]	.72 [3]	.74 [3]	1.76 [6]						
	Kindel-Burleson rate	*1.02*	*.62*	*.64*	*1.40*						
6. Portland, Oreg.	Parcel post rate	.83	1.22	1.22	1.22	$1.61					
	Express rate	.92 [3]	1.42 [4]	1.52 [5]	1.12 [4]	1.77 [6]					
	Kindel-Burleson rate	*.77*	*1.15*	*1.22*	*.92*	*1.44*					
7. Salt Lake City	Parcel post rate	.83	.83	.83	.83	1.22	$1.22				
	Express rate	.78 [3]	.87 [3]	.90 [3]	1.02 [3]	1.17 [4]	1.07 [4]				
	Kindel-Burleson rate	*.67*	*.74*	*.76*	*.85*	*.96*	*.89*				
8. San Antonio	Parcel post rate	1.61	1.22	1.22	1.61	1.22	2.01	$1.61			
	Express rate	1.93 [6]	1.16 [4]	1.09 [4]	1.52 [5]	1.02 [4]	2.18 [6]	1.52 [5]			
	Kindel-Burleson rate	*1.58*	*.95*	*.90*	*1.22*	*.85*	*1.72*	*1.22*			
9. San Francisco	Parcel post rate	1.22	1.22	1.22	.83	2.01	.83	.83	$2.01		
	Express rate	1.35 [4]	1.44 [5]	1.51 [4]	.68 [2]	1.83 [6]	.90 [3]	1.03 [3]	1.83 [6]		
	Kindel-Burleson rate	*1.10*	*1.16*	*1.22*	*.59*	*1.46*	*.76*	*.88*	*1.46*		
10. Seattle	Parcel post rate	.83	1.61	1.61	1.22	1.61	.24	1.22	2.01	$1.22	
	Express rate	.88 [3]	1.47 [5]	1.51 [5]	1.24 [4]	1.72 [6]	.44 [1]	1.14 [4]	2.24 [6]	.99 [4]	
	Kindel-Burleson rate	*.74*	*1.19*	*1.22*	*1.01*	*1.37*	*.41*	*.94*	*1.76*	*.83*	
11. New York	Parcel post rate	2.40	2.01	2.01	2.40	1.61	2.40	2.40	2.01	2.40	$2.40
	Express rate	1.72 [7]	1.33 [6]	1.30 [6]	2.10 [3]	.90 [5]	2.16 [8]	1.71 [7]	1.36 [6]	2.24 [8]	2.15 [5]
	Kindel-Burleson rate	*1.37*	*1.08*	*1.06*	*1.68*	*.76*	*1.70*	*1.37*	*1.10*	*1.76*	*1.70*

9 Galveston.	10 Indianapolis.	11 Kansas City, Mo.	12 Louisville.	13 Memphis.	14 Milwaukee.	15 Nashville.	16 New Orleans.	17 New York.	18 Philadelphia.	19 Pittsburgh.	20 Portland, Me.	21 St. Louis, Mo.	22 St. Paul.
$1.22													
.94 [4]													
.79													
1.22	$0.83												
.90 [4]	.58 [3]												
.76	*.52*												
1.22	.24	$0.83											
.91 [4]	.40 [1]	.62 [3]											
.77	*.58*	*.57*											
.83	.83	.83	$0.83										
.76 [3]	.54 [3]	.65 [3]	.54 [2]										
.65	*.49*	*.57*	*.49*										
1.62	.44	.83	.83	$0.83									
1.02 [5]	.44 [2]	.54 [3]	.48 [2]	.62 [3]									
.85	*.41*	*.49*	*.44*	*.55*									
1.22	.44	.83	.24	.44	$0.83								
.86 [4]	.44 [2]	.69 [3]	.42 [1]	.48 [2]	.57 [3]								
.73	*.41*	*.60*	*.40*	*.44*	*.61*								
.44	1.22	1.22	1.22	.83	1.22	$0.83							
.60 [2]	.76 [4]	.90 [4]	.74 [4]	.61 [3]	.81 [4]	.66 [3]							
.53	*.65*	*.76*	*.64*	*.54*	*.69*	*.58*							
1.61	1.22	1.61	1.22	1.22	1.22	1.22	$1.61						
1.24 [6]	.62 [4]	.86 [5]	.64 [4]	.81 [4]	.68 [4]	.73 [4]	1.06 [5]						
1.01	*.55*	*.73*	*.56*	*.69*	*.59*	*.68*	*.88*						
1.61	.83	1.61	.83	1.22	1.22	1.22	1.61	$0.24					
1.22 [5]	.58 [3]	.82 [5]	.61 [3]	.77 [4]	.66 [4]	.69 [4]	1.00 [5]	.38 [1]					
1.00	*.52*	*.70*	*.54*	*.66*	*.58*	*.60*	*.83*	*.37*					
1.61	.83	1.22	.83	1.22	.83	.83	1.22	.83	$0.44				
1.08 [5]	.44 [2]	.72 [4]	.48 [2]	.68 [4]	.54 [3]	.60 [3]	.80 [4]	.46 [2]	.44 [2]				
.89	*.41*	*.62*	*.44*	*.55*	*.49*	*.53*	*.68*	*.43*	*.41*				
2.01	1.22	1.61	1.22	1.61	1.22	1.22	2.01	.44	.83	$0.83			
1.32 [6]	.69 [4]	.90 [5]	.73 [4]	.91 [5]	.71 [4]	.80 [5]	1.14 [6]	.41 [2]	.48 [3]	.59 [3]			
1.07	*.60*	*.76*	*.63*	*.77*	*.62*	*.68*	*.94*	*.39*	*.44*	*.53*			
1.22	.44	.44	.83	.44	.83	.44	1.22	1.22	1.22	.83	[$1.61		
.90 [4]	.41 [2]	.51 [2]	.44 [2]	.50 [2]	.44 [2]	.50 [2]	.73 [4]	.68 [4]	.67 [4]	.58 [3]	.79 [5]		
.76	*.59*	*.47*	*.41*	*.46*	*.41*	*.46*	*.63*	*.59*	*.59*	*.52*	*.68*]		
1.61	.83	.83	.83	1.22	.44	1.22	1.61	1.22	1.22	1.22	1.61	$0.83	
1.16 [5]	.63 [3]	.65 [3]	.67 [3]	.76 [4]	.54 [2]	.72 [4]	.96 [5]	.93 [4]	.88 [4]	.76 [4]	.91 [5]	.62 [3]	
.95	*.56*	*.57*	*.59*	*.65*	*.49*	*.62*	*.80*	*.76*	*.74*	*.65*	*.79*	*.55*	
1.61	.83	1.22	.83	1.22	1.22	.83	1.22	.44	.24	.44	.83	1.22	$1.22
1.16 [5]	.56 [3]	.80 [4]	.58 [3]	.75 [4]	.66 [3]	.67 [3]	.88 [4]	.41 [2]	.36 [1]	.44 [2]	.54 [3]	.65 [4]	.86 [4]
.95	*.50*	*.68*	*.52*	*.65*	*.58*	*.59*	*.74*	*.39*	*.35*	*.41*	*.49*	*.57*	*.73*

Summary of this table:

Parcel post		$74.82
Express	Merchandise	73.53
	Edibles	55.15

In my speech of August 5, 1914, I show the rates to 33 points, East and West, on 50 pounds, summarized as follows:

Parcel post		$1,736.37
Express	Merchandise	1,252.74
	Edibles	939.56

The brackets inclosing figures in Table 8 are indicative of rates on 100 pounds of merchandise under the present schedule of parcel-post and express rates, in which cases parcel-post rates are from 100 to 150 per cent higher than the express rates, and on edibles the rates are still more, yet the Post Office Department would have the public believe that the parcel post is conducive to cheapen the cost of living.

TABLE No. 8.—*East—Rates on 100 pounds.*

100-POUND RATES.

		1. Baltimore.	2. Birmingham.	3. Boston.	4. Buffalo.	5. Chicago.	6. Cincinnati.	7. Cleveland.	8. Detroit.
1. Baltimore.									
2. Birmingham	Parcel post rate	$6.02							
	Express rate	3.10 [4]							
	Kindel-Burleson rate	*2.63*							
3. Boston	Parcel post rate	2.04	$6.02						
	Express rate	1.50 [2]	3.80 [5]						
	Kindel-Burleson rate	*1.43*	*3.15*						
4. Buffalo	Parcel post rate	[4.03	[6.02	[$4.03					
	Express rate	1.50 [2]	3.00 [4]	1.60 [3]					
	Kindel-Burleson rate	*1.43*]	*2.55*]	*1.50*]					
5. Chicago	Parcel post rate	4.03	4.03	[6.02	[4.03				
	Express rate	2.25 [3]	2.40 [3]	2.50 [4]	1.80 [3]				
	Kindel-Burleson rate	*1.99*	*2.10*	*2.18*]	*1.65*]				
6. Cincinnati	Parcel post rate	[4.03	4.03	[6.02	[4.03	$2.04			
	Express rate	1.90 [3]	2.30 [3]	2.45 [4]	1.70 [3]	1.25 [1]			
	Kindel-Burleson rate	*1.73*]	*2.03*	*2.14*]	*1.58*]	*1.24*			
7. Cleveland	Parcel post rate	[4.03	4.03	[4.03	1.04	2.04	$2.04		
	Express rate	1.70 [2]	2.70 [3]	2.00 [3]	1.15 [1]	1.40 [2]	1.25 [2]		
	Kindel-Burleson rate	*1.58*]	*2.33*	*1.80*]	*1.17*	*1.35*	*1.24*		
8. Detroit	Parcel post rate	4.03	4.03	4.03	2.04	2.04	2.04	$1.04	
	Express rate	2.10 [3]	2.65 [4]	2.25 [3]	1.40 [2]	1.25 [2]	1.25 [2]	1.15 [1]	
	Kindel-Burleson rate	*1.80*	*2.29*	*1.99*	*1.35*	*1.14*	*1.14*	*1.17*	
9. Galveston	Parcel post rate	8.01	4.03	10.01	8.01	6.02	6.02	6.02	$6.02
	Express rate	5.20 [5]	3.10 [3]	5.60 [6]	4.70 [5]	4.10 [4]	4.00 [4]	4.35 [5]	4.30 [5]
	Kindel-Burleson rate	*4.20*	*2.63*	*4.50*	*3.83*	*3.38*	*3.30*	*4.57*	*3.53*
10. Indianapolis	Parcel post rate	[4.03	4.03	[6.02	[4.03	1.04	1.04	2.04	2.04
	Express rate	2.00 [3]	2.20 [3]	2.45 [4]	1.70 [3]	1.00 [1]	.90 [1]	1.40 [2]	1.25 [2]
	Kindel-Burleson rate	*1.80*]	*1.95*	*2.14*]	*1.55*]	*1.05*	*.98*	*1.35*	*1.24*
11. Kansas City, Mo	Parcel post rate	6.02	4.03	[8.01	[6.02	4.03	4.03	[6.02	[6.02
	Express rate	3.20 [4]	3.20 [3]	3.70 [5]	2.90 [4]	2.10 [3]	2.35 [3]	2.75 [4]	2.55 [4]
	Kindel-Burleson rate	*2.70*	*2.70*	*3.08*]	*2.45*]	*1.88*	*2.07*	*2.37*]	*2.20*]
12. Louisville	Parcel post rate	4.03	2.04	[6.02	[4.03	2.04	1.04	2.04	2.04
	Express rate	2.10 [3]	2.20 [2]	2.55 [4]	1.90 [3]	1.25 [2]	.90 [1]	1.50 [2]	1.40 [2]
	Kindel-Burleson rate	*1.88*	*1.95*	*2.20*]	*1.73*]	*1.14*	*.98*	*1.43*	*1.35*
13. Memphis	Parcel post rate	[6.02	2.04	[8.01	[6.02	4.03	4.03	[6.02	4.03
	Express rate	2.90 [4]	1.75 [2]	3.55 [5]	2.65 [4]	2.10 [3]	2.10 [3]	2.45 [4]	2.40 [3]
	Kindel-Burleson rate	*2.49*]	*1.62*	*2.97*]	*2.29*]	*1.88*	*1.88*	*2.14*]	*2.10*
14. Milwaukee	Parcel post rate	[6.02	[6.02	[6.02	[4.03	1.04	2.04	2.04	2.04
	Express rate	2.50 [4]	2.75 [4]	2.75 [4]	2.00 [3]	.90 [1]	1.60 [2]	1.70 [2]	1.40 [2]
	Kindel-Burleson rate	*2.18*]	*2.37*]	*2.37*]	*1.80*]	*.98*	*1.50*	*1.55*	*1.35*
15. Nashville	Parcel post rate	4.03	1.04	6.02	4.03	[4.03	2.04	4.03	[4.03
	Express rate	2.55 [3]	1.40 [1]	3.15 [4]	2.45 [3]	1.75 [3]	3.35 [2]	2.10 [3]	1.90 [3]
	Kindel-Burleson rate	*2.20*	*1.35*	*2.67*	*2.14*	*1.55*]	*2.82*	*1.88*	*1.73*]
16. New Orleans	Parcel post rate	6.02	4.03	8.01	[8.01	6.02	6.02	6.02	6.02
	Express rate	4.00 [5]	2.05 [2]	4.60 [6]	3.85 [5]	3.10 [4]	3.15 [4]	3.50 [4]	3.45 [4]
	Kindel-Burleson rate	*3.30*	*1.84*	*3.75*	*3.19*]	*2.63*	*2.67*	*2.93*	*2.89*
17. New York	Parcel post rate	1.04	6.02	[2.04	2.04	[6.02	4.03	[4.03	4.03
	Express rate	1.00 [1]	3.45 [4]	1.00 [2]	1.50 [2]	2.40 [4]	2.15 [3]	1.90 [3]	2.15 [4]
	Kindel-Burleson rate	*1.05*	*2.89*	*1.05*]	*1.43*	*2.10*]	*1.92*	*1.73*]	*1.73*
18. Philadelphia	Parcel post rate	1.04	6.02	2.04	2.04	[6.02	[4.03	[4.03	4.03
	Express rate	.75 [1]	3.25 [4]	1.40 [2]	1.60 [2]	2.30 [4]	2.00 [3]	1.70 [2]	2.10 [3]
	Kindel-Burleson rate	*.87*	*2.74*	*1.35*	*1.50*	*2.03*]	*1.80*]	*1.58*]	*1.88*
19. Pittsburgh	Parcel post rate	2.04	4.03	[4.03	2.04	[4.03	2.04	1.04	2.04
	Express rate	1.25 [2]	2.80 [3]	1.90 [3]	1.40 [2]	1.70 [3]	1.40 [2]	1.00 [1]	1.50 [1]
	Kindel-Burleson rate	*1.24*	*2.45*	*1.73*]	*1.35*	*1.58*]	*1.35*	*1.05*	*1.43*
20. Portland, Me	Parcel post rate	[4.03	[8.01	[2.04	[4.03	[6.02	[6.02	4.03	[6.02
	Express rate	1.70 [3]	4.00 [5]	.90 [1]	1.80 [3]	2.65 [4]	2.65 [4]	2.15 [3]	2.25 [3]
	Kindel-Burleson rate	*1.58*]	*3.30*]	*.98*]	*1.65*]	*2.29*]	*2.29*]	*1.92*	*1.99*]
21. St. Louis	Parcel post rate	[6.02	4.03	[8.01	[6.02	2.04	2.04	[4.03	[4.03
	Express rate	2.45 [4]	2.15 [3]	2.75 [5]	2.20 [4]	1.40 [2]	1.50 [2]	1.90 [3]	1.80 [3]
	Kindel-Burleson rate	*2.14*]	*1.92*	*2.42*]	*1.90*]	*1.35*	*1.43*	*1.73*]	*1.65*]
22. St. Paul	Parcel post rate	6.02	6.02	[8.01	[6.02	4.03	4.03	4.03	4.03
	Express rate	3.50 [4]	3.30 [4]	3.70 [5]	3.00 [4]	2.05 [3]	2.45 [3]	2.80 [4]	2.30 [3]
	Kindel-Burleson rate	*2.93*	*2.78*	*3.08*]	*2.55*]	*1.84*	*2.14*	*2.45*	*2.03*
23. Washington, D. C	Parcel post rate	1.04	4.03	[4.03	2.04	4.03	[4.03	2.04	4.03
	Express rate	.75 [1]	3.05 [4]	1.70 [3]	1.60 [2]	2.25 [3]	1.90 [3]	1.70 [2]	2.10 [3]
	Kindel-Burleson rate	*.87*	*2.59*	*1.58*]	*1.50*]	*1.99*	*1.73*]	*1.53*	*1.88*

A summary of the above table, obtained by the Burrough adding machine, for 100-pound rates:

Parcel post		$1,148.87
Express	Merchandise	620.86
	Edibles	490.65

TABLE No. 8—*West—Rates on 100 pounds.*

100-POUND RATES.

		1. Butte, Mont.	2. Cheyenne.	3. Denver.	4. Los Angeles.	5. Omaha.	6. Portland, Oreg.	7. Salt Lake City.	8. San Antonio.	9. San Francisco.	10. Seattle.
1. Butte, Mont.											
2. Cheyenne	Parcel post rate	$4.03									
	Express rate	4.65 [3]									
	Kindel-Burleson rate	*5.79*									
3. Denver	Parcel post rate	4.03	$1.04								
	Express rate	5.20 [3]	1.40 [1]								
	Kindel-Burleson rate	*4.20*	*1.35*								
4. Los Angeles	Parcel post rate	6.02	6.02	$6.02							
	Express rate	5.95 [4]	6.40 [4]	6.50 [4]							
	Kindel-Burleson rate	*4.77*	*5.10*	*5.78*							
5. Omaha	Parcel post rate	6.02	4.03	4.03	$8.01						
	Express rate	5.45 [4]	2.80 [3]	2.90 [3]	8.00 [6]						
	Kindel-Burleson rate	*4.39*	*2.53*	*2.48*	*6.30*						
6. Portland, Oreg.	Parcel post rate	4.03	6.02	6.02	6.02	$8.01					
	Express rate	3.80 [3]	6.30 [4]	6.80 [5]	4.80 [4]	8.05 [6]					
	Kindle-Burleson rate	*5.15*	*5.28*	*5.40*	*5.90*	*6.54*					
7. Salt Lake City	Parcel post rate	4.03	4.03	4.03	4.03	6.02	$6.02				
	Express rate	3.10 [3]	3.55 [3]	3.70 [3]	4.30 [3]	5.05 [4]	4.55 [4]				
	Kindel-Burleson rate	*2.63*	*2.97*	*3.08*	*3.53*	*4.09*	*3.72*				
8. San Antonio	Parcel post rate	8.01	6.02	6.02	8.01	6.02	10.01	$8.01			
	Express rate	8.85 [6]	5.00 [4]	4.65 [4]	6.80 [5]	4.30 [4]	10.10 [6]	6.80 [5]			
	Kindel-Burleson rate	*6.94*	*4.05*	*3.79*	*5.40*	*3.53*	*7.88*	*5.40*			
9. San Francisco	Parcel post rate	6.02	6.02	6.02	4.03	10.01	4.03	4.03	$10.01		
	Express rate	5.95 [4]	6.25 [5]	6.75 [4]	2.60 [2]	8.35 [6]	3.70 [3]	4.35 [3]	8.35 [6]		
	Kindel-Burleson rate	*4.77*	*4.99*	*5.37*	*2.25*	*6.57*	*3.08*	*3.57*	*6.57*		
10. Seattle	Parcel post rate	4.03	8.01	8.01	6.02	8.01	1.04	6.02	10.01	$6.02	
	Express rate	3.60 [3]	6.55 [5]	6.95 [5]	5.40 [4]	7.80 [6]	1.40 [1]	4.90 [4]	10.40 [6]	4.15 [4]	
	Kindel-Burleson rate	*5.00*	*5.22*	*5.52*	*4.35*	*6.15*	*1.35*	*5.98*	*8.10*	*5.42*	
11. New York	Parcel post rate	12.00	10.01	10.01	12.00	8.01	12.00	12.00	10.01	12.00	$12.00
	Express rate	7.80 [7]	5.85 [6]	5.70 [6]	9.70 [8]	3.70 [5]	10.00 [8]	7.75 [7]	6.00 [6]	10.40 [8]	9.95 [4]
	Kindel-Burleson rate	*6.15*	*4.69*	*4.58*	*7.58*	*3.08*	*7.80*	*6.12*	*4.80*	*8.10*	*7.77*

9. Galveston.	10. Indianapolis.	11. Kansas City, Mo.	12. Louisville.	13. Memphis.	14. Milwaukee.	15. Nashville.	16. New Orleans.	17. New York.	18. Philadelphia.	19. Pittsburgh.	20. Portland, Me.	21. St. Louis, Mo.	22. St. Paul.
$6.02 3.90 [4] *5.23*	**$4.03** 2.10 [3] *1.88*	**$4.03** 2.30 [3] *2.03*	**$4.03** 1.90 [2] *1.73*	**$4.03** 2.30 [3] *2.03*	**$4.03** 2.05 [3] *1.84*	**$4.03** 2.50 [3] *2.18*	**$8.01** 4.50 [5] *5.68*	**$1.04** 1.10 [1] *1.13*	**$2.04** 1.40 [2] *1.35*	**$4.03** 2.15 [3] *1.92*	**$8.01** 3.15 [5] *2.67*	**$4.03** 2.30 [3] *2.03*	**$6.02** 3.50 [4] *2.98*
6.02 3.70 [4] *5.08*	**2.04** 1.40 [2] *1.88*	**4.03** 2.45 [2] *2.14*	**4.03** 1.60 [2] *1.50*	**4.03** 2.25 [3] *1.99*	**4.03** 1.90 [3] *1.73*	**4.03** 2.20 [3] *1.95*	**6.02** 3.65 [4] *5.04*	**4.03** 1.50 [2] *1.43*	**6.02** 1.40 [2] *1.35*				
6.02 3.75 [4] *5.12*	**1.04** 1.20 [1] *1.20*	**4.03** 2.30 [3] *2.03*											
4.03 3.00 [3] *2.55*	**4.03** 1.90 [2] *1.73*	**4.03** 2.45 [2] *2.14*	**$4.03** 1.90 [2] *1.73*										
8.01 4.30 [5] *5.53*	**2.04** 1.40 [2] *1.35*	**4.03** 1.90 [3] *1.73*	**4.03** 1.60 [2] *1.50*	**$4.03** 2.30 [3] *2.03*									
6.02 3.50 [4] *2.93*	**2.04** 1.40 [2] *1.35*	**4.03** 2.65 [3] *2.29*	**1.04** 1.30 [1] *1.28*	**2.04** 1.60 [2] *1.50*	**$4.03** 2.05 [3] *1.84*								
2.04 2.20 [2] *1.95*	**6.02** 3.00 [4] *2.25*	**6.02** 3.70 [4] *5.08*	**6.02** 2.95 [4] *2.49*	**4.03** 2.25 [3] *1.19*	**6.02** 3.25 [4] *2.74*	**$4.03** 2.50 [3] *2.18*							
8.01 5.40 [6] *4.55*	**6.02** 2.30 [4] *2.03*	**8.01** 3.50 [5] *2.93*	**6.02** 2.40 [4] *2.10*	**6.02** 3.25 [4] *2.74*	**6.02** 2.60 [4] *2.25*	**6.02** 2.85 [4] *2.45*	**$8.01** 4.50 [5] *5.68*						
8.01 5.30 [6] *4.28*	**4.03** 2.10 [3] *1.88*	**8.01** 3.30 [6] *2.78*	**4.03** 2.25 [3] *1.99*	**6.02** 3.05 [4] *2.64*	**6.02** 2.50 [4] *2.18*	**6.02** 2.65 [4] *2.29*	**8.01** 4.20 [5] *5.45*	**$1.04** 1.10 [1] *1.13*					
8.01 4.60 [5] *5.45*	**4.03** 1.40 [2] *1.35*	**6.02** 2.80 [4] *2.45*	**4.03** 1.60 [2] *1.50*	**6.02** 2.60 [4] *2.25*	**4.03** 1.90 [3] *1.73*	**4.03** 2.20 [3] *1.95*	**6.02** 3.65 [4] *5.04*	**4.03** 1.50 [2] *1.43*	**$2.04** 1.40 [2] *1.35*				
10.01 5.80 [6] *4.68*	**6.02** 2.65 [4] *2.29*	**8.01** 3.70 [5] *3.08*	**6.02** 2.85 [4] *2.49*	**8.01** 3.75 [5] *3.22*	**6.02** 2.75 [4] *2.42*	**6.02** 3.20 [5] *2.70*	**10.01** 4.90 [6] *5.98*	**2.04** 1.25 [2] *1.24*	**4.03** 1.60 [3] *1.50*	**$4.03** 2.15 [3] *1.92*			
6.02 3.70 [4] *5.08*	**2.04** 1.25 [2] *1.24*	**2.04** 1.75 [2] *1.62*	**2.04** 1.40 [2] *1.35*	**2.04** 1.70 [2] *1.58*	**4.03** 1.60 [2] *1.50*	**2.04** 1.70 [2] *1.58*	**6.02** 2.85 [4] *2.34*	**6.02** 2.60 [4] *2.25*	**6.02** 2.55 [4] *2.22*	**4.03** 2.10 [3] *1.88*	**$8.01** 3.15 [5] *2.67*		
8.01 5.00 [5] *4.05*	**4.03** 2.35 [3] *2.07*	**4.03** 2.45 [3] *2.14*	**4.03** 2.55 [3] *2.22*	**6.02** 3.00 [4] *2.55*	**2.04** 1.90 [2] *1.73*	**6.02** 2.80 [4] *2.45*	**8.01** 4.00 [5] *5.30*	**6.02** 3.70 [4] *5.08*	**6.02** 3.60 [4] *5.00*	**6.02** 3.00 [4] *2.55*	**8.01** 3.90 [5] *5.23*	**$4.03** 2.30 [3] *2.03*	
8.01 5.00 [5] *4.05*	**4.03** 2.00 [3] *1.80*	**6.02** 3.20 [5] *2.70*	**4.03** 2.10 [3] *1.88*	**6.02** 2.95 [4] *2.42*	**6.02** 2.50 [3] *2.18*	**4.03** 2.55 [3] *2.22*	**6.02** 3.60 [4] *5.00*	**2.04** 1.25 [2] *1.24*	**1.04** 1.00 [1] *1.05*	**2.04** 1.40 [2] *1.35*	**4.03** 1.90 [3] *1.73*	**6.02** 2.45 [4] *2.21*	**$6.02** 3.50 [4] *2.98*

Summary of this table:

Parcel post		$378.99
Express	Merchandise	322.95
	Edibles	242.22

Note how our post office will carry 8 ounces of books from New York to San Francisco for 4 cents, but for 9 ounces of books it charges 12 cents; in other words, you must pay 8 cents for the additional ounce carried, while 1 ounce packages may be shipped for 1 cent. On an additional ounce above the pound you must pay 12 cents in each instance between the same points. Has there ever been so arbitrary and idiotic a tariff proposed or in use anywhere but in this great and glorious country of ours?

Here are additional examples that are convincing: The rate on "books," weighing 18 ounces, from New York to Salt Lake City is 24 cents. The same weight of books from New York to British Columbia or Australia would cost but 9 cents. A discrimination in favor of foreign countries. Why?

Another instance might be cited. A package of printed matter, weighing 3 pounds 3 ounces, from New York to Brooklyn would cost 26 cents postage. Taking the same package and adding 29 ounces, making a 5-pound parcel-post package, it can be shipped for 8 cents.

Also, a 5-ounce package of merchandise by parcel post from New York to Salt Lake City would cost 12 cents, while a 5-ounce package by letter postage and sealed would cost but 10 cents. Another discrimination is in force in favor of foreign countries as to the size of packages, which is 72 inches, for weight 11 pounds, while in the United States the same size limit of 72 inches is enforced on packages weighing 50 pounds. How is it possible to crowd 50 pounds into a 72-inch space? There are many commodities that it would be impossible to crowd the weight into such space without destroying the same.

HOW IT WORKS OUT.

DENVER, COLO.

Hon. GEORGE J. KINDEL, *Washington, D. C.*

DEAR GEORGE: I read your last remarks anent parcel-post charges to Mexico and must congratulate you on your fine work. You have been dealing sledge-hammer blows at the incompetency and the inequitable charges—all more or less in the interests of railroads and express companies.

Let me give you a detail in my own experience. God only knows why photographs are not merchandise, but unless a package weighs 4 pounds we must send as "printed matter," and consequently when a package of photographs would ordinarily demand 15, 20, 25, or 30 cents (anything at all over 8 cents) we simply add boards and heavy cardboard, a piece of iron or a nail or two and bring the weight up to 4 pounds or over. Then it is carried for the lowest possible rate. Last week I had a package that weighed 3¼ pounds. The rate would be 32 cents, but by adding a few heavy cardboards I brought it up to 4 pounds and it went for 8 cents.

Can you beat it? The heavier the package the less it costs to ship.

Yours, truly,

C. A. NAST.

TABLE NO. 9.—*Parcel-post and express rates on books now in effect.*

Weight.	From New York to—													
	Philadelphia.		Buffalo.		Detroit.		Chicago.		Omaha.		Denver.		San Francisco.	
	Zones.													
	2		3		4		5		6		7		8	
	Parcel-post rate.	Express rate.	Parcel-post rate.	Express rate.	Parcel-post rate.	Express rate.	Parcel-post rate.	Express rate.	Parcel-post rate.	Express rate.	Parcel-post rate.	Express rate.	Parcel-post rate.	Express rate.
8 ounces	$0.04	$0.15	$0.04	$0.15	$0.04	$0.15	$0.04	$0.15	$0.04	$0.15	$0.04	$0.15	$0.04	$0.15
9 ounces	.05	.15	.07	.15	.08	.15	.09	.15	.10	.15	.11	.15	.12	.15
16 ounces	.05	.15	.07	.15	.08	.15	.09	.15	.10	.15	.11	.15	.12	.15
17 ounces	.06	.15	.12	.15	.14	.15	.16	.15	.19	.15	.21	.15	.24	.15
32 ounces	.06	.16	.12	.16	.14	.16	.16	.16	.19	.16	.21	.16	.24	.16
48 ounces	.07	.22	.17	.24	.20	.24	.23	.24	.28	.24	.31	.24	.36	.24
64 ounces	.08	.23	.22	.25	.26	.28	.30	.29	.37	.32	.41	.32	.48	.32

TABLE NO. 10—*Parcel-post rates and weights, inaugurated by Postmaster General Burleson, objected to by George J. Kindel.*

Pounds.	Local zone.	50 miles.	50 to 150 miles.	150 to 300 miles.	300 to 600 miles.	600 to 1,000 miles.	1,000 to 1,400 miles.	1,400 to 1,800 miles.	1,800 miles and over.
	1	2	3	4	5	6	7	8	
1	$0.05	$0.05	$0.05	$0.06	$0.07	$0.08	$0.09	$0.11	$0.12
2	.06	.06	.06	.08	.11	.14	.17	.21	.24
3	.06	.07	.07	.10	.15	.20	.25	.31	.36
4	.07	.08	.08	.12	.19	.26	.33	.41	.48
5	.07	.09	.09	.14	.23	.32	.41	.51	.60
6	.08	.10	.10	.16	.27	.38	.49	.61	.72
7	.08	.11	.11	.18	.31	.44	.57	.71	.84
8	.09	.12	.12	.20	.35	.50	.65	.81	.96
9	.09	.13	.13	.22	.39	.56	.73	.91	1.08
10	.10	.14 5	.14 10	.24 19	.43 19	.62 19	.81 20	1.01 19	1.20
11	.10	.15	.15	.26	.47	.68	.89	1.11	1.32
12	.11	.16	.16	.28	.51	.74	.97	1.21	1.44
13	.11	.17	.17	.30	.55	.80	1.05	1.31	1.56
14	.12	.18	.18	.32	.59	.86	1.13	1.41	1.68
15	.12	.19	.19	.34	.63	.92	1.21	1.51	1.80
16	.13	.20	.20	.36	.67	.98	1.29	1.61	1.92
17	.13	.21	.21	.38	.71	1.04	1.37	1.71	2.04
18	.14	.22	.22	.40	.75	1.10	1.45	1.81	2.16
19	.14	.23	.23	.42	.79	1.16	1.53	1.91	2.28
20	.15	.24 15	.24 20	.44 39	.83 39	1.22 39	1.61 40	2.01 39	2.40
21	.15	.25	.25	.46	.87	1.28	1.69	2.11	2.52
22	.16	.26	.26	.48	.91	1.34	1.77	2.21	2.64
23	.16	.27	.27	.50	.95	1.40	1.85	2.31	2.76
24	.17	.28	.28	.52	.99	1.46	1.93	2.41	2.88
25	.17	.29	.29	.54	1.03	1.52	2.01	2.51	3.00
26	.18	.30	.30	.56	1.07	1.58	2.09	2.61	3.12
27	.18	.31	.31	.58	1.11	1.64	2.17	2.71	3.24
28	.19	.32	.32	.60	1.15	1.70	2.25	2.81	3.36
29	.19	.33	.33	.62	1.19	1.76	2.33	2.91	3.48
30	.20	.34 25	.34 30	.64 59	1.23 59	1.82 59	2.41 60	3.01 59	3.60
31	.20	.35	.35	.66	1.27	1.88	2.49	3.11	3.72
32	.21	.36	.36	.68	1.31	1.94	2.57	3.21	3.84
33	.21	.37	.37	.70	1.35	2.00	2.65	3.31	3.96
34	.22	.38	.38	.72	1.39	2.06	2.73	3.41	4.08
35	.22	.39	.39	.74	1.43	2.12	2.81	3.51	4.20
36	.23	.40	.40	.76	1.47	2.18	2.89	3.61	4.32
37	.23	.41	.41	.78	1.51	2.24	2.97	3.71	4.44
38	.24	.42	.42	.80	1.55	2.30	3.05	3.81	4.56
39	.24	.43	.43	.82	1.59	2.36	3.13	3.91	4.68
40	.25	.44 35	.44 40	.84 79	1.63 79	2.42 79	3.21 80	4.01 79	4.80
41	.25	.45	.45	.86	1.67	2.48	3.29	4.11	4.92
42	.26	.46	.46	.88	1.71	2.54	3.37	4.21	5.04

TABLE NO. 10—*Parcel-post rates and weights, inaugurated by Postmaster General Burleson, objected to by George J. Kindel*—Continued.

Pounds.	Local zone.	50 miles.	50 to 150 miles.	150 to 300 miles.	300 to 600 miles.	600 to 1,000 miles.	1,000 to 1,400 miles.	1,400 to 1,800 miles.	1,800 miles and over.
	1		2		3		4		5		6		7		8
43	$0.26	$0.47	$0.47	$0.90	$1.75	$2.60	$3.45	$4.31	$5.16
44	.27	.48	.48	.92	1.79	2.66	3.53	4.41	5.28
45	.27	.49	.49	.94	1.83	2.72	3.61	4.51	5.40
46	.28	.50	.50	.96	1.87	2.78	3.69	4.61	5.52
47	.28	.51	.51	.98	1.91	2.84	3.77	4.71	5.64
48	.29	.52	.52	1.00	1.95	2.90	3.85	4.81	5.76
49	.29	.53	.53	1.02	1.99	2.96	3.93	4.91	5.88
50	.30	.54 45	.54 50	1.04 99	2.03 99	3.02 99	4.01 100	5.01 99	6.00
51	.30	.55	.55	1.06	2.07	3.08	4.09	5.11	6.12
52	.31	.56	.56	1.08	2.11	3.14	4.17	5.21	6.24
53	.31	.57	.57	1.10	2.15	3.20	4.25	5.31	6.36
54	.32	.58	.58	1.12	2.19	3.26	4.33	5.41	6.48
55	.32	.59	.59	1.14	2.23	3.32	4.41	5.51	6.60
56	.33	.60	.60	1.16	2.27	3.38	4.49	5.61	6.72
57	.33	.61	.61	1.18	2.31	3.44	4.57	5.71	6.84
58	.34	.62	.62	1.20	2.35	3.50	4.65	5.81	6.96
59	.34	.63	.63	1.22	2.39	3.56	4.73	5.91	7.08
60	.35	.64 55	.64 60	1.24 119	2.43 119	3.62 119	4.81 120	6.01 119	7.20
61	.35	.65	.65	1.26	2.47	3.68	4.89	6.11	7.32
62	.36	.66	.66	1.28	2.51	3.74	4.97	6.21	7.44
63	.36	.67	.67	1.30	2.55	3.80	5.05	6.31	7.56
64	.37	.68	.68	1.32	2.59	3.86	5.13	6.41	7.68
65	.37	.69	.69	1.34	2.63	3.92	5.21	6.51	7.80
66	.38	.70	.70	1.36	2.67	3.98	5.29	6.61	7.92
67	.38	.71	.71	1.38	2.71	4.04	5.37	6.71	8.04
68	.39	.72	.72	1.40	2.75	4.10	5.45	6.81	8.16
69	.39	.73	.73	1.42	2.79	4.16	5.53	6.91	8.28
70	.40	.74 65	.74 70	1.44 139	2.83 139	4.22 139	5.61 140	7.01 139	8.40
71	.40	.75	.75	1.46	2.87	4.28	5.69	7.11	8.52
72	.41	.76	.76	1.48	2.91	4.34	5.77	7.21	8.64
73	.41	.77	.77	1.50	2.95	4.40	5.85	7.31	8.76
74	.42	.78	.78	1.52	2.99	4.46	5.93	7.41	8.88
75	.42	.79	.79	1.54	3.03	4.52	6.01	7.51	9.00
76	.43	.80	.80	1.56	3.07	4.58	6.09	7.61	9.12
77	.43	.81	.81	1.58	3.11	4.64	6.17	7.71	9.24
78	.44	.82	.82	1.60	3.15	4.70	6.25	7.81	9.36
79	.44	.83	.83	1.62	3.19	4.76	6.33	7.91	9.48
80	.45	.84 75	.84 80	1.64 159	3.23 159	4.82 159	6.41 160	8.01 159	9.60
81	.45	.85	.85	1.66	3.27	4.88	6.49	8.11	9.72
82	.46	.86	.86	1.68	3.31	4.94	6.57	8.21	9.84
83	.46	.87	.87	1.70	3.35	5.00	6.65	8.31	9.96
84	.47	.88	.88	1.72	3.39	5.06	6.73	8.41	10.08
85	.47	.89	.89	1.74	3.43	5.12	6.81	8.51	10.20
86	.48	.90	.90	1.76	3.47	5.18	6.89	8.61	10.32
87	.48	.91	.91	1.78	3.51	5.24	6.97	8.71	10.44
88	.49	.92	.92	1.80	3.55	5.30	7.05	8.81	10.56
89	.49	.93	.93	1.82	3.59	5.36	7.13	8.91	10.68
90	.50	.94 85	.94 90	1.84 179	3.63 179	5.42 179	7.21 180	9.01 179	10.80
91	.50	.95	.95	1.86	3.67	5.48	7.29	9.11	10.92
92	.51	.96	.96	1.88	3.71	5.54	7.37	9.21	11.04
93	.51	.97	.97	1.90	3.75	5.60	7.45	9.31	11.16
94	.52	.98	.98	1.92	3.79	5.66	7.53	9.41	11.28
95	.52	.99	.99	1.94	3.83	5.72	7.61	9.51	11.40
96	.53	1.00	1.00	1.96	3.87	5.78	7.69	9.61	11.52
97	.53	1.01	1.01	1.98	3.91	5.84	7.77	9.71	11.64
98	.54	1.02	1.02	2.00	3.95	5.90	7.85	9.81	11.76
99	.54	1.03	1.03	2.02	3.99	5.96	7.93	9.91	11.88
100	.55	1.04 95	1.04 100	2.04 199	4.03 199	6.02 199	8.01 200	10.01 199	12.00

Notice how the rate advances 1 cent per pound between zones after second zone on the first pound, and then how the rate increases 19 cents on 10 pounds, 39 cents on 20 pounds, 59 cents on 30 pounds, 79 cents on 40 pounds, and 99 cents on 50 pounds, etc., instead of 1 cent per pound as in the first instance.

The 5, 15, 25, 35, and so on, figures in zone 1 column indicate what can be saved in reshipping 150 miles into the next zone after the second.

Mr. STEENERSON. Mr. Chairman, how much time have I left?

The CHAIRMAN. The gentleman has five minutes remaining.

Mr. STEENERSON. I presume that I am entitled to the closing on this amendment, and I would like to have the gentleman use his time.

Mr. COX. I think not. I think the gentleman in charge of the bill is entitled to the closing. Mr. Chairman, who is entitled to close this argument, the gentleman from Minnesota [Mr. STEENERSON] or the gentleman in charge of the bill?

The CHAIRMAN. The gentleman in charge of the bill has the right to close.

Mr. COX. There will be only one more speech on this side.

Mr. STEENERSON. Mr. Chairman, on this proposition to drop the assistant postmasters there is this to be said, that the argument that it is in the interest of economy is not well founded. If you read the hearings upon that point, you will observe that it is impossible that it can be true that it saves anything at all, because it is claimed that the two thousand five hundred and odd assistant postmasters will occupy under the new law their positions without having their salaries reduced. Now, of course, to give the same men another title will not reduce their salary; there is no economy about that.

Mr. HOWARD. Will the gentleman yield for a question right there?

Mr. STEENERSON. Yes.

Mr. HOWARD. The Postal Service is the only governmental service that does pay its way as it goes, anyhow, is it not?

Mr. STEENERSON. Certainly; I pointed that out some time ago. The gentleman from Illinois [Mr. MADDEN], a member of the committee, has made some remarks here in regard to assistant postmasters and postmasters, and I think it has already been pointed out that he could not have had any experience on that point, because, residing in the city of Chicago, where there is only one postmaster and one assistant postmaster, his observation is limited. And I understood him to say that he withdrew that part of his remarks which reflected on the efficiency of the postmasters.

I have been in Congress for 12 years, and during the Roosevelt administration there were a great many vacancies in the second and third class offices in my district, and in every case of a reappointment the Postmaster General required a written promise on the part of the appointee to attend to the duties of his office personally. There are dozens of this kind of offices in my district, which is a very large one territorially, and with many small towns, and I know the postmasters have been efficient and not figureheads. I know that a great many of them now have been put out and good Democrats put in their places; but they also, so far as I know, are good men. And it is not correct to say that the postmaster is simply an ornamental official or that his position is that of a sinecure. On the contrary, as a general rule, he is a very active and efficient man, but it is impossible for him to attend to all the details or become so familiar with the technicalities of the service as an assistant who has served there for years and years. It is impossible for him to get in as close touch with the employees as

the assistant postmaster, who has been there for a long time. You are destroying a class of very efficient officials by this indirect method.

The CHAIRMAN. The time of the gentleman from Minnesota has expired. The gentleman from Indiana [Mr. COX] is recognized.

Mr. COX. Mr. Chairman, it seems to me that about everything has been said on this subject that is worth saying. After hearing the gentleman from the city of Chicago [Mr. MADDEN] make his clear and explicit statement upon the proposition, there should not be any doubt entertained by any gentleman on that side of the aisle as to how he ought to vote. There is positively and emphatically no politics in the proposition under consideration; none whatever. As the gentleman from Missouri [Mr. RUCKER] said awhile ago, possibly there ought to be, but there is not.

There will not be an assistant postmaster displaced or thrown out of a job. While it is true that this proposition does propose to abolish his position or title, yet the man is already in the civil service, and will be taken care of in some place somewhere in the civil service and in the postal department. It comes down, therefore, to this side of the House as to whether or not we propose to back up the recommendation made by the Post Office Department. This is a recommendation that has been under process of investigation for quite a while, and I may add that the final conclusion arrived at in this recommendation was that of employees of the Post Office Department, about whose politics I do not know, nor do I care. I believe that the ultimate intention and effect of it is and will be, as the First Assistant Postmaster General well expressed it before the committee, the postmaster will move from the rear room of the post-office building to the front room, and will be made alone directly responsible for the work in his office.

Mr. Chairman, this proposition is in line with the policy of great business organizations. I am unable to conceive or comprehend a great business organization that does not have one man, and one man alone, as the man solely responsible for the conduct of the institution. Every time you divide responsibility you then and there weaken power. Every time you concentrate responsibility you increase the power.

Now, then, here is the assistant postmaster having charge of certain departments—just exactly what the function of the postmaster is I am not clear myself, and I do not quite agree with some of the statements that have been made on the floor of the House, that it has heretofore been a sinecure—but we do know, and that knowledge is plain to all of us, that the assistant postmasters are the men who have heretofore had the responsibility of conducting the post offices. As the assistant postmasters have been largely responsible for the conduct of the offices, and as the postmasters are drawing the salaries of their offices, move the postmaster forward and make him, and him alone, responsible. I have no doubt in my mind at all that if the position of assistant postmaster is abolished the postmaster himself will be interested in surrounding himself with the most competent and able help that he can possibly surround himself with, and that when he comes to select his superintendent of finance or his superintendent of mails he will put the assistant postmaster in one of those places, and that will take care of him.

Now, to repeat, there is no politics in this. No man should consider politics for a moment when he comes to vote upon that question. As the gentleman from Illinois [Mr. MADDEN] says, it is a tremendous business proposition whether or not we are going to follow along lines of great business institutions and make the postmaster alone responsible for the conduct of his office.

I hope, therefore, that the amendment will be voted down. I call for a vote.

Mr. SAMUEL W. SMITH. Mr. Chairman, this is a matter of so much importance that I think we ought to have a quorum, and therefore I make the point of order that there is no quorum present.

The CHAIRMAN. The Chair will count. [After counting.] Eighty-seven gentlemen are present—not a quorum. The Clerk will call the roll.

The Clerk called the roll, and the following Members failed to answer to their names:

Adamson	Barchfeld	Brockson	Butler
Aiken	Barnhart	Brodbeck	Calder
Ainey	Bartholdt	Brown, W. Va.	Callaway
Allen	Bartlett	Browne, Wis.	Campbell
Anderson	Barton	Bruckner	Cantor
Ansberry	Bathrick	Brumbaugh	Caraway
Anthony	Beall, Tex.	Buchanan, Ill.	Carew
Austin	Blackmon	Burke, Pa.	Carr
Bailey	Borchers	Burke, Wis.	Cary
Baltz	Britten	Burnett	Casey
Clancy	Gillett	Lieb	Roberts, Mass.
Clark, Fla.	Gittins	Lindquist	Rothermel
Claypool	Godwin, N. C.	Linthicum	Sabath
Cline	Goeke	Lobeck	Saunders
Coady	Goldfogle	Loft	Scott
Collier	Good	Logue	Scully
Connolly, Iowa	Gordon	Lonergan	Seldomridge
Conry	Gorman	McAndrews	Sells
Copley	Graham, Ill.	McClellan	Sherley
Crisp	Graham, Pa.	McGuire, Okla.	Sherwood
Crosser	Greene, Mass.	McKenzie	Shreve
Dale	Gregg	MacDonald	Sisson
Davenport	Griffin	Mahan	Slayden
Davis	Gudger	Maher	Small
Decker	Guernsey	Mapes	Smith, Md.
Deitrick	Hamill	Martin	Smith, J. M. C.
Dershem	Hamilton, N. Y.	Metz	Sparkman
Dies	Hammond	Morin	Stafford
Difenderfer	Harris	Moss, W. Va.	Stanley
Dillon	Harrison	Mott	Stedman
Dixon	Hart	Mulkey	Stephens, Miss.
Donohoe	Haugen	Murdock	Stephens, Nebr.
Dooling	Heflin	Neeley, Kans.	Stevens, N. H.
Doughton	Helvering	Neely, W. Va.	Sutherland
Driscoll	Hinebaugh	Nelson	Talbott, Md.
Dunn	Houston	Nolan, J. I.	Talcott, N. Y.
Eagan	Hughes, Ga.	Norton	Taylor, Ala.
Edmonds	Hughes, W. Va.	O'Brien	Taylor, N. Y.
Edwards	Hulings	Oglesby	Ten Eyck
Elder	Hull	O'Hair	Townsend
Esch	Humphreys, Miss.	O'Shaunessy	Tribble
Estopinal	Johnson, Utah	Page, N. C.	Underhill
Fairchild	Jones	Paige, Mass.	Vare
Faison	Keister	Palmer	Vollmer
Farr	Kennedy, Conn.	Parker, N. Y.	Walker
Fess	Kennedy, Iowa	Patten, N. Y.	Wallin
Fields	Kiess, Pa.	Patton, Pa.	Walsh
Finley	Kinkead, N. J.	Peters	Walters
Floyd, Ark.	Kitchin	Peterson	Watson
Fordney	Knowland, J. R.	Phelan	Webb
Francis	Kreider	Platt	Whitacre
French	Langham	Porter	White
Gallagher	Lazaro	Pou	Wilson, Fla.
Gallivan	Lee, Ga.	Powers	Wilson, N. Y.
Gard	Lee, Pa.	Price	Winslow
Gardner	L'Engle	Ragsdale	Woodruff
Garrett, Tenn.	Lesher	Rainey	
George	Levy	Reed	
Gerry	Lewis, Pa.	Riordan	

The committee rose; and the Speaker having resumed the chair, Mr. FERRIS, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee, having under consideration the Post Office appropriation bill (H. R. 19906), finding itself without a quorum, he ordered the roll to be called, whereupon 196 Members, a quorum, answered to their names, and he reported the names of the absentees to be entered upon the Journal.

The SPEAKER. A quorum being present, the committee will resume its sitting.

The CHAIRMAN. The question is on the amendment of the gentleman from Minnesota [Mr. STEENERSON].

Mr. MANN. I ask unanimous consent that the amendment may be reported again.

The CHAIRMAN. The gentleman from Illinois asks unanimous consent that the amendment be reported again. Is there objection?

There was no objection.

The Clerk read as follows:

After line 8, on page 5, insert the following:

"For compensation to assistant postmasters at first and second class post offices, 5, at not exceeding $4,000 each; 42 at not exceeding $3,000 each; 10 at not exceeding $2,500 each; 5 at not exceeding $2,000 each; 16 at not exceeding $1,900 each; 45 at not exceeding $1,800 each; 95 at not exceeding $1,700 each; 150 at not exceeding $1,600 each; 180 at not exceeding $1,500 each; 150 at not exceeding $1,400 each; 350 at not exceeding $1,300 each; 560 at not exceeding $1,200 each; 525 at not exceeding $1,100 each; 300 at not exceeding $1,000 each; 130 at not exceeding $900 each; 100 at not exceeding $800 each; in all, $3,200,000."

The CHAIRMAN. The question is on the amendment.

The question being taken, on a division (demanded by Mr. BROWNING) there were—ayes 56, noes 61.

Mr. HOWARD and Mr. STEENERSON demanded tellers.

Tellers were ordered, and the Chairman appointed Mr. MOON and Mr. STEENERSON.

The committee again divided, and the tellers reported—ayes 64, noes 67.

Accordingly the amendment was rejected.

The Clerk read as follows:

Provided, That the respective compensation of postmasters of the first, second, and third classes shall be annual salaries, graded in even hundreds of dollars, and payable in quarterly payments, to be ascertained and fixed by the Postmaster General from their respective quarterly returns to the Auditor for the Post Office Department, or copies or duplicates thereof to the First Assistant Postmaster General, for the calendar year immediately preceding the adjustment, at the following rates, namely:

Mr. HOWARD. Mr. Chairman——

The CHAIRMAN. The Chair thinks the Clerk should complete the reading of the list of salaries as one paragraph.

Mr. CULLOP. If no right will be waived by the reading, I have no objection.

The CHAIRMAN. No rights will be lost.

Mr. MANN. A parliamentary inquiry, Mr. Chairman. How far is it understood that the Clerk is to read?

The CHAIRMAN. The Chair thinks the Clerk should read down to the end of the list of postmasters and salaries.

Mr. MANN. That will be down to what point?

The CHAIRMAN. Down to line 14, on page 7.

Mr. HOWARD. And at that time the Chair will entertain a point of order against the paragraph?

The CHAIRMAN. The Chair will then recognize the gentleman.

The Clerk read as follows:

At each post office where the receipts are $8,000 and less than $20,000, $2,000.

Mr. WINGO. A parliamentary inquiry, Mr. Chairman. I want to make a point of order against that item. Is it proper to make it now or shall I wait?

The CHAIRMAN. The Chair thinks the Clerk should finish the reading of the list.

Mr. WINGO. That applies to points of order and amendments also?

The CHAIRMAN. The Chair thinks so.

Mr. WINGO. Is each paragraph a section?

The CHAIRMAN. The Chair thinks that down to the end of line 14, on page 7, which recites the list of offices, should be treated as one paragraph for the purpose of reading it.

The Clerk read as follows:

At each post office where the receipts are $13,600,000 and over, $8,000.

Mr. CULLOP, Mr. HOWARD, and Mr. WINGO rose.

Mr. HOWARD. Mr. Chairman, I make a point of order against that entire paragraph on the ground that it is legislation on an appropriation bill and a change of existing law. Further than that, Mr. Chairman, as I understood it, it was admitted here on the floor of the House the other day by members of the Rules Committee when they brought in the second rule that three items in this bill, that were included in the first rule that was voted down by the House, would be subject to a point of order. That statement was made, as I remember it, by the chairman of the Committee on Rules, and this was one of the items that was excluded from the second rule. But whether that be true or not, it is subject to a point of order, in that it is legislation on an appropriation bill, and that it changes existing law and it does not affirmatively appear to reduce expenses.

Mr. CULLOP. Mr. Chairman——

The CHAIRMAN. For what purpose does the gentleman rise?

Mr. CULLOP. To make a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. CULLOP. The gentleman from Georgia [Mr. HOWARD] has made a point of order against the entire paragraph as a whole, because it is new legislation and is subject to a point of order, as he understands it from the discussion that occurred the other day. Now, if that point of order should be overruled to the paragraph as a whole, could a point of order be made then against each item in the paragraph? I desire to make a point of order against each item separately in the entire paragraph.

The CHAIRMAN. The gentleman will have an opportunity to be heard. Let us first dispose of the point of order of the gentleman from Georgia [Mr. HOWARD].

Mr. MANN. The point of order against the entire paragraph includes every item in it.

Mr. FOSTER. All these items were read as one paragraph.

Mr. MANN. Yes.

Mr. FOSTER. So that if the point of order is not held good——

Mr. MANN. If it is not held good, then everything in it escapes the point of order, because if there is any one thing in it that is subject to a point of order, it takes out the whole paragraph.

Mr. CULLOP. If that is the rule——

Mr. MANN. That is the rule.

Mr. CULLOP. Then I do not desire to press my point at this time.

Mr. MOON. Mr. Chairman, of course I want to be fair with the House about this matter. I understand that the point of order is to the proviso only. Am I correct about that?

The CHAIRMAN. The point of order was made to the entire paragraph.

Mr. MOON. I insist that it is not good to the item of compensation of postmasters, $30,750,000. Does the gentleman make a point of order on that?

Mr. HOWARD. I made the point of order from line 9, on page 5, down to and including line 14, on page 7.

Mr. MOON. Then I understand the point of order is made against the proviso?

Mr. HOWARD. Yes.

Mr. MOON. Beginning at line 9, on page 5?

Mr. MANN. The whole thing.

Mr. MOON. There is no point of order on the compensation of postmasters, $30,750,000. That has passed the committee. We have passed it all except the proviso.

Now, Mr. Chairman, the rule was defeated the first time in the House, and afterwards brought back and passed, and this provision was not included in the rule as it was returned to the House; and it is but fair to say to the committee that I am not going to insist upon that part of the proviso to this bill, because it was the understanding of the House that it was to be eliminated, although, of course, that understanding was only inferential; because if the matter in the bill was not subject to a point of order, then the rule could not make it in order, or have any effect on it at all. The question here now is whether, as a whole, it is subject to the point of order.

It is true that there has been a rearrangement of salaries under this bill. Now, six or eight of these sections do change the amounts upon which the salary is based. But the aggregate of the section, including the proviso, is $30,750,000, and that is the exact sum appropriated for the last time. The bill carries exactly the same figures it carried in the last year's bill. If the Chair should be of the opinion in making up the details of the aggregate sum that because these figures are assigned to different classes of offices it falls within the objection, I shall not insist, because of the alleged understanding in the House.

I want to say to the House that it would be an error and an unwise thing, even if this was subject to a point of order, to make it. With all due respect to every man who thinks otherwise, I think it would be foolish to make it, because you leave the section with the appropriation of $30,750,000 in a lump sum without any segregation or direction to the Post Office Department about the expenditure.

Mr. BORLAND. Will the gentleman yield?

Mr. MOON. Yes.

Mr. BORLAND. Do I understand that the compensation is fixed by law or by Executive order?

Mr. MOON. It is fixed by an annual law; that is all. Take, for instance, the question of allowing 18 salaries of $2,100, 24 salaries of $2,700, and that is exactly the law to-day. That is where it applies to third-class post offices.

Mr. BORLAND. That is not fixed by law but is carried in the annual appropriation bill?

Mr. MOON. In the annual appropriation bill; yes. I want the House to understand that I am not objecting if you want it that way. Without any segregation it will be a splendid thing for the department to let them handle it and have their own way about it.

Mr. TAGGART. Will the gentleman yield?

Mr. MOON. Yes.

Mr. TAGGART. Does not the law provide now for the salaries of postmasters; that is, the salary which postmasters shall receive at the respective offices?

Mr. MOON. Yes; in certain classes it does.

Mr. TAGGART. The lump sum will be distributed in accordance with the law if the proviso is stricken out?

Mr. MOON. Possibly; but it is an annual law and not binding.

Mr. MANN. Will the gentleman yield?

Mr. MOON. Yes.

Mr. MANN. I understood the gentleman from Tennessee to say that it would be unwise to make the appropriation without specifying how it shall be distributed.

Mr. MOON. I do not know that I ought to go that far, but I think it would be wiser to let it stand.

Mr. MANN. I wanted to ask the gentleman if it had ever been distributed in any prior Post Office appropriation bill.

Mr. MOON. Yes; there was a time when we appropriated it in a lump sum.

Mr. MANN. It has not been distributed in a bill since the gentleman and I have been Members of the House.

Mr. MOON. Oh, yes; the segregation of the items, and most items under the bill occurred for the first time when Mr. Loud, of California, was chairman of the committee.

Mr. MANN. Not fixing the salaries of postmasters. The item for years has been carried "For compensation of postmasters" so much money, and that is the end of it.

The CHAIRMAN. The Chair wants to ask the gentleman from Tennessee this question. The gentleman from

Georgia makes the point of order that this is legislation and is not in order on an appropriation bill. That is not quite sufficient. Legislation may be in order under certain conditions.

Mr. MOON. Yes; under the Holman rule.

The CHAIRMAN. The Chair wishes to inquire of the chairman of the committee, who is more familiar with this matter, being first satisfied of the germaneness of the proviso and that it does not reduce the number of offices—the Chair wishes to ask the gentleman if it is a retrenchment of expenditure?

Mr. MOON. I understand from the department that it is.

The CHAIRMAN. Does the gentleman assert that the item shows on its face that it reduces the number of offices or retrenches expenditure?

Mr. MOON. I will explain it in a moment. This act is applicable to third-class post offices, and it retains every office on the existing salary grade in accordance with the gross receipts requiring the proposed salary. It is identical in the third-class offices with the salary now provided for third-class offices under the general and annual law.

In second-class post offices heretofore the existing grade of salary in the office of $2,000 where the receipts were under $8,000, and in the proposed plan it is $2,000 where the receipts are the same. However, in the $9,000 gross receipts the salary was $2,100, and in the $10,000 grade it was $2,200, and the $11,000 gross receipts $2,300, and $13,000 gross receipts $2,400. Now this law drops out these four classes and comes down to the $20,000 proposition, where $2,500 is given when the receipts are as high as $20,000. Under the old plan it was $16,000. Therefore you save a salary of $100 on the second, the third, the fourth, and the fifth of that class of second-class post offices. Then you wipe out all of the intermediary salaries of $2,600, $2,700, $2,800, $2,900, down to where the receipts are $40,000 in the first class. There you have $3,000 salary for $40,000 gross receipts, and $3,000 under the proposed plan. Then you drop out the intermediary salary until the first-class offices yield $160,000, and you fix the salary at $3,500. These intermediate salaries between $2,500 and $3,500 are dropped out, and so on until you complete the list, the largest saving being in the large offices, where are the largest receipts.

It would seem on its face that in the proposition, compared with existing law, there was a saving of about $3,000,000 in money. But, as I remarked before, I do not want the House to be misguided by what I have said; the real saving will be about $300,000 or a little over, because the difference between that sum and the $3,000,000 will be used for the purpose of employing superintendents of finances of railway mail. I think on the face of the section it shows a saving of $3,200,000. Again, it is fair to say that that is not the real saving, because we have had in other branches salaries of officers that will take up that sum with the exception of about $300,000.

But I am not going to press on this House, if it does not want it, the consideration of this question. I am not going to insist it is in order, although I think it is, under the Holman rule, in view of the fact that so many Members of the House thought there was a consent agreement that this matter should go out in the event that rule was passed the second time. I am not going to put myself in the attitude of betraying any feeling on that score.

Mr. HOWARD. Mr. Chairman, will the gentleman yield?

Mr. MOON. Yes.

Mr. HOWARD. In the proviso here is not this a new method of ascertaining the amount to be paid to the postmasters?

Mr. MOON. I might have said that.

Mr. HOWARD. That they are to be graded in even hundreds?

Mr. MOON. Yes.

Mr. HOWARD. And payable in quarterly payments?

Mr. MOON. Yes.

Mr. HOWARD. To be ascertained by the Postmaster General from their respective quarterly returns to the Auditor of the Post Office Department?

Mr. MOON. The exact language is different. The gentleman is right about that. I am not going to insist that part of the section or the body of the proviso is in the language of the old law. I am going to say right now, for the satisfaction of the gentleman and everyone else, that I am entirely willing, as the department is, that this be left just exactly as you leave it.

Mr. MONTAGUE. Mr. Chairman, will the gentleman yield?

Mr. MOON. Yes.

Mr. MONTAGUE. If this is a new method of determining the salaries, does that or does it not take it out of the Holman rule?

Mr. MOON. I think so. That is what I said a moment ago, that so far as the body of the proviso is concerned it is subject to the point of order.

Mr. MONTAGUE. So that the Holman rule not being applicable this particular point of order raised by the gentleman from Georgia is well taken?

Mr. MOON. I had hoped that the gentleman from Virginia and the gentleman from Georgia would understand me. I have said that so far as the aggregate sum was concerned there is a large saving to the Government in the amount of the appropriation, but the phraseology of the body of the proviso is different from that carried heretofore, and it might properly be said to be new law. I am not going to insist, as I said before, upon the House adopting this recommendation of the department, as wise as I think it is, in view of what occurred in the consideration of the rule. I think the department will be left with this appropriation to do as it pleases.

Mr. CULLOP rose.

The CHAIRMAN. For what purpose does the gentleman rise?

Mr. CULLOP. Mr. Chairman, I simply wanted to call the attention of the Chair to the rule as offered on the 19th day of December. It does not include the $30,000,000 item to which the gentleman from Tennessee [Mr. MOON] referred a moment ago.

Mr. MOON. The first rule did.

Mr. CULLOP. I have the one of December 19. It begins just with the proviso, and it covers the other items in the bill, and therefore the item of $30,000,000——

Mr. MOON. That is not in dispute——

Mr. CULLOP. I understand that, but the gentleman from Tennessee referred to that as if this were connected with it.

Mr. MOON. This is the proviso to that.

Mr. CULLOP. I understand that, and that is what I am trying to get the gentleman from Tennessee to understand, so that this has no application or connection with the $30,000,000 item, but is separate from it.

The CHAIRMAN. The Chair does not think that the existence of a rule or the particular thing that it does or does not embody has anything to do with this proposition. The proposition here is a cold one and comes to the Chair in that attitude, irrespective of what he may or may not believe about the matter. The gentleman from Georgia [Mr. HOWARD] makes the point of order that this is new legislation on a pending appropriation bill. That, standing alone, would not eliminate this item; that, standing alone, would not strike it from the appropriation bill, even though it be legislation. The question the Chair must determine is, first, Is the language under consideration germane? The Chair is not in doubt on this point, and thinks it is. The next thing that the Chair must decide for himself is, Does it retrench expenditures? and, third, Does it show on its face that it does? The Chair is rather of the opinion that it does retrench expenditures, but the Chair is not very clear whether it so shows it on its face or not.

Mr. STEENERSON. The existing law provides for exactly the same amount of appropriations.

The CHAIRMAN. That would not necessarily determine the matter. Lump-sum appropriations are often made, and might or might not be used. That would not necessarily foreclose the item under the rule. Any excess there may be in any lump-sum appropriation would be properly covered back into the Treasury, and that might not conclude the question.

Mr. TAGGART. Mr. Chairman, will the Chair yield for a moment?

The CHAIRMAN. Yes.

Mr. TAGGART. As I understand it, some of these items in the proviso are exactly the same as the items provided for in the present law. Some of the other items are different. As to whether they are greater or less, no one has shown any evidence whatsoever. Is it the duty of the Chair to secure the statute and compare it item by item and determine whether or not, as a matter of fact, it does retrench expenditures, or is it the duty of the Chair to pass upon the very face of it?

Mr. MOON. Mr. Chairman, will the gentleman from Kansas allow me a word? I cited to the Chair the present law of the land. The Chair, of course, can compare the bill with the law of the land and determine whether it appears upon its face that it retrenches expenditures.

Mr. TAGGART. Very true; but this bill carries the same number of items, the same amount of money, but different distributions. Has the gentleman shown the Chair that on its face it retrenches expenditures?

Mr. HOWARD. Mr. Chairman, I wish the Chair would indulge me for a moment. I do not think the Chair caught fully the point of order I made. The Chair has stated only a portion of it. When I made the point of order, and I think the reporter's notes will bear me out, I made the point of order that

this was new legislation; in other words, it was legislation on an appropriation bill. Further, that it did not affirmatively appear that it reduced expenses, and it is obliged to appear affirmatively, as an amendment to come within the Holman rule, that it is a retrenchment, and the failure to affirmatively appear would make it subject to a point of order.

The CHAIRMAN. The Chair has considered the point of order in the light of the gentleman's more recent statement. Does the gentleman from Illinois desire to be heard? The Chair is in doubt as to whether or not the provision shows on its face that it really works a retrenchment.

Mr. MANN. Just a moment, Mr. Chairman. I have not heard a statement as to whether any of the items in this increase the pay of postmasters according to the receipts. We have had a statement that some of the items would be the same and in some cases there would be a decrease. Now, whether there are any increases, I think, is a very pertinent inquiry. If there were increases in some cases and decreases in other cases, I do not see how the Chair could determine in advance of the settlement of the question and the sale of postage stamps whether the decreases would more than balance the increases or vice versa.

Mr. MOON. If the gentleman will look on page 42 of the hearings, he will find a statement in reference to all classes of offices——

Mr. MANN. It is pretty late for us to examine into that——

Mr. MOON (continuing). And unless this section is passed then the appropriation will have to be increased over the former appropriation about $1,500,000.

Mr. MANN. I am told the hearings state that there are no increases. Several gentlemen here have informed me as to offices with which they are familiar that there are increases.

Mr. SLOAN. Will the gentleman yield? I want to call the attention of the gentleman to two of the larger cities in my State wherein one is decreased, the city of Omaha, and the city of Lincoln is increased under this classification.

Mr. HUMPHREY of Washington. It ought to be.

Mr. SLOAN. And that arises from the peculiar classification. Lincoln at present has a $3,900 salary by reason of its having between $400,000 and $450,000 receipts. It would have $4,000 under the classification proposed in this bill, being between $340,000 and $610,000. So here is an increase in one case and a decrease in another from the present law, the decrease being in the Omaha office from $6,000 under the present law to $5,000 under the proposed law. The fact that Lincoln is the home of our Secretary of State and Omaha the residence of Senator HITCHCOCK is regarded as a mere accident of classification, and the fact that Lincoln has a new Democratic postmaster while Omaha has a Republican postmaster with some time to serve is of no more than incidental significance.

Mr. MANN. I did not know what the facts were; I have not seen any general statement.

Mr. MOON. What does the gentleman say about there being an increase?

Mr. SLOAN. In the city of Lincoln.

Mr. MOON. How much?

Mr. SLOAN. One hundred dollars.

Mr. MOON. In what office?

Mr. SLOAN. In the city of Lincoln, Nebr.

Mr. MOON. Upon what basis?

Mr. SLOAN. The present salary is $3,900, and it is based upon receipts as given here under the rules and regulations, being between $400,000 and $450,000. Now, under the new classification Lincoln will fall between the $340,000, as you will find at the bottom of page 6, and $610,000, carrying a salary of $4,000, or an increase of $100.

Mr. MOON. It is possible in this classification in some one office——

Mr. SLOAN. It is not only possible but certain.

Mr. MOON. Oh, but taking it clear through——

Mr. MANN. Several other gentlemen here have stated there were increases, and I simply wish to ask——

Mr. MOON. The gentleman may be right about it, because $3,900 was the salary when it was $400,000 receipts, and now it is only $4,000 when the receipts are $610,000.

Mr. MANN. Showing there is an increase, and how can the Chair determine how many increases will be made?

Mr. MOON. Oh, but the Chair is not to take all possible increases—there is no showing here upon the face of this bill that there is any such office.

Mr. MANN. Oh, no; there is no showing anything on the face of it that——

Mr. MOON. The difference is when you drop out four classes with heavy salaries you bring them down to a $4,000 salary when you get them to $340,000 receipts and between that and $610,000 receipts.

Mr. SLOAN. Will the gentleman yield further? I inquired of the Post Office Department about the correctness of this and was informed from the First Assistant Postmaster General's office that there was an increase of the postmaster's salary in the Lincoln post office.

The Post Office bill now under discussion provides for a general reclassification of postmasters' salaries. The apparent purpose in the reclassification is to reduce the salaries generally of postmasters in second-class offices and to increase, or at least protect, the salaries in certain first-class offices of the first metropolitan grades.

In the first-class offices, under the present law, there are but five paying more than $6,000, namely, New York, Chicago, Philadelphia, Boston, and St. Louis. The salary of each of these is now $8,000. Kansas City, Pittsburgh, Cleveland, Minneapolis, and many others will remain the same as heretofore.

There are a good many reductions in first-class offices where the pay has heretofore been $3,100 or $3,200 to $3,000. There is a large number of second-class offices where the salaries are reduced from a sum under $3,000 to $2,500, and a larger number from $2,500 and under to $2,000.

These reductions fall most heavily and frequently upon the thriving county seat and other towns where the population ranges from 2,000 to 15,000 inhabitants. However, salaries are based on post-office receipts.

The effect of this bill in these particulars is especially marked in my congressional district and State of Nebraska.

The following shows how it affects Nebraska:

It works a reduction in 33 Nebraska post offices in the aggregate annual amount of $8,700.

It works an increase in 1 office in the sum of $100.

The changes in congressional districts are as follows:

	Decrease.
First district.	
Falls City	$400
Lincoln (increase)	100
Nebraska City	500
Plattsmouth	100
Net decrease for district	900
Second district.	
Blair	$100
Omaha	1,000
Decrease for district	1,100
Third district.	
Albion	$100
Central City	300
Columbus	500
Fremont	100
Norfolk	200
Schuyler	100
Wayne	200
Total decrease for district	1,500
Fourth district.	
Aurora	$300
Crete	300
David City	300
Fairbury	500
Seward	200
Wahoo	200
York	200
Total decrease for district	2,000
Fifth district.	
Clay Center	$100
Superior	300
Grand Island	100
Holdrege	300
McCook	200
Total decrease for district	1,000
Sixth district.	
Alliance	$400
Broken Bow	300
Chadron	100
Crawford	100
Kearney	100
Lexington	200
North Platte	500
O'Neill	100
Scotts Bluff	300
Total decrease for district	2,100

It will be seen that Nebraska, as a strictly agricultural State, would lose to its postmasters a net sum of $8,600. It would be little comfort to know that a part of this saving would go to metropolitan cities. This is merely a metropolitan grab, which should not be permitted to pass. It is proper to state that this was one of the measures sought to be slipped through the House under the same unwarranted rule which attempted to crowd the contract system upon the Rural Free Delivery Service

of this country; and it was sought to be done in such a way that if these two measures were not accepted, then the necessary funds for running the postal business of the country would be shut off. Many of the post offices affected by the above condition are presided over by Republicans now, but will be officered by Democrats under this proposed system; but they are entitled to be defended against this discrimination.

The CHAIRMAN. The Chair is ready to rule.

Mr. MOORE. Mr. Chairman, will the Chair permit me to ask a question of the gentleman from Tennessee before he rules?

The CHAIRMAN. Certainly.

Mr. MOORE. Will the gentleman from Tennessee state whether in the aggregate he can tell that there is an increase or a decrease?

Mr. MOON. In the aggregate there is a decrease of over $3,000,000.

Mr. MOORE. I listened to what the gentleman from Nebraska said about the increase at Lincoln, and I have been informed over the telephone from the Post Office Department that the salary at Philadelphia would be decreased.

Mr. MOON. I am not claiming they are increased. I am claiming they are decreased in these larger offices. That is why it falls under the Holman rule.

Mr. COX. The Chair has held the proviso is germane under the Holman rule. The question, then, as the Chair tersely put it, is, Does it retrench or reduce expenditures? I do not believe any direct evidence has been brought to the attention of the Chair showing that the proposed classification does reduce or retrench expenditures.

I doubt whether any positive evidence can be brought to you upon that point, but I believe evidence can be brought that the Chair, sitting as a court, judicially knows to be true, showing and intending to show that the proviso does reduce or retrench expenditures.

Now, the amount carried in this appropriation bill for salaries of postmasters for the next fiscal year is $30,750,000. That is the same amount that is carried in the current law for the present year. Now, then, the Chair, sitting as a court and as a legislator, knows that the Post Office Department has in all of its branches every year a constant and continuous increase in everything relating to the postmaster's salary as well as everything else. If the Chair will bear with me, I believe I can show him where, at least inferentially, that proviso tends to reduce and retrench expenditures, and therefore is in order under the Holman rule. I call the Chair's attention to the hearings on page 41:

> The average increase of postmasters' salaries during the last 10 years has amounted to $768,086.54, or 3.01 per cent.

Now, that has been the average increase in the salary of postmasters for the last 10 years.

> The average increase for the last five years amounts to $678,167.38, which is equivalent to 2.43 per cent. Now, taking 2.43 per cent, or 2.5 per cent, as the increment of increase, we would increase the estimate for 1915 by $748,855.23. By putting this average increase at 1.80 per cent, which is about the increase between 1912 and 1913, and using that as our basis, we found that the increase would be estimated at $552,655.16, and adding that to the estimated amount for 1915, in which year we are now, we have the figures which I first gave you, namely, $31,255,719.67, necessary in the event our proposed legislation is not approved.

Now, the bare fact that the appropriation for the next ensuing year carries the same amount that is found in the current law with the average increase of the salary of postmasters for the last 10 years—3.8 per cent—in my judgment, the Chair judicially knows that if this classification did not decrease the salary of the postmasters, instead of this amount being $30,755,000 there would have to be at least 3 per cent added onto it in order to meet the salary for the postmasters for the next year under the present current law, or under the law of the land. I say it can be figured out. While it is not shown upon its face that it is a decrease, yet when you apply the figures to the solution of the problem it figures out automatically that there must inevitably be a decrease in this appropriation.

Mr. HOWARD. Will the gentleman yield for a question right there?

Mr. COX. For a question.

Mr. HOWARD. I notice the statement upon which you predicate these salaries is this tabulated statement of the First Assistant Postmaster General, and it says that under the present law a $4,000 salary is paid to a postmaster who had receipts in his office amounting to $450,000. Now, then, under the proposed plan you intend to pay him $4,000 in the event his receipts are $340,000. Therefore at that rate of salary you raise the salary of the postmasters.

Mr. COX. That might be true in certain circumstances. They might be increased in certain circumstances, but in the last analysis, or as a final result, it is irresistible that it resolves itself into a reduction instead of an increase.

Mr. HOWARD. If it reduces the expenses, why was it necessary for the Post Office Committee in this bill to carry identically the same appropriation as in 1914?

Mr. COX. Because there has been an increase of postmasters in the United States since the last bill was made up.

Mr. HOWARD. That does not affirmatively appear.

Mr. COX. I said to the chairman a while ago that while there was nothing on the bill that made it affirmatively appear, when you applied the figures to the case it brought it under the Holman rule.

Mr. MONTAGUE. Will the gentleman yield?

Mr. COX. I will.

Mr. MONTAGUE. I wish to make this brief observation, that when the gentleman says there is nothing on the face of the record to show a decrease, he admits himself out of court, to use his own illustration. If the bill itself shows upon its face that there is no reduction, it is not within the Holman rule, and we can not, dehors the record, introduce evidence to contradict that record. The point is that the amount carried in the bill itself must be below that which is now appropriated, and it must affirmatively appear that the bill does reduce the sum heretofore appropriated, or the point of order should be sustained.

Mr. MANN. Mr. Chairman, the learned gentleman from Virginia [Mr. MONTAGUE] is usually right upon any proposition. He is hardly right that we go dehors the record in the House.

The Chair is called upon always in ruling to ascertain facts, because upon facts depends the ruling, and it is a most common practice for the Chair to ask the chairman of a committee in charge of a bill whether a certain thing accomplishes a certain purpose and does a certain thing outside of the record, and it must be so.

Mr. MOON. Mr. Chairman, I was going to observe that the Chair has already held that the amendment is germane, and that being so, of course the position of the gentleman from Virginia [Mr. MONTAGUE] is not tenable, as explained by the gentleman from Illinois [Mr. MANN].

In order for you to determine whether or not upon the face of the bill there is a reduction of expenditures you have got to have something to compare the face of that bill with. It would be ridiculous for you to say that upon the face of it it decreases or increases expenses unless there is some other thing that it could be compared with in order to determine that reduction of expenditure, and the law of the land is the thing to compare it with.

Mr. MONTAGUE. Mr. Chairman, will the gentleman permit me a word?

Mr. MOON. Yes.

Mr. MONTAGUE. The gentleman evidently misunderstood me. I did not say there should be no comparison, but I said that the comparison should be of the pending bill with the existing law.

Mr. MOON. That is correct. I did not understand that.

Mr. MONTAGUE. That is my position.

Mr. MOON. Now, if that position is taken, a reduction of over $3,000,000 is shown.

The CHAIRMAN. The gentleman from Georgia [Mr. HOWARD] makes a point of order against the paragraph. Of course the general rule is that legislation can not be placed upon an appropriation bill. It is only to be retained, if at all, under the Holman rule. It can not come within the terms of that rule unless, first, it retrenches expenditures; second, reduces the number of officers; third, reduces their salaries; fourth, it must show on its face; or, fifth, it must be germane. As to germaneness, the Chair is not in doubt. The amendment is germane. As to whether or not it retrenches expenditures, the Chair is in doubt. As to whether or not it reduces the number of officers, the Chair does not think he has occasion to determine it, because there is nothing on the face of the bill or asserted in the argument that shows that it does reduce the number of officers. The Chair feels that he ought to preserve the rules of the House, and ought not to depart from the plain provision of the rule on account of any special agreement or specific impressions that may be entertained to the effect that it tends to reduce the number of officers or reduce the amount of expenditures. But reading from page 5, line 9, and even allowing the mind to go outside of the face of the bill, it is not clear in the mind of the Chair, as a matter of fact, whether or not it in fact does decrease or retrench expenditures. But leaning back on the chairman of the committee and other members of the committee who feel that it would work a large reduction of expenditure, certainly there is nothing on the face of the bill that would clearly indicate to anyone that it would reduce or retrench expenditures. Certainly there is nothing that

could be read in the text by either layman or expert, without making mathematical calculations which the Chair does not feel called upon to make, that would show retrenchment or reduction. Therefore the point of order is sustained, and the language is eliminated.

Mr. SLOAN. Mr. Chairman, I had prepared a speech that I wished to deliver on this bill, and I now ask unanimous consent to extend my remarks in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Nebraska?

There was no objection.

The CHAIRMAN. The Clerk will read.

Mr. MOON. Just a moment, Mr. Chairman. I ask unanimous consent to go back to line 8, on page 5, to the words "For compensation to postmasters, $30,750,000," and strike out "$30,750,000" and insert "$31,255,719.67," that amount being necessary now to pay the postmasters since the Chair has ruled out the proviso.

The CHAIRMAN. The gentleman from Tennessee [Mr. MOON] asks unanimous consent to return to page 5, line 8, for the purpose of offering an amendment. Is there objection?

Mr. MANN. I object.

The CHAIRMAN. The gentleman from Illinois objects. The Clerk will read.

The Clerk read as follows:

Page 7, line 17:
"Superintendents of finance, superintendents of mails, and superintendents of delivery, six at not exceeding $3,800 each."

Mr. HUMPHREY of Washington. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. HUMPHREY of Washington. Does the Chairman think that it should be read to the end of this provision for superintendents?

The CHAIRMAN. The Chair is not clear that he would be right about it, but that has been the practice, the Chair thinks.

Mr. MANN. These are separate paragraphs, and they have always been considered separate.

Mr. HUMPHREY of Washington. If it is considered a separate paragraph, Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Washington [Mr. HUMPHREY] moves to strike out the last word on line 19, page 7.

Mr. HUMPHREY of Washington. Mr. Chairman, I want to ask the chairman of the committee a question. The sum here indicated is $3,800. What is the compensation of these superintendents at the present time?

Mr. MOON. That is an increase.

Mr. HUMPHREY of Washington. Of how much?

Mr. MOON. I think about $400. I believe $3,200 was the highest pay heretofore. That would be an increase of $600.

Mr. HUMPHREY of Washington. Do I understand that after all the pleas we have heard for economy, and after attempting to abolish the office of assistant postmasters, now it is proposed to increase the salaries of these gentlemen in these six offices in great cities?

Mr. MOON. Yes; and I will tell you why that is proposed. We reduced the salary. We have stricken out the assistant-postmaster proposition. It is necessary in these six large cities that we should create a position similar to that of assistant postmaster—that is, the position of superintendent of finance—and give him pay on the basis that the assistant postmaster got. For instance, if the postmaster got in those big cities $8,000, the pay of the superintendent of finance in that place ought to be about $3,800.

Mr. HUMPHREY of Washington. Then we have this situation, as I understand, that you are not going to decrease the compensation of these assistant postmasters.

Mr. MOON. Yes; we are going to do this——

Mr. HUMPHREY of Washington. And yet you are going to increase the six superintendents, and at the same time you say you are going to save money.

Mr. MOON. In the large cities this compensation was raised from $3,200 to $3,800 for the purpose of raising the salary of the man who will no longer be assistant postmaster, but superintendent of finance in that place.

Mr. HUMPHREY of Washington. What does the assistant get now?

Mr. MOON. About 50 per cent of the salary of the postmaster.

Mr. GOULDEN. In New York City $4,000.

Mr. MOON. So this is a slight reduction—$200. As assistant postmaster the man gets $4,000, and in this position he will get $3,800. We had to raise the salary of this position in order to make it commensurate.

Mr. HUMPHREY of Washington. You still have the position of superintendent of finance, have you not?

Mr. MOON. We have various superintendents of finance and superintendents of mails all over the country, but these are for the large cities.

Mr. HUMPHREY of Washington. I do not understand how it is that you increase the salaries of these offices if no such offices now exist.

Mr. MOON. We are creating the office of superintendent of finance. Do you want to make a point of order on that? If you do, go ahead and make it. It is subject to the point of order.

Mr. HUMPHREY of Washington. I would make it quickly enough if it were subject to it, but it is not.

Mr. MOON. Of course it is.

Mr. HUMPHREY of Washington. The special rule makes it in order. I want to call the attention of the committee to the fact that these assistant postmasters all over the country have had their salaries taken away, and, according to the statement of the chairman of the committee, it is proposed to reduce their compensation when they are assigned new positions, if they ever are, and it was proposed a moment ago by the committee to reduce the compensation of the postmasters throughout the country, all in the sacred name of economy, but in the very next paragraph we find a proposition to increase the salaries of these superintendents in the great cities.

Mr. MOON. It is plain enough to anybody who understands the situation.

Mr. HUMPHREY of Washington. Perhaps so.

Mr. MOON. And I will make it plain to you in a moment. These men are now getting $4,000. If in their new positions we reduced them to $3,200, it would not be sufficient compensation, so we raised it to $3,800. Now talk all the economy you want.

Mr. HUMPHREY of Washington. Then the chairman of the committee contradicts himself, because he started out by saying this was an increase of $600.

Mr. MOON. Yes; from $3,200 to $3,800.

Mr. HUMPHREY of Washington. As I said, in the sacred name of economy we find increases here, when we have had it preached to us that these smaller offices throughout the country must be abolished to save money.

The CHAIRMAN. The time of the gentleman has expired.

Mr. BORLAND. I ask unanimous consent that the time of the gentleman be extended two minutes.

The CHAIRMAN. The gentleman from Missouri asks unanimous consent that the time of the gentleman from Washington be extended two minutes. Is there objection?

There was no objection.

Mr. HUMPHREY of Washington. We are practicing economy on the small offices, but we must increase the salaries of these offices in the large cities to offset any saving that may be made.

Mr. BORLAND. The gentleman does not understand the situation at all. In the first place the position of assistant postmaster has been done away with, and there has been a change from the five-division system to the two-division system, and one man has charge of all the finances and the other has charge of everything connected with the delivery of the mail, so that there are two men who occupy positions relative to that of assistant postmaster, on account of the growth of the work. In our office there were five men who were superintendents, and now they will have two men, and that is the condition in every big city. They have economized by reducing the number of offices and consolidating the work.

Mr. HUMPHREY of Washington. It is going to affect the city of St. Louis, and you need not argue any further. I know you are in favor of it.

Mr. BORLAND. It is going to effect an economy there.

Mr. HUMPHREY of Washington. And yet the committee told the House that these assistant postmasters were not going to be put out of office, that they were going to give them other places; and now it is proposed to give increased salaries to these superintendents for doing the work of the assistants. Whose places will the assistants take?

Mr. BORLAND. They are going to give them other places.

Mr. HUMPHREY of Washington. And now you say that they are increasing the salaries because two men are to do the work of five.

Mr. BORLAND. Where there have been five offices there will now be two.

Mr. HUMPHREY of Washington. It is an increase in these high-class offices. That is all, and it is done in the name of

economy. Now, before I sit down I want to offer an amendment to reduce the salary to $3,200.

Mr. MOORE. The gentleman from Washington is in error in this case, because in the Philadelphia post office they propose to reduce the postmaster's salary from $8,000 to $7,000.

Mr. BARKLEY. That is a small office. [Laughter.]

Mr. HUMPHREY of Washington. I was referring to the large offices, not to the Philadelphia class.

Mr. MOORE. Yes; like Seattle, Wash., and Lincoln, Nebr. [Laughter].

Mr. STEENERSON. I should like to ask the chairman of the committee where these six superintendents are located whose salaries are to be increased from $3,200 to $3,800? They are in New York and Chicago, are they not?

Mr. MADDEN. I can tell the gentleman. They are in Chicago and New York.

Mr. STEENERSON. I was asking the chairman.

Mr. MOON. The gentleman can answer as well as I can.

Mr. STEENERSON. I know where they are, but I was asking the chairman.

Mr. MOON. The gentleman ought not to take the time of the committee by asking me to answer something that he already knows. I ask the clerk to proceed with the reading of the bill unless some gentleman wants to offer an amendment.

Mr. HUMPHREY of Washington. I have offered an amendment.

Mr. STEENERSON. I believe I have the floor, Mr. Chairman, and I propose to keep it until my time is out. So far as I have been able to learn, this proposition is the only one where salaries are actually increased. These supervisory officers throughout the country have their salaries increased.

Mr. COX. Will the gentleman yield?

Mr. STEENERSON. No; I will not yield now. It seems to me strange that the high officials of the Post Office Department should deem it necessary to recommend an increase in the salaries of the supervisory officials when they recommend reductions of so sweeping character in the pay of carriers.

It seems to me that the fervent patriotism of these high officials who are in favor of reducing some one else's salary could be compared only to the patriotism of Artemus Ward, who was not willing to enlist in the war himself, but was willing to sacrifice all of his wife's relations on the altar of his country. That is the patriotism that we find in the proposition here in the recommendation to cut the poor rural carriers' pay and the smaller offices, while the high officials whose salaries are $3,200 shall be raised to $3,800. I believe they are entitled to it, but I do not think that they are in view of the fact that everybody else's salary is proposed to be reduced.

Mr. GOULDEN. Will the gentleman yield?

Mr. STEENERSON. Yes.

Mr. GOULDEN. What per cent of the entire revenue of the Post Office Department comes from the cities of Chicago and New York?

Mr. STEENERSON. None of it; I think it all comes from the country and flows into New York and Chicago. [Laughter.] Whatever postage you pay in the cities you charge back to the people who trade with you, so in the end it is the country that pays the whole bill.

Mr. GOULDEN. One-sixth of the entire revenue comes from those two cities.

Mr. STEENERSON. It depends on the way you figure it.

Mr. MADDEN. Mr. Chairman, $52,000,000 of the receipts of the Post Office Department comes from the cities of New York and Chicago—one-sixth of all the revenue. The men who are provided for in this $3,800 item each have over 3,000 men under their jurisdiction. That is an army. And yet the gentleman who comes from a section of the country where they have not more than one man in any post office, the receipts of which are infinitesimal, objects to the employment of brains to run the great institutions of these great cities of America. We have only one man as postmaster in each of these great cities, but we employ an army of men under him to conduct the business, and this one superintendent is obliged to understand all the details, all the vast business done under his jurisdiction; but, according to the gentleman's idea, he must not be placed where his salary could be increased. This is equality of opportunity, according to the gentleman from Minnesota. That is equality of treatment. If there were ever men anywhere who have been unjustly and unfairly treated, it is the men who are provided for in the item now under consideration. That they have only been paid in the past $3,200 is to the shame of the Government; that they are only to be paid $3,800, if this bill becomes a law, is unfair, because no man who occupies one of these places should be employed at a smaller salary than $6,000; and no man who occupies such a place in the commercial life of America would be thought of at less than $10,000. Gentlemen say they want to be fair and want to be just, but there is no justice and no fairness in the statement made by the gentleman from Minnesota. [Applause.]

Mr. HUMPHREY of Washington. Mr. Chairman, I have offered an amendment to strike out the "$3,800" and insert "$3,200." I want to see who lines up for economy.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 7, line 18, strike out "$3,800" and insert "$3,200."

The question was taken; and on a division (demanded by Mr. HUMPHREY of Washington) there were 4 ayes and 32 noes.

So the amendment was lost.

The Clerk read as follows:

Superintendents of finance and superintendents of mails, six, at not exceeding $3,400 each.

Mr. HUMPHREY of Washington. Mr. Chairman, I move to strike out the last word. Where is the compensation provided for in this case?

Mr. MOON. Wherever the Postmaster General sees fit to assign a superintendent.

Mr. HUMPHREY of Washington. Is that an increase?

Mr. MOON. Yes; that is an increase.

Mr. HUMPHREY of Washington. I am very much elated by the vote that was given me on my last amendment on that side of the House, and I am almost persuaded to offer another amendment.

Mr. MOON. Does the gentleman think he ought to be persuaded, considering the way his own side voted against him on his last amendment?

Mr. FITZGERALD. The gentleman from Washington does not wear any medals for economy.

Mr. HUMPHREY of Washington. I never stood around and made a pretense; I was always consistent. I never tried to take anything away from anybody by an amendment under a sham and a pretense. I do not blame my friend from Chicago for wanting to get an increase there for two or three gentlemen in his post office. My distinguished friend from Illinois, Mr. MADDEN, made a plea for postmasters, and said they only had one at Chicago, but under the definition that he gave a while ago, that a postmaster was a politician, and the fact that they have 3,000,000 in that city qualified for the place, I think there will be no dearth of postmasters in that vicinity.

Mr. BORLAND. Mr. Chairman, what is before the House?

The CHAIRMAN. The gentleman from Washington has moved to strike out the last word.

Mr. HUMPHREY of Washington. I am surprised that the gentleman from Missouri could not discover so large a man so close to him; it shows that he does not see many things that he ought to. I just want to say this, since the distinguished gentleman from New York [Mr. FITZGERALD] has come into the Chamber: I want to call his attention to the fact that the great Post Office Committee, that has been preaching economy to us and the whole country, now proposes to increase certain salaries. I would expect the gentleman from New York to protest. I just want to call his attention to it, because I know he will as soon as he sees the item.

Mr. FITZGERALD. Mr. Chairman, I think the attitude of the gentleman from Washington [Mr. HUMPHREY] fully explains the erroneous notion that he and those who think like him have as to what is economy. It is not economy to refuse to pay a few men, a mere handful, compensation that may only be said to approximate what even in an economical government should be paid for services rendered. I saw the gentleman fussing here because $200 was proposed as an increase in the compensation of men——

Mr. MOON. Six men.

Mr. FITZGERALD. Whose services are of such a character that anyone who has the slightest knowledge of them appreciates that they are worth more than it is now proposed to pay them. It is not economy to oppose every increase in salary. It is not economy to refuse to pay men an adequate compensation for services rendered. It is not economy to bite off your nose to spite your face in this House. I can recall when the gentleman from Washington still possessing these same notions of economy advocated very large expenditures to build roads and trails and shelters in certain national parks adjacent to the community in which he resides, not because the number of persons who visit the park justified very large expenditures of money, but because the proposed appropriation would put money in circulation in that particular portion of the country in which he resides, and would make more convenient, more pleasant and attractive some of the property of the Government to a very restricted number of people residing in a very restricted

area, all of them represented in the House by the distinguished gentleman from Washington. I have never attempted to prevent an adequate compensation being paid Government officials for their services. I am one of those who believe first that the great bulk of Government employees are amply paid. I believe that the employees in the clerical forces of the United States Government are well paid. I know that in certain supervisory positions, certain technical positions, the employees of the Federal Government as a rule are not properly remunerated. It would be easy to provide proper remuneration for those employees if we could eliminate certain unnecessary officials, curtail certain activities of the Government which properly should not be conducted by the Federal Government. The gentleman from Washington strongly opposes the abolition of assistant postmasters, because some particular individual would lose some particular place, although he would not be separated from the public service. He would lose a title, although there would be greatly increased efficiency and resultant economy. He opposes that reform because some one in whom he is interested might lose a title—not his compensation, not work, just a title, a title obtained by having been assigned to a place which he obtained, as in most of these cases, without civil service examination. Yet the gentleman cries out for economy and antagonizes an increase of a few hundred dollars to pay some of the hardest worked and most deserving men in the whole public service.

The CHAIRMAN. The time of the gentleman from New York has expired.

The Clerk read as follows:

Superintendents of finance, and superintendents of mails, 16 at not exceeding $3,200 each.

Mr. HUMPHREY of Washington. Mr. Chairman, I move to strike out the last word. Since the gentleman from New York has seen fit to point out some of my economies, I think it would be well to point out a few that he has practiced. I recall that last year we of the west coast made a very strenuous effort to get $40,000 for a wire drag to locate the dangerous rocks in the waters of the coast of Alaska. Along that coast since it has become an American possession we have lost over 280 vessels. We have lost over $12,000,000 worth of property. We have lost over 400 lives. Last year 43,000 passengers went through those dangerous waters. Last year our trade with Alaska amounted to $67,000,000. During the last four years the Government has lost vessels to the value of $850,000 in those waters. We went before the Committee on Appropriations and urged $40,000 to survey those waters, to protect life and property. That was denied in the holy name of economy, but in the same bill where the $40,000 was denied to protect life and property in the most dangerous waters upon the face of the earth $50,000 was appropriated to erect a monument to the memory of some man whose name I can not now recall and whose name two-thirds of the people of the United States never heard. In that same bill where they refused to appropriate $40,000 for a survey of these waters, when the emergency was so great that the Secretary of Commerce made a personal appeal that it be done, and when the President of the United States had asked that it be done, the pitiful sum of $40,000 was refused with which to protect $67,000,000 of commerce and 43,000 lives—refused upon the pitiful plea of economy.

But in the same bill where this appropriation was asked $400,000 was appropriated to purchase an additional site for a public building in Richmond, Va. That is the gentleman's idea of economy and emergency. I will put my attitude upon economy against that of the gentleman. If what I said, when that bill comes in this time, will induce the gentleman to follow the recommendation of the President and Secretary of Commerce and appropriate this needed money, I will forgive him for everything he has said about me and everything he may say. [Applause.]

Mr. FITZGERALD. If the gentleman will permit me——

Mr. MANN. Will the gentleman yield?

Mr. FITZGERALD (continuing). In the first place the President made no such recommendation——

Mr. HUMPHREY of Washington. Oh, well, the gentleman ought to read what the President said in his message.

Mr. FITZGERALD (continuing). Until the opening session of this Congress.

Mr. HUMPHREY of Washington. That is true.

Mr. FITZGERALD. So that there was no refusal to follow the recommendation of the President. And in the second place——

Mr. HUMPHREY of Washington. Mr. Chairman, to whom had I yielded?

The CHAIRMAN. The time of the gentleman has expired.

Mr. FITZGERALD. I will yield to the gentleman.

Mr. HUMPHREY of Washington. I did not want to yield to the gentleman just now. I will yield to the gentleman from Illinois.

Mr. FITZGERALD. In the second place the gentleman's party was in control of the Federal Government for 16 years——

Mr. MANN. The same old 16 years again.

Mr. FITZGERALD (continuing). And the gentleman himself was in this House for a good many years. He is living as close to Alaska as anybody in the United States, and he never knew of the necessity or of the desirability of having this so-called wire dredge in order to locate dangerous rocks in the uncertain waters of Alaska until a Democratic Secretary of Commerce, living in the city of New York, urged Congress to make the appropriation.

Mr. HUMPHREY of Washington. Will the gentleman yield?

Mr. FITZGERALD. If I lived as close to Alaska as the gentleman from Washington does and I had to wait until somebody 4,000 miles away discovered what it was thought desirable to have in order to protect commerce, life, and property in those waters, I would either do a little more investigating on my own account, or I would allow some one with more activity and knowledge about matters to represent that section of the country in this House. [Applause on the Democratic side.] I yield to the gentleman.

Mr. HUMPHREY of Washington. Will the gentleman yield?

Mr. FITZGERALD. Yes; I yield.

Mr. HUMPHREY of Washington. I wish to call the attention of the gentleman to the fact that while that is a very brilliant remark he made about me, the only trouble is it is not correct——

Mr. FITZGERALD. It is correct. The gentleman never opened his mouth about a wire dredge for Alaskan waters until a Democratic Secretary of Commerce had recommended——

Mr. MOON. Mr. Chairman, I make the point of order that this discussion is not confined to the subject matter of the bill.

Mr. HUMPHREY of Washington. If the gentleman from New York [Mr. FITZGERALD] will look in his files he will find the letter I wrote to him upon the question, and to every Member of Congress I sent a similar letter. The trouble about it is that the gentleman does not remember the facts and he does not correctly state them.

Mr. FITZGERALD. If I did not remember the facts from my experience with the gentleman from Washington, I would not appeal to him to ascertain and know the facts.

Mr. HUMPHREY of Washington. The gentleman would not accept them in any event.

Mr. MANN. I want to ask the gentleman if he discovered in this connection, in reference to this wire drag of the Secretary of Commerce, who has a drag with the present administration?

Mr. HUMPHREY of Washington. We will know when the appropriation bill comes in.

Mr. FITZGERALD. We know very well the gentleman from Washington has not and does not deserve it, and I hope he will not have it.

The Clerk read as follows:

Superintendents of finance, cashiers, bookkeepers, superintendents of mails, assistant superintendents of mails, superintendents of stations, foremen, special clerks, and stenographers, 150 at not exceeding $1,800 each.

Mr. HUMPHREY of Washington. Mr. Chairman, I move to strike out the last word. I dislike to renew this controversy, but I will use but a minute. I simply want to state, in reply to the gentleman from New York [Mr. FITZGERALD], if he has not left the floor——

Mr. MOON. I suggest that the gentleman from Washington had better wait until the gentleman from New York comes back.

Mr. HUMPHREY of Washington. I will not take but a minute.

Mr. MOON. It is not on the Post Office bill, anyway.

Mr. HUMPHREY of Washington. I will get through in a minute. The statement of the gentleman from New York, as I said, was very facetious as to what had been done, but, as a matter of fact, if the gentleman will look in his files he will find that long before the appropriation bill came in last year I wrote him a letter, and that letter sets out in detail the wrecks that have taken place in Alaskan waters and the great necessity for these appropriations. I not only wrote to the gentleman from New York, the chairman of the Committee on Appropriations, but I wrote a letter of a similar character to every Member of both the House and the Senate. I did everything within my power to secure this appropriation for a survey of Alaskan waters, and while I do not claim to know everything about the needs of my country, in this particular instance, at least, I am

not subject to the criticism of the gentleman from New York [Mr. FITZGERALD].

Mr. FITZGERALD. I will say that that was after the Secretary of Commerce had made his recommendation.

Mr. HUMPHREY of Washington. You are mistaken about that again.

Mr. FITZGERALD. No; I am not mistaken about it.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Superintendents of finance, superintendents of mails, superintendents of stations, foremen, special clerks, and stenographers, 2,700, at not exceeding $1,300 each.

Mr. TOWNER. Mr. Chairman, I desire to offer an amendment.

The CHAIRMAN. The gentleman from Iowa [Mr. TOWNER] offers an amendment which the Clerk will report.

The Clerk read as follows:

Page 10, line 4, insert the following:
"*Provided*, That in the appointment of superintendents of finance, superintendents of mails, superintendents of delivery, auditors, cashiers, or their assistants, such appointments shall be made, so far as may be, from assistant postmasters now serving, and in the offices where now serving, when otherwise qualified."

Mr. MOON. Mr. Chairman, I make a point of order on that amendment.

Mr. TOWNER. Mr. Chairman, I desire to be heard on the point of order before the Chair rules.

Mr. MOON. And I insist that the argument shall be on the point of order only.

Mr. TOWNER. I do not think, Mr. Chairman, the point of order is well taken. The provisions for these superintendents are only made in order by reason of the rule. The amendment which I have offered pertains only to these superintendents. Certainly it will be perfectly proper to offer it as an amendment to each one individually, and if to each individually it is proper, it can be offered to all of them en gross, and it applies only to all of them en gross. All of it, of course, is new legislation. All of it is made in order only under the rule, and this is an amendment to that which is made in order under the rule. It seems to me there can be no question about the amendment being in order.

The CHAIRMAN. The Chair is ready to rule. The Chair thinks that the amendment offered by the gentleman from Iowa is clearly new legislation, and is not in order under the rules of the House.

Mr. MANN. Mr. Chairman, I would like to be heard.

The CHAIRMAN. Of course there is no doubt about it at all.

Mr. MANN. Of course there is no doubt about its being legislation. The rule under which we are operating provides that after the adoption of the rule it shall be in order in the consideration of the Post Office bill, and so forth, to consider new legislation in each and all the sections of the said bill, notwithstanding the rules of the House, as follows, to wit, and then follows the items in regard to superintendents, commencing on page 7, line 15, down to and including page 10, line 4. The Chair has the rule before him. All of this is treated by the rule as legislation and made in order, and if it had not been in order the point of order would probably have been made to the very first item of all of these provisions that have been read. But they were all subject to a point of order, because they were legislation. Now, the only question, I think, for the Chair to determine now is whether this amendment offered by the gentleman from Iowa [Mr. TOWNER] is a germane amendment, because it is legislation offered to new legislation in the bill; and if it is a germane amendment it is in order, because the whole thing is legislation. Now, the provision in the bill which has been made in order under the rule provides for superintendents, not now authorized by law, as new legislation. The gentleman from Iowa offers an amendment to that, which certainly relates to it, providing a method of appointment of some of these superintendents. I was sure the Chair had not in mind the fact that this was all made in order as new legislation by the rule, or I would not have interrupted him.

Mr. MOON. The gentleman, I think, is mistaken on that.

Mr. MANN. It is made in order by the special rule of the House, and this was matter subject to a point of order under the rules of the House.

Mr. MOON. If it is new legislation, it is subject to a point of order.

Mr. MANN. This was not subject to the rules of the House, so far as legislation is concerned, because the rules of the House have been set aside by authorizing these matters as new legislation upon this bill. Of course, the other rules of the House apply——

The CHAIRMAN. The Chair feels that this course of reasoning should be applied to the question. The language in the bill, on page 10, as it appears, is of course legislation. Under the general rules of the House it would not be in order, but could be stricken out on a point of order, and in the absence of the special rule adopted, is clearly subject to a point of order.

But we are confronted with the special rule that has been offered in this House and adopted, which provides that certain legislation should be in order, the rules of the House notwithstanding. The Chair thinks that that rule should be construed strictly. The Chair thinks that that rule carries with it only what it has within its covers and within its terms, and the Chair thinks that to open the way to all classes of legislation under the rule making certain specific items of legislation in order would open it to indefinite amendment wholly outside of the rules of the House, and the committee would thereby go much further than the House ever intended it should go under the rule. The Chair therefore thinks that the point of order interposed by the chairman of the committee [Mr. MOON] is well taken, and sustains the point of order.

Mr. STEENERSON. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. What is the query of the gentleman from Minnesota?

Mr. STEENERSON. Does the Chair also hold that no amendment to this proposition can be offered; that only the proposition reported in the rule, and nothing else, can be offered; and that it can not be perfected in any way?

The CHAIRMAN. The Chair feels that the rule adopted by this House on a record vote took those specified amendments out of the ordinary rules of the House and was an extraordinary remedy supplied, and that it made in order certain specified things. The Chair may be in error about it, but the Chair thinks its ruling will be that that rule should be strictly construed, and that, because one or more specified items of legislation are made in order, that does not admit new and outside propositions not contained in the special rule or permitted under the rules of the House.

Mr. STEENERSON. Mr. Chairman, I appeal from the ruling of the Chair.

Mr. MANN. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. MANN. What is the object of reading the bill if it is not for amendment?

The CHAIRMAN. The Chair hardly thinks that is a parliamentary inquiry. The gentleman from Minnesota [Mr. STEENERSON] appeals from the ruling of the Chair. The question is, Shall the decision of the Chair be sustained?

Mr. MANN. Mr. Chairman, I think the Chair would want to modify his ruling upon reflection, whatever should become of the amendment, it is so perfectly patent that the Chair is wrong in his opinion——

Mr. MOON. Mr. Chairman, I make the point of order that it is not in order for the gentleman to discuss the motion of appeal.

The CHAIRMAN. Does the gentleman from Illinois ask to be heard?

Mr. MANN. No. I have the right under the rules to discuss the appeal. The gentleman from Tennessee knows no more about the rules than he does about his bill, and that is not saying much. [Laughter.]

Mr. MOON. If he only knew that, he would know more than the gentleman from Illinois, who does not know anything about the bill. [Laughter.]

Mr. MANN. Now, the rule that was adopted provides that it shall be in order to consider all the new legislation in the bill. It is not in order to agree to it, not in order to adopt it, but in order to consider it. The Chair has made a ruling now where it says "Six superintendents at not exceeding $3,800 each" that it would not be in order to strike out "six" and insert "five," or in order to strike out "$3,800" and insert "$3,700." The Chair certainly does not want to put the House—his side of the House, which invariably supports the ruling of the Chair under this administration of the House—in the attitude of supporting a ruling like that; to say that the House reads the Post Office appropriation bill under the five-minute rule—the Post Office appropriation bill, which is 54 pages long, and the rule itself, the original rule, was 37 pages long, and most of it remained in the amended rule—that we read the Post Office appropriation bill under the five-minute rule, and more than half of the bill is not subject to amendment at the amending stage of the bill, when the rule only provided that we should consider legislation.

The CHAIRMAN. The Chair thinks the gentleman states the ruling more far-reaching than it was really made.

Mr. MANN. I refer to the ruling as the Chair made it.

The CHAIRMAN. The ruling of the Chair was that this proposed amendment was new legislation and not in order, and the Chair does not now want to go further than that. The Chair has no pride of opinion in the matter, but the Chair thinks this

amendment of the gentleman from Iowa is new legislation, not within the scope of the special rule, and not permissible under the general rules of the House; and the Chair thinks the gentleman from Illinois, if the Chair heard the gentleman correctly, understood the ruling too broadly.

Mr. STEENERSON. Mr. Chairman, as I understand the rule, where new legislation is made in order like this is, anything that is germane to that proposition is also in order. You have opened the door to new legislation, and you are here considering it under the five-minute rule, and it is our duty to perfect it; and the amendment of the gentleman from Iowa [Mr. TOWNER] simply seeks to perfect the legislation embodied in the separate report from the Committee on Rules.

Mr. FERRIS. The Chair thinks the gentleman's amendment goes much further than that. It contains provisions foreign to the language made in order under the rule.

It seems to me it is clearly proper, and I insist on the appeal.

Mr. MANN. I make the point of order that there is no quorum present.

The CHAIRMAN. The gentleman from Illinois makes the point of order that there is no quorum present. Evidently there is no quorum present. The Clerk will call the roll.

Mr. MOON. Mr. Chairman, I move that the committee do now rise.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. FERRIS, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill (H. R. 19906) making appropriations for the service of the Post Office Department for the fiscal year ending June 30, 1916, and for other purposes, and had come to no resolution thereon.

SENATE BILLS AND JOINT RESOLUTIONS REFERRED.

Under clause 2 of Rule XXIV, Senate bills and joint resolutions of the following titles were taken from the Speaker's table and referred to their appropriate committees as indicated below:

S. 5629. An act for the relief of certain persons who made entry under the provisions of section 6, act of May 29, 1908; to the Committee on the Public Lands.

S. 1991. An act for the relief of Abram H. Johnson; to the Committee on Invalid Pensions.

S. J. Res. 177. Joint resolution to transfer to the custody and possession of the Attorney General sealskins; to the Committee on Foreign Affairs.

S. J. Res. 192. Joint resolution granting American citizenship to John Brownlow Ziegler; to the Committee on Immigration and Naturalization.

S. J. Res. 214. Joint resolution authorizing the Secretary of Commerce to postpone the sale of certain sealskins; to the Committee on Foreign Affairs.

S. 583. An act incorporating the American Academy of Arts and Letters; to the Committee on the Library.

S. 3509. An act for the relief of Orion Mathews; to the Committee on Invalid Pensions.

S. 4738. An act for the relief of Frances L. Snell; to the Committee on Claims.

S. 5495. An act authorizing the Secretary of War to make certain donations of condemned cannon and cannon balls; to the Committee on Military Affairs.

S. 6011. An act to reinstate Frederick J. Birkett as third lieutenant in the United States Revenue-Cutter Service; to the Committee on Naval Affairs.

S. 6152. An act for the relief of Joseph Gorman; to the Committee on Invalid Pensions.

S. 6202. An act to amend an act entitled "An act to amend section 3 of the act of Congress of May 1, 1888, and to extend the provisions of section 2301 of the Revised Statutes of the United States to certain lands in the State of Montana embraced within the provisions of said act, and for other purposes;" to the Committee on the Public Lands.

S. 6384. An act to authorize the acceptance of certain lands by the United States for a military park reservation, and for other purposes; to the Committee on Military Affairs.

S. 6497. An act for the relief of Lloyd C. Stark; to the Committee on Naval Affairs.

S. 6631. An act to regulate the practice of pharmacy and the sale of poison in the consular districts of the United States in China; to the Committee on Foreign Affairs.

ENROLLED BILL SIGNED.

The SPEAKER announced his signature to enrolled bill of the following title:

S. 6227. An act granting the consent of Congress to the Norfolk-Berkley Bridge Corporation, of Virginia, to construct a bridge across the Eastern Branch of the Elizabeth River in Virginia.

ORDER OF BUSINESS ON CALENDAR WEDNESDAY.

Mr. MOON. Mr. Speaker, I ask unanimous consent that the business in order on Calendar Wednesday to-morrow be postponed until Tuesday next—that Tuesday next be substituted for Calendar Wednesday.

The SPEAKER. The gentleman from Tennessee [Mr. MOON] asks unanimous consent that the business of Calendar Wednesday to-morrow be transferred until next Tuesday. Is there objection?

Mr. MANN. I object.

The SPEAKER. The gentleman from Illinois objects.

Mr. FITZGERALD. I ask unanimous consent that it shall be in order to-morrow to consider the Post Office appropriation bill instead of the business in order under the rule.

The SPEAKER. The gentleman from New York asks unanimous consent that it shall be in order to-morrow, notwithstanding the Calendar Wednesday rule, to consider the Post Office appropriation bill. Is there objection?

There was no objection.

Mr. MOON. Mr. Speaker, I ask unanimous consent that when the House adjourns to-day it adjourn to meet at 11 o'clock to-morrow.

The SPEAKER. The gentleman from Tennessee asks unanimous consent that when the House adjourns to-day it adjourn to meet at 11 o'clock to-morrow. Is there objection?

Mr. MANN. Reserving the right to object, what time does the gentleman expect to run to to-morrow night?

Mr. MOON. I was in hope that we might get through by 5 o'clock.

Mr. MANN. The gentleman was endeavoring to cut off debate to-day when debate was proper. I am perfectly willing to have the House meet at a proper hour and stay in session a proper length of time.

Mr. MOON. If the gentleman from Illinois wants to object, let him object.

The SPEAKER. The gentleman from Illinois has not objected.

Mr. MANN. The gentleman from Illinois, if he wants to object, certainly will not ask the permission of the gentleman from Tennessee.

Mr. MOON. The gentleman need not talk as though he was piqued about it. If he wishes to object, why, let him object.

Mr. MANN. The gentleman from Tennessee is always in a passion while his bill is up.

Mr. COOPER. Mr. Speaker, I object.

The SPEAKER. The gentleman from Wisconsin [Mr. COOPER] objects.

REPORT OF THE DOORKEEPER (H. DOC. NO. 1461).

The SPEAKER. The other day the Doorkeeper filed his report. By an oversight it was not referred to the Committee on Accounts, and the Chair will now refer it to the Committee on Accounts and it will be printed.

ADJOURNMENT.

Mr. MOON. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 30 minutes p. m.) the House adjourned until Wednesday, December 30, 1914, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1. A letter from the Secretary of the Treasury, transmitting a draft of suggested legislation for electrical protection to vaults and public buildings for the fiscal year ending June 30, 1916 (H. Doc. No. 1450); to the Committee on Appropriations and ordered to be printed.

2. A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, reports on preliminary examination and survey of Nassawadox Creek, Va., with a view to the removal of the bar at its mouth, so as to connect with the bay and provide a suitable channel (H. Doc. No. 1451); to the Committee on Rivers and Harbors and ordered to be printed, with illustration.

3. A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, report on preliminary examination of Lynn Harbor and Saugus River, Mass., with a view to providing a channel 15 feet deep up to the bridge at East Saugus (H. Doc. No. 1452); to the Committee on Rivers and Harbors and ordered to be printed.

4. A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, reports on preliminary examination and survey of Trent River, N. C., with a view to providing a depth of 12 feet from Newbern to Pollockville (H. Doc. No. 1453); to the Committee on Rivers and Harbors and ordered to be printed, with illustrations.

5. A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, reports on preliminary examination and survey of Criehaven Harbor, Me. (H. Doc. No. 1454); to the Committee on Rivers and Harbors and ordered to be printed, with illustration.

6. A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, reports on preliminary examination and survey of Nehalem Bay and River, Oreg., including any plan for cooperation on the part of local interests (H. Doc. No. 1455); to the Committee on Rivers and Harbors and ordered to be printed, with illustration.

7. A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, reports on preliminary examination and survey of Slades Creek, N. C. (H. Doc. No. 1456); to the Committee on Rivers and Harbors and ordered to be printed, with illustration.

8. A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, reports on preliminary examination and survey of Coan River, Va., with a view to reopening and widening the channel at and near its main entrance (H. Doc. No. 1457); to the Committee on Rivers and Harbors and ordered to be printed, with illustrations.

9. A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, reports on preliminary examination and plan and estimate of cost of improvement of Thomaston Harbor, Me., with a view to securing greater depth and width of basin (H. Doc. No. 1458); to the Committee on Rivers and Harbors and ordered to be printed, with illustration.

10. A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, report on preliminary examination of Red Lake at or near Redby, Minn. (H. Doc. No. 1459); to the Committee on Rivers and Harbors and ordered to be printed, with illustration.

11. A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, reports on preliminary examination and plan and estimate of cost of improvement of Feather River, Cal., from its mouth up to Marysville, with a view to deepening and straightening the channel and to determine what other improvements are necessary in the interests of navigation, consideration being given to any proposition for cooperation on the part of State or other local interests (H. Doc. No. 1460); to the Committee on Rivers and Harbors and ordered to be printed.

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, the Committee on Pensions was discharged from the consideration of the bill (H. R. 19636) granting an increase of pension to Thomas Powell, and the same was referred to the Committee on Invalid Pensions.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. LEVER: A bill (H. R. 20341) to empower certain officers, agents, and employees of the Department of Agriculture to administer and take oaths, affirmations, and affidavits, and for other purposes; to the Committee on Agriculture.

By Mr. MANN: A bill (H. R. 20342) to create a tariff board; to the Committee on Ways and Means.

By Mr. DUPRÉ: A bill (H. R. 20343) to amend section 3255 of the Revised Statutes of the United States, as amended by the act of June 3, 1896, concerning the distilling of brandy from fruits; to the Committee on Ways and Means.

By Mr. PARKER of New Jersey: A bill (H. R. 20344) for the establishment of a naval volunteer force of seamen, and for the government of the same; to the Committee on Naval Affairs.

By Mr. JOHNSON of Washington: A bill (H. R. 20345) authorizing the construction of a wagon bridge across the Moclips River, in Chehalis County, State of Washington, and appropriating $12,000 therefor; to the Committee on Indian Affairs.

By Mr. MOSS of Indiana: A bill (H. R. 20346) to create a tariff board; to the Committee on Ways and Means.

By Mr. HAY: A bill (H. R. 20347) making appropriations for the support of the Army for the fiscal year ending June 30, 1916; to the Committee of the Whole House on the state of the Union.

By Mr. KALANIANAOLE: A bill (H. R. 20348) granting to the Legislature of the Territory of Hawaii certain rights concerning qualification of voters within the Territory; to the Committee on the Territories.

By Mr. DENT: A bill (H. R. 20349) to amend an act entitled "An act to increase the internal revenue, and for other purposes," approved October 22, 1914; to the Committee on Ways and Means.

Also, a bill (H. R. 20350) to provide for the acquisition of a new site and the erection of a public building thereon in the city of Montgomery, Ala.; to the Committee on Public Buildings and Grounds.

By Mr. REILLY of Wisconsin: A bill (H. R. 20351) authorizing the Secretary of War to deliver to the city of Oshkosh, county of Winnebago, State of Wisconsin, four condemned bronze or brass cannon, with carriages and suitable outfit of cannon balls; to the Committee on Military Affairs.

By Mr. HOBSON: Joint resolution (H. J. Res. 394) proposing an amendment to the Constitution of the United States; to the Committee on the Judiciary.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ADAIR: A bill (H. R. 20352) granting an increase of pension to Minnie G. Hickok; to the Committee on Invalid Pensions.

Also, a bill (H. R. 20353) granting an increase of pension to William T. Lee; to the Committee on Invalid Pensions.

Also, a bill (H. R. 20354) granting an increase of pension to John W. Williams; to the Committee on Invalid Pensions.

By Mr. ANSBERRY: A bill (H. R. 20355) granting a pension to Frank M. Clark; to the Committee on Pensions.

Also, a bill (H. R. 20356) granting an increase of pension to John Love; to the Committee on Invalid Pensions.

Also, a bill (H. R. 20357) granting an increase of pension to Orson Hauser; to the Committee on Invalid Pensions.

By Mr. ASHBROOK: A bill (H. R. 20358) granting an increase of pension to William S. Porter; to the Committee on Invalid Pensions.

Also, a bill (H. R. 20359) granting an increase of pension to Eliza E. Wells; to the Committee on Invalid Pensions.

By Mr. BALTZ: A bill (H. R. 20360) granting an increase of pension to William M. Goad; to the Committee on Invalid Pensions.

By Mr. BELL of California: A bill (H. R. 20361) for the relief of the State Mutual Building & Loan Association, of Los Angeles, Cal.; to the Committee on Claims.

Also, a bill (H. R. 20362) for the relief of the Home Builders' Loan Association, of Pomona, Cal.; to the Committee on Claims.

Also, a bill (H. R. 20363) for the relief of the Pasadena Building & Loan Association, of Pasadena, Cal.; to the Committee on Claims.

By Mr. BOOHER: A bill (H. R. 20364) granting a pension to Enoch W. Laney; to the Committee on Pensions.

By Mr. BYRNS of Tennessee: A bill (H. R. 20365) granting an increase of pension to Anna E. Ritchey; to the Committee on Invalid Pensions.

By Mr. CLARK of Missouri: A bill (H. R. 20366) granting an increase of pension to Maroni N. Fuller; to the Committee on Invalid Pensions.

By Mr. CULLOP: A bill (H. R. 20367) granting a pension to Stella Porter; to the Committee on Invalid Pensions.

Also, a bill (H. R. 20368) granting an increase of pension to George W. Mayfield; to the Committee on Invalid Pensions.

By Mr. DOOLITTLE: A bill (H. R. 20369) granting a pension to Alta A. Wilhite; to the Committee on Pensions.

By Mr. SMITH of Idaho: A bill (H. R. 20370) to provide for the extension and enlargement of the Federal building at Boise, Idaho; to the Committee on Public Buildings and Grounds.

By Mr. EAGAN: A bill (H. R. 20371) for the relief of Michael Mullett; to the Committee on Military Affairs.

By Mr. FERRIS: A bill (H. R. 20372) granting an increase of pension to William M. Hanks; to the Committee on Invalid Pensions.

By Mr. GARDNER: A bill (H. R. 20373) granting an increase of pension to William P. R. Estes; to the Committee on Invalid Pensions.

By Mr. GRAY: A bill (H. R. 20374) granting an increase of pension to William L. Ford; to the Committee on Invalid Pensions.

Also, a bill (H. R. 20375) granting an increase of pension to Margaret Kinley; to the Committee on Invalid Pensions.

Also, a bill (H. R. 20376) granting a pension to Albert S. Brandenburg; to the Committee on Invalid Pensions.

Also, a bill (H. R. 20377) granting an increase of pension to Eliza A. Garthwait; to the Committee on Invalid Pensions.

By Mr. HAWLEY: A bill (H. R. 20378) granting an increase of pension to Leroy W. Clark; to the Committee on Invalid Pensions.

By Mr. HENSLEY: A bill (H. R. 20379) granting an increase of pension to Mary Wishon; to the Committee on Invalid Pensions.

By Mr. IGOE: A bill (H. R. 20380) for the relief of Aaron B. Van Pelt, alias Benjamin Van Pelt; to the Committee on Military Affairs.

By Mr. KENNEDY of Rhode Island: A bill (H. R. 20381) granting a pension to David A. Gage; to the Committee on Invalid Pensions.

By Mr. KEY of Ohio: A bill (H. R. 20382) granting an increase of pension to Henry B. Hale; to the Committee on Invalid Pensions.

Also, a bill (H. R. 20383) for the relief of Robert W. Pool; to the Committee on War Claims.

By Mr. KONOP: A bill (H. R. 20384) granting an increase of pension to John McEathron; to the Committee on Invalid Pensions.

Also, a bill (H. R. 20385) granting an increase of pension to Wallace M. Taylor; to the Committee on Invalid Pensions.

By Mr. LANGLEY: A bill (H. R. 20386) granting an increase of pension to James Gipson; to the Committee on Invalid Pensions.

By Mr. LINTHICUM: A bill (H. R. 20387) for the relief of Annie M. Bradshaw and others; to the Committee on War Claims.

By Mr. MOSS of West Virginia: A bill (H. R. 20388) for the relief of James A. Showen; to the Committee on Claims.

By Mr. NEELY of West Virginia: A bill (H. R. 20389) granting pensions to Army teamsters of the Civil War; to the Committee on Invalid Pensions.

Also, a bill (H. R. 20390) granting an increase of pension to Lewis Sycks; to the Committee on Invalid Pensions.

By Mr. RAINEY: A bill (H. R. 20391) granting a pension to Nellie Wilkins; to the Committee on Invalid Pensions.

Also, a bill (H. R. 20392) granting an increase of pension to Hardin H. Thompson; to the Committee on Invalid Pensions.

By Mr. REILLY of Wisconsin: A bill (H. R. 20393) granting a pension to Dudley G. Allen; to the Committee on Invalid Pensions.

Also, a bill (H. R. 20394) to remove the charge of desertion against Lewis Kindness; to the Committee on Military Affairs.

Also, a bill (H. R. 20395) to remove the charge of desertion against Joseph Scharbonaugh; to the Committee on Military Affairs.

By Mr. RUSSELL: A bill (H. R. 20396) granting an increase of pension to Isaac F. Greene; to the Committee on Invalid Pensions.

Also, a bill (H. R. 20397) granting an increase of pension to James S. Head; to the Committee on Invalid Pensions.

Also, a bill (H. R. 20398) granting an increase of pension to William P. Duncan; to the Committee on Invalid Pensions.

By Mr. SMITH of New York: A bill (H. R. 20399) granting a pension to Sarah S. Brewer; to the Committee on Invalid Pensions.

Also, a bill (H. R. 20400) for the relief of James G. Hill; to the Committee on Military Affairs.

By Mr. STEPHENS of California: A bill (H. R. 20401) granting a pension to Mary Utley; to the Committee on Pensions.

Also, a bill (H. R. 20402) granting an increase of pension to James H. Whitney; to the Committee on Invalid Pensions.

By Mr. TAVENNER: A bill (H. R. 20403) granting a pension to Lottie Lyles; to the Committee on Invalid Pensions.

Also, a bill (H. R. 20404) granting an increase of pension to Joseph Atcheson; to the Committee on Invalid Pensions.

By Mr. THOMAS: A bill (H. R. 20405) granting an increase of pension to Clark Arnold; to the Committee on Invalid Pensions.

Also, a bill (H. R. 20406) granting an increase of pension to Stephen F. Cassaday; to the Committee on Invalid Pensions.

Also, a bill (H. R. 20407) granting an increase of pension to Josephine Royster; to the Committee on Pensions.

Also, a bill (H. R. 20408) for the relief of the estate of Tabitha Dickey, deceased; to the Committee on War Claims.

Also, a bill (H. R. 20409) for the relief of Francis M. Decker; to the Committee on War Claims.

Also, a bill (H. R. 20410) granting a pension to Jennie S. Bunch; to the Committee on Pensions.

Also, a bill (H. R. 20411) for the relief of Joseph Woosley; to the Committee on War Claims.

Also, a bill (H. R. 20412) granting an increase of pension to James Vaughn; to the Committee on Invalid Pensions.

By Mr. TREADWAY: A bill (H. R. 20413) granting a pension to Frederick W. Brown; to the Committee on Pensions.

By Mr. WINSLOW: A bill (H. R. 20414) granting a pension to Katherine Kenney; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. ASHBROOK: Resolutions of the Ohio State Millers' Association, favoring 1-cent postage; to the Committee on the Post Office and Post Roads.

By Mr. BELL of California: Resolutions of the Oakland Lodge, No. 324, Royal Order of Moose; Oakland Lodge, No. 123, Fraternal Brotherhood; Knights and Ladies of Oakland Council No. 733; Le Tres Joli Club, of Oakland; members of Colonel John B. Wyman Circle, No. 22, Ladies of the Grand Army of the Republic; T. F. B. Lodge, No. 686, of Oakland, 100 members; San Jose Camp, No. 7777, Modern Woodmen of America, all of California, favoring H. R. 5139, the Hamill bill; to the Committee on Reform in the Civil Service.

Also, resolutions of Fruitvale Aerie, No. 1375, Fraternal Order of Eagles, Oakland; Live Oak Lodge, No. 17, Knights of Pythias, Oakland; Ouray Tribe, Improved Order of Red Men, San Jose; Estrella Da Manha Council, No. 84, I. D. E. S., of Oakland; members of the Ancient Order of Hibernians, Oakland; Fruitvale Lodge, No. 56, of Knights of Pythias, Fruitvale; Dirigo Lodge, No. 224, of Knights of Pythias, all in the State of California, favoring H. R. 5139, the Hamill bill; to the Committee on Reform in the Civil Service.

Also, resolution of the Central Labor Council of Los Angeles, Cal., protesting against any change being made that would in any manner act to the detriment of the employees of the Canal Zone; to the Committee on Appropriations.

By Mr. BRITTEN: Resolution of the Chicago Post Office Clerks' Association, protesting against the removal from the service of certain elderly employees of the Chicago Post Office, and also urging the passage of the civil-service retirement bill; to the Committee on Reform in the Civil Service.

By Mr. BROWNING: Memorial of Salem quarterly meeting of Friends at Woodbury, N. J., in the interest of peace; to the Committee on Naval Affairs.

By Mr. BYRNS of Tennessee: Papers to accompany bill to increase pension of Anna E. Ritchey; to the Committee on Invalid Pensions.

By Mr. EAGAN: Petition of the German-American Central Society of Essex County, N. J., protesting against the exportation to belligerent nations of Europe and Asia of munitions of war, arms, provisions, and supplies designated as contraband of war; to the Committee on Foreign Affairs.

Also, petition of L. Hogan, of Orange, N. J., in favor of woman suffrage; to the Committee on the Judiciary.

By Mr. FLOOD of Virginia: Petition of sundry citizens of Buchanan, Va., praying for the enactment of legislation relating to prohibition; to the Committee on Rules.

By Mr. GRAHAM of Pennsylvania: Petition of the National Liberal Immigration League, favoring suspension temporarily of the collection of a head tax from war refugees; to the Committee on Ways and Means.

By Mr. GRAY: Papers to accompany bill granting a pension to Sydney S. Brandenburg; to the Committee on Pensions.

Also, papers to accompany bills granting increase of pensions to William L. Ford, Eliza A. Garthwait, and Margaret Kinley; to the Committee on Invalid Pensions.

By Mr. HOXWORTH: Petition of divers citizens of Galesburg, Ill., favoring passage of House joint resolution 377; to the Committee on Foreign Affairs.

By Mr. KENNEDY of Rhode Island: Petition of Sacred Heart Branch 265, Catholic Knights of America, of Central Falls, R. I., asking for protection for priests and sisters in Mexico; to the Committee on Foreign Affairs.

Also, petition of Mrs. George J. Arnold, of Edgewood, R. I., and Mrs. R. I. Gammell, of Providence, R. I., opposing woman suffrage; to the Committee on the Judiciary.

Also, petitions of James Winsor and Raymond E. Beebe, of Greenville, R. I., favoring national prohibition; to the Committee on Rules.

Also, petitions of Jerome M. Fittz, Sara L. G. Fittz, Alice B. Ham, J. W. North, Marian D. Jenckes, all of Providence; George W. Eddy, of Wickford; Mrs. Saray M. Ray Aldrich, of East Providence; Wallis Hayward, of Wickford; and Helena

Sturtevant, of Middleton, all in the State of Rhode Island, favoring woman suffrage; to the Committee on the Judiciary.

By Mr. LEVY: Resolution of the Cattle Raisers' Association of Texas, favoring appropriation of ample funds to guarantee the protection of the live-stock industry of the country against the present outbreak and any future outbreak of the foot-and-mouth disease; to the Committee on Appropriations.

Also, petition of Richard M. Hurd, of New York City, in favor of bill to regulate interstate commerce between States in prison-made goods; to the Committee on Interstate and Foreign Commerce.

By Mr. LIEB: Petition of M. D. Helfrich, of Evansville, Ind., in favor of House joint resolution 377; to the Committee on Foreign Affairs.

By Mr. MAHAN: Resolutions of Norwich (Conn.) Camp, No. 75, Sons of Zion, against the passage of the so-called Smith bill (S. 2543), restricting immigration; to the Committee on Immigration.

By Mr. MORIN (by request): Petition of Flood Commission of Pitttsburgh, Pa., and of citizens of Pittsburgh, Pa., in favor of Newlands river bill; to the Committee on Rivers and Harbors.

Also (by request), petition of Chamber of Commerce of Pittsburgh, Pa., in favor of river improvements and flood prevention; to the Committee on Rivers and Harbors.

Also (by request), petition of citizens of Beaver County, Pa., opposed to legislation to restrict exports to European countries at war; to the Committee on Foreign Affairs.

By Mr. O'LEARY: Petitions of sundry citizens of New York City, in favor of S. 6688; to the Committee on Foreign Affairs.

Also, petition of Springfield (N. Y.) Lodge, No. 302, International Order of Good Templars, in favor of national prohibition; to the Committee on Rules.

Also, petition of the Holy Name Society of New York City, for suppression of defamatory publications; to the Committee on the Post Office and Post Roads.

By Mr. O'SHAUNESSY: Petition of S. M. Power, of Providence, R. I., favoring passage of S. 6688; to the Committee on Foreign Affairs.

By Mr. RAKER: Petitions of the Nord Oestliche Saengerbund of America and T. L. Gilmore, president of the National Model License League, of Louisville, Ky., against national prohibition; to the Committee on Rules.

Also, resolution of the executive committee of the Cattle Raisers' Association of Texas, urging upon Congress the appropriation of ample funds to guarantee the protection of the live-stock industry of the country against the present outbreak and any future outbreaks of the foot-and-mouth disease; to the Committee on Appropriations.

Also, petition of Mount Shasta Lodge, No. 312, Brotherhood of Locomotive Firemen and Engineers, of Dunsmuir, Cal., in favor of H. R. 17894; to the Committee on Interstate and Foreign Commerce.

Also, resolution of the Knights and Ladies of Oakland Council, No. 733; of the Le Tres Joli Club; Live Oak Lodge, No. 17; of the Ancient Order of Hibernians, Division No. 2; of the Fruitvale Aerie, No. 1375, Fraternal Order of Eagles; of the Estrella da Massha Council, No. 84, I. D. E. S.; of the Jefferson School Mothers' Club; of the Oakland Lodge, No. 324, Loyal Order of Moose; and of the Argonaut Tent, No. 33, of the Maccabees, all of Oakland, Cal.; of the Chamber of Commerce of Quincy, Cal.; of the Chamber of Commerce of Truckee, Cal.; of the Grass Valley Chamber of Commerce; of the Honey Lake Development League, of Jamesville, Cal.; of the Wetonka Tribe, No. 208, Improved Order of Red Men, of Los Gatos, Cal.; of the San Jose Camp, No. 7777, Modern Woodmen of America; of the Fruitvale Lodge, No. 56, Knights of Pythias; of the Dirigo Lodge, No. 224, Knights of Pythias; and of the Ouray Tribe of Improved Order of Red Men, of San Jose, Cal., in favor of H. R. 5139; to the Committee on Reform in the Civil Service.

By Mr. STEPHENS of Texas: Petition of the Chamber of Commerce of Wichita Falls, Tex., protesting against making gas lines common carriers; to the Committee on Interstate and Foreign Commerce.

By Mr. VOLLMER: Petition of Rev. H. Reinemund and 19 others, supporting House joint resolution 377; to the Committee on Foreign Affairs.

By Mr. WINSLOW: Petition of Kampen Lodge, No. 15, International Order of Good Templars, of Worcester, Mass., in favor of national prohibition; to the Committee on Rules.

By Mr. WOODRUFF: Petition of residents of Bay City, Mich., for suppression of defamatory publications; to the Committee on the Post Office and Post Roads.

Also, petition of William H. Ramalia and 18 others, in favor of farm finance; to the Committee on Banking and Currency.

SENATE.

WEDNESDAY, *December 30, 1914.*

(Legislative day of Tuesday, December 29, 1914.)

The Senate met at 11 o'clock a. m., on the expiration of the recess.

REGULATION OF IMMIGRATION.

The PRESIDING OFFICER (Mr. SWANSON in the chair). When the Senate took a recess it had under consideration House bill 6060, known as the immigration bill, and the Senate resumes its consideration.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 6060) to regulate the immigration of aliens to and residence of aliens in the United States.

The PRESIDING OFFICER. The pending amendment is that offered by the Senator from Colorado [Mr. THOMAS]. The question is on agreeing to the amendment.

Mr. SMITH of South Carolina. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The Senator from South Carolina suggests the absence of a quorum. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst	Gronna	Norris	Smith, S. C.
Brady	Hardwick	Overman	Smoot
Brandegee	Hitchcock	Page	Swanson
Bryan	Jones	Perkins	Thomas
Burton	Kern	Pomerene	Thornton
Chamberlain	La Follette	Ransdell	Townsend
Clapp	Lane	Reed	Vardaman
Culberson	Lodge	Robinson	White
Fletcher	McCumber	Sheppard	
Gallinger	Martine, N. J.	Simmons	
Goff	Nelson	Smith, Ga.	

Mr. THORNTON. I was requested to announce the necessary absence of the junior Senator from New York [Mr. O'GORMAN].

Mr. KERN. I desire to announce the unavoidable absence of my colleague [Mr. SHIVELY]. This announcement will stand for the day.

Mr. MARTINE of New Jersey. I was requested to announce the unavoidable absence of the Senator from West Virginia [Mr. CHILTON] and to state that he is paired with the Senator from New Mexico [Mr. FALL].

Mr. TOWNSEND. The senior Senator from Michigan [Mr. SMITH], who is absent, is paired with the junior Senator from Missouri [Mr. REED]. This announcement may stand for all roll calls to-day.

Mr. LODGE. My colleague [Mr. WEEKS] is absent from the city. He has a general pair with the Senator from Kentucky [Mr. JAMES]. I will allow this announcement to stand for the day.

The PRESIDING OFFICER. Forty-one Senators have answered to their names. A quorum is not present. The Secretary will call the roll of absent Senators.

The Secretary called the names of absent Senators, and Mr. LEA of Tennessee and Mr. WALSH answered to their names when called.

Mr. KERN. I desire to announce the unavoidable absence of the senior Senator from Virginia [Mr. MARTIN], on account of illness in his family. This announcement may stand for the day.

Mr. REED. My colleague [Mr. STONE] is detained from the Senate and from the city on account of indisposition in his family. I make this announcement generally for the day and to cover the past day.

Mr. CLARK of Wyoming and Mr. SUTHERLAND entered the Chamber and answered to their names.

Mr. CLARK of Wyoming. I desire to announce the unavoidable absence of my colleague [Mr. WARREN] from the city. He is paired with the Senator from Florida [Mr. FLETCHER]. I wish this announcement to stand for the day.

Mr. GALLINGER. I have been requested to announce the unavoidable absence of the Senator from Illinois [Mr. SHERMAN], on account of illness in his family.

The PRESIDING OFFICER. Forty-five Senators have answered to their names. A quorum is not present.

Mr. KERN. I move that the Sergeant at Arms be directed to request the attendance of absent Senators.

The motion was agreed to.

The PRESIDING OFFICER. The Sergeant at Arms will execute the order of the Senate.

Mr. HUGHES, Mr. PITTMAN, Mr. MYERS, and Mr. WORKS entered the Chamber and answered to their names.

The PRESIDING OFFICER. Forty-nine Senators have answered to their names. A quorum is present. The Senator from Missouri [Mr. REED] is entitled to the floor.

[Mr. REED addressed the Senate. See Appendix.]

Mr. HARDWICK. Mr. President, since I favor this bill with the literacy test included, I find myself unable to support the amendment proposed by the Senator from Colorado [Mr. THOMAS]. The bill itself contains this language:

That the following classes of persons shall be exempt from the operation of the illiteracy test, to wit: All aliens who shall prove to the satisfaction of the proper immigration officer or to the Secretary of Labor that they emigrated from the country of which they were last permanent residents solely for the purpose of escaping from religious persecution.

For that language the Senator from Colorado [Mr. THOMAS] proposes to substitute the following:

That the following classes of persons, when otherwise qualified for admission under the laws of the United States, shall be exempt from the operation of the illiteracy test, to wit: All aliens who shall prove to the satisfaction of the proper immigration officer or to the Secretary of Labor that they are seeking admission to the United States to avoid religious, political, or racial persecution, whether such persecution be evidenced by overt acts or by discriminatory laws or regulations.

It will be observed, Mr. President, that the amendment proposed by the Senator from Colorado not only broadens the classes by including two classes that are not at all included in the language of the bill as reported by the committee, but also weakens very much the provisions of the exemption suggested by the committee. The language proposed by the committee is in the case of religious persecution that this test shall not apply when these aliens can "prove to the satisfaction of the proper immigration officer or the Secretary of Labor that they emigrated from the country of which they were last permanent residents solely for the purpose of escaping from religious persecution."

On the other hand, the language of the amendment of the Senator from Colorado is much weaker than that, and merely provides that the immigrants shall be exempted from this literacy test when they are seeking admission into the United States to avoid "religious, political, or racial persecution." Then the provision is still further weakened and the floodgates opened still wider by the concluding language of the Senator's amendment:

Whether such persecution be evidenced by overt acts or by discriminatory laws or regulations.

When this great war shall have been concluded and the nations of the earth readjust themselves again to the conditions that may then exist it will doubtless be possible for almost every immigrant who seeks admission to our shores to claim with some degree of plausibility that he is endeavoring to escape, in part at least, political or racial persecution. I think I voice the sentiment not only of the chairman of the committee, but all the other members of the committee, when I say it seems to us that to so broaden the exception would be virtually to emasculate and destroy the literacy test, and that if this test is to perform the great function we think it will perform and that it is designed to perform it must be left without this amendment, for with this amendment it would be virtually destroyed, and almost every immigrant could escape or evade its provisions.

Mr. President, we have listened to some very eloquent speeches on this subject based largely, if not entirely, on sentiment. Senators have approached this discussion with all the great eloquence of which they are capable, it seems to me, entirely from a sentimental standpoint and not from the standpoint that ought to be their first and foremost consideration, that ought to operate on each one of our minds and control the conduct and vote of each one of us on this question. It seems to me that the first and paramount duty of each Senator on this floor is to consider above all other questions our own country, our own people, and what the effect of this legislation will be upon their well-being and upon the prosperity and happiness and future welfare of our own country.

We are not running, Mr. President, an eleemosynary institution, taking in everybody that we might be sorry for, regardless of what the effect is upon our own body politic. We are obliged to consider as American citizens first and foremost of all the interests of our own people and the future well-being of our own country in making laws. It seems to me the subject ought to be approached from that standpoint and not from the standpoint of sentimentality, of some hardship that might be worked in an individual case or in a few individual cases or even in many individual cases. The general good of our own people ought to be the primary consideration that controls each vote on this floor when this great question shall come to the test of a vote.

There are certain propositions connected with this matter which, from that standpoint, even the most eloquent Senators who have opposed this literacy test and who have favored the amendment proposed by the Senator from Colorado can hardly deny. First and foremost of all, I contend that the immigrant who does not come to this country with the desire and intention of remaining here and becoming a part and parcel of this country is not a desirable immigrant. I do not believe that the Senator who last addressed the Senate, my friend the Senator from Missouri [Mr. REED], or the Senator from New York [Mr. O'GORMAN], who spoke here so eloquently yesterday on this question, would controvert that proposition, no matter how liberal their views are on the subject of admitting immigrants at our ports.

The men who come here with no desire of becoming American citizens, with no intention to do so, but simply with the desire and purpose of reaping whatever industrial reward they can from more favorable industrial conditions in this country and from better wages in this country over and above what they could get in their own countries, simply come and strip our country bare, as far as they can do it, and to carry back in triumph to some foreign shore the spoils of their temporary sojourn here. They do not raise the standards of American life or the standards of American politics, the standards of American living or the standards of American wages; they do not even maintain those standards in every case. The general rule is that they lower every one of those standards.

For one I am utterly opposed to any system of laws which will permit any general immigration into this country of men who do not come here with a desire and purpose of becoming a part of this country, of becoming American citizens, and of staying with us permanently; and there are none of the arguments which have been presented by the Senator from New York [Mr. O'GORMAN] or by the Senator from Missouri [Mr. REED] which could be or would be employed by either one of those distinguished gentlemen in behalf of such immigrants. None of the eloquent illustrations of these Senators, none of the splendid individual cases to which they referred, were of men who came to this country but to exploit and then return to their own countries——

Mr. REED. Mr. President——

The PRESIDING OFFICER (Mr. SHEPPARD in the chair). Does the Senator from Georgia yield to the Senator from Missouri?

Mr. HARDWICK. I do, with pleasure.

Mr. REED. I call the Senator's attention to the fact that I stated the same position which the Senator takes on that.

Mr. HARDWICK. I thought so.

Mr. REED. That such immigration was undesirable; but I also call his attention to the fact that this committee has not even tried to reach that in this bill.

Mr. HARDWICK. Mr. President, I shall endeavor in another part of this argument to answer that comment of the Senator. I am glad to know that he is in sympathy with my views on that branch of this question; in fact, I do not see how any Senator could possibly differ from me if he were a real American and had the real interests of the American people at heart, as I know every Senator has.

Mr. SMITH of South Carolina. Mr. President——

The PRESIDING OFFICER. Does the Senator from Georgia yield to the Senator from South Carolina?

Mr. HARDWICK. I yield with pleasure.

Mr. SMITH of South Carolina. I wish in this connection, because those who are interested and would like to follow the debate in the RECORD will get the facts perhaps better to have them in juxtaposition, to make a suggestion. The Senator from Missouri [Mr. REED] says there has been no effort on the part of the committee to stop these birds of passage to whom the Senator from Georgia is alluding. From its first page to practically the last the bill is devoted to restrictions on steamship companies and restrictions which are thrown around the importation of contract labor, and numerous other restrictions that it is needless for me to mention, but which a casual reading of the bill will disclose.

Mr. REED. If the Senator from Georgia will pardon me, those are general restrictions applying to all immigration. There is not to be found in this bill any provision which undertakes to set up any test by which it can be determined that the man coming here intends to remain. It may be that that is impossible to do, but nevertheless it is true that it is not in the bill.

Mr. HARDWICK. Mr. President, with all deference to the Senator's view, I quite agree with my friend from South Carolina [Mr. SMITH]. It is in every line of this bill, in every provision of this bill, in every respect in which we strengthen the

immigration laws, in every respect in which we impose more rigid tests, in every respect in which we increase the head tax, in every respect in which we prohibit contract labor or the solicitation of labor abroad by contract-labor agencies—in all of these respects and in every respect this entire bill is designed to accomplish that primary purpose. There is necessity for it, too, Mr. President—real necessity.

The strike at Lawrence, Mass., has been several times adverted to during this discussion by Senators who have participated in this debate. It happened to be my fortune to conduct, in part at least, the investigation of that strike while in the other branch of Congress. I devoted a good deal of time to the examination of the witnesses. A most remarkable condition was disclosed in that investigation, which ought not to be lost sight of in this body nor by the American people. Those people at Lawrence, regardless of what Senators may think of the controversy between them and their employers, universally represented that they had been induced to come to this country—they swore it—by flaming posters, picturing the American laboring man clad in glad raiment, returning to his home at night from his day's work with a bag of gold on his shoulder, and that they came over here to get the princely wages that those advertisements represented they were to get. They stated frankly that but a very small percentage of them were naturalized at all, and that a very negligible per cent of them had even applied for naturalization papers. They frankly stated that their purpose was to come over here and get the rich rewards depicted on the flaming posters which had been displayed in the old countries, mostly in Italy, in Poland, and in similar countries, and to make a fortune in a few years, or what would be a fortune according to their Old World standards, and go back again. I say the Senator from Missouri and the Senator from New York are obliged to concede that we do not want that class of immigrants; we do not want people to come here, as the Senator expressed it, as mere birds of passage to rob this country, to compete unfairly with the American workingman, and to strike down American standards. I think we all can agree on that proposition.

Mr. LEWIS. Mr. President——

The PRESIDING OFFICER. Does the Senator from Georgia yield to the Senator from Illinois?

Mr. HARDWICK. With pleasure.

Mr. LEWIS. Mr. President, having heard the able junior Senator from Georgia revive our memories in this connection with this investigation at Lawrence, Mass., I should like to ask him if it be not true, and if he can not confirm the fact, that the men who really led the violations of law at Lawrence and who were really responsible, if responsibility can be attached to any individual, for the violation of the law, were not men who could both read and write and who were regarded as educated, and that one of them was at the time proposed as a candidate for office in Italy, whence he came?

Mr. HARDWICK. Does the Senator from Illinois refer to Giovannetti?

Mr. LEWIS. Yes; I think that was the name.

Mr. HARDWICK. The Senator from Illinois is probably right, that the leaders of that movement, as are the leaders of most movements, were educated; but their work found easy reception and fertile soil, because they had a lot of people who were ignorant, accustomed to accept any sort of leadership, and were used to being bossed, anyway; who knew nothing, and cared less, about American conditions, institutions, or laws. There is no doubt about that.

Mr. SMITH of Arizona. Mr. President, will the Senator from Georgia permit me to make a suggestion at that point?

The PRESIDING OFFICER. Does the Senator from Georgia yield to the Senator from Arizona?

Mr. HARDWICK. Yes.

Mr. SMITH of Arizona. Is it not a fact that these educated disturbers of the public peace would have a much less fertile field if they were addressing a people equally educated with themselves?

Mr. HARDWICK. That is exactly true.

Mr. SMITH of Arizona. And is it not a fact, and the great reason for this very provision of the bill, that its adoption would leave no such field to set on fire by the men so much better educated who would stir those people up to acts of illegality?

Mr. HARDWICK. I quite agree with the Senator's statement.

Mr. MARTINE of New Jersey. Mr. President, will the Senator from Georgia yield to me?

The PRESIDING OFFICER. Does the Senator from Georgia yield to the Senator from New Jersey?

Mr. HARDWICK. I yield.

Mr. MARTINE of New Jersey. I was impressed with the statement which the Senator from Georgia made with reference to the flagrant posters that were distributed in many foreign countries.

Mr. HARDWICK. Flaming posters.

Mr. MARTINE of New Jersey. Well, flaming and flagrant as well, if the Senator please. They were displayed, the assumption is from the Senator's remarks, for an evil purpose. I coupled with that the statement made on yesterday by the Senator from Vermont [Mr. DILLINGHAM], that it was desirable to have a surplus of labor in order to supply the demands in manufacturing towns. I can recall very well at the time, and even before the time, of the Lawrence strike the fact came out that the steamship companies, as well as employers of labor, were eager to have these men come here, and that they resorted to methods that were misleading and unfair in order to induce them to do so. So, if those great bodies of men have come here, the same employers of labor and the great steamship lines have been the authors of this ungenerous and uncanny and unfair movement.

Mr. HARDWICK. The suspicion of the Senator from New Jersey, Mr. President, is not an unreasonable one.

Mr. MARTINE of New Jersey. It was verified by statements which I have never seen contradicted.

Mr. HARDWICK. The statement of the Senator is probably—I will go that far—quite true; and yet the evidence we took did not disclose whether or not it was true. Those men did not know who put up those posters. I can quite readily imagine—and I am quite willing to concede, so far as I have any right to concede anything about it—that probably some one put up those posters who had an interest in getting those men to come over here.

Mr. MARTINE of New Jersey. Unquestionably.

Mr. HARDWICK. They were the men who put up the money for putting up those posters, which so misrepresented conditions here; but whether the people who did this were the steamship companies, who were interested in making the passage money from these people, or whether they were the people who were interested in the labor market in the States to which these men were to be brought, and therefore interested in getting lower wages forced on working people here in America, it is impossible for me to say. The Senator from New Jersey can draw his own conclusion as well as I can draw mine.

Mr. REED. Mr. President——

The PRESIDING OFFICER. Does the Senator from Georgia yield to the Senator from Missouri?

Mr. HARDWICK. Certainly.

Mr. REED. I think it might be well, with the Senator's permission, in that connection to call attention to the statement that was made, I think, by the Senator from Vermont [Mr. DILLINGHAM] on yesterday, that these employees in the mills at Lawrence, Mass., had left their European homes and gone directly to those mills, a circumstance which would seem to indicate that somebody interested in the mills had something to do with putting up those posters and bringing those people here.

Mr. HARDWICK. I quite agree with the Senator.

Mr. MARTINE of New Jersey. That has never been contradicted, although it has been broadly asserted and printed in the public press.

Mr. HARDWICK. It is probably true. I quite agree with the Senator, although I have not the direct evidence to support it. From the circumstances it looks to be true, to a man up a tree, as my friend from Missouri suggests.

But another phenomenon, a natural one, however, Mr. President, in connection with that strike was this: When these people did get in trouble, when this great horde of foreigners who came to Lawrence under those conditions and the first effect of whose importation was to beat down American wages considerably and to drive out other people—American citizens—who had been engaged at a much higher wage in that very work, when they did get over there and found out that the wages they were to get and did get were not quite so high and that conditions were not quite so flattering as had been represented to them, they were bitterly disappointed. They had expected much and they got little, and they immediately began this strike, with some encouragement, as my friend from Illinois [Mr. LEWIS] suggests, from educated leaders. They inaugurated this strike, and when that strike culminated and when the greatest and gravest trouble connected with it was at its very climax, these people, instead of appealing to the American law officers, instead of appealing to this Government, either to the local authorities or to the State authorities or to the authorities of the United States, about the hardships and iniquities and wrongs they claimed were inflicted upon them, turned at once, according to the sworn testimony, to the diplo-

matic and consular representatives of 16 foreign powers to protect them against an oppression in this land of the free and home of the brave, which they said was worse than any they had ever received at the hands of the Cossacks in Russia.

Mr. REED. Mr. President——

The PRESIDING OFFICER. Does the Senator from Georgia yield to the Senator from Missouri?

Mr. HARDWICK. I do, with pleasure.

Mr. REED. I want to ask the Senator, since he took that evidence, if it was not shown substantially that in this land of the free the constabulary or the militia had gone to the depot, torn children from the arms of their mothers, and taken them away from them simply because those mothers were sending their children to other communities to be supported during the strike? Was not that shown by the evidence, or substantially that?

Mr. HARDWICK. I can not agree to the Senator's statement of it in those precise words; in fact, there is hardly a part of the evidence, if the Senator will permit me, that was not the subject matter of very sharp conflict and dispute.

Mr. REED. Well, was there not plenty of evidence to sustain substantially that contention?

Mr. HARDWICK. When some of those people undertook to send their children away to other parts of the country, the police undoubtedly at one time stopped them; there is no dispute about that. Of course the method they adopted is the subject matter of very sharp dispute.

Mr. REED. But in this land of the free and home of the brave, if things of that kind were done in violation of the Constitution of the United States, the constitution of Massachusetts, and the principles of the common law and the statute law, is it remarkable that these people lost some confidence in the protection they might get from our Government?

Mr. HARDWICK. If the Senator will permit me, I think he has read only a part of the evidence. If he had read it all, he would find out that these same people did not learn their distaste of the American Government or the restraints imposed by American law then. They had it before that time, and before then they had trampled upon and spit upon, according to the testimony of some, the flag of the Republic, to which the Senator has referred so often and so eloquently during his own address. They were utterly impatient, if the Senator will permit me to state my own impression of that evidence after studying both sides of it—these men were utterly impatient of restraints imposed by American law. They seem to have been taught or to have had it in their heads, somehow or other, that when they got here they would be entirely free to do exactly as they pleased; that they were going to reap a harvest; that they were going to get a bag of gold every day for the day's work; and that they could do exactly what they pleased, regardless of the restraints of law.

Mr. REED. Now may I ask a further question to elucidate this matter?

Mr. HARDWICK. Certainly.

Mr. REED. I do not want to interrupt the Senator if it disturbs him.

Mr. HARDWICK. It does not bother me at all; I am glad to yield to the Senator.

Mr. REED. The Senator has yielded very generously. The last statement of the Senator might lead to the impression that these people had been generally lawless after they came to Lawrence, Mass. Is it not true that this charge of lawlessness is confined practically to the time of the strike? Prior to that had they not obeyed the law as ordinary citizens do?

Mr. HARDWICK. I think that is true. Until the strike itself came there was little lawlessness; but after the strike began, if the Senator will permit me, they seemed to be utterly impatient of all restraint, of all order, and of any attempt to make them obey the statutes.

Mr. REED. Now, the Senator wants to be fair——

Mr. HARDWICK. Certainly I do.

Mr. REED. Is not that generally true in most strikes?

Mr. HARDWICK. If the Senator will permit me, I do not believe there have been many strikes in this country in which American workingmen have participated where there has been anything like the degree of utter disregard of all law and the utter contempt of all authority such as was displayed during the Lawrence strike; and I think that if the Senator will read that evidence and compare it with anything he has ever heard, he will agree that that is probably the truth.

Mr. REED. Well, the conditions must have been pretty bad.

Mr. HARDWICK. They were pretty bad.

Mr. LANE. Mr. President, if the Senator will pardon me, I should like to ask him a question, or, rather, to make a deduction.

The PRESIDING OFFICER. Does the Senator from Georgia yield to the Senator from Oregon?

Mr. HARDWICK. Certainly.

Mr. LANE. These people, as I understand, had been induced to come to this country by flaming posters, which pictured to them a condition of affairs under which they would make a bag of gold or a large amount of emolument. They had been induced to come to this country under intimations that they would be very prosperous; that it was a good place to come to; and that they would enjoy happiness, and make much money. And then, after they got here, they found themselves up against starvation wages and ill-ventilated shops in which to work, and found themselves charged for drinking water, as I understand happened in some of these places. Under such circumstances would not almost anyone become rather impatient with conditions?

Mr. HARDWICK. I think he would; I quite agree with the Senator as to that.

Mr. LANE. And would he not be likely to get a little bit restless and have rather a spirit of irreverence for the country?

Mr. HARDWICK. I expect that is true; there are two sides to it, of course. If the Senator will pardon me, these people were not altogether to blame. They had their wrongs; they were brought here by flagrant misrepresentation of conditions, and of course I do not blame them for being disappointed. The point is, they went a long way after they once got started to show their contempt of all authority and disobedience of all law, their utter irreverence for our institutions or for anything they had found after they got here. It is not strange that they did so, because they were badly disappointed at what they found after the representations made to them to which I have referred.

Mr. MARTINE of New Jersey. Mr. President, I should like to inquire whether the Senator made any effort to discover what percentage of these men could read and write? That is the question.

Mr. HARDWICK. I can not tell you the exact percentage; I am not positive as to that, but my recollection of the evidence, I will say to the Senator, is that most of these people were illiterate.

Mr. MARTINE of New Jersey. They could not read or write?

Mr. HARDWICK. That is the general impression left on my mind, although I can not point to the testimony just on this point.

Mr. MARTINE of New Jersey. I should like to ask the Senator, further, whether he believes that if these men could read and write the riot would immediately have been allayed?

Mr. HARDWICK. Let me answer the Senator that I think that if they had had sense enough to read and write they would not have been fools enough to be deceived by the posters to which I have referred.

Mr. MARTINE of New Jersey. They would not have come here at all?

Mr. HARDWICK. They would have remained away.

Now, Mr. President, I want to lay down another proposition, which is that the immigrant who is not of a type and character capable of assimilation into our body politic is an undesirable immigrant. Whatever the standard of living or the conditions of living in the country that he came from, that immigrant must be capable of lifting himself to our standard rather than attempting or helping to lower our standard to the same level as that to which he had been accustomed or he is still an undesirable immigrant. The immigrant must be capable of making a good citizen and a reasonably intelligent citizen or he is undesirable.

He is not, Mr. President, in my judgment, capable of making a desirable citizen unless he has in him the material from which a desirable voter can eventually be made. In this country, and in all other countries where popular rule is supreme and the individual voter is sovereign, it is all important, if this Government is to endure and if our institutions are to survive, that the individual voter be reasonably intelligent; otherwise he is incapable, however good his intentions may be, of making correct decisions on the mighty issues of government that must be and are submitted to him.

I do not understand the line of reasoning that would lead any Senator to believe that the standard imposed by the possession of a reasonable amount of education is not a good general rule for the ascertainment of intelligence. I quite admit, as Senators have eloquently argued and urged on this floor, that there are many exceptions to the rule. Like all other rules, it is proved by its exceptions. Sometimes you will find a most intelligent man who can neither read nor write and who has had no education whatever, while at other times you will find people who can read and write, those who can barely do so, or even those

who can do so with some fluency and readiness, who have no real intelligence. After all, in spite of the exceptions on the one side and the exceptions on the other side, the rule that you can discover and ascertain the existence of intelligence by an educational test is a sound one. It is so sound that many of the Commonwealths of this Republic have applied it in conferring or withholding the voting privilege.

The Senator from Missouri, almost at the end of his speech, said that there had been few of the American Commonwealths that had imposed standards based on intelligence, except the Southern States, where he claimed racial conditions were entirely responsible. In addition to the States of the South, I should like to call his attention to the election laws of the States of Maine, Connecticut, Massachusetts, Ohio, Oregon, California, Idaho, Wyoming, Nevada, and Vermont.

Mr. SMITH of Arizona. And Arizona.

Mr. HARDWICK. And Arizona, as the Senator from Arizona suggests.

Mr. GALLINGER. And the Senator can add New Hampshire to his list.

Mr. HARDWICK. And New Hampshire, as the Senator from New Hampshire suggests. Now, it will be seen that in many parts of this Republic the people realize that the sound rule by which to ascertain the possession of intelligence is the possession of a certain amount of education. Not only that, but, with one solitary exception, possibly two, I think every State in this great Republic requires in another way the possession of some intelligence on the part of its electorate by establishing and maintaining the Australian ballot system. The requirement imposed in this way is not quite so severe as some of the other tests imposed in some of the Commonwealths, but generally, especially in recent years, Mr. President, it has become the accepted policy throughout this Republic to limit the franchise to people who are reasonably intelligent and who can exercise it with a reasonable degree of safety to the great public interests that are involved.

Mr. THOMAS. Mr. President——

The PRESIDING OFFICER. Does the Senator from Georgia yield to the Senator from Colorado?

Mr. HARDWICK. I do.

Mr. THOMAS. Mr. President, in connection with the statement just made by the Senator, I desire to remind him that the Legislature of the State of Colorado at its last session adopted what is called the "headless ballot," which is the pure Australian ballot and which requires, of course, an educational qualification if it is properly exercised. In order to enforce the growth of that qualification all assistance to the voter there is now prohibited, except in cases where he is physically unable to act.

Mr. HARDWICK. I thank the Senator from Colorado for the suggestion, and I thank the Senator from New Hampshire and all the other Senators who have strengthened and supplemented the statement that I have made on that question.

Now, Mr. President, reverting to the argument from the standpoint of the public interest, from the standpoint of the general good of this Republic, I do not wish to admit to our shores immigrants who do not make good citizens and who will not eventually make good voters. In this age of intelligence, of free schools everywhere, of compulsory education in many of the Commonwealths, as pointed out by Senators on this floor, at this period when we are spending in this Republic $700,000,000 a year on the common schools alone, to say nothing of the other institutions of learning, it seems to me that it is not an unreasonable requirement, in the interest of the public good, to say to the immigrant who seeks admission to our country and who comes to our shores, "If you want to become an American citizen—and we do not want you unless you do wish it—eventually you should become an American voter; we do not wish to add to whatever ignorance we may deplorably have in this country already by admitting you if you do not come up to a reasonable standard of intelligence. It is necessary that you should have a reasonable amount of intelligence if you are to make an acceptable and desirable citizen of this great Republic."

From the standpoint of the public interest, Mr. President and Senators, it seems to me that the argument is unanswerable. I am too anxious to see this bill pass, too anxious to see it come to a speedy vote, to delay the Senate very long by an extended and elaborate argument on this branch of the question, and I have some other ground I desire to cover, so I will pass on from this point.

Now, the literacy test provided in this bill is very reasonable. It provides for bare ability to read, after the age of 16, not English, not the language they must speak here if they are really to become a part and parcel of this country, but their own language, any language, including Hebrew or Yiddish. This test not only provides a reasonable general standard, but, as pointed out by the Senator from Vermont [Mr. DILLINGHAM], this test, as shown by the report of the able commission of Congress that thoroughly investigated this question through long months and years, will at once greatly check the most undesirable streams of immigration that are now pouring into this country.

The Senator from Missouri [Mr. REED] wanted to know what those undesirable streams of immigrants were. The Senator from Vermont, I think, hesitated to specify. No such considerations shall move me. I do not hesitate to specify them. In my judgment it is the people from the southern parts of Europe, the most illiterate, who come here with the intention, in many cases, of remaining with us for a brief sojourn and of then returning to their own countries, that we must stop; and according to the report of this commission, which I have studied, those are the streams of immigration that will be most certainly and most effectually checked by this test, if it should be applied.

Mr. President and Senators, one of the distinguished Senators who spoke against the literacy test and in favor of the amendment to it proposed by the Senator from Colorado appealed to the South particularly on this question. The distinguished Senator from New York [Mr. O'GORMAN] said that as long as the South had a very small percentage of these people of foreign birth she was not, therefore, intimately and directly concerned with the solution of this great question, and ought to hearken to the political necessities of her northern brethren.

In all kindliness to the Senator from New York and to all others who entertain that view, I wish to enter my emphatic protest, my utter dissent from it. Are we to be forever appealed to on the ground that the South will take a narrow and provincial view of any great question that may come before this body or before the American people? Are we not at last, in truth and in fact, Americans as well as the balance of you? If so, let us hear no more appeals to the South to do something for local reasons or because of no direct or local concern.

Why, the Senator from New York suggested that this question stood somewhat on all fours with certain other questions—local, I think, and the Senator thought so, too; of a local nature—like prohibition, like woman suffrage; questions that each Commonwealth, according to my judgment, ought to dispose of for itself under our dual system of government. But it seems to me that the question at issue here in this bill is not comparable to those questions, and does not belong to the same class at all. If there ever was a purely national question, an entirely and essentially nation-wide question, for the consideration of the American people and the American Congress, it is the question as to what immigrants we shall admit at our ports and to our shores, because when once these immigrants come here they can go to every State in the Republic. They have certain rights that are guaranteed to them by the Constitution of the United States and by our treaties with foreign powers, rights that no State can deny or withhold.

Tell me that Georgia ought not to vote and voice its convictions on this floor because of the political necessities of New York, Missouri, or somewhere else, because we have not many of these people now? Ah, gentlemen, that sort of an argument does not appeal to me. It seems to me that the State of Georgia has just as much right and just as much duty to voice its Americanism on this question as New York or Missouri, Illinois or New Hampshire, or any other part of this Republic. It is a great national question. There is no local issue in it; and I am bound, as a Senator from Georgia, as I see my duty, to vote for the best interests of the American people as a whole, as I can best see and understand those interests.

I want to say another thing. The appeal was made that we should reject the literacy test for party reasons, for partisan reasons, to aid the Democratic Party in certain States and certain sections of this country. Mr. President, I doubt if there is on this floor, on either side of this Chamber, a more thorough partisan than I believe I am, and yet it does seem to me that there are some questions that ought not to be partisan. It does seem to me that there are some times and some occasions when a man ought to put his idea of the country's good above the party's good, even if it be conceded that the party's good is at stake in this sort of a measure. If I believe that a measure of this kind, or of any other kind for that matter, is all-important for the interests of my country, I can not be appealed to successfully to sacrifice my views or yield my vote because of the interests, alleged or fancied, of the Democratic Party in some other section of this Republic.

I can not agree to the soundness of the proposition, and I can not act in accordance with any such appeal. So far as that is concerned, I believe that the Senators who speak so elo-

quently on this question are wrong on the proposition of party expediency. Although I do not live in the sections of the Republic where they have their great political battles, I am not an entire stranger to conditions there, and I believe, so far as political strength is concerned, they would make more headway by standing with us for what we believe is the correct policy, in keeping out undesirable immigration into this country, than they will by standing for a lot of sentimentality that is not based on reason and that is principally good for speech making.

The question is not a new one. Since my public service in this Congress it has been thrashed out many times. We are not jumping in the dark, as my friend the Senator from Missouri suggested, on any of these things. There is no one question that has been so thoroughly thrashed out, that has been so closely studied by able and competent commissions, and on which we have such a great volume of accurate and reliable testimony as this one, in my judgment.

I want to call the attention of the Senate briefly to a short abstract I prepared some years ago on the progress of legislation on this subject.

Outside of the Chinese-exclusion act of 1888 and the various acts amendatory thereof and providing means for its enforcement the following is a brief summary of our progress in restrictive legislation on the subject of immigration:

The first restrictive law was that of March 5, 1875. It provided that persons convicted of felony, other than strictly political offenses, should not be allowed to immigrate to this country, and by the act of August 3, 1882, provision was made for the deportation of such convicts.

By the act of February 26, 1885, it was made unlawful for any person, firm, or corporation to prepay the fare to this country of any laborer who was under contract to work out such passage money. This was the first of our laws against the importation of contract labor. The methods and means of enforcing this law were the subject matter of the acts of February 23, 1887, and October 19, 1888.

On March 3, 1881, was approved the first attempt to enact a general and comprehensive restrictive immigration law. For that reason it is both interesting and important to observe its provisions.

In that law the following seven classes of immigrants were excluded from our shores:

(1) Idiots and insane persons.

(2) Paupers and persons liable to become public charges.

(3) Persons affected with loathsome or dangerous or contagious diseases.

(4) Women imported for immoral purposes.

(5) Persons convicted of a felony other than political felonies.

(6) Polygamists.

(7) Contract laborers.

It will be observed that only five of these classes were new, felons having been excluded by the act of 1875 and contract laborers by the act of 1885.

On March 3, 1893, Congress passed another act to provide for the further and more complete enforcement of the act of 1891; but the continual increase of immigration, from about 560,000 in 1891 to 857,000 in 1903, led to the first of our really great and comprehensive immigration laws—the act of March 3, 1903. In that act the seven classes already excluded by the act of 1891 were again excluded, the definitions of each class being more clearly stated and strengthened, and new and important classes were added, such as anarchists, the opponents of all organized government, and those who advocated the assassination of public officers. Transportation companies were forbidden to solicit emigration, and a head tax of $2 for each immigrant was enacted. It is also provided in this act that persons who had immigrated into this country in violation of any of the provisions of law could be deported at any time within two years thereafter. Ample machinery was provided for its enforcement, and the act was passed with the belief that it would cut down immigration and would certainly improve its character. It did not come up to the expectations of its friends, however, because in 1907, 1,285,000 immigrants were pouring into this country and came in that year.

On the subject of our immigrants and their illiteracy there are certain figures here that I should like to call to the attention of the Senate.

In 1903 we had 857,000 immigrants into this country, 21 per cent of whom were illiterate.

In 1904 we had 812,000 immigrants into this country, 21 per cent of whom, in round numbers, were illiterate.

In 1905 we had 1,026,000 immigrants into this country, 22 per cent of whom were illiterate.

In 1906 we had 1,100,000 immigrants into this country, 24 per cent of whom were illiterate.

In 1907 we had 1,285,000 immigrants into this country, 26 per cent of whom were illiterate.

Early in 1906 the Senate Committee on Immigration and Naturalization reported, through Senator DILLINGHAM, a bill providing more drastic and comprehensive restrictions on immigration.

When that bill finally passed the Senate on May 23, 1906, an amendment, first proposed by Senator SIMMONS, of North Carolina, and afterwards modified and improved by Senator LODGE, of Massachusetts, was adopted providing a simple literacy test for immigrants; the requirement being that all immigrants into this country above 16 years old, and not physically incapacitated, must be able to read the English language or some other language. When the House committee reported the bill it still retained the literacy test, but on June 25, 1907, when the House voted on the bill, the literacy test was stricken from it by a very close vote (128 to 116) upon motion of Mr. Grosvenor (Republican), of Ohio.

The literacy test being stricken out by the House and the Senate firmly standing by it, it seemed that the conferees would never be able to agree and consequently that the bill would never pass. It probably would never have done so but for the trouble with Japan, growing out of labor conditions and school troubles in California and all along the Pacific slope. When those troubles came on in the latter part of 1906 and early in 1907 this bill was revitalized and under party whip and spur passed, by compromise, the literacy test being left out of the bill, and provision being made that the President of the United States should be given the discretion not to permit Japanese (or other foreign) immigration under passports issued by any foreign Government to other countries or to any insular possession of the United States or to the Canal Zone, "whenever he was of the opinion" that to admit the holders of such passports to continental United States was to the "detriment of labor conditions here."

In the last session of the Sixty-second Congress, in the closing days of the Taft administration, a bill that was in substance the same as the pending bill and had the same literacy test, passed both Houses of Congress, but was vetoed by President Taft. It was then passed by this body by a two-thirds vote over the veto, and failed by a few votes to get the necessary two-thirds in the House of Representatives.

During all these years illiteracy among the immigrants that come to us is constantly increasing. Furthermore, explaining to the Senator from Missouri and to other Senators who may be interested why I did not hesitate to specify the peoples from the south of Europe as undesirable sources of immigration, I wish to say the reports of the Commissioner General of Immigration show that in the years 1905, 1906, and 1907 of the immigrants that came to us from northern and western Europe but 3.7 per cent are illiterate, while of the immigrants who came from southern Europe nearly 50 per cent, or 42.2 per cent, are illiterate.

Therefore I say those are the streams that we ought to check; and I think the other reason that I gave is also applicable, because those are the people who come here for temporary sojourn more than all others.

Mr. President, I want to state to the Senate in just a few words a summary of the reasons why I favor this bill, which not only increases the restrictive provisions generally against this immigration, but also carries in its provisions the literacy test.

First, I favor it to protect American labor from unfair competition—competition that strips the country bare to enrich other lands, as well as capitalists in our own, and that tends to lower every American standard.

Second, to aid in securing—that is, the literacy test, particularly—a reasonably intelligent electorate for this Republic.

Third, to preserve the American system of government, with all of its standards and ideals, handed down to us by our fathers.

Some particular comment has been made throughout this debate on the little interest that the South ought to have in this question, because she has such a small percentage of foreign-born population within her borders. Let us look at the figures for a minute and see if we can not get something from them.

If we start on the banks of the Potomac and go straight through the very heart of the South to the Rio Grande, we find that in Virginia only nine-tenths of 1 per cent of the entire population is foreign born; in North Carolina only three-tenths of 1 per cent; in South Carolina, four-tenths of 1 per cent; in Georgia, six-tenths of 1 per cent; in Alabama, nine-tenths of 1 per cent; in Mississippi, five-tenths of 1 per cent; in Louisiana,

8.2 per cent; in Texas, 6.2 per cent, an average of 1.6 per cent for the Southern States that I have named. If we take the eleven States that formed the Southern Confederacy, we find that the average percentage of foreign-born population in them is only 1.8 per cent.

Turn for a moment to the other sections of this country, and what do we find? We find 11 great States—3 in New England, 2 in the Middle Atlantic group, and 6 in the Northwest and in the far West—where the percentage of foreign-born population is so large as to be appalling. Let me give you the list of these States, with their percentages:

Rhode Island, 32 per cent; Massachusetts, 31.5 per cent; New York, 30.2 per cent; Connecticut, 29.6 per cent; North Dakota, 27.1 per cent; Minnesota, 26.2 per cent; New Jersey, 26 per cent; Montana, 25.2 per cent; California, 24.7 per cent; Arizona, 23.9 per cent; or an average of 27.4 per cent in the States I have named.

Mr. REED. Foreign born?

Mr. HARDWICK. Yes, sir—not of foreign parentage.

Mr. ROBINSON. Mr. President, will the Senator yield for a question?

Mr. HARDWICK. Certainly.

Mr. ROBINSON. Will the Senator state when those figures were prepared, and for what period?

Mr. HARDWICK. They were prepared from the very best available statistics, and they were prepared less than six months ago from the latest census reports—those of 1910.

The average for these States, as I have stated, is 27.4. According to the same authority—that is, the census of 1910—the average percentage of the foreign-born population of the New England States is 27.9 per cent; that of the Middle Atlantic States is 25.1; and that of the Pacific States is 22.8.

It must be remembered also that these figures do not include citizens born on this soil of foreign parentage. I have not been able to find the official figures on the question of persons of foreign parentage reduced to the percentage basis; but in addition to the population in this country that is of foreign birth the census reports of 1910 show that 18,897,837 were born of foreign parentage, besides 13,343,583 that are of foreign birth. There are over 31,000,000 in the two classes, you see. In the State of Georgia, however, we have only 25,672 persons of foreign parentage, as against 1,395,058 born of native white parents; and the other Southern States maintain almost as good an average on this question as does the State of Georgia.

Such is the situation. These are the conditions that confront us, as disclosed by the official reports of this Government. I do not advert to it in either alarming style or sensational fashion. Nothing is further from my purpose. I have full, yea overwhelming, sympathy with the noble idea that this great country of ours should afford to the oppressed and to the virtuous of every land an asylum of refuge from persecution and injustice, but first of all I would care for our own. I acknowledge in ungrudging measure the great debt of gratitude that we owe to those people of other and less fortunate lands who have sought and found a happier home in our own, giving generously of their brain and brawn to the progress and the prosperity of the Republic, renouncing all conflicting allegiances to become true and loyal American citizens. To such men—and I thank God the vast majority of our southern citizens of foreign birth or lineage can be so classified—no man can extend a heartier welcome than I; but I can not be insensible, nor can you, Senators, to the great dangers that are involved in this situation.

Because we welcome the worthy and the virtuous from every land where they are capable of assimilation with our own people, I do not believe we can afford to welcome here the scum of the earth from every land, who come to this land not to become a part of it but to strip it bare, to take the bread of labor from American mouths, and to carry it back in triumph to some foreign shore.

Nor can I be insensible to the great danger to our American system of government that is involved in the continued and increasing influx of some classes of these foreigners. They know nothing of American history, and care less. They know nothing of American traditions and institutions, and care less. In large part they do not speak and can not or will not learn our language. They come here filled with all sorts of socialistic, anarchistic, and nihilistic ideas, a fact which can not always be proved at the immigration station, impatient of all restraints imposed by law, and utterly and supremely indifferent to the welfare of that country in which they propose to linger only long enough to make enough money to support them in comfort elsewhere.

Mr. President, I can not help but feel, I can not help but believe, and I believe it profoundly, that the gravest danger this country and this system of government can ever be subjected to is liable to come from these people who come over here not as the people to whom my friend, the Senator from Missouri, referred so eloquently to-day and yesterday, to become a part and parcel of this country, who are capable of assimilation into our body politic, and whose sons and daughters are fit to intermarry with our sons and daughters, but who come here for the purposes of industrial exploitation, utterly ignorant of the history, the traditions, the sentiments, and the institutions of this country, and utterly indifferent to them.

It seems to me that the pending bill, particularly through the literacy test, is calculated to stop the most vicious, the most dangerous, of these elements. I have supported it for years in another branch of Congress. I had the privilege of reporting from the Committee on Rules, under a special rule, the very bill that we are now considering, when it was reported to the other House of Congress. For years I have stood for it. I have voted to pass it more than once, and once over the veto of a President of the United States. I believe in the literacy test with all my heart and soul; and I know that when I give my vote and voice for this measure I voice the will, the sentiment, and the belief of the great Commonwealth of Georgia.

Mr. LEWIS. Does the Senator from Louisiana desire to occupy the floor?

Mr. THORNTON. Mr. President, I may speak for about one minute on the amendment only.

Mr. LEWIS. I should prefer to yield.

Mr. THORNTON. I have no desire to speak now. I understand the Senator is prepared with a set speech.

Mr. LEWIS. No; I have no set speech.

Mr. THORNTON. I have no desire to speak now.

Mr. LEWIS. I only wanted to yield to the Senator if he desired to take the floor.

Mr. GALLINGER. Will the Senator yield to me for just one moment?

Mr. LEWIS. I yield completely, if the Senator desires.

Mr. GALLINGER. I ask permission to have placed in the RECORD a clipping from the Washington Star of last evening, showing that the immigration of the last fiscal year reached a total of 1,485,957. This newspaper article also deals with the difficulty of medical officers making proper inspection of the tremendous number of immigrants that are pouring into the ports of the United States. I ask consent that it be placed in the RECORD without reading.

The PRESIDING OFFICER (Mr. POMERENE in the chair). Without objection, it is so ordered.

Mr. GALLINGER. I thank the Senator.

The matter referred to is as follows:

IMMIGRANTS REACHING UNITED STATES TOTAL 1,485,957 IN YEAR—PUBLIC HEALTH SERVICE SHOWS GREAT DIFFICULTY IN MEDICALLY INSPECTING ALL.

Railways and steamship lines brought into the United States in the last fiscal year a total of 1,485,957 immigrants, according to a statement of the Public Health Service, just issued. These immigrants entered this country at 80 points of entry, including 25 seaports, and they came to the land of the free from 25 different foreign ports.

These figures are given in the Public Health Service's statement to show the magnitude of the task of medically inspecting the vast horde of aliens that enter the United States each year. More than 100 steamship lines bring immigrants to this country, and by reason of the fact that some of the ocean lines have vessels arriving at from two to five American ports, it has been found that there are 173 lines of immigrant travel from foreign countries to the shores of Uncle Sam's domain.

The number of immigrants examined at the different ports and places varied; for instance, from 1 examined at Wilmington, N. C., to 1,009,854 at the port of New York during the last fiscal year. In addition to this, 80,322 immigrants arrived at Boston, 40,248 at Baltimore, and 60,483 at Philadelphia during the last fiscal year, the total being as stated above.

As a result of the examination of the above-mentioned 1,485,957 immigrants 41,236 were certified as having diseases either deportable or reportable under the immigration laws. In order to give the medical examination to such a large number of immigrants it is necessary that the officers of the Public Health Service detailed for this duty be specialists in the various lines of diseases.

These officers, when they examine large numbers of immigrants, at once seek first to eliminate the perfectly sound persons, which they are able to do with remarkable accuracy on account of their long practice. The remaining immigrants are then disposed of in the order of the importance of their diseases. For example, if an immigrant has a slight deformity which will not bar him from entering the country, he is detained only long enough for a record to be made of this deformity. This soon leaves only those immigrants who are to be subjected to a careful examination to determine whether they are likely to become public charges if admitted to the country.

Mr. SMITH of South Carolina. Will the Senator from Illinois pardon me for a minute?

The PRESIDING OFFICER. Does the Senator from Illinois yield to the Senator from South Carolina?

Mr. LEWIS. Oh, gladly, Mr. President—gladly.

Mr. SMITH of South Carolina. Mr. President, I think we are now drawing to a point where every effort should be made to have a vote on this bill. I said in the beginning that I was not going to attempt to shut off any debate nor seek to prevent

those who disagree with the committee from expressing themselves fully. Those who are in favor of the bill have refrained from any very lengthy discussion of it, believing that the country was pretty well satisfied and would stand with the Congress in reference to it.

I sincerely hope those who intend to address the Senate on this bill will be prepared, because, so far as the rules will allow me, I shall force a vote on the bill at the earliest possibe moment when debate shall have been exhausted.

Mr. LEWIS. Mr. President, for myself I will yield to the chairman of the committee if he cares to present any views at this time. I will yield gladly, and when he has concluded, if there are some matters I care to offer, I will take the liberty of doing so in a very short period of time.

Mr. SMITH of South Carolina. I do not care to address the Senate at this time. There are some general facts in reference to certain statistics that have been given and points made that I, at the conclusion of the debate, may take the time of the Senate to refer to. Otherwise we will come to a vote.

Mr. LEWIS. Mr. President, if there is no one else who desires at this time to occupy the floor, there are a few views I should like to express; but I desire to yield to any other Senator who would care to occupy the floor at this time, whether he is for or against the measure.

As there seems to be none who desires at this time to be heard, I wish to put into the RECORD the dissent that I have from the feature of the bill and from the provision known as the literacy test.

I recognize that the support of this measure and its opposition is largely guided by the question of locality. I recognize very firmly that a man is impressed by the constituency he represents and that, however much he may desire to speak a general view applicable to his country at large, he is greatly influenced by the situation surrounding him at his home, and something of the political considerations of the constituency for which he speaks. For myself I confess, without reservation, that I am greatly concerned as to this limitation from two viewpoints:

One is that as an American, with my attitude addressed to that which I understand my country stands for, I can not give it my approval.

Second, the interest of the class of people who make up approximately one-half of the population of the great city in which I live and a very large percentage of the splendid State that I have the honor in part to represent admonishes me that I can not allow a provision to be introduced and passed as a law while I am their representative which they feel lays a bar sinister against those of their blood—their brothers and sisters, their fathers and mothers—and places a barrier of the future against any advance or opportunity to those now born or hereafter to be born whose only misfortune is that they live in a land where despotism exercises its powers upon them and opportunity of complete freedom has been denied them.

Mr. President, I take the liberty to accept the invitation of the honorable chairman of the committee to present such objections as I have. First, I have tendered a motion to strike out this section in so far as it contains a clause making the educational test or test of literacy a standard of admission into this country. I address myself at this time to the motion of my own and at the same time to the merits of this amendment.

The Senator from Colorado [Mr. THOMAS] evidently is not on the floor. There is a matter I should like to call to his attention that embarrasses me very much. To the Senator from Missouri, the distinguished gentleman who has lately regaled us with a most edifying exhibition of his learning upon this question generally and his wonderful industry, I should like also to confess that I am very much embarrassed with this amendment.

This amendment, as well as the provision in this bill, reads that no one shall be excluded who is fleeing from either religious or political persecution, also that anyone shall be admitted by the officers of our Government who may be adjudged as having fled from religious or political persecution. The fear I have lies in the complications to my Government which either the provision in the bill or the amendment will undoubtedly entail. The moment we establish it in the discretion of any administrative officers to render decisions that they admit A, B, or C upon the grounds that A, B, and C are then the victims of religious or political persecution from a certain named country we authorize our administrative officers to indict that country as being guilty of religious persecution or political persecution. We therefore give our approval to such administrative indictments by our Government, therefore holding them up before the world as having been convicted by America of having inflicted religious persecution upon A, or that we admit having found judgment against that foreign country for the political persecution of B, and therefore admit him and thus impliedly likewise enter judgment of condemnation against that country.

Then we awaken, I fear, by those provisions a legitimate form of retaliation on the part of those countries by their administrative officers in the administration of some of their particular Provinces to pass upon the property rights of some of our citizens who may be living abroad, the right as to whether he is a real American or an affected one, whether he is really a foreigner notwithstanding he contends he is an American, and impress him into domestic military service on the theory that they have the right through their administrative officers to decide that he is a mere ruse, a mere pretense, a mere hypocrisy. If we vest in our administrative officers the right to pass a judgment of condemnation upon the foreign countries on the ground that they are persecuting for religious purposes a citizen, and we permit him to enter with that judgment against them, they have a grievance against us.

Mr. REED. Mr. President, will the Senator allow me?

Mr. LEWIS. Oh, yes; I prefer to be interrupted. I may be wrong, and I want the view of the Senator.

Mr. REED. I call the Senator's attention to the fact that the language he is now criticizing is the language of the bill, not of the amendment.

Mr. LEWIS. That is correct. I am now speaking of the bill—that feature of the bill and to the amendments of similar purport—which to my thinking offers such opportunity of so great offense to the foreign countries as to invite serious conflicts and entail upon us complications which may have a result very embarrassing and at this particular time particularly dangerous. I illustrate:

Suppose a Turk, a subject of the Ottoman Empire, who claims to be an Armenian, comes to the gates of Castle Garden and applies for admission. He can not read or write, and he is subject to the inhibition of the bill. But through an interpreter or a representative he shall have it manifested that he is fleeing; that from the fact of being a Christian the Turkish Government is charged by him with persecuting him. It shall be so manifested to those to whom we have committed this discretion, and the commissioners there and the commissioner here at Washington shall decide to uphold his statements, affirm his accusation, and give judgment in his favor. What will it be? It will be that Selim Brahim, or whatever may be the name of the kind, is admitted into the United States on the ground that he is an exile or refugee from religious persecution visited upon him by the Government of Turkey. So thus we have indicted Turkey and found her guilty by an administrative judgment of our own officers which we must give approval to by giving the man the right of entrance.

Second, a Jew from Russia comes to our gates. He can not read or write. Likewise he comes within the inhibition of the measure, but those interpreting for him say that he is fleeing from political persecution. They manifest it in such a way that those commissioners say, "We adopt it as true." They write a judgment that Joseph Abraham can not read or write, he is within the inhibition of the law, but nevertheless we find that he has been persecuted for political purposes by Russia, and because of this political persecution of Russia we admit him. Result: We indict Russia as being guilty of political persecution and by that indictment enter judgment against her.

I need hardly say to my esteemed colleague that by a multiplication of these instances we have an army of affronts against these different nations and give them an opportunity to retaliate against the property of our people wherever they may be located in foreign countries, or against our people wherever opportunity may arise of a nature so fraught with danger that one step further may bring resentment by it for wrong done in retaliation, and we will find ourselves in a very serious conflict.

I now refer to the personal feature. Expressing sympathy for the unfortunate condition of the Jew as depicted through all history in which he has suffered, recognizing the conditions to which all of us at any time address our sympathy, I fear that if my country shall inaugurate the precedent of finding a judgment at Castle Garden against Russia on the ground that she has been guilty of political persecution, we will awaken her treatment of retaliation against the Jew there to so cruel an extent that the hardships visited upon him will be multiplied in numbers there to such measure and more severe in character than otherwise would be visited upon him.

Therefore this provision in the bill at the outset I regard a dangerous one. I see it filled, measuring it as I must, with very serious consequences to my country. I see it also, as I view it, fraught with great danger and injury to those who are the subjects and objects of our solicitude and supposedly of our protection.

The amendment offered by the learned Senator from Colorado has a phrase in it that arrests my attention seriously. Knowing him to be a very eminent lawyer, having knowledge of his capacity long before I had the honor to join service with him in this body, I know he will agree with me that if we adopt in this body an amendment which authorizes the admission of persons into this country who it may be said had been the subjects of persecution for their religion or their politics, and we added to that "and this to be true, whether disclosed by overt acts or general conduct," we then call for those to render the judgment and to inscribe under that amendment the proof of the judgment.

The proof therefore would have to be some assertion on their part of an act that they said was an overt act on the part of that foreign Government or conduct which they would have to specifically define in some form or way. Therefore we make the issue specifically, and they have a right to be heard upon it. We can not render ex parte the judgment and find the facts without hearing the other side and then upon all render judgment. How would they have a right to be heard? Through their representatives or their ambassador or minister; and then we create a forum in our own country to retry a matter of fact, and we pass judgment whether that particular fact is overt as a fact sufficient upon which to enter judgment. When we differ then from the foreign country in their construction we again give particular offense. I fear that it must be too plain to the eyes of a thinking man for us to hope to avoid the complication.

Seeing, therefore, in the passage of the bill—likewise in the proposed amendment—expressions that I feel involve us in serious trouble and great danger, I prefer to avoid them both by striking out of the bill the particular provisions that have given rise and made necessary or seem to justify those particular resorts which either the framers of the bill had in their minds at one time or the distinguished Senator from Colorado, aided by the Senator from Missouri, have in their minds at this time.

Mr. President, I must concede that there will arise in this Government a time when indiscriminate immigration must be the subject of some form of qualification. I must concede that there must arise in my country an hour or a season when some form of defined qualification would be necessary and serviceable. I am not prepared to say it has now reached us. I find myself by every instinct within me inclined to the ideals which the fathers founded in this country of opening the gates of this Nation to those who are oppressed and seek an asylum of liberty and refuge of freedom. It is enough for me that I can view the broad waste of land expanding before the eyes, far out in the West, unoccupied, literally an empire that may today inhabit, care for, guard, and protect all the citizens of all Europe—with the single exception of Russia—without intrenching in the slightest degree upon the physical liberty of any existing American.

I do fear, Mr. President, the hour when my country shall begin to break down these ideals and shatter these foundations. My mind reverts to an interesting incident that possibly the able Senators about me recall as recorded in history. When Lowell was representing this country in England Guizot, the French historian, happening to be visiting London, it is reported that he addressed Mr. Lowell and said, "How long, Mr. Lowell, do you think your Republic will last as such?" To which Lowell is reported to have said, "Just so long, sire, as the sons shall be faithful to the ideals of the fathers." Having some regard, Mr. President, to this creed, I hesitate to adopt a policy that shall remove the sons from obedience to these ideals.

I recognize, Mr. President, that there may be questions that require some careful study and the application of some wisdom to a future condition that can arise and may apply to this country.

What, therefore, is the object of the bill? I gather that the object of the bill is to place some barrier on immigration. Why? Upon the ground, you say, that it invites ignorant and unlettered human beings into the Government. If that were the principal object, I am compelled to invite the attention of my colleagues to the fact that they gathered up millions of such in the Philippine Islands and placed them in the body of the Government by a mere act of conquest, and the reports demonstrate that more than 4,000,000 of those individuals have not the slightest conception of the matter of education or learning. So there can not be the same solicitude against some one entering into our Government who may be unlettered. It would seem rather late to consider that.

Shall it be my distinguished friends from the South, for whom I have great affection of course, from my birth and tender associations, when we have in Porto Rico, with an illiteracy reported of 22 per cent, all put into the Government at the very door and gate of our Nation, all of whom, under our Constitution, have the right to come and go as they please in every State of our Union?

What was the solicitude of my distinguished friend from Vermont, the very able Senator, former chairman of this committee in the previous Senate, now the ranking minority member, against the coming in of those who were illiterate or lacking literacy when these particular measures I refer to were foisted upon the Nation?

I must therefore conclude that there is another purpose, not simply the object of avoiding those who may not read or write, and that purpose must be to prohibit or limit immigration. Mr. President, why? I assume that able Senators have not expressed their whole reason, and that in the mind of some of the Senators espousing this measure the conditions of war in Europe menace them or admonish them that when the war is concluded there will be thousands upon thousands attempting to find their refuge here in our country. I assume that there are Senators who feel that this is an approaching danger which should be avoided, and that to these able Senators there has been communicated from certain gentlemen who mean well and have an honest fear in behalf of labor that such might be the fate to be visited upon the toiler.

Mr. President, Patrick Henry is supposed to have uttered in the House of Burgesses an interesting bit of philosophy, though Aristotle seems to have expressed something of the same kind. From Henry we delight to quote that—

> We can only judge the future by the past; I have no lamp to guide my feet but experience.

I call attention to the fact that immediately following the great wars of the world immigration has ceased; it has not been stimulated. I call attention to the history, familiar to my learned friends about me, that when France and Germany had their conflict and after Sedan, when one might have imagined that from France or Germany would have come teeming thousands of those who sought to rescue themselves from conditions unbearable, at least certainly not agreeable, when one might presume they might have emigrated, we discovered to the contrary; their fields were open; their children had to be maintained; their lands to be sustained; new opportunity to all survivors had arisen. France not only gathered itself together, but its people multiplied around its farms and habitations and grew into such affluence that it was able to pay the great indemnity levied by Germany, and in science and small arts became one of the superiors of the earth.

Germany, from a country that was a fifth-rate power, held her people close to her fireside, stimulated by patriotism, builded her farms, inspired their education, reanimated their hearts, filled their souls with desire for superiority among mankind, and, barring the instances of those who fled under the charge of some form of political offense, such as in 1848, there was, indeed, little immigration. It did not begin until 1885 from Germany, and then when peace had settled upon the community and arts of industry and science and the refinements of culture had possessed its country to the extent that the nation started upon the splendid course of eminence and glory, which all friends of Germany delight to certify to.

Shall I refer to my own land? Here sits around me the sons of the Confederate soldier and around me likewise those of the Federal. They have not much memory of it, possibly, but they have a memory of that which was related to them by their fathers. When the South and the North had that unfortunate conflict, when that cataclysm severed us apart and sent the two sons of one mother to die by the bayonet of the brother, and it was all ended, did our people in the South forsake their hearthstones, fly from their people and take refuge elsewhere? No; they returned from the battle field to the farm. They returned from a soldier's lot to a civilian's pride. They returned from the camp to the home and builded the South to a splendid degree of affluence and a glory of eminence in letters and statesmanship, which has been the pride of every American to allude to wherever the history of this country is recounted. Did our honorable opponents—speaking as a southerner—of the Federal Army, forsake the hills of Vermont or New Hampshire? Did they leave Ohio and the broad rivers of the West? Not at all. They builded New England anew. They started ablaze the manufacturing eminence and fortunes, set her glowing furnaces out on every rockside, her little cities multiplied in number and manufacturing arts; and increased was the splendor of her people. Her literary masters and her colleges became the pride of New England, and her sons, moving into a second and third generation,

peopled the far West with intelligence and respectability to a degree that every State in the West rejoices to pay tribute to.

Did the men of the great Middle West, which had tendered so much in that splendid sacrifice, forsake their homes? Far from it. They likewise took new life, new vigor, the sons to the plow, the boys to the store, all the family to the home, and builded the great country and the eminence of the empire where she stands the marvel of the world and all mankind who view the achievements of men wherever they reach wonderful altitudes.

So, I must feel that it is the truth that after great wars shall have severed people and left them destitute for a while, they do not flee from the charred ruins, the stripped home, the pained scene, the graves of their dead. They build commerce, homes, churches; reerect their habitations, their mansions of industry, their factories of toil, and their homes of comfort.

If I were inclined to adopt the fear of many gentlemen whose views of course we greatly respect—in assuming that there was inclination on the part of those to leave their homes and come to this our country in such legions of numbers as seems to be the expressed fear—I am compelled here in the exercise of prudence, nevertheless on secure reflection, to recognize the country in which these people live. Will these governments sit idly by and allow the soldier to leave the field and flee his country and leave it barren and desolate? I can not assume it. There are too many methods readily arising to the mind of man, however lightly skilled in statesmanship, for him to overlook that there will be methods found by which these individuals and citizens will not be allowed to leave those countries, and that there will be such embargo and embarrassment, or rather barrier, that we need not fear even if the inhabitants had hoped to come.

Now, Mr. President, I invite your attention to the other danger of the measure. It is provided that this shall be a test. Senators, if the real purpose is to limit immigration, why not do it? If there are dangers upon the country by the multiplication of foreign citizens, why not announce it? If the time has come when an embargo shall be put upon them for any reason for our self-preservation, why not do it? Why adopt a method which on its face is a ruse and will fail of its object, is covered with hypocrisy—in all phases a pretense—and carries with it neither the suggestion of statesmanship on the one hand nor American courage on the other?

If there are dangers menacing this country from immigration sufficient that we should adopt a plan by which it should be limited, let us announce to the country where these dangers lie, set them forth specifically, give the reasons, and announce the remedy as an embargo either absolute or for a limited time, and go to the country with the justification of the action. But this ruse, which will be regarded by our fellow citizens as a pretense, will serve neither to satisfy those who wish to stop immigration nor limit it, and will greatly offend and wound those who feel it is addressed against them, their blood, and their household.

He shall read to the "satisfaction." Well, let us contemplate. I may be pardoned if I indulge in the speculation of a prospect. I will assume that a Democratic national administration is in power and that it is understood that the Bohemian and the Pole, coming from countries standing for principles against the kingdoms and empires, for which a democracy is supposed to be spokesman, offer themselves for entrance at Castle Garden. Those officials are Democrats, we will say. Do you think they will be exercising a very high degree of caution as to the extent that they mean to be satisfied as to whether those whom they feel would make Democrats can read, and are you not quite content that any degree of reading, quite slight, might satisfy those particular gentlemen? If you assume that that much might happen, as you know it has happened in cases I shall illustrate in a moment, you realize, therefore, that the expression "to the satisfaction of these individuals" only gives to this particular administrative court a form of discretion to wholly avoid the provision, or they will comply with it in such a reckless manner as to have it amount to absolutely nothing whatever as an embargo or limitation.

Now I will assume that our honorable opponents are in power and it is those who come from the northern countries, from the Germanic Provinces, where it is assumed that they are inclined more to a centralized form of government than to a republic. Will my honorable opponents on the other side doubt for a minute that the same human nature on the part of their commissioner will be that which has been evidenced and evinced by mine; that as to these northern nationalities who are making their way to those States that are distinctively Republican, or which he fancies will be done, knowing that inclination of the past, will not find it most agreeable to be quite satisfied with any kind of representation of reading, knowing that politically they will contribute a great deal so soon as naturalized?

Again, will any one of these commissioners hesitate to grant every form of latitude rather than offend the particular element of nationality the same as these applicants, wherever they are, who are voters already, and thus run the risk of having themselves left in disfavor by their party leaders—those responsible for their appointment? We are human; we know that human nature is strong for self-preservation and that such would be the result.

My distinguished friend from Mississippi, the senior Senator [Mr. WILLIAMS], the other day, in an address for this bill, called attention to the fact that he would, if left to himself, be glad to advise more States to adopt something of an educational qualification for voting, such as he said Mississippi and Massachusetts have for the exercise of the suffrage; but I am sure he, and likewise the Senator from Massachusetts [Mr. LODGE], will agree with me that where it ever comes to test these qualifications for the right to vote those in charge of the ballot box or of the political machinery have found it ever agreeable to see that these are always quite competent whenever their nature or vote is gathered and comprehended or understood. We do know that in the great cities of our country these forms and qualifications are always overlooked.

Mr. WILLIAMS. Mr. President——

The PRESIDING OFFICER (Mr. SWANSON). Does the Senator from Illinois yield to the Senator from Mississippi?

Mr. LEWIS. Certainly.

Mr. WILLIAMS. I very much dislike to interrupt the Senator from Illinois, but——

Mr. LEWIS. I am glad to have my astute and classical friend from Mississippi interrupt me, because I know he contributes information whenever he speaks.

Mr. WILLIAMS. Your friend from Mississippi is classical enough, but not always astute.

What the Senator from Illinois a moment ago said, or hardly said, but interrogatively asserted, is so unjust to the State of Mississippi and to all of her authorities that I would feel false to the State if I kept silent. There has never been a charge made by anybody worthy of anybody's credence at any time that in the execution of the laws of the State of Mississippi, in so far as determining whether or not a man could read or write, there has been any bias in making the determination. Furthermore, it would be impossible for there to be. A man must step up and sign his name, write the name of the precinct, and other things. The very fact that he can do so proves that he can read and write.

Mr. LEWIS. Mr. President, I am too much inclined toward great affection to the State of Mississippi, to her very great statesmen, and to my distinguished friend who so honorably represents her, not to concede at once that whatever errors or vices or offenses might apply to any other State in the Union, of course are exempt from Mississippi; but the thing I do allude to, and that which I must insist upon, is that wherever you create a principle and make it an object or compensation to the individual who has discretion, to enforce, as under this bill, to say when it may be and how, he will protect his object——

Mr. WILLIAMS. Mr. President, I have no quarrel with that, nor am I disputing the argument made by the Senator from Illinois, because I do not care to do it at this moment. It might be very easily disputed. But the Senator from Illinois dragged Mississippi's name into the controversy, though the Mississippi law does not provide that the man shall read satisfactorily to anybody. It simply provides that he shall read and write; he simply has to prove that he can read and write, not satisfactorily, but that he can read and write. I again repeat that the bitterest enemy of Mississippi has never asserted that in carrying out that law there has been any fraud or any unfairness or any prostitution of it for political purposes.

Mr. LEWIS. Mr. President, my distinguished friend the Senator from Mississippi says that he does not rise at this time to dispute this premise of mine, but that it can be very easily disputed, indicating that what is easy to be done he can do. That I readily confess; but I say to my able friend from Mississippi that it might be true that in the case of Mississippi there is no law requiring one to read to the satisfaction of anyone else or to have these qualifications to the satisfaction of anyone else; but I ask of my friend: Is it not true that if it could be so regulated that every white man in Mississippi could vote without regard to whether or not he could read or write it would be allowed if by the same provision the negro, or the objectionable negro, could have been denied the right to vote?

Mr. WILLIAMS. In reply to the change of base just made by the Senator from Illinois—to which I can compare nothing in all history except McClellan's change of base in front of Richmond—I confess that his last interrogative assertion is perfectly well taken. If Mississippi could have permitted all white

men to vote, regardless of their illiteracy, and could under the Constitution of the United States have disfranchised all negroes, in perfect frankness I say she would have done it; the Senator knows that as well as do I; but the point which the Senator previously made was a different one altogether. He asserted, or interrogatively asserted, that when we did fix a literacy test we have not fairly applied it, and that I deny.

Mr. LEWIS. Mr. President, my distinguished friend says that I have changed my base, and likens the change to what he says is the only similar instance in history, which is the change of base of McClellan before Richmond. I do not know whether my learned friend likens me to McClellan; I would, of course, be complimented by that likeness; or whether he likens himself to Richmond. If to Richmond, I know he means the Duke of Richmond, who was supposed to be a most eminent swordsman; and, of course, conscious of his capacity in that respect, I would not change my base to be in front of such an antagonist; but I say to my friend, I take his answer, that it is true that Mississippi would allow every white man to vote if she could, without regard to whether or not he was able to read or write; therefore the able Senator answers my indictment that there is no literacy test in Mississippi, that it is a test against the negro, not literacy, but to provide a method by which the black can not vote; and in order to prevent that, some whites, of course, come within the same category.

Mr. WILLIAMS. Mr. President, will the Senator from Illinois pardon me a moment?

Mr. LEWIS. I am glad to have my friend interpolate.

Mr. WILLIAMS. The Senator says because there was something that Mississippi would have liked to have done and could not, and therefore did not try to do, that therefore the thing which Mississippi did does not exist; he says that because Mississippi would have liked to have admitted all white men to the ballot and to have excluded all negroes, and because under the Constitution of the United States she could not do it, and because she resorted to a literacy test to approximately reach the same result, therefore she has no literacy test. The Senator might just as well say that because a man was sick and needed quinine and could not get it and therefore took something else, he did not take the other thing at all or that he never saw it. [Laughter in the galleries.]

The PRESIDING OFFICER. Occupants of the galleries are the guests of the Senate, and it is a violation of the rules of the Senate for them to express either approval or disapproval of any of the proceedings in the Senate.

Mr. LEWIS. Mr. President, it was only a matter of time, I knew, when my able friend would conclude his interpolation by something bitter—in this instance by an illustration of quinine. [Laughter.]

Mr. WILLIAMS. The medicine is bitter enough.

Mr. LEWIS. But I must say I accept the premise, and assert that if a man wished to take quinine and took something else, I would still insist that he had not taken quinine; I accept the proposition. I also say that if Mississippi has prescribed a test which she calls a literacy test for the purpose of voting, and that her object was merely to prohibit the negro from voting, that she was not prescribing a literacy test as a qualification of voting, but was merely prescribing a method that could be an embargo upon some; and having adopted this as that refuge she could accomplish that object, and that the principle behind it was not to prescribe a literacy test as a condition precedent to the right of a human being to vote, because she would have gladly given every white man the right to vote without regard to whether or not he could read or write if she could have done so consistently without allowing the ignorant negro likewise to vote—therefore having had that offered from so eminent a source as the distinguished Senator from Mississippi, I accept it.

Mr. President, I now proceed to point out what I said was the danger—and I know my friend will concur—with the provision of this bill vesting the discretion as to whether a person shall read to the satisfaction of somebody. That really does not prescribe any specific limitation upon the entrance of any person into this country, nor does it prescribe specifically any specific condition which prohibits in itself specifically by a rule of action or by law any class of people. Therefore, it is a ruse; to me it is a deception. It is one which could be practical, as I see it, in a manner that would work latitudes of favor in one direction and of favoritism or discriminating favoritism in another.

Mr. President, I have the second point to urge, which I beg my learned friends, as we are speaking in this matter as in a conversation, to contemplate with me. I could not give my approval to a principle which makes the test of education the right to enter into this country without conceding that there was inherently in the country the right to make education the test of deporting a man out of the country; for the very moment we concede that principle in this Government we break down every ideal, shatter every foundation, and destroy the theory upon which we are founded for the preservation of liberty and the advancement of freedom to man. Sir, after that, that before a man can enjoy the principles on which this Government was founded we should have a form of educational qualification, the very next step must be that no man then would have a right to remain in the country who has already come in unless he likewise has the same qualification; and there will be a clamor at the door of the Capitol on the part of the very same influences that are seeking to inscribe this particular qualification in the law to deport all those already in the country if they likewise are not within the privileges of this exemption. Therefore I fear the introduction of this innovation; I fear the precedent it establishes.

Once, Mr. President, as I have said, you start upon this course there is no point at which you can stop, for the very next step will be, as intimated by the junior Senator from Georgia [Mr. HARDWICK], the able chairman from South Carolina, and my very distinguished and always alert friend from Mississippi [Mr. WILLIAMS], that there will arise in the minds of our countrymen the qualification of education for suffrage. We will have established it for entrance into the country, and we will then have established it as a qualification for remaining in the country; and then will arise that other demand that a man shall have a form of education before he shall vote; and the moment that is established, following this precedent, then we will have that other, which will follow fast upon its heels, that men shall sit in judgment as to whether a particular individual is educated sufficiently to cast a vote at a particular election, and that will turn upon the particular politics of that particular machinery.

I fear, therefore, Mr. President, the introduction of this innovation. I fear the future, and I say to the laboring man, I say to their eminent labor leaders, for whose sincerity we have great respect, for whose character we vouch with great confidence, that if it shall ever be successfully urged in this country that a man shall have to undergo an educational test to enter into this country the very opponents and persecuting tyrants of the toilers of this country will be found banding together to impose an educational qualification upon their right to vote. This upon the theory that that qualification can be so manipulated as to cut the great majority of the votes of the poor out of the participation in the political contests of this Republic. I, therefore, for that reason can not give my approval to the precedent that I fear is being established upon the part of the proponents of this measure.

Mr. SUTHERLAND. Mr. President, before the Senator passes to another subject——

Mr. LEWIS. I gladly yield to the Senator from Utah.

Mr. SUTHERLAND. I should have asked the question which I am about to ask a moment ago. The Senator has said several times that this bill provides that the immigrant must be able to read to the satisfaction of some official. Where does the Senator find that provision in the bill?

Mr. LEWIS. I ask my able friend who shall decide whether the immigrant can read? Somebody must decide.

Mr. SUTHERLAND. The Senator, however, said that the immigrant must read to the satisfaction of some one; which would imply, as I understand him, that the examining official could exclude him upon the ground that he did not read as well as the examining official thought he ought to read.

Mr. LEWIS. To which I answer, yes. The examining official would have a right to say, under this provision, as I see it, that the reading was not reading according to his judgment.

Mr. SUTHERLAND. No, Mr. President, if the Senator will pardon me, I do not so read the bill. It seems to me that the bill lays down about as definite a test as could well be laid down in that kind of a case.

Mr. LEWIS. Will the Senator kindly read the paragraph in section 3.

Mr. SUTHERLAND. The provision is as follows:

All aliens over 16 years of age, physically capable of reading, who can not read the English language, or some other language or dialect, including Hebrew or Yiddish.

Those are the classes of people to be excluded. Then there is a certain proviso which does not apply until you come down to the nineteenth line on page 8, and that provision reads:

That for the purpose of ascertaining whether aliens can read the immigrant inspectors shall be furnished with slips, of uniform size, prepared under the direction of the Secretary of Labor, each containing not less than 30 nor more than 40 words in ordinary use, printed in plainly legible type in some one of the various languages and dialects of immigrants. Each alien may designate the particular language or

dialect in which he desires the examination to be made, and shall be required to read the words printed on the slip in such language or dialect.

If the immigrant reads the words printed upon that slip, as I understand there is no discretion vested in the inspector, he must admit the immigrant; and if he fails to read them, then he must be excluded.

Mr. SMITH of South Carolina. Mr. President, I suspect that the Senator from Illinois has obtained his impression as to the meaning of the bill by the provision on page 9, where the proposed amendment is to be inserted, which reads:

That the following classes of persons shall be exempt from the operation of the illiteracy test, to wit: All aliens who shall prove to the satisfaction of the proper immigration officer or to the Secretary of Labor that they emigrated from the country of which they were last permanent residents solely for the purpose of escaping from religious persecution—

Mr. SUTHERLAND. That is an entirely different matter.

Mr. SMITH of South Carolina. I think that is where the Senator from Illinois got his idea. In that provision are found the words "prove to the satisfaction," and so forth; but under the literacy test as provided in this bill the question of admission is absolutely in the hands of the immigrant himself; all he has to do is to read a certain number of printed words, and if he does, he is entitled to admission.

Mr. SUTHERLAND. According to my understanding, that is the end of the matter.

Mr. SMITH of South Carolina. There is no limitation whatever.

Mr. SUTHERLAND. If he reads the slip, he is admitted; while if he fails to read it, he is excluded.

Mr. LEWIS. Mr. President, I thank my able friends, but I do not misapprehend the provision at all. I may be in error as to my conclusions; that is a mere difference of opinion; but I most respectfully urge upon my learned colleagues that the bill provides that an officer—I have called him a "commisioner," because the head officer is the commisioner, but I should refer to the others as underofficers; and in that respect only is my nomenclature inaccurate—the bill provides that an inspector shall hand the immigrant a slip containing printed words in some prescribed language, and the immigrant shall read to the inspector. Therefore the law creates the inspector the judge as to whether the immigrant is reading sufficiently well, and vests in his sole discretion the judgment as to whether the immigrant reads with sufficient intelligence and knowledge as to characterize his performance as reading within the meaning of the law as that inspector sees it. Does my able friend from Utah deny that that is his privilege?

Mr. SUTHERLAND. Mr. President, I think it is perfectly clear from the provisions of this bill that the sole test is whether the immigrant is able to read the slip which is presented to him. The question as to whether or not he reads it well or reads it ill does not enter into the matter at all. The Senator from Illinois would read very much better than I would read, and yet if we two presented ourselves to the inspector I do not understand, if we could both read the slip, that the Senator from Illinois would be admitted because he read it better than I read it and that I would be excluded because I did not read it so well. It is a simple test as to whether or not the slip can be read, and if it is read, then the immigrant is entitled to admission.

Mr. LEWIS. Now, I will give to my friend a simple illustration. A child is 4 or 5 years of age. The affectionate mother has begun to teach it its letters, and the child with a few letters brought together may be able to recognize and spell the word "dog" or "cat," and yet it could be clearly and truthfully said that the child could not read, although the child might be able to designate those one or two terms. So the immigrant inspector has to decide in his own judgment whether the method of procedure, the final pronunciation, and the final discharge of the undertaking amounts to a reading. I am sure if that be not in his power there would be no power in him at all, because otherwise you would leave it to the applicant himself to be the sole judge as to whether he could read. Somebody must decide as to whether he has complied with the reading test, and therefore I am merely calling attention to the fact that that very discretion offers such room for abuse, as I see it, and the provision is likely to receive such administration as will make of it an instrumentality of persecution or a farce, and even if it did not, I maintain that no such qualification would serve either the purpose of preventing bad men or unworthy men from coming into the country or putting a limitation upon immigration to avoid any evils, if such evils exist, from the influx of immigration.

Why, sir, would it be but a ruse? I see sitting around me Senators who will recall the history of certain contract-labor laws, and, without reviving it to their minds by reading them dreary excerpts from the books, how well do they remember that hordes of individuals, in numbers, schools, classes, circles, and communities, were all prepared as to certain forms of interrogatories and certain forms of answers by which the law was violated wholesale through these instrumentalities. Supposing that these particular slips are prepared and the slips are in the hands of the immigration inspectors, is it not perfectly clear to us all that it is only a matter of time when every one of these slips will be known, after having been presented to the first few hundred immigrants, to the other few thousand? They will all be known; the words used would be relatively few. The trick of having the immigrants educated to just that exact extent is so apparent that, far from serving the purposes for which it is designed, my distinguished colleagues, it will offer an opportunity for abuses by making liars of the people who come in, common tricksters of those who desire them to come in, and the perpetrators of fraud on the part of those who administer it.

Mr. WILLIAMS. Mr. President, will the Senator allow me to ask him a question?

The PRESIDING OFFICER. Does the Senator from Illinois yield to the Senator from Mississippi?

Mr. LEWIS. Gladly.

Mr. WILLIAMS. Does the Senator think that the law requires that the same slips shall be submitted every day?

Mr. LEWIS. No; I say to my friend that it would not be so, and that is why I remark that after a great number of times they would have to be duplicated.

Mr. WILLIAMS. If the same slips were used they could be memorized, but if different slips were submitted on different days they could not be memorized.

Mr. LEWIS. If different slips were offered on different days it would only be a matter of time when a certain number of slips would be well known and a certain number of words well understood, because the number of words that would be used would be relatively limited, and it would only be a matter of time when enough knowledge could be communicated to those at home by those who had arrived to serve the purpose of the ruse and work a deception upon the whole system.

I am afraid my able friend from Mississippi misapprehends my purpose. It is this: To demonstrate that the number of people that it might really keep out in its final and legitimate application would be so small that it would really work no benefit against evil, if evil there exists in this country, nor would it avoid the repetition or multiplication of that evil if such is now threatened from foreign shores.

Mr. SUTHERLAND. Mr. President——

Mr. LEWIS. I yield to the Senator from Utah.

Mr. SUTHERLAND. I was about to suggest to the Senator, in line with what the Senator from Mississippi has suggested, that this matter is entirely in the hands of the Secretary of Labor. He is to prescribe the slips, and it is not to be supposed for one moment that he will use the same slip over and over again or even a limited number of slips over and over again. Having the administration of this law in his responsibility, he would undoubtedly try to make it effective, and he would prescribe slips of an indefinite and unlimited variety so that there would be no duplication one day after another.

Mr. WILLIAMS. There could be a new slip every day.

Mr. SUTHERLAND. Yes; there could be a new one every day.

Mr. LEWIS. Now, may I ask the Senator from Utah to hearken to me a moment? The Senator from Utah will now see the application of my previous strictures. Upon that theory the Senator from Utah will see that the inspectors might fear that those who had arrived had communicated some of the contents of their slips to those who were coming, and therefore to prevent them from having the benefit of that memorization he would insist on the immigrant being able to read every word upon the slip, and should he fail in some one word the inspector would assume that the immigrant read only from memorization of the few words that had been communicated to him from previous slips, and under the discretion vested in him he could declare that the immigrant does not read sufficiently well. At once it will be seen that there is room for a trap or for a trick or for deception.

Discretion would be to a great degree exercised in order to avoid the very thing that I say is possible in the memorization of these slips. The inspector would have to go to the very extreme in order to avoid it. Learned Senators will see, I am sure, what I mean. It is not that I am criticizing the bill for this provision. I recognize how very difficult it is to make any provision that would serve your purposes. I am pointing out that this particular provision, as you may readily see, does

not serve the purpose, if the purpose is to keep out of this country objectionable people, who, because of their numbers, would be ill or evil to our Nation. This particular form of embargo accomplishes no result, produces no remedy, and relieves us from no misfortune.

Mr. President, I want to call attention, as I proceed with this discussion, to some plain facts. I call attention of the Senator from Vermont [Mr. DILLINGHAM]. I recall that the history of this whole legislation discloses that the Senator from Vermont, as chairman of this committee in the preceding Senate, had occasion to make a number of reports. In his very able presentation on yesterday we discover that the Senator's remarks include, first, the commission of 1882, which made representations to the country setting forth the class of immigration that was undesirable. But the commission of 1907, by a strange turn in the wheel of possibilities, appears to recommend as wholly available those who in 1882 were denounced, and finds a new order in 1907 as the objectionable ones.

The Senator from Vermont produces a table, which I dare say can not be disputed, which discloses that in the one census taken at the time of the first immigration 14 per cent of these individuals could not read, but immediately following, in the very next census, only 3 per cent of the same. This shows you very clearly, my brother Senators, that after arriving in the country they had been here but a short while when their illiteracy very largely decreased, and they became sufficiently learned to be placed in the category of the learned of our citizenship. Moreover, any elements of objection which had prevailed at the time of the commission of 1882 had been wholly removed, or so largely that in 1907 those who were the subjects of denunciation in the first report were the objects of commendation in the second. So it is clear that the standards which we assume to adopt at this time may be equally obsolete and equally inequitable and unjust 10 years from to-day, or 5 years, as the one thus created in the short hiatus disclosed by the speech of the able Senator from Vermont.

Mr. President, the city that I represent, speaking personally—as I live in Chicago and my able colleague lives in another portion of the State—has a very large foreign-born population. It may interest you to know that there is not a nationality that is known that has not some representation in the splendid city whence I come. The people of these nationalities feel greatly aggrieved that a committee of this body recommends that their families and their kinsmen shall be eliminated from the enjoyment of the liberty of this Nation, and particularly that it is proposed that they shall be eliminated, prohibited, and forbidden upon reports in which they were allowed no opportunity of hearing. They say that their nationalities had no representation; that they were given no chance to present the real knowledge that could have been given; and they propound the query to us: When has any commission from this country gone abroad to study the real class of people, as they live and exist, who should or should not be admitted into our country? What qualifications would you say you possessed to prescribe who should be admitted from any knowledge you have of these people, the land in which they live, the distresses which they suffer, the despotism which they endure, the persecution which afflicts them? They call to your attention the fact that you sit in solemn chamber here at Washington, you hear a few individuals, and from these individuals, numbering no more than the fingers upon your hand, you make a computation of the millions which represent their blood and brawn, their life and character, their achievement and sacrifice, their nobility and suffering, their life and death; and they inveigh against the injustice of it as they see it. They feel that this honorable body has not qualified itself to pass judgment upon them, their generation, and their time.

Mr. President, I must insist that there is one test that it is well for us to undertake. It is the test of the character of the individual. I would it were in my power to devise at once and spontaneously and recommend to my colleagues some prescription and standard by which to test the character and fitness as human beings of those who come to enjoy the liberties of our Nation, my reason being that no man has a right in this Nation who does not come with the idea of respecting its institutions, revering its sacred traditions, living for its glory, and dying for its perpetuation, if need be. If a man, whoever he is, by his associations in the place from whence he came, by his life and habits, is so situated that clearly, upon analysis of the man, he is unfit to enjoy the privileges of this Nation because of the danger he threatens, the things he menaces, such a one should be prohibited. But, Mr. President, I am not able to concede that the mere fact that a man can not read is a standard by which such could be judged.

Here sits my friend from Mississippi [Mr. WILLIAMS], to whom I pay the compliment, without qualification, of being one of the learned scholars of our body. His writings, his lectures, his eminence in many directions testify to that. He referred to McClellan in a gentle passage between ourselves—a very eminent soldier. Since his knowledge of martial matters, I know, is equally good in all respects, I invite his attention to one of the most remarkable cavalry officers the world has recorded—Murat; Murat of Napoleon's campaigns; so magnificent an officer that he was the only man from whom the great Stonewall Jackson of this country seemed to feel justified in taking a lesson, and yet Murat was once a waiter in a restaurant, unable to read the slip to let the man know how much he owed when he wished to collect the bill of the public house.

My learned friend will recall that the barons of Runnymede, who laid the charter of the liberties of our country, not only could not read, but the king to whom they made their approach made his only sign by the hilt of a halberd. Surely these, to whom we appeal as the sources of our inspiration, the very monuments of our renowned civilization, could not have been such if the mere test of reading and writing could have been applied to test their manhood or patriotism.

The able Senator from Missouri [Mr. REED] gave us a catalogue of the number of people who have come into our country and by their splendid performance of citizenship have commended themselves to our admiration and left behind them the record of their glorious deeds who in the beginning could not read. Therefore I am not able to accept the idea that the mere matter of reading can be the test of the soul. I can not accept the idea that reading is the test of the worth of life. I can not accept the idea that mere reading will make a law-abiding citizen. To the contrary, I must insist that many men who have committed offenses in this country against our laws—and who ought to be, if they could be, taken from out of our country because of their deliberate, impudent defiance of our institutions—were those the most learned—learned in craft, learned in the skill of disobedience, learned and equipped in all the methods by which they might violate the law and escape the penalty. Therefore I must respectfully urge that the real test of citizenship in this country—the right to enjoy the liberty and freedom of this country—should rather turn upon something else than this which is prescribed under this bill.

Mr. President, I have now manifested very clearly my objections to the fundamental phases of this proposed legislation. I heard my learned friend from South Carolina [Mr. SMITH], the chairman of the committee, the distinguished junior Senator from Georgia [Mr. HARDWICK], and the able senior Senator from Vermont [Mr. DILLINGHAM] enter into some disputation as to the class of people who were supposed to be the objects of this bill, to the effect that they crowded into the cities—that they did not till the farms.

Mr. President, it may be true that the citizens from the northern European countries have gone to the farms in greater number than those from the south; but, Mr. President, I invite attention to the fact that that does not apply solely to the foreigner. Our cities are congested with American-born citizens. They are congested with people who come from our own little country towns. The cities are congested because of the allurements of the city to the individual, not because he is a foreigner. The reason why the farms are not occupied by these people from foreign countries as well as from our own is not because they might not prefer the farm, but because our Government has offered no inducement calling for the humble individual from abroad to go to the farms. It offers him no encouragement; nor does it offer such to any American crowded in our cities. Our country offers him the barren land; sends him empty handed to the naked soil, to the bleak winds, the frosty mornings, the cold and chilling nights. He is without a dollar, without a cent. He must enter upon that land. No provision is made to give him the implements by which he may undertake farming. There is nothing to give him a home in which he may be sheltered, no provision to induce him to remain on the farm by which he might stay there and provide a living for himself, habitation for his family, or cultivation of the soil. If conditions were changed and our Government turned itself about to make some slight provision for these people in order to encourage the settlement of the farms, the criticism of the able Senators that these people flock to the cities instead of the country, I am sure, would not have applied. Therefore we see very clearly that the real reason they are in the cities and not on the farms is not because of preference but because of conditions.

Mr. President, this provision of the pending bill, so far as I am concerned, wars against every principle of the Democracy. I am unable to see, from my point of view, how the spirit of Democracy, which is supposed to open wide its arms, to extend

them to all the oppressed, can say: "Yes, unless your oppression has been so great that you have not even had the opportunity of learning how to read. If so, you can not come in. If your oppression has been so great that you have been oppressed to the degree that you could not even have the opportunity of a schooling by which you could learn of the reasons of your wrongs or where you may get your rights, you shall not come in. We tell you that your oppression has been too great, and for that reason you are not to have the benefits and privileges of this land of liberty and this asylum of freedom." What form of exception is this that you can dare to justify before the great heart of the Democracy of this country?

This provision wars, as I see it, against the spirit of Republicanism, which is to open the gates of this Republic to those who cry for freedom and liberty, to those who deserve it because of their manhood, their character, their life—they who show by their existence obedience to the laws of man and reverence for their responsibility to God. If there shall come a time when the mere presence of immigrants shall menace our country in other directions, then we can address ourselves to it by giving the reasons, and then, upon these reasons, act openly, nobly, frankly, and trust to the good sense of our Republic to justify our course. But, as I see it, this device works a fraud. This ruse works a deception. This pretense gives no relief, and inflicts the Democracy, for which I assume to speak, and the spirit of Republicanism with an outrage and a wrong.

Senators, as I view it, you can not pass this bill and any longer hold us up before the country as representing the spirit that gives refuge and asylum to oppression. If you pass this bill, your next duty is clear to my mind—that we immediately pass an act that shall have for its purpose the tearing down of the statue that is at the gate of New York as we enter into this Republic the endowment of Bartholdi, a Frenchman of German extraction, and that we cast it into the sea. In its place, instead of an inviting figure with its arms extended, with Liberty enlightening the world, inviting all the oppressed to find asylum and refuge here, let us change its aspect. Instead of those kindly eyes looking out over the seas with welcome, let us insert as eyes fireballs that glare and blaze defiance and threat. Instead of the extended right hand opening its palm and welcoming these people as friends, let it clutch a weapon that threatens to strike to death their dreams. Instead of the kindly, smiling lips that it presents, welcome and gracious invitation to all those who are oppressed to come, let us put upon those lips scorn at misery, sneer at oppression, and inscribe as the motto on its brow, "Let no one hope to enter here. To those who are oppressed let them beware! The more oppressed you are, the less hope you have in this Nation. The more has been your oppression, which has added to your misfortunes at home, the more we will continue you where your misfortunes may increase, your misery multiply." Let us dethrone the statue, cast it into the sea, and a truth this measure speaks—warning such as Dante saw over the gates of the inferno—that "they who *would* enter here leave all hope behind."

Senators, I tender my motion to strike out this section, because, as I view it, it is un-American, un-Democratic, un-Republican, and visits an injustice and an outrage upon the spirit of freedom of this the American Republic.

Mr. LEWIS subsequently said: Mr. President, I desire, as a portion of my remarks, to introduce an article from Current Opinion, being an extract from Edward A. Steiner's story, "From alien to citizen." It is only a page and a half. If I may introduce that in my remarks at an appropriate point, I should be glad to do so.

The PRESIDING OFFICER. If there is no objection, the request will be granted. The Chair hears none.

The matter referred to is as follows:

THE AMERICAN SPIRIT THAT OVERCOMES RACE PREJUDICES.

At a time when the revival of so-called racial animosities appals the world an American may experience another kind of thrill by reading Edward A. Steiner's story of his life in America, "From Alien to Citizen." In its spirit and in its record of personal experience the book is a document of extraordinary "human interest." Prof. Steiner's delight in relating an incident of his ciceronage of the minister of public instruction of Hungary in Chicago is typical. They had been watching a social-settlement basket ball game over which his excellency became enthusiastic. "Of course, these young men are native Americans," he commented. With perfect assurance, Prof. Steiner replied: "There is not a native American among them. The losing team is made up of Slavs from the Stock Yards district, and the winners are Jews from the neighborhood of Twelfth and Halstead Streets." To prove it, Prof. Steiner called one of the players, asked his name and birthplace, and said, "Now, my boy, I want you to meet his excellency the minister of public instruction of your own country." Prof. Steiner continues:

"With perfect democratic dignity, the boy shook 'his excellency's' reluctant hand, saying heartily: 'I am glad to meet you, Minister. How do you like Chicago?'

"It took 'his excellency' some minutes to recover from the shock. Then he said to me in tragic tones: 'It is impossible! This boy belongs to the lowest of our subject races. We have ruled them for 900 years, but have not really conquered them. We have forced our language upon them, and they have refused to speak it. We have forbidden the use of their mother tongue in the higher schools, yet they never forget it, and with each year they become more and more Slavonic. You take our refuse, our lowest classes, and in a generation you make Americans of them. How do you do it?'"

Prof. Steiner grew up among Slovak boys and left his Jewish mother in Hungary to come in the steerage to America. His story shows intimately the forces which are at work, both for good and evil, upon the immigrant—the sweat shop, the mills and mines, with their grinding labor; the lower courts, the jail, the open road, with its dangers; the American home, the college, and the Christian Church. He now occupies the chair of applied Christianity at Grinnell College, Iowa, and has become most widely known for his personal and public work for immigrants. "I have tried," he says, "to humanize the process of admission to this country, to expose and abolish the worst abuses of the steerage, and to interpret the quality and character of the new immigrant to those Americans who became hysterical from fear and believed that these newer people were less than human.

"Upon the vast army of workers who free us from hard and dangerous toil we must look with the respect due to their calling. The man who goes into the depths of the mine and exchanges his day for night, that we may change the night into day; the man who faces the boiling caldron and draws ribbons of fire from the furnace for our safety and comfort; the man, the woman, and the child who have bent their backs to stitch our clothes, have not only justified their existence but have made ours easier, more beautiful, and safer. That they are Hungarians, Italians, or Jews ought to make no difference, for, after all, they are human."

Against holding the immigrant responsible for every supposed evil to which society is heir, Prof. Steiner has stood out. If he is optimistic regarding the future, he says it is because he knows from actual experience that the newer immigrant is just as worthy as those who preceded him.

"I have shared his economic burdens for many years and have seen him lifting himself and his family to a new and higher level. I have watched him develop his downtrodden strength and his hidden talents. I have also sounded the note of warning, for I have known him to become more and more the victim of our industrial maladjustment, suffering anew from overstrain, accidents, and occupational diseases.

"Over and over again I have traveled the 'trail of the immigrant,' from shop to mill, from farm to mine, and back again. I have retraced my steps to the villages and towns of the Old World, and have repeatedly gone over the selfsame path which once I traveled from sheer necessity. I have joined my life to thousands and tens of thousands of these strangers. I have helped to create groups of faithful workers and have endeavored to fill them with the prime requisite for their task—an effective sympathy.

"I have touched in the great throngs the men and women who voluntarily or perforce have become the neighbors of these aliens, and they have justified my faith. I have not yet heard an ill word spoken of them by those who know them best. Their detractors always live at a distance."

Climate, quality and quantity of food, economic opportunity, a good wage are important environmental influences. But Prof. Steiner's plea is for the strengthening of the one power which he has found most active in shaping and reshaping not only his own life but the lives of others—"the spirit of democracy, which basically is supreme confidence in man."

The generations which are to follow as a result of race mixtures here, Prof. Steiner thinks, "will be an American type in whose shaping environment will play a larger part than inherited race qualities."

"We are told by a certain professor whose genius in generalizing is unquestioned that we shall become a mongrel race and lose all those qualities which have made us virile, intelligent, and resourceful.

"Others tell us that we shall become a superrace, inheriting the virtues of all these people who mingle with us; that we shall surpass every other nation in strength and talents.

"I am frank to say that I do not know what will happen. The effects of intermarriage are imperfectly understood, and we have no reliable data; but I am not a believer in the immutability of race. I stand between Chamberlain's 'Rasse ist Alles' and Finot's 'Rasse ist Nichts'—race is everything, and race is nothing. My own observation has led me to believe that nothing serious happens when a child has in its veins a mixture of Latin and Saxon blood, and that Slavic and Semite mixtures, and others, too, have produced normal children."

It was in the Lower Town Church, in a large city of the Northwest, situated between huge terminal railroad yards, that Dr. Steiner changed the text of his preaching from "People, be good" to "People, be good to one another." There was a cosmopolitan congregation of wage earners, he tells us, Scotch, Scotch-Irish, and real Irish; Germans, English, and French; Swedes and Norwegians, one happy Italian, and a few Americans. The children were mixtures of many races, and they constituted splendid new stock to quicken the life of the Nation:

"In Lower Town I saw the supreme test of the church accomplished. A vital unity was created among people of different races and tongues. They were bound together into a new blood kinship which is wider than tribe or nation or race, and they were a new people, one in Christ Jesus.

"There for the first time I came in touch with the 'Melting Pot.' It was not a chafing dish with an alcohol lamp under it, as many, forming their conception of it from Mr. Zangwill's rather mild drama, imgained it to be; it was a real, seething caldron, with its age-old fires of hate and prejudice threatening to consume its contents. Then came the torrent of love, with its mighty power, putting out the old fire by kindling a new one.

"There in Lower Town my neighbor, an old Jewish rag man, came and asked me to 'commit a matrimony' by marrying his niece to as typical an Irishman as I have ever seen. There, too, I baptized the baby born of that Irish-Jewish parentage.

"The relatives on both sides claimed the privilege of selecting its name, and decided on Patrick and Moses, respectively. A conflict seeming imminent as I stood ready to perform the sacred rite, I interposed, and with one syllable from each name, baptized the child Patmos, which satisfied both factions."

"This boy Patmos," adds Prof. Steiner, "became rather symbolic of all my ministry, for it has been my supreme effort to reconcile old divisions, blot out old hates, and bring into kinship those who have been afar off. It would be too great presumption to believe that I have always succeeded; but to feel that I have tried, that I am still

trying, and have not lost faith, that it shall ultimately be accomplished is something in which to glory."

Mr. WILLIAMS. Mr. President, I rise now not for the purpose of making any extended remarks, nor for the purpose of making any argument upon this subject, but, in the interest of historical accuracy, to correct a mistake made by the Senator from Illinois [Mr. LEWIS].

He referred to Murat as having been "a waiter in a restaurant," who "could not read the tickets which were brought to him with the meal charges." So far from this being the case, Mr. President, Murat had been a student of theology and was educated for the priesthood. Murat was never, so far as I know—though, among his varied experiences that may have been one, however—a waiter in a restaurant at all. He was the son of an innkeeper, and from that fact, perhaps, the Senator from Illinois got his idea.

If the Senator will turn to the Century Cyclopedia of Names, he will find the following (italics mine):

Murat, Joachim. Born at Bastide, Lot, France, March 25, 1771; executed at Pizzo, Calabria, Italy, October 13, 1815. A French marshal, and King of Naples, brother-in-law of Napoleon I; famous as a cavalry commander. He was the son of an innkeeper; *studied theology at Toulouse;* entered the army as a volunteer, and served with distinction in Italy, 1796–97, and in Egypt, 1798–99, becoming a general of division—

And so on.

Mr. LEWIS. Pardon me; my distinguished friend forgets that he was taken up after being a waiter, his education paid for, and given inclination to the clergy. Friends took him and sent him to college; but he was a waiter in his father's place and could not even read.

Mr. WILLIAMS. The Senator from Illinois, in illustration of his point, quoted Murat as the instance of a very distinguished man, who had had a very distinguished career, who could not read.

Mr. LEWIS. He began his life——

Mr. WILLIAMS. Oh, there was a time in his life when he could not read, of course, and a time in mine when I could not read. [Laughter.]

The PRESIDING OFFICER (Mr. SWANSON). The Senate will be in order.

Mr. WILLIAMS. But the Senator referred to him as an instance of a man who had done very distinguished things and achieved very great things, notwithstanding that he could not read; and said that he was "a waiter in a restaurant"—not that he helped to serve guests in his father's inn at times—and that he could not read the meal checks that were brought to him, from which the inference was left upon the minds of the Senate that this great cavalry leader performed all of his great achievements without the advantage of being able to read the general orders of his commander in chief, even.

Now, I will go a little bit further.

Mr. LEWIS. Mr. President, just a moment.

The PRESIDING OFFICER. Does the Senator from Mississippi further yield to the Senator from Illinois?

Mr. WILLIAMS. In one moment I will yield again to the Senator; but I want this to come along regularly.

Mr. LEWIS. Yes; but I must beg the Senator not to——

The PRESIDING OFFICER. The Senator refuses to yield for the present.

Mr. WILLIAMS. Not at this moment. I will yield in a second.

If the Senator will turn again to the Encyclopædia Britannica he will find, under the head "Murat," the following:

Murat, Joachim (1767–1815), King of Naples, younger son of an innkeeper at La Bastide-Fortunière in the Department of Lot, France, was born on the 25th of March, 1767. Destined for the priesthood—

From his very boyhood—

he obtained a bursary at the College of Cahors, proceeding afterwards to the University of Toulouse, where he studied canon law.

That is, ecclesiastical law.

His vocation, however, was certainly not sacerdotal, and after dissipating his money he enlisted in a cavalry regiment. In 1789 he had attained the rank of marechal des logis—

And so forth.

Now, this has nothing to do with the debate, Mr. President. I merely called attention to it because, in the interest of historical accuracy, I knew that the Senator did not want to leave behind him a misapprehension. He did not want to leave behind him the notion that this great cavalry commander did all that he did without being able even to read, and if so, not even the general orders of his commander in chief.

That reminds me that during the debate several little mistakes of that sort were made. The other day a distinguished Senator, in paying a tribute to the German race, mentioned Edison as one of the Germans in the United States. Edison's ancestors came to the United States from Holland, not from Germany; they came here in 1730 and settled in New Jersey in 1730. So he is about as good an American as any of us, because none of us were Americans before we came, of course. [Laughter.] We came from somewhere in order to get here. All the white people did, at any rate. The only real native Americans are the Indians. [Laughter.]

I yield to the Senator.

Mr. LEWIS. Mr. President, no one finds greater consolation than I in the fact that we have in the Senate a gentleman who feels it his privilege to rise and correct what he thinks have been all the errors of all the Senators all the time.

Mr. WILLIAMS. Mr. President, I did not yield to the Senator for the purpose of being insulting. I yielded to the Senator for any question that he might put or any argument that he chose to make. It is absolutely untrue that I have undertaken to correct all the errors of all the Senators at all times, and the Senator knows it. I have corrected one individual error, and a very flagrant one, of this particular Senator.

Mr. LEWIS. Mr. President, the Senator knows that no Senator is further from the suggestion of an insult than I. For myself, if anyone intimated that I had the capacity to correct all the Senators in all the errors that were made, I would regard it as a great tribute, not an insult.

I wish to say, however, that the learned Senator has called attention to the after days of Murat, and he has intimated that I sought to intimate that when that officer was a marechal he could not read his orders. Nothing of the kind was ever intimated. The Senator found that agreeable to suggest, in order to verify positions he had heretofore taken. Nothing of the kind had been intimated. I used the illustration in connection with those whose origin was very humble who rose to very high stations, who had obtained an education with great difficulty, and coupled the matter with similar instances which had been referred to by the Senator from Missouri.

Now, I will say to my able friend that I may not be so skilled in all the details of all history——

Mr. WILLIAMS. Mr. President, I did not yield to the Senator for a speech.

Mr. LEWIS. I would love to make a speech to my able friend if it would be appreciated. I desire to say, if he will pardon me, that I shall place on his desk in a few days, as my colleague, a book I have written on France—not an exceedingly good book, not so learned and capable a book as might be written by many others; but in this book I have devoted a small chapter to this individual, after having given considerable investigation to his character, surroundings, and career. I think the Senator will see from that chapter that the early origin of Murat has been well fortified by footnotes, and that these encyclopedias to which my friend had to take his recourse to find information regarding this distinguished gentleman only referred to the latter days of his life when he reached glory.

Mr. WILLIAMS. Mr. President, I am not referring to the latter days of a man when I quote the authority to the effect that he was "destined for the priesthood," went through a college, and afterwards went through a university. He did that, of course, while he was a boy; not after he became a man.

I do not know what was in the mind of the Senator from Illinois; but I frequently find that there is a disposition to confer all sorts of honor upon ignorance, and that it is very popular to do it. When the Senator made that assertion it did not accord with my recollection of history, and therefore I got these books for the purpose of finding myself wrong or else dissipating that idea as far as I could.

There is generally a disposition, I will not say to make an apotheosis of ignorance—because unfortunately ignorance is not yet dead in this world, and an apotheosis can only come after decease—but to make a eulogy upon it, and to try to prove at all times that many men have been great because they were ignorant. Now, there have been a few men in this world who were great notwithstanding the fact that they were ignorant—some few. It is true that the barons at Runnymede could not sign the Great Charter. It is true that many a king in Europe at that time could not have done it. It is true that for years and years that hardly anybody but the priesthood in all Europe could read, hence the "right of clergy"; but that does not prove anything in modern America or in modern Europe at this time. We are in a different age and must meet a different competition.

There is no excuse for a man with an enterprising mind and with any native intelligence at this hour of the clock in the twentieth century, or at an hour of the clock previous to this in the latter part of the nineteenth century, in either Scandinavia, or Germany, or Holland, or Belgium, or France, or northern Italy, or Scotland, or Ireland, or England, or Wales reaching adult age without being able to read. There is but

one of two reasons in the world to be given for it—either laziness or stupidity.

The school facilities in Germany are better than they are in the United States. The school facilities in Switzerland are better. The school facilities in France, and in Belgium, and in Holland, and England, and Ireland, and Wales are every bit as good; those in Scotland are better. The school facilities in the greater part of Scandinavia, Denmark, Norway, and Sweden are better than they are in the United States. All this talk about their not being able to read and write because they are oppressed is not quite accurate.

There are parts of Europe where people can not read and write because no opportunities have been furnished them, or, rather, because sufficient and abundant opportunities have not been furnished; but that, again, is not the point, Mr. President. We are not excluding the individual because of lack of individual honesty or character. As I said the other day, we are not aiming at a person. We are aiming at a thing, and a dangerous thing—ignorance—a thing dangerous to morals, dangerous to civilization, but above all dangerous to free institutions in a country where every featherless biped who reaches 21 years of age can vote. The father of Democracy himself laid down the principle that the perpetuity of this Republic depended "upon the intelligence of its citizens," and when the Cortez of Spain, the Spanish people having arisen against Napoleon and undertaken still later to establish a Republic, enacted an educational franchise, it was Thomas Jefferson who came out in one of the most eloquent letters ever written welcoming it as a step forward in the march of civilization which hitherto no other people had had the sense to make.

You are not oppressing a man because you are keeping him out of America, keeping him from becoming a member of our family politic. Gentlemen talk as if everybody born on the surface of the earth had a God-given right to come here and pretend to be Americans. I do not believe that even my ancestors had a right to come here and take the land from the Indians without paying for it and without their consent. That is going back to sure-enough native Americans.

Of course the word "Americanism" in a certain sense is a mere comparative term. One man's ancestors coming in 1608 and another's in 1730, as Edison's did, another comes 100 years later, and all that, but all of this is wide of this mark, Mr. President. All of it is wide of the salient point, that if we want to take care of the Republic, if we want American traditions and American ideals and American civilization and American free institutions conserved and perpetuated, then we want the foreigner who comes to our shores to be what? First, able, competent, intellectually "fit" to help mold our institutions, to assimilate our traditions, to further our ideals, to improve our institutions.

That is first, and second what? And upon this I, in my thought, am emphatic. We want a man who, when he took his naturalization oath, did not swear to a lie, who, when he said, as a condition of naturalization, that he cast off all allegiance across the water did not keep concealed a mental reservation to king, kaiser, czar, emperor, what not, who did not come here with the idea that it was permissible after he had settled here to regulate his conduct in America as an American citizen by something going on beyond the water. The minute he does that he confesses he committed perjury when he took out his naturalization papers.

If you are going to have a foreign-born man help to mold American institutions, let it be a man who is competent for American citizenship, and, moreover, let it be a man who is willing to be an American citizen, who down in the bottom of his heart means what he says when he takes his naturalization oath, and who does really mean what that oath means, that the sole loyalty he in his heart holds to any government on the surface of this earth is loyalty to the Government of the United States.

As far as I am concerned, and I rather like plain speaking, I do not want anybody else of any other sort. If he has the slightest mental reservation whereby he proposes to mold or control or influence American institutions or politics, in war or peace, in sympathy with some other country's institutions or national ambitions elsewhere, then, even if he can read and write, I do not want him. If he can not read, I do not want him even then. He could not understand and appreciate what his new allegiance means.

I think after we are through with this immigration legislation we ought to go further in connection with our naturalization laws and make a man when he took his naturalization oath swear if a war took place in Europe somewhere between his old country and some other he would still preserve his allegiance to the American flag and not go across the water in order to serve in the armies of one of the contending parties, and that when it came to a posssible mental reservation retaining allegiance to any other power he ought to be made to assert that, to the best of his ability, he would never permit himself as an American citizen in connection with American domestic or international political questions to be influenced by the interests of the country of his nativity.

You may call that narrow if you want to. It may be. All patriotism is narrow to some extent. There will come a day when patriotism will go out of existence, because every man everywhere in a high state of civilization will be a citizen of the world, and he will not stand upon the idea of putting the interests of his own particular country foremost. But we have not reached that age yet, and as long as we have not reached it we want men who *profess* to be American citizens to *be* Americans. I do not mean by that to be born in America. I do not mean by that to have had a parent born in America; but that they shall love America, that they shall assimilate American traditions, that they shall love American ideals, and that they shall be capable, at any rate, of understanding American institutions.

I go further than that. I can not say with the Senator from Illinois [Mr. LEWIS] that the proposition of not admitting a man to our shores because he has not a certain degree of intelligence carries with it as a corollary the idea of deporting him if he does not. I can not go that far; but I certainly would not arm ignorance, even though already existing in the United States, with a sword which it does not know how to use—the ballot.

The so-called right of suffrage is not a right at all. It is a privilege conferred upon the citizen by society in the interest of society. Little by little it has broadened and grown, covering more and more people, taking in more and more individuals, because little by little competency and fitness and intelligence have broadened and grown. It ought not to broaden and grow one whit more than competence and intelligence do. You can not confer a worse curse upon any community in the world than the much-vaunted American "universal suffrage" if a majority of the people in any section or community armed with the ballot are incapable of exercising the ballot intelligently. You had better have an intelligent king. You had better have anything than that.

But I did not rise to make a speech. I had no idea of doing it. I merely rose to correct some errors, and these errors I rose to correct not because they are important in themselves, but merely because they are indications of the readiness with which the human mind conceives the idea and loves to conceive the idea that the miraculous has happened, that a particular lame man without hands can write with his toes, that a particular man without the capacity of reading still shows great intelligence on some subject.

This tendency is general.

There was another great cavalry leader during our own war. I believe half the people of the United States believe that Bedford Forrest could not read and could not write. He could not write very well, but he read very well, and he was by no means a general all-around ignoramus. He was not a college man, but he had a satisfactory "old field-schoolhouse" training—not a bad one, by the way. The stories that are told about him, with all sorts of nigger language put into his mouth, are not true. I happened to know him myself. Gen. Forrest spoke very good English when he wanted to. People love to believe these things just for the same reason that they love to be told stories about a blind man who can make his way all around, or about a deaf-mute who had been taught to sing or speak. To find a man who can not read in the twentieth century and who is still intelligent and competent for citizenship and competent as a molder of the destinies of the American Republic is just as remarkable as any of these other remarkable things. These things do happen, but they do not happen very often.

Mr. MARTINE of New Jersey. Mr. President, I have spoken twice before to the Senate on this subject, and I should hesitate, I realize, to speak again, but I wish to say we were not all blessed with living in affluence, with a wealthy father, and enabled to have the blessings of the higher education that my distinguished and lovable and genial friend the Senator from Mississippi [Mr. WILLIAMS] had. While he was basking in the universities of Germany some of the rest of us were earning bread and butter. So we are to be pardoned if we do not take exactly the same view he holds.

My friend the Senator just said that he wanted men in this country who were intellectually fit. Great God, our States' prisons are filled with men and women intellectually fit. Every

crook and vagabond could stand your literacy test and your best examination. I do not think that proves anything at all.

I sat here and listened to the eloquent tongue of the junior Senator from Georgia [Mr. HARDWICK]. He talked about the horde as the scum of the earth. We have been receiving immigrants for many years in this country, and we have had so small a percentage of what we could term horde and scum that it is infinitesimal. It comes with ill grace for a Senator in this free, democratic land, that hangs out the latchstring to the downtrodden and oppressed of all the world, to talk about horde and scum. Thank God, my grandfather came from France and my mother, who bore me, came directly from Germany. Mayhap they would not have been able to pass your test, and I defy such an insinuation as contemptible, un-American; yes, worse.

Mr. HARDWICK. Mr. President——

The PRESIDING OFFICER. Does the Senator from New Jersey yield to the Senator from Georgia?

Mr. MARTINE of New Jersey. Certainly. I talk earnestly, but you know I love you all.

Mr. HARDWICK. The Senator, of course, understood that I referred to certain people who deserve that appellation from their sworn evidence. I referred to them generally.

Mr. MARTINE of New Jersey. I accept the Senator's apology.

Mr. HARDWICK. It is no apology at all.

Mr. MARTINE of New Jersey. I know the Senator did not mean to apply it to me at all.

Mr. HARDWICK. Certainly I did not.

Mr. MARTINE of New Jersey. I want to say something about the voting test. The alien has to live here for some time before he can have granted to him the privilege of a vote. So he will have realized and learned something of the blessings that come from this free land and then is better able to exercise the privilege of voting.

But here you would bar a man or woman because of their misfortune that they could not read. As I said a day or two ago, it is unholy in that it does not treat mankind as brother. It is unjust in that you deny mankind equal privileges. I would bar the infirm, I would bar those who are unclean; but with moral minds, clean bodies, I would open the door and let our public-school system assimilate and adjust them.

I heard a list of percentages in the various States given. As I ran down the gamut I found that New Jersey had 26 per cent foreign born, and 14 per cent, I think, of that 26 per cent were illiterate. Yet we are not here asking your favor to put up the bars. New Jersey, glorious and proud in her recent history, proud in her Revolutionary history, and proud in her position to-day, asks no odds or favor of Georgia or of any other Commonwealth.

Mr. HARDWICK. Mr. President——

The PRESIDING OFFICER. Does the Senator from New Jersey yield to the Senator from Georgia?

Mr. MARTINE of New Jersey. Certainly.

Mr. HARDWICK. Does the Senator speak for both Senators from New Jersey?

Mr. MARTINE of New Jersey. I am speaking for myself, and I speak in part for New Jersey. I say that New Jersey has 26 per cent, and yet with this unholy horror in New Jersey we have multiplied in wealth in an appalling degree. It would stagger you Georgians to realize it. In building of public institutions, in mills and workshops, in banks and happy homes and general prosperity we can pass with any Commonwealth in this Union. I have wandered across the plains of Georgia, and I have seen her hills and dales and hollows. That part of the country the God of humanity has blessed beyond parallel. Look at the plains in Georgia, in Mississippi, and in South Carolina, and then look at those in New Jersey and see how richly blessed are the latter. They are what yours might be if the same class of immigrants should settle within your domain as have settled in the Commonwealth of New Jersey. Our dunes, that for years were drifted sand, are occupied by great colonies of Italians and Germans and Jews, who have cultivated the soil until to-day they are dotted with happy homes and are the picture of thrift and of industry.

When the story is told here of Italians coming to this land and earning a few dollars and then departing, I say God speed them. I do not envy, nor does the Senator in his own heart, any poor Italian who has gathered together through dint of perseverance and frugality and honesty a few hundred or mayhap a thousand dollars. I have seen hundreds of them coming to my Commonwealth and to the great city of New York who, through perseverance and accumulation, have gathered together a little fortune, and God knows I do not envy them. I have seen them delve 12 and 15 feet in sewers and in the great subways and in caissons for the foundations of great bridges that span our rivers. I have seen them taking their lives in their hands, working in a stifling atmosphere where it was almost impossible to exist and in conditions too horrifying to contemplate. They have earned a dollar and a half, mayhap, sometimes $1.60 a day. The Senator from Vermont [Mr. DILLINGHAM] told us yesterday that they average a wage of $1.25. I say the man would be un-American and inhuman who would be jealous or envious of these poor fellows who may have carried their little money away that they have gathered together.

This stamp of illiteracy is akin to the old talk of property qualification. They are twin brothers; they go hand in hand. In many States the property qualification formerly existed. I believe it is only very recently that the last one—Rhode Island—abolished the property qualification. Only two or three days ago Louis Windmuller died. Everybody in our part of the country knew of him, and he was known generally throughout the country. He came to this land from Germany. He had but a dollar. It is not said that he was illiterate, but it is probable that he would not have passed the qualifications that are required by the bill. He became the most respected and honored citizen in New York. He gathered together great wealth and died with a fortune of nearly $700,000. He grew to be quite cultured in matters of public debate and questions relating to the general welfare in the civic community. He was an honored citizen and a blessed and a most sterling monument to his race and to his adopted American citizenship.

I say that this qualification and the property qualification are both in keeping, one with the other. They are of the same kind and breed, of the same fold.

The distinguished Senator from Mississippi [Mr. WILLIAMS] found great delight a day or two ago when I was making some remarks on this subject, as to which I feel keenly. He said it was enfantillage—he called it "sentimentalism." Yes, thank God, I am full of sentimentalism; I am full of sentiment. I would not take it out if I could, and I could not if I would. Sentiment to humanity is what the blossom is to the vine. The Senator, too, is brimful of sentiment when it suits his line of argument; but when it does not, he turns his back on it in disgust and would ridicule it. Oh, yes; you can not take it out of me. My sentiment is love of my country. I love its institutions and I will do all I can to advance its welfare.

I want to vote for an immigration bill, but I want an immigration bill that shall have in its requirements cleanly bodies, moral minds, industrious and holy purposes. Beyond that I care not. I will leave the great public school institutions to assimilate those men and to infuse red blood into the veins of many who, God knows, need it.

Mr. REED. Mr. President, I did not hear all of the remarks of the Senator from Mississippi [Mr. WILLIAMS], but I think that one of the corrections that he made in the interest of historical accuracy was aimed at what he thought I had said. I think the Senator from Mississippi understood me to say that Thomas A. Edison was of foreign birth.

Mr. WILLIAMS. No; I understood the Senator to say, at the suggestion of the Senator from New Jersey, that he was a German.

Mr. MARTINE of New Jersey. I beg the Senator's pardon. I said that very many of his associates were Germans.

Mr. WILLIAMS. Oh.

Mr. REED. This is what I said, and the RECORD will show it; the Senator from Mississippi simply did not hear correctly:

> My attention has just been called by the Senator from New Jersey [Mr. MARTINE] to the fact that many of those men who are now rendering great assistance to Thomas A. Edison in his wonderful inventions are Germans, who came here and secured employment with him.

Mr. WILLIAMS. Frankness compels me to say that I did not hear it that way. It is, of course, as the Senator states it. I remember distinctly the Senator from New Jersey said something to him about Edison being a German, or something of that sort, and I shook my head at the Senator from Missouri to keep him from making the mistake; and I understood him to go ahead and make it, anyway. It now seems that what the Senator from Missouri did say was something with which I have no sort of historical quarrel at all. It was the fault of my right ear, Mr. President, which happens to be my wrong ear. [Laughter.]

Mr. REED. Mr. President, I am very much obliged to the Senator for keeping watch and ward, but even in this instance he did not hear correctly. I trust he will continue to supervise my conduct so that I shall be kept free from mistakes in the future.

Mr. WILLIAMS. Mr. President, I can not undertake that charge. The proposed task is too great for me. [Laughter.] That reminds me a good deal, if I were to accept that charge, of

the prayer that Parson Brownlow delivered in Greeneville, Tenn.——

Mr. REED. If I might interrupt the anecdote, if it is a task that the Senator from Mississippi recognizes as beyond his ability, it is the first time I have ever seen him in that situation. I am glad that my ignorance and incapacity are so great that they have arrested the Senator and caused him to conclude there is something he can not quite correct.

Mr. WILLIAMS. Mr. President, you and the Senate may think that the Senator from Missouri intended that last remark seriously on its own account, but the Senator did not. He merely intended to keep me from telling the anecdote which I was about to tell; that was all. [Laughter.] The Senator is one of the most malicious men, when he does become malicious, that I have ever known; and the most malicious thing in the world that a man can do is to interrupt another man just in the initial proceeding of telling an anecdote.

I was about to say that if I undertook to correct all the errors made by the Senator from Missouri, especially his political errors during some recent times, I might have before me a task similar to that suggested by this story, which Senators may apply for themselves.

It is said that Parson Brownlow, being entertained at one time at the house of old Dr. Sandy Williams, in the neighborhood of Greeneville, Tenn., and being a man "powerful in prayer," was called upon by Dr. Sandy late at night to lead in prayer before the gentlemen took their last nightcap and went to sleep, and Parson Brownlow arose and prayed. He prayed for men of all sorts and conditions; he prayed for the ignorant and the learned; for the wise and the unwise; for the rich and the poor; for the white and the black; and Parson Brownlow, being an old-line Whig, Dr. Sandy Williams being one, and a very distinguished but recently defeated Whig candidate for governor, Meredith P. Gentry, being present, and having recently been defeated by Andrew Johnson for that great office in the State of Tennessee, and having after that time suffered the death of his wife, and in consequence both of his defeat and the death of his wife having gone into a sort of a decline, and the party having been given for the purpose of making him forget his woes, this distinguished man was there, too, and was kneeling by the sofa. As Parson Brownlow's prayer became more and more affecting and more and more pathetic there could be heard audible sobs coming from the sofa, until finally Brownlow, thinking he would go even further, said: "And I pray Thee, O Lord, if in Thy infinite wisdom it be possible, for mercy, too, upon John M. Savage"—who was at that time the chairman of the Democratic executive committee of the State of Tennessee—"and upon Andrew Johnson—even upon them." About that time this distinguished statesman who had been very much affected, even to tears, rose and said: "Parson, stop right there. Do not ask too much. You will exhaust the fount of infinite mercy." [Laughter.]

Mr. THORNTON. Mr. President, I understand that the pending question is the amendment of the Senator from Colorado [Mr. THOMAS], as modified by the amendment of the Senator from Missouri [Mr. STONE]. I should like to ask the Chair if that is the parliamentary situation?

The PRESIDING OFFICER. The Chair will state that the statement made by the Senator from Louisiana is correct.

Mr. THORNTON. Mr. President, while I favor the literacy provision of the immigration bill for reasons which I may very briefly state at a future stage of the discussion on the bill, I also favor the amendment now pending because of my unwillingness to debar from this country any who seek it as an asylum from either religious or political persecution. I have some misgivings that the privilege thus given, if it is given, may to some extent be abused; but I would rather that some did abuse it than to debar all.

I understand that this amendment is principally intended for the benefit of the Jews who live in certain countries in Europe, and I shall vote for the amendment with that understanding. I do not see any reason for the insertion of the word "racial" in the amendment, believing that the words "religious or political persecution" are sufficiently comprehensive to fully cover the case, yet I see no particular objection to the insertion of the word "racial."

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Colorado as modified.

Mr. SMITH of South Carolina. Mr. President, I want it distinctly understood in voting on this proposed amendment that the very object of the literacy test will be nullified if the amendment is adopted. At another time I have explained fully why the committee saw fit to repeat what previous committees have done by inserting the word "solely" before the words "religious persecution," and I hope it will be thoroughly understood that to introduce the words "political and racial" will practically nullify the object sought to be attained. In my judgment, to strike out the word "solely" and insert the words "political and racial" will be equivalent to inviting the whole world in, and will nullify the literacy test. With that explanation, I am ready to go to a vote on the amendment.

Mr. CULBERSON. Question!

Mr. REED. Mr. President I ask that the amendment as modified be stated.

The PRESIDING OFFICER. The Secretary will state the amendment as modified.

The SECRETARY. In section 3, page 9, beginning in line 6, it is proposed to strike out:

That the following classes of persons shall be exempt from the operation of the illiteracy test, to wit: All aliens who shall prove to the satisfaction of the proper immigration officer or to the Secretary of Labor that they emigrated from the country of which they were last permanent residents solely for the purpose of escaping from religious persecution.

And in lieu thereof to insert:

That the following classes of persons, when otherwise qualified for admission under the laws of the United States, shall be exempt from the operation of the illiteracy test, to wit: All aliens who shall prove to the satisfaction of the proper immigration officer or to the Secretary of Labor that they are seeking admission to the United States to avoid religious, political, or racial persecution, whether such persecution be evidenced by overt acts or by discriminatory laws or regulations.

Mr. CLAPP. Mr. President, before the vote is taken I wish to say just a word or two. In the first place, the matter to which I shall direct the attention of the Senate may be considered somewhat technical, although I think it should be corrected. The amendment as it reads now provides that the immigrants shall prove that they are seeking admission to the United States to avoid religious persecution, and so forth. That is going to force the immigrant into statements ofttimes that may not be strictly correct. He is coming from the country of which he was last a resident because of religious or political persecution. He could go to Canada, to England, to France, to Germany, or to other countries so far as escaping persecution is concerned. He leaves to escape that, and comes here, of course, because of all the asylums to which he may flee he prefers this country. It seems to me that that language should be corrected.

While I am on my feet I want to say a word in regard to this amendment. I shall not take the time of the Senate to discuss the question of literacy as a test for admission to this country. It is a test according to the conditions under which a man has grown up. It may well be said that a man who grows to manhood in this country, with all the opportunities for education it affords, and is illiterate, lacks that spirit, that sentiment, and that temperament that will bring him best in harmony with the spirit of our institutions; but to say of the man who has had no opportunity to acquire an education that the lack of that education is evidence of his wanting in those things which would bring him in harmony with the spirit of our institutions is not accurate or fair.

I am not going to say anything concerning those immigrants who have come to this country. We have grown great under the system that we have pursued. Nor am I going to take the time of the Senate to discuss the people to whom this particular amendment is held out as a hope. Their history spells tragedy. More than that, we should remember that, either under a Divine purpose or under laws established, while their history spells tragedy to themselves it has spelled tragedy to their oppressors, because they have lived to see the downfall and the passing away of almost every race which ever oppressed them.

They come to this country and they make good citizens. They seldom appear at the almshouse and seldom appear in a court of justice in response to a criminal prosecution. They come from countries where they have not had an opportunity to secure an education. Now it is urged that we must change our policy and no longer admit that our country shall be an asylum; that we shall regulate our immigration laws without any regard to the principle of asylum; but, Mr. President, this bill in the very form it passed the House and in the form in which it is reported to the Senate by the committee concedes the principle of asylum on our shores to the oppressed. If this exception to the literacy clause means anything, if it is any more than an empty hope held out to oppressed people, it means that in their case, where they do flee from oppression, we recognize the asylum principle regardless of the literacy test. So we have the verdict of the House and we have the verdict of the Senate committee that we should recognize the principle of asylum within certain degrees.

The Senator from Mississippi, who has spoken so strongly against the thought of asylum, has offered an amendment here that carries the spirit of asylum in its very terms, because he proposes to make an exception to this rule further to those people who, because of the military occupation of their country by a foreign power, no longer live under the Government under which they formerly lived. Without regard to literacy they are to be admitted here. There is the admission that we still retain, and that, born of an instinct of justice and humanity, we ought to retain, the spirit and sentiment of asylum in our immigration laws.

I am in favor of the amendment, because ever since it has been my privilege to sit in this Chamber I have believed in one thing, and have been consistent in my belief and in my practice. I believe that when we pass legislation we should make legislation plain, so that it can be understood, so that it can be interpreted, and so that there will be the least possible difference of opinion as to its meaning and its interpretation. If it is the sentiment of the House, if it is the sentiment of the Senate committee, that we should recognize the principle of asylum in our immigration laws to the extent of admitting those who flee from religious persecution, we should recognize that in the policy of foreign Governments it is almost impossible to distinguish between that which comes from religious or political or racial persecution. We can not say of the unfortunate Jews in foreign countries whether it is religious, whether it is political, or whether it is racial; but we pretend here to hold out to these oppressed people the hope that in their oppression is to be found an exception to our literacy test and a recognition that somewhere, under certain limitations, we recognize the principle of asylum in our immigration laws.

That being true, Mr. President, we should hold out to them no false hopes. We should pass no law here that will simply lead to confusion in interpretation and in distinguishing what is meant and intended by the law. Then let us be plain and fair. Let us act aboveboard in this matter. We have back of us at this moment the action of the House and the Senate committee in recognizing that we should somewhere permit the asylum principle in our immigration laws. It is plain from the language of the bill that this hope is held out to a particular race. Then let us make it plain. Let us be fair and candid, and leave no ground for discussion or difference of opinion as to what the provision means. Recognizing that the oppression of the Jewish people in these foreign countries is born of an intermingling of religious, racial, and political motives and purposes, let us include all three in the exception in order that we may not hold out to them simply an empty hope.

Mr. WORKS. Mr. President——

The PRESIDING OFFICER. Does the Senator from Minnesota yield to the Senator from California?

Mr. CLAPP. With pleasure.

Mr. WORKS. I suggest to the Senator from Minnesota that the difficulty about this amendment is that it is not dependent upon the fact that these people are persecuted, but upon a mere statement made by them to that effect; and it will be a very easy matter for these illiterate people from all sections of the world to come in upon a mere statement of that kind when it is perfectly well known that there is no such persecution in the country from which they come. I think it should depend upon the existence of the fact that the Senator is talking about and not upon a mere statement by the party who is seeking to come in.

Mr. CLAPP. Why, Mr. President, that goes to the mechanism of this bill. The bill provides that they shall prove, to the satisfaction of the proper immigration officers, the existence of these facts. If the bill does not make abundant provision for that proof, that is another question and a separate question for discussion and dealing. That goes, as I say, to the mechanism. I am discussing now the exception itself. As these three conditions—religious, political, and racial—are so interwoven, I believe we should make this language plain and put it beyond controversy, and include the three terms in the exception, so that when the Jew fleeing from oppression abroad comes to these shores he will not be confronted with any effort at technical distinction between religious, racial, and political oppression.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Colorado.

Mr. SMITH of South Carolina. I suggest the absence of a quorum.

The PRESIDING OFFICER. The Senator from South Carolina suggests the absence of a quorum. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst	Gronna	Overman	Smoot
Brady	Hardwick	Page	Swanson
Burton	Hughes	Reed	Thomas
Clapp	Kern	Sheppard	Thornton
Culberson	Lee, Md.	Simmons	White
Cummins	Lewis	Smith, Ariz.	Williams
Gallinger	Lodge	Smith, Ga.	Works
Gore	Martine, N. J.	Smith, S. C.	

Mr. THORNTON. I have been requested to announce the necessary absence of the junior Senator from New York [Mr. O'GORMAN].

Mr. MARTINE of New Jersey. I have been requested to announce that the senior Senator from West Virginia [Mr. CHILTON] is absent on public business, and that he is paired with the junior Senator from New Mexico [Mr. FALL].

Mr. BRADY. I desire to state that the junior Senator from Mississippi [Mr. VARDAMAN] is absent on official duty.

The PRESIDING OFFICER. Thirty-one Senators have answered to their names. A quorum is not present. The Secretary will call the names of absentees.

The Secretary proceeded to call the names of absent Senators.

RECESS.

Mr. KERN. Mr. President, I ask unanimous consent that the Senate take a recess until to-morrow morning at 11 o'clock.

The PRESIDING OFFICER. The Senator from Indiana asks unanimous consent that the Senate take a recess until 11 o'clock to-morrow. Is there objection? The Chair hears none, and it is so ordered.

Thereupon (at 4 o'clock and 48 minutes p. m., Wednesday, December 30, 1914) the Senate took a recess until to-morrow, Thursday, December 31, 1914, at 11 o'clock a. m.

HOUSE OF REPRESENTATIVES.

WEDNESDAY, *December 30, 1914.*

The House met at 12 o'clock noon.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

We lift up our hearts in gratitude to Thee, Almighty God, our heavenly Father, for our Republic and all its sacred institutions, for its national integrity and unity, and we most fervently pray for all who are called to minister to its genius that they may be inspired by the highest, purest, and most patriotic motives, that it may continue to grow in its intellectual, moral, and spiritual life to the honor and glory of Thy holy name. Amen.

The Journal of the proceedings of yesterday was read and approved.

CHANGE OF REFERENCE.

Mr. ALEXANDER. Mr. Speaker, I ask unanimous consent to have the Committee on Interstate and Foreign Commerce discharged from the consideration of the following bills, and that they be referred to the Committee on the Merchant Marine and Fisheries. My opinion is that they should go to the Committee on the Merchant Marine and Fisheries:

Bill S. 6782, to provide for the appointment of certain assistant inspectors, Steamboat-Inspection Service, at ports where they are actually performing duty, but to which they are at present detailed, in my opinion, belongs to the Committee on the Merchant Marine and Fisheries, as it relates to the navigation laws, and all bills of that character, since I have been a member of the committee, have been referred to the Committee on the Merchant Marine and Fisheries.

S. 6781, to provide for the appointment of 11 supervising inspectors, Steamboat-Inspection Service, in lieu of 10, is an amendment to the Steamboat-Inspection Service law.

H. R. 20281, to provide for the appointment of certain assistant inspectors, Steamboat-Inspection Service, at ports where they are actually performing duty, but to which they are at present detailed. That is a companion bill to the bill S. 6782.

Also the bill H. R. 20282, to provide for the appointment of 11 supervising inspectors, Steamboat-Inspection Service, in lieu of 10.

I ask, Mr. Speaker, unanimous consent that these bills be referred to the Committee on the Merchant Marine and Fisheries.

The SPEAKER. The gentleman from Missouri asks unanimous consent that the Committee on Interstate and Foreign Commerce be discharged and that these bills be referred to the Committee on the Merchant Marine and Fisheries. Is there objection?

Mr. ADAMSON. Reserving the right to object, Mr. Speaker, I do not wish to be greedy and ask jurisdiction which does not belong to us, and neither do I wish to see any further progress made in this gradual diminution of the jurisdiction of the Committee on Interstate and Foreign Commerce. If I am wrong in insisting that the Steamboat-Inspection Service bills have always been under the jurisdiction of the Interstate and Foreign Commerce Committee, I will ask the gentleman from Illinois, the former chairman of the committee, if that is not the fact of the case?

Mr. MANN. Well, Mr. Speaker, nearly all of these bills relating to the Steamboat-Inspection Service and the dimensions of vessels used to go to the Committee on Interstate and Foreign Commerce. Many of them have recently been referred to the Committee on the Merchant Marine and Fisheries, which I think now it is understood has jurisdiction. As to these particular bills, I do not know.

Mr. ALEXANDER. Prior to the establishment of the Committee on the Merchant Marine and Fisheries all bills on this subject were considered by the Committee on Interstate and Foreign Commerce.

Mr. MANN. Yes; but long after the Committee on the Merchant Marine and Fisheries was created bills requiring certain dimensions in vessels and bills for steamboat inspection were referred to the Committee on Interstate and Foreign Commerce, at the time when Gen. Grosvenor was chairman of the Committee on the Merchant Marine and Fisheries. Some were designedly afterwards sent to the Committee on the Merchant Marine and Fisheries because the Committee on Interstate and Foreign Commerce did not desire to retain jurisdiction of those matters.

Mr. ADAMSON. Mr. Speaker, so far as I am individually concerned, I think the line of demarcation between the jurisdiction of committees has been left rather shadowy on purpose, so that the Speaker might give such direction as to equalize the work. I realize that the Committee on Interstate and Foreign Commerce has a great deal to do and that some other committees have less to do, and individually I have no objection to their taking some of the work, and yet I do not wish to advocate a diminution of the importance and dignity of that committee. I am not going to ask that it be given to the Committee on the Merchant Marine and Fisheries, because I do not want to get rid of the work, but I am not going to object to the change, in view of what the gentleman from Illinois has just said.

The SPEAKER. The Chair will say that there are three committees in this House that it would puzzle King Solomon himself, if he should return, to say to which committee sometimes a bill ought to be sent—the Judiciary Committee with reference to antitrust bills, the Committee on Interstate and Foreign Commerce, and the Committee on the Merchant Marine and Fisheries. The fact is they interfere with each other sometimes in the lines of jurisdiction. If the Chair has ever discriminated in favor of the Committee on the Merchant Marine and Fisheries on some shadowy question as against the Committee on Interstate and Foreign Commerce, it was simply because the Committee on Interstate and Foreign Commerce has more work to do than any other committee in this House, and does it.

Mr. ADAMSON. That is the way I understand it; and I wish to state for the benefit of the chairman of the Committee on the Merchant Marine and Fisheries, Mr. ALEXANDER, for whom I have the highest appreciation, that I do not think we have shed as much business that rightfully belongs to us to that committee as we have to some other committees.

Mr. ALEXANDER. Mr. Speaker, I wish to say that this is not a conflict between the chairman of the Committee on Interstate and Foreign Commerce and myself as to jurisdiction. The Senate bills were referred to the Committee on Commerce in the Senate, which has jurisdiction of the same subject matter as has the Committee on the Merchant Marine and Fisheries, and since I have been a member of the committee they have gone to the Committee on the Merchant Marine and Fisheries.

The SPEAKER. There is no conflict between the chairmen of these two committees. There is a conflict in the principle upon which these bills are referred. Without objection, the change of reference will be made.

There was no objection.

AGRICULTURAL APPROPRIATION BILL.

By direction of the Committee on Agriculture, Mr. LEVER reported the bill (H. R. 20415) making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1916, which was read a first and second time and, with the accompanying report (No. 1255), referred to the Committee of the Whole House on the state of the Union and ordered printed.

Mr. MANN. Mr. Speaker, I reserve all points of order on the bill.

The SPEAKER. The gentleman from Illinois reserves all points of order on the bill.

QUESTION OF PERSONAL PRIVILEGE.

Mr. TAGGART rose.

The SPEAKER. For what purpose does the gentleman from Kansas rise?

Mr. TAGGART. Mr. Speaker, I rise to a question of personal privilege.

The SPEAKER. The gentleman will state it.

Mr. TAGGART. Mr. Speaker, I rise in reply to an attack that has been made upon me in a publication known as Harper's Weekly, a copy of which I send to the Clerk's desk and ask that the article referred to be read.

The SPEAKER. The Clerk will read.

The Clerk read as follows:

[From Harper's Weekly for December 26, 1914.]

POLITICS AND JUSTICE.

Kansas is always interesting. It is so lively, individual, and American. Now, be it understood that the editor of the Fort Scott Tribune, George W. Marble by name, is a credit to journalism. He is straight, conscientious, brave. Incidentally he was effective for Mr. Wilson at a time when friends were needed. He was one of the original Wilson men.

JOSEPH TAGGART, Member of Congress, is a Democrat from the second Kansas district. A few months ago Marble printed the charge that TAGGART, who rather makes us tired, was selling post offices on a commission basis in his district. During the recent campaign post-office inspectors were sent out to investigate the charges. TAGGART was whitewashed. As to that side of it we say nothing. The evidence is not before us, and our opinion is therefore only a surmise based on the characters of the men involved. But the inspectors did more. They attacked Marble's character, blackmail is being charged in print against him, and the report is presumably on file in the Post Office Department. If so, it should be expunged. It is displeasing to see the reputation of an honest editor smirched for the convenience of a far-from-desirable Congressman.

Mr. TAGGART. Mr. Speaker, the writer of this article is evidently suffering prematurely from a spring condition. He could be readily relieved with rhubarb and sassafras tea. If his mind is in the condition where it acts without evidence and he arrives at conclusions without being able to give any reason why, he is singularly fortunate that he has never lived in the State of Kansas. If a man were in that condition in the State of Kansas, with his mind reaching conclusions without any kind of evidence before him, he would be promptly put under guardianship in that distinctly American State, and possibly placed in one of the two very excellent institutions provided there for the treatment of that kind of malady. It is also fortunate for him that he never let his erring footsteps stray as far as the great State of Texas, the home of the Postmaster General. If he should find himself there, he would at once come to the conclusion that he would better be circumspect before he became sarcastic. If he had gone down to the State of Virginia, the birthplace of our great President and of six other great Presidents, and had made a practice of attacking public men without any evidence before him, I think I can safely say that he would not keep at it long until his career would terminate in a very interesting coroner's inquest.

As far as the Kansas editor is concerned, there is only a word to say about him. The article says that he was an original Wilson man. I believe I heard it said that his puny efforts were put forth in behalf of the distinguished governor of New Jersey. The result of his efforts was that a unanimous delegation for the distinguished Speaker of this House was sent to the State convention from his county with instructions to continue to vote for the Speaker until the State convention agreed to send delegates to Baltimore in his behalf. This is what he did for Mr. Wilson "at a time when friends were needed." It is unnecessary to mention him any further than to say that I do not think he is now in a position to attack anybody. He used to be a clever and effective liar before he lost what little reputation for truth and veracity he deceived the people into thinking he had; but now I do not believe that, outside of fly time, when he could cooperate with millions of others, he could cause annoyance to any public man.

This article has the merit of being one of the queerest screeds ever published in a well-known magazine. The man who wrote it did not even know how to spell my obscure and undistinguished name. The man who wrote it did not even give correctly the name of the obscure paper published 1,500 miles away from his office. I never had what certainly might have been the pleasure of meeting the editor of this magazine. I know that he never did me the honor of even looking at me;

and yet he has decided a controversy between me and another man, both of whom live 1,500 miles away from New York. The Post Office Department decided the matter with the evidence before it; the New York editor decided it without the evidence before him.

Let me trespass on your patience long enough to say that I led the ticket in the second district of Kansas—the State and National ticket both—by some thousands of votes; and if I, whom he says is far from desirable, am the favorite in the most prosperous district in the United States, what is wrong with the excellent gentlemen who were on the same ticket with me?

I also had the happiness of leading the ticket in 1912 by some 4,000 votes, and I say this in defense of those excellent people who were presented on the State and National tickets in that district. This New York editor is not decent enough to allow a constituency of 100,000 men and women voters to decide whether I am desirable or undesirable. He has decided the question in New York City.

This is the Christmas number of the magazine, and I want to call the attention of the House to the leading caricature that is in the middle of it—an insult to the 30,000,000 of people of German blood in the United States, the brave people who live in nearly every State in this Union, who control every doubtful State in national elections, and who own more than half of the property in the Northern States. And yet the Christmas greeting to them is a caricature of a German soldier breaking in the door of a humble cottage with the butt of his rifle with intent to commit murder. And this is labeled with an ancient and holy name, "Kris Kringle," a little German child's way of saying in German the name of the Christ child. I want the people of that heroic blood who may take the trouble to read my remarks to go to the public library in whatever town they reside and call for this magazine and look at the blasphemous and horrible Chrismas greeting that it has offered to one-third of the American people. I want to say that if there was a crayon artist among the Members of this House, and he would bring in materials here and proceed to caricature any brave people or any soldier who is fighting for his country in the snows of Europe at this time, and hold him and his people, and the tenderest sentiments of their hearts, up to ridicule and contempt, I would vote to expel him from this House of Representatives. This is a neutral Nation, and this is a neutral House of Representatives. We in the House are requested by the highest authority to keep our mouths shut about this war, and yet the editor of one of these publications can insult the most industrious and prosperous part of our people, and not only insult them, but convince them that he and hundreds of others, on account of their manifest partiality in favor of one empire as against another, are in the pay of one of the belligerents. I hope this partiality will not continue until we wake up some morning and find this Nation aflame with anger.

Mr. Speaker, I have little more to say. I shall conclude by saying this much, that this Harper's Weekly and other advertising agencies like it are delivered to the American people as second-class mail matter at a loss to the Government of $40,000,000 and more annually, and that it is violating the spirit of American neutrality at the public expense. It would be better for any public man to have a typical case of smallpox as an inducement to popularity than the support of any such publication as this. [Applause.]

POST OFFICE APPROPRIATION BILL.

Mr. MOON. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 19906, the Post Office appropriation bill.

Mr. SMITH of Minnesota. Mr. Speaker——

The SPEAKER. For what purpose does the gentleman from Minnesota rise?

Mr. SMITH of Minnesota. Mr. Speaker, I make the point of order that there is no quorum present.

The SPEAKER. The gentleman from Minnesota makes the point of order that there is no quorum present. The Chair will count. [After counting.] One hundred and eleven Members are present; not a quorum.

Mr. MOON. Mr. Speaker, I move a call of the House.

The motion was agreed to.

The SPEAKER. The Doorkeeper will lock the doors, the Sergeant at Arms will notify absentees, and the Clerk will call the roll.

The Clerk called the roll, and the following Members failed to answer to their names:

Aiken	Ansberry	Bailey	Bartlett
Ainey	Anthony	Baltz	Barton
Allen	Austin	Barchfeld	Beall, Tex.
Anderson	Avis	Barnhart	Borchers
Britten	Fairchild	Kelly, Pa.	Phelan
Brockson	Faison	Kennedy, Conn.	Platt
Brodbeck	Falconer	Kennedy, Iowa	Porter
Brown, W. Va.	Farr	Kinkead, N. J.	Powers
Bruckner	Fess	Kitchin	Price
Brumbaugh	Fields	Knowland, J. R.	Ragsdale
Bryan	Finley	Kreider	Reed
Buchanan, Ill.	Floyd, Ark.	Langham	Riordan
Burke, Pa.	Fordney.	Langley	Roberts, Mass.
Burke, Wis.	French	Lazaro	Roberts, Nev.
Burnett	Gallagher	Lee, Ga.	Rupley
Butler	Gallivan	Lee, Pa.	Sabath
Calder	Gard	L'Engle	Saunders
Callaway	Gardner	Levy	Scully
Cantor	Garrett, Tenn.	Lewis, Pa.	Seldomridge
Carew	George	Lieb	Sells
Carr	Gerry	Lindquist	Sherley
Cary	Gillett	Lobeck	Sherwood
Chandler, N. Y.	Godwin, N. C.	Loft	Shreve
Clancy	Goeke	Logue	Sims
Clark, Fla.	Goldfogle	McAndrews	Sinnott
Claypool	Good	McClellan	Sisson
Cline	Gordon	McGuire, Okla.	Slayden
Connolly, Iowa	Gorman	McKenzie	Smith, J. M. C.
Conry	Graham, Ill.	Mahan	Sparkman
Copley	Greene, Mass.	Maher	Stafford
Crosser	Gregg	Mapes	Stanley
Curry	Griffin	Martin	Stephens, Miss.
Dale	Guernsey	Morin	Stevens, Minn.
Davenport	Hamill	Moss, W. Va.	Stringer
Davis	Hamilton, N. Y.	Mott	Sutherland
Decker	Hamlin	Mulkey	Talbott, Md.
Deitrick	Hammond	Murdock	Talcott, N. Y.
Dershem	Harrison	Neeley, Kans.	Taylor, N. Y.
Difenderfer	Hart	Neely, W. Va.	Ten Eyck
Dixon	Haugen	Nolan, J. I.	Townsend
Donohoe	Heflin	Norton	Underhill
Dooling	Helvering	O'Brien	Vare
Doughton	Hill	Oglesby	Walker
Driscoll	Hinebaugh	O'Hair	Wallin
Dunn	Hobson	O'Shaunessy	Walsh
Eagan	Houston	Paige, Mass.	Walters
Eagle	Howell	Palmer	Webb
Edmonds	Hughes, Ga.	Parker, N. Y.	White
Edwards	Hughes, W. Va.	Patten, N. Y.	Willis
Elder	Hulings	Patton, Pa.	Wilson, Fla.
Esch	Jones	Peters	Wilson, N. Y.
Estopinal	Keister	Peterson	Woodruff

The SPEAKER. On this roll call 221 Members, a quorum, answered to their names.

Mr. UNDERWOOD. Mr. Speaker, I move to dispense with further proceedings under the call.

The motion was agreed to.

The SPEAKER. The Doorkeeper will unlock the doors.

LEAVE OF ABSENCE.

By unanimous consent, Mr. ROBERTS of Nevada was granted leave of absence, indefinitely, on account of dangerous illness of his father.

POST OFFICE APPROPRIATION BILL.

The SPEAKER. The gentleman from Tennessee [Mr. MOON] moves that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 19906, the Post Office appropriation bill.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 19906, with Mr. FERRIS in the chair.

The CHAIRMAN. The House is in the Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 19906, the title of which the Clerk will report.

The Clerk read as follows:

A bill (H. R. 19906) making appropriations for the service of the Post Office Department for the fiscal year ending June 30, 1916, and for other purposes.

The CHAIRMAN. If the committee will indulge the Chair for a moment. On yesterday the gentleman from Iowa [Mr. TOWNER] offered, on page 10, line 4, the following amendment:

Provided, That in the appointment of superintendents of finance, superintendents of mails, superintendents of delivery, auditors, cashiers, or their assistants, such appointments shall be made, so far as may be, from assistant postmasters now serving, and in the offices where now serving, when otherwise qualified.

A point of order was made against the amendment by the gentleman from Tennessee [Mr. MOON]. The Chair sustained the point of order against that amendment. A moment later a parliamentary inquiry was submitted by the gentleman from Minnesota [Mr. STEENERSON] to know if the Chair was going to hold that all amendments to these specific items of legislation contained in the special rule would be held out of order. Of course that question was not at that time squarely before the Chair for decision, but the Chair, attempting to answer the gentleman in order to expedite things as he then thought, in substance said that it was the Chair's opinion that the special rule should be strictly construed and that the rule did not go further than it on its face purported to go, and the Chair thought at that time he was applying the correct course of rea-

soning to the case. He thinks at this time he applied the correct course of reasoning, but upon consulting some of the parliamentarians of the House who know more about parliamentary law than the Chair does, the Chair in that instance was in error and he would like to have the RECORD show a correction to that extent. The Chair does not desire to make a change of ruling in reference to the point of order made by the gentleman from Tennessee [Mr. MOON] to the amendment of the gentleman from Iowa, but he does desire to add to the ruling then made that he thinks the amendment offered by the gentleman from Iowa [Mr. TOWNER] is not germane to the proposition, inasmuch as the Chair thinks it purports to create a kind of an eligible list by a limitation in the method of making these appointments which is not prescribed either by the special rule or would be in order under the general rules of the House; and that will be the ruling of the Chair this morning.

Mr. STEENERSON. The Chair yesterday ruled that it was out of order because it was new legislation, but now the Chair retracts that part, placing it on the ground that it is not germane.

The CHAIRMAN. The Chair has just stated what the ruling was. Unless there is some motion pending the Clerk will read.

The Clerk read as follows:

Stenographers, clerks in charge, and clerks, 18,500, at not exceeding $1,200 each.

Mr. STEENERSON. Mr. Chairman, a point of order. There was an appeal from the decision of the Chair pending.

The CHAIRMAN. There was. Does the gentleman care to have the appeal put at this time?

Mr. STEENERSON. I presume that is the order of business.

The CHAIRMAN. The gentleman is recognized to move to appeal from the decision of the Chair if it is desired.

Mr. MANN. The appeal is already pending and must be disposed of.

The CHAIRMAN. I thought it fair to the Chair if the gentleman wants to move the appeal in face of the amended ruling.

Mr. STEENERSON. I desire to say, in face of the amended ruling, that I think it is a serious question as to whether the Chair is correct, but it has considerably improved the situation so far as the Chair is concerned. A precedent cited in the Book of Rules, volume 4 of Hinds' Precedents, paragraph 3823, page 553, seems to be almost parallel to the case of the gentleman from Iowa. There the appropriation bill provided for a reorganization of the employees of the Library of Congress, and the gentleman from Massachusetts [Mr. GILLETT] offered as an amendment to that reorganization provision the following:

All the above appointments, except the Librarian and two assistants, are to be made from lists of eligibles to be submitted by the Civil Service Commission, under their rules, who are hereby empowered to hold examinations for all of the above positions.

Mr. William A. Stone, of Pennsylvania, made the point of order that the amendment changed existing law.

After debate, the Chairman ruled:

This bill when reported to the House contained, in the paragraph relating to the Library of Congress, that which is manifestly on its face new legislation. This would have been subject to a point of order under the provisions of Rule XXI, section 2. No such point of order was made, and the bill therefore was sent by the House to the Committee of the Whole for consideration just as it was reported and in its entirety. Under these circumstances, as has been heretofore several times ruled, no point of order could be made in the committee against the paragraph on the ground that it contained new legislation. The committee, in other words, could not refuse to consider what the House had sent to it for consideration. But the right of consideration involves also the right of amendment; that is to say, the committee has the right to perfect as it may see fit the matter submitted to it. For these reasons the point of order is overruled.

The amendment of the gentleman from Iowa [Mr. TOWNER], which is as follows—

Page 10, line 4, insert the following:

"*Provided*, That in the appointment of superintendents of finance, superintendents of mails, superintendents of delivery, auditors, cashiers, or their assistants, such appointments shall be made, so far as may be, from assistant postmasters now serving, and in the offices where now serving, when otherwise qualified"—

is analogous to the amendment referred to at that time, offered by the gentleman from Massachusetts, when it was held in order, and I believe that the ruling of the Chair as amended is not justified by the facts. I am not particular about this, but it seems to me that the committee ought to have a chance to go on record as to whether or not they want these assistant postmasters to have the preference in the filling of these new places created by these various paragraphs to which the amendment of the gentleman from Iowa applies, and for that reason I think we ought to have a vote.

The CHAIRMAN. The gentleman from Minnesota [Mr. STEENERSON] appeals from the decision of the Chair. The question is, Shall the decision of the Chair stand as the decision of the committee?

Mr. CULLOP. Mr. Chairman, I make the point of order that the appeal comes too late. The Clerk had begun to read the next section, and had read a portion of the bill when the appeal was taken from the decision of the Chair.

The CHAIRMAN. The Chair thinks we should not adopt that course. The appeal was taken last night.

Mr. MANN. The appeal was taken last night in the absence of my friend from Indiana [Mr. CULLOP].

Mr. CULLOP. The gentleman from Indiana was here last night, and is well aware of what took place then. He was then, as usual, present, attending to his duties.

The CHAIRMAN. The Chair has no disposition to take advantage of a technicality. The gentleman from Minnesota [Mr. STEENERSON] appeals from the decision of the Chair, and the question is, Shall the decision of the Chair stand as the judgment of the committee?

The question was taken, and the decision of the Chair was sustained.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

At each post office where the receipts are $40,000 but less than $60,000: Superintendent of finance, $1,300; superintendent of mails, $1,300.

Mr. WINGO. Mr. Chairman, I move to strike out the last word. Shall we treat these as one paragraph, or wait until the Clerk is through reading and take up each as a separate paragraph?

The CHAIRMAN. The Chair held yesterday that each one was a separate paragraph, and each one could have an amendment offered to it.

Mr. WINGO. Mr. Chairman, I move to strike out the last word. What is the salary of the superintendent of finance and the superintendent of mail under the present law where the receipts are $40,000 but less than $60,000?

Mr. MADDEN. Thirteen hundred dollars.

Mr. WINGO. There is no change, then?

Mr. MADDEN. No.

Mr. WINGO. I will say to the chairman of the committee that the gentleman from Illinois [Mr. MADDEN] advises there is no change.

Mr. MADDEN. No change.

Mr. WINGO. Is that true with reference to all of these?

Mr. MADDEN. Practically true.

Mr. WINGO. Is there any change in the next paragraph, "Offices of $60,000 but less than $100,000 and $100,000 but less than $150,000"? Is there any change in those two?

Mr. MADDEN. Practically no changes.

Mr. MOON. If there are any changes, they are in the $3,600 and $3,800, and then we go back to the $3,200 and $3,400, and so forth.

Mr. WINGO. I was under the impression that the salary of the superintendent of mails in the office of $100,000 and over was $1,700 or $1,800 now. I was not sure of that, and if that be true, then this will be a reduction here of $200. The chairman thinks there is no reduction in those salaries.

Mr. MOON. No.

Mr. MADDEN. I will say to the gentleman from Arkansas, there is no reduction at all. If there is anything at all, it is an increase.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

At each post office where the receipts are $20,000,000 or over: Superintendent of finance, $3,800; cashiers, $2,800; superintendent of mails, $3,800; assistant superintendents of mails, $2,400, $2,600, and $2,800; superintendent of delivery, $3,800; assistant superintendents of delivery, $2,400, $2,600, and $2,800; stenographers, $900 to $1,200; bookkeeper, $2,400; auditor, $3,000: *And provided further*, That there may also be employed at first-class post offices special clerks, foremen, and stenographers, at a salary of $1,300 or more per annum, the total number at any post office not to exceed 1 at $1,300 for each $100,000 receipts; 1 at $1,400 for each $200,000 receipts; 1 at $1,500 for each $400,000 receipts; 1 at $1,600 for each $800,000 receipts; 1 at $1,700 for each $1,500,000 receipts; 1 at $1,800 for each $3,000,000 receipts; 1 at $1,900 for each $6,000,000 receipts; and 1 at $2,000 for each $12,000,000 receipts: *And provided further*, That on and after July 1, 1915, the salary of station superintendents shall be based on the postal receipts and number of employees at their respective stations on the following basis:

Mr. REILLY of Connecticut. Mr. Chairman, I desire to offer an amendment.

The CHAIRMAN. The gentleman from Connecticut offers an amendment, which the Clerk will report.

The Clerk read as follows:

On page 14, line 3, strike out all after the word "annum" down to and including the word "receipts," on line 10, and insert a colon.

Mr. REILLY of Connecticut. This, Mr. Chairman, has the approval of the committee, and simply leaves this condition: Under the present regulations special clerks are promoted on the basis of $80,000 receipts—one special clerk for each $80,000

in receipts. It is now proposed to make it permanent law and the basis of promotion $100,000 in receipts. It is the opinion of the committee that the law should remain as it is, leaving it optional with the department to make the promotions on the present basis. Therefore this amendment is offered.

The CHAIRMAN. The question is on agreeing to the amendment.

Mr. GOULDEN. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from New York [Mr. GOULDEN] moves to strike out the last word.

Mr. GOULDEN. I want to ask the gentleman from Connecticut [Mr. REILLY], who has just taken his seat, whether the only change made is the reduction of $100,000 to $80,000?

Mr. REILLY of Connecticut. Yes.

Mr. GOULDEN. While I am on the floor I want to ask the chairman of the committee a question. On page 13, from line 19 down to the proviso on line 25, are there any changes there in the salaries of these respectively named officials?

Mr. MOON. I think not. They are all carried through in the same way.

Mr. GOULDEN. The only change is that the superintendent of finance and the superintendent of mails are placed at $3,800; and if the assistant postmaster becomes one of those officers he loses $200?

Mr. MOON. Yes.

Mr. GOULDEN. That I understand. Are there any other changes, reductions, or advances in the different items?

Mr. MOON. No. If the gentleman wants to compare the old law with the new——

Mr. GOULDEN. No. I simply want to know if there are any reductions in the salaries in the various officials named in the paragraph. If so, I shall oppose the adoption of the paragraph.

Mr. MOON. None except those mentioned.

Mr. GOULDEN. That is what I wanted to ascertain before permitting it to pass.

The CHAIRMAN. Without objection, the pro forma amendment will be withdrawn. The Clerk will read.

The Clerk read as follows:

When the employees (clerks and carriers, city and rural) at a carrier station are three or less, the station shall have a credit of one point, and for each multiple of three employees a credit of one point.

Mr. MANN. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Illinois [Mr. MANN] moves to strike out the last word.

Mr. MANN. I assume from the reading that these two paragraphs giving credit of certain points are cumulative?

Mr. MADDEN. Yes; I will explain that if the chairman of the committee will allow me. Stations having a $1,300 man in charge would be based on a credit of six points, and a station having $5,000 receipts or less, with six employees, or $10,000 receipts and three employees, would be entitled to five and six points.

Mr. MANN. The points under receipts and the points under number of employees are cumulative?

Mr. MADDEN. Yes. I will explain the whole thing.

Mr. MANN. I see.

Mr. MADDEN. I would like to explain it for the benefit of the rest of the committee. Stations with credits of 5 to 6 points would be entitled to a superintendent at $1,300 a year, and in stations having $5,000 receipts or less and 6 employees, or $10,000 receipts and 3 employees, would be within the class of 5 to 6 points.

Stations having $15,000 receipts and 6 employees, or $10,000 receipts and 9 employees, would be within the class of 7 to 9 points, and the superintendent would get $1,400 a year.

Stations with $25,000 receipts and 9 employees, or $30,000 receipts and 6 employees, would be within the 10 to 13 points, and the superintendent would get $1,500 a year.

Stations receiving $45,000 receipts and 9 employees, or $40,000 receipts and 12 employees, or $50,000 receipts and 6 employees, would come within the points 14 to 18, and would be entitled to a superintendent at $1,600 a year.

Within points 19 to 23, the $1,700 class, the receipts would have to be $70,000 and 9 employees, or $75,000 receipts and 6 employees, or $65,000 receipts and 12 employees, in order to make the position worth $1,700 a year.

Stations with receipts of $100,000 and 6 employees, or $95,000 receipts and 9 employees, or $90,000 receipts and 12 employees, or $85,000 receipts and 15 employees, would be within the points 24 to 32, and would be entitled to $1,800 a year for the superintendent.

Stations with receipts of $150,000 and 6 employees, or with receipts of $145,000 and 9 employees, or receipts of $140,000 and 12 employees, or receipts of $135,000 and 15 employees, would be within points 33 to 44, and the salary of the superintendent would be $1,900.

Stations with receipts of $200,000 and 6 employees, or $195,000 and 9 employees, or $190,000 and 12 employees, or $185,000 and 15 employees, would come within the class 45 to 64 points, and the salary of the superintendent would amount to $2,000.

Stations having receipts of $300,000 and 6 employees, or $295,000 and 9 employees, or $290,000 and 12 employees, or $285,000 and 15 employees, would come within the 65 to 100 points, and the salary would be $2,100.

Stations with receipts of $475,000 and 12 employees, or $470,000 and 15 employees, or $465,000 and 18 employees, or $460,000 and 21 employees, would come within 101 to 135 points, and the salary of the superintendent would be $2,200 under this schedule.

Stations with receipts of $660,000 and 6 employees, or $655,000 and 9 employees, or $650,000 and 12 employees, or $645,000 and 15 employees, would come within 136 to 200 points, and the salary would be $2,300, and so on.

At stations where the receipts are light and the number of men is large the salary would be based on one point for every three employees, as they are in all these cases. So, for example, if there were 200 men employed at the station, as there are in many of the stations in Chicago and New York, and the receipts amounted to only $5,000, the superintendent of such a station would be entitled to 66 points for the 200 men, 1 point for every 3 men and 5 for the receipts, making him 71 points, and that would make the man who was acting as superintendent of a station employing 200 men where the receipts were only $5,000 come within the class where the superintendent's compensation would be $2,100 a year.

I think that explanation covers the whole thing, Mr. Chairman.

The CHAIRMAN. Without objection, the pro forma amendment is withdrawn. The Clerk will read.

The Clerk read as follows:

At stations having a total credit of 5 points or more the salary of the superintendent shall be as follows: Five and 6 points, superintendent, $1,300; 7 to 9 points, superintendent, $1,400; 10 to 13 points, superintendent, $1,500; 14 to 18 points, superintendent, $1,600; 19 to 23 points, superintendent, $1,700; 24 to 32 points, superintendent, $1,800; 33 to 44 points, superintendent, $1,900; 45 to 64 points, superintendent, $2,000; 65 to 100 points, superintendent, $2,100; 101 to 135 points, superintendent, $2,200; 136 to 200 points, superintendent, $2,300; 201 to 275 points, superintendent, $2,400; 276 to 350 points, superintendent, $2,500; 351 points and over, superintendent, $2,600.

Mr. REILLY of Connecticut. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Connecticut offers an amendment, which the Clerk will report.

The Clerk read as follows:

On page 15, after line 17, insert the following:
"*Provided*, That because of the reclassification plan herein provided no employee shall receive less compensation than before the passage of this act."

Mr. REILLY of Connecticut. Mr. Chairman, the amendment explains itself, I think, without further comment.

Mr. MANN. Does the gentleman want to say "no employee" or "no office"?

Mr. REILLY of Connecticut. No employee affected by this legislation.

Mr. RUCKER. For personal service.

Mr. MANN. Possibly some employee might want to be transferred to some other place, and the question is whether he could be transferred at a lower salary. Of course if it only relates to the reorganization——

Mr. REILLY of Connecticut. This reclassification is all it refers to.

Mr. CULLOP. Mr. Chairman, I would like to ask the gentleman a question. I understood that the purpose of this reorganization was in part to reduce salaries. Now, if this amendment——

Mr. STEENERSON. Let us have the amendment reported again.

Mr. CULLOP. In just a moment, when I finish my sentence. If this amendment should be adopted, then it would restore them all to the same salaries they had before the change or reorganization took place.

Mr. REILLY of Connecticut. Not necessarily, Mr. Chairman.

Mr. CULLOP. I should like to have the amendment reported again.

The CHAIRMAN. If there be no objection, the amendment will be reported again.

The amendment was again read.

Mr. BYRNS of Tennessee. Is it proposed by this amendment to cover cashiers, superintendents, and all other employees?

Mr. REILLY of Connecticut. This amendment proposes to cover all those referred to in this reclassification proposition which has just been read.

Mr. CULLOP. But, Mr. Chairman, if this amendment was adopted, there could be no reduction in the salary of any employee of the office.

Mr. REILLY of Connecticut. There could be no reduction in the salaries of present employees.

Mr. CULLOP. There could be no reduction, and there might be cases in which a reduction would be essential. Hence, if this was adopted, it would prevent anything of that kind, and the minimum salaries must remain as they now are. There might be instances where reductions ought to be made, and others in which increases ought to be made. I am going to make a point of order against this amendment, since I have heard it read.

Mr. MANN. It is too late.

Mr. REILLY of Connecticut. I think that it is too late, Mr. Chairman.

Mr. MANN. Instead of saying "because," would it not be better to say "by reason of"?

Mr. REILLY of Connecticut. I shall be glad to agree to any change in the phraseology that will improve it.

Mr. MANN. There might be quite a difference between the construction of "by reason of" and "because of." Of course what you mean is "by reason of."

Mr. CULLOP. This would relate to all the employees of the office, so far as a reduction is concerned.

Mr. MANN. No. "By reason of the reclassification no reduction shall be made" is plain enough.

Mr. REILLY of Connecticut. I will accept that.

Mr. MANN. "By reason of the reclassification" means one thing. To say that there shall be no reduction because of the reclassification is an entirely different thing, and that is not what you intend.

Mr. REILLY of Connecticut. The distinction may be too fine for me, but I accept it.

Mr. CULLOP. Do you not intend by this amendment to affect only the employees who are affected by the reclassification?

Mr. REILLY of Connecticut. Exactly.

Mr. CULLOP. This amendment affects all employees, and the reason given is because of the reclassification. It does not apply alone to the men who are affected by the reclassification, but to all. I am sure the gentleman from Connecticut does not intend it to be so broad as it really is.

Mr. MANN. But if you say no reduction shall be made by reason of the reclassification, that would not affect any other reductions which might be made irrespective of the reclassification.

Mr. REILLY of Connecticut. The intention is to have it affect only those referred to in this reclassification.

Mr. MANN. I suggest to the gentleman that he make that change.

Mr. REILLY of Connecticut. I ask that that change be made by the Clerk.

The CHAIRMAN. What is the exact change?

Mr. REILLY of Connecticut. "By reason" instead of "because."

The CHAIRMAN. If there be no objection, the amendment will be so modified.

There was no objection.

Mr. CULLOP. Now, since the amendment has been modified, let us have it reported again so that there will be no misunderstanding about it.

The Clerk read as follows:

On page 15, after line 17, insert the following:
"*Provided*, That by reason of the reclassification plan herein provided no employee shall receive less compensation than before the passage of this act."

Mr. CULLOP. Now, Mr. Chairman, that affects every employee in the office, without regard to whether his position has been affected by the reclassification or not. That is the meaning of that amendment, but the reason for it is given as because of the reclassification. But it is not confined to the officials who are affected only by the reclassification. Therefore, if adopted, it will affect every employee in the office.

Mr. MANN. Will the gentleman yield?

Mr. CULLOP. Certainly.

Mr. MANN. How would it do supposing it read this way, "*Provided*, That no employee shall receive less compensation by reason of the reclassification plan herein provided for than before the passage of this act"?

Mr. CULLOP. That would still leave it as bad, if not worse, than it is now. If it is simply made to apply only to those employees who are affected by the reclassification, which doubtless it is intended to mean, it ought to plainly say so; but as it is now, it affects every employee in every post office, and that is my objection to it as it is now written. For this reason I think it ought to be defeated.

Mr. STEENERSON. Will the gentleman yield?

Mr. CULLOP. Yes.

Mr. STEENERSON. Does not the gentleman think that this amendment is in harmony with the policy of the Post Office Department for economy, that the salaries shall be increased but not decreased?

Mr. CULLOP. I am not controlled in my action by those of any other individual. I say wherever an employee is rendering service worth more to the public than he is now receiving, he ought to have an increase; where an employee is rendering service not worth as much to the public as the salary he is now receiving, there ought to be a decrease in his salary. It ought to be measured by the real service that is being rendered to the public. Some of these men may be rendering a service that is worth more than they are now receiving, and others may be rendering a service that is worth not half as much as they are receiving. The pay always should be commensurate with the services rendered, and should be based on that principle alone.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Connecticut [Mr. REILLY].

The question was taken; and on a division (demanded by Mr. CULLOP) there were 27 ayes and 5 noes.

So the amendment was agreed to.

Mr. STEENERSON. Mr. Chairman, I ask unanimous consent that the gentleman from Tennessee [Mr. AUSTIN] be given leave to extend his remarks in the RECORD on the Post Office appropriation bill. He is absent on account of sickness.

The CHAIRMAN. The gentleman from Minnesota asks unanimous consent that his colleague, the gentleman from Tennessee [Mr. AUSTIN], be permitted to extend his remarks in the RECORD on the Post Office appropriation bill. Is there objection?

There was no objection.

The Clerk read as follows:

Provided, That no allowance in excess of $300 shall be made where the salary of the postmaster is $1,000, $1,100, or $1,200; nor in excess of $400 where the salary of the postmaster is $1,300, $1,400, or $1,500; nor in excess of $500 where the salary of the postmaster is $1,600 or $1,700; nor in excess of $800 where the salary of the postmaster is $1,800 or $1,900: *And provided further*, That in the disbursement of this appropriation no employee shall be paid at a rate higher than $600 per annum.

Mr. WINGO. Mr. Chairman, I offer the following amendment.

The Clerk read as follows:

Amend, on page 16, line 14, by striking out the figures "300" and inserting "400."

Mr. WINGO. Mr. Chairman, it is my intention, if this amendment is agreed to, to offer an amendment increasing the maximum amount that may be allowed $100 in each class. The reason for it is that my investigation shows that in some third-class offices the clerical allowance is not sufficient to pay for the actual number of employees that are necessarily employed to do the work of the office. I think if there is any thing or any place where we are too economical it is the clerical allowance in the third-class offices. Take the highest amount of salary—$1,900—and the total amount is $800. You can not find a single third-class office where the assistant—he is practically an assistant postmaster, although not classified—where you can get a competent man for less than $900. I have not found a single office where you can get him, and my investigation has not been confined to my own district nor my own State. I have not found a single office where the postmaster is paying less than $25 a month out of his own pocket in order to obtain competent help.

Mr. MANN. Will the gentleman yield?

Mr. WINGO. Certainly.

Mr. MANN. The amount of the appropriation has been already passed.

Mr. WINGO. Yes; $1,700,000.

Mr. MANN. If this is increased in accordance with the gentleman's amendment, does anyone know the additional amount of appropriation that will be required?

Mr. WINGO. No; my amendment does not require that this amount shall be appropriated.

Mr. MANN. But the gentleman expects that it will be made.

Mr. WINGO. It will be——

Mr. MANN. I am not saying that the amendment ought not to be adopted, but it will require an increased appropriation.

Mr. WINGO. It will require an increased appropriation, and I think economy at the expense of the service is poor economy. In some parts of the country it may be true that they do not

use that much, but you can not find, as a rule, where they can get along with the present allowance.

Mr. STEENERSON. The gentleman's amendment only relates to the classes between ten and eleven hundred dollars.

Mr. WINGO. That is my first amendment. If it is adopted, I intend to offer an additional amendment to each one of the classes.

Mr. STEENERSON. I presume the chairman will recollect how many third-class offices there are—some 5,000 or 6,000.

Mr. MOON. Oh, yes; more than that. Mr. Chairman, I do not agree with my friend from Arkansas. I think this service is amply paid for and that the efficiency is in no way affected by the present allowance. I guarantee that I can fill every office in these third-class offices with a better man for the present salary.

Mr. WINGO. Will the gentleman yield?

Mr. MOON. Certainly.

Mr. WINGO. Is it not true, and has not the department so advised, that they have not in some instances been able to meet what appeared to be a legitimate demand for an increased allowance by reason of the limitation?

Mr. MOON. I do not know; that may be.

Mr. WINGO. Does the gentleman think that in a town of 3,500 inhabitants, a county seat, with four railroads coming into it, you can get a competent man to handle the service for $800, where there is only one clerk with the postmaster?

Mr. MOON. Oh, there may be an isolated case of that sort where it can not be done, but I think generally it can be done. There is an unexpended balance on this item of $187,000.

Mr. WINGO. The reason of that is on account of this limitation; the department can not meet the merits of a particular situation because of this ironclad limit.

Mr. MOON. I do not think that is it. I think this is ample for the service. I do not believe this House ought to increase salaries and compensation along that line. I believe we are paying all that it is worth. The department thinks so, and they are the best judges. I would not want any man to perform services for less than the services were worth, but when there are hundreds and thousands of people clamoring for positions at a less salary I think it is out of order to undertake to increase them.

Mr. STEENERSON. Mr. Chairman, will the gentleman yield?

Mr. MOON. Yes.

Mr. STEENERSON. In reference to what I inquired about, I find from the report that the number of third-class offices increased last year from 5,942 to 6,044, so that I was pretty nearly right.

Mr. MOON. Yes; I concede the gentleman is right about that. I did not take issue with him in regard to that.

Mr. STEENERSON. Then it would require about $600,000?

Mr. MOON. Yes.

Mr. HOWARD. Mr. Chairman, I would like to say a word or two in support of this amendment offered by the gentleman from Arkansas [Mr. WINGO]. I want to call the attention of the chairman of the Committee on the Post Office and Post Roads to one class of offices where, I think, and, in fact, I know it is true in my district, the help in the office is underpaid. The salaries of the postmasters are predicated on the receipts of the office, and there is not a large city in the country that has not suburban post offices where a great number of the population work in the larger cities. For instance, I have three offices in my own district that are within 6, 7, and 8 miles of the city of Atlanta. A great volume of mail is handled for these suburban towns, but when stamps are to be purchased and letters are to be mailed, and when other items going to make up receipts of office are considered, the men folks of the families living in the suburbs usually buy their stamps in the city of Atlanta or bring them from their business institutions, and they mail the letters of the family in the large cities. Therefore the receipt of mail and the actual handling of mail in these suburban offices is much larger than the receipts of the office would indicate.

In my own town of Decatur, which is 6 miles from the city of Atlanta, the postmistress herself has to supplement the allowance of the department to get a person capable of doing the work in assisting her in the handling of the volume of mail. The same is true in College Park, 8 miles from the city of Atlanta. The postmistress there supplements the salary of her assistant to the extent of several dollars a month. Now, on the bare cold facts, as they are presented to the department, it would seem that these people are treated as justly as the other postmasters throughout the country, and I am making no complaint as to the Post Office Department, for it has allowed the maximum in each case, but as a matter of fact they are not allowed enough, because they do handle a greater volume of mail than the receipts of the office would show, and I think the amendment of the gentleman from Arkansas ought to be adopted, and it should be left discretionary with the department for them to fix the amount, so that the department can meet the necessities of cases like those I have mentioned. I think the maximum amount ought to be increased $100 in each instance, and then we should leave it to the facts in the case with the department, and let them decide whether they would allow the additional hundred. I took this matter up a few weeks ago with the Chief of the Division of Salaries and Allowances, and in the case he allowed the maximum, but that amount was really insufficient. I think the maximum amount ought to be increased for the purpose of allowing the Postmaster General or the Chief of the Division of Salaries and Allowances to investigate cases of the character I have mentioned and say whether or not the postmaster would be justified in having a greater allowance given.

It must also be considered that since there has been any increase of the maximum for clerk hire the parcel post has been added to the service, which greatly increases the labors of postmasters and requires the employment in many instances of male help where formerly women were employed.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Arkansas.

The question was taken; and on a division (demanded by Mr. WINGO) there were—ayes 20, noes 29.

So the amendment was rejected.

Mr. WINGO. Mr. Chairman, I offer another amendment, which I will ask the Clerk to report.

The Clerk read as follows:

Page 16, line 16, strike out "$400" and insert "$500."

Mr. WINGO. Mr. Chairman, the figures given by the gentleman from Minnesota [Mr. STEENERSON] are just about as erroneous as is his conception of the amendment offered. It will not require any $600,000, and any schoolboy can figure it will require only $60,000. The chairman of the committee says $180,000 remains of unexpended balance in this fund at the present time. That is an argument for increasing the maximum allowance. If you adopt my amendment it does not mean that the Post Office Department will be compelled to pay more, but it permits the Post Office Department to use that $180,000 where it could have used it this year, in cases where there is no question that it should be increased.

Mr. STEENERSON. Mr. Chairman, will the gentleman yield?

Mr. WINGO. Not now. I want to finish this statement—yes; I will yield.

Mr. STEENERSON. Six thousand offices with an allowance of $100 each would amount to $600,000.

Mr. WINGO. Six thousand times 100 would be 600,000; but we will not have that many cases.

Mr. STEENERSON. The gentleman just stated it would be only $60,000. I think his arithmetic is wrong.

Mr. WINGO. If the gentleman knew the number of demands that have been made where the postmasters are paying more now than the office allows them, he would know differently. I stated that I investigated the matter.

Mr. STEENERSON. The gentleman is probably correct about that.

Mr. WINGO. I am not talking about the total number of offices in the United States. I am talking about the number of offices where there has been a demand for an increased allowance, where the maximum amount has been allowed.

Mr. MOON. Does the gentleman know how many of that kind of cases there are?

Mr. WINGO. I think I can give the gentleman the information. I think Mr. Koontz could or anyone connected with the department.

Mr. MOON. I think Mr. Koontz could.

Mr. WINGO. But let us get back to the argument. My amendment simply permits that division to increase the allowance where the showing is made that it should be increased. The gentleman may say that he can furnish plenty of men from Tennessee. I do not know whether he can or not. I think, if the gentleman investigates, he will find that in Tennessee he has at least two offices of this particular class where the allowance is not sufficient to meet the demands. It is true of every congressional district in the United States. This does not call for increased expenditures unless the department, looking into the merits of each case, says there shall be an increase. Can you not trust the department to make the increase? The gentleman says that he is opposed to the increase. His bill carries an increase for the larger offices in the country—an increase of salary in one instance of $600 to one employee—and yet he goes on and in the name of economy cries out against raising the

maximum allowance to meet emergencies of the kind cited by me.

Mr. HOWARD. Mr. Chairman, will the gentleman yield?

Mr. WINGO. Yes.

Mr. HOWARD. Will the gentleman make this proposition clear to the committee, so that it can understand that the gentleman's amendment simply increases the maximum amount and leaves it to the discretion of the department as to whether in each particular case it will grant the increase?

Mr. WINGO. Certainly; and I have repeated that twice. My amendment does not necessarily require it unless the merits of each case, in the opinion of the department, necessitate this increased allowance. I have in mind one place where the postmaster is going to resign because he now has the maximum, and in order to get the proper clerical service, owing to the peculiar conditions which exist in his town, he can not make out of his salary sufficient to maintain himself after paying his clerks; and this man was not a candidate for the position. He was appointed not because he was a candidate but because he is the best qualified man, with a peculiar fitness for the post office, and he took it. Now, will you say, in an instance like that, the department should not be permitted to see that that man has a sufficient allowance to get the necessary clerk hire?

Mr. MANN. Will the gentleman yield for a question?

Mr. WINGO. With pleasure.

Mr. MANN. There are, as I understand, something like 6,000 third-class offices affected or which might be affected by the paragraph and appropriation.

Mr. WINGO. Yes; 6,000.

Mr. MANN. The appropriation is $1,700,000, and the amount of possible maximum allowance runs from $300 to $800. I take it that shows that the maximum amount is not and can not be allowed to all of these offices. If the maximum amount authorized were allowed to the various offices, the total sum would far exceed $1,700,000 of appropriations.

Mr. WINGO. If the gentleman will pardon me, my understanding is there is a maximum allowance that is only allowed in about 10 per cent of the cases that go to these larger offices. There are a lot of third-class offices that are very near offices of the second class, and a greater allowance is needed in about, say, 10 per cent of the cases.

Mr. MANN. The gentleman probably has answered the question, really, which I desired answered, and that was this: Where we make this appropriation of a maximum amount, sometimes that is mere pro forma, and the maximum amount is not allowed unless it is required. In many other cases where they fix the maximum amount it is always allowed and so construed. I take it, of course, in these cases, from the gentleman's statement, that in fixing the maximum amount it does not mean it is to be allowed as a pro forma amount.

Mr. WINGO. No; as a matter of fact, we know the maximum is not allowed in a great many cases of this kind.

Mr. MANN. And could not be allowed under the appropriation.

Mr. WINGO. Certainly.

The CHAIRMAN. The time of the gentleman has expired.

Mr. MANN. I would ask that the gentleman have five minutes more; I took up a good deal of his time.

Mr. WINGO. Three minutes.

The CHAIRMAN. The gentleman from Illinois asks unanimous consent that the gentleman from Arkansas may proceed for three minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. WINGO. Here is one thing to which I wish to call attention. The very fact that the department has $187,000 unexpended balance shows that the maximum has not been allowed, even to the extent the department might allow it. That is true; but there has been a wonderful growth—and I think the department will tell the gentleman so—there has been a wonderful demand for an increase beyond the maximum in a great many cases, especially a demand in the West along the line of new railroads. In other words, here is a post office that has not quite reached another class. As a matter of practical experience and practical knowledge you recognize it will require about as much clerk hire for an office which is about reaching the third class from the fourth or the second class from the third, and this increase of $100 is something that ought to be made.

Mr. HOWARD. Will the gentleman permit me to interrupt him?

Mr. WINGO. Certainly.

Mr. HOWARD. I want to call the attention of the gentleman to the fact that the postmasters in my district say the parcel post has increased the general expenses of the office about one-third.

Mr. WINGO. It does not make any difference what causes it; as a matter of fact we know there is an increase. There is a general increase of the number of third-class offices becoming second and fourth-class offices becoming third. There has been a great development in this line in the last 12 months.

Mr. SLOAN. Has there been any increase in the maximum since the parcel post was put into operation?

Mr. WINGO. I can not say, but this is the present law, as I understand it, carried in the bill.

Mr. SLOAN. And that is no greater than it was before the parcel post was put into effect?

Mr. WINGO. I do not know; but I know it is not increased over the present law. My information is that there is no increase over the present maximum allowance.

Mr. MOON. The gentleman is correct; that is the present law. The gentleman says that because there is an unexpended balance of $187,000 that is an evidence of the fact that we ought to increase the amount beyond which they can not go in the payment of salaries of postmasters——

Mr. WINGO. I beg the gentleman's pardon, if he will allow me to correct him. I said this argument was an indication that the estimates had not been correct in reference to the maximum, because they had estimated they would need more, and yet the maximum was so low they could not use it to meet the necessities of individual cases.

Mr. MOON. Mr. Chairman, as a matter of fact, that is not correct. If that is an evidence of anything at all, it is evidence of the fact that there is left in the department down here $187,000 that has not been called for, or if called for could not be obtained under existing law. I suppose the gentleman will not take issue on that proposition.

Mr. WINGO. I agree with the gentleman on the last proposition.

Mr. MOON. We have no evidence before the committee of any calls that have been made that have not been responded to, but the evidence inferentially is exactly the other way. The Post Office Department recommends a reenactment of this very section word for word in the report that is made and in the estimates. Now, if they have been embarrassed in any way, they would not have made that recommendation. Now, there may be some two or three little post offices about in the country where gentlemen think they are not being sufficiently paid, but we have got to take this country as a whole, and I reassert that they can get a dozen men at these places——

A MEMBER. Or women.

Mr. MOON. Or ladies for these places. Now, this thing of openly and flagrantly increasing the appropriations, when there is no fact to justify it and when the department did not want or ask for it, I think ought not to be undertaken in this House.

Mr. RUCKER. Mr. Chairman, I think it can safely be said that the amount paid postmasters is not excessive; that it is reasonable compensation. If that is true, then the allowance made for clerical help in the post office, which in a third-class office means an assistant postmaster, in effect, is shamefully too low. The language of this bill, in my opinion, would be better if the amendments offered by the gentleman from Arkansas were adopted, and then the bill should be still further amended so as to read that no sum of less than $400 shall be paid. What does it mean? It means that in a third-class office, where the $300 proposition applies, the postmaster is expected to find somebody to serve for $25 a month. The gentleman from Tennessee says he can find plenty of men in his State who will work for that sum——

Mr. MOON. And plenty of women, too.

Mr. RUCKER. And I say the United States Government ought not to ask any man or any woman qualified to perform this service to work for $25 a month.

Mr. MOON. I will suggest to the gentleman that we are on the other section now—of $400.

Mr. RUCKER. It requires ability, it requires integrity, it requires efficiency; and I say that when the Government demands those qualifications of its citizens we ought to pay an adequate and reasonable salary. If the salary of the postmaster is too high, cut it down; but as it stands to-day the United States Government invites every man named for third-class postmaster by the Post Office Department to go into his community and coerce, as it were, by taking advantage of the necessities of some poor man or poor woman and command their services for the public for 12 whole months for $300. I say it is wrong. These amounts ought to be increased, and I hope this committee will increase them.

I am not particularly concerned about these items. I am not in favor of raiding the Treasury. I am in favor of economy—not theoretical, but actual, practical economy. But my notion is, expressed candidly, that we ought to commence economizing

with those who draw large salaries and not eternally plead poverty or inability of the Government to pay and detract and deduct from the meager pittance paid to those who draw low salaries and who actually perform services——

Mr. MOON. Will the gentleman allow a question?

Mr. RUCKER. Certainly.

Mr. MOON. The gentleman was discussing this matter as though we were paying the postmaster $300; but that is not the proposition.

Mr. RUCKER. The gentleman misunderstood me.

Mr. MOON. The postmaster here gets $1,300, $1,400, or $1,500 a year, and he is allowed this additional help at $400. Suppose he is getting $1,500 and he is getting help at $400; that makes a salary of $1,900. Do you not suppose that most of the men in this country at these little offices would accept that salary of $1,900 and pay it all for one man, without any allowance at all, much less than $400 for help?

Mr. RUCKER. My dear sir, I am one of those Democrats who believe that the man who performs more work in the little towns to which the gentleman refers than some gentlemen do in big towns ought to be paid a reasonable compensation for his work, although performed in a little town. And I say if the salary of $1,100 paid to the postmaster is not too much, he ought not to be required to share it with his clerk. The gentleman concedes that to be the right amount to pay in some offices and that $1,500 is the right amount to pay in other offices. For what? For the service rendered by the postmaster himself. Now, when it comes to authorizing him to provide clerical help we ought to pay him an adequate sum and enable him to pay a person a reasonable sum for the service rendered.

Mr. TUTTLE. Mr. Chairman, I hardly think that conditions justify the increase in the pay of these clerks in the smaller offices. I represent a suburban district in northern New Jersey, a district of the character to which my friend from Georgia referred. The post offices in that district are both small and large, and their receipts are greatly reduced by reason of our close proximity to New York. I do not think, however, that there is any reason to believe our postmasters in the third-class offices are underpaid or that their allowance for clerk hire is insufficient. On the contrary, my experience and my observation are that they are overpaid if anything, that the compensation which they are receiving as postmasters exceeds that which they would receive in private business, and is more than industrial concerns pay for the same class of service.

Mr. RUCKER. Then, do you not think you ought to reduce the salary of the postmasters?

Mr. TUTTLE. I certainly do. It is my opinion that the salaries of many of these postmasters should be reduced.

Mr. RUCKER. Do you believe in these offices where the salary is $1,000 or $1,100 or $1,200 and the allowance for clerk hire is $300 that the $300 is excessive?

Mr. TUTTLE. It goes to the postmaster and is evidently sufficient, because there is a great rivalry for these offices.

Mr. RUCKER. It goes to the postmaster, as I understand it, with the recommendation that he may employ assistants at $300, and he uses that argument.

Mr. TUTTLE. The postmasters are glad to have the offices under those terms, and they feel that they are well paid, and I believe they are. They employ members of their family—women and young men—and they have no difficulty in running the offices efficiently.

Mr. RUCKER. I do not know how it may be in New Jersey, but I will say it is not true in the State in which I live.

Mr. TUTTLE. Of course the cost of living is high in New Jersey, and they would suffer there if they would suffer anywhere, because we are on the edge of New York City, where expenses are said to be higher than elsewhere.

Mr. BARKLEY. Will the gentleman yield?

Mr. TUTTLE. I will.

Mr. BARKLEY. This $300 is not paid direct to the postmaster, is it?

Mr. TUTTLE. It is an allowance for clerk hire.

Mr. BARKLEY. Suppose he does not have any clerk hire, but does the work himself, does he get the $300?

Mr. TUTTLE. I do not think so. I think he has to account for the clerk.

Mr. BARKLEY. He has, of course, to advise the department of the fact that he has employed this assistant at the $400 rate or the $300 rate, and it is allowed to him?

Mr. TUTTLE. Yes.

Mr. BARKLEY. Now, in cases where the office pays $1,300, $1,400, or $1,500, frequently it happens that one clerk is not enough. I know that there are offices in my district that pay no more than $1,500 where it is necessary to have two clerks besides the postmaster. In that sort of a case he is expected to give up part of his own salary to get the additional clerk or get the additional clerk in the $500?

Mr. RUCKER. Four hundred dollars.

Mr. BARKLEY. Yes; $400 instead of $500.

Mr. TUTTLE. Yes.

Mr. BARKLEY. The gentleman's position, then, is that the compensation of the postmaster is above what it ought to be to justify him in giving up part of it to pay this expense?

Mr. TUTTLE. That is my position exactly. That is the opinion I have arrived at from a study of these post offices in New Jersey. The postmasters are very well paid for the work that is done.

Mr. BARKLEY. Does the Government pay the rent for all presidential post offices?

Mr. TUTTLE. Yes; it makes an allowance also for light and heat.

Mr. MANN. Mr. Chairman, the gentleman from New Jersey [Mr. TUTTLE] says that, representing a district that is suburban to New York, the salaries of postmasters there are thereby decreased. That is a novel idea to me. Having some observation of suburban districts around Chicago, a portion of which at one time were within my district, I learned that the salaries of the postmasters at all of these suburban towns were very largely increased, because the suburbanites would buy their postage stamps at the suburban office more conveniently than they would buy them in the city and carry them into the city, where the mail was canceled; and in all these suburban towns near the large centers the postmaster's salary is not decreased, but considerably increased because of these receipts from the sale of stamps.

In the course of my life I was at one time in charge of a fourth-class and a third-class post office. It was not under civil service, and it is a tribute to human nature to say that, notwithstanding all the assertions about people not resigning, I voluntarily quit the office to study law. I am not sure that it was wise.

In many of these offices there is a considerable amount of additional work required beyond that of merely taking care of the patrons of the office. There are lots of third-class offices which in a way are terminal offices which have an extra amount of work to do, and these allowances that are made under the existing law are usually made because of extra work to be performed at the particular office over that which is ordinarily required at the average third-class office.

Now, we make an arbitrary limitation of the amount. I think possibly that may have been wise in the first place. It may be wise to keep an arbitrary limitation in the bill. And yet it is impossible to classify all of the third-class offices and say which one may need more money for actual service rendered and hit it right in every case. It must depend upon the particular facts of the case, and it seems to me that it would be wise and businesslike to leave it to the Post Office Department to determine what should be the allowance on account of special work at a particular post office.

The facts in the past have shown that the department does not allow these maximum amounts simply because we permit it. The department in acting upon a case acts upon the merits of the case. It must have done so in the past. It is not a pro forma allowance. I can not see any objection to permitting the department in some case where it is now only authorized to allow $300 for extra service to allow $400 if, in the opinion of the department, the extra work required at that office justifies the allowance.

Mr. MOON. Mr. Chairman, I want to say, in reply to the statement of the gentleman from Illinois [Mr. MANN], that it is proper to leave the whole matter in the discretion of the department, and the department, in the exercise of its discretion, has especially recommended that no higher figure be given than that named in the bill now. It is known to all of us that when we use the language "fixed at a maximum figure," the persons who are proposing to get the advantage of it always press to the limit. If the amount beyond which you can not go is $400, they will press for the $400, all of them, until they get it, or as nearly so as possible. If you had made that limit $500 at that particular office, they would have pressed for $500.

It is wise for us here to make that reasonable limit which the department proposes to us to make and which has seemed to it best as an administrative proposition, and I hope that the House will vote against this amendment.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Arkansas [Mr. WINGO].

The question was taken, and the amendment was rejected.

Mr. WINGO. Mr. Chairman, I offer an amendment. On page 16, line 17, I move to strike out "$500" and insert "$600."

The CHAIRMAN. The Clerk will report the amendment offered by the gentleman from Arkansas [Mr. WINGO].

The Clerk read as follows:

Amend, page 16, line 17, by striking out "$500" and inserting "$600."

Mr. WINGO. Mr. Chairman, the remarks of the gentleman from New Jersey [Mr. TUTTLE] indicate that it is very wise that we have an arbitrary maximum. It also is a good argument to support the proposition of not undertaking to classify arbitrarily all these offices, but to have some discretion left in the department. I am sure my friend from New Jersey, simply because he can get men cheaply in his district, would not want to limit the department in paying what men are worth in other parts of the country.

Now, he may be able to get a young man in his district, a competent young man, for deputy postmaster in one of these towns for $400, as he says. I do not know about his district; I will not speak for his district. He knows about it. But you can not do it in mine. It may be that because my country is a newer country wages and everything else are naturally higher there.

But take the arbitrary maximum in this class. There is not a deputy postmaster in any third-class office in my district that can afford to take the position for that amount, so the postmaster is compelled to take part of his own salary to make up the difference. I do not know how it is in other districts. If you are satisfied in your own district, is there any reason why you should object to leaving it to the department to meet the necessities and demands of some other place? The gentleman says he thinks the salaries for these small post offices are too high, and he is against increasing salaries. Yet in this same bill which you bring in here you increase the salary of one man in the neighboring city of New York $600 a year, or from $3,200 to $3,800. Yet you object to the small salaries in the small towns.

Mr. TUTTLE. Does the gentleman think that $3,800 is too much for a man who has charge of 3,000 men?

Mr. WINGO. I do not know, because I do not know what work he does. Neither does the gentleman know the work that is done in these smaller places, where they can not get men for $400 or $500.

Mr. TUTTLE. I have lived all my life in small towns, having second and third class post offices.

Mr. WINGO. The gentleman does not know anything about the West.

Mr. TUTTLE. I believe that in my district the demands upon all persons because of the high cost of living are as great as in any part of the country.

Mr. WINGO. Has the gentleman investigated the demands in Oklahoma?

Mr. TUTTLE. I have not.

Mr. WINGO. Or in Arkansas, or Missouri, or Texas, or Tennessee? The gentleman does not know anything about the demands out there. Now, I have investigated them. Of course you are going to vote this down. You are perfectly willing to increase the salaries in New York City and the other large cities. You are perfectly willing, you who cry economy, to increase the salaries of men in the larger cities, but you refuse to do justice to the postmasters and clerks in the smaller country towns. You not only deny them justice, but in some instances the same men who vote for the increased salaries in the larger towns say that the men in the smaller towns are getting too much. To be frank with the gentleman, I have no patience with any such philosophy of economy as that. I believe that the man in a town of 3,500 is worth just as much as the man in a town of 35,000 or 3,500,000. It may be true that living expenses are higher in the larger city, and that ought to be taken into consideration in fixing the salaries for such a city; but when it comes down to a question of the worth of the man, there can not be such a great difference between those in the cities and those in the country towns, and no man can make me believe it.

Mr. GOULDEN. Will the gentleman yield for a question?

Mr. WINGO. Certainly.

Mr. GOULDEN. I think the gentleman wishes to be fair.

Mr. WINGO. I want to be fair.

Mr. GOULDEN. That is the gentleman's reputation, and that is my observation of him. Now, when the gentleman says there is an increase of $600 in the large city offices he overlooks the fact that there is the absolute wiping out of a $4,000 position; that of the assistant postmaster.

Mr. WINGO. That is true.

Mr. GOULDEN. And the same man who occupies that place, according to the universal views expressed here, is expected to occupy this new position, and in most cases I am sure he deserves it in every respect, but he will take the new position at a salary $200 less than he has been receiving.

Mr. WINGO. Now, that involves the merits of a particular case. What I say is, if there is a particular case in Oklahoma, or Arkansas, or Tennessee, where it will require that a man be paid $600, do you not think you should allow the department to have some discretion in the matter, and not limit his pay to $300?

Mr. GOULDEN. I surely do, as I believe in a square deal all around, no matter what section is affected.

Mr. WINGO. That is all I am trying to get.

Mr. MOON. Mr. Chairman, I am surprised that the gentleman from Arkansas should try to array the country against the city. That is an old political dodge. Inasmuch as I represent a country district, I think I have a right to express my opinion on this subject. This supervisor in New York, whose salary of $3,800 the gentleman speaks of, has control of as many men as would be employed in a thousand post offices like the one the gentleman talks about. Proportionately, therefore, the salaries and allowances to the man in the country are very much greater everywhere than they are to the man in the city, and necessarily so. Now, some gentleman says he can not get men to take the positions. Why, take your clerks in the dry-goods stores in your town at home, or the accountants. I venture to say that there is not one in 50 among them who is getting $75 a month, and here this man gets $75 a month.

Mr. RUCKER. How do you make $75 a month out of a salary of $300 a year?

The CHAIRMAN. The question is on the amendment of the gentleman from Arkansas [Mr. WINGO].

The amendment was rejected.

Mr. WINGO. Mr. Chairman, I offer the following amendment.

The CHAIRMAN. The gentleman from Arkansas offers an amendment, which the Clerk will report.

The Clerk read as follows:

In line 19, strike out "800" and insert "900."

Mr. WINGO. Mr. Chairman, the gentleman from Tennessee [Mr. MOON] says I am trying to array the city against the town. I am not trying to do that, but I want to tell you that such unjust discriminations as you seek to make by this bill will justly make the country feel that it is not getting a square deal. The gentleman says that not one clerk or accountant in fifty in these towns is getting $75 a month. That statement shows that the gentleman knows absolutely nothing about my district.

Mr. MOON. I did not say "no man," I said "a majority of them."

Mr. WINGO. Well, I will still let the statement stand.

Mr. MOON. Then the gentleman has got a better district than I have.

Mr. WINGO. Certainly; I moved from Tennessee to Arkansas because Arkansas was the better State.

Mr. MOON. Tennessee is sorry to lose the gentleman, but sorry that he turns up, as he does, in Arkansas.

Mr. WINGO. I had energy enough to get out of Tennessee and the gentleman had not.

Mr. MOON. May I suggest to the gentleman that he ought not to go back on his old State.

Mr. WINGO. I am not going back on it.

Mr. MOON. The gentleman knows what is said about the birds.

Mr. WINGO. Yes, I know what is said about the birds; and I know what is said about a certain animal, too. [Laughter.] But, seriously, gentlemen, here is a proposition; and I say there is not such a distinction between the salaries in the small towns as in the cities. I know there is a distinction to be made by reason of the increased cost of living, but there is not such a distinction as you make in this bill. Now, I am not speaking from guesswork. I know what I am talking about. I know one office where a postmaster gets up at 5 o'clock in the morning and stays in his office at work until 9 o'clock at night. He has two clerks in the office—one woman and one man—to help him. He is not given a sufficient allowance to pay for the man that is there. Now, this man can not afford to keep that post office. He can draw a bigger salary than he is now getting as mail clerk. He was appointed to that particular office because he is a competent man. I do not pick up any curbstone politician. You can do that; there are plenty of them in Tennessee and Arkansas and elsewhere, but when you put in a post office a competent man I say it is a false economy not to pay him sufficient to get competent clerk hire and keep that clerk's services up to the standard of efficiency. I for one do not believe it is democratic economy to practice economy at the expense of efficiency.

I am willing to increase the salaries of New York, if it is necessary, to get efficient, competent men, but I think the Gov-

ernment ought to meet the emergency in the smaller offices. I do not believe that you ought to pay a Government employee less than he can get in a private employment, but you ought to pay him the same amount that he would receive in a private employment if his services are worth that much. I know of an office in my own district where the allowance will not pay the man what he can get in private employment in the same class of work and for really shorter hours of service.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Arkansas.

The question was taken; and on a division (demanded by Mr. WINGO) there were 12 ayes and 21 noes.

So the amendment was rejected.

Mr. WINGO. Mr. Chairman, I offer the following amendment.

The Clerk read as follows:

Page 16, line 22, strike out the figures "600" and insert "900."

Mr. WINGO. Mr. Chairman, if any Member here believes that $50 a month is the maximum amount that should be paid deputy postmasters of the third-class offices, that that is the most they can honestly earn, why, you can vote down my amendment.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Arkansas.

The question was taken; and on a division (demanded by Mr. WINGO) there were 9 ayes and 24 noes.

Mr. WINGO. Mr. Chairman, I demand tellers.

The question was taken, and tellers were refused.

The Clerk read as follows:

For rent, light, and fuel for first, second, and third class post offices, $5,400,000: *Provided*, That the Postmaster General may, in the disbursement of the appropriation for such purposes, apply a part thereof to the purpose of leasing premises for the use of post offices of the first, second, and third classes at a reasonable annual rental, to be paid quarterly for a term not exceeding 10 years; and that there shall not be allowed for the use of any third-class post office for rent a sum in excess of $500, nor more than $100 for fuel and light, in any one year.

Mr. WINGO. Mr. Chairman, I offer the following amendment.

The Clerk read as follows:

Page 17, line 7, strike out "500" and insert "600."

Mr. WINGO. Mr. Chairman, the object of offering that amendment is that I know of cases where rents are legitimately higher than this maximum allowance. I have in mind one town where the rent of a 25 by 70 foot building is $50 a month, and that is what the merchants are paying. They are making an effort now, because of the burning of the old post-office, to get a new site. It is a town of about 15 years of age, and the wooden part has been burned away, and there is nothing but brick buildings left, and has not been for a few years. The maximum allowance is $600 for rent, fuel, and light. He can rent a building now for $50 a month. I do not believe the Government ought to pay any less than what the rents of the building will bring in town. I know some instances where the Government pays more, but in many instances the Government can not get rents of a suitable character. In that town you have to go on a side street, in an out-of-the-way place, in order to get a rent at that price.

Mr. MADDEN. Will the gentleman yield?

Mr. WINGO. Certainly.

Mr. MADDEN. Does not the gentleman think the fact that the law authorizes the Postmaster General to make a lease for 10 years is of some importance in connection with the ownership of buildings? Is it not better for him to make a lease for $500 a year for 10 years than to make shorter leases at a higher rate?

Mr. WINGO. That is true in the old settled community, but in towns which are just developed no man will bid for a 10-year contract. Five years is as long as you can get a bid on a contract. I have in mind a man who says that he will not bid for a longer contract than five years, because he knows the town is going to grow up, that another railroad is sure to come through there, and it will be the junction of several roads. Of course he would be foolish to tie himself up for 10 years. I think he would be foolish to tie himself up for five years. But you ought to have some latitude so that the department can meet just such a situation.

Mr. MOON. Mr. Chairman, this is not a new item. This is exactly the amount that has been carried for years, and the amount the department finds sufficient to meet the demands along this line. On account of the growth of this service there have been some $200,000 added to this appropriation. Unless the department—and it does it as often as we ought to want it to do it—demands more money for the service down there, it seems to me this House ought not to insist upon first endowing the department with appropriations it does not want and does not ask for and does not need. I am surprised at my friend from Arkansas. He makes his district out to be in worse condition, so far as these matters are concerned, than any other district in the country. It must be an isolated case. The demand is not made anywhere else. The department is not asking for any more money, it is not needing any more money, and it is not wanting any more money, and why should we give it any more money? To do so would be only upon one theory, and that is that we know more about the administrative work down there than those people do themselves, that we know they ought to have more money and ought to spend more money than they do expend. I am not willing to take that position. I am always glad to know when they have a decrease, and I am well enough pleased to know that they are not asking for any more than in previous years.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Arkansas.

The question was taken, and the amendment was rejected.

Mr. WINGO. Mr. Chairman, I offer the following amendment.

The Clerk read as follows:

Page 17, line 8, strike out "$100" and insert "$150."

Mr. WINGO. Mr. Chairman, the gentleman from Tennessee [Mr. MOON] does me an injustice in his inference that if we support the amendment it will be upon the ground that we know more about it than the department. That is not true; but I think I know more about towns in my district than the gentleman does or that the department does. I think I know more about my district than he does. Of course it is an isolated instance. My whole plea is to allow the department sufficient latitude to meet these emergencies. Here is a proposition for fuel and light. I will tell you how they have to do. The merchants in the towns have to go down in their pockets and pay the man who furnishes these buildings with heat and light. The department will have to admit that. You can not get light and fuel in a good many towns for $100 a year.

Mr. SLOAN. Mr. Chairman, will the gentleman yield?

Mr. WINGO. Yes.

Mr. SLOAN. Is the fuel question an especially pressing one in this town of which the gentleman speaks?

Mr. WINGO. I am not speaking about that, but you can find plenty of cases in your own district where light and fuel can not be had for $100.

Mr. HAMILTON of Michigan. He will find hereafter that it can easily be had in sufficient quantities for that sum. [Laughter.]

Mr. WINGO. I did not intend to stir up any unpleasant forebodings, but it is a fact that in most towns the merchants chip in and help pay the owner of the building, so that they will be able to get the post office on their streets. In other words, you take up a collection to support the Federal Government's business in a town.

Mr. MANN. Mr. Chairman, the gentleman from Tennessee [Mr. MOON] has several times referred to what the department has asked for and what they have not, and I sometimes wonder whether it is possible to tell what the department asks for and what it does not. While this may not be strictly in order, it will have to come in at some time during the debate. In the recent report of the Postmaster General, on page 1, he says that the audited expenditures for the year amounted to two hundred and eighty-three million dollars and odd and that the adjusted losses due to fire, burglary, and so forth, amounted to $14,333.46. I call attention especially to the adjusted losses due to fire, burglary, and so forth. That is on the first page of the Postmaster General's report, page 3 in the pamphlet. On page 4 of the pamphlet we find again, reported revenues, two hundred and eighty-seven million and odd dollars and charges against revenues for losses due to fire, burglary, and so forth, $14,333.46. That is the same amount, the same item, on pages 3 and 4 of the report. On page 54 of the report we find the same thing repeated. Excess of revenue over expenditures, 1914, four million and odd dollars, and amount of losses due to fire, burglary, bad debts, and so forth, $14,333.46. When I read this same item in three different places in the Postmaster General's report I assumed—temporarily, at least—that it was correct, that they had given the figures correctly three times. It is very unusual to set down any set of figures three times in the report of the Postmaster General. He gave the same figures three times for the amount of loss by fire, burglary, and so forth, as $14,333.46. I then recalled that I had read on page 49 of this report the following statement:

The Postmaster General is authorized by law to reimburse postmasters for losses of Government funds and stamp supplies resulting from "fire, burglary, or other unavoidable casualty," and for losses of

such funds in transit to their designated depositories. The total number of claims received during the year was 1,467, an increase of 66 over the previous year and the largest number ever received in any one year. Claims to the number of 959 were settled, of which 722 claims, aggregating $112,999.54, were allowed.

Then I picked up the report of claims of postmasters for losses on money by fires, and so forth, in the letter of transmittal from the Postmaster General, which gives the total of all of these, and it concludes by giving the total of $112,999.54. Three times the Postmaster General reported the amount as $14,333.46, and twice he has reported it at $112,999.54. I do not criticize the Postmaster General. Undoubtedly he obtained the information from his subordinate officers; but does he get one set of figures from one set of officers and another set of figures from another set of officers? I question whether the Post Office Department always knows what it is asking for, or whether we can tell what it is asking for, when on a small item like that three times the Postmaster General reports $14,333.46, and twice he reports $112,999.54 in the same report.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Arkansas.

The question was taken, and the Chairman announced the noes appeared to have it.

Mr. WINGO. Mr. Chairman, I ask for a division.

The committee divided; and there were—ayes 9, noes 17.

Mr. WINGO. Mr. Chairman, I ask for tellers. It might serve the useful purpose of getting more Members in here.

The CHAIRMAN. The gentleman from Arkansas demands tellers.

The question was taken, and tellers were refused.

So the amendment was rejected.

The Clerk read as follows:

For horse-hire allowance, the hiring of driving and the rental of vehicles, $2,600,000.

Mr. MOON. Mr. Chairman, I offer the following amendment. Strike out the word "driving" and insert the word "drivers."

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows.

Page 17, line 24, strike out the word "driving" and insert the word "drivers."

The question was taken, and the amendment was agreed to.

The Clerk read as follows:

For car fare and bicycle allowance, $565,000.

Mr. MOON. Mr. Chairman, I move to strike out, in line 1, page 18, after the word "fare," the words "and bicycles."

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 18, line 1, strike out the words "and bicycles."

Mr. MANN. May I ask the gentleman the reason for this?

Mr. MOON. Yes; the reason for this is, the bicycle allowance is covered in another item.

Mr. MANN. Does the amount remain the same?

Mr. MOON. The amount is reduced.

The question was taken, and the amendment was agreed to.

The Clerk read as follows:

For per diem allowance of 2 assistant superintendents, while actually traveling on official business away from their home, their official domicile, and their headquarters, at a rate to be fixed by the Postmaster General, not to exceed $3 per day, and for their necessary official expenses not covered by their per diem allowance, not exceeding $500; in all, $2,660.

Mr. MOON. Mr. Chairman, I move to amend by striking out "$2,660" and inserting in lieu thereof "$2,120."

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amend, on page 22, in line 7, by striking out "$2,660" and inserting "$2,120."

The question was taken, and the amendment was agreed to.

The Clerk read as follows:

For inland transportation of mail by electric and cable cars, $851,000.

Mr. MOON. Mr. Chairman, I move at this point to strike out "$851,000" and insert "$845,000."

The CHAIRMAN. Will the gentleman withhold his amendment until after the Clerk finishes the reading of the paragraph?

Mr. MOON. I thought on yesterday a ruling was made that we should stop before the proviso, although at that time I thought the better practice was to conclude the reading of the paragraph.

The CHAIRMAN. This appears to be a little different case, if the gentleman will pardon the Chair, the Clerk will finish the reading of the paragraph, and then the gentleman can offer his amendment.

The Clerk read as follows:

For inland transportation of mail by electric and cable cars, $851,000: *Provided*, That the rate of compensation to be paid per mile shall not exceed the rate now paid to companies performing such service, except that the Postmaster General, in cases where the quantity of mail is large and the number of exchange points numerous, may, in his discretion, authorize payment for closed-pouch service at a rate per mile not to exceed one-third above the rate per mile now paid for closed-pouch service; and for mail cars and apartments carrying the mails, not to exceed the rate of 1 cent per linear foot per car-mile of travel: *Provided further*, That the rates for electric car service on routes over 20 miles in length outside of cities shall not exceed the rates paid for service on steam railroads: *Provided, however*, That not to exceed $15,000 of the sum hereby appropriated may be expended, in the discretion of the Postmaster General, where unusual conditions exist or where such service will be more expeditious and efficient and at no greater cost than otherwise, and not to exceed $100,000 of this appropriation may be expended for regulation screen or motor screen wagon service which may be authorized in lieu of electric or cable car service.

Mr. MOON. Mr. Chairman, I move to amend, line 9, page 22, by striking out the figures "$851,000" and inserting in lieu thereof "$845,000."

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 22, amend, in line 9, by striking out "$851,000" and inserting "$845,000."

The question was taken, and the amendment was agreed to.

The Clerk read as follows:

The appropriation for two delegates to the International Postal Union at Madrid to be appointed by the Postmaster General from the Post Office Department, made by the act of August 24, 1912, making appropriations for the service of the Post Office Department for the fiscal year ending June 30, 1913, and for other purposes, is hereby continued and shall be available for such convention when it shall be held.

Mr. FOSTER. Mr. Chairman, I reserve a point of order on the paragraph. What does this International Postal Union propose to do?

Mr. MOON. It proposes to make agreements and conventions in reference to transportation of mails, postage, and interchange of mails between the respective countries participants in such conventions, and many other things that pertain to the foreign postal service.

Mr. FOSTER. Well, how much appropriation was made in 1912?

Mr. MOON. Five thousand dollars.

Mr. FOSTER. How much has been used?

Mr. MOON. Why, there has not been any convention held, and there may not be any the next time.

Mr. FOSTER. And this is to make arrangement between this country and foreign countries——

Mr. MOON. Yes; in the event the war ends.

Mr. MANN. Mr. Chairman, my colleague from Illinois will recall that two years ago there was a contest over this, and we reduced the amount of appropriation proposed from $10,000 to $5,000.

Mr. FOSTER. That is my recollection.

Mr. MANN. And $5,000 is all right for the convention if held.

Mr. FOSTER. So we have not spent any of the money?

Mr. MOON. None; we have not had a convention.

Mr. MADDEN. Mr. Chairman, I would like to say further, in reply to my colleague's question, that these conventions have fixed the postal rate between all the members of the union, and unless we are in the union we can not get advantage of the rates that are fixed by the Postal Union.

Mr. FOSTER. Mr. Chairman, I withdraw the point of order.

The Clerk read as follows:

For travel and miscellaneous expenses in the Postal Service, office of the Second Assistant Postmaster General, $1,000.

Mr. CULLOP. Mr. Chairman, I move to strike out the last word for the purpose of asking the chairman of the committee a question for information. Is there any provision in here regarding terminals for circularized matter? I have had a good deal of complaint about the sending of circulars through the mail on account of the delay in getting them to their destinations.

Mr. MOON. I do not know of any provision of that sort.

Mr. CULLOP. As I understand it, there has been some new regulation made by which circulars sent out either pass directly through the town or city for which they are intended and to which they are addressed to a terminal, and there a redistribution takes place, and in that way the distribution of these through the mails is very much delayed, to the great inconvenience and sometimes injury to the patrons of the service.

Mr. MOON. That would be purely an administrative proposition, of which this committee would not take cognizance unless it was brought expressly before it. I know of no complaint of that kind before the committee.

Mr. CULLOP. Well, I did not know whether there was any provision in this bill for the regulation of that matter or not.

Mr. MOON. No.

Mr. CULLOP. From the complaints I have received from the patrons of the department, it seems to me that there ought to be some change made in the regulations regarding this service. As I understand it now, terminals are established over the coun-

try for the purpose of handling the circularized matter that is sent out from the wholesale houses and other businesses which circularize the country, which very much delays the distribution.

Mr. MOON. The gentleman may be speaking of the general terminal service that is supplied in a great many cities, and not merely to circulars, but to all classes of mail.

Mr. CULLOP. This seems to have applied largely to the mail for circulars. For instance, I had a letter the other day in which it was stated that the circulars sent out for a certain meeting of importance passed through the town on to the terminal, were stored away there some time for redistribution and for retransportation, an additional cost, and they arrived at their destination three days after the convention was over and too late for use.

Mr. MOON. That is a matter for the department.

Mr. CULLOP. Is that kind of practice going on in the service? It seems to me it ought to be regulated in some way, or at least stopped, so that the people would have prompt service for which they pay. I have been looking through this bill to see if there is anything on that subject and have failed to find anything, and consequently I ask the chairman of the committee for information on the subject.

Mr. MOON. I would say to the gentleman there is nothing in the bill on that subject of which I am aware. I never heard the question presented before.

Mr. CULLOP. I could show the gentleman, I think, some pretty strong letters condemning the matter very thoroughly and, further, showing an improvement should be made in this branch of the service, in order that it fulfill the requirements of the public and serve the convenience of the people who pay for the service. The efficiency of this department should be zealously guarded, and wherever improvement can be made it should be done and opportunity for criticism removed.

Mr. STEENERSON. Mr. Chairman, I move to strike out the last word.

In reference to the matter spoken of by the gentleman from Indiana [Mr. CULLOP] I have, contrary to the experience of the chairman of the committee, received many complaints concerning the matter of delayed distribution of mail.

Mr. MOON. I have no doubt of that. However, I have not had them.

Mr. STEENERSON. I have heard of complaints that the distribution of mail has been delayed in the different terminal offices. Now, the cause for that, I will say to the gentleman from Indiana, so far as I can learn, arises from the efforts of the Post Office Department to save space in the railway post-office cars. It is a fact that since the addition of parcel post to the mails a great deal of space is required, and if all the space that they could conveniently use were allowed for distributing mail en route, then the railway post-office car service would be greatly augumented. This would add expense. But in order to overcome that tendency which has developed by reason of the parcel post the department has made an effort to do the distributing in place of having it done on the moving cars, in the terminals. It has been a subject of complaint in the large cities, like St. Paul, Minneapolis, and Chicago. In one instance, in Chicago, circulars which, for instance, announced an event for the 10th of the month, had been mailed on the 5th and not distributed until after the event.

Mr. CULLOP. Will the gentleman permit an interruption there?

Mr. STEENERSON. Certainly.

Mr. CULLOP. In inaugurating that system the department, I should think, would economize very much, because they are hauling, in many instances, this matter addressed to some town and through it to some terminal. It is there stowed away and in the course of business redistributed, hauled back part of the way over the same road, for which the Government has to pay, to the town to which it was addressed, and has been delayed, in many instances, several days, and both the work and the expenses multiplied for handling it; whereas if they had the distribution of it in the car and would drop the matter at the destination to which it was addressed they would save that expense of duplicating the hauling and the handling.

Mr. STEENERSON. That is a matter of administration. There is no doubt but there is a great deal of delay since the addition of the parcel post, because of the distribution in the terminals.

The CHAIRMAN. The time of the gentleman from Minnesota has expired.

Mr. STEENERSON. Mr. Chairman, I ask unanimous consent to proceed for three minutes more.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. STEENERSON. There is nothing in the paragraph under consideration relating to this matter, because that relates entirely to a different subject.

Mr. CULLOP. I did not contend there was anything in this paragraph, but I asked for information on the subject, and desired to call the attention of the committee to the service, about which there is a great deal of complaint.

Now, while we are on that subject, I want to call the gentleman's attention to another matter. A great many complaints have been made lately about losing parcel-post packages in transportation. I have had a number of those recently, in which they seem to have been lost—at least they did not reach their destination. They were either lost or stolen. Has the gentleman any complaints of that kind?

Mr. STEENERSON. Well, I want to finish what I have to say on the other matter first. There is nothing in this paragraph, but it is important that we should consider this feature of administration. The committee did not deem it necessary to provide any new legislation to remedy the defect, because it can be remedied by administrative action. If they will authorize or order sufficient distributing space in railway post-office cars, the distribution need not be delayed. But it is a fact, as stated by the gentleman from Indiana, that there is considerable complaint on this score.

As to the loss of packages, of course that is an incident to the business, and the parties have the right to insure them. It does not require any legislation. That is all I have to say.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

OFFICE OF THE FOURTH ASSISTANT POSTMASTER GENERAL.

For pay of letter carriers, substitutes for carriers on annual leave, clerks in charge of substations, and tolls and ferriage, Rural Delivery Service, $54,700,000: *Provided*, That not to exceed $20,000 of the amount hereby appropriated may be used for compensation of clerks in charge of substations: *Provided further*, That for experimental purposes, under such regulations as he may prescribe, the Postmaster General is authorized to advertise for proposals and to enter into contracts with the lowest responsible bidders for a period of not exceeding four years, for performing service on rural routes in one county in each State, and to pay for the same out of the amount hereby appropriated.

Mr. MOON. Mr. Chairman——

Mr. CANDLER of Mississippi. Mr. Chairman——

The CHAIRMAN. The gentleman from Tennessee [Mr. MOON] is recognized.

Mr. MANN. Mr. Chairman, I reserve a point of order.

Mr. MOON. I am making the point of order. The gentleman from Mississippi [Mr. CANDLER] need not bother himself about that. I have the floor.

Mr. MANN. The gentleman has not the floor on the point of order. I make the point of order.

Mr. MOON. I make the point of order. That is what I rose for, exactly. I make the point of order on that part of the section commencing on line 13 with "*Provided further*," and the balance of the paragraph. That is subject to a point of order. The rule does not cover it, and I do not care to discuss the question, but ask that it be stricken out.

The CHAIRMAN. The gentleman from Tennessee [Mr. MOON] makes the point of order on the language pending in the bill, on page 25, line 13, commencing with the words "*Provided further*," to the end of the paragraph. The Chair thinks the language is subject to a point of order. It is new legislation.

Mr. CANDLER of Mississippi. Mr. Chairman, I move to strike out the last word just simply to remark that I rose for the purpose of making that point of order, and the gentleman from Tennessee was recognized and started to make some remarks. I did not know whether he was going to make a point of order or not, and therefore I insisted on the point of order, and he said I need not trouble about it, that he was going to make it, and, of course, that was satisfactory.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

For inland transportation by star routes (excepting service in Alaska), including temporary service to newly established offices, $9,000,000: *Provided*, That no part of this appropriation shall be expended for continuance of any star-route service the patronage of which shall be served entirely by the extension of Rural Delivery Service, nor shall any of said sum be expended for the establishment of new star-route service for a patronage which is already entirely served by Rural Delivery Service.

Mr. JOHNSON of Washington. Mr. Chairman, I have an amendment, which I send to the Clerk's desk.

The CHAIRMAN. The gentleman from Washington [Mr. JOHNSON] offers an amendment which the Clerk will report.

The Clerk read as follows:

Amend, on page 25, line 22, after the word "offices," by striking out "$9,000,000" and inserting "$9,100,000," with the proviso: "*Provided*, That out of this appropriation the Postmaster General is authorized to provide difficult experimental or emergency mail service in

mountainous States in such manner as he may deem advisable without advertising therefor."

Mr. MOON. Mr. Chairman, I reserve a point of order on that.

The CHAIRMAN. The gentleman from Tennessee [Mr. MOON] reserves a point of order on the amendment.

Mr. JOHNSON of Washington. Mr. Chairman, this amendment adds $100,000 to the general appropriation to provide for certain emergencies for star routes, and in doing so it follows the language in this bill by which some freedom is allowed in arranging for a mail service in Alaska.

During the general debate I told of several routes which had collapsed on account of the weight of parcel-post matter sent in from the outside. Various offers have been made to the Post Office Department to revive, maintain, and serve these routes in the mountainous country. In one case I understand the Forest Service maintains, over the very road where the post-office people can not maintain a route, a pack-horse train at regular intervals, paying for the use of horses $1 each and feed, and to the owner of the horses $75 a month, and to the driver or leader of the pack train $60 a month. Now, here comes a man with an offer to revive the mail service along that very route for less than the rates paid by the Forest Service. He offers to convey the mail for $60 a month and 50 cents a day and feed per horse required. That is $15 less than is paid for the man owning the horse, and 50 cents a day less for each horse, and he agrees to use only as many horses as the parcel-post business which has to be done may require. That must not be done by experimental arrangement.

Mr. MANN. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. Does the gentleman from Washington yield to the gentleman from Illinois?

Mr. JOHNSON of Washington. Yes; certainly.

Mr. MANN. Is this parcel post carried at a profit or at a loss to the Government?

Mr. JOHNSON of Washington. It is carried almost invariably at a loss.

Mr. MANN. Does the gentleman think it necessary for the Government to provide sufficient means to carry into a mountainous country like that all of the supplies that are carried under the guise of parcel post where it will cost probably twenty times as much to carry as the Government receives from it?

Mr. JOHNSON of Washington. I certainly do. If the parcel post is established on a 50-pound basis, and the bulk of it originates in a city, and the people in nonsparsely settled districts have the benefit of that service, certainly the people in the sparsely settled districts should also have the benefit of the same service.

Mr. MANN. Oh, well, the people in the nonsparsely settled districts or in the thickly settled districts are not asking for an exception to be made to the general rule.

Mr. JOHNSON of Washington. No.

Mr. MANN. Now, if the Government is carrying these parcels out there—which means practically all the supplies they get there—a man who lives upon the top of a mountain would be foolish if he were to refuse to let the Government carry his supplies up to him for one twenty-fifth of what it costs him to do it. Should he furnish the rule by which he should secure both mail service and supplies? Should he not be compelled to choose between the two?

Mr. JOHNSON of Washington. He gets no mail service of any other kind.

Mr. MANN. It is because of his attitude on the parcel post, because he wants his supplies taken up.

If you were to let this work out by contract under such circumstances, the Government will carry all supplies to all portions of the country where it is very expensive to take them. Perhaps that is what the Government will be brought to eventually, but I doubt whether you will ever get the chance to do it without letting a contract.

Mr. JOHNSON of Washington. Now, will the gentleman allow me in turn to ask him a question?

Mr. MANN. Yes.

Mr. JOHNSON of Washington. How does the Post Office Department now go about it in arranging for carrying parcel post at 2 cents a pound in addition to paying on a bid contract for carrying the rest of the mail?

Mr. MANN. I do not know that there is anything in the law that forbids it. If there is, I do not know.

The CHAIRMAN. The time of the gentleman from Washington has expired.

Mr. JOHNSON of Washington. I desire two minutes more. I want to call the attention of gentlemen who come from some of the larger cities to the fact that one of the things that breaks down the parcel post in these outlying districts is the sending out of mail-order catalogues, each one of which weighs as much as a brick, thereby inducing these people in the far-off districts to send off their money in payment for more mail packages which come back and further break down the service.

Mr. FOWLER. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. FOWLER. I make the point of order, Mr. Chairman, that the gentleman is not proceeding in order. I ask unanimous consent that the gentleman may proceed in order for two minutes.

The CHAIRMAN. The gentleman from Illinois [Mr. FOWLER] asks unanimous consent that the gentleman from Washington [Mr. JOHNSON] may proceed for two minutes. Is there objection?

There was no objection.

Mr. JOHNSON of Washington. Now, Mr. Chairman, I have presented the amendment to this paragraph in good faith. It carries the same verbiage as the bill carries for the benefit of Alaska, and it has reference to a district that is 20,000 square miles in extent, the remote portions of which are entitled to the maintenance of their star routes so they may receive letters and papers. The residence there did not invent the parcel post and they are not responsible for the collapse of several routes.

Mr. MOORE. Mr. Chairman, will the gentleman yield to me for a question?

The CHAIRMAN. Does the gentleman from Washington yield to the gentleman from Pennsylvania?

Mr. JOHNSON of Washington. Yes.

Mr. MOORE. Is the business that goes into that section drummed up by the mail-order houses or does it originate there?

Mr. JOHNSON of Washington. It is drummed up by the mail-order houses, of course.

Mr. MOORE. If the mail-carrying business is conducted at a loss, as the gentleman indicates, two parties are getting the benefit of it—the mail-order house and the persons to whom the packages are delivered.

Mr. JOHNSON of Washington. Yes; and on top of that the Government owns half of the property and resources out there, which further deprives these people of a chance to develop their localities.

Mr. MOORE. Is there no other way by which the people can get their supplies? Are there no local stores or agencies, or do they require these mail-order supplies in order to exist?

Mr. JOHNSON of Washington. There are small but good stores away out, we will say, 30 miles from the railroad, originally doing a fair sort of business and carrying a fair stock. The parcel post has in many cases greatly reduced their business, so that a storekeeper who was doing a business of $50,000 a year has had his business reduced to $20,000 or even $15,000 a year.

Mr. MOORE. Ought we not to have some consideration for that local storekeeper?

Mr. JOHNSON of Washington. I think so; and I think the United States is big enough so that its mail service ought not to be carried with the intention of endeavoring to show a profit. I believe that the far-off man on a rural route is entitled to his parcel-post service the same as he was entitled to his letters before the parcel post broke down the whole mail service on certain of these routes.

Mr. MANN. The gentleman from Washington [Mr. JOHNSON] referred to the carrying of mail-order catalogues, and I think it is worth while to make an observation on the subject.

Mail-order catalogues are third-class matter. They are very large and very heavy. The gentleman from Washington said that one would weigh as much as a brick. Well, I am inclined to think it would be a lightweight brick that would compare with a mail-order catalogue. These catalogues were not included in the parcel-post law. I was one of those who insisted in private that the parcel-post law should not be so drawn as to include the mail-order house catalogues. I thought the mail-order houses were getting enough benefit out of the parcel-post law without reducing the cost to them of carrying their catalogues over the country at the expense of the Post Office Department. I think it used to cost almost 40 cents in postage to carry one of these heavy catalogues of a big mail-order house as third-class matter.

Under the construction which Postmaster General Burleson made of the parcel-post law he issued an order covering third-class matter into the parcel post. What is now being done is that the mail-order houses, instead of sending their catalogues from their home city and paying even parcel-post rates on them,

which would be considerably less than the third-class rate, are sending them by freight to different parts of the country, so that they get the local parcel-post rate; and where the Government used to get in the neighborhood of 40 cents for carrying a catalogue it now carries it for, I think, 2 or 3 cents.

Mr. JOHNSON of Washington. Will the gentleman yield for a question?

Mr. MANN. Yes.

Mr. JOHNSON of Washington. Is it not a fact that the great mail-order houses do the same thing in the distribution of merchandise by mail—shipping it in carload lots by freight to distributing points, like Seattle, for instance?

Mr. MANN. They did not ship it otherwise before the parcel-post law was passed. Here is a plain discrimination in the interest of the mail-order houses. Though I do not think that was the intention of the Post Office Department, that is the result, because now they send their catalogues at a cost very much below what it was before and the Government practically loses all the money which it formerly received, which was a very large amount.

Mr. SAMUEL W. SMITH. Can the gentleman give us any idea how much the Government has lost?

Mr. MANN. I have not computed it. I do not know. Of course the mail-order houses are in my town. I am not attacking them.

Mr. SAMUEL W. SMITH. I did not know but the gentleman had an idea how much the Government was losing by this.

Mr. MOON. Mr. Chairman, I make a point of order on the amendment offered by the gentleman from Washington.

The CHAIRMAN. The gentleman from Tennessee makes a point of order on the amendment offered by the gentleman from Washington.

Mr. STEENERSON. Mr. Chairman, I ask for one minute.

The CHAIRMAN. The gentleman from Minnesota asks unanimous consent to proceed for one minute. Is there objection?

There was no objection.

Mr. STEENERSON. Mr. Chairman, in answer to the gentleman from Illinois I wish to say that the Assistant Postmaster General in charge of this matter stated at the hearing that instead of it costing the Government more by reason of the catalogues being withdrawn from the mail and shipped by freight it was gaining by it. It was a saving to the Government, because it reduces the railway mail pay very largely, and he said the saving in that way was more than enough to make up for the loss of postage on the catalogues.

Mr. SAMUEL W. SMITH. How much did he say they were making on it?

Mr. STEENERSON. He did not go into details, but he stated that the saving in railway mail pay would more than make up for the lost postage.

Mr. MANN. Mr. Chairman, I ask unanimous consent for one minute.

The CHAIRMAN. The gentleman from Illinois asks unanimous consent to proceed for one minute. Is there objection?

There was no objection.

Mr. MANN. That statement is not correct as compared with the mail-order catalogues treated as third-class matter. Everyone familiar with the Post Office Department knows that the third-class matter has always more than paid its way. Taking mail-order catalogues out of third-class matter and authorizing them to be sent at parcel-post rates and sent as they are now sent very greatly reduces the income of the Government without any corresponding reduction of the expenses of the Government, and if the First Assistant Postmaster General or any other Assistant Postmaster General states to the contrary he does not know anything about it.

Mr. MOON. Mr. Chairman, I insist on the point of order.

The CHAIRMAN. The gentleman from Tenenssee makes the point of order against the amendment. The Chair thinks that it provides for a service not provided for by law, and therefore the point of order is sustained.

The Clerk read as follows:

For experimental village delivery service in towns and villages having post offices of the second or third class, $200,000.

Mr. CULLOP. Mr. Chairman, I move to strike out the last word. I want to ask the chairman of the committee concerning the paragraph just read. Under this bill, as I understand it, because of the provision on page 16, the proviso that in the disbursement of this appropriation no employee shall be paid at a rate higher than $600 per annum, then the man who delivers the mail in the experimental delivery service of towns and villages can not receive a compensation of more than $600 per year, or $50 a month.

Mr. MOON. I do not think that has any relation to the subject at all.

Mr. CULLOP. I understand that is the highest compensation that can be paid for such service.

Mr. MOON. The gentleman is speaking of the proviso with relation to compensation of clerical service in third-class offices. This is an entirely new proposition.

Mr. CULLOP. Some time ago I had established in a town in my district a village delivery system. When it came to getting some one to perform the duties of carrier to distribute the mail the department said that under the provision of the Post Office bill the man could not receive a compensation of more than $50 a month. Certainly no one will contend that a man who can perform that service is not worth more than $50 a month, and a compensation of that kind is wholly inadequate.

In this case I have in mind they were unable to get a man to perform the duties at that compensation. I know of no other provision controlling it than the one I have just read, because he is an employee in that office, is under the jurisdiction of that office for which he makes the delivery, and the proviso in this section applies to the third-class offices, and simply makes it impossible for him to be paid more than $50 a month for that service. The carriers are employees of the offices in a sense, as I understand, by construction of law with reference to that matter; and if that be true that he can not receive more than $50 a month, this provision for trial delivery in post offices of the second and third class is a failure. It could not be made workable, for the reason that the compensation is such that no man able to perform the duties will accept the position. I would like to know if there is any other provision that regulates the pay of these men engaged in delivery work.

Mr. MOON. I do not think the matter has any relation one to the other at all. This is an experimental fund, separate and distinct from all others, to provide for a service in the towns and villages for post offices of the second and third class, and $200,000 is appropriated for that purpose. The Postmaster General can use the fund at any place he sees fit, and I think he could make compensation regardless of the section to which the gentleman refers. Whether the Postmaster General does or not, I can not inform the gentleman from Indiana, but I do know that under this provision it is the purpose of the department, as I am advised, to use the rural letter carrier for the performance of this duty—to throw these villages into the position of a rural route, and the routes will be changed in length in accordance with the services performed, so as to get a proper length of route and get the pay allowed under the statute.

Mr. CULLOP. I would like to state to the gentleman from Tennessee that if that is the proposed plan you might as well abolish the attempt to have a village delivery, for the reason that in these villages they ought to have two or three deliveries a day. Mails coming to business men require prompt delivery, and they either ought to have a reasonable number of deliveries, or they ought to have none, so that they can go to the office and get their own mail. If we were to have only one delivery by a rural carrier who makes his trip out in the morning and back in the afternoon, the people will get no benefit from it.

Mr. MOON. You can have two deliveries a day, which is sufficient in any town or village.

Mr. CULLOP. It may be and it may not be. Mails coming to and going out of town must determine the necessity of the number of deliveries as well as the times of arrival and departure of the mails.

The CHAIRMAN. The time of the gentleman from Indiana has expired.

Mr. CULLOP. I ask unanimous consent that I may proceed for five minutes more.

There was no objection.

Mr. MOON. I want to state to the gentleman from Indiana that this is purely an experimental proposition. It is not sufficiently developed to determine whether the service will be justified or not. It may be and it may not. The sum of money is to be used the best way that the department can determine and get the most feasible means of carrying on this work for that class of people who do not now have the benefit of a city delivery or rural delivery. It is under the experimental proposition and definite plans can not well be established.

Mr. CULLOP. Well, certainly the gentleman from Tennessee will agree that if the pay of these men is limited to $50 a month, or $600 a year, you will not have any experimental service. You will not get the opportunity to try it out as is desired, for the reason that you can not get competent men to do the work for that sum of money. No one can afford to accept the position on any such meager compensation as that.

Mr. SAMUEL W. SMITH. Will the gentleman yield?

Mr. CULLOP. Certainly.

Mr. SAMUEL W. SMITH. Where does the gentleman get the information that they are limited to $600?

Mr. CULLOP. Well, from the one established in my district, where the postmaster was instructed to select a man for carrying the mail or making the delivery, and he was instructed that the department would only pay $50 a month. The postmaster could not find a man competent for the place who would accept it for that compensation.

Mr. SAMUEL W. SMITH. Was that experimental?

Mr. CULLOP. Yes; that was to establish a village delivery system. It is perfectly needless to talk about getting men to perform such a service for $50 a month. The laborer ought to be worthy of his hire, and he ought to have a reasonable compensation for the service that he renders.

Mr. RUBEY. If the gentleman from Indiana will pardon me, I want to say that we have an experimental service in my own town, where the carrier receives more than $50 a month; I think he receives $60 or $70 a month.

Mr. CULLOP. Mr. Chairman, in the instance I speak of, one that has come under my own observation, the postmaster was instructed that he could not pay more than $50 a month. He promptly wrote to me that he could not get a man to perform the service for that price. It was in a mining territory. There are large coal interests there. The mails are heavy and wages are high. The men employed in the mines get large pay, and consequently he could find no man suitable for this position at $50 a month. That is not sufficient pay for this work. It ought to be a larger compensation.

Mr. GOULDEN. What is the population in this town?

Mr. CULLOP. Thirty-five hundred.

Mr. GOULDEN. And that in the town of the gentleman from Missouri is twenty-five hundred.

Mr. CULLOP. The population of the place I refer to is thirty-five hundred. It is a rapidly growing town, where there are large mining interests and great mercantile business.

Mr. MOON. Mr. Chairman, I want to say that there is no limitation fixed by law for compensation for services under this experimental proposition. The trouble with the gentleman is not with the law, but he would better wrestle with the Postmaster General and get a little more money for his man.

Mr. CULLOP. I undertake to say that under the construction of this proviso on page 15 of this bill a basis can be found to construe it to apply to this very matter. While it says that in the disbursement of this appropriation no employee shall be paid at a rate higher than $600 per annum, that will or may be construed to apply to this very kind of service, and if it is so construed, then this man can not get a larger salary than $50 a month for this work, which is wholly inadequate. I do not know whether the construction would actually hold good, if tested; but as long as the Post Office Department exercises its right to so construe it the other party is helpless to get away from that construction. I insist that it is wrong. If it is to be held to apply, then all can see it is an instrument of harm rather than benefit.

Mr. MOON. Mr. Chairman, I dislike to see my friend put himself in a bad attitude here. I have insisted from the beginning, as a matter of legal construction, that his proposition is different from the proposition that is before us. Here is the report of the department for village-delivery service in operation December 1, 1914. The gentleman has a town called Garrett in Indiana, has he not?

Mr. CULLOP. Yes; but it is not in my district.

Mr. MOON. They pay that carrier $700 a year.

Mr. CULLOP. Look at the town of Jasonville, which is in my district, and see what they pay him there.

Mr. MOON. Jasonville has probably less population than the other.

Mr. CULLOP. No; Jasonville is a town of 3,500 population.

Mr. MOON. Jasonville, $600. There is another place in Indiana where they have two carriers, $1,200.

Mr. CULLOP. The Jasonville carrier is paid at the rate of $600, which is wholly inadequate.

Mr. MOON. But that is a matter of complaint with the department. If the gentleman wants more money, he should go down and get it. It is there.

Mr. CULLOP. But suppose they do not give it to me? The result is the public suffers. [Laughter.]

Mr. MOON. Then the gentleman is in bad luck. In every State in the Union where this service is in force there are places where the compensation is more than $600.

Mr. SAMUEL W. SMITH. Mr. Chairman, will the gentleman yield?

Mr. MOON. Yes.

Mr. SAMUEL W. SMITH. Would the gentleman oppose an amendment increasing the appropriation beyond $200,000. as provided for in the bill?

Mr. MOON. Yes. I can not agree to any increase. This is purely experimental, and I think we ought to have the final report on the experimental service and determine whether it is effectual or abandon the experimental proposition.

Mr. SAMUEL W. SMITH. Can the gentleman state when that report is expected?

Mr. MOON. I can not say; but I should say that we ought to have it before a great while.

Mr. JOHNSON of Washington. Mr. Chairman, I offer the following amendment, which I send to the desk and ask to have read.

The Clerk read as follows:

Amend, on page 26, line 5, by striking out all of lines 5, 6, and 7.

Mr. JOHNSON of Washington. Mr. Chairman, the argument that we have just heard shows that this experimental rural service in villages is largely unnecessary. We decide we can not have routes in mountainous countries, so why go on with an experiment in villages at a cost of $200,000, when there is a general demand that the United States save every penny of its income? Here is a chance to save $200,000.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Washington.

The question was taken, and the amendment was rejected.

The Clerk read as follows:

For rental and purchase of canceling machines and baling presses, including cost of power in rented buildings, motors, repairs to motors, and miscellaneous expenses of installation and operation, $300,000.

Mr. TUTTLE. Mr. Chairman, I offer the following amendment, which I send to the desk and ask to have read.

The Clerk read as follows:

Amend, on page 29, line 6, after the word "operation," by striking out "$300,000" and inserting "$325,000."

Mr. TUTTLE. Mr. Chairman, this is in the interest of economy, because this additional $25,000 is required for the purchase of baling presses to supply first and second class post offices in the country. The committee favor this addition, and undoubtedly a great saving will result.

Mr. MANN. Mr. Chairman, will the gentleman yield?

Mr. TUTTLE. Yes.

Mr. MANN. I notice the item for baling presses. I really do not know what a baling press is in a post office. Will the gentleman explain it?

Mr. TUTTLE. It appears that the waste paper which accumulates in the post offices at the present time is either given away, burned, or otherwise not accounted for. It will bring about 12 cents a hundred pounds not baled, but if baled the price will be from 24 to 35 cents a hundred pounds. In Chicago it is as high as 45 cents a hundred. These baling presses are in use commercially by most of the large stores and industrial concerns. They may be operated by the laborers, and cost from $15 up. Those now installed in the post offices, I think, average about $22 apiece, but there are only 146 of them in the service.

The Fourth Assistant Postmaster General estimates that $25,000 will equip the first and second class post offices of the country and will undoubtedly result in a saving of from $100,000 to $200,000.

Mr. FOSTER. Mr. Chairman, just a moment. I would like to ask the gentleman from New Jersey a question. I see this item contains a provision for buying of canceling machines. Can the gentleman inform us what the department is doing in reference to buying canceling machines or whether they are going ahead and renting machines at the present time?

Mr. TUTTLE. I regret I can not inform the gentleman. Maybe the chairman can do so.

Mr. MOON. They are buying most of them.

Mr. FOSTER. I mean the little hand machines which the Government rents for, I think, something like $90 apiece per annum. As I understand, Congress has fixed the maximum price that can be paid for canceling machines at $270?

Mr. MOON. That is the gentleman's own amendment.

Mr. FOSTER. That is the reason I am asking how they are getting along.

Mr. MOON. They are getting along very well. They have been renting them, but now they have reached the point where they think it is better for them to buy them.

Mr. FOSTER. So I now understand they are buying these machines instead of renting them.

Mr. MOON. Yes; they are buying them.

Mr. MADDEN. They are running them themselves, and they are getting along much better.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New Jersey.

The question was taken, and the amendment was agreed to.

The Clerk read as follows:

That if the revenues of the Post Office Department shall be insufficient to meet the appropriations made by this act, a sum equal to such deficiency of the revenue of said department is hereby appropriated, to be paid out of any money in the Treasury not otherwise appropriated, to supply said deficiencies in the revenues for the Post Office Department for the year ending June 30, 1915, and the sum needed may be advanced to the Post Office Department upon requisition of the Postmaster General.

Mr. MANN. Mr. Chairman, I would suggest to the gentleman from Tennessee that he has the wrong fiscal year named in this paragraph, which provides for paying out of the revenues a deficiency for the fiscal year ending June 30, 1915. It should be 1916.

Mr. MOON. Mr. Chairman, I am obliged to the gentleman. That is a mistake in printing. I move to amend by inserting "16" instead of "15."

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

On page 30, line 18, strike out "15" and insert "16."

The question was taken, and the amendment was agreed to.

The Clerk read as follows:

SEC. 3. That hereafter the Postmaster General may establish, under such rules and regulations as he may prescribe, one or more branch offices, nonaccounting offices, or stations of any post office for the transaction of such postal business as may be required for the convenience of the public.

Mr. MANN. Mr. Chairman, I move to strike out the last word. What is the meaning of this section, may I ask, in reference to the establishment of branch offices, nonaccounting offices, and so forth? Also, what is the meaning in connection with the next section? Some one stated on the floor here the other day that under this section 3 it would be possible for the Postmaster General to abolish all offices in a county except one post office, and have the others as branch offices, which might be quite an economy.

Mr. MADDEN. Mr. Chairman, I can state to my colleague in answer to the question that from the reply of the Assistant Postmaster General these nonaccounting branch offices were just contract stations.

Mr. MANN. But contract stations are already authorized and appropriated for, and this can not apply to contract stations, because they are authorized under existing law, and this bill carries an appropriation for that purpose.

Mr. MADDEN. That is what he said these were.

Mr. MANN. Then this has no place. I suppose the intention originally of this was to authorize in a city, say, Chicago, Boston, New York, or St. Louis, the abolishment of a post office that lies right adjacent to the city in order to establish a branch office there, as I think we did specifically at St. Louis and at Boston.

Mr. MADDEN. That is what the Postmaster General stated.

Mr. MANN. My colleague does not mean to say that there is not law now authorizing branch offices?

Mr. MADDEN. There is a law.

Mr. MANN. I mean the contract stations which we have had for many years and for which we carry an appropriation of $1,200,000 in this bill.

Mr. MADDEN. Well, I think that there is a law which authorizes that, but that was the statement made by the Postmaster General, with the request that he be permitted to enter into a contract for four years instead of one year. The committee provided for two years, and I think it is provided for in a place earlier in the bill, where not only appropriation is made, but a provision is made that the Postmaster General may be authorized to contract for two years, and this provision of the bill is a duplication of the other.

Mr. MANN. Of course there is no objection to the provision whatever, although I would not want to see incorporated in a post-office bill a provision which authorizes the abolishment of all the post offices in a county except one without our knowing what was being done.

Mr. CULLOP. I would like to ask the gentleman from Illinois a question with reference to his construction of it. If I understood the gentleman correctly, he construed this provision to mean that the post office of a county seat might be a central office for a number of offices radiating around it, and then such offices could be abolished and made substations to it.

Mr. MANN. I did not construe the section at all. I was trying to get a construction of the section. I said some one said on the floor the other day that this provision would authorize that. I was trying to ascertain if that was the purpose.

Mr. CULLOP. And then centralize the operation more than it is now if such could be the construction of this provision. Does anybody know just exactly what this provision is intended to do and the purpose of it?

Mr. MANN. I plead not guilty myself.

Mr. CULLOP. I would like to find out from some one, if possible, its real purpose.

Mr. MOON. There are certain legal restrictions imposed on the establishment of stations and branch offices and nonaccounting offices, if there is any authority now expressly for nonaccounting offices, and these restrictions the Post Office Department would like to remove as far as possible and give more latitude to the Postmaster General in the establishment of branch offices and nonaccounting offices and stations. In other words, to be clear about the matter, it is to give a freer hand to the Postmaster General in connection with all of this work.

Mr. CULLOP. I would like to ask the chairman a question if he will permit me. Is it intended that this shall be construed so as to do away with independent offices and make them substations to some central office in a given territory or locality?

Mr. MOON. That power exists now. It is done every day or two.

Mr. CULLOP. That is done as to very small offices.

Mr. MOON. It is done in big ones, too.

Mr. CULLOP. Is that the purpose of this provision?

Mr. MOON. No; that is not the purpose of that particularly, because that power exists now, but there are restrictions which they insist are placed, that I do not now recall, upon the exercise of this power in the establishment and maintenance of a substation or a station, and I believe there is no authority now for the nonaccounting station, and it is this power that the administration asks for.

Mr. CULLOP. What do you mean by nonaccounting offices?

Mr. MOON. That word is subject to one or more constructions, perhaps. Generally what I understand by a nonaccounting office is where a fourth-class office buys all of its supplies, pays for them, or gives bond for them, and they take the receipts of the office, and they do not send in its monthly accounts or its quarterly accounts or annual accounts.

Mr. MANN. Are not now the nonaccounting offices those that do not account directly to the Post Office Department, but only to the postmaster of the town in which they are located?

Mr. MOON. They do account and they must account for the supplies they get.

Mr. MANN. They account to the postmaster. He makes the account to the Post Office Department. They do not account directly to the Post Office Department.

Mr. MOON. They do not account to the Postmaster General, you mean? That is true.

Mr. MANN. I think that is the distinction.

The CHAIRMAN. Without objection, the pro forma amendment will be withdrawn, and the Clerk will read.

The Clerk read as follows:

SEC. 4. That hereafter the Postmaster General may enter into contracts for the conduct of such stations for a term not exceeding four years.

Mr. MANN. Mr. Chairman, I move to strike out the last word. Section 4 reads:

That hereafter the Postmaster General may enter into contracts for the conduct of such stations for a term not exceeding four years.

I assume the words "such stations" were intended to apply to the preceding section; but if so, is not there a conflict, and is there not a conflict, anyhow? On the bottom of page 15 you provide that the postmaster may enter into a contract for a term of two years for a contract station. Now, you provide that he may enter into a contract for four years for these stations. And I think the stations are the same stations.

Mr. MOON. I will say to the gentleman that I have a memorandum on my desk here, which I made, to the effect that if this section was passed, which is on page 15, section 4 would be unnecessary.

Mr. MANN. I think it is unnecessary.

Mr. MOON. I move to strike out the section.

The CHAIRMAN. The gentleman from Tennessee offers an amendment, which the Clerk will report.

The Clerk read as follows:

Page 31, strike out all of section 4.

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

SEC. 5. That on and after July 1, 1915, when the total compensation of any postmaster at a post office of the fourth class for four consecutive quarters shall amount to $1,000, exclusive of commissions on money orders issued, and the receipts of such post office for the same period shall aggregate as much as $1,900, the Auditor for the Post Office Department shall so report to the Postmaster General, who shall,

in pursuance of such report, assign such post office to its proper class, to become effective at the beginning of the next succeeding quarterly period, and fix the salary of the poatmaster accordingly.

Mr. MANN. The word "poatmaster," in line 23, page 31, should be changed to "postmaster." It is a typographical error.

The CHAIRMAN. Without objection, the amendment will be agreed to.

The amendment was agreed to.

The Clerk read as follows:

SEC. 10. That hereafter the Postmaster General may transfer, under such regulations as he may prescribe, clerks from post offices of the first and second classes to the Railway Mail Service at salaries not exceeding the salary which the clerks are receiving in the post offices at the time of such transfer, with the consent of the clerk.

Mr. REILLY of Connecticut. Mr. Chairman, I beg leave to offer an amendment, with the consent of the committee.

The CHAIRMAN. The gentleman from Connecticut offers an amendment, which the Clerk will report.

The Clerk read as follows:

On page 34, after the word "clerks," in line 5, insert the words "or carriers"; on the same page, in line 8, after the word "clerks," insert the words "or carriers"; and on the same page, in line 9, after the word "clerk," insert the words "or carrier."

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Connecticut.

The amendment was agreed to.

The Clerk read as follows:

SEC. 11. That the Postmaster General is authorized and directed to readjust the compensation to be paid to railroad companies from the 30th day of June, 1915, or as soon thereafter as may be practicable, for the transportation and handling of the mails and furnishing facilities and services in connection therewith upon the conditions and at the rates hereinafter provided.

Mr. MOON. Mr. Chairman, page 34, line 12, I move to strike out the words "30th day of June" and insert in lieu thereof "1st day of July."

The CHAIRMAN. The gentleman from Tennessee offers an amendment, which the Clerk will report.

The Clerk read as follows:

Page 34, line 12, strike out the words "30th day of June" and insert in lieu thereof "1st day of July."

Mr. MANN. Is the gentleman sure about that amendment?

Mr. MOON. That amendment is recommended by the department, because the fiscal year begins then.

Mr. MANN. I know. This would be "from." "From" would not include the first day. You had better say "from and after the 30th day of June."

Mr. MOON. That is all right. I do not object to that amendment, inserting "from and after the 30th day of June." I ask unanimous consent to modify my amendment accordingly.

The CHAIRMAN. The gentleman from Tennessee asks unanimous consent to modify his amendment. The Clerk will report the amendment as modified.

The Clerk read as follows:

Page 34, line 12, after the word "from," insert the words "and after."

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Tennessee.

The amendment was agreed to.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

In addition thereto he may allow not exceeding $1 as an initial rate and the same as a terminal rate for each one-way trip of a 30-foot apartment car and 50 cents as an initial rate and the same as a terminal rate for each one-way trip of a 15-foot apartment car.

Mr. YOUNG of North Dakota. Mr. Chairman, I desire to offer an amendment.

The CHAIRMAN. The gentleman from North Dakota offers an amendment, which the Clerk will report.

The Clerk read as follows:

Page 36, line 16, after the word "car," insert the following:

"*Provided*, That the compensation now paid the railway companies operating lines with a total mileage of less than 90 miles for each one-way trip of a 15-foot apartment car shall not be less than they are now receiving."

Mr. MOON. Mr. Chairman, I reserve a point of order on that.

The CHAIRMAN. The gentleman from Tennessee (Mr. MOON] reserves a point of order on the amendment.

Mr. YOUNG of North Dakota. Mr. Chairman, my colleague from North Dakota [Mr. HELGESEN] is not on the floor at this moment. If here, I think he would like to present some such amendment as this. I have a letter here from the president of the Farmer's Grain & Shipping Co., which is a road owned by farmers in our State, and something like 80 miles long. He calls attention to the fact that if this bill is passed in the form in which it is now the compensation which they will receive will be only $7.76 for each trip.

I would like to have this letter read. It is written by a man by the name of James M. Kelly, who is, as I say, the president of this farmer's company.

Mr. TUTTLE. Does that show the amount which they are receiving under the present act?

Mr. YOUNG of North Dakota. Yes; it does. It perhaps explains the situation better than I can, as I had not expected to present this matter. I regret that I have not had the opportunity to collect any information to speak of upon this subject. I ask, Mr. Chairman, that the letter be read.

The CHAIRMAN. The Clerk will read the letter.

The Clerk read as follows:

DEVILS LAKE, N. DAK., *December 26, 1914.*

Hon. GEORGE M. YOUNG,
House of Representatives, Washington, D. C.

DEAR SIR: Referring to H. R. 19906, by MOON, of Tennessee, I understand this bill has been added as a rider to the Post Office appropriation bill and has a good chance of passing the House, and I would like to call your attention to its effect on the revenues of a small road such as ours.

Since July 1, 1914, when our compensation for carrying the mails was increased on account of the increased weight of the mails which it was found we had been carrying, we have been receiving $13.46 per day for carrying and delivering the mails along our line, furnishing a 15-foot apartment in a car for that purpose, which you will acknowledge is little enough compensation for hauling, heating, lighting, and the upkeep of a car, aside from the expense of delivering the mails at each of the post offices from the train. I don't think it would be possible for the Government to get this service performed by team for less than 25 cents per mile, which, in the case of our line, would amount to $33 per day as against the $13.46 we are receiving. And still the Moon bill proposes to pay us at the rate of 5½ cents per mile, which, with the additional weight compensation, would reduce our pay to $7.76 per day. And in addition it proposes to penalize us at the rate of $5,000 per day if we refuse to perform the service.

Up till now we could refuse to perform the service if the pay did not suit us, but on account of the great convenience it has been to our patrons to have the mail delivered promptly we have continued to give the service at considerable loss. But now to have our compensation, small as it was, cut almost in two, and on top of that to force us to do it whether we like it or not, is certainly reverting to the methods in vogue in the Dark Ages, and I hope that you will oppose this bill with your vote and influence. It is to be regretted that the Postmaster General seems inclined to follow the lead of his predecessor in trying to make a showing for his department and at the expense of railroads, and I believe that such a policy in connection with the past attitude of the Interstate Commerce Commission toward the railroads has more to do with the present depression in business than the change in our tariff laws.

I am, yours, sincerely, JOS. M. KELLY.

Mr. YOUNG of North Dakota. Mr. Chairman, I hope that the chairman of the committee will not oppose this amendment. It may require to be changed somewhat in form. So far as I am personally concerned, I would be satisfied to have this matter left in the discretion of the Postmaster General.

It seems as though small roads of this kind, owned by farmers and others of limited means, where it was difficult for them to finance the company in the first instance and rather difficult to manage it with a minimum of expense, there should be some provision which would at least permit the Postmaster General to pay such roads at least the amounts that are now being paid to them under existing law.

Mr. TUTTLE. Mr. Chairman, I hope that no further amendments will be made to this particular section of the bill.

This section, as the House knows, constitutes the bill that was reported by the joint commission on compensation to the railroads for the transportation of mail. It has been amended by the House committee by giving additional discretion to the Postmaster General and in reducing the rates favored by the joint commission.

Mr. YOUNG of North Dakota. Mr. Chairman, will the gentleman yield?

Mr. TUTTLE. Certainly.

Mr. YOUNG of North Dakota. If the report of that commission has been amended by the committee already in other respects, why not amend it also in this respect, to help out the farmers who own this road?

Mr. TUTTLE. Well, certainly any amendment of that kind should have a great deal of consideration before it is incorporated in this legislation. There will undoubtedly be cases of injustice, as there always have been; but I want to say to the gentlemen of the committee that this plan of paying the railroads is in the interest of the short-line railroads, of which the gentleman speaks. It remedies many kinds of injustice, and the commission, in framing the schedules, had them in mind and provided liberally for them. Undoubtedly there are railroads that have been greatly underpaid. Railroads are built under such varying conditions in different parts of the country, where distances and the character of business are so diverse that it would be impossible to treat each individual line with absolute fairness and justice. But this bill, I think, goes as far as possible at present in the interest of short-line railroads.

Mr. YOUNG of North Dakota. Mr. Chairman, will the gentleman again yield?

Mr. TUTTLE. Certainly.

Mr. YOUNG of North Dakota. In this particular instance there is no request for an increase; but the idea of these men is that they should be permitted to keep the compensation they are now receiving.

Mr. TUTTLE. Well, under any rearrangement that might be made the pay of some railroads will be reduced, as in the case here, and some of them will receive increased compensation, and, in the main, roads of this class are going to get the benefit of this legislation. The gentleman's amendment might possibly be advisable and justifiable, but it certainly should be carefully considered by the committee and by the House before it is incorporated in this bill.

Mr. YOUNG of North Dakota. One other question. Would not the gentleman be willing to leave this matter of compensation to small roads of that kind in the discretion of the Postmaster General? There can not be very many of them. Limited——

Mr. TUTTLE. The compensation is now in his discretion. Limited, however, by these maximum rates.

Mr. YOUNG of North Dakota. Limited to the amount now paid.

Mr. TUTTLE. I would not be willing to accept the amendment. My personal opinion is that Congress ought to fix the rates and not leave them to the discretion of the Postmaster General at all. My colleagues on the committee and my colleagues in this House believed otherwise, and have left it discretionary with the Postmaster General to fix the rates which the railroads should receive for their services, provided they do not exceed those named in this section.

The CHAIRMAN. Does the gentleman from Tennessee [Mr. MOON] make a point of order on the amendment?

Mr. MOON. No; I will withdraw the point of order and let the Members vote upon it.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from North Dakota [Mr. YOUNG].

Mr. LEWIS of Maryland. Mr. Chairman, this is one of the subjects that have received, through the instrumentalities of Congress, a degree of investigation commensurate with its extreme complexity.

It must be manifest to the House that in dealing with 2,000 railroad corporations, each one presenting a species of facts of its own, it would be utterly impracticable to apply a single standard of compensation to each one of those roads that would work out exact justice to each one of them, each railway having a different scale of operating expenses and capital charges. The commission, therefore, which reported on this matter, having tried that view, after a year's study, had to abandon it. The commission abandoned the idea of making compensation to each railway according to its particular circumstances and adopted a uniform standard of compensation for car-mile movement throughout our country.

If an exception is to be introduced, as proposed by the gentleman from North Dakota [Mr. YOUNG], it would necessitate a prolonged study, to begin with, of the facts appropriate to that exception. It would be utterly beyond the power of even the commission, on the facts presented by this letter of protest, to reach any conclusion as to the righteousness of the claim set up, and of course quite beyond the faculties of the House, sitting here as a general body.

When the president of a road declares that that road is being underpaid for a service, it does not follow by any means that that is a fact. I do not mean by that to suggest that the president of the road is insincere or untrustworthy, but I mean, sir, to suggest a much broader difficulty, which is the absence of any unit by which you can determine whether any particular rate on any railway is just or otherwise, because you can not allocate the costs of any particular service with enough precision to determine whether the rate fixed is too high or too low.

Mr. Chairman, I know the conviction is widespread among railway men that the passenger service—that is, the 25 cents per car mile—does not yield its full share of railway revenue; and I do not question their sincerity. It is unfortunate that railway expenses as between the freight and passenger services do not, as railway men themselves admit, permit of such segregation as to determine whether they are right or wrong. All efforts to so segregate have been abandoned by railway economists. It may be interesting, however, to see how the American case compares with other countries. In the United States the railways secure an average receipt of $1.91 for each ton of freight carried and the average journey of the ton is 257 miles. The average receipt from the passenger is 66 cents and the average distance traveled is 33 miles. Thus the ratio of the ton to the passenger charge is three (2.90) to one. I now insert a table giving the like ratios for other countries:

Receipts from freight and passenger service of several countries compared.

Country	Receipt per ton, freight.	Receipt per passenger.	Ratio, ton to passenger charge.
Argentina	$2.05	$0.467	4.4 to 1
Austria	.83	.182	4.6 to 1
Belgium	.53	.105	5.0 to 1
Denmark	1.03	.24	4.3 to 1
France	1.08	.225	4.8 to 1
Germany	.79	.13	6.0 to 1
Norway	1.00	.225	4.4 to 1
Sweden	.63	.209	3.0 to 1
Switzerland	1.24	.164	7.0 to 1
Average			4.8 to 1
United States	1.91	.66	2.9 to 1

Per capita tonnage and passengers and average distance traveled by railroad in several countries.

Country.	Tons per capita.	Passengers per capita.	Freight journey.	Passenger journey.
			Miles.	*Miles.*
Argentina	5.3	8.3	101	20
Austria	6.4	9.2	60	25
Belgium	10.4	24	49	1/2
Denmark	2	7.7	53	21
France	3.1	12	81	24
Germany	8.7	20	71	1/5
Norway	2.5	6	35	1/7
Sweden	6.7	9.4	44	1/2
Switzerland	4.7	28	45	1/2
United States	10.8	10.5	257	3/3

Thus in other countries the tendency is to pay about five (4.8) times as much to move a ton of freight as to move a passenger. Here the ton tax is less than three (2.90) times the passenger tax per journey. It appears, too, that while we rank first in the ton traffic per capita, we rank but fifth in the passenger traffic; and this is, I believe, a consequence mainly of the difference in the freight and passenger tariffs, whether this disparity be justified or not. If now the transportation tariffs possess the ethics and the incidence of taxation as practically all railway economists have come to agree, would it not seem that any augmentation of such tariffs should fall on the freight rather than the passenger movement? In other words, does not the contention that the passenger traffic is relatively underpaid fall to the ground?

Now, this commission has approached this subject with the aid of the best talent of the United States in transportation matters, with the aid of railroads, with the aid of the postal authorities who have been studying it for a long time, and with the aid as well of the experts of the Interstate Commerce Commission.

Upon what principle have they proceeded? They found, to begin with, that the mails usually move in passenger cars. Very well. What did the railroads get on an average for the movement of a passenger car, assumed to be 60 feet long? They were able to find the average revenue from express, passengers, mail, and all the passenger traffic in terms of 60-foot car miles. It developed that this average revenue was in the neighborhood of 25 cents (24.69) per car-mile. Having reached that conclusion they argued naturally that since 25 cents a car-mile represented the product of rates that had been fixed by the railroads themselves, it was a commercial basis upon which the commission might legitimately proceed to consider what a postal car mile should pay.

The CHAIRMAN. The time of the gentleman has expired.

Mr. MOON. I ask unanimous consent that the gentleman may have five minutes more.

The CHAIRMAN. The gentleman from Tennessee asks unanimous consent that the gentleman from Maryland may proceed for five minutes. Is there objection?

Mr. YOUNG of North Dakota. Reserving the right to object, if the purpose of the gentleman is to vote down the amendment I had rather it be done right away than to wait for a long, labored explanation.

The CHAIRMAN. Does the gentleman object?

Mr. YOUNG of North Dakota. I will not object.

The CHAIRMAN. The gentleman from Maryland is recognized for five minutes.

Mr. LEWIS of Maryland. Then they said if 25 cents is the average product from all this service upon rates for the most part as determined by the railways themselves, should a postal car pay as much, more, or somewhat less? After an investigation the House Committee on the Post Office and Post Roads concluded that, for various reasons, the Postal Service should pay something less than this average return, and they fixed upon rules of compensation that mean about 8 per cent less than this average return, or about 23 (22.73) cents per car-mile. It is manifest, of course, to anyone with average railway experience that there are some items of expense which attend the movement of the passenger that do not attend the movement of the mails. There is an immense body of accounting that the railroads have to undertake with regard to the passengers that has not to be undertaken with regard to the mails. These are not all, but are suggestive reasons why a rate of compensation less than the average for the passenger traffic has been adopted in this bill.

Mr. TUTTLE. May I interrupt right there?

Mr. LEWIS of Maryland. Yes.

Mr. TUTTLE. I should like to ask the gentleman from Maryland if at this point he will include those items which would make that 8 per cent difference in favor of the mail car?

Mr. LEWIS of Maryland. I shall try to do so. There are the following items to be considered, namely:

First. Passenger-travel accounting.

Second. Passenger advertising, stationery, printing, and so forth.

Third. Maintenance of passenger ticket offices down town, and so forth.

Fourth. Expensive passenger terminals and maintenance.

Now, no one can say that these equal 8 per cent difference in cost of service. But let us see just how matters stand in regard to the rates proposed. The following table gives average rates for a 60-foot passenger car per mile of travel:

	Cents.
(1) Average railway revenue per passenger, mail, and express car	24–69
(2) Average revenue for express car (1910)	22–80
(3) Average rate for mail car under Moon bill	22–73
(4) Average rate recommended by joint commission	24–69

It should be noted that the average for the express car is based on the experience of 1910. Since then these rates have been reduced 15 per cent, and the small parcels, yielding the highest revenue to the railways according to weight, have gone to the parcel post. Both circumstances probably mean an average reduction in express-car revenue to the railways of at least 20 per cent, and this would mean that the present express car is yielding only 18.24 cents per car-mile to the railways, or but 80 per cent of the mail rate proposed in this bill.

Now we come to the case of the shorter roads and the rates accorded them by this bill. They have found, for example, that terminal expense means more to a railway on a 40-mile haul than it means on a 400-mile haul, because the terminal expense will remain substantially the same whether the haul be short or long. Compensations to cover that expense are provided in this bill, because standard compensations for terminal service, independent of the distance traveled, are given by the bill.

This will be made clear from the following table of rates carried in the Moon bill:

Round trip.	Terminal rate, round trip.	Mile rate.
		Cents.
60-foot car	$8	21
60-foot car storage	8	20
30-foot car	4	10.5
15-foot car	2	5.5

TOTAL RATE PER MILE.

	For 40-mile haul.	100-mile haul.	400-mile haul.
	Cents.	*Cents.*	*Cents.*
60-foot car	31	25	22
30-foot car	15.5	12.5	11
15-foot car	8	6.5	5.75

Thus the small roads get much the larger rate. But a substantial discrimination is made in favor of the smaller roads in another way. In the many cases where a 15-foot apartment car is unjustified by the traffic, and where railway post-office car service is not maintained, the mails are to be shipped in what are called "closed pouches," and for this service the compensation is to be based on the weight of the pouches and the space standard is set aside.

The rates for such service are to be as follows:

	Rate.	Per ton-mile.
Up to 200 pounds	$42.75	$1.17
500 pounds	64.12	.70
1,000 pounds	85.50	.47
Railway rate for excess baggage		.10

These rates can be said to be the highest—many times the highest—paid for any species of rail transportation anywhere in the world, and their payment represents a distinct purpose to be helpful to the small roads. If the Government were to apply commercial standards to this "closed-pouch" traffic, the rates would be much lower. For comparison, let us take a 50-mile railway as representing the small road. What rates does it ask of its patrons for carrying baggage? Well, when it carries baggage beyond the limit allowed with the ticket, its rate is one-sixth the first-class fare per 100 pounds. At 3 cents a mile for the ticket, one-sixth amounts to just 10 cents per ton-mile, and the services performed for the closed pouch and the baggage are practically identical. Yet this bill, in its purpose to be generous to the small roads—and most of them are owned by the big roads—provides a compensation from 5 to 12 times as great as such railways are demanding from their commercial shippers. If the Post Office Department should ship this "closed-pouch" matter by express on the same car, it would save probably 75 per cent or more, and yet the railway would receive but half the express rate from the express company.

In my judgment, the commission has reached a sane and just conclusion with regard to this subject. A conclusion that will satisfy and please all the parties? No; certainly not. The railway managers of this country will, of course, remain loyal to their functions, and loyalty to their functions at this time represents a demand for more revenue. It is their business to get more revenue in whatever direction they can. Meanwhile public servants must be loyal to their function as well, and one of the considerations in that connection is this: Where we are fully paying the railroads to-day for carrying parcel-post matter—that is, where the weighings have taken place since the parcel post began to move—we are paying them about twice what the express companies pay for moving the same quantities the same distance. Now, justice is not only an absolute but it is a relative matter as well in transportation matters. I am sure no man would argue, whatever the intrinsic merit of the rate itself, that the Post Office should pay more to the railways for carrying its packages than the express company, its competitor. And yet, under the existing law, the Postmaster General is said to be paying an average of 10 cents a ton-mile to the railways, the old mail rates, while the express companies are paying but 5 cents a ton-mile or less. On 20-pound parcels moving from New York to the following points the Post Office has to pay more than twice what the express companies pay:

Railway pay on 20-pound parcel.

New York to—	Distance.	Express company pays to railway.	Post office pays (average) to railway.
	Miles.		
Pittsburgh, Pa.	444	$0.23	$0.44
Chicago, Ill.	912	.32	.90
Lincoln, Nebr.	1,447	.47	1.44
Pueblo, Colo.	2,005	.66	2.00
Stockton, Utah	2,483	.88	2.40
Reno, Nev.	2,947	1.03	2.90
San Francisco, Cal.	3,191	1.12	3.15

Of course this means that the Post Office Department can not do business at all on these distances, and yet it has to take the unprofitable business—the rural routes, for example. It is true that no one is to blame for this manifest incongruity in express and parcel post railway pay. It represents simply the accidents of express company and postal evolution or history. This bill corrects all that and puts the postal establishment where it surely has a right to be—on terms of substantial equality with the express companies of the country upon the rail lines of the United States.

I apologize for having entered upon this subject at all. It is so long and complex that it would take hours to cover even the characterizing conditions it presents, but I think at least this much ought to be said.

The CHAIRMAN. The time of the gentleman has expired. The question is on agreeing to the amendment of the gentleman from North Dakota [Mr. YOUNG].

The question being taken, on a division (demanded by Mr. YOUNG of North Dakota), there were—ayes 12, noes 29.

Accordingly the amendment was rejected.

The Clerk read as follows:

For the purpose of ascertaining the average weight of closed-pouch mails per day upon which to adjust compensation, the Postmaster General is authorized and directed to have such mails carried on the several routes weighed by the employees of the Post Office Department for such a number of successive days, not less than 35, at such times after July 1, 1915, as he may direct, and not less frequently than once in every year thereafter, the result to be stated and certified in such form and manner as he may direct. In computing the average weight of mails per day carried on a railroad route, the whole number of days included in the weighing period shall be used as a divisor. The expense of taking the weights of mails and the compensation to tabulators and clerks employed in connection with the weighings, for assistance in completing computations, and of rentals, if necessary, in Washington, D. C., shall be paid out of the appropriation for inland transportation by railroad routes.

Mr. MOON. Mr. Chairman, in line 7, on page 39, I move to strike out the word "July" and insert the word "January."

The CHAIRMAN. The gentleman from Tennessee offers an amendment, which the Clerk will report.

The Clerk read as follows:

Page 39, line 7, strike out the word "July" and insert in lieu thereof the word "January."

The amendment was agreed to.

Mr. MANN. The gentleman does not want that to read January 1, 1915, does he?

Mr. MOON. Yes.

Mr. MANN. This bill will not be passed until long after that.

Mr. MOON. I know; but it will commence when it does pass. Here is the suggestion of the department:

Referring to the paragraph of section 11 found at the top of page 39 of the bill (H. R. 19906) making appropriations for the service of the Post Office Department, etc., I have to suggest the advisability of changing the date named in line 7—July 1—to January 1. This will permit the weighing of closed pouch mails before July 1, 1915, and the fixing of the pay for such mails to begin on that date. Otherwise, if the plan becomes effective July 1 and the department has no authority to weigh the mails prior to that date, such adjustments will be greatly delayed after the service becomes effective. This was explained by the Second Assistant Postmaster General at the hearings.

Mr. MANN. I see the point; but why not say "after the passage of this act," instead of saying that they can do certain things after a certain date?

Mr. MOON. I am always willing, if I can get what I want, to get it in any way necessary. I have no objection to the amendment in that shape.

Mr. MANN. Then, Mr. Chairman, I ask unanimous consent to strike out, in line 7, the words "July 1, 1915," and insert "the passage of this act."

Mr. MOON. I have no objection to that.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 39, line 7, strike out the words "July 1, 1915," and insert in lieu thereof the words "the passage of this act."

The CHAIRMAN. The gentleman from Illinois asks unanimous consent to agree to that amendment. Is there objection?

There was no objection.

The Clerk read as follows:

The Postmaster General is authorized to employ such clerical and other assistance as shall be necessary to carry out the provisions of this act, and to rent quarters in Washington, D. C., if necessary, for the clerical force engaged thereon, and to pay for the same out of the appropriation for inland transportation by railroad routes.

Mr. FITZGERALD. Mr. Chairman, I move to strike out the last word. I wish to inquire of the chairman of the committee whether he desires to give the Postmaster General the authority that is given him in this paragraph. This permits the Postmaster General to employ at Washington in the departmental service employees who will be paid out of the appropriation for the transportation of the mail.

Mr. MOON. What is the objection to that?

Mr. FITZGERALD. We keep the departmental service separate from the general Postal Service. I did not know whether it was the intention of the gentleman, or the wish of the gentleman, to have that paid all the time out of that appropriation, or whether it was to take care of the immediate situation. I wish to suggest, whatever else be done, that the word "act" in line 1, as well as lines 4 and 16, shall be changed to "section."

Mr. MOON. I think the language had better remain as it is, but I think the word "act" should be stricken out wherever it occurs and the word "section" inserted.

Mr. FITZGERALD. Then, Mr. Chairman, I ask unanimous consent that the word "act" in line 1, line 4, and line 16 be changed to the word "section."

Mr. MOON. That is satisfactory to me, Mr. Chairman.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 44, lines 1, 4, and 16, strike out the word "act" and insert the word "section."

The CHAIRMAN. The gentleman from New York asks unanimous consent that the amendment be agreed to.

There was no objection.

Mr. MANN. Mr. Chairman, I notice on page 42, at the bottom of the page, a provision that—

If any railroad company carrying the mails shall fail or refuse to provide cars or apartments in cars for distribution purposes when required by the Postmaster General, or shall fail or refuse to construct, fit up, maintain, heat, light, and clean such cars and provide such appliances for use in case of accident as may be required by the Postmaster General, it shall be fined such reasonable sum as may, in the discretion of the Postmaster General, be deemed proper.

I do not understand under what authority of the Constitution or otherwise we can fine a railroad such sum as the Postmaster General may deem proper. Of course, if we have a contract with the railroad we can provide a penalty to be taken out of the money due the railroad company, but when you undertake to say that we can take away the power of the courts and let the Postmaster General determine how much a railroad company shall be fined, it seems to be going beyond the constitutional power.

Mr. MOON. Technically the gentleman from Illinois is correct, we have no power to do anything of that sort. But the word "fine" has a fixed meaning in postal parlance; it means a reduction from the compensation due the company.

Mr. MANN. That is what I supposed was intended.

Mr. MOON. And the word is used in that sense.

Mr. MANN. I wondered whether it was not practicable for gentlemen to think it over and change the language for the better.

Mr. MOON. It might be well, but that is the intention and the meaning of it.

Mr. FITZGERALD. Mr. Chairman, I offer the following amendment, which I send to the desk.

The Clerk read as follows:

Page 44, line 19, after the word "routes," insert the following: "And hereafter detailed estimates shall be submitted for such service in the annual Book of Estimates."

Mr. FITZGERALD. Mr. Chairman, I appreciate that the gentleman provides that this legislation shall go into effect on the passage of this act, making provision for railroad transportation, so that there shall be no embarrassment to the Post Office Department. It seems to me that we should keep separate the departmental and the postal expenditures.

Mr. MOON. I think that is very wise.

Mr. FITZGERALD. This merely requires them, instead of having a lump-sum appropriation, to submit detailed estimates.

Mr. MOON. That is very proper.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from New York.

The amendment was agreed to.

The Clerk read as follows:

The Postmaster General shall, from time to time, request information from the Interstate Commerce Commission as to the revenue received by railroad companies from express companies for services rendered in the transportation of express matter, and may, in his discretion, arrange for the transportation of mail matter other than of the first class at rates not exceeding those so ascertained and reported to him, and it shall be the duty of the railroad companies to carry such mail matter at such rates fixed by the Postmaster General.

Mr. COOPER. Mr. Chairman, I move to strike out the last word. Is it the object of that section to permit the Postmaster General to provide for the carrying of magazines and all other mail matter except letters, by express at express rates?

Mr. MOON. To which line does the gentleman refer?

Mr. COOPER. Beginning on line 20 on page 44.

Mr. LEWIS of Maryland. Mr. Chairman, if I may volunteer to answer the gentleman's question, I have definite views as to what is intended, though I do not know that they accord with those of the gentleman from Tennessee.

Mr. COOPER. Then I will ask the gentleman from Maryland to answer the question.

Mr. LEWIS of Maryland. The circumstances to which I referred a moment ago, namely, that the express companies are paying a very much lower rate to the railroads than we are paying for the carriage of parcels. The Postmaster General, under this clause, would have the right to go to the Interstate Commerce Commission and get what would be necessary to him as a shipper, namely, an equal rate.

Mr. COOPER. Is this an attempt to change in this way the postage rates on magazines and newspapers?

Mr. LEWIS of Maryland. No; not at all.

Mr. COOPER. Will it result in that?

Mr. MOON. No; it can not possibly.

Mr. COOPER. What other mail will be carried at express rates?

Mr. MOON. That does not change the postage. It is the contract price for carrying.

Mr. COOPER. I understand, but what I am getting at is this: Is this an attempt to have the magazines carried by express rather than go as they now go, by the pound rate?

Mr. MOON. No; I do not think so.

Mr. COOPER. What mail matter except first class, letters, and so forth, will be carried by express?

Mr. MOON. It does not say by express. It provides that the Postmaster General may, in his discretion, arrange for the transportation of mail matter other than of the first class at rates not exceeding those ascertained and reported to him, and that it shall be the duty of the railroad companies to carry such mail matter at such rates as are fixed by the Postmaster General.

Mr. COOPER. Exactly. For a number of years there have been efforts made to have the postage on magazines and newspapers increased. All sorts of representations have been made, some of them grossly exaggerated and some of them, in my judgment, deliberately false, as to what it costs to carry this under the present system, as if it were the prime object of the Postal Service to make money.

Mr. MOON. I think the gentleman's suggestion would more properly apply to the language on page 45.

Mr. COOPER. I mean all of the language. This authorizes the Postmaster General to contract with the railroads for the carrying of newspapers and magazines, and so forth, by express.

Mr. MOON. I see what the gentleman is getting at now. The Government is now engaged in the carrying of magazines, which is second-class matter, by fast freight rather than by express or by fast mail. In two divisions of the country this is done. Those magazines, as the gentleman knows, are printed some two weeks before the date of delivery, bearing a date two weeks ahead. The Government performs its contract by delivering the magazines at the time it agrees to deliver them, but instead of carrying them by express it carries them by fast freight.

Mr. COOPER. How do those rates compare with express rates?

Mr. MOON. In two sections, I believe the second and third—the country being divided into four sections—my recollection is, offhand, that the Government has saved in one section $1,280,000, and in the other one million four hundred thousand and odd dollars by adopting this fast-freight plan rather than carrying the magazines as heretofore by fast mail. It delivers the magazines at the time it contracts to do it, and there is that much saving. The purpose under that section is to put the whole country under that blue-tag proposition. The gentleman will find, if not there, further along in this section, provision for the repeal of the section of the law that prohibited the extension of the blue-tag proposition to the other two sections of the country.

Mr. COOPER. Will the gentleman tell me what is the difference between the average rate by express for carrying this matter and by fast freight?

Mr. MOON. No; I could not, offhand, tell the gentleman.

Mr. COOPER. Could the gentleman from Maryland [Mr. LEWIS]?

Mr. LEWIS of Maryland. The only light I can offer upon it is that there is a provision in all express contracts with the railroads that the express rates shall never be less than 150 per cent of the freight rate. It might be approximately correct to assume fast-freight rates were one-half of the express rates.

Mr. COOPER. Yes; but you authorize them to make contracts at the express rate——

Mr. LEWIS of Maryland. No.

Mr. COOPER. The bill says "It shall be the duty of the railroad companies to carry such mail matter at such rate fixed by the Postmaster General."

Mr. MADDEN. Here is what it authorizes: It authorizes the Postmaster General to ascertain from the Interstate Commerce Commission what the express companies pay the railroad companies, and if he finds the express companies are paying the railroad companies less than the Government is paying them, then he has the right to demand the same rate that the express companies are paying the railroads.

Mr. COOPER. But my question was this: At present they are carried by fast freight, and if this becomes a law it would authorize the Postmaster General to carry these same articles—magazines, papers, and so forth—by express, and to pay the same rate as the express rate.

The CHAIRMAN. The time of the gentleman has expired.

Mr. COOPER. Mr. Chairman, I ask for three minutes more, just to have these questions answered.

The CHAIRMAN. Is there objection to the request of the gentleman from Wisconsin? [After a pause.] The Chair hears none.

Mr. LEWIS of Maryland. Let me explain this. Suppose we are paying at the rate of 23 cents per car mile?

Mr. COOPER. By fast freight?

Mr. LEWIS of Maryland. No; by mail car. We find the express companies are paying only 18 cents per car mile, and we find that fact by going to the Interstate Commerce Commission. Then we have the right to demand of the railroads that they will carry everything except first class, which is the kind of stuff carried by express companies, at the rate of 18 cents per car mile. The railroad can protect itself by raising its rate to the express companies. If it will not do that, it ought to protect the Government by giving it equal rates as a shipper as anybody else. The Government is entitled to equal rates as a shipper. That means a rate as low as any other kind of shipper of the same matter, and the object of the clause is to secure to the Government as a shipper an equality with every other kind of shipper.

Mr. COOPER. Well, Mr. Chairman, that does not meet my question as I want it met. At present the Government sends magazines by fast freight, and the gentleman says that this rate by fast freight is considerably less than express rates. Does he not?

Mr. LEWIS of Maryland. I assume it will be more than one-half.

Mr. COOPER. More than one-half express rates, but this section authorizes the Postmaster General to inquire of the railroad companies what the express companies receive, and then the last two lines of the section provide that "it shall be the duty of the railroad companies to carry such mail matter at such rates fixed by the Postmaster General." That will allow the Postmaster General to contract for the carriage of mail that now goes by fast freight at the express rate, which the gentleman himself says is much higher than the fast-freight rate.

Mr. LEWIS of Maryland. Surely.

Mr. COOPER. Why do you do that?

Mr. LEWIS of Maryland. The gentleman makes the error, I believe, if he will pardon me, in thinking the bulk of the traffic consists of magazines, but the bulk of the traffic does not consist of magazines. There is an immense amount of traffic which can not go by fast freight, because that method would not suit, it is too slow, and the stuff has to go by passenger car.

Mr. COOPER. It authorizes the Postmaster General to contract at express rates for carrying magazines——

Mr. LEWIS of Maryland. As Judge Moon states, some magazines now go by passenger train, and it leaves the Postmaster General to say whether the fast freight will reach some of these cases.

Mr. COOPER. In other words, it would leave to the discretion of an executive officer the right to contract at double the rates for what he now pays for satisfactory service, and at a less rate.

Mr. LEWIS of Maryland. Let me say to the gentleman that the trouble with the Post Office Department to-day is, if there is any, and for a few years past, that the Postmaster General has been treated as if he were a thief, that he has not been allowed that liberty of action, that power of initiative and direction given every president of every industrial corporation in this country; but 400 of us up here on the hill, with only a momentary idea of what is best, tell him what to do.

The CHAIRMAN. The time of the gentleman from Wisconsin has expired.

Mr. COOPER. Mr. Chairman, I ask unanimous consent for three minutes more.

The CHAIRMAN. The gentleman from Wisconsin asks unanimous consent for three minutes more. Is there objection?

There was no objection.

Mr. MADDEN. Mr. Chairman——

Mr. COOPER. I yield to the gentleman from Illinois [Mr. MADDEN], if he wants to say a word.

Mr. MADDEN. Mr. Chairman, I want to say this, that it is not fair to assume that the Postmaster General, whoever he may be, would pay double the rate if he could get the product carried for half the rate. And even though you give him the discretion, he is bound by every sense of decency and justice to carry the property that he is charged with having carried at the lowest rate he can get.

Mr. COOPER. Mr. Chairman, of course there is no one that would impugn the integrity of the Postmaster General or attack any executive officer of the Government. But this is a Government of laws, and not of men, and there should be a limit set upon the discretion to be exercised by executive officers in the expenditure of public money. But here we deliberately say in so many words that the Postmaster General shall contract, at a rate which may be, as the gentleman from Maryland [Mr. LEWIS] has just said, for the carriage of magazines, twice what we now pay for a satisfactory service. Of course he would not, perhaps, do that, but no opportunity to do it should be given by law to any official. We should not write such a law. We should not deliberately enact a statute that will permit the Postmaster General in his discretion to pay twice as much as we now pay for a service that is entirely satisfactory, though I take the answer of the gentleman from Maryland [Mr. LEWIS] to mean that this would be possible.

Mr. STEENERSON. Mr. Chairman, I would like to say to the gentleman from Wisconsin [Mr. COOPER] that if I understand the object of this paragraph it is to provide a method whereby the Postmaster General, after this new space plan of railway mail pay is adopted, can transport this mail, which need not go expeditiously, at a cheaper rate than he would be compelled to pay if he used space.

In order that it may be more clear, I would call the committee's attention to the fact that under existing law, where we pay by the pound per mile, we have authorized the Postmaster General to withdraw from the mails magazines and periodicals that are not frequently published and that need not be transported so expeditiously as first-class mail, before the weighing period takes place, and to keep them out of the mails during the four years between the weighing periods, and during those four years transport them by freight. And it is claimed by the Post Office Department in their reports and in the hearings on this bill that they have saved two or three millions of dollars a year in that way. Although we can do that now, by withdrawing them from the mail before each quadrennial weighing, we could not do so if we adopted a space plan for railway mail pay, which this bill contemplates. Therefore, when we adopt a space plan, we would pay so much directly for the moving of the car. That car might have a load of 5,000 pounds or 20,000 pounds, and in case of a storage car it might have as high as 30,000 pounds to the load. But usually the R. P. O. cars, so called, carry a load of 2 or 2½ tons—probably 5,000 pounds is the highest, though they might average less. And if we pay for them at the rate of 25 or 26 cents a mile, then it would pay to ship the magazines and these other periodicals that need not move so expeditiously by freight, and therefore this paragraph is intended to authorize the department to save railway mail space under the new plan and, instead, pay the freight, and no one would be injured by it.

It will simply authorize the Post Office Department, when the new space plan is perfected and put into operation, to save money by shipping this kind of matter by fast freight, and there is no undue amount of discretion involved in the proposition, as I can see. On the contrary, I think the criticism of the gentleman from Maryland is wide of the mark, and I can see no objection to it at all.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

The Postmaster General, in cases of emergency between October 1 and April 1 of any year, may hereafter return to the mails empty mail bags and other equipment theretofore withdrawn therefrom as required by law, and where such return requires additional authorization of car space under the provisions of this act to pay for the transportation thereof as provided for herein out of the appropriation for inland transportation by railroad routes.

Mr. FITZGERALD. Mr. Chairman, I think the gentleman from Tennessee wants to change the word "act," on line 4, to "section."

Mr. MOON. Yes. I ask unanimous consent, Mr. Chairman, to make the change indicated.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amend, page 46, line 4, by striking out the word "act" and inserting the word "section."

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

It shall be unlawful for any railroad company to refuse to perform mail service at the rates of compensation provided by law when and for the period required by the Postmaster General so to do, and for every such offense it shall be fined not exceeding $5,000.

Mr. MANN. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Illinois [Mr. MANN] moves to strike out the last word.

Mr. MANN. I do so, Mr. Chairman, to inquire whether there is any doubt about our authority to impose a fine upon a railroad for refusing to permit the Postmaster General to confiscate its property if he should so choose. Is there any doubt about our authority?

Mr. MOON. You can impose a fine in the sense of a punishment provided under the law for the offense, but, of course, the Postmaster General has no authority to confiscate property. He has authority to reduce the compensation.

Mr. MANN. I am talking about the provision now that makes it unlawful for a railroad company not to accept a contract tendered by the Postmaster General at the rate fixed by the Postmaster General, and if the railroad company refuses, to fine it not exceeding $5,000. Of course the fine does not amount to very much, if that is all that it is. We have certain powers, of course, in the regulation of the Postal Service under the Constitution; but does it go to the extent of permitting us to say how much we shall pay a railroad company for transporting the mail, or requiring them to transport it free, if we should say so, and then fine them if they refuse to do it?

Mr. MOON. I think we have the power to fix the rate, provided it is a reasonable rate, and to punish the railroad company for not carrying it if it refuses to do it at a reasonable rate. But we have not the power to fix a rate that would be in any sense confiscatory; and if we do that, then the action that we take here is unlawful, and the section could not be enforced. That would be a question of mixed law and fact for the court.

Mr. MANN. Well, practically this gives to the Government officials the power to fix the rate at which mail shall be carried.

Mr. MOON. Yes.

Mr. MANN. And there is nothing in it that says that it shall be a reasonable rate.

Mr. MOON. Yes; but the law of the land says that. The law of the land is a part of every amendment to it.

Mr. MANN. This is not the law of the land.

Mr. MOON. I know; but if it were not reasonable it would not be the law of the land under the Constitution.

Mr. MANN. Yes; that is what I am trying to find out—whether this is constitutional or not.

Mr. MOON. We propose to write the legislative will on that subject in this act. We can do it under the Constitution, provided our act is not confiscatory of the property of the railroad company. If it is, then our act here is invalid, and that will be a question for the court to determine.

Mr. MANN. Ah, that is not a question for the courts under this if the act is valid.

Mr. MOON. The interpretation, I mean. The gentleman from Illinois should understand that the interpretation is a question for the courts. If the railroad companies say that they are not satisfied with this action and that it is violative of their constitutional right and that it takes their property and confiscates it to the public use without fair compensation, then the courts are open to determine that question. There is no doubt about that, in my opinion.

Mr. MANN. I am not at all certain of that. Of course if the Government takes the property of the railroad companies, they have a claim against the Government. But we have taken the property; we frequently take the property of people, although the Constitution says we can not take it without making compensation. But we take it, and then they have a claim against the Government.

Mr. MOON. When we take it we have to provide an indemnity.

Mr. MANN. Well, the gentleman represents the State of Tennessee, where the Union soldiers are said to have taken a great deal of property during the Civil War and made use of it. We have many claims here which have not yet been paid, and which my friend from Tennessee is urgently insisting ought to be paid, because the Government took the property over 50 years ago. They have not got their money yet.

Mr. MOON. That is not a case like this. That is a major force exercised incident to war, and that is not the construction of a civil act.

Mr. MANN. We take the property now. What I want to get at is, where is the authority to say that one party to a contract can lay down the lines of the contract, although that party is the Government, and then fine the other party because it does not accept the contract.

Mr. MOON. It is a governmental power that we have under the Constitution which we have the right to exercise. It is the sovereignty of the people, being exercised upon a corporation which is but the servant of the people, and the courts have al-

ways held that we have the right to take the property of the corporation, or to force it to action in behalf of the Government, where we do not confiscate it.

Mr. MANN. The courts will hold that the Government has the right to take property, and then must make compensation for it under a claim against the Government; but if any court has ever held that the Government can go to a man and say, "I want to buy your wagon; I will pay you 10 cents for it; that is all it is worth; and if you will not take it I will fine you $5,000 because you do not sell it to me"—if any court has ever held that, it is news to me.

Mr. MOON. No court ever held that, and no court ever will hold that.

Mr. MANN. I think not.

Mr. MOON. But when the Government says, "Here is your property; I want it; and here is the compensation," if the amount of the compensation is just and reasonable the man has got to take it. If it is not just and reasonable, as in the case of your wagon at 10 cents, all the man who owns the wagon has to do is to say, "I refuse, because the constitutional right I have is superior to the act of Congress, and Congress has no power to confiscate my property." And if the Government then proceeds, it proceeds at the peril of the invasion of the man's constitutional right, and the courts are here for the protection of the citizen under such circumstances.

Mr. MANN. But here is a provision fining the man.

Mr. MOON. Of course, the whole thing is void if it is confiscatory.

Mr. MANN. Here is a provision fining the man because he does not accept a contract which you admit can not be enforced.

Mr. MOON. The provision fining the corporation would be void if its effect was confiscatory, but the man at his peril raises the question against the sovereign Government.

Mr. MANN. If the whole act is void in case there is confiscation, then the whole act is void to begin with.

The CHAIRMAN. The time of the gentleman has expired.

Mr. MOON. I ask unanimous consent that the gentleman's time be extended five minutes.

Mr. MANN. I want a chance to use a little of my time.

Mr. MOON. Then I will ask that the gentleman have 10 minutes, if necessary. I just want to say to the gentleman from Illinois that when we pass an act of this character, enforcing the sovereignty of the Government in the control and disposition of property, in the action of a corporation, we pass it upon the idea that it is just and right and that we do not confiscate its property. But we may be mistaken about that. It may be that we have gone farther than we had the constitutional right to go. If we have, then our whole act here is void, and the citizen, under the Constitution, can protect himself against such legislative enactment. But if in the consideration of the case it finally turns out that we have justly exercised our sovereignty against the creature of government, the corporation, and that the corporation has attempted wrongly to disobey the legislative mandate, and that, in fact, there has been no confiscation, but that proper action has been taken by the Government, then the railroad company must submit to the inevitable and pay the fine.

Mr. MANN. Mr. Chairman, you can not determine the constitutionality of an act by a particular case which may arise, because when the question comes before the courts in one case they determine the constitutionality of the act before some other case has arisen. So that the validity of this act must be determined upon its face, not by the question whether the Government attempts in future in a particular case to confiscate. The Government may attempt in some particular case to confiscate. The gentleman from Tennessee says that renders the act invalid.

Mr. MOON. It is nonenforceable in that particular case, of course.

Mr. MANN. If the act is constitutional and valid, then that is imposing a fine on a railroad company which does not accept the rate offered it in a contract; and there is one place in the bill, the paragraph referred to a moment ago by the gentleman from Wisconsin [Mr. COOPER], where the Postmaster General is permitted to fix as low a rate as he pleases, except that he can not fix a higher rate than the rate imposed by express companies; and the railroad company then must carry the mail at the rate so fixed by the Postmaster General, which may be 1 cent a ton. Of course, you could not enforce that; but, then, you apply the criminal procedure, which undertakes to say that if a railroad company does not accept it you will fine them $5,000, and if the act is valid that fine will be imposed.

I think probably the courts will say that the act is not valid, to begin with, and that may destroy your whole act, as far as this matter is concerned. I do not know whether the Government has ever attempted to fine a railroad company for refusing to carry the mails. I doubt whether a railroad will ordinarily refuse to carry the mails, but I question very much the propriety of the Government saying to a man or a corporation, "You must do a certain service for me, or sell me a certain thing at the price which I name, and if you do not I will fine you or send you to jail," because if you have the power to impose a penalty as a fine you have the same power to send the officers of the corporation to jail who do not agree to the contract.

Mr. MOON. Mr. Chairman, I want to ask, as affecting the jurisdiction of this body, if the Southern Railroad Co. should say to-morrow to the Government of the United States "We will not carry the mail from Washington to New York," what power is there in the Government to make them do it? It has the power of a sovereign over a creature of the law. Whenever this body says to that Southern Railway Co. "You shall carry the mail," that mandate has got to be obeyed, provided that in saying it it gives a proper compensation for the carrying of it. In other words, the corporation is subject to the jurisdiction and control of the sovereign power of the United States Government on that question for the purpose of carrying out its functions in behalf of the interests of the people, and the only limitation under the Constitution is that the services shall not be demanded of the corporation except for a fair compensation. If the legislative body fails to give the compensation that is due and thereby renders it confiscatory against the company, then there is a limit and an end to the power of the Government over the citizen or corporation. But so long as the Government does not confiscate the property of the railroad company in this mandate to perform a public service, it has the right under the Constitution to demand it.

Mr. COOPER. Will the gentleman permit a question?

Mr. MOON. Certainly.

Mr. COOPER. This power is not exercised by the Government under any claim of eminent domain—under constitutional provision that it can take private property for public use?

Mr. MOON. No; that comes in as a secondary proposition when the effect of the governmental action is confiscation.

Mr. COOPER. The Southern Railroad is a State corporation, a citizen of the State?

Mr. MOON. I do not know; of some State, I presume.

Mr. COOPER. Suppose the Government of the United States wishes the mail carried into a territory where there is no railroad, would it have the right to say to a private citizen, "You carry the mail with your horses and wagon at such a figure or we will fine you."

Mr. MOON. Oh, no; does not the gentleman realize the difference between dealing with a public-service corporation and a private citizen? The public-service corporation is clothed with the functions of government, and the fact that it is a creature of the Government enables both State and Federal Government to force it into this service in the interest of the people for the accomplishment of some purpose that will be of benefit to the people.

Mr. COOPER. Of course I understand the difference between a private citizen and a corporation. The Government can demand that a corporation perform the service of carrying mail at a particular figure that is not confiscatory; but can it impose a criminal sentence, a fine, upon that company if it does not perform the service?

Mr. MOON. I think the corporation that refuses to perform a public service raises the question of confiscation at its peril if it turns out to be wrong on the question. If it is right and the action of the Government is confiscatory, then of course the Government can not enforce the mandate. I want to say that I believe in the doctrine that the Government of the United States by its power and authority under the Constitution, and those powers that must necessarily be implied as inherent in the sovereignty, has the right to make any corporation that is a common carrier perform service for the Government, such as carrying the mails or a similar service, under the Constitution. If any railroad company in all of this land can say to this Government, "Whether you pay us a large price or a small price we stand upon our rights as a citizen—artificial though it may be—and we decline to do that as a corporation which a private citizen may have the right to decline to do"—if you are to enforce a doctrine of that sort, you nullify and destroy the power of your Government; and the Federal Government is not sovereign and can not protect itself, nor can it enforce the rights under the Constitution necessary for the interest and welfare of this people if you submit to a doctrine that it is powerless to control under those conditions.

Mr. MANN. Mr. Chairman, just one moment. We have the power to declare and control what are post roads and post

routes, and under that power we have declared that all railroad companies are post roads and post routes. I have no doubt whatever that we have the power to require a railroad company to carry the mail, not the slightest, under our constitutional privilege. but that is quite a different thing from saying that we will fix on our side the rate at which they shall carry the mail. We have the power to compel them to render the service, and if we can not arrive by mutual agreement at rates to be paid, that would be adjusted by the courts on a claim against the Government, but here is a proposition which says that we have not only the power to require the mails to be carried, but the power to fix the rates ourselves, and then the power to fine the people if they fail to adopt our rates.

Mr. JOHNSON of South Carolina. Mr. Chairman, the gentleman from Illinois does not announce the doctrine that the rate-making function belongs to the courts.

Mr. MANN. Certainly not.

Mr. JOHNSON of South Carolina. Can not Congress fix the passenger and freight and post office or any other rate? Is not that a legislative function?

Mr. MANN. It is a legislative function.

Mr. JOHNSON of South Carolina. I understood the gentleman to claim that the Congress had the power to say that the railroads should carry the mails, but whether the rate fixed by Congress would stand is for the courts to say.

Mr. MANN. It is for the courts.

Mr. JOHNSON of South Carolina. The court could only decide that it is confiscatory and could not fix any rate.

Mr. MANN. I did not say that it could.

Mr. JOHNSON of South Carolina. I did not think that the gentleman would say that.

Mr. MANN. If the railroad companies do something for us and we do not pay them, they can go to the courts with a claim against the Government. My friend knows that as well as I do.

Mr. JOHNSON of South Carolina. Oh, certainly, I agree with that proposition.

Mr. MANN. That is what I said.

Mr. JOHNSON of South Carolina. I thought the gentleman was announcing here that the courts could fix the rates.

Mr. MANN. The courts do fix the rates for anything that has occurred. The gentleman does not bear in mind the distinction. The courts do fix the rate for that which is passed, but the courts under the Constitution do not have the power to fix the rates for the future. That is the distinction, which is well known to those who have been giving special study to this subject.

Mr. STEENERSON. Mr. Chairman, I offer the following amendment, which I send to the desk and ask to have read.

The Clerk read as follows:

After the word "company," in line 13 on page 46, insert the words "engaged in the business of operating a railway as a common carrier," and after the word "the," in line 14, insert the word "reasonable."

Mr. STEENERSON. Mr. Chairman, I think we are all interested in having this section perfected, so as to make it valid and constitutional, if it can be done, and it seems to me that on its face it is of doubtful constitutionality, because, in the first place, it is too broad. It covers every railroad company whether it is operating a railroad or not. It might be said that that would be implied, and that by the process of judicial construction it would be held to apply only to a company engaged in operating a railroad, but we may as well make it so plain as to remove any doubt. There are hundreds of railroad companies that do not operate railroads. For instance, in my State there is a railroad company that operated several lines for 30 years, and then it leased those lines. It is still a railroad company, and it owns the lines, but it has leased them to another operating company, and to say that that company which is not engaged in business as a common carrier should carry the mail, and because of failure to do so be subject to fine, would be absurd. It is not necessary to do that. We can make this plain that a railroad company that operates a railroad as a common carrier is what is understood.

There are a number of private railroads; I know of one railroad in my State, which is a logging railroad, and it has not been opened to the public. They do not carry freight as common carriers. They have purchased their right of way, and they own it, and it is operated in the interest of the owners, and they do not profess to be common carriers. Now, it would not be reasonable to compel them to carry the mails, and we are running up against all sorts of objections in that way if we leave the language blank. Another thing. This provides:

That it shall be unlawful for any railroad company to refuse to perform mail service at the rates of compensation provided by law when and for the period required by the Postmaster General so to do.

Now, I think that the objection that has been raised to this on the ground that the rate prescribed by law might be confiscatory would be avoided if we insert the word "reasonable" before the word "rates," so that it would read:

At such reasonable rates of compensation provided by law when and for the period required by the Postmaster General so to do.

Without this amendment it seems to me that this provision is of doubtful constitutionality and might therefore injure the efficacy of the whole provision. I myself in committee suggested that it would be better to make it the duty—that is, to say that it shall be the duty—of every company operating a railroad to carry the mails, if it were a common carrier, and simply leave it to the courts to enforce that duty by injunction, mandamus, or something of that kind, instead of having a criminal penalty against the corporation, which is not the ordinary course of business. The penalty of a fine of $5,000 hardly seems applicable to a case of this kind. If we are going to write in this section a clause in the nature of a definition of a crime, it seems to me that it ought to be plain. By inserting the word "reasonable" before the word "rates" we make it plain we are aiming at the railroad company that actually operates a railroad as a common carrier.

The CHAIRMAN. The time of the gentlemn has expired.

Mr. MOON. Mr. Chairman, of course this act does not propose to take any action against any but railroad companies that engage in the carrying of mails or engage in a common-carrier business. There might be a little logging railroad through the country hauling to a sawmill, or things of that sort, and this act could have no application to that sort of a corporation. Now, as to the question of reasonable rates. If the gentleman opens up that question, he opens up the whole field of contention in reference to railway rates and would nullify every section practically of this act by saying that every company in the United States shall be in litigation by an injunction, or some other process, against the performance of this act. The language is right:

To refuse to perform mail service at the rates of compensation provided by law when and for the period required by the Postmaster General so to do.

Are we simply sent here to say "reasonable rates" and leave it to all the courts to settle this litigation in every single instance with every railroad company? We want to exercise some virile power in this Government. We want to say to the railroad companies, "We have got the power to make you carry these mails; we have fixed the rates and you have got to carry them at the rates we fix. If you do not like it, if you think we confiscate your property, then there are the courts, here is the Constitution"——

Mr. STEENERSON. Will the gentleman yield?

Mr. MOON. Mr. Chairman, I would like to ask for a vote on this section.

Mr. STEENERSON. The gentleman concedes there is no judicial authority for the contention you could fine a railroad company for refusing to carry the mails; that has never been determined.

Mr. MOON. Why, there is no use in discussing that matter with the gentleman if he does not understand the difference in the power of the Government in enforcing its action by legislative order or mandate and the right of a citizen under the Constitution in the courts.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Minnesota [Mr. STEENERSON].

The question was taken and the amendment was rejected.

The Clerk read as follows:

That the unexpended balances of the appropriations for inland transportation by railroad routes and for railway post-office car service, by the act of March 9, 1914, making appropriations for the service of the Post Office Department for the fiscal year ending June 30, 1915, and for other purposes, are hereby made available for the purposes of this act.

Mr. MOON. Mr. Chairman, I desire to offer an amendment.

The CHAIRMAN. The gentleman from Tennessee offers an amendment, which the Clerk will report.

The Clerk read as follows:

Page 46, lines 20, 21, and 22, strike out the words:
"By the act of March 9, 1914, making appropriations for the service of the Post Office Department."
And in line 23 on the same page strike out the words "fifteen, and for other purposes" and insert the word "sixteen."

The CHAIRMAN. The question is on the amendment offered by the gentleman from Tennessee [Mr. MOON].

Mr. MANN. How would that read? I ask to have it reported as it would be if amended.

The CHAIRMAN. The Clerk will report the paragraph as amended.

The Clerk read as follows:

That the unexpended balances of the appropriations for inland transportation by railroad routes and for railway post-office car service for the fiscal year ending June 30, 1916, are hereby made available for the purposes of this act.

Mr. MANN. That should be then "of this section." It should read "available for the purposes of this section." That is what you want.

Mr. MOON. Yes.

Mr. MANN. That is, the appropriation in the bill shall be made available for purposes of this section.

Mr. FITZGERALD. That amendment completely changes the paragraph. Do I understand the purpose of the paragraph as amended will be to make the unexpended balances of the appropriations in this bill——

Mr. MOON. It reads:

That the unexpended balances of the appropriations for inland transportation for railroad routes and for railway post-office car service by the act of March 9——

Mr. FITZGERALD. That is stricken out.

Mr. MOON. That is stricken out, and we put in place of it:

For the fiscal year ending June 30, 1916.

Mr. MANN. The words "unexpended balances" should be stricken out, so that it would read "appropriations for inland transportation" carried by this act.

Mr. MOON. I move to strike out the words "unexpended balances."

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 46, line 18, strike out the words "unexpended balances of the."

Mr. MOON. And change "act" to "section."

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 46, line 24, at the end of the paragraph, strike out the word "act" and insert the word "section."

The CHAIRMAN. The question is on the amendment offered by the gentleman from Tennessee.

The question was taken, and the amendment was agreed to.

Mr. STEENERSON. Mr. Chairman, I move to strike out the last word.

Mr. CULLOP. Mr. Chairman, will the gentleman yield? I think this question is not complete, and I want to ask to have the section reported again as amended.

Mr. STEENERSON. With that understanding I will yield.

Mr. CULLOP. That is all I care for. May we have the paragraph reported now as amended?

The CHAIRMAN. The Clerk will report the paragraph as amended.

The Clerk read as follows:

Page 46, beginning with line 18, the paragraph as amended will read: "That the appropriations for inland transportation by railroad routes and for railway post-office car service for the fiscal year ending June 30, 1916, are hereby made available for the purposes of this section."

Mr. STEENERSON. It has been said that this new plan of railway mail pay has been recommended by a commission that investigated the subject very thoroughly, and that is true. I understand, however, the rates recommended by this commission are higher than those contained in this bill. If I understood the remarks of the chairman in general debate on this bill, wherein he discussed the railway mail pay feature, he has a very sanguine idea of the results of this new system of railway mail pay. And he estimated the saving by this new plan at something like $10,000,000 a year. Of course, that is a "consummation devoutly to be wished," provided, of course, that the rates that we pay to those who do the work are compensatory or reasonable. But there is an implication contained in the statement that I do not feel that I can pass by without answering, and that is this, that if the railway mail pay of to-day is excessive to the extent of $10,000,000 or $12,000,000, as stated by the chairman, then it is the fault of the legislation that has been enacted heretofore.

Now, I have served on the Committee on the Post Office and Post Roads for many years, and during the first five or six years of my service on that committee we reported several bills, and they became laws, for the reduction of railway mail pay; and they operated to that effect. As a matter of fact, railway mail pay has been gradually reduced, if we compare it with the total expenditures of the Post Office Department. And I think that way of comparing them is fair, for if a man, for instance, figures out his expenses of living, he says, "Well, I spend so much for clothing, I spend so much for food, I spend so much for amusement," and he figures up that perhaps he has been extravagant in one item, and therefore he says, "I must curtail that item." Now, then, the Post Office Department spends money chiefly for clerical help and for carriage. They collect money for postage, and they collect that money according to the weight of the article put into the mail. If a letter weighs an ounce they collect 2 cents on it, and if it weighs more they collect more, according to the number of ounces. If a package weighs so much, they collect a certain rate. So we charge postage according to the weight of the article.

Some 40 or 50 years ago the system of railway mail pay that we now have was adopted, and it was based on the same reasoning, that the reasonable way to pay was by the pound, or by the ton, according to the distance that the railways moved an article. Under that system of pay, by weight and distance, I find, upon looking at the statistics, that in 1883 we spent 32.2 per cent of our total postal expenditure for railway transportation; in 1888 we spent 34.5 per cent; in 1893, 35.5 per cent; in 1898, 35.4 per cent; in 1908, 23.6 per cent.

The CHAIRMAN. The time of the gentleman from Minnesota has expired.

Mr. STEENERSON. Mr. Chairman, I will ask for five minutes more.

The CHAIRMAN. The gentleman from Minnesota [Mr. STEENERSON] asks unanimous consent to proceed for five minutes more. Is there objection?

There was no objection.

Mr. STEENERSON. The cause of that gradual reduction was the revision of the railway mail pay that Congress enacted. It was reduced the next year, 1909, from 23.6 to 22.4, and the next year, 1910, to 21 per cent. It was the same in 1911, but in 1912 it was reduced to 20 per cent, and in 1913 it was 19.6 per cent of the total expenditures. So that there has been a gradual reduction in the amount of the expenditures for railway service as compared with the total postal expenditures.

Now, I am not opposing this railway mail scheme, and I shall not oppose it. I shall vote for it because of the representations of the Post Office Department to the effect that it is such a desirable thing to have. I shall give it the benefit of the doubt, but I can not share in their hope of reducing the aggregate of railway pay to any great extent by that system.

One of the things that I see is that in the new system the amount of pay that the railroads will receive will be determined to a very much greater extent than now by the discretion of the officials who administer the law, because it will be dependent upon the authorization of space by the Postmaster General. It will not be, as stated by the gentleman from Wisconsin, a government of law, but a government of men to that extent—to a much greater extent than it is now. The pay will be governed by the amount of space authorized, and they may authorize more than they need, or they may authorize less than they need; and I fear that there will not always be a man in the Post Office Department that will look out for the interests of the people as carefully as the present head of that department does in this regard, and there might be a friend of the railroads at the head of the department who would allow too much. And therefore I do not anticipate that there will be such a great saving as is anticipated. Besides, I am reminded of the fact that this commission, which we have heard eulogized by the gentleman from New Jersey [Mr. TUTTLE], of which he was a very distinguished member, claim to have found as a matter of fact that the present railway mail pay was not excessive. It was not claimed by that commission that we were paying anything too much, and therefore it is hardly to be expected that the prophecy of the gentleman from Tennessee [Mr. MOON], that we shall save ten million or twelve million dollars by this new law, will be realized. The estimate of the department under the new plan is about the same as under the present. I want to go on record now as saying that I fear, when the accounts for the future are rendered under this law, they will not show such a gradual reduction of railway mail pay as is shown by this table, which I will make a part of my remarks. If you can reduce it, you are entitled to the credit, but I desire to resent the imputation involved, that we are paying any great amount more than we ought to pay at the present time. I do not think we are. The proofs submitted on that question do not support any such claim.

Comparative statement of expenditures for Postal Service.

Year.	Total for Postal Service.	For railway post office car service and railway transportation.	Per cent of of railroad expenditure to total.
1883	$43,282,944.43	$13,887,800.00	32.2
1888	56,468,315.20	19,524,959.15	34.5
1893	81,581,681.33	28,910,195.30	25.5
1898	98,033,523.61	34,703,847.46	35.4
1903	138,784,487.97	41,886,848.59	30.1
1908	208,351,886.15	49,404,763.05	23.6
1909	221,004,102.89	49,606,440.16	22.4
1910	229,977,224.50	49,302,217.46	21.8
1911	237,648,926.68	50,910,261.68	21.0
1912	248,525,450.08	50,703,323.02	20.4
1913	262,067,541.33	51,466,030.62	19.6

From 1908 to 1913 the postal revenues increased in round numbers $54,000,000, while railroad pay for transportation of mail only increased $2,000,000. A good showing for economy, it seems to me.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

SEC. 12. That on account of the increased weight of mails resulting from Postmaster General's order No. 7720, of December 18, 1913, respecting rates upon and limit of weight of parcel-post packages in the local, first, and second zones, and effective from August 15, 1913, the Postmaster General is authorized to add to the compensation paid for transportation on railroad routes on and after August 15, 1913, for the remainder of the contract terms, not exceeding one-half of 1 per cent thereof per annum.

Mr. MOON. Mr. Chairman, I move to amend, on page 47, line 3, by striking out the words "seventy-seven hundred and twenty, of December eighteenth" and inserting in lieu thereof the words "seventy-three hundred and forty-nine, of July twenty-fifth."

The CHAIRMAN. The Clerk will report the amendment offered by the gentleman from Tennessee.

The Clerk read as follows:

Page 47, line 3, strike out the words "seventy-seven hundred and twenty, of December eighteenth" and insert in lieu thereof "seventy-three hundred and forty-nine, of July twenty-fifth."

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Tennessee.

The amendment was agreed to.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

SEC. 13. That on account of the increased weight of mails resulting from Postmaster General's order No. 7720, of December 18, 1913, respecting rates upon and limit of weight of parcel-post packages effective from January 1, 1914, the Postmaster General is authorized to add to the compensation paid for transportation on railroad routes on and after January 1, 1914, for the remainder of the contract terms, not exceeding 1 per cent thereof per annum.

Mr. MOON. Mr. Chairman, there are some errors in that paragraph that I want to correct. I offer the amendment which I send to the Clerk's desk.

The CHAIRMAN. The gentleman from Tennessee offers an amendment, which the Clerk will report.

The Clerk read as follows:

On page 47, line 13, strike out the word "order" and insert in lieu thereof "orders."

In line 14, after the word "twenty," insert the following words: "and seventy-seven hundred and twenty-one."

In lines 16 and 17, strike out the words "effective from January 1, 1914" and insert in lieu thereof "and admitting books to the parcel-post classification."

The amendment was agreed to.

Mr. MOON. Mr. Chairman, I move that the committee do now rise.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. FERRIS, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill (H. R. 19906) making appropriations for the service of the Post Office Department for the fiscal year ending June 30, 1916, and for other purposes, and had come to no resolution thereon.

CHANGE OF REFERENCE.

Mr. RUSSELL. Mr. Speaker——

The SPEAKER. For what purpose does the gentleman from Missouri rise?

Mr. RUSSELL. I wish to ask a change of reference of three Senate bills that were sent to the wrong committee.

The SPEAKER. What are the numbers of them?

Mr. RUSSELL. The bills are S. 1991, 3509, and 6152. These bills were referred to the Invalid Pensions Committee, and they should go to the Military Affairs Committee.

The SPEAKER. Without objection, that change of reference will be made.

There was no objection.

HOUR OF MEETING TO-MORROW.

Mr. MOON. Mr. Speaker, I ask unanimous consent that when the House adjourns to-day it adjourn to meet at 11 o'clock to-morrow morning.

The SPEAKER. The gentleman from Tennessee asks unanimous consent that when the House adjourns to-day it adjourn to meet at 11 o'clock to-morrow morning. Is there objection?

Mr. STEENERSON. Reserving the right to object——

Mr. MANN. Let me make a statement. The understanding—which I suppose will be carried out—is that when we adjourn to-morrow we will adjourn until Monday.

Mr. FITZGERALD. Who made the understanding?

Mr. MANN. The gentleman from Alabama [Mr. UNDERWOOD] and myself.

Mr. FITZGERALD. That is all right.

Mr. STEENERSON. What is the necessity for meeting at 11 o'clock to-morrow?

Mr. MANN. If we are going to adjourn over two days on account of New Year's, I think it is quite proper that we should meet a little earlier to-morrow.

Mr. STEENERSON. But this bill is nearly finished.

Mr. MOON. There are seven pages of it left.

Mr. FITZGERALD. And there is another bill to come up.

Mr. STEENERSON. I should like to be here, but it is pretty hard for me to get here at 11 o'clock. I want to take my usual 3-mile walk in the morning and attend to my correspondence.

Mr. FITZGERALD. I suggest to the gentleman that he get up an hour earlier and walk 7 miles.

Mr. STEENERSON. I can not see any great exigency for meeting at 11 o'clock.

Mr. FITZGERALD. Unless we can finish this bill to-morrow and go on with another bill, we will have to work on New Year's Day.

Mr. MANN. Oh, yes; we ought to finish this bill to-morrow and begin on the next one.

The SPEAKER. Is there any proposition with reference to adjourning over?

Mr. MANN. No; that is not before the House. The request is for unanimous consent to meet at 11 o'clock.

The SPEAKER. Is there objection to the request that when the House adjourn to-day it adjourn to meet at 11 o'clock to-morrow morning?

There was no objection.

ENROLLED BILL PRESENTED TO THE PRESIDENT FOR HIS APPROVAL.

Mr. ASHBROOK, from the Committee on Enrolled Bills, reported that this day they had presented to the President of the United States, for his approval, the following bill:

H. R. 6939. An act to reimburse Edward B. Kelley for moneys expended while superintendent of the Rosebud Indian Agency, in South Dakota.

ADJOURNMENT.

Mr. MOON. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 55 minutes p. m.) the House adjourned until Thursday, December 31, 1914, at 11 o'clock a. m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1. Letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, reports on preliminary examination and survey of Tres Palacios River, Tex. (H. Doc. No. 1464); to the Committee on Rivers and Harbors and ordered to be printed, with illustrations.

2. Letter from the Secretary of the Interior, submitting report on land withdrawals from settlement, location, sale, or entry under the provisions of act of Congress approved June 25, 1910 (36 Stats., 847) (H. Doc. No. 1465); to the Committee on the Public Lands and ordered to be printed.

3. Letter from the Secretary of the Treasury, transmitting copy of a communication of the Secretary of the Navy submitting a supplemental estimate of appropriation for the fiscal year ending June 30, 1916 (H. Doc. No. 1466); to the Committee on Appropriations and ordered to be printed.

4. Letter from the Comptroller of the Currency, transmitting annual report of the Comptroller of the Currency for the 12 months ending October 31, 1914 (H. Doc. No. 1467); to the Committee on Banking and Currency and ordered to be printed, with illustration.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the several calendars therein named, as follows:

Mr. KENT, from the Committee on the Public Lands, to which was referred the bill (H. R. 17388) creating an additional land district in the State of California, embracing lands contained in the county of Imperial, and for other purposes, reported the same with amendment, accompanied by a report (No. 1251), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. FLOOD of Virginia, from the Committee on Foreign Affairs, to which was referred the joint resolution (H. J. Res.

382) authorizing the President to extend invitations to other nations to send representatives to the International Dry Farming Congress, to be held at Denver, Colo., September 27 to October 8, inclusive, 1915, reported the same without amendment, accompanied by a report (No. 1252), which said joint resolution and report were referred to the House Calendar.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, private bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the Committee of the Whole House, as follows:

Mr. BROWNING, from the Committee on Naval Affairs, to which was referred the bill (S. 1060) fixing the date of reenlistment of Gustav Hertfelter, first-class fireman, United States Navy, reported the same without amendment, accompanied by a report (No. 1253), which said bill and report were referred to the Private Calendar.

Mr. WITHERSPOON, from the Committee on Naval Affairs, to which was referred the bill (H. R. 11927) for the relief of Matthew McDonald, reported the same with amendment, accompanied by a report (No. 1254); which said bill and report were referred to the Private Calendar.

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, committees were discharged from the consideration of the following bills, which were referred as follows:

A bill (H. R. 20238) granting a pension to William E. Martin; Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 20251) granting a pension to George H. Dry; Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 20240) granting a pension to Louisa Fleming; Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. SMITH of Idaho: A bill (H. R. 20370) to provide for the extension and enlargement of the Federal building at Boise, Idaho; to the Committee on Public Buildings and Grounds.

By Mr. LEVER: A bill (H. R. 20415) making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1916; to the Committee of the Whole House on the state of the Union.

By Mr. MILLER: A bill (H. R. 20416) to repeal House concurrent resolution 9, section 2, of an act entitled "An act granting to the Sociedad Anonima, denominated 'Pototan Electric Light & Power Co. (Ltd.),' a franchise to install, operate, and maintain an electric light, heat, and power system in the municipality of Pototan, Province of Iloilo, Philippine Islands"; and a part of section 3 of an act entitled "An act granting a franchise to Charles M. Swift to construct, maintain, and operate a hydroelectric plant and electric lighting, heating, and power system and electric-transmission lines in the island of Luzon," passed by the third Philippine Legislature at the second and special sessions of 1914; to the Committee on Insular Affairs.

By Mr. MURRAY: A bill (H. R. 20417) to construct a bridge across the South Canadian River in Oklahoma; to the Committee on Appropriations.

By Mr. ADAMSON: A bill (H. R. 20418) to authorize the purchase or construction of six new vessels, with all necessary equipment, for the Coast and Geodetic Survey, and providing for additional surveys by the Coast and Geodetic Survey; to the Committee on Interstate and Foreign Commerce.

By Mr. SMITH of Minnesota: A bill (H. R. 20419) to provide for the remodeling and repairing of the Federal building known as the old post-office building, at Minneapolis, Minn.; to the Committee on Public Buildings and Grounds.

By Mr. AUSTIN: A bill (H. R. 20420) prohibiting bands or members thereof of the Army, Navy, or Marine Corps from receiving remuneration for furnishing music outside the limits of military posts and barracks; to the Committee on Military Affairs.

By Mr. MANN: Resolution (H. Res. 688) directing the Committee on Ways and Means to report a bill creating a tariff board; to the Committee on Ways and Means.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ADAIR: A bill (H. R. 20421) granting an increase of pension to Francis M. Beck; to the Committee on Invalid Pensions.

Also, a bill (H. R. 20422) for the relief of William E. Murray; to the Committee on Claims.

By Mr. BAKER: A bill (H. R. 20423) for the relief of Frank Pullem; to the Committee on Invalid Pensions.

Also, a bill (H. R. 20424) to reimburse William K. Lovett for sloop Edith and cargo, lost while in the service of the United States Government; to the Committee on Claims.

Also, a bill (H. R. 20425) for the relief of Michael Herron; to the Committee on Naval Affairs.

By Mr. BARTON: A bill (H. R. 20426) granting a pension to Willis M. Short; to the Committee on Pensions.

By Mr. BLACKMON: A bill (H. R. 20427) to authorize the sale of certain land in Alabama to Walter Dean; to the Committee on the Public Lands.

Also, a bill (H. R. 20428) to authorize the issue of a patent to certain land in Alabama to William M. Wilson; to the Committee on the Public Lands.

By Mr. BURGESS: A bill (H. R. 20429) granting an increase of pension to John F. Rector; to the Committee on Invalid Pensions.

By Mr. CAMPBELL: A bill (H. R. 20430) granting an increase of pension to James McGhie; to the Committee on Invalid Pensions.

By Mr. CULLOP: A bill (H. R. 20431) granting a pension to Perneta J. Campbell; to the Committee on Invalid Pensions.

By Mr. DONOVAN: A bill (H. R. 20432) granting an increase of pension to Martha L. Quick; to the Committee on Invalid Pensions.

Also, a bill (H. R. 20433) granting an increase of pension to Ella Keppy; to the Committee on Invalid Pensions.

Also, a bill (H. R. 20434) granting an increase of pension to Jane Ganung; to the Committee on Invalid Pensions.

By Mr. DOREMUS: A bill (H. R. 20435) granting a pension to Frederick Krebs; to the Committee on Pensions.

Also, a bill (H. R. 20436) granting an increase of pension to Edward M. Duffy; to the Committee on Pensions.

By Mr. EVANS: A bill (H. R. 20437) for the relief of Omer D. Lewis; to the Committee on Claims.

By Mr. FORDNEY: A bill (H. R. 20438) granting an increase of pension to Jay C. Randall; to the Committee on Pensions.

By Mr. GARDNER: A bill (H. R. 20439) for the relief of the heirs of the late Frank Henry Rogers; to the Committee on Claims.

By Mr. HOLLAND: A bill (H. R. 20440) granting an increase of pension to Lucy W. Binford; to the Committee on Pensions.

Also, a bill (H. R. 20441) for the relief of Hudson Bros., of Norfolk, Va.; to the Committee on Claims.

By Mr. JOHNSON of Kentucky: A bill (H. R. 20442) granting a pension to Dora Hoffman; to the Committee on Invalid Pensions.

Also, a bill (H. R. 20443) granting a pension to Lewis J. Crider; to the Committee on Invalid Pensions.

By Mr. KEATING: A bill (H. R. 20444) granting an increase of pension to Josephus Clark; to the Committee on Invalid Pensions.

By Mr. KREIDER: A bill (H. R. 20445) granting an increase of pension to William Hewitt; to the Committee on Invalid Pensions.

By Mr. LANGLEY: A bill (H. R. 20446) granting an increase of pension to Nathan Baker; to the Committee on Invalid Pensions.

Also, a bill (H. R. 20447) granting an increase of pension to William Cunagim; to the Committee on Pensions.

Also, a bill (H. R. 20448) granting an increase of pension to Isaac Goble; to the Committee on Invalid Pensions.

Also, a bill (H. R. 20449) for the relief of Samantha Slusher; to the Committee on War Claims.

By Mr. LESHER: A bill (H. R. 20450) granting an increase of pension to Samuel J. Pealer; to the Committee on Invalid Pensions.

Also, a bill (H. R. 20451) granting an increase of pension to Sarah A. Haring; to the Committee on Invalid Pensions.

By Mr. LEWIS of Maryland: A bill (H. R. 20452) granting an increase of pension to Rachel E. Laughlin; to the Committee on Invalid Pensions.

Also, a bill (H. R. 20453) for the relief of the estate of Robert Brown, deceased; to the Committee on War Claims.

By Mr. LINTHICUM: A bill (H. R. 20454) granting a pension to Jacob Mercer; to the Committee on Pensions.

Also, a bill (H. R. 20455) granting a pension to Albert A. Kelly; to the Committee on Pensions.

Also, a bill (H. R. 20456) granting a pension to Julia Gallagher; to the Committee on Pensions.

By Mr. McGILLICUDDY: A bill (H. R. 20457) granting an increase of pension to Melinda Keenan; to the Committee on Invalid Pensions.

By Mr. MORGAN of Oklahoma: A bill (H. R. 20458) granting an increase of pension to Boman R. Butcher; to the Committee on Invalid Pensions.

Also, a bill (H. R. 20459) granting an increase of pension to George G. Sherlock; to the Committee on Invalid Pensions.

Also, a bill (H. R. 20460) to correct the military record of James McManniman and grant him an honorable discharge; to the Committee on Military Affairs.

By Mr. ROUSE: A bill (H. R. 20461) granting an increase of pension to Mary J. Porter; to the Committee on Invalid Pensions.

Also, a bill (H. R. 20462) granting an increase of pension to Laura A. McCormick; to the Committee on Invalid Pensions.

By Mr. SHREVE: A bill (H. R. 20463) granting an increase of pension to C. L. Belknap; to the Committee on Pensions.

By Mr. SMITH of Minnesota: A bill (H. R. 20464) granting a pension to Peter Throssel; to the Committee on Invalid Pensions.

Also, a bill (H. R. 20465) for the relief of A. A. Kelly; to the Committee on Claims.

By Mr. STEPHENS of Nebraska: A bill (H. R. 20466) granting a pension to Harry N. Gates; to the Committee on Invalid Pensions.

By Mr. TAVENNER: A bill (H. R. 20467) granting an increase of pension to William Orr; to the Committee on Invalid Pensions.

By Mr. TAYLOR of Colorado: A bill (H. R. 20468) granting a pension to Julia Jones; to the Committee on Invalid Pensions.

By Mr. THOMSON of Illinois: A bill (H. R. 20469) granting a pension to Anna R. Cartwright; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. ASHBROOK: Petition of Tuscarawas County (Ohio) Woman Suffrage Association, favoring woman suffrage; to the Committee on the Judiciary.

Also, evidence to accompany House bill 20359, for relief of Eliza E. Wells; to the Committee on Invalid Pensions.

By Mr. DILLON: Petition of citizens of South Dakota, favoring recognition for Dr. F. A. Cook for his polar efforts; to the Committee on Naval Affairs.

By Mr. DRUKKER: Petition of citizens of New Jersey, favoring House joint resolution 377 relative to export of munitions of war; to the Committee on Foreign Affairs.

By Mr. GILL: Memorial of North St. Louis Business Men's Association, favoring 1-cent letter postage; to the Committee on the Post Office and Post Roads.

By Mr. GILMORE: Petition of citizens of Bristol, Mass., and Swedish Cromer Lodge, No. 10, International Order of Good Templars, of North Easton, Mass., favoring national prohibition; to the Committee on Rules.

By Mr. GOULDEN: Petition of citizens of New York City, against export of munitions of war from the United States to warring nations; to the Committee on Foreign Affairs.

Also, petition of William D. Peck, New York City, favoring restoration of the protective tariff; to the Committee on Ways and Means.

By Mr. KENNEDY of Rhode Island: Petition of Antoinette P. Brayton, of Providence, R. I., against woman suffrage; to the Committee on the Judiciary.

By Mr. KONOP: Petition of citizens of the ninth congressional district of Wisconsin, favoring House joint resolution 377, prohibiting export of munitions of war from the United States; to the Committee on Foreign Affairs.

By Mr. MANN: Petition of Chicago Post Office Clerks' Association, protesting against removal of post-office employees from service on account of old age; to the Committee on Reform in the Civil Service.

By Mr. ROGERS: Petition of the Matthew Temperance Institute, Lowell, Mass., against the recognition on the part of the United States of any government in Mexico which will refuse to guarantee civil and religious freedom to the inhabitants of Mexico; to the Committee on Foreign Affairs.

By Mr. SLOAN: Petition of citizens of Omaha, Nebr., against woman suffrage; to the Committee on the Judiciary.

SENATE.

THURSDAY, *December 31, 1914.*

(Legislative day of Tuesday, December 29, 1914.)

The Senate met at 11 o'clock a. m., on the expiration of the recess, and was called to order by the Presiding Officer, Mr. SWANSON.

Mr. SMOOT. Mr. President, I ask unanimous consent to introduce a bill and have it printed in the RECORD. It deals with the development of water power, a subject that is now before Congress.

The PRESIDING OFFICER (Mr. SWANSON). Is there objection?

Mr. SMITH of Georgia. As the Senator from Utah is the only person who is now on the floor to object——

Mr. SMOOT. If the Senator from Georgia objects, I certainly shall not ask leave to introduce the bill.

Mr. SMITH of Georgia. I am not going to object; but I say as the Senator from Utah makes the request, there is no one left to object, because we rely on him especially to prevent an irregular mode of procedure.

Mr. LODGE. Mr. President, I suggest the absence of a quorum.

Mr. SMOOT. I withdraw my request.

Mr. SMITH of Georgia. No; I do not object. I think the Senator does a great deal of good by interposing an objection in such cases.

Mr. GALLINGER and Mr. GRONNA. Regular order!

The PRESIDING OFFICER. The Senator from Massachusetts suggests the absence of a quorum. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst	Hardwick	Page	Sutherland
Borah	James	Perkins	Swanson
Bryan	Jones	Pittman	Thomas
Burton	Kern	Reed	Thornton
Chamberlain	Lane	Robinson	Townsend
Clapp	Lodge	Sheppard	Vardaman
Clark, Wyo.	McLean	Simmons	Walsh
Culberson	Martine, N. J.	Smith, Ariz.	White
Dillingham	Nelson	Smith, Ga.	Williams
Fletcher	O'Gorman	Smith, S. C.	
Gallinger	Oliver	Smoot	
Gronna	Overman	Sterling	

Mr. MARTINE of New Jersey. I was requested to state regarding the Senator from West Virginia [Mr. CHILTON] that he is absent on public business and is paired with the Senator from New Mexico [Mr. FALL] on all questions.

Mr. THORNTON. I was requested to announce the necessary absence of the Senator from Virginia [Mr. MARTIN] on account of illness in his family, and also to announce that he is paired with the Senator from Illinois [Mr. SHERMAN].

Mr. KERN. I desire to announce the unavoidable absence of my colleague [Mr. SHIVELY]. This announcement may stand for the day.

Mr. TOWNSEND. The senior Senator from Michigan [Mr. SMITH], who is absent from the city, is paired with the junior Senator from Missouri [Mr. REED] on all votes. This announcement may stand for the day.

Mr. CLARK of Wyoming. I wish to announce the unavoidable absence from the city of my colleague [Mr. WARREN]. He has a general pair with the Senator from Florida [Mr. FLETCHER]. I will allow this announcement to stand for the day.

Mr. LODGE. I desire to announce that my colleague [Mr. WEEKS], who is absent from the Senate, has a general pair with the Senator from Kentucky [Mr. JAMES]. I will allow this announcement to stand for the day.

The PRESIDING OFFICER. Forty-five Senators have answered to their names. A quorum is not present. The Secretary will call the roll of absentees.

The Secretary called the names of absent Senators and Mr. HOLLIS, Mr. MCCUMBER, Mr. POMERENE, and Mr. SAULSBURY answered to their names when called.

The PRESIDING OFFICER. Forty-nine Senators have answered to their names. A quorum is present and the Senate resumes the consideration of the unfinished business, House bill 6060.

REGULATION OF IMMIGRATION.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 6060) to regulate the immigration of aliens to and the residence of aliens in the United States.

The PRESIDING OFFICER. The pending question is on the amendment offered by the Senator from Colorado [Mr. THOMAS].

Mr. LODGE obtained the floor.

Mr. OVERMAN. Will the Senator from Massachusetts yield to me for a moment?

Mr. LODGE. For what purpose?

Mr. OVERMAN. To report from the Committee on Appropriations the urgent deficiency appropriation bill.

Mr. LODGE. That is out of order at this time.

Mr. OVERMAN. I desire to submit the report by unanimous consent.

The PRESIDING OFFICER. Under clause 2 of Rule VII it is made the duty of the Chair to enforce the rule without having his attention directed to it. There is a specific provision in the rule which prevents the presentation of the report at this time. The Senator from Massachusetts will proceed.

Mr. LODGE. Mr. President, I have no thought of making an argument in regard to the illiteracy test. I have said my say and made my argument on that subject so many times that I have no intention of repeating it. I think it would weary the Senate to have me repeat it, and I am sure it would weary me.

Nor do I intend to go into a discussion of the arguments which have been made against the test. Speaking, however, from considerable familiarity with those arguments, extending over many years, I think I may say that I have never heard them better put than during this debate or with more force or with more apparent pathos. To the philosophic observer with a sense of humor there is something very interesting in listening to the eulogies on ignorance and illiteracy which we have heard so eloquently delivered in the Senate during the last few days.

If there is anything which is more characteristic of the American people than another it is their devotion to the cause of education. We believe in the importance of education almost to the point of being superstitious about it. There is no limit to the money which is given from the public treasury by States, municipalities, and the Nation for the cause of education. There is no limit to the amount of benefaction which is poured out for education from private sources. We believe that education is important to intelligent citizenship. That is one of the great fundamental beliefs of the American people.

I believe there are only five States in which we have not compulsory education. In many States of the Union it is a provision of the constitution that an American citizen can not vote unless he is able to read and write. We do not hesitate to put that test on the American citizen, but we seem to shrink from applying it to the foreigner coming to the country.

Mr. President, it seems to me that some of these arguments carried to their logical conclusion, as I have listened to them here with great interest, would mean that we ought to find out who could read and write and then to exclude those who were possessed of those accomplishments. That is where some of them lead. We are told that all the anarchists who come here can read and write, and from that there seems to be a hasty conclusion drawn that because anarchists generally can read and write therefore people who can read and write are generally anarchists, which is rather a broad jump in argument. In the same way we are told that most of the criminals can read and write. It is difficult to conceive that because criminals can read and write therefore most persons who can read and write are criminals.

Mr. President, though it is interesting to notice this contrast between our opinion of education as applied to our own people and our opinion of education as applied to foreigners, the fact is that the real argument is rarely made. It has been made once in this debate. It was made by the Senator from New York [Mr. O'GORMAN] with his usual force and effectiveness when he said that the passage of this illiteracy test would cost votes. That is a real argument. I do not think it is an argument that affects the merits of the question, but it is a real and not a mock argument. There is something to be said upon this point on both sides. It is erroneous, in my judgment, to suppose that the mass of the American people object to the literacy test. I think it is shown by their constitutions and their laws that they do not. But I do not think we ought to decide this question quite in that way by our guesses at the number of votes involved. I think the question ought to be decided on its merits.

As I have said, I am not going to argue the details of the provision at all, but simply state what the purpose of it is. Hitherto our immigration legislation has been altogether selective. We have had no restrictive legislation at all. The restriction caused by our selective legislation has been merely incidental. There has been a very widespread desire in this country, evidenced by the action of the great labor organizations, farmers' organizations, and many leagues formed for the promotion of the restriction of immigration, in favor of restricting immigration.

Those who are opposed to all restriction of immigration ought to vote against the illiteracy test, for it is a restrictive measure. It is not put in on the theory of keeping out a criminal or an anarchist. That has nothing to do with it. The law provides against the admission of those persons in other clauses specifically. The object of the literacy test is to restrict the amount of immigration coming to this country.

I shall not rehearse the argument so ably and completely made by the Senator from Vermont [Mr. DILLINGHAM] and others on the need of restriction. It was shown by the protracted investigation of the Immigration Commission generally to be wise on economic grounds, to speak of no other. But assuming for the moment that restriction is desirable, the next thing is to adopt a method of restriction which shall exclude as many undesirable persons as possible and as few desirable, and no form of restriction can be devised which will exclude only undesirable and admit only desirable.

That is out of the question. The purpose to be attained, as I have said, is the one that will exclude as nearly as possible the undesirable and as few as possible who are desirable. After years of investigation by committees of Congress and by commissions, one after another, after many investigations and after considering every form of restriction suggested, the conclusion has been reached by nearly all competent investigators that the illiteracy test restricts immigration with as small a loss of desirable immigrants as possible and with as large an exclusion of undesirable immigrants as can be practically attained. The investigations show very clearly that the tendency of the illiterates over the literates to congest in the large cities of the eastern coast is very marked. That is but one of the many reasons which have led to the adoption of this test. The proof of the lowering of the American standards of life and wages is furnished by the report of the Immigration Commission. That is another great economic argument for restriction. I think in voting on the test it should be kept in mind that its intention is restrictive; that it is not aimed to keep immigrants out because they are ignorant and illiterate simply, but because ignorance and illiteracy give, on the whole, the best test for the restriction of the most undesirable immigrants.

It is proposed to amend the bill in the clause which carries the test. This amendment, Mr. President, would in large measure destroy the value of the illiteracy test. In my opinion it would be better to take the test out of the bill altogether if the Senate is against any measure of restriction than to put in an amendment of this sort. This amendment at once, by its very phraseology, produces most serious inequalities in the law. It says that the persecution is to "be evidenced by overt acts or by discriminatory laws or regulations."

In the Turkish Empire—what remains of it—there is a strong religious discrimination, which takes effect at intervals in the killing of Christians. The Armenian massacres of some years ago are familiar, and if there is any country in the world where there is discriminatory legislation leading to religious persecution it is within the borders of the Turkish Empire. This, therefore, would relieve Armenians and Syrians and people from Asia Minor from the illiteracy test, but it would impose it upon the people of Italy, where, I understand there is no discriminatory religious legislation of any sort or kind.

The illiteracy test in regard to Great Britain and Ireland is not of consequence, because the percentage of illiteracy is so low that it would exclude practically no immigrants from those countries; but, at the same time, England has an established church. A certain number of the prelates of that church have the right to sit in the upper House of Parliament. That is distinctly discriminatory against all who are not members of the established church—dissenters, Roman Catholics, and others. Therefore this amendment would exempt from the illiteracy test the people of England, and of Wales also, until the church is disestablished there, and would apply it to the people of Ireland and Scotland. This illustrates some of the difficulties that would come from a law framed in that way. You would relieve certain nations and certain races from your illiteracy test, and you would apply it to others. You would make it unequal; you would come in conflict, I am rather inclined to think, with the favored-nation clause in principle, if not literally.

As to political persecution, that is extremely vague. We have tried to take care of that in a general provision of the proposed law, but this amendment to the illiteracy clause in the bill as it is framed would be worse than destructive of the test as it stands in the House bill. It would partially destroy it;

it would leave it in force against certain nations and remove it from others.

Therefore I think, Mr. President, that this amendment ought to be defeated. If the Senate then comes to the main question according as they believe that restriction of immigration is necessary or unnecessary, whether, by the result of investigation or otherwise, this is the best method of restriction or not, they should determine whether to leave the clause in the bill or to take it out. If it is to stay in the bill, it ought to stay there in substantially the form in which it is now there. If it is to be taken out, it had better be taken out altogether than to put in an amendment of this kind, which can only lead to all sorts of complications, which would create a law that would fall unequally, which could never be justly enforced, and which would give to some, at least, of the undesirable forms of immigration a chance to come in while it excluded some of the desirable forms which we want to admit.

This is all, Mr. President, that I desire to say. There is no use of entering into any general argument; but I wish to record my opposition to this amendment, and then, after the Senate dispose of that, I hope they will dispose of the main question.

Mr. THOMAS. Mr. President, the central idea which I had in mind when I consented to introduce this amendment, on which occasion I made the statement that it was prepared by another, was to extend the exemption from the literacy test to those who sought asylum in America as a refuge from persecution. I did so because I then believed, and am now confirmed in the belief, that the exemption reported by the committee is not broad enough to cover all cases of persecution or to accord with what I understand to have been the national policy upon this subject ever since the origin of the Government. I can conceive of no reason which justifies an exemption for those who desire to come here in order to escape religious persecution which is not equally applicable to those who are the victims of political or racial persecution, which is quite as intolerable as and sometimes more cruel than religious persecution.

I believe thoroughly in a literacy test, provided one can be secured which is consistent with the right of asylum to all peoples except those which are specifically excluded for other reasons. The Senator from South Carolina [Mr. SMITH], having charge of the bill, has said that if this amendment is adopted it virtually destroys the force and the efficacy of the literacy test. I am not prepared to accept that statement; but if it is true it is the strongest argument that has been uttered upon this floor against the inclusion in the bill of any such test whatever, for I deny, Mr. President, that there can be any consistency whatever or any justice in a regulation which gives exemption to the object of religious persecution, but denies it to the object of political or racial persecution. It is persecution that we desire to exempt from the operation of this clause, whether it be of a religious or of a political character, and when we begin to discriminate between the bases or causes of persecution in the application of a national doctrine we establish a condition that is absolutely foreign to what I have always understood to be the purpose and the policy of this Government with reference to immigration.

But the criticisms which have just been made by the Senator from Massachusetts [Mr. LODGE] of the concluding paragraph of the amendment are of great force. I have been impressed from the inception of this debate with the general character and consequently the general scope of the exemption which would be created by that clause if it were enacted into legislation. I can perceive very clearly that, as the Senator says, it would operate as an exemption of some nations or races as an entirety, while the restrictive clause would be equally universal as applied to others, and, as a consequence, I hesitate, Mr. President, to give my assent to that clause, although it is a part of the amendment which I have offered. At one time I suggested its withdrawal, but I did not insist upon the suggestion for the reason that another Senator requested that it should not be pressed.

Mr. GALLINGER. Mr. President——

The PRESIDING OFFICER. Does the Senator from Colorado yield to the Senator from New Hampshire?

Mr. THOMAS. I yield.

Mr. GALLINGER. I have been giving more or less study to this amendment, as I desire to vote for as liberal a provision as is consistent, and I listened with interest to the statement made by the Senator from Massachusetts. I will ask the Senator from Colorado if he does not think it will be quite an advance—and perhaps cover the matter sufficiently—if the Senator simply adds the words "or political" to the provision in the bill as it came from the House of Representatives, so as to read "religious or political persecution"?

Mr. THOMAS. Mr. President, perhaps the Senator is not aware of the fact that I have accepted two additions which have been suggested to the amendment as I sent it to the Secretary's desk. It now reads:

That the following classes of persons—

Then comes an amendment—

when otherwise qualified for admission under the laws of the United States shall be exempt—

And so forth. The other amendment which I have accepted is the insertion of the words "of racial" after the word "political," on the first line of the second page.

Personally I should be satisfied with this amendment as amended, with the excision of its last clause, which, as I have said, is subject to the criticism which has been made of it so ably and incisively by the Senator from Massachusetts.

Mr. REED. Will the Senator read the last clause to which he has just referred?

Mr. THOMAS. It reads:

Whether such persecution be evidenced by overt acts or by discriminatory laws or regulations.

I was going to add, however, that I shall not ask to have that part of the amendment withdrawn; but, in the event the amendment in its present condition is not adopted, then I shall offer it again with the amendments that have been accepted to it and with the exclusion of the clause which I have just read.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Colorado.

Mr. REED. On that I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. SUTHERLAND. I should like to have the amendment stated as it is now perfected.

The PRESIDING OFFICER. The Secretary will state the amendment for the information of the Senate.

The SECRETARY. On page 9, beginning in line 6, it is proposed to strike out:

That the following classes of persons shall be exempt from the operation of the illiteracy test, to wit: All aliens who shall prove to the satisfaction of the proper immigration officer or to the Secretary of Labor that they emigrated from the country of which they were last permanent residents solely for the purpose of escaping from religious persecution.

And in lieu thereof to insert:

That the following classes of persons, when otherwise qualified for admission under the laws of the United States, shall be exempt from the operation of the illiteracy test, to wit: All aliens who shall prove to the satisfaction of the proper immigration officer or to the Secretary of Labor that they are seeking admission to the United States to avoid religious, political, or racial persecution, whether such persecution be evidenced by overt acts or by discriminatory laws or regulations.

Mr. LEWIS. Mr. President, a parliamentary inquiry. May I ask, where a section has an amendment addressed to it and also a motion to strike out the whole section, which takes precedence—the motion to strike out the whole section or an amendment of the section?

The PRESIDING OFFICER. The text must be perfected before the motion to strike out is in order under general parliamentary law. The Secretary will call the roll.

The Secretary proceeded to call the roll.

Mr. CLARK of Wyoming (when his name was called). I have a general pair with the senior Senator from Missouri [Mr. STONE]. In the absence of that Senator I withhold my vote.

Mr. GRONNA (when his name was called). I have a general pair with the senior Senator from Maine [Mr. JOHNSON]. In his absence I withhold my vote. If permitted to vote, I should vote nay.

Mr. HOLLIS (when his name was called). I announce my pair with the junior Senator from Maine [Mr. BURLEIGH] and withhold my vote.

Mr. CUMMINS (when Mr. KENYON's name was called). My colleague [Mr. KENYON] is absent from the Senate and also from the city. He is paired with the junior Senator from Kentucky [Mr. CAMDEN].

Mr. SAULSBURY (when the name of Mr. MARTIN of Virginia was called). I have been requested to announce the necessary absence of the senior Senator from Virginia [Mr. MARTIN] and that he is paired with the senior Senator from Illinois [Mr. SHERMAN]. If present, the Senator from Virginia would vote nay.

Mr. OLIVER (when Mr. PENROSE's name was called). My colleague [Mr. PENROSE] is absent to-day on account of sickness. If he were present, he would vote nay. He has a general pair with the senior Senator from Mississippi [Mr. WILLIAMS], but on this proposition they are agreed, and the senior Senator from Mississippi is therefore at liberty to vote.

Mr. SAULSBURY (when his name was called). I transfer my pair with the junior Senator from Rhode Island [Mr. COLT] to the senior Senator from Indiana [Mr. SHIVELY] and will vote. I vote yea.

Mr. REED (when Mr. STONE's name was called). My colleague [Mr. STONE] is necessarily absent from the Senate on account of the health of members of his family. During his absence he is paired with the senior Senator from Wyoming [Mr. CLARK].

I take this occasion to state, further, that I am paired with the senior Senator from Michigan [Mr. SMITH]. I transfer that pair to the senior Senator from Alabama [Mr. BANKHEAD] and will allow my vote in the affirmative to stand.

Mr. SUTHERLAND (when his name was called). I have a general pair with the senior Senator from Arkansas [Mr. CLARKE], who is absent. On that account I withhold my vote.

Mr. WILLIAMS (when his name was called). In view of the announcement made by the junior Senator from Pennsylvania [Mr. OLIVER], I feel free to vote, notwithstanding my pair with the senior Senator from that State. I vote "nay."

The roll call was concluded.

Mr. CRAWFORD. I have a general pair with the senior Senator from Tennessee [Mr. LEA], who has not voted. I therefore withhold my vote. If at liberty to vote, I should vote "nay."

Mr. CULBERSON (after having voted in the affirmative). I have a general pair with the senior Senator from Delaware [Mr. DU PONT], but I understand that he would vote as I have voted on this question. Consequently I will allow my vote to stand.

Mr. FLETCHER (after having voted in the negative). I have a general pair with the junior Senator from Wyoming [Mr. WARREN], who is not present and has not voted. I therefore withdraw my vote.

Mr. JAMES. I have a general pair with the junior Senator from Massachusetts [Mr. WEEKS], which I transfer to the junior Senator from Kansas [Mr. THOMPSON] and will vote. I vote "nay."

Mr. GALLINGER. I have been requested to announce the following pairs:

The junior Senator from Idaho [Mr. BRADY] with the junior Senator from Mississippi [Mr. VARDAMAN];

The junior Senator from New Mexico [Mr. CATRON] with the senior Senator from Oklahoma [Mr. OWEN];

The senior Senator from New Mexico [Mr. FALL] with the senior Senator from West Virginia [Mr. CHILTON]; and

The junior Senator from Illinois [Mr. SHERMAN] with the senior Senator from Virginia [Mr. MARTIN].

I was also requested to state that the junior Senator from Illinois [Mr. SHERMAN] is detained from the Senate on account of illness in his family.

The result was announced—yes 26, nays 34, as follows:

YEAS—26.

Borah	Lane	Perkins	Smith, Md.
Clapp	Lee, Md.	Pittman	Thomas
Culberson	Lewis	Pomerene	Thornton
Hitchcock	Martine, N. J.	Ransdell	Townsend
Hughes	Myers	Reed	Walsh
Kern	Norris	Saulsbury	
La Follette	O'Gorman	Shafroth	

NAYS—34.

Ashurst	Gore	Overman	Smith, S. C.
Brandegee	Hardwick	Page	Smoot
Bristow	James	Poindexter	Sterling
Bryan	Jones	Robinson	Swanson
Burton	Lippitt	Root	White
Chamberlain	Lodge	Sheppard	Williams
Cummins	McLean	Simmons	Works
Dillingham	Nelson	Smith, Ariz.	
Gallinger	Oliver	Smith, Ga.	

NOT VOTING—36.

Bankhead	Crawford	Lea, Tenn.	Smith, Mich.
Brady	du Pont	McCumber	Stephenson
Burleigh	Fall	Martin, Va.	Stone
Camden	Fletcher	Newlands	Sutherland
Catron	Goff	Owen	Thompson
Chilton	Gronna	Penrose	Tillman
Clark, Wyo.	Hollis	Sherman	Vardaman
Clarke, Ark.	Johnson	Shields	Warren
Colt	Kenyon	Shively	Weeks

So Mr. THOMAS's amendment was rejected.

Mr. OVERMAN. Mr. President, I will ask the chairman of the committee to yield in order to allow me to ask unanimous consent of the Senate to report what is known as the urgent deficiency appropriation bill.

Mr. SMITH of Georgia. I object, Mr. President. The trouble is that if reports are allowed——

Mr. GALLINGER and other Senators. Regular order!

The PRESIDING OFFICER. The regular order is called for. Nothing is in order at present but the pending bill.

Mr. THOMAS. Mr. President, I offer the amendment which I send to the desk.

The PRESIDING OFFICER. The amendment will be stated.

The SECRETARY. The Senator from Colorado offers the amendment just voted upon, with the exception that the words at the end thereof—

whether such persecution be evidenced by overt acts or by discriminatory laws or regulations—

are stricken therefrom, so that the amendment now reads:

On page 9, lines 6 to 12, strike out the words in the House bill and in lieu thereof insert:

"That the following classes of persons, when otherwise qualified for admission under the laws of the United States, shall be exempt from the operation of the illiteracy test, to wit: All aliens who shall prove to the satisfaction of the proper immigration officer or to the Secretary of Labor that they are seeking admission to the United States to avoid religious, political, or racial persecution."

Mr. THOMAS. Mr. President, the amendment as now presented is the amendment upon which the Senate has just taken a vote, except that the last clause, objections to which were so forcibly presented during the discussion of the amendment itself, is eliminated.

I have only to say to the Senate that if it is our sincere purpose to permit those who are suffering from persecution to avail themselves of an exemption clause to the literacy test, it would seem that consistency and justice require that whatever the cause of the persecution, whether it be religious or political or racial, or any two of them, or the three of them combined, the fact of the persecution itself should be the test of the application of the exemption, and not the basis of that test. Now, if we are going to be consistent, and if America is still to be the asylum of those who seek its shores as a refuge from persecution, then the amendment as presented should be accepted by the Senate.

Mr. REED. Mr. President, I shall detain the Senate only long enough to state a proposition.

The bill as reported provides—

That the following classes of persons shall be exempt from the operation of the illiteracy test, to wit: All aliens who shall prove to the satisfaction of the proper immigration officers or to the Secretary of Labor that they emigrated from the country of which they were last permanent residents solely for the purpose of escaping from religious persecution.

To that is added, by the amendment, words which would include those who are fleeing from political persecution or racial persecution.

Mr. President, either the clause in the bill ought to be stricken out or this amendment should be adopted, in my humble judgment. I say that for this reason: As far as my knowledge extends, there is not a single country that in modern times has boldly started upon a policy of religious persecution. They have not said, "We are attacking these inhabitants of our country because of their religion." That has been the real cause, undoubtedly, but always the governmental authorities have assigned some other cause. So when an immigrant is required to show that he is fleeing to escape religious persecution, if he is limited to strict and technical proof, he can not make it. If you do not adopt this amendment, you ought bravely and frankly to strike out the language of the bill itself and not pretend to be granting asylum to those who seek to escape religious persecution, well knowing at the time that probably not a single man can prove himself absolutely within that exemption.

What man in the Senate can point to a single instance in modern times when any Government has by law persecuted any class of people for religion's sake? Nevertheless, we know that in many instances they have been persecuted because they are of a certain religion, but the law of the country does not say so, and the authorities of the country proceed upon some other pretense.

Now, let us either be brave enough to strike out of the bill language that means nothing for practical purposes and say to all the world, "We close the door in the face of those who flee to escape persecution," or else let us pass an amendment that will permit these creatures to come in.

I have one further observation. We are taking a step here to-day, if we repudiate this amendment, that is a repudiation of the whole course of American history. We propose, if we repudiate this amendment, to close the doors of this country to those men who seek asylum from political persecution. We propose to say to the immigrant who may be fleeing here for his life from an oppressor who may conquer his country within the next few months—aye, who may have already conquered his country—"You shall go back to your death, to the land where it awaits you, for no other crime than a political crime." That is a reversal of American policy for a century. It is a reversal of all our precedents, all our customs, all our pretensions, and it is a policy that is, in my opinion, unworthy of the American people.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Colorado [Mr. THOMAS].

Mr. LODGE. Mr. President, when I spoke briefly in regard to the amendment then pending I was not aware that the word "racial" had been inserted. Otherwise I should have said something about that. The word "racial" loosens the provision more even than "discriminatory laws." It produces the same inequality. We want to be very careful before we insert that word in our legislation. It would not be difficult for the Hindus to show that they were subjected, some of them, as they think, to racial persecution and that they were discriminated against. The Senate wants to be extremely careful before it loosens the provision in that way.

The PRESIDING OFFICER. The question is on agreeing to the amendment proposed by the Senator from Colorado [Mr. THOMAS].

Mr. REED. On that I ask for the yeas and nays.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. CLARK of Wyoming (when his name was called). I again announce my general pair with the senior Senator from Missouri [Mr. STONE], who is necessarily absent, and withhold my vote.

Mr. CRAWFORD (when his name was called). I again announce my general pair with the senior Senator from Tennessee [Mr. LEA], who is absent, and withhold my vote.

Mr. CULBERSON (when his name was called). With the same statement regarding my pair and its transfer that I previously made, I vote "yea."

Mr. FLETCHER (when his name was called). I have a general pair with the Senator from Wyoming [Mr. WARREN]. Not knowing how he would vote on this question, I withhold my vote.

Mr. GRONNA (when his name was called). I again announce my pair with the senior Senator from Maine [Mr. JOHNSON]. As he is absent, I withhold my vote.

Mr. HOLLIS (when his name was called). I announce my pair with the junior Senator from Maine [Mr. BURLEIGH].

Mr. JAMES (when his name was called). I transfer the general pair I have with the junior Senator from Massachusetts [Mr. WEEKS] to the junior Senator from Kansas [Mr. THOMPSON] and vote "nay."

Mr. CUMMINS (when Mr. KENYON's name was called). My colleague [Mr. KENYON] is absent from the city. He is paired with the junior Senator from Kentucky [Mr. CAMDEN]. I make this announcement for the day.

Mr. OLIVER (when Mr. PENROSE's name was called). I make the same announcement with regard to my colleague [Mr. PENROSE] as on the former vote. If my colleague were present, he would vote "nay."

Mr. WALSH (when Mr. SAULSBURY's name was called). The Senator from Delaware [Mr. SAULSBURY] has just been called from the Chamber and will be unable to be present during the remainder of the vote. He is paired with the Senator from Rhode Island [Mr. COLT]. If the Senator from Delaware were present and entitled to vote, he would vote "yea."

Mr. WILLIAMS (when his name was called). I repeat the announcement made on the previous vote and add to it that since that time a telegram has been received from the Senator from Pennsylvania [Mr. PENROSE] which relieves me from my pair on this question. I vote "nay."

The roll call was concluded.

Mr. SUTHERLAND. I again announce my pair with the Senator from Arkansas [Mr. CLARKE], which I transfer to the Senator from Pennsylvania [Mr. PENROSE], and vote. I vote "nay."

Mr. FLETCHER. I transfer my pair with the Senator from Wyoming [Mr. WARREN] to the Senator from Tennessee [Mr. SHIELDS] and vote "nay."

Mr. GRONNA. When my name was called and I announced my pair with the senior Senator from Maine [Mr. JOHNSON] I did not feel that I was at liberty to vote. I am informed that if present he would vote "nay," and I will therefore vote. I vote "nay."

Mr. REED (after having voted in the affirmative). Before the result is announced I desire to state that I will allow my vote to stand, but I announce the same transfer of my pair as on the previous vote.

The result was announced—yeas 26, nays 38, as follows:

YEAS—26.

Borah	La Follette	O'Gorman	Smith, Md.
Chamberlain	Lane	Perkins	Thomas
Clapp	Lee, Md.	Pittman	Thornton
Culberson	Lewis	Pomerene	Townsend
Hitchcock	Martine, N. J.	Ransdell	Walsh
Hughes	Myers	Reed	
Kern	Norris	Shafroth	

NAYS—38.

Ashurst	Gronna	Overman	Smoot
Brandegee	Hardwick	Page	Sterling
Bristow	James	Poindexter	Sutherland
Bryan	Jones	Robinson	Swanson
Burton	Lippitt	Root	Vardaman
Cummins	Lodge	Sheppard	White
Dillingham	McCumber	Simmons	Williams
Fletcher	McLean	Smith, Ariz.	Works
Gallinger	Nelson	Smith, Ga.	
Gore	Oliver	Smith, S. C.	

NOT VOTING—32.

Bankhead	Colt	Lea, Tenn.	Shively
Brady	Crawford	Martin, Va.	Smith, Mich.
Burleigh	du Pont	Newlands	Stephenson
Camden	Fall	Owen	Stone
Catron	Goff	Penrose	Thompson
Chilton	Hollis	Saulsbury	Tillman
Clark, Wyo.	Johnson	Sherman	Warren
Clarke, Ark.	Kenyon	Shields	Weeks

So Mr. THOMAS's amendment was rejected.

Mr. O'GORMAN. I move as an amendment that the words "or political" be inserted after the word "religious" on the twelfth line of the ninth page of the bill.

Mr. TOWNSEND. So as to read how?

Mr. O'GORMAN. So as to read:

All aliens who shall prove to the satisfaction of the proper immigration officer or to the Secretary of Labor that they emigrated from the country of which they were last permanent residents solely for the purpose of escaping from religious or political persecution.

It omits the racial exemption which has just been voted down by the Senate.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from New York [Mr. O'GORMAN].

Mr. O'GORMAN. On that I ask for the yeas and nays.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. CLARK of Wyoming (when his name was called). Repeating the announcement of my pair heretofore made, I withhold my vote.

Mr. CRAWFORD (when his name was called). I again announce my pair with the senior Senator from Tennessee [Mr. LEA] and withhold my vote.

Mr. CULBERSON (when his name was called). Making the same statement as previously, I vote "yea."

Mr. FLETCHER (when his name was called). Announcing the transfer of my pair as before, I vote "nay."

Mr. GRONNA (when his name was called). I again announce my pair with the senior Senator from Maine [Mr. JOHNSON] and withhold my vote.

Mr. HOLLIS (when his name was called). I again announce my pair as before.

Mr. JAMES (when his name was called). Making the same transfer as on the former roll call, I vote "nay."

Mr. REED (when his name was called). I make the same transfer as before and vote "yea."

The roll call was concluded.

Mr. SUTHERLAND. I make the same transfer of my pair with the Senator from Arkansas [Mr. CLARKE] that I made on the preceding vote and vote "nay."

Mr. WALSH. As heretofore announced, the Senator from Delaware [Mr. SAULSBURY] is necessarily absent. He is paired with the Senator from Rhode Island [Mr. COLT]. If the Senator from Delaware were present and at liberty to vote, he would vote "yea."

The result was announced—yeas 28, nays 33, as follows:

YEAS—28.

Borah	Hughes	Martine, N. J.	Reed
Brandegee	Kern	Myers	Shafroth
Chamberlain	La Follette	Norris	Smith, Md.
Clapp	Lane	O'Gorman	Thomas
Culberson	Lee, Md.	Perkins	Thornton
Gallinger	Lewis	Pomerene	Townsend
Hitchcock	McLean	Ransdell	Walsh

NAYS—33.

Ashurst	James	Robinson	Sutherland
Bristow	Jones	Root	Swanson
Bryan	Lippitt	Sheppard	Vardaman
Burton	Lodge	Simmons	White
Cummins	McCumber	Smith, Ariz.	Williams
Dillingham	Nelson	Smith, Ga.	Works
Fletcher	Oliver	Smith, S. C.	
Gore	Overman	Smoot	
Hardwick	Poindexter	Sterling	

NOT VOTING—35.

Bankhead	Crawford	Martin, Va.	Shively
Brady	du Pont	Newlands	Smith, Mich.
Burleigh	Fall	Owen	Stephenson
Camden	Goff	Page	Stone
Catron	Gronna	Penrose	Thompson
Chilton	Hollis	Pittman	Tillman
Clark, Wyo.	Johnson	Saulsbury	Warren
Clarke, Ark.	Kenyon	Sherman	Weeks
Colt	Lea, Tenn.	Shields	

So Mr. O'GORMAN's amendment was rejected.

Mr. MARTINE of New Jersey. On December 17 I gave notice that I would offer an amendment, and I propose it now. While it has been practically voted on several times this morning, it has been coupled with other conditions. The amendment that I offer is stripped of all other conditions except to strike out lines 10, 11, and 12, and in line 13 the word "*Provided.*"

The PRESIDING OFFICER. The Secretary will state the amendment for the information of the Senate.

The SECRETARY. On page 8, commencing with line 10, it is proposed to strike out the following words:

All aliens over 16 years of age, physically capable of reading, who can not read the English language, or some other language or dialect, including Hebrew or Yiddish: *Provided.*

Mr. MARTINE of New Jersey. On that I ask for the yeas and nays.

Mr. LODGE. I merely want to call attention to the fact that the amendment strikes out the literacy test, but leaves in all the machinery for it.

Mr. LEWIS. Mr. President, I merely desire to say that the motion I made to strike out from the section is very similar to that presented by the Senator from New Jersey, and I desire to inform the Senate that the motion of the Senator from New Jersey I will accept as likewise providing for the amendment I intended to offer, and thus avoid the necessity of having another vote upon my amendment.

Mr. SMITH of South Carolina. I should like to call the attention of the Senator from New Jersey to the fact that the amendment proposed by him simply strikes out the clause known as the literacy test and leaves all the balance of the section and all the mechinery untouched.

Mr. MARTINE of New Jersey. I am very well satisfied that the temper of the Senate will strike out everything in that direction, and so I am quite willing to let it go. If you strike out the words I propose to eliminate, I do not care how much machinery you have left in the bill.

The PRESIDING OFFICER. The Senator from New Jersey demands the yeas and nays upon agreeing to his amendment.

The yeas and nays were ordered.

Mr. TOWNSEND. Mr. President, as I understand, this proposition is to strike out the literacy test. That is the object of the Senator from New Jersey in offering it?

Mr. MARTINE of New Jersey. Yes, sir; that is my purpose.

Mr. TOWNSEND. I can not support an amendment which has for its object the elimination of the literacy test. I have voted in favor of the amendments offered by the Senator from Colorado [Mr. THOMAS] and the Senator from New York [Mr. O'GORMAN], because they stated a principle with which I am in accord, a principle which has been observed by our Government since its creation, namely, that this land may be the home of those moral, healthy, normal men and women, without regard to their education, who have fled here from their native countries to escape religious or political persecution. Our forefathers belonged to that class. The bill recognizes the justice of making an exception in behalf of victims of religious persecution, and I can see no reasons which plead for them that are not equally effective in behalf of political or racial refugees from persecution. I believe in restricting immigration. We have been receiving more immigrants than we have beneficially assimilated. The literacy test will not insure all desirable immigrants; it will not exclude all undesirable aliens; but with the other qualifications included in the bill it will lessen materially the number of immigrants who are undesirable.

I shall not discuss the harmful effects of our immigration upon American labor. That phase of the subject has been fully presented. Indeed, I shall not attempt to make any argument, but desire simply to enter my protest against much of the alleged argument offered by the opponents of the educational test for the admission of aliens. Why, ignorance has been lauded as the virtue and education as the disability. It would almost seem that some Senators would prefer that the prohibition be against those who could read and write rather than against the illiterate.

The corner stone of our Republic is education. The fundamental law of every State provides for free schools. Compulsory educational laws are forced upon our people. We believe in education and that the Republic can only exist permanently in the hands of an educated electorate. The fathers, when they provided for free schools, were working not for present political favors, were governed not by temporary expedients, but were looking far ahead and building for the future.

This Republic is but an experiment. Its success depends upon the character and the intelligence of the men and women who form and constitute it.

More and more the people are coming into the actual exercise of the powers of government. The direct primary, the initiative and referendum are being demanded, if not by the people at least by the politicians. Can an illiterate man know as well as the literate one? Is it safe to trust the functions of government, including the making and repealing of laws, to foreigners who can not read those laws, but who must rely upon another for information and advice? Ignorance in the hands of immoral intelligence is a menace to the Republic.

Just in proportion as the powers of government are assumed by the people just in that proportion ought the educational test to be raised. I realize, of course, that the admitted immigrant does not, by virtue of his admission, become entitled to the elective franchise, but to all practical purposes he does. I want to raise the standard of citizenship, and I believe, as I always have believed, that education, like righteousness, exalteth a nation.

I believe that the literacy test in the bill will not be as beneficial to our people as its proponents claim; neither will it work the hardships predicted by its opponents; but it is a recognition of the principle of civilization and progress, and, therefore, I can not vote to eliminate it.

Mr. THORNTON. Mr. President, I shall vote for the literacy section of the bill which has been previously approved by both Houses of Congress, because I believe that the indiscriminate immigration that has been coming to this country during the last 10 or 15 years should be restricted until we can better assimilate or Americanize those who have come in such large numbers in the time I have mentioned.

Therefore, believing that the best interests of this country demand a restriction of foreign immigration, I am in favor of the literacy test, because that operates as a restriction to some extent, and I think the restriction can properly be applied to illiterates.

It is true that illiteracy does not necessarily imply lack of morality or the desire to be a lawbreaker.

It is also true that illiteracy naturally tends to prevent a foreigner from acquiring a proper conception of American institutions as soon as a literate could acquire it.

It is also true that the illiterates on account of their ignorance can be more easily influenced in the direction of lawlessness by designing men, and also more readily influenced by political demagogues.

Everyone who has looked into the matter of this large foreign immigration during the time I have mentioned knows, or ought to know, that the two principal causes inducing it were the efforts of foreign steamship companies and the American employers of cheap labor, each working for their own selfish interests.

I am aware that this country is largely indebted for its development to the immigration that came here from Europe in former times; but that was an immigration of a different nature from the immigration which has been largely coming of late years, and devoted itself to other pursuits than the present kind of immigration does.

The fact that in former times and under different conditions in this country unrestricted immigration was permitted is no argument in favor of permitting unrestricted immigration now.

While I feel a natural sympathy for aliens who hope to better their condition by coming to this country, I do not recognize that this country is under any obligation to admit foreigners to its privileges just because these foreigners wish to enjoy those privileges.

Still less is this country under any obligation to admit them if their admittance might have a tendency to injuriously affect the well-being of her own citizens.

I consider that my first duty is to my own country, and I propose to discharge it according to my best judgment, without regard to the possible political effect on myself or on the party with which I am identified.

I regret that the amendments to the literacy test which have been voted on this morning have been defeated by the Senate. They were amendments for which I voted and for which I stand. Nevertheless, because they have been voted down is no reason why I should be justified in voting against the literacy test which, in my judgment, embodies generally a wise provision of law. Especially is this so when the sentiment of the Senate very clearly shows that the literacy test will be sustained, no matter whether I vote against it or for it.

I also feel some comfort in the fact that, in my judgment, the Jews in those countries of Europe for whom this amendment was particularly intended will not, after the conclusion of the present European war, suffer the persecution in the future which they have suffered in the past, no matter what side may be victorious at its termination.

Mr. CLAPP. Mr. President, this debate, like many another, has drifted far wide of the real merits of the controversy.

This bill as it passed the other House contained what has been called a literacy test. At the same time, by excepting those who come here on account of religious persecution it plainly recognized the asylum principle in our immigration laws. It placed *among* the other tests literacy, and then provided that aliens coming here might be exempt from that test if they could prove to the satisfaction of certain officers that they had come here on account of religious persecution. There we have the retention of the literacy test, the recognition of the asylum principle, and the extension of that exemption to a particular race.

I have voted this morning for certain amendments not to enlarge this exemption, but as I pointed out yesterday to make this exemption plain, so that there might be no question of what it meant. Having done my utmost to make this exemption plain, and being unable to make it any plainer than it is, and the bill clearly recognizing the principle of asylum extended to this particular people who come from other lands where they have no voice in their government, I could not, of course, vote for the proposed amendment to strike out the so-called literacy test. I do not believe it is the ultima Thule test of citizenship. On the other hand, we ought to encourage education and discourage illiteracy. I believe this bill is the happy medium in placing the literacy test in the law and at the same time recognizing that the principle of asylum must still prevail in our immigration laws, only I regret that the exemption might not have been put in terms so plain as to lead to no confusion, as I urged yesterday.

Mr. LANE. Mr. President, I am going to vote against the amendment offered by the Senator from New Jersey for the reason that I am of the opinion that large numbers of laboring men are brought into this country for the sole purpose of beating down the price paid to laborers already here; in other words, that American labor is suffering from a competition which is not a natural one, and that, through the means mentioned by the Senator from Georgia [Mr. HARDWICK] yesterday of flaring circulars and false inducements presented to ignorant people in Europe, they are brought here by interested persons, steamship companies perhaps, and passed on into the hands of large interests which use them, the one against the other, to beat down the price of labor, and afterwards prevent them from combining the one with the other to better their own condition. Believing that the literacy test, which in itself amounts to but little and may be avoided I suspect, is partly a safeguard—for that reason and for no other—I am going to vote against the amendment. I believe that in fairness we owe it to the people of this country to allow them to have a fair opportunity with an equal chance to earn a living for themselves and their families.

I noticed in the remarks of the junior Senator from Georgia yesterday his rather severe strictures upon certain immigrants who had been brought into this country and finally landed in the factory cities of Massachusetts or some other part of New England, and then had been confronted with conditions entirely different from those which had been represented to them before they came. They had been buncoed, as I presume they realized, and they resented the country and its representatives, became a menace, made trouble, and we had a riot and quite an industrial war in consequence.

Away back, early in history, before we had handed to us the Ten Commandments, in the days of Rameses the Great, the mouthpiece of the Almighty, Moses, who was a Jew born and living in Egypt, resented the unbearable conditions which were visited on his people, the people some of whose interests are at stake even in this bill to-day. When he found an Egyptian boss abusing another Jew he slew him. He was the first striker on record who used violence. Striking workmen have not gone further to-day. The contest has been going on from the earliest days of mankind; and this country itself, with all its boasted liberty, which has been appealed to so eloquently here, and the fear expressed that we were about to depart from our ancient glory, has always fattened itself upon every bit of cheap labor that could be brought in and rode upon its back free if it could do so. I think the time has come when we ought to take proper safeguards in the interest of the people here, without undue injustice or undue discrimination against the people of any other country; but we first owe a duty to our own people, and believing that they are not getting what they should get under the present law, I am going to vote against this amendment.

Mr. MARTINE of New Jersey. Mr. President, I regret very much that my distinguished friend from Oregon [Mr. LANE] can not stand with me on this matter. However, I am thoroughly satisfied that he is prompted by conscientious motives, as are many of the Senators on the other side.

Mr. SMITH of Georgia. All of them.

Mr. MARTINE of New Jersey. Well, all of them, including the men from the South, probably for a reason which I do not choose to tell but which in my mind I think I know. I am satisfied there is a preconcerted effort on the part of certain great organizations to flood the Senate and Senators with arguments against this proposal. I am willing to believe that they, too, are conscientious.

I have received hundreds of circulars from various organizations, such as the Junior Order of American Mechanics, who are a splendid lot of men; the Sons of Washington, who are patriotic Americans; and a myriad of others, urging that I vote for a literacy test; and yet, from my knowledge of these men and the societies, 90 per cent—yes, I believe nearly 99 per cent—of them came from parents who landed in this country from foreign shores and were in the major part unable to read or write. I answered them, and I answer Senators here to-day, that I am willing to believe you are probably as charitable in your views as I am myself; I believe you are prompted by patriotic motives; but I say you are pursuing a most mistaken, dangerous, un-American, uncharitable, and un-Christian policy. Even though I may be the only one to vote for this amendment, I shall stand here and vote "yea" with all the earnestness of my nature.

Mr. LANE. Mr. President, I will say but a few words in reply to my distinguished friend from New Jersey, whom I very highly regard, and for whose motives I always entertain the highest degree of respect. He always votes as he honestly believes he ought to vote, and I respect him; but the conditions which existed here in the early days, when the country was new, when its resources were untouched, when there were boundless plains and prairies and millions upon millions of acres of timberland and wheat land for people to go upon and make a living, were vastly different from the conditions prevailing to-day, when the great natural resources of the country have gone, in the majority of instances, into the hands of a few. Now labor is being imported from all over the world, wherever it can be reached or the law permits, to be brought into this country. It is being brought in by insidious methods and by false promises, and immigrant laborers are pitted one against the other to bring down the standard of living to the American citizen to the lowest possible notch. That is what I am voting against.

Mr. REED. Mr. President, I want to call the attention of the Senate and of the Senator who has just concluded his remarks to the fact that this amendment which is now proposed does not at all affect the question of contract labor or of the methods that have been employed in the past to bring labor into this country through advertisements and inducements.

I think there is not a man in the Senate who is not opposed to contract labor. That is already prohibited by law; and this bill strengthens that law, and to that extent I am heartily in accord with the bill. Moreover, this bill makes it a crime to send out advertisements and to do the things to which the Senator has referred. That is all prohibited in other clauses of the bill; and if the bill is passed without the literacy test, nevertheless the law will then prohibit all advertisements, all inducements, all contracts, and all of those evil methods which have heretofore been employed and which have resulted in bringing large numbers of people here to be really victimized. So that that question is taken care of in another part of the bill.

Now, Mr. President, I send to the desk and ask unanimous consent to have read an address upon this bill which is of an exceedingly illuminating character which was made by an eminent lawyer of New York, Mr. Marshall, and which I think contains much that is worthy of consideration.

Mr. WILLIAMS. How long is it?

Mr. REED. It is not very long.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Missouri?

Mr. SMITH of South Carolina. Mr. President, in view of the fact that the address can be printed as well, I object.

Mr. REED. Then, Mr. President, I will ask to have the address returned to me.

Mr. THOMAS. I should like to inquire what the date of the letter is.

Mr. REED. It is not a letter. It is an address that was delivered only a few weeks ago.

Mr. THOMAS. The purpose of my inquiry was to ascertain whether it was not a letter which I had already offered, and which is now in the RECORD.

Mr. REED. No; it is not a letter. Of course, if the Senator objects to its being read from the desk, I can read it. I am a pretty good reader.

Mr. O'GORMAN. Mr. President, I move that the Senate order the reading of the address by the Secretary.

The PRESIDING OFFICER. Under the rule the motion is in order. The question is, Shall the paper be read?

The motion was agreed to.

The PRESIDING OFFICER. The Secretary will read the address.

The Secretary proceeded to read the paper, and having read for some time,

Mr. THOMAS. Mr. President, I should like to ask the Senator from Missouri [Mr. REED], who requested the reading of this document, a question.

The PRESIDING OFFICER. The Senator from Missouri is not in the Chamber.

Mr. BRYAN. He is not present, but the Senator from New York [Mr. O'GORMAN], I have no doubt, can answer the question.

The PRESIDING OFFICER. The Senate has consented to the reading of the paper, and the Secretary will proceed.

The Secretary resumed the reading of the paper, and was interrupted by

Mr. SMITH of South Carolina. I ask unanimous consent that the further reading of the paper be dispensed with.

Mr. SMOOT. I object.

The PRESIDING OFFICER. There is objection, and the Secretary will continue the reading.

The Secretary continued the reading of the paper.

Mr. REED. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The Senator from Missouri suggests the absence of a quorum. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst	Hughes	Oliver	Smoot
Borah	James	Overman	Sterling
Brandegee	Jones	Page	Sutherland
Bryan	Kern	Perkins	Swanson
Burton	La Follette	Poindexter	Thomas
Chamberlain	Lane	Ransdell	Thornton
Clapp	Lee, Md.	Reed	Vardaman
Clark, Wyo.	Lewis	Root	Walsh
Culberson	Lippitt	Shafroth	White
Dillingham	Lodge	Sheppard	Williams
Fletcher	McCumber	Simmons	Works
Gallinger	Martine, N. J.	Smith, Ga.	
Gronna	Myers	Smith, Md.	
Hardwick	Norris	Smith, S. C.	

The PRESIDING OFFICER. Fifty-three Senators have answered to their names. A quorum is present. The Secretary will proceed with the reading of the paper.

Mr. REED. I am informed that the Senator from Montana [Mr. WALSH] desires to proceed with the address which he gave notice he would make this morning. I therefore ask that the reading of the paper be discontinued and that the part of it not read be printed in the RECORD.

The PRESIDING OFFICER. Is there objection?

Mr. HARDWICK. In behalf of the Senator from South Carolina [Mr. SMITH] and in his absence I am compelled to object.

SEVERAL SENATORS. Oh, no!

Mr. HARDWICK. The Senator from South Carolina asked me to object to any request for unanimous consent while this matter is pending.

Mr. REED. This does not displace the bill. I move that the further reading of the address of Mr. Marshall be discontinued and that the entire address be printed in the RECORD.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

The paper entire is as follows:

ADDRESS OF LOUIS MARSHALL BEFORE THE NEW YORK UNIVERSITY FORUM FEBRUARY 20, 1914, IN ANSWER TO AN ARGUMENT BEFORE THE SAME FORUM BY SENATOR DILLINGHAM.

Mr. MARSHALL. Prof. Jenks, ladies, and gentlemen, I regret to begin with the apology that I have not had an opportunity to arrange my thoughts in an orderly manner, so as to enable me to present them in a form least disadvantageous to the cause which I am called to advocate. I shall, however, seek, while expressing my views with all fairness, to indicate that there is decidedly another side to the question from that which Senator DILLINGHAM championed here last week. I have the highest regard and respect for him. I know that, as one of the Immigration Commission of which Prof. Jenks was likewise a member, he gave to the subject of immigration the most painstaking study and that the work of that commission was stupendous. The material gathered by it fills 40 huge volumes. I do not pretend to have read them. I have even heard it intimated that the members of the commission have not read them. It is quite possible that Prof. Jenks, with his characteristic industry, has read a substantial part of them. It is certain, however, that if anybody has attempted to read them all, his mind must be in such a state of confusion as to preclude him from possessing a lucid appreciation of their contents. Several commentaries have already been written upon them, one by Prof. Jenks with Mr. Lauck, and another by Dr. Isaac A. Hourwich. Although they agree in some respects they are diametrically opposed in their views as to many of the fundamental propositions which it was expected that this great mass of material would elucidate.

After gathering voluminous statistics the commission was obliged, without adequate opportunity for digesting them, to bring its work to a sudden close and to reach a conclusion in an exceedingly brief period after it had collated the material. It was said by one of the commissioners who filed a dissenting report that he did not even have an opportunity to prepare his report in such form as he desired, because of the short time allotted for that purpose. I do not make these statements by way of criticism, but merely in explanation, and for the purpose of showing how minds fair and free from bias may, starting with the same data, arrive at conclusions which seem to be entirely at war with each other.

The conclusion which the Immigration Commission urged, after making this study, was that there should be such a selection from among the immigrants to this country as would eliminate the undesirables. So far as that conclusion is concerned, there can be no two views. We are all opposed to the admission into this country of those who are undesirable. Our immigration laws now in force, and which have been carefully framed, contain adequate provisions for the exclusion of undesirables. There is no doubt that it is within the constitutional power of Congress to enact a law which will exclude immigrants altogether, not only those who come in the steerage, but also those who sail in the first and second cabins of an ocean liner. There is no doubt but that it is within the competency of Congress to build a Chinese wall around our country, to make of us an isolated and parochial people, in the narrowest sense of the term. Thus far, however, there has been no general tendency manifest in favor of the enactment of exclusion laws, except in the case of the Chinese. Even now there is no direct attempt to bring about the total exclusion of immigrants. There is no doubt that Congress possesses plenary power to regulate immigration in any way that it sees fit and to provide safeguards against the admission of those whose presence here would be injurious to the country. It is on that theory that our present laws exclude those who are apt to become public charges, those who are of bad character, immoral, or of criminal antecedents, those who are insane, those who are physically unfit, those who are opposed to organized government. It is now sought to amend the immigration law so as to exclude militant suffragists. As to whether or not such an amendment is necessary, I express no opinion.

We now reach a point in the process of our national legislation when it is sought to exclude another large class of intending immigrants—those who are illiterate; those who are unable to read in some language or dialect the mystical 25 words which may be submitted for their confusion by the inspector who meets them at Ellis Island or at any of the other of our ports of entry. If they are unable to satisfy the critical ear or the discriminating judgment of the philological inspector, they will be compelled to return whence they came; they are deported from what were once hospitable shores, and the gate of opportunity is slammed in their very faces. However honest, industrious, and worthy they may be, they are transformed into undesirables, and their feet must not touch the soil of the land of the free and the home of the brave.

There has just been passed in the House of Representatives what is known as House bill No. 6060, introduced by Congressman BURNETT, of Alabama, a State where but few immigrants have settled. It is intended by this bill to regulate generally the subject of immigration. It is important, for our present consideration, only from the fact that it adopts literacy as the supreme test to determine the desirability of an immigrant. Hence it becomes important to consider whether or not it is right, just, and proper, and in accordance with the best traditions of our Government or consonant with the welfare of our people and of humanity that such a piece of legislation shall be permitted to find a place upon our statute book. This is not the first attempt in that direction. In 1897 a similar restrictive measure was passed by Congress, and President Cleveland, in the last days of his second term, on March 2, 1897, vetoed that bill, because he was opposed to it in principle, and because he deemed it contrary to the noble concepts upon which our Government was founded, one of which was to afford an asylum to all law-abiding men and women who choose to come here to take up their abode, desirous of observing our laws, and eager to become useful members of society. That was the last heard of such legislation until 1906, when it was again agitated. On that occasion the bill which contemplated a literacy test was amended so as to provide for the appointment of the Immigration Commission to which I have already referred, for the purpose of investigating the entire subject in all of its numerous phases. Nothing further was done in relation to such legislation until after the Immigration Commission had reported and had recommended as one of the possible methods of regulating immigration the adoption of a literacy test. Accordingly there was introduced in both Houses of Congress in 1912 what is known as the Dillingham-Burnett bill, which advocated the literacy test, formulated in practically the same terms as those employed in the bill which had been vetoed by President Cleveland in 1897. That bill passed both Houses and came before President Taft, likewise in the last days of his term, so that one of his last official acts was the consideration of this proposed law. After careful examination and study, after hearing elaborate arguments pro and con, he vetoed the bill upon practically the same grounds as those which had been urged against the same measure by President Cleveland, basing his message largely upon a report made to him by Secretary Nagel, then at the head of the Department of Commerce and Labor, himself an immigrant and the son of an immigrant, who demonstrated the fallacy of the contemplated legislation. The bill was then again voted upon in Congress and the President's veto was sustained. Now we are in the early days of a new administration. Again we are confronted by this same specter, and it would seem as though the time had come when it should effectually be laid away and a finality reached with respect to this kind of legislation. It must either be adopted and become a component part of our governmental machinery, a principle in our national life, or it should be so frowned upon that it will not again appear as a cause of vexation and as a menace to the humanitarian ideals which have made of us the great moral influence of the world. No good portent to the country can be seen in the constant agitation of a subject which involves racial distinctions and which tends to arouse the evil spirits of selfishness and intolerance.

What are the arguments that are adduced in favor of the literacy test? The burden of proof certainly rests upon those who ask for the adoption of such a test to establish its necessity. It is not for those who are opposed to it to show cause why it should not be adopted. Our whole past history indicates that up to the present time we have favored and encouraged immigration. The Declaration of Independence gave as one of the grievances of the American Colonies against the English Government that the latter was seeking to prevent immigration into the Colonies. After we became independent the immigrant was invited here, was encouraged to come, and so he has been encouraged ever since. We were but a handful of people at the beginning of the

nineteenth century. We had a country which needed development and which could not get along without immigrants. In fact all the people who resided in the original States were either immigrants or the children of immigrants not many generations removed. And that has been the story of our country from that time to this.

Take this audience. I have never seen it before to-day, but I venture to assert that a large proportion of those present are immigrants or the sons or daughters of immigrants, and that we will not be required to go back more than one or two generations to find that the ancestors of the representative Americans whom I am now addressing came hither from some European country. What is illustrated by those here assembled can be duplicated in almost every one of our great cities among those in every walk of life—yes, even in the Halls of Congress. We are a cosmopolitan Nation and have absorbed the best of the pioneer spirit that the brave men and noble women who came here from abroad brought with them. Our country has certainly not suffered in consequence of the adoption of a liberal immigration policy. Are we materially, morally, and intellectually worse off than we would have been if we had confined the privileges of this blessed country to those who were here at the end of the Revolutionary War and to their descendants? Would this country be more prosperous if its inhabitants consisted merely of the sons and daughters of the Revolution? I think you will agree with me that we would not in that contingency have materially progressed to where we are to-day. Our country would not have been developed as it has been. There would not have been that hum of the wheels of industry in our cities; our railroads would not have stretched from sea to sea; the farms of the Middle West would not have been cultivated; the mines in the Rocky Mountains would not have been opened; the coal and the iron in our various States would not have been developed; our population would be not one-third—no, not one-fourth—of what it is to-day; and we would not have become the world power, the intellectual, the civilizing influence that we now are, if the immigrant had not been freely admitted as a part of our population. It seems unnecessary to discuss this phase of the subject with any degree of detail; the statistics gathered by the Immigration Commission render further proof useless. The facts are so apparent to one and all of us that it is axiomatic that whatever we have accomplished materially in this country has only been rendered possible by the influx of immigration.

Now, how is it in civics? Has this country deteriorated on account of the immigrant? Have we a diminished sense of public obligation? Did the immigrant during the Civil War stay at home? Did he deny himself to the country of his adoption even before he had become a citizen? I remember that when I was a child, in the city of Syracuse, the One hundred and forty-ninth Regiment of New York Volunteers was enlisted, and Company A consisted entirely of immigrants. They fought for their new country with as much zest as they could had they been born here and had their ancestors for generations before been born here. In fact, those who have had occasion to study the immigrant find that he is apt to become Chauvinistic in his devotion to the country. They are often more Bourbon than the Bourbons, more royalist than the king. They are much more demonstrative in their attachment for the country and its institutions than are the sons and daughters of those whose ancestors came at an early day.

When you come to consider the manner in which the right of suffrage is exercised by them you will find that, in proportion, fewer naturalized citizens neglect the duties of citizenship than native-born citizens. This is especially observed in some of our older communities where immigrants are not encouraged and where a comparatively small portion of the voters actually exercise the elective franchise. I also assert that you will find less corruption among the voters who have recently migrated to this country, who are naturalized citizens, than you will in some of the homogeneous communities where practically all of the citizens are native born. I have only to call your attention to the recent disclosures in Adams County, Ohio, where practically no immigrants reside, where there are few if any naturalized citizens, and where, nevertheless, nearly two-thirds of the native-born voters were disfranchised by judicial decision because they habitually sold their votes at elections. The same phenomena have been observed in Pennsylvania and in other regions where immigrants are not welcome. The reason why these immigrants are faithful to the sacred trust of citizenship is that they know what it is to be free, what it is to live in a land of liberty. They appreciate that great gift of freedom which is vouchsafed to them when they are permitted to land here and to become citizens. On the other hand, many of the elder inhabitants, of the elder generations, do not evince that zeal, that enthusiasm, that zest in the exercise of the freeman's franchise as do those who know from bitter experience what it is not to possess those privileges, and what it means to be oppressed and to be trodden under the foot of despotism.

But it is suggested by our opponents that they are not seeking to keep out intelligent immigrants—men who possess all these fine qualities. They say: "We admit that if everybody who came to this country were a Carl Schurz, or men of his type, then, of course, each of them would be a great asset; but the average man is not like Carl Schurz. He does not possess these ideal qualities. He is apt to be ignorant; he is illiterate; he is undesirable." Well, now, this argument of undesirableness is an old one. If you will read the records of Congress from 1820 on you will find that almost every class and every generation of immigrants to the United States was by some considered undesirable. If you refer to Niles' Register for 1821, and other similar publications, which I had the honor of presenting to a congressional committee several years ago, you will find a rather amusing collation of material illustrative of the idea that all who came years ago were desirable and all who come now are undesirable. It is there declared with much vehemence that the Irish is an undesirable immigrant, for he possesses this bad quality and that bad quality; that the German is undesirable, for he is clannish and does not assimilate; that the French Canadian is objectionable, for reasons best known to the objectors. When the Scandinavians came there were those who objected to them because they had the defects of their qualities. And so, as each of the several strains of nationality came to this country, the native American—I do not mean the Indian—and those of other nationalities which had preceded them indulged in criticism of them, and to-day you find that those nationalities which were criticized in 1821 and 1848, and 1860 and 1880, are now considered the salt of the earth. To-day, those whose advent to this country in 1855, and for some years thereafter, created the "Know-nothing" movement, are considered to be the desirable citizens. Their children of Irish, German, and Scandinavian extraction are among the leaders of the Nation, our captains of industry, the framers of our laws. Hence, these, the elder immigrants, are now termed the desirables, while those who now arrive are the undesirable. The former are desirable, because, it is said, very few of them come over here at the present time; the latter are undesirable because they are now coming in considerable numbers. The Irish, the Germans, and the Scandinavians and their children who have been received are often heard to say that the Italians, the Slovenians, the Hungarians, and the Russian Jews are undesirable, probably because they speak another tongue, or when they first arrive are arrayed in different garb; or because they come from a different quarter of the world and pray and think and make love in a different language. All this talk about race difference means nothing to me. The real test is that of manhood and womanhood, that of character, that of industry. I do not think it makes a bit of difference as to his desirability whether a man was born in Russia, in Italy, Scandinavia, Scotland, Ireland, or Germany. From whatever land derived men are essentially alike. In 30 years from now we will not be able to distinguish the children of the people of these six different nationalities from those of the descendants of those who fought in the Revolution. Their children will have become an integral part of the American people.

Why, the other day in his report the Director of Education, Mr. Claxton, said that the least illiteracy is to be found in this country among the children of immigrants. Those who have occasion to examine the records of the public schools of the city of New York are witnesses to the same fact. If you read the lists of the prize winners in our public schools among those who stand at the head of their classes you will find Russian, Italian, Hungarian, and Bohemian names. They are children of the immigrant. They have a desire to learn, a thirst for knowledge which is extraordinary, and which is largely due to the fact that their parents admonished them to study, to take advantage of the education which they can acquire in this country, who therefore regard it as a religious duty to see to it that their children are educated and that the latter make amends for the illiteracy of their parents. How different are the poor whites in some of the Southern States who protest against the introduction of immigrants into this country. Compare their percentage of illiteracy with that of the children of the illiterate immigrant.

But it is said that the illiterate is undesirable, no matter what his children may become. The mere fact that the illiterate is a man of good character, of industry, is regarded as of no moment. He is undesirable; he is not needed in this country; and that is the end of it. Well, now, this inability to read does not affect a man's working power or his capacity to add to the wealth of the Nation or to the public weal. An illiterate Italian or an illiterate Bohemian or Hungarian can work just as well upon our railroads, can dig just as diligently in our subways and tunnels, can build our aqueducts, can perform all of our hard work as effectively as though he were able to read those magical 25 words which are the test of his right to be admitted into this country. These men certainly are more capable of doing work of the character named than a graduate of Oxford or Cambridge, of the Sorbonne, or of Heidelberg, or of any of the great European universities. A classical or scientific education is not required for the performance of severe manual labor. These men do not come to this country to make our laws or to run for Congress or to man our colleges. Our naturalization laws are now framed so that the right of citizenship is withheld from those unable to read and write or to speak the English language. There is a difference between immigration and naturalization. I recognize it. I agree that our laws regarding naturalization should be made so strict as to exclude from the elective franchise those who are ignorant or illiterate. But so far as immigration is concerned, literacy or illiteracy has no material bearing upon desirability.

Does the fact of illiteracy make a man undesirable as a resident? If so, then many of the great families of Virginia should not have been permitted to remain here. An article which appeared a few years ago in Scribner's, or in the Century, disclosed the fact by actual photographic copies of the signatures to deeds conveying lands in Virginia that the grantors, men and women who were the progenitors of some of the F. F. V's., the leading families of the State, were unable to write, because they signed by a mark; and that occurred only within the last century. If illiteracy makes people undesirable, then Abraham Lincoln would not have been in this country, because his father could not read or write; perhaps his mother could, but only with great difficulty. Andrew Johnson, whatever his faults may have been, which time has to some extent softened, could not read or write until he was 18 years of age; and still he became President of the United States. And so there are hundreds of thousands of men who have lived in this country and have achieved considerable success; have developed into important men; have brought up families which have been a source of honor and pride and glory to the land, who were unable to read or write. I know hundreds of men and women—in my early days I came constantly in contact with immigrants—who were of the class known as illiterates, and yet they enjoyed the respect of everybody in the communities in which they lived, because they were industrious; they were thrifty; they were conscientious; they brought up their families in the fear of God; they instructed their children so that they might have the advantages of education which the parents had been unable to acquire; and this experience is repeated in every corner of the land. The Italian who comes to this country as an illiterate sends his children to the public school. He sees to it that they are brought up differently from the way in which he was reared. He tries to make them American as speedily as possible. So far as the Russian Jew is concerned, he needs no encomium at my hands, because he has established his meritoriousness wherever he has had the slightest opportunity and has contributed tremendously to the common welfare.

But it is declared that there must be some kind of a test, and that of illiteracy is as good a test as any. I would say that it is just as bad a test as any. It is as bad to exclude immigrants on one ground as on another. There should be no exclusion that proceeds on an arbitrary basis. If there is to be a policy of exclusion it should proceed upon some rule of reason. Does the fact of illiteracy make a man an undesirable? Is it the fact that the illiterates constitute our criminals? Is it the fact that a man because of his ability to read and write becomes ipso facto desirable? Is it not well established that the most dangerous criminals that infest any country are those who make use of their knowledge of letters to carry out their criminal schemes; men able, sometimes, to speak fluently five or six languages; men well read, thoroughly educated, but nevertheless degenerates, forgers, blackmailers? They are the men who live on their wits, who thrive at the expense of others, who act on the principle that the world owes them a living. They are the parasites; not the illiterates, whose only resource is hard work. I have yet to learn that a man because he is able to read and write is of better character or a better man than he who can not, especially when it is not the fault of the illiterate that he has been deprived of the advantages of education. When he comes from a land which withholds from him these opportunities to seek a home in another, where he may improve his condition, it urges the possession by him of those positive qualities of the pioneer which have converted the wilderness into smiling prosperity.

There is something in his soul which lifts him above the common clay; there dwells in him an ambition which enables him to elevate himself. He has aspirations which point to higher things. He is not content to remain in the slough. He seeks to improve his standards of living and to advance his children in the social sphere through the medium of education. From that very fact he becomes at once a desirable accession to any community, and his children become the leaders of to-morrow.

But it is said that these illiterates do not intend to remain here permanently and are but birds of passage. That does not, however, concern us. We do not ask a man who can read and write how long he intends to remain here. We do not inquire, "Are you a bird of passage?" We have as much right to exclude the literate as the illiterate on the ground that his sojourn here may be temporary only. But suppose an illiterate, after he has worked here diligently and efficiently, should conclude to return to his native land. Is that a reason for the exclusion of others of his class? The tendency of population in the present day is to keep in a state of flux. Communities are no longer unchanging and unchangeable. The world has gotten to be one great family. It no longer consists of a multitude of fragments. Our relations with Europe to-day are much more intimate than those of a resident of New York were with one living in Savannah a century ago. If men come here to do honest work, to be useful members of society, what importance is there in ascertaining whether they are to remain here for a long or a short time or to determine what they are to do in the future?

A number of years ago this subject was discussed before one of the congressional committees, and Judge Bijur, who appeared before it, was asked: "Is it not the fact that a great many of these immigrants come here, work on the subways, aqueducts, and railroads, and after they have saved a sufficient sum of money return to Europe and remain there?" "Yes," replied Judge Bijur; "I have no doubt that is the case; but it is also the fact that the subways remain, the aqueducts remain, and the railroads remain here." These immigrants have come, they have worked faithfully, they have given something for what they have received, and they have as much right to use their money as they please and to spend it wherever they please in supporting themselves and their families as others have to spend their patrimony in riotous living or in paying for groceries or provisions or clothing or for a box at the opera.

I have said that some of the immigrants return to the countries whence they came, but the great mass of them come here to live; come with their families; come to establish homes, to become part and parcel of our population. That is true especially of those who are forced to seek a refuge here, who come here to avail themselves of the right of asylum and to receive that protection which hitherto has always been accorded by our country to political and religious refugees. Are we now to abandon that enlightened policy which has welcomed the oppressed of other lands? Are we now to forget that proud tradition, and say to the unfortunates who are practically driven from their own homes by the denial of the right of conscience, "Although this is the land of liberty and of freedom, you will not be suffered to enter our gates, even though you are a refugee from political and religious persecution, because, forsooth, in consequence of the oppressive laws and the discriminatory legislation to which you have been subjected in the land of your nativity you were not permitted to learn to read and to write"? That is precisely what the pending bill threatens to do, although the iron hand is clothed with a velvet glove. It is declared in the bill that those who come here "solely" to escape from religious persecution are not to be subjected to the prohibition of the act. "Solely!" If a rich immigrant arrives, he might conscientiously say that he comes solely to escape religious and political persecution, because being possessed of adequate means it would not be necessary for him to work for a living. But the poor man, the immigrant of moderate means, who is driven to seek asylum here by the most vile and most oppressive persecution disclosed in the history of the world, as in the case of the Russian and the Roumanian Jew, the Protestant Finns and the Catholic Poles, can not conscientiously say that he comes here "solely" because of persecution. He can not say that he will not seek employment or engage in business, for that would not be the truth. He expects to work. He expects to lead a life of usefulness, and not one of idleness. But if he tells the truth and admits his purpose, if this bill is enacted, he will be told, "You are not here 'solely,' because you are seeking refuge from political and religious persecution. We are sorry for you, but you can not be admitted." Even the victim of the infamous blood libel would not be admitted were he an illiterate. However strongly this argument has been presented to the fathers of this legislation they remain obdurate and insist upon retaining this shibboleth, the word "solely." Thus they are merely holding out the word of promise to the ear, to break it in the fulfillment. They indulge in fine words which bring no advantage to those whom they pretend to favor. They recognize the moral right of the victims of persecution to knock at our gates and to expect a hearty welcome, but in spite of that fact they so frame their invitation as to exclude them from the very benefits to which their right is conceded.

Then, again, what is meant by "persecution"? The framers of the bill have been asked to define that term. To the ordinary mind, which may include that of an immigration officer, persecution implies the exercise of force and violence, the application of the thumbscrew, or of some other form of torture. It bears the connotation of a St. Bartholomew's night, of the Spanish inquisition, or of a Russian pogrom. But there are forms of persecution which are infinitely worse than these, more subtle and more effective—the slow but continuous operation of repressive, oppressive, and discriminatory laws and regulations is infinitely worse and more destructive in its consequences than sudden and momentary physical violence. It is insidious and lasting in its injuries; it works day and night, year in and year out; it is a constant horror sleeping and waking; it is a vexation of mind and spirit; it undermines the powers of resistance, destroys hope, and brings despair to the soul. Yet when the projectors of this legislation are asked to define this word as including persecution, whether accomplished through overt acts or by discriminatory laws or regulations, they balk at the phrase and obstinately decline to add one word, one syllable, or one letter to the talismanic phraseology which they have adopted. Is not, then, the inference irresistible, that in spite of their fine words they have no other purpose than to keep out of this country all immigrants who happen to be illiterate, irrespective of the reasons which have induced them to come hither? These immigrants certainly have no intention to return to their native land. These victims of oppression, whether it be political or religious, or both, who come from Russia or Roumania have no desire to resume a residence in those stepmotherly lands from which they have fled as from a pestilence. They, at least, have come here to stay, to abide here with their children, to take advantage of the opportunities which have been arbitrarily denied to them, without any fault of theirs, by their oppressors in the lands of their nativity, and they can not possibly return whence they have come. This is a most objectionable feature of the proposed legislation, because it is cruel, harsh, and unjust, and contrary to one of the fundamentals of our national spirit.

The restrictionists further contend that immigration must be diminished because of economic considerations; that however beneficial it may have been 20, 30, 40, or 50 years ago, it no longer is of advantage. It is claimed to be necessary to curtail immigration because of the high cost of living, and because of the desirability of maintaining a high standard of living.

Now, in the first place, the argument is fallacious from an economic standpoint. I care not how voluminous are the statistics that may be gathered, the fact remains that the immigrant is almost without exception usefully employed; he works; he is industrious. He is obliged to work if he wishes to remain here. Under the existing law, if he becomes a charge upon the public, he is almost automatically deported. Consequently, if he fails to work he can not remain, and if he works it is evident that he is needed. "Ah," comes the triumphant reply, "then he takes the bread out of the mouths of our own people, of those who have been here before him. His employment leads to the unemployment of his predecessors." That is also a fallacious statement. The immigrant who comes to this country generally does work that nobody else does or would think of doing. Take the native Americans; take the elder immigrants, and ask them to do the work which the later immigrants are now doing in the blast furnaces of Pennsylvania, on the railroads, on all public works; they certainly would, as a rule, refuse to do it. They have risen in the social scale; they are engaged in doing other work, that of a mechanic, such as calls for special skill or training, work of a different character from that of the common laborer; they are engaged in other employments. Some go into commerce, some into manufactures, some in the skilled trades, and most of them occupy other and different relations to the community than that which they filled when they first came to this country. I had occasion to investigate this proposition in 1909 as chairman of the State commission on immigration. The fact was demonstrated that there was little that the recent immigrant did that interfered with the occupations or activities of the elder immigrant or the native American. The latter did work to which they were adapted, while the immigrant did such as the native-born American or the earlier immigrants would not do. Their tendency is to seek work which is light and easy, which does not require much physical exertion, which calls more for mental adaptability than for muscular effort. That is the reason why our farms are to-day deserted by the sons of the native farmers. They throng to the cities and become bookkeepers, clerks, stenographers, salesmen, or perform other functions which do not involve severe manual labor. It is the immigrant who has to take the place of the man who goes what is sometimes termed higher up, but which, unfortunately, frequently means going lower down. At all events, it is the actual fact, as to which a careful observer can easily convince himself, that the immigrant does that kind of work which has been abandoned, neglected, or given up by others, and which has been treated as beneath them by the native born and by those who constitute the earlier strain of immigration.

Again, our opponents say the immigrant lowers the rate of wages; he does not join the labor unions; he does not unite with other laborers or other workmen in his trade; he is a strike breaker. Now, is that the fact? Those who study the subject will find that it is not, but, on the contrary, that the recent immigrant joins organized labor as quickly as he is admitted into its ranks. In the city of New York you will find that in almost every industry the recent immigrants have formed themselves into trade-unions. There are Hebrew trade-unions, Italian trade-unions, and those of other nationalities. This has been done because existing unions have been slow to accept them into their organizations. They adapt themselves, however, rapidly to prevailing conditions. In fact, they have contributed largely to the standardization of labor. Much commendation has recently been accorded to the so-called protocol by which the notable strike of the cloak makers was settled in 1910, and by means of which that industry has been practically standardized. Having been the mediator who brought about the settlement of that strike, and having had much to do with the framing of that protocol, modesty forbids me to enlarge upon this subject. I merely wish to show that here was an industry in which 70,000 tailors were engaged, who almost to a man and to a woman were recent immigrants. None of them had been in this country as many as 20 years; most of them had been here for less than 10 years, and yet they all united for the purpose of creating a new method for the determination of industrial disputes with their employers, and succeeded in evolving a plan for dealing with labor problems which was up to that time unique and which has since been adopted in many other industries, thus marking the advent of a new era in the relations of em ployer and employed.

I would stop here but for the fact that I wish to say a few words with regard to the novel idea which Senator DILLINGHAM has recently evolved with respect to the restriction of immigration. He has confessed in his argument here that he does not consider the illiteracy test an ideal one; he does not even argue that it is a proper one or one based upon reason. He seems to say with entire frankness: "We are admitting too many immigrants. There should be some way of cutting down the number. Therefore we propose to adopt this for want of a better test; that will at least reduce the number of immigrants of certain nationalities probably to two-thirds of what it is to-day." But he adds, "I have invented another test which, perhaps, is better than the illiteracy test—the percentage test. Let us provide that there shall not be admitted in any year more than what shall be equal to 10 per cent of the number of each of the several nationalities now constituting a part of our population. In other words, if there are 1,000,000 Irishmen in this country we will not hereafter admit more than 100,000 Irishmen in any year; if there are 2,000,000 Germans, we will annually admit 200,000 Germans; if there are 100,000 Russians, we will admit 10,000, and so on."

Nothing could be more arbitrary than such a regulation. Our immigration laws would be based on a mere accident; not on the physical, moral, or intellectual qualities of him or her who now seeks admission, but on the circumstance that others of the same nationality have in the past come in large or small numbers. The rule is not based upon the numbers who may have come from those countries in the preceding year, but upon the numbers that have come in years gone by, whether such immigrants were individually good, bad, or indifferent. Hence

those coming from the lands of the elder immigration would unquestionably be admitted, because their precursors have been numerous, and immigration from those sources has in recent years grown smaller, while the immigration from lands whence the largest numbers now come would be greatly decreased. The effect would be that not so many Englishmen or Irishmen or Germans would be coming to this country as would equal the 10 per cent allotment to which they would be entitled. To-day fewer Irishmen come than formerly, because the days of home rule are near. In Germany industrial conditions have improved, and therefore there is less likelihood that migration from Germany will be maintained. The same thing is true of England, and a comparatively small number will come from there. Oh, but these people would be welcome, because they no longer desire to come; but as to those who do—that is another story. Inasmuch as Italian immigration is comparatively new, under this rule the number of Italians who might be annually admitted would be reduced to a very small number, as would those coming from Russia. Hence by means of a mathematical formula, regardless of the welfare of the country and of the behests of justice, right, and equity, presto, the problem is solved. In my judgment it would be ten times more honorable to declare that we will not henceforth receive any immigrant from Italy or from Russia or from Hungary or from any other European country south of a certain latitude than to try to accomplish such a result by this indirect and tortuous method, which savors of unfairness and injustice and which is entirely dependent upon the accidental operation of an arithmetical rule empirically devised. How would it work? When would the dead line of exclusion be reached? When would the guillotine operate, and on whom? Why, a man sells his household goods in Russia or in Hungary. He abandons his home to seek a better and a happier one in America. He buys his tickets and crosses the Atlantic He arrives at Ellis Island, his soul filled with noble emotions and his mind with high resolves. He is in every way fitted to become a citizen of this blessed country. He is strong, in perfect health, vigorous, industrious. When he reaches the commissioner's office the books are opened, and it is found that he is too late or too early. He is politely told: "We are very sorry, but yesterday the percentage limit of those entitled to come from your country was passed. You must return whence you came. If you try again early next year, you may come in time. In the meantime you must either anchor outside of Sandy Hook or do the best you can to find another habitation."

And that is the kind of legislation that is seriously proposed in the Halls of the Congress of this liberty-loving land; of this land where we boast of justice, of fair play, of brotherly love, of humanity, of altruism! Does it not provoke sardonic laughter? The pity of it is that this is the project of one who declares, with entire sincerity, that he admires our immigrants, that he hates persecution and oppression. Yet his panacea would effectively exclude the very men of whom he speaks with sympathy.

Again, how many of a certain class of people can come here? Take the Russian Jews—I speak of them because I have studied their condition with more detail than that of other immigrants, and their fate is nearest to my heart, because I know the absolute necessity of keeping our doors open to this people, whose sufferings have not been equaled in the sad history of that much-suffering nation—60 per cent of all classified Russians come from Poland and are only in small part Jews. The remaining 40 per cent of the Russian immigration is Jewish. On what basis will the percentage limit be calculated? Which of these two classes of Russian immigrants would secure the benefits of it? On which of them would the inexorable rule of exclusion operate? Why, the poor unfortunates who have been driven from pillar to post, who have no choice but that of destruction on the one hand and death on the other, would be required to return, if they may, into that charnel house from which they have sought to emerge in the hope of finding liberty and freedom in this blessed land because our finest traditions have been subordinated to an arithmetical test.

I have not the patience to discuss this phase of the subject further. I do not believe that our lawmakers are so deaf to considerations of right and wrong as to regard such a test with equanimity. Let our laws be so framed and enforced as to keep out criminals, defectives, those who would become a public charge. Let them not, however, despise those forces which have contributed to our national prosperity and which have added to the idealism of our people.

DISCUSSION.

Prof. JENKS. I am sure that you all agree with me in thanking most heartily Mr. Marshall for this most instructive and most inspiring address. You know it is our custom to have questions after the address, and we still have a few minutes that can be spent in that way.

Question. To what extent would the large immigration affect the question of employment?

Answer. It has been demonstrated that unemployment is not at all affected by immigration. There are always certain industries which are seasonal industries, in which there are always at certain times of the year men and women out of employment, but that is not in any way due to the immigrant. It exists in industries in which comparatively few immigrants are employed. It exists largely in industries in which immigrants are principally employed.

It is a fact, which is established by the statistics collated by Prof. Hourwich in his book entitled "Immigration and Labor," from the report of the Immigration Commissioner, and from other official sources, that whenever there occurs in our commercial or economic life business stagnation with resultant unemployment automatically immigration is suspended. Those abroad know instantly whether an opportunity for employment exists in this country. If a state of unemployment prevails, they remain at home. At the same time the safety valve operates in another direction. At times of unemployment a large percentage of recent immigrants return to their former homes. Thus in 1907, for instance, immediately following the panic of that year, the extent of emigration from this country was equal to the immigration into it. There was absolutely a state of equilibrium. There was, therefore, no increase of unemployment in consequence of immigration.

Question. We have a great deal of that cheap labor. Does that affect the employment of machinery—the fact that machines are engaged in digging and that kind of thing it would seem to me we ought to have gotten to a point now where we do not need them?

Answer. But, Madam, the argument has heretofore been urged by the laboring people that the greatest enemy that labor has ever had has been machinery.

Question. They have become enlightened now; they have seen that it is not.

Answer. It is a fact that a so-called labor-saving machine takes the place of quite a number of men previously engaged, and in that way it does affect those immediately engaged in that particular branch of labor to the detriment of labor, so far as the physical work is concerned, until they find other employment.

Question. You say these immigrants do the work that the other people do not do. You do not think that the Russian Jew does that sort of labor, do you?

Answer. But the Russian Jews do perform severe manual labor. To-day they are among the most active factors in the building trades of this country. They are masons; they do the structural ironwork for the large apartment houses; they are plasterers and carpenters; they are painters and paper hangers; they engage in all these and other different industries. The needle industry was created by them very largely. They produce in the city of New York in the cloak and suit making industry alone in one year $250,000,000 worth of product, and they are engaged in all kinds of industrial pursuits. They do not dig to the extent that the Italian and Hun does, because they are able to do a higher class of work.

Question. Have they driven other nationalities out of the cloak trade?

Answer. They have not driven any nationalities out of that trade, for the reason that it is in great measure an industry which they themselves have created. The cloak industry and the skirt industry was practically nonexistent in the city of New York and in other parts of the country until the Russian Jew came and made it what it is, created something where before there was nothing, and, so far as driving anybody out of work is concerned, to-day the Italians are entering into the needle industry to a very large extent.

Question. It is admitted that we have plenty of room in this country, but is there not a danger now that we are facing what we have not faced in the last hundred years—of being unable to assimilate so many that are coming to-day? Haven't we got a problem that we have not had before?

Answer. I do not so conceive it. I think that assimilation is proceeding very rapidly. Perhaps I may be something of a reactionary, but I fear that sometimes it goes on too rapidly. I should like to see the immigrants proceed somewhat more slowly in the process of assimilation. I would like to have them maintain some of the fine ideals and the admirable characteristics which many of them bring to this country and not to lay them aside hastily for the purpose of making more rapid advances materially. I am sure that they are assimilating as rapidly as it is desirable that they should. I speak advisedly, because I have had exceptional opportunities to observe them in that regard, having actively worked among immigrants for many years. I have observed them in the Educational Alliance and other similar institutions, and it is really astounding to realize how rapidly they assimilate. If you ever have the opportunity of observing the salute of the flag by school children who have only been in the country for one or two years and to witness the spirit with which they regard American institutions, you would be convinced that the work of assimilation is proceeding with great strides. It is more easy to assimilate to-day than it was in the earlier days of immigration. When my good father came to this country, in the part of the country where he first came, a foreigner was regarded as a strange manifestation. It was really supposed, especially if he were a Jew, that he ought to have horns. He was believed to be entirely different from other people. These immigrants did not have the opportunity of improving one another that now exists. To-day there are organizations in every community which strive with all their might to aid their brethren to adopt the customs of the land and to become good American citizens.

Question. It is a well-known fact that the average wage in this country is higher than in Europe. Now, in the event of increasing immigration what is to prevent the leveling of the wages between this country and Europe?

Answer. It has not as yet been effected, and there is nothing to indicate that there is any likelihood that there will be such a leveling. The tendency has been to the contrary. In recent years the trend has been toward the increase of wages. Of course it is also true that the cost of living has increased, which, to some extent, would balance the increase in wages; but the wage earner in this country has never gone backward, either as to the extent of his compensation or in his standard or living. His scale of living has improved materially. His housing conditions have improved, and his wages have increased in amount more than in proportion to the increased cost of living. I see no occasion for any fear with regard to the leveling of wages, because in most of the countries from which the immigrant comes there are not industries of the character existing in this country. Hence there can be no reasonable expectation that that leveling process to which you refer will take place. Of course, the whole subject can be easily regulated by a protective tariff based on the difference in wages here and abroad. If there ever was danger of other nations meeting us in the field of competition to such an extent as to endanger the welfare of our employees, Congress would speedily adjust the difference.

Question. Isn't it a fact that the literacy tests would not bar the Russian Jew, as he has had opportunity to learn to read and write Hebrew?

Answer. Unfortunately, that is not the case to-day. There was a time when there was no such being as a Jewish illiterate. Prior to the beginning of the influx of the Russian-Jewish immigration in 1880 I knew of but one Jewish illiterate, and he was wounded on Lookout Mountain fighting for the Union. In Russia, however, to-day conditions are such that the opportunities for education, even to the extent of reading the prayers and the Bible in Hebrew, are no longer what they were. The Jews are not permitted to conduct their schools as they formerly did. The Government interferes with them in every possible way. As a matter of fact, 18 per cent of the Russian-Jewish men who arrive here to-day, and about 30 per cent of the women, are illiterates. I have here a pamphlet written by Mr. Lucien Wolf, the distinguished English journalist, entitled "The Legal Sufferings of the Jews in Russia," being a survey of their present situation, with an appendix of the oppressive laws applicable to them. It has an introduction by the distinguished publicist, Prof. Dicey, of Oxford University, in which he lays stress upon this very fact, and shows that a people which during the Middle Ages was a literate people, when all around them was practically a howling wilderness of ignorance and illiteracy, has to-day as a result of these restrictive laws, reached a state where illiteracy is no longer unknown. It is for this very reason that whatever general rule may be adopted as to the promulgation of an illiteracy test, it would be the acme of injustice to apply it to those whose illiteracy is directly traceable to religious persecution.

JAMES P. CLARKE, a Senator from the State of Arkansas, appeared in his seat.

SHIPMENTS OF COPPER ABROAD.

Mr. WALSH. Mr. President, since the commencement of the present devastating war in Europe shipments of copper from the United States to ports of neutral nations on the Continent, reaching the enormous aggregate of 19,350 tons, have been seized and are for the greater part being held by Great Britain as contraband. At the prevailing prices, which are more or less depressed in consequence of the interruption in trade, arising by reason of hostilities, the merchandise involved in the seizures has a value in excess of $5,500,000. Thirty-one ships have been relieved of their copper freight—4 destined to Holland, 14 to Italy, and 13 to Sweden. Nine thousand three hundred and fifty tons are piled up at Gibraltar. Detailed information will be found in the following table, giving, among other things, the ship affected, the quantity seized in each instance, with the date of seizure, the place at which the cargo is held, and the country to which it was consigned.

I ask that the table be printed in the RECORD without reading.

The PRESIDING OFFICER (Mr. SHEPPARD in the chair). Without objection, it is so ordered.

The table referred to is as follows:

Name of steamer.	Nationality.	Date of sailing.	Destination.	Date of seizure.	Shipper.					Total.	Where held.	Status.
					American Smelting & Refining Co.	United Metals Selling Co.	American Metal Co. (Ltd.).	L. Vogelstein & Co.	Norfolk Smelting & Refining Co.			
					Tons.	*Tons.*	*Tons.*	*Tons.*	*Tons.*	*Tons.*		
Belgia	German	July 19	Hamburg	Aug. 5	.....	30	70	.....	.....	100	Liverpool	About to be released.
Rotterdam	Dutch	Sept. 15	Rotterdam	Sept. 26	565	395	131	400	.....	1,491	Bought by British.	Sold to British Government.
Potsdam	do	Sept. 22	do	Oct. 9	500	500	325	480	.....	1,805	do	Do.
Westerdyk	do	Sept. 21	do	do	605	.....	.....	.....	.....	605	do	Do.
Sloterdyk	do	Sept. 9	do	Sept. 26	.....	.....	89	300	.....	389	do	Do.
Ascot	British	Oct. 10	Italy	Oct. 26	450	500	300	50	40	1,340	Gibraltar	Prize court, Gibraltar.
Palermo (from Boston)	Italian	Oct. 20	do	Nov. 2	.....	.....	300	.....	.....	300	do	Do.
Regina d'Italia	do	Oct. 15	do	Oct. 26	150	420	200	410	.....	1,180	do	Do.
Italia	do	Oct. 24	do	Nov. 8	400	300	.....	.....	200	900	do	Disposition unknown.
Kroonland	American	Oct. 15	do	do	800	500	.....	.....	.....	1,300	do	Do.
San Giovanni	Italian	Oct. 14	do	Oct. 26	550	.....	.....	.....	.....	550	do	Do.
Duca d'Genoa	do	Oct. 17	do	Nov. 8	300	.....	.....	.....	.....	300	do	Do.
Verona	do	Oct. 21	do	do	225	100	.....	.....	.....	325	do	Do.
Europa	do	Oct. 28	do	do	300	.....	.....	.....	.....	300	do	Do.
San Guglielmo	do	Oct. 21	do	do	400	300	.....	.....	.....	700	do	Do.
Tabor	Norwegian	Oct. 26	do	Nov. 13	.....	510	.....	260	250	1,020	do	Prize court, Gibraltar.
Taurus	American	Nov. 1	do	do	.....	400	.....	.....	.....	400	do	Disposition unknown.
Perugia	British	Nov. 8	do	do	.....	515	.....	.....	.....	515	do	Do.
Norheim	Norwegian	Oct. 17	do	Nov. 18	.....	400	.....	25	.....	425	do	Do.
Sif	.....	Oct. 31	Sweden	do	.....	.....	400	.....	.....	400	Glasgow	Prize court, Glasgow.
Sigrun	Norwegian	Nov. 8	do	Nov. 26	.....	.....	400	50	.....	450	Newport	Prize court, Newport.
Ran	Swedish	Nov. 13	do	Dec. 1	.....	250	400	.....	.....	650	Liverpool	Prize court, Liverpool.
Antares	Norwegian	Oct. 22	do	Nov. 14	.....	250	.....	400	.....	650	do	Disposition unknown.
Tyr	do	Oct. 29	do	Nov. 19	.....	350	.....	400	.....	750	Glasgow	Do.
Francisco	British	Oct. 17	do	Nov. 2	.....	.....	.....	200	.....	200	Hull	Do.
Idaho	do	Oct. 24	do	Nov. 10	.....	.....	.....	200	.....	200	do	Do.
Toronto	do	Oct. 31	do	Nov. 15	.....	.....	.....	200	.....	200	do	Do.
Marengo	do	Oct. 10	do	Oct. 25	.....	.....	.....	200	.....	200	do	Do.
Galileo	do	Nov. 7	do	Nov. 26	.....	.....	.....	200	.....	200	do	Do.
New Sweden	Swedish	Dec. 6	Stockholm	Dec. 28	730	.....	.....	.....	.....	730	Newcastle	Do.
Soerland	Norwegian	Nov. 27	do	do	600	.....	.....	.....	.....	600	Lieth	Do.
Canton	Swedish	Nov. 12	Stockholm and Gothenburg.	Dec. 1	375	.....	.....	.....	.....	375	The Tyne	Do.

Mr. WALSH. In magnitude no interference with commerce between neutrals of which our annals make mention can compare with that to which the attention of the Senate is now directed. It presents features no less singular, as will be developed in the course of these remarks. That the significance, from an industrial point of view, of this extraordinary interruption of the commerce between nations at peace with all the world may be appreciated, I venture to digress to present some facts touching the production of and trade in copper.

The United States produces more than one-half of all the copper mined, the world production of 1912 amounting to 1,006,635 long tons, of which 554,835 tons came from our mines. Mexico ranks second, with 70,000 tons, and Japan third, with 65,000. From 1892 to 1906, inclusive, the great State which I have the honor in part to represent in this body, held the primacy among the States of the Union in the production of copper. She lost it to Arizona in 1907, regained first place the next year, but was passed again by her younger sister in 1909, since which time Arizona has been producing annually about 30 per cent of our copper, Montana about 25. Though this Nation likewise ranks first in the consumption of copper, our manufactories taking 371,800 tons in 1912, we export 62 per cent of our total output, approximately 346,000 tons going abroad in that year. Next to cotton the most important product in point of value exported from the United States is copper.

Our foreign market is, consequently, vital to the copper industry. Any serious interference with it is immediately reflected in the communities in which the ores are mined and smelted. Any prolonged disturbance in or substantial curtailment of that market must necessarily be attended with business disaster in the affected centers.

Our exports go to nearly every European country. Germany has in recent times been our best customer, that country taking in the 10 months of 1913, ending with October, 259,000,000 pounds. Holland affords the next best market, its ports absorbing 148,000,000 pounds during the same period. Then, in order, come France, taking 128,000,000 pounds; Great Britain, about 111,000,000; and Italy, 35,000,000. As the consumption of Holland does not exceed 1,000 tons annually, it is to be presumed that the greater portion of that customarily unloaded at her ports finds its way, under normal conditions, into the adjacent countries, much of it doubtless going to Germany. It seems likely that quite one-half of all copper exported from the United States within the last half dozen years went to that great industrial nation. The war has closed that market to our producers. Grave as is the situation which confronts us because of its loss, there is no disposition to question the propriety on the part of any belligerent nation to exclude copper from the territory of its enemy if it lawfully can. That loss is endured with such patience as they can command, by the operators and the miners alike. Multitudes of the latter in enforced idleness must make such provision as they can against the rigors of an inhospitable winter climate. No little destitution must follow and great industrial loss.

The exigencies of the war, in which we are in no wise concerned, will necessarily entail hardships and suffering upon the laborers in the copper mines and in industries more or less dependent upon them. It might reasonably be assumed that the Government of the United Kingdom, with which we are happily in amity, would not wantonly add to the detriment which is occasioned by the destruction of the German market, the discomfiture and distress that must ensue from the closing to our trade of the ports of the neutral nations of the Continent.

All the leading producers of copper have been forced to curtail their output to the extent of nearly 50 per cent, as exhibited by the following table, showing the monthly production of the companies listed from January to July, inclusive, 1914, as compared with that of more recent months.

	Anaconda.	Utah.	Nevada Consol.	Chino.	Ray Consol.
January-July	[1] 22,886,000	10,116,592 to 13,083,509	4,483,175 to 5,791,122	5,389,242	5,531,308
				6,344,652	6,274,529
August	14,745,000	7,833,244	3,062,637	3,206,694	3,112,558
September	12,400,000	6,338,583	2,718,471	3,121,645	3,122,967
October	11,800,000	6,427,126	2,801,507	2,907,000	3,115,967

[1] Average per month.

In the case of the following five mining companies the normal monthly production is compared with present production.

	Normal production.	Present production.
Old Dominion	3,000,000	1,600,000
Shannon	1,200,000	.....
Penn Mining	300,000	300,000
Ducktown	500,000	500,000
East Butte	1,000,000	.....
	6,000,000	2,400,000

As the seizures complained of were made upon the claim that the merchandise involved is contraband of war, a little attention to the legal aspects of the controversy is essential to a proper understanding of our rights in the premises and of the obligation, from the standpoint of international law, of the nation whose dominant position as a sea power enables her thus to interdict peaceful commerce.

A state of war imposes no obligation upon neutral nations to cease trading with the belligerents, nor is it any breach of neutrality on the part of the former to permit their citizens to sell either to the governments at war or to their citizens any commodities, even such as are to be used directly in prosecuting it, like arms and other destructive agencies. However, a belligerent may, without offense against international law, seize upon the high seas articles in transit to the enemy country intended for the use of the forces of the latter in the field or calculated more or less directly to promote its success in the conflict. Articles so subject to seizure are referred to as contraband of war.

Contraband is ranked under two heads—absolute and conditional. Absolute contraband includes those articles which are peculiarly adapted to war, such as arms and ammunition and military and naval equipment. Conditional contraband consists, generally speaking, of articles which are susceptible of use in war as well as for purposes of peace, but which are in course of transport for use in the prosecution of the war.

When absolute contraband is destined to one of the countries at war, whether to the government or to an individual in that country, it is subject to seizure and confiscation by any opposing belligerent. As the use to which it is to be put determines its liability to seizure in the case of conditional contraband, its destination is a controlling factor. If destined to the army or navy or to a place occupied and held by military forces, it is contraband; if not so destined, articles falling within the category of conditional contraband are presumably not intended for warlike uses; as, for example, when bound to an individual or a private concern. If they are not shipped for use in connection with the conduct of the war, they are not subject to confiscation and their seizure is unjustifiable.

As to many articles there would be very general concurrence that they should be regarded as absolute contraband; others could easily be characterized as conditional contraband, and still others would, in honest minds, so remote is their usual use from the activities of war, like cotton, for instance, be classed as neither the one nor the other. But with respect to a multitude of commodities the widest divergence of view may obtain as to which of the three classes may claim them, the neutral nations' interest impelling them to contend for a restricted contraband list, the belligerents, particularly those strong at sea, obviously disposed to extend the category of commodities subject to seizure. A circular issued by our Department of State on the 15th of August last says:

5. What is contraband of war is to be determined by international law and usage, influenced in some degree by the positions assumed by the belligerents. As there is no final tribunal for the definite determination of these international questions, they are not as determinable as questions of domestic law. There are no general treaties amongst the nations of the world determinative of contraband of war. The London convention, 1908-9, though signed by the delegates of the countries at war, of the United States, and of other countries, was not ratified by the signatory Governments, and is valuable only as indicating the disposition of the Governments represented.

Immediately upon the breaking out of the war Great Britain and Germany made announcements as to the articles which they respectively would consider as absolute and as conditional contraband, the lists in each case being substantially identical with those of the Declaration of London, except that the British transferred air craft and accessories from the conditional to the absolute list. Copper was included in neither. That convention, however, expressive of the views of the nations as to what ought to be done should any belligerent desire to enlarge the classes of articles falling within the designation of either absolute or conditional contraband, provided that articles might be added to either list by a declaration, which should be notified.

On the 20th of August an important proclamation was issued by the British Government, which, however, did not affect copper until September 21, when, for the first time, that metal was declared conditional contraband. The proclamation referred to dealt with two features of special interest in this inquiry. In the case of conditional contraband it had always been held that the belligerent making the seizure was required to prove that the goods involved were intended for the use of the enemy's forces. Great Britain had herself stood for this doctrine, and there was no dissent from it. In the course of the Boer War, Lord Salisbury defined the position of the Government of that country, a shipment of American goods drawing from him the following declaration:

Foodstuffs with a hostile destination can be considered contraband of war only if they are supplies for the enemy's forces. It is not sufficient that they are capable of being so used; it must be shown that this was, in fact, their destination at the time of the seizure.

Certain presumptions were indulged, however, in favor of the belligerent nation in making its case. By the Declaration of London the martial destination was to be presumed to exist in the case of goods consigned to enemy authorities, or to a contractor in the enemy country who, as a matter of common knowledge, supplies articles conditionally contraband to the enemy, or to a fortified place belonging to the enemy, or other place serving as a base for the armed forces of the enemy.

The so-called Order in Council of August 20, ultimo, referred to, extended the scope of the presumption to embrace goods "consigned to or for an agent of the enemy State, or to a merchant or other person under the control of the authorities of the enemy State." If this recital is to be given the force which naturally attaches to its language, all distinction between absolute and conditional contraband is wiped out, since every person within an enemy State is under the control of the authority of that State. The presumption thus indulged may, indeed, be rebutted, but in practice the effect is as stated, since the shipper is in no situation to establish that the consignee did not intend to pass the goods along to the armed forces. By another provision of the order mentioned, the "continuous-voyage" rule was asserted, though the Declaration of London gave it no countenance. Article 35 thereof declares that "conditional contraband is not liable to capture except when found on board a vessel bound for territory belonging to or occupied by the enemy, or for the armed forces of the enemy, and when it is not to be discharged in an intervening neutral port." If that rule obtained, conditional contraband of all kinds and in unlimited quantity might be unloaded at Rotterdam or Genoa, though its ultimate destination might be some German city, from which it was to be drawn upon to supply the armies in the field.

The order to which reference has been made declared conditional contraband liable to capture "to whatever port the vessel is bound and at whatever port the cargo is to be discharged." Thereupon ships sailing for neutral ports but carrying articles proclaimed as conditional contraband were subject to be overhauled and relieved of the same upon the claim that they were in fact destined to the enemy's forces.

As will be hereafter shown, our Government is in no position to object to this last-mentioned feature, but it is to be borne in mind that it had at the time it was issued no relevancy to shipments of copper, nor did it have until September 21, when, for the first time, copper was by proclamation declared to be conditional contraband. Thereafter a ship sailing to Bergen, Norway, or to Genoa, Italy, might be stopped and relieved of copper which was shipped with intent that it should or knowledge that it would pass into the hands of the German Government for use in connection with its military operations.

On the 29th of October a further proclamation by the English Government was issued revising the schedules of absolute and conditional contraband, by which it was declared that copper would thereafter be treated as absolute contraband. Thereupon copper destined to Germany or Austria, whether for use by the Government of either in the conduct of the war or for

use in the arts of peace, though on a ship sailing to a neutral port, became subject to capture and confiscation.

Whether the Government of Great Britain has the right by its *fiat* to make copper either absolute or conditional contraband is a subject upon which it is not my purpose to enter. Doubtless our Government has protested or will protest, at least, against any attempt to hamper our trade by making it subject to seizure, though neither the consignor nor the consignee contemplate that it is to be devoted to warlike uses. I shall assume in the course of my remarks that it is contraband. The English prize courts, to which all the seizures made must go for adjudication, will give to it the status assigned to the metal in the royal proclamation, however it may afterwards be regarded in the course of diplomatic negotiations or before an arbitral board upon a claim for damages on account of the confiscation of any particular shipment.

It will be understood that in every case of seizure the prize must be taken to a court of the country making it before which the question of the liability to capture is tried. Provision is ordinarily made for an appeal, and if the owner of the cargo seized is given a fair trial and the cause is determined according to the recognized rules of international law, he may claim no redress through the diplomatic agencies of his own country. But if the trial proceeds upon a theory of the law contrary to that acknowledged by the country to which he owes allegiance, it insists upon redress through the diplomatic channels. In a case in which the seizure is plainly without justification, his country may and should require the immediate release of the property, and in any case may insist upon a speedy hearing before the prize court. Obviously the consideration which a belligerent owes to the citizens of a neutral and friendly nation imposes upon it an obligation to proceed in its prize court with all reasonable dispatch.

Reference was made to the recital of the Order in Council of August 20 to the effect that merchandise should be deemed contraband, either conditional or absolute, as the case might be, if in the one instance it was intended for warlike use by the enemy and was en route to him, or in the other it was destined to the enemy country, transshipment to be made from a neutral State to which the cargo was consigned. The principle which finds expression in that part of the Order was developed during our Civil War, though founded upon rules long prevailing in the English courts. An effective blockade of all southern ports was maintained by the National Government. Fleet ships manned by daring and venturesome navigators were persistently engaged in running the blockade despite the vigilance of the Navy. Some of these were attracted by the profits of a successful voyage, others were in the service of the Government of the Confederate States. It transpired that the insignificant town of Nassau, on the island of New Providence, in the Bahamas, a British dependency, was developing into a great commercial center, and it was scarcely a secret that its mushroom growth was due to the fact that merchandise brought there from England found its way into the war area by means of the blockade runners. This traffic resulted in the seizure of a number of ships flying the British flag and bound, ostensibly, for Nassau, upon the claim that their papers did not show their true destination, which was one of the blockaded ports, or that though they might intend to touch at Nassau, it was designed, at some opportune time to evade the blockading fleet to deliver their cargoes in the war territory, or that if their freight was to be unloaded at all at Nassau, it was not to be disposed of in the market that port afforded or delivered to a bona fide consignee doing business there, but was to be transshipped at some favorable season in violation of the blockade. The district courts of the United States, and afterwards the Supreme Court, held that if the real destination of the shipment was some port of the States in insurrection, it was of no consequence that the ship was on her course from a neutral port to a neutral port, if after arriving at such port, the purpose of those controlling her movements was to proceed past the blockading fleet to any of the closed ports, or even if the purpose was to transship the cargo to another vessel that might more safely or more courageously attempt to pass the barrier. The ship was in such case held subject to seizure and her freight to confiscation.

The principle upon which these cases were decided would justify the capture by a belligerent of a ship carrying contraband between neutral nations, if the real destination of the proscribed merchandise was within the enemy country.

In the cases referred to much of the freight involved was indeed contraband, but as all commerce was under interdict because of the blockade, that fact was important only as it bore upon the question of the real destination of the cargo A more complete understanding of the principle involved will be assured by some slight attention to the character of the freight carried by the offending ships.

In the case of the *Dolphin* (7 Fed. Cases, 868) a part consisted of 920 rifles and 2,240 cavalry swords described in the bill of lading as "hardware."

The *Bermuda* (3 Wall., 514) carried tea, coffee, drugs, surgical instruments, shoes, boots, leather, saddlery, lawns with figures of a youth bearing onward the Confederate flag, military decorations, epaulettes, stars for the shoulder straps of officers of rank, many military articles with designs appropriate for use in the Confederate States, cases of cutlery stamped with the names of merchants in Confederate cities, several cases of double-barreled guns stamped as manufactured for a dealer at Charleston, a large amount of munitions of war, five finished Blakely cannon in cases with carriages, six cannon without cases, a thousand shells, several hundred barrels of gunpowder, 72,000 cartridges, 2,500,000 percussion caps, 21 cases of swords, and, in addition, a large quantity of army blankets and other materials.

Touching the cargo of the *Springbok* (5 Wall., 1), the Supreme Court, in its opinion, said:

> A part of it was specially fitted for use in the rebel military service, and a large part, though not so specially fitted, was yet well adapted to such use. Under the first head we include the 16 dozen swords and the 10 dozen rifle bayonets, and the 45,000 navy buttons, and the 150,000 army buttons; and under the latter the 7 bales of army cloth and the 20 bales of army blankets, and other similar goods.

Inasmuch as it is not my purpose to vindicate the judgments rendered in these cases by our courts, but rather to make clear the principle upon which they proceeded, I refrain from any detailed recital of the many circumstances present in each of the cases resulting in condemnation, leading to the conclusion that a manifest attempt had been made "to introduce contraband goods into the enemy's territory by a breach of blockade."

It was admitted, nay asserted, that if the cargo was destined for Nassau or some other neutral port, there to pass into its general commerce, it was not subject to seizure, even such of it as was contraband. In the case of the *Stephen Hart* (Blatch. Prize Cases, 387; 3 Wall., 559), bound ostensibly to Cardenas, Cuba, Judge Betts said:

> If she was, in fact, a neutral vessel, and if her cargo, although contraband of war, was being carried from an English port to Cardenas for the general purpose of trade and commerce at Cardenas and for use or sale at Cardenas, without any actual destination of the cargo prior to the time of the capture, to the use and aid of the enemy, then, most certainly, both the vessel and her cargo were free from liability of capture.

The Supreme Court affirmed this doctrine in the case of the *Bermuda*, supra, saying that—

> Neutrals might "convey in neutral ships from one neutral port to another any goods, whether contraband of war or not, if intended for actual delivery at the port of destination and to become part of the common stock of the country or of the port."

It was asserted by counsel—

> Said the court—
>
> that British merchants had "a perfect right to trade, even in military stores, between their own ports, and to sell at one of them goods of all sorts, even to an enemy of the United States, with knowledge of his intent to employ them in rebel war against the American Government." If—
>
> Continued the court—
>
> by trade between neutral ports is meant real trade, in the course of which goods conveyed from one port to another become incorporated into the mass of goods for sale in the port of destination; and if by sale to the enemies of the United States is meant sale to either belligerent, without partiality to either, we accept the proposition of counsel as correct. But if it is intended to affirm that a neutral ship may take on a contraband cargo, ostensibly for a neutral port, but destined in reality for a belligerent port, either by the same ship or by another, without being liable from the commencement to the end of the voyage to seizure, in order to the confiscation of the cargo, we do not agree to it.

Though the Government of Great Britain acquiesced in the decisions in these cases at the time and the commission appointed under the provisions of the treaty of Washington of May 8, 1871, gave its adherence to the rule announced in them, the doctrine of "continuous voyage," particularly as it was applied to the case of goods to be transshipped from the neutral port to which the vesssel was bound when seized, has been assailed with unusual vigor on both sides of the Atlantic. The jurists of the Continent with practical unanimity have denounced it, and they refused to give any countenance to it, as shown in the Declaration of London. Our Government is, however, committed to the rule it developed or invoked in our time of trial, and has no disposition to recede from the position then taken to shield any of our citizens from the consequences of a violation of it. It was even made applicable in the case of the *Peterhoff* (5 Wall., 28), to contraband landed at a neutral port, Matamoras, Mexico, to be transported overland into the belligerent territory. Our citizens have accordingly no just cause of complaint if contraband articles are seized

at sea though they may be consigned to a neutral port, if the consignors intend that they shall not, or know, or have good reason to believe, that they will not pass into the general commerce or trade of the country to which they are ostensibly destined, but purpose that they shall or believe that they will be hurried to the country of the enemy of the nation making the capture.

Obviously the power assuming the responsibility for the capture must be prepared to establish that the ultimate destination is the territory of its enemy.

The cases from our own courts dealing with the subject of "continuous voyage" have been dwelt upon at what may seem unnecessary length, because the idea has been encouraged that our Government is now taking an attitude inconsistent with that assumed by it in the Civil War, and out of harmony with the rules our own courts had prescribed touching belligerent rights. How unfounded this claim is will appear as we proceed.

We may now return to inquire about the seizures giving rise to this discussion, with a view to forming some just judgment, in the light of the principles reviewed, as to the conduct of the Government of Great Britain in authorizing or countenancing them.

From such sources as are open to the general public it is learned that the captures were made and the copper held upon the claim—if, indeed, any specific claim at all is made—that it was not for consumption in the countries to which it was consigned, but was destined for Germany and to be used in connection with the prosecution of the war. I say if any claim at all is made in justification of the acts challenged—because about the only explanation vouchsafed to the shippers or which has found its way into the press is that shipments in unusual and extraordinary amounts were being made to the neutral countries of Europe, and particularly to Italy. From this it is left to be inferred that the claim is made that the particular shipments arrested were en route to Germany.

If Italy were not herself a large consumer of copper; if her seaports were not great marts in which copper is sold for consumption in the adjacent countries; if Genoa were Nassau; if Italy, in order that her own manufactories might be supplied, had not voluntarily laid an embargo upon the exportation of copper, the circumstance of heavy importations, so far as it exists, might be significant.

It will appear from detailed information to be laid before the Senate that copper in quantities quite above the average left our ports during the months of October and November for Italy, just as our exports to England have increased during the same period, and primarily for the same reason, namely, that Germany has supplied the markets of Europe with the manufactures of copper and brass. Italy took from Germany in 1912 33,829 quintals of miscellaneous manufactures of copper, bronze, and brass, 56.4 per cent of all the peninsular kingdom imported. Every manufactory in Europe not demoralized by the war is spurred to its utmost capacity to meet the demand occasioned by the isolation of Germany. Congress was forced to impose new taxes in order to meet the deficit due to the decrease in our imports, largely from Germany. Our factories proceeded at once to put themselves in readiness to absorb their share of the business that has heretofore gone to the countries engaged in the present deplorable conflict. The keen business men who handle our export trade in copper became quickly alive to the fact that Italy was an excellent market for their product, quite apart from the necessities of Germany and notwithstanding it could not be reexported without violating the Italian law.

Aside from such as is contained in sulphate of copper, the annual consumption of copper in Italy amounts to 42,900 metric tons; 20,350 tons more are utilized in that compound, the principal ingredient of Bordeaux Mixture, used in spraying the vines to destroy the phylloxera which infests them. That country takes normally about 3,500,000 pounds per month from us. England had been receiving an average of about 11,000,000 per month. Both of these countries took 22,000,000 from us in October, but Italy got practically nothing in August, owing to the demoralization of commerce to the Mediterranean—302,578 pounds to be exact—and only about the usual amount in September, while England took 24,600,000 in August and 16,900,000 in September. During the three months of August, September, and October England took at least 25,000,000 pounds of copper in excess of her normal demands, to which must be added 9,609,600 taken from ships bound for the Netherlands and 4,883,200 pounds more diverted from the stock at Rotterdam, in all approximately 40,000,000 pounds. Italy took less than 19,000,000; much less, indeed. The figures last above given show the amounts which left this country, 6,500,000 pounds of which never passed Gibraltar. It is further to be observed that France got but 2,000,000 pounds in August, as against 17,500,000 in the same month of the preceding year; 2,700,000 in September, 1914, as against 13,400,000 for the same month in 1913; and 5,800,000 in October last as against 10,900,000 in the corresponding month of 1913. France fell short of her normal importation during the three months last mentioned, as compared with the same period of 1913, 37,238,120 pounds. Either the industries using unwrought copper were paralyzed by the war or the peril of entering her ports was so great as to amount to an embargo. The Italian merchants might reasonably expect to drive a thriving business with French customers in view of the impossibility of supplying their needs through dealers in their own country. Switzerland had no way of providing herself except through the Italian markets. Normally her supply came in large part from Germany. Neither Belgium, Germany, nor Austria got any copper from us during the three months in question. The entire wine country was obliged to look to Italy. It will be borne in mind that until the 21st day of September copper was not even conditional contraband and was not declared absolute contraband until the 29th day of October. Intervening those dates copper might have been, without offense, introduced at a German port unless it was intended for Government use in connection with the war, and so might be sent to that country through an Italian gateway or made the subject of traffic in Italian cities for use in the arts of peace in Germany. Indeed, under the doctrine announced in the cases heretofore reviewed, our dealers are at perfect liberty to sell in good faith to Italian merchants even munitions of war, though they may know that the consignees intend to sell them in turn to the German Government. If the sale is bona fide to a neutral, it is of no consequence that he intends to dispose of it to a belligerent. Prior to the present war, at least since international law had a being, this principle has never been questioned by any jurisconsult.

There was, accordingly, abundant reason to regard the Italian market as a most inviting one, even though the chance of selling to German or Austrian buyers for any purpose should not be considered. As the price had fallen to the level of the cost of production—11 cents—the Italian dealer had nothing to lose and everything to gain in buying freely. With the disaster that had come upon them by the destruction of the enormous German and Dutch markets, our operators were eager to sell even at the low price offered to avert, as far as possible, the distress that would come to the families of the miners from a complete shut down. It may even be that each in his eagerness to meet the demands of what seemed an inviting market did not calculate accurately on what his rivals similarly actuated might send. It may be that the shipments were greater than the legitimate market would immediately absorb. Such a condition is not infrequent in trade. But it was impossible for a buyer to lose, though he might not realize as speedily as he expected to.

The bare fact that 22,000,000 pounds of copper were consigned to Italy in the month of October might justify Great Britain in signifying to that country that it would regard it as a friendly act if the exportation of copper to any belligerent nation should be prohibited. It afforded no justification for the indiscriminate seizure of American ships carrying copper to Italian ports.

Mr. HITCHCOCK. Mr. President——

The PRESIDING OFFICER. Does the Senator from Montana yield to the Senator from Nebraska?

Mr. WALSH. I do.

Mr. HITCHCOCK. I understood the Senator to say that Italy, since the outbreak of the war, had prohibited the exportation of contraband of war to Germany.

Mr. WALSH. She has.

Mr. HITCHCOCK. And that she had included copper in the list.

Mr. WALSH. The Senator is correctly informed.

Mr. HITCHCOCK. Does the Senator state that that was done as an act of amity or friendship or at the request of Great Britain?

Mr. WALSH. Of course I have no information about that. I have suggested, a little farther along in my address, that practically all of these neutral nations took that course. It is perfectly obvious that it is to the disadvantage of their own trade and their own business and to the detriment of their own people; but I assume that they reached the conclusion that importations into their countries would be facilitated, perhaps, if they took that precaution.

Mr. HITCHCOCK. Then I want to inquire of the Senator whether a parallel would not exist in the United States, and if England at the present time is in any position to insist that the United States should not prohibit the transportation of contraband of war, arms, and ammunition to Great Britain and France?

Mr. WALSH. No country is under any obligation whatever, under the rules of international law, to take any steps, legal or otherwise, to prevent the exportation from its borders of any material, even contraband, conditional or absolute.

Mr. HITCHCOCK. I mention this because since I introduced a bill to prohibit the exportation of arms and ammunition to any country now at war with any other country with which the United States is at peace, the statement has been made in Great Britain, and cabled to the United States, that such an act by the United States at this time would be construed as an unfriendly act toward Great Britain, and would be construed as a practical breach of neutrality. Now, if such an act by the United States at this time would be a breach of neutrality, would not the same act committed by Italy against Germany have been a breach of neutrality?

Mr. WALSH. I should say, then, that the kingdoms of Italy, Holland, Denmark, Sweden, and Norway had all been guilty of a breach of neutrality, because they have all passed decrees or issued proclamations prohibiting the exportation of any contraband; not only such contraband as is referred to in the bill of the distinguished Senator from Nebraska, but contraband of any character whatever.

Mr. THOMAS. Mr. President——

The PRESIDING OFFICER. Does the Senator from Montana yield to the Senator from Colorado?

Mr. WALSH. I do.

Mr. THOMAS. May I ask the Senator whether the inhibition which he says Italy has placed upon exportations of copper to Germany applies as well to the dual monarchy, Austria-Hungary?

Mr. WALSH. The prohibition applies to all the belligerent countries.

Mr. O'GORMAN. Mr. President, may I ask the Senator a question?

The PRESIDING OFFICER. Does the Senator from Montana yield to the Senator from New York?

Mr. WALSH. Gladly.

Mr. O'GORMAN. In referring to the decrees or orders promulgated by Italy, Norway, Denmark, and several other European countries as to the export or import, perhaps, of contraband, did I understand the Senator to say that they permit or that they prohibit?

Mr. WALSH. They prohibit the exportation.

Considering the plight of her people, Italy did, by royal decree, issued immediately upon the breaking out of the war, prohibit the exportation of copper. This decree applied to a great many articles, but permitted the free transit through that country of imports destined to places beyond its borders. With a view to removing any just ground for apprehension and to relieve the embarrassment under which her consumers were laboring in consequence of the seizures which had taken place, a further decree was issued on November 13, providing in substance that "all goods the exportation of which from Italy is forbidden can not be reshipped abroad or through transshipment once they have arrived at an Italian port or the bill of lading indicates Italy as their destination, declared at the origin, or if it fails to contain any specific destination."

Similar action has been taken by the Governments of Switzerland, the Netherlands, Denmark, and Norway, and recently by Sweden. The embargo in the case of Italy extends even to cereals, and the rigor with which it is being enforced is evidenced by a dispatch appearing in our press of Monday, the 28th, telling of the arrest of a gentleman of some prominence charged with conspiring to export grain to Germany.

The inconclusive, even shadowy, character of the fact that our exports of copper to Italy have increased, the force of the considerations advanced leading to the conclusion that a largely increased demand for copper in that country is to be expected, received some elucidation, if any were necessary, in the course of the debate in Parliament on November 17 last. Some member, under the influence of hysteria, perhaps not uncommon in England, induced by some incidents of the war, called attention to the very great increase in exports of coal from that country to neutral countries, neighbors of Germany, as exhibited by the following table:

Coal.	September, 1913.	September, 1914
Great Britain to Holland	154,000	276,000
Great Britain to Denmark	275,794	405,842
Great Britain to Sweden	394,314	633,546
Great Britain to Norway	174,000	233,754

He advanced the idea that British coal was getting into Germany through these countries, and called attention to the fact that the country represented by the premier was a heavy producer of that commodity. At this distance the debate reads as if the remarks of the right honorable gentleman carried a mild imputation that the prime minister was blind, but, of course, innocently blind, to the fact that his immediate constituents were profiting by a trade through which the enemy of his country was supplying itself with contraband.

It is interesting to note the response made by Mr. Asquith, the prime minister, on behalf of the Government. Setting out with the remark that some of the matters mentioned were "of a very delicate kind," he expressed the opinion that the increase in the exports of coal from Great Britain to Scandinavian countries was not so much due to, and, indeed, was "not due at all," to their "being ultimately destined to Germany as to the fact that these countries were deprived for the time being of the supplies they have been accustomed to receive from the enemy country." In this relation he adverted to the fact that the county of Fife, a part of which he represented, was "a great coal-exporting county," sending out coal "to various parts of the world." One of their main competitors had, he said, been Westphalian coal, and as the export of this had practically ceased it was "not unnatural that Scandinavian countries should resort to us in Fife and other parts of the United Kingdom to make good the supply" which had been cut off. In that way there had, he declared, been a large increase in our export to them," but he doubted very much whether "any substantial part" had been "reexported to Germany."

His people may freely ship coal to Holland, Denmark, Norway, and Sweden, though it has been on the list of conditional contraband from the beginning of the war. Copper leaving our shores, even before the proclamation declaring it conditional contraband was issued, is seized and is still detained, after the lapse of 90 days without any effort to obtain an adjudication against it. This unreasonable delay leads naturally to the conclusion that the proceedings are not pressed because the authorities are convinced that no English court will undertake to assert and justify, in the face of the world, a rule of international law upon which a judgment of confiscation can be upheld.

Sir William Scott stands in the front rank among the men whose talents have given brilliancy and glory to the bench in England. In respect to experience in administering and knowledge of the law of prize he, perhaps, surpassed all others. In the case of the *Madonna del Burso* (4 Rob., 169), a ship that was seized by a revenue cutter in the month of November, 1797, rendering judgment, he said:

> It does not appear that any proceedings were commenced against this ship or the valuable cargo which she contained until the latter end of February, 1798; that is, for the space of above three months. However justifiable the seizure may have been, the first obligation which the seizor has to discharge is that of accounting, why he did not institute proceedings against this vessel and cargo immediately, and unless he can exculpate himself with respect to delay in this matter he is guilty of no inconsiderable breach of his duty. It would be highly injurious to the commerce of other countries and disgraceful to the jurisprudence of our own if any persons, commissioned or noncommissioned, could lay their hands upon valuable foreign ships and cargoes in our harbors, and keep their hands upon them, without bringing such an act to judicial notice in any manner for the space of three or four months. The complaints which such a conduct tolerated by this country would provoke against it from foreign countries are not to be described; and it is not very easy to suggest how the real honor of the country, connected as it is with its justice, could be defended against such complaints.

And then he added that "a belligerent nation which is in the exercise of the rights of war is bound to find tribunals for the regulation of them" in which neutrals have the "right to speedy and unobstructed justice." It was advanced that—

> the mass of business under which this court was then laboring so choked up the avenues to justice that the cause, if entertained by the court, could not have been heard for a considerable time.

But this excuse he dismissed with the remark that—

> It is no secret that this court has never thought it a breach of that equal justice which it owes to all suitors to suffer a cause to be interposed that from its magnitude of interests or other circumstance of just weight had a peculiar claim to preaudience.

The mere denial of the plain right to a speedy adjudication by a prize court in the case of the seizures which are the subject of these remarks, expansive and annoying as it is, is not so important here as is the significance it carries touching the attitude and purposes of the English Government with reference to further shipments of like commodities.

Some of the copper seized was purchased by the authorities of the belligerent power making the capture at the current price in the English market, and with reference to that detained the hope is held out that if it is finally released damages will be paid after the war is over. These features are only feebly in mitigation of the wrong. The English market was presumably supplied already with what it could absorb, and the arrival of considerable quantities understood to be likely to go upon the market upon decrees of condemnation or to be appropriated by the

Government for its needs could not fail to depress the price. No damages awarded after the war can compensate for an unlawful seizure, and particularly in the case of a series of such seizures. Drafts are ordinarily drawn against the shipments. These, being returned, must be met, to the financial embarrassment of the consignors. But, worse, shipowners refuse to take copper for transport, lest their vessels be overhauled, deflected from their usual route, and detained indefinitely in some English port.

I am informed that the Norwegian-American Line, plying between the ports of Norway and the United States, the stock of which is largely owned in this country, refuses to take any merchandise on the British lists of contraband, preferring to lose the freight rather than run the risk of being ordered into an English harbor.

Underwriters decline to take copper as a risk and war insurance is unobtainable. The act passed at the last session of Congress is unavailable to shippers of copper, the bureau insisting, and perhaps wisely, upon a clause in the policy which practically exonerates the Government should the shipment be seized, even when actually destined to a neutral country and for consumption therein. At least the liability under the policy tendered is involved in so much obscurity because of the ambiguity of the policy that shippers prefer to take the risk themselves. The trade with particular dealers and consumers in the neutral countries which our merchants have severally built up is gone unless their demands can be supplied as they arise.

Those affected by the seizures are entitled, first, to have their property released forthwith or to have an immediate adjudication by the prize court; second, a judgment therein upon the recognized principles of international law; third, a cessation of indiscriminate seizures upon bare suspicion of a proscribed destination.

Harried as it has been, our commerce with the neutral nations of Europe has not developed as it might be expected that it would in consequence of the war. Some recent shipments of copper to Sweden were detained, and upon inquiry the explanation was made that Sweden had not yet laid an embargo upon the exportation of that metal. A new principle is thus introduced into the law of nations, namely, that a belligerent may confiscate goods declared by it as contraband when shipped by a neutral to a neutral that has not prohibited its exportation. But even such a precaution on the part of Italy carried no assurance of exemption and was disregarded.

Sweden was persuaded to the same course, and with additional precautions—to be referred to—shipments went forward. Now news comes that on December 28—Monday last—two ships, the *New Sweden* and the *Soerland*, bound for ports of that country, were turned in to English ports and relieved of their copper freight, the former carrying 730 tons and the latter 600, though in each case a certificate went with the shipment from the Swedish minister at Washington reciting that the copper was intended for consumption in Sweden.

Searching for some ground upon which to assign a German destination for shipments ostensibly going to Italian ports, it was deemed sufficient proof that the bills of lading ran to the order of the shipper. The advantage of issuing bills of lading in that form, even when the consignment has been sold, is obvious. The consignee may not be in a position to take the goods on arrival and some other disposition may be made of them if the bill is to the order of the consignor. The practice is an established one in many lines. It is general in the copper trade. As a rule, that metal is, and for many years has been, sold for the producers in the great marts of the world by selling agencies, who dispose of it on commission. They customarily ship to their own order, even when the consignment has already been sold. Finding the pursuit of this time-honored custom afforded a pretext for a seizure, it was discontinued, but the captures went on just the same.

The *Ascot*, from New York to Genoa, sailed October 10, carrying 300 tons of copper consigned to order, but intended for delivery to Brown, Borari & Co., Baden, Switzerland. It was held at Gibraltar.

The *Regina d'Italia*, New York to Genoa, sailed October 15, carrying 200 tons of copper consigned to order, but intended for delivery to U. Vedorelli, Milan, Italy. It was held at Gibraltar.

The *Palermo*, Boston to Genoa, sailed October 20 with 200 tons of copper consigned to order, but intended for Schweitzer Metallwerke, Thonne, Switzerland. It was held at Gibraltar.

The consignors learning that complaint was made because the bills of lading ran "to order" felt they might have freedom by changing it. Accordingly they sent out by the *Sif*, New York to Gothenberg, October 30, 400 tons of copper, sold and consigned to B. Ursells, Efterfoelger (successors), Stockholm. It was held at Glasgow.

The *Sigrun*, New York to Malmoe, sailed November 5 with 400 tons of copper, sold and consigned to the same party. It was turned into Newport, England, where it is held.

The *Tellus*, New York to Genoa, sailed November 17, carrying 200 tons of copper, sold and consigned to U. Vedorelli, Milan. It was seized and is held at Gibraltar.

It would be exhibiting the virtue of candor, at least, if the Government of Great Britain should declare that it is her purpose to starve Germany, so far as copper is concerned, however the neutral nations may fare or the laws of nations may be wrenched, or even defied, in the process.

It may be a matter of supreme unconcern to the military authorities of that country that little children cry for bread in Butte, Mont., or in Bisbee, Ariz., that she accomplish that end; but if she values the good opinion of the people of the United States who, as a whole, are not at all unfriendly to her cause, but who are not equally indifferent to the want her policy imposes here, she will hearken to the kindly admonition of the President and restrain the activities of her navy, so far as our commerce is concerned, within lines that her own great law givers, at least, have laid down.

In the course of negotiations resulting from similar aggressions toward the close of the last century, Jefferson, then Secretary of State, in a letter to Mr. Pinckney, our representative at the English court, said that Great Britain might "feel the desire of starving an enemy nation, but she can have no right of doing it at our loss nor of making us the instrument of it."

Some degree of circumspection might be expected in the exercise of her undoubted rights, some delicacy in asserting them in view of the fact that the course which has been pursued is obviously to the advantage of her fabricators of copper as against those of competing neutral nations. If shipments of copper to Italy and the Scandinavian countries can be shut off or seriously embarrassed, the English market, the only free, untrammeled one to which our surplus can go in any quantity, is continually glutted. The price of raw copper is continually depressed there, while it is unduly expensive in the rival countries. Her manufacturers enjoy a distinct advantage in the purchase of their raw material. Then, the supply on the Continent being precarious, and the possibility of workers in copper and its compounds being able to fill orders promptly, being likewise involved in doubt, the English factories capture the market. The copper trade in England is in a most thriving condition. The assertion is made upon the authority of a circular-printed market report, issued under date of Friday, November 27, 1914, by Henry R. Merton & Co. (Ltd.), of London, dealers in metals, and reputed to be advisers to the Government in respect to purchases of them, from which circular the following is quoted:

> So far as refined copper is concerned, the business done has been good and the tone strong. Manufacturers have been ready buyers, so that dealers have been able to dispose of satisfactory quantities, whilst the principal producers have been much stiffer in their attitude. The present consumption of copper in this country, as well as in France, is evidently on quite a large scale, and, in addition, a good demand is reported for sulphate at higher prices, makers being now well sold ahead.

This roseate view is fully confirmed by the statistics. For some reason the market for sulphate, as reported by Merton, seems to be exceptionally good. While but 374 tons of that commodity were exported from Great Britain in August, and 300 tons in September, 407 tons went out in October and 739 tons in November. Of manufactures of copper, Great Britain exported in August 988 tons, and but 591 in September, but in October the output of the preceding month was nearly doubled, 1,160 tons leaving her shores, and in November 1,191 tons.

Another story comes from Italy: The five largest consumers of copper in that kingdom—Corradini, Naples; Schiapparelli, Turin; Unione, Genoa; Trafilirie and the Metallurgica, Leghorn—have all been embarrassed in their operations, some of them running intermittently, because copper bought by them was impounded at Gibraltar. Unione is the largest producer of copper sulphate in Italy, using annually from 6,000 to 7,000 tons of copper.

The steamer *Italia*, referred to in the list heretofore given, carried, among other items, 100 tons of Arizona pig copper—bessemerized, a quality suited to the manufacture of sulphate of copper—consigned by the United Metals Selling Co. for the account of Schiapparelli, Turin. It carried also 336,197 pounds consigned by the American Smelting & Refining Co. to their order and sold to the same purchaser. The first-mentioned lot, with two others of like amount, sold to two other Italian manufacturers, was released and forwarded. The other is still held at Gibraltar. The fact may not be without significance that

either it chanced that the United Metals Selling Co. sold, or it took the precaution to sell, through English merchants.

Notwithstanding the embargoes generally in force, ships will not take cargoes from American merchants without a certificate from the ambassador or minister of the country to which they are to go, upon cable advice from his home government, reciting that the copper is for neutral consumption. These annoying formalities seem to be unessential in the case of shipments ordered by English houses to be forwarded to neutral ports.

What is needed now is the release of every detained shipment against which a prima facie case of guilt can not be made out, carrying with it an assurance to the trade that so long as it is honest it is safe. The American people will be very patient with respect to the case or cases, so much talked of and written about, of copper bars concealed in cotton bales. The 9,000 tons of copper now at Gibraltar were not concealed in cotton bales. The consignments all showed on the ship's papers, in the regular and usual way, as did one unloaded at Marseille, likewise much advertised as being underneath a cargo of oats. Copper is convenient ballast, and goes regularly to the place where it will best subserve that purpose.

There will be very general satisfaction whenever any dishonest shipper, who resorts to the arts of the smuggler to introduce his wares into the forbidden territory, gets caught in the act. His activities naturally cast suspicion upon honest trade and subject it to more rigid and annoying search than would otherwise perhaps be made. But the practices of those who endeavor to conceal the true nature of their goods that they may surreptitiously find their way into a belligerent country have no bearing upon the question of the detention of wares such as those which are the subject of these remarks, with respect to which there is no claim that there was any effort at concealment. In the case of nearly all the recent seizures the departure of the cargo was made public through the official formalities of which mention has been made. The consignments were forwarded by firms of high standing in this country, as well as abroad, as they were in the case of every seizure listed, and to houses of equally high character in the countries to which they were respectively bound.

So our people will wait with patience the determination of the question as to whether copper can be made by the *ipse dixit* of any single nation absolute contraband. That question will arise in some case in which the proof establishes that the destination shown by the manifest and bills of lading was simulated, and that in fact it was Germany or Austria, but it does not appear that the prize was for warlike use. The claim that she may make it such is put forth in good faith by Great Britain, and we must await the slow process of law and diplomatic negotiation to try it out.

And so in every case in which a reasonable probability of a proscribed destination appears or a "vehement suspicion" is aroused, though Sir William Scott considered even that insufficient to justify confiscation, there will be no complaint on this side of the water and no commiseration for the shipper who sought to enrich himself by contraband traffic. So far as the determination of the case depends upon disputed questions of fact, his cause will be a private lawsuit in which the public have no particular concern. But it will be the duty of our Government, as I conceive it will be recognized as a duty by every Government among the family of nations outside of Great Britain, when the questions presented by these seizures are being solved, to bend every effort to maintain the integrity of the law governing neutral trade as it has been developed through three centuries of struggle for freedom. A further extension of the list of absolute contraband is announced in a proclamation just issued, as follows:

Ingredients of explosives, including nitric acid, glycerin, acetons, calcium acetate, and all other metallic acetates; sulphur, potassium nitrate, fractions of distillation products of coal tar between benzol and cresol, inclusive; aniline, methylaniline, dimethylaniline, ammonium, perchlorate, sodium perchlorate, sodium chlorate, barium chlorate, calcium nitrate, mercury.

Resinous products. Camphor and turpentine (oil and spirit).

Ferroalloys, including ferrotungsten, ferromolybdenum, ferromanganese, ferrovanadium, ferrochrome.

Tungsten, molybdenum, vanadium, selenium, cobalt, manganese, wolframite, scheelite, molybdenite, manganese ore, zinc ore, lead ore, bauxite.

Alumins and salts of aluminum.

Antimony, together with sulphides and oxides of antimony.

Copper, part wrought, and copper wire.

Submarine sound-signaling apparatus.

Tires for motor vehicles and for cycles, together with articles or materials especially adapted for use in manufacture or repair of tires.

Rubber, including raw waste and reclaimed rubber, and goods made wholly of rubber.

It is scarcely to be doubted that these lists are thus swelled in order to accomplish the economic ruin of Germany rather than because of the fact that the commodities included in them will be used, if imported, in the prosecution of the war.

Neutral rights will be reduced to a very shadow of their former selves if there shall eventually prevail the following rules proclaimed by the order in council of the 29th day of October, 1914, namely:

(i) A neutral vessel, with papers indicating a neutral destination, which, notwithstanding the destination shown on the papers, proceeds to an enemy port, shall be liable to capture and condemnation if she is encountered before the end of her next voyage.

(ii) The destination referred to in article 33 of the said declaration shall (in addition to the presumptions laid down in article 34) be presumed to exist if the goods are consigned to or for an agent of the enemy State.

(iii) Notwithstanding the provisions of article 35 of the said declaration, conditional contraband shall be liable to capture on board a vessel bound for a neutral port if the goods are consigned "to order" or if the ship's papers do not show who is the consignee of the goods or if they show a consignee of the goods in territory belonging to or occupied by the enemy.

(iv) In the cases covered by the preceding paragraph (iii) it shall lie upon the owners of the goods to prove that their destination was innocent.

And to this I beg the earnest attention of this body:

2. Where it is shown to the satisfaction of one of His Majesty's principal secretaries of state that the enemy Government is drawing supplies for its armed forces from or through a neutral country, he may direct that in respect of ships bound for a port in that country article 35 of the said declaration shall not apply. Such direction shall be notified in the London Gazette and shall operate until the same is withdrawn. So long as such direction is in force a vessel which is carrying conditional contraband to a port in that country shall not be immune from capture.

The bare fact that goods bound for a neutral port were consigned "to order" makes them subject to seizure, and unless the owner shall come forward and prove to a hostile court that their destination was innocent, they are subject to confiscation.

In the Nassau cases the fact that the bills of lading were made to "order or assigns" was adverted to with a multitude of other facts, all going to establish the simulated character of the voyage. Perhaps no one ever before thought that such a circumstance ought alone to shift the burden of proof. But it will be noted that the same paragraph makes conditional contraband liable to seizure if the consignee is in territory belonging to or occupied by the enemy. This rule obliterates all distinction between absolute and conditional contraband, save that in the case of the latter the owner may exculpate himself by showing a purpose to devote the goods to an innocent use. In practice it is as impossible, under such a rule, to carry on a traffic with a belligerent in conditional contraband as it is in absolute contraband, and it was intended that it should be. But under subdivision 2, above quoted, our commerce in foodstuffs, clothing, fabrics for clothing, including cottons of all kinds, hides, materials for telephones and telegraphs, with any neutral nation, is at the mercy and is now carried on with the gracious permission of any one of His Majesty's principal secretaries of state. Let me read it again:

2. Where it is shown to the satisfaction of one of His Majesty's principal secretaries of state that the enemy Government is drawing supplies for its armed forces from or through a neutral country, he may direct that in respect of ships bound for a port in that country article 35 of the said declaration shall not apply. Such direction shall be notified in the London Gazette, and shall operate until the same is withdrawn. So long as such direction is in force, a vessel which is carrying conditional contraband to a port in that country shall not be immune from capture.

Senators will understand that cotton as well as foodstuffs have been declared conditional contraband. All meats, all cereals are within that designation. Now, if one of the secretaries of state of the Government of Great Britain should declare that Germany is drawing supplies for its army from Italy every ship leaving our ports for an Italian port with any of those commodities—meat, grain, cotton—is subject to seizure and her cargo to confiscation.

Unless this declaration is a mere fulmination, intended to be held *in terrorem* over the nations of the earth who have no concern in the present titanic conflict except of infinite compassion for the afflicted peoples involved, it is time they should be awake to its supreme importance. A learned Italian writer, in a contribution to the press, appearing in our journals of Monday, December 28, 1914, breathing a most friendly spirit toward Britain, declared: "Strictly speaking, no foreign vessel can leave a port without England's consent." He asserts that though British naval supremacy has for more than a century ruled the world, "the weight of this rule has not been felt, as England used her power with moderation." On the 12th of September last the good ship *Nieuw Amsterdam*, of the Holland-American Line, from Rotterdam to New York, was directed by an auxiliary of the English fleet in the Channel to dismantle her wireless. She acquiescently complied. The officers of the Norwegian-American Line received a polite note that the open ocean

between Scotland and Iceland was dangerous, on account of mines, and that if they would only send their ships through the Channel (where they could be conveniently searched) the navy would send a pilot that like dangers there might be avoided. They understood and complied, though they took the risk of German mines in those waters, of the location of which, presumably, the English authorities were not well advised.

The neutral nations of the Continent have concluded that, on the whole, it would facilitate the entrance of goods into their ports if they laid an embargo on the exportation of contraband, obviously lest it should get to Germany.

I have not dwelt on the just causes of complaint given to our shippers of foodstuffs and cotton to neutral ports. I know nothing of them in detail, but I do know that there never was a day when shipments of cotton from our shores to any port should have been interrupted, save for the want of vessels in which to carry it, and there is no achievement in any arrangement by which they have been finally permitted to move.

No blockade has ever been declared, and yet it is notorious that such cotton as goes to Germany goes with the permission of England.

The Declaration of London expressly proclaimed what is the common sense of mankind, that cotton should not be declared contraband of war by any nation.

The epigrammatic observation of the Italian author referred to may be mere rhetoric. The British Government might well avoid a course calculated to make it appear as an offensive fact. There is no sentiment of hostility or animosity in the United States toward Great Britain, save in sporadic cases of no consequence, in the sum total of the national disposition. God grant that our relations may always remain friendly. The feeling engendered by the aggressions complained of is akin to the surprise and regret experienced by one who has been cruelly wronged by a friend and who remains confident that a personal explanation and candid conference will wipe out all differences and bring a speedy reparation. It is in this spirit the American people await the result of the well-timed note of the President to our ambassador to St. James.

REGULATION OF IMMIGRATION.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 6060) to regulate the immigration of aliens to and the residence of aliens in the United States.

The PRESIDING OFFICER (Mr. SWANSON). The pending question is on the amendment of the Senator from New Jersey [Mr. MARTINE], on which the yeas and nays have been ordered. The amendment will be stated for the information of the Senate.

The SECRETARY. On page 8, strike out lines 10, 11, and 12 and the word "Provided," in line 13, as follows:

All aliens over 16 years of age, physically capable of reading, who can not read the English language, or some other language or dialect, including Hebrew or Yiddish: *Provided.*

Mr. NORRIS. Mr. President, I am one who believes in the restriction of immigration. I know it is one of the principal objects of this bill to restrict immigration, and yet I regret very much that the method of restriction adopted in the bill seems to be the only one to which we will be permitted to give serious consideration. It seems to me that those who are behind the bill have adopted a method of restriction that is to a great extent obnoxious; at least it seems that way to me.

I dislike very much to restrict immigration by prohibiting immigrants otherwise qualified from entering our ports on the ground of the test provided in the bill or any similar test. The Immigration Commission that for several years gave a great deal of attention and study to this question—and I presume have given us more detailed information of the subject than was ever gathered together before in the history of the world—have suggested various methods by which immigration could be restricted.

I am not going to enter, Mr. President, upon any argument or discussion as to why I am in favor of restricting immigration. That is a question upon which a great deal might be said both ways. For the present, in the few remarks that I shall make, I content myself with the simple statement that, agreeing, as I believe I do, with a very vast majority of the American people and of the Representatives both in this body and in the House, I believe we ought, for our own benefit and the good of posterity to restrict immigration. That that has been the idea of the commission and of Congress I believe there can be no doubt. But the illiteracy test has been adopted, and while it is conceded by those who advocate it that it will often result in great injustice and that it is arbitrary in its nature, yet the results accomplished will be the same as though other methods were adopted. I presume it is true that the results obtained will restrict immigration. That the application of this test will restrict immigration and that it may be the means of keeping out immigrants whom it would be desirable to keep out by any other test I have no doubt. Yet it is grating on my conscience to prevent an immigrant from landing on our shores simply because he can neither read nor write.

The commission, as I said, suggested several methods by which immigration could be restricted. I wish to read them. Beginning on page 47 of volume 1 of the report of the commission, they are as follows:

1. The exclusion of those unable to read or write in some language.
2. The limitation of the number of each race arriving each year to a certain percentage of the average of that race arriving during a given period of years.
3. The exclusion of unskilled laborers unaccompanied by wives or families.
4. The limitation of the number of immigrants arriving annually at any port.
5. The material increase in the amount of money required to be in the possession of the immigrant at the port of arrival.
6. The material increase of the head tax.
7. The levy of the head tax so as to make a marked discrimination in favor of men with families.

Those who have drafted this bill have selected the first method designated by the commission. In my judgment, they ought to have selected the second method, to wit:

The limitation of the number of each race arriving each year to a certain percentage of the average of that race arriving during a given period of years.

While I am not an expert, and have not given nearly as much attention to the subject as others, particularly those who were members of the commission, in conversation with members of the commission who have made this very exhaustive study I am informed that the second method suggested would result, first, in limiting immigration to the same extent as it will be limited by the first suggestion and the one adopted in the bill; and, second, that it would keep out the same class of people, immigrants coming from the same sources, as will be kept out by the illiteracy test.

We have several exceptions in the bill, but there is one in particular of which I want to speak. It is that those who are escaping or attempting to escape from religious persecution, if otherwise qualified under the bill, shall not be excluded on account of the illiteracy test. I voted for each of the several amendments that have been voted on to-day to include in that exception other designated classes of people. To my mind there can be no logical reason given why we should permit a man to land because he is escaping or seeking to escape from religious persecution and yet exclude the man or the woman who is trying to escape from political persecution. It seems to me that to be logical we ought to exclude them both or include them both. For my part I should like to permit both those classes to land.

As I said, I voted for that amendment and the others similar to it that gave the measure a larger scope; but inasmuch as I favor the limitation of immigration and believe in limiting it, and having, as I believe, voted for and resorted to all the methods permitted under parliamentary procedure to bring about the admission of such classes as I believe ought to be exempted from the test and having failed, I can not bring myself to the conclusion that I ought to support the pending amendment offered by the Senator from New Jersey, because that would, in effect, eliminate, as I understand it, the real object of the bill, which is to restrict immigration.

I felt, Mr. President, that I ought to make this much of an explanation, inasmuch as I voted for the other amendments and intend to vote against this one. I shall vote against taking the test out of the bill, because it seems to be the only thing in the bill that will restrict immigration. I believe it will have the effect of keeping out undesirable people, although I very much dislike to resort to that method to keep them out, and I would not do it if there were any parliamentary or legislative escape from such a course.

The PRESIDING OFFICER. The yeas and nays have been ordered on the amendment of the Senator from New Jersey [Mr. MARTINE], and the Secretary will call the roll.

The Secretary proceeded to call the roll.

Mr. FLETCHER (when his name was called). I announce my general pair as before and its transfer to the Senator from Tennessee [Mr. SHIELDS]. I vote "nay."

The roll call was concluded.

Mr. JAMES. I transfer my general pair with the junior Senator from Massachusetts [Mr. WEEKS] to the junior Senator from Kansas [Mr. THOMPSON] and vote. I vote "nay."

Mr. REED (after having voted in the affirmative). I voted without announcing the transfer of my pair. I make the same announcement that I made on previous votes.

I desire to state that my colleague [Mr. STONE] is necessarily absent from the city, being detained by illness in his family. This announcement may stand for the day.

Mr. OVERMAN. I was requested to announce that the Senator from Virginia [Mr. MARTIN] is absent on account of sickness in his family. He is paired with the senior Senator from Illinois [Mr. SHERMAN]. If the Senator from Virginia were present, he would vote "nay" on this amendment.

Mr. CRAWFORD. I will transfer my general pair with the senior Senator from Tennessee [Mr. LEA] to the senior Senator from Pennsylvania [Mr. PENROSE] and vote. I vote "nay."

Mr. CLARK of Wyoming. I desire to announce the unavoidable absence of my colleague [Mr. WARREN], who is detained from the city on important business. If he were present, he would vote "yea."

I also desire to announce my own pair with the senior Senator from Missouri [Mr. STONE]. In his absence I withhold my vote.

Mr. DILLINGHAM. I inquire if the senior Senator from Maryland [Mr. SMITH] has voted?

The PRESIDING OFFICER. He has not.

Mr. DILLINGHAM. Having a pair with that Senator I transfer it to the Senator from Idaho [Mr. BRADY] and vote "nay."

Mr. WALSH. I wish to announce that the Senator from Delaware [Mr. SAULSBURY] is necessarily absent from the Senate. He is paired with the Senator from Rhode Island [Mr. COLT].

Mr. NORRIS. I was requested to announce that the senior Senator from Kansas [Mr. BRISTOW], who is unavoidably absent, would vote "nay" if present. He is paired.

Mr. BORAH. I desire to state that if my colleague [Mr. BRADY] were present he would vote "nay."

The result was announced—yeas 12, nays 47, as follows:

YEAS—12.

Brandegee	Lewis	McLean	Ransdell
Clarke, Ark.	Lippitt	Martine, N. J.	Reed
La Follette	McCumber	O'Gorman	Walsh

NAYS—47.

Ashurst	Gronna	Oliver	Smith, Ga.
Borah	Hardwick	Overman	Smith, S. C.
Bryan	Hughes	Page	Smoot
Burton	James	Perkins	Sterling
Chamberlain	Johnson	Poindexter	Sutherland
Clapp	Jones	Pomerene	Swanson
Crawford	Kern	Robinson	Thomas
Cummins	Lane	Root	Thornton
Dillingham	Lodge	Shafroth	Townsend
Fletcher	Myers	Sheppard	White
Gallinger	Nelson	Simmons	Williams
Gore	Norris	Smith, Ariz.	

NOT VOTING—37.

Bankhead	du Pont	Owen	Stone
Brady	Fall	Penrose	Thompson
Bristow	Goff	Pittman	Tillman
Burleigh	Hitchcock	Saulsbury	Vardaman
Camden	Hollis	Sherman	Warren
Catron	Kenyon	Shields	Weeks
Chilton	Lea, Tenn.	Shively	Works
Clark, Wyo.	Lee, Md.	Smith, Md.	
Colt	Martin, Va.	Smith, Mich.	
Culberson	Newlands	Stephenson	

So the amendment of Mr. MARTINE of New Jersey was rejected.

Mr. REED. I move to amend the bill by adding, after line 9, on page 8, the following:

All aliens not of the Caucasian race.

If that language is adopted, the bill will read:

That after four months from the approval of this act, in addition to the aliens who are by law now excluded from admission into the United States, the following persons shall also be excluded from admission thereto, to wit:
All aliens not of the Caucasian race.

The PRESIDENT pro tempore. The question is on the adoption of the amendment offered by the Senator from Missouri.

Mr. REED. Mr. President, there has been a great deal said in the Senate about the purpose of this bill. It has been frankly avowed by its sponsors that it is intended as an exclusion bill. They have disavowed any purpose, however, to exclude the peoples of northern Europe, who they declare to be qualified by every test, including the literacy test, for citizenship in the Republic. They undertake to justify the literacy test by claiming that the application of the literacy test will largely exclude certain undesirable races who come from Asia, and a great deal of the sentiment in favor of this bill is engendered by the fact that there have come to our shores in recent years people who belong to races that we all recognize are of an entirely different civilization from ours.

There has been a considerable immigration into the United States very recently of black-skinned people; there has been some considerable immigration of people belonging to the Malaysian races. Those people will never amalgamate themselves into the body of the American population, in my opinion. If this amendment is accepted, I intend to follow it by other amendments, each to be passed upon, of course, upon its own particular merits, directly excluding the inhabitants of all those countries who by civilization and by nature are alien to our civilization and to our system of government. And that, Mr. President, in my judgment, is the way this bill of exclusion ought to be drawn.

Mr. ROBINSON. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Missouri yield to the Senator from Arkansas?

Mr. REED. I do.

Mr. ROBINSON. Has the Senator from Missouri considered the effect of his amendment upon treaties heretofore ratified by the Senate with certain foreign nations? Has he taken into consideration, further, the fact whether this would constitute an abrogation of some of the treaties now existing?

Mr. REED. Yes, Mr. President, I have taken into consideration the fact that we have certain treaties that would necessarily be amended if this provision were written into the bill; but if we have made certain bad treaties we must take the first step if they are ever to be abrogated. If we are now to reverse all of the principles which have been a part of our public policy for a hundred years and in consonance with which those treaties were made; if, instead of opening the doors of this country and making this an asylum for the oppressed of other lands, we are to close the doors and adopt a policy of exclusion, then we ought to adopt that policy bravely and courageously, and we ought to state it to the world, taking the consequences, and modifying our treaties, if necessary, to conform to the new policy.

Mr. HARDWICK. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Missouri yield to the Senator from Georgia?

Mr. REED. I yield to the Senator from Georgia.

Mr. HARDWICK. Suppose those treaties provide that certain notice shall be given before they are either abrogated or amended, would it not be our duty to give that notice before we undertook to abrogate them in this offhand manner?

Mr. REED. Well, Mr. President, I think there are none of them that can not be changed within the four months' period limited in this bill.

Mr. HARDWICK. If the Senator from Missouri will pardon me, the point I want to get at is, has the Senator looked into that question to see for what notice those treaties themselves provide?

Mr. REED. Not into all of them. We can cross that bridge when we come to it. If we find on an examination of the treaties that we must give a little longer notice, we can provide it before we are through the discussion of this bill.

Let no one undertake to avoid the responsibility of a vote upon this principle, because there may be six or seven months' more notice necessary to be given than is provided for by the provision of the bill, which is four months—for that much time is allowed—because, if that is the reason, we can very readily extend the period when we come to that clause in the bill. I am very anxious to know whether the sponsors for this bill really mean to go up and face the question of exclusion. I am willing to go with them in the best of faith, for I have believed for many years that there were certain tribes on this earth that ought not to be permitted to come to this country at all. So, Mr. President, I offer this amendment, and upon it I ask for the yeas and nays.

The PRESIDENT pro tempore. The question is on the adoption of the amendment offered by the Senator from Missouri, upon which he asks for the yeas and nays. Is the call for the yeas and nays sustained?

Mr. SMITH of Georgia. I ask that the Secretary again state the amendment.

The PRESIDENT pro tempore. The amendment proposed by the Senator from Missouri will be stated.

The SECRETARY. On page 8, after line 9, it is proposed to insert the words:

All aliens not of the Caucasian race.

Mr. POINDEXTER. Mr. President, in connection with the amendment offered by the Senator from Missouri [Mr. REED] I present, and ask leave to have listed as a petition, a letter from a citizen of the State of Washington, including certain newspaper articles, pointing out the agricultural and industrial competition of the Japanese race in the State of Washington. It is pertinent to the amendment which has just been proposed by the Senator from Missouri. While presenting this letter and the articles, which I do not ask to have printed in full——

The PRESIDENT pro tempore. Does the Senator from Washington desire to have them printed in the RECORD?

Mr. POINDEXTER. I do not. I simply present the letter as a petition, and say that I hope the amendment offered by the Senator from Missouri will be adopted.

Mr. CRAWFORD. Mr. President, it seems to me that an amendment like this, if it is really to be acted upon by the Senate with any possibility of its receiving a majority vote of this body, ought to receive more consideration before a roll call is had upon it than has been given to it here now. I may be attaching undue importance to the amendment, but, in my opinion, its gravity, should it be seriously considered and acted upon here, its possible consequences, are such that all the rest of the bill would become comparatively insignificant, and so I hope that we are not in a sort of hasty, flippant way going to call the roll upon so important an amendment as this.

Mr. President, I do not know where the little volume came from, but a few days ago I found a book on my desk which contained a symposium of monographs written by leading representatives of the Japanese Empire. I have read all of them. I do not know when I have read in recent years a series of statements that have so profoundly impressed me as did those. Their broad intelligence, and even generous spirit, the insight that the writers of those various monographs have into these very complicated questions, not only from their standpoint and within their environment and provincialism, but also from ours, were a revelation to me, and the broad kindliness, the comprehensive intelligence displayed, the spirit, and the attitude were such that it seems to me we would be meeting it in a very meager way here by a hasty vote upon such a proposal as this. I hope the matter will be seriously considered if there is any possibility of its receiving substantial support.

Mr. LODGE. Mr. President, I think before passing on this amendment it would be well to note precisely what is meant by "Caucasian." What races would the amendment exclude? There are some races in Europe, I think, that would not come under the definition of "Caucasian," and I think it is important for us before we adopt an amendment of this sweeping character to know just what class of immigrants would be excluded. Perhaps the Senator from Missouri can enlighten us.

Mr. SMITH of South Carolina. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Massachusetts yield to the Senator from South Carolina?

Mr. LODGE. Certainly.

Mr. SMITH of South Carolina. I should like to make a brief statement as chairman of the committee. The committee, under all of the circumstances in perfecting this bill, both in its selective and restrictive features, have gone just as far in accordance with our treaties and in accordance with our customs as they thought it was good policy to go.

I hardly think it would be pertinent at this time, if it would be pertinent at any time, to introduce an amendment of this sort, in view of the terrible conditions that exist in those countries from which a large proportion of our immigration comes, and running, as it does, in direct conflict with treaty stipulations. I do not think that the time of the Senate should be taken up with a complication such as this would give rise to. In view of the fact that the major part of the debate has been to the effect that the bill is too restrictive, it seems strange that it is now proposed by one fell swoop to let in a few on one side and exclude all the poor, suffering, and downtrodden human beings that we have heard so much about on the other.

Mr. LODGE. Mr. President, I call attention to what is said in the dictionary as illustrating what I meant. I was not myself prepared to say offhand what peoples the insertion of the word "Caucasian" would include or exclude; but I note under the heading of "Finns"—and we have a great many Finns in this country, and they are a very excellent immigration—the following definition:

A branch of the Mongolian race, inhabiting northern and eastern Europe, including the Magyars, Bulgarians, Permians, Lapps, and Finlanders.

This amendment would exclude Magyars, who compose the best half of the population of Hungary, and would exclude the Finns and the Bulgarians. Of course it would keep out most of the Mexicans except a few of Spanish blood, including Villa. [Laughter.] That last statement I do not offer as an objection; but I do call attention to these European races, of whom we have many in this country to-day, who for the most part are excellent citizens. We surely do not want to make a sweeping provision of this sort that would exclude them under the technical definition of the dictionary.

Mr. REED. Mr. President, does the Senator mean to say that the dark-skinned races who have migrated to this country are mostly good citizens?

Mr. LODGE. No; I referred to the Finns, to the Magyars, and to the Bulgarians, of whom there are many in this country.

Mr. REED. The Senator says they make good citizens?

Mr. LODGE. That is my impression, from what I have seen of them.

Mr. REED. Now, if they make good citizens, why has this bill so carefully been drawn to exclude foreigners? If those people make good citizens, then, surely, nearly all——

Mr. LODGE. The bill does not exclude them. The Finns, I may say, incidentally, have about the lowest percentage of illiteracy of any people who come here.

Mr. REED. Mr. President, the Standard Dictionary gives this definition of "Caucasian":

A member of the white division or branch of the human species; one of the anthochroic or melanochroic groups—

I frankly say I do not understand that. I would have to follow it up; but I do understand this language—

including nearly all Europeans, both Semitic and Aryan; an Indo-European.

It is proposed to exclude those races who do not belong to that class of human beings known as Caucasian. "Caucasian" includes substantially all of the European races, according to this author.

Mr. LODGE. Nearly all?

Mr. REED. Nearly all.

Mr. LODGE. But it excludes those of whom I have just read from the dictionary.

Mr. REED. I am not in favor of permitting to come into this country to become a part of our citizenship any kind of people except white people. The statement was made here a moment ago in some side remarks that there was an effort being made now to restrict immigration by those who have been opposed to restriction. The statement has been made repeatedly on this floor by those who have opposed the literacy test that they did not regard that as a proper test; that they were in full accord with the thought of excluding undesirables; but that it did not follow because a man could not read and write that he was an undesirable; and the statement has been made repeatedly by some of us, at least, that we were willing absolutely to exclude undesirable races—those people who by habits of thought, by the very character of their civilization, by all the laws of heredity, by disposition, and by education, belong to a class of people who never can in the proper sense of the word become citizens of a Republic.

No one desires to say anything, particularly upon this floor, of a harsh nature regarding the Chinese; yet they were excluded as a race. They were excluded because we believed they were incapable of becoming factors of strength in the American Republic. The reason which is back of the limitation as to the Chinese applies to all of the other races that are not included within the term "Caucasian." I undertake to say that the Finn is of the Caucasian race. He is a white man.

Mr. SMITH of Georgia. Surely the Bulgarian is.

Mr. REED. The Bulgarian is. The Hungarian is, although there may be a proportion of the population of Hungary that are so nearly of the direct blood of the Huns, who overran that country many centuries ago, that it is possible that part of the population of Hungary might be excluded. This, of course, would include the Japanese.

I say, again, that if there is any difficulty about the treaties I will cooperate in a further amendment postponing the operation of this clause until a sufficient time shall have elapsed under our treaties so that they may be changed in accordance with their terms; but I say now that it is my opinion that this bill as it is now drawn violates the spirit, if not the letter, of many of our treaties.

This tenderness for treaties is not the trouble here to-day, in my judgment. It is because we prefer to do by indirection that which we have not the courage to do by direction. We propose to pass an exclusion bill, but to do it not as an exclusion bill but by means of an educational test.

Mr. ROOT. Mr. President, without going into the broader merits of this proposal, we may assume that the terms used in the amendment are not safe terms of legal definition.

The amendment affects our relations with many countries, and to legislate in terms of which we have not a clear and definite understanding would be most unfortunate. The ordinary sense of the word "Caucasian" certainly does exclude many persons whom the Senator from Missouri does not intend to exclude. Even if, after mature deliberation, we were of the opinion that the races that would be included in this amendment upon any definition should be excluded, and had satisfied ourselves by clear and definite terms adapted to accomplish that purpose, nevertheless the purpose should be accomplished after having examined the treaty obligations which we have to the many nations that would be affected, and after having adapted our legislation to accomplish our purpose without the violation of

obligations or the wounding of feelings or the causing of resentment; not in this way, by a sweeping amendment, couched in indefinite terms, proposed and acted upon within but a very few minutes.

The PRESIDENT pro tempore. The Senator from Missouri calls for the yeas and nays.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. CLARK of Wyoming (when his name was called). I have a general pair with the senior Senator from Missouri [Mr. STONE]. In the absence of that Senator I withhold my vote.

Mr. CRAWFORD (when his name was called). I transfer my pair with the senior Senator from Tennessee [Mr. LEA] to the senior Senator from Pennsylvania [Mr. PENROSE] and will vote. I vote "nay."

Mr. O'GORMAN (when his name was called). I have a general pair with the senior Senator from New Hampshire [Mr. GALLINGER]. In his absence I withhold my vote.

Mr. REED (when his name was called). I make the same transfer that I have made on previous votes and vote "yea."

The roll call was concluded.

Mr. JAMES. I transfer my general pair with the junior Senator from Massachusetts [Mr. WEEKS] to my colleague, the junior Senator from Kentucky [Mr. CAMDEN], and will vote. I vote "nay."

Mr. DILLINGHAM. I observe that the senior Senator from Maryland [Mr. SMITH] is not here. I transfer my pair with that Senator to the junior Senator from Idaho [Mr. BRADY] and vote "nay."

Mr. LODGE. My colleague [Mr. WEEKS] is absent and paired as has just been announced; but if present, on this question he would vote "nay."

The result was announced—yeas 9, nays 47, as follows:

YEAS—9.

Hardwick	Martine, N. J.	Reed	Thomas
Jones	Poindexter	Smith, Ga.	Vardaman
Lane			

NAYS—47.

Ashurst	Gore	Norris	Smith, S. C.
Borah	Gronna	Oliver	Smoot
Brandegee	Hughes	Overman	Sterling
Bryan	James	Page	Sutherland
Burton	Johnson	Perkins	Swanson
Chamberlain	Kenyon	Pomerene	Thornton
Clapp	Kern	Robinson	Townsend
Clarke, Ark.	Lee, Md.	Root	Walsh
Crawford	Lodge	Shafroth	White
Cummins	McLean	Sheppard	Williams
Dillingham	Myers	Simmons	Works
Fletcher	Nelson	Smith, Ariz.	

NOT VOTING—40.

Bankhead	du Pont	McCumber	Shields
Brady	Fall	Martin, Va.	Shively
Bristow	Gallinger	Newlands	Smith, Md.
Burleigh	Goff	O'Gorman	Smith, Mich.
Camden	Hitchcock	Owen	Stephenson
Catron	Hollis	Penrose	Stone
Chilton	La Follette	Pittman	Thompson
Clark, Wyo.	Lea, Tenn.	Ransdell	Tillman
Colt	Lewis	Saulsbury	Warren
Culberson	Lippitt	Sherman	Weeks

So Mr. REED's amendment was rejected.

Mr. REED. Mr. President, I move to amend the bill by adding, after the ninth line on page 8, the following:

All members of the African or black race.

On that I ask for the yeas and nays.

Mr. WILLIAMS. Mr. President, before the yeas and nays are granted upon that amendment I wish to say a few words.

When the immigration bill was up in the last Congress I offered an amendment precisely to the intended effect of this one. We are beginning to receive now some very undesirable immigration of the African race from the West Indies. A great many Jamaican negroes have been employed upon the Panama Canal; and after the termination of that work, having become accustomed to American wages, which they received down at Panama, a great many more of them begin to come to the Gulf ports. Florida and Louisiana have already received a considerable proportion of African immigration from the French and English West Indies; that is to say, immigration of West Indians who are wholly or partly Africans in race.

When this bill was up before I gave the statistics and showed how this West Indian negro immigration was increasing from year to year. Now, I am very much in favor of this bill. I am very much in favor of the principle which this bill represents. I am very much in favor of excluding undesirable immigrants from the United States. You have already a law whereby you exclude Chinese. Chinese are as much superior to negroes as can be, almost. You have a gentlemen's agreement with Japan by means of which you exclude Japanese.

A moment ago, when the Senator from Missouri offered his amendment excluding "all not of the Caucasian race," I voted against it, of course, because everybody who knew what the word "Caucasian" meant knew that it did not mean white, or it did not mean excluding undesirable and admitting desirable races. It would have excluded the Finns; it would have excluded the Laplanders; it would have excluded the Magyars, or what we call the Hungarians; it would have excluded a good many other people of European race, and it would have excluded some white people who are in Asia.

But I say now that you can not have free institutions grounded upon anything in the world except a homogeneous race. You can try it all you please, but you simply can not have it. You have got to have a population which is at least potentially assimilable in lawful wedlock. If you do not have a population all elements of which are potentially assimilable in lawful wedlock, then you have in the very midst of the Republic a disintegrating force, undemocratic, unrepublican. You will have your choice, in certain sections of the country overpopulated by these heterogeneous elements, between either sacrificing your civilization to them or sacrificing your democracy to prevent them from sacrificing your civilization.

We already have negroes enough in the South. We do not want any more. I, for one, would be very glad if there were some scheme whereby, without injuring them in any degree, without doing them injustice in any degree, they could go somewhere else, of their own free accord, and to that extent solve this great problem.

Mr. President, there is another thing: The West Indian negro, as a rule, is a man who is accustomed to political and social equality, because the races intermarry in the West Indian Islands; and every West Indian negro who comes to the South comes with that idea in his mind and becomes a source of race conflict and a source of race oppression upon the white man's part, or an invitation and temptation to it, which is as bad for the white man as it is for the negro. The worst thing about having a lot of people together in the same community where one race insists upon its superiority is not the oppression of the inferior, but it is the invitation to tyranny upon the part of the superior. Whether that be the greatest trouble or not, it is at least a trouble equal to the other one.

I thought I would make these few remarks because I intended later on to introduce an amendment which would prohibit the immigration into this country of foreign-born negroes, as you have already prohibited the immigration of Chinese, infinitely superior to Africans, and as you have already, by a gentleman's agreement at any rate, substantially put an end to Japanese immigration.

The Japanese has proven himself, in arts of peace and in arts of war, the equal of the white man; yet we exclude him, and I think we are right in doing it, and I think Japan is right in recognizing our right to do it, because it is not a question of superiority and inferiority; it is a question merely of unassimilability—of racial difference so great that assimilability in wedlock is not to be expected.

Mr. SUTHERLAND. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Mississippi yield to the Senator from Utah?

Mr. WILLIAMS. Yes.

Mr. SUTHERLAND. I sympathize with a good deal that the Senator from Mississippi has said, and I wish to ask him a question. Can the Senator tell us whether or not there are any immigrants of the class he mentions now coming into the country?

Mr. WILLIAMS. Oh, yes. I placed in the RECORD, when this bill was up before, the reports on the subject. This debate takes me by surprise to-day, and I do not remember them, but I placed them in the RECORD. While there is not a very vast multitude of them who have come thus far, they have been increasing very rapidly from a small beginning; and we may expect, after the laborers on the Panama Canal have lost their places, to receive a still larger increase upon the increase than we have had of an increase upon the original immigration.

Mr. SMITH of South Carolina. Mr. President——

Mr. SUTHERLAND. There is one other question I want to ask the Senator.

The PRESIDENT pro tempore. Does the Senator from Mississippi yield to the Senator from South Carolina?

Mr. WILLIAMS. I have yielded to the Senator from Utah, and until he is through I can not yield to any other Senator. Then I will yield to the Senator from South Carolina.

Mr. SUTHERLAND. I have not quite concluded. Another question I desired to ask the Senator was whether or not the undesirable immigrants of whom the Senator speaks would not be excluded under the illiteracy test?

Mr. WILLIAMS. A great number of them; a majority of them; I think in most of the islands over half, and in the English islands very nearly half. Again I am sorry that I have not the exact figures.

Mr. SMITH of South Carolina. Mr. President——

Mr. SUTHERLAND. Just a moment. Does not the Senator think that in view of the illiteracy test contained in this bill the number of negroes who could be admitted would be negligible?

Mr. WILLIAMS. No; not negligible. I think the number of negroes that could be admitted and would be admitted would be very materially decreased by the literacy test.

Mr. DILLINGHAM. Mr. President——

Mr. WILLIAMS. Very materially indeed; over half, I believe.

Mr. SMITH of South Carolina. Mr. President——

The PRESIDENT pro tempore. The Senator from Mississippi declines to yield at present.

Mr. WILLIAMS. But the others, owing to the peculiar conditions in the South, would be the flame carriers.

Mr. SMITH of South Carolina. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Mississippi now yield to the Senator from South Carolina?

Mr. WILLIAMS. I yield to the Senator from South Carolina.

Mr. SMITH of South Carolina. I have before me the figures on the African race furnished up to June 30, 1914, the end of the fiscal year, by the Immigration Department for the whole United States, giving as well the number of illiterates that came. The whole number for the fiscal year ending June 30, 1914, was 8,447; the number of illiterates was 1,805; the percentage of illiteracy was 23.3.

This is what I was attempting to give when the Senator from Utah was interrogating the Senator from Mississippi, in order that we might understand clearly just what is the situation with regard to that matter.

Mr. WILLIAMS. Mr. President, having heard those figures, I confess myself somewhat surprised. My own impression was that a majority of the West Indian negroes could not read. It seems from this that only 23 per cent of those of them who came into the United States could not read. That is perhaps owing to the fact that the very best element—I mean by that the intellectually highest element—of the West Indian negroes comes to the United States, rather than the most inferior of them. I know that that percentage of illiteracy does not prevail in the West Indies themselves, where it is higher than 23 per cent.

The Senator will find, if he will go further into those figures, if he has them all before him, that since this immigration started in it has increased; and while the number of those who are coming now is not very large, as I said a moment ago, the increase each semidecade is a considerable percentage.

Mr. SUTHERLAND. I understand from the figures just quoted by the Senator from South Carolina that there were admitted into the United States something over 6,000——

Mr. SMITH of South Carolina. Eight thousand.

Mr. SUTHERLAND. I had not finished—something over 6,000 negroes who would not be excluded under the illiteracy test.

Mr. WILLIAMS. Yes; and that would be 77 per cent of the entire African West Indian immigration that came during the year the Senator quoted, whatever that year was.

Mr. SUTHERLAND. If the Senator will permit me just another word before I take my seat, so far as I am concerned I do not want to see the negro problem in this country added to; and for that reason I shall vote in favor of the amendment proposed by the Senator from Missouri.

Mr. WILLIAMS. Mr. President, I am glad to hear that. Twenty-odd years ago, in the House of Representatives, when the people of the Pacific slope came to Congress to stop Chinese immigration into the United States, I said to them: I am going to vote with you. Whenever we have asked your sympathy, you have denied it to us. When we have asked you for bread, you have given us a stone. When we have told you that we were of one blood with you, you have practically denied it by your conduct. You have undertaken to put an inferior race upon an exactly equal footing with us politically. You have done that as far as you could, and you have gone further, and you have sought to put them socially upon an equality with us.

"Now, independently of the question of superiority or inferiority," I then said, "there is a difference, which Lincoln recognized and which every man of sense must recognize, that prevents assimilability in lawful wedlock; and that is the key to this problem. If that does not exist, there can not be homogeneousness of race; there can not be homogeneousness of purpose; there can not be homogeneousness of ideals; and there can not be a common patriotism. There may be a dual patriotism, but it can not be a common one."

I said then: "Notwithstanding the manner in which you have treated us year after year, I do not propose to inflict you with a race problem like that from which my people have unavailingly sought to free themselves." I did not blame them, because they had not put the problem upon us. It was the common crime of a Yankee negro-selling and a southern negro-buying ancestry. I have never contended that the southern negro-buying ancestor was a bit less guilty than the northern negro-selling ancestor; but it was a problem upon which it seemed to me we could appeal to white men of a common ancestry everywhere throughout the United States, and especially to those on the Pacific slope and in the Rocky Mountain States. We of the South could say to them: "We are of the same blood. We are of the same race. We are of the same traditions. We are of the same ideals. We have the same family Government, which no other race knows except ourselves." We are one. Whether we be Italians or French or Germans or English or Scoteh or Irish or Swedes or Norwegians in our white ancestry, we are one; but the minute these other people come in we so-called Americans become two or three or four—whatever it may happen to be. And that is not all. We are not only two or three or four when they come, but we remain two or three or four forever, because no matter how long these unassimilable races are here, we never become one, and can not become one without sacrificing things of great importance, without lowering our very race itself—not its standard, not merely its thought and its civilization, but its blood itself.

I sought to get an amendment almost identically the same upon the last immigration bill, and proposed to offer it at this time later on, and had mentioned it to some of my friends; but the Senator from Missouri has offered it in this shape, and I want to vote for it, although I think it could be better worded.

I say, gentlemen, you can not stand consistently before the American people and tell them that you vote for Chinese exclusion while you vote for African admission, when you know and I know and they know that the Chinaman is of a very superior race to the African.

The PRESIDENT pro tempore. The Senator from Missouri [Mr. REED] calls for the yeas and nays on the pending question.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. CLARK of Wyoming (when his name was called). Again announcing my pair with the senior Senator from Missouri [Mr. STONE], who is unavoidably absent, I withhold my vote.

Mr. DILLINGHAM (when his name was called). I have a general pair with the senior Senator from Maryland [Mr. SMITH], which I transfer to the Senator from Idaho [Mr. BRADY], and vote "nay."

Mr. HOLLIS (when his name was called). I announce my pair with the junior Senator from Maine [Mr. BURLEIGH] and withhold my vote.

Mr. JAMES (when his name was called). Making the same transfer as upon the last roll call, I vote "yea."

Mr. REED (when his name was called). I wish to announce the transfer of my pair with the Senator from Michigan [Mr. SMITH] to the Senator from Alabama [Mr. BANKHEAD]. I vote "yea."

Mr. TOWNSEND (when the name of Mr. SMITH of Michigan was called). I desire to announce that the senior Senator from Michigan [Mr. SMITH] is paired with the junior Senator from Missouri [Mr. REED], and that if the senior Senator from Michigan were present he would vote "nay" on this proposition.

Mr. WALSH (when his name was called). I am paired with the Senator from Rhode Island [Mr. LIPPITT] and in his absence refrain from voting.

I wish to announce that the Senator from Delaware [Mr. SAULSBURY] is necessarily absent and that he is paired with the Senator from Rhode Island [Mr. COLT].

The roll call was concluded.

Mr. CRAWFORD. I have a general pair with the senior Senator from Tennessee [Mr. LEA] and withhold my vote.

Mr. GALLINGER (after having voted in the negative). I observe that my pair, the junior Senator from New York [Mr. O'GORMAN], has not voted. I transfer my pair with that Senator to the senior Senator from Pennsylvania [Mr. PENROSE] and allow my vote to stand.

I wish to announce that the Senator from Wisconsin [Mr. STEPHENSON], who is necessarily absent, is paired with the Senator from Indiana [Mr. SHIVELY].

Mr. LODGE. My colleague [Mr. WEEKS] is absent and his pair has been announced. I desire to state that if my colleague were present he would vote "nay" on this amendment.

Mr. WILLIAMS. Before the vote is announced I wish to say that I have a standing pair with the Senator from Pennsylvania [Mr. PENROSE]. I forgot to make the announcement, but considered myself at liberty to vote in consequence of a telegram which I explained on the last vote. I ask that the announcement I made then may stand for the balance of the day to prevent me from going through with this statement every time.

Mr. OLIVER. In view of the statement just made by the Senator from Mississippi [Mr. WILLIAMS], I desire to state that by the transfer of the pair of the senior Senator from New Hampshire [Mr. GALLINGER] my colleague [Mr. PENROSE] stands paired with the junior Senator from New York [Mr. O'GORMAN].

The result was announced—yeas 29, nays 25, as follows:

YEAS—29.

Ashurst	Johnson	Sheppard	Thornton
Borah	Kern	Simmons	Vardaman
Bryan	Lee, Md.	Smith, Ariz.	White
Chamberlain	Martine, N. J.	Smith, Ga.	Williams
Clarke, Ark.	Myers	Smith, S. C.	Works
Fletcher	Overman	Sterling	
Hardwick	Poindexter	Sutherland	
James	Reed	Swanson	

NAYS—25.

Brandegee	Hughes	Nelson	Shafroth
Burton	Jones	Norris	Smoot
Clapp	Kenyon	Oliver	Thomas
Cummins	Lane	Page	Townsend
Dillingham	Lewis	Perkins	
Gallinger	Lodge	Pomerene	
Gronna	McLean	Robinson	

NOT VOTING—42.

Bankhead	du Pont	Newlands	Smith, Md.
Brady	Fall	O'Gorman	Smith, Mich.
Bristow	Goff	Owen	Stephenson
Burleigh	Gore	Penrose	Stone
Camden	Hitchcock	Pittman	Thompson
Catron	Hollis	Ransdell	Tillman
Chilton	La Follette	Root	Walsh
Clark, Wyo.	Lea, Tenn.	Saulsbury	Warren
Colt	Lippitt	Sherman	Weeks
Crawford	McCumber	Shields	
Culberson	Martin, Va.	Shively	

So Mr. REED's amendment was agreed to.

Mr. MARTINE of New Jersey. Mr. President, while the Senate is wrestling with these problems of immigration I have this comforting news to proclaim to the men who are so opposed to immigration. In the Evening Star of to-day I find the following:

Immigration drops; more aliens quit United States—

Rejoice! Rejoice!

New York shows 45 per cent fewer incoming foreigners in 1914.

There is an array of figures here that I will not read. Then it goes on to say that—

Immigration officials and representatives of the immigrant aid societies explain the falling off in immigration, aside from the war, which is the chief factor, as being due to the curtailing of work in the United States and to an effort on the part of foreign countries to restrict emigration by providing work at home and bettering the condition of their working classes.

So rest your souls in peace and glory in being free from the possibility of immigration, and glorify yourselves to your hearts' taste that you shall have in the near by America for Americans.

Mr. REED. Mr. President, I offer an amendment. After the amendment just adopted, I move to add:

Or Turks.

The PRESIDENT pro tempore. The Senator from Missouri offers an amendment, which the Secretary will read.

The SECRETARY. On page 8, after line 9, and after the amendment just agreed to, insert the words "or Turks."

Mr. REED. On that I ask for the yeas and nays.

The yeas and nays were not ordered.

The amendment was rejected.

Mr. REED. I offer the following amendment, to be added immediately after the amendment just adopted:

All Turks and East Indians.

The PRESIDENT pro tempore. The question is on agreeing to the amendment offered by the Senator from Missouri.

Mr. REED. Mr. President, I desire to be heard on this amendment.

The PRESIDENT pro tempore. The Senator from Missouri will proceed.

Mr. REED. It seems to me, Mr. President, upon an important measure of this kind the Senate ought to be willing to permit a roll call. The yeas and nays are not asked for the purpose of any delay. They are asked for the purpose of determining by record the individual opinions of Senators.

I would really like to know, and I think the country would really like to know, whether the Senate as a body or Senators as individuals believe a man of the Caucasian race, born and reared in Europe, who believes in the kind of home life we believe in, who believes in the kind of government, at least very largely, we believe in, should be excluded simply because he can not read and write, and those same Senators yet be unwilling to exclude men of alien races, whose presence in this country has recently produced riot, and whose presence in Canada just north of us has produced great disturbance.

I hope that the Senate will accord a yea-and-nay note upon this question. I ask for the yeas and nays.

The yeas and nays were not ordered.

Mr. REED. I think I shall have to address the Senate upon this amendment.

The PRESIDENT pro tempore. The Chair will put the request again, if it pleases the Senator.

Mr. REED. I should be glad if the Chair would do that.

The PRESIDENT pro tempore. The Senator from Missouri asks for the yeas and nays on the amendment proposed by him.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. CLARK of Wyoming (when his name was called). I again announce my pair with the senior Senator from Missouri [Mr. STONE] and withhold my vote.

Mr. DILLINGHAM (when his name was called). Making the same announcement and transfer as on the last vote, I vote "nay."

Mr. FLETCHER (when his name was called). I make the same announcement as before as to my general pair with the Senator from Wyoming [Mr. WARREN] and its transfer to the Senator from Tennessee [Mr. SHIELDS]. I vote "nay." I will let this announcement stand on all subsequent votes.

Mr. JAMES (when his name was called). Again transferring my general pair with the junior Senator from Massachusetts [Mr. WEEKS] to my colleague [Mr. CAMDEN], I vote "nay."

Mr. WALSH (when his name was called). I announce my pair with the Senator from Rhode Island [Mr. LIPPITT] and therefore refrain from voting.

I also announce that the Senator from Delaware [Mr. SAULSBURY], who is necessarily absent, is paired with the Senator from Rhode Island [Mr. COLT].

The roll call was concluded.

Mr. CRAWFORD. I transfer my pair with the senior Senator from Tennessee [Mr. LEA] to the senior Senator from North Dakota [Mr. MCCUMBER] and vote. I vote "nay."

The result was announced—yeas 10, nays 43, as follows:

YEAS—10.

Ashurst	Hardwick	Martine, N. J.	Vardaman
Borah	Jones	Reed	
Chamberlain	Lane	Thomas	

NAYS—43.

Brandegee	Hughes	Oliver	Smith, S. C.
Bryan	James	Overman	Smoot
Burton	Johnson	Page	Sterling
Clapp	Kern	Perkins	Sutherland
Clarke, Ark.	Lee, Md.	Poindexter	Swanson
Crawford	Lewis	Pomerene	Thornton
Cummins	Lodge	Robinson	Townsend
Dillingham	McLean	Root	White
Fletcher	Myers	Shafroth	Williams
Gallinger	Nelson	Sheppard	Works
Gronna	Norris	Simmons	

NOT VOTING—43.

Bankhead	Fall	Newlands	Smith, Ga.
Brady	Goff	O'Gorman	Smith, Md.
Bristow	Gore	Owen	Smith, Mich.
Burleigh	Hitchcock	Penrose	Stephenson
Camden	Hollis	Pittman	Stone
Catron	Kenyon	Ransdell	Thompson
Chilton	La Follette	Saulsbury	Tillman
Clark, Wyo.	Lea, Tenn.	Sherman	Walsh
Colt	Lippitt	Shields	Warren
Culberson	McCumber	Shively	Weeks
du Pont	Martin, Va.	Smith, Ariz.	

So Mr. REED's amendment was rejected.

Mr. REED. Mr. President, I desire to state that it has been my purpose to offer amendments excluding certain other kindred races, but the Senate has fully expressed its opinion in regard to this matter and I shall not take its time now to do so. I offer the following amendment: On page 5, line 14. I move to strike out the words "admit their belief in the practice of polygamy" and to insert in lieu thereof "believe in, advocate, or practice polygamy."

Mr. President, just a word in explanation. There are two different phraseologies employed in various places in this bill. In one case we find that it requires that the immigrant shall

admit his belief in a certain doctrine; in the other case the fact that he does believe in a certain doctrine is all that is required. Let me illustrate what I mean by this exact sentence, which I am now attacking, by the sentence that follows. Going back to the beginning of section 3, it reads:

That the following classes of aliens shall be excluded from admission into the United States.

Then follow a large number of classes, the exclusion relating to diseased people, and so forth. Then comes the language:

Persons who have been convicted of or admit having committed a felony.

Then:

Polygamists, or persons who admit their belief in the practice of polygamy.

The next language is:

Anarchists, or persons who believe in or advocate the overthrow by force or violence of the Government of the United States.

Any persons who admit that they believe in it and persons who believe in it. I am attacking the same character of language with reference to the polygamists that we apply to the anarchists, and which is applied at various other places in the bill to various other classes.

No man who believes in the practice of polygamy or in any act unlawful under our Government, and who advocates it, ought to be permitted to come into the United States, and the Government ought not to be required to admit him simply because he does not admit his belief. That ought to be a matter of proof as to him, as it is as to anarchists or as to other people who do not intend to obey our laws.

Mr. SMITH of South Carolina. Mr. President, I am glad the Senator from Missouri has called the committee's attention to that. The chairman of the committee will accept the amendment.

Mr. REED. Very well.

The PRESIDENT pro tempore. The amendment will be accepted without objection.

Mr. SUTHERLAND. Mr. President, I did not quite hear what the Senator from South Carolina said.

Mr. SMITH of South Carolina. I said that, as chairman of the committee, I accept the amendment.

Mr. SUTHERLAND. Mr. President, I do not think the chairman of the committee can conclude the matter for the Senate.

The PRESIDENT pro tempore. The Senator from Utah is right about that.

Mr. SUTHERLAND. I want to say a word about it before the matter is disposed of.

Mr. SMITH of South Carolina. I want to state to the Senator from Utah that I have modified my expression, and said that, as chairman of the committee, for the committee, I accept the amendment. As a matter of course, I did not propose——

Mr. SUTHERLAND. I am not certain that the Senator can accept it for the committee.

The PRESIDENT pro tempore. Not in the face of objection by a Senator.

Mr. SUTHERLAND. The Senator from South Carolina can accept it for himself.

Mr. President, I am opposed to this amendment. I am just as much opposed to polygamy or the practice of polygamy as is the Senator from Missouri or any other Senator here, but I know there are people in this world who theoretically believe in polygamy, but who in this country would not dream of practicing it and who would not dream of advocating it. There have been a large number of people in my own State in former years who not only believed in polygamy, but who practiced it; but that practice has been abandoned, yet I venture to say that there are many people there to-day who, as a merely theoretical proposition, may believe in it, and they are, notwithstanding, very good people. The polygamists of that State who not only believed in it, but who practiced it in former years, outside of that one objectionable thing, were among the best citizens of the country. I do not think that a test of this kind ought to be put into an immigration bill, a test which seeks to probe the conscience of the individual as to a mere abstract belief.

The provision that is in the bill to-day—those "who admit their belief in the practice of polygamy," or who practice it—has been the law for a great many years, and I am not aware that any harm has resulted from the enforcement of the law in the terms in which we find it.

Mr. REED. Mr. President, I simply have a word to say. I am not offering this amendment out of any desire in the world to raise a religious question or to hurt the feelings of any person, but if it is right to exclude a man who admits that he believes in polygamy—and that is the language of the bill—then it is not the admission of the belief that constitutes the objection; it is the belief itself; and the possession of such a belief ought not to be determined only by what a man admits to an immigration inspector, but it ought to be determined as is any other question of fact.

Mr. SUTHERLAND. Mr. President, if the Senator will pardon me a moment, I will call his attention to the fact that the language of the bill is "admit their belief in the practice of polygamy," which is a very different thing from admitting a belief in polygamy. They do not believe in the practice of it.

Mr. REED. Mr. President, I have a great deal of charity in my heart for those people who, because of what I regard as a very false teaching, believe in the practice of polygamy, and who, in accordance with that belief, did practice it in the United States. The Government, however, has acted upon that practice and it is now prohibited within the borders of this land.

The question we are now passing upon is the desirability of immigrants. It has been repeatedly said here that immigrants have no God-given or natural right to land on our shores. You propose to exclude a man who believes in every principle of morals, who has lived an upright life from birth until he arrives at our ports, who comes here with the intention to obey every law of this land, who is sound in body and in mind, simply because through misfortune or for some other cause he was unable to learn to read. Now, I want to say that, applying those rules, people who believe in or who practice that which is prohibited by the law of the land ought not to be admitted, and they should not be admitted any more because they deny the truth than they should be excluded because they admit the truth. It is not a proper test. So, Mr. President, with those remarks I am willing to submit the question, so far as I am concerned, but I ask for the yeas and nays on the amendment.

The PRESIDENT pro tempore. The Secretary will state the amendment, and then the Chair will put the request for the yeas and nays.

The SECRETARY. On page 5, line 14, it is proposed to strike out the words "admit their belief in the practice of polygamy" and insert "believe in, advocate, or practice polygamy," so that the clause will read, "or persons who believe in, advocate, or practice polygamy."

Mr. REED. I ask for the yeas and nays on the amendment.

Mr. BORAH. Mr. President, I want to say a word upon this matter before it goes to a vote. I represent in this body in part a large number of people who may be said to be in a way interested in this question for the reasons suggested by the Senator from Utah [Mr. SUTHERLAND], a people who at one time preached and practiced polygamy. A number of years ago they renounced the practice of polygamy in the most solemn and positive way that a people could, and it has been my belief that they have sought to live up to that renunciation. I have had occasion many times to defend their good faith, and I have done so in the full belief that that renunciation was sincere. They are a most worthy and desirable people from the standpoint of industry, of obedience to law, and of loyalty to the Government. In the thickly settled Mormon communities crime is almost unknown.

Mr. President, I am not willing by my vote to leave what I conceive to be an imputation upon the sincerity, the good faith, and the good citizenship of so many of my constituents. I think if they were called upon as a body they would support this amendment, and, representing, as I do, those people, and believing in them, believing that they acted in good faith, and are now acting in good faith, that this practice has been renounced and its belief no longer a part of their creed, I must vote to favor the amendment, although I doubt if in actual effect it will materially change the bill. If I vote in view of the way in which the question has been raised against the amendment, I leave the world to understand that ten or twelve thousand people in my State believe in that which is denounced by the laws of their country as a crime, that, while they do not practice it for fear of punishment, they nevertheless believe in it—that their renunciation was forced and insincere. That is not my understanding of good faith, and I must represent them as I believe them to be, a sincere and lawabiding people both in their hearts and their conduct, their minds and their practices. I take the responsibility of placing them in that light before the world by my vote.

Mr. SMOOT. Mr. President, I desire to say a few words in relation to this proposed amendment; and, in connection with it, perhaps this is just as good a time as any for me to let the Senate know the attitude of the church in relation to the practice of polygamy.

On April 5, of 1904, at one of the general conferences of the church held in Salt Lake City semiannually, at which there are always from 20,000 to 30,000 members of the church present, action was taken upon the question of the practice of polygamy.

Joseph F. Smith, the president of the church, in speaking at that conference said:

I am going to present a matter to you that is unusual, and I do it because of a conviction which I feel that it is a proper thing for me to do. I have taken the liberty of having written down what I wish to present in order that I may say to you the exact words which I would like to have conveyed to your ears, that I may not be misunderstood or misquoted. I present this to the conference for your action.

This is his official statement:

OFFICIAL STATEMENT.

Inasmuch as there are numerous reports in circulation that plural marriages have been entered into contrary to the official declaration of President Woodruff, of September 26, 1890, commonly called the "Manifesto," which was issued by President Woodruff and adopted by the church at its general conference October 6, 1890, which forbade any marriages violative of the law of the land, I, Joseph F. Smith, president of the Church of Jesus Christ of Latter-day Saints, hereby affirm and declare that no such marriages have been solemnized with the sanction, consent, or knowledge of the Church of Jesus Christ of Latter-day Saints; and

I hereby announce that all such marriages are prohibited, and if any officer or member of the church shall assume to solemnize or enter into any such marriage he will be deemed in transgression against the church and will be liable to be dealt with according to the rules and regulations thereof and excommunicated therefrom.

JOSEPH F. SMITH,
President of the Church of Jesus Christ of Latter-day Saints.

They charge us with being dishonest and untrue to our word. They charge the church with having violated a "compact," and all this sort of nonsense. I want to see to-day whether the Latter-day Saints representing the church in this solemn assembly will not seal these charges as false by their vote.

President Francis M. Lyman presented the following resolution, and moved its adoption:

In this connection I want to say that Francis M. Lyman was and is at present the president of the quorum of twelve—

RESOLUTION OF INDORSEMENT.

"*Resolved*, That we, the members of the Church of Jesus Christ of Latter-day Saints, in general conference assembled, hereby approve and indorse the statement and declaration of President Joseph F. Smith, just made to this conference, concerning plural marriages, and will support the courts of the church in the enforcement thereof."

The resolution was seconded by a number of presidents of stakes and prominent elders.

* * * * * * *

The resolution was then adopted by unanimous vote of the conference.

Mr. President, perhaps I can explain better than anyone present, to the Senator from Missouri and to other Senators, how the amendment would affect immigrants who are members of the church. One of the articles of faith of the church is "that we believe the Bible to be the word of God." The Bible, particularly the Old Testament, sanctions polygamy; and if a Mormon were asked, "Do you believe in the Bible?" he would say, "Yes." Perhaps the immigrant, a member of the church, coming into this country who should be asked that question would have no other thought in his mind than a belief in the Bible.

I want to say to the Senator also that if the president of the church decided to reestablish the practice of polygamy to-day he could not do so. He would not think of undertaking it as long as the law of the land is against it. It is a thing of the past, and it seems to me that it is the wrong time to try to cast reflection—because I can not see it in any other light than as a reflection—upon a people who have in good faith, after the Supreme Court of the United States decided that polygamy was unlawful, in conference assembled agreed that it should not be practiced by the sanction of the church.

I do not want anyone to misunderstand me. There have been sporadic cases since the year 1890; but, as I understand, since the conference of the people passed upon this question, if there has been a single case that was known to the authorities of the church the offender has been excommunicated, just as this resolution stated he would be.

I do not want to ask any special privileges for adherents to my church If immigrants believe in the practice of polygamy, I would say, "Bar them from the United States," but I do not believe they ought to be barred because of a belief in the Bible or a mere belief in a form of religion.

That is the situation of the Mormon people as I understand it, Mr. President. If the Senator from Missouri knew the true inward feeling and the true belief of the Mormon people, I do not believe he would for one minute try to keep that class of people out of the United States, for I want to say now that there is not a more honest, a more industrious, a more God-fearing or liberty-loving people in all the United States than you will find the Mormons to be.

Mr. ASHURST. Mr. President, inasmuch as this question has been presented, I feel that it would not wholly become me to sit in my seat at this particular time, in view of the manner in which the question was raised, and not say a word, for while I am sure no one in this Chamber intended to make any reflection upon a certain people large numbers of which are residents of my State, nevertheless the peculiar way in which the question was raised by the proponent of the amendment might be construed to be some criticism of or thrust at those particular citizens.

Mr. President, until I was 9 years of age, other than my sister and my brothers, I had no playmates whatever except those who were members of the Mormon Church. I knew them in their boyhood and in their beautiful girlhood. A purer or more delightful company of playmates no youth ever knew. They were clean, wholesome, and God-fearing, and have grown up to be useful, honorable, industrious citizens of the State of Arizona.

I knew these boys and girls, of course, before the manifesto of 1890, and it was true that some of the older members of the Mormon Church at that time practiced polygamy, but no more so than many gentiles in some large cities practiced polygamy, except that the Mormons had the nerve openly to admit and support their wives, and those gentiles who practiced polygamy in the cities did not. When I grew to manhood I observed the frugality, the industry, the sobriety, and the honesty of the Mormon people. I presume that next to the State of Utah the State of Arizona has the largest so-called Mormon population, and they are a distinct credit to our State.

After the manifesto of 1890 polygamy or plurality of wives in Arizona among the Mormons ceased; that is to say, so far as the contraction of new or additional marriages was concerned. It was probably true that in some of the isolated parts of the then Territory, now State of Arizona, some of the older Mormons who had in previous years contracted polygamous marriages supported their wives after the manifesto of 1890, but I am within the bounds of truth and conservatism when I say—and I believe I possess some knowledge of the situation—that no polygamous marriages among the Mormons in my State have been contracted since the manifesto. I am very sufficiently convinced that if the hierarchy or the authorities of the Mormon Church should attempt as a policy, which I am certain they never will do—if they should attempt to resume the practice of polygamy, such a thing would not be received among the Mormans in my State, and the Mormans themselves would recoil from it and oppose it just as vigorously as would the gentiles.

Mr. THOMAS. Mr. President, the amendment offered by the Senator from Missouri is one which I think is designed to, and which does, supplement the recitals of the bill as reported from the committee without being aimed at any particular organization, either religious or secular. If I thought it was, I would not support it. Believing that it is designed for a proper purpose, I am constrained to do so.

I do not think the practice of or abstention from polygamy should be dependent either upon a manifesto or upon a church resolution. It should be prohibited and the prohibition enforced by the laws of the country. The comments of the Senator from Arizona [Mr. ASHURST] indicate to my mind the necessity of a somewhat comprehensive statute upon this subject if it be true that the practice is confined to no section of the country, but prevails as well in some of the large cities of the United States, and perhaps in some which are not so large.

Mr. President, I should not have said anything at all upon this subject but for the fact that reference has been directly made to the Mormon Church, and I should not have done so in that event but for the fact that in the recent campaign I received a circular, a political pamphlet, presumably from members of my own party, directed against the distinguished senior Senator from Utah, who was then a candidate for reelection. That pamphlet, very much to my surprise, not only criticized, but was inclined to abuse the Senator from Utah because of his failure at the time of his investigation to defend the doctrine. I thought it was very much to his credit, and I think so now, that he did not defend it, but the fact that such a circular, designed, of course, for political purposes, was being used in that campaign seemed to me to indicate that some legislation of this sort might be desirable. I say that, too, without intending to reflect upon the church to which the Senator belongs or upon any of its members. The thought which I have in mind is that a subject of this sort should be above and beyond any church declaration and based upon the laws of the country.

Mr. REED. Mr. President, I would not take the time of the Senate to say another word except for the remarks that have been made.

I do not believe there is a man in this Chamber, or in this city, or in this country, who has any more liberal views upon the matter of religious freedom than I have. I did not offer this amendment thinking it would provoke even a discussion. I did not bring it forward for the purpose of harassing the feelings of any person. It seemed to me that the language of the bill is inapt and that it does not produce the result its authors must have intended.

The language of the bill is that no one shall be permitted to come here who admits his belief in, or who practices, polygamy. That is the present language. All I desire to do is to change that language so that the admission of belief or failure to admit belief shall not be conclusive, but that the fact, like any other fact, shall be determined as a fact.

I call the attention of the Senate again to this circumstance: In the sentence immediately following the same test is applied that I now seek to apply to another class of people. Notice:

> Polygamists, or persons who admit their belief in the practice of polygamy; anarchists, or persons who believe in or advocate the overthrow * * * of * * * government.

Not those who admit their belief in, but those who do believe in, the overthrow of government.

This is not a reflection upon those people who live in the State of Utah or elsewhere who have abandoned a practice that is now declared to be illegal. It has no application whatever to them. The bill itself proposes to exclude people who believe in polygamy, but the test in the bill is that they must admit it, not that it shall be a fact. I am simply seeking to make it a fact provable otherwise than by the admission of the immigrant; that is all.

I am very glad to hear from the Senator from Utah that there has been a conformity with the law. The Senator from Utah knows, I think, that when certain charges were sent to me recently, claiming that the practice had been continued, and that there had been absolute defiance of the law, I wrote in response to those charges and said that I did not believe that to be the fact. I remember speaking to the Senator once about the matter.

The whole question resolves itself into this: Suppose an immigrant comes here and says, "I believe in the practice of polygamy." He is excluded. He has been frank. Suppose another immigrant comes who does believe in the practice of polygamy, who does practice it, and who does advocate it, but who refuses to admit it. Should he be admitted? Manifestly not.

Mr. SUTHERLAND. Mr. President——

Mr. SMOOT. Mr. President——

The PRESIDENT pro tempore. To which Senator from Utah does the Senator yield?

Mr. REED. I yield first to the junior Senator from Utah, because he first took the floor.

Mr. SUTHERLAND. The objection which I make to the Senator's amendment is not based upon his proposition to eliminate the word "admit," but is based upon his proposition to eliminate the word "practice." I would have no objection—I think nobody would have any objection—to leaving out the word "admit" and saying "who believe in or advocate the practice of polygamy."

Mr. REED. I did not leave the word "practice" out of my amendment.

Mr. SUTHERLAND. I beg the Senator's pardon. I will ask to have the amendment read.

The PRESIDENT pro tempore. The Secretary will state the amendment offered by the Senator from Missouri.

The SECRETARY. On line 14 it is proposed to strike out the words "admit their belief in the practice of polygamy" and to insert "believe in, advocate, or practice polygamy."

Mr. SUTHERLAND. Yes; that is, believe in polygamy or advocate polygamy or practice polygamy.

Mr. REED. Yes.

Mr. SUTHERLAND. If the Senator would say "believe in or advocate the practice of polygamy or practice polygamy," I should have no objection to it; but I think there is a vital distinction, and, if the Senator will permit me, I think I can point it out to him.

The question of a man's belief rests in his own bosom. I may believe that some particular law is unwise. I may believe that the thing which the law inhibits ought to be permitted to be done; but that ought not necessarily to exclude me from the country, if I believe that the law, as long as it is in existence, ought to be enforced, and if I propose to conform my conduct to the law, and if I am opposed to anybody else breaking the law. We ought not to make the test a mere abstract belief in a doctrine.

Mr. REED. If the Senator will pardon me, if he will drop down to line 15 he will find that identical language is applied to the anarchist. Anyone who believes in anarchy can be excluded; anyone who advocates anarchy can be excluded. I am simply seeking to apply to the polygamist or the person who believes in polygamy the same language that is applied to the anarchist. You reach, in the second case, the matter of a belief, the matter of an opinion.

Mr. SUTHERLAND. The Senator may be right about that; but that does not alter the argument I am making. Because one part of the bill may be objectionable, it does not warrant us in making another part of the bill objectionable.

Mr. VARDAMAN. Mr. President, if the Senator will pardon me a moment, I think the purpose of the Senator from Missouri is to prevent, if possible, the growth of that sentiment in this country. This does not affect the people who believe in polygamy who are now residents of the United States; but the purpose of the amendment, as I understand it, is to prevent the growth of that sentiment. While a man can not control his thoughts or his conclusions any more than he can the beating of his heart—he thinks as he must, not as he would—the purpose of this amendment is to prevent the growth of the population of America who entertain those views. I think it is a very proper amendment.

Mr. SMOOT. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Missouri yield to the Senator from Utah?

Mr. REED. I do.

Mr. SMOOT. I wish to say to the Senator from Missouri there would be no objection whatever by any member of the church nor could there possibly be objection if his amendment read "or persons who believe in the practice of or who advocate polygamy." Nobody would object to that. I told the Senator in a very few words the reason why, and the only reason why, I or anyone else could object to the words "believe in." I know, or I think I know, what the result will be to the Mormon immigrants if the proposed amendment is adopted. As I stated before, one of our articles of faith is "that we believe the Bible to be the word of God." In that polygamy is sanctioned. I can not see what is going to be gained by the proposed amendment if it means the same as the provision in the House bill, as Senators claim. If it means the same, there is no necessity for a change.

I would go as far as the Senator from Missouri or anyone else possibly could go to prevent any man or woman coming into the United States who believes in the practice of polygamy. I do not care how broad you make the language or how binding. I do not believe that anyone ought to be admitted into the United States who would advocate the practice of polygamy, and I do not care how strong or how broad the language is to accomplish that purpose. But I do not believe that it ought to go to a mere abstract belief in polygamy.

Mr. REED. Mr. President, if a man believes in polygamy, he believes in the practice of polygamy and he will sustain the practice of polygamy; and he will uphold the practice of polygamy the very moment he has the opportunity so to do. In parity with that, if a man believes in anarchy he believes in the practice of anarchy. He may not believe that this is the opportune moment to practice it, but he is a potential factor in our life who will manifest his belief by acts when the opportune time comes.

Mr. SMOOT rose.

Mr. REED. Now, just a word. I have yielded to the Senator and I will yield again in just a moment.

Mr. SMOOT. I will not ask the Senator to yield now.

Mr. REED. The Senator says if a man believes in the Bible he therefore believes in polygamy, and that an immigrant might be asked if he believed in the Bible, and if he said he did he might be excluded, because the Bible advocates polygamy, according to the Senator's theory.

Mr. President, nobody in the Senate except the Senator from Utah believes that any man is going to be excluded at the gates of this country who answers affirmatively the question "Do you believe in the Holy Bible?" but if that were an admission of the belief in polygamy he is already excluded by the terms of the bill as it now stands. The bill now says that a man who admits his belief shall be excluded, and if admitting that you believe in the Bible be an admission of a belief in polygamy then the immigrant would be excluded by the very test the Senator himself sets up.

I repeat, the question of difference is this: The bill says that a man who admits his belief in polygamy shall be excluded. I say the bill ought to read that a man who believes in polygamy should be excluded, whether he admits it or does not admit it. The Government should not be concluded by the simple statement of the individual. The fact ought to determine his admissibility, not his admission of the fact. If the Government could prove that he believed in polygamy, it ought to as effectually as an admission on his part that he believes in it. We are excluding them by the terms of the bill now for the doctrinal reason, for the opinion reason. The sole question is

whether that is to be determined absolutely and finally by the admission of the immigrant, or whether it is to be determined as a fact.

I repeat, take two men. One of them comes here and says. "Yes; I believe in the practice of polygamy." He is frank and truthful, and he is excluded. Another man says, "No; I refuse to speak upon it; I say nothing." And yet the Government can prove conclusively that he does believe in the practice. He comes in, while the frank man is excluded.

Mr. President, I ask for the yeas and nays on agreeing to the amendment.

Mr. ROOT. Mr. President, I really do not think that there is any practical difference in the effect of the two forms of words, those in the bill and those proposed by the Senator from Missouri. They are both designed to accomplish the same object, and I do not think there will be the slightest difference in the practical effect of them.

I do not think the proposal of the Senator from Missouri, which he thinks will make the prohibition stronger, is any reflection upon the people of Utah or the members of the Mormon Church, because we know that they have long since abjured the practice of polygamy. But I am going to vote for the amendment because the question has been raised here, and I would rather not have the people of the country get the impression that the Senate of the United States prefers to make a weak rather than a strong prohibition against the increase of polygamy in the country. I think the fact that the subject has been discussed and that there is a form of words which some Senators think will be more effective as compared with another form which they think will be less effective is in itself reason enough for selecting the stronger form.

Mr. WORKS. Mr. President, I shall not want to precipitate any religious discussion here, but it has been assumed as a fact that the Bible does teach polygamy. I have no doubt at all about the sincerity of the Senator from Utah [Mr. SMOOT] and his people in so construing the Bible, but I shall not want it to go out to the country that the Senate of the United States has admitted as a fact that the Bible does teach polygamy. For myself, I do not believe the Bible teaches any such thing.

Mr. SMOOT. Mr. President, just one word in answer to the Senator from Missouri [Mr. REED]. The Senator from Missouri made the statement that if a man believes in polygamy he would practice polygamy as soon as the opportunity offered itself. I know that there are men who believe in polygamy who would not practice polygamy when the law of the land prohibits it. One of the articles of the faith of the church is "that we believe in honoring, sustaining, and obeying the laws of the land." It does not make any difference whether the member is a resident of this country or any other country, he must honor and obey the laws of the land in which he lives.

I want to say to the Senator from Missouri that as long as the laws of the land are opposed to polygamy, and the highest court of the land has sustained the law, there is no good member of the Mormon Church who is going to violate that law. He may believe in the abstract principle of polygamy as sanctioned by the Bible. I do not refer to this to get into a controversy with anyone as to what the construction of the Bible may be upon that question, but I wanted the Senate to know the facts as they really exist.

Mr. President, there is one other matter which was brought to my attention by the remarks made by the Senator from Arizona [Mr. ASHURST]. I do not want Senators to get a misunderstanding of what the real situation is, because I believe every Senator and every public man and every person in the United States ought to know the true situation. There were men who entered polygamy before the manifesto of 1890 who still live with and support their families. They support them, they acknowledge them, and I believe that there is no one in the State of Utah or anywhere else who knows the situation who would not say that under the circumstances that should be allowed.

When people say that polygamy is practiced in the State of Utah, it is only that kind and nothing else, and I want the country to know it. I want the country to know that, as far as I am concerned, if there is any member of the church who would go into polygamy to-day I would say he ought to be handled by the law of the land, and not only by the law of the land but by the rule of the church. That is the situation as it exists, and that is what we believe ought to be done with such cases, and that is what is being done.

But I am fearful, Mr. President, that under the amendment the Senator has offered, wherein it says "any person who believes in polygamy," it will be construed as an abstract belief; and when a member of the church from any foreign country comes to our shores he will be met with the question whether he believes in polygamy in the abstract. I do not see how he can say otherwise than that he does if he believes in the Bible. That is my opinion. I do not say that it is the opinion of others, nor do I criticize anyone for having a different opinion, but that is my opinion. If the proposed amendment goes no further than the present law and means the same, I would have no objection to it.

Mr. BORAH. Mr. President, the bill reads at present "or persons who admit their belief in the practice of polygamy."

The Senator from Missouri would change it so as to read "or persons who believe in, advocate, or practice polygamy."

Mr. President, I agree entirely with what the Senator from New York [Mr. ROOT] has said, that in its practical operation there will be very little difference whether the amendment goes into the law or is left out; but I think it makes a very great difference as to the construction which will be put upon the good faith of the tens of thousands of people who live in the great Rocky Mountain country who are identified with the Mormon Church. I have no right to speak, of course, in the way of advice to the Senator from Utah [Mr. SMOOT], but I am satisfied he could not do his people a greater service than to say that they were ready to be put to the test as to their belief in polygamy. It would seal the lips and silence the tongue of the last and bitterest critic of his church.

Polygamy in the United States is denounced as a crime. The great majority of the people of the United States believe that it is a crime. Even those who practice it believe it is a crime. The great Mormon Church has acquiesced in that denunciation of polygamy and has stood solemnly before the people declaring as a result of its conference that it renounced the doctrine of polygamy. Some of us have had to meet that question upon every political rostrum in the West, and those who have defended the Mormon people and the Mormon Church have done so because they believed they were acting in good faith. The Senator from Utah knows that the good faith of some of us has been challenged because they insisted that we knew that the Mormon people were not acting in good faith. It has been said that we defended them out of political necessity, knowing that they were in their hearts defiant of the laws of their country.

As I said a moment ago, since the president of the Mormon Church announced that polygamy had been renounced by the church I have never doubted for a moment that they were acting in perfect good faith, and knowing the natural disposition of the Mormon people to obey the law, I did not hesitate for a moment to take the position that they were acting in good faith and obeying this law.

But now, Mr. President, the Senator from Missouri offers an amendment which goes to the question whether or not they believe in that which in this country is denounced as a crime, and representing, as I do, some seven or eight or ten thousand, perhaps twelve thousand Mormon people, I am not willing to vote to the effect that those constituents of mine believe in a crime and refuse to practice it simply because the law makes it dangerous to do so.

Let us make no mistake about this, Mr. President. Those people are just as honest, just as industrious, just as patriotic, just as loyal to their country and to their flag as any people who live within our State, and I would just as soon think of saying the other people in my State believe in the commission of crime as to say that they believe in it or to say that they continue to believe in that which they have before the world renounced.

I agree with the Senator from New York [Mr. ROOT] that the adoption of the amendment makes very little difference except as to the imputation which it places upon those people and upon the Senate.

Mr. President, so far as the teachings of the Old Testament are concerned, I should like to have some one point me to a paragraph which teaches polygamy. The old Bible tells us of that which we inhibit, to wit, the practice of polygamy, but nowhere in that sacred Book have I been able to find anything which teaches it or recognizes it as a practice worthy of defense or other than a mistake of those people in those early days. When Sarah complained of the presence of Hagar, Hagar, though a mother, was sent into the wilderness to die. The patriarchs never sought to defend their practices, much less to erect their mistakes into a creed or hallow them as a faith.

But it matters little to me, sir, believing as I do in the Holy Scriptures, what the Old Testament teaches with reference to polygamy or with reference to the practice of polygamy. I know that when the new dispensation came and He who made no mistake as to the best interest of the human family renounced it, it no longer found a place in the belief of a Christian people. For 2,000 years civilization has accepted the dis-

pensation which came from the immaculate lips of the Savior to the effect that the old dispensation was at an end, and the people of this country accept the Bible as the last Interpreter gave it to them, and not according to the practice of those who had not felt the effects of His presence upon this earth.

For this cause shall a man leave his father and mother and cleave to his wife; and they twain shall be one flesh.

Not wives, but wife; not three, not four, but two, "twain." This is not alone the gospel, but it is the law, and in their light and instructions alone may we safely invite the emigrant to our shores.

The PRESIDENT pro tempore. The Senator from Missouri demands the yeas and nays on agreeing to his amendment.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. CLARK of Wyoming (when his name was called). I again announce my pair with the Senator from Missouri [Mr. STONE] and withhold my vote.

Mr. CRAWFORD (when his name was called). I have a general pair with the senior Senator from Tennessee [Mr. LEA], who is absent, and unless I can secure a pair I shall withhold my vote.

Mr. TOWNSEND (when Mr. DILLINGHAM's name was called). The senior Senator from Vermont [Mr. DILLINGHAM] has been called from the Senate on official business. He is paired with the senior Senator from Maryland [Mr. SMITH].

Mr. JAMES (when his name was called). I make the same transfer of my pair as upon the last vote and vote "yea."

Mr. WALSH (when his name was called). I transfer my pair with the Senator from Rhode Island [Mr. LIPPITT] to the Senator from Nevada [Mr. NEWLANDS] and vote "yea." I also announce the necessary absence of the Senator from Delaware [Mr. SAULSBURY] and desire to state that he is paired with the Senator from Rhode Island [Mr. COLT].

The roll call was concluded.

Mr. HUGHES. Mr. President, I desire to vote on this amendment, but I should like the liberty of making a very short statement.

The PRESIDENT pro tempore. That can not be done without unanimous consent. Is there objection? The Chair hears none.

Mr. HUGHES. I propose to vote against this amendment for the reason that I do not think a man's religious belief should be made a test of his admission to this country.

The PRESIDENT pro tempore. The Chair made a misruling. The Chair does not think the Senator can interrupt the roll call, even by unanimous consent.

Mr. HUGHES. I am satisfied with the statement which I have made. I now desire to vote. I vote "nay."

The result was announced—yeas 54, nays 3, as follows:

YEAS—54.

Borah	Johnson	Norris	Simmons
Brandegee	Jones	O'Gorman	Smith, Ga.
Bryan	Kenyon	Oliver	Smith, S. C.
Burton	Kern	Overman	Sterling
Clapp	Lane	Page	Swanson
Clarke, Ark.	Lee, Md.	Perkins	Thomas
Cummins	Lewis	Poindexter	Thornton
Fletcher	Lippitt	Pomerene	Townsend
Gallinger	Lodge	Ransdell	Vardaman
Gore	McCumber	Reed	Walsh
Gronna	McLean	Robinson	White
Hardwick	Martine, N. J.	Root	Works
Hitchcock	Myers	Shafroth	
James	Nelson	Sheppard	

NAYS—3.

Hughes	Smoot	Sutherland

NOT VOTING—39.

Ashurst	Colt	Martin, Va.	Smith, Md.
Bankhead	Crawford	Newlands	Smith, Mich.
Brady	Culberson	Owen	Stephenson
Bristow	Dillingham	Penrose	Stone
Burleigh	du Pont	Pittman	Thompson
Camden	Fall	Saulsbury	Tillman
Catron	Goff	Sherman	Warren
Chamberlain	Hollis	Shields	Weeks
Chilton	La Follette	Shively	Williams
Clark, Wyo.	Lea, Tenn.	Smith, Ariz.	

So Mr. REED's amendment was agreed to.

Mr. REED. I desire to make a statement. I voted the last time and the time before without announcing the transfer of my pair with the Senator from Michigan [Mr. SMITH]. It was a mere inadvertence on my part.

Mr. O'GORMAN. I desire to inquire, Mr. President, whether there is an amendment pending to strike out the word "solely," in line 11, page 9, of the bill?

The PRESIDENT pro tempore. As the Chair is advised by the Secretary, no such amendment is pending.

Mr O'GORMAN. I move that the bill be amended by striking out the word "solely," in line 11, on page 9. It will be noticed in that connection that the provision relates to the exemption of persons escaping from religious persecution. It seems to me that if the word "solely" is retained the advantage intended to be conferred by the committee will be lost to those in whose interest the exemption was inserted in the bill. I think by omitting that word the purpose of those favorable to such exemption will be best carried out.

The PRESIDENT pro tempore. Unless there is objection the amendment will be agreed to. The Chair hears none, and it is agreed to.

Mr. GALLINGER. Mr. President, I rise to ask the Senator from South Carolina in charge of the bill if we have not worked long enough to-day?

Mr. SMITH of South Carolina. Mr. President——

Mr. GALLINGER. I venture to ask the Senator if he agrees with me that it is about time for us to adjourn or to take a recess; and if he will agree to have the bill laid aside temporarily to permit the Senator from Mississippi [Mr. WILLIAMS] to report a resolution in which both sides of the Chamber are interested?

Mr. SMITH of South Carolina. Mr. President, I would prefer, if possible, as to-morrow is a holiday, to go on with the bill. It seems to me——

Mr. GALLINGER. The Senator has no expectation of completing the bill to-night, I apprehend?

Mr. SMITH of South Carolina. Unless there are interminable amendments to be offered for the purpose of obstruction and otherwise, I do not see why we should not complete the bill, because, so far as the committee is concerned, there are but one or two further amendments, and they are of minor importance, some of them being merely verbal. As a matter of course, the disposition of the bill is entirely in the hands of the Senate; but we have been considering this bill now for a period nearly going into the third week. There are other matters that necessarily are going to press for attention, and I think that it is due the people of the country and due to ourselves that we should dispose of this measure, so that we may take up other legislation.

Mr. GALLINGER. Mr. President, there is no one more earnest in his desire than am I to have this bill voted on, but it is so clearly evident that we can not vote on it this evening that I venture to suggest that, having been here now nearly seven hours in continuous session, we might well lay the bill aside for the day.

ADDITIONAL MINORITY EMPLOYEE.

Mr. WILLIAMS. Mr. President, without waiting to determine the point at issue, I should like to ask unanimous consent to present from the Committee to Audit and Control the Contingent Expenses of the Senate a favorable report on a resolution and to have it considered at this time. This is the 31st day of December, the end of the old year, and although the resolution is not of itself of so much importance, time becomes in a sense a part of the essence of it. So, if the Senator will agree——

Mr. SMITH of South Carolina. I agree to lay aside the immigration bill temporarily for the present consideration of the resolution referred to by the Senator from Mississippi.

Mr. WILLIAMS. I ask unanimous consent for the present consideration of the resolution, without prejudice to the standing of the bill in charge of the Senator from South Carolina.

Mr. President, I wish to say in connection with the resolution that it is one of the routine matters of minority patronage requested by the leader of the minority, agreed to by the leader of the majority, and reported unanimously by the committee to which it was referred. The Senator from New Hampshire [Mr. GALLINGER] is more a master of the details of the subject matter than am I——

SEVERAL SENATORS. Vote! Vote!

Mr. WILLIAMS. But I do not think there should be any objection to the consideration and adoption of the resolution.

The PRESIDENT pro tempore. Is there objection to the present consideration of the resolution?

The resolution (S. Doc. 510) was read, considered by unanimous consent, and agreed to, as follows:

Resolved, That an additional employee in behalf of the minority be appointed for service in the folding room of the Senate, at a salary of $1,000 per annum, to be paid from the contingent fund of the Senate until otherwise provided by law.

URGENT DEFICIENCY APPROPRIATIONS.

Mr. OVERMAN. I desire to ask unanimous consent to report the urgent deficiency appropriation bill.

Mr. SMITH of South Carolina. I object.

The PRESIDENT pro tempore. Objection is made.

Mr. OVERMAN. The whole country is interested in this question.

Mr. SMITH of South Carolina. I object.

The PRESIDENT pro tempore. The Senator from South Carolina has objected.

Mr. OVERMAN. Then I will discuss the immigration bill a little.

The PRESIDENT pro tempore. The Senator from North Carolina is recognized.

Mr. OVERMAN. I wish to say that I have been trying to perform——

Mr. SMITH of South Carolina. Has the Senator from North Carolina the floor?

The PRESIDENT pro tempore. The Senator from North Carolina has the floor.

Mr. SMITH of South Carolina. Did not the Chair recognize the Senator from South Carolina?

The PRESIDENT pro tempore. The Senator from North Carolina has the floor; the Senator from South Carolina objected to his presentation of a report at this time, and the Senator from North Carolina stated he would discuss the immigration bill.

Mr. OVERMAN. I want to say something about the immigration bill.

Mr. SMITH of South Carolina. As soon as I conclude discussing the point I was about to make, I will yield to the Senator from North Carolina.

Mr. OVERMAN. Who has the floor?

The PRESIDENT pro tempore. The Senator from North Carolina is recognized.

Mr. SMITH of South Carolina. If the Senator from North Carolina is going to discuss the immigration bill, I shall be very glad to hear him.

Mr. OVERMAN. I want to say that I am in favor of the immigration bill, and do not desire in presenting this report to delay it; but there is an appropriation of $2,500,000 in a provision contained in the urgent deficiency bill to combat the ravages of the foot-and-mouth disease. For the adoption of that item the people of this country are clamoring. All I ask is that the bill be received so that it may be printed. I ask the Senator if he will not yield to have it printed, so that the Senate may examine it and that it may be brought up for consideration when we get through with the immigration bill?

Mr. SMITH of South Carolina. Mr. President, we ourselves are suffering terribly here with the "mouth disease," and I must object, unless an appropriation is made to cure that disease in this body. [Laughter.] I object.

The PRESIDENT pro tempore. The Senator from South Carolina objects.

Mr. OVERMAN. Mr. President, I fear there is something the matter with the heads of some Senators, and perhaps we ought to have a little appropriation on that account.

The PRESIDENT pro tempore. The Chair will suggest to the Senator from North Carolina that a motion to lay the pending bill aside would be in order.

Mr. OVERMAN. I move that the immigration bill be laid aside temporarily, in order that I may present a report on the urgent deficiency bill, which I desire to have printed.

The PRESIDENT pro tempore. The question is on the motion of the Senator from North Carolina.

The motion was agreed to.

Mr. OVERMAN. I report back favorably with amendment the bill (H. R. 20241) making appropriation to supply urgent deficiencies in appropriations for the fiscal year 1915 and prior years, and for other purposes, and I submit a report (No. 848) thereon. I ask that the bill and report may be received and printed.

The PRESIDENT pro tempore. The bill will be placed on the calendar.

DEVELOPMENT OF WATER POWER.

Mr. SMOOT. Inasmuch as the pending bill has been laid aside, I ask unanimous consent to introduce a bill, and I ask that it be printed in the RECORD.

The PRESIDENT pro tempore. The Senator from Utah introduces a bill, the title of which will be stated.

Mr. OLIVER. Mr. President, I should like to ask the Senator from Indiana whether it is proposed to adjourn or to take a recess?

Mr. KERN. It is proposed to take a recess until Saturday morning at 11 o'clock.

Mr. OLIVER. I think there should be some opportunity for the introduction of morning business.

The PRESIDENT pro tempore. The Chair will suggest that the bill presented by the Senator from Utah be first disposed of.

Mr. SMOOT. I ask unanimous consent that the bill introduced by me be printed in the RECORD, and that it be referred to the Committee on Public Lands. It has reference to the development of water power.

The bill (S. 7101) providing for the acquisition by a State under certain conditions of any lands therein which are or may become chiefly valuable for the development of water power was read twice by its title, referred to the Committee on Public Lands, and ordered to be printed in the RECORD, as follows:

A bill (S. 7101) providing for the acquisition by a State, under certain conditions, of any lands therein which are or may become chiefly valuable for the development of water power.

Be it enacted, etc., That in the manner and subject to the limitations herein prescribed, a State may enter and acquire title to lands within said State which are or may become chiefly valuable for the development of water power.

SEC. 2. That any State desiring to avail itself of the provisions of this act shall make application therefor in the manner following:

Such State shall, through its regularly created board, commission, or other regularly constituted public authority of said State duly vested with the power to regulate and control the rates and service of public utility corporations, including authority to regulate the rates and service of any person, persons, associations, or corporations engaged in the business of developing, distributing, furnishing, selling, and renting electric power, file with the Secretary of the Interior an application setting forth the description of the lands sought to be acquired, accompanied by a map or plat thereof, together with proof that the lands described are chiefly valuable for the development of water power, that the entire area of the land described is necessary to accomplish development of the largest available power at the place designated, and that said application is made for the development of water power in accordance with the provisions of this act.

SEC. 3. That such State shall submit proof with such application establishing that the lands described are chiefly valuable for the development of water power and are necessary therefor and are being sought for that purpose, and upon such matters and facts being established, patent therefor or for such portion thereof as is necessary for the purpose aforesaid shall issue as hereinbefore provided to such State. Such patent shall include such lands or all portions thereof as are chiefly valuable for the development of water power and are necessary therefor, including all necessary or convenient dams, reservoirs, canals, conduits, pipe lines, tunnels, transmission lines, roads, power houses, and all other works or structures necessary or convenient for the appropriation and beneficial use of water and the power or other products generated thereby and for the utilization and beneficial use of the same.

SEC. 4. That the provisions of this act, where application is made by the duly constituted authority of the State, as hereinbefore set forth, shall apply to any part of the public lands of the United States, reserved or unreserved, including national forests, national monuments, and Indian reservations: *Provided*, That where such lands are located within any national monuments or Indian reservations, the same shall be located under the direction of the Secretary of the Interior and in such a way as not to interfere with such national monuments or Indian reservations or the uses or purposes for which the same are created.

SEC. 5. That such patent issued under the provisions of this act shall contain and be subject to the following conditions, limitations, and restrictions, to wit:

First. That said State or Territory shall not alienate the fee simple title to said lands and shall retain the same for the uses and purposes in this act set forth, granting the use thereof for such purposes and subject to the laws of said State and the United States applicable to and adopted for the purpose of controlling and regulating such business and the charges and services th[illegible]of so that the State, or those authorized under its laws to ap[illegible]te and beneficially use such waters, will carry on and continue the service of generating and distributing such electric power.

Second. That each tract of land so patented shall be held by said State and devoted primarily to the development of water power either by said State or Territory or by a municipal corporation or corporations therein or by some person or persons, association or associations, corporation or corporations thereto duly authorized and that said State or Territory shall not devote or permit the same to be devoted to any other purpose or purposes in conflict therewith.

Third. That all power generated, sold, rented, or distributed under authority of said State by any person or persons, association or associations, corporation or corporations, and the rates therefor and the service therefor shall at all times be subject to and shall be regulated and fixed by and under the authority and laws of said State, or in cases involving interstate commerce under and pursuant to the laws of the United States, and that such power so generated shall never be the subject of any combination or consolidation in restraint of trade contrary to or in violation of any law of said State or applicable law of the United States.

Fourth. That none of the properties, rights, uses, or privileges patented under the provisions of this act, where the same are assigned or transferred to or permitted to be used or enjoyed under the provisions of this act, shall ever be valued or allowed to be charged for in connection with any service to the public in excess of such amounts, if any, as the person or persons, association or associations, corporation or corporations shall have actually paid for the same, and in the event of the acquisition of such property, rights, uses, or privileges by such State or any municipality or subdivision thereof, no amount whatever shall be allowed or paid by said State, municipality, or subdivision thereof for such transfer or acquisition in excess of such amounts, if any, as shall have been paid therefor and which shall not have been repaid or reimbursed prior to such acquisition of the same.

SEC. 6. That upon any sale or disposition or attempted sale or disposition of such lands by any State for any other purpose or in any other manner than as herein provided, or upon failure to require said lands to be devoted to the uses required by this act, or upon any violation of the provisions of this act, or of the patent to be issued hereunder, the same shall be forfeited to the United States, and the Attorney General, upon the direction of the President of the United States, is authorized to institute such judicial proceedings as may be necessary for the purpose of ascertaing, declaring, and enforcing such forfeiture.

SEC. 7. That the Secretary of the Interior shall make such rules and regulations as may be necessary and appropriate for the purpose of and having the effect of carrying out the provisions of this act.

SEC. 8. That nothing in this act contained shall be construed as affecting or intended to affect or to in any way interfere with the laws

of said State relating to the control, appropriation, use, or disposition of water or the right or priority or right to the use of the same now or hereafter vested under and in accordance with the laws of said State.

Mr. POMERENE. I desire to introduce a bill and ask for its proper reference.

Mr. OLIVER. I will have to object. I think we ought to have an opportunity to introduce bills in regular morning session, and that we ought to meet at the regular time Saturday morning for that purpose.

The PRESIDENT pro tempore. The Senator from Pennsylvania objects.

REGULATION OF IMMIGRATION.

Mr. SMITH of South Carolina. I move that the Senate resume the consideration of the immigration bill.

The PRESIDENT pro tempore. The question is on the motion of the Senator from South Carolina that the Senate resume the consideration of the so-called immigration bill.

The motion was agreed to, and the Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 6060) to regulate the immigration of aliens to and the residence of aliens in the United States.

Mr. JONES. I move that the Senate adjourn.

Mr. KERN. I hope the Senator will withhold that motion.

The PRESIDENT pro tempore. The question is on the motion of the Senator from Washington that the Senate adjourn.

The motion was rejected.

RECESS TO SATURDAY.

Mr. KERN. Mr. President, I move that at not later than 6 o'clock this evening the Senate take a recess until Saturday next at 11 o'clock a. m.

Mr. OLIVER. I desire to ask the Senator from Indiana what prospect there is for transacting routine morning business? Some of us have some such business to present.

Mr. KERN. I have no doubt that after Saturday we shall have a morning hour right along.

Mr. OLIVER. The session is getting very short and there ought to be some opportunity of introducing bills and having committees act upon them and also some opportunity of passing unobjected bills; and I suggest to the Senator the propriety, instead of taking a recess until 11 o'clock on Saturday, to adjourn to meet at 11 o'clock on that day.

Mr. KERN. Mr. President, it is the earnest desire, I think, of a majority of the Senate that the pending bill be disposed of on Saturday, and I have no doubt that it will be disposed of on that day. Then we will resume the usual course of business. It is because of that desire, however, that I have made the motion that at not later than 6 o'clock the Senate take a recess until Saturday morning at 11 o'clock.

Mr. CLARK of Wyoming. Mr. President, would it not be possible to take an adjournment of the Senate until 10 o'clock on Saturday morning, so as to allow one hour for morning business between 10 o'clock and 11 o'clock, and begin the discussion of the immigration bill at 11 o'clock?

Mr. SMITH of South Carolina. Mr. President, I should like, if the Senator will allow me, to state that I think from present indications—of course I can not tell with certainty, but I think that on Saturday we can get rid of the immigration bill, now under discussion. After that I do not think there will be any difficulty in disposing of the accumulated routine business.

Mr. CLARK of Wyoming. I should like to ask, just as a matter of information, whether or not, in connection with the consideration of the various bills which will come before the Senate next week or thereafter, it is proposed to dispense with the morning hour?

Mr. SMITH of South Carolina. Oh, no.

Mr. CLARK of Wyoming. We seem to have started in on that course.

Mr. KERN. That is not contemplated by anyone, I will say to the Senator.

The PRESIDENT pro tempore. The question is on the motion of the Senator from Indiana that at not later than 6 o'clock the Senate take a recess until 11 o'clock Saturday morning.

Mr. McCUMBER. Let me ask the Senator from Indiana and the Senator from South Carolina, if we can not reach a vote to-night, why not take a recess at the present time? It is now nearly 20 minutes to 6 o'clock.

Mr. KERN. There are several Senators who desire a short executive session, and I desired to make the motion for a recess now, while there was a quorum present; that was all.

Mr. McCUMBER. If that is the purpose, I have no objection.

Mr. KERN. I have no concealments from the Senator.

The PRESIDENT pro tempore. The question is on the motion of the Senator from Indiana that at not later than 6 o'clock the Senate take a recess until Saturday morning next at 11 o'clock.

The motion was agreed to.

REVENUE-CUTTER SERVICE (S. DOC. NO. 676).

The PRESIDENT pro tempore laid before the Senate a communication from the Secretary of the Treasury, submitting an estimate of appropriation in the sum of $7,398.58 for expenses of the Revenue-Cutter Service for the fiscal year ended June 30, 1914, which, with the accompanying paper, was referred to the Committee on Appropriations and ordered to be printed.

WITHDRAWAL OF PUBLIC LANDS.

The PRESIDENT pro tempore laid before the Senate a communication from the Secretary of the Interior, transmitting, pursuant to law, a report of the Commissioner of the General Land Office on land withdrawals from settlement, location, sale, or entry under the provisions of the act of June 25, 1910, which, with the accompanying papers, was referred to the Committee on Public Lands and ordered to be printed.

PETITIONS AND MEMORIALS.

Mr. NELSON presented petitions of sundry citizens of Minnesota, praying for the enactment of legislation to prohibit the exportation of ammunition, etc., which were referred to the Committee on Foreign Relations.

He also presented the petition of Rev. A. J. Ziskovsky, of Comfrey, Minn., praying for the exclusion of anti-Catholic publications from the mails, which was referred to the Committee on Post Offices and Post Roads.

Mr. ROOT presented petitions of sundry citizens of New York, praying for the restoration of a protective tariff, which were referred to the Committee on Finance.

He also presented petitions of sundry citizens of New York, praying for national prohibition, which were referred to the Committee on the Judiciary.

He also presented petitions of sundry citizens of New York, praying for the enactment of legislation to prohibit the exportation of ammunition, etc., which were referred to the Committee on Foreign Relations.

Mr. OLIVER presented petitions of sundry citizens of Pennsylvania, praying for national prohibition, which were referred to the Committee on the Judiciary.

He also presented memorials of sundry citizens of Pennsylvania, remonstrating against national prohibition, which were referred to the Committee on the Judiciary.

He also presented petitions of sundry citizens of Pennsylvania, praying for the enactment of legislation to prohibit the exportation of contraband of war, which were referred to the Committee on Foreign Relations.

He also presented petitions of sundry citizens of Pennsylvania, praying for the enactment of legislation to further restrict immigration, which were ordered to lie on the table.

He also presented a memorial of Local Lodge No. 620, Independent Order B'nai Brith, of Erie, Pa., remonstrating against the enactment of legislation to further restrict immigration, which was ordered to lie on the table.

He also presented a petition of General H. W. Lawton Camp, No. 19, United Spanish War Veterans, of Wilkes-Barre, Pa., praying for the creation of a national security commission, which was referred to the Committee on Military Affairs.

He also presented a petition of John Harris Council, No. 174, Junior Order United American Mechanics, of Harrisburg, Pa., and a petition of Hyde Park Lodge, No. 306, Knights of Pythias, of Scranton, Pa., praying for the enactment of legislation to grant pensions to civil-service employees, which were referred to the Committee on Civil Service and Retrenchment.

Mr. BURTON presented petitions of sundry citizens of Ohio, favoring action looking toward the establishment of peace in Europe and the formation of an international police, which were referred to the Committee on Foreign Relations.

Mr. McLEAN presented petitions of sundry citizens of Broad Brook, Stamford, Haddam, Danbury, and Rockville, all in the State of Connecticut, praying for the enactment of legislation to prohibit the exportation of contraband of war, which were referred to the Committee on Military Affairs.

He also presented petitions of sundry citizens of West Haven, New Britain, Haddam, and Chatham; of Freja Lodge, No. 17, International Order of Good Templars, of Hartford; and of the congregations of the Methodist Episcopal Church of Moodus; of the Swedish Lutheran Church, of Hartford; of the Connecticut Baptist convention of 25,000 members, of Hartford; of the Congregational Church of West Stafford; and of the First Methodist Episcopal Church of West Haven, all in the State of Connecticut, praying for national prohibition, which were referred to the Committee on the Judiciary.

He also presented memorials of local branches of the Connecticut State Association Opposed to Woman Suffrage, of Waterbury, East Hartford, Bridgeport, New Haven, Glastonbury, Guilford, and Cornwall, all in the State of Connecticut, remonstrating against the adoption of an amendment to the Constitution granting the right of suffrage to women, which were ordered to lie on the table.

He also presented petitions of sundry citizens of Stamford and South Norwalk, in the State of Connecticut, praying for the enactment of legislation to provide pensions for civil-service employees, which were referred to the Committee on Civil Service and Retrenchment.

He also presented memorials of Norwich Camp, No. 75, Order Sons of Zion, of Norwich; of the Council of the United Hebrews, of Waterbury; of the Adath Israel Congregation, of Bridgeport; and of Local Lodge No. 21, Order of B'rith Abraham, and 25 other Hebrew organizations of New Haven, all in the State of Connecticut, remonstrating against the enactment of legislation to further restrict immigration, which were ordered to lie on the table.

He also presented a petition of General Mansfield Council, No. 9, Junior Order United American Mechanics, of Middletown, Conn., praying for the enactment of legislation to further restrict immigration, which was ordered to lie on the table.

Mr. JONES presented a memorial of sundry merchandise brokers, of Seattle, Wash., remonstrating against the war tax as applied to merchandise brokers, which was referred to the Committee on Finance.

He also presented petitions of Fram Lodge, No. 13, International Order of Good Templars, of Everett; of sundry citizens of Tweedle; of Anclor Lodge, No. 3, International Order of Good Templars, of New Castle; and of Lincoln Lodge, No. 122, International Order of Good Templars, of Woodinville, all in the State of Washington, praying for national prohibition, which were referred to the Committee on the Judiciary.

Mr. POINDEXTER. I present a letter from J. C. Adams, of Kent, Wash., together with articles and newspaper clippings relating to the Japanese labor problem and immigration. I move that the letter and accompanying papers be referred to the Committee on Immigration.

The motion was agreed to.

BILLS INTRODUCED.

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. NORRIS:

A bill (S. 7092) granting an increase of pension to Prudie M. Reynolds; to the Committee on Pensions.

By Mr. LIPPITT:

A bill (S. 7093) granting an increase of pension to Susan J. Alexander; to the Committee on Pensions.

By Mr. NELSON:

A bill (S. 1094) granting an increase of pension to John H. Van Meter; to the Committee on Pensions.

By Mr. BURLEIGH:

A bill (S. 7095) granting an increase of pension to Addie M. Higgins; to the Committee on Pensions.

By Mr. McLEAN:

A bill (S. 7096) granting an increase of pension to Lydia A. Smith (with accompanying papers);

A bill (S. 7097) granting an increase of pension to Mary F. Weed (with accompanying papers); and

A bill (S. 7098) granting an increase of pension to Margaret Hoary (with accompanying papers); to the Committee on Pensions.

By Mr. BURLEIGH:

A bill (S. 7099) granting an increase of pension to Silas S. Beckwith; to the Committee on Pensions.

By Mr. JONES:

A bill (S. 7100) granting an increase of pension to Lewis C. Lame (with accompanying papers); to the Committee on Pensions.

AMENDMENTS TO APPROPRIATION BILLS.

Mr. THORNTON submitted an amendment proposing to appropriate $4,000 for a reviser of the United States Statutes, intended to be proposed by him to the legislative, etc., appropriation bill (H. R. 19909), which was referred to the Committee on Appropriations and ordered to be printed.

He also submitted an amendment proposing to increase the appropriation for salary for clerk hire in the offices of shipping commissioners from $35,000 to $35,900, intended to be proposed by him to the legislative, etc., appropriation bill (H. R. 19909), which was referred to the Committee on Appropriations and ordered to be printed.

Mr. LEE of Maryland submitted an amendment providing that whenever there are general rules, regulations, or requirements of any character as to the general milk supply of the District of Columbia no part of the appropriation provided for under this bill shall be expended for examinations or inspections, etc., intended to be proposed by him to the District of Columbia appropriation bill (H. R. 19422), which was referred to the Committee on Appropriations and ordered to be printed.

EXECUTIVE SESSION.

Mr. KERN. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to, and the Senate proceeded to the consideration of executive business. After 10 minutes spent in executive session the doors were reopened, and (at 5 o'clock and 47 minutes p. m., Thursday, December 31, 1914) the Senate took a recess until Saturday, January 2, 1915, at 11 o'clock a. m.

CONFIRMATIONS.

Executive nominations confirmed by the Senate December 31, 1914.

REGISTER OF THE LAND OFFICE.

Frederick M. Hedger to be register of the land office at Walla Walla, Wash.

POSTMASTERS.

CONNECTICUT.

T. J. Kelly, Oakville.

IDAHO.

William T. Roberts, Bellevue.

MICHIGAN.

James C. Beckwith, Marshall.
Charlie W. Beier, Lenox.
Powell Brody, Lawton.
James J. Byers, Houghton.
Patrick Garvey, Hemlock.
Earl Hunter, Lowell.
Frederick J. Kruger, Centerville.
Myron E. Miller, Charlotte.
Patrick H. Schannenk, Chassell.
F. Raymond Wallbrecht, Central Lake.

MISSISSIPPI.

A. C. Fant, Macon.
Nannie Stuart, Morton.

OHIO.

F. N. Cary, New Richmond.
Jacob C. Hoch, Spencerville.
Jacob E. Mercer, Hicksville.
Bernard Sherman, Minster.
William A. White, Crestline.

OKLAHOMA.

Clarence G. Dalton, Mounds.

PENNSYLVANIA.

James J. McArdle, Nesquehoning.
Frank P. Moats, Smithfield.
James G. Paul, Bradford.
George F. Trout, Stewartstown.

HOUSE OF REPRESENTATIVES.

THURSDAY, *December 31, 1914.*

The House met at 11 o'clock a. m.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

We rejoice, Almighty God, our heavenly Father, in the great precepts enunciated by the Master in the marvelous Sermon on the Mount and in His wonderful parables, acknowledged by a consensus of the purest minded in all the world as conducive to the highest civilization, and we most earnestly pray that we may not only appreciate their worth but make them ours by assimilation and put them into the affairs of daily life after the manner of the Christ. Amen.

The Journal of the proceedings of yesterday was read and approved.

RESIGNATION OF A MEMBER.

The SPEAKER laid before the House the following communication:

WASHINGTON, D. C., *December 31, 1914.*

Hon. CHAMP CLARK,
Speaker of the House of Representatives.

SIR: I beg leave to inform you that I have this day transmitted to the governor of the State of New York my resignation as a Repre-

sentative in the Congress of the United States from the second district of New York.

Yours, respectfully, DENIS O'LEARY.

POST-OFFICE APPROPRIATION BILL.

Mr. MOON. Mr. Speaker, I move that the House resolve itself into Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 19906, the Post Office appropriation bill.

Mr. SMITH of Minnesota. Mr. Speaker, I make the point of order that no quorum is present.

The SPEAKER. Evidently there is no quorum present.

Mr. MOON. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The SPEAKER. The Doorkeeper will close the doors, the Sergeant at Arms will bring in the absentees, and the Clerk will call the roll.

The Clerk called the roll, and the following Members failed to answer to their names:

Aiken	Donohoe	Hughes, W. Va.	Parker, N. Y.
Ainey	Dooling	Hulings	Patten, N. Y.
Allen	Doughton	Jones	Patton, Pa.
Anderson	Driscoll	Keister	Peters
Ansberry	Dunn	Kelly, Pa.	Peterson
Anthony	Eagan	Kennedy, Iowa	Phelan
Austin	Edmonds	Kettner	Platt
Avis	Edwards	Kinkead, N. J.	Plumley
Bailey	Elder	Kitchin	Porter
Baltz	Esch	Knowland, J. R.	Pou
Barchfeld	Evans	Korbly	Powers
Barnhart	Fairchild	Kreider	Price
Bartlett	Faison	Langham	Ragsdale
Barton	Farr	Lee, Ga.	Riordan
Beall, Tex.	Fess	L'Engle	Roberts, Nev.
Borchers	Fields	Levy	Rothermel
Bowdle	Floyd, Ark.	Lewis, Pa.	Sabath
Britten	Fordney	Lieb	Scully
Brockson	French	Lindbergh	Seldomridge
Brodbeck	Gallagher	Lindquist	Sells
Brown, W. Va.	Gallivan	Lobeck	Shackleford
Bruckner	Gard	Loft	Sherley
Brumbaugh	Gardner	Logue	Shreve
Bulkley	Garrett, Tenn.	McAndrews	Sisson
Burke, Pa.	Garrett, Tex.	McClellan	Slayden
Burke, Wis.	George	McGuire, Okla.	Slemp
Burnett	Gerry	McKenzie	Smith, J. M. C.
Butler	Gillett	Mahan	Stafford
Calder	Gittins	Maher	Stanley
Callaway	Godwin, N. C.	Manahan	Stephens, Miss.
Cantor	Goeke	Mapes	Stevens, N. H.
Cantrill	Goldfogle	Martin	Sutherland
Carew	Good	Metz	Talbott, Md.
Carlin	Gordon	Miller	Taylor, Ala.
Carr	Gorman	Mondell	Taylor, N. Y.
Cary	Graham, Ill.	Montague	Ten Eyck
Clancy	Graham, Pa.	Morgan, La.	Townsend
Clark, Fla.	Greene, Mass.	Morin	Tuttle
Claypool	Gregg	Moss, W. Va.	Underhill
Cline	Guernsey	Mott	Vare
Coady	Hamill	Mulkey	Vaughan
Collier	Hamilton, N. Y.	Murdock	Vinson
Connolly, Iowa	Hammond	Neeley, Kans.	Walker
Conry	Hart	Neely, W. Va.	Wallin
Copley	Haugen	Nelson	Walsh
Dale	Hayes	Nolan, J. I.	Walters
Davenport	Heflin	O'Brien	White
Davis	Helvering	Oglesby	Wilson, Fla.
Decker	Hensley	O'Hair	Wilson, N. Y.
Deitrick	Hill	O'Leary	Winslow
Dershem	Hinebaugh	O'Shaunessy	Woodruff
Difenderfer	Houston	Paige, Mass.	
Dixon	Hughes, Ga.	Palmer	

After the Clerk had completed the calling of the roll, the Speaker announced that 205 Members had answered "present."

Mr. UNDERWOOD. Mr. Speaker, I move that warrants be issued for the absentees and that the Sergeant at Arms be directed to arrest them and bring them in.

The SPEAKER. The gentleman from Alabama moves that warrants be issued for the absentees and that the Sergeant at Arms be directed to arrest them and bring them in.

The motion was agreed to.

Subsequently 14 more Members appeared and answered to their names.

The SPEAKER. Two hundred and seventeen Members are present; a quorum.

Mr. FITZGERALD. Mr. Speaker, I move that further proceedings under the call be dispensed with.

The motion was agreed to.

The doors were opened.

The SPEAKER. The gentleman from Tennessee moves that the House resolve itself into Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 19906, the Post Office appropriation bill.

The motion was agreed to.

Accordingly the House resolved itself into Committee of the Whole House on the state of the Union, with Mr. SAUNDERS in the chair.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

SEC. 14. That the appropriation for the manufacture of postage stamps be so amended that advance payment can be made to the Director of the Bureau of Engraving and Printing for the printing of postage stamps.

Mr. FITZGERALD. Mr. Chairman, I move to strike out the paragraph.

The CHAIRMAN. The gentleman from New York offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amend, on page 47, by striking out section 14.

Mr. FITZGERALD. Mr. Chairman, I do not understand the necessity for this provision. At present, under the law, the Director of the Bureau of Engraving and Printing is permitted to do what is known as repay work for the Post Office Department. The Bureau of Engraving and Printing submitted bids for the printing of the postage stamps, and was the successful bidder. Under the provision which is carried in connection with the appropriation for the Bureau of Engraving and Printing the work is done out of appropriations made for the bureau, and the bureau is reimbursed by the Post Office Department as the stamps are delivered. What particular advantage there is to be gained by paying the Bureau of Engraving and Printing in advance for this work I do not know. It may have one effect, and one effect only, and that should not, in my opinion, be permitted. In estimating upon this work the bureau fixes as the price the cost of the labor and materials, with a certain percentage added to cover the overhead charges. As nearly as possible it is attempted to do the work at cost, but there is a very considerable profit to the bureau in the doing of the work. Last year the sum of $32,000 was not received from the Post Office Department for such work until after the close of the fiscal year. That sum was a portion of the profit that was made. Not having been received during the fiscal year, it went into the Treasury. If it had been received before the end of the fiscal year, it would have been available in addition to the appropriations made for the bureau. It is very difficult to keep track of what the bureau actually has available each year.

Mr. MOON. Mr. Chairman, I want to say that this is a section which the department asked to have placed in the bill. It is one about which the committee care but little, and I understand that the department is not particularly anxious about it. Therefore, if there is any serious objection to the section, or any complication should arise such as the gentleman from New York suggests, I am entirely satisfied to see the section go out of the bill.

Mr. FITZGERALD. I do not see any advantage to the Post Office Department, and for that reason I hope the amendment will be agreed to.

Mr. FOSTER. Mr. Chairman, will the gentleman yield?

Mr. FITZGERALD. Yes.

Mr. FOSTER. As I understand, the Bureau of Engraving and Printing prints these stamps?

Mr. FITZGERALD. Yes.

Mr. FOSTER. In large quantities?

Mr. FITZGERALD. Yes.

Mr. FOSTER. And holds them until such time as the department wants them? Is that correct?

Mr. FITZGERALD. They may be stored for the Post Office Department. The bureau makes a contract to print the stamps, and the orders are given and the stamps are printed as required. It may be that they are held in the bureau until delivery is called for.

Mr. FOSTER. I understand; but what I was getting at was whether the Bureau of Engraving and Printing held a large quantity of these stamps until such time as the Post Office Department wanted them.

Mr. FITZGERALD. Oh, no; except that it may be convenient to store them there. That is all. They have no authority to print them until they are ordered, and if they are ordered and printed the department must pay for them.

Mr. FOSTER. They are paid for as soon as they are printed?

Mr. FITZGERALD. I do not know the particular arrangement made for the payment. The only result of this provision would be that if they paid for these stamps in advance the bureau would have available for its use, in addition to the appropriation made for its work, the entire profit it may make on this contract. It just so happened that last year $32,000 were not paid until after the expiration of the fiscal year. That sum went into the Treasury as miscellaneous receipts. If it had been paid before the 30th of June it would have been expended in the bureau, and it adds a certain amount of money

over which we have no control, and we can not estimate on how much it would be.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from New York.

The amendment was agreed to.

The Clerk read as follows:

All acts or parts of acts inconsistent with the provisions of this act are hereby repealed.

Mr. MANN. Mr. Chairman, I suggest to the gentleman from Tennessee that if there is to be a repealing clause in this act it would be better to put it in as a separate section at the end, where people would naturally look for it. It came in here, I take it, as a part of the bill that we passed last summer.

Mr. MOON. That is true.

Mr. MANN. I suggest that the gentleman offer an amendment to strike it out of that place and insert it later, if he desires, as a separate section at the end of the bill.

Mr. MOON. We can put it at the end of the bill. Mr. Chairman, I move to strike out lines 6 and 7.

The CHAIRMAN. The gentleman from Tennessee offers an amendment which the Clerk will report.

The Clerk read as follows:

Page 50, strike out lines 6 and 7.

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

The Clerk read as follows:

SEC. 19. That section 3949 of the Revised Statutes be amended to read as follows:

"All contracts for carrying the mail should be in the name of the United States, and shall be awarded to the lowest bidder tendering sufficient guaranties for faithful performance in accordance with the terms of the advertisement: *Provided, however,* That such contracts require due celerity, certainty, and security in the performance of the service; but the Postmaster General shall not be bound to consider the bid of any person who has willfully or negligently failed to perform a former contract."

Mr. FITZGERALD. Mr. Chairman, I offer the following amendment as a new paragraph.

The Clerk read as follows:

After line 18 insert the following:

"Whenever it shall be established to the satisfaction of the Postmaster General that any person is engaged or represents himself as engaged in the business of publishing any obscene or immoral books, pamphlets, pictures, prints, engravings, lithographs, photographs, or other publications, matter, or thing of an indecent, immoral, scurrilous, or libelous character, and if such person shall, in the opinion of the Postmaster General, endeavor to use the post office for the promotion of such business, it is hereby declared that no letter, packet, parcel, newspaper, book, or other thing sent or sought to be sent through the post office by or on behalf of or to or on behalf of such person shall be deemed mailable matter, and the Postmaster General shall make the necessary rules and regulations to exclude such nonmailable matter from the mails."

Mr. FINLEY. Mr. Chairman, I reserve the point of order on the amendment.

Mr. FITZGERALD. Mr. Chairman, this amendment is designed to give to the Postmaster General authority which apparently he does not possess at the present time. He discusses the question of obscene and scurrilous matter in the mails somewhat elaborately in his annual report, and calls attention to the fact that considerable complaint has been made of publications characterized as obscene, indecent, and scurrilous in their character.

The Postmaster General reviews the law and the decisions under certain provisions of the criminal code. It has been held by the Supreme Court of the United States that an immoral and obscene publication to come within the statute must be one which must incite persons to obscene or immoral acts and at the same time tend to degrade public morals. It has been pointed out, however, that there are many matters of a vulgar, coarse, scurrilous, lewd, and outrageously offensive character that do not come within the provisions of existing laws and for which apparently there is no remedy. The pending amendment is so framed that it will not permit injustice to be done to anyone, and yet can hardly be objected to as an improper exercise by an executive department of power which should properly be reposed in it. The proposed legislation requires the establishment of two facts. One is that a person shall be engaged, or shall represent himself as engaged, in the business of publishing immoral books, pamphlets, pictures, prints, engravings, lithographs, photographs, or other publication, matter, or thing of an indecent, immoral, scurrilous, or libelous character. The fact must first be established to the satisfaction of the Postmaster General that a person is engaged in such business, or represents himself to be engaged in such business, and then being engaged in such business, or holding himself or representing himself to be engaged in such business, that he endeavors to use the post-office facilities to further such business. It seems to me that if these two facts be established regarding any person or enterprise that such a person or enterprise should not be permitted to utilize the mails of the United States in order to promote such a business. I know there are many complaints about various publications that are well founded. They contain matter so offensive to decent men that they should not be transmitted through the mails. It would be impossible and improper to lay down a rule for legislation directed at a particular person or a particular publication. There should be established by law a general rule of conduct to be followed. There should be some authority reposed in some official to prevent the use of the facilities provided by the United States in its mails by anyone engaged in such business——

Mr. MOORE. Mr. Chairman——

Mr. FITZGERALD (continuing). Or representing himself to be engaged in such business as is outlined in the pending amendment.

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. FITZGERALD. Mr. Chairman, I ask unanimous consent that my time be extended a minute or two.

Mr. MANN. Make it five minutes.

The CHAIRMAN. The gentleman from New York asks unanimous consent that his time be extended five minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. MOORE. Will the gentleman yield?

Mr. FITZGERALD. In just a minute—and who attempts to utilize the mails to promote that business. I yield.

Mr. MOORE. Is the gentleman quite sure the Postmaster General does not have authority now to eliminate such publications as the gentleman refers to in his amendment?

Mr. FITZGERALD. No; I am not quite sure that he has not such authority. But the Postmaster General has been advised, and his report is based upon the opinion of the Solicitor for the Post Office Department. I believe the question as to just what power the Postmaster General now has is one about which lawyers may differ.

Mr. MOORE. He has the power to prevent the use of the mails for lottery purposes, for instance.

Mr. FITZGERALD. The statute specifically prohibits the use of the mails for lottery purposes.

Mr. MOORE. And under the Barnhart amendment he has certain other powers.

Mr. FITZGERALD. He has the power to exclude from the mails a publication upon the wrapper of which obscene or immoral or scurrilous matter is contained; but it has been held by the courts that the matter contained on the first page of a newspaper is not within the statute relating to marks or inscriptions upon the wrappers.

Mr. MOORE. Will the gentleman yield for one more question?

Mr. FITZGERALD. Yes.

Mr. MOORE. How far would this proposed amendment extend with respect to magazines which present certain theories of government, and certain newspapers which print articles which are unquestionably scurrilous and perhaps libelous?

Mr. FITZGERALD. Mr. Chairman, it would affect every publication which came within its definition. I have an interesting document——

Mr. MOORE. The theory is that it would cover all newspapers and magazines indulging the practices referred to?

Mr. FITZGERALD. It would cover every publication which came within its terms. In 1908 President Roosevelt transmitted to the House by message an opinion of the then Attorney General of the United States relative to the exclusion from the mails of a publication issued in Paterson, N. J. The publication was an anarchistic publication that advocated murder, riot, and arson, and the killing of police officers, the seizing of armories, and the dynamiting of the armories if any difficulty were encountered in a proposed attempt to seize them. The President had addressed a communication to the Attorney General in which he said that by his direction the particular publication had been excluded from the mails and would not be admitted to the mails unless by order of court or unless the Attorney General advised him that it must be admitted. He submitted certain questions to the Attorney General, upon which he requested his opinion. I shall not undertake to recite the conclusions of the Attorney General; they are set forth fully in the opinion. I shall read, however, the last paragraph, which is as follows:

While, therefore, in the absence of any express provision of law or binding adjudication on this precise point, the question is certainly one of doubt and difficulty. I advise you that, in my opinion, the Postmaster General will be justified in excluding from the mails any issue of any periodical, otherwise entitled to the privileges of second-class mail matter, which shall contain any article constituting a seditious libel and encouraging such crimes as murder, arson, riot, and treason.

Mr. Chairman, there should not be uncertainty about the law. The use of the mails is a privilege, not a right. Whoever uses the mails should be able to ascertain definitely what the law prohibits from being transmitted and what may lawfully be sent through the mail. If a question is raised with the Post Office Department as to the character of a publication that can or can not be transmitted through the mails, the law should not be so uncertain or indefinite as to permit a legitimate controversy as to whether in the admission or exclusion of a publication there had been any abuse of authority. The Postmaster General is advised that there does not seem to be any law at present which covers obscene, indecent, defamatory, and scurrilous matter, unless the matter be of such character as to incite the imagination and lead to the doing of obscene acts. It is quite apparent, however, that there is a much larger class of material which should be excluded from the mails.

I realize, as all who have ever given any attention to the question, that the isolated or sporadic case can not be reached. No attempt is made to do so. But there are conditions that require no elaborate investigation nor extended discussion to convince decent men that they should not be permitted. Such conditions are covered by the pending amendment. If it be established to the satisfaction of the Postmaster General that a person is engaged or represents himself as engaged in the business of circulating publications or other matters of the character described in the amendment, and uses the mails to further such business, who will say that the mails should be used for so foul a purpose? No one need fear that the proposed amendment is overdrastic or unreasonable. It is almost identical with section 193 of the Canadian Postal Guide for 1913. There is just as much jealousy of the freedom of the press in Canada as here, but the freedom of the press so essential to a free people should never be confounded with an indecent license; nor under the plea of such freedom should it be permitted to debauch our mails by admitting publications of so outrageously indecent and offensive character as to arouse the resentment of decent men.

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. FINLEY. Mr. Chairman, the proposition contained in the amendment offered by the gentleman from New York is not in order where offered, and it is fairly objectionable from every standpoint. But he said something about the merits of it. We have a Postmaster General to-day. He is in office now. He will go out at some future time. Who will be there 5 years from now or 10 years from now we do not know. The power that is proposed to be lodged in the hands of the Postmaster General under that amendment should not be lodged in the hands of any one man in all this country. [Applause.] It should not be left to the decision of any one man, and he an executive officer and appointed by another man. So this proposed amendment, if you analyze it, means going back in a measure to the sedition laws, and we remember that the execution of those laws cost a great political party its existence.

Now, I am not in favor of scurrilous or obscene matter going through the mails. I am opposed to it, but I think when we legislate here for all the people of this country each and every individual should have redress somewhere, some place of appeal. Under that amendment an ipse dixit of whomever happens to be Postmaster General at the time is absolutely conclusive of what is and what is not objectionable under the proposed amendment. So, in my view there is law enough at present, and if the Postmaster General will exercise to the full his discretion in the premises as to what matter is scurrilous and libelous and tends to incite or create a disturbance of the peace or good order the law is ample. But assuming that it is not, yet here is a matter that affects free speech, so to speak, in this country. Free speech, to my mind, does not mean license, nor should it mean that to any fair-minded man. It does not mean license to abuse the law—not at all. But this proposed amendment, as proposed by the gentleman from New York, has not been considered or reported by any committee. It is a matter of the greatest importance. So the House should not be called upon to pass on a great question like this under the circumstances.

I make the point of order, Mr. Chairman, the amendment is not in order.

The CHAIRMAN. Does the gentleman from New York [Mr. FITZGERALD] desire to be heard on the point of order?

Mr. FITZGERALD. It is useless to discuss it, Mr. Chairman, as the amendment is clearly subject to a point of order.

The CHAIRMAN. The point of order is sustained.

Mr. FITZGERALD. If the Chair will permit me, let me say to the gentleman from South Carolina that every power now possessed by the Postmaster General to exclude nonmailable matter, or matter declared to be nonmailable, is a power that is exercised in his discretion, and there would be just as much right to a review in this case as there would be in any other case. The circulation of scurrilous, indecent, obscene, and defamatory matter in the mail is a gross abuse——

Mr. FINLEY. Will the gentleman yield?

Mr. FITZGERALD. Certainly.

Mr. FINLEY. I will say to the gentleman, with all regard for him, that if he will introduce such a bill and come before the Committee on the Post Office and Post Roads in this House he will have an ample hearing, and not only that, but if the committee sees fit to report it, it will do so promptly.

Mr. FITZGERALD. I understand that, Mr. Chairman. Of course I appreciate, and the gentleman from South Carolina appreciates, that even a favorable report upon such a bill at this session of Congress would mean no action. Here is an appropriation bill of 54 pages, with 24 pages of general legislation. Everyone here knows that if there is to be any postal legislation during this session it will have to be contained in this bill and in no other. The circulation of grossly obscene, indecent, scurrilous, and defamatory matter through the mails by whomever it may be circulated is a gross abuse of the privileges of the mails and should not be tolerated. There should be the power lodged some place to prevent such use—or abuse—of the mails. If it be not possessed now by the department it should be given to the department. The amendment which I proposed does not give any authority that anyone can justly criticize. It requires the establishment of two facts, first, that a person is either engaged, or holds himself out as engaged, in the circulation of matter of the offensive character described, and, secondly, is attempting to use the Post Office Department to further that business. I do not believe anyone can justify toleration of a situation that would permit a man to engage in such a business and use the Post Office facilities to promote it.

Mr. FINLEY. Mr. Chairman, we would like to go on with the bill, and I ask for the regular order.

Mr. FALCONER. Mr. Chairman——

The CHAIRMAN. Does the gentleman from South Carolina yield to the gentleman from Washington?

Mr. FINLEY. I will yield, of course.

Mr. FALCONER. I wanted to ask if it is not something of a dangerous precedent to establish to put this kind of an amendment or provision in a bill of this character, giving the Postmaster General the power when the common laws cover the point, and where anyone who now sends this kind of literature through the mails is subject to the penalties of the laws now on the statute books? I am against this amendment. I think it is un-American.

Mr. FITZGERALD. The law does not cover it, apparently. It is asserted that the literature or publication must be of such a character as to be not only obscene, but to incite a person to the perpetration of obscene acts. There is a great mass of literature of a grossly obscene and indecent character that should not be permitted to be transmitted through the mails which will not incite the perpetration of obscene acts.

Mr. TRIBBLE. Mr. Chairman, under what rule is the gentleman now proceeding?

The CHAIRMAN. Under the unanimous consent of the committee. If the gentleman makes the point of order——

Mr. TRIBBLE. I make it.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

SEC. 20. That the act of March 4, 1909 (ch. 321, sec. 198, 35 Stat., p. 1126), be amended to read as follows:

"Whoever shall willfully or maliciously injure, tear down, or destroy any letter box or other receptacle intended or used for the receipt or delivery of mail on any mail route, or shall break open the same, or shall willfully or maliciously injure, deface, or destroy any mail deposited therein, or shall willfully take or steal such mail from or out of such letter box or other receptacle, or shall willfully aid or assist in any of the aforementioned offenses, shall for every such offense be punished by a fine of not more than $1,000 or by imprisonment for not more than three years."

Mr. MADDEN. Mr. Chairman, I desire to offer an amendment.

Mr. FITZGERALD. I offer an amendment, Mr. Chairman.

The CHAIRMAN. The gentleman from Illinois [Mr. MADDEN] offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amend, on page 51, in line 2:

After the word "same," insert "or shall deposit any circular or other printed matter not intended for the mails in the same."

Mr. FINLEY. Mr. Chairman, I reserve a point of order on that.

Mr. MADDEN. It is not subject to the point of order. It is dealing with the subject matter of the section. It should

have been put in in the committee. It was a question that the committee had agreed upon anyhow to report as a part of the section.

Mr. FINLEY. If the gentleman from Illinois will excuse me, I did not catch the full import of the amendment by the reading of it.

The CHAIRMAN. The Clerk will report the amendment again.

The amendment was again reported.

Mr. MADDEN. It simply prevents the littering up of the boxes. I ask for its adoption, Mr. Chairman.

Mr. BRYAN. Mr. Chairman, may I inquire of the gentleman if that amendment will apply to boxes in the rural districts, for instance, where men put circulars in the rural mail boxes?

Mr. MADDEN. If the matter is not intended for delivery through the mails, it would.

Mr. BRYAN. Mr. Chairman, I think I would like just a word.

The CHAIRMAN. The gentleman from Washington [Mr. BRYAN] is recognized.

Mr. BRYAN. It is a common practice in the rural districts for a man to pass along the road and distribute circulars, for instance, which he wants the various farmers to get; and it is the practice for him to put those circulars in the rural mail boxes, and the farmer gets them. Candidates for Congress sometimes do that same thing in campaigning through the country. They go along a country road and put their cards and announcements in those boxes; and those boxes are owned by the people. If the gentleman refers to those boxes, I certainly think we ought to consider his amendment very carefully before adopting it.

Mr. MADDEN. The boxes are owned by the Government, or they are under the control of the Government, although they may be purchased by individuals; and they are United States mail boxes and subject to all the rules and regulations that govern the use of mail boxes, and nobody ought to be allowed to introduce any matter into any of those boxes that is not intended to go through the mails. If any person wants to communicate with people of a given territory, he ought to put his communication in an envelope and put a postage stamp upon it.

Mr. BURKE of South Dakota. Mr. Chairman, will the gentleman yield?

Mr. BRYAN. Certainly.

Mr. BURKE of South Dakota. I would like to call the attention of the gentleman to the fact that under a recent regulation of the Post Office Department people in towns and cities having free delivery are required to furnish a box if they wish to have their mail delivered.

Mr. MADDEN. Yes.

Mr. BURKE of South Dakota. Now, I would like to ask the gentleman if such boxes are subject to the control of the Post Office Department, and whether the provision he suggests would affect the depositing in those boxes of some matter that was not deposited with the intention of going through the mails?

Mr. MADDEN. I think they are under the control of the Post Office Department, and it is a regulation of the department now that wherever new delivery service is extended in any city in the United States the owner of the house to which mail is to be delivered shall, in advance of the mail delivery, be required to put such a box in place. Now, that box ought not to be incumbered with all kinds of rubbish.

Mr. BURKE of South Dakota. There are deliveries, I will say to the gentlemen in rural service where newspapers deliver their daily issues; and would the gentleman have it so that they can not deposit those newspapers in those boxes that were put up for the purpose of receiving mail?

Mr. MADDEN. I suppose the gentleman has reference to county newspapers?

Mr. BURKE of South Dakota. They may be daily newspapers.

Mr. MADDEN. I do not think that anything that is not permitted to go through the mails should be placed in any one of these boxes.

Mr. BRYAN. Mr. Chairman, I am afraid the gentlemen have used all my time; but this amendment should not be adopted. I think we would make a mistake if we should adopt an amendment here that permits a fine of a thousand dollars to be imposed or a penalty of imprisonment inflicted if a person puts into a receptacle that is used for the purpose of receiving mail anything that is not intended to go through the post office.

It seems to me it would be absurd. In our cities we have our little boxes at our doors, and men passing along distributing circulars and newspapers deposit the circulars and newspapers in them. That is the very place to put them. They are not designed to go through the mails at all. The boxes are ours. They are intended for the reception of mail and information; and it is right that those things should be put there.

In the country districts the boxes are put up along the roadway by the farmers and inhabitants of the rural districts for the convenience of the people, as receptacles for all kinds of information, for notices of farmers' grange meetings, and notices of church meetings, and all such notices are put in there so that the farmers and the people living in the houses can know what is going on and can be governed in their actions by the announcements. I think the gentleman's amendment goes entirely too far.

Mr. MADDEN. The gentleman would be willing to admit that the permission to put such matters in the boxes defeats the purpose of the department to collect postage for all mails?

Mr. BRYAN. Mr. Chairman, I do not believe so at all. I do not believe that the class of information and pamphlets and circulars that I have referred to would go through the mail, although it may be possible that in some cases they would do that. But we are not running the Postal Service like a Chicago department store. We are not running this Post Office Department for the sake of making money out of it. We are running it for the purpose of disseminating information, and where information can be disseminated without a penny of cost to the Government we do not wish to derive any revenue from it. If that could be done all over the country, we would not have any post office; if the information could go out sufficiently without it, we would not have it. In all these offenses that are enumerated malicious intent is involved; yet by this amendment the putting of a notice of a grange meeting into a box, without malice of any kind, would be a crime, just the same as if a man should take an ax and cut down the box. I believe the gentleman from Illinois has a worthy purpose in view and has in mind the elimination of a real evil, but I believe this amendment is entirely wrong and entirely too far-reaching.

Mr. MADDEN. I believe that the gentleman would concede that if a man deliberately put into a box something that ought not to be there he would be doing it willfully?

Mr. BRYAN. Yes; there is not much to the word "willfully" by itself; if, however, something in the nature of acid or ink or some disfiguring substance of that kind is put into a mail box for the purpose of destroying the contents, that would be willful and malicious, but to put notices and announcements of grange meetings and church meetings in boxes at the front doors of people, erected there by the resident for the reception of circulars and information, and in front of the houses of farmers in the rural districts, I do not believe it would be out of place, and I certainly am opposed to the passage of such an amendment as the gentleman has offered.

The CHAIRMAN. The time of the gentleman from Washington has expired.

Mr. FOWLER. Mr. Chairman, my colleague from Illinois [Mr. MADDEN] is one of the best-posted and one of the most industrious men on the Committee on the Post Office and Post Roads. His judgment is usually correct. But in the case of this amendment I am persuaded, Mr. Chairman, that because of his surroundings in a great city where crimes are so often committed he is not fully in sympathy with the views, customs, and habits of the country cities and towns and the country itself. It is said that the post-office box belongs to the Government, and that the Government should have control over it. It is true that the Government ought to have control over the box in a sense, but I desire to inform my colleague that in the country, where there is rural mail delivery, the boxes are very often left entirely open for convenience, so that any matter of use and information may be deposited therein.

Mr. FINLEY. And they are owned by the patrons.

Mr. FOWLER. They are owned by the patrons, who have a vested interest in them which should not be taken away from them by any authority whatever. Indeed, I know of boxes in the country which have been left open until the birds have built nests in them; and if you are going to impose a fine upon the depositors in the box you will have to extend it to the birds; and who would want to fine those beautiful songsters which enliven the homestead of any man in the country? [Laughter and applause.] I am inclined to believe that if the gentleman had ever lived in the country he would withdraw his amendment and say to those people who are anxious to get any piece of information that they can that they have certain vested rights which ought not to be taken away from them.

Mr. HOWARD. Will the gentleman yield?

Mr. FOWLER. With pleasure.

Mr. HOWARD. Under the procedure proposed by the gentleman from Illinois [Mr. MANN] an English sparrow could not

get a fair and impartial trial in the country, and he is the bird that uses the mail boxes.

Mr. FOWLER. Gentlemen in the city are not used to these songsters as we are in the country. Of course, as I understand, the amendment does not propose to deal with that question. But, Mr. Chairman, in all seriousness I think this amendment is too drastic, and I trust it will be defeated.

Mr. MANN. Mr. Chairman, it may be that this proposition is a little hard upon the rural free-delivery boxes. I do not know. For years the Post Office Department has been endeavoring to compel people who live in the cities to provide receptacles for the mail, on the idea that it would hasten the work of delivering the mail. Many houses and apartments have little mail boxes at the entrance. People who engage in circular delivery in the cities have taken advantage of this situation, and in many places to-day, in the city of Chicago, and I doubt not elsewhere, it is impossible for the postman to put the mail in the mail box, because it is already filled up with circular matter put in by circular-distributing agencies. Now, there ought to be some way of preventing that. The people who own the boxes do not want circular matter. The circular agencies can distribute these circulars more cheaply by sending persons around with them than they can by sending them through the mails; and I have had, and I doubt not my colleagues and other Members from the cities have had, many protests from patrons, because it was impossible for them to have their mail put into the receptacles which they had prepared, because those receptacles were filled daily with so-called circular matter, sometimes almost printed books, put in by these distributing agencies. The Government will never succeed in getting the people of the cities completely to put in mail boxes until they protect those boxes for the use of the mail. Every once in a while the Post Office Department issues a statement that it will refuse to deliver mail in the city at any house where there is not a receptacle. I receive such a notice once in a while. I never had a receptacle except for a short time, and it became such a nuisance, from the circular matter, that I tore it out and threw it away, and I do not propose to put in one until there is some sort of protection. Of course, I know that the bluff about not delivering the mail does not go. It is a pure bluff. I am old enough to know better, and have had experience enough to know that the Government will not refuse to deliver the mail. When it goes to the trouble of paying a dollar to carry a letter to somebody in Alaska who has not a mail receptacle I am very sure it is not going to refuse to deliver the mail because the carrier does not want to ring the bell.

Mr. BURKE of South Dakota. Will the gentleman yield for a question?

Mr. MANN. Certainly.

Mr. BURKE of South Dakota. I should like to ask the gentleman if it is not true that in all cities there are a great many apartments that do not maintain a telephone system or have a clerk in charge, and as you enter the apartment building there is a mail box belonging to each of the apartments, and there is also a bell connected with each apartment? Callers ring the bell of the apartment desired and if the occupant is in he will answer the call by talking through a speaking tube. If no one is in the apartment, the caller usually deposits a card in the mail box or a note that he may wish to leave for the person he is calling upon. Would the gentleman say that ought to be prevented?

Mr. MANN. I doubt whether that ought to be prevented. Of course, it is true that the modern apartment building usually has these boxes. It is also true that there is a great protest now against the misuse of them.

Mr. BORLAND. I assume it is true in Chicago, as it is in most cities, that they have city ordinances governing the distribution of circular matter, and if it becomes a nuisance to distribute circulars in a certain way—for instance, if thrown on doorsteps or in hallways—the city can prevent it by ordinance; and the city could, by ordinance, prevent the distribution of circular matter to apartment houses in the way which has been stated.

Mr. MANN. A city can not by ordinance prevent the putting of this matter in the mail boxes. That question has been decided.

Mr. BORLAND. I do not think I agree with the gentleman.

Mr. MANN. I do not care whether the gentleman agrees with me or not. It has been decided in our city that it could not be regulated in that way.

Mr. BORLAND. I think the distribution of circulars can be controlled by city ordinance, it makes no difference how they are distributed.

Mr. MANN. That is another thing.

The CHAIRMAN. The time of the gentleman has expired.

Mr. HOWARD. Mr. Chairman, I offer the amendment which I send to the Clerk's desk.

The CHAIRMAN. The gentleman from Georgia offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amend the amendment by inserting at the end thereof the following: "where such boxes are located in the corporate limits of cities of 300,000 population or more."

Mr. BRYAN. Mr. Chairman, I am opposed to that because my city of Seattle contains a population of 310,000.

Mr. HOWARD. Mr. Chairman, the object of this amendment is simply this: I can readily realize that the use of mail boxes in large cities for the distribution of circular matter and the defeat of the collection of postage by the Government is probably greatly abused, but in the country districts and the smaller cities no such condition exists. Especially is this true in the country. I know that the rural delivery boxes are used by people in the country who never go near the post offices and who sometimes live 8 or 10 or 12 miles from the post office; they are used by school-teachers for the distribution of efficiency cards of scholars; and sometimes a farmer will send down by some friend for an article which is deposited in the mail box as a matter of convenience. The farmers erect these boxes at their own expense, and there is no abuse of this kind in the country. If this amendment were adopted, it would work a great inconvenience upon the rural element of our population. On the other hand, I believe that in the large cities it is abused. So far as the population of Seattle, which the gentleman says is 310,000, is concerned, I, of course, made the limit 300,000 as an arbitrary limit, but if the gentleman wants to amend it by making it 250,000, all right.

Mr. BRYAN. I should want to put it at 350,000 or 400,000, because Seattle will soon reach 400,000 anyway.

Mr. HOWARD. There may be a time when Seattle will dwindle to 200,000, so the gentleman had better put it down. But, Mr. Chairman, that is the purpose of my amendment, and I hope that the amendment of the gentleman from Illinois will not be adopted unless my amendment is adopted.

Mr. BORLAND. Mr. Chairman, there is no necessity for this distinction between cities of a certain size; in fact, there is no necessity for the amendment at all. It appears from the statement of the two gentlemen from Illinois that the only purpose of this amendment is to correct an abuse of the distribution of circular and advertising matter by private distributing companies in the city of Chicago. That matter can be controlled in cities by ordinance. The cities license the distributing companies, and can provide ordinances under which they can do business. They do not have to license these companies. The amendment would cut out in all cities of 300,000 and over what the gentleman from South Dakota [Mr. BURKE] spoke of—people going to call on some one in an apartment house where there is nothing but a small hallway with mail boxes with tenants' name on them. If you do not find the person you wish, you put a card in the box and perhaps a message. That is done commonly in every city, and this proposed amendment would cut that out.

Mr. HOWARD. I think the gentleman is mistaken; it does not affect that class of matter; it says "circular matter." If the gentleman will read the amendment offered by the gentleman from Illinois, he will see that that is a fact.

Mr. BORLAND. The circular matter can be easily controlled by a local ordinance, and no amendment is necessary for that.

Mr. HOWARD. They would have to engage in the business of distributing circulars. You could hire a small boy to distribute the circulars.

Mr. BORLAND. There could be no great evil growing out of the distribution of circulars by a small boy.

Mr. STEENERSON. Mr. Chairman, so far as I know this amendment does not come with any recommendation from the Post Office Committee.

Mr. BORLAND. The whole amendment ought to be voted down.

The CHAIRMAN. Does the gentleman from Georgia wish to change the figures in his amendment?

Mr. HOWARD. I do not, Mr. Chairman.

The CHAIRMAN. The question is on the amendment to the amendment.

The question was taken, and the amendment to the amendment was rejected.

The CHAIRMAN. The question now is on the amendment offered by the gentleman from Illinois [Mr. MADDEN].

The question was taken, and the amendment was rejected.

The Clerk read as follows:

SEC. 21. That section 3938 of the Revised Statutes be amended to read as follows:

"All letters of domestic origin which can not be delivered by postmasters shall be sent to the Post Office Department, and such as contain inclosures of value, other than correspondence, shall be recorded. If the sender or addressee can not be identified, such letters shall be held for a period of one year awaiting reclamation. If within one year they have not been claimed, they shall be disposed of as the Postmaster General may direct.

"All other undeliverable letters shall be disposed of without record and not held for reclamation."

Mr. LENROOT. Mr. Chairman, I move to strike out the last word for the purpose of getting some information from the chairman of the committee with reference to this section. Section 3938 of the Revised Statutes seems to have been entirely rewritten in this bill. From the report of the Assistant Postmaster General the purpose seems to have been to cut the period of holding certain dead letters from four years to one year.

Mr. MOON. Yes.

Mr. LENROOT. I would like to ask what was the purpose in rewriting the section in the manner in which it has been written?

Mr. MOON. I do not know that I could tell the gentleman that there is any purpose except to put it in better shape. The purpose, the gentleman will understand, of changing from one year to four years is to prevent the vast accumulation of this matter. Much of the matter is valueless after a year, if not all of it, and it was thought best by the department to dispose of all of this matter promptly.

Mr. LENROOT. Mr. Chairman, I will say to the gentleman that what I have in mind particularly is the first two lines:

All letters of domestic origin which can not be delivered by postmasters shall be sent to the Post Office Department.

The next section in the statute provides that where letters can not be delivered, if there is a return card upon the envelope, they shall be sent to the addressee. My query is whether the language—

All letters * * * which can not be delivered must be sent to the Post Office Department—

is in conflict with the present language of the next section of the statute?

Mr. MOON. I think where the addressee can be reached it will be sent to him.

Mr. LENROOT. Is that a delivery?

Mr. MOON. Yes.

Mr. LENROOT. That is the only question I had in mind.

The Clerk read as follows:

SEC. 23. That on and after July 1, 1915, the compensation of each rural letter carrier for serving a standard route of 24 miles and over, six days in the week, shall be $1,200 per annum, payable monthly; on routes 22 miles and less than 24 miles, $1,152; on routes 20 miles and less than 22 miles, $1,080; on routes 18 miles and less than 20 miles, $960; on routes 16 miles and less than 18 miles, $840; on routes 14 miles and less than 16 miles, $720; on routes 12 miles and less than 14 miles, $672; on routes 10 miles and less than 12 miles, $624; on routes 8 miles and less than 10 miles, $576; on routes 6 miles and less than 8 miles, $528; on routes 4 miles and less than 6 miles, $480. A rural letter carrier serving one triweekly route shall be paid on the basis for a route one-half the length of the route served by him, and a carrier serving two triweekly routes shall be paid on the basis for a route one-half of the combined length of the two routes: *Provided*, That, in the discretion of the Postmaster General, the pay of carriers who furnish and maintain their own motor vehicles and who serve routes not less than 50 miles in length may be fixed at not exceeding $1,800 per annum.

Mr. COX. Mr. Chairman, I move to strike out the word "each," in line 9, page 52, and add the letter "s" to the word "carrier," in line 9.

The CHAIRMAN. The gentleman from Indiana offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amend, page 52, in line 9, by striking out the word "each" and adding the letter "s" to the word "carrier."

Mr. COX. Mr. Chairman, this section involves very largely a section that was incorporated in the last Post Office appropriation bill. At the time the last section increasing the salaries of the rural-route carriers was incorporated in the Post Office appropriation bill there was no demand for it at all on the part of the Post Office Department. In fact, the Postmaster General before our committee explicitly made the statement that while none of his employees, he believed, were overpaid, yet he believed they were all paid sufficiently high salaries, and he made no demand or any request whatever for any increase of salary.

Congress, however, in its wisdom or unwisdom—and I shall not undertake to say which—increased the salaries of the rural route carriers $100 per year. At that time there were approximately 43,325 rural route carriers in the United States, and that necessitated an appopriation of $4,325,000 to comply with the law passed by Congress. But in the readjustment of the salaries of the rural route carriers, which took place on the 1st of last July, the Post Office Department took into consideration certain additional equations that prior to that time had not been taken into consideration in fixing the salaries of the rural route carriers. Prior to the 30th day of last June the distance alone was the controlling consideration which governed the salary of the rural route carrier, 24 miles being fixed as the standard route; but when the Post Office Department on the 1st of last July undertook a reclassification of the salaries of the rural route carriers and to apportion the extra $100 per year which Congress sought to give them it added two more elements, the weight and distance of the routes. It is true that the Post Office Department did not consume all of the $4,325,000 which would have been necessary to carry out the express will of Congress, but in the reclassification it did add approximately $1,871,000. In other words, in order to carry out the idea of the reclassification, the Post Office Department took $1,871,000 of the $4,325,000 which Congress had appropriated for that purpose.

Mr. HOWARD. Did it not also add length of time, making it weight, time, and distance in the reapportionment?

Mr. COX. Yes. Mr. Chairman, I thought there might be some question as to whether or not the Postmaster General had the power under the law to make that additional classification. On August 7, 1914, I addressed a letter to the Post Office Department with a view of seeing whether or not, under the law that was in force on the 1st of July last, the department had the power to take into consideration these other elements in the reclassification of the salaries of the rural route carriers. I shall not take the time to read all of the letter, but quote just this portion of it:

I beg to inform you that the act of April 21, 1902 (ch. 563, 32 Stats., 113), provides that the Postmaster General is authorized to classify the Rural Delivery Service and fix the compensation of employees in such service.

The Post Office Department or the Solicitor of the Post Office Department, at the request of the Postmaster General, replied that under the law which I have just read the Post Office Department had a clear right to reclassify the salaries on the 1st of last July, taking into consideration these two other elements that have never been taken into consideration by the Post Office Department prior to this readjustment.

The CHAIRMAN. The time of the gentleman from Indiana has expired.

Mr. COX. Mr. Chairman, I ask unanimous consent to proceed for three minutes more.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. COX. Mr. Chairman, I would like to ask Members of the House whether or not it is right to absolutely undo everything that the Postmaster General has done, which will be done if the word "each" remains in the bill, because that fixes positively and definitely, in my mind, an increase of salary of $100 per year to each rural-route carrier in the United States? Before this work was undertaken by the Post Office Department exhaustive inquiries were inaugurated by the department with a view of seeing how much mail was carried by the rural-route carriers in different sections of the United States. It was found, and found indisputably to be true, that in many, many sections of this country the average weight of mail per day did not exceed 15 pounds.

In many, many sections of this country the average weight of mails carried per day by the rural-route carrier was less than 15 pounds. In many sections of the country it ranged all the way from 15 pounds up to 150 pounds per day, while, again, in many sections of the country, particularly in the West, Northwest, and up in the New England section, they carry from 4,000 to 5,000, 6,000, and 7,000 pounds per day, and yet they carried it at the same wage that the rural-route carrier got who only carried from 5 to 10 pounds per day. I believe this ought to be apportioned along the line of the amount of work that is done by the rural-route carrier, and I do believe that the Post Office Department in its reclassification has done equal and exact justice to all the rural-route carriers.

Mr. HOWARD. May I ask the gentleman one question?

Mr. COX. I yield for a question.

Mr. HOWARD. Does not the gentleman think distance ought to be the standard of measurement upon which the salaries of the rural carriers should be fixed?

Mr. COX. No; I do not. I think other elements ought to enter into it.

Mr. HOWARD. Will the gentleman state why that should not be the standard of measurement of the pay?

Mr. COX. Because if distance alone is to control, a man might by the use of a motor cycle travel 30 miles much easier and much quicker and much faster than a man would be able to travel the same distance who drove a buggy or used a two-horse wagon to haul that load.

Mr. HOWARD. Does not that fall upon the carrier himself who has got $270 invested in a motor cycle, whereas he would have only $70, $80, or $100 invested in a horse?

Mr. BORLAND. Will the gentleman yield?

Mr. COX. For a question.

Mr. BORLAND. I wish to ask the gentleman for information. Was I correct in understanding the gentleman to say that some carriers carried 6,000 to 7,000 pounds?

Mr. COX. They do.

Mr. BORLAND. A day?

Mr. COX. They do.

Mr. BORLAND. By what sort of a process do they carry it?

Mr. COX. I do not know; but that is exactly what the investigation disclosed that was put on foot by the Postmaster General.

Mr. BORLAND. There is a vast difference in the amount carried by different carriers?

Mr. COX. Surely.

Mr. BORLAND. Some carry as low as 15 pounds and some carry as high as 5,000, 6,000 and 7,000 pounds?

Mr. COX. That is true. Some of the extreme routes in the northwest and in the northeast parts of the country carry from 4,000 to 6,000 pounds and only get about $1,100 for their entire work.

Mr. HOWARD. Mr. Chairman and gentlemen of the committee, I hope this amendment will not pass if the amendment has the effect which the gentleman from Indiana [Mr. Cox] says it will have. I have always believed that the distance traveled by the carrier was the true basis upon which to fix salaries. Now, it seems that the Postmaster General disagrees with Congress upon this method of fixing salaries, and has added three other requirements for the carrier to fulfill before receiving the maximum pay provided for the carrier in the last Post Office appropriation bill, to wit, weight, number of pieces handled, and number of hours consumed in covering the route. Now, here is the thing we must not lose sight of, and it is very important to a man who is actually carrying mail on a route. For instance, suppose a rural carrier had only two pieces of mail and one of those pieces of mail was for a patron at the first box on his route and the other piece of mail was for the patron at the last box on the route and he had a 24-mile route. It would necessitate that carrier making that entire trip. Why? Because of the fact he is supposed to take up the mail deposited in the boxes and bring that in, and he is supposed to deliver the mail on that route.

Mr. RUCKER. And suppose he had none?

Mr. HOWARD. And suppose he had none, as suggested by my friend from Missouri. If he had not a single piece, he would have to go over that 24-mile route six days in the week. Now, it is easy to sit up here in Congress and talk about rural carriers being overpaid. I believe they are getting now a fair rate of compensation. I believe the carriers will be satisfied if they actually receive the compensation Congress voted them. I believe they are going to remain satisfied for some years to come, because the pay as now fixed is about what it ought to be, but when you take into consideration the monotony of the work, the covering every day of the same distance under changing conditions—rain, cold, snow, frozen and very bad roads—I think that distance ought to be the basis of pay, because it does not make any difference with a fellow when he is on the route as to whether he delivers 150 or 250 or 500 pieces of mail if he is on it.

Mr. LLOYD. Will the gentleman yield?

Mr. HOWARD. I will.

Mr. LLOYD. Does the gentleman mean to say that the rural carriers now are satisfied with the present interpretation of the law?

Mr. HOWARD. No; I did not mean to say that. What I meant was——

Mr. LLOYD. The gentleman stated a moment ago that the rural carriers were satisfied with their present pay.

Mr. HOWARD. That this law as now drawn, and as it will be if this word "each" is not stricken out, will be satisfactory; then that makes it mandatory upon the Postmaster General to pay them the salary we voted them in the last Congress.

Mr. LLOYD. The gentleman states the rural carrier was satisfied. Of course he is not satisfied and has not been satisfied since the 1st day of July.

Mr. HOWARD. I meant this, if I did not make it clear: If the salaries of the mail carriers are predicated upon the law as it was intended by Congress when it passed legislation last year that each carrier should receive this additional $100.

Mr. BORLAND. Assuming that there is a difference of from 15 pounds to 7,000 pounds in the amount that is carried daily by different carriers, does the gentleman undertake to say that difference ought not to be taken into consideration at all in the fixing of the pay?

Mr. HOWARD. Oh, yes; I think that difference ought to be taken into consideration by increasing——

The CHAIRMAN. The time of the gentleman has expired.

Mr. HOWARD. Mr. Chairman, I ask for three minutes more.

The CHAIRMAN. The gentleman from Georgia asks unanimous consent to proceed for three minutes more. Is there objection? [After a pause.] The Chair hears none.

Mr. HOWARD. In an isolated case, like my friend from Missouri has mentioned, I think it ought to be taken into consideration. I do not believe there is any rural carrier in the United States who is carrying, on the average, 7,000 pounds of mail a day. I think that is a dream that some inspector in the Post Office Department has had.

Mr. BORLAND. Suppose it ran from 10 pounds to 1,000 pounds?

Mr. HOWARD. That should increase the wages of the man who was carrying the 1,000 pounds and let the wages of the man who was carrying 10 pounds remain the same. Or abolish the 10-pound route. These routes are patronized or they would not have been established. And so, when you go to taking in the time element and piece element, and go around and undertake to predicate the carrier's salary on that, you will continue to keep him up in the air as to what he is going to receive. And there is one common-sense principle upon which to predicate it, and that is the distance and the time it takes that man to travel that route. Now, they say he employs an automobile. If he does, he has probably $500 or $1,000 invested in it. That is his investment and not the Government's. If he drives a slow horse, that is his misfortune; if he drives a fast horse, that is his good fortune. The carrier is the man that bears the brunt of the expense incident to the operation of his route. And I say, Mr. Chairman, that this particular word ought not to be stricken from the bill. It ought to be plain and unmistakable that the Government intended that these rural carriers have this $100 increase. And no man, be he Postmaster General or anybody else, ever should have the right to vary the intention of Congress and divert a fund that we have appropriated for a certain class of our employees and withhold it from them when we have said that they should have it.

It is threatened by some that if we allow fair compensation for rural carriers the service will be placed on a contract basis. Let me, in conclusion, sound a word of warning, be you Democrat or Republican: Woe unto the political life of him who destroys the efficiency of the farmers' mail service. [Applause.] That is all I have to say about it.

Mr. MOON. Mr. Chairman, I do not rise to oppose the passage of this section of the bill, but to make some observations that I offer to the House and to the committee for whatever they are worth. I have always been very friendly to this service. I believe the country people are entitled to it and that it ought to be maintained. I believe I was on the committee when, by a single vote, in the experimental stage of this service, the amount was raised from $350,000 to $750,000, and I have voted for the increase until it has reached the amount that it is to-day. But there is an end to all things, and there ought to be an end to the depletion of the Federal Treasury in the interest of any class of officials. That these men are getting now that to which they are entitled I have not the slightest doubt. But, as I remarked, I am not going, in view of the fact that I know that the southern carriers in the Southern States form a great part of the Democratic political machine in that section and in the Northern States form a great part of the political Republican machine, to let it change my opinion. I know it is very hard to run against one machine, but when you confront two you are in very great trouble.

I want to make this suggestion: This great service, this valuable service, a service that ought to be continued and not impaired, is now losing to the people of the United States, if I recollect aright, about $39,000,000 of money per annum. In other words, if it were not performed we would save that much. Or, again, the benefits that come from it, so far as revenue is concerned—and of course that is not all the benefit as compared with the actual cost—produce a deficit of $39,000,000. The department has said to you, and says in this very report, that if you are willing to let the department contract for this service instead of having it performed by carriers who hold their office for life at a fixed salary, they can obtain at every office in the

United States men who will perform the service as well and will give to the country as efficient service in every way as possibly can be had for a much less sum of money than you are now paying. In other words, they present to this Democratic House, standing upon a platform demanding economy and reform, a proposition that if you will permit them to contract this service they guarantee to you a saving of from $18,000,000 to $20,000,000 on this item every year.

I am not going into the discussion of the wisdom of the contract service as against the other service. I am not making observations to attempt to influence anybody on this side, but I want you to vote with your eyes wide open on this question, because you do not know what is coming after a while.

Another thing, you are taking away, if you pass this section without the amendment of the gentleman from Indiana being incorporated, the discretion we place upon the Postmaster General now on the question of salaries, a wise discretion that has never been taken from any Postmaster General heretofore.

You say that every route of 24 miles shall receive a compensation of $1,200. You speak in figures as to the shorter route, on down the scale. Now, let us stop and think about that for one minute. I do not care whether you are anxious to serve your carriers, your country, or yourselves—anyway you want to put it—and I am not censuring you about your position at all, but give you full credit in your desire to perform your service as you think best—but take it from any view that you want, and I submit to you as a common-sense proposition, one that a wayfaring man, though a fool, can see the point of, that if a man on a 24-mile route over a good road, who has 3 pounds of mail to carry on a bicycle or automobile, and can perform that service in three to six hours, ought he to be paid as much for the service performed on that route as the man who has to travel in a wagon over bad roads and be out 12 to 15——

The CHAIRMAN. The time of the gentleman from Tennessee has expired.

Mr. MOON. Mr. Chairman, I ask unanimous consent for five minutes more.

The CHAIRMAN. The gentleman from Tennessee asks unanimous consent for five minutes more. Is there objection?

There was no objection.

Mr. MOON (continuing). Be out in the weather 12 to 14 hours, and carry from 2,000 to 4,000 pounds a day? Now, any sensible man knows if you give those two men the same compensation that it is not just, that it is not fair. Therefore it follows that if you are going to determine a compensation for a carrier that is just, you must take into consideration the elements that affect the service; that is, the number of packages that he has to handle and the weight of those packages. Why? Because while it may take one man practically the same length of time to travel the route as the other, he has got to handle packages that the other does not handle. They are more or less heavy and more or less numerous, and the time consumed is very much greater by one than the time consumed by the other. I suggest to you that you do not tie the hands of the Postmaster General along that line. It is not a wise thing to do.

I am not going to vote against this section. As chairman of the committee, it is proper for me to state these facts. I do not care what you do about it. I am going to tell you as I did about the assistant postmasters. I am going to prophesy again, that if you do this, if you destroy this discretion of the Post Office Department, you take away the only protection the people have against the plunder of the Treasury along this line. The power that exists in the department under the general law will be sufficient to wipe out and put under the contract system more than half of the postal routes in the United States if they want to exercise that power, which I hope the necessity may not arise to do. I am opposed to it. I want to retain the carriers. I want to retain the routes. I want to give just compensation. I want the country people to have the benefit of it. But if it is to come down to a question of plundering the Treasury of my country and turning over its revenues to men who do not perform service commensurate with value received, if it comes to the point where the judgment of the department must be overridden in the interest of any class of officials, then I want to say that I believe if the power exists under the law and the Constitution, the department ought to exercise it—and I do believe it—to discontinue these routes, in part, and establish the old post office again, and make it nonaccounting, so that practically it will be of no cost to the Government, and enlarge the power of the star-route carrier so as to give him, in effect, some of the powers and duties of the rural carrier. Then the service can be performed perhaps as well as now.

I want to impress upon you the fact that I am not going to oppose this section. I am not going to make any objection to it. I know you are head bent—I might use another word with propriety—on passing this section. I know you are. But, as one who wants to preserve the rural routes, as one who has been interested in them from the very beginning of the experimental stage, and as one who believes it would be better to continue this service as it is than to discontinue it, I want to say to you that the Government and people can not afford to assent to the passage of such laws, because it will not be justified.

Mr. HOWARD. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. Does the gentleman from Tennessee yield to the gentleman from Georgia?

Mr. MOON. I yield to the gentleman.

Mr. HOWARD. Does the gentleman prognosticate that if the Cox amendment is not passed, in a few months or years the Rural Delivery System will be under contract?

Mr. MOON. No; I think if you continue to pass provisions of this sort the Government will be forced, under the power it has now, to abandon a lot of these routes, which will put you back to the star routes, which I would regret very much.

The CHAIRMAN. The time of the gentleman from Tennessee has expired.

Mr. CANDLER of Mississippi. Mr. Chairman, let us understand exactly what is the force and effect of this amendment if adopted. The gentleman from Indiana [Mr. Cox], the author of the amendment, and the chairman of the committee [Mr. MOON] both say that the effect of it will be to continue present conditions. If this amendment is defeated, then, instead of having the conditions as they exist at the present time throughout the United States, of which the people as well as the carriers are complaining, they will be prevented.

The proponent of the amendment [Mr. Cox] said that by reason of the fact that the will of Congress in making the appropriation at the last session of Congress was not carried out a saving of something like $3,000,000 was made possible, as that amount was not used. Congress appropriated so much to carry out a certain specific and well-defined purpose, and that purpose was to increase the salaries of the rural carriers in this country on standard routes $100 per annum, and upon routes of shorter length a proportionate amount. It was not only intended that that should be done, but Congress appropriated the identical sum of money necessary to carry out that intention and purpose. The Postmaster General, under rules and regulations which he promulgated and adopted in the Post Office Department, prevented the increase of $100 per annum by taking into consideration other matters, to wit, distance, and the weight and number of packages which the rural-delivery carrier carried along his route, and the time necessary for him to perform the service.

Now, then, the question with you, my friends, the question with us all, is whether or not we shall have the intention and purpose of Congress carried out; whether our intention and purpose shall be adopted and shall be executed, or whether the construction of the Post Office Department shall prevail over the intention and purpose of Congress, which is well known by every Member on this floor.

Now, then, the chairman of the Committee says that it is dangerous to take away this discretionary power from the Postmaster General and fix these salaries ourselves. Is it more dangerous to take it away from him than it is to take it away from the Representatives of the American people upon the floor of this House, who are charged with the enactment of the laws, and charged with the expenditure of the public funds, and charged with the responsibilities that rest upon them for the exercise of which they must go back to the people and be held responsible by them for whatsoever they do here? [Applause.]

Shall we have the purpose and intention of the people, expressed through their Representatives, carried out, or is it more dangerous to take away from the people, through their Representatives assembled on the floor of this House, that power and vest it in any department? I prefer to trust the people and put the responsibility on the Representatives of the people, and when they speak and enact laws and put them upon the statute book and appropriate the money to carry out the execution of those laws the money should be expended for that purpose and the Representatives be held responsible who vote the appropriation.

Mr. MOON. Mr. Chairman, will the gentleman allow me to interrupt him?

Mr. CANDLER of Mississippi. Yes.

Mr. MOON. It is not a question of trusting the Representatives of the people or trusting the department. The department is as much a representative of the people as we are. The point is this, that if you are going to leave the law on the

subject as it now stands and then make these changes here, you will have to repeal the whole law to destroy the power of the Postmaster General over the control of the rural routes, because this section does not affect that in any way. It only affects the carrier. He has the power now. You are not attempting to take away from him the power to control the routes. If you want to tie the hands of the Postmaster General completely and prevent anything being done except to increase the pay of the carriers before every election comes along——

Mr. CANDLER of Mississippi. Oh, we are not doing that——

Mr. MOON. You have got to do this: Not only take away from him all the power he has over rural carriers but over rural routes.

Mr. CANDLER of Mississippi. Nobody wants to take away from the Postmaster General the power he has over his department or any part of it. No one on the floor of this House would do that. I have the greatest admiration and very highest regard for the Postmaster General. He is my strong personal friend, and I am his friend and he knows I am. I have known him many years, served here in this House with him, and I have the greatest confidence in his honesty and in his integrity and in the purity of his purposes and actions, so far as that is concerned, and he is giving the country a great business administration, for all of which I heartily commend him.

Mr. BARKLEY. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. The time of the gentleman from Mississippi has expired.

Mr. CANDLER of Mississippi. I ask leave to proceed for five minutes more.

Mr. BARKLEY. Perhaps the gentleman can throw a little light on this language.

Mr. MOON. Mr. Chairman, before the gentleman proceeds, I will ask unanimous consent that all debate upon this amendment and upon the section close in 20 minutes.

Mr. FERRIS. Reserving the right to object, will the gentleman yield five minutes to me?

The CHAIRMAN. The gentleman from Tennessee asks unanimous consent that all debate on this section and amendments thereto close at the expiration of 20 minutes.

Mr. JOHNSON of Kentucky. I object.

Mr. FINLEY. I suggest that the gentleman make it 25 or 30 minutes. There are several gentlemen who wish to be heard.

Mr. MOON. I have no objection to giving Members all the time they want. If they want 30 minutes, let them say so; but the time for debate on this proposition has already expired under the rule. I am just proposing to extend it. If Members want 30 minutes, all right.

Mr. JOHNSON of Kentucky. I should like five minutes.

The CHAIRMAN. What is the request of the gentleman from Tennessee?

Mr. MOON. That the debate be extended 30 minutes on this section and amendments thereto, and that the Chair control the time.

The CHAIRMAN. The gentleman from Tennessee asks unanimous consent that debate on this section and amendments thereto close in 30 minutes. Is there objection?

Mr. CANDLER of Mississippi. I have an amendment or so that I want to offer, in addition to this amendment which is now pending. If the 30 minutes are exhausted in debate on this amendment, then there will be no debate on other amendments. If you limit the time only on this amendment, I have no objection.

Mr. MOON. I do not suppose you want 30 minutes on this amendment?

Mr. CANDLER of Mississippi. No.

Mr. MOON. It is 20 minutes after 1 o'clock, and I will amend my request so as to require a vote on amendments to this section at 2 o'clock. That will give all the friends of the rural-route carriers a chance.

The CHAIRMAN. Will the gentleman from Tennessee state his request again?

Mr. MOON. I ask unanimous consent that debate on this section and amendments thereto close at 2 o'clock.

The CHAIRMAN. The gentleman from Tennessee asks unanimous consent that debate on this section and amendments thereto close at 2 o'clock. Is there objection?

There was no objection.

Mr. MOON. Let the Chair control the time.

The CHAIRMAN. The Chair will control the time. The gentleman from Mississippi [Mr. CANDLER] is recognized for five minutes.

Mr. BARKLEY. I wish to propound a question to the gentleman from Mississippi. The language of this section as it now stands reads as follows:

That on and after July 1, 1915, the compensation of each rural letter carrier for serving a standard route of 24 miles and over, six days in the week, shall be $1,200 per annum.

Under the amendment as proposed it would read as follows:

That on and after July 1, 1915, the compensation of rural letter carriers for serving a standard route of 24 miles and over, six days in the week, shall be $1,200 per annum.

I should like to know what is the difference in the meaning and what change is made by striking out the word "each" and making the word "carrier" plural instead of singular. If the gentleman can throw some light on that, I shall be glad to have him do so.

Mr. CANDLER of Mississippi. As was stated by the gentleman who offered the amendment, and also as stated by the chairman of the committee himself, the purpose and effect of it would be to permit the continuance of present conditions and the enforcement of such other rules and regulations as might be adopted in the future to fix the salaries of rural carriers.

Mr. BARKLEY. I am frank to say that I can not see where the striking out of the word "each" and the making of the word "carrier" plural gives any discretion to anybody.

Mr. CANDLER of Mississippi. We did not see the change in the old language when we put it in the last bill, in the identical language in which it was the year before, but still by rules and regulations the effect of that language as before construed was nullified and the purpose of Congress was not carried out. These gentlemen who stand behind the scenes, and who know what is occurring, and who have the information from the Post Office Department which we do not have, information which is given in the hearings before the committee, know the force and effect of the language which they offer on the floor of this House, or they would not be offering it. And as I stated a moment ago, the gentleman who offered the amendment stated that that was the purpose and object of it, and the chairman of the committee said the same thing. Hence he believes, and the committee believes, that it will have that effect.

Mr. BARKLEY. If the gentleman's own construction of his amendment be true, then the compensation of rural letter carriers for standard routes of 24 miles and over would not be $1,200 per annum.

Mr. CANDLER of Mississippi. It might not be, under the rules and regulations adopted by the Post Office Department, and we know it is not now under existing rules and regulations.

Mr. BARKLEY. I understand. That is the construction the gentleman from Indiana places on his own amendment.

Mr. CANDLER of Mississippi. Yes. Under this language as it stands in the bill, with probably one amendment, there would be no question and no doubt in the world but what each and every rural-delivery carrier in the United States who travels 24 miles or more would get the $1,200. Therefore it is better to make it specific and definite, so there will be no doubt about it, than to put in words that would destroy the specific and definite purpose that we desire to express.

There is another thing I want to call your attention to, and that is the word "standard." If you leave the word "standard" in here, in my judgment the Post Office Department may prescribe what is a standard route of 24 miles by saying that a standard route of 24 miles shall consist of a route where the carrier travels 24 miles and carries so much weight and so many pieces of mail and takes so much time to do it. Hence I say that the word "standard" ought to be stricken out, and instead of saying "standard" route say "rural" route of 24 miles in length, in order that we may ourselves define a "standard route," and not leave it to the construction of some officer to whom the power of execution is delegated. Therefore I protest against the pending amendment, and hope you will vote it down. I will offer an amendment later to strike out the word "standard" and insert the word "rural," in line 10, page 52, and if that amendment is adopted, then the bill will read "the compensation of each rural letter carrier for serving a rural route of 24 miles and over, six days in the week, shall be $1,200 per annum, payable monthly." That will make it definite and specific and relieve it of every doubt. Let us vote down this amendment, and then strike out "standard" and insert "rural," and the carriers will then receive $1,200 beyond question, as there will be left no occasion for construction or adoption of rules and regulations for it will be the law beyond a doubt. [Applause.]

The CHAIRMAN. The time of the gentleman has again expired.

Mr. JOHNSON of Kentucky. Mr. Chairman, I move to amend the bill by striking out the word "standard" in line 10, page 52.

Mr. COX. To that, Mr. Chairman, I reserve a point of order.

Mr. JOHNSON of Kentucky. Mr. Chairman, in that connection I desire to say that under the present law carriers who deliver the mail about the cities are paid $100 a month. These carriers not only do not furnish their own transportation but instead have it furnished for them at the expense of the Government. We see the carriers going about the cities with automobiles and with horses and wagons furnished them by the Government. Not only do we see that, but we see carriers in the cities furnished with street-car tickets when on their rounds collecting and delivering the mail in cities.

But when it comes to the rural service, the carriers are paid less than the city carriers and are required, on long routes, to keep two or three horses; and, in addition to that, are required to furnish their own wagons. In my judgment, it is a matter which resolves itself down to the fact that the city carriers are either paid too much or the rural carriers are paid too little. I do not say that the city carriers are paid too much, because the question arises in these times of the high cost of living whether or not a man can support his family upon less than $100 a month. Consequently, I have no fight to make on that proposition, but I do insist, and I think my position is right beyond all sort of question, that the rural carrier who receives $1,100 for the 20 or 25 mile route, and that route extending over muddy roads, where he has to change horses every other day, is not sufficiently compensated for it.

I wish to strike out the word "standard" so there can be no sort of question as to what the right of the carrier will be, so that a Postmaster General or nobody else can juggle with that word "standard" and decide that it means that he can fix the salary for the route notwithstanding.

I want to commit myself unquestionably to the policy of paying these rural-route carriers more, because they have to furnish their horses and wagons. I believe it ought to be done and I believe it will be done. [Applause.]

I, for one, shall always be found endeavoring to preserve the efficiency of the rural service.

Mr. FERRIS. Mr. Chairman, I shall only detain the committee a moment. I usually rely on the committee and vote with the committee, and I intend to do so in the future; but to strike out the word "each" will again put this rural-carrier salary matter into the House to be battled hither and thither as a political football, and no one wants to do that. I think $1,200 is enough for a rural carrier—all he ought to get—that he ought to get that, and that we ought to stop right there. So long as you leave any question or doubt as to what the department is going to give them, we will have this trouble every time that the appropriation bill comes up. A year ago Congress, at the end of a long debate, intended to give the rural carriers $100 a month. They are not all getting it. By the construction placed there by the Post Office Department they have not got it. As the bill is written, and as I understand it, the proposition in the Post Office appropriation bill as it now stands in the bill gives them that. Now, the gentleman from Indiana [Mr. Cox] moves to strike out the word "each" and throw it again into doubt. I do not think it is good policy; I do not think it is good economy; I do not think it is what the bulk of this House, on both sides of the aisle, desires to do. I believe the great majority of both the Democrats and the Republicans believe that $1,200 a year is not giving too much pay to the rural-carrier service. I believe that they will practically all vote for it when they understand it. They voted for it a year ago, and they will vote for it now. In conversation a moment ago with a member of the committee he said, "If you strike out the word 'each' you will give the Postmaster General the authority to reconstrue it and to give what he thinks they ought to have." Now, I do not reflect on the Postmaster General. I am more fond of him than of any other Democratic departmental official. I think he is making good; I think he will go down in history as one of the greatest Postmasters General we ever had. I think this is the only fly in the ointment in his administration—that he wants to keep tinkering and tampering with this service—and I do not think Congress is in sympathy with him. I think any time when we can have a square-toed vote, where Members understand the situation, they will vote to give the carriers this amount.

It is the most appreciated service of any Government service. It is the one service that really reaches the rural community.

Of course the Postmaster General is making good. Of course he is trying to save money; but the people do not want him to stint or even run the risk by stinting of crippling this service.

Mr. GOODWIN of Arkansas. Mr. Chairman, I am not a member of the Committee on the Post Office and Post Roads, but I do not know of any service that reaches so great a body of the people as the Rural Free Delivery Service. There seems to be an effort here—and I do not know that anyone is opposed to the system at all to largely cripple this feature of the Postal Service—and there has been a hue and cry raised here to economize along this line.

Now, I think that might be false economy. I do not think the Post Office Department should be put on a paying basis if thereby you are impairing the service in that department. The Army and the Navy are not self-sustaining propositions. We spend about $250,000,000 for the maintenance of a great Army and a great Navy, and if the times portend anything—if certain militarists have their way—we may double that amount in the near future. Nobody contends that the Army or the Navy should be put on a self-sustaining basis. The courts of the country are not a self-sustaining proposition. The Federal courts are not a self-sustaining proposition, and neither are the circuit courts of our respective States self-sustaining propositions.

But we hear it everywhere said that we can save a few million dollars a year by abolishing the rural free delivery as it now obtains if we place the same upon a contract basis. The people do not want the Post Office Department put on a contract basis again; they do not want the old star route to be once more brought into vogue, or the rural mail service either overturned or impaired. If the rural people see one thing more than another in the way of the Government coming to their immediate relief, it is the fact that the rural free delivery route reaches into every nook and corner of the Government where it has been inaugurated. To them that is something visible, to them that is something tangible. They can take that and seize upon it and appreciate it. They get their mail every day, and they can send to the town or the city and exchange the products of their farm for the goods they may buy from the merchants. I know that the Post Office Department down here is a friend of the rural carrier, and, with the gentleman from Oklahoma [Mr. FERRIS], we are all very fond of the Postmaster General. I do know that he would not destroy the rural route service of the country nor lessen its efficiency, nor do I believe that any Member on this floor would overturn and subvert that great system, but if you want to raise a protest, so to speak, with the great rural population of this country, then abolish the great service they now have and put the same on a contract basis. We hear no contention made that the letter carriers of the city should be placed on a contract basis. Why make a discrimination between the rural-route carrier and the city carrier, who has no investment, as the gentleman from Kentucky [Mr. JOHNSON] a moment ago demonstrated?

Mr. COX. Mr. Chairman, will the gentleman yield?

Mr. GOODWIN of Arkansas. Yes.

Mr. COX. The gentleman knows that there is not anything at all in this bill that proposes to put the rural-route carrier service on a contract basis.

Mr. RUCKER. Oh, yes; there is.

Mr. GOODWIN of Arkansas. There is this experimental scheme.

Mr. COX. Oh, no. That went out on a point of order made by the chairman of this committee.

Mr. CANDLER of Mississippi. It went out on a point of order, but the chairman of the committee discussed it a while ago.

Mr. GOODWIN of Arkansas. I know it went out on a point of order, but I will say this, that the proponents of this bill, the members of that committee, are largely in favor of subverting and overturning the present system and putting the same on a contract basis. I believe that was recommended by the Postmaster General, for whom I have the highest regard.

Mr. WINGO. Is it not true that within less than an hour it has been urged by the chairman of the committee that if we do not adopt this amendment the Postmaster General will exercise his authority under the law and put at least half of these routes on the contract system?

Mr. GOODWIN of Arkansas. My colleague is correct in the main, as I understand it. I heard the statement of the chairman a few moments ago. Mr. Chairman, it seems that whenever a little money dribbles out into the great rural communities of the country, and the country boys pick up a few extra sheckles here and there, we then begin at once to want to economize, but we hear nothing about the other contractors and the other officeholders, whose sums in the way of compensation are fabulous as compared to that of the rural carrier. We do not raise our voice in protest against those things at all, but

we say that because, forsooth, two or three or maybe five million dollars of money may be saved which now goes to the rural carriers it should be done, although we may impair the service.

The CHAIRMAN. The time of the gentleman from Arkansas has expired.

Mr. RUCKER. Mr. Chairman, I dislike to take issue with the great committee which reported this bill or with any member of that committee.

Mr. FOWLER. The gentleman is not taking issue with the committee. We put it in.

Mr. RUCKER. I know they are sincere in their purpose and have as much interest in the general welfare of the country as those of us who differ from them in some respects. Referring now to the suggestion just made by the gentleman from Arkansas [Mr. WINGO] in respect to the statement made by a member of the committee a few moments ago to the effect that unless the amendment offered by the gentleman from Indiana [Mr. Cox], one of the members of the committee, should be adopted, thereby giving certain wanted latitude, license, power, or privilege to the department, that the department would perhaps exercise the power conferred on it by law to annihilate the Rural Delivery Service, all I have to say is that the assertion is astounding. The Postmaster General is a gentleman for whom we all entertain the highest regard; was recently one of our colleagues here, trusted and followed; and as Postmaster General has no vestige of power except that given to him by Congress, unless it is obtained or taken by usurpation. I can not believe and I will not give credence to the threat implied in the language of the distinguished gentleman from Tennessee [Mr. MOON] that the Postmaster General of this great Republic would so far forget his duty to the American people as to become vexed and piqued because the Representatives of the people see fit to do certain things, and that, therefore, in retaliation for that which he thinks we ought not to have done, he will blast the hopes, aspirations, and happiness of hundreds of thousands of American citizens. I do not believe he will do it. I say to you it sounds the death knell of Democratic Postmasters General whenever he puts the ax to the roots of the rural delivery tree in this country. [Applause.]

The people pay the expense, the people demand this service, and I tell you the time will come when every man, if he does not know it now, will know that the people are mighty and that in the end they must and will prevail. This Congress sought a year or more ago, whether rightfully or wrongfully, whether wisely or unwisely, to fix the compensation of rural carriers at twelve hundred dollars for every route of 24 miles or more, but by some combination of figures and facts, in some cases where the pay had been eleven hundred dollars, it was increased, not $100, as Congress provided, but $4 a year, and in one case $1 a year. Gentlemen, it will not do. Every time this question comes up gentlemen talk about economizing in the Postal Service, which affects the great body of the American people. Grant that we can save some money, grant that it would be more economical in this country to have the farmer cease following his plow and wend his way to the post office somewhere to obtain his mail. The people in the country are entitled to this service as much as the people in the great cities are entitled to it, and I am making no warfare on those who live in the cities. Is the salary at twelve hundred dollars too much? Who says it is? I grant that it is unequal. I readily concede that if twelve hundred dollars is an adequate and fair compensation to the man who carries 25 pounds, then twelve hundred dollars would be wholly inadequate compensation for the man who carries daily, or even some days, 7,000 pounds, as the distinguished member of this committee said, though I am quite sure that he was mistaken.

Mr. COX. Oh, I beg the gentleman's pardon. I was not.

Mr. RUCKER. If the gentleman is certain about that, the query in my mind is why some enterprising man does not establish a railroad to haul this immense traffic around.

Mr. COX. If I am mistaken about it, my mistake originated in the Post Office Department, because that is the result of their investigation.

Mr. RUCKER. I heard a gentleman yesterday read some figures that looked like somebody in the Post Office Department had made a mistake.

Mr. COX. I have in my hand a tabulated statement of 500 or 1,000 post offices.

Mr. RUCKER. I concede that. But will anybody say that $1,200 is adequate compensation to pay for the service of carrying the mail on a 24-mile route, where he must sometimes carry 7,000 pounds a day, enough freight to make three good two-horse wagonloads?

Mr. COX. No; it is not; he gets more.

Mr. RUCKER. The time will come when such a case must be taken care of and he must be paid more. Now, the question is, Is $1,200 too much for an average route? I say no.

Mr. FOWLER. So say I.

Mr. RUCKER. I am not here pleading for the rural carrier as an officeholder. I am not here pleading for him or pleading his necessities. I am here talking about him from the plain, common-sense standpoint of fair, even-handed justice between man and man. What must he do? Why, in the towns where the mail trains arrive early in the morning he must leave at 7 or 7.30, and in towns where the mails come at 10 o'clock he must leave at 10.30 or 11 o'clock. In communities where the mail on through trains reach the distributing point at noontime he must go at 1 o'clock. He must perform his work in the forenoon, he must perform it in the afternoon, and whether it is sunshine or rain, whether he is pierced by the cold blasts of winter or caressed by the balmy breezes of springtime, he must go, day after day. This last week, in visiting some of my friends in West Virginia, I daily saw a rural-route carrier wending his way over those mountain roads at 11 o'clock in the morning, just leaving town, with snow a foot and a half deep and the temperature below zero. He must perform that service and return to his home by nighttime.

Mr. GREEN of Iowa. Will the gentleman yield?

The CHAIRMAN. The time of the gentleman has expired.

Mr. GREEN of Iowa. I desire to say to the gentleman, in my town he would have to come at 7.30, and if the mail did not get in on time he would have to stay until 11.

Mr. RUCKER. Or later.

The CHAIRMAN. The Chair desires to say there are two amendments to be put. Is it the wish of the committee to have the first amendment put now or to have both put at the conclusion of general debate? The amendments are not necessarily related to each other.

Mr. McKELLAR. Can not we have the amendments read again?

The CHAIRMAN. The Clerk will report the amendment offered by the gentleman from Indiana and the amendment offered by the gentleman from Kentucky.

Mr. COX. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. COX. Has every one spoken who desires to do so? Has general debate been exhausted?

The CHAIRMAN. No.

Mr. MONDELL. Is debate exhausted?

The CHAIRMAN. No; under agreement debate on this paragraph runs until 2 o'clock.

Mr. MADDEN. Mr. Chairman, I would like to be recognized.

The CHAIRMAN. That will give three five-minute speeches. If members of the committee claim recognition for those three speeches, of course the Chair will have to recognize them as against other Members. The gentleman from Illinois is recognized.

Mr. MADDEN. Mr. Chairman, I think I am as much in favor of justice to men who have to work for a living as any man on this floor. I want to see justice done to every rural letter carrier. I think, however, that the amendment offered by the gentleman from Indiana is a reasonable amendment and will do no injustice to any man in the rural service. Now, let us look for a moment and see whether or not they are compensated as they ought to be. The men who carry the mails in the cities of the country as a rule are required to serve as long as three years as substitutes. During their substitute service they are required to report every morning at the post office for duty, and in the large cities, like Chicago, they are required to pay their fare back and forth, and the average earning power of a letter carrier during his three years' substitute service amounts to $30 per month. At the end of his substitute service he goes into the regular service at $800 a year. He works himself up to $900, $1,000, to $1,100, and finally to $1,200. It takes him nine years of service before he reaches the $1,200 grade. It is true that he does not have to furnish equipment to carry the mails, but it is also true that the men who carry the mails on their backs in the great cities carry as much as 50 to 60 pounds of first-class mail in a single delivery and at the same time carry anywhere from 5 to 25 packages of parcel post. There is complaint about this overloading of the men. Whether the complaint is just or not I am not prepared to say, but I think it only fair to say to the men who are engaged in the Postal Service of the country, whether it be city or country, that the Postmaster General ought to have some discretionary power. If you take away the discretionary power of the Postmaster General he is a figurehead; he is a stalking horse; and any letter carrier can tell the Postmaster General what his duty is, and he has no power to resent a statement made by a letter

carrier. Now, it seems to me that there ought to be power somewhere to regulate. Let us see what the rules of the Department are to-day as to the rural carrier. Under the present rules of the department a man who carries a 24-mile route as a rural carrier gets $1,200 a year. If he carries a certain weight of mail, regardless of the length of the route—whether it is 4 miles or 24 miles—he gets $1,200 a year.

If his route requires him to work eight hours a day, regardless of the length of the route or weight of the mail he carries, he gets $1,200 a year; and if he carries on a route of more than 24 miles, regardless of the weight of the mail, he gets $12 per mile per annum for every extra mile over 24 miles. Those are the rules laid down by the department. Can anyone say that they are unjust or unreasonable? Ought anyone to say that the Postmaster General of a great country like this, charged with the responsibility of conducting a department that spends one-third of all the revenue of the Government of the United States, should have his hands so tied that a rural letter carrier or a city carrier can tell him what his business is? For one, I do not believe he should.

The CHAIRMAN. The time of the gentleman has expired.

Mr. SLOAN. Mr. Chairman, I will take just a moment of the time.

On March 6, 1914, a bill which had passed this and the other legislative body was approved, giving, as this body understood, and as the other body understood, and as the chairman of the committee in charge of this bill understood, $1,200 to those rural carriers having 24-mile routes throughout the United States. A construction was placed upon that law absolutely adverse to that understanding by the Postmaster General. And this House, in order to make itself plain and understood and to instruct the Postmaster General, later, on the 6th day of August, 1914, expressed itself in the passage of a bill which placed a construction upon the original law which had been passed and approved. That bill evidently came to the notice of the Postmaster General, but he has insisted in refusing to accept the construction of the two bodies that passed this law, and now is asking, through the pending amendment, to have his discretion extended so that he may again place an unfavorable construction on what is believed by a large majority on both sides of this House to be just and fair. That is a regulation providing that the rural carriers having 24 miles or more on their routes should have $1,200 per year. And I think instead of amending this so as to extend and continue that discretion, which has been used and operated against the carriers of the United States, we should make it so definite and certain, as it is in this bill, that neither the Postmaster General nor anyone else shall have any right or opportunity to misconstrue it through any discretion that we may see fit to grant him here. In this, our third effort, the Postmaster General should be able to catch our drift. It should be the purpose of administrative officers to execute the law as intended and expressed by the Congress rather than along lines of departmental policy or wish.

Mr. LINTHICUM. Mr. Chairman, the gentleman from Indiana [Mr. Cox] moves to strike out, in line 9, page 52, the word "each" and to add to the word "carrier" in that line the letter "s," thereby amending this section. Although not clearly shown upon its face, it would vest in the Postmaster General similar powers which he has heretofore exercised. I have the greatest respect for the Postmaster General, and I know that he is endeavoring to make a splendid public official and to put the Post Office Department upon a self-sustaining basis.

The gentleman from Illinois [Mr. MADDEN] has argued that the Postmaster General should be given great latitude in fixing the salaries and arranging details as to the rural letter carriers.

I represent a city district, and of course have no rural letter carriers there, but I also spend a part of the year in the country where we do have rural letter carriers. I am therefore much interested in their proper and fair treatment, because I observed from personal contact the arduous duties which they perform.

I can not see why Congress should not fix definitely the salaries to be received by these public servants. The last session we thought we were fixing their salaries, and we appropriated something like $3,000,000 to pay for this increase. The Postmaster General, however, so construed his powers as to eliminate the extra pay almost totally, and thereby retaining in the Treasury about $3,000,000 which Congress had intended to give to the rural letter carriers as increased pay. The Postmaster General understoood definitely what Congress wanted, but he did not increase their salaries as was contemplated. I am therefore in favor of the bill as it stands, so that the rural letter carriers will know exactly what they are to receive and so that the Postmaster General will know from this bill exactly what Congress intends their salaries to be. Congress defines and fixes the salaries in the various departments of other public officials, and there is no misconstruction as to what it is intended for them to receive, and I can not see why the same definiteness should not be defined in this bill.

Congress is a body which represents the great mass of the people. It is elected every two years. Its Representatives come in direct contact with the people of the country, and should, and do, reflect their views and wishes, and are directly accountable to them for the legislation which it passes. It is therefore clearly the duty of Congress to fix these salaries and not to leave it to the Postmaster General, as has been done.

I am proud of the fact that our Postmaster General has succeeded in placing the department upon a self-sustaining basis, and for this he deserves great credit and the thanks of the people of the land.

I realize that to perform the rural service as we are performing for the people of the country costs about $39,000,000 in excess of what we receive in return in dollars and cents. I look upon the Postal System, however, upon a broad scale. It is the one department of the Government which is dear and close to the people. The expense in serving the mail to those sections of the country sparsely settled will probably not pay for many years to come, if at all, but the revenue received from those sections and cities thickly settled will abundantly provide for the loss in the sparsely settled sections. We should therefore look upon the system as one great, governmental department, and so long as it will make its own expenses and perform its great duty with efficiency and dispatch I am quite sure the people of this country will not only be satisfied but vastly gratified as well.

These rural letter carriers have considerable expense. They are compelled to provide their means of transportation and to deliver the mail each and every day in the year. While in the summer the work may be light and pleasant, in the winter it becomes onerous and very unpleasant. The roads in the greater part of the country where the mail is delivered by the rural carriers are not only bad in winter but often miserable and almost impassable.

I received a letter this morning from a rural carrier in my State, who says that during the summer one horse will perform the work on his route, but that during the winter he is compelled to have two horses to do the same service. There are many routes in the State of Maryland, especially those in the mountainous sections, where more than one horse is required almost constantly.

Mr. RUCKER. Most of them require two.

Mr. LINTHICUM. Yes; most of them require two.

Mr. RUSSELL. And some of them three.

Mr. LINTHICUM. My friend from Missouri [Mr. RUSSELL] says three. We see, therefore, gentlemen, that the salary provided in this bill is largely taken up by the expense of the maintenance of the equipment necessary in the work.

I will say in conclusion, therefore, that I am heartily in favor of the passage of the bill as it stands, so that Congress will know that the rural carriers are to get the salary which it has fixed. The amounts are definite and certain, just as they should be, and as they are usually in all other departments of the Government.

Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. FINLEY. Mr. Chairman, what I shall say voices the action of the Post Office Committee of the House. There has been some talk here about the committee amendments. The action of the Post Office Committee of the House is contained in section 23, as reported in the bill on pages 52 and 53.

I am not one of those who wish to pay people more for their services to the Government than those services are really worth. I wish to say that when Congress at the last session passed the act that it did, everybody expected that the salary of the carriers on standard routes of 24 miles would be $100 a month, or $1,200 a year. And I will state further in that connection that, roundly speaking, there are a hundred million people in this country, and 25,000,000 of them, comparatively speaking, receive their mail at the hands of the rural carriers. No political party, I care not what the name of it is, will ever uproot this service. If they do, the life of that party will be short.

Now, as to the question of economy. Let us see about that. It has been argued here by the gentleman from Tennessee [Mr. MOON], the chairman of the committee, that it is at the expense of $39,000,000, and that you may save that by abolishing the service. Yes. You could save $100,000,000 by abolishing the

Navy Department; you could save $100,000,000 and more by abolishing the War Department, and so on; but who wishes to do this? According to the reports of the department, the Postal Service is self-sustaining, and I want to see the man stand up here or stand up anywhere and tell his people that he wishes to make millions and millions of dollars out of the Postal Service for the general benefit of the Treasury of the United States, and that he wishes to use the Postal Service for that purpose. He will receive stay-at-home orders.

I am in favor of such economies as will in the end result in penny postage. That will come some day. It can not come now. Anyone who is conversant, anyone who knows the condition of the highways of this country at present will not vote for this amendment. In my country it has been raining for about six weeks, and the roads that are good ordinarily are almost impassable now, and I have had to go to the department and ask that the time limit be not called on carriers for that reason. Perhaps the work of those men in the summer time is easy and light, but in the winter it is onerous and heavy and burdensome. They do not get too much money.

Now, speaking of the contract system, that is in the air, but it will not be, my friend. It is not in the power of any party in this country to overturn the Rural Free Delivery Service and place it on a contract basis.

Mr. CANDLER of Mississippi. It was defeated on the floor of the House in the Fifty-seventh Congress, and voted down by an overwhelming vote.

Mr. FINLEY. Yes.

The CHAIRMAN. The time of the gentleman from South Carolina has expired.

Mr. MOON. Mr. Chairman, I want a minute for explanation, by unanimous consent.

The CHAIRMAN. How much time does the gentleman desire?

Mr. MOON. One minute.

The CHAIRMAN. The gentleman has a minute.

Mr. MOON. The gentleman from Arkansas [Mr. WINGO] and some other gentleman stated, I am informed, that I had said if the word "each" were stricken out we could then go to the contract system. I did not say any such thing. Of course we know that the words of the act do not mean that. If the word "each" is stricken out, it will not restrict the discretion of the Postmaster General as it will be restricted if left in.

The CHAIRMAN. The time of the gentleman from Tennessee has expired.

Mr. ADAMSON. Mr. Chairman, I want to ask unanimous consent for a minute in which to ask a question of the chairman of the committee.

The CHAIRMAN. Is there objection to the gentleman's request?

There was no objection.

Mr. ADAMSON. If any carrier has 7,000 pounds or any other large quantity of freight to deliver, would it not be better, rather than reduce the salaries of all the other carriers, to hire a dray to carry his mail around in that instance?

Mr. MOON. Yes; but that does not apply at all.

Mr. ADAMSON. It applies to all heavy cases.

Mr. GREEN of Iowa. Mr. Chairman, what is the status of the bill as to amendments? Are further amendments permissible?

The CHAIRMAN. Yes. The gentleman can send his amendment to the desk.

Mr. MANN. There are two amendments now pending.

The CHAIRMAN. Yes. It will be lodged at the desk and may be called up in its order. The Clerk will now report the amendments in their order. First, the Clerk will report the amendment offered by the gentleman from Indiana [Mr. Cox].

The Clerk read as follows:

Amendment by Mr. Cox:
Page 52, line 9, strike out the word "each," and after the word "carrier" add the letter "s."

The CHAIRMAN. The first part will be considered separately. The question is on agreeing to the amendment offered by the gentleman from Indiana.

The question was taken, and the Chairman announced that the noes seemed to have it.

Mr. COX. A division, Mr. Chairman.

The CHAIRMAN. The gentleman from Indiana [Mr. Cox] asks for a division.

The committee divided; and there were—ayes 15, noes 62.

So the amendment was rejected.

The CHAIRMAN. Does the gentleman from Indiana now wish the second part of the amendment put?

Mr. COX. No; I withdraw it.

The CHAIRMAN. The Clerk will report the amendment offered by the gentleman from Kentucky [Mr. JOHNSON].

The Clerk read as follows:

Page 52, line 10, strike out the word "standard."

Mr. CANDLER of Mississippi. Mr. Chairman, I move to amend that amendment by striking out the word "standard" and inserting the word "rural."

The CHAIRMAN. The Clerk will report the substitute for the amendment.

The Clerk read as follows:

Amend the amendment by striking out the word "standard" and inserting in lieu thereof the word "rural."

The CHAIRMAN. The question is on agreeing to the substitute in the nature of an amendment offered by the gentleman from Mississippi [Mr. CANDLER].

The substitute was agreed to.

The CHAIRMAN. The question is on agreeing to the amendment as amended.

The amendment as amended was agreed to.

Mr. MANN. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. MANN. Have we agreed to the substitute?

The CHAIRMAN. Yes. The Clerk will report the amendment offered by the gentleman from Iowa [Mr. GREEN].

The Clerk read as follows:

Page 53, line 5, after the word "annum," add the following: "*And provided further*, That no rural letter carrier shall be required to deliver mail on Christmas Day."

The CHAIRMAN. The question is on agreeing to the amendment.

The question was taken, and the amendment was rejected.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

SEC. 26. That the act approved May 23, 1910 (ch. 255, 36 R. S., 416, now carried in Postal Laws and Regulations as sec. 931), be amended so as to read as follows: "Whenever the sender shall so request, a receipt shall be taken on the delivery of any registered mail matter showing to whom and when and place where the same was delivered, which receipt shall be returned to the sender, and be received in the courts as prima facie evidence of such delivery."

Mr. COX. Mr. Chairman, I make a point of order against that section. It is new legislation, not provided for by the rule that was reported by the Committee on Rules the other day.

Mr. MOON. Mr. Chairman, this section is the law now, except the words "when and place where," on line 4, page 54. It was not included in the rule making new legislation in order at the request of the department. The department seems not to desire the section now, although they did, probably, in the first instance desire it, and I am glad to see the point of order made against it.

The CHAIRMAN. The point of order is sustained.

Mr. STEENERSON. Mr. Chairman, I move to strike out the last word, and I ask unanimous consent to address the committee for 20 minutes.

The CHAIRMAN. The gentleman from Minnesota [Mr. STEENERSON] asks unanimous consent to address the committee for 20 minutes. Is there objection?

Mr. MOON. Who is it that wants to talk 20 minutes?

The CHAIRMAN. The gentleman from Minnesota [Mr. STEENERSON] wants to address the committee for 20 minutes.

Mr. MOON. I thought I had an arrangement with the gentleman to wait until some other matters were discussed.

Mr. STEENERSON. I prefer to proceed now. This is the end of the bill, as I understand it.

Mr. MOON. Mr. Chairman, I want to conclude this matter, anyway, before the gentleman speaks. I want to move to add to the close of this bill——

Mr. STEENERSON. I will suspend for the present. I want to be heard at the conclusion of the bill.

The CHAIRMAN. The gentleman from Minnesota will be recognized at the conclusion of the consideration of the bill.

Mr. MOON. Mr. Chairman, after the words "Navy mail clerks," on line 17, page 53, I offer an amendment as follows: "All acts and parts of acts inconsistent with the provisions of this act are hereby repealed."

The CHAIRMAN. The Clerk will report the amendment offered by the gentleman from Tennessee.

The Clerk read as follows:

Page 53, after line 17, as a separate paragraph, insert the following:
"SEC. 25. That all acts and parts of acts inconsistent with the provisions of this act are hereby repealed."

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. STEENERSON. Now, Mr. Chairman, I submit my request.

The CHAIRMAN. The gentleman from Minnesota [Mr. STEENERSON] asks unanimous consent to address the committee for 20 minutes. Is there objection?

Mr. MOON. I am not going to object, Mr. Chairman, but I thought there was a very positive understanding with the gentleman from Minnesota to the effect that the 20 minutes he was going to take were to come after the 2 minutes I was going to take for myself and the 10 minutes that were to be taken by the gentleman from Connecticut [Mr. REILLY].

Mr. STEENERSON. I am willing to wait until the gentleman does that.

Mr. MOON. There is no objection to the gentleman speaking. It is just a question of the order of speaking.

Mr. STEENERSON. I am perfectly agreeable to that.

The CHAIRMAN. The Chair will put the request, with the understanding that the time to be occupied by the gentleman from Minnesota will be occupied after the other gentlemen conclude

Mr. LINTHICUM. Reserving the right to object, can we not finish up this bill?

Mr. MOON. This is a matter that the gentleman will not object to when he understands it. It is a matter that ought to come in the committee, and not in the House, and when the gentleman concludes what he has to say I will move that the committee rise.

The CHAIRMAN. The gentleman from Tennessee [Mr. MOON] is recognized.

Mr. MOON. Mr. Chairman, I believe that the public service of Senators and Representatives is hardly ever fully appreciated by the people they represent, unless it is possibly the services of that class of Representatives who maintain a press bureau for the advertisement of their official acts. I doubt very much, sir, whether we appreciate the value of the services of our own colleagues until after they go out from among us.

As we are closing this bill, the last one in the making of which certain gentlemen on the Post Office Committee will participate, I feel it is due that I should acknowledge to this House the splendid, unselfish, and patriotic service, the courteous conduct and demeanor at all times, and the aid rendered by the Hon. SAMUEL W. SMITH, of Michigan; the Hon. THOMAS L. REILLY, of Connecticut; the Hon. WILLIAM E. TUTTLE, jr., of New Jersey; the Hon. H. ROBERT FOWLER, of Illinois; and the Hon. FRANK E. WILSON, of New York. [Applause.] During the years they have served upon this committee the chairman has been very much benefited by their advice and counsel, as have the other members of the committee; and as they go out of public life for the present I feel it is due to them that we thus publicly acknowledge their splendid service to the country. I trust that they may come back if they desire or that they may go into other public service if they desire it; because if the people lose the service of these men in some capacity, they lose some of the most faithful public servants who have ever acted in behalf of a great people. [Applause.] We will not forget them, Mr. Chairman, on account of the pleasant social relations we have had with them, nor can we forget them because of the great good that they have done in office. [Applause.]

I now ask unanimous consent that our friend, Mr. REILLY of Connecticut, may address the House for 10 minutes. [Applause.]

The CHAIRMAN. The gentleman from Tennessee asks unanimous consent that the gentleman from Connecticut [Mr. REILLY] may address the House for 10 minutes. Is there objection?

There was no objection.

Mr. REILLY of Connecticut. Mr. Chairman, while not long on "fare thee wells," while realizing that there is plenty in this busy House to do without taking up its time with swan songs, while knowing that Members who are to remain and are to come are of more importance than those who are to go, yet I can not permit this occasion, the passing of this great supply bill, to go by without a word or two of a somewhat personal nature and yet in a way related to this legislation.

This is the last Post Office appropriation bill in the adoption of which I will take any part, for two years at least [laughter], because of a recent decision of what I think was a temporarily misled constituency [laughter], yet a constituency which I respect; yes, love—a constituency of which any Member of this splendid body, even those of far greater fame than I, might well be proud.

It is a real honor to be a Member of this House. It is high honor to be a Member for even a day; it is a higher honor to be a Member for a term, and higher still to be sent here year after year as many men on both sides of the aisle are sent. It is high honor, indeed, to be associated with the membership of this House for any length of time—a membership as high class, as honorable, as patriotic as any similar body in the world. Did I say similar body? Then change that, for there is no similar body. The American House of Representatives is in a class by itself. It is composed of men selected from the flower of the citizenry of the greatest nation God in His wisdom ever made. Able, honorable, and true, devoted to their country, their duty, and their friends, fortunate is the man who can address them as "My colleagues."

Among the great committees of this great legislative body stands the Committee on Post Offices and Post Roads, of which for nearly four years I have been a member. This committee has to do with the greatest service in the world—the Postal Service. It is closer to the Nation, the State, the city, the family, than any other. Without this service business would be paralyzed; without it modern society could not exist. Yes, indeed, it is worth while to be associated in any way with this wonderful organization, so truly and effectively described on the front of the beautiful new Post Office Building yonder by the station.

Enlarger of the common life.
Carrier of news and knowledge.
Instrument of trade and industry.

Messenger of sympathy and love.
Servant of parted friends.
Consoler of the lonely.
Bond of the scattered family.

[Applause.]

This service carries the largest appropriation—nearly $322,000,000—made by this Government, and it is a source of great satisfaction to know that it has been placed on a self-sustaining basis. Yet if it were not, it would be worth all it costs. That it has been placed on the high plane of efficiency it occupies is due in great part to the personnel, from the Postmaster General to the special-delivery messenger boy.

It is therefore a source of keenest satisfaction to know that we have had some share in making that great army of faithful postal employees more contented and happy and thereby more devoted to duty, for the contented man, the one who feels that he is getting a square deal, is the efficient and devoted man. The most prosperous business concern or corporation is the one with satisfied help; the most successful government is the one with a contented constituency. Fair treatment and good wages make for loyalty, and a loyal corps of employees in every branch of the public service is the best asset this country can have.

It has been a pleasure and honor to have had something to do with the establishment of the parcel post and the postal savings bank. It is still greater pleasure and honor to realize that we also have had something to do with the improvement of the working conditions of the vital force, the bone and sinew of the Postal Service—the rank and file of the employees. If we had done no other thing than to have helped lighten the burdens of the men and women who toil for their daily bread in the service of the Government and to improve their condition in life, the time has been well spent. I hope you will bear with me for a few minutes more to draw your attention to some of the commendable things that the Sixty-second Congress and Sixty-third Congress have done for these employees, and to urge my friends on both sides of the House who will be Members of the next Congress to guard them with care.

The eight-hour law for post-office clerks and letter carriers, the 8 hours to be confined to a period of not more than 10 consecutive hours, is, to my mind, one of the most beneficial pieces of legislation enacted by the Congress in recent years. Prior to the enactment of the eight-hour law, post-office clerks could be required to work any number of hours in any day and were not paid for any overtime, as there was no limit placed on their day's work. The letter carriers were working under what was known as a 48-hour law, but it gave no protection whatever to the men. Their schedules ranged over periods varying from 10 to 18 hours each day, and even when they were required to work more than 48 hours in a week they were not paid for overtime. No consideration whatever was shown to the carriers, and the result was that the complaints became so numerous that the eight-hour-in-ten law was passed by Congress to remedy the unsatisfactory conditions surrounding the postal employees.

The law which grants compensatory time to employees for services performed on Sundays, to be given on one of the six days following the Sunday on which work is performed, was another piece of legislation that was of great benefit to the Postal Service as well as to the postal employees. It has been

changed in this bill so that for the Sunday work in December, or during the rush of the holiday season, the compensatory time may be given during the succeeding January.

The pay of substitute employees in the Postal Service was raised to 35 cents an hour for vacation and auxiliary work and 40 cents an hour when substitutes were working in the places of regular employees off duty without pay. This legislation was also of material benefit to the service, as it gave the substitutes an opportunity to make sufficient income to keep them in the service until they secured positions as regular employees. Prior to the enactment of the legislation which increased the hourly pay of substitutes these employees did not make sufficient money to pay their living expenses, and a large percentage of them resigned from the service each year in order to accept employment where the income and future prospects were brighter than in the Postal Service.

The antigag law which was passed by the Sixty-second Congress gave the postal employees the rights of which they had been deprived by Executive orders. Prior to the enactment of the antigag law an employee had no redress for any grievance other than reporting it to the official who was actually responsible for the cause of complaint. If an employee wrote to his Member of Congress and it became known to the postal officials it would be cause for his removal from the service. The antigag law not only restores postal employees to all the rights and privileges of which they had been deprived by Executive orders, but it also protects them in their positions by requiring that they be furnished with a copy of all charges that might be preferred against them, and they are given an opportunity to submit their defense in writing.

The law which reclassifies and regulates the salaries of the railway mail clerks is also a piece of constructive legislation that will stand to the credit of the Sixty-third Congress. Many necessary reforms have been brought about in the Railway Mail Service which at the beginning of the Sixty-second Congress was in a chaotic state on account of the discontent among the employees, which was brought about through the so-called reforms of a former administration of the Post Office Department.

The rural letter carriers have had their salaries increased in the Sixty-second and Sixty-third Congresses by the enactment of legislation which was of great benefit to the Rural Delivery Service and the rural letter carriers. The pay of many rural carriers has never been commensurate with the work they perform and the outlay in furnishing proper vehicles for the delivery and collection of the mail in rural communities. I trust it will not be long before a law will be passed that will grant the rural letter carriers an annual allowance for horse hire.

The enactment of the law passed by the Sixty-third Congress which grants compensation to postal employees who are injured in the performance of their duties or to the relatives of employees who lose their lives is in keeping with the spirit of the times.

In looking back over the work of the past four years it is a source of great satisfaction to me to know that one has played some small part in trying to bring about the reforms above mentioned. My only regret is that through force of circumstances I will have to lay aside this work which has been so pleasing because of the improvements that were being brought about in the Postal Service and of the benefit that they have been to the working force of that service. For the distinguished and able chairman and members of the Committee on the Post Office and Post Roads I have grown to have not only great respect and admiration for the patriotic spirit shown by them when considering all the questions submitted to the Post Office Committee, but I also have a feeling of warm affection for each of them, on account of the noble and manly qualities of which I have learned while being associated with them.

My colleagues, Democratic, Republican, and Progressive, I bid you Godspeed, and give to you out of a full heart my best wishes in all your hopes and ambitions. While I can not be with you to take part in the activities of legislative life, my thoughts for your well-being will always be with you. The friendships formed here will never, I trust, be broken. May I be permitted to say, now and in the years to come, with the writer of these sweet lines:

Friends, though scarce, we sometimes find,
Whose hearts are always true and warm,
Who, like the ivy 'round the tree,
Cling closest in the raging storm.
Should sorrow e'er thy beauty sear,
Such friendship still I'll feel for thee;
And when thou think'st of friend sincere
I trust you will remember me.

[Applause.]

During the delivery of the foregoing, the time of Mr. REILLY of Connecticut having expired, at the request of Mr. MOON and Mr. MADDEN leave was given him to conclude his remarks.

The CHAIRMAN. The gentleman from Minnesota [Mr. STEENERSON] is recognized for 20 minutes.

Mr. STEENERSON. Mr. Chairman, I have already pointed out that the war in Europe has been put forth by the present administration as the justification for the withholding of needed mail facilities in rural districts and for the proposal to reduce expenses by substituting a contract service for the present Rural-Delivery Service, and also for the advancement of the new policy of making the Postal Service contribute to the general support of the Government. The claim is that the war has shut off imports, and thereby reduced customs revenues. President Wilson, in his address to Congress on September 4, asking for the war-revenue law, used this language:

> During the month of August there was, as compared with the corresponding month of last year, a falling off of $10,629,538 in the revenues collected from customs. A continuation of this decrease in the same proportion throughout the current fiscal year would probably mean a loss of customs revenues of from sixty to one hundred millions. I need not tell you to what this falling off is due. It is due in chief part not to the reductions recently made in the customs duties, but to the great decrease in importations, and that is due to the extraordinary extent of the industrial area affected by the present war in Europe.

This statement—that there is a decrease in importations—has been repeated during the debate on this bill on this floor and is found in the official communications of the Post Office Department to Congress.

I want to call attention to the fact that the President compares the falling off in revenue under the Underwood law with the receipts under the Payne law. Of course he overlooks the slight difference in the rates of duty. He should have remembered that his party, and especially he as the candidate, promised the people a downward revision, and that they gave us a downward revision, and that therefore, unless the importations were very largely increased, necessarily the receipts from customs would be diminished. In his campaign letter to Mr. UNDERWOOD a month later he went still further and said that it was the war, and nothing but war, that caused the falling off in revenues from customs receipts. Now, what are the facts? The official figures are now before us. They were not fully before us at the time of the discussion of the war-revenue bill.

I hold in my hand a document issued by the Department of Commerce, the Monthly Summary of Commerce and Finance of the United States.

The October number has recently been issued; we have not yet got the November or the December number. On the first page containing the tables we find the following total imports of merchandise for October, 1913, $132,149,302. For October, 1912, $138,880,850, an increase for one month of about $6,000,000. I find in the column 10 months ending October, 1914, the total imports of merchandise were $1,548,531,394. For the same 10 months of 1913, $1,460,364,000, or $88,196,921 more during the first 10 months of calendar year 1914 than for the corresponding period the year before.

These 10 months I call to your attention were the first 10 months that the Underwood law was in effect. It was not in full effect until the 1st of March. It took effect as to wool in January. So you see that instead of there being a falling off in imports there has been an increase in imports of over eighty millions in 10 months. I have the figures which I got by telephone from the Department of Commerce as to the receipts and imports for November, the month just past. I find that the total imports of merchandise for the last month, November, 1914, $126,467,907, and the duties from customs $16,924,408.

Now, if we had a similar amount of importations for December, and they will be much larger from the preliminary figures I have received, there will be $252,935,814, or in round numbers additional two hundred and fifty-three millions for the two months completing the calendar year of 1914, and will make the total imports of merchandise for the 12 months $1,801,531,394, as against $1,793,138,480 for calendar year 1913, or $8,392,914 more for 1914 than 1913.

Where, then, is the contention that the war in Europe has diminished the imports? The contention is simply a fallacy and not true. You may excuse a man in the excitement of a campaign for exaggeration; you can excuse a candidate for telling a whopper just before election; but now that the campaign is over and the official records are available it seems to me that you ought to cease repeating the statement and come back to facts.

Now, as a ground for explaining the embarrassed condition of the Treasury and the deficit, the conclusion has been drawn that the revenues from customs were disappointing to the Democrats. There never was a greater fallacy. How much revenue did you expect from the Underwood law? You have got within a small fraction of what was predicted for it. I read from the CONGRESSIONAL RECORD of September 30, 1913, page 5233, from

Mr. UNDERWOOD's final speech on the conference report. He said:

The income tax, leaving out those features that relate to the tax on corporations, will produce above $83,000,000. The corporation part of the income tax included in the bill, it is estimated, will produce $39,000,000. The customs taxes for the year 1915 are estimated to produce $249,000,000.

Taking the other sources of revenue that the Government now has and adding to them the income tax and the customs laws that are affected by this bill, it will produce for the fiscal year 1915, according to our estimates, $1,026,000,000; and if the expenditures of the Government do not exceed $1,008,000,000, which is the estimate that will cover the expenditures of the Government for that year, the bill will produce a surplus revenue of $18,000,000, which the committee considers as a safe balance on the right side of the ledger.

Mr. UNDERWOOD says that in the fiscal year it will produce $249,000,000. Well, the Payne bill produced $318,000,000, so there was expected to be a decline. When you passed the Underwood law you expected there would be $249,000,000 revenue instead of $311,257,348, which was the amount collected in the fiscal year ended June 30, 1912, so that you can not lay that to the war. You are not disappointed as to the income produced by the Underwood law, because you expected it. [Applause on the Republican side.]

So, putting the total customs duties collected for the first 10 months of 1914, as given in the October summary, of $209,000,000, and adding $16,924,408, customs receipts for last month, and a similar amount for this month, you will have $243,418,045, only $5,581,955 less than Mr. UNDERWOOD's estimate, or practically the same as his estimate.

If you calculate that December will produce only as much as November, then the difference would certainly not be in excess of $6,000,000 less than the estimate of Mr. UNDERWOOD at the time he spoke on the conference report.

Now, then, what justification have you, what justification did the President have, for blaming the war in Europe for the lower customs revenue when you are getting the revenue that you expected? [Applause on the Republican side.]

Where is the Democratic blunder that has brought embarrassment upon us which necessitates the recommendation of destroying the rural service and bleeding the Postal Service to support the Government? The blunder consisted not in misfiguring the income from tariff but from other sources. These are official figures, and you all can find them in Monthly Summary for the months referred to. I will insert the page from the October, 1914, Summary, where it gives the imports for the first 10 months of the calendar year 1914 and also the ad valorem rate on dutiable and on all imports for the respective periods. The rate for 1912, under the Payne law, was 39.54 per cent on dutiable and 18.30 per cent on total imports, and about the same for 1913, while in the 10 months of 1914 the rate under the new law was only 35.02 per cent on dutiable and 13.53 per cent on total imports. For October, 1914, the rate on total imports was only 11.78 per cent.

The blunder was in the income tax. You fell short $51,000,000, the difference between $122,000,000, which you estimated you would get from the corporation and income tax, and the $71,386,156 which you actually got from that source. You fell short more than $51,000,000, and that is the chief element which causes embarrassment in the Treasury. The chairman of the Committee on Ways and Means estimated that your appropriations would be $1,008,000,000. That was for the fiscal year 1915—the current year. What were they? I have the Book of Estimates, issued by the Treasury Department, and there is no guesswork about this. The total appropriations for the fiscal year 1915 were $1,094,168,102.38. He estimated that you were going to appropriate $1,008,000,000, and you appropriated $86,000,000 more than you said you would. There was another blunder. The appropriation of $1,094,168,102.38 for the fiscal year 1915, instead of $1,008,000,000, as you said you proposed to appropriate, and the falling short of the income tax and the corporation tax in the sum of $51,000,000 is the cause of your trouble. What would have been the result if you had had the Payne rates? It has been demonstrated to a mathematical certainty. The rate under the Underwood law, applied to the free and dutiable goods together, was 13.53 per cent, a little over 13½ per cent, for the first 10 months of the calendar year 1914, but only 11.78 per cent for October. This is also given in this same publication issued by the Department of Commerce for the very period in question. Under the Payne law the rate was 18.34 per cent for 1913. How could you expect to get as much money when you collected only 13½ per cent ad valorem on the total amount of importations, instead of 18½ per cent? It seems to me it is entirely unjustifiable to expect anything of that kind. If you apply—and this is relevant because of the address of the President on September 4—the Payne duties, you would have had, according to my calculation—and you can calculate it yourself—about eighty-six or eighty-seven million dollars more of customs revenue on the same importations that actually came in than you obtained. It could not be a surprise to a sane man that you got less on substantially the same amount of imports under a lower than a higher rate. The gentleman from Alabama [Mr. UNDERWOOD] estimated the falling off of revenue very closely. He can not be surprised or disappointed, for he predicted the result very closely.

The CHAIRMAN. The time of the gentleman from Minnesota has expired.

Mr. STEENERSON. Mr. Chairman, I ask unanimous consent to proceed for three minutes more.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. STEENERSON. So that the cause of all of this trouble in the Treasury, this falling off of the available balance from $144,000,000 to a little over $66,000,000, as it is to-day—the excess of expenditures over receipts which we are now experiencing—is directly due to the decrease of customs receipts under Democratic tariff legislation, and not to accident, not to war. It is due to miscalculation as to the amount of income to be derived from the income and the corporation tax, and to the large—I will not say extravagant—appropriations—$86,000,000 more than you officially estimated you would appropriate. Therefore, it seems to me, it is about time that the leaders of the Democratic Party should acknowledge the truth. You may as well do it now as later, because sooner or later you will have to acknowledge that these are the facts, that these are the causes for the falling off of income—miscalculation, blunder; not any misfortune because of the war. [Applause on the Republican side.] It is important for the people to know, because the war came along and we can not end it. If our difficulties in the Treasury were due to the war, we would have to submit, and perhaps it would be justifiable to resort to bleeding the postal receipts to support the Government; but, seeing that the cause is not the war in Europe, but is Democratic blundering in legislation, then that is a cause that can be removed. [Applause on Republican side.] And, gentlemen, it will be removed by the people, and you may as well acknowledge that you were mistaken and be honest and candid and fair on this proposition. [Applause on the Republican side.]

Monthly summary of foreign commerce of the United States, October, 1914.

FOREIGN COMMERCE OF THE UNITED STATES—SUMMARY OF IMPORTS AND EXPORTS.

[Figures in all statements for October, 1914, and for 10 months ending October, 1914, subject to revision. Figures of imports for October, 1913, include only entries under the tariff law of 1913, beginning with the fourth day of the month. The entries of the first three days of the month under the law of 1909, amounting to, approximately, $13,665,000, are included with September totals.]

Groups.	October—				Ten months ending October—					
	1913		1914		1912		1913		1914	
IMPORTS.										
Free of duty:	*Dollars.*	*Per ct.*	*Dollars.*	*Per ct.*	*Dollars.*	*Per ct.*	*Dollars.*	*Per ct.*	*Dollars.*	*Per ct.*
Crude materials for use in manufacturing	34,125,086	41.84	38,012,461	43.72	412,197,299	50.73	404,684,750	51.69	462,785,296	48.71
Foodstuffs in crude condition, and food animals	18,547,338	22.75	18,700,188	21.51	157,946,743	19.44	136,919,651	17.49	167,181,245	17.59
Foodstuffs partly or wholly manufactured	2,871,232	3.52	5,399,883	6.21	10,432,004	1.28	9,515,804	1.22	49,918,371	5.25
Manufactures for further use in manufacturing	15,320,770	18.79	13,803,207	15.88	137,821,073	16.96	153,594,341	19.62	159,801,979	16.82
Manufactures ready for consumption	10,037,469	12.30	10,580,865	12.17	84,029,120	10.34	70,821,349	9.05	101,439,869	10.68
Miscellaneous	651,994	.80	447,916	.51	10,178,291	1.25	7,269,497	.93	8,994,580	.95
Total free of duty	81,553,889	100.00	86,944,520	100.00	812,604,530	100.00	782,805,392	100.00	950,121,340	100.00

Monthly summary of foreign commerce of the United States, October, 1914—Continued.

FOREIGN COMMERCE OF THE UNITED STATES—SUMMARY OF IMPORTS AND EXPORTS—continued.

Groups.	October—				Ten months ending October—					
	1913		1914		1912		1913		1914	
IMPORTS—continued.										
Dutiable:	*Dollars.*	*Per ct.*	*Dollars.*	*Per ct.*	*Dollars.*	*Per ct.*	*Dollars.*	*Per ct.*	*Dollars.*	*Per ct.*
Crude materials for use in manufacturing	5,687,772	11.07	5,943,783	11.63	111,560,797	15.98	91,028,299	13.44	62,914,297	10.51
Foodstuffs in crude condition, and food animals	4,328,202	8.42	2,725,847	5.33	37,639,959	5.39	28,576,809	4.22	29,753,359	4.97
Foodstuffs partly or wholly manufactured	10,124,960	19.70	12,875,065	25.17	171,973,679	24.63	156,491,769	23.10	176,720,569	29.53
Manufactures for further use in manufacturing	7,074,654	13.76	7,146,388	13.98	124,638,840	17.85	134,603,391	19.86	78,753,213	13.16
Manufactures ready for consumption	23,640,395	46.00	21,673,417	42.38	249,040,959	35.66	262,849,172	38.79	245,432,461	41.02
Miscellaneous	539,430	1.05	771,500	1.51	3,423,949	.49	3,979,541	.59	4,836,155	.81
Total dutiable	51,395,412	100.00	51,136,000	100.00	698,278,183	100.00	677,528,981	100.00	598,410,054	100.00
Free and dutiable:										
Crude materials for use in manufacturing	39,812,858	29.94	43,956,244	31.84	523,758,096	34.66	495,713,049	33.95	525,699,593	33.95
Foodstuffs in crude condition, and food animals	22,875,540	17.21	21,426,035	15.52	195,586,702	12.94	165,496,460	11.33	196,934,604	12.72
Foodstuffs partly or wholly manufactured	12,996,192	9.78	18,274,948	13.23	182,405,683	12.08	166,007,573	11.37	226,638,940	14.63
Manufactures for further use in manufacturing	22,395,424	16.85	20,949,595	15.17	262,459,913	17.37	288,197,732	19.73	238,555,192	15.41
Manufactures ready for consumption	33,677,864	25.32	32,254,282	23.36	333,070,079	22.05	333,670,521	22.85	346,872,330	22.40
Miscellaneous	1,191,424	.90	1,219,416	.88	13,602,240	.90	11,249,038	.77	13,830,735	.89
Total imports of merchandise	132,949,302	100.00	138,080,520	100.00	1,510,882,713	100.00	1,460,334,373	100.00	1,548,531,394	100.00
Per cent of free		61.34		62.97		53.78		53.60		61.35
Duties collected from customs	30,138,049		16,271,829		276,425,106		267,868,193		209,569,229	
Average ad valorem rate—on dutiable		58.64		31.82		39.59		39.54		35.02
Average ad valorem rate—on total imports		22.67		11.78		18.30		18.34		13.53
Remaining in warehouse at the end of the month	85,843,119		84,289,172							
EXPORTS.										
Domestic:										
Crude materials for use in manufacturing	125,239,556	46.56	32,989,050	17.27	561,163,229	30.49	552,654,073	27.99	230,411,330	14.13
Foodstuffs in crude condition, and food animals	11,764,519	4.37	36,224,327	18.91	98,548,106	5.35	150,590,870	7.62	395,003,669	24.21
Foodstuffs partly or wholly manufactured	29,775,473	11.07	37,411,532	19.58	246,704,031	13.41	266,569,703	13.50	187,677,403	11.51
Manufactures for further use in manufacturing	32,678,284	12.15	28,571,130	14.95	320,715,546	17.43	338,975,547	17.17	290,860,629	17.83
Manufactures ready for consumption	68,824,465	25.58	53,589,172	28.05	607,023,512	32.98	658,791,771	33.37	519,544,574	31.85
Miscellaneous	721,137	.27	2,244,165	1.24	6,119,548	.34	6,844,101	.35	7,607,710	.47
Total domestic	269,003,434	100.00	191,029,376	100.00	1,840,273,972	100.00	1,974,426,065	100.00	1,631,105,315	100.00
Foreign:										
Free of duty	1,633,613	57.15	3,208,406	73.33	18,582,270	61.16	18,921,617	61.31	19,817,547	62.55
Dutiable	1,224,417	42.85	1,166,848	26.67	11,801,753	38.84	11,935,940	38.69	11,883,757	37.45
Total foreign	2,858,030	100.00	4,375,254	100.00	30,384,023	100.00	30,857,557	100.00	31,701,304	100.00
Total exports	271,861,464		195,404,630		1,870,657,995		2,005,283,622		1,662,806,619	
Excess of exports	138,912,162		57,324,110		359,775,282		544,949,249		114,275,225	
Total imports and exports	404,810,766		333,485,150		3,381,540,708		3,465,617,995		3,211,338,013	

Mr. MANN. Mr. Chairman, I ask unanimous consent to proceed for three minutes.

The CHAIRMAN. The gentleman from Illinois asks unanimous consent to proceed for three minutes. Is there objection?

There was no objection.

Mr. MANN. Mr. Chairman, a service in this House for 20 years is a long service, and I think I would be neglectful if I did not express on behalf of this side of the House, and I think the whole House, our regret at losing one of the most genial and earnest and honest Members of the House, the ranking Republican on the Committee on the Post Office and Post Roads, the gentleman from Michigan [Mr. SAMUEL W. SMITH]. [Applause.] Modest to a degree, earnest and faithful, he has endeared himself to the hearts of all who knew him here, and wherever he may be in life he carries with him the respect and the best wishes of the Members of the National House of Representatives. [Applause.]

Mr. Chairman, the pending Post Office appropriation bill contains a large amount of legislation, in the main, if not entirely, good reform legislation. The Postmaster General was for many years a Member of this House and received his training in governmental affairs here, and while there is and necessarily will be at different times and from different quarters criticism of the Post Office Department, I am unwilling to let the occasion go by without saying that I think this former Member of this House, Postmaster General Burleson, is handling himself in that office at the head of that great department in a wonderfully satisfactory manner. [Applause.]

Mr. MOON. Mr. Chairman, I ask unanimous consent that the Clerk be instructed to renumber the sections of the bill so that they may follow in proper numerical order.

The CHAIRMAN. Without objection, that will be done.

There was no objection.

Mr. MOON. Mr. Chairman, I move that the committee do now arise and report the bill to the House with the various amendments, with the recommendation that the amendments be agreed to, and that the bill as amended do pass.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. SAUNDERS, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill H. R. 19906, the Post Office appropriation bill, and had instructed him to report the same back to the House with sundry amendments, with the recommendation that the amendments be agreed to, and that the bill as amended do pass.

Mr. MOON. Mr. Speaker, I move the previous question on the bill and all amendments to final passage.

The SPEAKER. The gentleman from Tennessee moves the previous question on the bill and all amendments to final passage.

The question was taken, and the previous question was ordered.

The SPEAKER. Is a separate vote demanded on any amendment? If not, the Chair will put them in gross.

The question was taken, and the amendments were agreed to.

The bill as amended was ordered to be engrossed and read a third time, was read the third time.

Mr. STEENERSON. Mr. Speaker, I move to recommit the bill with instructions.

The SPEAKER. The Clerk will report the motion to recommit with instructions.

The Clerk read as follows:

Mr. STEENERSON moves to recommit the bill H. R. 19906 to the Committee on the Post Office and Post Roads with instructions to report the same back with the following amendment:

After line 8, on page 5, insert the following:

"For compensation to assistant postmasters at first and second class post offices, 5, at not exceeding $4,000 each; 42 at not exceeding $3,000 each; 10 at not exceeding $2,500 each; 5 at not exceeding $2,000 each; 16 at not exceeding $1,900 each; 45 at not exceeding $1,800 each; 95 at not exceeding $1,700 each; 150 at not exceeding $1,600 each; 180 at not exceeding $1,500 each; 150 at not exceeding $1,400 each; 350 at not exceeding $1,300 each; 560 at not exceeding $1,200 each; 525 at not exceeding $1,100 each; 300 at not exceeding $1,000 each; 130 at not exceeding $900 each; 100 at not exceeding $800 each; in all, $3,200,000.

Mr. MOON. Mr. Speaker, I move the previous question on the motion to recommit.

The question was taken, and the previous question was ordered.

The SPEAKER. The question is on the motion to recommit.

The question was taken, and the Speaker announced the noes seemed to have it.

Mr. STEENERSON. Division, Mr. Speaker.

The SPEAKER. The gentleman from Minnesota demands a division.

Mr. STEENERSON. Mr. Speaker, I ask for the yeas and nays.

The SPEAKER. The gentleman demands the yeas and nays. Those in favor of ordering the yeas and nays will rise and stand until counted. [After counting.] Thirty-two gentlemen have risen on the demand for the yeas and nays, not a sufficient number.

Mr. MANN and Mr. STEENERSON. The other side, Mr. Speaker.

The SPEAKER. The other side is demanded. Those opposed will rise and stand until counted. Seventy-three gentlemen have risen in the negative——

Mr. MANN. That would give the yeas and nays, and as a matter of convenience, Mr. Speaker, I make the point of order there is no quorum present.

ADJOURNMENT OVER NEW YEAR'S DAY.

Mr. UNDERWOOD. Before the gentleman makes the point of no quorum I would like to submit a unanimous-consent request.

Mr. MANN. I withhold the point of no quorum.

Mr. UNDERWOOD. Mr. Speaker, I ask unanimous consent that when the House adjourns to-day it adjourn to meet on Saturday next, so that Members may have their customary New Year's holiday.

The SPEAKER. The gentleman from Alabama asks unanimous consent that when the House adjourns to-day it adjourn to meet on Saturday. Is there objection?

Mr. FINLEY. Mr. Speaker, reserving the right to object, does the gentleman from Alabama have any doubt that the House will work to-morrow if this request is not granted? Some of us think it will. This is about the shortest session we could possibly have.

Mr. UNDERWOOD. I think the House would work to-morrow, but I do not know whether we will have a quorum, and probably will work, but I will say to the gentleman from South Carolina it has been customary always to adjourn over New Year's Day. I think the appropriation bills are in better condition and further advanced now than at any other time. I make this request as a matter of usual custom, and I do not think there is any danger of the House not getting through with the appropriation bills at the present time.

Mr. MANN. It will not advance business by having a meeting to-morrow or on Saturday, even, but will simply discommode a large number of Members, and progress will not be made by it. That side will lose a lot of cooperation on this side——

Mr. SIMS. I would like to ask the gentleman from Alabama if it is not usual for the House not to reconvene until after the first Monday of the new year.

Mr. UNDERWOOD. Yes; we have taken less holiday this year than ever before. As far as I am personally concerned, I have no desire in the matter——

Mr. FINLEY. My sole purpose in asking the question was that I had in mind possibly the appropriation bills coming up and general debate could be had, and that would be gotten through with. I shall not object, however.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

POST-OFFICE APPROPRIATION BILL.

The SPEAKER. The Chair did not get through announcing the result of the demand for the yeas and nays. There are 32 in favor and 73 against, and 32 is a sufficient number.

Mr. MANN. Mr. Speaker, I made the point of order of no quorum as a convenience to Members.

The SPEAKER. The gentleman from Illinois [Mr. MANN] made the point of order that there is no quorum present, and evidently there is not. The Doorkeeper will lock the doors, the Sergeant at Arms will notify absentees, and the Clerk will call the roll.

The question was taken; and there were—yeas 68, nays 150, answered "present" 2, not voting 208, as follows:

YEAS—68.

Bell, Cal.	Bryan	Cooper	Curry
Browne, Wis.	Burke, S. Dak.	Cramton	Danforth
Browning	Campbell	Crosser	Dillon
Falconer	Keating	Manahan	Smith, Idaho
Gillett	Kelley, Mich.	Morgan, Okla.	Smith, Saml. W.
Green, Iowa	Kelly, Pa.	Nelson	Smith, Minn.
Greene, Vt.	Kennedy, R. I.	Nolan, J. I.	Steenerson
Hamilton, Mich.	Kettner	Norton	Stephens, Cal.
Hawley	Kless, Pa.	Parker, N. J.	Stevens, Minn.
Hayes	Kindel	Patton, Pa.	Switzer
Helgesen	Kinkaid, Nebr.	Plumley	Temple
Hinds	Konop	Rogers	Towner
Howell	Lafferty	Rupley	Treadway
Humphrey, Wash.	La Follette	Scott	Volstead
Johnson, Utah	Lenroot	Seldomridge	Willis
Johnson, Wash.	McLaughlin	Sinnott	Woods
Kahn	MacDonald	Sloan	Young, N. Dak.

NAYS—150.

Abercrombie	Finley	Lesher	Smith, N. Y.
Adair	FitzHenry	Lever	Smith, Tex.
Adamson	Flood, Va.	Lewis, Md.	Sparkman
Alexander	Foster	Linthicum	Stanley
Ashbrook	Fowler	Lloyd	Stedman
Aswell	Francis	Lonergan	Stephens, Nebr.
Baker	Garner	McKellar	Stephens, Tex.
Bathrick	Garrett, Tex.	Madden	Stone
Beakes	Gerry	Maguire, Nebr.	Stout
Bell, Ga.	Gill	Mitchell	Stringer
Blackmon	Gilmore	Montague	Sumners
Booher	Gittins	Moon	Taggart
Borland	Goodwin, Ark.	Morrison	Talcott, N. Y.
Broussard	Gray	Moss, Ind.	Tavenner
Brown, N. Y.	Gudger	Murray	Taylor, Ala.
Buchanan, Ill.	Hamlin	Oldfield	Taylor, Ark.
Buchanan, Tex.	Hardy	Padgett	Taylor, Colo.
Bulkley	Harris	Page, N. C.	Thacher
Burgess	Harrison	Park	Thomas
Byrnes, S. C.	Hay	Post	Thompson, Okla.
Byrns, Tenn.	Hayden	Pou	Thomson, Ill.
Candler, Miss.	Helm	Quin	Tribble
Caraway	Henry	Ragsdale	Underwood
Carter	Hill	Rainey	Vaughan
Church	Holland	Raker	Vinson
Collier	Howard	Rauch	Vollmer
Connelly, Kans.	Hoxworth	Rayburn	Watkins
Cox	Hull	Reilly, Conn.	Watson
Cullop	Humphreys, Miss.	Reilly, Wis.	Weaver
Dent	Igoe	Rouse	Webb
Dickinson	Jacoway	Rubey	Whaley
Dies	Johnson, Ky.	Rucker	Whitacre
Donovan	Johnson, S. C.	Russell	Williams
Doolittle	Kennedy, Conn.	Saunders	Wingo
Dupré	Kent	Shackleford	Witherspoon
Evans	Key, Ohio	Sherwood	Young, Tex.
Fergusson	Kirkpatrick	Sims	
Ferris	Lee, Pa.	Small	

ANSWERED "PRESENT"—2.

Mann	Shreve

NOT VOTING—208.

Aiken	Deitrick	Hart	Neely, W. Va.
Ainey	Dershem	Haugen	O'Brien
Allen	Difenderfer	Heflin	Oglesby
Anderson	Dixon	Helvering	O'Hair
Ansberry	Donohoe	Hensley	O'Leary
Anthony	Dooling	Hinebaugh	O'Shaunessy
Austin	Doremus	Hobson	Paige, Mass.
Avis	Doughton	Houston	Palmer
Bailey	Driscoll	Hughes, Ga.	Parker, N. Y.
Baltz	Drukker	Hughes, W. Va.	Patten, N. Y.
Barchfeld	Dunn	Hulings	Peters
Barkley	Eagan	Jones	Peterson
Barnhart	Eagle	Keister	Phelan
Bartholdt	Edmonds	Kennedy, Iowa	Platt
Bartlett	Edwards	Kinkead, N. J.	Porter
Barton	Elder	Kitchin	Powers
Beall, Tex.	Esch	Knowland, J. R.	Price
Borchers	Estopinal	Korbly	Prouty
Bowdle	Fairchild	Kreider	Reed
Britten	Faison	Langham	Riordan
Brockson	Farr	Langley	Roberts, Mass.
Brodbeck	Fess	Lazaro	Roberts, Nev.
Brown, W. Va.	Fields	Lee, Ga.	Rothermel
Bruckner	Fitzgerald	L'Engle	Sabath
Brumbaugh	Floyd, Ark.	Levy	Scully
Burke, Pa.	Fordney	Lewis, Pa.	Sells
Burke, Wis.	Frear	Lieb	Sherley
Burnett	French	Lindbergh	Sisson
Butler	Gallagher	Lindquist	Slayden
Calder	Gallivan	Lobeck	Slemp
Callaway	Gard	Loft	Smith, J. M. C.
Cantor	Gardner	Logue	Smith, Md.
Cantrill	Garrett, Tenn.	McAndrews	Stafford
Carew	George	McClellan	Stephens, Miss.
Carlin	Glass	McGillicuddy	Stevens, N. H.
Carr	Godwin, N. C.	McGuire, Okla.	Sutherland
Cary	Goeke	McKenzie	Talbott, Md.
Casey	Goldfogle	Mahan	Taylor, N. Y.
Chandler, N. Y.	Good	Maher	Ten Eyck
Clancy	Gordon	Mapes	Townsend
Clark, Fla.	Gorman	Martin	Tuttle
Claypool	Goulden	Metz	Underhill
Cline	Graham, Ill.	Miller	Vare
Coady	Graham, Pa.	Mondell	Walker
Connolly, Iowa	Greene, Mass.	Moore	Wallin
Conry	Gregg	Morgan, La.	Walsh
Copley	Griest	Morin	Walters
Crisp	Griffin	Moss, W. Va.	White
Dale	Guernsey	Mott	Wilson, Fla.
Davenport	Hamill	Mulkey	Wilson, N. Y.
Davis	Hamilton, N. Y.	Murdock	Winslow
Decker	Hammond	Neeley, Kans.	Woodruff

So the motion to recommit was rejected.

The Clerk announced the following pairs:
For the session:
Mr. BARTLETT with Mr. BUTLER.
On this vote:
Mr. MOORE, to recommit, with Mr. GARRETT of Tennessee, against.
Mr. GRAHAM of Pennsylvania, to recommit, with Mr. LEE of Georgia, against.
Mr. GRIEST, to recommit, with Mr. WILSON of New York, against.
Until further notice:
Mr. MAHAN with Mr. CALDER.
Mr. GOULDEN with Mr. FAIRCHILD.
Mr. HENSLEY with Mr. AUSTIN.
Mr. DALE with Mr. MARTIN.
Mr. SLAYDEN with Mr. ANTHONY.
Mr. FIELDS with Mr. LANGLEY.
Mr. WILSON of Florida with Mr. ROBERTS of Nevada.
Mr. PATTEN of New York with Mr. PARKER of New York.
Mr. CLANCY with Mr. HAMILTON of New York.
Mr. SCULLY with Mr. DUNN.
Mr. FITZGERALD with Mr. PLATT.
Mr. TALBOTT of Maryland with Mr. WALLIN.
Mr. AIKEN with Mr. BARCHFELD.
Mr. ALLEN with Mr. BARTHOLDT.
Mr. BAILEY with Mr. BURKE of Pennsylvania.
Mr. BARKLEY with Mr. FARR.
Mr. BARNHART with Mr. AINEY.
Mr. BROWN of West Virginia with Mr. FESS.
Mr. BURKE of Wisconsin with Mr. ANDERSON.
Mr. BURNETT with Mr. AVIS.
Mr. CALLAWAY with Mr. BARTON.
Mr. CANTRILL with Mr. BRITTEN.
Mr. CARLIN with Mr. DAVIS.
Mr. CAREW with Mr. CARY.
Mr. CASEY with Mr. DRUKKER.
Mr. CLARK of Florida with Mr. EDMONDS.
Mr. CONRY with Mr. FREAR.
Mr. CLINE with Mr. FRENCH.
Mr. COADY with Mr. COPLEY.
Mr. CRISP with Mr. GOOD.
Mr. DAVENPORT with Mr. HINEBAUGH.
Mr. DECKER with Mr. HUGHES of West Virginia.
Mr. DERSHEM with Mr. GUERNSEY.
Mr. DIXON with Mr. FORDNEY.
Mr. DOREMUS with Mr. GREENE of Massachusetts.
Mr. DOUGHTON with Mr. HAUGEN.
Mr. EAGAN with Mr. KEISTER.
Mr. EAGLE with Mr. KENNEDY of Iowa.
Mr. EDWARDS with Mr. J. R. KNOWLAND.
Mr. ESTOPINAL with Mr. KREIDER.
Mr. GALLIVAN with Mr. LANGHAM.
Mr. GALLAGHER with Mr. LEWIS of Pennsylvania.
Mr. SHERLEY with Mr. MONDELL.
Mr. GODWIN of North Carolina with Mr. LINDBERGH.
Mr. GOLDFOGLE with Mr. LINDQUIST.
Mr. GRAHAM of Illinois with Mr. MCKENZIE.
Mr. GREGG with Mr. MCGUIRE of Oklahoma.
Mr. HAMILL with Mr. MAPES.
Mr. HEFLIN with Mr. MILLER.
Mr. HOUSTON with Mr. MORIN.
Mr. HUGHES of Georgia with Mr. Moss of West Virginia.
Mr. KITCHIN with Mr. MOTT.
Mr. LIEB with Mr. PAIGE of Massachusetts.
Mr. LOBECK with Mr. PETERS.
Mr. MCANDREWS with Mr. PORTER.
Mr. MORGAN of Louisiana with Mr. PROUTY.
Mr. NEELY of West Virginia with Mr. ROBERTS of Nevada.
Mr. O'SHAUNESSY with Mr. POWERS.
Mr. PHELAN with Mr. ROBERTS of Massachusetts.
Mr. PRICE with Mr. SELLS.
Mr. RIORDAN with Mr. SHREVE.
Mr. SABATH with Mr. J. M. C. SMITH.
Mr. SISSON with Mr. VARE.
Mr. GLASS with Mr. SLEMP.
Mr. STEPHENS of Mississippi with Mr. WALTERS.
Mr. DOOLING with Mr. SUTHERLAND.
Mr. HART with Mr. WOODRUFF.
The result of the vote was announced as above recorded.
The SPEAKER. A quorum is present. The Doorkeeper will open the doors.
The question is on the passage of the bill.
The bill was passed.
On motion of Mr. MOON, a motion to reconsider the vote by which the bill was passed was laid on the table.

LEAVE OF ABSENCE.

Mr. HENSLEY, by unanimous consent, was granted leave of absence, for one day, on account of sickness in his family.

WITHDRAWAL OF PAPERS.

Mr. TAYLOR of Arkansas, by unanimous consent, was granted leave to withdraw from the files of the House, without leaving copies, the papers in the case of the Southern Claims Commission, No. 13183, George W. Morris, no adverse report having been made thereon.

INDIAN APPROPRIATION BILL.

Mr. STEPHENS of Texas. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H. R. 20150) making appropriations for the current and contingent expenses of the Bureau of Indian Affairs, fulfilling treaty stipulations with various Indian tribes, and for other purposes, for the fiscal year ending June 30, 1916, and, pending that, I would ask the gentleman from South Dakota [Mr. BURKE] what arrangements we can make, if any, relative to general debate.
Mr. BURKE of South Dakota. What has the gentleman from Texas to suggest?
Mr. STEPHENS of Texas. I have a request for only one hour on this side. I desire to state that it will be occupied by one speech.
Mr. BURKE of South Dakota. I will say, Mr. Speaker, an hour on a side will be satisfactory to us.
The SPEAKER. The gentleman from Texas [Mr. STEPHENS] moves that the House resolve itself into the Committee of the Whole House on the state of the Union to consider the bill H. R. 20150, the Indian appropriation bill, and pending that he asks unanimous consent that the general debate be limited to two hours, one hour to be controlled by himself and the other by the gentleman from South Dakota [Mr. BURKE]. Is there objection to this request?
Mr. HARRISON. Mr. Speaker, reserving the right to object, may I ask the chairman of the committee if he proposes to finish general debate this afternoon and not to go into the five-mniute rule?
Mr. STEPHENS of Texas. That is our desire.
Mr. HARRISON. I may want half an hour. Will the gentleman give me that time?
Mr. STEPHENS of Texas. I can not do so without extending the time, because I have agreed to let one person have the hour. The gentleman from Mississippi may have the time in case the gentleman to whom I have yielded will divide his time with him. I will state that there had been only one request until you made your request now, and that is why I asked for one hour on this side.
Mr. HARRISON. Can not the gentleman amend his request and make it three hours?
Mr. STEPHENS of Texas. I do not think, unless the House sits late to-night, that we can get through.
Mr. HARRISON. Then, I object, Mr. Speaker.
The SPEAKER. The question is on the motion of the gentleman from Texas [Mr. STEPHENS] that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 20150, the Indian appropriation bill.
The motion was agreed to.
Mr. STEPHENS of Texas. Mr. Speaker, would it be in order to ask unanimous consent that when the bill is closed we have an hour of general debate on either side?
The SPEAKER. The Chair thinks so.
Mr. STEPHENS of Texas. Then I make that request.
Mr. MANN. What is the request?
Mr. STEPHENS of Texas. The request is that when the bill is closed we have one hour on each side for general debate; that is, after the conclusion of the reading of the bill under the five-minute rule.
Mr. MANN. I object to that. That changes the procedure of the House.
Mr. STEPHENS of Texas. We ask for the reading of the bill then.
Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the Indian appropriation bill, H. R. 20150, with Mr. BYRNS of Tennessee in the chair.
The CHAIRMAN. The Clerk will report the bill.
The Clerk read as follows:

A bill (H. R. 20150) making appropriations for the current and contingent expenses of the Bureau of Indian Affairs, and for fulfilling treaty stipulations with various Indian tribes, and for other purposes, for the fiscal year ending June 30, 1916.

Mr. STEPHENS of Texas. Mr. Chairman, I ask unanimous consent that the first reading of the bill be dispensed with.

The CHAIRMAN. The gentleman from Texas asks unanimous consent that the first reading of the bill be dispensed with. Is there objection?

There was no objection.

The CHAIRMAN. The gentleman from Texas is recognized for an hour.

Mr. STEPHENS of Texas. Mr. Chairman, I move that the committee do now rise, in order to see if we can arrange for a time for general debate.

The SPEAKER. The gentleman from Texas moves that the committee do now rise.

The motion was agreed to.

The committee accordingly rose; and the Speaker having resumed the chair, Mr. BYRNS of Tennessee, Chairman of the Committee of the Whole House on the state of the Union, reported that the committee had had under consideration the bill H. R. 20150, the Indian appropriation bill, and had come to no resolution thereon.

The SPEAKER. The gentleman from Texas [Mr. STEPHENS] is recognized.

Mr. STEPHENS of Texas. Mr. Speaker, I will make this request, that the general debate be concluded within three hours, one hour to be controlled by myself, one hour to be controlled by the gentleman from South Dakota [Mr. BURKE], half an hour by the gentleman from Mississippi [Mr. HARRISON], and half an hour by the gentleman from Oklahoma [Mr. CARTER].

The SPEAKER. The gentleman from Texas asks unanimous consent that the general debate shall be limited to three hours, one hour to be controlled by himself, another hour to be controlled by the gentleman from South Dakota [Mr. BURKE], half an hour to be controlled by the gentleman from Mississippi [Mr. HARRISON], and half an hour to be controlled by the gentleman from Oklahoma [Mr. CARTER]. Is there objection? [After a pause.] The Chair hears none.

Mr. BURKE of South Dakota. Mr. Speaker, I was going to reserve the right to object. I am not going to object, but I want to ask the gentleman from Texas [Mr. STEPHENS] how late he intends, as chairman of the committee, to sit to-day?

Mr. STEPHENS of Texas. I think possibly until 6 o'clock, two hours and a half from now.

Mr. MANN. That will depend.

Mr. STEPHENS of Texas. As long as may be desired. I do not know.

The SPEAKER. Is there objection?

There was no objection.

Mr. STEPHENS of Texas. I now move, Mr. Speaker, that the House resolve itself into Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 20150, the Indian appropriation bill.

The motion was agreed to.

Accordingly the House resolved itself into Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 20150, the Indian appropriation bill, with Mr. BYRNS of Tennessee in the chair.

The CHAIRMAN. The House is now in Committee of the Whole House on the state of the Union for the further consideration of the Indian appropriation bill, which the Clerk will report by title.

The Clerk read as follows:

A bill (H. R. 20150) making appropriations for the current and contingent expenses of the Bureau of Indian Affairs, for fulfilling treaty stipulations with various Indian tribes, and for other purposes, for the fiscal year ending June 30, 1916.

The CHAIRMAN. The gentleman from Texas [Mr. STEPHENS] is recognized for an hour.

Mr. STEPHENS of Texas. Mr. Chairman, I desire to ask the gentleman from South Dakota [Mr. BURKE] if he desires to use some time first?

Mr. BURKE of South Dakota. Not at present.

Mr. STEPHENS of Texas. Then I will yield one hour to the gentleman from Indiana [Mr. Moss].

The CHAIRMAN. The gentleman from Indiana [Mr. Moss] is recognized for one hour.

Mr. MOSS of Indiana. Mr. Chairman and gentlemen of the committee, I wish to speak on the question of rural credits. I shall confine myself principally to the element of State aid and to the attitude of the present administration toward rural-credit legislation.

In the wide discussion which has been given to rural credits there has developed no disagreement as to the necessity for additional legislation or as to the large measure of benefits which will inure to American agriculture from its enactment. On a former occasion, when I had the honor to address this House on the subject of land mortgage banks, I assumed that there existed a true spirit of cooperation among the friends and advocates of this legislation to perfect a workable bill which could command wide confidence and support; and that the only contention which was present or which could arise was that noble contention or rather emulation of who best can work and best agree. For this reason I did not review the history of the growth and development of these institutions in other lands and among foreign peoples, but confined my remarks to a discussion of concrete propositions which have been advanced by groups of men for the consideration of Congress. I was working under the conviction that the fruition of all our labors was awaiting—and only awaiting—the appearance of a measure admittedly well adapted to the present-day conditions of American farm life and agreeable to the temperament of American farm citizenship. In this it seems that my position was not well taken; that a difference over principle and not of details is halting progress in this body and is preventing the consideration of this legislation.

The chairman of the subcommittee on banking and currency, Mr. BULKLEY, of Ohio, stated to the House recently that in his opinion a controversy over Government aid is the only thing which has prevented a complete agreement on rural credits. This is equivalent to saying that a disagreement over Government aid is preventing legislation on this subject. The gentleman from Ohio [Mr. BULKLEY] is one of the ablest Members of this body. His large store of information, his industrious habits, enthusiastic temperament, and uniformly courteous manner have won for him the high esteem of the membership of this House; and his opinion will be taken by all to reflect his mature conviction that unless an accommodation can be secured this legislation will fail at this session. His declaration demands that this discordant element be given a most thorough discussion.

Second in importance, if, indeed, it can be said to be subordinate in any degree, is his criticism of Secretary Houston's attitude and utterances on this subject. The remarks of the gentleman from Ohio [Mr. BULKLEY] will be taken by the general public in connection with the circular issued by a committee purporting to represent the progressive granges of the Nation and other like publications. The Washington Herald, of December 28, contains the following comment on the remarks under consideration:

A veiled attack upon the administration for its failure to insist upon rural-credit legislation at this session was made in the House a week ago by Representative BULKLEY, of Ohio, a Democratic leader; and there is a considerable element of Democrats in both Houses that feel resentful over the administration's apparent abandonment of the rural-credit bill.

The impression has been created, whether designedly or not, that Secretary Houston is antagonistic toward the enactment of rural-credit legislation, and that in this manner and to this degree the present administration is violating the plighted faith of the Democratic Party to the detriment of the American farmer.

In a country like ours, where all power permanently resides in the people and the exercise of it is delegated to certain officials for limited time and for specific purposes, no question can exceed in importance that of the good faith and honesty of purpose of those who hold this delegated power. If it be true that the administration is covertly opposing rural-credit legislation and is not in good faith desiring to redeem the pledges of the Democratic Party, then this most important fact should be known. If it be untrue, then there should be an equally frank acknowledgment, and there should be an end to all effort to shift responsibility for delay from Congress to the executive branch of the Government. For these reasons, I shall confine my remarks to a discussion of these two propositions.

I wish to disavow any controversy on the part of the United States commission over the question of Government aid as applied to rural-credit legislation. In our report, page 22, in discussing the feature of State aid, the commission said:

There is room for honest difference of opinion as to the question of State aid, if only European experience is consulted. In every instance in Europe where Government capital has been granted to establish mortgage credit the results have been favorable to the agricultural interests of that nation. It is our opinion that such aid should not be extended in the United States.

I desire now to elaborate on that opinion and to give in detail some of the reasons which led to that unanimous conclusion on the part of the commission.

I had the very great privilege to visit some of the leading European countries and of studying the actual conditions of their farm life as it exists to-day. The universal testimony is to the effect that conditions have improved immeasurably in peasant life since the date when these institutions were first

organized in those countries; but taking conditions as they now exist and comparing them with the conditions which surround American farm homes, the conviction is forced that European precedents are of but little, if any, value in framing American legislation to meet American conditions and purposes. This was the conclusion of practically every American official resident in Europe whom we met during our visit, as well as that of American business men with European residence and connections. In Europe the great struggle has been to escape from the servitudes imposed by the feudal system and to assist the agricultural class to rise from a state of serfdom imposed by an absolute government to that of an independent land-owning class. The only parallel which we can find in our history would be the struggles of the emancipated slaves who were liberated as a result of our Civil War. Down at the base of practically every system of government-capitalized mortgage banks in Europe lay an urgent necessity for social reform. This condition is so well understood by European students that this class of institutions was not emphasized before our commission. Dr. Augsbin, in an address before our commission in Berlin on the subject of mortgage banks, used these words:

The American farmer of to-day does not need any subsidy, nor would he accept it; but what he needs is a cheaply acquired credit on long-term mortgages and with the right of amortization. These credit facilities provided to your farmers would secure to your country greater productivity at less cost from the farms now under cultivation and, above all, give you more farms and more farmers. (Agricultural Co-operation and Rural Credit in Europe, p. 390.)

Dr. Augsbin is an authority on this subject who was delegated by the German Government to present it to our commission from a German viewpoint. He has traveled extensively in this country, and is firm in the opinion that no subsidy is necessary from the Government in order to establish mortgage banking in this country and to give our farmers cheap credit on long-time mortgage security. The conclusion of our commission is thus sustained by this eminent German authority, who is well acquainted with the operations of subsidized systems of mortgage banks.

Mr. McKELLAR. Mr. Chairman, will the gentleman yield? Will it disconcert the gentleman to yield?

The CHAIRMAN. Does the gentleman from Indiana yield to the gentleman from Tennessee?

Mr. MOSS of Indiana. It will not disconcert me, but I will say to the gentleman, if it is just the same to him, I would prefer to continue and quote some indorsements which I have prepared, and then, if I have time, I shall be glad to yield to the gentleman.

Mr. McKELLAR. Very well.

Mr. MOSS of Indiana. President Wilson has also supported our position by declaring that—

The farmers, of course, ask, and should be given, no special privileges, such as extending to them the credit of the Government itself.

Secretary Houston states in his annual report that—

There seems to be no emergency which requires or justifies Government assistance to the farmers directly through the use of the Government's cash or the Government's credit. It is the judgment of the best students of economic conditions here that there is needed to supplement existing agencies a proper land-mortgage banking system, operating through private funds, just as other banking systems operate, and this judgment is shared by the leaders of economic thought abroad.

Mr. Herrick, late ambassador to France and a profound student of banking, both in Europe and America, strongly supports the commission in its position on State aid. In his recent volume on "Rural Credits" Mr. Herrick warns against Government subsidy to mortgage banks as class legislation and declares it to be a perversion of the proper functions of government in a Republic. He states that in nearly all European Governments where direct Government aid has been granted it has led to bureaucracy, favoritism, and politics. Even more significant, and to American lawmakers more important, is his declaration that financial assistance is no longer extended in Europe except to institutions organized to help the poor to acquire homes or small tracts of agricultural lands. (P. 224, Rural Credits, by Herrick.)

Mr. David Lubin, of California, has done more to agitate and educate our people on this subject than any other American citizen. He has resided in Europe for some years, is the American delegate to the International Institute of Agriculture, and has an intimate personal knowledge of conditions in both Europe and America. His ability and sound judgment as a business man have enabled him to achieve signal success in agricultural and commercial fields of activity. Mr. Lubin is absolutely opposed to the grants, either of money or credit, by the Government to found systems of mortgage credit in the United States, and indorses the purely mutual associations of borrowers as the best instrumentality to secure cheap credit on long-time mortgage security.

Jesse E. Pope, in the Quarterly Journal of Economics for August, 1914, in a discussion of "Agricultural credit," speaking of European conditions, says:

Not only does direct financial assistance by the State tend to demoralize the individual, but in the long run it also dries up the sources of credit. This is the testimony of most Europeans who have given their lives to the solution of the problems of agricultural credit. Some of them at first advocated State aid; but when confronted with its results they became its ardent opponents. (August Quarterly, p. 739.)

And, finally, our commission secures a most emphatic indorsement in the Executive Bulletin, by the Hon. Emmet O'Neal, governor of Alabama, chairman of the committee of 12 governors of States which was appointed at the governors' conference at Richmond, Va., to prepare bills on rural credits to be submitted to the several State legislatures. This committee, after full consideration of the subject, decided that it was impractical to draft specific bills, but voted to draft a report declaring the fundamental principles which, in their judgment, should control legislation on this subject. The report is dated November 10, 1914. I quote in full what is said under the heading of Government subsidy.

The establishing of a wise, just, or successful system of land-mortgage banks can be accomplished without direct Federal aid, without subsidies or loans. With just and liberal enactments, properly safeguarding the lender, with rigid appraisement of values, with a simplified system of land-title registration or insurance, the savings of the Nation will gladly invest in these securities. No form of investment can be made more attractive or secure. Bills which seek direct Federal loans are unwise and will only delay or jeopardize the success of legislation on this subject.

Your committee indorses the views of the United States commission when they declare, "It is wise legislation rather than liberal appropriations or loans which rural credit mostly needs at our hands."

These indorsements can be extended to great lengths; but more impressive than words are actual accomplishments; and it is undeniably true that mortgage banking is being rapidly organized and extended in the United States without State aid, thus verifying by the results of actual experience the recommendation of our commission. The building and loan associations in the United States are extending their operations to include farm mortgages on periodic payments. In the State of Ohio these associations report aggregate farm loans exceeding $11,000,000, with a maximum period of maturity running to 16 years.

In Indiana, under a recent State law, a million-dollar corporation has been organized, with a paid-in capital of $250,000, to grant long-time credit on real-estate mortgages by issuing debenture bonds. This corporation is financed without any State aid and with no exclusive grants of territory. The president of this corporation in a recent letter to me states that the demand for copies of their constitution and articles of incorporation is so great as to necessitate having a special edition printed for general distribution. Real-estate loans are now being granted in Wisconsin under State law and without State aid, and a land bank with a minimum capital of $100,000 is being organized in New York to grant loans under similar general terms and conditions. In the State of Illinois Mr. Woodruff, of Joliet, has organized a successful and rapidly growing mortgage business by issuing debenture land bonds, based on real-estate mortgages on Illinois improved farm lands and guaranteed by the capital of his banking corporation. Without the aid of supervision, either by the State or Nation, Mr. Woodruff has sold large issues of land bonds. His plan of operation is that of a private joint-stock bank, issuing debenture bonds. In a letter to me Mr. Woodruff indorses the position of the United States commission. In opposition to the statement of the gentleman from Ohio that mortgage credit can probably not be successfully organized without direct Government financial assistance, I will place the developments in these five great agricultural States—Ohio, Indiana, Illinois, Wisconsin, and New York. Thus the position of our commission is not only sustained by the mature convictions of students and political economists, but also by the actual growth and development of successful institutions over a large and representative area of our Nation.

Mr. BATHRICK. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. Does the gentleman from Indiana yield to the gentleman from Ohio?

Mr. MOSS of Indiana. I would prefer to wait until I shall have completed my remarks and then I will gladly yield to the gentleman, if I have time.

The gentleman from Ohio [Mr. BULKLEY] did not quote a single authority or American precedent to sustain his contention that direct financial aid by the Government is essential to the successful organization of agricultural credit in the United States, but rests his contention on historical precedents. I have quoted Mr. Herrick to the effect that even the countries of Europe have abandoned subsidies, but I wish now to examine

more carefully the conditions under which such a policy was originally adopted. Any study of European institutions which neglects to give particular attention to the social and economic conditions of the inhabitants of those countries at the moment of the organization of such institutions will fail to secure correct conclusions.

In order to draw a contrast between the problem as it was then presented to those Governments and as it is now presented to us I desire to refer to a recent gathering of farmers in my own State. In the summer of 1913 I had the honor to deliver an address before the cattle feeders and corn growers of our State on the occasion of their annual picnic. The meeting was held on the historic battle field of old Tippecanoe, and the attendance included, as it always does, representative farmers from every county in the State. A census was taken of the attendance and of the automobiles parked on the grounds. There were 1,945 machines, with an aggregate value of not less than $2,000,000. This meeting can be duplicated in perhaps any of the corn-belt States. Large numbers of automobiles can be seen at any farm sale or neighborhood picnic in any farm community.

Let us contrast this picture of wealth and business ability with the conditions which prevailed in Germany at the time when the first association was formed in that country. It is a picture of a country laid desolate by the ravages of a seven-years' war. The Government granted $216,000 as an aid to the organization and operation of this association, which has been cited by the gentleman from Ohio as a reason why we should now give direct aid to mortgage banks in this country. I quote from Herrick's Rural Credits, page 37:

Many States had been entirely ruined, notably those in which armies had been encamped for a long time. The soil remained, it is true, but all which was necessary to give it value disappeared. Buildings were burned. The scattered live stock had died of hunger. Farm implements were rusted and rotten and the fields lay uncultivated. The value of the land had diminished 50 or 60 per cent, and where the owner had owed a large part before the war he was utterly unable to pay the interest on his debt, to say nothing about the principal at maturity. Numerous defaults were made, and the resulting foreclosures reduced the land values still further and excited the distrust of the money lender, who thereupon demanded repayment of all sums advanced, and thus brought about a crisis.

It has happily been more than 50 years since such conditions prevailed in any section of our country; and what shall be said of that statesmanship which seeks to go back to the desolation of the Civil War and to the miseries of the days of reconstruction to find conditions which might justify the passage of legislation which is urged to further increase the happy and prosperous conditions of to-day?

Reference has been made to Hungary, and the institutions of that kingdom have been selected in part by the subcommittee on Banking and Currency as their model. Let us review the conditions under which this institution was organized and subsidized in part by the Government. I quote from Rural Credit and Cooperation in Hungary, pages 26–27. This is a volume compiled by the Hungarian Government expressly for the use of the United States commission in making a study of their national institutions during our visit to that country.

It was this class (the gentry landowners) which suffered most heavily from the havoc wrought during the war of independence, 1848–49, and from the grave economic consequences of the same, as well as from the various measures taken by the absolute government—in particular, the confiscation and destruction of 60,000,000 florins ($24,000,000) worth of Hungarian bank notes, the suspension of the moratorium that had been granted to landowners at the very time when an enormous slump in the price of corn had taken the world by surprise, and the very injudicious and inopportune restrictive policy of the absolute government toward Hungarian savings banks. This combination of circumstances made the transition to a more modern system of farming in conformity with the changed conditions practically a catastrophe for the landowning middle class. At the same time the cheapest rate of interest at which mortgage loans could be secured, even on unencumbered real estate, was 18 to 20 per cent. Nor was the lot of the emancipated vassals a better one.

Again we have a recital of war's desolation, radical change in social condition of inhabitants, and the repressive acts of an absolute government. Not even in the desolation and miseries following our great Civil War in the Southland can parallel conditions be established.

Russia has been drawn upon to contribute precedents to justify the grants of direct aid to mortgage banks in the United States under the policy of our "new freedom." In regard to territorial expanse Russia and the United States have great similarity, but in no other respect can a parallel be drawn. I have seen it stated recently that 70 per cent of the Russian peasants can neither read nor write.

The history of mortgage banking in Russia, as we are considering it, dates from the liberation of the serfs and thus involves the question of social reform. For a description of the actual conditions I quote from Mortgage Banking in Russia, by Fredericksen:

"The liberation of the serfs in 1860 marks an epoch in all things Russian. The change itself was of less immediate consequence to most serfs than to their masters. The former wanted to be free and to become the owners of the land. The latter wanted them to be free but to have no land. What took place was a division of the land, giving to 8,000,000 'souls' (male peasants paying the capitation tax), or about 20,000,000 persons, about 30 per cent of the land, the nobility retaining 24 per cent and the Crown and the Crown tenants owning the remainder. Each 'soul' obtained from 3 to 4 'deciatines,' giving to every family of three male members from 25 to 40 acres. The peasants had hoped for more land, and in many cases preferred compulsory labor on the manor to compulsory purchase of the land now adopted. Each village community was, when the change was finally completed at the accession of Alexander III, compelled to purchase its land from the Government in common, paying to the Government besides the interest at 6 per cent a small annual installment which will redeem the land in 49 years and which is assessed with other taxes on each village community. The nobles are paid for the land in Government bonds of different kinds. Thus the old village community was continued, and to-day the 'three-field system,' with a lot around each house owned individually, long narrow scattered strips of plow land allotted periodically, and pasture land held in common is still the usual mode of Russian agriculture."

We have here presented as the chief elements the liberation of a generation of serfs, the forced division, sale, and purchase of the lands of a great empire with the Government credit financing the undertaking.

It is admitted that the Government treasury lost large sums in taxes, remitted to the debt-owing liberated serfs, while maintaining the payments which the Government was pledged to make to the nobles whose estates were forcibly taken and divided among their former tenants. Happily no such condition ever prevailed in the United States, nor can our Government ever have similar motives for taking such extraordinary legislative process.

The history of France has been drawn upon to sustain the contention which the advocates of subsidy legislation are raising. That nation has unhappily passed through social and political revolution, which was caused in large part by the miseries and wrongs endured by her peasant population. The guillotine was erected in the public square of Paris. These conditions did not suddenly develop, but were the growth of generations of misgovernment and misrule. In speaking of the general conditions prevailing in France, Herrick says:

In the beginning of the last century credit facilities in France were in bad condition, mainly because of defective laws regarding the registration of instruments affecting the title or possession of land. A lender who took a mortgage was never sure of recovering his claim in case of foreclosure. Consequently money was scarce and usury was rife. The land was so heavily encumbered with debts which had been accumulated for generations that its returns were barely sufficient to pay taxes and annual dues. In 1826 the farmers and landowners were on the verge of bankruptcy.

These conditions grew worse until, in 1852, the Credit Foncier was organized in part with capital supplied by the State. It is a joint-stock bank, securing its successive increases of capital by the sale of shares of stock to individual investors. The bank does not do an exclusive farm business, but loans to municipalities and on urban properties, and finances large projects in the French African colonies. These loans constitute the larger part of its operations, and it is not contended that this bank has ever supplied even a large fractional part of the loans to French farmers. Less than 10 per cent of the total rural mortgage indebtedness of France is held by the Credit Foncier, after enjoying a monopoly and Government subsidy for 62 years. Within that time France has lost 40 per cent of her rural population, and has recently enacted legislation granting a loan of $2,000 to any French citizen to purchase a farm home, and promises a pension for life to him if he will reside on the tract so purchased until he is 65 years of age. The Government of France also gives her farmers free State insurance against losses by hailstorms. Other systems of rural banks are assisted by the Government. In summing up his discussion of French agricultural credit Mr. Herrick, who is the best American authority on this subject, says:

State aid, which has been so lavishly extended in France, is a conspicuous failure when considered from the viewpoint of the hopes entertained in 1890. Even its partisans are far from satisfied with the progress made, and are now contemplating amendments to the laws in order to bring about vital changes in the credit Agricolt Mutuel.

Mr. THOMPSON of Oklahoma. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. Does the gentleman from Indiana yield to the gentleman from Oklahoma?

Mr. MOSS of Indiana. I would prefer, Mr. Chairman, to go on with the remarks as I have them prepared, and after I close I shall be glad to yield to the gentleman.

Mr. THOMPSON of Oklahoma. The gentleman will not then have any time to yield. We have heard a great many of these rural-credit talks, but we have not had any rural-credit legislation.

The CHAIRMAN. The gentleman declines to yield.

Mr. THOMPSON of Oklahoma. Mr. Chairman, I suggest that the gentleman is discussing a very important question, and there ought to be a quorum here to hear him. I suggest the absence of a quorum.

Mr. STEPHENS of Texas. I hope the gentleman will withdraw that.

The CHAIRMAN. The gentleman from Oklahoma makes the point that there is no quorum present. The Chair will count.

Mr. BATHRICK. Mr. Chairman, I hope the gentleman will withdraw his point. This is only to bring out both sides of the question. I ask that the speaker be allowed to finish his remarks.

Mr. THOMPSON of Oklahoma. Mr. Chairman, I asked the gentleman a question a little while ago, and he declined to be interrupted; and I now make the point of no quorum.

The CHAIRMAN. The gentleman from Oklahoma makes the point of no quorum. The Chair will count. [After counting.] Fifty-one Members are present; not a quorum. The Clerk will call the roll.

Mr. STEPHENS of Texas. Mr. Chairman, I move that the committee do now rise.

The motion was agreed to.

Accordingly the committee rose; and Mr. FOSTER having assumed the chair as Speaker pro tempore, Mr. BYRNS of Tennessee, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill (H. R. 20150) making appropriations for the current and contingent expenses of the Bureau of Indian Affairs, for fulfilling treaty stipulations with various Indian tribes, and for other purposes, for the fiscal year ending June 30, 1916, and had come to no resolution thereon.

Mr. STEPHENS of Texas. Mr. Speaker, the gentleman from Indiana [Mr. Moss] desires leave to extend his remarks in the RECORD.

The SPEAKER pro tempore. The gentleman from Indiana [Mr. Moss] desires unanimous consent to extend his remarks in the RECORD. Is there objection?

Mr. THOMPSON of Oklahoma. Mr. Chairman, I object.

Mr. BATHRICK. I hope the gentleman will withdraw that objection.

Mr. THOMPSON of Oklahoma. I have already objected.

ADJOURNMENT.

Mr. STEPHENS of Texas. Mr. Speaker, I move that the House do now adjourn.

The question was taken; and on a division (demanded by Mr. HOWARD) there were—ayes 15, noes 24.

Accordingly the House refused to adjourn.

Mr. THOMPSON of Oklahoma. Mr. Speaker, I make the point of order that there is no quorum present.

The SPEAKER pro tempore. The Chair will count. [After counting.] Fifty-one Members present—not a quorum.

Mr. UNDERWOOD. Does the Chair state that there is not a quorum present?

The SPEAKER pro tempore. There is no quorum present.

Mr. UNDERWOOD. Mr. Speaker, I move that the House do now adjourn.

The question was taken; and on a division (demanded by Mr. UNDERWOOD) there were—ayes 29, noes 15.

So the motion was agreed to.

Accordingly (at 4 o'clock and 18 minutes p. m.) the House adjourned until Saturday, January 2, 1915, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1. Letter from the Secretary of the Treasury transmitting a communication from the Secretary of State submitting an estimate of appropriation in the sum of $40,000 to enable the Government of the United States to participate in the Second Pan American Scientific Congress to be held at the city of Washington, D. C., in October, 1915 (H. Doc. No. 1468); to the Committee on Appropriations and ordered to be printed.

2. Letter from the Secretary of War transmitting, with a letter from the Chief of Engineers, reports on preliminary examination and survey of mouth of Brazos River, up to Freeport, Tex., with a view to securing a depth of 25 feet (H. Doc. No. 1469); to the Committee on Rivers and Harbors and ordered to be printed, with illustrations.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII,

Mr. CURRY, from the Committee on the Merchant Marine and Fisheries, to which was referred the joint resolution (H. J. Res. 391) authorizing the Secretary of Commerce to postpone the sale of fur-seal skins now in the possession of the Government until such time as in his discretion he may deem such sale advisable, reported the same without amendment, accompanied by a report (No. 1256), which said joint resolution and report were referred to the House Calendar.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. ADAMSON: A bill (H. R. 20470) to divorce transportation in interstate and foreign commerce from manufacture, mining, production, and dealing, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. LEWIS of Maryland: A bill (H. R. 20471) to secure to the United States a monopoly of electrical means for the transmission of intelligence for hire; to provide for the acquisition by the Post Office Department of the telephone networks; and to license certain telephone lines, radio and telegraph agencies; to the Committee on the Post Office and Post Roads.

By Mr. EVANS: A bill (H. R. 20472) providing for a site and public building for a post office at Anaconda, Mont.; to the Committee on Public Buildings and Grounds.

By Mr. KENNEDY of Connecticut: A bill (H. R. 20473) to provide for enlarging the United States building at Waterbury, Conn.; to the Committee on Public Buildings and Grounds.

By Mr. JOHNSON of Utah: A bill (H. R. 20474) authorizing and directing the Secretary of the Interior to patent certain lands to the State of Utah and to accept from said State certain other lands in lieu thereof; to the Committee on the Public Lands.

By Mr. TOWNER: Joint resolution (H. J. Res. 395) authorizing the President of the United States of America to prohibit by proclamation the exportation of arms, ammunition, and munitions of war; to the Committee on Foreign Affairs.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BROWNE of Wisconsin: A bill (H. R. 20475) granting an increase of pension to Thomas Hart; to the Committee on Invalid Pensions.

By Mr. CONNELLY of Kansas: A bill (H. R. 20476) to correct the military record of John Minster; to the Committee on Military Affairs.

By Mr. CRAMTON: A bill (H. R. 20477) granting a pension to Laura J. Spencer; to the Committee on Invalid Pensions.

By Mr. ESTOPINAL: A bill (H. R. 20478) granting a pension to Joseph H. McIntyre; to the Committee on Pensions.

By Mr. FERRIS: A bill (H. R. 20479) granting a pension to Lillie R. Abbott; to the Committee on Pensions.

By Mr. FRANCIS: A bill (H. R. 20480) granting an increase of pension to Mary E. Glaspy; to the Committee on Invalid Pensions.

Also, a bill (H. R. 20481) granting an increase of pension to Dixon M. Hepburn; to the Committee on Invalid Pensions.

Also, a bill (H. R. 20482) granting an increase of pension to Peter Wagner; to the Committee on Invalid Pensions.

By Mr. HOWARD: A bill (H. R. 20483) granting a pension to William A. Bowen; to the Committee on Pensions.

Also, a bill (H. R. 20484) granting a pension to James J. Huff; to the Committee on Pensions.

By Mr. LLOYD: A bill (H. R. 20485) granting an increase of pension to Matthias Harttenschwiller; to the Committee on Pensions.

By Mr. MOORE: A bill (H. R. 20486) granting an increase of pension to Artemas C. Barclay; to the Committee on Invalid Pensions.

By Mr. PLUMLEY: A bill (H. R. 20487) granting a pension to James E. Welch; to the Committee on Invalid Pensions.

By Mr. REED: A bill (H. R. 20488) granting an increase of pension to Charles R. Brackett; to the Committee on Invalid Pensions.

By Mr. SINNOTT: A bill (H. R. 20489) granting an increase of pension to Evalyn Wakefield; to the Committee on Invalid Pensions.

Also, a bill (H. R. 20490) for the relief of Edson Watson; to the Committee on Claims.

By Mr. STONE: A bill (H. R. 20491) granting a pension to Rosa L. Huebner; to the Committee on Pensions.

Also, a bill (H. R. 20492) granting an increase of pension to James Sterns; to the Committee on Invalid Pensions.

Also, a bill (H. R. 20493) granting an increase of pension to Andrew R. Jones; to the Committee on Invalid Pensions.

By Mr. TAVENNER: A bill (H. R. 20494) granting a pension to Mary Gertrude Russell; to the Committee on Invalid Pensions.

By Mr. TAYLOR of Colorado: A bill (H. R. 20495) granting a pension to Arthur L. Perry; to the Committee on Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. ASHBROOK: Petition of J. L. Amstutz and 37 other citizens of Wayne County, Ohio, asking for the passage of House joint resolution 377, relative to munitions of war; to the Committee on Foreign Affairs.

By Mr. BEAKES: Petitions of 100 citizens of Jackson, Mich., favoring House joint resolution 377, relative to export of munitions of war; to the Committee on Foreign Affairs.

By Mr. GERRY: Petition of Mrs. R. I. Gammell, of Providence, R. I., protesting against equal suffrage; to the Committee on the Judiciary.

Also, petitions of C. A. Crombe, George W. Eddy, Walter Hazard, of Wickford; Mrs. Sarah M. R. Aldrich, Mrs. Alice B. Ham, Marion W. Jenks, Mrs. J. W. North, Ellen M. Anthony, Barton P. Jenks, Rhode Island State Grange, and Rhode Island Woman Suffrage Association, of Providence; Helena Sturtevant, of Middletown; and Pawtucket Woman Suffrage League, of Pawtucket, all in the State of Rhode Island, favoring equal suffrage; to the Committee on the Judiciary.

By Mr. O'LEARY: Petition of citizens of the second New York congressional district, favoring House joint resolution 377, relative to munitions of war; to the Committee on Foreign Affairs.

By Mr. STEPHENS of California: Petition of citizens of Los Angeles, Cal., favoring the passage of the Hamill bill, H. R. 5139; to the Committee on Reform in the Civil Service.

Also, petition of Branch No. 97, Catholic Knights of America, protesting against the publication of the Menace; to the Committee on the Post Office and Post Roads.

Also, memorial of Brotherhood of Locomotive Firemen and Enginemen, Orange Grove Lodge, No. 97, of Los Angeles, Cal., favoring the passage of the Cummins-Goeke bill (H. R. 17894); to the Committee on Interstate and Foreign Commerce.

Also, memorial of the Central Labor Council, Los Angeles, Cal., relative to increase in the wages of the employees on the Canal Zone; to the Committee on Labor.

Also, memorial of employees in engine and train service, San Francisco, Cal., favoring the passage of the Cummins-Goeke bills (S. 6165 and H. R. 17894); to the Committee on Interstate and Foreign Commerce.

Also, petition of J. C. Ernst, of Los Angeles, Cal., protesting against printing of return envelopes by the Post Office Department; to the Committee on the Post Office and Post Roads.

By Mr. SWITZER: Protests of 820 citizens of the tenth congressional district of Ohio, petitioning for legislation to forbid the use of the United States mails to The Menace and similar publications; to the Committee on the Post Office and Post Roads.

By Mr. WALLIN: Petition of sundry citizens of the thirtieth New York district, favoring the passage of S. 3672, for the straightening of the Harlem River; to the Committee on Rivers and Harbors.

SENATE.

SATURDAY, *January 2, 1915.*

(Legislative day of Tuesday, December 29, 1914.)

The Senate met at 11 o'clock a. m., on the expiration of the recess.

The PRESIDENT pro tempore. The regular order is the unfinished business, House bill 6060, the so-called immigration bill. The bill is before the Senate as in Committee of the Whole and open to amendment.

Mr. MARTINE of New Jersey. Mr. President, I raise the point of the lack of a quorum.

The PRESIDENT pro tempore. The Senator from New Jersey suggests the absence of a quorum. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst	Gore	O'Gorman	Smith, Md.
Brandegee	Gronna	Oliver	Smith, S. C.
Bryan	Hardwick	Overman	Smoot
Burton	James	Page	Sterling
Chamberlain	Johnson	Perkins	Swanson
Clapp	Kern	Reed	Thornton
Clarke, Ark.	Lodge	Robinson	Townsend
Culberson	McCumber	Sheppard	Vardaman
Dillingham	Martine, N. J.	Simmons	White
Fletcher	Nelson	Smith, Ariz.	Williams
Gallinger	Norris	Smith, Ga.	

Mr. REED. I desire to announce the necessary absence of my colleague [Mr. STONE]. I believe he will be able to return to the Senate some time later in the day.

Mr. KERN. I desire to announce the unavoidable absence of my colleague [Mr. SHIVELY]. This announcement may stand for the day.

Mr. SMOOT. I wish to announce the unavoidable absence of my colleague [Mr. SUTHERLAND].

Mr. MARTINE of New Jersey. I was requested to announce the unavoidable absence of the Senator from West Virginia [Mr. CHILTON]. He is paired with the Senator from New Mexico [Mr. FALL].

Mr. TOWNSEND. I wish to announce the absence of the senior Senator from Michigan [Mr. SMITH] and that he is paired on all votes with the junior Senator from Missouri [Mr. REED]. I desire this announcement to stand for the day.

Mr. SWANSON. My colleague [Mr. MARTIN of Virginia] is detained from the Senate on account of sickness in his family. He is paired with the Senator from Illinois [Mr. SHERMAN].

Mr. LODGE. My colleague [Mr. WEEKS] is unavoidably absent. He has a general pair with the Senator from Kentucky [Mr. JAMES]. I make this announcement to stand for the day.

The PRESIDENT pro tempore. Forty-three Senators have answered to their names. A quorum of the Senate is not present. The Secretary will call the list of the absentees.

The Secretary called the names of the absent Senators, and Mr. SHAFROTH and Mr. THOMAS answered to their names when called.

Mr. HOLLIS entered the Chamber and answered to his name.

The PRESIDENT pro tempore. The second roll call still discloses the absence of a quorum. What is the pleasure of the Senators present?

Mr. KERN. I move that the Sergeant at Arms be directed to request the attendance of absent Senators.

The motion was agreed to.

The PRESIDENT pro tempore. The Sergeant at Arms will take due notice and enforce the order accordingly.

Mr. PITTMAN, Mr. MYERS, and Mr. BORAH entered the Chamber and answered to their names.

The PRESIDENT pro tempore. Forty-nine Senators having answered to their names, a quorum of the Senate is present. The Senate will receive a message from the House of Representatives.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by J. C. South, its Chief Clerk, announced that the House had passed a bill (H. R. 19906) making appropriations for the service of the Post Office Department for the fiscal year ending June 30, 1916, and for other purposes, in which it requested the concurrence of the Senate.

CREDENTIALS.

Mr. PITTMAN presented the credentials of FRANCIS G. NEWLANDS, chosen by the electors of the State of Nevada a Senator from that State for the term beginning March 4, 1915, which were read and ordered to be filed.

REGULATION OF IMMIGRATION.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 6060) to regulate the immigration of aliens to and the residence of aliens in the United States.

Mr. SMITH of South Carolina. Mr. President, I offer the following amendment, which is merely to make the bill conform to the present law: On page 26, line 2, following the second semicolon, I move to insert "whether in possession of $50, and, if less, how much." That has been suggested in order to keep the statistical tables correct.

The PRESIDENT pro tempore. The Secretary will note the amendment.

Mr. SMOOT. Mr. President, there is so much confusion in the Chamber that I could not hear the statement of the Senator from South Carolina, and I should like to have the Secretary report the amendment.

The PRESIDENT pro tempore. The Secretary will state the amendment.

The SECRETARY. On page 26, following the word "paid" and the semicolon on line 2, it is proposed to insert "whether in possession of $50, and, if less, how much."

Mr. SMITH of South Carolina. As I stated, the reason for that amendment is that statistics are being kept under the law, and the department is desirous of knowing how much immigrants bring in up to $50; and then the amendment states, "if less, how much," so that no matter how small an amount an immigrant should bring in the department wants to keep the table so as to show the total so brought in.

Mr. SMOOT. Does that interfere in any way with the amount required at the present time?

Mr. SMITH of South Carolina. Not at all.

Mr. SMOOT. I think the amount required at present is $30, is it not?

Mr. SMITH of South Carolina. Yes.

Mr. SMOOT. And this is not intended in any way to increase that requirement of $30 to $50?

Mr. SMITH of South Carolina. Oh, no.

The PRESIDENT pro tempore. The question is on the amendment proposed by the Senator from South Carolina. Unless there is objection, the amendment is agreed to. The Chair hears none, and it is agreed to.

Mr. SMITH of South Carolina. On page 42, line 5, after the word "entered," I move to insert "or who shall be found in." I desire that the amendment be read at the desk, and then I will make an explanation of it.

The PRESIDENT pro tempore. That is an amendment to an amendment which has already been adopted.

Mr. LODGE. Then the amendment will have to be offered in the Senate.

Mr. SMITH of South Carolina. I withdraw the amendment. I did not notice that.

The PRESIDENT pro tempore. The vote whereby the amendment was agreed to may be reconsidered now, and the amendment proposed by the Senator from South Carolina to the amendment may be offered.

Mr. LODGE. Yes; the vote whereby the amendment was adopted may be reconsidered, and the amendment proposed by the Senator from South Carolina may then be offered.

Mr. SMITH of South Carolina. In order to expedite business, I move that the vote whereby the amendment was agreed to may be reconsidered in order that the amendment may be amended.

The PRESIDENT pro tempore. Unless there be objection the motion is agreed to. The Chair hears none. The amendment to the amendment proposed by the Senator from South Carolina will be stated.

The SECRETARY. On page 42, line 5, after the word "entered," in the committee amendment, it is proposed to insert the words "or who shall be found in."

The PRESIDENT pro tempore. Unless there is objection the amendment to the amendment will be agreed to.

Mr. GRONNA. Mr. President, may we have the whole amendment stated?

The PRESIDENT pro tempore. The whole amendment will be now read, and the question then will be on the adoption of the committee amendment in amended form. The Secretary will state the amendment as amended.

The SECRETARY. On page 42, beginning in line 4, it is proposed to strike out the words "who shall enter the United States in violation of law" and to insert "any alien who shall have entered or who shall be found in the United States in violation of this act or of any law of the United States, or who at the time of entry was a member of one or more of the classes excluded by law."

The PRESIDENT pro tempore. The question is on the adoption of the amendment as amended. Unless there is objection it is agreed to. The Chair hears none, and it is so ordered.

Mr. SMITH of South Carolina. On page 63, line 8——

Mr. REED. If the Senator will pardon me, I should like to make a motion to test the Senate's idea of taking a recess.

The PRESIDENT pro tempore. Does the Senator from South Carolina yield to the Senator from Missouri?

Mr. SMITH of South Carolina. I ask the Senator from Missouri to withhold his request just for a moment.

The PRESIDENT pro tempore. The Senator from South Carolina declines to yield for the present.

Mr. SMITH of South Carolina. On page 63, line 8, after the word "descent," I propose to insert the words "except as provided in section 19 hereof." The reason for that amendment will be obvious to all who will read the language of the bill.

The PRESIDENT pro tempore. The Secretary will state the amendment proposed by the Senator from South Carolina.

The SECRETARY. On page 63, line 8, after the word "descent," it is proposed to insert the words "except as provided in section 19 hereof," so that, if amended, the proviso will read as follows:

Provided, That this act shall not be construed to repeal, alter, or amend existing laws relating to the immigration or exclusion of Chinese persons or persons of Chinese descent except as provided in section 19 hereof, nor to repeal, alter, or amend section 6, chapter 453, third session Fifty-eighth Congress, approved February 6, 1905, or the act approved August 2, 1882, entitled "An act to regulate the carriage of passengers by sea," and amendments thereto.

The PRESIDENT pro tempore. Unless there is objection, the amendment will be agreed to. The Chair hears none, and it is so ordered.

Mr. SMITH of South Carolina. There is just one other verbal change which is necessary to clarify the law. On page 63, line 17, I propose to strike out the word "last" and to insert in lieu thereof the word "third," for the reason that certain amendments have been made to that section which require that change.

The PRESIDENT pro tempore. The amendment proposed by the Senator from South Carolina will be stated.

The SECRETARY. On page 63, line 17, before the word "proviso," it is proposed to strike out the word "last" and to insert the word "third," so that it will read "except as mentioned in the third proviso of section 19 hereof."

Mr. SMITH of South Carolina. There have been other provisos added, and this occurs in the third. Therefore the word "last" would be misleading.

The PRESIDENT pro tempore. Unless there is objection, the amendment is agreed to. The Chair hears none, and it is so ordered.

Mr. SMITH of South Carolina. On page 12, line 25, after the word "alien" and before the word "for," I propose to insert the word "female"; in the same line I move to strike out the word "for" at the end of the line; and on page 13, line 1, I move to strike out the words "any other immoral purpose" and to insert in lieu thereof the words "to import any alien male for immoral purposes."

The PRESIDENT pro tempore. The amendment proposed by the Senator from South Carolina will be stated.

The SECRETARY. On page 12, line 25, after the word "alien," it is proposed to insert the word "female"; at the end of the same line to strike out the word "for"; on line 1, page 13, to strike out the words "any other immoral purposes," and to insert in lieu thereof the words "to import any alien male for immoral purposes," so that if amended it will read:

SEC. 4. That the importation into the United States of any alien for the purpose of prostitution or for any other immoral purpose is hereby forbidden, and whoever shall, directly or indirectly, import, or attempt to import, into the United States any alien female for the purpose of prostitution or to import any alien male for immoral purposes, or shall hold or attempt to hold any alien for any such purpose in pursuance of such illegal importation, or shall keep, maintain, control, support, employ, or harbor in any house or other place for the purpose of prostitution or for any other immoral purpose any alien in pursuance of such illegal importation shall in every such case be deemed guilty of a felony.

The PRESIDENT pro tempore. The question is on the adoption of the amendment. Unless there is objection, it is agreed to. The Chair hears none.

Mr. REED obtained the floor.

Mr. SMITH of South Carolina. Mr. President——

The PRESIDENT pro tempore. The Senator from Missouri has been recognized.

Mr. REED. I yield to the chairman of the committee, if he wants to perfect some language of the bill.

Mr. SMITH of South Carolina. On page 62, line 19, after the word "and," I move to strike out "fourteen" and to insert "fifteen," so as to make the act take effect July 1, 1915, instead of 1914.

The PRESIDENT pro tempore. Unless there is objection, the amendment is agreed to. The Chair hears none, and it is so ordered.

Mr. REED. Mr. President, former President Taft is before the Philippines Committee this morning by its invitation, and is delivering a very interesting dissertation upon the condition of the Philippine Islands and upon the various features of the bill now pending in regard to the Philippines. I think all the members of the committee, with the exception of myself, are present at the hearing, and quite a concourse of people have assembled. The members of the committee requested me to come to the Senate and ask it to take a recess until half past 12 o'clock. In view of the fact that Mr. Taft has been President of the United States, that he has come here for the purpose of giving his advice—and he is undoubtedly one of the best-informed men in the United States with reference to the Philippines—I move that the Senate take a recess until half past 12 o'clock.

Mr. NELSON. Mr. President, will the Senator yield to me for a moment?

The PRESIDENT pro tempore. Does the Senator from Missouri yield to the Senator from Minnesota?

Mr. REED. Certainly.

Mr. NELSON. Before the motion is put, I should be very glad if the Senator would allow me to offer a very brief amendment to the immigration bill, to which I think there will be no objection.

Mr. REED. Very well.

Mr. NELSON. I offer the amendment which I send to the desk.

The PRESIDENT pro tempore. The Senator from Minnesota offers an amendment, which the Secretary will state.

The SECRETARY. In section 3, page 7, line 11, after the word "parents," it is proposed to strike out "at the discretion of the Secretary of Labor or under such regulations as he may from time to time prescribe" and in lieu thereof to insert "except that any such children may, in the discretion of the Secretary of Labor, be admitted if in his opinion they are not likely to become a public charge and are otherwise eligible."

The PRESIDENT pro tempore. The question is on the adoption of the amendment. Unless there is objection, the amendment will be agreed to. The Chair hears none, and it is so ordered.

Mr. SMITH of Arizona. I ask unanimous consent to introduce a bill for proper reference and also to present an amendment intended to be proposed to the sundry civil appropriation bill.

The PRESIDENT pro tempore. It will require unanimous consent to do that.

Mr. SMITH of Arizona. I have asked unanimous consent.

The PRESIDENT pro tempore. The Senator from Arizona asks unanimous consent at this time to introduce a bill. Is there objection?

Mr. SMITH of South Carolina. I object.

The PRESIDENT pro tempore. Objection is made. The question is on the motion of the Senator from Missouri that the Senate take a recess until 12.30 o'clock.

The motion was rejected.

Mr. REED. Mr. President, I desire to offer an amendment. I move to strike out, on page 14, lines 14 to 16, the words "or by any person who shall first bring his action therefor in his own name and for his own benefit."

The PRESIDENT pro tempore. The Secretary will state the amendment proposed by the Senator from Missouri.

The SECRETARY. In section 5, page 14, line 14, after the name "United States," it is proposed to strike out "or by any person who shall first bring his action therefor in his own name and for his own benefit."

The PRESIDENT pro tempore. The question is on the adoption of the amendment.

Mr. REED. I merely want to say a word about it. The section in which this language appears, being section 5, provides that it shall be unlawful to prepay the transportation of people coming to this country, and it provides further:

> For every violation of any of the provisions of this section the person, partnership, company, or corporation violating the same shall forfeit and pay for each offense the sum of $1,000, which may be sued for and recovered by the United States—

That far I think the section absolutely unobjectionable. The language I am calling attention to and which I am asking to have stricken out is this:

> or by any person who shall first bring his action therefor in his own name and for his own benefit.

Under that language, as it stands, any individual, even though he knew that the Government was prosecuting an inquiry and was about to bring action, or a series of actions, could rush into court and file suit first and recover the penalties for himself. I hardly think that is wise. I think it is very rare that a person bringing a suit for a violation of a criminal statute is permitted to retain the entire proceeds of the fine or penalty. Sometimes a person is permitted to retain a percentage of the fine or penalty, but as this clause is now drawn, if the United States authorities were investigating and were about to proceed with suits to recover penalties, an individual could rush into court and file his complaint a day or an hour before the Government authorities had filed their papers, and he could recover the fines entirely for himself. It seems to me that is extreme; it seems to me it is bad, and that the words ought to go out of the bill.

If it were desired to secure information in the prosecution of suits, I should not object if they allowed the person bringing the suit to recover a portion of the penalty, but to give him the right to recover all of the penalty seems to me to be unprecedented. Generally speaking, the promotion of litigation by offering the penalties, which ought to go to the public, to the informer or to the person bringing the suit is bad policy. In most States that kind of legislation is discountenanced. I have no desire to take the time of the Senate further. I have stated the matter.

Mr. SMITH of South Carolina. Mr. President, I will state to the Senator from Missouri that that is now the existing law. It has been in operation since 1907, and no complaint has come to the committee from anyone as to the abuse which the Senator suspects may arise under it. This is the first time my attention has been called to it, and I do not know how it has operated; but the committee has no information that it has been abused nor have any cases of such abuse been cited.

Mr. GRONNA. Mr. President, I am informed that this provision is existing law, but I believe there is a great deal of merit in the suggestion of the Senator from Missouri. I believe the provision should be stricken out. If I may again refer to the case arising in North Dakota to which I called attention a few days ago, I believe that if this language had not been in the law the farmer to whom I referred would not have had suit entered against him for a thousand dollars in the case of each of the individuals from Canada whom he had employed to work for him. I know of at least one instance where advantage was taken of this particular provision of the law, and I can see no good reason why an individual should be allowed to cause another individual any expense or any trouble. I can see no good in the provision, and it ought to be stricken out.

Mr. O'GORMAN. Mr. President, I think this is a very vicious provision to be included in this or in any similar law. The mere fact that it is taken from the existing statute should not in itself restrain the Senate from striking it out at this time.

Section 5 of the bill prohibits what is called the importation of contract labor. It then imposes a fine or a forfeit of $1,000 for every offense, and the offense may consist either of a specific agreement to give employment to an alien when he comes here, or it may consist in an attempt to induce or assist aliens to come here. The statute further provides that the United States Government may institute an action to recover the forfeit. Up to that point, perhaps, there is no objection to this measure; but now comes this additional provision, which states that such an action may be brought by any person, notwithstanding what the Government may do or may not do. The language is that this sum may be recovered—

> by any person who shall first bring his action therefor in his own name and for his own benefit, including any such aliens thus offered or promised employment as aforesaid.

That opens the door, Mr. President, to the grossest kind of blackmail. An alien can come into this country, and, under this statute he can claim—though his claim may have no foundation other than his own assertion—that he was induced to come into this country by some individual or corporation; and if the court believes his statement the one who was induced to come here may recover a thousand dollars and retain it.

I hope this provision will be stricken out.

Mr. BORAH. Mr. President——

The PRESIDENT pro tempore. Does the Senator from New York yield to the Senator from Idaho?

Mr. O'GORMAN. I do.

Mr. BORAH. I wish to ask the Senator from New York in what condition, if this amendment is adopted, the law will be as to being made effective, as to the punishment of those who do violate the law?

Mr. O'GORMAN. Why, take, for illustration, the case of an alien who has been induced, in violation of the statute, to come into this country. He may give his information to the United States authorities, or they will acquire it in ordinary course, at our various ports. They will communicate their information to the Department of Justice. The Department of Justice, if the case is sufficiently clear, will commence its suit against the offending person and recover the forfeit.

Mr. BORAH. The amendment has the effect of taking out of the bill the inducement to activity upon the part of individuals.

Mr. O'GORMAN. No; there may be other inducements short of the one provided for in the bill. The bill gives to an alien who comes here in violation of the law the extraordinary remedy of commencing an action and recovering the entire penalty and retaining it for himself.

Mr. CLAPP. Mr. President, will the Senator pardon an interruption?

Mr. O'GORMAN. Surely.

Mr. CLAPP. It seems to me this is the most vicious form of informer provision along this line that we have ever had. I think we rejected the whole principle of the informer in our antitrust legislation after debating the proposition. Now, this

law—and the fact that this provision has been in the law is no reason simply of itself why it should remain there—goes further than that, and holds out to the man who has violated the law, or who will claim a violation of the law, an inducement backed by the prospect of recovery by himself of the fine.

Mr. SMITH of Arizona. He can violate the law and then make money out of it.

Mr. CLAPP. Yes. It encourages blackmailing a man, because back of the effort to blackmail is the blackmailer's own benefit in the way of the thousand-dollar fine which he recovers. It seems to me that it is intolerable in connection with our American principles.

Mr. O'GORMAN. In this connection I should like to call attention to an instance that came under my observation recently, showing how drastic this law is, without giving the alien the right to invoke its benefits by an individual suit.

A lawyer in the city of Buffalo not many months since received a letter from a lawyer's clerk in Toronto, Canada, in which the writer said he had been employed in a law office for nearly 30 years; that his work was largely that of a scrivener. Indeed, he did the class of work in a law office that in most offices in this country is now done by the typewriter. He asked if he could get employment if he came over to Buffalo. If you remember, it is probably only an hour's distance. The Buffalo lawyer acknowledged the letter and said: "I shall be glad to see you when you come over here." The clerk came over and was employed, I think, at $12 a week, or some such salary. There probably was no other man in the law office in Buffalo who could do the particular work that this individual was able to do. The attention of the Federal authorities was called to this alleged violation of the law, and the Department of Justice communicated with the district attorney at Buffalo. There seemed to be such a complete absence of any design or purpose to evade or violate the law that no proceeding was taken to prosecute the lawyer in Buffalo, but if the clerk who sought the position and who received the encouragement to come over to Buffalo and make a personal application for the place was so inclined he could avail himself of this particular paragraph of the law and demand a thousand dollars' forfeit, just as was done in the case the Senator from North Dakota [Mr. GRONNA] spoke about some days ago.

I hope this provision will be stricken out.

Mr. LODGE. Mr. President, this provision, which is in the existing law, if my memory serves me right, goes back some distance in our legislation. It was put in owing to the extreme difficulty in getting evidence of violations of the contract-labor law.

I was on a committee appointed by the Senate to investigate the subject of contract labor in 1893, I think. Senator David B. Hill, of New York, was chairman of the committee. We held an investigation in the city of New York. The committee obtained an entire conviction in their own minds that the contract-labor law was being violated in many ways; but they were met at every step, when they made inquiries of the law officers of the Government, with the statement that it was extremely difficult to get the necessary evidence, or to get information which would enable them to enforce the law. It was for that purpose that this provision was put in—to get the evidence and to get the information necessary for enforcing the contract-labor law.

I see very plainly the objection to giving to the informer the right to sue and recover; but the contract-labor law is an extremely difficult one to enforce. It is extremely difficult to get the evidence necessary, and that is the reason for this clause. I know it is exceptional, but I think it was felt at the time by the committees of both Houses that it was necessary to have some exceptional provision in order to enforce the contract-labor law as it should be enforced.

Mr. O'GORMAN. Mr. President, I desire to put an inquiry to the Senator from Massachusetts. Does not the Senator from Massachusetts believe that an opportunity to reward the informer under the terms of this language is likely to be a prolific source of blackmail and oppression?

Mr. LODGE. It has not been, as a matter of fact.

Mr. O'GORMAN. In the instance cited a few days ago by the Senator from North Dakota [Mr. GRONNA] it was.

Mr. LODGE. I do not know about that particular instance, except that I believe I am right in saying that the farmer was trying to bring in some Hindus from Canada—nine, I think—and it was a clear violation of the law. I do not know how the information was given, but there was no doubt that it was a violation of the contract-labor law.

As the senior Senator from New York has suggested, and as the junior Senator from New York well knows, this is not a new plan. It has been adopted in many criminal statutes where it has been found necessary in order to get information for the enforcement of the law.

Mr. CLAPP. Mr. President, does the Senator recall any criminal statute where the party himself, who assumes the rôle of informer, is rewarded? I do not think we have ever carried legislation to that extent. We have carried it to the extent of rewarding the informer; but this, it seems to me, goes farther than any legislation we have ever had and rewards the individual who is a party to the offense, or alleges himself to be.

Mr. LODGE. I do not think that has been uncommon in criminal legislation.

Mr. CLAPP. I certainly think it has.

Mr. LODGE. But it is a question of the enforcement of this law; and, as I have said, it is extremely difficult to get the evidence. I do not like the business of rewarding informers in any law, but sometimes it becomes absolutely necessary, just as it becomes absolutely necessary for the law officers of the Government to grant immunity, we may say, to a criminal who turns State's evidence. It is undesirable, perhaps, theoretically, but it becomes necessary for the punishment of crime; and from my experience on that committee I know the extreme difficulty there is in getting the evidence.

We found in New York many cases of Italian padrones who brought young boys to this country and held them under an agreement and took all their wages. The cases were clear enough, but it was almost impossible for our law officers to get the necessary information to prove a case in court.

Mr. O'GORMAN. The Senator does not suggest that the condition to which he refers obtains at this time in New York among the Italians?

Mr. LODGE. Oh, I mentioned New York only because it was there that we happened to hold the inquiry. I have no doubt it obtained in Boston and elsewhere. No; I do not think it does.

Mr. O'GORMAN. That was a very objectionable practice, which was corrected many years ago in various cities of the United States.

Mr. LODGE. I think it was corrected very largely as a result of that investigation; but it existed. I used it only as an illustration. It was to reach similar cases that this provision was put in the law.

Mr. REED. Mr. President, I find that the amendment that I offered, somewhat hastily, is not complete. I desire, therefore, to offer the following as my amendment:

On page 14, lines 14 to 17, strike out the following language:

> Or by any person who shall first bring his action therefor in his own name and for his own benefit, including any such aliens thus offered or promised employment as aforesaid.

Mr. President, the fact that this clause has been in the law for some little time, and that no great wrong has yet developed, does not warrant us in allowing it to remain in the law. It is absolutely certain to my mind that some enterprising shyster lawyer will some day enter upon the exploitation of this clause of the law. It is also entirely plain to me that it will become a ready weapon in the hands of the blackmailer. It ought not to be left in. It is a sort of legal deadfall, which should not exist.

As I said a moment ago, I have known of many statutes which provided that an informer might receive a part of the penalty, but I have no recollection of any statute which provides that an informer shall receive the entire penalty; that he can even cut the Government out of the penalty by filing his suit five minutes before the Government brings its suit. Neither do I know of any law which rewards a party to a crime, which actually pays him a premium. I do know of many instances, as we all do, of men who have given information to the Government who have thereby escaped punishment themselves. This, however, is a question of rewarding the individual, of giving him the penalty, and it certainly is a very extreme measure.

Mr. JAMES. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Missouri yield to the Senator from Kentucky?

Mr. REED. I do.

Mr. JAMES. Is it not true that the only way you can get evidence of the importation of these laborers is by going abroad for the evidence, to some one there who knows of the facts or to the man himself who is brought here? And is not the Government greatly handicapped unless you do put some provision like that in here? Because you have to get the evidence from the man himself, or from some other person in the foreign country who heard of the inducement that was offered to bring the man here. I feel sure this provision should be kept in this bill, because it is the most effective possible way to prevent the importation by corporations of contract labor.

Mr. REED. No, Mr. President; I can not agree with the Senator from Kentucky that those are the only means. Let me illustrate. A steamship company might be engaged in this business. Some employee of that steamship company might disclose the practice of inducing people to come here in violation of this statute. An employee, we will say, of a steel mill might know of these practices. The ordinary laborer in the steel mill might learn, from talking with men who came over and who took employment, that they had been brought over under inducements of some kind. The secret service of the whole Government is at the command of the Government.

Mr. JAMES. Of course that would be hearsay testimony only. You would have to go to the man himself in order to prove it.

Mr. REED. Why, of course, I understand that the mere fact that somebody told the man could not be produced in evidence; but if these men had told others, and the facts became known, and there were great crowds being brought in, it is almost certain that the Government, being put upon the trail of the evidence, could easily find somebody who would tell the facts; and they could follow it to the corporations themselves, put the agents of the corporations upon the stand, and disclose the truth of the matter in that way, just as we get at the fact that a trust has been formed. All of these questions, as the Senator knows—for he is a lawyer of eminence—have their difficulties, but they are not insurmountable ones.

Mr. JAMES. The Senator himself, though, as I recall, advocated such a provision in the antitrust bill. I know I myself advocated a provision of that character, because it is extremely hard to get these facts from any other person than those who are directly connected with them, generally, in the violation of the law. If it was a good thing in the case of the antitrust law, where all the people are here in this country, I can not see why it is not a very good thing where your testimony, if you do not rely upon something like this, has to be obtained from a country where we have no jurisdiction.

Mr. REED. I think the Senator is in error about my having advocated a proposition like this in any law.

Mr. JAMES. I did not say exactly like this, but I said that the Senator advocated a provision, if I am not mistaken, in the antitrust law which gave to any clerk or any person working for a corporation a reward in case of conviction.

Mr. REED. Exactly; that the Attorney General was authorized to make an agreement to pay a reward not exceeding 10 per cent of the penalties which might be recovered. I think it was 10 per cent. Now, that is very different from this.

I stated in the beginning of my remarks, when, I think, the Senator was absent, that if this bill provided that some portion of the penalty might be paid to an informer it would put it in a different class. This does not even go to the informer, to the man who furnishes the evidence. It goes to the man who first files a suit, and that man may be the individual who was imported himself. That is a startling proposition to me.

Mr. BORAH. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Missouri yield to the Senator from Idaho?

Mr. REED. I do.

Mr. BORAH. If the Senator will permit me, it seems to me that it would be a very difficult thing under this section to blackmail after all, for the reason that the basis of the right to recover is the finding that the law has been violated. There shall have first been a violation of the law and a finding to that effect, and upon that finding, as I understand the section, and by reason of it, this forfeiture is made. Anyone in the United States may sue for the forfeiture, or one of the aliens who has been brought over here may sue for the forfeiture. If the contract-labor law has been violated, is it unjust or at all unwise to permit the man who has been induced to come here to recover this forfeiture?

Mr. REED. I think it is highly unwise.

Mr. BORAH. He does not get his forfeiture by reason simply of giving information. He is not given this amount of money by reason of disclosing the fact; but if a judgment shall have been rendered to the effect that the law has been violated, he may then sue for the recovery.

Mr. REED. Answering the Senator from Idaho, of course it can be made the means of blackmail. Suppose a man is brought to this country under contract, and this law stands as it is now written. That individual can go to the man who brought him here and say, "If you do not give me $500, I shall file a suit, take the stand and testify, and you will have to pay $1,000; and, more than that, you will be liable to criminal penalties." So it could be used as a means of blackmail.

But notice now, this does not provide that whoever shall bring information to the Federal authorities leading to the arrest and conviction of a violator of this law shall be paid a portion of the penalty, but the proposed law, as it now stands, provides that any person may file a suit; and if he has filed it one minute before the Government has filed its petition his suit takes precedence and he recovers the penalty, and the Government gets nothing. I think that is extreme. But I do not desire to detain the Senate further.

Mr. O'GORMAN. Mr. President, I desire to make only one observation in connection with the remarks made by the Senator from Idaho [Mr. BORAH]. The very language of section 5 does not contemplate that before the alien begins his suit to recover the penalty it must previously have been adjudged that it was a violation. I think if the Senator will look at the section, he will find that all that need be done, if this law is to remain as it is, is that any alien can initiate a suit in his own name, whether it be well founded or not, and claim that he was induced to come into the country because of some promise or encouragement given to him by an American; and if he succeeds in making out his case, he will recover. But regarding the suggestion that this can be used as a means of blackmail, let us suppose a case where an alien, perhaps under the evil influence of some attorney, should say, "You promised to give me employment if I came to this country; you violated the law." The citizen might deny it, and yet under a threat that such a charge would be made against him he might, like in many other cases of blackmail, yield to the extortion.

Mr. BORAH. Mr. President, I do not believe I am in error as to the interpretation I place upon section 5. Perhaps I might have been misunderstood to mean that there should precede a judgment of violation before the party could recover. If so, in that respect I would be in error. But there must be at some time a determination or a judgment to the effect that the law has been violated. That is the basis of the right to recover. It may be in the same action which is brought for the purpose of recovery, but there must be a violation of the law and some tribunal or court must determine that there has been a violation of the law, and if there has been a violation of the law then the party may recover $1,000 or any part of it. I do not believe that would be an unwise provision to put in any bill. But we know—we have been informed by the Senator from Massachusetts [Mr. LODGE]—that it has been almost impossible to enforce the law in regard to the importation of immigrants under contract, and it is being constantly, I am informed, violated. In these days it needs something in a drastic form in order to remedy the evil.

Mr. THOMAS. I should like to ask the Senator from Idaho before he takes his seat whether the importation of, say, 1,000 immigrants or contract laborers in a body would, under the phraseology of this section, constitute more than one offense, or whether the offense would be multiplied by as many times as there are contract laborers in the importation.

Mr. BORAH. The Senator is a very great lawyer. What does the Senator think about it?

Mr. THOMAS. I am informed by the Senator from Maine [Mr. JOHNSON] that that is covered by a clause in the same section. The clause to which my attention is called reads:

> And under either the civil or the criminal procedure mentioned separate suits or prosecutions may be brought for each alien thus offered or promised employment as aforesaid.

I think that would cover it.

Mr. ROOT. Mr. President, I want merely to make a suggestion about this provision. There is nothing new about it, nothing peculiar. It is the old qui tam action which has existed in our law time out of mind. The judiciary act—the act of February, 1799—provides:

> That if any informer on a penal statute, and to whom the penalty or any part thereof, if recovered, is directed to accrue, shall discontinue his suit or prosecution or shall be nonsuited in the same, or if upon trial judgment shall be rendered in favor of the defendant, unless such informer be an officer of the United States he shall be alone liable to the clerks, marshals, and attorneys for the fees of such prosecution.

Under that form of action, known to the common law, familiar both in England and America, and from the earliest times, it seems the person stigmatized as the informer in this character of litigation brings his suit. It is of no particular consequence whether the statute which allows him to bring it gives him all or half or any part of the proceeds of the penalty for which he sues. The statute which I have just read, which is indexed under the head of qui tam actions in the Revised Statutes of the United States, refers as an existing kind of action to the old qui tam action. I have not thought very much about whether this provision is necessary or desirable in these cases or not, but it is not anything new. It is merely applying to this particular statute the expedient which we have always from our early history availed of in a particular class of cases and a particular class of statutes, statutes where the information necessary to maintain suits to remedy an evil, to prevent

an evil practice, is lodged in the bosom of persons who are concerned in the transaction, and where you can not get it out except by appealing to self-interest and getting somebody to turn informer. It is a disagreeable field upon which to enter. Anyone who has been charged with the conduct of Government prosecutions must have felt great repugnance in entering upon it, but it has been the experience and common judgment of all Governments that it is sometimes necessary. This seems to be a kind of an evil which can be reached only by this very disagreeable method.

In every case where you have recourse to informers you must recognize the fact that the appeal is not to the nobler impulses, and there is always opportunity for blackmail, but it is the choice between leaving the law unenforced and the evil to which the law is aimed at unredressed, on the one hand, or creating a situation in which the appeal to self-interest or of emolument to an informer will leave an opportunity to blackmail. There is a choice in it, but if you want the law enforced it is necessary that you shall have recourse to this old expedient, a qui tam action.

Mr. O'GORMAN. Mr. President, I do not agree with my distinguished colleague [Mr. ROOT] that this is the only alternative, that you must either encourage suits by informers or suffer the nonenforcement of the law. The Labor Department, with its tremendous power and instrumentalities, will never have any difficulty in ascertaining through its agents and its secret service whether the law is being enforced or violated. There are perhaps always ways of giving some reward to those who may be able to furnish information. I think that answers the main contention made by my colleague.

It is not necessary to conclude that this law can not be enforced. I believe it can be enforced and enforced by the department in charge of the responsibility of enforcing it, and where violations occur they will be punished in due course, first, by being exposed to a fine of a thousand dollars in each case in a suit brought by the Government, and in addition to that being subject to criminal prosecution. The language up to that point is sufficiently drastic, in my judgment, without going to a most extreme extent without a precedent in the history of this Government.

My colleague cites authorities which really do not apply here, where you might under certain circumstances feel it necessary to give to a citizen of the country the right to institute an informer's action. When before did we ever attempt to confer this right upon aliens coming here in violation of the law, aliens perhaps who might not be permitted to go beyond Castle Garden or the port at which they land, which is the cause of the violation; yet while at Castle Garden, acting under the influences of a designing attorney, they can under this language, if it be retained, commence individual civil actions seeking to recover a thousand dollars for every violation.

Mr. REED. The Senator has been a judge of distinction. Let me ask him if he does not believe it would be dangerous to justice itself to put witnesses upon the stand everyone of whom might have been made parties plaintiff in a suit and everyone of whom would receive a thousand dolllars in the event of a judgment?

Mr. O'GORMAN. By cooperating with one another?

Mr. REED. By cooperating with one another.

Mr. O'GORMAN. I think the main objection to this measure is the extent to which it may be used for purely blackmail purposes. Where there has been a real violation of the law there should not be much difficulty in the Labor Department through its agents ascertaining the violation and then having the Government begin its suit.

Mr. TOWNSEND. Mr. President——

Mr. O'GORMAN. I yield to the Senator from Michigan.

Mr. TOWNSEND. As I understand it, this language is already in the law.

Mr. O'GORMAN. Yes.

Mr. TOWNSEND. May I ask the Senator if he knows whether under its operation and enforcement the things to which the Senator refers have actually occurred?

Mr. O'GORMAN. No; I do not. The chairman of the committee states this provision has not been the subject of any consideration whatever by the Immigration Committee. It went through as a matter of course. The first time that this objectionable paragraph has received the attention of the Senate is this morning, when called to our attention by the Senator from Missouri [Mr. REED].

I have but one further word to say. Opinions may differ as to the advisability of permitting informers to be benefited financially as the result of information which they give to the authorities. There are those who think it is a very wise policy. There are those who condemn it. I think it is the judgment of most persons who have considered the subject that the evil associated with such laws far exceeds any possible benefit that may come from it.

The latest expression of this body on this identical subject was made some few months ago when we were discussing the antitrust legislation. The Senate, by its action with regard to that legislation, declared that it would not favor laws which could be made the instruments of blackmail, extortion, and oppression, because they minimized if they did not entirely exclude in the antitrust laws all possibility of informers profiting financially by information, true or false, that they might offer.

I have no hesitation in affirming that the average informer is so lost to moral responsibility, as a rule—there are exceptions, but as a rule—that he will not hesitate to perjure himself if by so doing he can bring money to his pocket.

Mr. ROOT. Mr. President, the effect of permitting informers to assume this attitude has had consideration and has been the subject of legislation. Section 5295 of the Revised Statutes, passed shortly before there was general liberty granted to persons interested in litigation to testify, provides that—

> Any officer or other person entitled to or interested in a part or share of any fine, penalty, or forfeiture incurred under any law of the United States may be examined as a witness in any of the proceedings for the recovery of such fine, penalty, or forfeiture by either of the parties thereto, and such examination shall not deprive such witness of his share or interest in such fine, penalty, or forfeiture.

That registers, together with other sections, including the one referred to, the deliberate judgment of the Congress of the United States regarding cases of this kind.

My colleague was mistaken if he thought that I said this was the only way to enforce this statute. I have not said that, because I have not considered this statute; I have not thought about it; I have not considered whether or not there may be some other way. As my colleague says, that is quite natural, because this particular subject has not been considered at all with regard to the particular bill which is pending. I have merely interposed in this discussion for the purpose of putting the discussion on what I conceived to be the right basis; that is, not as a discussion of some new proposal but as the discussion of a desire to reverse a long-settled practice and policy of our Government in similar cases. It seemed to me that we were discussing this as if it were something new, when it is really but one form of putting into this proposed statute the old, old expedient of allowing a qui tam action, in which the informer can be induced to bring up his testimony by receiving all or a part of the penalty. I have merely read section 5295 of the Revised Statutes to show that the question of the effect of the interest upon the testimony of the informer has been considered and passed upon by the Congress and that their judgment has been embedded in the Revised Statutes of the United States.

Mr. CUMMINS. Mr. President, I am not very favorably disposed toward the informer, but undoubtedly there are subjects which must be dealt with in that way. I do not think that this provides for the old qui tam action altogether, but there are two things here which, it seems to me, we ought to consider. Even if it is wise to stimulate prosecutions by giving to an informer some part of the recovery, it can not be wise to allow the informer to bring an independent suit, to be prosecuted by him according to his own pleasure. I have had some experience in my State with prosecutions of that character, and they do not tend to an enforcement of the law. On the contrary, they tend simply to the private profit of the informer.

If there should be any partition of the recovery, it should be a partition made by the Government of the recovery in a suit brought in its name, giving to the informer such part of the judgment as we might think it wise to give him.

But, as I look at this clause, it has another defect which is very much more serious. It will be observed that the action brought by the informer and the criminal action that might be instituted by the Government are in the alternative. A suit brought by the informer and a recovery by him would be a bar to any criminal prosecution under the law. That being true, the privilege given to the informer to bring the suit might be used to give criminal immunity to one who had violated the law under such circumstances as to make criminal punishment the only penalty that ought to be imposed.

Mark you how the clause reads:

> And for every violation of any of the provisions of this section the person, partnership, company, or corporation violating the same shall forfeit and pay for every such offense the sum of $1,000, which may be sued for and recovered by the United States, or by any person who shall first bring his action therefor in his own name and for his own benefit, including any such aliens thus offered or promised employment as aforesaid, as debts of like amount are now recovered in the courts of the United States; or for every violation of the provisions hereof the person violating the same may be prosecuted in a criminal action for a misdemeanor, and on conviction thereof shall be punished by a fine of $1,000, or by imprisonment for a term of not less than six months nor more than two years.

It can not be that we desire to turn over to an informer, no matter whether he be a citizen or an alien, the privilege of determining whether the United States shall punish one who violates this section under the criminal part of the section. I therefore suggest to the chairman of the committee, who has this matter in charge, that either I have misconstrued it or that he must have overlooked it, for it is inconceivable to me that any such object is intended to be accomplished.

Mr. BORAH. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Iowa yield to the Senator from Idaho?

Mr. CUMMINS. I yield to the Senator.

Mr. BORAH. Do I understand that the Senator's view is that if the action were brought by an informer for the forfeiture of a thousand dollars, that would preclude any criminal action for the enforcement of the provision?

Mr. CUMMINS. I so understand.

Mr. BORAH. I do not see it in that light. The provision reads:

> And for every violation of any of the provisions of this section the person, partnership, company, or corporation violating the same shall forfeit and pay for every such offense the sum of $1,000, which may be sued for and recovered by the United States, or by any person who shall first bring his action therefor in his own name and for his own benefit, including any such aliens thus offered or promised employment as aforesaid, as debts of like amount are now recovered in the courts of the United States; or for every violation of the provisions hereof the person violating the same may be prosecuted in a criminal action for a misdemeanor.

You may bring a civil suit or there may be a criminal action at the same time.

Mr. CUMMINS. But there can not be both.

Mr. BORAH. Why not?

Mr. CUMMINS. Because the word "or" precludes it, unless that word is construed, as it sometimes is, I grant, as the equivalent of the word "and."

Mr. BORAH. I do not think so. You could not introduce a civil judgment as a bar in a criminal suit. The use of the word "or" does not have the effect, in my judgment, of limiting to one cause of action.

Mr. REED. Mr. President, may I suggest, if the Senator will permit me, that this being a highly penal statute, it would be strictly construed and not extended. It is perfectly plain to me as it now reads that the Senator from Iowa is right.

Mr. CUMMINS. From my standpoint the interpretation seems to be clear; but, even if it is not clear, the matter is of such moment that I am sure those who favor the informer system would not be willing to substitute that method for the enforcement of the criminal law of the country.

Mr. SMITH of South Carolina. Mr. President, before the Senator takes his seat I will ask him if it would meet his suggestion if, beginning with line 19, after the words "United States," the word "or" should be changed to "and," so as to coordinate the two and make both criminal and civil procedure possible?

Mr. CUMMINS. I mean to say that the language should make it entirely certain that the informer, if that feature of the bill is to be preserved, might bring his suit, and at the same time the Government of the United States might indict and punish by imprisonment or fine if it so desired.

Mr. ROOT. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Iowa yield to the Senator from New York?

Mr. CUMMINS. I yield.

Mr. ROOT. I rose to suggest to the Senator from Iowa that there have been for a great many years double proceedings continually going on under the laws of the United States. One marked example is the case of the United States against Boyd, which is a rather well-known leading case, although I do not remember the volume in which that case is found.

Mr. REED. Mr. President, we are unable to hear the Senator on this side of the Chamber.

The PRESIDENT pro tempore. Senators to the right of the Chair are unable to hear the colloquy taking place between the two Senators on the other side.

Mr. ROOT. I was calling the attention of the Senator from Iowa to the fact that there have always been going on double sets of proceedings under the penal statutes of the United States—proceedings for forfeiture, proceedings civil in form, and proceedings for punishment criminal in form, and I was just referring him to the well-known case of United States against Boyd. In that case, which was decided by the Supreme Court about 30 years ago, a firm of glass importers in New York had imported glass on which they fraudulently made an exemption under Government contract of a much larger amount than they were entitled to. The glass was seized, forfeiture proceedings were brought, and the glass was forfeited. At the same time they were indicted, tried, and convicted. The Supreme Court held that the forfeiture proceeding was a penal proceeding, and reversed the judgment on account of the improper admission of evidence, because they had been compelled to testify against themselves, but the conviction stood, a conviction which came after the judgment in the forfeiture proceedings, and the defendants served out their term in the penitentiary. Now, that is practically the situation which we have here.

Mr. CUMMINS. The Senator from New York does not, I think, quite understand the point of my suggestion. I do not think there is any constitutional repugnance between a suit for such a forfeiture as is here provided on the part of an informer and a contemporaneous criminal prosecution by the Government. I think both may constitutionally proceed at the same time and both go to their end. My suggestion was that this proposed statute, however, precludes it. This bill seems to me to mean that if one proceeding is instituted the other can not be. That part of my objection would be entirely removed if the proposed statute were to provide that the two proceedings could go on at the same time, but unfortunately the two clauses are coupled together with the disjunctive "or," and, as I construe this language, the pendency of one, or certainly a judgment in one, would wholly bar the prosecution of the other.

The PRESIDENT pro tempore. The Senator from South Carolina has indicated that he intends to remove all doubt on that subject by offering an amendment to strike out "or" and insert "and."

Mr. BORAH obtained the floor.

Mr. WHITE. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Idaho yield to the Senator from Alabama?

Mr. WHITE. I beg the Senator's pardon. I did not know he had the floor.

Mr. BORAH. Of course the objection which the Senator from Iowa makes could be remedied, as suggested, by striking out "or" and inserting "and"; but I still think that is wholly unnecessary, because a civil action to recover a forfeiture is never a bar to a criminal action unless it is specifically made so by the provisions of the statute. The rule of evidence is different in each case.

Mr. CUMMINS. Mr. President, I agree to that, but my very point is that this statute does make one——

The PRESIDENT pro tempore. Is there not much force in the suggestion of the Senator from Missouri that a statute of this kind is to be construed strictly, and no inference as to extending it can be indulged?

Mr. CUMMINS. The reason I did not offer the amendment suggested by the Senator is that I understand there is an amendment pending offered by the Senator from Missouri.

The PRESIDENT pro tempore. The friends of the provision are entitled to perfect it before any motion to strike out any part of it is submitted to the Senate.

Mr. CUMMINS. Then, Mr. President, I offer that amendment.

The PRESIDENT pro tempore. The Chair understood it was the purpose of the Senator from South Carolina to do so.

Mr. WHITE. Mr. President, I am not ordinarily in favor of statutes giving penalties to informers. I am rather opposed to it. I think such statutes should be enacted only when there is a real necessity for them. I think, however, that the provision that is sought to be stricken from the bill by the amendment under consideration is a proper one in this legislation.

The matter has been discussed from the standpoint of the undesirability of having prosecutions carried on by informers. That really is not the main purpose of the provision; neither is that the main effect to be accomplished by it. The statute will be more useful in deterring persons from violating it, and will accomplish more good in that way than in any other. Persons who contemplate violating this statute by importing contract labor will understand from the beginning that it is in the power of the party with whom they contract to punish them for it; whereas, if there is no such provision in the bill, then they will readily understand that it is next to impossible to convict them or punish them under the statute.

As has been suggested by the Senator from New York [Mr. ROOT], this is no innovation. Such provisions are contained in the statutes of nearly every State of the Union. Certainly they are found in the Federal Statutes. It is no innovation. Neither is it any change in principle, Mr. President.

Mr. HARDWICK. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Alabama yield to the Senator from Georgia?

Mr. WHITE. I do.

Mr. HARDWICK. I will suggest to the Senator that this precise provision has been in operation since the passage of the law of 1897, and has not given rise to any trouble.

Mr. WHITE. Nor is it likely to give any trouble. As the Senator from Georgia has just stated, it has been in our immigration statutes, and the effect of this amendment will be to remove it from the statute. As I have already stated, the main purpose of this provision is to prevent violations of the law, and that is what is sought to accomplish. It is never the desire of government to punish. The primary object is to prevent law violations. The adoption of the provision of the bill sought to be stricken by the amendment will have that effect—to prevent violations of the law.

As I was about to say, this is not new in principle. Since the common law of nearly every State in the Union has been changed so as to allow parties interested in the result of suits to testify, the same principle is involved—that they can make money, that they can enrich themselves, by swearing falsely. Any plaintiff, or any defendant for that matter, in any suit in almost any State in the Union and the Federal courts of the country, has the same temptation held out to him that it is charged will be held out under the provision in question. Not only that, but under the general practice of the common law in the State and in the Federal courts immunities are offered daily to persons who are guilty of crime with a view of obtaining evidence to convict others who are no more guilty than they are. I should like to know how the gunmen in New York would have been convicted if it had not been for the immunity given the witnesses by the district attorney, Mr. Whitman.

Mr. President, I have had some experience with situations of this kind. I have seen immigrants who were induced to come to this country under misrepresentations as to conditions here, the conditions being exactly the reverse of what they were told the conditions were when they were induced to come—conditions that they were not willing to encounter or combat. But what were they to do? They were in a strange country, destitute of means, absolutely within the power of the party who imported them, and therefore they had to submit to and accept the situation as they found it, not as it had been represented to them. Unless immigrants are interested in some way in bringing the guilty parties to justice, as the Senator from Kentucky [Mr. JAMES] has already stated, it is next to impossible to sustain an action against the guilty parties. If these foreigners themselves are to be denied the right to participate in the recovery, then there will be no means of obtaining the evidence except to go to the country from which they emigrated, and then you encounter the difficulty of finding a witness who is familiar with the contract.

So I say, Mr. President, that the provision sought to be stricken from the bill ought to be allowed to remain, and that the amendment itself should not be adopted.

The PRESIDENT pro tempore. The question is on agreeing to the amendment offered by the Senator from Iowa, to strike out the word "or," beginning in line 19, and to insert in lieu thereof the word "and."

Mr. REED. Mr. President, that is not the amendment now before the Senate, is it?

The PRESIDENT pro tempore. Yes; that perfects the text. The amendment offered by the Senator from Missouri is to strike out a certain proposition that in a way is dependent upon that amendment. If the Senator will read Rule XVIII, he will see that it sustains the Chair's view about the matter.

Mr. REED. Mr. President, of course I shall not stop to discuss the matter, because it is not very important; but I desire to suggest to the Senator from Iowa and to the Senate and to the chairman of the committee that if the amendment I have offered is adopted I shall offer another amendment, which I think will meet the views of all and cover the case and yet leave the control of the matter in the Department of Justice.

The PRESIDENT pro tempore. The Chair can only deal with such amendments as have been brought to the attention of the Chair.

Mr. REED. To be sure. I only wanted to suggest it before we vote on this amendment.

The further amendment to which I refer is to add at the end of line 18 the following:

The Department of Justice may, from any penalties recovered, pay rewards to persons, other than Government employees, who may furnish information leading to the recovery of any such penalties, or to the arrest and punishment of any person as hereinafter in this section provided.

Then, on line 19, page 14, strike out the word "or" and insert, "*Provided*, That," so that the section would read:

Provided, That for every violation of the provisions hereof the person violating the same may be prosecuted—

And so forth.

The PRESIDENT pro tempore. The Chair will say to the Senator from Missouri that it is customary to give the Senate the benefit of the text as it will stand after the motion to strike out and insert has been presented to the Senate. The Chair was only dealing with such things as were brought to his attention.

Mr. REED. Yes. I desire to suggest to the Senator from Iowa that it would be better, instead of striking out the word "or" and inserting the word "and," to employ the language "*Provided*, That."

Mr. CUMMINS. Mr. President, I desire to be clearly understood. I am against the provision even if it is amended by the insertion of the word "and." I intend to vote for the amendment offered by the Senator from Missouri. I think it would be very unwise to allow any informer to bring a suit in his own name, control the suit, and enjoy the proceeds of it; but if the amendment offered by the Senator from Missouri fails, then I am very anxious that the law shall not have the effect that I fear it will have if the word "or" is retained.

Mr. REED. Do I understand, then, that the Senator from Iowa did not offer the amendment to strike out "or" and insert "and," but merely suggested it in his remarks?

Mr. CUMMINS. No; I offered the amendment.

Mr. REED. Very well.

Mr. CUMMINS. And I think it ought to be adopted so as to end that part of it, anyhow. I shall vote for the amendment offered by the Senator from Missouri in any event.

Mr. REED. I desire, then, to move to amend the amendment of the Senator from Iowa as follows: Strike out the word "or" and insert the words "*Provided* That."

Mr. CUMMINS. I have no objection to that.

Mr. SMITH of South Carolina. Mr. President, I move to lay that amendment on the table.

The PRESIDENT pro tempore. Let the amendment to the amendment be stated at the desk so that the Senate will understand it.

The SECRETARY. On page 14, line 19, it is proposed to amend the amendment of the Senator from Iowa, to strike out "or" and insert "and," by inserting, instead of "or," the words "*Provided*, That."

Mr. CUMMINS. That is entirely satisfactory to me. It means the same thing, in my opinion.

Mr. SMITH of South Carolina. I move to lay the amendment of the Senator from Missouri on the table.

Mr. O'GORMAN. Mr. President——

The PRESIDENT pro tempore. The Chair will hear the Senator from New York.

Mr. O'GORMAN. I hope the last motion will not prevail, because I am sure that if the Senator from South Carolina carefully read this language in section 5, on page 14, he would recognize that the phraseology is much improved by adopting the words suggested by the Senator from Missouri, rather than by substituting "and" for "or." There is a plain, manifest improvement in the phraseology.

The PRESIDENT pro tempore. The Senator from Iowa has accepted the amendment offered by the Senator from Missouri. He has a right to do that, because Rule XXI provides that—

Any motion or resolution may be withdrawn or modified by the mover at any time before a decision, amendment, or ordering of the yeas and nays.

None of those things has happened. The question is on laying on the table the amendment offered by the Senator from Missouri, and accepted by the Senator from Iowa.

The motion was rejected.

The PRESIDENT pro tempore. The question is on agreeing to the amendment.

The amendment was agreed to.

The PRESIDENT pro tempore. The Secretary suggests that a matter of punctuation might be attended to, by striking out the semicolon after the words "United States" and inserting a colon. Unless there is objection, that will be done.

Mr. REED. Mr. President, I simply want to make a statement so that those who are present will understand the situation.

The PRESIDENT pro tempore. Will the Senator indulge the Chair long enough to state the pending motion? The pending motion is the motion offered by the Senator from Missouri to strike out the language indicated by him.

Mr. REED. I think this language should be stricken out for the reasons that I have offered, and that other Senators have offered, because, first, it places the jurisdiction and control of this litigation in the hands of the first person who may rush into court and takes it out of the hands of the Federal authorities. Second, it is an action in which the informer, or the person bringing the suit—not necessarily the informer—gets all of the penalty. It is liable to be productive of both blackmail and perjury. Third, it is a qui tam action; and while that kind of action, as we all know, is an old action, nevertheless it is an

action that has come into disrepute, is but seldom employed, and this is the most extreme example of it I have ever known.

There is, however, possibly some reason why the Department of Justice, being placed and kept in control of this litigation, should be empowered to offer rewards. So, if the amendment I have offered is adopted, in order to meet that view I shall offer the amendment I read a moment ago, empowering the Department of Justice, out of any penalties which may be recovered, to pay such rewards as the Department of Justice may think proper. That keeps the litigation in the hands of the Federal authorities.

The PRESIDENT pro tempore. The question is on agreeing to the amendment offered by the Senator from Missouri. [Putting the question.] By the sound the noes seem to have it.

Mr. REED and Mr. LODGE called for the yeas and nays, and they were ordered.

The PRESIDENT pro tempore. The Secretary will call the roll.

The Secretary proceeded to call the roll.

Mr. JAMES (when his name was called). I transfer the pair I have with the junior Senator from Massachusetts [Mr. WEEKS] to my colleague [Mr. CAMDEN] and vote. I vote "nay."

Mr. REED (when his name was called). I transfer my pair with the Senator from Michigan [Mr. SMITH] to the Senator from Alabama [Mr. BANKHEAD] and vote "yea."

Mr. SMOOT (when Mr. SUTHERLAND'S name was called). I desire to announce the absence of my colleague [Mr. SUTHERLAND] from the city. He has a general pair with the senior Senator from Arkansas [Mr. CLARKE]. I will allow this announcement to stand for the day.

The roll call was concluded.

Mr. CLAPP. I desire to state that the senior Senator from Wisconsin [Mr. LA FOLLETTE] is unavoidably detained at his home to-day on account of a death in his family. I will let this statement stand for the day.

Mr. CULBERSON (after having voted in the affirmative). I transfer my general pair with the Senator from Delaware [Mr. DU PONT] to the Senator from Tennessee [Mr. SHIELDS] and allow my vote to stand.

Mr. WILLIAMS. I have a pair with the senior Senator from Pennsylvania [Mr. PENROSE], who is not present. I was not able to secure a transfer, so I therefore withhold my vote.

Mr. MYERS. Has the Senator from Connecticut [Mr. MCLEAN] voted?

The PRESIDENT pro tempore. He has not.

Mr. MYERS. I have a pair with that Senator. I transfer the pair to the Senator from Nevada [Mr. PITTMAN] and vote "nay."

Mr. DILLINGHAM. I have a general pair with the Senator from Maryland [Mr. SMITH]. I transfer my pair to the Senator from Connecticut [Mr. BRANDEGEE] and vote "nay."

Mr. FLETCHER. I transfer my pair with the Senator from Wyoming [Mr. WARREN] to the Senator from Nevada [Mr. NEWLANDS] and vote "nay."

Mr. LODGE. I have a general pair with the Senator from Georgia [Mr. SMITH]. I am released by him on this vote, and I vote "nay."

Mr. GALLINGER. I have been requested to announce the following pairs:

The Senator from Idaho [Mr. BRADY] with the Senator from Mississippi [Mr. VARDAMAN];

The Senator from Maine [Mr. BURLEIGH] with the Senator from New Hampshire [Mr. HOLLIS];

The Senator from New Mexico [Mr. CATRON] with the Senator from Oklahoma [Mr. OWEN];

The Senator from New Mexico [Mr. FALL] with the Senator from West Virginia [Mr. CHILTON];

The Senator from West Virginia [Mr. GOFF] with the Senator from South Carolina [Mr. TILLMAN];

The Senator from Illinois [Mr. SHERMAN] with the Senator from Virginia [Mr. MARTIN];

The Senator from Wisconsin [Mr. STEPHENSON] with the Senator from Kansas [Mr. THOMPSON];

The Senator from South Dakota [Mr. CRAWFORD] with the Senator from Tennessee [Mr. LEA];

The Senator from Rhode Island [Mr. COLT] with the Senator from Delaware [Mr. SAULSBURY]; and

The Senator from Rhode Island [Mr. LIPPITT] with the Senator from Montana [Mr. WALSH].

The roll call resulted—yeas 18, nays 29, as follows:

YEAS—18.

Clapp	Johnson	O'Gorman	Sterling
Culberson	Jones	Overman	Thornton
Cummins	McCumber	Perkins	Townsend
Gallinger	Martine, N. J.	Reed	
Gronna	Nelson	Simmons	

NAYS—29.

Ashurst	Hughes	Poindexter	Swanson
Borah	James	Robinson	Thomas
Bryan	Kern	Root	Vardaman
Burton	Lee, Md.	Shafroth	White
Chamberlain	Lodge	Sheppard	Works
Dillingham	Myers	Smith, Ariz.	
Fletcher	Oliver	Smith, S. C.	
Hardwick	Page	Smoot	

NOT VOTING—49.

Bankhead	Fall	Newlands	Smith, Mich.
Brady	Goff	Norris	Stephenson
Brandegee	Gore	Owen	Stone
Bristow	Hitchcock	Penrose	Sutherland
Burleigh	Hollis	Pittman	Thompson
Camden	Kenyon	Pomerene	Tillman
Catron	La Follette	Ransdell	Walsh
Chilton	Lane	Saulsbury	Warren
Clark, Wyo.	Lea, Tenn.	Sherman	Weeks
Clarke, Ark.	Lewis	Shields	Williams
Colt	Lippitt	Shively	
Crawford	McLean	Smith, Ga.	
du Pont	Martin, Va.	Smith, Md.	

The PRESIDENT pro tempore. On agreeing to the amendment of the Senator from Missouri [Mr. REED] the yeas are 18 and the nays 29. The senior Senator from Mississippi [Mr. WILLIAMS] and the senior Senator from Arkansas [Mr. CLARKE] are present in the Chamber and failed to vote because they were paired. The noes have it, and the amendment is rejected.

Mr. McCUMBER obtained the floor.

Mr. REED. I desire to make a motion relating to this particular matter.

Mr. McCUMBER. If the Senator please, I should like to take not more than three or four minutes, as I shall have to leave the Chamber.

Mr. REED. Very well.

Mr. McCUMBER. Mr. President, I have refrained from giving any expression of my views on any of the matters in the bill only as I have been compelled to vote upon the proposed amendments. There are one or two matters in the bill which to me seem to be vicious and compel me to vote against its final passage, and I desire to place upon the record in a very few minutes my reasons for voting against the bill itself.

Mr. President, the virtue or vice of any bill or legislative act is to be determined not so much by the declaration of some abstract principle as by its effect. I desire to look into the effect of this bill for a single moment. We have now adopted the illiteracy clause. What is the effect of the adoption of that clause when taken in connection with another clause which exempts a certain class of people from the illiteracy test?

I presume, Mr. President, that it is the object of the illiteracy test to protect American citizenship. If the object is to protect American citizenship, I do not see that it makes any great difference to us what may be the laws affecting people on the other side of the ocean; but here when we adopt our exception to the illiteracy test we immediately abandon the very purpose of that test in the bill, so far as it affects certain religionists or certain nationalities.

Let us see the effect of this provision. There is the general provision of the bill that all aliens over 16 years of age, showing a capacity of reading, who can not read the English language or some other language or dialect, including Hebrew or Yiddish, shall be excluded from entering into this country. Then on the very next page we have this provision:

> That the following classes of persons shall be exempt from the operation of the illiteracy test, to wit: All aliens who shall prove to the satisfaction of the proper immigration officer or the Secretary of Labor that they emigrated from the country of which they were last permanent residents for the purpose of escaping from religious persecution.

Mr. President, we all know what the Russian laws are. We all know that those of the religious faith—if you may call it a faith—called the Jewish are by those laws compelled to remain within certain sections of the Russian Empire. It makes little difference whether we regard the word "Jewish" as being descriptive of the religion of the Hebrew or whether it is descriptive of the race itself as descendants from Judea, the effect is the same; it operates only upon a particular class of people whom we call Jews.

Now, let us see the effect of this. We say by this legislation that if an Italian who is a Roman Catholic can not read or write he is an undesirable citizen, but if a Russian who happens to be a Jew can not read or write he becomes a desirable citizen because he is persecuted. I think we must admit that when any law of Russia is directed against the people of a race, and the religion and the race are conjoined, so that they have not the same right as every other people of that country, it is religious persecution. Therefore the immigrant who is attempting to enter into this country need only establish the statutory law of Russia in order to get free access, whether he can read or write or not.

Not only this, Mr. President, but what does this proposed law say to the German from Russia? We all know that an immense number of Germans something over 100 years ago settled around Odessa. Quite a number of them can not read or write. If that class of citizens who are members of the Greek Orthodox Church or of any Protestant denomination, or the Catholic denomination, seek to enter this country, we hold against them the test of illiteracy, but if one of the Jewish faith comes from Warsaw and seeks to enter this country the illiteracy bar will not be held against him because his race or his religion has been persecuted.

Mr. President, I did what I could to make this bill fair and just. I do not believe very much in the illiteracy clause, anyway. I do not think that the mentality of an individual whose traits of character have been impressed on him through tens and thousands of centuries of heredity is going to change his nature in the slightest degree by becoming capable of reading or writing. It is not an art which requires an immense amount of intellectuality for a person to be fully capable in it. Instead of making him a better citizen, if his characteristics are wrong, it enables him the better to become a bad citizen.

Now, let us admit the real truth of the provisions of this act. You raise the illiteracy test not because you believe it is a just and fair test, and while you may argue upon that basis, your real purpose is to keep out a certain number of people, desirable or undesirable. You say there are too many immigrants coming from southern Europe and you desire to keep them out. You can not make legislation for immigrants from one country and different legislation for immigrants coming from another country, because in one section of the country there are more illiterates than there are in the northern sections of Europe. Yet you attempt to accomplish this by keeping out a greater number by your illiteracy test, rather than by really defending American citizenship, by raising that test.

Mr. President, I wish the Russian Jew to come into this country if he is a good man, and I want our gates to be swung wide open for him. I equally want the Italian Roman Catholic to have exactly the same right that the Russian Jew has, so far as the gates of our ports are concerned. Yet you by your legislation say to the one, Notwithstanding you would make a very good citizen, you shall not enter into the United States; notwithstanding the fact that you might be the very best citizen, because you profess in reality a different faith from that mentioned as an exception and have been persecuted, you shall not enter through the portals to this land of promise.

Mr. President, the only way to avoid this injustice in our bill is by the adoption of the amendemnt that was offered and voted down which gives every race and every religionist exactly the same right. I myself can see no difference between the Russian who is not a Jew and the Russian who is a Jew coming to this country. We have a great many Russians in my State who are of the Greek Orthodox Church and many of them members of other churches. They are among our best citizens in developing the country. We want them here; we have no objection to them; but what we do object to and what I object to is saying that they shall not enter if they are illiterate, while their brother, professing a different religion or of a different race, may enter into the United States, though he is illiterate. In other words, the illiteracy clause ought to apply to every foreign citizen seeking entrance into this country or it ought not to apply to any of them, and because of the injustice of the proposed law as it now stands, I shall be satisfied myself to vote against its enactment.

Mr. LODGE. Mr. President——

The PRESIDENT pro tempore. The Senator from Missouri [Mr. REED] has a matter to offer.

Mr. REED. The amendment I desire to offer relates directly to the matter just passed upon, and if it will be equally agreeable to the Senator from Massachusetts, I should like to offer that amendment and let the Senate vote upon it.

Mr. LODGE. Certainly.

Mr. REED. I move to strike out in section 5, page 14, line 14, the following language:

Or by any person——

Mr. WILLIAMS. Will the Senator from Missouri pardon me a moment? Mr. President, I had offered an amendment which was pending which precedes in the bill the one the Senator is about to offer, and if the Senator will pardon me just one moment, I want to make an explanation in connection with it and then to withdraw it.

The PRESIDENT pro tempore. The Chair will state to the Senator from Mississippi that there is no such amendment pending, so far as the Chair is advised at the desk.

Mr. WILLIAMS. The amendment was pending at page 9, line 12, after the word "prosecution." It was printed as an amendment intended to be offered and is upon the desk. Since that time the Senator from Massachusetts [Mr. LODGE], a member of the committee, has offered an amendment upon the same subject to come at a subsequent part of the bill. His amendment, in my opinion, is more specific, better, and reaches the object better and is in better phraseology. I therefore desire to withdraw mine.

The PRESIDENT pro tempore. Permission will be granted unless objection is made. The Chair hears none.

Mr. REED. In order that the Senate may understand it, I desire to state my amendment. I move to strike out of the bill the following language, appearing on page 14 and beginning with line 14:

Or by any person who shall first bring his action therefor in his own name and for his own benefit, including any such aliens thus offered or promised employment as aforesaid.

And to insert in lieu of said language, at the end of line 18, page 14, the following:

The Department of Justice may from any fines or penalties recovered pay rewards to the persons, other than Government employees, who may furnish information leading to the recovery of any such penalties or to the arrest and punishment of any person as hereinafter in this section provided.

Mr. President, that places the payment of the reward and the control of the litigation where it ought to be, namely, in the hands of the Department of Justice. It empowers that department to use a portion of, or, if they see fit, all, the penalties for the purpose of securing the information, but it avoids the objectionable practice of private individuals bringing suits and recovering penalties for their own benefit, and bringing the suits without the control of the Department of Justice.

Moreover, it adds to the bill this useful provision: Under the bill as it now stands the Department of Justice is not authorized to pay any reward to the man who brings information and causes the arrest of any person under the criminal provision of the act. The law is deficient in that respect, and it would supply it.

I have stated the matter, and that is all I desire to say.

Mr. SMITH of South Carolina. Mr. President, I move to lay the amendment on the table.

The motion was not agreed to.

The PRESIDENT pro tempore. The question recurs on the adoption of the amendment offered by the Senator from Missouri [Mr. REED].

The amendment was agreed to.

Mr. LODGE. I now move the amendment to which the Senator from Mississippi [Mr. WILLIAMS] referred. I have changed two words in it—in line 8 the words "take up," because that term is used generally in connection with our public lands, to the word "purchase."

I desire to say in regard to this amendment that it is carefully drawn for the purpose of permitting a limited class of Belgians who have been expelled from their own country to come here. It is necessary that they should be agricultural, and they would be, as a matter of fact, chiefly of the market-gardening class. An association or corporation has been formed to bring those persons here. The plan is to bring only families and to settle them in communities. It is strictly guarded. If it is desired to do anything for those unfortunate people, nothing could be more carefully guarded than this amendment. They must be agricultural immigrants; they must come here during the course of the European war or owing to circumstances or conditions arising from the war, and they must come prepared to purchase land. The association or corporation is engaged in helping them. There are 25,000 Belgians in England, and they are scattered all through the countries where they have taken refuge.

Mr. ROOT. There are about a million in Holland.

Mr. LODGE. There are about a million in Holland, as the Senator from New York suggests; and among them there is a large number of men and women whose whole life has been given to agriculture, chiefly, as I have said, market gardening. This corporation or association is prepared to help them to purchase land and stock it sufficiently and give them sufficient buildings to begin as a community, removing in that way any tendency of loneliness to seek their compatriots in one of the larger cities. I move the amendment and ask that it be read.

Mr. POMERENE. If I may, I desire to ask the Senator from Massachusetts why he would extend this privilege to a Belgian who was engaged in agricultural pursuits and not extend it to another who might be engaged in manufacturing or other pursuits.

Mr. LODGE. Mr. President, it seems to me we may well be careful how we enlarge the provision. The requests which came from the Belgian committees, the people interested in them, are embodied precisely in my amendment.

Mr. REED. I wish to ask the Senator a question. There happens just now to be a committee, as I understand the Senator, having under consideration a plan to relieve certain of the Belgian people. That committee plan is to take them to farms—a most admirable plan and one we can all give our hearty assent to—but suppose that two months from now, or the day after to-morrow, another committee, or this same committee, desires to furnish equal assistance to Belgians who are not farmers, but who are highly desirable as citizens, and who have certain arts and industries in which it is said they excel. Should we close the doors upon those people and should we so enact our legislation that other plans not yet developed will be cut off? Is it not possible—I am asking a somewhat complicated question—to frame this amendment so that these people may be assisted to come here whatever their occupation, and still throw sufficient safeguards around the amendment to prevent any abuse growing up under it?

The PRESIDENT pro tempore. The Senate does not know what the amendment proposed by the Senator from Massachusetts is. Before recognizing any other Senator, the Chair will direct the Secretary to read the amendment.

The SECRETARY. The amendment proposed by Mr. LODGE is, on page 12, line 18, after the word "guests," to insert:

Provided, That the provisions of this act relating to the illiteracy test, contract labor, or induced or assisted immigration shall not apply to agricultural immigrants from Belgium who come to the United States during the course of the present European war, or owing to circumstances or conditions arising from the war, if it is shown to the satisfaction of the Commissioner General of Immigration that said Belgian immigrants come prepared to take up land in the United States and become American citizens.

Mr. LODGE. Mr. President, I think we may well be content to do this. If we make the provision universal and general, I am not sure that we should get these people, and we might have a great many come here who would at once become a public charge. Moreover, the agricultural people are the ones who have suffered most. They have lost all their property; they have lost their opportunity in life; they have lost absolutely the work and the means of doing the work which they can do only in that one form. Those who are operatives engaged in manufacturing industries have no difficulty, and will have no difficulty in the future, certainly, in finding employment, because the industries in which they are engaged exist everywhere. We all know, moreover, that it is desirable to encourage agricultural immigration, and I think it is wiser to limit the provision than to make it too general. If we make it too general, I am afraid we may lose everything.

The PRESIDENT pro tempore. How do the provisions of the Senator's amendment reconcile themselves with the most-favored-nation clause which is contained in most of our treaties?

Mr. LODGE. Mr. President, I suppose it may be said that there are several things in this bill which might possibly be brought under the favored-nation clause, but I think there would be some difficulty in bringing this precise amendment under it, because we impose a number of conditions which could not be fulfilled by the other nations.

The PRESIDENT pro tempore. There is one that could not be fulfilled; they could not come from Belgium. But suppose a German should present himself here?

Mr. LODGE. If you could find another country in precisely that situation, undoubtedly that objection would apply; but practically that is impossible.

Mr. POMERENE. This thought has suggested itself to my mind since the Senator has presented the amendment: I take it that this is not an effort to extend any privilege to Belgium as a kingdom or as a nation?

Mr. LODGE. Not at all.

Mr. POMERENE. Certainly not. There are Germans, there are Frenchmen, there are Austrians, there are British subjects who are no more responsible for conditions that prevail in their respective countries than are the Belgians for the conditions that now affect them. I am now speaking of individuals. That being the case, why should a privilege of this kind be extended to the nationals of one nation and not to the nationals of other nations who may be similarly circumstanced?

Mr. LODGE. Mr. President, when the nationals, subjects or citizens, of any other of these countries reach the condition of Belgium and of the Belgians, then I think we ought to do it. There is a whole population, practically, of 7,000,000 people who have been almost swept out of existence; their entire country is and has been for months a battle field, and they have been forced into exile. Entire towns and cities have been depopulated, and people wholly innocent——

Mr. SMITH of South Carolina. Will the Senator from Massachusetts permit me?

The PRESIDENT pro tempore. The Senator from Ohio has the floor. Does he yield to the Senator from South Carolina?

Mr. POMERENE. Yes.

Mr. SMITH of South Carolina. I desire, with the permission of the Senator from Ohio, to ask the Senator from Massachusetts if he will allow me——

The PRESIDENT pro tempore. The Senator from Ohio, the Chair understands, yields.

Mr. POMERENE. I do.

Mr. SMITH of South Carolina. If it is the condition that has arisen in Belgium that we are dealing with, and not the causes that led up to it—if the distressed condition of the Belgians has been the cause of the proposed amendment, would it not be equally pertinent as to certain distressed Italians who have nothing? These Belgians have nothing, and somebody has got to provide means for them to buy farms. When they come here you can not make them go on the farms; once they are here and naturalized they will do as they please. Why could not that same thing occur if subjects of Italy should come and some corporation should picture to us the distressed condition of those Italians and say they would bring them here and put them on farms?

Mr. LODGE. Mr. President, Italy has not been touched by the hand of war at all, while the whole world recognizes the condition of Belgium is different from that of any other country; it is different from anything we have ever seen. I am not going into the merits or the demerits of the question at all; but here are a people who have been exiled by the million from their country, who are being supported in Holland, in England, and here by charity. They are thrown on the charity of the world; their case is wholly different from that of the French or of the Germans or of the English or of the Russians, who have powerful Governments and large portions of their territory untouched by the hand of war.

Mr. POMERENE. Mr. President, with all due respect to the learned Senator from Massachusetts, his answer to my first question was that this is not extending a special privilege to the Belgians as a nation or to the Belgian Kingdom. I concede that to be so; but now the Senator takes the position that because the misfortune which has been visited upon Belgium is greater in extent than that which has been visited upon any other nation, therefore we should give this privilege to the individual Belgians. My thought is while it is true that the Belgians have suffered—and words can not portray the extent to which they have suffered—yet at the same time that we are extending this privilege to the individual Belgians, there are individual Frenchmen, there are individual Germans, there are individual subjects of Great Britain who have suffered to the same extent. The Chair very pertinently put the question as to how we may distinguish here as between the nationals of one country and those of another. That is the thought that troubles me.

Mr. LODGE. Mr. President, I suppose that the nationals of another country who can prove the same facts might, if they see fit, raise the question of the favored-nation clause; I think it is very doubtful whether it would be sustained; but if it is necessary to avoid these objections, which to my surprise seem to arise here against this limited act of charity to those stricken people, then I will withdraw my amendment and ask the Senator from Mississippi [Mr. WILLIAMS] to present his amendment, and I will support that instead of mine. People are afraid to name Belgium or Belgians in a matter of this sort; they are afraid it will jar on somebody's feelings. I am perfectly willing to accept the amendment proposed by the Senator from Mississippi.

Mr. SMITH of South Carolina. As the Senator from Mississippi has already accepted the amendment of the Senator from Massachusetts, I move to lay the amendment on the table.

Mr. LODGE. The Senator from South Carolina will not avoid this subject in that way.

Mr. WILLIAMS. Mr. President, I hope the Senator from South Carolina will not do that.

The PRESIDENT pro tempore. The motion made by the Senator from South Carolina is not debatable. The Senator from South Carolina moves to lay the amendment on the table. [Putting the question.] The noes seem to have it; the noes have it.

Mr. WILLIAMS. Mr. President, the chief differences between the amendment as offered by me and the amendment offered by the Senator from Massachusetts [Mr. LODGE] are these two: In my amendment I did not mention——

The PRESIDENT pro tempore. Has the Senator from Mississippi offered any amendment? If the Senator from Massa-

chusetts has withdrawn his amendment, there is nothing pending which can be debated.

Mr. LODGE. I have not withdrawn my amendment, Mr. President.

Mr. WILLIAMS. Now, if I may be permitted to make a statement, the chief differences between the two amendments are these: The Senator from Massachusetts, in his amendment, specifically names the Belgians, while, in my amendment, I did not name them, but described them so that the description could not apply to anybody but to the Belgians. Then I relieved them solely from the literacy test, whereas his amendment would relieve them from the assisted-immigration test. I think, perhaps, that my amendment is a little better in the first regard, while it is not nearly so good in the second respect. I described those persons in this way:

In cases where the territory of their country had received recognition by belligerent powers as neutral territory and where their land was invaded for no other reason than that their Government refused to consent to be invaded.

That description can apply to nobody but the Belgians.

The Senator from Ohio [Mr. POMERENE] wants to know why the Belgians are in a different attitude. That is the reason why they are in a different attitude. Every national is affected by the act of the government of his country. The Governments of England, Germany, France, Austria, Russia, Servia, and Turkey have gone into this war; none of them were forced into it; and when I say that none of them were forced into it, I mean that none of them were physically forced into it; but Belgium was literally forced into it. It might have been a question of honor or of self-defense after a while in the other cases, but in the case of Belgium the request was made that she herself should violate her solemnly given obligation to defend her own neutrality, and notice was given that if she did not consent to violate her plighted word to defend her own neutrality, then she should be invaded. She was invaded, and the armies of both sides have fought all over her country. Her people desired war with nobody; they committed no crime under the sun except refusing to consent to be invaded, refusing to put themselves on record down through all eternity as cowards, but for no other reason the armies of both sides have devastated her soil and destroyed her factories. The farmers of Belgium have suffered more than any others. Their cattle and stock are gone, their agricultural implements are gone, the villages in which the farmers lived and from which they have been accustomed to go out to cultivate their fields are in many cases totally destroyed, and the people are exiles in Holland and in England. The Southern Commercial Congress is prepared, or thinks it is prepared, to place a great many of them upon cheap and good lands in the South. There is another corporation which is prepared to place some of them in the West, as I understand.

These people are in a totally different position from any other people in civilized times. There was a time, long, long years ago, when very many people very frequently were brought into that condition, when hordes of people, coming to the West from the East and to the South from the North, thought they had a right to overrun everything or anybody in order to find for themselves new homes and better opportunities for the future, but this is the first instance in modern civilized times of a people ever having suffered in this way.

I am criticizing nobody; I am absolutely neutral so far as this war is concerned, as every American ought to be. I recognize no interest of any description or any policy that has any right to appeal to me except American interest and American policies; but these people, men, women, and children, have appealed to my sympathy because they have suffered for no fault of their own or of their Government. They have been ground between the upper and nether millstones of warring nationalities when they themselves wanted to keep at peace and their Government wanted to keep at peace with all men and all nations.

In response to the suggestion made by the Senator from Massachusetts, I suggest that perhaps if instead of the word "Belgium" in his amendment he would substitute the description found in my amendment and then leave the remainder of his amendment, it would be better than either mine or his now is, and that would free the amendment from the objection suggested by the Senator from Arkansas [Mr. CLARKE]. Then nobody could invoke the favored-nation clause, because every nation in the world coming within this description would have this provision applied to its nationals.

Mr. LODGE. I understand the Senator to suggest that I strike out the word "Belgium" in the amendment which I have proposed?

Mr. WILLIAMS. Yes, sir; and to insert "from any country where the territory of their country had received recognition by belligerent powers as neutral territory and where their land was invaded for no other reason than that their Government refused to consent for it to be invaded."

Mr. LODGE. That is, retain the first three lines of my amendment, reading:

Provided, That the provisions of this act relating to the illiteracy test, contract labor, or induced or assisted immigration shall not apply to agricultural immigrants——

Mr. WILLIAMS. "Coming from any country"——

Mr. LODGE (continuing)—

coming from any country where the territory of their country had received recognition—

And so forth.

The PRESIDENT pro tempore. Why would it not accomplish the purpose to adopt the amendment of the Senator from Massachusetts and send it to conference to be worked out there?

Mr. LODGE. I accept the modification suggested by the Senator from Mississippi, as far as I have power to do so.

Mr. LEWIS. Mr. President, may I be permitted to call the attention of the Senator from Massachusetts and the Senator from Mississippi——

The PRESIDENT pro tempore. Not until we find out what is presented to the Senate. The Chair will ask the Senator from Illinois to indulge him for a moment.

Mr. LODGE. I will read the amendment, Mr. President, if the Secretary will take it down. I move the following as an amendment:

Provided further, That the provisions of this act relating to the illiteracy test, contract labor, or induced or assisted immigration shall not apply to immigrants from any country in cases where the territory of their country had received recognition by belligerent powers as neutral territory and where their land was invaded for no other reason than that their Government refused to consent to be invaded.

Mr. WILLIAMS. "Consent for it to be invaded," it ought to be.

Mr. LEWIS. Mr. President, may I be permitted to call the attention of the Senator from Massachusetts to a feature in his amendment that impresses me as having considerable prospect of embarrassment?

Mr. President, I do not know whether the purpose of the Senator is to have his amendment go to the committee or whether it is to be acted upon at this particular time.

Mr. LODGE. To be acted upon at this time. The committee has long since finished with the bill and this question must be decided here.

Mr. LEWIS. Mr. President, I heard some reference to a conference, but, having just come into the room, perhaps I did not gather the reference.

The PRESIDENT pro tempore. The Chair will state to the Senator from Illinois that he assumed that the differences between the two Houses would be worked out by the usual conference committee.

Mr. LEWIS. Mr. President, I understand what the Chair means. I thought that there had been some previous reference to a conference committee. I will say to the Senator that I regard that it would be a queer thing for us to enact a provision admitting to our shores any people whom we decide have been the subject of invasion by another country when their country was neutral. We could only do so by first deciding that some country had invaded them, and therefore we would render judgment by our action that they had been so invaded. Whatever defense the invading country might have had we would wholly overlook; we would simply render the judgment of the United States that a certain neutral country had been invaded, say, for instance, as in this case, by Germany. We would therefore create, as I see it, a cause of protest on the part of such countries because of our judgment against them, for they may have a reason to contend and may contend that their entrance into the country was dictated by considerations of national defense or of national preservation. I suggest, therefore, instead of the words "where the territory of their country had received recognition by belligerent powers as neutral territory and where their land was invaded," that there be inserted some such language as this, "any country suffering from the results of conflict or war," so as not to call for a judgment on our part that a country had been invaded, when the invaders may take the position that they were defending themselves.

That is the exact attitude, if I may so state to the Senator, who is a learned scholar in matters of foreign policy, which has been taken by many. Prof. Hugo Münsterberg and his colleagues have sent us a book—I have no doubt it is on the Senator's desk—in which it is contended in behalf of Germany, answering the very charge that the friends of Belgium make, that that country was invaded because, as the able Senator from Massachusetts said, it desired to be neutral, that Belgium was upon the eve of cooperating with France to assail Germany.

Whether they are right or wrong as to that, of course we do not know; but the fact that they make that contention I think would suggest that it would not be prudent for us to set up as a condition precedent a finding that a certain Government had been guilty of having invaded Belgium before we may allow Belgium or any other country to avail itself of the benefits of this act.

Mr. LODGE. Mr. President, the Senator has been discussing a portion of the amendment which is not mine. My amendment did not contain the words which he has been discussing. Those are in the amendment of the Senator from Mississippi [Mr. WILLIAMS].

Mr. LEWIS. I beg to say to the Senator that I just came into the Chamber and heard it as it was being read.

Mr. LODGE. I expressed my willingness to adopt the other, as objection was made to my amendment because it mentioned Belgium. We apparently have become so tender that we can not even mention Belgium and the sufferings of the Belgian people without fear that somebody will be offended.

Mr. SMITH of Georgia. Mr. President, will the Senator allow me to ask him a question?

Mr. LODGE. Certainly.

Mr. SMITH of Georgia. Does the Senator abandon the use of the term "Belgium" because he fears that under our treaties we would be embarrassed by its use?

Mr. LODGE. No, Mr. President; I do not think that the favored-nation clause——

Mr. SMITH of Georgia. I would personally be very much gratified to take down every barrier between the Belgians and the United States and allow them to come in. I think we have in passing upon immigration questions to determine our wishes and our interests. I think the record of these people has been such that we may well be glad to hail them as fellow citizens; their condition certainly appeals to us, and I would myself, if we can legally do so, be delighted to remove every barrier and bring them here.

Mr. WILLIAMS. Mr. President, if the Senator from Georgia will pardon me——

Mr. LODGE. I think I have the floor; I yielded to the Senator from Georgia.

The PRESIDENT pro tempore. The Senator from Massachusetts has the floor.

Mr. LODGE. Mr. President, I will say to the Senator from Georgia that I do not think the favored-nation clause would have any practical operation if we name Belgium in the amendment unless some other country could produce immigrants to whom the same conditions applied. In that event they could undoubtedly make a point under the favored-nation clause, but I do not think it would hold or is a practical question, because this is temporary and relates to peculiar circumstances. However, there was objection made in the Senate that we should hurt somebody's feelings if we named Belgium, and I tried to avoid that objection, in the hope that we could get something we could all agree upon by taking the amendment of the Senator from Mississippi, which names nobody, but contents itself with a description. I am inclined to think that my own form of amendment is on the whole the best and that the descriptive terms would require decision on international relations upon which they ought not to pass.

Mr. SMITH of Georgia. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Massachusetts yield to the Senator from Georgia?

Mr. LODGE. I yield.

Mr. SMITH of Georgia. I only wish to say to the Senator from Massachusetts while he is still upon the floor that there are a number of us who would very much prefer to vote flatly for the admission of the Belgians, provided the members of the Committee on Foreign Relations, who are more familiar with the subject than most of us, will advise us that no treaty complications would be produced by reason of using the specific term "Belgium."

Mr. LODGE. If you make it applicable to all Belgians by name without any of the conditions embodied in my amendment, why of course then you open questions under the favored-nation clause.

Mr. WHITE. Mr. President——

Mr. LODGE. One moment, Mr. President. If you leave it as I have it with certain conditions put upon it others can not raise that question unless they are prepared to fulfill the same conditions.

Mr. ROOT. Mr. President——

Mr. LODGE. I yield to the Senator from New York.

The PRESIDENT pro tempore. Does the Senator yield the floor, or just yield for an interruption?

Mr. LODGE. No; I yield for an interruption. I have no right to yield the floor.

Mr. ROOT. Mr. President, I do not think there need be any apprehension under the favored-nation clause of our treaties. I do not think those treaties stand in the way of the adoption of this amendment at all, any more than they would stand in the way of an exceptional or occasional permit to allow particular individuals to come into the country.

This amendment, as drafted by the Senator from Massachusetts, and equally the amendment as framed by the Senator from Mississippi, is an amendment applying to a specific situation. It is not general; it is not permanent. It permits Belgians to come here in the course of the present European war, or owing to circumstances or conditions arising from the war. I read from the amendment of the Senator from Massachusetts. I prefer the form of the Senator from Massachusetts to the form of the Senator from Mississippi because both of the suggestions of the Senator from Illinois [Mr. LEWIS] and of the preference of the Senator from Ohio. I think it is much less objectionable to name the country than it is to describe the country by enumerating certain facts regarding which, as the Senator from Illinois well says, there may be controversy. I think, with the Senator from Georgia, that we had better say what we mean with regard to the admission of immigrants from Belgium.

Mr. WHITE. Mr. President, I should like to ask the Senator from New York a question, if it is agreeable.

Mr. ROOT. Certainly.

Mr. WHITE. Is there not danger that while this description now simply covers Belgium, in the future conditions might arise which would make it fit other countries whose immigrants will not be so desirable?

Mr. ROOT. The Senator means, I presume, if the form suggested by the Senator from Mississippi were adopted?

Mr. WHITE. Yes.

Mr. ROOT. That may be a reason why the form of the Senator from Massachusetts is preferable. I think, as it relates to a particular situation, dealing with a particular exigency which is recognized by every nation on earth, there is no need for us to be apprehensive of violating the favored-nation clauses of our treaties.

Mr. POMERENE. Mr. President——

Mr. ROOT. Now, let me say one further thing, and I will refer to something the Senator from Ohio has said. I will yield to him now or I will say what I have to say first, just as he prefers.

Mr. POMERENE. Just in connection with what the Senator from New York was saying when this colloquy began, I should like to say that the language of the amendment proposed by the Senator from Massachusetts limited this privilege to Belgians who were engaged in agriculture; in other words, to agricultural immigrants. Now, I saw the technical objection, so far as naming any particular country was concerned; but the trouble which has come upon Belgians who are engaged in agriculture has also befallen those who are engaged in lace making or in any other manufacturing industry, and I was not able to see why we should extend to a Belgian farmer a privilege that we were not willing to extend to a Belgian mechanic or artisan of one kind or another. More than that, as we were taking up this particular subject, it seemed to me that we could extend our hospitality to those who had suffered the horrors of that awful war, whether they were Germans or Austrians or French or British or Belgians. That was my position.

Mr. ROOT. Mr. President, let me tell the Senator from Ohio one reason for making this provision regarding Belgium. The people of Belgium no longer have a country. It has been taken away from them. They no longer have a Government to watch over them or provide for them. Their Government has been destroyed and exiled. They are wandering over the face of the earth without a home.

Mr. POMERENE. Mr. President——

Mr. ROOT. One moment; I will not yield for a moment. There never has been, since the foundation of our Government, a people to whom the hearts of America have turned with as deep compassion or as strong a desire to give relief to suffering. There are no other people in the world without a Government to care for them. There are no other people in the world without a country.

It is but a few years since I passed through Belgium, and looked upon either side upon a garden. The whole country was a great garden of beauty and luxuriance, such as I had never imagined. The evidences of industry and thrift, of the existence of all those qualities which make a nation prosperous and happy, existed there to a degree that I have never seen surpassed anywhere in the world.

Now, those fields, which were so fertile, have been beaten down by the passing and repassing of armies. Those villages and towns have been destroyed. Two million of the people are exiles in foreign lands; without homes, for their homes have been destroyed; without means of living, for the fields that they tilled and from which they earned so rich harvests are covered by armies, and have been beaten down into a desert.

We are engaged in discussing a measure for the protection of the United States against undesirable immigrants. The proposal of the Senator from Massachusetts is that, while we are closing the door against them, we shall specially provide that we do not close the door against these homeless people, who have illustrated the highest and the best qualities of citizenship; that we shall except them and permit another means of succoring their distress, through the soil of the United States. Millions of dollars are being paid by our people to feed in their own land those that remain, and in Holland those that have left their land. Every day the stream continues of thousands of dollars, but that is temporary. The only way in which they can really be effectively succored is to enable them to begin producing. The production of the country has stopped, and this proposes to enable them to begin production in America.

There never has been, sir, within modern history a case like this. It is exceptional. It appeals to our best judgment in seeking to frame our law so that it will permit the entrance of the best material for citizenship, and it appeals to our noblest sympathies and the noblest sympathies of all the people of the United States. I think we should treat it as an exceptional case, and that it is better not to try to pretend that we are making a general provision applicable to all people.

Mr. LODGE. Mr. President, if I may be permitted to do so, I will allow my amendment to stand as originally offered.

The PRESIDENT pro tempore. Very well; then the direct proposition can be submitted to the Senate.

Mr. WILLIAMS. Mr. President——

Mr. LODGE. I yield to the Senator from Mississippi.

Mr. WILLIAMS. When I first rose, it will be remembered that I suggested that in my opinion the amendment as drawn by the Senator from Massachusetts was more specific and better covered the case. I afterwards suggested the modifications merely to satisfy certain minds in the Senate. That was merely a tactical reason. I am now of the opinion that the amendment will be just as strong, if not stronger, in the shape in which he has offered it than in the shape in which I offered it, and I therefore very willingly withdraw my amendment.

Mr. SMITH of Georgia. Mr. President——

The PRESIDENT pro tempore. The Senator from Massachusetts has the floor.

Mr. LODGE. I ask that my amendment as originally offered may be the pending question.

The PRESIDENT pro tempore. That will be considered the pending question.

Mr. LODGE. The pending question is my amendment, with the single modification of "purchase" instead of the words "take up."

Mr. POMERENE. May I ask to have the amendment stated again?

The PRESIDENT pro tempore. The Secretary will state the amendment.

The SECRETARY. On page 12, line 18, after the word "guests," it is proposed to insert:

Provided, That the provisions of this act relating to the illiteracy test, contract labor, or induced or assisted immigration shall not apply to agricultural immigrants from Belgium who come to the United States during the course of the present European war or owing to circumstances or conditions arising from the war, if it is shown to the satisfaction of the Commissioner General of Immigration that said Belgium immigrants come prepared to purchase land in the United States and become American citizens.

Mr. FLETCHER. Mr. President, I realize the danger and the difficulty of making exceptions in a bill like this, but I am inclined to favor the amendment as proposed by the Senator from Massachusetts. I prefer the amendment with the word "agricultural" in it to the amendment without it, because I do not know anything at all regarding the people engaged in factories and other occupations over there; but I had occasion, on the 2d of August last, to observe something of these Belgium farmers.

I was in Paris at the hotel facing the Gare du Nord Station, and the streets leading to that station had been roped off, so that there was an area of 3 or 4 acres in front of the station, an open space, into which there came on Saturday, August 1, and on the night of Saturday, and on Sunday, August 2, something like a thousand of these Belgian farmers. I inquired where they came from and how it was that so many of them seemed to be in France, and I was told that they had been engaged in harvesting in the wheat fields of France. Each of them was carrying his little sack—with his clothes, I suppose—and his scythe and hook which he had been using in harvesting the wheat crop.

I observed them over Saturday night and over Sunday as they were camped in this area awaiting trains to take them to their homes. They were proceeding as rapidly as possible to what they considered the protection of their homes and their country. I never saw a more orderly, a more sober, courteous, manly set of men anywhere, and I am quite sure that men of that kind would be an acquisition, especially to our agricultural industry in this country.

For that reason, together with sympathy for some of the views which have been expressed here, I am inclined to favor this amendment, and shall vote for it.

Mr. SMOOT. Mr. President, I wish to suggest an amendment to the amendment to the Senator from Massachusetts [Mr. LODGE]. His amendment provides that these people shall be admitted "if it is shown to the satisfaction of the Commissioner General of Immigration that said Belgian immigrants come prepared to purchase land in the United States and become American citizens." I believe that ought to be "purchase privately owned lands."

Mr. LODGE. I have no objection to that.

Mr. SMOOT. I make that suggestion, Mr. President, because it might interfere with our public-land laws if it were not specifically stated.

Mr. LODGE. I have no objection to that.

The PRESIDING OFFICER (Mr. GRONNA in the chair). The Senator from Massachusetts accepts the modification suggested by the Senator from Utah.

Mr. SMITH of Georgia. Mr. President, I shall vote for the amendment as it is offered if we can not broaden it. I should be glad to strike out the term "agricultural" and let it apply to all immigrants, and to strike out the term "take up lands in the United States," so that it would broadly permit Belgian immigrants to come to the United States. They would have that right at any time, but I would not limit it to those who purchased or to those who come prepared to purchase. I would let it read, if I framed it to suit myself—

or owing to circumstances or conditions arising from the war, if it is shown to the satisfaction of the Commissioner General of Immigration that said immigrants come prepared to become American citizens.

I move, Mr. President, to strike out the word "agricultural" before "immigrants," and to strike out, after the word "to," in the eighth line, the words "purchase land in the United States."

The PRESIDENT pro tempore. The Secretary will state the amendment to the amendment offered by the Senator from Georgia.

The SECRETARY. It is proposed to strike out the word "agricultural" where it appears before the word "immigrants" in line 3.

The PRESIDENT pro tempore. The Secretary will read the amendment as proposed to be amended.

The SECRETARY. So that the amendment will read:

Provided, That the provisions of this act relating to the illiteracy test, contract labor, or induced or assisted immigration shall not apply to immigrants from Belgium who come to the United States during the course of the present European war, or owing to circumstances or conditions arising from the war, if it is shown to the satisfaction of the Commissioner General of Immigration that said Belgium immigrants come prepared to become American citizens.

Mr. SMOOT. Mr. President, it seems to me that if the Senator is going to limit the amendment by the words stricken out by him he ought to strike out all after the word "war," as follows: "If it is shown to the satisfaction of the Commissioner General of Immigration that such Belgian immigrants come prepared to become American citizens." I do not think that language ought to be in the amendment. I think, if we adopt the amendment that has been offered by the Senator from Georgia, it certainly will fall under the favored-nation clause, and I believe it will mean the defeat of the amendment. That is my opinion.

Mr. WALSH obtained the floor.

Mr. SMITH of Georgia. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Montana yield to the Senator from Georgia?

Mr. WALSH. I yield.

Mr. SMITH of Georgia. I should like to ask the Senator from Utah why, by striking out the word "agricultural" and striking out the provision that they must be prepared to purchase lands, the amendment would fall any more under the favored-nation clause of our treaties than it would fall under the proposed terms of the amendment?

Mr. SMOOT. I think, with the amendments suggested by the Senator, it becomes so broad that all Belgians could enter the

United States and be relieved from the illiteracy test, the contract-labor provision, and the provision as to induced or assisted immigration.

Mr. SMITH of Georgia. I admit that.

Mr. SMOOT. Therefore, I think it certainly would fall under the favored-nation clause of our treaties.

Mr. SMITH of Georgia. But why would it fall any more under it to let them broadly come in that way than to say that they could come if they were prepared to purchase lands in the United States? If it would fall in the one instance under the favored-nation clause to admit these Belgians broadly, growing out of their conditions incident to the war, if they did not come prepared to purchase lands, would it not equally fall under the restrictions of the favored-nation clause to say that Belgians alone could come if they were prepared to purchase lands?

Mr. SMOOT. That is true as far as the purchase of land is concerned, but that is not true as far as the word "agricultural" is concerned. The lands of the agricultural people of Belgium have been laid waste; their crops have been destroyed; they have been driven from the land. The mechanics and other classes of citizens of Belgium can in many cases secure employment in France, Holland, and England, but the farmer can not. The Belgian mechanic may be in the same position as the mechanics of other belligerent nations; and, if so, to allow them to enter under the proposed amendment certainly would fall, in my opinion, under the favored-nation clause.

Mr. SMITH of Georgia. If they have all been driven out of Belgium, practically, and are wanderers from their homes, would it not be equally as proper to admit one class as the other?

Mr. SMOOT. What I wished to impress upon the Senate, if I could, was that the agricultural people of Belgium are in an entirely different condition than the agricultural people of any other country; and that being the case, they would not fall under the favored-nation clause, in my opinion.

Mr. WILLIAMS. It can all be properly worded in conference, anyhow.

Mr. SMOOT. And if we take that into consideration, and they are the facts, then it would fall under the favored-nation clause.

Mr. WALSH. Mr. President, if the amendment offered by the Senator from Georgia should not prevail—and I shall vote for it myself—and the question recurs upon the amendment as it theretofore stood, I trust the amendment suggested by the Senator from Utah will not prevail. I think it should be left as it is. There is no reason whatever for——

Mr. LODGE. The Senator means as I originally drew it, so as to read "purchase land," without saying "privately owned"?

Mr. WALSH. Yes, sir; because, Mr. President, we want to afford these people an opportunity to purchase agricultural lands, so far as agricultural lands can be purchased, from the Government of the United States, and from the States as well.

In my own State large areas of lands have been transferred by the Government of the United States to the State upon the consideration that the State shall reclaim these lands by works of irrigation under what is known as the Carey Land Act. The State has those lands for sale, and Belgians have already come to the Carey land projects in my State. A large colony have come within the last three years to take over homes upon one of these projects. We are delighted to have them as prospective citizens of our State. They are required to buy these lands from the State, and to enter into contracts with the contractor who carries on the works of irrigation to take water from the irrrigation works. We want to give every opportunity to those people to acquire Carey lands from the State, and thus it would be inadvisable to make the restriction suggested by the Senator from Utah.

Mr. SMOOT. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Montana yield to the Senator from Utah?

Mr. WALSH. I do.

Mr. SMOOT. I will say to the Senator that I had in mind the purchase of public land, but since he has called attention to the purchase of lands selected under the Carey Act I can see that the amendment suggested by me might interfere with the purchase of such lands. Therefore I will ask that the amendment proposed by me and agreed to may be reconsidered, and I will withdraw it.

The PRESIDENT pro tempore. Unless there is objection the amendment proposed by the Senator from Utah will be considered as withdrawn.

Mr. JONES. Mr. President, this amendment, as now presented, seems to me to be a most remarkable one.

I sympathize very much with the reasons given by the eloquent Senator from New York as to why we should help out the Belgians. I would be constrained to vote for an amendment that would carry out the ideas he presented; but this amendment does not do that at all. This amendment starts out by saying that an agricultural Belgian who has been deprived of his home, deprived of his occupation, and driven from his country, shall be permitted to come into this country; but not all of those can come in under the latter part of this remarkable amendment. Only the man who has money can come in.

Mr. LODGE. Mr. President, if the Senator will allow me, I am afraid I did not have the good fortune to have the Senator's attention while I explained the amendment. It is drawn in conformity with the request of those persons and associations who are interested in bringing the Belgians here. They furnish the money. They do not expect the Belgians to do it.

Mr. JONES. They are going to buy the land for them, are they?

Mr. LODGE. They are going to buy the lands and stock them. They are prepared to give $2,500 to a family.

Mr. JONES. Mr. President, I think that makes it even worse. I should like to know——

Mr. LODGE. Perhaps it does. It is charity. It may make it even worse.

Mr. JONES. I should like to know who the people composing this committee are, and where they propose to put these Belgians, and why it is that they are not helping some of the shoemakers of Belgium to get into the shoemaking industry in this country and get established there, and furnish them with funds, and furnish them with employment. They are suffering just as much as any agricultural immigrant who may want to come in here.

A man who is deprived of his occupation and deprived of his way of making a living is just as much entitled to help if he works in a factory as the man who works on a farm. If we are going to be generous to these people, let us be generous to them regardless of the occupation they have been following in Belgium, and regardless of the occupation they propose to follow in this country. Let us follow the principles of humanity pointed out so eloquently by the Senator from New York, and help out all of these poor people if they deserve help and assistance

Mr. SMITH of South Carolina. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Washington yield to the Senator from South Carolina?

Mr. JONES. Certainly.

Mr. SMITH of South Carolina. I would like to call the attention of the Senator from Massachusetts who proposes this amendment to the fact, as I understand it, that Belgium is now an ally of one side in the great conflict in Europe, and in accordance with her pledge she refused to allow her neutrality to be overrun by one of the contending powers. That compact was made with one on the other side in the struggle. Therefore until the conflict shall have ended Belgium is to-day bound to put into her army every able-bodied man she can to sustain the position she now occupies. The Senator's amendment applies to those who during this war come here for agricultural purposes. Certainly none but the aged and those too young to engage in agricultural pursuits could come. Another clause reads "owing to circumstances or conditions arising from the war," which, I presume, means to take into consideration their condition when the war shall have terminated. When the war shall be terminated, if it is terminated in favor of the side to which Belgium is a party, then they would go back. But the amendment would be inoperative under any circumstances so far as getting desirable citizens are concerned because of what I a moment ago said; the able-bodied in every walk of life are engaged in the war and will so continue to maintain the high standard held up by the Senator from New York and the Senator from Massachusetts. For that reason I can not see what we are going to gain except to bring from Belgium the decrepit, the old, and families whose heads and whose strong arms are engaged in the conflict.

Mr. LODGE. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Washington yield to the Senator from Massachusetts?

Mr. SMITH of South Carolina. I thank the Senator from Washington for allowing the interruption.

Mr. JONES. I thought the Senator from South Carolina was going to ask me a question or I would not have yielded, because I have only a word or two more to say with reference to this matter. I will ask the Senator from Massachusetts, however, a question as to what he means by agricultural immi-

grants, whether those who were engaged in agriculture before they come here or who come here saying that they intend to engage in agriculture.

Mr. LODGE. Those engaged in agriculture.

Mr. JONES. In their own country?

Mr. LODGE. In their own country.

Mr. JONES. It seems to me that there might be some question about it, and that if a person were brought here saying he expected to engage in agriculture and wanted to engage in it he would probably be allowed to come in.

Mr. President, I do not just like the idea of passing legislation here to help those who apparently have organized some society to bring people here for their purpose, confining our legislation by terms to simply cover the people they want to bring here.

If we are going to pass this legislation because of our sympathy for the Belgians and the condition they are in, then it seems to me we can not discriminate between two classes of Belgians, the mechanical working class and the agricultural class, and that the reasons so eloquently given by the Senator from New York apply to one just as well as to the other. If we are going to pass this legislation, let us make it apply to all the people of Belgium, who have suffered equally in this terrible struggle. I myself doubt the wisdom of passing it. I would not be inclined to oppose it as a general proposition, but with the limitation put in I shall certainly vote against it.

Mr. LODGE. Mr. President, we made these limitations because of representations made to me by those who are interested in helping those unfortunate people to come here and make a new start in life. But I am entirely ready to vote for that amendment if it gives the same right to all immigrants from Belgium under the conditions stated in the amendment. I do not mean the agricultural conditions, but the other conditions. I shall vote for it in any form. If I can not open the door to them all, I will open the door to a part of them.

Mr. MARTINE of New Jersey. Mr. President, the appeal for the Belgians strikes we very strongly. Thirty-five years ago there came to the neighborhood of my home town a family of Belgians by the name of Prosper Berkesman. They settled there in my community and afterwards went to Georgia. I think the Senator from Georgia will perhaps recall the name. They went into the culture of fruit on the most extensive scale and they made for themselves great fortunes and a great mark in that community. They brought with them a great retinue of thrifty Belgians to work on their farm, a farm of about 400 acres. Many of those Belgians still remain there. They are a splendid class of citizens, thrifty, honest, frugal, and marvelously industrious. So I should like to do that which I could for the Belgians. Yet my heart and soul are big enough to reach beyond just that little State of Belgium. Why not take in those from Germany, from whence I have said my mother came? I would like to add those in Alsace and Lorraine. Those Provinces have been ravished by this hateful and horrid war.

I should like to vote for the amendment of the Senator from Massachusetts; but I would suggest, as an amendment to it, to strike out the word "agricultural" and the words "from Belgium." Then it will take in humanity pretty completely.

It is remarkable to me how the Senator's mind seems to have changed. A day or two ago in the Senate the only test which was known to us was illiteracy—an immigrant must be able to read, and if he could not read, even though he was blessed with the form of Apollo, however desirable in the way of physique and general good health, all these things counted for nothing. He might be frugal, he might be honest and faithful; but if he could not read, that was the thing that should bar him out. To-day we learn that he is all right if he has the cash. Thrifty Massachusetts is still after money. Money is the desideratum. If you have the cash, I do not know who has the tract, but you will find that somebody in thrifty Connecticut or thrifty Massachusetts doubtless has the tract to sell to the Belgians. Now, when we have the cash, the purchase money, to pay for all these things, that is preeminent as against literacy—literacy counts for naught.

Now, my friend, I believe your heart is right; but, in all seriousness, if you want to aid down-stricken humanity who have been crushed beneath the heel of military despotism, whether it be in Belgium, whether it be in France, whether it be in Germany, or in the Provinces of Alsace or Lorraine, or in Russia's frigid zone, in Heaven's name, I ask you to strike out the word "agricultural." I am an agriculturist. I love the occupation and realize its great value to this land, but there are a million other avocations which are primarily necessary to the well-being of this country. Take the rich South, with its teeming acres that demand aid, the picking of cotton or the draining of swamps or reclaiming worn-out land, and in a thousand ways a more liberal system of immigration will aid it.

So I say, my friends, with all earnestness, strike out the word "agricultural," strike out the words "from Belgium," and then go forth again and let our Statue of Liberty in the harbor of New York mean what it was put there for—a shining light, a beacon for the downtrodden and the oppressed from every clime with clean bodies, sane minds, honest, faithful purposes, and the rest we can leave to the assimilation of this wonderful country, this God-blessed land.

Mr. LODGE. Mr. President, I have no objection, as I have already said, to taking out the limitation as to agricultural immigrants or the limitation about the power to purchase lands which, of course, relates only to the relief of the assisted or the induced. The plan was not to plant it in New England. It is not a place to plant agricultural immigrants, I am sorry to say, except in a very few favorite places. The plan was to give them an opportunity in the still unoccupied lands of the South and West. But I am perfectly willing that the limitation should be taken off. However, I am not willing to take out the Belgium limitation. The whole purpose is to aid that particular unfortunate people who are adrift on the world without homes, without country, without a government. It has no meaning if it is broadened to cover the whole world.

Mr. TOWNSEND. Mr. President, I do not wish to criticize the generous spirit of humanity which moves Senators to offer this amendment. I sympathize with their feelings to the very limit. I am constrained to believe, however, that the possible complications and injuries to our own people and to the immigration law itself more than balance any probable good that can come to a few Belgians through this amendment.

That complications are involved in this proposition no thoughtful Senator will deny. Why the Belgians? Not because they are victims of dreadful war. Millions of other Europeans are similar victims. Are we not treading on at least questionable grounds, if indeed it is not dangerous, when we select a race from among belligerent races for special favors? It is intimated that Belgium has been outraged without provocation. Senators may so believe; the world may so believe; but Germany denies it. Are we to settle that question here? I am sorry that it has been raised.

The amendment annuls the prohibition against foreign contract labor. Where is this to end? It will surely rise to plague our country. And yet it is solemnly proposed to allow some men, organization, or corporation to contract with Belgian agriculturists to come into this country provided they purchase lands. Purchase where and of whom? Why agriculturists? Have not the farmers of the United States hard times enough that especial competition should now be forced upon them? There is no assurance, however, that these immigrants will remain on the farm, and everyone knows that we already have enough idle workmen.

I can not consent, Mr. President, to allow men to come in here to compete solely with farmers. I would not consent at this time to their coming in to compete with labor under existing conditions, because charity begins at home. Why, sir, we are amending our immigration laws for the benefit of our own people. We have quite a problem on our own hands at this minute, a big problem. Help the Belgians, as you ought. Every generous American is now helping that torn and distracted people, but in the meanwhile do not add to the distress of our own people. Do not complicate more our already perplexed foreign relations. Do not undermine our beneficent law against alien contract labor. At a time when a million idle, hungry American laborers are pleading for work in order that they may have bread, let us not add to their misery and despondency by legislating competition upon them. I must know more about this scheme of contracting with foreign laborers and be convinced of the magnitude of the proposed blessings to be conferred by this amendment before I can give it my support.

The PRESIDENT pro tempore. The question is on the adoption of the amendment offered by the Senator from Georgia [Mr. SMITH] to the amendment offered by the Senator from Massachusetts [Mr. LODGE].

Mr. MARTINE of New Jersey. I call for a quorum.

The PRESIDENT pro tempore. The Senator from New Jersey suggests the absence of a quorum. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst	Chamberlain	Crawford	Fletcher
Bristow	Clapp	Culberson	Gallinger
Bryan	Clark, Wyo.	Cummins	Gore
Burton	Clarke, Ark.	Dillingham	Gronna

Hardwick	McCumber	Pomerene	Swanson
Hitchcock	McLean	Reed	Thomas
Hughes	Martine N. J.	Robinson	Thornton
James	Myers	Root	Townsend
Johnson	Nelson	Saulsbury	Vardaman
Jones	Norris	Shafroth	Walsh
Kenyon	O'Gorman	Sheppard	Weeks
Kern	Oliver	Simmons	White
Lane	Overman	Smith, Ga.	Williams
Lee, Md.	Page	Smith, Md.	Works
Lewis	Perkins	Smith, S. C.	
Lippitt	Pittman	Smoot	
Lodge	Poindexter	Sterling	

The PRESIDENT pro tempore. Sixty-five Senators have answered to their names. A quorum of the Senate is present.

Mr. ROOT. Mr. President, I should be very glad to have a provision in the form and going to the extent suggested by the Senator from Georgia, but I fear that the objection that that would open the door to the introduction of contract labor in the future would imperil the whole provision.

Mr. SMITH of Georgia. Mr. President——

The PRESIDENT pro tempore. Does the Senator from New York yield to the Senator from Georgia?

Mr. ROOT. Certainly.

Mr. SMITH of Georgia. I sought the ear of the Chair, just as the Senator from New York rose, for the purpose of stating that I am so much in favor of what is embodied in the amendment of the Senator from Massachusetts that I am unwilling to jeopardize it by seeking to obtain what I would be very much gratified to see added by way of amendment. Therefore I wish to withdraw the amendment to the amendment.

The PRESIDENT pro tempore. The Senator from Georgia withdraws his amendment to the amendment.

Mr. JONES. I desire to renew the amendment, in substance anyway. I move to strike out the word "agricultural" and all after the word "war" in line 6.

The PRESIDENT pro tempore. The question is on the adoption of the amendment of the Senator from Washington [Mr. JONES] to the amendment of the Senator from Massachusetts [Mr. LODGE]. [Putting the question.] The "noes" seem to have it.

Mr. JONES. I ask for the yeas and nays.

The yeas and nays were not ordered.

The amendment to the amendment was rejected.

Mr. BRISTOW. Mr. President, as I understand the amendment offered by the Senator from Massachusetts, it is that exception be made from the exclusion rule of the bill for the Belgians who come here within a certain time to engage in the pursuit of agriculture. I can not see why they should be permitted to come here and engage in the pursuit of agriculture and not in other pursuits. That being the case, it seems to me that the amendment offered by the Senator from Washington [Mr. JONES] is entirely proper. If the bill is to be amended by the exception suggested, then it should not be confined to agriculture only.

There is no occasion to invite people of other countries to come here and engage in agriculture and agriculture only. I can not understand why such a proposition should be made. Because a man happens to be engaged in farming in Europe, and because of conditions that exist there he becomes in want and we offer our country as an asylum for him, why should not the man who happens to be engaged in some mechanical work, some manufacturing establishment, be invited to come here and find a home as well while the conditions which now oppress him exist?

Mr. JONES. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Kansas yield to the Senator from Washington?

Mr. BRISTOW. I do.

Mr. JONES. It has been suggested, I understand, that if the word "agricultural" is stricken out, leaving it broader, that that would bring it under the terms of the favored-nation clause. Does the Senator know of anything in that clause to limit it to agricultural people?

Mr. BRISTOW. No; I can not understand the purpose of inviting the people of a foreign nation to come here and engage in agriculture exclusively, and that is what it means. It seems to me it is a strange proceeding for the United States Senate to contemplate.

Mr. WALSH. Mr. President, it seems to me there is a very sound basis for the distinction concerning which the Senator from Kansas asks information. As I understand it, this law restricting immigration is particularly necessary by reason of the accumulation of people of foreign birth in the great industrial centers. The contract-labor law was originally enacted because those engaged in industrial pursuits in which large numbers of people were employed were in the habit of going abroad to obtain cheap labor and engage in those industries.

I suggested to the Senate a little while ago that we have some of those Belgian immigrants in my State engaged in agriculture. We hope that their number may be swelled very largely, indeed. We should like to hold out some inducement to come to our State to take up unappropriated lands owned by the General Government, as well as lands owned by the State. We do not want to subject ourselves to penalties that are generally imposed by this bill upon those who even offer inducements to people to come out.

On the other hand, Mr. President, the labor market, for instance, of the city of Butte, the chief industry of which is mining, is to-day glutted. We do not care to have the great mining companies in the city of Butte or the steamship companies that might be operating in connection with them offer any special inducements to bring other laboring men to the city of Butte in order to engage in competition with those employed there in the mines.

I suggest that simply to the Senator from Kansas as a very sound basis upon which to make a distinction between those who come here for the purpose of engaging in agricultural pursuits and those who come here to work for wages.

Mr. BRISTOW. May I inquire of the Senator from Montana why it is that the industrial center of Butte is congested with labor while the farms of Montana are not?

Mr. WALSH. It is chiefly because it has been regarded as more profitable, I suppose.

Mr. BRISTOW. Exactly. Then, it is more profitable to work in the other industries of the United States than on the farm. Make it as profitable to follow the business of farming in the United States as it is in other industrial pursuits and you will find there will be more farmers, but instead of that you are inviting foreigners to come here to engage in the least profitable of our industries and excluding them from the industries that have been the most profitable.

Because the American farmer has not an organization here to exercise political power to defend his rights you would flood him with competition from everywhere, from every part of the earth, but there are organizations in industrial centers that can protect those employed in the industries, that can protest against the crowding of their centers with the unemployed, then we can exclude them; but the farming population that has not the political organization to protect its rights is not protected, nor is an effort being made to protect it apparently by the American Congress.

Mr. McCUMBER. I wish to ask the Senator from Montana if it is any more an injury to the American public to create a surplus of labor in the city than it is to increase the surplus of the farming production? Both have a direct bearing upon the compensation for labor. We are already producing in the United States of every character of farm produce far more than we can use in the United States. We have a surplus of every single character of farm produce, and that surplus keeps the prices down except as it is now raised a little above the level because of the war conditions.

Then, if we have to protect labor against surplus because of its influence upon the value of labor, why should we not protect the farmer against more laborers upon the farm, who will increase his surplus of production and thereby diminish the value of his own labor?

Mr. WALSH. Mr. President, I shall be very glad to answer the Senator. There are quite a number of organizations in this country engaged in what seems to me a very commendable and praiseworthy effort to get numbers of people in the congested centers of the country to go out upon the farms. I think that ought to be encouraged.

Mr. President, I said some time ago that in all probability the mining center of Butte was congested rather than the agricultural districts, because those who went there thought it was more profitable. I do not agree with them. I think it would be eminently more profitable to them if they went out upon the farms. I rather sympathize with the Senator from North Dakota and with the Senator from Kansas, who are afraid, in the interest of the agriculturists of their own States, that their occupation is going to be overwhelmed with competition. I am very thankful that that sentiment does not prevail in my State at all. We are looking forward with a great deal of comfort to the time when our State will be annually producing, instead of 25,000,000 bushels of wheat, which it now produces, 100,000,000 bushels of wheat. I think I express the sentiments of the farmers of the State of Montana when I say that we are very desirous of having these people come here from Belgium in order to hurry the day when we shall have that production.

Mr. McCUMBER. Mr. President, I have heard this song of "back to the farm" ever since I have been in the Senate. It is an annual song, and its echoes never die, but I have never

yet seen any good result from it. Population will always drift to the center of the greatest remuneration for labor; that is a law that you can not change. Make farming pay as well as do other vocations and you will not need these laudable efforts of which the Senator is speaking to get people back to the farm. Our sons leave the farm and go to the cities because for a given amount of labor they can get greater remuneration and more enjoyment out of life. You fill your cities to overflowing, and you are compelled to pass your laws which will be for the general benefit of the city laborer as against the farm laborer because of the great surplus in your cities and the consequent high prices of living, and thus by this jackscrew method every time organized labor raises its price it raises the price of everything that organized labor produces in the city. That again raises the prices of your rent and the things you must purchase in the city, and that again creates a higher price for your labor. So you are sending your prices upward and skyward all the time, while the unorganized farming element of the country can not raise the price of their labor to correspond with the constant increases in the prices of the articles which they are compelled to purchase.

The only thing that has helped the farmer out in the slightest degree this year has been the European war, which has created in the North a greater demand for foodstuffs, but which has injured the South just to the same extent that it has benefited the North by driving down the price of their principal product because of the lack of customers.

Mr. President, there are other vicious things in this proposition. First, you will pass the proposition to let the Jew enter as against the Christian in Russia. I never before heard that it was a particular crime to be a Christian any more than it was a crime to be a Jew, but you have provided that the illiterate Christian from Russia can not come in, while the illiterate Jew can come in. It would seem that the illiterate Roman Catholic from Italy is not a desirable citizen, but that the illiterate Jew from Russia is a desirable citizen.

Now, we are going a little further in this kind of one-sided political-play legislation to reach out and invite the Belgians into this country. Why not invite the Galicians? Galicia has been overrun and devastated by war; the Galicians are a good people; why not allow the Galicians, then, to come in if they desire to purchase farms in this country?

So Alsace has been overrun and devastated by war. Why not continue your beneficent legislation by declaring that the Alsatians shall also be allowed to come in? Normandy, and indeed all of northern France, has been overrun and devastated. Why not allow those people in northern France, also in the theater of war, to come in and have an exception for their benefit? The people in eastern Prussia have suffered somewhat. Why not allow the Prussians to come in from the section which was devastated in the early part of the war by the Russian invasion, and why, then, not go a step further and open the door, just as it ought to be opened, and continue to keep it open just as we have done in the past?

Mr. President, I deprecate the fact that we should allow politics, sympathy, and everything else to influence us in this legislation by making exceptions for one section of the world and for another section of the world. These people are all Caucasians; the percentage of good people in the several sections does not differ to any appreciable extent. If we are going to close the doors against any section, let us close them against all; if we are going to open them, let us be, just as we have been in the past, the asylum for the persecuted, whether it be on account of religion or race or whether it be because of the environment and the lack of ability or opportunity to make a living in their own home country. These gates ought not to be closed in the face of any who would make good citizens, and we have enough in our law to keep out the bad ones.

It does seem to me, Mr. President, that it is almost an insult to our sense of justice to provide that the Belgian may come here to compete with the farmer, who makes on an average about 20 cents a day throughout the United States, when he can not compete with the bricklayer, who gets $5.50 a day for eight hours' labor, thereby not only making your discrimination unjust against the farmer, but also making it unjust as between different nationalities.

I know that there is probably force enough back of this proposition to put it through, but I for one, having a sense of equal justice for all my fellow men and for all classes of American citizens as well as for foreign citizens, want to voice my protest against such one-sided legislation.

Mr. REED obtained the floor.

Mr. LANE. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Missouri yield to the Senator from Oregon?

Mr. REED. I yield to the Senator from Oregon.

Mr. LANE. I shall occupy but a moment if the Senator will allow me. I presume everybody in the world admires the Belgians. From the way they have fought their fight we love them, and no one would go further to do them a kindness, to be generous with them, than would I. I have that feeling, and I do not wish to vote against any proposition which might be beneficial to them; yet at the same time, if you will look at this amendment calmly, you will see that it proposes to pay a bonus of $2,500 each, I am told, to the heads of families, farmers from Belgium, to come here and till the soil. I do not know who is to advance the money; but at any rate the Belgian comes here a good man and probably a good farmer—a man who will make a good citizen. He goes into competition with American farmers in their method of making a livelihood, while the farmers in the South, owing to the calamity of the European war, I am told, by the hundreds of thousands have been wiped out of business. The farmers on the Pacific coast who are in certain lines of industry—those raising hops and those raising fruit—have lost money; they are poor; they are hard up. Here we go and import a certain select portion of the Belgian people by a law which singles them out, and we bring them here backed with capital from Europe, and some, I am told, advanced by American citizens who wish to put a certain proportion of them into the South, where they are needed, I presume, in some ways, though not in the raising of cotton, I should judge, at this time; but they will come into competition with people who are already suffering from want from their efforts in agricultural lines.

I think the proposition ought to be broadened out. It is not quite a fair one; it is special legislation. There are a million men in America who are without work to-day, and a million women and children who have not too much to eat or to wear. We owe them also a little bit of consideration.

At the same time, as I say, I want to do all I can for the Belgians. I would much prefer at this time to make an appropriation out of the Treasury for the benefit of the Belgian people, whom I respect and admire, rather than in this circuitous method attempt to do an act of generosity at the expense of our farming community.

Mr. PITTMAN. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Missouri yield to the Senator from Nevada?

Mr. REED. I yield to the Senator from Nevada.

Mr. PITTMAN. Mr. President, I simply desire to say a few words on this matter which is of vital importance to my State. The Senator from North Dakota [Mr. MCCUMBER] asked the Senator from Montana [Mr. WALSH] why most of these immigrants were employed in the mining industry in his State. I want to state that a great many of them are employed in the mining industry in my State. I am perfectly familiar with the character of the people who are employed in that industry who come from foreign countries.

The reason why they come to this country and why they go into this particular character of enterprises is not entirely because those industries pay more than do others, but because the people who conduct those classes of enterprises in this country seek such labor. While there is a law against contract labor, there are many ways of avoiding it, even though the letter of the law is not violated.

We do know that such immigrants are invited here for the purpose of going into those enterprises in competition with American labor. They come here as laborers, whether they come under a contract before they start or with the knowledge that they will obtain a contract after their arrival. Those classes of people are not agriculturists. They have no knowledge of farms at all; they are not fit for farming when they get here. They simply enter into competition with our day laborers in this country; and the object of this legislation is to prevent that if it be possible to do so. Too great an influx of such immigrants also lowers our standard of living, and our object is to prevent that.

The Senator from North Dakota has said they will come in competition with the farmers of his State. He said that to-day we are producing more in this country than the country needs, than the country can use. That may be true; but the world is not producing more to-day than the world demands; in fact, the statisticians in every country admit that the supply is decreasing in proportion to the demand; and one of the greatest problems to be solved to-day, not only in this country but in every other country, is to increase the production of foodstuffs to meet the demands of the peoples of the world. The Senator can not take the demand of our own country solely because we ship our products to every country. I think he knows that the greatest problem that we have to-day is to reduce the cost of living for

the man who is existing on a fixed wage and a fixed salary. I do not think it is a broad stand to take to say that we will curtail the production of foodstuffs in the interest of any locality or of any community. The surplus over home consumption has been rapidly and steadily decreasing in the last few years, and our economists have warned us that in the near future we will have difficulty in supplying the domestic demand.

Mr. McCUMBER. May I ask the Senator from Nevada a question?

The PRESIDENT pro tempore. Does the Senator from Nevada yield to the Senator from North Dakota?

Mr. PITTMAN. I do.

Mr. McCUMBER. Is labor generally producing more than the world demands to-day any more than is labor on the farm? Does not the world demand the products of labor to a greater extent than it can possibly get to-day, the same as it is demanding the products of labor in the shape of food?

Mr. PITTMAN. There is not the same demand for physical labor in the manufacturing industries as there is to-day in the industries for the production of food.

Mr. McCUMBER. No; but is there not a demand for the product of that physical labor in the world to-day as much as there is a demand for food?

Mr. PITTMAN. If there were the same demand for it, there would be the same demand for manufactured products as for foodstuffs. I think that answers the Senator.

Mr. McCUMBER. I do not think it does, because I do not know that there is any great demand for our farm products to-day, except in one particular line. We find no great demand for our cotton, which is the product of farm labor. The conditions of the world at war have prevented the export and the consumption of that article, and the world is suffering to-day in labor circles because of the inability to export the products of that labor. We are all suffering from the same cause.

Mr. PITTMAN. The foreign demand exists to-day the same as ever. The supplying of that demand may be interfered with by artificial conditions, but the fact remains, and it is not capable of dispute, that the demand for foodstuffs is increasing at a greater ratio than the production of foodstuffs in the world; and the condition in the market to-day for meat and for wheat proves that beyond a doubt; and it does not require any argument whatever. Our own Department of Agriculture to-day is doing everything in its power to bring to the attention of this country—not only to the attention of legislative bodies, but to the attention of the people as a whole—the fact that something must be done to increase the supply of foodstuffs throughout the country.

Mr. McCUMBER. If the Senator will allow me, I want to ask him in regard to the statement that there is a greater growing demand for food products. Food products, such as wheat, flour, fruit, and everything of that character, have increased in quantity far beyond any other products in the world during the last 10 years. During the last 10 years in the United States alone we have increased over 50 per cent, and many other countries of the world, such as Argentina, have increased their production even 2,500 per cent in that time. There is, however, no product of labor that is increasing so rapidly throughout the world as are food products.

Mr. PITTMAN. I may say to the Senator that there is a growing tendency, especially on the part of people in the ordinary walks of life, to eat more wholesome food, and we want to uphold that standard of life.

I desire to say to the Senator, also, that while the production of wheat in the world may have increased and the production of meat may have increased, the consumption of meat and the consumption of wheat have increased in proportion. If that were not so, then the price of wheat and the price of meat would not be so high to-day that the ordinary man working for ordinary wages can eat meat but on rare occasions.

Mr. McCUMBER. If the Senator will allow me once more, I have had occasion to examine food statistics quite closely, because my State is exclusively an agricultural and food-producing State; and, as a matter of fact, the amount of consumption of wheat per capita in the United States is going down all the time instead of increasing.

Mr. PITTMAN. Is that on account of the price?

Mr. McCUMBER. A few years ago it was 8 bushels per capita; now it is down to a little over 5 bushels per capita. Of course the size and capacity of the human stomach has not changed a great deal; but we are getting more of the imported products, such as fruits and articles of that kind, than we used to get, and are varying our table diet a great deal more than we used to do 20 or 25 years ago. As a matter of fact, while the principal food products are increasing in quantity beyond any other products in the world, the amount of consumption is actually going down.

Mr. BRISTOW. Mr. President——

Mr. PITTMAN. Mr. President, let me answer the Senator from North Dakota, and then I will yield to the Senator from Kansas.

Mr. McCUMBER. The Senator does not think that the farmer in times of peace, for instance, has been getting too much for his farm products, does he?

Mr. PITTMAN. I think he has been getting an adequate price in comparison with what other classes of people of this country have been receiving for the products of their labor.

Mr. McCUMBER. Well, the Senator, I am afraid, has not lived in a food-producing State for the last two years——

Mr. PITTMAN. Not exclusively.

Mr. McCUMBER. Or he scarcely would have made that assertion. Taking the price of this labor that you are now defending—and I certainly want to defend labor and I want to defend the farmer alike—as a matter of fact, he was getting less, until the war broke out, in increased food products six or eight months ago than he had been getting through all of the years past, except a few years from 1893 to 1897.

Mr. PITTMAN. Mr. President, before this war commenced, or before it was even suspected, our Agricultural Department was warning the people of this country that there was danger of a shortage in foodstuffs, not only in this country but throughout the world. They were urging all kinds of economies in agriculture and teaching advanced methods of farming for the purpose of meeting that very condition. The price of foodstuffs had already risen. The situation is here. The Senator may live in an exclusively agricultural State; he may be satisfied to see the prices of foodstuffs go up so high that only a few people can eat them, so that he may benefit his people. We have farmers in our States as well as other characters of labor, and I would not do those farmers the injustice to say that they wanted to prevent the tilling of the land of this country to enhance the value of their foodstuffs. That was the argument used by the Senator from North Dakota. He opposed letting these men in because he did not want a bigger surplus of foodstuffs in this country; and that may be the issue. That is the issue that he laid down.

I want to say that the farmers of our State are not in favor of restricting the production of foodstuffs in this country. They want to increase them; and while the Senator from North Dakota states that there has been no increased capacity on the part of men to eat, I want to say that there has been an increase in desire for better food and an increased use of such food by those who could afford it. Such food should be in the reach of all.

Mr. BRISTOW. Mr. President——

Mr. PITTMAN. I want to know whether or not the Senator understands the condition under which some of the laborers of this country are compelled to live and the kind of foodstuffs that they are required to eat?

Mr. BRISTOW. I should like to have the Senator name some of the food products that the farmer is getting excessive prices for, or has received excessive prices for, during recent years?

Mr. PITTMAN. I will answer the Senator about that. I will take my own State for illustration. In our State they are to-day getting in the neighborhood of 15 cents a pound for meat on foot. You remember what it was a few years ago. If not, I can tell you that a few years ago they were not getting 4 cents a pound. It is not so much a question as to whether that price is excessive as to whether the supply will continue to decrease and the price increase.

Mr. BRISTOW. Will the Senator please state the character of meat that is selling on foot at 15 cents a pound? Will the Senator please tell us what live animals are selling at 15 cents a pound in Nevada?

Mr. PITTMAN. They are getting 15 cents a pound.

Mr. BRISTOW. For what?

Mr. PITTMAN. For calves.

Mr. BRISTOW. For veal?

Mr. PITTMAN. Yes; for veal.

Mr. BRISTOW. Will the Senator please state what other food products except veal are bringing an excessive price?

Mr. PITTMAN. Beef, mutton, pork, and vegetables are proportionately high. If the Senator wants to know more, I will refer him to the Agricultural Department at Washington to determine that question.

Mr. BRISTOW. Why not refer it to the market where the farmer sells his products?

Mr. PITTMAN. I will tell you why. I do not want to go into a statistical argument with the Senator upon this subject, because the whole world knows it; because everybody out

through this country to-day is crying out on account of the high cost of living; because the Democratic Party, if the Senator please, has promised to attempt to reduce the high cost of living, and the Republican Party has admitted the high cost of living, and throughout this country it is a fact denied by none.

Let me say to the Senator that while the cost of foodstuffs has increased in accordance with the law of supply and demand, the cost of labor, which is fixed by wage and by salary, does not advance in the same proportion, because there is a restriction upon it that is harder to overcome. I wish simply to finish this by saying to the Senator that we have in our State land that is capable of producing crops, but we have not the people to cultivate that land. The people of our State are satisfied with their enterprises and are engaged in those enterprises, but our State has invited the world to come there and utilize some of the richest of lands that can be found in any State. California to-day, through its chambers of commerce and big institutions, is inviting farmers to come and take up that land. Throughout all the West, where the land is not all taken up, they are inviting farmers to come in and occupy and cultivate it.

Mr. WORKS. Mr. President——

The PRESIDING OFFICER (Mr. WALSH in the chair). Does the Senator from Nevada yield to the Senator from California?

Mr. PITTMAN. In just a second. They are inviting them to come out there and take up land. They are not inviting men that are not agriculturists and farmers; they are not inviting the class of people who know nothing about it to do that work; but they do want their land farmed and they do want good farmers to take up those lands.

I am satisfied with the Belgians; I think their history denominates them as a people worthy of becoming citizens of this country. This bill leaves it to us to determine whether or not their intentions are to become farmers, whether they are farmers, and whether they intend to become citizens. I would be willing to have them come, and also the people of any other of the big civilized countries of the world, for that purpose. I know that we want them out there; we want to increase the products of our State; we want to reduce taxation by it; and we want to enable the people who live in that State and in this country to be able to enjoy the products of this country at a reasonable rate. I now yield to the Senator from California.

Mr. WORKS. Mr. President, the Senator from Nevada has referred to conditions in California. That matter has been agitated in my State very lately. Some of the civic organizations in that State have gone to the extent of sending out warnings against any laborers coming to California, because there are more laborers there now than can secure jobs. Many of them are out of employment.

We can very well sympathize with the Belgians; we do, all of us; but we have no right, Mr. President, to invite the Belgians or to allow them to come in here as laborers, if each one of them is going to displace an American laborer, and that is precisely the condition that would exist in my State. We do not need laborers in California any more than they do in Montana or in Nevada, but we do need farmers and farm hands. We are usually short of labor of that kind; but it will be a misfortune to the State of California if there were to be any considerable influx of labor immigrants from Belgium or elsewhere.

Mr. PITTMAN. Mr. President, the amendment that I am discussing now is limited exclusively to those who are farmers and who come here for the purpose of becoming citizens and engaging in farming enterprises.

Mr. WILLIAMS. And purchasing land.

Mr. PITTMAN. And purchasing land. I am opposed, as is the Senator from California, to bringing into this country hordes of laborers. I have always been opposed to it. His State does not need them; our State does not need them; we have already enough, if not too many, of that kind. What we need is another class of laborers who understand farming, who understand producing foodstuffs for the class of labor that we already have. That is all that this amendment applies to; and I think that the Senator's State does want agriculturists; I know that our State wants agriculturists.

Mr. CRAWFORD. Will the Senator permit me to ask him a question?

The PRESIDING OFFICER. Does the Senator from Nevada yield to the Senator from South Dakota?

Mr. PITTMAN. With pleasure.

Mr. CRAWFORD. Do I understand that this amendment, as it is now proposed, only admits Belgian agricultural laborers who are to become purchasers of land?

Mr. PITTMAN. I should like to have the amendment read.

The PRESIDING OFFICER. The Secretary will read the amendment as proposed.

The SECRETARY. On page 12, line 18, after the word "guests," it is proposed to insert:

Provided, That the provisions of this act relating to the illiteracy test, contract labor, or induced or assisted immigration shall not apply to agricultural immigrants from Belgium who come to the United States during the course of the present European war, or owing to circumstances or conditions arising from the war, if it is shown to the satisfaction of the Commissioner General of Immigration that said Belgian immigrants come prepared to purchase land in the United States and become American citizens.

Mr. CRAWFORD. Mr. President, I do not want to take the Senator's time, but if he will permit me I should like to say that I am not in agreement with the position taken by the Senator from North Dakota and the Senator from Kansas. I come from an agricultural State, and one of the very serious things with which the farmers of my State have to deal is the question of securing farm hands; in fact, I think that in a great part of this country one reason why farms are abandoned and untilled is that it is impossible to secure farm hands. They are in the factories; they are working eight hours a day in the towns; they are accustomed to quit when the hands of the clock reach a certain place on the dial; they do not like the 12-hour labor they are required to perform on the farms.

I regret that the change was made here requiring that these people shall be purchasers of land. One thing we want, I think, through the agricultural regions of the West is these sturdy sons of Belgium who are suffering from the disasters of the war, who have been deprived of everything they have on earth except their strong hands, and who might be glad to come here and go out on these farms and perform the work for which there is such a great demand.

If the Senator will permit me just one word further, I wish to make this observation: In my State, at least, for a number of years we have maintained, out of the liberal appropriation made by the State legislature, a bureau called the commission of immigration. One of the purposes of that commission is to present the claims of our State as a successful agricultural region to the worthy settlers in Europe for the purpose of having them come into our midst and increase the number of the tillers of the soil in our State and cultivate lands that are now idle.

I do not take the view that it is against the interest of the farmers in the West to encourage the bringing in of worthy immigrants who will make good farmers and open up new fields, and, more than that, the bringing in of a class of farm labor that is so largely demanded by the farmers themselves.

I would gladly support this amendment if the provision requiring these people to be purchasers of land were stricken out of it.

Mr. JONES. Mr. President——

The PRESIDING OFFICER. Does the Senator from Nevada yield to the Senator from Washington?

Mr. PITTMAN. I yield the floor. I have said all I desire to say.

Mr. JONES. I just want to suggest to the Senator from South Dakota——

The PRESIDING OFFICER. The Chair feels obliged to recognize the Senator from Kansas.

Mr. JONES. Will the Senator from Kansas yield to me for just a moment?

Mr. BRISTOW. I yield to the Senator from Washington.

Mr. JONES. I just want to suggest to the Senator from South Dakota that the word "purchase" was put in here awhile ago because it seems that there has been some association or organization formed that apparently proposes to advance money to these people or sell them lands; and they will probably take a mortgage at a pretty high rate of interest from these people whom they know to be industrious and sober and temperate people, and probably will keep them in a sort of state of peonage for 4, or 5, or 6, or 8, or 10 years.

Mr. CRAWFORD. I am not in favor of any such thing as that.

Mr. WILLIAMS. Nothing like that is proposed.

Mr. SMITH of South Carolina and Mr. McCUMBER addressed the Chair.

The PRESIDING OFFICER. Does the Senator from Kansas yield, and to whom?

Mr. BRISTOW. I yield to the Senator from North Dakota.

Mr. McCUMBER. I simply wanted to answer the Senator from South Dakota.

Mr. REED. Mr. President, I thought I had the floor and had yielded to the Senator from Nevada. I have no desire to take anybody else off the floor.

The PRESIDING OFFICER. The Chair is unadvised that the Senator had the floor.

Mr. REED. Very well.

The PRESIDING OFFICER. The Senator from Kansas is recognized.

Mr. BRISTOW. I yield to the Senator from North Dakota.

Mr. McCUMBER. I wish to say to the Senator from South Dakota that upon his first proposition, as to which he said he was not in agreement with the Senator from North Dakota, he finds himself entirely in agreement. I did not say anything against agricultural laborers coming into this country. We would welcome them. We need them.

Mr. CRAWFORD. I may have misunderstood the Senator.

Mr. McCUMBER. We can not get them; but this amendment does not provide for agricultural laborers. It provides for those who come here with money enough to purchase a farm. It does not say how big the farm shall be or how little it shall be. It may be an acre or it may be a thousand acres—whatever the Secretary thinks should be the standard.

Mr. CRAWFORD. I understood the Senator to object to worthy Belgians who might come over with the money in their pockets and desire to purchase one of our South Dakota or North Dakota farms. I am sure our people would welcome them with open arms.

Mr. McCUMBER. There is good ground for objection on that line; but the main objection I made was that we seek to create a surplus of farm products and to bring in all of those who produce farm products, for the very purpose of driving down the value of those products by reason of the surplus, while at the same time we study to keep out the farm labor that we need to produce them. That is the viciousness of this proposition.

Mr. CRAWFORD. I will say to the Senator that that danger is very remote. I have not felt that we were in any very great danger that we were going to have too many farmers, too many farm hands, too many rich acres under cultivation producing too much food, because it would reduce prices. I have seen nothing to create great concern upon that score.

Mr. McCUMBER. When I was selling grain for a little over 50 cents a bushel before this war commenced I recognized that difficulty. When oats had gone down to 22 cents a bushel and farm labor was $3 a day, I found there was some difficulty along the line of making ends meet. When barley, which costs us over 50 cents a bushel to raise, was only bringing 32 cents a bushel, I found some difficulty in selling enough barley to pay for the labor.

The Senator says we need to take up our farms. That would enrich the State; it would make more taxable property than we now have, and it may be very laudable to get more farmers into our State; but the fact exists, nevertheless, that if we are compelled to hire all the labor upon the farm, under conditions outside of this abnormal war condition, we can not pay the labor and raise enough upon our farms to keep them running. I know something about that, because I have tried it; and I tried it for a number of years until I found that I would have to leave the acres uncultivated because we could not get the labor to take care of it at prices we could afford to pay.

Mr. CRAWFORD. I should like to see a lot of good Belgian farm hands out on the farms in my State.

Mr. McCUMBER. Where the farmer himself, who lives off his farm, does his own work, and his child less than 14 years of age does a man's work, or a woman's work, he will exist; but if you had the same rules applying to his labor that you have in the cities in regard to child labor, and the number of hours of labor, every one of them would be in bankruptcy in six months.

Mr. BRISTOW. Mr. President, the Senator from Nevada [Mr. PITTMAN] speaks of the congestion in the labor centers, and the Senator from South Dakota [Mr. CRAWFORD] refers to the absence of labor on the farms. The Senator from North Dakota [Mr. McCUMBER] complains that the farmer can not make a profit in his business because of the price he has to pay for labor.

The remarks of these three Senators point out a very serious economic situation, in my opinion, in the United States. If, as has been remarked, the wages paid on the farm the year round were as much, for the same amount of work, as the wages paid in the cities the American boy to-day would not be leaving the farm and going to the city. That is as true as any axiom. The reason that the American boy leaves the farm is because there is no profit in working on the farm.

What is the condition within a radius of 100 miles of this Capitol to-day? There are thousands and tens of thousands of laborers on American farms east of the Allegheny Mountains who are working for a dollar and a quarter a day and boarding themselves.

Mr. CLAPP. Mr. President——

The PRESIDING OFFICER. Does the Senator from Kansas yield to the Senator from Minnesota?

Mr. BRISTOW. I do.

Mr. CLAPP. I think that statement must be taken with some qualification. These men are usually provided with habitations, so that the question of rent does not concern them. They are almost invariably allowed a certain part of the product of the farm itself.

Mr. BRISTOW. I beg the Senator's pardon. He is entirely mistaken. I am not referring to that class of labor which lives on the farm and is furnished a house and other perquisites. They do not get a dollar and a quarter a day. They get a dollar a day or less.

Mr. CLAPP. Many of them get a dollar and a quarter a day.

Mr. BRISTOW. Well, concede that they get a dollar and a quarter a day. Suppose they get a dollar and a half. The Senator can not mention a farmer within a hundred miles of the Capitol at Washington who is paying for day labor to-day more than a dollar and a half a day in the field, and the laborer boarding himself, in his own house, independent of the farm.

Mr. CLAPP. No; but the Senator from Minnesota can demonstrate that a man on a farm, working for a dollar a day and boarding himself, is better off than a man in the city who tramps the streets for work. I say the Senator is mistaken in the economic principle underlying the discussion. It is not the fact that the boy gets more in the city, but there is something about the city that attracts and allures; there is something in the very matter of the aggregation of population that draws. I am in hearty sympathy with the Senator's provision, but we have got to go deeper than that.

Mr. BRISTOW. Mr. President, I dislike to disagree with my friend from Minnesota, but I utterly disagree with him. It is more attractive to live in the city, under the electric lights, when you get paid $4 a day for eight hours or when you get paid fifty, sixty, or seventy-five dollars a month for eight hours' labor; and when you offer that to the American youth in lieu of a dollar and a quarter a day and boarding himself or a dollar and a half a day and boarding himself and finding his own lodging he will take the $4 a day or the fifty or sixty or seventy-five dollars a month and live in the city. But, conversely, if you will pay the people who live in the cities and work in the factories or work in the stores a dollar and a quarter a day and let them board themselves or give them $4 a day to go on the farm, they will flock to the farm and not to the city.

Mr. CLAPP. You could not get them to the farm, with the allurements of the city, if you were to drive them there with a bayonet.

Mr. BRISTOW. The Senator is entirely mistaken. He does not understand the American farmer and the American youth.

Mr. CLAPP. I am not speaking of the American farmer. I am speaking of these people who throng the cities. To-day men do not have to walk the highways among the farms looking for work. They are walking the highways in the cities looking for work. If you talk to them and urge them to go on the farms, they will tell you "No; they were not born to be farmers." There is the trouble, and we may just as well face this question. There is something in the thought of people gathering in cities that allures people there. They think the city life is superior. The moving pictures are one thing, the street crowds are another, and so we might go on down the list. They seem to think there is something superior in city life; but, low as farm wages are, the average man working for wages on the farm is doing better with his wages.

You can not solve the economic problem in this country on this basis. I quite agree with the Senator that we do not sufficiently encourage farming. I quite agree with him that the farmer, not being represented here in an organized, concrete force, does not get his share of the legislative pork barrel; but, for all that, we have got to go back of that condition to find the solution of this problem.

Mr. BORAH. Mr. President——

Mr. BRISTOW. Just a minute; I want to reply to my friend from Minnesota, and then I will yield to the Senator from Idaho.

Mr. BORAH. I thought perhaps I could adjust this matter.

Mr. BRISTOW. With due respect to the opinions of my friend from Minnesota, which I always respect, his remarks just made are an actual slander on American character and the American farmer and youth. He does not come to the city to go to the picture shows. He comes to the city because he gets better wages in the city than he does on the farm.

Mr. CLAPP. Mr. President, I can not submit to that suggestion. I am not speaking of the farmer boy. I am speaking of the boys and the men who throng the cities.

Mr. BRISTOW. But why does the farmer's boy leave the farm and go to the city? He leaves the farm and goes to the city because he gets better wages in the city for less labor and can buy more of the comforts and luxuries of life with the wages he gets. The reason why the farmer does not pay better wages than are paid by the street car companies and the corporations and the employers of labor in the city is because he can not sell his product for enough to justify paying more wages.

Mr. BORAH. Mr. President——

The PRESIDING OFFICER. Is the Senator from Kansas now prepared to yield to the Senator from Idaho?

Mr. BRISTOW. I yield to the Senator from Idaho.

Mr. BORAH. I wanted to make a suggestion which, it seems to me, may have some bearing upon this matter and upon matters which are coming up later.

During the last five years over 500,000 American farmers have left American farms and have gone to acquire lands in Canada. At the same time that has happened we have had tied up in our Western States a territory as large as New England and Maryland and Virginia combined, which has as good soil as ever lay outdoors. When we get around, after a while, to considering the bills dealing with that subject, I hope our farmer friends will bear in mind that it is not only a case of the boy leaving the farm and going to the city, but, under our public-land laws, we are driving the farmer to take oath under another form of government and to claim protection under another flag.

Mr. BRISTOW. Mr. President, as I was proposing to say before I was interrupted, the naked facts are that, with all the sentimental propaganda that is going on, with the slogan of "Back to the farm," the reason why the American boy, with his intelligence and his education, does not continue to farm and follow the vocation of his father is because he can not make as much money, he can not get as good wages on the farm for the same amount of labor. Why, the ordinary farm hand in the United States is working now for from twenty to thirty-five dollars a month, depending upon the locality in which he lives; and what does he do? He is up at 5 o'clock in the morning, and he starts out to feed the stock and attend to what the farmer calls "the chores." By daylight he is out at work in the field. He works until it is dark, and when he has done his farm work and gets in he has put in from 12 to 14 hours a day.

Mr. JAMES. Mr. President——

The PRESIDING OFFICER. Does the Senator from Kansas yield to the Senator from Kentucky?

Mr. BRISTOW. In just a moment. For that he gets less than half what the average laborer gets in the cities for doing half as much work. The American boy with some intelligence concludes that he can get more money for his labor in the city than in the country; and he goes to the city and leaves his poor old father, who has been on the farm all his life, to stay there and hire the best man he can get to take his place.

I now yield to the Senator from Kentucky.

Mr. JAMES. I want to call the attention of the Senator from Kansas to a statement that I understood the Senator from North Dakota to make—that the farm laborers in his State are getting $3 a day.

Mr. BRISTOW. They get that in harvest time and press seasons; yes.

Mr. JAMES. Apparently the farmer can afford to pay that price.

Mr. BRISTOW. He can not afford to pay it. If the Senator from Kentucky is familiar with the farming regions of his own State and other States, he knows that the American farmer to-day, if you will eliminate the price of wheat because of the unusual condition in Europe now, is not making as much on his wheat as he did years ago. The facts are that until this war broke out in Europe the farmers of the United States were selling their wheat at a loss. The Senator from Nevada has mentioned one product of the farm that is bringing a high price, and that is veal; but the average American laborer does not eat much veal.

Mr. PITTMAN. Mr. President——

The PRESIDING OFFICER. Does the Senator from Kansas yield to the Senator from Nevada?

Mr. BRISTOW. I do.

Mr. PITTMAN. I will say that he not only does not eat much veal, but he does not eat much meat of any kind, with the present price of meat. But let me ask the Senator one other question. Is the Senator contending that the farmers are not prosperous?

Mr. BRISTOW. I am contending that the farmer is not making as much money, outside of the increased price due to this war, as he made years ago, and that farm products are now a drug on the American market.

Mr. PITTMAN. I should like the opinion of the Senator as to whether or not the farmers are prosperous at this time.

Mr. BRISTOW. Why, they are in certain sections of the country; yes.

Mr. PITTMAN. Are they prosperous in Virginia?

Mr. BRISTOW. Not very; no. They are very prosperous in Kansas.

Mr. PITTMAN. They are prosperous in Kansas?

Mr. BRISTOW. Yes.

Mr. PITTMAN. The reason why I asked the Senator if they were prosperous in Virginia was that I was informed there had been a number of farms purchased in Virginia recently.

Mr. BRISTOW. Probably there have been. I do not know.

Mr. PITTMAN. And I had an idea that probably that was true. But the farmers are prosperous in Kansas?

Mr. BRISTOW. Yes.

Mr. PITTMAN. If the farmers are prosperous in Kansas, are they not able to pay good wages to their laborers?

Mr. BRISTOW. The farmers are prosperous in Kansas since this war broke out and the price of wheat went up 40 cents a bushel. Until the war broke out they were selling their wheat for 60 cents, which was less than cost. The Senator can not mention a single farm product that sells for an excessive price when it leaves the farm. I will say that veal sells for an abnormally high price for some reason, due to the fastidious tastes of certain American people, but the great majority of the products of the farm are not bringing an excessive price as they leave the farm. They are down in the market. They are a drug upon the market. The farmers outside of the wheat-growing region, where there is an excessive price for wheat now, caused by the European war, are selling their stock, from the poultry to the fat steer, at a reduced price and a lower price than they have been able to get for them for years.

Mr. PITTMAN. Beef, mutton, pork, hay, grain, hides, and wool were higher in 1913 and 1914, before the war commenced, than they were in 1911 or 1912. Is it not a fact that the buying of good agricultural land at the present time is recognized as a good investment?

Mr. BRISTOW. It is not.

Mr. PITTMAN. It is not?

Mr. BRISTOW. No, sir; and if the Senator is informed, he knows that agricultural lands are now a drug on the market.

Mr. PITTMAN. When and where did that happen? It certainly is not true in our State.

Mr. BRISTOW. It has been happening ever since the present Democratic administration came in. [Laughter.]

Mr. PITTMAN. Why, the farming industry prior to the war was so active that even some of our Senators were called back to the farm. Does not the Senator known that a great many persons have been purchasing farm lands in the last year? As a matter of fact, 10,000,000 acres of land were patented up as homesteads in this country during the last year. Does not that indicate that the farming industry is a prosperous one?

I know Senators right in this body who, within a very short time, have purchased farms throughout this country. Probably the fact has come to the attention of the Senator himself that they have been purchasing farms throughout this country. Is it not a fact that the records of the manufacturing industries show that the farmers all over this country to-day are indulging in the luxury known as the automobile? Is it not a fact that the great financial institutions of this country are to-day reporting greater prosperity among the farmers than among any other character of people in this country, and was not that so prior to the European war? I know it was so in my State.

I do not think the Senator will deny that that is the situation; but he says the young men are leaving the farm for the city. Probably that is true. The Senator from Minnesota has given very fairly the probable reason for that. If the young men who are raised on the farm prefer to enter other kinds of business pursuits, then does it not become necessary, if we want our lands cultivated, to hunt up those farmers who do want to farm? That condition exists. The young men who are raised on the farms will not do as their fathers did—buy land near home and start farming. They go to the cities. It makes no difference why they go to the cities; they do not follow the agricultural pursuits of their fathers.

What we are faced with is this problem: We have good land to produce products for this country. We want it to produce, because the country needs those products. We can not get the sons of our farmers, as the Senator says, to take up those lands. Now, we simply invite an intelligent, high-class agricultural people, who are driven out of their own country by war, to come

over here and help cultivate our land, increase its productiveness, add to the wealth of our country, and relieve our people from the burden of an insufficient supply of foodstuffs. That is all we are asking.

Mr. BRISTOW. I live in a part of the country where a great many immigrants have come from Europe in the years that have passed and settled upon farms. They were farmers and they made good citizens, and, being of German and Norwegian birth, they are frugal and prosperous as a rule, and their children adapt themselves to American institutions and American habits. They belong to that race which has developed and made our country what it is, coming from that section of Europe from which most of our ancestors came. Their children, as soon as they are educated and as soon as they arrive at the age of maturity and begin to do for themselves, follow the same example that the American boy follows—he whose ancestors and parents have been in this country for a longer period—they go to the cities, where they get better wages and where life is easier.

It is a false economic proposition to say that you can bring men who know nothing about an American farm and put them on the farm and conclude that because they are farmers they are going to farm. To get men to farm you have got to make farming attractive to the American people.

The bone and sinew of American life is in the agricultural class. Indeed, I do not believe a republican form of government can exist unless the rank and file of the population of the country is an agricultural population. They are the most conservative, they are the most intelligent, as a rule, in exercising the duties of citizenship; and when you substitute for the American farmer a foreign population similar to that which now congests our industrial centers you have done an irreparable injury to American citizenship. Indeed, in my opinion, it would be fatal to the institutions of our country if the real character of the American farmer were changed, and when by legislation it is proposed to break down still further the agricultural interests of our country by throwing it wide open, not only competing in the markets of the world and the markets of his own country with the products of every other country on earth, without any protective-tariff duties such as has the manufacturing products. You now make the American farmer compete in the markets of his own country and the world with every other farmer on earth. Not satisfied with that, it is proposed to invite the foreign farmers to come here and sit down side by side with the American farmer and in time put him out of business by competition even more severe than he is now compelled to meet in the markets of his own country by foreign farmers. These foreign farmers will bring with them the standard of living of the foreign peasant.

Such legislation as is proposed in this amendment is an injury and an outrage to the American agricultural interests of the country. We say we want farm hands. The way to get farm hands is to pay them better wages; and you can not pay them better wages unless the farmer can get more for the products of his farm than he gets to-day.

Mr. DILLINGHAM. Mr. President——

Mr. BRISTOW. I yield to the Senator from Vermont.

Mr. DILLINGHAM. I should like to inquire of the Senator from Kansas what is the rate of farm wages in Kansas?

Mr. BRISTOW. It ranges from $25 to $35 a month.

Mr. DILLINGHAM. Does that include board?

Mr. BRISTOW. In some instances, it does; in others, it does not.

Mr. DILLINGHAM. I mean generally speaking.

Mr. BRISTOW. Generally speaking the wages would be $25 or $30 a month.

Mr. DILLINGHAM. What would the Senator estimate that would amount to per month, everything included?

Mr. BRISTOW. I should think $40 to $45; but wages in Kansas are much higher than in many other sections.

Mr. DILLINGHAM. Will the Senator permit me to make a statement?

Mr. BRISTOW. Certainly.

Mr. DILLINGHAM. I think the most discouraging feature of modern immigration has been the fact that while probably 90 per cent of the 15,000,000 immigrants who have come to this country in the last few years are either common or farm laborers, it has been an impossibility to get them to go to the rural communities and take positions upon farms. In the investigation which the commission made in the industries of this country they picked out certain races to see what they were getting. I find that of the Polish, Slovak, South Italian, North Italian, Hungarians, Lithuanians, Croatians, Greeks, Ruthenians, and Bulgarians, the average that they received yearly was $391.90, which is less than the farm laborer is getting, according to the statement of the Senator from Kansas.

I have been convinced from my investigation of this subject that it would be decidedly better for the men who have always lived in agricultural regions and done agricultural labor if, when the come to this country, they would go to the agricultural communities and take employment on the farm, where they could live comfortably and where they would be vastly better off financially and in physical comfort and in advantages generally, than to go to the cities.

But I find with our view of distribution, with every effort we have made under the law, with all the encouragement that has been given by States to invite them to do so, it has been absolutely impossible to encourage immigrant laborers to the rural communities. Where we have in some instances secured men to go on farms and work, they would work for a single season, then they would become lonesome. They want the companionship of their own race, and they go to some central locality where the people of that race live and enjoy the same language and enjoy the same methods of living, and where, briefly stated, they can find those things that are more agreeable to them.

It is a deplorable fact that they all go to the cities. All experience shows that where the first colony of a particular race goes there all the rest go. They follow them as sheep follow a bellwether. Take the whole history of immigration and you will find that that is the fact.

With the growth of our manufactures more of this modern immigration came from eastern and southern Europe, and where the first colonies from south Italy, or from any of the Balkan States, Russia, or Austria-Hungary went, those from the same neighborhood have gone to the same place, and they have followed it right along year after year, and it has been almost impossible to turn them.

I was interested to test that matter. I found by having a record kept in Ellis Island for a whole year that more than 80 per cent of all the immigrants who came in during that year had in their possession when they landed railroad tickets taking them from New York to the point of their destination in the United States. They had been in correspondence with their brothers, their cousins, their relatives in this country, and they were going where their brothers or other relatives had gone. In 80 per cent of the cases they reported the fact that they were going to join friends. It has seemed utterly impossible to turn them. I think a large proportion of them had been agricultural laborers, but it was utterly impossible to induce them to go into country districts and become segregated one from another and work among the farmers. That is a discouraging problem. I do not know how we are ever going to bring it about.

I think the wages paid in Kansas to-day to the laboring men are altogether better than the wages paid to the men I have mentioned, where they are working in the basic industries of the country. I do not think there is the slightest danger of their going into the States and competing with agricultural labor or reducing their products.

But I am opposed to this amendment. I agree with the Senator from Kansas. I do not believe that we ought in any way to break down the contract-labor law at the present time, as is provided.

Then, too, what does the amendment mean? It says "contract labor, or induced or assisted immigration, shall not apply to agricultural immigrants." What does that mean? It does not mean farm owners. The broad application of it would be farm laborers, so that they may come in very freely.

Mr. McCUMBER. That is not the end of the sentence. If the Senator will read the whole of it, he will see that it is those who are agriculturists who come here for a certain purpose, not to work as agricultural laborers. If the Senator will read it through, he will see that that is what it does.

Mr. DILLINGHAM. Those "who come to the United States during the course of the present European war or owing to circumstances or conditions arising from the war, if it is shown to the satisfaction of the Commissioner General of Immigration that said Belgian immigrants come prepared to purchase 'or take up' land in the United States and become American citizens." Come prepared to do that? How are we going to determine that question?

Mr. CLAPP. The word "purchase," I understand, has been adopted.

Mr. DILLINGHAM. Instead of "take up"?

Mr. CLAPP. I made a notation of a motion to reconsider that language which has already been adopted by the Senate.

Mr. DILLINGHAM. I can see no use for this amendment. I quite agree with the Senator from Kansas, although I base

my opinion upon reasons perhaps different from those which seem important to him.

Mr. BRISTOW. If the Senator from Vermont will pardon me for breaking into his statement, I think the reasons for the condition which the Senator describes as to the destination of the immigrant that he answers the question himself. It is an element of human nature, I think, that men like to associate with those of common origin and common language and common views. We are a social animal and we must mingle with each other. It is perfectly natural that the foreigner coming to this country, a strange country, among strange people, should want to get among his own countrymen.

Mr. DILLINGHAM. That is true; they follow the racial instinct.

Mr. BRISTOW. It is impossible for him to have that social relation in the farming regions of our country that he has in the densely populated region in Europe from which he comes, because our conditions are so different. So he will not go on an American farm as a farm laborer. He might go for a little while, but he will get lonesome and go to the city.

Mr. DILLINGHAM. If the Senator will permit me, he will not go there as the purchaser of a farm. The great bulk of these men have been common laborers in countries where it was impossible for them to purchase the soil. They have not the instinct of purchase or of independent action, becoming factors as managers of farms. They are simply common farm laborers working for a small per diem. I do not think the particular immigration I speak of come to this country with the thought of becoming possessors of farms. I called attention the other day in speaking on the subject to the fact that during the last 10 years we received about 5,000,000 immigrants from Russia and Austria-Hungary, and yet the census of 1910 shows that of those classes less than 1 per cent were found to be managers of farms or tenants. It shows that they will not come here with the purpose of acquiring farms. They have not been educated to the ownership of farms. They have not the instinct of ownership or of securing ownership. So they go, as the Senator has said, where they can live in colonies under circumstances agreeable to them and get a rate of wages that is infinitely above what they are getting at home. That is about the statement upon which I based my idea as to the causes of the movement of immigration.

Mr. BRISTOW. The foreigners whom the Senator has been describing came to this country because they thought they could better their conditions, and they go to these centers where they can be with their own people and where they can get employment.

Mr. DILLINGHAM. If the Senator please, they do just what they have done all their lifetime, work for wages.

Mr. BRISTOW. They work for wages and get enough to live on comfortably.

Mr. DILLINGHAM. And be employed.

Mr. BRISTOW. But this discussion has proceeded upon the theory that it is necessary to get into this country some producing classes that will bring down the cost of living.

The Senator from Nevada [Mr. PITTMAN] laid great emphasis upon the promises of the Democratic Party to reduce the cost of living, and he offers as an argument this amendment, by which means the price of farm products may be reduced.

If the Senator will give his attention to the real evils that result in the high cost of living, he will look some place else than at the American farm. I remember, when my family left home this fall, a remark I heard made was that the price of eggs was 21 cents a dozen at home. When they arrived in Washington, a distance of some 1,200 or 1,300 miles, the price ran from 50 cents to 55 cents a dozen. Why this difference? That represents the toll which is exacted between the farmer and the consumer. That is the way the high cost of living comes in. It is not because of the high price the farmer gets for his products. I remember, as every Senator here who has reached the half-century mark remembers, when wheat was $2 a bushel. Before this war began wheat west of the Mississippi River averaged about 60 cents.

The price of living is not due to what the farmer gets for his product. If the farmer in America to-day had to pay the same wages for labor that are paid in the cities, there is not a farmer who would not go bankrupt in a year; he could not run his farm. He has got to work day by day with his own hands from 12 to 14 hours a day, and if by reason of superior intelligence or excessive industry and hardship, which he voluntarily undergoes, and the most frugal living, at the end of 20 or 25 years he is able to buy a cheap automobile, then he is held up to the American people by Members of the United States Senate as a plutocrat who deserves to be injured by importing foreigners to compete with him in his line of business.

As I said before, you not only throw down every bar that would protect the price of his products from foreign competition, but you now propose to undertake to further reduce the price of his products by opening wide the gates and permit all kinds of labor that will compete direct with him to come in. But you bar out the laborers that would compete with the labor of the manufacturing or industrial centers.

I know that the American farmers are not organized into a concrete organization to have representatives in the National Capital who can go to committee rooms of Senators and make certain demands and, if those demands are not met, enforce them by votes cast in mass at the polls. The farmer is an independent, hard-working citizen, the bone and sinew of American life, who has been the butt of legislation by special interests from the beginning, and it seems never too late for the American Congress to go directly after him in any effort they make to reduce the cost of living. They try to reduce the price of what he produces, but do not attack the influences and the combinations that exploit him and multiply the price of his product after it leaves the farm. That is the spirit which permeates and controls in the legislation that is now proposed, and I denounce it as unjust.

Mr. CRAWFORD. Mr. President, I desire to offer an amendment to the amendment by striking out of line 8 the words "prepared to take up land in the United States," or, as I think it now reads, "to purchase land in the United States," and insert "with intent to engage in the work of agriculture," so that it will read:

That said Belgian immigrants come with intent to engage in the work of agriculture in the United States and become American citizens.

The PRESIDENT pro tempore. The Senator will please send his amendment to the desk, and the Secretary will state it to the Senate.

The SECRETARY. After the word "come," in line 8, strike out the words "prepared to purchase land" and insert "with intent to engage in the work of agriculture," so as to read:

If it is shown to the satisfaction of the Commissioner General of Immigration that said Belgian immigrants come with intent to engage in the work of agriculture in the United States and become American citizens.

Mr. CRAWFORD. Mr. President, it seems to me that this amendment, as proposed by the Senator from Massachusetts [Mr. LODGE], does not mean what is desired by those who would like to see these Belgian immigrants get out on our farms as farm laborers or even as farm purchasers, because to say that they must come prepared to purchase farms does not even necessarily imply that they will use the money for any such purpose. As I construe the amendment as proposed, it gives ground for a suggestion that some organization, perhaps in the East, will furnish the funds, and without being subject to the prohibitions of the contract-labor clauses of the law, they will get these people over here and have them under contract labor; and where they may go and what they may do after they arrive here will be a matter of conjecture.

I am not anxious to serve any such purpose as that; but I can say, so far as all my observation in the West and in the agricultural regions is concerned—and I have spent all my life there—that the one great and serious problem everywhere in the northern part of the Mississippi Valley region is to secure farm labor. I know well-to-do men, prosperous farmers, who are past middle age, who are working like slaves, because it is absolutely necessary for them to do so in order to have their fields cultivated, because they can not get labor out there. Take the poor Belgian, stripped of everything in the world but good health and strong arms and horny hands, and if we could get him out into my State on the farm, working for some man like the men I have mentioned, it would be a blessing both to the farmer and to the Belgian immigrant.

I do not believe such immigrant ought to be excluded because he does not show that he has sufficient cash in his pocket or on deposit in the bank which will enable him on his arrival to purchase a farm. I believe, considering the conditions in Belgium, which we want to alleviate, and the condition of our western farms, where labor is so sorely needed, and considering the character of the immigrants, who have made a paradise in their own country in the cultivation of the soil, that we ought to give them an opportunity as farm laborers, although they may have nothing, although neighbors or associations of farmers out there may have to send their transportation to them so as to have them come to this country and to go out and engage in farm labor without being purchasers of farms.

Mr. LODGE. Mr. President, will the Senator from South Dakota allow me to interrupt him?

The PRESIDENT pro tempore. Does the Senator from South Dakota yield to the Senator from Massachusetts?

Mr. CRAWFORD. Certainly.

Mr. LODGE. I wish to understand the Senator's proposed amendment. Is it to take out the words "contract labor"?

Mr. CRAWFORD. I have not put those words into the amendment which I have offered.

Mr. LODGE. I see the Senator has struck them out.

Mr. CRAWFORD. I have not done so in the amendment which is now before the Senate.

Mr. LODGE. But the Senator has not yet offered the amendment?

Mr. CRAWFORD. No; I was going to offer the amendment as another matter entirely, to strike out those words unless the Senator from Massachusetts can give me some satisfactory reason why they should remain in the amendment.

But the point which my proposed amendment to the Senator's amendment reaches, and the only point it reaches, is that the Commissioner of Immigration, or whatever the name of the officer may be, shall be satisfied upon inquiry that the Belgian immigrant comes with the intent to engage in the work of agriculture; whether as a farm hand or as a farm purchaser is not the material thing.

Mr. LODGE. I agree with the Senator from South Dakota about that; his amendment enlarges and liberalizes it; and, so far as I am concerned, I am very glad to modify my amendment by adopting the Senator's language in reference to engaging in farm labor, instead of being prepared to purchase land. I think it is better.

The PRESIDENT pro tempore. The Senator from Massachusetts accepts the amendment suggested by the Senator from South Dakota, and it now constitutes a part of the pending amendment.

Mr. LODGE. I also desire to modify my amendment by striking out the words "contract labor."

Mr. CRAWFORD. I was going to propose that as another amendment. I did not want to have one involve the other.

The PRESIDENT pro tempore. The question is on the amendment as modified.

Mr. CLAPP. Mr. President, I desire to offer another amendment before the vote is taken on this amendment. I confess that in the almost 14 years during which I have been here I have seldom referred to sections of the country or to different classes of occupations. Unless a measure can be justified upon some principle, I do not think it should be incorporated in legislation at all. One day we spend our money like water in this country employing commissions on the part of States to induce people to come into those States to take up farms and go to farming. The next day we are told that it will not do in an act of Congress to permit farmers to come here, because it will bring a great many additional farmers in competition with our farmers who are here. Somewhere in the world-wide equation we have got to meet in competition all of humanity.

It is true that in one sense the Belgians have suffered more in the controversy in Europe than have any other people; but there are thousands of people in Europe who are the unfortunate victims of the war, over which they have no control, for they do not yet seem to have grown to that point where they can turn their arms against tyranny. In consequence they are now turning them against one another, and they have no control over this awful war; they are being destroyed, so far as property goes, by the war; they are being rendered homeless by the war. I can not understand, Mr. President, why we should single out a particular class of people, a particular nationality or race in this theater of destruction in Europe.

This amendment proceeds upon the theory—and there can only be one theory in the mind of the author of the amendment—that we are letting down what has been insisted upon here as a test of immigration, the illiteracy test; we are letting it down as a favor, out of sympathy to those who are unusually distressed under war conditions. So far as the Belgian is concerned, by the literacy test those who are qualified can come in under the present terms of the law; but this takes down the bar of illiteracy as to the Belgians upon the ground that those people have become the subjects of our sympathy and of the asylum principle of our immigration laws. I understand, Mr. President, that the contract-labor provision has gone out, and that the provision requiring purchase of land has also gone out?

The PRESIDENT pro tempore. The Senator from Minnesota is right about that.

Mr. CLAPP. The insertion of the provision requiring the purchase of land shows how nearly the Senate comes at times to violating fundamental principles. We have a measure here designed to reach an afflicted people, and yet for a while it was the solemn decision of the Senate that it should apply only to that class of Belgians who did have something, who were able to come here and establish with the means of purchase at their command new homes upon our soil. Fortunately that provision has gone out. We still have this narrow thought, beginning in this amendment, that it shall be limited only to the people of Belgium. If there is any reason on earth why we should take down the literacy test as to the Belgians, the same reason applies to any other of the people who are distressed by the awful war in Europe.

Mr. CUMMINS. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Minnesota yield to the Senator from Iowa?

Mr. CLAPP. With pleasure.

Mr. CUMMINS. I rise purely for information, not to antagonize the argument that is now being made by the Senator from Minnesota. This amendment, as it has finally been reduced, is limited to the exemption of the Belgians from the literacy test of the proposed statute.

Mr. CLAPP. And the "assisted-immigration" provision.

Mr. CUMMINS. What is the proportion of illiteracy among the Belgians? I am inquiring as to that because I want to know how many people this provision would let in who could not come in under the law as it is now proposed in the bill of the committee.

Mr. CLAPP. I presume the number is very slight indeed; but the amendment is a recognition that there are people in Belgium who can not pass the necessary literacy test, to whom, on account of their distressed condition, we should open the door, provided they come here proclaiming their purpose to be farmers.

Mr. CUMMINS. In order to prepare the way for another question, I should like to ask the chairman of the committee what is the proportion of illiteracy amongst the Belgians? [A pause.] The chairman of the committee seems to be absorbed in some weightier subject, and I will ask the Senator from Massachusetts or the Senator from Vermont.

Mr. LODGE. It is very low, but I can not lay my hand now on the figures.

Mr. DILLINGHAM. I have not those figures in my notes, but it is very low, indeed—among the lowest in all of Europe.

Mr. SMITH of South Carolina. Mr. President, I beg the Senator's pardon; I was not giving close attention at the time; but the percentage of illiteracy amongst the Belgians, according to the latest figures we have, is 12.7.

Mr. LODGE. It is very low.

Mr. CUMMINS. Twelve per cent; so that of a thousand Belgians who might come in here there would be something like 120 who might be unable to read or write. It therefore appears that we are trying to make this exception to the general rule to accommodate and relieve that very small number of people who might come in from Belgium. I only rose to indicate that, in my opinion, the controversy is a tempest in a teapot.

Mr. CLAPP. Mr. President, I quite agree that, like many other matters, it is a tempest in a teapot. We get far afield here; we raise false and imaginary issues; we have stirred up the country on the literacy test; but I do not believe that as yet one person in a hundred throughout this country knows that we have taken from the literacy test the exemption which recognizes the asylum principle in our immigration laws. But that does not alter the case. If we should extend now this favor to illiterate Belgians because illiterate Belgians have without their fault been placed in a terrible condition we should recognize that same principle as to all other nations during the continuance of the present European war, because of circumstances or conditions growing out of the war. The Pole, whose land to-day is likewise being war swept by this awful war, also needs our sympathy, if we are going to indulge in sympathy, just as much as does the Belgian. The people of the other countries and sections which are liable before this storm is over to be devastated just as badly as has been the country which we call Belgium are entitled to the same consideration. What I am trying to urge is that we get away from the eternal talk of this section or that section, this class or that class, and deal with general principles in legislation.

Mr. CUMMINS. Mr. President, may I say to the Senator from Minnesota, lest he may have misunderstood me——

Mr. CLAPP. No; I did not misunderstand the Senator.

Mr. CUMMINS. That that was my very purpose in rising. To accommodate or convenience a very few unfortunate Belgians, it seems to me that we are about to wreck a general principle.

Mr. CLAPP. The point that I was discussing was not deflected by the suggestion of the Senator; I was dealing with the general proposition.

Mr. JONES and Mr. O'GORMAN addressed the Chair.

Mr. CLAPP. I yield a moment to the Senator from Washington.

Mr. JONES. I wish to suggest to the Senator from Iowa and to the Senator from Minnesota that the amendment as it now stands is still further limited to agricultural Belgians, and not to Belgians generally.

Mr. CUMMINS. Yes; I intended to remark something upon that. I think the provision is utterly unworkable and impracticable. No human being can determine what an "agricultural immigrant" is.

Mr. TOWNSEND. Or how long he will remain an agricultural immigrant.

Mr. CUMMINS. I assume that that is meant to describe a former condition; that is, a condition in the country from which he comes. Will you say that a boy who has worked three months or six months on a farm at some time in his life is an agricultural immigrant? It is to me absurd, and can never be put into operation.

Mr. O'GORMAN. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Minnesota yield to the Senator from New York?

Mr. CLAPP. With pleasure.

Mr. O'GORMAN. I do not desire to intrude any remarks regarding the pending amendment further than to correct a statement inadvertently made a moment ago, that the percentage of illiteracy in Belgium is 12. The fact is, according to latest statistics, that the percentage is 8.5.

Mr. CLAPP. Still less, then.

Mr. SMITH of South Carolina. Mr. President, I have before me from the department a table bringing the averages up to the end of the fiscal year 1913. That table gives the illiteracy in the country of origin, and of the population of Belgium over 10 years of age it is 12.7 per cent. Those figures, as I understand, were obtained through the Bureau of Immigration here in Washington.

Mr. O'GORMAN. My authority for the statement I have just made is the World Almanac and Encyclopedia for 1914, a publication which is generally regarded as accurate and trustworthy. In that book it is stated that the percentage of illiteracy is 8.5.

Mr. CLAPP. Mr. President, be that as it may——

Mr. BRISTOW. Will the Senator yield for a moment?

Mr. CLAPP. With pleasure.

Mr. BRISTOW. May I inquire if there is not a difference in the basis of the computation as between the Senator from New York and the Senator from South Carolina? Was not the Senator from South Carolina speaking of the Belgians who came to the United States and was not the Senator from New York referring to the Belgians as they live at home?

Mr. SMITH of South Carolina. The table gives the figures for illiteracy in country of origin; it gives the population over 10 years of age; gives those countries in which there is compulsory education; gives the percentage of illiteracy by the countries from which immigrants come; and in Belgium the percentage of illiteracy is given as in the country of origin at 12.7. The basis of calculation is population over 10 years of age; that is all I know.

Mr. CLAPP. Mr. President, the fact remains that we are holding out here a favor born of sympathy. We are reaching a hand out through the literacy test and extending it only to the people of Belgium. Of course, I can understand how the people of that country have aroused the interest of the world; but the people of Belgium are situated, so far as their homes may be destroyed, their property destroyed, and their families broken up, just as the people of other parts of the war zone of Europe are situated. We extend the asylum principle through the wall of the illiteracy test to the unfortunate in one land. I believe we should extend it to the unfortunate in others. For that reason, Mr. President, I move as an amendment in lines 3 and 4 to strike out the words "from Belgium," in line 5 to strike out the word "or," and in line 8 to strike out the word "Belgium," so that it will read:

Immigrants who come to the United States during the course of the present Europeon war owing to circumstances or conditions arising from the war, if it is shown to the satisfaction of the Commissioner General of Immigration that said immigrants come—

Under the amendment recently adopted—

declaring their purpose to become farmers.

The PRESIDENT pro tempore. The question is on the adoption of the amendment offered by the Senator from Minnesota.

Mr. REED. Mr. President, the amendment offered by the Senator from Minnesota is an improvement, I think, on the original amendment; but for the life of me I can not understand why the benefits of this amendment should be extended only to farmers or farm laborers, which is now proposed. I do not understand why it should be limited to Belgians. I am going to vote for it, in whatever way it is necessary to vote for it, because it is an enlargement, a broadening of this bill; but what the Senator from Minnesota has said in regard to the condition of these people is absolutely correct.

There is a difference between the Belgian Government's situation and the German Government's situation and the English Government's situation. There is a different issue presented there, but it is an issue between Governments. The Belgian Government insists that it was in a condition of absolute neutrality and that without having raised its finger its territory was invaded, and that is true; but, Mr. President, when you go beneath that mere technicality this is what you find: The German Government states: "We invaded Belgium because our own country was about to be invaded." The French Government states: "Our country was invaded." The Frenchman says: "My country was invaded and my home was destroyed," just as the Belgian citizen makes the same statement.

Now, this is a bill for the relief not of Governments but of people. The Frenchman's home having been destroyed, he is in just as helpless a condition as the Belgian whose home has been destroyed. The French individual had no more to do with bringing on this war than the Belgian individual had to do with it. Neither did the individuals of either of those nationalities have any more or any less to do with bringing on the war than the German citizen. He had nothing to say about it. His Government began a war, and if his home is destroyed and if it is therefore necessary for him to find harbor elsewhere, he should have the same privilege.

What was said by the Senator from New Jersey in regard to Alsace-Lorraine is equally true. What did the people of that country have to do with saying whether or not there should be war? If we are to extend hospitality and charity to the individual, it ought to reach all individuals similarly situated, regardless of the technicalities which spring out of the relations of the government or which particular Government first struck a blow. Moreover, if we are to have regard to the humanity of it, let us see how that will work out for a moment.

The Belgian finds his country taken away from him. The touching and eloquent words of the Senator from New York [Mr. ROOT] found a response in my heart, as they do in the heart of every man who thinks rightly and feels rightly. The Belgian's home was taken away. He was without fault, and, mayhap, he can never return to that home in safety. But if you turn to Alsace-Lorraine you will find there a condition where the farmer's fields have been destroyed; his home has been burned; his condition is equally pitiable. He is equally without offense, and, mayhap, when this war is over, he will find it unsafe to return to his home, as does the Belgian. If Germany shall succeed in holding that country, how many of the Alsatians will be brought to trial and possibly to severe punishment? On the other hand, if France shall hold that country, how will she deal with certain citizens, particularly of German birth, who may have been inhabitants of that country and who may have warred against her?

I do not know; I do not undertake to say; but I do know that war is a very cruel thing. I do know that when the passions of men are aroused revenges are likely to be taken. I need not call the attention of men from the Southland, who passed through the reconstruction period, to the truth of that statement.

So all these people, as peoples, are without fault. Each of the Governments claim that it is without fault. The people, at least, are without fault. They never voted a war. They never brought on a war. When the war is over somebody is going to suffer, and somebody is suffering now.

We find ourselves called upon to aid and assist. Millions of dollars have been sent from this country to assist the people on the other side. We are about to pass a bill that prohibits assisting immigrants to come to these shores; that prohibits the immigration of men because they can not read and write. The proposition contained in the amendment of the Senator from Massachusetts is that we shall except the Belgian from the literacy test and from the assistance clause. I say that it ought to be extended also to the Alsatian, who is just as good a citizen as the Belgian, in my opinion; and possibly to the German, for Germany may find her fields are overrun before this war is over. Why not to all of these people?

Mr. President, I am not acquainted with the parliamentary situation; but I propose to offer the amendment I am about to read, and if it is not now in order I shall offer it when the proper parliamentary situation presents itself. I want to ask the Senators' attention to it carefully, because I believe it meets all these objections, and I do not believe it is objectionable on the ground that it will permit a general influx of foreigners. It is as follows:

The provisions of this bill relating to illiteracy or assisted immigrants—

Not contract laborers; now—

shall not apply to immigrants who come to the United States during or within one year after the close of the present European war, owing to circumstances or conditions arising from the war: *Provided*—

Here is the safeguard—

The Commissioner General of Immigration shall find as a fact that the immigrant is otherwise qualified—

That is, that he has the health, the condition of mind and body and character required by the bill—

and that he is attached to our institutions, intends to become a citizen of the United States, and that the immigrant will not become a public charge.

The PRESIDENT pro tempore. The Chair will state to the Senator from Missouri that the amendment is in order.

Mr. REED. I thank the Chair. Now, that does not indiscriminately admit them. It does not give them the privilege of coming as of right. They must convince the Commissioner General of Immigration that they are coming here well intentioned to our Government; that they are not going to be public charges; that they are sound in body and sound in mind and sound in morals; but it gives him the privilege of permitting them to come, provided they can show all of these things, and that they will not become public charges. In a word, it permits societies, organizations, and individuals to send over to those countries to furnish the means to bring those peoples here and to provide temporary assistance for them when they are here, either upon farms or in any other place, and provides that when those facts are shown the Commissioner General of Immigration can allow these people to come in. He can very easily stop any attempt to break down the protection of our immigration law, because it is vested in his discretion.

Mr. President, I think that opens the door to all alike, and yet I do not think it opens the door wide enough to flood this country with undesirables. I offer that amendment.

Mr. LODGE. If the Senator will allow me, I have no objection to the proviso in his amendment. It is needless, however, because the provisions to which the exception is made are named. If he wants to make sure that the other provisions which are named in his proviso are retained, he only has to add, after the word "immigrant," the words "otherwise eligible."

Mr. REED. That is already in the amendment.

Mr. LODGE. "Otherwise eligible"? Well, that covers everything. There is no need of the proviso, then.

Mr. REED. No, Mr. President; the proviso does have an important effect. Let me read it:

Provided, The Commissioner General of Immigration shall find as a fact that the immigrant is otherwise qualified and that he is attached to our institutions, intends to become a citizen of the United States—

That is new, is it not?

Mr. LODGE. That is new; yes.

Mr. REED (reading):

And that the immigrant will not become a public charge.

That also is new.

Mr. LODGE. Oh, no; "otherwise eligible" will cover that.

Mr. REED. Well, "otherwise eligible." Under the law as it stands, and without this amendment, the immigrant who has a certain amount of money can come here. There are no questions asked. It is presumed that he is self-sustaining. This requires an affirmative finding. There is that distinction. There is the further distinction that under the law as it is framed in this bill an immigrant would be held to be not self-sustaining, possibly, who might be permitted to come in under this measure.

To illustrate, suppose an immigrant were to come here destitute—without any money. He would be turned back as a pauper under our present law, but under this bill if the Commissioner General of Immigration should find that a society or organization was going to receive him, going to provide him with work, or going to put him on one of these farms that the Senator said some society contemplated arranging for, then the Commissioner General of Immigration would be warranted in finding that the man would not become a public charge.

So I think there is a very considerable difference between this amendment and the other one.

Mr. CUMMINS. Mr. President——

The PRESIDENT pro tempore. The Senator from Missouri will please send the amendment to the desk, and the Secretary will state it to the Senate.

Mr. CUMMINS. Mr. President——

The PRESIDENT pro tempore. Let the Secretary state the amendment.

Mr. CUMMINS. I rise to ask the Senator from Missouri a question, not to debate his amendment.

The PRESIDENT pro tempore. Does the Senator from Missouri yield to the Senator from Iowa?

Mr. REED. I do.

Mr. CUMMINS. Does the Senator from Missouri understand that his amendment would except these immigrants from the operation of section 6 as a whole?

Mr. REED. No; I do not understand that it would. I did not intend that it should. I meant that it should cover just what is stated—that is, the assistance of an immigrant. It would permit the assistance of an immigrant coming under these conditions. He would not be turned back because he had been assisted, and he would not be turned back merely because he was illiterate.

Mr. LODGE. Of course, if the Senator's amendment has the words "otherwise eligible," that covers section 6 and all the sections.

The PRESIDENT pro tempore. Let the Secretary state the amendment to the Senate; then Senators will better understand how it applies. The Secretary will read it.

The SECRETARY. The Senator from Missouri proposes, in the nature of a substitute for the amendment offered, the following:

The provisions of this bill relating to illiteracy or assisted immigrants shall not apply to immigrants who come to the United States during or within one year after the close of the present European war owing to circumstances or conditions arising from the war: *Provided*, That the Commissioner General of Immigration shall find as a fact that the immigrant is otherwise qualified, and that he is attached to our institutions, intends to become a citizen of the United States, and that the immigrant will not become a public charge.

Mr. GALLINGER. Mr. President, I will ask the Senator from Missouri just what process will be used to determine whether an immigrant is or is not attached to our institutions. We all remember the old story about the man who landed on our shores, and they asked him his politics, and he said he was "again the Government." Now, just how we are going to find out whether or not a man who comes here from Belgium or Poland, or any other part of the civilized or uncivilized world, is attached to our institutions is beyond my comprehension.

Mr. CLAPP. It is done every day.

Mr. REED. May I answer the Senator?

Mr. GALLINGER. Yes; I should like to have my question answered.

Mr. REED. It is the question that is ordinarily put in every court when an alien is seeking naturalization; it is the usual legal phraseology; and it means to call for the ascertainment of the question of fact whether or not the individual comes here well disposed toward the Government.

Mr. GALLINGER. But that question is not put to all the other immigrants who come in.

Mr. REED. I understand.

Mr. GALLINGER. The Senator cites the case of a man who goes before a court to be naturalized. After he has been a resident of the United States presumably for four or five years he might well have some knowledge of our institutions; but how these ignorant people coming from abroad—and many of them, in fact most of them, are ignorant of our system of government—can answer that question intelligently, or why they should be asked to answer it, I do not quite understand. Of course, however, I care nothing about it. I am going to vote against all of these propositions to open the doors to the people whose situation has been discussed this afternoon. Unfortunately, I was detained in the Committee on Appropriations and have not heard the debate, but I have a general idea of the ground it has covered. Inasmuch as I am going to vote against all amendments and against the proposition itself, of course I am not very much concerned about this; and yet it does strike me as being rather an extraordinary condition to impose upon these immigrants, if they are to be admitted at all.

Mr. REED. Mr. President, the amendment which the Senator from Massachusetts introduced contained a provision to the effect that they intended to become citizens of the United States. Of course they could not become citizens of the United States unless they were well disposed toward this country. They would have to show that to a court, and that is involved necessarily in the proposition contained as the Senator from Massachusetts drew it. In writing the amendment I simply included that phraseology. It is not difficult however to understand or to apply. The Commissioner General of Immigration being confronted with the fact that a thousand refugees were coming here, let us say, from Belgium, and that they were being assisted by some society of kindly disposed people, and, therefore, that they would be barred under the general provisions of the immigration bill, would have to make it his business, through himself or his agents, to inquire where these people came from, what kind of people they were, are they criminals or are they anarchists, do they believe in government, are they coming here to be good, law-abiding citizens? He would satisfy himself in

that way, and he would satisfy himself whether they intended to come permanently and to become citizens, and having satisfied himself he would waive the literacy test.

Now, the Senator from New Hampshire [Mr. GALLINGER] would say to the man who could not read or write, "No matter how sound you are in body, no matter how you are in mind, no matter how much patriotism there may be in your heart, no matter though you have stood and fought for your home and fireside and wife and children, no matter though you have gone into the red jaws of death, I will send you back because you can not read and write." The Senator from New Hampshire would not do any such thing if it was put to him as an individual proposition, because he is too kind-hearted a man.

The PRESIDENT pro tempore. The question is on the adoption of the substitute offered by the Senator from Missouri [Mr. REED] to the amendment of the Senator from Minnesota [Mr. CLAPP].

The amendment to the amendment was rejected.

The PRESIDENT pro tempore. The question recurs on the amendment offered by the Senator from Minnesota to the original amendment.

Mr. CLAPP. Before the vote is taken I want to add one clause to it. The amendment of the Senator from Massachusetts seems to me to be somewhat deficient, "owing to circumstances or conditions arising from the war." It means that they may come after the war has closed, I take it. So in my proposed amendment, line 5, I would insert, after the word "war":

Or within one year after the termination owing to circumstances and conditions arising out of the war.

Mr. LODGE. I have no objection to putting in that limitation of time, but I do object to the other.

Mr. CLAPP. Then I will take them one at a time.

Mr. LODGE. Let it be read.

Mr. CLAPP. First, I move to amend by inserting, after the word "war," in line 5, "or within one year after its termination," so as to read:

During the course of the present European war, or within one year after its termination, or owing to circumstances or conditions arising from the war.

The PRESIDENT pro tempore. The amendment to the amendment will be agreed to unless there is objection. The Chair hears none, and it is agreed to.

Mr. CLAPP. Now, the one objection that might have been made to the amendment of the Senator from Missouri was that it broke down the distinction between those who were to come here ostensibly as farm laborers or farmers eventually and those who might come indiscriminately for all classes of work. So I will offer the amendment which I first proposed, in lines 3 and 4, to strike out the words "from Belgium," and in line 8 strike out the word "Belgian."

The PRESIDENT pro tempore. The question is on the adoption of the amendment offered by the Senator from Minnesota to the amendment.

The amendment was rejected.

The PRESIDENT pro tempore. The question recurs upon the adoption of the amendment of the Senator from Massachusetts [Mr. LODGE].

Mr SMITH of South Carolina. Before the question is put I wish to make merely one statement. This debate has developed the fact that practically all who oppose the amendment have advanced the idea that it is dangerous, and those who have advocated it have taken the trouble to explain wherein in their opinion it would not jeopardize the continuity and the effect of the bill as well as jeopardize us with foreign countries. I hope all those who are in favor of the pending bill being held in its present form will vote down all these amendments.

Mr. POINDEXTER. Mr. President, I move to strike out of the amendment offered by the Senator from Massachusetts the words "the illiteracy test."

The PRESIDENT pro tempore. The question is on the adoption of the amendment offered by the Senator from Washington to the amendment.

Mr. POINDEXTER. In this connection I should like to say I fail to see how the war would have any bearing upon the ability of anyone who otherwise might be admitted by this amendment to pass the literacy test. The war has been of very short duration, and the country particularly affected by this amendment has one of the best systems of public schools of any country in the world, and while we may on account of the unusual circumstances in which Belgium is situated extend the so-called asylum principle to some extent through sympathy, or modify the restriction so as to allow organizations in this country to assist and solicit the immigration of those people, there is nothing peculiar about the situation which would justify us in striking out the literacy test contained in the bill. If there is virtue in that test as it stands in the bill, there is virtue in the same test applied to this particular class of people.

The PRESIDENT pro tempore. The question is on the amendment offered by the Senator from Washington [Mr. POINDEXTER] to the amendment.

Mr. POINDEXTER. On that I ask for the yeas and nays.

The yeas and nays were not ordered.

The amendment to the amendment was rejected.

The PRESIDENT pro tempore. The question is on the adoption of the amendment as amended.

Mr. CUMMINS. I ask that it be stated.

The PRESIDENT pro tempore. The Secretary will state the amendment as it now stands.

The SECRETARY. On page 12, line 18, after the word "guests," insert:

Provided further, That the provisions of this act relating to the illiteracy test or induced or assisted immigration shall not apply to agricultural immigrants from Belgium who come to the United States during the course of the present European war or within one year after its termination owing to circumstances or conditions arising from the war, if it is shown to the satisfaction of the Commissioner General of Immigration that said Belgian immigrants come with intent to engage in work of agriculture in the United States and become American citizens.

The PRESIDENT pro tempore. The question is on the adoption of the amendment. [Putting the question.] The noes appear to have it. The noes have it.

Mr. LODGE. Let us have the yeas and nays.

The PRESIDENT pro tempore. We have been making a very liberal application of our rule. The Chair will not seek the benefit of it. Is the call for the yeas and nays sustained?

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. CLARK of Wyoming (when his name was called). I have a general pair with the senior Senator from Missouri [Mr. STONE], who is unavoidably absent from the city. In the absence of that Senator I withhold my vote.

Mr. BRYAN (when Mr. FLETCHER'S name was called). I desire to state that my colleague [Mr. FLETCHER] is detained from the Senate on business of the Senate. He is paired with the junior Senator from Wyoming [Mr. WARREN].

Mr. REED (when his name was called). I transfer my pair with the Senator from Michigan [Mr. SMITH] to the Senator from Alabama [Mr. BANKHEAD] and vote "yea."

Mr. WALSH (when his name was called). I have a general pair with the Senator from Rhode Island [Mr. LIPPITT]. I transfer that pair to the Senator from Nevada [Mr. NEWLANDS] and vote. I vote "yea."

Mr. CLARK of Wyoming (when Mr. WARREN'S name was called). My colleague [Mr. WARREN] is unavoidably absent from the city. He is paired with the Senator from Florida [Mr. FLETCHER].

Mr. WILLIAMS (when his name was called). I have a general pair with the senior Senator from Pennsylvania [Mr. PENROSE]. I explained the situation Thursday, and feel at liberty to vote. I vote "yea."

The roll call was concluded.

Mr. MYERS. I transfer my pair with the Senator from Connecticut [Mr. MCLEAN] to the Senator from Kentucky [Mr. CAMDEN] and vote "yea."

Mr. CRAWFORD. I transfer my pair with the senior Senator from Tennessee [Mr. LEA] to the senior Senator from Pennsylvania [Mr. PENROSE] and vote "yea."

Mr. VARDAMAN (after having voted in the negative). I have a general pair with the senior Senator from Idaho [Mr. BORAH]. I transfer that pair to the Senator from Louisiana [Mr. RANSDELL] and allow my vote to stand.

The result was announced—yeas 34, nays 22, as follows:

YEAS—34.

Brandegee	Lee, Md.	Pittman	Swanson
Bryan	Lodge	Poindexter	Thomas
Burton	Myers	Pomerene	Thornton
Clapp	Nelson	Reed	Walsh
Crawford	Norris	Root	Weeks
Hughes	O'Gorman	Simmons	Williams
James	Oliver	Smith, Ga.	Works
Johnson	Overman	Smith, Md.	
Kern	Perkins	Sterling	

NAYS—22.

Ashurst	Gore	McCumber	Smith, S. C.
Bristow	Gronna	Martine, N. J.	Townsend
Chamberlain	Hardwick	Page	Vardaman
Cummins	Jones	Robinson	White
Dillingham	Kenyon	Shafroth	
Gallinger	Lane	Sheppard	

NOT VOTING—40.

Bankhead	Culberson	Lippitt	Shively
Borah	du Pont	McLean	Smith, Ariz.
Brady	Fall	Martin, Va.	Smith, Mich.
Burleigh	Fletcher	Newlands	Smoot
Camden	Goff	Owen	Stephenson
Catron	Hitchcock	Penrose	Stone
Chilton	Hollis	Ransdell	Sutherland
Clark, Wyo.	La Follette	Saulsbury	Thompson
Clarke, Ark.	Lea, Tenn.	Sherman	Tillman
Colt	Lewis	Shields	Warren

So Mr. LODGE's amendment as modified was agreed to.

Mr. POINDEXTER. I offer an amendment to the amendment just adopted.

The PRESIDENT pro tempore. It will be stated.

The SECRETARY. Strike out the word "Belgian" and insert in lieu thereof the following——

The PRESIDENT pro tempore. The amendment has just been adopted, and the amendment to the amendment can not be offered as in Committee of the Whole.

Mr. POINDEXTER. I wish to make a parliamentary inquiry. Can it be done in the Senate?

The PRESIDENT pro tempore. It can.

Mr. POINDEXTER. I reserve the right to offer the amendment in the Senate. I ask to have it stated at this time.

The PRESIDENT pro tempore. The Secretary will read the amendment.

The SECRETARY. The Senator from Washington [Mr. POINDEXTER] will propose in the Senate the following amendment:

Strike out the word "Belgium" in the portion just agreed to and insert in lieu thereof:

Any country whose territory has been violated contrary to the provisions of articles 1 and 2 of the convention respecting the rights and duties of neutral powers and persons in war on land, ratified between the United States of America and other powers on February 23, 1909.

Mr. JONES. I ask unanimous consent to present for printing and reference to the committee an amendment to the legislative, and so forth, appropriation bill.

The PRESIDENT pro tempore. Is there objection?

Mr. SMITH of South Carolina. I object.

The PRESIDENT pro tempore. Objection is made. The bill is still as in Committee of the Whole and open to amendment. If no further amendments be offered, the bill will be reported to the Senate.

The bill was reported to the Senate as amended.

Mr. POINDEXTER. I now offer the amendment of which I gave notice.

The PRESIDENT pro tempore. The Senator from Washington submits an amendment, which will be read.

The SECRETARY. On page 12, in the amendment agreed to, line 1, after the word "guests,' 'strike out the word "Belgium" and insert:

Any country whose territory has been violated contrary to the provisions of articles 1 and 2 of the convention respecting the rights and duties of neutral powers and persons in war on land, ratified between the United States of America and other powers on February 23, 1909.

The PRESIDENT pro tempore. The question is on the adoption of the amendment of the Senator from Washington [Mr. POINDEXTER].

Mr. POINDEXTER. Mr. President, I only desire to say a word in regard to the amendment. I am very much inclined to think that, so far as its actual operation is concerned, the amendment of the Senator from Massachusetts, which has been discussed so long and which was adopted, will be a perfect dead letter.

A short time ago in the tariff bill we undertook to incorporate a provision discriminating in favor of American ships. When it came to put it into operation we were confronted by the objections of foreign countries based upon our treaties. Similar objection will undoubtedly be made to this amendment under what is commonly designated as "the favored-nation clause." The result of that objection would not be that immigrants from other countries would be admitted because those from Belgium are admitted, but the result would be that the amendment would not be enforced; it would be, as I have said, a perfect dead letter.

If there is a real intention to accomplish the object set out in the amendment, and a general provision such as that which I have just proposed is adopted, which is applicable to any country in the world coming within those general terms, no such objection could be made by a foreign country under a treaty, and it could be put into effect.

I am not particularly concerned about this amendment, but I do think, if we are going to undertake to extend the benefit of asylum to the Belgians, we ought to do it in an effective way. There is no more difficulty in determining who is entitled to admission into this country under this proposed amendment than there is to determine who is entitled under half a dozen other provisions of the bill such as deal with the immigrant's mental condition, his ability to earn a living, whether or not he is liable to become a public charge, or whether or not he is psychopathically inferior, or something of that kind which the bill provides.

The convention between the United States and various other countries entitled "Convention respecting the rights and duties of neutral powers and persons in war on land," which was ratified by the United States on February 23, 1909, being translated contains a list of the signatories to it; and the first one that I notice in the English translation is "His Majesty the German Emperor, King of Prussia," and the second one is the "President of the United States of America." So that the United States of America, being one of the great signatories of the convention, has a very substantial ground for making a violation of it one of the subjects to be considered in its immigration laws and in determining the qualification of aliens for admission to this country. Article 1 of this convention is in the following language:

The territory of neutral powers is inviolable.

Article 2 is in the following language:

Belligerents are forbidden to move troops or convoys of either munitions of war or supplies across the territory of a neutral power.

Now, I make bold to say, Mr. President, that in the case of Belgium both the first and second articles of this convention have been violated, and citizens of that country would come within the terms of this amendment. I do not think that there is any other country at the present time that would be so subject. I think Belgium stands out as the great solitary exception in the entire world. But the terms are general; no one could complain; and it would give effect to this provision.

Mr. WILLIAMS. Mr. President, I entirely sympathize with what the Senator from Washington [Mr. POINDEXTER] has just said, and yet I think that all that he has said constitutes a better matter of argument upon the part of the Government of the United States, if anybody should raise the favored-nation clause; if anybody should attempt to raise it, then all we have to do is to point to those two articles of the treaty which the Senator has just read and also point to the treaty of 1830, or whatever it was, between Prussia and France and Great Britain neutralizing Belgium. All that is a matter of argument, and it does not seem to me that the favored-nation clause could be raised against this provision any more if we fail to mention the name or merely refer to some article of some treaty or use a description than if we did mention the name but were able to prove that Belgium was in this peculiar condition. It seems to me that all that might very well be relegated to the diplomatists as a matter of argument, if the question is ever raised, and I apprehend that it never will be raised.

The PRESIDENT pro tempore. The question is on the adoption of the amendment offered by the Senator from Washington [Mr. POINDEXTER].

The amendment was rejected.

The PRESIDENT pro tempore. Unless there is objection, the amendments made as in Committee of the Whole will be concurred in. The Chair hears no objection.

Mr. CUMMINS. I offer the amendment which I send to the desk as a new section.

The PRESIDENT pro tempore. The amendment will be stated.

The SECRETARY. It is proposed to add as a new section the following:

SEC. —. It shall be the duty of the Department of Labor and the Department of Commerce to closely observe the industrial conditions of the country, and if at any time it shall be the opinion of either department that the immigrants to be expected in the immediate future by reason of their number or character will materially increase the number of unemployed people of the United States or reduce our standard of compensation to wageworkers, the department which so finds or believes shall at once report the same directly to Congress, with such facts as may be at hand and such reasons as may be pertinent to the conclusions reached.

Mr. SMITH of South Carolina. Mr. President, as that seems to me in line with the purpose of the bill, as chairman of the committee I am perfectly willing to accept the amendment.

The PRESIDENT pro tempore. The question is on the adoption of the amendment.

The amendment was agreed to.

The amendments were ordered to be engrossed and the bill to be read the third time.

The bill was read the third time.

The PRESIDENT pro tempore. The question is on the passage of the bill.

Mr. MARTINE of New Jersey. On that question I ask for the yeas and nays. The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. CLARK of Wyoming (when his name was called). I have a general pair with the senior Senator from Missouri [Mr. STONE]. In his absence I withhold my vote.

The PRESIDENT pro tempore (when the name of Mr. CLARKE of Arkansas was called). I am paired with the junior Senator from Utah [Mr. SUTHERLAND]. He is absent, and as I am not advised as to how he would vote if present, I withhold my vote.

Mr. CRAWFORD (when his name was called). I transfer my pair with the senior Senator from Tennessee [Mr. LEA] to the senior Senator from Pennsylvania [Mr. PENROSE] and vote "yea."

Mr. BRYAN (when Mr. FLETCHER's name was called). My colleague [Mr. FLETCHER] is absent on business of the Senate. He is paired with the junior Senator from Wyoming [Mr. WARREN]. If my colleague were present, he would vote "yea."

Mr. MYERS (when his name was called). I transfer my pair with the Senator from Connecticut [Mr. MCLEAN] to the Senator from Kentucky [Mr. CAMDEN] and vote "yea."

Mr. OLIVER (when Mr. PENROSE's name was called). My colleague [Mr. PENROSE] is absent from the Senate on account of illness. He stands paired on this vote with the senior Senator from Tennessee [Mr. LEA]. If my colleague were present and at liberty to vote, he would vote "yea."

Mr. PITTMAN (when Mr. SAULSBURY's name was called). I am requested to state that the Senator from Delaware [Mr. SAULSBURY] is absent on official business and that he is paired with the Senator from Rhode Island [Mr. COLT].

Mr. VARDAMAN (when his name was called). I have an understanding with the Senator from Idaho [Mr. BORAH], with whom I am paired, and I vote "yea."

Mr. WALSH (when his name was called). I am paired with the Senator from Rhode Island [Mr. LIPPITT]. I transfer that pair to the Senator from Nevada [Mr. NEWLANDS] and vote "nay."

Mr. CLARK of Wyoming (when Mr. WARREN's name was called). My colleague [Mr. WARREN] is unavoidably absent from the city. He is paired with the Senator from Florida [Mr. FLETCHER].

Mr. WILLIAMS (when his name was called). I have a general pair with the senior Senator from Pennsylvania [Mr. PENROSE], but in consequence of information given me by his colleague and by the Senator from Massachusetts, and in consequence of a telegram received by his secretary from him, I know that he would vote "yea" if present. I therefore consider myself freed from the pair, and I vote "yea."

Mr. SWANSON. I desire to announce that my colleague [Mr. MARTIN of Virginia] is detained from the Senate on account of illness in his family. If he were present, he would vote "yea." He is paired with the junior Senator from Illinois [Mr. SHERMAN], who I understand would vote "nay."

Mr. CLAPP. While I made the statement early this morning, I think it is only proper to repeat it, that the senior Senator from Wisconsin [Mr. LA FOLLETTE] is unavoidably detained at his home on account of a death in his family.

Mr. GALLINGER. I am requested to announce that the Senator from Illinois [Mr. SHERMAN] is detained from the Senate on account of illness in his family, and, as announced by the junior Senator from Virginia [Mr. SWANSON], he is paired with the senior Senator from Virginia [Mr. MARTIN].

Mr. DILLINGHAM (after having voted in the affirmative). I find that the Senator from Maryland [Mr. SMITH], with whom I have a pair, is absent. So I transfer my pair with that Senator to the Senator from Idaho [Mr. BRADY] and allow my vote to stand.

Mr. JAMES. I desire to state that my colleague [Mr. CAMDEN] is necessarily absent from the Senate and is paired. I am informed by his secretary that he has received a telegram from him stating that if he were present he would vote for the bill.

Mr. REED. I transfer my pair with the Senator from Michigan [Mr. SMITH] to the Senator from Illinois [Mr. LEWIS] and vote "nay."

Mr. ASHURST. I rise to announce that my colleague [Mr. SMITH of Arizona] is unavoidably absent, and that, if present, he would vote in favor of the bill.

Mr. GALLINGER. I am requested to announce the following pairs:

The Senator from Maine [Mr. BURLEIGH] with the Senator from New Hampshire [Mr. HOLLIS];

The Senator from New Mexico [Mr. CATRON] with the Senator from Oklahoma [Mr. OWEN];

The Senator from Delaware [Mr. DU PONT] with the Senator from Texas [Mr. CULBERSON];

The Senator from New Mexico [Mr. FALL] with the Senator from West Virginia [Mr. CHILTON];

The Senator from West Virginia [Mr. GOFF] with the Senator from South Carolina [Mr. TILLMAN]; and

The Senator from Wisconsin [Mr. STEPHENSON] with the Senator from Kansas [Mr. THOMPSON].

The result was announced—yeas 50, nays 7, as follows:

YEAS—50.

Ashurst	Hitchcock	Oliver	Smith, S. C.
Bristow	Hughes	Overman	Sterling
Bryan	James	Page	Swanson
Burton	Johnson	Perkins	Thomas
Chamberlain	Jones	Pittman	Thornton
Clapp	Kenyon	Poindexter	Townsend
Crawford	Kern	Pomerene	Vardaman
Cummins	Lane	Robinson	Weeks
Dillingham	Lee, Md.	Root	White
Gallinger	Lodge	Shafroth	Williams
Gore	Myers	Sheppard	Works
Gronna	Nelson	Simmons	
Hardwick	Norris	Smith, Ga.	

NAYS—7.

Brandegee	Martine, N. J.	Ransdell	Walsh
McCumber	O'Gorman	Reed	

NOT VOTING—39.

Bankhead	Culberson	McLean	Smith, Md.
Borah	du Pont	Martin, Va.	Smith, Mich.
Brady	Fall	Newlands	Smoot
Burleigh	Fletcher	Owen	Stephenson
Camden	Goff	Penrose	Stone
Catron	Hollis	Saulsbury	Sutherland
Chilton	La Follette	Sherman	Thompson
Clark, Wyo.	Lea, Tenn.	Shields	Tillman
Clarke, Ark.	Lewis	Shively	Warren
Colt	Lippitt	Smith, Ariz.	

So the bill was passed.

HOUSE BILL REFERRED.

H. R. 19906. An act making appropriations for the service of the Post Office Department for the fiscal year ending June 30, 1916, and for other purposes, was read twice by its title and referred to the Committee on Post Offices and Post Roads.

PETITIONS AND MEMORIALS.

Mr. ROOT presented petitions of sundry citizens of New York, praying for the enactment of legislation to prohibit the exportation of ammunition, etc., which were referred to the Committee on Foreign Relations.

Mr. OLIVER presented a memorial of Liberty Grange, No. 1182, Patrons of Husbandry, of Port Allegany, Pa., remonstrating against the enactment of legislation placing the delivery of mail in rural districts upon a contract basis, which was referred to the Committee on Post Offices and Post Roads.

Mr. NORRIS presented a petition of the Western Swedish Conference of the Methodist Episcopal Church, of Ong, Nebr., praying for national prohibition, which was referred to the Committee on the Judiciary.

He also presented the petition of Mrs. H. J. Matthews, of Burwell, Nebr., praying for the enactment of legislation to increase the pensions of widows of Civil War veterans, which was referred to the Committee on Pensions.

Mr. KERN presented a petition of 136 citizens of Bremen, Ind., praying for the prohibition of the exportation of ammunition, etc., which was referred to the Committee on Foreign Relations.

He also presented a memorial of sundry citizens of West Terre Haute and Goshen, Ind., remonstrating against the transmission of anti-Catholic publications through the mail, which were referred to the Committee on Post Offices and Post Roads.

He also presented a petition of Frank Britton Camp, United Spanish War Veterans, of Crawfordsville, Ind., praying for the enactment of legislation to grant pensions to widows and orphans of Spanish War veterans, which was referred to the Committee on Pensions.

He also presented a petition of sundry citizens of Elkhart, Ind., praying for the enactment of legislation to create a volunteer officers' retired list, which was ordered to lie on the table.

BILLS AND JOINT RESOLUTION INTRODUCED.

Bills and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. GRONNA:

A bill (S. 7102) granting a pension to John E. Halaas (with accompanying papers); to the Committee on Pensions.

By Mr. CHAMBERLAIN:

A bill (S. 7103) for the relief of W. R. Wells; to the Committee on Claims.

A bill (S. 7104) granting a pension to John Hamilton (with accompanying papers); to the Committee on Pensions.

By Mr. MCLEAN:

A bill (S. 7105) granting a pension to Sue F. B. Prindle (with accompanying papers); and

A bill (S. 7106) granting an increase of pension to Susan Bryant (with accompanying papers); to the Committee on Pensions.

By Mr. JAMES:

A bill (S. 7107) to authorize the construction of a bridge across the Ohio River at Metropolis, Ill.; to the Committee on Commerce.

By Mr. POMERENE:

A bill (S. 7108) to authorize the purchase or construction of six new vessels, with all necessary equipment, for the Coast and Geodetic Survey, and providing for additional surveys by the Coast and Geodetic Survey; to the Committee on Commerce.

By Mr. PITTMAN:

A bill (S. 7109) to encourage the reclamation of certain arid lands in the State of Nevada, and for other purposes; to the Committee on Public Lands.

By Mr. THOMAS:

A bill (S. 7110) granting an increase of pension to Mary Jane Drew; to the Committee on Pensions.

By Mr. MYERS:

A bill (S. 7111) granting a pension to George A. Atkinson; to the Committee on Pensions.

By Mr. TOWNSEND:

A bill (S. 7112) authorizing and directing the Secretary of War to muster Dr. John A. Bobb, deceased, a brigade surgeon, with rank of major, from assistant surgeon (with accompanying papers); to the Committee on Military Affairs.

A bill (S. 7113) granting an increase of pension to Charles E. Rogers (with accompanying papers); to the Committee on Pensions.

By Mr. TOWNSEND (for Mr. SMITH of Michigan):

A bill (S. 7114) for the relief of Ethel Proctor (with accompanying papers); to the Committee on Claims.

A bill (S. 7115) granting an increase of pension to Benjamin S. Wilbur (with accompanying papers);

A bill (S. 7116) granting a pension to Sarah Spencer (with accompanying papers);

A bill (S. 7117) granting an increase of pension to Fernando W. Moon (with accompanying papers);

A bill (S. 7118) granting a pension to Lola I. Pope (with accompanying papers); and

A bill (S. 7119) granting an increase of pension to Imogene M. Burke (with accompanying papers); to the Committee on Pensions.

By Mr. STERLING:

A bill (S. 7120) for the relief of persons making simultaneous settlements on the same tract of the public lands; to the Committee on Public Lands.

By Mr. HARDWICK:

A bill (S. 7121) for the relief of the heirs of Solomon Cohen; and

A bill (S. 7122) for the relief of the legal representatives of Henry D. Geddings; to the Committee on Claims.

By Mr. GALLINGER:

A bill (S. 7123) to create a tariff board; to the Committee on Finance.

A joint resolution (S. J. Res. 217) to repeal an act entitled "An act to reduce tariff duties and to provide revenue for the Government, and for other purposes," approved October 3, 1913; to the Committee on Finance.

AMENDMENTS TO APPROPRIATION BILLS.

Mr. MYERS submitted an amendment proposing to appropriate $26,000 for the purchase of a tract of land known as the Macauley ranch, adjoining the United States Army post at Fort Missoula, Mont., for the use and benefit of the post as a target range, etc., intended to be proposed by him to the Army appropriation bill (H. R. 20347) which was referred to the Committee on Military Affairs and ordered to be printed.

Mr. JONES submitted an amendment proposing to appropriate $27,500 for assistance to the Committee on Appropriations, the Committee on Commerce, the Committee on the District of Columbia, etc., of one clerk each at $2,750, etc., intended to be proposed by him to the legislative, etc., appropriation bill (H. R. 19909), which was referred to the Committee on Appropriations and ordered to be printed.

THE MERCHANT MARINE.

Mr. GALLINGER. Senate Document No. 225, Sixtieth Congress, first session, entitled "Development of the American Ocean Mail Service and American Commerce," is out of print, and there have been many calls for it. I move that 1,000 copies be printed for the use of the Senate.

The PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. KERN. I move that the Senate adjourn.

The motion was agreed to, and (at 5 o'clock and 40 minutes p. m., Saturday, January 2, 1915) the Senate adjourned until Monday, January 4, 1915, at 12 o'clock m.

HOUSE OF REPRESENTATIVES.

SATURDAY, *January 2, 1915.*

The House met at 12 o'clock noon.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

We bless, praise, and magnify Thy holy name, O God our Father, for the continuation of Thy gifts unto the children of men. In the sweep of time another year has passed into history, and we most earnestly pray that we may be the better prepared by its experiences to enter upon the new year, that it may bring to all Thy children peace, happiness, and good will, that Thy kingdom may be advanced and Thy will be done in every heart. In the name and spirit of Him who taught us life and the immortality of the soul. Amen.

The Journal of the proceedings of Thursday was read and approved.

CHARLES A. COULSON.

Mr. HAY. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill H. R. 13698, to correct the military record of Charles A. Coulson, and concur in the amendment of the Senate.

The SPEAKER. The Clerk will read the bill by title.

The Clerk read as follows:

H. R. 13698. A bill to correct the military record of Charles A. Coulson.

The SPEAKER. Is there objection?

There was no objection.

The Senate amendment was read.

The Senate amendment was agreed to.

INDIAN APPROPRIATION BILL.

Mr. STEPHENS of Texas. Mr. Speaker, I move that the House resolve itself into Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 20150, the Indian appropriation bill.

The motion was agreed to.

The House accordingly resolved itself into Committee of the Whole House on the state of the Union, with Mr. BYRNS of Tennessee in the chair.

The CHAIRMAN. The House is now in Committee of the Whole for the further consideration of the bill of which the Clerk will read the title.

The Clerk read as follows:

A bill (H. R. 20150) making appropriations for the current and contingent expenses of the Bureau of Indian Affairs, for fulfilling treaty stipulations with various Indian tribes, and for other purposes, for the fiscal year ending June 30, 1916.

Mr. STEPHENS of Texas. Mr. Chairman, Thursday I yielded one hour to the gentleman from Indiana [Mr. MOSS], and he has not occupied the whole of that time.

The CHAIRMAN. The gentleman from Indiana is recognized for 30 minutes.

Mr. MOSS of Indiana. Mr. Chairman and gentlemen, I sympathize with those who express impatience at the progress of rural-credit legislation, but I can not believe it possible that this legislation will be agreed to by the House without a full discussion of the principles which necessarily will give shape to the measure that will finally be adopted. I have been scrupulously careful to avoid any personal references which in any way can reflect to the discredit of any Member. I trust that it will not be considered discourteous, while I am discussing a principle applying to the entire subject of mortgage banking and not the provision of any particular bill, if I should prefer to continue until I shall have presented the arguments as I have prepared them without yielding to any gentleman on the floor.

When I was discussing the Moss bill and the Bulkley bill I was glad to yield to Members, even to the extent of being taken off the floor by the discussion that ensued before my remarks were concluded. But I am discussing no particular bill now, and I trust I may be permitted to continue in a connected manner.

We now turn to the land-purchase act of Ireland which has been cited as a reason why our Government should extend direct financial assistance to the proposed system of mortgage banks. The activities of Sir Horace Plunkett and of his associates who organized the Irish Agricultural Organization Society are not projected toward the granting of land-mortgage credit, but to the organization of personal credit and of coop-

eration in production and distribution of agricultural products. The condition of Ireland at the time the land-purchase act was enacted is depicted by Herrick in his Rural Credits, as follows:

The country had appealed to God, to the State, to humanity, for sympathy, for aid, for dollars, and had become a mendicant among the nations. Steps had been taken, it is true, to solve the land question, but "fair rents," although fixed by the courts at a reasonable figure, were more than the tenants could pay. Nearly one-half of the inhabitants of Ireland had emigrated beyond the seas, and most of those who remained were living in mud huts or squalid hovels, inflamed with mutinous rage against the Government. The plight of the farming class was most wretched of all, for on account of their crude methods of cultivation and marketing foreign competitors were underselling them in the staple products for which the soil was best adapted, and the meager gains were shared between the landlords and the "gombeen" men.

Even these miseries alone were not sufficient to cause the English Government to enact the land-purchase act. Under the laws of the United Kingdom the Irish tenants owned the improvements on the lands or estates. These improvements had been constructed at their expense, and the law recognized the tenants' right of ownership. Thus there grew up a dual ownership, which was peculiar to Ireland alone. There were two owners with adverse interests, with different nationality and different residence—one, the landlord owning the land, living in England, and drawing rents, and the other, the tenant owning the improvements, living in Ireland, and cultivating the soil. This condition not only led to ill feeling, but to actual warfare and to near revolution. Out of this difficult situation grew the land-purchase act.

It would be interesting and perhaps instructive to continue this review so as to include all the countries which have adopted a program of social reform; but I have cited the leading nations of Europe which have the largest interests and the longest experience with mortgage banking. It can not be gainsaid that social reform has been an important factor in inspiring the founding of the State-endowed type of mortgage-banking institutions in European countries.

I wish to direct particular attention to the degree of service extended to agriculture by institutions which are founded and controlled by private initiative as compared with those which are endowed by the State in whole or in considerable part, either by subscription to capital stock or by a guaranty of debentures. In order to secure a considerable degree of thoroughness without continuing at too great length I will confine myself to the institutions of Germany. I have called attention to the important fact that the Credit Foncier holds less than 10 per cent of the rural mortgages in France. I will also be able to submit figures showing that State-endowed banks only hold 5 per cent of such mortgages in Germany. I do not include the mutual associations of borrowers, generally known as landschafts among State-aid institutions. These do not have capital stock and the State does not in any manner guarantee their debentures. They are pure associations of borrowers, each member of which pledges individual mortgage security to the whole society in return for debenture bonds of the association and resting solely on the collective mortgages held by the association plus the liability assumed by the individual members for the payment of the debts of the association. Thus in no proper sense can it be said that these institutions have received grants of public money to loan to their members or to purchase any part of their bond issue; neither does the Government credit in any manner sustain the selling price of the bonds. The Government has extended the advantages of strict supervision and has conferred many extraordinary privileges which relate principally to the summary processes of collecting debts and of foreclosing mortgages without the ordinary delays or processes of law; they are also given judicial powers to fine their membership and to compel various kinds of personal services, either with or without compensation, while their membership in turn can not question these decrees of their officers or appeal to the courts to arbitrate any grievance any member may hold against his association.

In discussing State aid in relation to the landschaft associations, Cahill says:

Government grants were made to the earliest associations, but they were inconsiderable in amount and were rather advances to meet general initial expenses of organization and establishment. Thus the Kur and Neumarket Credit Institute obtained £3,000. After the Napoleonic wars certain assistance appears to have been granted in certain cases, but the amounts were not large (p. 42).

In this connection it should be stated that during the Napoleonic war Napoleon levied tribute on the landschaft associations in Germany and robbed them of all their reserves and available funds. It is thus probable that grants of public funds to meet organization expenses did not equal in amounts the tribute levied by the hand of war. These mutual associations are the parent bodies of all mortgage banks as we are now considering that term, and thus it is established that mortgage credit, based upon debenture land bonds, was founded and established without grants of Government capital or credit; and these institutions present a successful history since the eventful day of July 25, 1770, a period of 144 years.

In Germany these associations originally were aristocratic and admitted only the higher classes of society to membership. It has only been recently that progressive ideas and democratic forces in society influenced their management, and I call attention particularly to the very important fact that this change of management, which is entirely in the interest of the small farmer, was brought about by the private joint-stock mortgage banks and not the State-endowed institutions, so highly lauded by the gentleman from Ohio.

Thus it is established that private capital and private enterprise engaged in mortgage banking actually revolutionized the business methods and destroyed the privileges in the credit world which caste had conferred and sought to perpetuate. I quote again from Cahill, page 53:

ACTIVE MODERN POLICY OF ASSOCIATIONS.

Within the last generation these institutions have, in general, shown themselves to be quite alive to progressive ideas. They have extended their eligibility for membership so as to include owners of small properties; they have increased the proportionate loans upon the security of property; they have introduced new branches of allied activity (e. g., banking and insurance); and they have adopted more flexible business methods, though always consistent with absolute security for bondholders. This general awakening is due to many causes, but not least has been the influence of the joint-stock banks. As a result it no longer occurs that a leading German organization of agriculturists, in high dissatisfaction with the backwardness of these associations, energetically advocates—as it happened in the early sixties—the foundation of joint-stock mortgage banks.

No higher tribute to the efficiency and usefulness or to the popularity among the farmers of Germany of the private mortgage banks can be paid than is contained in this extract. Every close student of German banking knows that the landschaft associations have approached closely to the business methods of their popular rivals. Each association has organized a private joint-stock bank to carry on the business of general banking, including the making of mortgage loans to nonmembers of the associations; and they make their loans in cash rather than in debenture bonds, as formerly; and that in all the new landschafts mutual liability is abolished and every borrowing member is responsible only for the amount of his own obligation. I submit this indisputable evidence that mortgage banking was originated without Government endowment and that the popular present-day methods were originated and introduced by privately owned and controlled banking institutions. It now only remains to show that State-endowed institutions do not carry any considerable part of the burdens of extending mortgage credit to the men actually engaged in agricultural pursuits in the German Empire and I will have completed my case.

The total farm mortgage indebtedness of Germany is estimated at $2,000,000,000. That sum was stated to our commission by speakers assigned by the German Government to discuss the subject of German mortgage credit before us. I have noticed the same figures are given by writers of repute, so I will accept them. This vast sum is distributed among the different classes of mortgage banking institutions as follows:

Savings banks	$850,000,000
Landschaft associations	750,000,000
Joint-stock banks	170,000,000
State and provincial banks	100,000,000

(See Economic Quarterly for August.)

It thus appears that the mortgage banks in the German Empire which have been established for the whole of a State, Province, or of a district within a Province and whose liabilities are guaranteed by the public authority of such area only grant 5 per cent of the loans on rural real estate. In speaking of these banks which have been organized in Prussia, Dr. Augsbin, in his address at Berlin before the United States commission, said:

In the second place we must consider the district aid banks. These banks were founded about 50 years ago by the Provinces at the suggestion of the Prussian Government. The object was to further by means of these banks all works of general utility undertaken by the small communities and townships. The annuity banks of Prussia were established in Prussia in 1850 for the purpose of facilitating the redemption of old servitudes, encumbering the lands of peasants from feudal times, so as to enable the peasant farmer to buy off the feudal dues encumbering his lands. But I think that this form of credit is of no interest to the American farmer, who only needs cheap amortization credit on long-term mortgages to increase his productive powers, and only organizations similar to the Raffeisen or the German Landschaften are of real importance to him. (P. 392).

With these curt words this eminent authority dismissed the State-endowed institutions of Prussia and disposed of the contention which the gentleman from Ohio professes to believe is threatening to wreck this legislation now proposed to this hon-

orable body. I may say in concluding this discussion of these State-endowed mortgage banks in Germany that much of their business is quite familiar to American citizens and is the same class of expenditures as we carry on under direct public authority, such as the issue of bonds for drainage, irrigation, and road building, or by municipalities to own and operate public utilities, such as waterworks, municipal lighting systems, street railways, and similar public improvement enterprises. I am told that the State of Massachusetts guarantees the bonds issued by certain improvement districts to construct a system of public waterworks. Indiana likewise delegates public authority to the issue of bonds to improve lands lying in certain drainage districts. This kind of public improvement is so familiar with us that it does not merit extended discussion, yet it accounts for the organization of many State-endowed mortgage banks in Europe or more particularly in Germany.

There are many other special factors which operate in Europe and which are not present in the United States. Luzzatti, who is the father of cooperative rural credit in Italy, in an address before our commission, in Rome, stated that the savings which Italian emigrants in the United States send back to their native country did more to render possible the extension and upward march of credit in Italy than all the efforts of the ministers of the treasury—and Luzzatti is one of those ministers. If it be true that the savings of our foreign-born citizens which are sent back to the European Continent is a greater factor than any aid which the Government is able to extend in establishing systems of rural credit in those countries, then shall it be contended and can it be true that rural credit can not be successfully organized in this country without the grants of direct subvention from the Federal Treasury? But it is said that no successful mortgage system has ever been organized for small borrowers without such aid. This statement deserves some attention and elaboration.

The tracts of land in Europe are very small as compared with farms in the United States. I saw many farms in Germany which were mere strips of land not exceeding 30 feet in width. There were three Americans in our party in a tramp through rural Germany. We took photographs of many German farms so small that a person standing at each corner of the strip would show in the Kodak picture. German loans are made on the basis of the income of the land and not on its actual commercial value. In a general way this is true of all unrecallable long-time loans on the Continent. The theory is that only amounts can be safely loaned on a tract of land which can be repaid out of the income after deducting the cost of cultivation. All speculative values are excluded; and the income values are those taken by the German Government in assessing taxes. The result has been to make it difficult for small landowners to secure accommodations from those institutions which issue debenture bonds and are thus under the strict supervision of the Government. This one element has done more to limit the volume of rural business done by joint-stock banks in Germany than any other thing. The two joint-stock banks in Germany which do so large a proportion of the rural-loan business have been given the right to make an independent appraisement, and thus actually advance a larger proportion of the real value of the land than other private banks are permitted to do.

This feature accounts in part for the large business done by the savings banks, which charge a slightly higher rate and do not grant unrecallable loans. If the small farmer were to accept the small advance which he could get under their system of appraisement under a first mortgage and then be forced to borrow under a second from a private lender, the high rate on the second mortgage more than counterbalances the lower rate on the first mortgage. Naturally the borrower prefers to make his terms with savings banks or with private lenders. It is the system of valuation and not any defects in the system of banks which causes the results which are commonly pointed out as defects in the system of decentralized European banks. In a centralized system, like that of France, the cost of negotiating the loans adds to the difficulty by making the expense prohibitive to small borrowers in the remote parts of the Republic. In general, it may be said that a successful system of land-mortgage credit must contain the instrumentality to carry the machinery in some form to close proximity to the lands of the borrower.

I have thus demonstrated, first, that mortgage banking business based on land bonds was founded without the aid of public cash or public credit; second, that its methods of administration were perfected and made popular with the average farmer by the ability and energy of private bankers; and, finally, that the vast volume of all rural mortgage business is transacted by agencies operating without Government credit or Government cash. I therefore submit that in the face of this record there can be no justification for the contention that no useful rural-credits legislation can be perfected except by the grant of public money or the hypothecation of the public credit.

The attitude of Secretary Houston has been called into question, and there has been a concerted effort to make it appear that the administration has abandoned rural-credit legislation. I sympathize with those who may express an impatience at the delay in securing tangible results. However, there is no room for a charge that the legislation is being designedly delayed. It was generally admitted that our commercial system of banking was the poorest in the world, but years were spent in discussion and education, and it finally required the firmness and influence of the present administration to overcome the difficulties and to enact the Federal reserve law. The system has barely gotten into operation, and the administration is nearly two years in power.

The gentleman from Ohio referred to Mr. Herrick. For this reason it may be of interest to those who are criticizing the delay to mention that I had the honor on my return from Europe to deliver a message from Ambassador Herrick to Secretary Houston, urging careful consideration on the part of the administration of any proposed legislation on this subject, and expressing the opinion that the greatest danger was that enthusiasm rather than thorough knowledge might seek to dictate the terms of the law.

President Wilson personally assured our commission of his interest in this legislation, and that it was his desire that bills might be framed and presented to Congress at an early date. Without attempting to dictate the terms or draft of any measure which our commission might undertake to frame, the President frankly stated his objection to any direct grant of public money or to the guaranty by the Federal Government of the securities which might be issued by the proposed mortgage banks. He expressed cordial approval of the proposal to exempt mortgages and land bonds based upon them from all forms of Federal and local taxation, not as a subvention from the State to the banks, but as a measure of justice and advantage to the debtor. He approved the creation of adequate machinery within the Federal Government to give whatever assistance that might be thought to be helpful and necessary in the organization and supervision of these proposed instrumentalities. I have never understood from any authoritative source that the President has altered these views; on the contrary, he has appeared before Congress and has asserted them in a state paper or address. It remains also to say that the President expressed himself cordially in favor of chartering by the Federal Government of a system of personal-credit banks, which should be designed particularly for the use and benefit of the tenant class of farmers wherever such banks might be needed or helpful to the agricultural interests of the Nation.

Secretary Houston has at all times been interested in the progress of this legislation, and has never hesitated to express his personal views or to offer the assistance of the experts in his department. He promptly organized a division on rural credits and began a systematic study of the condition of agricultural credit in the United States, a work which was never before attempted by any authority. In his annual report he states that his department is now in position to give assistance to any committee of Congress to frame a personal-credit law, a work which so far as I am aware has not as yet been attempted by any Member of either House.

I beg to call your attention to the statement in regard to personal credits contained in the Secretary's annual report on page 31. I quote as follows:

> The students of rural credit recognize the desirability of another piece of legislation which may properly be had at the hands of the several States or of the Federal Government, namely, legislation authorizing and encouraging local personal cooperative credit associations. Some States have already taken steps in this direction and others are contemplating taking them. The Department of Agriculture has made earnest investigations in this field and is in position to offer suggestions as to legislation and as to the form and operations of rural-credit cooperative associations.

The Secretary has thus placed his great department in a position well in advance of that occupied by Congress on this subject. The gentleman from Ohio [Mr. BULKLEY] complains that the Secretary failed to make his position clear as to what kind of an instrumentality he favored. The Secretary in his report discusses the question with great directness and frankness. The failure of the gentleman from Ohio [Mr. BULKLEY] to comprehend the Secretary's position is due to the fact that he failed to quote the Secretary's language entire. In his quotation from the Secretary's report he omitted one sentence, though quoting all other connecting sentences. This one sentence would have made the meaning clear. The Secretary said:

> The chief difference of opinion arises over whether there should be special aid furnished by the Government. There seems to be no emer-

gency which requires or justifies the use of the Government's cash or the Government's credit.

The gentleman from Ohio failed to quote that last sentence, though he did quote in another connection the sentence which immediately follows it.

Mr. BULKLEY. Will the gentleman yield?

Mr. MOSS of Indiana. Certainly; with pleasure.

Mr. BULKLEY. I intend to print with my remarks the entire discussion of Secretary Houston on rural credits and omit nothing. I notice the gentleman has quoted a part of a sentence from the Secretary's report, and I hope that when he prints his remarks the whole of that sentence will be put in.

Mr. MOSS of Indiana. The gentleman is mistaken as to any division of sentences. The sentences are taken entire, though but a part of the paragraph appears. The entire paragraph will appear in Secretary Houston's letter, which will appear as a part of my remarks.

Mr. FALCONER. Will the gentleman yield?

Mr. MOSS of Indiana. With pleasure.

Mr. FALCONER. Will the gentleman also quote the President's message when he said that we would not take up rural-credit legislation at this session?

Mr. MOSS of Indiana. I shall always be glad, on any proper occasion, to quote any official utterance which President Wilson may make.

Mr. HOWARD. Will the gentleman comment on the fact that there are only two States in the Union that could take advantage of rural-credit provisions on account of the record and foreclosure laws of any Federal act that might possibly give rural credits to the people? There are only two States in the Union that could take advantage of it, and those are Iowa and Wisconsin.

Mr. MOSS of Indiana. Mr. Chairman, in reply to my friend the gentleman from Georgia [Mr. HOWARD], I beg to say that the Moss-Fletcher bill as it is drawn can go into operation in every State in the Union without any further action on the part of State or Federal authority. The debentures can not be accepted as a legal investment for trust funds except in those States whose laws respecting land titles, exemptions, and foreclosures are considered to be such as to give proper security to the debentures which may be issued. This decision is left to the commissioner of land banks under the bill as it was originally drawn. I am informed that the Bulkley-Hollis bill does not differ radically from the Moss bill in these provisions except that the specific requirements of State laws are not set out in the Bulkley bill but are left to the discretionary power of the Federal supervising power. It is not the intention of either bill, as I understand the Bulkley bill, to interfere with State laws. We designedly drew the commission bill so as to offer inducements to State authorities to adopt uniform State regulations concerning land registration, conveying, and exemptions, but the operation of the law is not dependent upon the State adopting such regulations.

This language of the Secretary supports the position assumed by the United States commission in its report. Our language is as follows:

GOVERNMENT FINANCIAL AID UNWISE AND UNNECESSARY.

In considering the question of the establishment of institutions under Federal charter, naturally the question of Government aid came under discussion. The commission, from the beginning, has been convinced that not only was Government aid unnecessary, but that it would be unwise. The farmers of the country do not desire any special privileges, and the idea of special privilege is, moreover, antagonistic to the spirit of our institutions. Government subvention is not needed. The security of our farms, the value of which is reported to be over $40,000,000,000 and yielding an annual product of the gross value approaching $10,000,000,000, is ample for the creation of a liquid security, which will be readily accepted by investors and which will enable the farmer to use his asset of land as readily as the merchant uses his stock of goods. The farmer needs no special privilege and wants no special privilege, and none should be extended to him.

On the same page of his report the Secretary gives his opinion as to the type of an institution which should be chartered. He says:

It is the judgment of the best students of economic conditions here that there is needed to supplement existing agencies a proper land-mortgage banking system operating through private funds just as other banking institutions operate, and this judgment is shared by the leaders of economic thought abroad.

Here is again a clear statement as to the type of institution the Secretary approves, and is in strong support of the recommendation of the United States commission. On page 30 of our report we used the following language:

Moreover, the commission became strongly convinced that the individual institution is best suited to the American people, and that the exercise of governmental activities should be largely confined to a rigid supervision, after allowing the widest latitude to individual effort and initiative.

Again, on page 29 of the Secretary's annual report, he reviews the main provisions of the Moss-Fletcher bill and of the Bulkley-Hollis bill, and concludes by saying:

A plan of this kind, operating through private funds, should work safely, and would probably result in a short time in systematizing credit transactions in rural districts and in reducing the interest rate.

Here is a specific indorsement by the Secretary of the principles contained in the Moss-Fletcher bill with no qualifying clauses. The Secretary has never been called upon to indorse specifically the language of the various sections of the bill. Its authors did not present it as a finished bill. It was presented as a basis for a successful and scientific system of land mortgage banks suited to American needs and conditions, and as such its principles have the complete indorsement of the administration.

Senator HOLLIS has stated on the floor of the Senate that the Bulkley-Hollis bill in all its principal features is similar to the Moss-Fletcher bill, but that they had modified some of its provisions and, in his opinion, had improved it. The Bulkley-Hollis bill is not acceptable to the administration in so far as it includes the principle of grants of public money and grants of the public faith and credit of the United States to sustain the selling price of their securities.

The issue is thus joined. I yield to no man in my desire to give the American farmer every legitimate advantage which can flow from wise legislation, but I am willing to take my stand with the administration. The American people have faith in the wisdom, patriotism, and integrity of President Wilson. [Applause on the Democratic side.] They are willing to trust his interpretation of our platform promises. The Democratic Party has never promised subventions or subsidies to any class of the American people, and the rank and file will gladly support the responsible leadership of the party in its refusal to yield to demands for a violation of our fundamental principles; and I desire to go on record now as predicting that this legislation will be enacted under the administration of Woodrow Wilson and agreeably to the promises and pledges of the Democratic Party. [Applause.]

I take pleasure in submitting the following letter from Secretary Houston. The Secretary's position was perfectly understood by every careful reader of his annual report, but as some have professed to be in doubt the Secretary calls attention to those passages of his report which clearly define his attitude and express his friendship toward this proposed legislation. His letter is as follows:

DEPARTMENT OF AGRICULTURE,
Washington, January 2, 1915.

Hon. RALPH W. MOSS,
House of Representatives.

MY DEAR MR. MOSS: Of course I am greatly interested in rural credits and in securing proper Federal and State legislation on the subject at the earliest possible moment. The subject is a very difficult one and it is of the utmost importance that the right beginning should be made. In spite of very clear expressions in my annual report and in public statements I have made, an erroneous impression concerning my attitude has been conveyed to the public in several ways and especially through the headlines of some of the newspapers. In some cases the headlines indicate that I am opposed to rural-credits legislation, notwithstanding the fact that the subject matter of the news items indicates very clearly that I favor rural-credits legislation, including not only a land-mortgage banking system, but also cooperative personal-credit institutions. It has been difficult for me to see how anyone could misinterpret my statements. It is true that I have not entered at length into a discussion of the details of proposed measures. I have consciously avoided doing so. It is our uniform practice to avoid commenting in detail on proposals pending in the Congress, except when committees of the Congress refer measures to the department for comment. Notwithstanding this practice I have indicated in my report in a general way some of the features of measures pending in Congress with a favorable expression of opinion. You know, of course, of the President's interest in rural-credits legislation and recall his message to Congress December 2, 1913, in which he presented "the urgent necessity that special provision be made also for facilitating the credits needed by the farmers of the country." He pointed out that the pending Federal reserve bill would do the farmers a great service; that it would put them on an equal footing with other business men and masters of enterprise; and that "what they need and should obtain is legislation which will make their own abundant and substantial credit resources available as a foundation for joint concerted local action in their own behalf in getting the capital they must use." In this message the President expressed the hope that the committees of the Senate and the House would address themselves to this matter with the most fruitful results. May I call your attention to a few passages in my annual report on the subject of rural credits? The matter is discussed in the annual report for 1914, pages 26 to 32, inclusive. See quotations in attached appendix.

Reference has been made to Mr. Herrick's recent book on rural credits, and attention has been especially called to his review of the character and extent of State aid in Europe to rural-credit institutions. If attention is not directed to Mr. Herrick's explanation of why State aid was extended in Europe and to his definite expression of view that European action does not furnish precedent for such action in this country and that aid from the Government's Treasury or credit is not needed in the United States, a false impression may be conveyed. As a matter of fact, Mr. Herrick is definitely opposed to the use of the Federal Government's funds or credit for the support of rural-credit

institutions. The following quotations from his book will make his position quite clear.

Very truly, yours, D. F. HOUSTON, *Secretary.*

QUOTATIONS.

THE PROBLEM.

Closely related to the production and distribution of farm products is the securing of capital by farmers on better terms. This problem has attracted the profound attention of the country and still awaits a full solution. The problem is one of extending the banking machinery and facilities more intimately into the country districts for the convenience and the assistance of the rural population and of the effective mobilization and utilization of the resources of the country people themselves.

AID THROUGH GOVERNMENT MONEY OR CREDIT.

The chief difference of opinion arises over whether there should be special aid furnished by the Government. There seems to be no emergency which requires or justifies Government assistance to the farmers directly through the use of the Government's cash or the Government's credit. The American farmer is sturdy, independent, and self-reliant. He is not in the condition of serfdom or semiserfdom in which were some of the European peoples for whom Government aid was extended in some form or other during the last century. He is not in the condition of many of the Irish farmers for whom encouragement and aid have been furnished through the land-purchase act. As a matter of fact, the American farmers are more prosperous than any other farming class in the world. As a class they are certainly as prosperous as any other great section of the people—as prosperous as the merchants, the teachers, the clerks, or the mechanics. It is necessary only that the Government, so far as geographic and physical conditions permit, provide machinery for the benefit of the agricultural classes as satisfactory as that provided for any other class, and this the Government has attempted and is attempting to do.

LAND-MORTGAGE BANKING SYSTEM NEEDED.

It is the judgment of the best students of economic conditions here that there is needed to supplement existing agencies a proper land-mortgage banking system operating through private funds, just as other banking institutions operate, and this judgment is shared by the leaders of economic thought abroad.

Notwithstanding the fact, however, that the people of the United States have ampler financial agencies than any other in the world, and have developed the habit of using these agencies to a greater extent than any other people, students of rural problems have been keenly alive to the need of further improvements. They have insisted upon extensions of the national banking facilities and the creation of special agencies in intimate touch with farmers with a special view to the betterment of financial conditions in the country. At least two definite measures have been prepared and have received special consideration. They are similar in many respects. They provide, in brief, for land-mortgage associations with small capital, which may make loans on farm mortgages within a district of a State or within a State to the extent of 50 per cent of the real values of the farms. The money arising from such loans is to be used for productive purposes on the farm on which the security is based. It is contemplated in one way or another, either through separate associations or through a central agency, that debenture bonds may be blanketed on the mortgages and offered to the public. It is proposed that the operations of the system shall be supervised by a central agency in Washington and that there shall be adequate safeguards in the way of examination and inspection. It is thought by students of the question that such debenture bonds would be safe, would attract capital, and would bring into the investment field, especially, small holdings scattered through the country which do not now easily find satisfactory investments. A plan of this kind, operating through private funds, should work safely and would probably result in a short time in systematizing credit transactions in rural districts and in reducing the rate of interest.

COOPERATIVE PERSONAL-CREDIT UNIONS NEEDED.

The students of rural credit recognize the desirability of another piece of legislation which may probably be had at the hands of the several States or of the Federal Government, namely, legislation authorizing and encouraging local personal cooperative credit associations. Some States have already taken steps in this direction and others are contemplating taking them. The Department of Agriculture has made earnest investigations in this field, and is in position to offer suggestions as to legislation and as to the forms and operations of rural credit cooperative associations. Such associations as these will perhaps render their largest service in the sections of the country where there are many small farmers whose individual resources may not be sufficient to enable them to secure the requisite credit. Their largest field for operation would probably be the South. Characteristics of such associations of small farmers are unlimited liability of members, the pledging of the faith of each to the other and of the whole to the lender, the use of funds for clearly defined productive purposes, and the supervision by the association of the use made of the funds. It has been objected that the feature of unlimited liability will prevent the organization of such associations in this country, but in certain sections of the country the liability of small farmers is already unlimited, and this could not be said to be an insurmountable obstacle.

The quotations from Herrick's Rural Credits referred to by Secretary Houston are as follows:

NEEDED ACTION IN UNITED STATES VERSUS STATE AID (P. 480).

The first step to be taken in order to extend cooperation and to introduce cooperative credit among farmers is, of course, the enactment of proper legislation. Already there are good laws on cooperative associations in many States. These ought to be codified in every State and the bad laws repealed. Wherever it could be done without interfering with present development and existing conditions, the laws on cooperation in each State should be reduced to one statutory act. There does not have to be one law for credit societies and separate laws for associations for other cooperative purposes. One law could be made to fit them all; and this would be the best plan, because then the regulations would become standardized as regards organization, administration, and management. The farmers of the United States do not need any special privileges or State aid. If methods were simplified and technicalities eliminated, cooperation, or organized individualism, based on private initiative and mutual self-help, would eventually be applied to all their activities. They would accomplish this most quickly and successfully by starting with the credit society as the local unit formed and operated on the principles of Raiffeisen.

EFFECT OF COOPERATION ON INTEREST.

Character of security: A great deal of misinformation on European cooperation has crept into the United States. The societies, it has been asserted again and again, grant cheap and easy credit at interest far below current rates, down to 3 and even 2 per cent, upon character alone. No statement could be further from the truth. Only in Italy is character credit ever accorded, and there, too, only now and then by Luzzatti's urban banks in the form of "honor loans" to indigent persons out of a small portion of their profits which they can afford to lose set aside each year as a pure act of charity. With this small exception there is no cooperative credit society in Europe which does not demand of borrowers as safe security as is exacted by an ordinary bank. Moreover, interest rates are never below those on sound and marketable securities except where the State has advanced public funds to be distributed in free or cheap loans.

The nearest the societies come to extending credit on character is when they permit a member to draw against an uncovered open account up to an agreed amount. Only those members who have unencumbered and readily attachable property, however, are allowed this privilege, while the agreed amount of the account is fixed at considerably less than the ascertained value of their property. Chattel mortgages and pledges of personal property are not uncommon, while the credit societies have been tempted even to assist members to acquire small holdings on real estate mortgages and have invested their surpluses in such securities. Serious consequences have resulted from this practice. The entire rural cooperative system of the Grand Duchy of Hesse has been shaken to its foundation by thus tying up funds of the credit societies, but bitter experience is gradually teaching cooperatives to let real estate mortgages alone. The preferred security is the indorsement of one or more responsible parties, and, with the rare exceptions noted, the societies will not extend credit on anything less. The societies themselves are able to borrow upon no other security than the collective liability of their members, and this is what is meant in speaking of the character credit which is available for cooperatives.

The interest rate for loans, discounts, and acceptances by European rural cooperative credit societies after they have been firmly established is never more than that charged merchants by the ordinary banks in their locality, while in the German Raiffeisen societies it may be less than the commercial rate, for a reason already explained. The American farmers should disabuse their minds of the stories recently told them of the fabulously cheap money in the European credit societies. There is enough good in cooperation to assure its spread, when once it becomes understood, throughout the United States without the invention of fictitious advantages. The granting of agricultural credit is expensive to the ordinary lender because of the costs of examining the securities offered and of making recoveries, and is not profitable unless it yields an interest rate sufficiently high to cover all costs and risks.

STATE AID—HISTORY (PP. 13–15).

Many governments assisted and even created institutions whose purpose was to compensate dispossessed lords or supply them with capital to hire labor in place of the liberated serfs, or to furnish these freedmen with the means to purchase farms; and this plan is still being followed to encourage young men to go back to the land or to remain upon it.

But wherever this intervention occurs it is motivated by the old feudal notion which led kings to believe that the land and its occupants belonged to them and should be subject to their particular care. As the rights and duties dropped away from the lords they passed over to the kings and finally lodged in constitutional governments. Feudalism was frequently replaced by paternalism. England, Sweden, Norway, Germany, and some of the flourishing small States did not develop along this line, but all the other large agricultural nations took this bent, and treated the agricultural classes as dependent wards, if they gave them any friendly consideration at all.

Literature teems with stories of the ignorance, poverty, and degradation of the continental European peasants up to a half century ago. Masses of them are still so poor that they do most of their work by hand, carry their produce to markets on their backs or in carts drawn by themselves or their wives, and are forced to use every miserable little economy to keep body and soul together. To call an American farmer a peasant would be to insult him, although the equivalents of the word in foreign languages convey no offensive meaning. This shows what agricultural conditions in Europe are as viewed by American eyes. The majority of peasants are landless or own plots too small to be mortgaged and have no chance to obtain more on their own standing alone. Hence they are able to get real estate credit only by cooperation or from institutions assisted or privileged by the state.

The feudal system did not gain foothold on American soil, so the United States has never had a complicated variety of tenures and gradation of ranks, the removal of which called for severe remedies. The principles of equality which presided at the Nation's birth have been constantly manifested by avoiding special and using general laws wherever it has been possible to do so. Special legislation, either for individuals or classes, would now be revolutionary and also would deaden the spirit of those who should rely upon it. The American farmers are better men than the European peasantry. Furthermore, they are the most independent and self-reliant part of the country's population. It does not seem likely that they will demand privileges and special favors devised for conditions which have no parallel in this country and which would do them in the long run more harm than good.

STATE AID—FRANCE—EFFECT (PP. 344–345).

Nothing, however, has yet come to light to enable a forecast to be made of the direction which future development will take. Indeed, the future is very uncertain. State aid, which has been so lavishly extended in France, has registered a conspicuous failure when considered from the viewpoint of the hopes entertained in 1899. Even its partisans are far from satisfied with the progress made, and are now contemplating amendments to the laws in order to bring about vital changes in the Credit Agricole Mutuel. To say nothing of the dependence upon funds officially supplied, the intimate relations between the system and the Government bind together the financial destinities of both. The occurrence of a great war, for instance, which only served to prove the absolute solidity of the self-reliant Germany system in 1870, might imperil the very existence of this French State-aided system. No one can foretell, of course, what will happen; but perhaps, as the years roll on, larger numbers of members of the Credit Agricole Mutuel will appreciate the value of the principles of self-help maintained by the Federation of the Farmers and Workmen's Bank, with unlimited liability, and, in a lesser degree, by the Central Federation, and then the full meed of praise will be bestowed upon Rostand, Rayneri, and espe-

cially upon Louis Durand, who for over a generation have been fighting the good fight for mutual self-help and pure cooperation.

STATE AID—AUSTRIA-HUNGARY—EFFECT (PP. 378-379).

The success achieved by this Crown-devised and State-aided cooperative credit system of Hungary was a surprise even to those who conceived it. The system was established purely as an experiment, but it now covers 7,777, or over one-half, of the parishes of Hungary. It has stamped out usury and revived agriculture within that area, and has given a strong impetus to the cooperative movement which is now spreading throughout the land. But it has defects and shortcomings which are becoming more apparent with time.

The intervention of the State has deadened the spirit of self-help. The arrangement which deprives the farmers of direct representation in the management of the center, and even compels them to accept persons not of their own choosing for certain offices in the local societies, violates the important principle of cooperation and retards the development of individual independence. Great numbers of the societies have been formed and are managed by the priests, teachers, notaries, or large landowners in the neighborhood, and the members have no mutual feeling for one another, but join simply with the object of benefiting themselves alone. The artificiality arising from this outside control has created distrust of the system in banking circles. Coupled with this distrust is the enmity aroused by the official favoritism displayed and the class legislation enacted for farmers, and as a result the center, which is now mostly agricultural, finds difficulty in negotiating its debentures and rediscounting the paper of the local societies. Indeed, the system is badly in want of money for extending its activities, and the minister of agriculture recently acknowledged that unless it can attract more deposits or establish better relations with existing financial institutions, the State will have to be called upon for further assistance.

STATE AID—ITALY—CHARACTER (P. 363).

None of these various central banks which the Government has set up for central, southern, and insular Italy is allowed to do business with the farmers directly if there are any rural banks, consortiums, or agricultural bodies, either of an incorporated or cooperative form, to serve as intermediaries, and all are expected to encourage the formation of such intermediaries, particularly of the cooperative kind, while they have the right to inspect and supervise the reorganization, if necessary, of those with which they have dealings. These central banks are, in fact, the official organs of the Government for introducing cooperative credit among poor or ignorant farmers who lack the standing and initiative to help themselves. Several of them were called into existence and endowed with public funds in consequence of earthquakes, pests, and plagues, which devastated wide areas, and they assisted, it is true, all who applied until normal conditions were restored. But usually they give preference to the smallest loans offering the highest security. The banks of Naples and Sicily are allowed considerable discretion, but strict rules for according credit have been laid down for the rest. In Liguria, for instance, the maximum loan is $600 for three years. The money may be used only for the purchase of live stock, implements, or machinery. Loans of $200 may be granted for two years for the purchase of fertilizer or for the necessaries for planting biennial crops. Loans for the same amount may be granted for only one year for other purposes of cultivation and harvesting. It will be seen that these State-aided banks of Italy are not for large or well-to-do farmers.

Mr. STEPHENS of Texas. Mr. Chairman, I will ask the gentleman from South Dakota [Mr. BURKE] to use some of his time now.

Mr. BURKE of South Dakota. Mr. Chairman, I will say to the gentleman from Texas that I have no requests for time. I desire, however, to discuss briefly one or two provisions in the bill, and it will be quite satisfactory to me, and I am sure it will be to this side of the House, to begin the reading of the bill under the five-minute rule, if there may be an understanding that when certain items are reached the five-minute rule will not be enforced. I will say to the committee that I will not consume probably more than 20 minutes or possibly half an hour.

Mr. STEPHENS of Texas. Mr. Chairman, that will be entirely satisfactory to this side of the House. I also have a statement from the gentleman from Oklahoma [Mr. CARTER] and from the gentleman from Mississippi [Mr. HARRISON] to the effect that they desire to discuss certain features of the Choctaw matter when it is reached under the five-minute rule, but that now they are willing to begin with the reading of the bill.

Mr. BURKE of South Dakota. Mr. Chairman, I will say again to the gentleman that I am quite willing to have the bill taken up now for amendment under the five-minute rule if we may have that understanding.

Mr. STEPHENS of Texas. That is quite satisfactory.

Mr. BURKE of South Dakota. Mr. Chairman, I ask unanimous consent that when a certain item which I wish to discuss for a longer time than five minutes is reached under the five-minute rule I may have 30 minutes, and if the request is granted I will waive the time that is assigned to me in general debate, which is an hour.

The CHAIRMAN. The gentleman from South Dakota asks unanimous consent that when a certain item in the bill in which he is interested is reached he may have 30 minutes in which to discuss it. Is there objection?

There was no objection.

Mr. MANN. Mr. Chairman, I ask unanimous consent that the gentleman from Washington [Mr. BRYAN] may proceed for one minute.

The CHAIRMAN. The gentleman from Illinois asks unanimous consent that the gentleman from Washington may proceed for one minute. Is there objection?

There was no objection.

Mr. BRYAN. Mr. Chairman, what I desire to do is to call to the attention of the Members of Congress here, and to those who may read this morning's RECORD, the fact that the unfinished business on Calendar Wednesday is the consideration of a death-liability statute that is supposed to affect the ocean only, but which does affect every coast State and all the Great Lakes States, and which takes away from the States jurisdiction in the matter of death on steamboats, which is very broad, and which substitutes an archaic, ancient, out-of-date statute, that it would be an absolute disgrace for this Congress to pass. I hope that the Members of Congress who have not been paying any attention to that statute will consider it and study it before next Calendar Wednesday. I believe, for instance, that the gentleman from Ohio [Mr. WILLIS], who is going to be governor in that State soon, if he would look at the statute would be crusading against it and fighting it in every way possible. I believe that gentlemen from the Great Lakes region would fight it, and also gentlemen from Florida and Louisiana and Texas, and all coast States. Jurisdiction is to be taken from the States, and it is not to be fully restored as to its most substantial remedies to the Federal Government. If it was going to be retained in its entirety and effectiveness it would be different, but they are going to wipe out to a great extent the chance of widows and orphans and those who have claims against steamboats collecting them by giving jurisdiction over to the Federal judges in the admiralty court, where there is no jury trial. In the State courts there is a jury trial. It seeks to take away a great many of the privileges that claimants have by applying the most archaic rules known to the lawyers of the Shipping Trust.

The CHAIRMAN. The time of the gentleman from Washington has expired.

Mr. HARRISON. Mr. Chairman, I would like to ask the Chairman of the committee if it is not possible at this time for us to make some unanimous-consent agreement with reference to taking up the Choctaw item, fixing the time for debate, and the division of the time?

Mr. STEPHENS of Texas. Mr. Chairman, I think it would be agreeable to both sides that when we reach that item the gentleman from Mississippi shall control 30 minutes and the gentleman from Oklahoma 30 minutes, as we had agreed on Thursday.

Mr. HARRISON. I do not think that I have ever agreed to that, as far as I am concerned.

Mr. MANN. Mr. Chairman, the gentleman from Mississippi [Mr. HARRISON] and the gentleman from Oklahoma [Mr. CARTER] have 30 minutes each of general debate. Why not by unanimous consent change that so that it will be taken out of the general debate and the time be consumed when that item in the bill is reached under the five-minute rule?

Mr. HARRISON. That would be satisfactory.

Mr. STEPHENS of Texas. Mr. Chairman, I ask that that agreement be made.

Mr. HARRISON. Mr. Chairman, I suggest to the gentleman that he might make it 45 minutes on a side.

Mr. MANN. That would not limit the time under the five-minute rule.

Mr. STEPHENS of Texas. The gentleman could get time always.

Mr. MANN. That can be done at that time.

Mr. STEPHENS of Texas. Mr. Chairman, I ask unanimous consent that when the Choctaw item in the bill is reached under the five-minute rule, under the head of the Five Civilized Tribes, the gentleman from Mississippi [Mr. HARRISON] may have 30 minutes and the gentleman from Oklahoma [Mr. CARTER] 30 minutes in which to discuss the item.

Mr. MANN. That is, transfer the 30 minutes of general debate to debate under the five-minute rule when that item is reached.

The CHAIRMAN. The gentleman from Texas asks unanimous consent that when the item in the bill relating to the Choctaws is reached the gentleman from Mississippi may have 30 minutes and the gentleman from Oklahoma 30 minutes. Is there objection?

Mr. MANN. That does not interfere with the ordinary procedure under the five-minute rule.

The CHAIRMAN. No. Is there objection to the request? [After a pause.] The Chair hears none, and it is so ordered. The Clerk will read the bill for amendment.

The Clerk read as follows:

Be it enacted, etc., That the following sums be, and they are hereby, appropriated, out of any money in the Treasury not otherwise appropriated, for the purpose of paying the current and contingent expenses of the Bureau of Indian Affairs, for fulfilling treaty stipulations with various Indian tribes, and in full compensation for all offices the salaries for which are provided for herein for the service of the fiscal year ending June 30, 1916, namely:

For the survey, resurvey, classification, and allotment of lands in severalty under the provisions of the act of February 8, 1887 (24 Stat. L., p. 388), entitled "An act to provide for the allotment of lands in severalty to Indians," and under any other act or acts providing for the survey or allotment of Indian lands, $125,000, to be repaid proportionately out of any Indian moneys held in trust or otherwise by the United States and available by law for such reimbursable purposes and to remain available until expended: *Provided*, That no part of said sum shall be used for the survey, resurvey, classification, or allotment of any land in severalty on the public domain to any Indian, whether of the Navajo or other tribes, within the State of New Mexico and the State of Arizona, who was not residing upon the public domain prior to June 30, 1914.

Mr. MANN. Mr. Chairman, I move to strike out the last word. I see that this item is decreased from $150,000 to $125,000. How much unexpended balance is there for the last fiscal year? My recollection is that the commissioner or Secretary, in making his report, says that this allotment work has very materially decreased.

Mr. STEPHENS of Texas. I will state to the gentleman that the unexpended balance is $89,241.59.

Mr. MANN. If they had an unexpended balance of $89,000 out of an appropriation of $150,000, with the statement of the department that the work of the department is materially decreased, what is the need of making an appropriation now almost as large as was made before?

Mr. STEPHENS of Texas. Because they have outstanding contracts with persons to do certain surveying work that have not yet matured, and they are still being employed in carrying out that work, and it is necessary, in order to meet those contracts that have not yet matured, that this balance be withheld.

Mr. MANN. I notice that the report of the Commissioner of the Indian Office on page 44 has this to say:

During the past two years the quantity of allotment work handled in the field has decreased materially. A few years ago the office had as many as 18 allotting agents in the field at one time, while to-day we have but three. This is due partly to the fact that practically all the Indians on reservations containing lands susceptible of agricultural development without irrigation have been allotted.

Now, if that is the case, what is the necessity of making a larger appropriation. That does not indicate that there are a lot of outstanding contracts. What is the necessity of making a large appropriation and swell the appropriation if the money is not to be expended?

Mr. STEPHENS of Texas. I will call the attention of the gentleman from Illinois to House Document No. 1287, a letter from the Secretary of the Interior transmitting a statement of cost of survey and allotment work, Indian Service, for the fiscal year ending June 30, 1914, in which they set out in full each item of expenditure and how expended and where, and it is a complete statement.

Mr. MANN. Yes; and that indicates that there is no need for that large appropriation.

Mr. STEPHENS of Texas. It is a justification for the appropriation.

Mr. MANN. It is a justification for what they have expended, but it is not a justification for making an appropriation much larger than they need for that particular service.

Mr. STEPHENS of Texas. I will say to the gentleman that I have none of these lands in my State, and I will yield to the gentleman from South Dakota [Mr. BURKE] who has a lot in his State.

Mr. BURKE of South Dakota. Mr. Chairman, I will state that when I saw, as I did see the other day, the report of the Commissioner of Indian Affairs in reference to allotment work which the gentleman from Illinois has just read it occurred to me, in view of the fact that the hearings disclose that there had been an unexpended balance of $89,000 last year of this appropriation, that the amount could be further reduced. I took the matter up with the Indian Office, called their attention to the report, and also called their attention to what their estimates showed with reference to the unexpended balance, and they went over the matter fully with me and showed that they would need this money for the next fiscal year by showing the different reservations where allotment work is being done, and that much of it is used in the survey on Indian reservations where the money is paid to the General Land Office, which does that work. They also called attention to the fact that under the present practice allotments are being made by the superintendents at agencies instead of regular alloting agents, and that there was a great deal of work being conducted in the way of allotment, and a full written statement of it is being prepared, but has not yet reached me from the Indian Office; and I am going to ask leave to extend in the RECORD the statement justifying the necessity for having $125,000 for the next fiscal year for the work of survey and allotment.

The CHAIRMAN. The time of the gentleman from Illinois has expired.

Mr. MANN. Mr. Chairman, just a minute more. Of course, if they need the money, I am quite satisfied. The statement in the report of the Commissioner of Indian Affairs does not indicate that they need the money. The commissioner is a very good commissioner, but he ought not to make such a sloppy statement in his report if the facts do not justify it. His report indicated they do not need the money. Now, the information he furnishes the gentleman from South Dakota says that they do need the money. Well, he ought to be more careful, for we are supposed to read his annual report, but we are not supposed to know his private opinion.

Mr. BURKE of South Dakota. Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD by inserting the statement which was furnished by the Indian Office in reference to this item.

The CHAIRMAN. Is there objection to the request of the gentleman from South Dakota? [After a pause.] The Chair hears none.

The statement is as follows:

With reference to allotting agents, while it is true that the number of these officers has been greatly diminished, yet in making these decreases advantage has been taken of the provisions of section 9 of the act of June 25, 1910 (35 Stat. L., 855–859), which authorizes allotments to be made on reservations by the superintendents or agents in charge. In your own State, on the Cheyenne River, Rosebud, Crow Creek, and Standing Rock Reservations, allotments have been and are now being made by the superintendents. On the Pine Ridge Reservation Mr. Bates is still employed as allotting agent, and although his work is nearing a close, yet under the law allotments may be made to newly born children as long as any lands remain unallotted.

The estimate of $125,000 for surveying and allotting Indian reservations is a conservative one. Probably $75,000 of this amount will be required by the General Land Office in survey work, notably on the Northern Cheyenne or Tongue River Reservation, Mont., to complete surveys of the Pueblos in New Mexico, to survey the Papago or San Xavier Reservation in Arizona, for additional work on various Chippewa reservations in Minnesota, to survey the Goshute Reservation in Utah, and to survey various Mission Indian reservations in California, where little "inside work" has been done and where the reservation boundaries have not been properly identified. This would leave $50,000 for allotment work, including salaries, and for forage, equipment, materials, various other incidental expenditures, and for emergency work.

Allotments are now being made on the Gila River Reservation in Arizona, where there are several thousand Indians to be provided with land. On the Hoopa Valley Reservation, Cal., surveys are required, and there are approximately 500 Indians to be allotted. There are also about the same number to be allotted on the Duck Valley Reservation in Nevada. It may be added that many of the tracts purchased for Indians in California under the acts of June 21, 1906 (34 Stat. L., 325–333), April 30, 1908 (35 Stat. L., 70–76), and subsequent acts, have not yet been subdivided for the purpose of allotments in severalty, and that while the expense for surveying and platting of each tract would not be large, yet in the aggregate the cost will be considerable, as we bought lands for about 40 bands. This work has not received specific attention heretofore, as the funds appropriated were needed for more pressing work elsewhere.

Mr. HARRISON. Mr. Chairman, I move to strike out the last two words for the purpose of obtaining some information. I see at the bottom of this paragraph, the last three lines, these words:

Who was not residing upon the public domain prior to June 30, 1914.

Why was that incorporated in the bill?

Mr. STEPHENS of Texas. That is on the second page of the bill?

Mr. HARRISON. The last paragraph.

Mr. STEPHENS of Texas (reading). "Provided that no part of said sum shall be used for the survey, resurvey," lines 11 to 17, inclusive?

Mr. HARRISON. No; just the last three lines of that paragraph containing the words "who was not residing upon the public domain prior to June 30, 1914."

Mr. STEPHENS of Texas. That was for this reason. That the Navajo Indians of the States of New Mexico and Arizona have heretofore been permitted to go off the reservation and take land as citizens of the United States could take it under the public-land laws of the United States.

It seems that at that date they were forbidden. There was a provision in the last Indian appropriation bill to the effect that thereafter they could not take that land, and that is the reason for this.

Mr. HARRISON. That is now permanent law?

Mr. STEPHENS of Texas. Yes; that is permanent law now.

Mr. HARRISON. May I ask the gentleman, further, Is the work that is required respecting the appraisement of these lands finished now?

Mr. STEPHENS of Texas. This provision, as the gentleman will see, does not provide for the appraisement. It says:

That no part of said sum shall be used for the survey, resurvey, classification, or allotment of any land in severalty on the public domain to any Indian—

And so forth, and it does not provide for an appraisement.

Mr. HARRISON. That is what I asked about, whether there was any necessity for a further appropriation for appraisement purposes, and if not, since in prior bills it has been carried, whether the work of appraisement is now over?

Mr. STEPHENS of Texas. I think so. But it is not estimated for by the department.

Mr. HARRISON. Previously the word "appraisement" was included with the terms "reclassification and allotment."

Mr. STEPHENS of Texas. Yes. The reason for that was that allotments were made to the Indians, and then there was an unsurveyed domain, belonging to the tribe, that had to be sold and that had to be estimated for and appraised; and that is the reason why the word "appraisement" was left in the bill then. There is no reservation of that character now.

The CHAIRMAN. Without objection, the pro forma amendment is withdrawn. The Clerk will read.

The Clerk read as follows:

For the construction, repair, and maintenance of ditches, reservoirs, and dams, purchase and use of irrigation tools and appliances, water rights, ditches, lands necessary for canals, pipes lines, and reservoirs for Indian reservations and allotments, and for drainage and protection of irrigable lands from damage by floods, or loss of water rights, including expenses of necessary surveys and investigations to determine the feasibility and estimated cost of new projects and power and reservoir sites on Indian reservations in accordance with the provisions of section 13 of the act of June 25, 1910, $250,000, reimbursable as provided in the act of August 1, 1914, and to remain available until expended: *Provided*, That no part of this appropriation shall be expended on any irrigation system or reclamation project for which specific appropriation is made in this act or for which public funds are or may be available under any other act of Congress; for pay of one chief inspector of irrigation, who shall be a skilled irrigation engineer, $4,000; one assistant inspector of irrigation, who shall be a skilled irrigation engineer, $2,500; for traveling and incidental expenses of two inspectors of irrigation, including sleeping-car fare and a per diem of $3 in lieu of subsistence when actually employed on duty in the field and away from designated headquarters, $3,200; in all, $259,700: *Provided also*, That not to exceed seven superintendents of irrigation, six of whom shall be skilled irrigation engineers and one competent to pass upon water rights, and one field-cost accountant, may be employed: *Provided further*, That the proceeds of sales of material utilized for temporary irrigation work and structures shall be covered into the appropriation made therefor and be available for the purpose of the appropriation.

Mr. MANN. Mr. Chairman, I make a point of order on that.

The CHAIRMAN. The gentleman from Illinois [Mr. MANN] makes a point of order on the paragraph just read.

Mr. STEPHENS of Texas. To what item?

Mr. MANN. To the paragraph. This covers the repair of ditches and the purchase and use of tools and appliances and everything of that sort, and is made available until expended. I am aware that this item was carried in other appropriations, but inserted by another body. But what is the necessity and object of making an appropriation for maintenance of irrigation ditches available until expended, contrary to all the ordinary principles which we adopt in making appropriations? I can understand why it may be desirable and necessary to make an appropriation for construction of irrigation ditches available until expended, but, for maintenance and repair, why is not that a current item, to be taken care of without accumulating a large surplus?

Mr. STEPHENS of Texas. Will the gentleman please indicate the page and line on which that occurs?

Mr. MANN. Page 3, line 5.

Mr. STEPHENS of Texas. That must have been an oversight. I do not think it is necessary for that to remain there.

Mr. CARTER. Mr. Chairman, that, I take it, applies to the first part of the paragraph, for the construction, repair, and maintenance.

Mr. MANN. It would apply to everything in the paragraph.

Mr. CARTER. It would not be necessary for it to apply to maintenance, but it has been the rule, as the gentleman knows, to make it apply to construction.

Mr. MANN. Where we make a specific appropriation for the construction of an irrigation ditch it has been quite customary to make the appropriation available until expended, and there is very good reason why it is necessary; but where we make a general appropriation every year for maintenance and repair, including some construction, I can not see any reason why that should be made available until expended.

Mr. CARTER. Mr. Chairman, I think that follows the language of the bill last year, but I agree with the gentleman from Illinois——

Mr. MANN. It does follow the language of the bill. Of course, it is true that the Indian Office, like every other bureau and department of the Government, would like to have appropriations made which they can hold until they want to use them; but after all it is better in making these appropriations to make them annual, as far as possible, so that we shall know something about how much money is likely to be expended in the ensuing year, because we will have to provide for the raising of the amount.

Mr. STEPHENS of Texas. Then, Mr. Chairman, I will offer a motion to strike out the words "to remain available until expended."

Mr. MANN. I will move to strike it out on a point of order, and also, at the bottom of page 3, the item which provides that the proceeds of sale of material used for temporary irrigation work and structures shall be covered into the appropriation made therefor and shall be available for the purposes of the appropriation. What is the necessity of violating the usual rule that we have that the proceeds of sales shall be covered into the Treasury as miscellaneous receipts?

Mr. STEPHENS of Texas. I have no objection to that going out.

Mr. BURKE of South Dakota. Mr. Chairman, if the gentleman will permit an interruption, I will state that it has been the policy of the Committee on Indian Affairs not to carry any such provision, and I had supposed this was out. I think it is in there inadvertently, and it ought to go out.

Mr. MANN. Mr. Chairman, I make a point of order on the language on page 3, line 5, "to remain available until expended," and also to the last proviso following the word "employed," on line 21 of page 3.

The CHAIRMAN. Does the gentleman from Texas desire to discuss the point or order?

Mr. STEPHENS of Texas. I concede the point of order on both.

Mr. HARRISON. Mr. Chairman, I renew the point of order on the whole paragraph. I want to ask the chairman of the committee a question. I notice you have an item here for the pay of one chief inspector of irrigation, on lines 9 and 10 of page 3, and on line 11 "one assistant inspector of irrigation, who shall be a skilled irrigation engineer, $2,500." Are those new offices?

Mr. STEPHENS of Texas. They are not.

Mr. HARRISON. Are those provided for by law?

Mr. STEPHENS of Texas. Yes.

Mr. HARRISON. May I ask the gentleman what is meant by "traveling and incidental expenses of two inspectors of irrigation, including sleeping-car fare and a per diem of $3 in lieu of subsistence"? Do you intend to mean by that that one traveling in the field in the discharge of his duties gets $3 a day for subsistence, and in addition to that he gets his actual traveling expenses; that is, lodging and railroad fare, and all those things?

Mr. STEPHENS of Texas. This is for traveling and incidental expenses, including sleeping-car fare and a per diem of $3 in lieu of subsistence, when actually employed on duty in the field and away from the designated headquarters.

Mr. HARRISON. Would it not be better if the paragraph were made to read "For actual necessary traveling expenses when actually employed on duty in the field and away from designated headquarters"? Would not that include all necessary expenses of subsistence and lodging and travel?

Mr. STEPHENS of Texas. That is the language carried in all the appropriations for any similar service, and this has to be in that shape so as to be audited properly.

Mr. HARRISON. It does not have to be in that shape because the other items are carried in this form, does it?

Mr. STEPHENS of Texas. The language has been used in all the bills for many years.

Mr. HARRISON. Does not the gentleman think the other form would be better?

Mr. STEPHENS of Texas. It would be subject to some objection.

Mr. HARRISON. If the actual necessary traveling expenses of one of these inspectors were paid they might not amount to as much as the railroad fare and $3 per diem for subsistence.

Mr. CARTER. I think it would amount to a great deal more than $3 per diem. The object of putting in the $3 per diem was to fix an amount which they might not exceed, so that they might not pad their expenses, and in order that there might be a definite amount over which they should not go.

Mr. HARRISON. I withdraw the point of order, Mr. Chairman.

Mr. FOSTER. I renew the point of order for a moment.

Mr. SAMUEL W. SMITH. If the gentleman will yield, I wish to ask him a question for information.

Mr. STEPHENS of Texas. I yield to the gentleman from Michigan.

Mr. SAMUEL W. SMITH. How many Indians are the United States caring for at this time?

Mr. STEPHENS of Texas. There are something over 300,000 in the United States. About 101,000 of them are in Oklahoma and the rest are distributed throughout the United States, mainly in New Mexico, Arizona, South Dakota, and Montana, I believe.

Mr. FALCONER. And some in California.

Mr. SAMUEL W. SMITH. Are any of them located in the State of Michigan?

Mr. STEPHENS of Texas. We have an Indian school in Michigan whose pupils are being cared for, and there are possibly a few scattered bands of Indians elsewhere in the State.

Mr. FERRIS. I want to inquire of the chairman of the committee whether he has made any general investigation or had specific hearings to determine how the irrigation carried on by the Indian Bureau articulates with the irrigation carried on under the general reclamation act of 1902? The gentleman will recall that while I was on the committee we used to wonder and tried to determine if there was not a good deal of duplication of work between the two bureaus; and I want to ask if there have been any new developments in the last few years as to the irrigation carried on by the Indian Bureau and the irrigation carried on by the regularly constituted irrigation bureau under the act of 1902?

Mr. STEPHENS of Texas. I will say to the gentleman that the new bureaus are both under the Secretary of the Interior, as the gentleman well knows.

Mr. FERRIS. That is true.

Mr. STEPHENS of Texas. And I will say that the appointments have been made with a view to having harmony between them, and I do not think that at the present time there is any friction between the Indian irrigation service and the irrigation by the Reclamation Service.

Mr. FERRIS. I did not particularly have in mind any personal hostility or personal antagonism that there might be between the two bureaus; but as the chairman of the committee well knows, they are both under the Interior Department, both appointed by the Interior Department, and both conducted there, with the Indian Department as a last resort for the Indian irrigation. I wondered if the chairman of the committee had ever conceived of a plan whereby the general Reclamation Service and the Indian reclamation service might be brought together, and not have two bureaus operating.

Mr. STEPHENS of Texas. I do not see how that could be done, because of the fact that, as the gentleman well knows, the public lands are under the control of his committee, and we have a Public Land Commissioner and an Indian Commissioner. Each one of them has jurisdiction of lands. The lands may be in the hands of white citizens of the United States and a strip may run through an Indian reservation or an Indian reservation may border upon them. It is necessary for the two to act in harmony, and yet each must act within his respective jurisdiction.

Mr. FERRIS. I know it is necessary for them to act in harmony; but as both bureaus are under one head, every time we take up an irrigation matter in the Indian Office or every time we take up an irrigation matter in the General Reclamation Office we finally wind up in the Secretary's office; and I have been wondering if we could not hurdle one of these bureaus and get to the Secretary of the Interior a little quicker.

Mr. STEPHENS of Texas. I do not see how it would be possible, considering the rights of the citizens who are not wards of the Government and the rights of the wards of the Government, one being presided over in one bureau and the other in another.

Mr. FERRIS. I have no specific amendment to offer, and no point of order to make, and no particular criticism about it. It simply seems to me that if the two services could be brought together and consolidated into one, so that you could get your finger on what they were both doing, and how they were doing it, and how much money was being spent, it would be a good idea to have the work done in that way. I wish the Indian Committee—and the chairman knows I am very fond of every member of that committee—would look into the advisability of trying to blend the two bureaus under the Interior Department and see if they could not save a little money.

Mr. COX. Will the gentleman yield?

Mr. FERRIS. I yield to the gentleman.

Mr. COX. Would not the gentleman's committee, over which he presides as chairman, have jurisdiction of legislation of this kind?

Mr. FERRIS. We of the Public Lands Committee have no jurisdiction of irrigation matters. As the gentleman from Indiana well knows, they have a regular Committee on Irrigation, and irrigation matters go to that committee. We do not have anything at all to do with irrigation.

Mr. COX. Your committee has general jurisdiction over matters relating to the Interior Department, has it not?

Mr. FERRIS. We have to do with the disposition of the public lands.

Mr. COX. And with nothing else?

Mr. FERRIS. Yes; a number of things; and we have something to do with the establishment of parks, although we do not appropriate for them.

Mr. COX. I think the gentleman is clearly right in his idea as to what ought to be done.

Mr. FERRIS. Here is the Interior Department, which is the head of the irrigation system. The Secretary of the Interior finally determines whether there shall be any Indian irrigation or not, and whether there shall be any public-land irrigation or not, and we finally wind up in his office. It does not make any difference which one of the bureaus we go to, the question whether or not there shall be any irrigation is determined in that office. Why can not the same Reclamation Service, lawfully constituted under the act of 1902, handle this entire matter, and let it be one comprehensive system, so that when the gentleman from Indiana or myself make an inquiry as to how much money has been expended for irrigation, or to know how much irrigation has been actually going on, we can find out without ramification through so many departments or bureaus?

Mr. COX. What committee of the House would have jurisdiction of the two bureaus if it was combined?

Mr. FERRIS. Well, the Committee on Irrigation, probably. The House parliamentarian passes on that.

The CHAIRMAN. Does the gentleman from Illinois make the point of order?

Mr. FOSTER. I will reserve the point of order.

Mr. MONDELL. Mr. Chairman, I was interested in the observations of the gentleman from Oklahoma [Mr. FERRIS] in regard to the two reclamation services under the Interior Department. It had occurred to me, as it has to the gentleman from Oklahoma, that it might be possible and proper to consolidate the two services, but after investigation of the matter pretty carefully, in connection with an enterprise with which I am familiar, I came to the conclusion that it would not be wise to attempt to have the Reclamation Service carry on the work under the Indian Bureau.

It will occur to the gentleman from Oklahoma what some of the difficulties are. First, the Reclamation Service in general is a work under a special fund, and has to do largely with great enterprises. Further, that service carries on its work largely by contract, and builds its projects very permanently and very thoroughly and finishes carefully. The same permanence and careful finish is not required on all Indian work. The Indian reclamation bureau claims to have made a better record for economy than has the Reclamation Service. That may in part be due to the fact that the Indian Bureau has been of the opinion, and I think properly, that in constructing these Indian projects it was not necessary to build them in all cases as permanently as the Reclamation Service builds its projects.

Further, and I think this is the most serious obstacle in the way of consolidating the two services, it is desirable that the Indian labor should be employed so far as possible in the construction of these reclamation projects or ditches and canals on the Indian reservations. Possibly that employment increases the cost of the project in some cases, although not ordinarily, but I doubt if there would be as much Indian employment under the Reclamation Service as is had under the Indian Service. It is almost as important to teach the Indians how to work and how to build and maintain reclamation projects as it is to reclaim their lands, and the Indian Service endeavors, in building the projects, to train the Indians themselves in the construction of irrigation work and to give them a training under which they will be able to maintain them after they are built. The Indian irrigation construction, take it all together, from the repair and upkeep of projects built and the execution of projects under way to the inaugurations of projects large and small, is so intimately associated with the numberless other activities of the Indian Service on behalf of the Indians that it should be kept directly under the supervision and control of the bureau.

Mr. HARRISON. Mr. Chairman, is there a point of order pending?

The CHAIRMAN. The gentleman from Illinois [Mr. FOSTER] reserved a point of order.

Mr. FOSTER. Mr. Chairman, I make the point of order on the officers, the engineer, and the assistant inspector of irrigation. There is no law to authorize it.

Mr. HARRISON. I understood, Mr. Chairman, that the gentleman from Texas [Mr. STEPHENS] said that there was.

Mr. STEPHENS of Texas. The general authority for the Indian Bureau in the control of the Indians' property by the United States Government will be found in the United States Statutes at Large, volume 24, when the Bureau of Indian Affairs was organized under the War Department.

The Bureau of Indian Affairs has been exercising jurisdiction ever since. These Indians are the wards of the Government, and, as has been frequently decided by the courts, it is the duty of the Government to control the property and take care of the property. In these arid Western States, where there is no water, they can not produce the crops unless they can get water on it, and as a part of the duty of the Government to control the property and put it in condition for the Indians they organized this bureau of irrigation, and they have to-day this service, with the officers, for the purpose of building dams, ditches, and supplying the Indians with water and making the land valuable. It comes under the general authority of the United States as exercised for nearly 100 years for the control of the Indians' property, and never has been questioned.

Mr. FOSTER. Mr. Chairman, the only question is as to this act of 1910, which does not give the authority for the appointment of these officers, nor does it create these offices. I do not think there is any provision of law for the creation of the offices.

The CHAIRMAN. Has the gentleman from Texas any citation for the Chair that authorizes these offices?

Mr. STEPHENS of Texas. It was authorized after the bureau had taken into consideration the necessity for the irrigation. It carried with it the authorization of the right to appoint the men for the care of the irrigation projects, the dams, and so forth. It is in force now, and nearly all of them are being operated under the control of the Government. The Government having first adopted the project, appropriating the money for carrying them into effect, they are now distributing the water to the Indians in different parts of the country. It is absolutely necessary that these officers should have the care of the property of these Indians in the manner that is suggested here.

Mr. MANN. Mr. Chairman, of course there is no question that this appropriation is in order so far as the repair and maintenance of the irrigation projects are concerned. I am inclined to think from the laws that we have passed that it is in order as to the construction of irrigation ditches where no more than $20,000 can be used in one place. That part that appropriates specifically for officials is probably subject to a point of order, but it was originally put in as a limitation; and is it not wiser to let it remain in as a limitation rather than to give to the department authority to pay such salary to them as it may choose out of the lump-sum appropriation?

Mr. FOSTER. Mr. Chairman, my colleague may be correct as to that, and yet I think there ought to be some provision for these positions, if they are to be put in the bill.

Mr. MANN. Of course, you can not very well make specific provision of law providing for these places, because they may need them this year and they may not need them this year. That is left to Congress to determine; but they might employ a skilled irrigation engineer at a higher salary than $4,000 a year, if you make a lump-sum appropriation and do not put in a limitation. There is no doubt that we have authority to make appropriations for irrigation purposes, I think, and certainly for repair and maintenance; and is it not wiser, if we do that, to appropriate specifically for some of the higher-salaried offices rather than to leave it to the department?

Mr. STEPHENS of Texas. I desire to state that the act of 1910 fully provides for these officials, and if the Chair has any doubt about it I will send the statute up to the Chair.

The CHAIRMAN. The Chair will accept the statement of the gentleman from Texas that the act fully provides for that.

Mr. STEPHENS of Texas. It does; and I would like to have it inserted in the RECORD.

Mr. FOSTER. Mr. Chairman, I am going to withdraw the point of order.

The CHAIRMAN. The gentleman from Illinois withdraws the point of order.

Mr. HARRISON. Mr. Chairman, I offer the following amendment, which I send to the desk and ask to have read.

The Clerk read as follows:

Amendment by Mr. HARRISON:
Page 3, line 12, after the figures "$2,500" strike out everything in that line and lines 13, 14, 15, and 16 and insert in lieu thereof the following:
"For actual, necessary traveling expenses of two inspectors of irrigation, when actually employed on duty in the field and away from designated headquarters, $3,200."

Mr. HARRISON. Mr. Chairman, I ask unanimous consent that that amendment be modified so that it will read down to "$3,200" in line 16. It strikes out all of line 16 as it is.

The CHAIRMAN. The gentleman from Mississippi asks unanimous consent to modify his amendment in the manner indicated. Is there objection?

There was no objection.

Mr. STEPHENS of Texas. Mr. Chairman, I reserve the point of order on the amendment.

The CHAIRMAN. The Clerk will report the amendment as modified.

The Clerk read as follows:

Page 3, line 12, after the figures "$2,500," strike out everything in that line and in lines 13, 14, 15, and 16 down to the figures "$3,200" and insert in lieu thereof the following:
"For actual, necessary traveling expenses of two inspectors of irrigation, when actually employed on duty in the field and away from designated headquarters."

Mr. STEPHENS of Texas. Mr. Chairman, I withdraw the point of order.

Mr. HARRISON. Mr. Chairman, it strikes me that this amendment is in the interest of economy. The provision as it reads now is for traveling and incidental expenses of two inspectors of irrigation, including sleeping-car fare and a per diem of $3 in lieu of subsistence when actually employed on duty, and so forth. In other words, the way the provision reads now it might give one authority not only to put in an account for the actual traveling expenses, but also for incidental expenses, and railroad fare and sleeping-car fare, and allow $3 per day in addition to that with which to buy food. I submit that in all of the appropriation bills, as a rule, such provision as this read for actual or necessary traveling expenses, and in my opinion there is no good reason why, because the department in the past has written this provision in this way, it should not be changed.

Mr. STEPHENS of Texas. Does not the gentleman believe it might increase the amount allowed? Suppose one were to go into a dining car and order a meal that cost possibly $5. This is limited to $3 a day. I think the amendment would result in enlarging the amount instead of decreasing it.

Mr. HARRISON. I can not see how a man is going to spend over $3 a day on a trip for necessary subsistence unless he is unreasonably extravagant—at least more so than would justify these employees from being—and if you give him actual, necessary traveling expenses, if he is a good man and if he is honest with the department, he is going to put in his account with the expenses incurred, which were actually and necessarily expended, but in this way, if a man while out on duty spent only 25 cents for a meal during the whole day, he could put in his account for $3 and make $2.75 on the transaction.

Mr. BURKE of South Dakota. Mr. Chairman, will the gentleman yield?

Mr. HARRISON. Yes.

Mr. BURKE of South Dakota. Mr. Chairman, this language is inserted in the interest of economy. Some of the employees, such as those in other departments, are allowed as high as $5 a day, and I think the uniform rate is $4. In the Indian Service we have limited it to $3, which is the minimum amount. I am quite certain that unless it is limited there will be extravagance, and it will cause some of the employees of the Government, in my opinion, to get into trouble, because they will be charged with excessive traveling expenses or expenses for subsistence. This language certainly ought to remain in the bill.

Mr. HARRISON. Mr. Chairman, this is in keeping with the action of the House during this session of the House. We have provided that Members of the House should receive only necessary and actual traveling expenses for themselves and family.

Mr. BURKE of South Dakota. Will the gentleman cite any case where it has been so limited changing from the practice that has heretofore obtained?

Mr. HARRISON. On the question of mileage we have provided that only necessary and actual traveling expenses shall be to ourselves for ourselves and the members of our families.

Mr. BURKE of South Dakota. That is with respect to Members of the House.

Mr. HARRISON. I recall in the Consular and Diplomatic bill that we let it read that way. That is my recollection about it, and my recollection is that the other bills so provide.

The CHAIRMAN. The time of the gentleman from Mississippi has expired.

Mr. MANN. Mr. Chairman, I think the gentleman from Mississippi is in error. I do not know whether he intends by his amendment to cover subsistence as a part of the allowance or not. The amendment does not so state.

Mr. HARRISON. That was my intention.

Mr. MANN. It would not be covered by "traveling expenses," I think.

Now, the practice has been, in recent years, to put in these limitations. It is inevitable that after a little while a man who is allowed his actual subsistence stopping at hotels will have a subsistence account of more than $3 a day, and even where he is stopping at country hotels as would be the case here, I take it. Some of the departments allow $5. The tendency of Congress in recent years has been to cut the amount down. In the Post Office appropriation bill some years ago we reduced the amount to certain inspectors from $4 to $3 a day at the outside, and most of them now pay $4 a day, and if we do not allow $4 a day in lieu of subsistence what we would pay would be $5 or $6 a day. The $3 a day limitation for subsistence to a man who is traveling is economy to the Government, because that is less than he probably spends.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Mississippi.

The question was taken, and the amendment was rejected.

The Clerk read as follows:

For the suppression of the traffic in intoxicating liquors among Indians, $75,000.

Mr. HARRISON. Mr. Chairman, I move, in line 2, page 4, that the figures "$75,000" be stricken out and "$125,000" be inserted in lieu thereof.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 4, line 2, strike out the figures "$75,000" and insert "$125,000."

Mr. STEPHENS of Texas. Mr. Chairman, I hope the amendment will not be adopted.

Mr. HARRISON. Mr. Chairman, I desire to be heard, because it strikes me as a very strange and peculiar action of the Committee on Indian Affairs that in this day of intense prohibition feeling, when the prohibition sentiment has become so strong throughout this country that only two weeks ago a majority of this House voted for national prohibition, that that committee should attempt to economize by reducing the appropriation to stop the illicit sale of liquor among the Indians. I doubt that any other committee of this House would have the audacity at this time to withhold from a branch of this Government a sufficient sum to suppress this hellish traffic, the illicit sale of liquor among the Indians of this country. Especially am I surprised when I read from the hearings before the committee this language used by the assistant commissioner, Mr. Meritt. I read from page 28, where he says—and I want to say right here they asked in the estimates for this work $125,000. That is what the Bureau of Indian Affairs desired, and went further and said they could use $200,000. Mr. Meritt says:

In this connection I wish to say that Commissioner Sells is exceedingly interested in this item, and we both feel that a much larger appropriation than is requested could be used in the suppression of the liquor traffic among the Indians throughout the United States. The commissioner was busy at the office with important matters and could not appear before the committee to-day, but asked that I especially emphasize the urgency of a much increased appropriation for this work. We could use probably $200,000 to good advantage in the suppression of the liquor traffic among Indians.

And yet, Mr. Chairman, notwithstanding that appeal from the Indian Department, stating that they could use $200,000 in this work, the committee in their generosity have only appropriated $75,000 for the work. It strikes me if there is one item appropriated for in this bill that is just this is the one item. A liberal appropriation should be in this bill to suppress this illicit liquor traffic. I am again surprised, Mr. Chairman, that with three Members on the Committee on Indian Affairs from the progressive and prohibition State of Oklahoma, where they have embedded in the very constitution of that State the prohibition of sale of liquor, that they, being on that committee, should allow an appropriation bill to come out of the committee reducing this appropriation for this most temperate, deserving, and laudable work. I sincerely hope that the Committee on Indian Affairs will repudiate their action in cutting down this appropriation by voting for my amendment.

Mr. STEPHENS of Texas. Mr. Chairman, I hope the amendment will not be adopted. We have given a sufficient amount of money to protect the Indians, and if the committee will turn to line 17, page 8, they will find this language:

For pay of Indian police, including chiefs of police at not to exceed $50 per month each and privates at not to exceed $30 per month each, to be employed in maintaining order, for purchase of equipments and supplies and for rations for policemen at nonration agencies, $150,000.

Now, the object of giving this $150,000 to these Indian police was to protect the Indians of the country from the trouble that we find in the Indian country and prevent them from having intoxicating drinks.

Mr. HARRISON. Will the gentleman yield to me in that connection?

Mr. STEPHENS of Texas. I do.

Mr. HARRISON. The gentleman does not mean to say that this appropriation to employ police is used specifically for the suppression of the illicit traffic of intoxicating drinks?

Mr. STEPHENS of Texas. As the gentleman has stated, it is one of the greatest evils in the country, and one of the greatest duties these Indian police have to perform, and the great trouble they have to contend with is to prevent these bootleggers from invading these reservations. I have been on these reservations, I will say to the gentleman, and have examined into this matter very carefully, and that is one of the greatest duties that these police have to perform at the present time. If whisky is taken away from these Indians, they are peaceful people and attend to their own business strictly and do as well, if not better, than many white persons if you can stop this liquor traffic.

Mr. HARRISON. Well, if the gentleman's argument is good with respect to appropriations for the Indian police, may I ask the gentleman why he reduced the appropriation from $200,000 in that item in 1914 and in 1915 to $150,000 this time?

Mr. STEPHENS of Texas. For the reason that nearly all the Indians, I presume 75 per cent of them, are in States now that have State prohibition, and it is the duty of the State courts and the State sheriffs and the State constables and the entire constabulary force of every State to prevent the sale of these intoxicants; and you will find in every State where these Indians are living that the officers of the county and State are doing their best to protect the Indians from the sale of these intoxicating liquors.

And not only that, but let me state to the gentleman further that the Federal courts have jurisdiction, and the Federal courts have their marshals and deputy marshals all over the United States, and they are seeking out these bootleggers and they are sending them by swarms to the various United States penitentiaries; and the State officers are doing the very same thing.

Mr. HARRISON. Mr. Chairman, I want to say that the gentleman has made a very good argument in support of my motion.

Mr. STEPHENS of Texas. I think not, Mr. Chairman. In connection with these other means that we have of protecting these Indians we have given them a sufficient amount, and more than a sufficient amount, for this service.

Mr. FALCONER. The gentleman from Texas has just stated that quite a considerable territory that was formerly wet, where Indians lived, is now dry. The gentleman makes the argument, then, that prohibition does prohibit?

Mr. STEPHENS of Texas. It does in that territory of which I am speaking. But the gentleman knows as well as everybody else that there are bootleggers everywhere in the States. There are bootleggers in the city of Washington and other places.

Mr. FALCONER. Did the gentleman take that into consideration when the Commissioner of Indian Affairs made his representations in his report on page 22 that he could use $225,000 in this service?

Mr. STEPHENS of Texas. They can use perhaps a million dollars, for that matter, but we do not think it is necessary. We think the Indians are perfectly protected with the amount recommended here—$75,000.

Mr. FALCONER. Was the fact that the State of Oklahoma went dry taken into the consideration of the matter by Commissioner Sells?

Mr. STEPHENS of Texas. I can not tell what entered his mind. I can not read men's minds.

Mr. BARTHOLDT. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. Does the gentleman from Texas yield to the gentleman from Missouri?

Mr. STEPHENS of Texas. Yes; I yield to the gentleman.

Mr. BARTHOLDT. If it costs $75,000, or $100,000, or $125,000, as the gentleman from Mississippi [Mr. HARRISON] suggests, to enforce prohibition in the Indian Territory, what is the gentleman's calculation of how much it would cost to enforce national prohibition throughout the States of the Union?

Mr. STEPHENS of Texas. The gentleman is a better authority than I am on this question, and he can answer his own question.

Mr. WEBB. Mr. Chairman, I hope the amendment of the gentleman from Mississippi [Mr. HARRISON] will be adopted. It is only a difference of $25,000.

Mr. PAGE of North Carolina. A difference of $50,000.

Mr. WEBB. I want to offer an amendment to make it $100,000.

The CHAIRMAN. The gentleman from North Carolina [Mr. WEBB] offers an amendment to the amendment, which the Clerk will report.

The Clerk read as follows:

Amendment to the amendment: Strike out "$125,000" and insert "$100,000."

Mr. WEBB. Mr. Chairman, the reason why I move to make the amount $100,000 is because that is what has been appropriated for the last three or four years by this Congress for that work. I do not understand that the $150,000 that is to be appropriated under another section is to be used at all for protecting the Indian nation or the Indian people from the liquor traffic. The $150,000 that the gentleman from Texas [Mr. STEPHENS] refers to in the bill is for the purpose of keeping order among the poor Indians whom some white man has made drunk and put them in jail for disorder. It is much better to prevent crime than to punish it after it is committed, and the $100,000 is suggested here for the purpose of preventing crime, whereas it is proposed to appropriate $150,000 for punishing crime after the crime has been committed, due to the introduction of "firewater" by "bootleggers," usually trifling white men.

I do not think this Government has ever adopted the golden rule in its treatment of the Indian. I think perhaps the saddest page in all the history of our country is the story of the American Indian and his treatment by the white man. He is as helpless as a child when you set whisky before him. I am told that he will part with anything he has, even with his wearing apparel, in order to get whisky. I think it is bad to economize to the extent of $25,000 when we owe to the Indian in this country every protection that can be thrown around him, and especially protection from the greatest evil that can attack him, and that is liquor. I hope the House will put the amount at least to $100,000, which has been appropriated heretofore. The Commissioner of Indian Affairs says he can use $200,000. I am willing to appropriate that, and even willing to appropriate a million dollars in order to protect the American Indian, who is fast fading away.

Mr. MANN. Did I understand that the Indian police were used only to detect drunkenness where it is found to exist, and not to prevent the sale of liquor to these Indians?

Mr. WEBB. I believe so, chiefly.

Mr. MANN. Is it not the duty of the police everywhere to prevent the illicit sale of liquor?

Mr. STEPHENS of Texas. Yes; but we have those special officers that were appropriated for a year ago for the purpose of preventing the importation of liquor into the Indian country.

Mr. MANN. I can not understand the argument of the gentleman, that the Indian police have no duty at all in the way of inspection and prevention.

Mr. WEBB. Their duty ought to be to detect "bootleggers"; but their chief duty, as set forth in this bill, is to "maintain order," and when they find an Indian drunk they take charge of him and put him in the calaboose, or jail.

Mr. STEPHENS of Texas. Is not that keeping order?

Mr. WEBB. I suppose the principal duty is to keep the Indians quiet after they become drunk; not for the purpose of detecting the violation of the law in regard to introducing and selling liquor in Indian country.

Mr. MANN. I suppose if they detected a drunken Indian, that would be the best way to find out that there had been an illicit sale of liquor.

Mr. WEBB. In possibly 9 cases out of 10 the poor Indian would not know the name of the man who sold him the liquor.

Mr. FOSTER. Mr. Chairman, will the gentleman yield?

Mr. WEBB. Yes.

Mr. FOSTER. In the hearings had upon the Indian appropriation bill, Mr. Meritt, who appeared before the committee, makes this answer to a question:

Mr. MERITT. It is one of the most important things in the Indian Service, that they be protected from liquor.

The CHAIRMAN. Then why not combine the two items?

Mr. MERITT. For the reason that we require all employees of the Indian Service to assist in this work, not only the Indian police, but superintendents and all employees of the Indian Service are expected to assist in preventing the sale of liquors to the Indian.

Mr. WEBB. If that is the case, why not appropriate $100,000 to prevent the importation of liquor into the Indian country, or into the country adjacent to the Indian country, where the poor fellow can not get hold of it and be destroyed?

The CHAIRMAN. The time of the gentleman from North Carolina has expired.

Mr. WEBB. I ask for one more minute, Mr. Chairman.

The CHAIRMAN. The gentleman from North Carolina [Mr. WEBB] asks unanimous consent to proceed for one minute more. Is there objection?

There was no objection.

Mr. WEBB. Last year, as I understand, the officers who drew this fund procured indictments to the extent that fines amounting to $91,000 were imposed upon violators of this law against the importation of whisky into the Indian country, and that $91,000 was turned into the Public Treasury.

Mr. MANN. Was it collected?

Mr. WEBB. Of course.

Mr. MANN. Of course it was not.

Mr. WEBB. Of course it was collected. But whether that fund is self-sustaining or not, it is a bad place to begin economy. We can begin it somewhere else with a better effect and thus protect the morals and the very life of the Indian, and at the same time protect the law-abiding white men who live among the Indians. We owe it to this pitiful and rapidly disappearing race to protect them in every possible way from the ravages of whisky. I hope either my amendment or that of the gentleman from Mississippi [Mr. HARRISON] will be adopted.

Mr. NORTON. Mr. Chairman, I have a very high regard for the opinion of the present Commissioner of Indian Affairs, and I do not wish to disregard his request for any increased appropriation for this item without there being offered a better reason than has been offered by the chairman of the committee. The Committee on Indian Affairs was not able to find any evidence that would be a good or sufficient reason for decreasing this appropriation to $75,000. A year ago, according to the report given in the hearings, $94,964.29 was expended by the Bureau of Indian Affairs in suppressing the liquor traffic among the Indians. Some of the inspectors in charge of this work are, to my own personal knowledge, rendering excellent service in this work in some of the Western States. As the gentleman from North Carolina [Mr. WEBB] has remarked, "Prevention is the thing most desired in this matter." That can be accomplished best by the work of these inspectors. I am led to believe that the expenditures last year were not extravagant and unnecessary, and that the service needs every man now employed in this work, and that next year $125,000 can be expended to very good advantage. So I trust that the amendment offered by the gentleman from Mississippi, raising the amount to $125,000, will prevail.

Mr. CARTER. Mr. Chairman, the gentleman from North Carolina is mistaken about the purposes for which the Indian policemen are used. I can speak so far as my own State is concerned, because there is where I have had most opportunity to observe. One of their chief duties in the State of Oklahoma is to prevent the illicit sale of whisky to Indians, to prevent Indians getting possession of whisky. I do not think they have any jurisdiction, in Oklahoma at least, over any such misdemeanors as "drunk and disorderly." They ferret out whisky peddlers and bootleggers and give information to the proper authorities, so that they may be arrested and prosecuted. Now, the gentleman from Texas [Mr. STEPHENS], in charge of this bill, gave one very potent reason why the appropriation for the suppression of the liquor traffic might be less expensive, and that is because many of the States in which the Indians reside are prohibition States. It should not take so many officers or so much expense to enforce the law in a prohibition State as it does in a State where they have the open saloon and the sale of liquor.

Mr. NORTON. Will the gentleman yield?

Mr. CARTER. I yield to the gentleman from North Dakota.

Mr. NORTON. Has the gentleman any facts or figures, or have any facts or figures been submitted to the committee, on which the gentleman can base the statement that the amount being expended could be safely reduced? Is it not a fact that his statement to that effect is a mere gratuitous one, not based on any particular and definite information?

Mr. CARTER. No; my statement is not gratuitous. Certainly I would not say that the Indian Bureau should be held down too closely in the funds that are given them for the suppression of the liquor traffic; but my statement is based upon personal observation. Before we had statehood in Oklahoma the western half of it—Oklahoma Territory—was a wet country and whisky was sold all over it. I should say it took more money to suppress the liquor traffic among the Indians then on that side of the State and there was more drunkenness among the Indians than there is to-day. Since we have State-wide prohibition in Oklahoma, I think it should take less money to-day, and I know there is less drunkenness among the Indians than there was before we had prohibition on that side of the State.

Mr. NORTON. Does the gentleman know of a single case where an unnecessary expenditure has been made or where an unnecessary inspector has been employed in this service?

Mr. CARTER. I am not familiar with that. I could not say whether there is or not. I could not say whether they have too many or too few.

Mr. NORTON. The expenditure provided for now exceeds $100,000 a year.

Mr. CARTER. No; they had $100,000 last year.

Mr. NORTON. The report indicates that there are more men to be employed next year.

Mr. CARTER. They had $100,000 last year and spent $94,000. Now, here is one thing that we must look to when we go to make an appropriation. It is just as well to be frank with the committee. The Indian Committee expects that it is going to have to agree to more than $75,000 for the suppression of the liquor traffic among the Indians; and, so far as I am personally concerned, I have no expectation that we can avoid appropriating $125,000 or $150,000. I have no intention, so far as I am concerned, to try to hamper the Indian Service in the funds it should have for the suppression of the liquor traffic; but we all know what will be done to this item when it reaches another legislative body. I have no doubt in the world that when this bill comes back to the House it will contain an appropriation for ample funds, perhaps more than the commissioner asks for.

The CHAIRMAN. The time of the gentleman from Oklahoma has expired.

Mr. CARTER. I ask unanimous consent for one minute more.

The CHAIRMAN. The gentleman from Oklahoma asks unanimous consent that his time be extended one minute. Is there objection?

There was no objection.

Mr. MILLER. I want to ask the gentleman from Oklahoma a question for information.

Mr. CARTER. The gentleman can ask the question in my time.

Mr. MILLER. Has the gentleman any inside information which leads him to make the statement he has just made? By inside information, I mean, has the gentleman any information as to what the other legislative body in the Capitol is likely to do with this item?

Mr. CARTER. Like Patrick Henry, I can only judge of the future by the experience of the past.

Mr. MILLER. The gentleman will be one of the conferees. Does the gentleman really think that this item will be increased to as much as $125,000?

Mr. CARTER. I do not think there is a particle of doubt about it, and I do not think the gentleman has any doubt about it.

Mr. MILLER. Oh, yes; I have.

The CHAIRMAN. The time of the gentleman from Oklahoma has again expired.

Mr. MILLER. I would like to ask the gentleman another question. Can the gentleman inform the committee how much this item was five years ago?

Mr. CARTER. I do not have that particular information at hand.

Mr. MILLER. I can tell him. When I became a member of the committee the first year it was $40,000. As the gentleman has correctly stated, prior to that it was more expensive to enforce the liquor traffic in regions where most of the Indians are than it has been since. Notwithstanding this, the Indian Committee of the House has always favored a reasonable appropriation and has enlarged it from year to year. Does the gentleman think the state of the liquor traffic in the United States to-day, having in mind what he has said about the ease with which it can be enforced and the dry territory being enlarged—does the gentleman think that the situation in the United States is such as to justify or require a marked increase in this appropriation?

Mr. CARTER. I think there is a much closer supervision of the Indian now than has been in the past in reference to the traffic in intoxicating liquor. I think more money is being spent and more effort is being made to keep whisky away from the Indians than was formerly the case.

Mr. MILLER. Does the gentleman favor any part of this money being spent to suppress the liquor traffic among the whites?

Mr. CARTER. I will let the white man answer that for himself. I would not take any part of it away from the Indian.

Mr. MILLER. Does the gentleman think that any part of this appropriation made in this bill should be used to suppress liquor traffic among the whites?

Mr. CARTER. Not any that is appropriated in the Indian bill.

Mr. MILLER. The gentleman from Oklahoma, among his other splendid attributes, is very artful in his answers. Does the gentleman think that this appropriation should be increased above $100,000 to enable the Commissioner of Indian Affairs to possibly enforce prohibition in white territory?

Mr. CARTER. Well, Mr. Chairman, that is a matter over which the Indian Committee has no jurisdiction, and the commissioner would not have supervision over the white man, anyway.

Mr. MILLER. Would it be legal for the commissioner to spend any part of this sum for the suppression of the liquor traffic among the whites?

Mr. CARTER. Oh, the gentleman is a so much better lawyer than I ever hope to be that I do not want him to ask me to give him an expert legal opinion.

Mr. BURKE of South Dakota. With the permission of the gentleman from Oklahoma, I would like to say that I think they could expend some part of this appropriation in enforcing the law among the whites if it affected the Indians, which might be the case, even though it involved some white people.

Mr. MILLER. I think no one could controvert that proposition.

Mr. BURKE of South Dakota. That answers the gentleman's question.

Mr. MILLER. No; my question is a little broader than that.

Mr. BURKE of South Dakota. Does not the gentleman think that that would be a good thing in some parts of his district?

Mr. MILLER. Well, having regard to the distance my district is from South Dakota, I do not think there is any need of suppressing any evil that might crop up from the outside.

Mr. FALCONER. If the gentleman will yield, is it not true, as the gentleman from Oklahoma knows, that in suppressing the liquor traffic among the Indians the white man is nearly always involved? As a matter of fact, is not the money expended in keeping the white man, the bootlegger, from selling liquor to the Indians?

Mr. MILLER. That is suppressing liquor traffic among the Indians, and that is the special purpose, and what the money ought to be used for. That is the man who ought to be suppressed, the bootlegger, also the man that stands behind the bar and sells liquor to the Indians, be he white, brown, black, or yellow.

Mr. CARTER. I understood the gentleman's question to be, Did I think any part of this money should be used to suppress the liquor traffic among the white people?

Mr. MILLER. That was exactly my question.

Mr. LENROOT. Mr. Chairman, I think the gentleman from Oklahoma in attempting to answer the gentleman from Minnesota fails to make one distinction. I would like to answer the question from my standpoint, that if liquor traffic among the whites was against the Federal law it would be the duty of Congress to appropriate money to prevent it and to enforce the law. That is all this does. Liquor traffic is unlawful among the Indians, and this appropriation is or ought to be for the purpose of enforcing the law.

Now, the gentleman from Oklohama [Mr. CARTER] made a very novel argument a moment ago, which I do not think I ever heard before on the floor of the House, intimating that an increase was after all desirable, but that this should go as it is in order to be used as trading stock when the bill gets into conference. I do not believe that this House, in reference to this item or any other item, should fail to put into the bill what the committee thinks ought to go in at the time the House deliberates on the question. If an increase is desirable, we ought to put it into the bill now, and I do believe it is desirable, because there is nothing that can be done for the benefit of the Indians of greater importance than the suppression of the liquor traffic among them.

Mr. STEPHENS of Texas. Was not there more whisky sold among the Indians and more bootlegging done 11 or 15 years ago than there is now?

Mr. LENROOT. I think that is true, but I undertake to say that if we should spend $200,000 it would do the Indians more good in the use of that money now for the suppression of the liquor traffic among them than in expending millions for them in other ways.

Mr. STEPHENS of Texas. Will the gentleman answer another question?

Mr. LENROOT. Yes.

Mr. STEPHENS of Texas. We commenced with $25,000, and the appropriation has grown from year to year until they want two or three hundred thousand dollars. Where will it end?

Mr. LENROOT. I hope it will end in the complete suppression of the liquor traffic among the Indians.

Mr. STEPHENS of Texas. Is the gentleman aware that a great many Indians have become citizens of the States and vote in prohibition States, and that we are fast eliminating the Indian question and driving out whisky among the Indians with the money that we are spending? It seems that the more we do the more we are asked to do.

Mr. LENROOT. I think not; but I wish to say just this, Mr. Chairman: This money is expended not in taking the place of Indian policemen, is not expended on reservations, but it is expended outside of the reservation in the detection of persons who sell the liquor. Arresting an Indian and fining or imprisoning him does little or nothing toward suppressing the liquor traffic.

Mr. MILLER. Mr. Chairman, will the gentleman yield?

Mr. LENROOT. Yes.

Mr. MILLER. Mr. Chairman, I am pleased to note that, as usual, the gentleman from Wisconsin [Mr. LENROOT] is interested in this highly important subject. He has Indian reservations in his district, and it is an important matter to him. I will ask the gentleman if the State of Wisconsin has laws prohibiting the sale of liquor to Indians?

Mr. LENROOT. I think not.

Mr. MILLER. The State of Minnesota has very strong laws, even stronger than the Federal law, and I was under the impression that Wisconsin had.

Mr. LENROOT. We rely entirely upon the Federal law.

Mr. MILLER. The point I was about to make is that every time we enlarge this we in some way cause the States, respectively, to relinquish their activity in this regard, and that it would not be proper, in my judgment, to increase this to a point so that the State will say that the Federal Government is going to look after the whole thing.

Mr. LENROOT. I quite agree with the gentleman in that regard.

Mr. MILLER. The only way that we can take care of the Indians in these matters is to have the active cooperation of the State governments, and that we have not had up to this time.

Mr. LENROOT. I think the gentleman is entirely correct.

The CHAIRMAN. The time of the gentleman from Wisconsin has expired.

Mr. MANN. Mr. Chairman, I am in favor of increasing this appropriation, and it is about the only appropriation that I know of that I am in favor of increasing. A few years ago we were making an appropriation, I think, of $25,000, and doing the work very well. There was very little drunkenness among the Indians. We then increased it to $50,000, then to $75,000, and then to $100,000, and now they want to increase it to $125,000. While this has been going on various of the States have become prohibition States and have prohibited entirely the sale of liquor in those States, and then we passed the Webb law, which made it unlawful to take liquor into a State contrary to the law of the State. It seems that every move we make increases the need of appropriating money to enforce the nonsale of liquor to the Indians. I think we ought to prevent the sale of liquor to the Indians, yet Arizona has just gone dry, and we will need to expend more money next year in Arizona, where they can not have saloons, to prevent the sale of liquor to the Indians than we did last year when they did have saloons. That is no reflection upon the prohibition proposition, but it indicates, after all, that it is not so very easy by legislation to say that men shall not gratify their appetites if they have an opportunity. During this time we have disbanded the Indians from tribes and have made them citizens, and as fast as we make them citizens, the prohibition against the sale of liquor to them still being in existence, we have to expend more money to keep them sober. I had supposed that citizenship had a sobering influence upon ordinary people, but it seems to have an inverse effect upon our Indian citizens. The faster they become citizens, the more we need to keep them in sober citizenship.

Mr. BURKE of South Dakota. Mr. Chairman, will the gentleman yield?

Mr. MANN. Certainly.

Mr. BURKE of South Dakota. I will say that the last statement of the gentleman is an accurate statement, that there is very little trouble in enforcing the law in what is known as a closed Indian reservation, and the fact that we are opening up Indian reservations and towns are being established and white people are moving in among the Indians makes it very much more difficult to enforce the law as to prohibition than when the reservations were closed. So the statement of the gentleman is borne out by the facts.

Mr. MANN. Of course, or I would not have made it; but it also shows that these States which declare for prohibition, even having a law making it unlawful to take liquor into the States, require something more than law to enforce prohibition.

Mr. FALCONER. Mr. Chairman, will the gentleman yield?

Mr. MANN. Yes.

Mr. FALCONER. I do not know what they do in the State of Arizona, but in the State of Washington the provision of the bill was to the effect that prohibition would go into effect January 1, 1916. This appropriation covers 1916, and the State of Washington during 1916 will be no drier than it was in 1914.

Mr. MANN. If it goes into effect the 1st of January, 1916, why will it not be drier during that year?

Mr. FALCONER. It will after 1916, but we have all of 1915 to go through with it yet.

Mr. MANN. I did not refer to the State of Washington.

Mr. FALCONER. How about the State of Arizona?

Mr. MANN. Arizona is now dry, and the State of Washington will be dry theoretically from the 1st of January, 1916, and this bill covers the first six months of 1916.

Mr. FOWLER rose.

Mr. STEPHENS of Texas. Mr. Chairman, before the gentleman from Illinois proceeds I ask unanimous consent that all debate on this paragraph and all amendments thereto close in five minutes.

The CHAIRMAN. Is there objection?

Mr. BRYAN. Mr. Chairman, I object to the provision that it close as to all amendments, as I have an amendment which I desire to offer.

Mr. FERRIS. Mr. Chairman, I want to ask the gentleman from Mississippi if he would not accept an amendment making it $200,000 instead of $100,000?

Mr. HARRISON. Yes.

The CHAIRMAN. Is there objection to the request of the gentleman from Texas?

Mr. MANN. What is the request?

The CHAIRMAN. That all debate on the pending paragraph and all amendments thereto close in five minutes.

Mr. BRYAN. I have an amendment that I desire to offer to the bill.

Mr. MANN. The gentleman from Washington desires to have five minutes.

Mr. STEPHENS of Texas. Then I will make it 12 minutes, Mr. Chairman.

The CHAIRMAN. The gentleman from Texas asks unanimous consent that all debate on the pending paragraph and all amendments thereto close in 12 minutes. Is there objection?

There was no objection.

Mr. FOWLER. Mr. Chairman, it is a fact that there is a marked degree of progression among the Indians. Many of them are becoming civilized and are given full citizenship in a measure equal to that of the white people. I have no doubt that where the suppression of intoxicating liquor is enforced the Indians have a much better opportunity for the purposes of improvement than in those localities where the suppression is not literally enforced. The environments of a man have much to do with his progress in life, and as long as the Indian is surrounded with these debauching environments he, like mankind everywhere, will become more or less contaminated by those influences. It is no argument, Mr. Chairman, to say because it takes money to enforce prohibition that prohibition laws are not desirable. If prohibition laws have a tendency to cleanse communities, if such laws give communities a better opportunity for a higher civilization, then they are to be encouraged, the same as other good laws. I understand that there remains only $5,000 unexpended balance out of $100,000 appropriated for this purpose in the last bill. That being true, Mr. Chairman, I take it that it will require as much money to enforce prohibition among the Indians as it has heretofore, and in order that the work may not be checked and halted, I think this House could do itself no greater honor than to appropriate enough money to see that the Indians are protected. Mr. Chairman, it is a common practice of gentlemen who are opposed to certain measures to urge a condition of expenditure which has resulted in more or less failure, just as these gentlemen who are opposed to prohibition are urging that the expenditure of money does not secure prohibition. Neither does the expenditure of money prohibit murder, robbery, and rape. You could just as well say that you ought not to appropriate money to punish those who commit such vile crimes as to say that you should not appropriate money to enforce prohibition laws. It is the certainty of the enforcement of the criminal law that gives society security and protection from the criminal. You can not carry out this law without appropriating enough money to enforce it, and I am in favor of the amendment offered by the gentleman from North Carolina.

The CHAIRMAN. The time of the gentleman has expired. The question is on the amendment offered by the gentleman from North Carolina as a substitute to the amendment offered by the gentleman from Mississippi.

The question was taken, and the Chairman announced the noes seemed to have it.

Mr. WEBB. Division, Mr. Chairman.

The committee divided; and there were—ayes 10, noes 23.

So the amendment was rejected.

The CHAIRMAN. The question recurs upon the amendment offered by the gentleman from Mississippi.

Mr. FERRIS. Mr. Chairman, as I understood it, the gentleman from Mississippi [Mr. HARRISON] stated that he was willing to accept an amendment making the amount $200,000.

Mr. NORTON. Mr. Chairman, I object.

Mr. FERRIS. The gentleman can not object.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Mississippi.

The question was taken, and the Chairman announced the noes seemed to have it.

Mr. HARRISON. Mr. Chairman, I ask for a division.

The committee divided; and there were—ayes 23, noes 12.

So the amendment was agreed to.

Mr. BRYAN. Mr. Chairman, I desire to offer an amendment.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Mr. BRYAN: Page 4, line 2, add the following: "The sale of intoxicating liquors as a beverage within 25 miles of any Indian reservation is hereby prohibited. Any person violating this provision shall be subject to a fine of $1,000 or imprisonment for not more than one year, or both such fine and imprisonment."

Mr. STEPHENS of Texas. Mr. Chairman, I make the point of order that this is new legislation, and therefore subject to a point of order.

Mr. BRYAN. Will the gentleman reserve the point of order for a moment under the agreement that I should have five minutes?

Mr. STEPHENS of Texas. I will reserve the point of order for five minutes.

Mr. BRYAN. While the point of order is being reserved I want to say just a word in reference to the point of order. From the argument of the gentleman from Illinois and from others here on the floor the expenditures of the Government for the suppression of the sale of intoxicating liquors to Indians is being increased from day to day, and I understand under the Holman rule any amendment which tends to decrease an expenditure is in order. Now, the point may be somewhat speculative and quite untenable as a parliamentary argument, but the prohibiting of the sale of liquor within 25 miles of one of these Indian reservations would decrease the expenditure and the expenses of the Government in enforcing the law on the reservation.

Mr. MURRAY. Will the gentleman yield?

Mr. BRYAN. Yes.

Mr. MURRAY. Does not the gentleman think it will cost more to enforce such a law within a zone of 25 miles of an Indian reservation than without it?

Mr. BRYAN. We are only dealing with the cost on the reservation, not outside of the Indian reservation, and, Mr. Chairman, I hope the chairman of this committee will not do as he suggests here and make a point of order against this, although it is new legislation and subject to the point. I think that the committee ought to be very glad, inasmuch as, in principle, I understand the Democratic Party and some gentlemen over there are dry, but only in vote on national prohibition are they otherwise.

Mr. MILLER. Will the gentleman yield for a question?

Mr. BRYAN. Yes.

Mr. MILLER. Does the gentleman think Congress, if it wanted to, has authority to say that a strip of territory 25 miles outside of a reservation in a State in which the laws permitted the license of the liquor traffic should be dry?

Mr. BRYAN. I think the national sovereignty is sufficient to authorize us to protect our own reservations by creating an area about them where liquor can not be sold. We have the right to prohibit the sale of liquor within the reservations, and we have the right to prohibit it on the borders of the reservations.

Mr. MANN. Make it a thousand miles away.

Mr. BRYAN. Yes. I would like to make it within a thousand miles of the reservation. Let somebody move to amend it by making it a thousand miles. Let some of these "dry" men who vote against national prohibition do that; men who are so "dry" that you can burn them on the liquor proposition. [Laughter.] When you come in here with an amendment to wipe out the traffic in the entire country they vote "damp"; I will not say "wet." You can make it a thousand miles and suit me that much better. This committee being an Indian Committee, and therefore a "dry" committee, it ought not to make a point of order against this amendment, and it ought to encourage us in protecting these reservations. At our military posts we have the right to create a dry area around the military posts in order to protect the military from the brothels and saloons that would gather around the posts, and I think this amendment goes to the very heart of the proposition.

Mr. MANN. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. Does the gentleman from Washington yield to tht gentleman from Illinois?

Mr. BRYAN. Yes.

Mr. MANN. Does the gentleman think the National Government has the authority to prohibit the sale of liquor near a military post?

Mr. BRYAN. I would say "yes" to that.

Mr. MANN. I would like to know what the authority is.

Mr. BRYAN. The gentleman is a constitutional lawyer, and I understand that under the rules of this House a gentleman advocating a constitutional point has the burden placed upon him to present the constitutional authority.

Mr. MANN. It is certain that it can not be done except through the State.

Mr. BRYAN. I think the gentleman is wrong about it. If we pass it here, I know——

Mr. MANN. The gentleman himself is a great constitutional lawyer, and——

Mr. BRYAN. I know that if we pass it it will be constitutional, and if we pass it we shall be doing something substantial. I am absolutely safe in taking that position as to constitutionality, for the "if" is a very big "if" in this particular case.

Mr. HARRISON. Mr. Chairman, the gentleman from Washington says that this Committee on Indian Affairs is a "dry" committee. What authority has the gentleman for that statement?

Mr. BRYAN. I will take as the latest test the roll call that we had the other day.

Mr. HARRISON. They have just brought in a bill that reduces the amount to be expended for this service.

Mr. BRYAN. The gentleman ought to know whether his colleagues are dry or wet.

The CHAIRMAN. Does the gentleman from Texas [Mr. STEPHENS] make the point of order?

Mr. STEPHENS of Texas. I do, Mr. Chairman.

The CHAIRMAN. The point of order is sustained. The Clerk will read.

The Clerk read as follows:

To relieve distress among Indians and to provide for their care and for the prevention and treatment of tuberculosis, trachoma, smallpox, and other contagious and infectious diseases, including the purchase of vaccine and expense of vaccination, maintenance of hospitals and sanatoriums, for incidental and all other expenses for their proper conduct and managements, including pay of employees, repairs, improvements, and for necessary expenses of transporting Indian patients to and from such hospitals and sanatoriums, and for the correction of sanitary defects in Indian homes, $350,000: *Provided*, That not to exceed $90,000 of the amount herein appropriated may be expended in the erection and equipment of new hospitals for the use of Indians; and no hospital shall be constructed at a cost to exceed $15,000, including equipment: *Provided further*, That hereafter the Secretary of the Interior shall submit to Congress annually a detailed report as to all moneys expended in the erection and maintenance of hospitals and sanatoriums as provided for herein.

Mr. HARRISON. Mr. Chairman, I reserve a point of order on the paragraph.

The CHAIRMAN. The gentleman from Mississippi [Mr. HARRISON] reserves a point of order on the paragraph.

Mr. MILLER. Mr. Chairman, I have an amendment that I would like to offer.

Mr. HARRISON. Mr. Chairman, may I ask the chairman of the committee a question? I notice in this appropriation of $350,000 it is provided that $90,000 of it is to be used for the erection and equipment of new hospitals for the use of the Indians. Where are the new hospitals to be located and used?

Mr. STEPHENS of Texas. That is subject to the discretion of the Secretary of the Interior and the Commissioner of Indian Affairs.

Mr. HARRISON. Do you propose to let him expend $90,000 just where he wants to?

Mr. STEPHENS of Texas. They asked for that amount, and it is impossible for us to determine in advance what reservations are needing those hospitals the worst. They are acting upon the intelligence and information which they get from the inspectors out in the field concerning the urgent need of the Indians.

Mr. HARRISON. Did the Commissioner of Indian Affairs say he needed this money?

Mr. STEPHENS of Texas. Yes.

Mr. HARRISON. He did not state where he intended to build the hospitals?

Mr. STEPHENS of Texas. No; that is not necessary. I think they have general supervision of the funds, and they will build the hospitals where they are most needed.

Mr. HARRISON. Mr. Chairman, I reserve a point of order on the paragraph.

Mr. FOSTER. Mr. Chairman, I hope the gentleman from Mississippi [Mr. HARRISON] will not make a point of order on this paragraph. To my mind this is a very important provision for the Indians. It has been demonstrated time and time again by reports made by those in authority with reference to the Indians that they are suffering from tuberculosis, trachoma, and other diseases of a character that have depopulated them very much, and something of this kind is necessary.

For instance, take trachoma: It is so important that those persons suffering from this disease should be separated from those who are not afflicted with it that it is very necessary that we should have some arrangement of this kind.

I will say to the gentleman from Mississippi that I do not believe that the discretion lodged with the department in this matter is being abused. The Commissioner of Indian Affairs is limited so that he can not establish and build and equip a hospital at an expense exceeding $15,000. These patients with the peculiar disease I speak of, such as trachoma, which is infectious, are to be separated from the well persons. It is, to my mind, so important that if we must do anything for these Indians to prevent blindness and death among them, we ought to make some such provision.

Mr. HARRISON. Does not the gentleman think that the Commissioner of Indian Affairs ought, at least in his recommendation to the committee for this appropriation, state where he expects these hospitals to be built and where they are needed, so that the committee and the House may know about the necessity?

Mr. FOSTER. That might be so, and yet I think that in a matter of this kind, where we have confidence in the Commissioner of Indian Affairs—which I believe we have—he should have the discretion of locating these hospitals, after an investigation, where they will do the Indians the most good.

I remember when this item was up before that I took some little interest in it, because I believed it was one of the most important items in this bill then up for consideration. I submit to my friend from Mississippi that in view of the conditions that exist now among the Indians in reference to these particular diseases, such as trachoma and tuberculosis, in which the greatest care must be used if we are to stamp out those diseases and help the afflicted, we ought to have this appropriation in the bill, permitting the Commissioner of Indian Affairs to establish these hospitals and conduct them in such a way that the patients may be properly treated. They can not get that treatment while they remain in their homes in the condition in which they are, and we can only provide it by removing the Indians from their present surroundings and placing them in hospitals, where they can receive proper treatment needed to stamp out the disease. You can not cure trachoma in any other way. It requires the best care and sanitary conditions to save those people from becoming blind or from having diseased eyes as long as they live, and I suggest to my friend and earnestly beg of him that he withdraw the point of order from this provision and allow it to remain in the bill.

Mr. CARTER. Mr. Chairman, as I remember it, the Commissioner of Indian Affairs brought in separate items for either two or three hospitals, and as to this item he asked for an appropriation of a less amount than we appropriated. My eyes do not catch the amount just at this moment.

Mr. BURKE of South Dakota. The sum of $300,000 was estimated for, for relieving distress; $100,000 for correcting sanitary defects in Indian homes, and then there was a specific appropriation for a hospital at Fort Lapwai, and for the Sac and Fox Agency in Iowa, and the committee consolidated all of those items, which were separately estimated for, and made an appropriation of $300,000 in all.

Mr. CARTER. So that one hospital will be located at Fort Lapwai and the other at the Sac and Fox Agency. I take it the commissioner himself is not now able to locate the others, and he may not know where to locate all of them until conditions arise in the future.

Mr. HARRISON. Will the gentleman yield?

Mr. CARTER. I yield to the gentleman.

Mr. HARRISON. I notice in the report it says that the proposed hospital in the Choctaw Nation is to cost $50,000. Is that one of them?

Mr. CARTER. The hospital in the Choctaw Nation in Oklahoma was built from tribal funds, and was appropriated for in the last appropriation. No part of this money goes to any part of Oklahoma.

Mr. HARRISON. That is not included in this $90,000.

Mr. CARTER. None of it.

Mr. SISSON. Will the gentleman yield?

Mr. CARTER. Yes.

Mr. SISSON. How much of this money will be appropriated to sectarian institutions?

Mr. CARTER. None of it.

Mr. SISSON. Of this lump sum of $350,000?

Mr. CARTER. To relieve distress, do you mean?

Mr. SISSON. Yes.

Mr. CARTER. None of it goes to sectarian institutions.

Mr. SISSON. It says:

> Maintenance of hospitals and sanatoriums, for incidental and all other expenses for their proper conduct and management, including pay of employees—

And so forth.

Does the gentleman know that none of these institutions are under sectarian control?

Mr. CARTER. I am confident that none of them are under sectarian control.

Mr. FOSTER. If the gentleman will permit, this refers to hospitals that have been established by the Government.

Mr. CARTER. That is true. We established several of them last year.

Mr. FOSTER. Last year this item was under consideration and some of these hospitals were authorized. These are the institutions which are now being provided for, as I understand, in this bill, and this money goes to those hospitals that are so established.

Mr. SISSON. I have no objection to the gentleman's item, but I do not want any of these appropriations to be made for the benefit of any school under sectarian control.

Mr. FOSTER. No part of the money will be so used.

Mr. CARTER. This does not go to a school. It goes for hospitals.

Mr. SISSON. If the gentleman is absolutely sure that none of this money can or will be paid to any institution under sectarian control, I will not offer the amendment; but I intended to offer an amendment providing that none of this money should be paid to any institution under sectarian control.

Mr. CARTER. This money could not be paid to an institution under sectarian control. It is—

> To relieve distress among Indians and to provide for their care and for the prevention and treatment of tuberculosis, trachoma, smallpox, and other contagious and infectious diseases.

That is done entirely by the service. The only Indian institutions operated by churches are schools.

Mr. SISSON. There is nothing in this bill, however, that would prevent it, if we make the appropriation.

Mr. CARTER. I doubt if the comptroller would approve any voucher for that purpose.

Mr. SISSON. I will state frankly to the gentleman——

Mr. CARTER. Let me answer the gentleman's question. I doubt if the comptroller would approve of a voucher for an institution outside of the regular service, under this language.

Mr. SISSON. If it appears on its face I am sure he could not do it, because there is a statute providing that no money or property or anything of value shall be appropriated to sectarian institutions of any kind or character. The statute is very sweeping, but my information is that in the Indian appropriation bill somewhere there is perhaps an item under which some of the various churches are getting the benefit of some of the funds paid to the schools or to hospitals under their control, in spite of that statute.

The CHAIRMAN. The time of the gentleman has expired.

Mr. CARTER. Mr. Chairman, I want five minutes.

Mr. HARRISON. We are discussing this under a point of order that has been reserved. There is no five-minute limitation on that.

Mr. CARTER. While not required by the rules, we sometimes discuss these points under the five-minute rule.

The CHAIRMAN. The gentleman reserved the point of order. Does the gentleman from Oklahoma ask for five minutes more?

Mr. CARTER. Yes.

The CHAIRMAN. The gentleman from Oklahoma asks unanimous consent that he be permitted to proceed for five minutes. Is there objection?

There was no objection.

Mr. SISSON. I want to state to the gentleman that I have no objection to his item, provided none of this money is to go to any institution under sectarian control.

Mr. CARTER. I can assure the gentleman that none of it will go to such an institution.

Mr. BURKE of South Dakota. Not only will none of it be so expended, but it can not be so expended under existing law. Not a dollar appropriated by the Indian appropriation bill can be so expended. The only money that goes to sectarian institutions is money belonging to the Indians, which may be expended as they desire; money that is due them, that they personally may direct the use of, for the education of their children in sectarian schools. No money appropriated from the Public Treasury can be so used except in fulfillment of a treaty.

Mr. SISSON. With the further permission of the gentleman from Oklahoma, in order that we may get at the truth, as I understand, some of the Indian tribes made treaties a number of years ago with churches in relation to payment out of tribal funds. A statute was passed in 1896——

Mr. BURKE of South Dakota. I want to say to the gentleman that I think he is mistaken in assuming that there were any treaties between Indians and any churches. The gentleman is mistaken in that assumption. There is a law that provides that no money appropriated out of the Treasury as a gratuity can be used in the support or maintenance of sectarian schools.

Mr. SISSON. I am thoroughly familiar with that statute.

Mr. BURKE of South Dakota. I will say that the only money that is used, and that is in accordance with the decision of the Supreme Court, is money in the Treasury belonging to the Indians under some treaty or agreement. If an individual Indian elects to take his share of that money and use it to support his child in a sectarian school, he can do it the same as the gentleman from Mississippi or I could do if we wanted to educate our child in a sectarian school.

Mr. SISSON. In the debate some years ago, in reference to the passage of this statute which the gentleman speaks of, there was something said about treaties made a number of years ago, when the Indians had tribal governments out in the Dakotas and in Oregon and Montana where they made arrangements with certain churches—Methodist, Episcopal, and Catholic Churches—to establish certain institutions to which tribes were to pay so much for the education of their children.

Mr. BURKE of South Dakota. There may have been some such discussion at the time the legislation was passed prohibiting the use of public money in supporting sectarian schools, but it may have been provided that it would not take effect until some time in the future, in order that it would not interfere with existing contracts.

Mr. SISSON. Is the gentleman sure that the contracts or treaties with the Indians have expired?

Mr. BURKE of South Dakota. I do not know anything about any treaties or agreements between the Indians, but I do know that there are no Indian tribes that pay this money; it is simply individual Indians that have a share in the funds.

Mr. SISSON. Does the gentleman know how much is paid out of the Indian funds to religious institutions?

Mr. BURKE of South Dakota. I do not recall the amount, but my recollection is that it appears in the report of the Commissioner of Indian Affairs, showing how much and where it is paid. If not in the last report, I am sure it appears in some of the reports made heretofore.

Mr. MANN. I think the only committee of the House that reports on the appropriation of money to be paid to sectarian institutions is the committee of which the gentleman from Mississippi is a member; and, if I recollect right, he is a member of the subcommittee that reports the bill that does it.

Mr. SISSON. I am conscious of that fact, and I have attacked these items as vigorously as I could and tried to get a full investigation.

Mr. MANN. There is no other committee that reports it.

Mr. SISSON. I am not so sure about that.

Mr. MANN. I am.

Mr. CARTER. Mr. Chairman, the gentleman from Illinois [Mr. FOSTER] may give expert testimony on this item because he is a doctor, but at that he has only faintly described the deplorable health condition of the Indians. I have traveled over several Indian reservations, and it has been my privilege to make some close observations of these matters. I am sure their state of health is more deplorable than even my good friend from Illinois has surmised. Most of us are aware that the Indians' worst afflictions are tuberculosis and trachoma. Many of them live in miserably bad ventilated log cabins with nothing but mother earth for a floor, and it is a waste of time to discuss the conduciveness of such conditions to these two dread diseases.

Last fall I was traveling over an Indian reservation with a United States Senator, and we came to an Indian school. As we went into the superintendent's house we left him engaged in conversation with an Indian outside, and when he came in the Senator said, "What were you talking to that fellow about?" The superintendent said, "He brought a child to school which has trachoma." "What did you do about it," the Senator inquired. The superintendent replied, "Sent her back home." Then the Senator asked, "How many other children has he?" "Two at home and one in school," replied the superintendent. "So," said the Senator, "you have sent this child back to infect the other children, the father and mother, and probably many others on the reservation. Why did you not keep her here?" The superintendent answered, "Because we have no hospital."

Now, Mr. Chairman, I think all medical authorities agree that the best way to cure this disease of trachoma, so prevalent among the Indians, and to keep the infection from spreading is by segregation. How are you going to segregate without proper hospital facilities? If you have a hospital, you may segregate trachoma at certain stages and effect a permanent cure. Even tuberculosis may be cured in its primary stages and relief given to patients in advanced cases if you have hospitals properly located. But without hospitals any cure or even improvement in the health condition of the Indian, so far as these two diseases are concerned, is absolutely impossible. Without hospitals you are forced to send the infected person back upon the reservation into the badly ventilated, crowded log cabin to infect his sisters, brothers, mother, father, children, and, in fact, all other members of the tribe. If there is any matter which is important, it is the health of the individual, and if there is any necessity which is urgent it is that for hospitals on or near the different reservations, where these two maladies can be properly treated and alleviated. I hope the gentleman from Mississippi will not insist upon his point of order to strike this hospital item out, thereby leaving the afflicted Indian in the deplorable condition where he can not be segregated, but must die of tuberculosis or become blind from trachoma.

Mr. PAGE of North Carolina. Will the gentleman yield?

Mr. CARTER. Yes.

Mr. PAGE of North Carolina. I notice that in 1914 the appropriation was $200,000, and there was an unexpended balance of $27,608. The current appropriation is $300,000. Has the gentleman any information or was any given to the committee as to the probability of this money being expended, or will there be a relatively large unexpended balance for the fiscal year of 1915?

Mr. CARTER. The committee has reported $165,000, all told, less than that requested by the department. As has been stated by the gentleman from South Dakota [Mr. BURKE], several other items for the health of the Indians were eliminated and all items for the care of their health were consolidated in this one item.

Mr. PAGE of North Carolina. It was $200,000 in 1914.

Mr. CARTER. Prior to this time other items had been carried in other parts of the bill, which have been eliminated.

Mr. PAGE of North Carolina. Does that account for the increase from $200,000 to $300,000?

Mr. CARTER. Yes.

Mr. BURKE of South Dakota. I call attention to the fact that under the appropriation for the present year six hospitals are being constructed and will be ready for occupancy in July next of the fiscal year, and that that will involve an expense that we did not have last year.

Mr. PAGE of North Carolina. If the gentleman will permit, for the purpose of constructing these hospitals this amount was increased in the current law—the year 1915—from $200,000 to $300,000?

Mr. BURKE of South Dakota. It certainly was; yes.

Mr. PAGE of North Carolina. In the present bill you increase that amount still $50,000 more?

Mr. STEPHENS of Texas. Will the gentleman permit me to explain that? On line 12, page 4, he will see an item for the correction of sanitary defects in Indian homes——

Mr. BURKE of South Dakota. The committee had an estimate of $100,000, and also a specific appropriation for two hospitals, which was not included in the estimate. That refers to this.

Mr. PAGE of North Carolina. Then it was a consolidation of appropriations rather than an increase for the purpose of constructing hospitals?

Mr. STEPHENS of Texas. That is correct.

Mr. BURKE of South Dakota. Not at all. It was a decrease from the estimates, giving them the same amount they had last year, assuming that they would erect six additional hospitals costing not to exceed $15,000 each.

Mr. PAGE of North Carolina. The purpose of the current law is to erect these other hospitals at a cost of $15,000 each?

Mr. BURKE of South Dakota. That is the intention.

Mr. PAGE of North Carolina. I am merely asking for information and had no other purpose in mind.

Mr. CARTER. Mr. Chairman, I will say to the gentleman that there were eliminated from this bill in other items $40,000 for a hospital at Lapwai, $20,000 for a Sac and Fox hospital, and $100,000 for correcting sanitary defects, which makes, in all, $165,000.

Mr. MANN. They eliminated them from the estimates, but not from the appropriations.

Mr. PAGE of North Carolina. I was about to ask that question—if that elimination were not made from the estimates and not from former appropriations.

Mr. CARTER. From the estimates; in the bill submitted by the department.

Mr. PAGE of North Carolina. This is an increase of $100,000 over the appropriation for the year 1914?

Mr. CARTER. Fifty thousand dollars in this item.

Mr. PAGE of North Carolina. Yes.

The CHAIRMAN. The time of the gentleman has again expired. Does the gentleman from Mississippi insist upon his point of order?

Mr. HARRISON. Mr. Chairman, may I ask the gentleman from Illinois if he knows whether or not this fund is reimbursable?

Mr. FOSTER. I think not.

Mr. HARRISON. Does the gentleman think it ought to be reimbursable?

Mr. FOSTER. My judgment is that those Indians——

Mr. HARRISON. Where they are able?

Mr. FOSTER. Where they are able, it might properly be done.

Mr. HARRISON. Mr. Chairman, I make the point of order to that part of the paragraph, lines 13 to 17, as follows:

Provided, That not to exceed $90,000 of the amount herein appropriated may be expended in the erection and equipment of new hospitals for the use of Indians; and no hospital shall be constructed at a cost to exceed $15,000, including equipment.

Mr. CARTER. The gentleman wants to strike out the hospitals?

Mr. HARRISON. Yes. The reason why I make this point of order is because I believe it is a bad precedent to establish for any bureau to be given that broad discretion, to spend money even to the amount of $90,000, without first furnishing to the House facts that will warrant the expenditure and at least an idea where they expect to build these hospitals and how, and so forth.

Mr. STEPHENS of Texas. Mr. Chairman, I do not think that this is subject to a point of order, for the reason that it limits the amount carried here. It is for $350,000, and this only designates how it shall be paid.

The CHAIRMAN. Can the gentleman furnish the Chair any law which authorizes the erection of these hospitals?

Mr. STEPHENS of Texas. Only in the general Indian law. Anything that is necessary for the purpose of their protection and welfare would come under the general provisions of the original law creating the Indian Bureau, and I think one of the most essential features of the bill is that we shall protect the health of these Indians by these small hospitals. We guard it carefully in line 17 by stating that they shall be constructed at a cost of not to exceed $15,000 each. There is no question but that we can build hospitals for the purpose of protecting them from diseases and providing for their health and comfort, but we limit it in line 17 to a cost of $15,000 each.

The CHAIRMAN. The Chair does not regard this proviso as a limitation on the appropriation, because it specifically authorizes the erection of new hospitals at a cost of not to exceed $15,000 each.

Mr. STEPHENS of Texas. That is a limitation on the amount that we propose to give in gross. It is $90,000, and we are apportioning out the $90,000 so as to build six hospitals at $15,000 each.

Mr. PAGE of North Carolina. Mr. Chairman, I submit to the Chair that the general language of the law that has been cited by the gentleman from Texas would not give them authority, without specific authority of law, to construct hospitals. To my mind the language is clearly subject to a point of order.

The CHAIRMAN. The Chair thinks that it is subject to the point of order. It is new legislation. The point of order is sustained.

Mr. PAGE of North Carolina. Mr. Chairman, I offer the following amendment, which I send to the desk and ask to have read.

The Clerk read as follows:

Page 4, line 13, strike out the figures "$350,000" and insert the figures "$300,000."

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from North Carolina.

The question was taken, and on a division (demanded by Mr. PAGE of North Carolina) there were—ayes 8, noes 14.

So the amendment was rejected.

Mr. MILLER. Mr. Chairman, I move to amend by adding, after the word "herein," in line 21, the following: "*Provided further*, That the Secretary of the Interior may employ to aid in carrying out the provisions of this paragraph physicians who have not a civil-service status."

Mr. STEPHENS of Texas. Mr. Chairman, on that I reserve a point of order.

The CHAIRMAN. Will the gentleman send up his amendment?—which the Clerk will report.

The Clerk read as follows:

Page 4, line 21, after the word "herein," insert the following: "*Provided further*, That the Secretary of the Interior may employ to aid in carrying out the provisions of this paragraph physicians who have not a civil-service status."

Mr. MANN. Mr. Chairman, I reserve a point of order.

Mr. STEPHENS of Texas. Would the gentleman object to adding the words "in his discretion" after the word "may"?

Mr. MILLER. I think the word "may" includes, with the following words, "in his discretion," but I have no objection to including them.

Mr. STEPHENS of Texas. I would like to have that language added, if the gentleman has no objection.

Mr. MILLER. I will accept the proposed amendment.

The CHAIRMAN. Without objection, the gentleman will be allowed to modify his amendment.

There was no objection.

The CHAIRMAN. The Clerk will report the amendment as modified.

The Clerk read as follows:

Modify the amendment by inserting, after the word "may," in the first line, the words "in his discretion," so that the amendment as amended will read: "*Provided further*, That the Secretary of the Interior may, in his discretion," etc.

Mr. MANN. I reserve a point of order on that.

Mr. MILLER. Mr. Chairman, I have offered this amendment in order that I may have an expression from the members of the committee whether they really want to help the Indians. That is all this amounts to. You can appropriate all the money in the United States Treasury to suppress trachoma and tuberculosis among the Indians in the United States and at the same time tie the hands of the administrative officer to spend the money only by utilizing the services of civil-service hired doctors and you will not have gained a single step of advantage. I think that is a pretty fairly strong statement to make. I do not know but if I had more emphatic language at my command I would use that. I do not know what the attitude of the present Commissioner of Indian Affairs is upon this question, because I have never discussed it with him. I know what the attitude of other administrative officers has been in times past on this proposition. I know the evidence of my own eyes, for I have seen on many, many reservations throughout the United States evidence that is not open to doubt, not capable of unbelief. As I have stated before on other occasions, I now repeat, the civil-service process secures for the Indian Service physicians of one of two classes. Either young men just graduated from college, without training and experience and who are not at all qualified to handle the highly specialized work of combating trachoma and tuberculosis, or men who have been out of college a reasonable length of time and made a failure in their practice. A man of professional education and standing who has made a failure of his practice and who has not been able to earn a livelihood practicing his profession during a period of years in a community is not fit to spend this money and get a salary from the United States, at the same time working havoc among the Indians.

Mr. JOHNSON of Washington. Will the gentleman yield for a question?

Mr. MILLER. Certainly.

Mr. JOHNSON of Washington. If the Indian Office finds it needs a physician and advertises for bids for physicians to look after the sick Indians and announces it will not pay more than $760 per annum, what kind of a doctor do you expect to get for that sum?

Mr. MILLER. We can not expect to get any kind of a doctor, and this is as far as they can go now under civil-service rules, only it is $720 instead of $760. This is the limit of the amount that can be paid except to a physician secured from the civil service. This is the kind of doctors they are getting, and I know whereof I speak. It is just the kind of doctors who will spend your $350,000, and I know whereof I speak. You can not

get physicians for $720 a year, nor can you get a man fit to do this work for $1,000 a year or $1,400, the practical maximum under the civil service. Think of hiring a physician capable of entering upon this grand humanitarian work and going out among the Indians and working for their welfare, as we desire this money shall be expended, for $1,000 a year or $720 a year! You can not get them and you can never deceive yourself into thinking you can get them. I know the Civil Service Commission will write and request that this amendment be stricken out if we adopt it; but are you trying to protect the Civil Service Commission in having a complete control of all branches of your Government, or are you really trying to help the Indians? You can not do both.

The CHAIRMAN. The time of the gentleman has expired.

Mr. MILLER. I would like to have two minutes more.

The CHAIRMAN. Is there objection to the request of the gentleman from Minnesota. [After a pause.] The Chair hears none.

Mr. MILLER. I have seen many and many a young man go out among the Indians and then remain a short time in a position he did not like, ask for a chance to be transferred, and leave, and all the period of time that was spent there was absolutely wasted, because he did nothing for the Indians except draw his salary. I have seen other physicians of middle life, of middle age. I have watched their work, and I knew that they were a failure in their profession because they made a failure of their work there. I have seen Indians moving along with legs broken and twisted, growing in an inhuman and grotesque fashion, and a physician sitting down who would not so much as bandage them up. That is the class of men you get and that is the class of men you will continue to get until you permit the Secretary of the Interior to go out and make contracts with reputable physicians who are capable of handling this great scourge. Oh, every once in awhile you can lift your hands in horror and get on your knees and pray, if you want to, that the terrible scourge of tuberculosis and trachoma will flee from the Indian, and then you come in here and tie the hands of your administrative officials so as to make it possible for the ravages of these diseases to continue. [Applause.]

The CHAIRMAN. The time of the gentleman has expired.

Mr. STEPHENS of Texas. Mr. Chairman, I ask that the debate be limited to five minutes.

The CHAIRMAN. A point of order has been reserved on this amendment.

Mr. STEPHENS of Texas. The gentleman from Illinois [Mr. MANN] made the point of order.

Mr. MANN. I reserved it.

Mr. FOSTER. Mr. Chairman, I indorse the statement made by the gentleman from Minnesota [Mr. MILLER] in reference to the medical treatment that the Indians receive.

I was very much in hopes that when these hospitals were established the care and treatment of the Indian would be improved. It is true, as stated by the gentleman from Minnesota, that you can not get a physician, unless it is some young man just starting into practice and wants a little experience, to go out and take charge of one of those places, or else some one who has been a failure in the practice. I hope the time will come when the medical department of the Indian Service will be transferred to the Public Health Service, where I have always believed it ought to be. To-day we have scattered through different departments of our Government a lot of medical services that ought to be placed under the control of the Public Health Service. I do not mean by that that we should establish a great public health service, but I do believe you would get better work and better service if it were placed in the hands of that particular bureau which is looking after that kind of work all the time.

The Indian Commissioner, of course, is limited in the amount of money that he can pay to these physicians, and if this restriction is taken away, as the gentleman says, it will permit him to employ men who will be able to give better service.

Mr. MANN. Where is the limitation?

Mr. FOSTER. That is the amount that he can pay under the civil service. I understood that from the statement of the gentleman from Minnesota.

Mr. MANN. You should not take all the gentleman's statements seriously.

Mr. FOSTER. If the present law fixes the amount that can be paid for these physicians——

Mr. MANN. The law does not fix it.

Mr. MILLER. I beg the gentleman's pardon. The law does fix it. Fourteen hundred dollars is the maximum that can be paid in the Indian Service for a physician.

Mr. MANN. There is no such law.

Mr. FOSTER. I hope my colleague is right in the statement that there is no such law as fixes the salary of these physicians.

Mr. BURKE of South Dakota. I will say to the gentleman that I think it is a regulation of the department.

Mr. FOSTER. Then, the department could get physicians at a price commensurate with the service they render. As it is now, no physician wants to go out there and work for $60 a month any more than a lawyer would go out and look after the legal affairs of the Indians at $60 a month. Let us have a better service, and let us give these Indians better medical treatment than they have been having in the past. I am in favor of the amendment offered by the gentleman from Minnesota [Mr. MILLER]. I am willing to try it. I do not believe it is possible to make the conditions any worse than they are now, and perhaps if we try it we will find that the conditions will be improved.

Mr. MANN. Mr. Chairman, my friend from Minnesota [Mr. MILLER], who is so very extreme in his statements that he destroys the efficacy of them very often, proposes an amendment to the effect that these physicians shall not be under the civil service. Why, all the Government officials except those in the military service are under the civil service, and the term which my friend uses is not known in the law, carrying the meaning with which he inserts it in his amendment. If they were not under the civil service, they would be under the Army service or the Navy service.

Mr. MILLER. Mr. Chairman, will the gentleman yield?

Mr. MANN. Yes; for information.

Mr. MILLER. I want to ask the gentleman a question.

Mr. MANN. Well, make it short.

Mr. MILLER. Is not the language "a civil-service status" of common understanding and knowledge and acceptation?

Mr. MANN. It is frequently used by gentlemen not familiar with the law, but it is not used in the statutes. This is a proposition to insert it in the statutes, that these people shall not have a civil-service status, when that is the only status they could have except a military status.

However, I know what the gentleman wants to get at. He wants to provide that they shall not be appointed from the eligible list under the civil-service law. That is a matter now resting in the hands of the President. The department can ask the President any day to take these employees out from the classified service. That is the proper term. Then they can be appointed as they please. The only limitation on the department now is the order of the President putting them in the classified service and the amount of the appropriations. They can pay a man $100,000 a year, so far as the law is concerned. Of course they would not do it.

Now, the gentleman from Minnesota thinks the only kind of physicians they get at this salary is either young men just out of college or men who have made a failure of the practice of medicine, and my friend and colleague from Illinois [Mr. FOSTER] suggests that it would be better if the Indians could be turned into the hospitals and there receive treatment. Who is it that takes care of patients in the hospitals? The internes and the nurses—both classes being there to learn, and practically without salaries. Who does the most of the work in the hospital? If these Indians were put in the hospitals, in the ordinary hospitals, they would receive their treatment from the interne, who was receiving no salary, or practically no salary, and from the nurse, who is receiving no salary, but who is learning the business.

Mr. MILLER. How many internes or nurses would the gentleman expect there would be in a hospital costing $15,000 for construction and equipment? The gentleman knows there would be no internes and that most of the work would be done by the physician himself.

Mr. MANN. I do not know how many internes there would be in those hospitals, but in the great hospitals throughout the country, where patients receive much better treatment than they would receive in these Indian hospitals, the patients receive their care and treatment from the internes, and when these internes have had their training in the hospitals they go out into the practice. So far as I am concerned, I would rather trust them than trust an old practicing physician who has forgotten most of what he learned in his youth and has not kept himself up to date.

It does not require a great amount of knowledge to treat tuberculosis. The gentleman says it requires a great physician to treat it. The treatment is well enough known not to require the administration of a physician at all. It is necessary to have some one to make the people afflicted take the treatment prescribed. I do not think it is the duty of Congress to interfere in this matter. If the department wishes to take physicians outside of the classified service, all that is needed is to

recommend that to the President with sufficient force and the President under the law has the power to do it.

Mr. MILLER. Does the gentleman think the President would take such action?

Mr. MANN. I believe he would if the gentleman's statement were correct.

Mr. MILLER. There is no question about the correctness of the statement.

Mr. MANN. Well, the gentleman makes very extreme statements sometimes.

Mr. MILLER. This is an extreme case.

Mr. MANN. Of course I know the gentleman thinks that is so, but the gentleman makes some statements that are so extreme that I am satisfied they are beyond the verities, and I think some of his other statements are also in error.

Mr. MILLER. The gentleman must recognize that there are some things beyond the experience of the gentleman from Illinois.

Mr. MANN. Of course the gentleman always runs into that, and I do not pretend to know as much about Indian affairs as the gentleman from Minnesota does, yet only a moment ago the gentleman insisted that there was a law regulating the salaries of physicians. I challenge that statement. I should like to see him produce the law.

Mr. MILLER. I will produce the law, or a rule which has the force of law.

Mr. MANN. A rule which can be changed to-morrow is not law. If the department wants to change the rule, they can change it. Give the department the reasons, and they probably will change it.

Mr. MILLER. If the gentleman will yield again, I will say that I have had this up with the Commissioner of Indian Affairs many times, and upon investigation he has always told me that he did not have the authority; that he was compelled by law to restrict the appointment to these classes, as I have indicated. I also had it up with the Civil Service Commission at one time, and they refused to acquiesce in the recommendation.

Mr. MANN. The Civil Service Commission are not the judges. The President is the judge. Let the Indian Department take it to the President. The President will want to do what is right and fair about it, and if such a state of facts exists as my friend from Minnesota thinks, I believe the President will take action. But if my friend from Minnesota is overzealous, perhaps the President will not agree with him. I make the point of order.

The CHAIRMAN. The Chair thinks the amendment is open to the objection of being legislation, and the point of order is sustained.

Mr. BURKE of South Dakota. Mr. Chairman, I move to strike out the last word. I have a statement prepared by the Indian Office giving a description of the hospitals that are being erected upon Indian reservations which I wish to read, which is as follows:

The hospitals selected to comply with the provisions of the current appropriation act for the construction of hospitals to cost not more $15,000 each are of simple but substantial frame construction, of the pavilion type, with a two-story central building, flanked by one-story wings.

On the first floor of the central portion are located the dining room and kitchen, the latter being provided with a screened porch and refrigerator room.

On the second floor are located four employees' rooms, a bathroom, and a closet for each employee's room.

In the wings are located sitting, locker, bath, and toilet rooms, and two wards, with a capacity of 30 patients, which capacity may be increased to 38 by utilizing open porches located at the front of the sitting rooms. The front wall of each sitting room is provided with glazed and screened windows in box frames, taking up practically the entire front-wall space.

The wards are of the open pattern and all walls are provided with screened and glazed triple-sliding sash and screened and glazed transoms.

A steam-heating equipment is provided for each hospital, also drainage and lighting systems.

The capacity of the proposed hospital in the Choctaw Nation, Okla., to cost $50,000, is 80 patients, 20 of whom are to be placed in tent houses.

Mr. BURKE of South Dakota. Mr. Chairman, I move to strike out the word "*further*," in line 17, on page 4, after the word "*Provided*."

The CHAIRMAN. The gentleman from South Dakota offers an amendment, which the Clerk will report.

The Clerk read as follows:

Page 4, line 17, after the word *"Provided,"* strike out the word *"further."*

The amendment was agreed to.

Mr. HARRISON. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Mississippi offers an amendment, which the Clerk will report.

The Clerk read as follows:

Page 4, line 13, after the figures "350,000," insert the following: "*Provided*, That where any Indian tribe has to its credit funds in the Treasury of the United States, the amounts so expended herefor shall be reimbursable therefrom."

Mr. STEPHENS of Texas. I make a point of order against that amendment.

Mr. HARRISON. What is the point of order?

Mr. STEPHENS of Texas. It is new legislation on an appropriation bill.

Mr. HARRISON. It seems to me this amendment is in the interest of economy. It will make a saving and a reduction of expenditure. It is a retrenchment, because if this money, amounting to $350,000, is expended and these Indian tribes have funds in the Treasury of the United States to their credit, they must reimburse the United States Treasury for the expenditure here made, and there will be that much saved to the Treasury of the Government. It seems to me that the point of order is not well taken.

The CHAIRMAN. The Chair thinks the point of order is well taken. The point of order is sustained. The Clerk will read.

The Clerk read as follows:

For support of Indian day and industrial schools not otherwise provided for and for other educational and industrial purposes in connection therewith, including the support and education of deaf and dumb and blind Indian children not to exceed $40,000, $1,440,000: *Provided*, That no part of this appropriation, or any other appropriation provided for herein, except appropriations made pursuant to treaties, shall be used to educate children of less than one-fourth Indian blood whose parents are citizens of the United States and of the State wherein they live and where there are adequate free-school facilities provided and the facilities of the Indian schools are needed for pupils of more than one-fourth Indian blood: *Provided further*, That no part of this appropriation shall be used for the support of Indian day and industrial schools where specific appropriation is made: *Provided further*, That not more than $50,000 of the amount herein appropriated may be expended for the tuition of Indian children enrolled in the public schools.

Mr. STEPHENS of Nebraska. Mr. Chairman, I move to strike out the last word. I want to ask the chairman of the committee a question. I should like to know the object of restricting the appropriation for tuition in public schools, limiting it to $50,000.

Mr. STEPHENS of Texas. The gentleman refers to the provision in lines 12 to 14, on page 5?

Mr. STEPHENS of Nebraska. Yes.

Mr. STEPHENS of Texas. It provides that not more than $50,000 of the amount herein appropriated may be expended for the tuition of Indian children enrolled in the public schools. That is an increase over the amount appropriated last year.

Mr. STEPHENS of Nebraska. I understand that it is the disposition of the committee to favor increasing the education of Indian children in the public schools, rather than transporting them to distant parts of the country to be educated.

Mr. STEPHENS of Texas. That is the idea, to educate the children on the reservations.

Mr. STEPHENS of Nebraska. So this is an increase and not a decrease?

Mr. STEPHENS of Texas. Yes.

Mr. CARTER. It is an increase from $20,000 to $50,000—a $30,000 increase.

Mr. FERRIS. Does the gentleman think that is enough?

Mr. STEPHENS of Texas. It is enough for experimental purposes. So far the matter is in the experimental stage, and it has worked well as far as it has gone.

Mr. FERRIS. The Indians usually allot their lands up and down creeks and streams, seeking to get bottom land and timber, which are considered more desirable for the Indians. There are some neighborhoods where the land is practically all allotted, and there is not enough taxable land to pay for conducting public schools at all. Often the white children have to pay tuition in addition to the regular school tax. Then and in that event, where Indian children can not be sent away—and often it is not best to send them away—it would seem to me that the commissioner ought to have a larger sum than that to help carry along the schools.

Mr. STEPHENS of Texas. It is in the experimental stage.

Mr. FERRIS. If the Indian Commissioner and the Committee on Indian Affairs think this all that is necessary, of course I am willing to trust their judgment.

Mr. BURKE of South Dakota. I should like to say that the comptroller has held that no part of the money that we are proposing to appropriate can be used to pay for the tuition of any child who is under the law of the State in which he resides permitted to attend the public schools, and that it can only be used for paying the tuition of such Indian children as may belong to some tribe where the parents have not received their allotments or are not citizens of the United States and not tax-

payers. I have in my hand an opinion rendered by the Comptroller of the Treasury in which he so decides, and I thought perhaps the gentleman from Oklahoma would be interested in knowing about it, and that no part of this appropriation can be used to pay the tuition of Indian children who can be admitted to public schools.

Mr. FERRIS. I was not aware of that decision mentioned by the gentleman from South Dakota; but, if that is true, not a penny of this appropriation can be used in my State. The statute admitting my State to the Union provided that all full citizens could exercise every function of a citizen. This would be of no help to us at all. It would seem to me that this provision ought to be broadened so as to authorize or allow the commissioner to expend some of the fund in meritorious cases. For instance, there is a tribe of Indians in Oklahoma that have allotted money on deposit, and who really have more money than the white settlers. They live in an allotted community where they have allotted lands up and down the stream and do not have any taxable property to maintain any school. The children who do not go to tribal schools away from home do not get any education at all.

Mr. STEPHENS of Nebraska. I want to ask the gentleman if children who are allowed to attend the public schools are not allowed tuition out of this appropriation?

Mr. BURKE of South Dakota. I will say that it came to my notice that the comptroller made this decision, and I wrote to the Indian Office to know what State there was that had a law prohibiting Indian children from attending the public schools, and in his reply he says:

You also request to be advised if in any State children of Indian citizens are prohibited from attending public schools. Attorney General D. M. Kelly, of Montana, in his letter to the office of February 21, 1914, quotes the law of Montana as follows:

"All school moneys apportioned by county superintendents of common schools shall be apportioned to the several districts in proportion to the number of school census children between six and twenty-one years of age, as shown by the returns of the district clerk for the next preceding school census: *Provided*, That Indian children, who are not living under the guardianship of white persons, shall not be included in the apportionment list unless the parents thereof are citizens of the United States or have taken land under the allotment and severalty act of Congress and have severed their tribal relations."

After discussing this law he concludes his letter as follows:

"It occurs to me that, in view of the Federal legislation upon the subject (Secs. 2071 et seq. Rev. Stat. of the U. S.), it was never intended to impose upon the State the burden of educating Indians so long as they remained wards of the general Government, hence I conclude that only such Indians as have the status of those mentioned in our school law, supra, may be enrolled as students in our public schools."

As far as the office is aware, Montana is the only State that has questioned the right of children of citizen Indians to attend public schools on the same terms as white children.

Mr. STEPHENS of Nebraska. And receive a portion of this fund.

Mr. BURKE of South Dakota. Yes.

Mr. STEPHENS of Nebraska. The children of an Indian who is a citizen can go to a public school, and they receive tuition from the appropriation carried in this bill.

Mr. BURKE of South Dakota. That is what the comptroller says, that Montana is the only State that has questioned the right of Indians to attend school on the same terms as white children.

Mr. HARRISON. Mr. Chairman, I move to strike out the last two words. I want to ask the gentleman from South Dakota a question. Is there anywhere in this bill an item appropriating money for the education of Indians in the public schools or common schools of any State?

Mr. BURKE of South Dakota. Yes; there is an item that appropriates money for public schools in the State of Oklahoma of, I think, $275,000. It has been carried in the bill for a number of years.

Mr. HARRISON. That is out of the funds of the Indian tribe?

Mr. BURKE of South Dakota. No; that is an appropriation made from the General Treasury, the same as what is appropriated by the item in the bill now being considered.

Mr. HARRISON. That is the only instance?

Mr. BURKE of South Dakota. That is the only one I recall.

Mr. HARRISON. Does the gentleman think that money ought to be appropriated out of the Federal Treasury to assist the common schools of any State?

Mr. BURKE of South Dakota. That is a question that I do not care to discuss at this time.

Mr. MANN. We tried to knock it out a number of years ago, but the gentleman from Mississippi voted for it.

Mr. STEPHENS of Nebraska. Will the gentleman yield?

Mr. HARRISON. Yes.

Mr. STEPHENS of Nebraska. The tribe of Indians living in my own State are not taxpayers. That is, their lands are not taxed under the laws of the State; they are still held in trust by the Government. The schools on the reservation are maintained and paid for by white people who have bought Indian lands. So the whole burden of the support of the public schools rests on the white people. There is a provision no doubt somewhere in the bill providing for the payment of tuition of Indian children that attend these public schools. The tuition rate is very small and does not begin to pay the pro rata share of the Indian of the cost of his schooling, but some way and somehow the Indian Department is able to pay the tuition of the Indian children who attend the public schools supported entirely by the white people, and it is proper that the bill should carry an appropriation for the education of Indian children in the public schools where the Indian pays no tax.

Mr. MANN. Mr. Chairman, this item of $1,440,000 for the support of the Indian day and industrial schools presents an interesting proposition. Under the act of March 3, 1887, the Secretary of the Interior is required to make annually a report of the expenditures of this money, and this year he has made such a report, found in House Document 1285, submitted to the House on December 7. I find from that report, for instance, and the report is required to give the manner and for what purposes the general educational fund for the preceding fiscal year has been expended, the number and kind of schoolhouses erected, their cost, as well as the cost of repairs, the names of every teacher employed and compensation allowed, the location of each school, and the average attendance of each school.

I find, for instance, that at the Camp Verde day school, located at Camp Verde, Ariz., the average attendance of pupils was 25; that Mary Noyes is the name of the teacher, who receives a salary of $720 a year, while the total expenses of the school amounted to $2,871.95.

The teacher of these few pupils receives a salary of $721 a year, but where the rest of the $2,871.95 goes I do not know. It looks like a rather large sum for the expenses of the school—for janitor service, fuel, light, heating, and anything else of that sort. At the Canyon Day School, at Fort Apache, there are 38 pupils in attendance. Mr. Schriver is the teacher, at a salary of $780, and yet the total expense of this Fort Apache day school is $4,206.58. At the Havasupai Day School, at Supai, Ariz., there are 32 pupils in average daily attendance, and Miss West, the teacher, receives a salary of $720. Yet while the total expense of that school is $3,655.72, the teacher gets but $720. I might go through the whole list of these, but I will not take the time to do so. I desire, however, to call attention to the one which I think takes the cake. That is the Soboba School, at San Jacinto, Cal. There is an average daily attendance there of 10 pupils, and Miss May Stanley, teacher, receives a salary of $900 a year for teaching that school. The total expense of the school is $8,995.25.

Mr. GARNER. How much per student?

Mr. MANN. A little over $800 per student. Of course it would be far cheaper to pick up these Indians and send them to Harvard or Vassar. I would like to have some distinguished member of the Committee on Indian Affairs who knows all about this explain just what this money is expended for. Of course I suppose there is some explanation.

Mr. STEPHENS of Texas. What case is that?

Mr. MANN. The Soboba Day School.

The CHAIRMAN. The time of the gentleman from Illinois has expired.

Mr. MANN. Mr. Chairman, I ask unanimous consent to proceed for five minutes more.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. MANN. Of course all of the information I have is the information contained in the report of the Secretary of the Interior, which is supposed to give accurately the expenses of these schools paid out of this appropriation.

Mr. STEPHENS of Texas. On page 8 the gentleman will find the item. Five thousand five hundred and eighty-seven dollars are paid out for wages and salaries.

Mr. MANN. Yes. I will read the items, if that will satisfy the gentleman. In salaries, wages, and so forth, at this school the amount paid out is $5,587.66. What the "etc." is, I do not know. Does the gentleman? For traveling expenses, $318.60; for heat, light, and power services, $253.73; for communication service, $30.50; for subsistence, supplies, $265.71; for dry goods, wearing apparel, and so forth, $38.97; for forage—forage for pupils!—$276.94; for fuel, illuminants, lubricants, and so forth, $549.07; for educational supplies—they do not require much for educational supplies—$15.68 [laughter]; for equipment, material, and so forth, $1,340.31; and for miscellaneous, $49.96, making a total of $8,995.25. And it is paid out of this appropriation for support of day and industrial schools.

Mr. GARNER. Is that appropriation made in a lump sum?

Mr. MANN. Yes.

Mr. GARNER. Who is responsible for the appropriation of this lump sum?

Mr. MANN. I do not know who is responsible, and I do not say that there is no explanation of this; but it certainly is not given in the annual report which the Secretary is required to make and does make to Congress.

Mr. STEPHENS of Texas. This is an industrial school.

Mr. MANN. Ten pupils at an industrial school at a total cost of $8,995.

Mr. STEPHENS of Texas. It is just being started.

Mr. MANN. Would it not be better to close it up? Since when did it become profitable for us, if the gentleman be correct, and I doubt that, to maintain an industrial school for 10 pupils at an expense of $9,000 a year? I say that probably they can make an explanation, but if it be the fact, as is suggested by the gentleman from Texas in charge of the bill, that they are paying $9,000 a year for teaching 10 pupils in an industrial school, then they better shift them somewhere else and provide for better education. Here is a lump-sum appropriation. That is one thing. There are a whole lot of these items in this report. I have read only four of them, although I think possibly I have read the one that is the most striking.

Mr. GARNER. Mr. Chairman, will the gentleman yield?

Mr. MANN. Yes.

Mr. GARNER. Considering the statement the gentleman has just made with reference to one school, would not the Congress be safe in reducing this appropriation $100,000, and seeing if they can not take care of it a little more economically?

Mr. MANN. I do not undertake to say that. I do not draw my conclusions simply by reading a part of a thing until I get the full information. I do not know whether the committee would have full information in reference to this, but this is all of the information that I get from the report, and I think possibly that even calling attention to it in this way will provide further information in the future, so that we will know more about it; but I am sure that Mr. Secretary Lane would not for a moment think of maintaining an industrial school at an expense of $0,000 a year to take care of 10 pupils.

Mr. BURKE of South Dakota. Mr. Chairman, I move to strike out the last word. I desire to correct the statement I made a moment ago, and I would like the attention of the gentleman from Oklahoma [Mr. FERRIS]. I called the gentleman's attention to a decision of the comptroller and stated the substance of it, basing what I said upon the statement made in the report of the commissioner for the last fiscal year, on page 6, as follows:

> Until recently the office paid tuition in order to procure the enrollment of Indian children in public schools where their parents were not taxpayers. It became necessary to modify this plan, however, for the Comptroller of the Treasury, in a decision of October 22, 1913, ruled that the Federal Government was not authorized to pay tuition of Indian children legally entitled to attend the State public schools.

When I made the statement that I did and quoted from the commissioner's letter, I had not finished the reading of the letter which had just been handed to me. Since making the statement I have read the letter in full, and I now wish to read from it as follows:

> You also request to be advised if the decision of the Comptroller of the Treasury referred to on page 6 of my annual report, which prohibited the payment of tuition of Indian children in public schools where the State law entitled them to attend, would prevent the carrying into effect of the appropriation provided to aid the common schools of the Five Civilized Tribes of Oklahoma. The decision referred to was that of October 22, 1913, wherein the comptroller said:
>
> "Contracts covering tuition of Indian pupils in a form like the contract considered in the decision of August 19, 1913, when made with reference to Indian children residing in States whose laws give them the full and free privilege of attending the public schools without reference to whether their parents pay taxes and whether or not the General Government pays something for their schooling, do not, as pointed out in said decision, involve any good and sufficient consideration for the payment by the United States of 'tuition fees' on their account. Under such contracts the school authorities neither give nor agree to give anything in return for the money paid or to be paid them by the Government. Such contracts, covering 'tuition' of Indian children in California or any other State where such children are entitled by law to all the school privileges that other children have, providing, as they do, for the furnishing of nothing that would not be furnished just the same if such contracts were not made, have no legal consideration to support them and are therefore unauthorized."
>
> In order to obviate the difficulty presented by this decision a special provision was inserted in the paragraph providing for the support of Indian schools for the fiscal year ending June 30, 1915 (Public—No. 160, 63d Cong., p. 3), as follows: "That not more than $20,000 of the amount herein appropriated may be expended for the tuition of Indian children enrolled in public schools."
>
> The Comptroller of the Treasury in a later decision of September 19, 1914, said that this appropriation was available for the purpose stated "in the discretion" of the Department of the Interior.
>
> The office has assumed that contracts for the payment of tuition of Indian children in public schools to be paid from this fund would be legal and not subject to the comptroller's decision quoted above of October 22, 1913, wherein he held such contracts unauthorized because they did not have legal consideration. Your attention, however, is called to the fact that the appropriation in aid of the common schools of the Five Civilized Tribes of Oklahoma is not paid to the various school districts under contract, but paid to the school districts directly by the cashier and special disbursing agent for the Five Civilized Tribes, in accordance with rules governing the distribution of this fund approved by the Secretary of the Interior October 3, 1914. No contracts are used in the disbursing of this fund.

It will appear by this statement of the commissioner that the language inserted in the appropriation bill for this fiscal year, providing that a portion of the appropriation may be expended for the tuition of Indian children enrolled in public schools has resulted in a decision by the Comptroller of the Treasury on September 19, 1914, changing his decision of August 19, 1913, and holding that it is within the discretion of the Secretary of the Interior to use the money for that purpose. I make this statement to correct what I said before, in order that no one will be misled in the matter.

The CHAIRMAN. Without objection, the pro forma amendment will be withdrawn.

Mr. COOPER. Mr. Chairman, I would like to ask the chairman of the committee if the last clause, line 24, page 4, beginning with the word "including," would not be better English if it were made to read this way: "Including not to exceed $40,000 for the support and education of deaf and dumb and blind Indian children"?

Mr. STEPHENS of Texas. The gentleman will find it in line 1 up here.

Mr. COOPER. As it is now it ought to be stricken out, for it is not good English the way it reads now.

Mr. MANN. They had the word "for" in last year, and it ought to be in now.

Mr. STEPHENS of Texas. I have no objection.

Mr. COOPER. Then, Mr. Chairman, I offer the following amendment. The language does not read well as it is now.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

> Page 5, line 1, strike out the words and figures "not to exceed $40,000," and on page 4, line 24, after the word "including," insert the words and figures "not to exceed $40,000 for."

The question was taken, and the amendment was agreed to.

The Clerk read as follows:

> For construction, lease, purchase, repair, and improvement of school and agency buildings, including sewer, water, and lighting systems in connection therewith, and for the purchase of lands necessary for school and agency purposes, $400,000: *Provided*, That the Secretary of the Interior is authorized to allow employees in the Indian Service, who are furnished quarters, necessary heat and light for such quarters without charge, such heat and light to be paid for out of the fund chargeable with the cost of heating and lighting other buildings at the same place: *Provided further*, That the amount so expended for agency purposes shall not be included in the maximum amounts for compensation of employees prescribed by section 1, act of August 24, 1912.

Mr. HARRISON. Mr. Chairman, I reserve a point of order on this paragraph. May I ask the chairman of the committee in reference to line 17, page 5, where it says, "and for the purchase of land necessary for school and agency purposes"?

Mr. STEPHENS of Texas. Does the gentleman make the point of order on the purchase of land necessary?

Mr. HARRISON. Yes, sir.

Mr. STEPHENS of Texas. I hope the gentleman will not do that. It is subject to a point of order; I will admit that.

Mr. HARRISON. I was going to ask the gentleman, however, in the hearings what facts were presented to the committee about public schools and agency purposes that necessitated their having more land.

Mr. STEPHENS of Texas. I will state this: Very often these school reservations are made near a town, and it becomes necessary to open up roads from the towns and streets into the land occupied by these Indian reservations, schools, and so forth; and very often when they enlarge the schools they do not have sufficient room for the houses, hospitals, dormitories, and so forth, necessary.

Mr. HARRISON. What statement did the commissioner make in reference to the need for this land?

Mr. STEPHENS of Texas. It is left in the discretion of the Secretary of the Interior and the Commissioner of Indian Affairs to determine as to how much they will purchase, but they said in some instances they have to purchase additional land which is necessary, but it is never more than a few acres, and in most instances not more than half an acre.

Mr. HARRISON. Does the gentleman recall any instances that the commissioner stated the procurement of land for this purpose was necessary?

Mr. STEPHENS of Texas. I think the hearings will show as to that, if the gentleman will look at them.

Mr. HARRISON. I was just asking the gentleman because I was sure the gentleman had the information.

Mr. STEPHENS of Texas. If the gentleman insists on his point of order it will have to go out.

The CHAIRMAN. Does the gentleman from Mississippi insist on his point of order?

Mr. HARRISON. Mr. Chairman, I make the point of order against lines 17, 18, and 19, which read:

And for the purchase of lands necessary for school and agency purposes.

Mr. STEPHENS of Texas. Mr. Chairman, I admit the point.

The CHAIRMAN. The Chair sustains the point of order.

The Clerk read as follows:

For construction, lease, purchase, repair, and improvement of school and agency buildings, including sewer, water, and lighting systems in connection therewith, and for the purchase of lands necessary for school and agency purposes, $400,000: *Provided*, That the Secretary of the Interior is authorized to allow employees in the Indian Service, who are furnished quarters, necessary heat and light for such quarters without charge, such heat and light to be paid for out of the fund chargeable with the cost of heating and lighting other buildings at the same place: *Provided further*, That the amount so expended for agency purposes shall not be included in the maximum amounts for compensation of employees prescribed by section 1, act of August 24, 1912.

Mr. MANN. Mr. Chairman, I move to strike out the last word. At the bottom of the proviso in this paragraph is the language:

Provided further, That the amount so expended for agency purposes shall not be included in the maximum amount for compensation of employees prescribed by section 1, act of August 24, 1912.

Mr. STEPHENS of Texas. What is the gentleman reading from?

Mr. MANN. From the bill, because there is no such thing as the act referred to.

Mr. STEPHENS of Texas. Now, what is the question the gentleman raises?

Mr. MANN. I just called attention to the sloppy way of getting up the bill. It refers to the compensation provided for in section 1 of a certain act, but there is no such compensation covering those employees, but there is a reference about some other employees and some other act. That is all there is to it. It is not the fault of the committee; that is the way the estimates are sent down, I suppose.

Mr. STEPHENS of Texas. We followed the estimates and the old bill.

Mr. MANN. Without ever looking to see whether they were correct or not. I had more curiosity than the gentleman or his committee have.

Mr. STEPHENS of Texas. That last remark is gratuitous.

Mr. MANN. Of course, they would not have kept it in there if they had.

The Clerk read as follows:

For collection and transportation of pupils to and from Indian and public schools, and for placing school pupils, with the consent of their parents, under the care and control of white families qualified to give them moral, industrial, and educational training, $72,000: *Provided*, That not exceeding $5,000 of this sum may be used for obtaining remunerative employment for Indian youths and, when necessary, for payment of transportation and other expenses to their places of employment. The provisions of this section shall also apply to native pupils of school age under 21 years of age brought from Alaska.

Mr. HARRISON. Mr. Chairman, I reserve a point of order on this paragraph. I desire to get some information from the chairman of the committee. In line 8, page 6, it reads:

Provided, That not exceeding $5,000 of this sum may be used for obtaining remunerative employment for Indian youths and, when necessary, for payment of transportation and other expenses to their places of employment.

Has it always been the policy of the committee to appropriate money to pay the transportation of these Indian youths to schools and from schools and to places of employment, and to appropriate money to get them a job?

Mr. STEPHENS of Texas. That has been done for a number of years around industrial schools, in the Phoenix School, Carlisle, and numerous others, where the superintendents of those schools for a number of years have looked out for the employment of these girls and boys in their schools. The girls are hired out, or hire themselves out. The superintendents see that they make good, and see that they are in the hands of proper employers, and that they attend to their ordinary duties as cooks, laborers, and so forth, right along the lines of the industrial school which they have just attended.

The young men are hired out among the farmers. Some of them have been trained as blacksmiths and tailors and shoemakers, and all that, and places are sought for those, and six months' employment at times is given to them. It is a great advantage to the pupils to mix them among the white people throughout the country, and it is a great advantage to the Indian Service.

Mr. HARRISON. Do I understand from this paragraph that the Government has persons employed to go around and collect these Indian youths and encourage them to get remunerative jobs with white families?

Mr. STEPHENS of Texas. That is the duty of the superintendents and the teachers.

Mr. HARRISON. How many persons are employed to do this?

Mr. STEPHENS of Texas. You will find that in the hearings. There are several hundred pupils placed that way every year.

Mr. HARRISON. Can the gentleman give me any idea at all as to how many are employed?

Mr. STEPHENS of Texas. I have been told that about 100 are employed in the Carlisle School and not so many in the school at Phoenix. That is true at Chilocco and at other places.

Mr. HARRISON. I do not think the gentleman understood my question. Does the Indian Service have persons employed to go all through the United States and even up to Alaska—because this provision extends to Alaska—and collect young Indians and carry them to the schools and then take them away from the schools and then get them remunerative employment in families?

Mr. STEPHENS of Texas. I understand the teachers of the schools during the vacation look out for the pupils, for their vacation next year.

Mr. HARRISON. Then, the Government has no persons employed for that particular service?

Mr. STEPHENS of Texas. Not especially.

Mr. HARRISON. If they have not any persons particularly employed for that special work, then the teachers do that work, and they are provided for in other appropriations in this bill, are they not?

Mr. STEPHENS of Texas. As to that, I yield to the gentleman from Oklahoma [Mr. CARTER], who can best answer the gentleman.

Mr. CARTER. They have a regular office in the Indian Bureau called the Indian Employment Bureau, with an educated Indian at the head of it, and it is his business to look after the interests of Indian employees in the Indian Service and after the employment of Indian people. I assume that part of the money carried in this item is for the purpose of getting employment for children when they have finished their courses at the industrial schools, and that these schools have persons employed for that purpose.

Mr. HARRISON. But, from the reading of it, it looks as though the Government collected and transported these children to the Indian schools and public schools, as well as transported them from the Indian schools and public schools.

Mr. CARTER. It says, "For collection and transportation of pupils to and from Indian and public schools." That is one proposition. And then there is another, "and for placing school pupils, with the consent of their parents, under the care and control of white families qualified to give them moral, industrial, and educational training." That is another proposition.

Mr. HARRISON. Yes.

Mr. CARTER. The transportation applies to the Indians when they go to and from school?

Mr. HARRISON. Yes.

Mr. CARTER. Then there is the provision made for the man who looks after getting them employment when they complete their school courses.

Mr. HARRISON. Then, in this bureau that the gentleman speaks of, there are persons employed whose duty it is to go throughout the country and collect the Indian children who are sent to these industrial schools?

Mr. CARTER. Not in the bureau.

Mr. HARRISON. Then, who does that service?

Mr. CARTER. Does the gentleman ask who sends the children to school?

Mr. HARRISON. Yes.

Mr. CARTER. I think the superintendents on the reservations mostly look after that.

Mr. HARRISON. I notice the last clause in this paragraph states—

That the provisions of this section shall also apply to native pupils of school age under 21 years of age brought from Alaska.

Mr. CARTER. Yes.

Mr. HARRISON. Does the Government, under this appropriation, bring these youths from Alaska down to the various places in the United States and get them employment?

Mr. CARTER. They do.

Mr. MANN. They put them in the side shows. [Laughter.]

Mr. HARRISON. How many cases does the gentleman recall where that has been done?

Mr. CARTER. I have seen several Alaskan pupils in the schools.

Mr. HARRISON. That is pretty expensive, is it not?

Mr. CARTER. Yes; I should judge it is quite expensive.

Mr. HARRISON. The gentleman really thinks that this appropriation ought to stay in the bill, does he?

Mr. CARTER. I voted to report it.

Mr. HARRISON. Mr. Chairman, I withdraw the point of order.

Mr. STEPHENS of Nebraska. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Nebraska [Mr. STEPHENS] moves to strike out the last word.

Mr. STEPHENS of Nebraska. I want to ask the gentleman from Oklahoma [Mr. CARTER] if any of this $72,000 for transporting pupils to schools is used for transporting pupils from Nebraska, for example, to the Carlisle Indian School, in Pennsylvania?

Mr. CARTER. If any of them are there, it is.

Mr. STEPHENS of Nebraska. A great many of them are there. I notice that this bill carries an appropriation of $189 per capita for the Carlisle Indian School pupils and $160 per capita for pupils at the Genoa Indian School in Nebraska, and many of our Nebraska Indian children are now in Carlisle. Does the gentleman believe that practice ought to be continued?

Mr. CARTER. I do not believe so, if your school in Nebraska can accommodate them.

Mr. STEPHENS of Nebraska. The Nebraska school has capacity for 400 children, and the committee has provided for a capacity of 375 children and it has appropriated $160 per capita.

Now, then, it would seem to me that this transportation of pupils from Nebraska to Pennsylvania ought to be stopped, and that the Nebraska Indian children that are to be educated should be compelled to go to the Nebraska institution. Does the gentleman know of any way whereby that can be brought about?

Mr. CARTER. Well, if your schools cost less per capita I think certainly the Nebraska schools should be filled before the charge of transportation across the country is paid to another school several hundred miles away.

Mr. STEPHENS of Nebraska. The Assistant Commissioner of the Indian Department requested that an appropriation for 400 pupils should be made for the Genoa school. They have an enrollment of 395, but the committee has recommended an appropriation for only 375 and it has appropriated only $160 per capita, whereas the standard originally fixed by law, I believe, was $170 per capita.

Mr. CARTER. We have provided all you asked for per capita.

Mr. STEPHENS of Nebraska. That may be; but the superintendent asked for 400 pupils, and you appropriated for only 375, and are continuing to send Nebraska children to Pennsylvania to school.

The point that I am making, and the point that should be taken into account in the distribution of the appropriation for these Indian children, should be their location and the economy of placing them in the various schools throughout the country. Certainly it would be much better to educate the Nebraska Indian children in the Nebraska school, and I believe that is the policy of the committee, and I am sure that in this particular case the committee made a mistake. I will call their attention to it later on. But the particular thing that I wanted to call to the attention of the gentleman from Oklahoma is whether or not these pupils were transported there, and if so, whether it was against good policy? I believe the gentleman agrees with me that it is not good policy to ship these children to Pennsylvania.

Mr. CARTER. I believe it is the best policy to educate the Indian child at a point near home, even from many standpoints other than that of economics. I note from the report on the Genoa School that the average attendance at that school last year was only 340.

Mr. STEPHENS of Nebraska. And the enrollment was 395.

Mr. CARTER. And the enrollment 397.

Mr. STEPHENS of Texas. And that the capacity of the school is 400, and the commissioner recommended 400.

Mr. CARTER. I presume the committee cut this down because the average attendance last year was less than we had appropriated for.

Mr. STEPHENS of Nebraska. My thought was that the committee had undoubtedly overlooked the fact that these children had been sent to Pennsylvania to be educated, and that when attention was called to it it might be corrected.

Mr. CARTER. No; we had not overlooked that.

The CHAIRMAN. The time of the gentleman has expired. The Clerk will read.

The Clerk read as follows:

All moneys appropriated herein for school purposes among the Indians may be expended, without restriction as to per capita expenditure, for the annual support and education of any one pupil in any school.

Mr. HARRISON. Mr. Chairman, I make the point of order on that paragraph. I will reserve it if the gentleman wants to say anything.

The CHAIRMAN (Mr. PAGE of North Carolina). The gentleman from Mississippi reserves the point of order.

Mr. STEPHENS of Texas. That was a matter that the department was very anxious to get into the bill, but I concede that it is subject to the point of order.

Mr. HARRISON. I make the point of order.

The CHAIRMAN. The point of order is sustained.

Mr. HARRISON. Mr. Chairman, I ask unanimous consent that we recur to the paragraph on page 4 with respect "to relieving distress among the Indians," for the purpose of offering an amendment that the Chair has just passed on by sustaining the point of order made by the gentleman from Texas [Mr. STEPHENS] that I think ought to be given more consideration. I feel sure that the decision was given too hastily, and it is so important a ruling that I think probably it ought to be given more consideration.

The CHAIRMAN. The gentleman from Mississippi asks unanimous consent to recur to page 4, for the purpose of offering an amendment.

Mr. STEPHENS of Texas. I shall have to object, for the reason that I desire to get through with the bill, and then recur to such points as any gentleman may desire.

The CHAIRMAN. The gentleman from Texas at this time objects.

Mr. HARRISON. Will the gentleman reserve that just a moment?

Mr. STEPHENS of Texas. Yes.

Mr. HARRISON. The reason why I ask it is that this presents the same question that will be presented probably several times in the consideration of this bill. For that reason I should like to have the matter settled now.

Mr. STEPHENS of Texas. The next time it comes up——

Mr. HARRISON. I think the Chair was wrong in his ruling.

Mr. STEPHENS of Texas. The next time it comes up I am willing to have it considered, if the two are on all fours.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

For the purposes of preserving living and growing timber on Indian reservations and allotments, and to educate Indians in the proper care of forests; for the employment of suitable persons as matrons to teach Indian women and girls housekeeping and other household duties, for necessary traveling expenses of such matrons; and for furnishing necessary equipments and supplies and renting quarters for them where necessary; for the conducting of experiments on Indian school or agency farms designed to test the possibilities of soil and climate in the cultivation of trees, grains, vegetables, cotton, and fruits, and for the employment of practical farmers and stockmen, in addition to the agency and school farmers now employed; for necessary traveling expenses of such farmers and stockmen and for furnishing necessary equipment and supplies for them; and for superintending and directing farming and stock raising among Indians, $400,000: *Provided*, That the foregoing shall not, as to timber, apply to the Menominee Indian Reservation in Wisconsin: *Provided further*, That not to exceed $25,000 of the amount herein appropriated may be used to conduct experiments on Indian school or agency farms to test the possibilities of soil and climate in the cultivation of trees, cotton, grains, vegetables, and fruits: *Provided also*, That the amounts paid to matrons, foresters, farmers, and stockmen herein provided for shall not be included within the limitation on salaries and compensation of employees contained in the act of August 24, 1912.

Mr. HARRISON. Mr. Chairman, I reserve a point of order.

The CHAIRMAN. The gentleman from Mississippi reserves a point of order.

Mr. HARRISON. May I ask the chairman of the committee if part of this appropriation is to be used in the work in conjunction with the appropriation further on to provide 20 automobiles to go around and assist in preserving the forests?

Mr. STEPHENS of Texas. That is a separate item, but of course will be used for the same work.

Mr. MANN. It provides for 20 new ones.

Mr. HARRISON. Do they need 20 new automobiles to help preserve the forests?

Mr. STEPHENS of Texas. This is for the entire Indian Service, for which they are spending all the millions of dollars appropriated in this bill, and we considered that transportation by automobile in many instances will be cheaper than by any other means.

Mr. HARRISON. I make a point of order on this paragraph.

The CHAIRMAN. On the entire paragraph?

Mr. HARRISON. Yes.

The CHAIRMAN. What is the gentleman's point of order?

Mr. HARRISON. The point of order is that at the bottom of this paragraph there is new legislation.

Mr. STEPHENS of Texas. In what respect?

Mr. HARRISON. In the proviso—

Provided also, That the amounts paid to matrons, foresters, farmers, and stockmen herein provided for shall not be included within the limitation on salaries and compensation of employees contained in the act of August 24, 1912.

That is a change of existing law.

The CHAIRMAN. To the language just read by the Clerk the gentleman makes a point of order.

Mr. FOSTER. Do you make it to the whole paragraph?

Mr. HARRISON. I make it to the whole paragraph.

Mr. STEPHENS of Texas. I think the last provision is new law. If the gentleman will move to strike it out, I shall have no objection.

Mr. HARRISON. No; I make the point of order against the entire paragraph.

The CHAIRMAN. The point of order is sustained.

Mr. STEPHENS of Texas. Mr. Chairman, I offer the whole paragraph, with the exception of the last proviso.

The CHAIRMAN. The gentleman from Texas offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amend, on pages 6 and 7, by inserting the matter in the bill from the beginning of line 19 on page 6 to the word "fruits" in line 16 on page 7.

Mr. MANN. I call the attention of my friend from Mississippi to the fact that the last proviso refers to a limitation on salaries and compensation of employees contained in the act of August 24, 1912. There is no limitation on salaries contained in that act.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Texas.

Mr. JOHNSON of Washington. I move to strike out the last word.

The CHAIRMAN. There is an amendment pending. The gentleman can address himself to that amendment.

Mr. JOHNSON of Washington. I will address myself to that.

The CHAIRMAN. The gentleman from Washington is recognized for five minutes.

Mr. JOHNSON of Washington. Mr. Chairman, when the last Indian bill was under consideration I assisted in an effort to strike out the pay of a special Indian commissioner on the ground that he had not within the memory of man visited the States of Oregon and Washington, where there are a large number of tribes of Indians. I am not going to object to this item for the pay of teachers and special instructors in regard to forest trees, cotton, grains, vegetables, and fruits, although I do hope some of them will visit Washington and Oregon and give our Indians some instruction. Of course we have no cotton, but I have 19 tribes of Indians in the district I have the honor to represent. They are badly in need of all kinds of instruction as to how to make a living except in the matter of fishing. A great many are sick. One of these special Indian commissioners or inspectors visited the State as a result of a statement made on the floor, and his first recommendation was that they should have a doctor; that he was badly needed. Forty or more of these Indians were dying from tuberculosis. An advertisement was put out for a doctor for the Quenilt Indian Reservation, the pay not to exceed $720 a year. The nearest place that a doctor could live would be 40 miles away, and he would have to pay his own expenses of travel. As a result no one has asked for that position as doctor. The Indians have had to struggle along without medical assistance. I make this suggestion in hope that some of these Indian officials will visit that part of the country.

Mr. BURKE of South Dakota. Mr. Chairman, does the gentleman from Mississippi [Mr. HARRISON] seriously insist upon his point of order that he has made as to that part of the paragraph that has gone out?

Mr. HARRISON. I was not aware of the truth of the fact that has been stated by the gentleman from Illinois [Mr. MANN] that the proviso in language was wrong. I took it from the committee's language that there was a limitation in the act of August 24, 1912, but if it does not change existing law I am willing to withdraw the point of order that was sustained.

Mr. BURKE of South Dakota. I will say to the gentleman that the act of 1897 fixes the amount that may be expended at an Indian agency for salaries and compensation of the employees. Now, unless we do make this appropriation available beyond that limit by putting in the proviso you might as well not make the appropriation. In a moment I will have the act of 1897, which limits the amount that may be expended at any agency. If the gentleman is willing to let the appropriation be made, he ought to consent to the proviso against which he has made the point of order. I do not think the gentleman desires to be captious.

Mr. HARRISON. Not a bit; it struck me it was a change of salary.

Mr. BURKE of South Dakota. It has nothing to do with a change of salary. It simply provides, in the Indian Service, where we are conducting industrial work, for farming, care of timber, matrons, and teaching the Indians to become self-supporting. It is absolutely necessary that we have a larger number of employees than we had when there was nothing to do at an agency except to keep track of the Indians and issue them rations at stated intervals. This has to do with the farmers, looking after the timber, the matrons, and the employees that do the real work of instructing the Indians.

Mr. HARRISON. Mr. Chairman, in view of what the gentleman from South Dakota has just said, I ask unanimous consent to withdraw my point of order made to the paragraph.

The CHAIRMAN. The gentleman from Mississippi asks unanimous consent to withdraw his point or order.

Mr. FERRIS. Mr. Chairman, a point of order. The gentleman from Mississippi has made a point of order and the Chair has sustained it. I suggest that the proper way is to reoffer the paragraph.

The CHAIRMAN. The Chair was about to suggest to the gentleman from Texas that in offering his amendment he include the entire paragraph.

Mr. STEPHENS of Texas. I will do that, Mr. Chairman.

The CHAIRMAN. The gentleman from Texas modifies his amendment by including the paragraph beginning on line 19, page 6, and ending on line 21, page 7.

Mr. MANN. Mr. Chairman, the language which it is now proposed to insert reads:

Provided also, That the amounts paid to matrons, foresters, farmers, and stockmen herein provided for shall not be included within the limitation on salaries and compensation of employees contained in the act of August 24, 1912.

The only thing in the act of August 24, 1912, on the subject is this:

Provided also, That the amounts paid to the matrons, farmers, and stockmen herein provided for shall not be included within the limitation on salary and compensation of employees contained in the act of June 7, 1897.

So that this is not a limitation at all. Now all this bill provides is that the sum carried in this bill shall not be included in the limitation of the act of August 24, 1912. There is no limitation in the act of August 24, 1912.

Mr. STEPHENS of Texas. In line 17 you will see that the word "forester" has been added, and that is the reason why this has been put in.

Mr. MANN. That makes no difference; there is no limitation in the act of 1912. That act provides that that act shall not be covered by the limitation of the act of June 7, 1897.

Mr. BURKE of South Dakota. The act of June 7, 1897, reads as follows:

Hereafter not more than $10,000 shall be paid in any one year for salaries or compensation for employees regularly employed at any one agency for its conduct and management, and the number and kind of employees at each agency shall be prescribed by the Secretary of the Interior, and none other shall be employed.

Mr. CARTER. Mr. Chairman, I ask the gentleman from Texas to change the date mentioned in his amendment.

Mr. STEPHENS of Texas. Mr. Chairman, I move to amend my amendment so as to strike out the words "act of August 24, 1912," and insert "June 7, 1897."

The CHAIRMAN. The Clerk will report the amendment to the amendment.

The Clerk read as follows:

Amend, page 7, by striking out in lines 20 and 21 the words "August 24, 1912," and insert "June 7, 1897."

The CHAIRMAN. The question is on the amendment to the amendment offered by the gentleman from Texas.

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

Mr. HARRISON. Mr. Chairman, on line 10, page 7, is the provision: "*Provided*, That the foregoing shall not, as to timber, apply to the Menominee Indian Reservation in Wisconsin." Why is that provision necessary?

Mr. STEPHENS of Texas. Because there is a separate act controlling the timber of these Indians.

Mr. HARRISON. It applies solely to that reservation.

Mr. STEPHENS of Texas. Yes.

Mr. BURKE of South Dakota. Mr. Chairman, I ask unanimous consent to return to line 3, on page 6, for the purpose of inserting the words "June 7, 1897," in lieu of the words "August 24, 1912."

The CHAIRMAN. The gentleman from South Dakota asks unanimous consent to return to line 3, page 6, for the purpose of offering an amendment. Is there objection?

There was no objection.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amend, on page 6, line 3, by striking out "August 24, 1912," and inserting in lieu thereof "June 7, 1897."

Mr. STEPHENS of Texas. Mr. Chairman, I have no objection to that.

Mr. HARRISON. May I ask why that is offered?

Mr. BURKE of South Dakota. That is exactly the same proposition, and it is to correct the language in the bill to conform to the correction we have just made.

The CHAIRMAN. The question is on the amendment offered by the gentleman from South Dakota.

The question was taken, and the amendment was agreed to.

The Clerk read as follows:

For the purchase of goods and supplies for the Indian Service, including inspection, pay of necessary employees, and all other expenses connected therewith, including advertising, storage, and transportation of Indian goods and supplies, $300,000: *Provided*, That no part of the sum hereby appropriated shall be used for the maintenance of to exceed three warehouses in the Indian Service.

Mr. FOSTER. Mr. Chairman, I move to strike out the last word. In the previous appropriation bill it is provided that there should not be more than three permanent warehouses, and in this bill the word "permanent" has been stricken out. Is it the intention to move these warehouses from one place to another?

Mr. CARTER. Mr. Chairman, the Indian appropriation bill of last year carried a provision that not more than three permanent warehouses should be maintained by this fund. Since that time we find that none of the warehouses has been dispensed with. There were five at that time, and there were five at the time the Indian Bureau officials were before our committee. They stated to us that two of the warehouses had been carried along as temporary warehouses, and it would perhaps not be necessary to carry them any longer as temporary warehouses; so in the future there should be only three warehouses provided for by this bill, and under this provision not more than three could be maintained, even as temporary.

Mr. FOSTER. But really it is to get rid of two of them?

Mr. CARTER. Yes.

Mr. BURKE of South Dakota. Mr. Chairman, I would like to say that the office is very desirous of having this language as it was carried in last year's bill, in order to have the privilege of providing for temporary warehouses for a part of the year. We have been trying to get rid of these five warehouses ever since I have been in Congress, and we thought we had done it finally when we put in the provision we did last year, but the hearings disclosed that we still had five warehouses—three permanent and two temporary—and so we struck out the word "temporary"; but the office says there are certain seasons of the year when they ought to have the privilege of maintaining temporary warehouses.

Mr. CARTER. Mr. Chairman, we thought we had stricken them out once before.

Mr. BURKE of South Dakota. We have been striking them out for the last 15 years, and I think this puts all of them out but three. I am quite willing.

Mr. MANN. If my friend from South Dakota will permit an interruption, I suggest that it is safe to say that they will not go out while my distinguished friend the Senator from Nebraska is in the United States Senate.

Mr. BURKE of South Dakota. The gentleman from Illinois is looking after his city apparently.

Mr. MANN. Oh, I never had to bother about that. That keeps itself on its merits. I have always been in favor of cutting them all out and letting them rest on their merits.

The CHAIRMAN. Without objection, the pro forma amendment will be withdrawn, and the Clerk will read.

The Clerk read as follows:

For expenses of the Board of Indian Commissioners, $4,000.

Mr. MANN. Mr. Chairman, I move to strike out the last word. Does the gentleman know how much has been expended by the Board of Indian Commissioners?

Mr. STEPHENS of Texas. I do not think there has been any report made, at least none was furnished to our committee.

Mr. MANN. We used to appropriate about $4,000.

Mr. FOSTER. Ten thousand dollars.

Mr. MANN. No; $4,000. Last year we increased it to $10,000. Had the committee any information before it on which it reduced that amount?

Mr. STEPHENS of Texas. This is the estimate that has been furnished by the department, and I presume there has been some report made to them by this Board of Indian Commissioners.

Mr. MANN. Did they make an estimate for only $4,000?

Mr. STEPHENS of Texas. That was all of the estimate handed in.

Mr. JOHNSON of Washington. Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD by placing therein an explanation of the services and the work of the Board of Indian Commissioners.

The CHAIRMAN. Is there objection?

There was no objection.

The Clerk read as follows:

For pay of Indian police, including chiefs of police at not to exceed $50 per month each and privates at not to exceed $30 per month each, to be employed in maintaining order, for purchase of equipments and supplies and for rations for policemen at nonration agencies, $150,000.

Mr. HARRISON. Mr. Chairman, I move, on line 21, page 8, to strike out "$150,000" and insert "$125,000"—no, "$100,000."

Mr. CARTER. Why not leave it at $125,000?

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amend, on page 8, line 21, by striking out "$150,000" and inserting "$100,000."

Mr. STEPHENS of Texas. Mr. Chairman, I have no objection to that, in view of the fact that $50,000 was put in in the other bill.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Mississippi.

The amendment was agreed to.

The Clerk read as follows:

For pay of judges of Indian courts where tribal relations now exist, $8,000.

Mr. FERRIS. Mr. Chairman, a few moments ago the gentleman from Mississippi [Mr. HARRISON] increased the prohibition item to $125,000. He now takes $50,000 off again. I want to ask the gentleman if in the last analysis he has accomplished anything on the prohibition proviso? He takes it from Peter and pays Paul. The items now aggregate just as much as they did before they were stricken out; and I will ask the gentleman if he does not think he is playing hot with one amendment and cold with the other?

Mr. HARRISON. Mr. Chairman, I move to strike out the last two words. I had thought that my friend from Oklahoma would get into this prohibition discussion before it was over and express himself to his constituents as being for it. He did not get the opportunity when the other provision was up, and so he gets in now. I did not agree with the chairman of the committee [Mr. STEPHENS], in his argument some moments ago against my motion to increase the appropriation in the bill for the suppression of the liquor traffic among the Indians, that these policemen had very much to do with it, because in reading the hearings before the committee and the debates in prior Congresses in support of these police officers I find that the Members of the delegation from Oklahoma, in practically every instance, say that these Indian policemen are merely old, trusty fellows who are just out there to give information occasionally about depredations on Indian reservations and to carry messages from officers of the Government to various places, nowhere saying they arrest for traffic in liquors among the Indians; and so, in view of these arguments that have been made by Members from Oklahoma against prior appropriations for police service, I have made this motion to reduce this appropriation from $150,000 to $100,000.

Mr. FERRIS. Will the gentleman yield?

Mr. HARRISON. Yes.

Mr. FERRIS. I know the gentleman does not mean to misquote me. I think the gentleman perhaps quotes some of the things I have said about this matter, but my attitude has been in advocacy of the policemen every year I have been in Congress. I think they have, indeed, served a good purpose—two purposes.

Mr. HARRISON. Now, Mr. Chairman, in speaking on this question, here is what the gentleman from Oklahoma, in speaking of their duties, said about these policemen in April, 1912:

They help keep the peace among the Indians. Another thing which I omitted to state, there are usually old, trusted, tried Indians around every reservation who are known to the white people and to the agents, and the agent usually designates some such Indian, who serves as a go-between in all these matters between the Indians, the agency, and also between the white people and the Indians having business relations.

He says, though:

I do not think the appropriation ought to be stricken out.

That argument of the gentleman was on a motion made to strike out the whole provision, and was made, I think, by the gentleman from Oklahoma [Mr. DAVENPORT]. I may be mistaken about it being Mr. DAVENPORT; but, at any rate, Mr.

DAVENPORT, in arguing the question, went on to say that these police officers were doing more harm than they were doing good, and he said—I read from his remarks:

I think the gentleman from Kansas—

He must have been talking about my friend Mr. CAMPBELL over there—no; I notice from a further reading of the RECORD he was talking about Mr. Jackson, who was then a Member of Congress. He said:

I think the gentleman from Kansas is correct in regard to the organization of the Indian police in a number of these places. So far in the Cherokee Nation and a portion of the Creek Nation it has been nothing more or less than a political organization in the last four years.

Now, that is the testimony of Mr. DAVENPORT, my friend's colleague here, who says that in that part of Oklahoma "it was a political organization," and I think my friend Mr. FERRIS at that time thought that it was a kind of political organization. The gentleman shakes his head, evidently meaning "no," but I recall at that time the Republicans were in power, and it is my recollection, I may be in error about it, that there was a general comment upon this side of the House against that side of the House that these policemen out there were a set of political officeholders, performing no respectable service and merely organizing and working in the interest of the Republican Party.

Mr. FERRIS. Will the gentleman yield?

Mr. HARRISON. Yes.

Mr. FERRIS. My good friend from Mississippi of course knows one thing, and that is that Mr. DAVENPORT and myself did not agree about that matter. I believe the words the gentleman read from me were words in support of the Indian police, and I think that my record will show without any interruption at all that I have asked for them each year. I do not think I am entitled to such howling credit for doing it, but I have never opposed them, as my record will show.

Mr. HARRISON. I think the record, so far as my good friend here is concerned, shows that he was in favor of cutting down the appropriation for these policemen at that time, but not striking it out entirely, as our friend Mr. DAVENPORT was in favor of doing.

The CHAIRMAN. The time of the gentleman has expired.

Mr. HARRISON. Mr. Chairman, I ask unanimous consent to proceed for five minutes.

The CHAIRMAN. The gentleman from Mississippi asks unanimous consent to proceed for five minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. FERRIS. I think what the gentleman has in mind was the general objection I made to too many employees in Oklahoma and elsewhere in the Indian Service, and I am not relenting on that objection now. I said then there were too many of them, and I think now there are too many, and if that statement relieves anybody in any way they are welcome to it, and I am still of the same opinion.

Mr. HARRISON. I am glad to hear my friend say that, because I have at least convinced him that there is not much kindredship between this amendment I have offered cutting down useless policemen and the one I offered a while ago to aid in suppressing the liquor traffic among the Indians. Mr. DAVENPORT, in speaking of these policemen, further said:

Great complaint has gone up among the people there because of that one fact. It now has a tendency to bring about discord and dissatisfaction, and it brings about conflict between the local officers and these police that goes on and will continue to go on, and if the bill was in such shape that I could make the motion to amend, I would provide an amendment by which there should be no Indian police appointed by the department in any organized town or municipality within any organized State.

Now, that is pretty good testimony. But here is what my friend the gentleman from Oklahoma [Mr. CARTER] said in discussing at that time this police question. Surely something must have come over the spirit of his dreams since he made this speech. Here is what he then said:

Now, I am very sure that we have too many Indian police in Oklahoma, and there is a good deal of truth in the statement of the gentleman from Kansas [Mr. Jackson] and in the statement of my colleague from Oklahoma [Mr. DAVENPORT]. I would favor dispensing with these agents entirely in Oklahoma at the first time if it were not for the reason I have stated, were it not that it might slightly disorganize the Indian Service and leave them without men to do this specific work.

Mr. Chairman, there are, I believe, as shown by the hearings, six hundred and some odd of these Indian police, and there is nothing in the hearings that states that these policemen ever arrested anybody for selling liquor to an Indian. But as my friend from Oklahoma [Mr. FERRIS] has said, they were "old, trusty Indians, who carried messages back and forth," and as my friend DAVENPORT said, "a political organization out there creating discord and strife among those people." My friend DAVENPORT went further, and said that the State of Oklahoma could attend to its own local affairs and did not want these policemen there intermeddling in them.

Mr. BURKE of South Dakota. Mr. Chairman, will the gentleman yield there?

The CHAIRMAN. Does the gentleman from Mississippi yield to the gentleman from South Dakota?

Mr. HARRISON. Yes.

Mr. BURKE of South Dakota. I would like to ask the gentleman when this colloquy took place that he speaks of?

Mr. HARRISON. This was in April, 1912.

Mr. BURKE of South Dakota. Has there been a change in the administration since that time?

Mr. HARRISON. I think there has been. [Laughter on the Republican side.] So I submit that in view of these facts that I have presented and in order to help Oklahoma to attend to their own local affairs, and in order to help the general situation throughout the country, the force of these Indian police should be reduced.

The CHAIRMAN. The time of the gentleman from Mississippi has expired.

Mr. STEPHENS of Texas. Mr. Chairman, I ask for the regular order. There is nothing before the House.

The CHAIRMAN. Did the gentleman from Mississippi withdraw his amendment?

Mr. HARRISON. I did not. I now withdraw it.

The CHAIRMAN. The amendment was adopted.

Mr. CARTER. Mr. Chairman, I move to strike out the last word.

Mr. STEPHENS of Texas. There is nothing pending, Mr. Chairman, and I ask that the Clerk read.

The Clerk read as follows:

For pay of special agents at $2,000 per annum; for traveling and incidental expenses of such special agents, including sleeping-car fare, and a per diem of not to exceed $3 in lieu of subsistence, in the discretion of the Secretary of the Interior, when actually employed on duty in the field or ordered to the seat of government; for transportation and incidental expenses of officers and clerks of the Office of Indian Affairs when traveling on official duty; for pay of employees not otherwise provided for; and for other necessary expenses of the Indian Service for which no other appropriation is available, $100,000.

Mr. CARTER. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Oklahoma [Mr. CARTER] moves to strike out the last word.

Mr. HARRISON. Mr. Chairman, I want to reserve a point of order on the paragraph.

Mr. CARTER. Mr. Chairman, my friend from Mississippi [Mr. HARRISON] a few minutes ago claimed to be a great prohibitionist. He wanted to increase the appropriation in order that efficiency might be gained in the suppression of the liquor traffic among the Indians. A few moments later he strikes out the same amount from another appropriation that is used for the same purpose.

The gentleman says it is not so used. If the gentleman had only read the hearings, he would not have made that statement. I will read what the Assistant Commissioner of Indian Affairs says on page 72 of the hearings. He says:

The CHAIRMAN. Is it a part of the duties of these policemen to prevent the sale of liquors on the various reservations?

Mr. MERITT. They help in that work.

The CHAIRMAN. Then you have another appropriation for that purpose, have you not?

Mr. MERITT. But this only supplements their regular work.

The CHAIRMAN. Why shouldn't these two items be thrown together? Is it any more important that they be protected from the sale of whisky than anything else?

Mr. MERITT. It is one of the most important things in the Indian Service, that they be protected from liquor.

Mr. HARRISON. Mr. Chairman, I withdraw my point of order.

The CHAIRMAN. The gentleman from Mississippi withdraws his point of order. The Clerk will read.

The Clerk read as follows:

For pay of 6 Indian Service inspectors, at salaries not to exceed $2,500 per annum and actual traveling expenses, and $3 per diem in lieu of subsistence when actually employed on duty in the field, $30,000.

Mr. MANN. Mr. Chairman, I reserve a point of order on the paragraph. How much was expended for this purpose last year?

Mr. STEPHENS of Texas. I will find the item in a moment. The gentleman will find it on page 75. This item was inserted in the appropriation bill last year, and there has been no report made on these special inspectors.

Mr. MANN. The inspectors have not been employed yet, have they?

Mr. STEPHENS of Texas. Not all of them, as I understand.

Mr. MANN. Have any of them been employed?

Mr. STEPHENS of Texas. I can not say as to that.

Mr. MANN. What are they to do; what is the necessity of them?

Mr. STEPHENS of Texas. They are special inspectors who have the entire inspection of all the various Indian agencies in every State of the Union under their charge.

Mr. MANN. Was this in the bill as it was passed by the House last year, or was this a Senate item?

Mr. STEPHENS of Texas. I think it was put in in the Senate.

Mr. MANN. Was it not to create political jobs for political purposes? Does the gentleman know whether these appointments are made by the Commissioner of Indian Affairs and the Secretary of the Interior on their own motion, or whether they are made from an eligible list?

Mr. STEPHENS of Texas. They are made, as I understand, from an eligible list, and it seems they have not been able yet to determine among the eligible applicants who should be appointed.

Mr. MANN. Have they got an eligible list?

Mr. STEPHENS of Texas. So I understand.

Mr. MANN. Is that the understanding of my friend from Oklahoma, too?

Mr. STEPHENS of Texas. I will read what we have here. I read:

This is the same provision as that of the current law and is essential to a clean administration of the Indian Service. These inspectors will be selected through the Civil Service Commission after an exhaustive investigation of their character, business ability, and capacity for the detail of looking into the manifold activities of this bureau. These officers are considered the most important connected with the field administration of the millions of dollars worth of property belonging to these dependent peoples, as well as their development into healthy, moral, capable, and law-abiding citizens of our country. The amount requested has been carefully decided as adequately sufficient for an economical administration, and will permit of the employment of a most valuable corps of inspectors. Any less amount will have a serious tendency to depreciate its value in morale and efficiency. The need for this appropriation was thoroughly and exhaustively presented to the Congress at the last session, the reiteration of which appears unnecessary in justification of the continuance of the appropriation.

Mr. MANN. Who was testifying there—the commissioner?

Mr. STEPHENS of Texas. This is the report made by the commissioner, printed in the hearings.

Mr. MANN. That these officers were necessary for "a clean administration" of the Indian Department. Is that what he says?

Mr. STEPHENS of Texas. That is the language, I believe.

Mr. MANN. And yet, although this appropriation has been in force for over a year, the department prefers not to have a "clean administration" and has not appointed these inspectors?

Mr. STEPHENS of Texas. It takes some time to get the proper men, and it has been only a comparatively short time since this law was enacted.

Mr. MANN. Well, it ought not to take more than six months. The Indian appropriation bill became a law last year—when?

Mr. BURKE of South Dakota. Mr. Chairman, will the gentleman yield to me?

Mr. MANN. Yes; for information.

Mr. BURKE of South Dakota. In the last session, when the Indian appropriation bill was being considered in another body after it had passed the House, it was proposed to insert an amendment providing for the appointment of six Indian inspectors, and making their appointment possible by the Secretary of the Interior without regard to the civil-service requirements. In other words, making them political appointments. It met with considerable opposition on account of the way it was proposed to make the appointments, and the amendment was withdrawn and then put in the bill in the form in which it finally became a law, the President in the meantive having by Executive order excepted the places from the classified service and providing that the appointments should be made by the Commissioner of Indian Affairs in conjunction with the Civil Service Commission. I believe the commissioner has to consult the Civil Service Commission as to the qualification of applicants, but the appointments are not made from an eligible list as appointments are ordinarily made in the classified service. If any examination is required I am sure it is not competitive.

Mr. MANN. These are just pure political appointments, made by the commissioner, are they not? That is, they will be when they are made. I suppose they will be used in connection with the machine to renominate the President. That seems to be the way in which appointments are being made now.

Mr. BURKE of South Dakota. I presume one of the principal requisites will be that they shall belong to the party of the administration.

Mr. FOSTER. I shall be quite disappointed if they are not.

Mr. STEPHENS of Texas. Does not the gentleman think that would be an advantage to the service?

Mr. CAMPBELL. Is not that the reason why they are having so much difficulty in finding suitable men?

Mr. STEPHENS of Texas. I think not.

Mr. MANN. They want to see where the pressure is the greatest before appointing them.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

For the purpose of determining the heirs of deceased Indian allottees having any right, title, or interest in any trust or restricted property, under regulations prescribed by the Secretary of the Interior, $100,000: *Provided*, That the Secretary of the Interior is hereby authorized to use not to exceed $25,000 for the employment of additional clerks in the Indian Office in connection with the work of determining the heirs of deceased Indians, and considering their wills, out of the $100,000 appropriated herein: *Provided further*, That the provisions of this paragraph shall not apply to the Osage Indians, nor to the Five Civilized Tribes of Indians in Oklahoma: *And provided further*, That hereafter upon a determination of the heirs to any trust or restricted Indian property or after approval by the Secretary of any will covering such trust or restricted property, there shall be paid by such heirs, or by the beneficiaries under such will, or from the estate of the decedent, or from the proceeds of sale of the allotment, or from any trust funds belonging to the estate of the decedent, the sum of $15, which amount shall be accounted for and paid into the Treasury of the United States and a report shall be made annually to Congress by the Secretary of the Interior, on or before the first Monday in December, of all moneys collected and deposited, as herein provided: *Provided further*, That if the Secretary of the Interior shall find that any inherited trust allotment or allotments are capable of partition to the advantage of the heirs, he may cause such lands to be partitioned among them, patents in fee to be issued to the competent heirs for their shares and trust patents to be issued to the incompetent heirs for the lands respectively or jointly set apart to them, the trust period to terminate in accordance with the terms of the original patent.

Mr. SMITH of Minnesota. Mr. Chairman, reserving a point of order, I want to ask the chairman of the committee whether or not this paragraph is new legislation.

Mr. STEPHENS of Texas. The last paragraph was not in the bill of last year. With that exception it is the same bill that we passed last year—the same amounts and so forth.

Mr. SMITH of Minnesota. For 1914 you passed the same amounts?

Mr. STEPHENS of Texas. The same amounts, and in the same language, with the exception that we have the new provision at the end.

Mr. MANN. I will say to the gentleman that the language is quite different, but the appropriation is the same.

Mr. FOSTER. It is changed somewhat here.

Mr. SMITH of Minnesota. I notice that $25,000 of it is to be used for the purpose of paying clerk hire.

Mr. MANN. Last year that was $20,000.

Mr. STEPHENS of Texas. We have inserted the word "wills." That provision is the only material change.

Mr. SMITH of Minnesota. To whom is the $75,000 to be paid?

Mr. STEPHENS of Texas. It is a reimbursable amount.

Mr. SMITH of Minnesota. To whom is it to be paid, and in what way is it to be paid out?

Mr. STEPHENS of Texas. It is for the purpose of determining the heirs of deceased Indian allottees having any right, title, or interest in any trust or restricted property, and it may be determined either by men whom they send out armed with that authority or through the courts. That is, under rules and regulations prescribed by the department as to who shall make these determinations.

Mr. SMITH of Minnesota. Are these employees now in the regular employment of the Department of the Interior?

Mr. STEPHENS of Texas. They are.

Mr. SMITH of Minnesota. It is not intended to go outside of the department to employ people to make these examinations to determine these titles?

Mr. STEPHENS of Texas. There is no authorization of that kind in the bill.

Mr. SMITH of Minnesota. Is there anything to prevent that?

Mr. STEPHENS of Texas. I do not think they could employ special employees under the language here. That is the only authority they have.

Mr. SMITH of Minnesota. Does the department do anything except prescribe the rules by which these titles may be perfected?

Mr. MANN. Oh, they determine the heirship.

Mr. BURKE of South Dakota. In accordance with the act of June 25, 1910.

Mr. SMITH of Minnesota. I want to suggest an amendment.

Mr. MANN. The department determines the heirship now, under this provision.

Mr. SMITH of Minnesota. Who gathers the information?

Mr. MANN. They have special employees to do it.

Mr. SMITH of Minnesota. Do they appoint outside attorneys to look up information and bring it to the department?

Mr. MANN. They could, but usually they have regular men doing that work.

Mr. SMITH of Minnesota. In order that they may be regular men, I wish to offer an amendment.

Mr. MANN. But it might not always be desirable to have a regular man. For instance, supposing you wanted to settle the heirship of an Indian at some place around Washington or at places in various parts of the country.

Mr. HARRISON. Mr. Chairman, I want to reserve a point of order. I suppose the gentleman from Minnesota withdraws his point of order?

Mr. SMITH of Minnesota. Yes; I withdraw the point of order.

The CHAIRMAN. What is the point of order of the gentleman from Mississippi?

Mr. HARRISON. I want to make the point of order for the purpose of seeking some information about an item in line 19, page 9, where there is an increase from $20,000 to $25,000 for the employment of additional clerks in the Indian Office.

Mr. MANN. Mr. Chairman, I am not the chairman of the Committee on Indian Affairs and can not give much information in regard to the matter, but I will say to the gentleman from Mississippi that a few years ago there was a great contest in reference to the proof of heirship of Indians and the settlement of Indian estates. There was inserted in the Indian bill only two or three years ago a provision that the Secretary of the Interior should determine the heirship and to that extent settle the estate of the Indian, who should pay for it. It has been the best work Congress has done in that respect for many years. They made available last year for this purpose $20,000 for clerks here. Of course no one could tell exactly how much would be required. Now they want $25,000. We would have to take their judgment as to the amount that is required, because this is really a new item and has not been in the bill many years.

Mr. HARRISON. I had an impression that there was some amount carried in a general appropriation bill, or in a deficiency appropriation bill, to provide for clerks of this office in Washington.

Mr. MANN. The appropriation contained a proviso that no part of it could be used for clerks in Washington, and the gentleman recalls that the general law is that where a lump-sum appropriation is made no portion of it can be used for clerical assistance in the city of Washington unless specifically authorized. That is what the deficiency bill which the gentleman refers to did; it specifically authorized the use of a portion of that money in the city of Washington.

Mr. HARRISON. Mr. Chairman, in view of what has been said, I withdraw the point of order.

Mr. SMITH of Minnesota. Now, Mr. Chairman, I offer the following amendment.

The Clerk read as follows:

Amend page 9, line 16: After the word "property" strike out the words "under regulations prescribed by the Secretary of" and insert in lieu thereof the words "the rules of the department of."

Mr. SMITH of Minnesota. Mr. Chairman, I offer this amendment in the hope that if it is adopted it will prevent what appears to me to be possible under the original text, and that is the employment of attorneys not in the regular employment of the department. I must confess that I am making this statement at this time for the information of the committee and with the hope of getting some information myself. I have great respect and confidence in our Committee on Indian Affairs, and of course each Member of Congress receives some information from his constituents. Much of the time the information is not founded on reliable facts. I am going to read a statement, for the benefit of the committee, contained in a letter which I received from one of my constituents, a very able man, who has written a history of our State and who is at the present time writing a history of the Government's relation to and treatment of the Indians of this country. He says, in part:

I am informed that there is a scheme on foot to rob the Chippewa Indians of some half million dollars, to be divided between certain attorneys, certain influential half breeds, and certain gentlemen resident in and about the Capital City. The scheme implies the legitimatization of the employment of the attorneys by the Indians.

I wish to say for the benefit of the committee that I have examined House bill 12579 of last session, the bill supposed to contain such a scheme, and I find no such legislation or anything that could be construed into such an intention or purpose; but, for fear that there may be some legislation that might give foundation for such an impression, I call attention to the statement in the letter, because it comes from such good authority, for what it is worth. I withhold the name of the writer.

Mr. STEPHENS of Texas. Is this writer in the Government employ in any way?

Mr. SMITH of Minnesota. No; he is a private citizen in the State of Minnesota. As I said, he is at work on a history of the relations of the Government to and its treatment of the Indian.

Mr. STEPHENS of Texas. The only change that the gentleman makes in his amendment is to strike out the words "under the regulations prescribed by the Secretary of the Interior." Now, why should not the Secretary of the Interior prescribe rules by which his inferiors, the men whom he sends out to work, shall be guided? I can not imagine how it should be done in any other way except by the rules and regulations.

Mr. SMITH of Minnesota. That would be implied. If the department has the right to use the money, it would naturally follow that it would be done under such rules and regulations as it might adopt.

Mr. STEPHENS of Texas. If he can do it, why not write it into the bill?

Mr. SMITH of Minnesota. That is what I say. If the department is going to do it, why not make it positive that they have absolute control over it and that they will do it by regularly employed agents and not by outside attorneys? That is the point I am trying to impress. I am just leaving this to the committee. I have no personal pride in the amendment. If the committee feels, after the statement that I have made, that the amendment is not of particular value, then we should vote it down.

Mr. MANN. What does the gentleman think he would accomplish by his amendment? To say that this shall be done by the department instead of under regulations by the Secretary of the Interior would not make any difference.

Mr. SMITH of Minnesota. Just this: Under the original text it is quite possible that the department can go outside the department and employ whomever it sees fit to do this work.

Mr. MANN. They could do it just as well in one case as in the other.

Mr. SMITH of Minnesota. No; and they could prescribe rules and regulations under which it should be done. But if the department is to do it itself, then it has to do it by its regular agents and not by some temporary employee.

Mr. MANN. That would not follow at all.

The CHAIRMAN. The time of the gentleman from Minnesota has expired.

Mr. MANN. Mr. Chairman, I ask that his time be extended for two minutes.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. MANN. Here is an appropriation to be expended. It is precisely just as long one way as it is the other. To say that it shall be expended by the department or expended by the Secretary of the Interior means the same thing. That is what the appropriation is for—to be expended by the department. That is what we make the appropriation for. If you put it in every other line that it is to be expended by the department, it would not make it any stronger. The appropriation is for the Indian Service, in the Department of the Interior. Ordinarily where we put jurisdiction upon a department instead of saying the department we say the Secretary of that department, so as to centralize the responsibility, but it means the same thing whether you say it is to be done by the Secretary or by the department, because the Secretary does not do it personally. He does it by having somebody employed. You can employ some one outside just as well in one case as in the other. There is absolutely no distinction.

Mr. SMITH of Minnesota. If he were to do it under rules and regulations, and not by the department itself. The reason that I suggested for eliminating the term "rules and regulations" is that it implies that the department does not have to do it itself, but that it can let anyone do it. It can farm it out if it pleases, so long as it is done under rules and regulations. I want the department to do it itself and be responsible for it.

Mr. MANN. The department spends the money. This is an appropriation. This is not an authorization. This is an appropriation.

Mr. SMITH of Minnesota. For a particular purpose.

Mr. MANN. It does not make any difference. We are appropriating the money. Outside people can not spend the money. The department spends the money. Whether you say a certain thing is to be done under rules and regulations of the Secretary of the Interior or to be done by him does not make any difference. He makes his rules and regulations in

either event. That does not amount to anything, but the money is expended by the department. That is why we appropriate it.

Mr. SMITH of Minnesota. We want the department to do the work. We do not want it to be farmed out.

Mr. MANN. But the gentleman's language would not prevent that.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Minnesota.

The question was taken, and the amendment was rejected.

The Clerk read as follows:

For the purpose of encouraging industry and self-support among the Indians and to aid them in the culture of fruits, grains, and other crops, $200,000, or so much thereof as may be necessary, to be immediately available, which sum may be used for the purchase of seed, animals, machinery, tools, implements, and other equipment necessary, in the discretion of the Secretary of the Interior, to enable Indians to become self-supporting: *Provided*, That said sum shall be expended under conditions to be prescribed by the Secretary of the Interior for its repayment to the United States on or before June 30, 1925: *Provided further*, That not to exceed $50,000 of the amount herein appropriated shall be expended on any one reservation or for the benefit of any one tribe of Indians.

Mr. HARRISON. Mr. Chairman, I reserve the point of order on that. May I ask the gentleman from Texas why on line 23, page 10, this amount of $200,000 is made immediately available?

Mr. STEPHENS of Texas. We provide this because we have adopted the plan of having this industrial matter in the bill, so that after the 1st of July, when the money becomes available, they can go on the market and buy Indian supplies more cheaply that fall than they can by waiting until the money would be available. Sometimes they need money in advance for the purpose of pitching the crops and planting them, and buying agricultural implements, stock, and so forth.

Mr. MANN. It is because the fiscal year and the farm year do not coincide.

Mr. STEPHENS of Texas. That is it.

Mr. HARRISON. This $200,000 is to be expended in conjunction with this appropriation that will follow to buy 20 new automobiles to farm with, is it?

Mr. STEPHENS of Texas. No; that is a separate item entirely.

Mr. HARRISON. No; the two amounts that are appropriated are to be used to aid the Indians, to encourage them in industry and self-support?

Mr. STEPHENS of Texas. It is not, because every item here in the matter now before the House is reimbursable and comes out of the Indian funds.

Mr. HARRISON. Does this item?

Mr. STEPHENS of Texas. And comes out of the Indian fund; and it is for their maintenance and better support, and so that they can become better self-supporting.

Mr. HARRISON. May I ask, for information, does the present law make it reimbursable? This paragraph does not say anything about it being reimbursable.

Mr. STEPHENS of Texas. All of these items are reimbursable.

Mr. HARRISON. In some of the paragraphs it says they are reimbursable, and some do not. Why is this distinction made?

Mr. STEPHENS of Texas. Because when the appropriation was made for the Indians, if afterwards they have funds out of which that appropriation can be reimbursed to the United States Government, that amount is refunded.

Mr. HARRISON. I understand the gentleman, but I do not think the gentleman quite got the point I am trying to get at. I notice, for instance, in the items carried on pages 2 and 3, for the construction, repair, and maintenance of ditches, reservoirs, and dams, and so forth, if you read in that paragraph, you will see that the $250,000 is appropriated, but it says, "it is reimbursable as provided in the act of August 1, 1914"; and many other paragraphs so specify that the amounts appropriated "shall be reimbursable out of the tribal funds." Now, in this paragraph that is under consideration nothing at all is said about the amount being reimbursable. The question I asked the gentleman to answer is whether this item is reimbursable. You say in some paragraphs that the amount shall be reimbursable and in others that it shall not be reimbursable. Why is this distinction made?

Mr. STEPHENS of Texas. This amounts to an allowance made by the Government to the Indians for the purpose of making them self-supporting in the manner set forth in all of these items, encouraging them in the way of being self-supporting, for the purchase of seed, animals, tools, and so forth, all of these intended to make them self-supporting.

Mr. HARRISON. I understand, but I do not think the gentleman understands me.

Mr. STEPHENS of Texas. And provides for a repayment—the original bill.

Mr. HARRISON. Has the gentleman got the law there? That is what I am trying to get at. The reason why I ask is I want to offer an amendment to the paragraph if it is not reimbursable, but if it is reimbursable, of course I do not care to offer it.

Mr. CARTER. It is reimbursable.

Mr. HARRISON. Under what law?

Mr. CARTER. It is reimbursable in the paragraph. If the gentleman will read the top of page 11, line 2, he will see:

Provided, That said sum shall be expended under conditions to be provided by the Secretary of the Interior for its repayment to the United States on or before June 30, 1925.

Mr. HARRISON. That answers my question.

Mr. FERRIS. Mr. Chairman, on that point I would like to inquire of some member of the committee in reference to this. I desire to call to the attention of the committee that this fixes 1925 as the time for repayment, and I desire to ask if that might not in some way involve the expiration of the trust period. I have in mind, for instance, a tribe of Indians, we will say, whose trust period expires in 1920.

Mr. MANN. That would not make any difference.

Mr. CARTER. This does not place any restrictions upon the land.

Mr. MANN. I will say to the gentleman from Oklahoma last year the Indian Service asked that these appropriations be repaid by 1925, and then with authority to reinvest the sums as they were paid in prior to 1925, and at the end of that time reinvest it; but the House disagreed with that proposition, and that went out of the bill. Then it was fixed to make it a 10-year period from the year 1915, which was the fiscal year we were then appropriating for.

Mr. FERRIS. I think I can still call to the mind of the gentleman cases where this would complicate things to fix any date definitely. If a tribe of Indians' trust period had expired and the land became taxable and salable and the restrictions were removed, our chances of getting our money back at a later period would be nil.

Mr. MANN. I think the chances of getting the money back are pretty near nil now.

Mr. FERRIS. That may be.

Mr. MANN. The department has been urging this for years, and has been insisting that it was a self-supporting proposition, but they never have collected much money yet.

Mr. COX. Does the gentleman think they ever will?

Mr. MANN. I do not say that they will not. Originally I was very much opposed to it, but I think they are doing very good work now. From some sources they collect money, and they are doing very well.

Mr. FERRIS. Mr. Chairman, irrespective of whether they will or will not collect anything in the course of time, I do not think the date should be fixed at a date beyond the expiration of the Indian trust period, because if we get the money at all it will be by reason of fixing some sort of a lien against the land.

Mr. MANN. The gentleman from Oklahoma [Mr. FERRIS], like all the other gentlemen from the country districts, is interested in rural credits. Now, when the Government undertakes to advance money to a man to buy his team and buy cattle and locate him upon a farm and make him self-supporting, it can not expect that he will repay that money in less than 10 years. Ten years is a very short time if they make him pay it back.

Mr. FERRIS. Suppose there is a tribe of Indians whose trust period expires in 1920. Does the gentleman propose to postpone the payment five years beyond that?

Mr. MANN. I think this is a lien upon the land under the regulations of the department.

Mr. FERRIS. Has the gentleman in mind some regulations that worked out, that accomplished that?

Mr. MANN. That is my recollection, that they do make this a lien upon the land, although I would not say positively that that is the case.

Mr. FERRIS. That is probably the only way they will ever get it.

Mr. MANN. That is the only way they would ever get it from any of us.

Mr. FERRIS. That is probably true, too.

Mr. LENROOT. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. Does the gentleman from Oklahoma yield to the gentleman from Wisconsin?

Mr. FERRIS. Yes.

Mr. LENROOT. I do not think the department has yet devised any means of making it a lien upon the land. I do not believe that any of this money is expended except where there

are tribal funds either in existence or to come into existence by which they should be reimbursed.

Mr. FERRIS. I understood that this was to apply to Indians who had no tribal funds.

The CHAIRMAN. The time of the gentleman from Oklahoma [Mr. FERRIS] has expired.

Mr. FERRIS. Mr. Chairman, I ask unanimous consent for two minutes more.

The CHAIRMAN. Is there objection to the gentleman's request?

There was no objection.

Mr. FERRIS. I thought this provision was really for Indians who had no tribal funds at all. Am I right about that? If they have money, there is no use in making the land a lien.

Mr. LENROOT. They may not have them now.

Mr. FERRIS. I understand. I have no objection, but I think there should be a proviso added to this providing that the period fixed shall in no case extend beyond the life of the trust period; but I shall not offer it at this time.

The CHAIRMAN. The Clerk will read.

Mr. HARRISON. Mr. Chairman, may I ask the gentleman from Texas [Mr. STEPHENS] at what time he proposes to rise? This next paragraph will require a good deal of discussion.

Mr. STEPHENS of Texas. I had hoped to reach the page containing Arizona, beginning the list of States. That is at the head of page 12. I think we can reach it in a short time.

Mr. HARRISON. This paragraph proposing to purchase an automobile would perhaps take a good deal of time. Would the gentleman move to rise?

Mr. STEPHENS of Texas. If the gentleman makes a point of order, I shall have to.

Mr. HARRISON. Then I make the point of order, Mr. Chairman, that there is no quorum present.

The CHAIRMAN. The gentleman from Mississippi [Mr. HARRISON] makes the point of order that there is no quorum present.

Mr. STEPHENS of Texas. Mr. Chairman, I move that the committee do now rise.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. BYRNS of Tennessee, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill (H. R. 20150) making appropriations for the current and contingent expenses of the Bureau of Indian Affairs, for fulfilling treaty stipulations with various Indian tribes, and for other purposes, for the fiscal year ending June 30, 1916, and had come to no resolution thereon.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted as follows:

To Mr. CLARK of Florida, indefinitely, on account of illness in his family.

To Mr. BELL of Georgia, indefinitely, on account of serious illness in his family.

ORDER OF BUSINESS.

Mr. STEPHENS of Texas. Mr. Speaker, I ask unanimous consent that the business of the House that would be in order on Monday next be deferred, and that the appropriation bill now under consideration, namely, the Indian appropriation bill, shall then be in order.

Mr. MANN. I object.

Mr. STEPHENS of Texas. Then I move, Mr. Speaker, that the regular business on Monday be deferred, and that the appropriation bill now under consideration—the Indian appropriation bill—be in order.

Mr. MANN. I ask for the regular order, Mr. Speaker, and I make the point of order that the motion is not in order.

ADJOURNMENT.

Mr. STEPHENS of Texas. Then I move, Mr. Speaker, that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock p. m.) the House adjourned until Monday, January 4, 1915, at 12 o'clock noon.

EXECUTIVE COMMUNICATION.

Under clause 2 of Rule XXIV, a letter from the Secretary of the Treasury, transmitting copy of a communication of the Secretary of Commerce submitting an estimate of appropriation in the sum of $25,000 for promotion of export trade (H. Doc. No. 1470), was taken from the Speaker's table, referred to the Committee on Appropriations, and ordered to be printed.

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, the Committee on Invalid Pensions was discharged from the consideration of the bill (H. R. 19475) granting a pension to Jacob Kuntz, and the same was referred to the Committee on Pensions.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. WICKERSHAM: A bill (H. R. 20496) to grant lands to the Territory of Alaska for educational uses, and for other purposes; to the Committee on the Public Lands.

By Mr. GARDNER: A bill (H. R. 20497) to increase the authorized strength of the Coast Artillery Corps of the Army; to the Committee on Military Affairs.

By Mr. STOUT: A bill (H. R. 20498) to validate title to certain town sites in the State of Montana; to the Committee on the Public Lands.

By Mr. BARKLEY: A bill (H. R. 20499) to authorize the construction of a bridge across the Ohio River at Metropolis, Ill.; to the Committee on Interstate and Foreign Commerce.

By Mr. PALMER: A bill (H. R. 20500) to prohibit interstate commerce in products branded or marked with the name of any church, religious denomination, society, or association, or the name or designation by which any such church or religious denomination is commonly known; to the Committee on Interstate and Foreign Commerce.

By Mr. CURRY: Joint resolution (H. J. Res. 396) authorizing and empowering the President to invite all nations to send delegates to a convention to provide for disarmament, and for the creation of an international legislature, an international court, an international army and navy police, and for other purposes; to the Committee on Foreign Affairs.

By Mr. MANN: Resolution (H. Res. 689) directing the Committee on Ways and Means to report a bill creating a tariff board; to the Committee on Ways and Means.

By Mr. BUCHANAN of Illinois: Resolution (H. Res. 690) to print 10,000 additional copies of Senate Document No. 380, Sixty-third Congress, second session, entitled "Agricultural Credit, Land-Mortgage or Long-Term Credit," for the use of the House folding room; to the Committee on Printing.

Also, resolution (H. Res. 691) to print 5,000 additional copies of Senate Document No. 214, Sixty-third Congress, first session, entitled "Agricultural Cooperation and Rural Credit in Europe," for the use of the House folding room; to the Committee on Printing.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. CAMPBELL: A bill (H. R. 20501) granting a pension to Daily Houston; to the Committee on Invalid Pensions.

Also, a bill (H. R. 20502) granting an increase of pension to Harvey J. Willis; to the Committee on Invalid Pensions.

By Mr. COX: A bill (H. R. 20503) granting a pension to Edna J. Applegate; to the Committee on Invalid Pensions.

Also, a bill (H. R. 20504) granting an increase of pension to Michael Demuth; to the Committee on Invalid Pensions.

Also, a bill (H. R. 20505) granting an increase of pension to Robert L. Stroud; to the Committee on Invalid Pensions.

By Mr. DOREMUS: A bill (H. R. 20506) granting an increase of pension to Jennie Farley; to the Committee on Invalid Pensions.

By Mr. DRISCOLL: A bill (H. R. 20507) granting a pension to William A. Widrig; to the Committee on Invalid Pensions.

Also, a bill (H. R. 20508) granting an increase of pension to Martin Bury; to the Committee on Invalid Pensions.

By Mr. GILLETT: A bill (H. R. 20509) granting an increase of pension to Daniel Connor; to the Committee on Invalid Pensions.

Also, a bill (H. R. 20510) granting an increase of pension to Andrew Partridge; to the Committee on Invalid Pensions.

By Mr. HAMLIN: A bill (H. R. 20511) granting an increase of pension to Emma Wilmer; to the Committee on Invalid Pensions.

Also, a bill (H. R. 20512) granting a pension to Minnie S. Rector; to the Committee on Invalid Pensions.

By Mr. HOWARD: A bill (H. R. 20513) granting a pension to Thomas A. Long; to the Committee on Pensions.

By Mr. HUMPHREY of Washington: A bill (H. R. 20514) granting a pension to Nellie V. Ross; to the Committee on Invalid Pensions.

Also, a bill (H. R. 20515) granting an increase of pension to Theodore A. Cox; to the Committee on Invalid Pensions.

Also, a bill (H. R. 20516) for the relief of C. G. Wilford; to the Committee on Claims.

By Mr. LANGLEY: A bill (H. R. 20517) granting an increase of pension to William H. Hatfield; to the Committee on Invalid Pensions.

By Mr. McKELLAR: A bill (H. R. 20518) granting an increase of pension to L. M. Jarvis; to the Committee on Invalid Pensions.

Also, a bill (H. R. 20519) for the relief of the heirs or estate of Jacob Joyner, deceased; to the Committee on War Claims.

Also, a bill (H. R. 20520) for the relief of the owners of the steamboat *W. B. Savory*; to the Committee on War Claims.

By Mr. SHERWOOD: A bill (H. R. 20521) granting an increase of pension to Alice E. Atherton; to the Committee on Invalid Pensions.

By Mr. TALCOTT of New York: A bill (H. R. 20522) granting a pension to Bert Roberts; to the Committee on Invalid Pensions.

By Mr. THOMAS: A bill (H. R. 20523) granting a pension to Cleveland Shive; to the Committee on Pensions.

By Mr. WATSON: A bill (H. R. 20524) granting an increase of pension to Isaac Premer; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. ASHBROOK: Resolutions adopted by the Brotherhood of Locomotive Firemen and Enginemen, Taylor Lodge, No. 175, Newark, Ohio, favoring the passage of H. R. 17894 and S. 6165, to extend the boiler-inspection law; to the Committee on Interstate and Foreign Commerce.

By Mr. DALE: Petition of sundry citizens of Brooklyn, N. Y., relative to export of arms and ammunition; to the Committee on Foreign Affairs.

Also, memorial of National Liberal Immigration League, relative to suspension of head tax on immigrants; to the Committee on Immigration and Naturalization.

Also, petition of Brooklyn Diocesan Branch of the American Federation of Catholic Societies and St. Vincent de Paul's Lyceum, all of New York, protesting against the use of the mails by the Menace; to the Committee on the Post Office and Post Roads.

By Mr. DRUKKER: Petition of citizens of New Jersey, favoring House joint resolution 377, relative to export of munitions of war; to the Committee on Foreign Affairs.

By Mr. KENNEDY of Rhode Island: Petition of T. C. Beckwith, Providence, R. I., favoring woman suffrage; to the Committee on the Judiciary.

Also, petition of Netti E. Bauer, of Providence, R. I., favoring woman suffrage; to the Committee on the Judiciary.

By Mr. LONERGAN: Protests of the Hartford Business Men's Association, Hartford, Conn.; the New Departure Manufacturing Co., Bristol, Conn.; the Hartford Special Machinery Co., Hartford, Conn.; and Mr. Forrest Morgan, Hartford, Conn., relative to export trade; to the Committee on Interstate and Foreign Commerce.

Also, protest of F. C. Monier, jr., of New Britain, Conn., relative to the exportation of firearms and ammunition; to the Committee on Foreign Affairs.

By Mr. McKELLAR: Papers to accompany bill granting relief to the owners of the steamboat *W. B. Savory;* to the Committee on War Claims.

Also, papers to accompany a bill for relief of the estate of Jacob Joyner, deceased; to the Committee on War Claims.

Also, papers to accompany bill for increase of pension to L. M. Jarvis; to the Committee on Invalid Pensions.

By Mr. MAHAN: Memorial of Hartford (Conn.) Business Men's Association, protesting against the passage of any legislation that will interfere with the exportation of the products of the United States to any country; to the Committee on Foreign Affairs.

By Mr. RAKER: Petition of C. F. Kesting, J. C. Schmeds, B. H. Saager, and H. Juse, of Los Molinos, Cal., favoring House joint resolution 377; to the Committee on Foreign Affairs.

Also, petition of Pilot Hill (Cal.) Local Socialist Lodge, favoring prohibition of exportation of foodstuffs; to the Committee on Interstate and Foreign Commerce.

Also, petition of San Luis Obispo (Cal.) Chamber of Commerce, favoring Hamill civil-service retirement bill; to the Committee on Reform in the Civil Service.

Also, petition of Fred Miller, Redding, Cal., favoring repeal of that section of Constitution of the United States which reads: "The Congress shall have power to borrow money on the credit of the United States"; to the Committee on the Judiciary.

By Mr. REED: Petition of 252 merchants of the first New Hampshire congressional district, favoring the passage of H. R. 5308; to the Committee on Ways and Means.

By Mr. REILLY of Connecticut: Memorial of Hebrews of Meriden, Conn., relative to literacy test in the Smith immigration bill; to the Committee on Immigration and Naturalization.

Also, petition of the Hartford (Conn.) Business Men's Association, protesting against law prohibiting exportation of the products of the United States to any other country; to the Committee on Foreign Affairs.

SENATE.

MONDAY, *January 4, 1915.*

The Senate met at 12 o'clock m.

The Chaplain, Rev. Forrest J. Prettyman, D. D., offered the following prayer:

Almighty God, we seek Thy guidance and blessing as we start upon the uncharted paths of a new year. We recognize Thy goodness to us in all the providences that have surrounded us in the year that has gone, and we seek Thy favor that we may follow the light that shines upon the path of the just more and more unto the perfect day. We praise Thee for peace within all our boundaries, and for the high spirit of brotherhood that animates those who are the leaders of the people. We pray that Thy grace may be upon Thy servants in this Senate, that they may have the spirit of Christian statesmen, and that they may be witnesses for God for peace unto the uttermost parts of the earth. Hear us in our prayer; accept the praises of Thy people for Thy goodness; and guide us on in the fulfillment of Thine own divine plan for us as a Nation. We ask for Christ's sake. Amen.

The Secretary proceeded to read the Journal of the proceedings of the legislative day of Tuesday, December 29, 1914.

Mr. SWANSON. I ask that the further reading of the Journal may be dispensed with.

Mr. SMOOT. I should like to hear it read this morning.

The PRESIDENT pro tempore. Does the Senator from Utah object?

Mr. SMOOT. I object.

The PRESIDENT pro tempore. The Senator from Utah objects, and the Secretary will read the Journal.

The Secretary resumed and concluded the reading of the Journal, and it was approved.

CREDENTIALS.

Mr. POINDEXTER presented the credentials of WESLEY L. JONES, chosen by the electors of the State of Washington a Senator from that State for the term beginning March 4, 1915, which were read and ordered to be filed.

PETITIONS AND MEMORIALS.

Mr. KENYON presented petitions of sundry citizens of Fort Dodge, Schleswig, and Dubuque, all in the State of Iowa, praying for the enactment of legislation to prohibit the exportation of ammunition, etc., which were referred to the Committee on Foreign Relations.

Mr. THOMPSON presented a petition of sundry citizens of Pleasant Valley, Kans., and a petition of the members of the ladies' classes of the Methodist Sunday School of Luray, Kans., praying for national prohibition, which were referred to the Committee on the Judiciary.

Mr. CRAWFORD. I have received a number of communications from citizens of the State of North Dakota urging the passage of legislation at the present session of Congress prohibiting the sale of munitions of war to the belligerent nations of Europe. I ask that the communications may be received and referred to the Committee on Foreign Relations.

The PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. GRONNA. Mr. President, in connection with what the Senator from South Dakota [Mr. CRAWFORD] has just said, I wish to state that I have also received hundreds of individual letters and many petitions on the same subject, in reference to Senate 6688, the bill introduced by the senior Senator from Nebraska [Mr. HITCHCOCK]. I do not feel like presenting all the letters and having them printed in the RECORD, but I simply call the attention of the Committee on Foreign Relations and of the Senate to the fact that I have received several hundred letters

upon the subject. It seems that the citizens of my State are deeply interested in the bill, and I hope and know that the committee will give it due consideration and take such action as they may deem proper.

Mr. ROOT presented petitions of sundry citizens of New York, praying for the enactment of legislation to prohibit the exportation of ammunition, etc., which were referred to the Committee on Foreign Relations.

Mr. NELSON presented petitions of sundry citizens of Minnesota, praying for the enactment of legislation to prohibit the exportation of ammunition, etc., which were referred to the Committee on Foreign Relations.

He also presented a memorial of the Minnesota Peace Society, of St. Paul, Minn., remonstrating against an increase in the armament of this country, which was referred to the Committee on Military Affairs.

He also presented a petition of sundry citizens of Minnesota, praying for the exclusion of anti-Catholic publications from the mail, which was referred to the Committee on Post Offices and Post Roads.

He also presented a memorial of sundry citizens of Minnesota, remonstrating against the exclusion of anti-Catholic publications from the mail, which was referred to the Committee on Post Offices and Post Roads.

Mr. LODGE presented a paper to accompany the bill (S. 7063) granting an increase of pension to Caro H. Moore, which was referred to the Committee on Pensions.

Mr. DILLINGHAM presented a memorial of sundry citizens of Jamaica, Vt., remonstrating against the exclusion of anti-Catholic publications from the mail, which was referred to the Committee on Post Offices and Post Roads.

Mr. WEEKS presented petitions of sundry citizens of Washington, D. C.; Kansas City, Mo.; Boswell, Ind.; Chicago, Ill.; and Jamestown, Ohio, praying for the adoption of an amendment to the Constitution to prohibit polygamy, which were referred to the Committee on the Judiciary.

He also presented petitions of sundry citizens of Worcester, Whitman, New Bedford, Lowell, Boston, Dorchester, Hardner, Charlestown, Cambridge, Everett, and Athol, all in the State of Massachusetts, praying for national prohibition, which were referred to the Committee on the Judiciary.

Mr. LEE of Maryland presented a petition of sundry citizens of Browningsville, Md., praying for national prohibition, which was referred to the Committee on the Judiciary.

Mr. McLEAN presented petitions of John Crote and 150 other citizens of Rockville, Conn., praying for the enactment of legislation to prohibit the exportation of ammunition, etc., which were referred to the Committee on Foreign Relations.

Mr. MARTINE of New Jersey presented a petition of the Society of Friends of Woodbury, N. J., commending the President's efforts toward bringing about peace in Europe, and remonstrating against increased armament in this country, which was referred to the Committee on Military Affairs.

Mr. PERKINS presented a petition adopted by the Fruit Growers' Convention, held at Los Angeles, Cal., praying for the enactment of legislation to provide for the inspection of all horticultural products at certain points of entry into any State, which was referred to the Committee on Agriculture and Forestry.

He also presented a petition of the Chamber of Commerce of Eureka, Cal., praying for the enactment of legislation to provide pensions for civil-service employees, which was referred to the Committee on Civil Service and Retrenchment.

He also presented a petition of the Shipowners' Association of the Pacific Coast, of San Francisco, Cal., praying for an appropriation for the purchase of a wire dragnet for southeastern Alaska and also for the construction of a lighthouse tender, which was referred to the Committee on Commerce.

Mr. SHIVELY presented a petition of Frank Britton Camp, No. 16, United Spanish War Veterans, of Crawfordsville, Ind., praying for the enactment of legislation to grant pensions to widows and orphans of Spanish War veterans, which was referred to the Committee on Pensions.

He also presented petitions of Local Division No. 598, Brotherhood of Locomotive Engineers, of Richmond; of Local Division No. 154, Brotherhood of Locomotive Engineers, of Evansville; of Local Division No. 606, Brotherhood of Locomotive Engineers, of Michigan City; of Local Division No. 12, Brotherhood of Locomotive Engineers, of Fort Wayne; of Local Lodge No. 136, Brotherhood of Railroad Trainmen, of Fort Wayne; of Local Division No. 520, Brotherhood of Locomotive Engineers, of Gary; and of the Wabash Railway Brotherhood of Locomotive Engineers, of Peru, all in the State of Indiana, praying for the extension of the boiler-inspection laws, which were referred to the Committee on Interstate Commerce.

He also presented a memorial of Aerie No. 248, Fraternal Order of Eagles, of Fort Wayne, Ind., remonstrating against national prohibition, which was referred to the Committee on the Judiciary.

He also presented petitions of the Rush Creek Friends Bible School, of Kingman; of the Sunday school of the First Methodist Episcopal Church, of Fort Wayne; of L. M. Kreder, George W. Cate, J. C. Olwin, and 47 other residents of Greentown; of Whitewater Friends Church, of Richmond, all in the State of Indiana, praying for national prohibition, which were referred to the Committee on the Judiciary.

Mr. POINDEXTER presented a petition of 24 citizens of Aberdeen, Wash., and a petition of Lake Union Lodge, No. 116, International Order of Good Templars, of Seattle, Wash., praying for national prohibition, which were referred to the Committee on the Judiciary.

THE LIGHTHOUSE SERVICE.

Mr. CHAMBERLAIN, from the Committee on Commerce, to which was referred the bill (S. 6919) to authorize aids to navigation and other works in the Lighthouse Service, and for other purposes, reported it with amendments and submitted a report (No. 851) thereon.

DELAWARE RIVER BRIDGE.

Mr. SHEPPARD. From the Committee on Commerce I report back favorably without amendment the bill (S. 6839) extending the time for completion of the bridge across the Delaware River authorized by an act entitled "An act to authorize the Pennsylvania Railroad Co. and the Pennsylvania & Newark Railroad Co., or their successors, to construct, maintain, and operate a bridge across the Delaware River," approved the 24th day of August, 1912, and I submit a report (No. 849) thereon. I call the attention of the Senator from Pennsylvania [Mr. OLIVER] to the report.

Mr. OLIVER. I ask unanimous consent for the present consideration of the bill.

The PRESIDENT pro tempore. Unless there is objection, the Secretary will read the bill.

The Secretary read the bill; and there being no objection, the Senate, as in Committee of the Whole, proceeded to its consideration.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

ROCK RIVER BRIDGE, ILLINOIS.

Mr. SHEPPARD. I report back favorably without amendment from the Committee on Commerce the bill (S. 6776) granting an extension of time to construct a bridge across Rock River at or near Colona Ferry, in the State of Illinois, and I submit a report (No. 850) thereon. I ask for the immediate consideration of the bill.

The Secretary read the bill; and there being no objection, the Senate, as in Committee of the Whole, proceeded to its consideration.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

SAFETY OF LIFE AT SEA.

Mr. FLETCHER. By direction of the Committee on Commerce I report back the amendment of the House of Representatives to the bill (S. 136) to promote the welfare of American seamen in the merchant marine of the United States; to abolish arrest and imprisonment as a penalty for desertion and to secure the abrogation of treaty provisions in relation thereto; and to promote safety at sea, with the recommendation that the Senate disagree to the amendment of the House of Representatives, ask a conference with the House on the disagreeing votes of the two Houses thereon, the conferees on the part of the Senate to be five in number, and to be appointed by the Chair.

The PRESIDENT pro tempore. Unless there is objection, the action suggested by the Committee on Commerce will be taken. The Chair hears none. The Chair appoints as conferees on the part of the Senate Mr. FLETCHER, Mr. CHAMBERLAIN, Mr. VARDAMAN, Mr. NELSON, and Mr. SMITH of Michigan.

BILLS AND JOINT RESOLUTION INTRODUCED.

Bills and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. OVERMAN:

A bill (S. 7124) authorizing the Secretary of War to donate two condemned bronze or brass cannon or fieldpieces and a suitable outfit of cannon balls to the city of Morganton, N. C.; to the Committee on Military Affairs.

A bill (S. 7125) granting a pension to Robert H. Trollinger; to the Committee on Pensions.

By Mr. BRADY:

A bill (S. 7126) authorizing the submission to the Court of Claims of the claim of Albert J. Hewlett, of Pocatello, Idaho, for damages sustained by reason of the overflow of his lands in connection with the Government canal being constructed under the supervision of the Bureau of Indian Affairs, Interior Department; to the Committee on Claims.

A bill (S. 7127) granting an increase of pension to Joseph Ludiker (with accompanying papers);

A bill (S. 7128) granting an increase of pension to Jerome B. Wright (with accompanying papers); and

A bill (S. 7129) granting a pension to Andrew J. Herring (with accompanying papers); to the Committee on Pensions.

By Mr. DILLINGHAM:

A bill (S. 7130) granting a pension to Celia A. Blodgett (with accompanying papers); and

A bill (S. 7131) granting a pension to Esther Phillips (with accompanying papers); to the Committee on Pensions.

By Mr. SWANSON:

A bill (S. 7132) to amend an act entitled "An act to repeal section 3480 of the Revised Statutes of the United States"; to the Committee on the Judiciary.

By Mr. KENYON:

A bill (S. 7133) granting an increase of pension to H. B. Crouch;

A bill (S. 7134) granting an increase of pension to Robert Conn; and

A bill (S. 7135) granting an increase of pension to Mathew Crawford; to the Committee on Pensions.

By Mr. SMITH of Arizona:

A bill (S. 7136) for the purchase of a site for a public building at Bisbee, Cochise County, Ariz.; to the Committee on Public Buildings and Grounds.

By Mr. THOMPSON:

A bill (S. 7137) granting an increase of pension to George L. Neal (with accompanying papers); to the Committee on Pensions.

By Mr. FLETCHER:

A bill (S. 7138) granting an increase of pension to Fernando Miller (with accompanying papers); to the Committee on Pensions.

By Mr. STONE:

A bill (S. 7139) granting an increase of pension to Joseph Raphile; to the Committee on Pensions.

By Mr. WORKS:

A bill (S. 7140) creating an additional land district in the State of California, and for other purposes; to the Committee on Public Lands.

By Mr. JONES:

A bill (S. 7141) for the relief of C. G. Wilford; to the Committee on Claims.

By Mr. PAGE:

A bill (S. 7142) granting an increase of pension to John Sargent (with accompanying papers); to the Committee on Pensions.

By Mr. SHIVELY:

A bill (S. 7143) granting an increase of pension to Thomas J. Gwin (with accompanying papers);

A bill (S. 7144) granting an increase of pension to John P. Simpson (with accompanying papers);

A bill (S. 7145) granting a pension to Charles M. Preston (with accompanying papers); and

A bill (S. 7146) granting an increase of pension to Albert Baur; to the Committee on Pensions.

By Mr. WEEKS:

A bill (S. 7147) to amend section 4215 of the Revised Statutes of the United States, and for other purposes; to the Committee on Commerce.

By Mr. WORKS:

A joint resolution (S. J. Res. 218) to provide for the detail of an officer of the Army for duty with the Panama-California Exposition, San Diego, Cal.; to the Committee on Military Affairs.

THE MERCHANT MARINE.

Mr. STONE. I submit two proposed amendments to Senate bill 6856, known as the shipping bill, which I ask may be printed and referred to the Committee on Commerce.

The PRESIDENT pro tempore. The bill is now on the calendar. The amendments will be printed and lie on the table, to be taken up in connection with the consideration of that bill. However, if the Senator from Missouri makes a motion that they go to the Committee on Commerce, the Chair will submit it to the Senate.

Mr. STONE. For the present let them lie on the table.

The PRESIDENT pro tempore. That will be the order.

AMENDMENTS TO APPROPRIATION BILLS.

Mr. SMITH of Arizona submitted an amendment proposing to appropriate $1,000 to pay Tom K. Richie, of Tucson, Ariz., the amount having been inadvertently covered into the Treasury on a forfeited cash recognizance, etc., intended to be proposed by him to the sundry civil appropriation bill, which was ordered to be printed and, with the accompanying papers, referred to the Committee on Appropriations.

Mr. LANE submitted an amendment proposing to appropriate $200,000 due the estates of deceased colored soldiers, sailors, and marines of the Civil War, to be used for the erection of a national home for aged and infirm colored people in the District of Columbia, etc., intended to be proposed by him to the Post Office appropriation bill (H. R. 19906), which was ordered to be printed and, with the accompanying paper, referred to the Committee on Post Offices and Post Roads.

RIVER AND HARBOR APPROPRIATIONS.

Mr. LANE submitted an amendment intended to be proposed by him to the river and harbor appropriation bill (H. R. 20189), which was referred to the Committee on Commerce and ordered to be printed.

Mr. SHEPPARD submitted three amendments intended to be proposed by him to the river and harbor appropriation bill (H. R. 20189), which were referred to the Committee on Commerce and ordered to be printed.

OMNIBUS CLAIMS BILL.

Mr. WILLIAMS submitted two amendments intended to be proposed by him to the omnibus claims bill (H. R. 8846), which were referred to the Committee on Claims and ordered to be printed.

SHIPMENT OF NAVAL STORES ABROAD.

Mr. HARDWICK. I submit a resolution, which I send to the desk, and for which I ask present consideration.

The PRESIDENT pro tempore. The resolution submitted by the Senator from Georgia will be read.

The Secretary read the resolution (S. Res. 512), as follows:

Resolved, That the President is respectfully requested, if not incompatible with the public interest, to transmit to the Senate copies of all communications transmitted to or received from the Government of Great Britain touching the recent order of said Government declaring naval stores, turpentine, rosin, and resinous products absolute contraband of war, and the previous order of said Government declaring that the products above enumerated were not contraband of war.

Also copies of any other communications transmitted to or received from any foreign Government in reference to the classification of naval stores, turpentine, rosin, and resinous products as contraband of war.

Also copies of any communications transmitted to or received from any foreign Government relating to the detention of ships under American registry carrying cargoes of naval stores, turpentine, rosin, and resinous products.

The PRESIDENT pro tempore. The Senator from Georgia asks unanimous consent for the present consideration of the resolution which has just been read. Is there objection?

Mr. STONE. I ask that the resolution go over until to-morrow.

The PRESIDENT pro tempore. The Senator from Missouri objects. Under the rule, the resolution will lie over one day and be printed.

REGULATION OF IMMIGRATION.

Mr. SMITH of South Carolina. I move that the bill (H. R. 6060) to regulate the immigration of aliens to and the residence of aliens in the United States, which passed the Senate on Saturday last, may be printed showing the amendments of the Senate numbered.

The PRESIDENT pro tempore. Unless there is objection, it will be so ordered. The Chair hears none.

SALE AND SHIPMENT OF COTTON.

Mr. SMITH of South Carolina. Mr. President, some days since I had inserted in the RECORD certain communications from European cotton buyers and spinners in answer to questions propounded by me relative to the outlook for the cotton trade situation. I have to-day a translation of a letter received from C. A. Gruner & Co., of Bremen, Germany, which I send to the desk. I ask that it be read by the Secretary and that it be referred to the Committee on Commerce.

There being no objection, the letter was read and referred to the Committee on Commerce, as follows:

BREMEN, *November 20, 1914.*

E. D. SMITH, Esq.,
United States Senate,
Washington, D. C., United States of America:

We take the liberty to answer your kind letter of September 29 in German, as the regulations now in force do not permit correspondence in English.

In answer to the questions asked, we will reply briefly as follows:

1. The consumption of American cotton in Germany and Austria is entirely dependent on the possibility or impossibility of regulated cotton importation. If the possibility of importing cotton were assured, the consumption would certainly be at least normal, and probably even heavier than usual, as East Indian and Egyptian cotton, the consumption of which is large in Germany and Austria, could be replaced by American cotton.

2. The question as to the size of the stock on hand we are not permitted to answer, for reasons easily understood.

3. Since the middle of September work has been going on in full force almost everywhere in the German spinning industry, with an increasing demand.

4. Should the war last very much longer a reduction in operations could only be avoided if the supply of cotton could be directly or indirectly guaranteed.

5. Funds for the purchase of cotton are plentiful in Germany, the increase in the rate of exchange brought about by the war not figuring in the equation.

6. As traffic in German and English vessels to Germany seems to be precluded, we are dependent upon neutral bottoms for our imports, therefore first of all upon American and Scandinavian ships. Unfortunately the space available from this source is small, and unless the United States make great exertions to place all in anywise available ships into the freight traffic the prospects for a considerable exchange of commodities between our country and yours are none too bright.

7. Our industry still has an adequate number of working hands at its disposal, especially as the spinning and weaving business is capable of greatly extending the amount of its female labor.

8–9. As said before, everything depends upon shipping facilities. The consumption of American cotton in Germany might be splendid if only certainty of importation could be secured. Every bit of cotton that can be landed in Germany would be willingly taken. The United States therefore have a strong incentive to make every effort in studying the question of transportation and in devising ways and means of promoting and assisting a sure exportation service to Europe. The success of such endeavors would necessarily mean a brilliant business for America.

THOMAS JEFFERSON AS ARCHITECT.

Mr. MARTINE of New Jersey. Mr. President, I have had sent me a copy of the Architectural Quarterly, of Harvard University, which contains an article which presents Thomas Jefferson, to me at least, and I think to the mass of our fellow citizens, in an entirely new light. We know him as a man of letters and as a broad statesman, but this demonstrates the fact that he was an architect of exceeding merit. It seems to me that it would be a valuable document not only in connection with him, but for the well-being and knowledge of the people at large and that it should be printed as a public document. There are sundry illustrations. Whether the illustrations will be printed or not I can not say, but I desire to present it for the consideration of the Senate with the request that it be made a public document.

The PRESIDENT pro tempore. The paper will be received and referred to the Committee on Printing.

TEN EYCK DE WITT VEEDER.

The PRESIDENT pro tempore. Are there further concurrent or other resolutions? If there are none, morning business is closed.

Mr. GALLINGER. I ask unanimous consent for the present consideration of Order of Business 694, being Senate bill 3000.

The PRESIDENT pro tempore. The Secretary will state the bill by title, for the present consideration of which the Senator from New Hampshire asks unanimous consent.

Mr. FLETCHER. Mr. President, may I ask to what bill the Senator from New Hampshire refers?

The PRESIDENT pro tempore. The title of the bill will be stated from the desk.

The SECRETARY. A bill (S. 3000) for the relief of Ten Eyck De Witt Veeder, commodore on the retired list of the United States Navy.

The PRESIDENT pro tempore. Is there objection to the present consideration of the bill?

Mr. THORNTON. Mr. President, is that a bill which is already on the calendar?

Mr. GALLINGER. Yes.

The PRESIDENT pro tempore. It is.

Mr. THORNTON. I object.

Mr. GALLINGER. I move that the Senate proceed to the consideration of the bill notwithstanding the objection.

Mr. VARDAMAN. I ask that the bill be read, so that we may know what it contains.

The PRESIDENT pro tempore. The Senator from Mississippi asks that the bill be read. The Secretary will read as requested.

The Secretary read the bill, as follows:

Be it enacted, etc., That the President be, and he is hereby, authorized to appoint Ten Eyck De Witt Veeder, now a commodore on the retired list of the United States Navy, to the active list of rear admirals of the United States Navy to take rank next after Rear Admiral Charles Brainard Taylor Moore, United States Navy: *Provided*, That the said Ten Eyck De Witt Veeder shall establish to the satisfaction of the Secretary of the Navy, by the usual examination prescribed by law for the grade of rear admiral in the United States Navy, his physical, mental, moral, and professional fitness to perform the duties of said grade: *Provided further*, That the said Ten Eyck De Witt Veeder shall be carried as additional to the number in the grade to which he may be appointed under this act: *And provided further*, That the said Ten Eyck De Witt Veeder shall not by the passage of this act be entitled to back pay of any kind.

The PRESIDENT pro tempore. The question is on the motion of the Senator from New Hampshire.

Mr. POINDEXTER. Mr. President, I should like to have the report on that bill read by the Secretary.

The PRESIDENT pro tempore. The motion having been made before 2 o'clock to proceed to the consideration of the bill, it must be disposed of without debate. The Chair is not prepared to rule just at this moment whether the reading of the report at this time would be in the nature of debate, and unless some Senator objects the Chair will direct the Secretary to read the report.

Mr. POINDEXTER. I understand this is on the motion to proceed to the consideration of the bill.

Mr. GALLINGER. I think, under the rule, this is not a debatable motion.

The PRESIDENT pro tempore. That has been the ruling of the Chair; but when it comes to reading the report accompanying the bill there is an element of doubt about it, and the Chair would always resolve that in favor of its being read.

Mr. GALLINGER. That can only be done by unanimous consent.

The PRESIDENT pro tempore. Very well. The question is on the adoption of the motion made by the Senator from New Hampshire, that the Senate proceed to the consideration of the bill just read. [Putting the question.] The noes appear to have it.

Mr. GALLINGER. Mr. President, I shall have to question that decision. I demand the yeas and nays on the motion.

The PRESIDENT pro tempore. The Senator from New Hampshire asks for the yeas and nays on his motion.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. FLETCHER (when his name was called). I have a pair with the Senator from Wyoming [Mr. WARREN], which I transfer to the Senator from Illinois [Mr. LEWIS], and vote "nay."

Mr. TOWNSEND (when the name of Mr. SMITH of Michigan was called). I desire to announce the necessary absence of the senior Senator from Michigan [Mr. SMITH] and to state that he is paired on all votes with the Senator from Missouri [Mr. REED]. This announcement may stand for all votes to-day.

Mr. CLARK of Wyoming (when Mr. WARREN'S name was called). I desire to announce the unavoidable absence from the city of my colleague [Mr. WARREN] and to state that he is paired with the Senator from Florida [Mr. FLETCHER]. I ask that this announcement stand for the day.

The roll call was concluded.

Mr. CRAWFORD (after having voted in the negative). I observe that the senior Senator from Tennessee [Mr. LEA] has not voted. I have a general pair with that Senator, and therefore withdraw my vote.

Mr. WEEKS (after having voted in the affirmative). I notice that the senior Senator from Kentucky [Mr. JAMES] has not voted. I have a general pair with that Senator, which I transfer to the junior Senator from Wisconsin [Mr. STEPHENSON], and will allow my vote to stand.

Mr. CHILTON. I have a general pair with the Senator from New Mexico [Mr. FALL], which I transfer to the Senator from Nevada [Mr. NEWLANDS], and vote "nay." I desire further to state that the Senator from New Mexico is necessarily absent on account of serious illness in his family.

Mr. WILLIAMS. I transfer my pair with the senior Senator from Pennsylvania [Mr. PENROSE] to the Senator from Tennessee [Mr. SHIELDS] and vote "nay."

Mr. REED. I transfer my pair with the Senator from Michigan [Mr. SMITH] to the Senator from Nebraska [Mr. HITCHCOCK] and vote "nay."

Mr. WILLIAMS (after having voted in the negative). The Senator from Tennessee [Mr. SHIELDS] having entered the Chamber and voted, I wish to withdraw the announcement of my transfer, and, in consequence of my pair with the Senator from Pennsylvania [Mr. PENROSE], I withdraw my vote.

Mr. GALLINGER. I was requested to announce the following pairs:

The Senator from Maine [Mr. BURLEIGH] with the Senator from New Hampshire [Mr. HOLLIS];

The Senator from New Mexico [Mr. CATRON] with the Senator from Oklahoma [Mr. OWEN];

The Senator from Rhode Island [Mr. COLT] with the Senator from Delaware [Mr. SAULSBURY]; and

The Senator from Illinois [Mr. SHERMAN] with the Senator from Virginia [Mr. MARTIN].

The result was announced—yeas 30, nays 38, as follows:

YEAS—30.

Borah	Gallinger	McCumber	Smoot
Brady	Goff	McLean	Sterling
Brandegee	Gronna	Oliver	Sutherland
Burton	Jones	Perkins	Townsend
Chamberlain	Kenyon	Poindexter	Weeks
Clark, Wyo.	Lee, Md.	Pomerene	Works
Dillingham	Lippitt	Root	
du Pont	Lodge	Smith, Md.	

NAYS—38.

Ashurst	Hughes	Reed	Swanson
Bankhead	Johnson	Robinson	Thomas
Bristow	Kern	Shafroth	Thompson
Bryan	Lane	Sheppard	Thornton
Camden	Martine, N. J.	Shields	Tillman
Chilton	Norris	Shively	Vardaman
Culberson	O'Gorman	Simmons	Walsh
Fletcher	Page	Smith, Ga.	White
Gore	Pittman	Smith, S. C.	
Hardwick	Ransdell	Stone	

NOT VOTING—28.

Burleigh	Fall	Martin, Va.	Saulsbury
Catron	Hitchock	Myers	Sherman
Clapp	Hollis	Nelson	Smith, Ariz.
Clarke, Ark.	James	Newlands	Smith, Mich.
Colt	La Follette	Overman	Stephenson
Crawford	Lea, Tenn.	Owen	Warrren
Cummins	Lewis	Penrose	Williams

So Mr. GALLINGER's motion was not agreed to.

CIVIL WAR VOLUNTEER OFFICERS' RETIRED LIST.

Mr. TOWNSEND and Mr. FLETCHER addressed the Chair.

The PRESIDENT pro tempore. The Senator from Michigan.

Mr. TOWNSEND. I move that the Senate proceed to the consideration of Senate bill 392.

Mr. FLETCHER. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Michigan yield to the Senator from Florida?

Mr. OVERMAN. I move that the Senate proceed to the consideration of the urgent deficiency appropriation bill.

The PRESIDENT pro tempore. The motion now before the Senate will have to be disposed of.

Mr. TOWNSEND. I can not yield at this time, Mr. President.

Mr. OVERMAN. As I understand, the motion to take up the urgent deficiency bill is privileged.

The PRESIDENT pro tempore. The Senate has before it the motion made by the Senator from Michigan.

Mr. FLETCHER. Mr. President, is it in order to move as a substitute for that motion a motion to take up another bill?

Mr. GALLINGER. No.

The PRESIDENT pro tempore. It can only be antagonized by a privileged motion.

Mr. OVERMAN. A motion to take up the urgent deficiency appropriation bill is privileged.

Mr. GALLINGER. Oh, no.

The PRESIDENT pro tempore. The motion is made before 2 o'clock. The Chair will put the motion of the Senator from Michigan.

Mr. LODGE. On that I ask for the yeas and nays.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. CHILTON (when his name was called). Making the same announcement as before, I vote "nay."

Mr. CRAWFORD (when his name was called). In the absence of the senior Senator from Tennessee [Mr. LEA], with whom I have a general pair, I withhold my vote.

Mr. FLETCHER (when his name was called). I make the same announcement as before, as to my pair and its transfer, and will vote. I vote "nay."

Mr. REED (when his name was called). Making the same transfer I made on the previous vote, I vote "nay."

Mr. WILLIAMS (when his name was called). I have a pair with the senior Senator from Pennsylvania [Mr. PENROSE], and must withhold my vote. If I were at liberty to vote, I would vote "nay."

The roll call was concluded.

Mr. ROOT (after having voted in the affirmative). May I inquire if the senior Senator from Colorado [Mr. THOMAS] has voted?

The PRESIDENT pro tempore. That Senator has not voted.

Mr. ROOT. Having a pair with that Senator, I withdraw my vote.

Mr. GALLINGER. I have been requested to announce that the junior Senator from Illinois [Mr. SHERMAN] is unavoidably absent on account of illness in his family.

Mr. McLEAN (after having voted in the affirmative.) I inquire if the senior Senator from Montana [Mr. MYERS] has voted?

The PRESIDENT pro tempore. He has not voted.

Mr. McLEAN. I have a general pair with that Senator, and therefore withdraw my vote.

Mr. WILLIAMS. I transfer my pair with the senior Senator from Pennsylvania [Mr. PENROSE] to the junior Senator from Indiana [Mr. KERN] and vote "nay."

Mr. CRAWFORD. I transfer my general pair with the senior Senator from Tennessee [Mr. LEA] to the junior Senator from Wisconsin [Mr. STEPHENSON] and vote "yea."

The result was announced—yeas 35, nays 38—as follows:

YEAS—35.

Borah	Cummins	Lane	Perkins
Brady	Dillingham	Lippitt	Poindexter
Brandegee	du Pont	Lodge	Smoot
Bristow	Gallinger	McCumber	Sterling
Burton	Goff	Martine, N. J.	Sutherland
Chamberlain	Gronna	Nelson	Townsend
Clapp	Jones	Norris	Weeks
Clark, Wyo.	Kenyon	Oliver	Works
Crawford	La Follette	Page	

NAYS—38.

Ashurst	Hughes	Robinson	Stone
Bankhead	James	Shafroth	Swanson
Bryan	Johnson	Sheppard	Thornton
Camden	Lee, Md.	Shields	Tillman
Chilton	O'Gorman	Shively	Vardaman
Clarke, Ark.	Overman	Simmons	Walsh
Culberson	Pittman	Smith, Ariz.	White
Fletcher	Pomerene	Smith, Ga.	Williams
Gore	Ransdell	Smith, Md.	
Hardwick	Reed	Smith, S. C.	

NOT VOTING—23.

Burleigh	Kern	Newlands	Smith, Mich.
Catron	Lea, Tenn.	Owen	Stephenson
Colt	Lewis	Penrose	Thomas
Fall	McLean	Root	Thompson
Hitchcock	Martin, Va.	Saulsbury	Warren
Hollis	Myers	Sherman	

So Mr. TOWNSEND's motion was rejected.

THE MERCHANT MARINE.

Mr. FLETCHER. I move that the Senate proceed to the consideration of Senate bill 6856, Order of Business No. 737.

Mr. OVERMAN. Before that motion is put, I desire to ask the Senator, if the bill referred to by him is taken up and made the unfinished business, whether he will be willing to have it laid aside for the purpose of taking up the urgent deficiency appropriation bill?

Mr. LODGE. Debate is not in order.

Mr. FLETCHER. I am willing that it shall be temporarily laid aside.

Mr. GALLINGER. Debate is out of order, Mr. President.

The PRESIDENT pro tempore. But Senators can interrogate one another as to the effect of the motion.

Mr. FLETCHER. I would be willing to lay it aside temporarily in order to take up the urgent deficiency bill.

Mr. OVERMAN. I understand, then, that if this bill is made the unfinished business, the Senator will lay aside the bill until the appropriation bill has been considered?

Mr. CLARK of Wyoming. The Senator can not do that.

Mr. LODGE. It requires unanimous consent to lay aside a bill temporarily.

The PRESIDENT pro tempore. The question is on the motion of the Senator from Florida.

Mr. LODGE. On that I ask for the years and nays.

The yeas and nays were ordered.

Mr. POINDEXTER. Before the question is put, I should like to inquire what the bill is to which the Senator from Florida refers?

Mr. LODGE. Let it be read.

The PRESIDENT pro tempore. The Secretary will read the title of the bill.

The SECRETARY. A bill (S. 6856) to authorize the United States, acting through a shipping board, to subscribe to the capital stock of a corporation to be organized under the laws of the United States, or of a State thereof, or of the District of Columbia, to purchase, construct, equip, maintain, and operate merchant vessels in the foreign trade of the United States, and for other purposes.

The PRESIDENT pro tempore. The Senator from Florida moves that the Senate proceed to the consideration of the bill the title of which has just been stated. On that motion the yeas and nays have been ordered. The Secretary will call the roll.

The Secretary called the name of Mr. ASHURST, and he voted "yea."

Mr. DU PONT. I ask that the bill may be read for the information of the Senate.

The PRESIDENT pro tempore. It is too late.

The Secretary resumed the calling of the roll.

Mr. CHILTON (when his name was called). Making the same announcement as on the former ballot, I vote "yea."

The PRESIDENT pro tempore. The Senator from West Virginia makes an announcement, which may stand for the day. The Secretary will proceed with the calling of the roll.

Mr. CRAWFORD (when his name was called). I transfer my general pair with the senior Senator from Tennessee [Mr. LEA] to the junior Senator from Wisconsin [Mr. STEPHENSON], and will vote. I vote "nay."

Mr. REED (when his name was called). Making the same transfer as before, I vote "yea."

Mr. WILLIAMS (when his name was called). I have a pair with the senior Senator from Pennsylvania [Mr. PENROSE]. Being unable to obtain a transfer, I must withhold my vote.

The roll call was concluded.

Mr. SWANSON. I desire to state that my colleague [Mr. MARTIN] is detained from the city on account of illness in his family. He is paired with the junior Senator from Illinois [Mr. SHERMAN]. If my colleague were present he would vote "yea." I will let this announcement stand for the day.

Mr. SAULSBURY. I have a pair with the junior Senator from Rhode Island [Mr. COLT]. If at liberty to vote, I would vote "yea."

The result was announced—yeas 46, nays 29, as follows:

YEAS—46.

Ashurst	Johnson	Poindexter	Smith, Md.
Bankhead	Kenyon	Pomerene	Smith, S. C.
Bryan	Kern	Ransdell	Stone
Camden	La Follette	Reed	Swanson
Chamberlain	Lane	Robinson	Thomas
Chilton	Lee, Md.	Shafroth	Thompson
Culberson	Martine, N. J.	Sheppard	Thornton
Fletcher	Myers	Shields	Tillman
Gore	Norris	Shively	Walsh
Hardwick	O'Gorman	Simmons	White
Hughes	Overman	Smith, Ariz.	
James	Pittman	Smith, Ga.	

NAYS—29.

Brady	Dillingham	McCumber	Sterling
Brandegee	du Pont	McLean	Sutherland
Bristow	Gallinger	Nelson	Townsend
Burton	Goff	Oliver	Vardaman
Clapp	Gronna	Page	Weeks
Clark, Wyo.	Jones	Perkins	
Crawford	Lippitt	Root	
Cummins	Lodge	Smoot	

NOT VOTING—21.

Borah	Hitchcock	Owen	Warren
Burleigh	Hollis	Penrose	Williams
Catron	Lea, Tenn.	Saulsbury	Works
Clarke, Ark.	Lewis	Sherman	
Colt	Martin, Va.	Smith, Mich.	
Fall	Newlands	Stephenson	

So Mr. FLETCHER'S motion was agreed to; and the Senate, as in Committee of the Whole, proceeded to consider the bill (S. 6856) to authorize the United States, acting through a shipping board, to subscribe to the capital stock of a corporation to be organized under the laws of the United States, or of a State thereof, or of the District of Columbia, to purchase, construct, equip, maintain, and operate merchant vessels in the foreign trade of the United States, and for other purposes, which had been reported from the Committee on Commerce with amendments.

Mr. GALLINGER. Mr. President, I desire to ask the Senator from Florida, in charge of the bill which has just been taken up by vote, what the Senator's purpose is, so far as pressing the bill for immediate consideration is concerned, if the Senator chooses to answer my question.

Mr. FLETCHER. Mr. President, I will state that, so far as I am concerned, we desire to press the bill and to get as early consideration of it and as early disposition of it as possible. I am perfectly willing, however, to lay it aside temporarily in order to dispose of the appropriation bills.

Mr. GALLINGER. The Senator, I assume, is aware of the fact that the Senator from Ohio [Mr. BURTON] has given notice that he proposes to file a minority report on this bill, and which has not as yet been filed. Does the Senator think it would be the proper thing to take up so important a measure as this before the views of the minority have been placed before the Senate?

Mr. FLETCHER. I will say, in that connection, that there was what might be called an understanding, to the effect that the minority would file their views within three days after the majority report had been filed. The majority report was filed more than three days ago, and I assumed that perhaps the minority were ready to present their views.

Mr. BURTON. Mr. President, if the Senator from New Hampshire will yield to me——

Mr. GALLINGER. I yield to the Senator from Ohio.

Mr. BURTON. The minority report has been prepared. There has been some delay in printing exhibits and revising the copy of the report. I think it will be ready within an hour, however. As I recall, this is the third day. The majority report was filed on Wednesday, and this is the third legislative day after that—one holiday, New Year's Day, having intervened, and Sunday.

I should say, however, that it was understood in the Committee on Commerce that the time given for filing the minority report should not interfere with the bringing up of the bill. That was the understanding at the time. Of course that does not foreclose any Senator on the floor from asking for time to give it more mature consideration.

Right here, if it is necessary, and if the Senator will yield further to me, I ask leave to file the minority report (Rept. No. 841, pt. 2) during the day. I think it will be ready to send to the desk within an hour.

Mr. FLETCHER. I think under the circumstances I might proceed with the consideration of the bill. We probably will not dispose of it to-day.

Mr. GALLINGER. Mr. President, it would be most extraordinary for any Senator to force consideration of a great measure such as this when those interested in it as deeply as some of us are have not had an opportunity to read the views of the minority. I suggest to the Senator that probably nothing will be gained by undue haste in this regard.

Mr. President, it has come to our ears on this side of the Chamber that there is to be undue haste in the consideration of this bill, that it is to be pressed in season and out of season, at seasonable hours and unseasonable hours. Those of us who do not think the bill is of sufficient consequence to warrant action of that kind will be compelled to resist it in every proper and parliamentary way.

I feel very sure that the Senator from Florida, who is always gracious and always fair, will see not only the propriety but the necessity of giving us a little time to prepare ourselves for the discussion of a measure that is of far-reaching consequence and that the people of the United States are very deeply interested in, and will be more interested in before this debate closes, I feel very sure.

Mr. FLETCHER. I have no desire, of course, to press the matter in such a form as would cause any inconvenience to the other side or prevent the consideration of the views of the minority. I am perfectly willing to say now that I will lay aside the bill to be taken up to-morrow upon the close of the morning business if that would be agreeable to the Senator.

Mr. GALLINGER. Of course, the Senator will probably have votes enough to take it up. I certainly have no objection to its being laid aside for the consideration of appropriation bills, which I think are of much greater consequence than this bill possibly can be to the people of the country. My view is that we ought to pass the supply bills and go home, and not to force it upon the Congress at this short session, after the experience we have had in the last three years of sitting here continuously, considering bills such as this. The time is too short to properly consider the measure, and it is not in the line of good legislation.

Of course we will all use our own judgment as to the proper mode of procedure; but I repeat, Mr. President, that any undue haste to press this bill upon the Senate will not, in my judgment, facilitate its passage. I think we ought to be dealt with generously about the matter. It is opening a great new question containing propositions that the American people will want to understand fully before the bill is enacted into a law.

For myself, having been extremely busy during the few days we have been in session in considering appropriation bills, I am not prepared at the present time, as I would wish to be, to proceed to the discussion of the bill, and as I shall endeavor to be if generous treatment is accorded to the minority, or to those of us who are opposed to the bill.

Mr. FLETCHER. May I say——

The PRESIDENT pro tempore. Does the Senator from New Hampshire yield to the Senator from Florida?

Mr. GALLINGER. I yield.

Mr. FLETCHER. I have offered to temporarily lay aside the bill in order to take up the emergency deficiency appropriation bill and dispose of it. I have offered to temporarily lay aside the bill, to have it taken up to-morrow upon the conclusion of the morning business. Neither of these suggestions seems to be agreeable to the other side, and I know of no other way of proceeding except to go on in the regular way with the bill. Others may think it is not an important measure, but a great many people do. For my part I do not believe there is any more important matter affecting the interests of all the people of the whole country than what this measure will accomplish. But I do not want to delay it indefinitely. I want to bring the matter before the Senate and have it considered fully and in order and disposed of. I am willing to do anything I can to accommodate Senators on the other side and to meet their views, but I do not want to be in the position of doing nothing and having the time pass without any action whatever.

Mr. JONES. Mr. President——

The PRESIDENT pro tempore. Does the Senator from New Hampshire yield to the Senator from Washington?

Mr. GALLINGER. I yield the floor.

Mr. JONES. I wish to suggest to the Senator from New Hampshire something of which he is probably aware as indicating the character of argument and the means the other side intend to use to put this bill through. The majority leader of the Senate was quoted as having said immediately after the President's message with reference to this bill, "We have the votes to put it through."

Mr. GALLINGER. I observed that, and I have had it whispered in an ear that always serves me well that, assuming they have the votes, they are going to resort to tactics which will be opposed as strenuously as possible, so far as a few of us are concerned, at least.

Mr. STONE. Mr. President, we have the votes to put it through if ever we can get a chance to vote. Unless Senators on the other side adopt some plan or scheme of inexcusable and unpardonable obstruction we will get to a vote, and we have the votes to pass the bill.

Mr. GALLINGER. If the Senators on this side should resort to the same tactics that the Senator's colleague resorted to on the immigration bill, would he think that that was very much to be condemned?

Mr. STONE. Mr. President, I am not discussing what occurred on other bills or what individual Senators have done. It is rather an impertinent question for the Senator to propound, and I think an improper one, to ask me to animadvert upon the conduct of any Senator, and particularly on that of my own colleague. I am speaking as to this bill. I am answering the statements made in the form of criticism by the Senator from Washington and the Senator from New Hampshire.

Mr. GALLINGER. The Senator is oversensitive.

Mr. STONE. No; I am not at all.

Mr. GALLINGER. The Senator has on more than one occasion, with a great deal of earnestness and with some acerbity, during the past few months charged this side of the Chamber with unduly and improperly obstructing legislation. Now, Mr. President, for one, I propose to be the judge of my own conduct in this matter, and I shall pursue such a course in the debate on this bill as I think the importance of the measure demands at my hands.

Mr. OVERMAN. I ask the Senator from Florida to yield to me to call up House bill 20241, the urgent deficiency appropriation bill.

Mr. LODGE. I object to laying the bill aside by unanimous consent.

The PRESIDENT pro tempore. Objection being made, the bill will have to be disposed of in some other way.

Mr. LODGE. I wish to say a very few words upon the bill.

The PRESIDENT pro tempore. It is before the Senate. Does the Senator from North Carolina desire to make a motion?

Mr. OVERMAN. I give notice that I shall make the motion after 2 o'clock to take up the urgent deficiency bill.

Mr. LODGE. Mr. President, I have no desire to delay the consideration of the urgent deficiency bill, but I want to say a word in regard to this bill just taken up. It is a bill of very vast consequence. It enters upon a wholly new policy—one never adopted by this country before and, so far as I know, never adopted by any civilized maritime power. I know of no measure which requires more thorough debate than this one, and the question is not to be met by a bald statement that "we have got the votes." That, no doubt, is a great advantage. As Mr. Pitt said once, the time has now come to apply the majority, and I suppose that the Mr. Pitts on the other side are taking that view at this time.

But the rules of the Senate are designed to give us fair discussion, and this bill can not be jammed through to-morrow or the next day. Here is a bill of this enormous consequence brought in, on which there have been no hearings at all and on which information is lacking as to the facts, a bill on which even the minority report is not printed.

I think, Mr. President, that we are entitled to an opportunity to discuss this bill fairly and fully, and when that fair and full discussion is completed I assume a vote will be taken and the majority will then be applied.

Mr. FLETCHER. Mr. President——

The PRESIDENT pro tempore. Will the Senator from Massachusetts yield to the Senator from Florida?

Mr. LODGE. Certainly.

Mr. FLETCHER. I simply wish to suggest that there is no disposition on this side to limit debate or to prevent a fair and full discussion of the bill at all. There is no disposition, as the Senator expressed it, to jam through the bill, even if we had the power to do it. Certainly we have not any power to prevent an ample discussion and consideration of the bill. We simply want to get it before the Senate for that very purpose, so that Senators can proceed, and, whether they are ready or not, we on this side are prepared to discuss it.

Mr. LODGE. I think it is our first duty to deal with the appropriation bills. The only thing which will make an extra session inevitable is the failure of some of the appropriation bills. I think our first duty, therefore, is to dispose of those great supply bills.

Mr. SMITH of Georgia. There is but one before the Senate at present, and that is the emergency deficiency bill, and it is proposed this afternoon to call it up. I think it can be disposed of very shortly.

Mr. LODGE. We will see about that when we get to it. I have no objection to taking up the urgent deficiency bill, but I think there is likely to be a little conversation about some of the items in that bill.

Mr. SMITH of Georgia. I am not familiar with the items in that bill.

Mr. LODGE. I am familiar with only one item, and I shall have something to say about it.

Mr. OVERMAN. To be frank, I want to make a motion after 2 o'clock, because if the pending bill is before the Senate at 2 o'clock it then becomes the unfinished business for every day. If the appropriation bill were taken up now, of course the shipping bill would lose its place. I will be frank to state that when the hour of 2 o'clock arrives I shall move to take up the appropriation bill.

Mr. LODGE. I shall certainly not resist that motion, but, Mr. President, I am referring more to what the Senator from Florida [Mr. FLETCHER] said as to going on with this bill to-morrow, taking it up immediately after the routine morning business, not allowing us to consider any other bills in the morning hour, not allowing us to do anything with the calendar, but this bill is to be taken up and kept here all day, and I suppose that 11 o'clock sessions will be begun, and night sessions will be attempted.

Mr. President, I think this bill is altogether too important to be treated in that way. I think those who are opposed to it, as well as those who favor it, are entitled to a reasonable opportunity not only to speak but to prepare themselves. This is not a bill which can be dealt with in a few words. I regard the bill as thoroughly vicious legislation, both economically and internationally. I know that it will at once involve the Government in an expenditure of $30,000,000. No human being of any ordinary sense will become a partner with the Government as the predominant partner in an enterprise in which it is avowed beforehand that it is the intention to lose money. Therefore we may be sure that the whole of the $30,000,000 will be involved. To our liberal friends on the other side $30,000,000 may seem a trifle. I think at this time it is an expenditure to be considered.

Then, Mr. President, having got our corporation established with the United States as the owner, not merely the predominant owner, but the owner, we are to put those ships into trade. I am speaking only of the economic side now. We are to put them into the foreign trade.

The United States, with all its vast power and all its great resources, is unable to carry on a merchant marine which will take care of all the freight of the United States, and wherever they place one of these Government-owned ships on a given route you will look in vain for an American vessel to be run there, for nobody will go into competition with a Government line. When you establish these ships on those lines, where they run you may be sure that all hope of building up an American merchant marine in that direction is dissipated once and for all.

Now, those are a few of the economic reasons which seem to me of very great importance.

Then we come to the international side. We are establishing a set of merchant vessels owned by the Government. Let us consider what that would mean in time of peace. It would create a very new condition. All Government ships to-day have reciprocal privileges. Ships of one Government and ships of another have reciprocal privileges in each other's harbors. No clearance is needed. No port dues are exacted. Is it to be supposed that these ships, trading ships, are to be given those privileges by other nations?

The matter of collisions, of ordinary accidents, raises many very important questions. I know of but one case where this matter was at all involved, the case known from the name of the ship as the *Parlement Belge*. It was a ship of that name carrying the mails, I think, between Ostend, or some Belgian

port, and an English port. There was a collision, and the question was raised about Government ownership, and it was finally decided on an appeal to the House of Lords that the ship did not lose her Government character because, in addition to the Government work, she also carried passengers. In that case the vessel was merely in the nature of a ferryboat, but here we have a whole series of ships loaded with merchandise, regular traders.

Now, those are some of the difficulties that arise in time of peace. How much more so in time of war? It is an undoubted neutral right, freely exercised by us during our Civil War, to stop neutral ships and examine them for contraband. It is a recognized right of international law. It is, however, one thing to stop a privately owned ship, and a very different thing to stop a ship that is Government owned.

What is to be the status of the men on board the ship? Are they to be officers of the United States like the officers of the Navy? Are the crew to be enlisted men or are they to be like ordinary captains and crews of merchant ships?

I merely mention a few of the questions that necessarily arise when we take this new, utterly new, step.

Other nations have owned railroads; they have owned telegraphs; they have owned telephones and other means of communication operated wholly within their own boundaries; but no maritime nation within my knowledge, no matter how strong the socialistic desire for Government ownership might be, has ever attempted to apply those doctrines to merchant shipping, because merchant shipping is not within their own control; it is not within their own boundaries; it goes out onto the high seas and has to meet a world of international complications. Have we not enough international complications now about us and likely to arise without encouraging new and perilous questions?

It is proposed, as I understand this bill, and as I certainly know the President said, to run these ships at a loss until they begin to make money, and then to turn them over to private ownership. Why, Mr. President, what becomes of this opposition to subsidy then? There never has been proposed any subsidy so gross as that which I have just quoted, and which was flatly stated by the President in his message.

Mr. President, I have no intention of arguing the bill to-day; I am not prepared to argue it; I am simply indicating some of the general questions of political economy and of international law which are involved in the bill. I think that not only as a matter of courtesy we should be, but as a matter of right we must be, permitted fully to debate this measure, and that every opportunity should be given to discuss a measure of this magnitude as it deserves to be discussed. I have no desire to throw any artificial obstructions in the way of the proper consideration of the bill; but I say very frankly that if any attempt is made to cut off proper discussion of the bill, I for one shall be ready to do what I have never before done in the Senate—use every possible means of parliamentary obstruction in order that we may have opportunity to discuss the bill fairly and fully and as a measure of such great magnitude ought to be discussed.

Mr. CRAWFORD. Mr. President, as a member of the Committee on Commerce which reported this bill, I think I should say that during the time when it was being considered by the committee I was engaged in work before other committees and was unable to be present. I did not enjoy the benefit of the hearings, if any hearings were held, and did not participate in the making up of the report.

Mr. BURTON. Mr. President——

The PRESIDENT pro tempore. Does the Senator from South Dakota yield to the Senator from Ohio?

Mr. CRAWFORD. I do.

Mr. BURTON. I will say, in regard to hearings, that none were held. The minority requested that those who were experts in the shipping business, those who were posted on these subjects, might be called before the committee and brief hearings be had, but the majority voted down a motion to have hearings and insisted upon the immediate report of the bill.

Mr. CRAWFORD. However that may be, Mr. President, in justice to myself I simply desire to say, in order that my position may be known, that I did not join in the report, not having been present, and I have not seen fit to present views representing the minority. I voted this morning against taking up the bill to-day for consideration. That in no manner indicates hostility on my part to the bill; but evidently it is a bill of such very great importance that it ought to be fully considered, and especially if hearings were not had in committee.

So far as I am concerned, my attitude is simply this: I have had a feeling that something should be done to promote our carrying trade under the American flag, and possibly this experiment, by in a limited way establishing a line that shall be run on schedule time for a period, might demonstrate that it would end in a successful building up of such carrying trade; yet I have not reached a conclusion in the matter, and, for one, I want to hear a discussion of so important a question upon its merits and value before I shall be able to conclude whether or not I shall support the bill. On that account I do not care to be put in the attitude of having participated in the recommendation of the committee favoring the passage of the bill.

Mr. FLETCHER. Mr. President, of course Senators know perfectly well, as I have before suggested, that we would not be able to prevent a full and exhaustive discussion of this measure even if we desired to do so; Senators understand perfectly well that they will have all the time they desire to consider the measure from all standpoints, upon every phase, and to discuss it as long and as fully as they like. There is no disposition to have it take any other course. We can not be charged with unduly pressing an important measure.

The bill has been presented to the Senate and a full report has been made upon it. The matter has been more or less under consideration, I have no doubt, in the minds of Senators anyway, for some time past. There were some hearings on a similar bill which was introduced in the other House. People who desired to be heard were given the opportunity to appear before the Committee on Merchant Marine and Fisheries there, which handled the bill. Certain hearings were had, which were sufficient, anyway, I take it, to satisfy that committee, and the bill was favorably reported in the other House.

Mr. GALLINGER. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Florida yield to the Senator from New Hampshire?

Mr. FLETCHER. I yield.

Mr. GALLINGER. This is a House bill. Does the Senator from Florida say that there were hearings on the bill before the committee of the other House?

Mr. FLETCHER. Yes; precisely.

Mr. GALLINGER. Are such hearings printed?

Mr. FLETCHER. They are printed and they are available.

Mr. GALLINGER. They were very limited, were they not?

Mr. FLETCHER. The hearings were not very extensive, I should say, but my understanding is that sufficient opportunity was given for all the people who desired to be heard to be heard before that committee, and those hearings have been printed.

Mr. GALLINGER. I asked the question for the reason that I have had letters from various parties in New England asking if hearings could not be secured before the Senate committee and complaining that they had not been given proper opportunity to present their views when the bill was before the House. I simply state that for what it is worth.

Mr. LODGE. Mr. President, if the Senator from Florida will yield to me for a moment, I wish to say that the House minority report, if I recall it correctly, complained that there was no time for sufficient hearings and that the information was lacking—that is one of the objections they made—on which to found the measure.

Mr. FLETCHER. I can not say as to what took place there, except that certain hearings were had, and that they are printed and are available. Whatever they show speaks for itself.

Mr. President, I can not add to what the report of the committee, which has been presented and printed and is on the desks of Senators, expresses regarding the general nature and purpose of this measure. I feel that it is unnecessary to go into a detailed consideration of the provisions of the bill so far as explaining the bill is concerned. It is a very simple measure; there are no complicated or involved proposition about it; it is easily and readily understood. No amount of argument or discussion of the provisions of the bill would give any further light than would be gathered by simply reading the bill. As I have said, the report of the committee, so far as we have been able to make it, fully covers all the features of the proposed legislation.

Mr. NORRIS. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Florida yield to the Senator from Nebraska?

Mr. FLETCHER. I yield.

Mr. NORRIS. I do not care to ask the Senator, if he expects to discuss it later, but I was going to ask him a question or two in regard to the bill.

Mr. FLETCHER. I would be glad if the Senator would postpone his inquiries for the time, because I may answer just what is in the Senator's mind in the course of my remarks.

Mr. NORRIS. Is the Senator going to discuss the provisions of the bill at this time?

Mr. FLETCHER. It is my intention to do so.

Mr. LODGE. Oh, no; the bill has not been read yet.

Mr. NORRIS. I wanted to conform to the Senator's desires, of course, but I took it from what he just said that he was not going into an explanation of the bill at this time.

Mr. FLETCHER. I was saying that it was unnecessary to take up the bill section by section and discuss it by way of explaining the bill, but I was proceeding to say that, in so far as it involved a departure from the previous policy of the Government, there would be occasion for giving reasons for the measure, and as to that matter I propose to present, so far as I can, the reasons which seem to call for this legislation at this time. On that phase of the matter I shall offer some observations, perhaps a little extended.

Mr. NORRIS. The questions I desire to ask the Senator would not be connected with any reasons that might exist for a departure from present or past practices. I wanted to ask the Senator a few questions in regard to the meaning of some parts of the bill, but I will not ask them now if he prefers that I should ask the questions later on.

Mr. FLETCHER. Very well; I have no objection if the Senator desires to ask the questions now. If I can throw any light on the subject, I shall be very glad to do so.

Mr. NORRIS. I wish to ask the Senator if the committee have made any change in the bill wherein it was provided that after the shipping corporation had been organized and had either built or purchased ships, put them in operation, and had operated various lines, it was within the power of the shipping board or of the President to dispose of the ships which have been so purchased to private parties? Has there been any change made in the bill in that respect?

Mr. FLETCHER. There is no change in that regard.

The PRESIDENT pro tempore. The Chair will suggest that it would be more regular to permit the bill to be read at this time and allow it to be presented formally to the Senate under the order heretofore adopted.

Mr. FLETCHER. I was going to suggest, Mr. President, that that perhaps had better be done.

Mr. NORRIS. Of course when the bill is read we will all understand it thoroughly.

The PRESIDENT pro tempore. It is necessary to read the bill under the order heretofore adopted. The Secretary will read the bill.

Mr. LODGE. I think that if this bill is to be read now, and therefore deprive the Senate of hearing it read later, we ought to have a quorum here to listen to it, and I make the point of no quorum.

The PRESIDENT pro tempore. The Senator from Massachusetts makes the point of no quorum. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Bryan	James	Overman	Shafroth
Burton	Kenyon	Page	Sheppard
Clarke, Ark.	Lane	Perkins	Stone
Crawford	Lee, Md.	Pittman	Thornton
du Pont	Lodge	Poindexter	White
Fletcher	Martine, N. J.	Ransdell	
Gallinger	Nelson	Root	
Hardwick	Norris	Saulsbury	

The PRESIDENT pro tempore. Twenty-nine Senators have answered to their names. A quorum of the Senate is not present. The Secretary will call the list of the absentees.

The Secretary called the names of the absent Senators, and Mr. CAMDEN, Mr. CHILTON, Mr. HUGHES, Mr. JOHNSON, Mr. JONES, Mr. O'GORMAN, Mr. REED, Mr. SHIVELY, Mr. SIMMONS, Mr. SMITH of Georgia, Mr. SMITH of Maryland, Mr. SMOOT, Mr. STERLING, Mr. SWANSON, Mr. THOMAS, Mr. THOMPSON, Mr. VARDAMAN, and Mr. WILLIAMS answered to their names when called.

Mr. JONES. I desire to announce that the junior Senator from Michigan [Mr. TOWNSEND] is absent on account of a slight indisposition.

Mr. CHAMBERLAIN, Mr. BORAH, Mr. GOFF, Mr. GRONNA, Mr. CLAPP, Mr. TILLMAN, Mr. KERN, and Mr. SMITH of South Carolina entered the Chamber and answered to their names.

The PRESIDENT pro tempore. Fifty-five Senators having answered to their names, a quorum of the Senate is present. The Secretary will proceed with the reading of the bill.

The Secretary read the bill, as follows:

Be it enacted, etc., That the United States, acting through the shipping board hereinafter created, may subscribe to the capital stock of any corporation now or hereafter organized under the laws of the United States or of any State thereof or of the District of Columbia upon the terms and conditions herein mentioned.

SEC. 2. That the object of such corporation shall be the purchase, construction, equipment, maintenance, and operation of merchant vessels in the trade between the Atlantic, Gulf, or Pacific ports of the United States and the ports of Central and South America and elsewhere to meet the requirements of the foreign commerce of the United States. The initial capital stock of such corporation shall not be over $10,000,000, of the par value of $100 per share, but the shipping board, with the approval of the President, may consent to or cause an increase of the capital stock from time to time, as the interests of the corporation may require: *Provided*, That the United States shall subscribe for 51 per cent of each and every such increase. The United States shall subscribe to 51 per cent of such stock at par, and the remainder thereof shall be offered for public subscription. The United States may further subscribe at par to an amount of such stock equal to that not taken by public subscription. Such corporation may begin business as soon as 51 per cent of such stock has been subscribed and paid for by the United States.

SEC. 3. That the United States, through the shipping board and with the approval of the President, is authorized to purchase or construct vessels suitable, in the judgment of the shipping board, for the purposes of such corporation, with a view to transferring them to such corporation, and for this purpose the Secretary of the Treasury, upon the request of the shipping board, may issue and sell or use for such purchases or construction any of the bonds of the United States now available in the Treasury of the United States under the act of August 5, 1909, the act of February 4, 1910, and the act of March 2, 1911, relating to the issue of bonds for the construction of the Panama Canal, to a total amount not to exceed $30,000,000 for the purpose of purchasing or constructing such vessels.

SEC. 4. That the shipping board is authorized to transfer the vessels purchased or constructed as herein provided to such corporation, and such corporation shall issue to the United States in payment thereof its gold bonds bearing interest at not less than 4 per cent per annum, and upon such further terms and conditions as may be prescribed by the shipping board, such bonds to constitute a first and paramount lien upon such vessels thus transferred and upon all the property of such corporation: *Provided*, That the amount of bonds received by the United States in payment for such vessels shall not be less, at the then par value, than the total amount expended by the United States in the purchase or construction of such vessels, and same may be sold by the Secretary of the Treasury, in his discretion and with the approval of the President, to reimburse the Treasury for expenditures made in the purchase or construction of vessels. Such corporation shall make suitable provision for sinking fund and for the depreciation charges under the rules and regulations to be prescribed by such shipping board.

SEC. 5. That vessels purchased or constructed by such shipping board and conveyed to such corporation as herein provided shall be entitled to registry under the laws of the United States, and shall be deemed vessels of the United States and entitled to the benefits and privileges appertaining to such vessels, except such vessels shall engage only in trade with foreign countries or with the Philippine Islands and the islands of Guam and Tutuila. Such vessels shall be subject to the navigation laws of the United States except as herein provided.

SEC. 6. That, subject to the direction of the President, the Secretary of the Treasury, the Postmaster General, and the Secretary of Commerce are hereby constituted a board to be known as the shipping board, with full power to vote the stock of the United States in such corporation and to do all other things necessary to protect the interests of the United States and to carry out the purposes of this act.

SEC. 7. That, with the approval of the Congress, such shipping board may at any time sell the stock of such corporation owned by the United States.

SEC. 8. That the President of the United States is hereby authorized to charter, lease, or transfer vessels purchased or constructed under the provisions of this act and such naval auxiliaries now belonging to the Naval Establishment of the United States as are suitable for commercial use and which are not required for use in the Navy in time of peace, and vessels now owned and operated by the Panama Railroad Co., to any corporation now or hereafter organized as in this act provided or to any other corporation or corporations now or hereafter organized, upon such terms and conditions as the shipping board, with the approval of the President of the United States, shall prescribe. The vessels purchased or constructed by the United States through the shipping board, with the approval of the President of the United States, shall be of a type, as far as the commercial requirements of the foreign trade of the United States may permit, suitable for use as naval auxiliaries in the Naval Establishment of the United States.

SEC. 9. That the President of the United States shall at any time have the right, upon giving written notice of his intention to the corporation using the vessels under the provisions of this act, to take possession for use as naval auxiliaries in the United States Navy or for other purposes of any vessels used by such corporation at a reasonable price or rental.

SEC. 10. That a detailed statement of all expenditures under this act and of all receipts hereunder shall be submitted to Congress at the beginning of each regular session.

SEC. 11. That for the purpose of carrying out the provisions of this act there is hereby appropriated, out of any money in the Treasury of the United States not otherwise appropriated, the sum of $10,000,000.

SEC. 12. That this act shall take effect from its passage.

The PRESIDENT pro tempore. The bill is in Committee of the Whole and open to amendment. Unless there is objection, the committee amendments will be first considered. The Chair hears no objection.

Mr. ROOT. Mr. President, I do not wish at this time to enter upon a discussion of the merits of this bill, but I do wish to say a very few words regarding the discussion of the bill.

I think it is a bill of vast importance. I have known of no measure laid before the Senate in the past half dozen years which seemed to me weighted with such consequence as is this bill.

There are three major lines of consideration, upon each one of which we must regard this bill as of very great consequence to the people of the country. The first and least is that it proposes to embark the Government of the United States upon a very large expense in a business venture of a kind in which the private enterprise of the United States has uniformly met with loss rather than profit, and it proposes to embark the Government in such a venture practically without limit imposed by the Congress of the United States.

I say that is the least of the reasons why this bill must be regarded as of great importance. A second and more important reason is that it proposes to put the Government of the United States into the foreign trade at a time when that trade neces-

sarily involves frequent, almost constant, questions of critical importance, of great delicacy and difficulty, arising upon the law of nations regarding neutral and belligerent rights. It proposes to put the Government of the United States in a position where her good faith will be questioned, where her violation of the law of nations will be asserted, if any situations arise such as have been detailed to us within a few days by the Senator from Montana [Mr. WALSH]. It proposes to create a condition where it will be no mere question of an individual citizen of the United States undertaking and succeeding or failing in carrying contraband to a belligerent, but where the same state of facts will raise the question of the United States violating its neutrality and taking sides with one belligerent or another.

That is the second reason. The third is that this bill proposes a reversal of the policy which has been followed by this Government from the beginning. It proposes to embark the Government of the United States in a business far more extreme than would be the ownership of railroads, far more extreme as an exercise of governmental authority than would be the ownership of telegraph and telephone lines. It proposes to put the Government of the United States in a position where it will step in and remedy the defects, the shortcomings, the failures of individual enterprise by raising money by taxation from all the people in order to carry on the business that individual enterprise has not carried on; and that, sir, means a complete reversal of the policy of the United States. It means a new departure on a line of Government action more important, more fateful in its results than any act which has ever been passed by this Congress since I, since you, Mr. President [Mr. SMITH of South Carolina in the chair], became a Member of this body. It means a repudiation more signal than has ever yet been made of the principles of the great leader of the party which "has the votes" to put this bill through.

Sir, there has been no discussion here since I have been in this body so imperative in its demands upon the Members of the Senate as the discussion of this bill. There has been no measure going so deep to the basis of our institutions as this bill. It comes here, sir, under circumstances which are repugnant. There was no hearing before the committee of the House on such a measure as we have before us. There was no hearing before the committee of the Senate. The demand for a hearing was refused, and the bill was reported speedily, peremptorily, with but slight opportunity for discussion; and now, sir, the Senator from Missouri [Mr. STONE], in advance, with some show of feeling, which I know was evanescent and which, I trust, does not even now continue, has stigmatized all discussion of this bill on the part of the minority as—what were the words?—"improper and unjustifiable."

The Senator from Florida [Mr. FLETCHER], with that kindliness and fairness which always characterize him, has told us that there was no disposition to interfere with the debate on this bill, but the Senator from Missouri [Mr. STONE] in advance gives notice to the country that the debate on this bill is to be regarded as obstructive, improper, and unjustifiable. I protest against any such spirit dominating this body, whether it be on the part of those who have the votes or not. May the time be far distant when there is so little spirit of independence, so little courage, so little loyalty to the duty of a minority in this body that such a notice in advance is accepted without just resentment.

Mr. President, the discussion of measures in this body does not consist alone in the making of speeches. We discuss measures with but very few Senators here. There are not 20 in the room at this moment. I counted them a few minutes ago, and there were 14. What, then, is the use of discussion? The use is this, that every speech is going to the country, that every hour passed is calling the attention of the country to the measure. The people of the United States begin to consider, begin to read, begin to discuss, and gradually week by week they form their opinions, and their opinions find their way back here. The process of discussion results ultimately in the reaching of conclusions which are conformable to the will and judgment of the people of the United States. That, sir, is why the long, patient, and sometimes tedious discussion of questions in the Senate of the United States is of vast utility, although we would suppose that it was useless from counting the men who are listening to the speeches which are made.

Now, Mr. President, this bill, fraught with such great consequences, must have and shall have the kind of discussion which brings these grave and serious questions before the people of the United States and which enables them to form their judgments upon the subjects which are involved.

Mr. FLETCHER. Mr. President, the Senator from New York [Mr. ROOT], with his well-trained mind and his habit of analyzing and stating propositions in clear and logical order, has pointed out three lines of discussion of this bill. I wish to say to him that we are prepared to pursue those lines, and we believe we shall be able to meet every criticism offered under either the first proposition, that the Government is entering upon a business enterprise without precedent and without justification; the second proposition, that the occasion is such that we run the risk of becoming involved in international complications; and the third proposition, that we propose a reversal of the policy of the Government from the beginning. I think we shall be able to show that none of these objections or criticisms are well founded as to this measure.

Generally speaking, Mr. President, and briefly, upon that phase of the matter the bill provides for the organization of a corporation in the District of Columbia or under the laws of some State of the Union having a capital stock of some $10,000,000, with the power to increase that later if it is determined wise; and that the corporation shall be authorized to enter upon this work and undertaking when 51 per cent of the capital stock is paid up. The bill provides that the Government of the United States, through a shipping board composed of the Secretary of the Treasury, the Secretary of Commerce, and the Postmaster General, shall subscribe to 51 per cent of the capital stock of this corporation; that the remaining 49 per cent shall be offered to the public, and if not taken by the public the Government is authorized and empowered to subscribe and pay for it.

Furthermore, through the shipping board the Secretary of the Treasury is empowered to employ Panama Canal bonds, 3 per cent bonds, running for 50 years, as I recall, and selling now at 99 cents in the open market, practically at par, to the extent of $30,000,000, in the construction, purchase, charter, lease, and so forth, of vessels for this matter of taking care of the commerce of the United States with foreign countries. Then there is authority given for this corporation to issue its bonds, gold bonds, 4 per cent, and sell them to remburse the Treasury for the amount expended out of the sales of the Panama bonds.

That is an outline of the plan whereby a corporation formed in this way with this capital stock is authorized to purchase, acquire, lease, charter, and charter to others, ships for the purpose of carrying our products to foreign markets and bringing the products of other countries to this market.

The corporation is then further empowered to dispose of these ships—to sell them, to lease them, as it may be advised is proper and wise—after they shall have served the primary purpose of opening routes of trade and of accommodating the emergency which is upon the country at this time.

Without going further into the details of the bill, I assure the Senate, in the first place, and the country, that it is not a permanent business undertaking on the part of the Government that is intended here. In the next place, the ships flying the United States flag owned by this corporation, instead of running a greater danger and risk than private vessels would run in the matter of carrying what may be regarded as contraband to foreign countries, the very fact, it seems to me, that they were ships owned by a corporation in which the Government was a majority stockholder; the very fact that the Government would have certain power and control in the management of the cargoes and in the navigation of the vessels, and the very fact that the Government is in a position, therefore, to guarantee that there is no violation of the international law in the business upon which the vessels are to be engaged, ought to solve many of the difficulties which we find confronting us to-day, and ought to relieve the situation of tension and stress which we gather from the press comments, at least, there is some indication of at this time.

Mr. President, it is necessary to get a full understanding of present conditions and realize the emergency that exists now, and, in this connection, for us to review a little some of the historical features and facts leading up to the present and to this measure.

We must realize, of course, that at the present time there is practically no merchant marine in foreign trade under the flag of the United States; that less than 1,400,000 tonnage exists to-day of American merchant vessels engaged in foreign commerce; that we are to-day in the hands of foreign ship-owning interests and absolutely dependent upon competitors in the markets of the world for the carrying of our products to those markets.

Various causes have been given for that situation. Among them as causes asserted for the decadence of American foreign shipping are—

First. The substitution of steam for sails as the motive power of ships and the substitution of iron or steel for wood in their construction. This cause need not have worked to our disadvantage. We were slow to adopt the new methods, but for-

eign countries did not hesitate or delay. While the steel ship costs 30 to 35 per cent more than the wooden ship, it lasts about twice as long, insurance rates are much lower on it and cargo, and it can be built with advantages for loading and discharging, and has other advantages.

Second. The increased cost of shipbuilding, due to increase in cost of materials and labor. This situation did not necessarily operate against us. The steel and iron we have and had when the change occurred in abundance. Our yards were equipped with excellent machinery and appliances. While wages were higher here, this was largely offset by efficiency and other conditions. There was no way to guard against the imposition which our laws allowed our steel makers to practice, such as charging our shipbuilders $32 per ton for steel which they delivered in Belfast at $24 per ton.

Third. The increase in maintenance and running expenses. This item need not have been large. The total wage cost is only about 8 to 18 per cent of the total operating expenses of a vessel. An infinitesimal increase in rates or foregoing a small amount of profit would have covered it.

Our existing registration laws forbid any foreign-built vessel from engaging in our coastwise trade. The remedies suggested have been—

First. Free ships. The Dingley law and subsequent tariff acts relieved of duty all material and supplies entering into ships built in the United States for foreign trade. It did not apply to domestic ships, because of the insistence of protected interests. This has not seemed to have any material effect on our merchant marine. To repeal our registry laws and allow shipowners to buy or build wherever they could do so at least cost the ships needed for our commerce would not solve the difficulty because, it is claimed, foreign ships have lower wages on shipboard and, in some instances, receive bounties. We have changed our laws so as to admit to American register ships purchased by Americans anywhere for foreign service, but it appears that as yet it has brought no ships under our flag. It is claimed, also, our laws requiring that American citizens shall officer ships under our flag adds to cost of operation and deters American register. We have authorized the suspension by the President of that requirement.

Second. Discriminating duties. This leads to commercial conflict, in the first place, and, in the next place, we have such a provision in our tariff law. The trouble is, it clashes with numerous treaties and, again, is now involved in litigation. We can not rely on that remedy at present.

Third. Bounty for construction and subsidy for operation. This has been the principal remedy proposed and upon it the greatest stress has been laid.

Turning casually to the hearings before the Merchant Marine Commission, volume 3, page 1753, Rear Admiral P. F. Harrington is quoted:

> We must first get the ships, and I think when we get the ships and acquire the ship-owning habit, then the matters of shipbuilders' interest and of shipowners' interest will eventually right themselves, so that they will be able to compete with people abroad.

At page 1754 he said:

> My mind rejects the idea of free ships for the reason I stated. My judgment is adverse to the idea of discriminating duties, and there seems to me to be nothing left but a direct payment to shipowners.

At page 1753 he says:

> It seems to come right down to this conclusion. If the country wants a great merchant marine, it must pay for it, very much as other nations do.

Rather inconsistent with the idea of subsidy or bounty is the statement at page 1750:

> Indeed, the subsidized lines have failed of success in competing with lines which were not subsidized, a conspicuous instance of which was the withdrawal of the Roach Line to Brazil.

Then he gives an interesting account of the American line, subsidized both by the United States and Brazil, which failed. The most perfect and successful cargo carriers—the tramp steamers—were never subsidized by any country. Combinations, rebating, and manipulations will overcome subsidies and bounties. It would seem that none of the means for establishing a mercantile marine which have been suggested can be depended upon to work a success. Equally it follows, since all other methods have been exhausted or found not feasible, there is but one thing to do, and that is to have the Government intervene directly as proposed in S. 6856.

THE SITUATION PRIOR TO AUGUST 1, 1914.

Ships flying our flag carried only about 5 per cent of our commerce. Ships flying foreign flags conveyed freight and passengers to and from practically every port of the world to and from our shores. Great combinations of foreign interests worked against any effort in this country to establish over-sea lines. With unexcelled and improving means of transporting our products and goods to the ports, indeed our "control stops with the shore." While "man marks the earth with ruin" across the ocean we are commercially helpless on the seas. Our competitors in trade have for years carried the products of our fields, forests, mines, and factories abroad. They have exercised full sway, fixing the sailings, dictated the routes, farmed out the ports, fixed the rates of freights and passenger tariffs, determined the kind, extent, and quality and cost of accommodations for passengers. They alone have had the final word as to where and when we might send our goods. Their one object has been, primarily, to earn profit for themselves. They have not been concerned with any notion to develop trade for us or open routes for our benefit or for the advantage of those with whom we were interchanging. They have simply regarded their own interests, and we have gone on taking and enjoying what was parceled out to us that might be of advantage to those transporting our products and goods.

Particularly with regard to the commerce between North and South America, the shipping monopoly flying European flags and working for their countries have exercised absolute control.

The testimony of Mr. Sidney Story and Mr. William Lowry before the Committee on the Merchant Marine and Fisheries, under H. R. 587, gives the experience of the Pan American Mail Line, and Mr. J. J. Slechta shows that of the Lloyd Brazilian was similar. Both were forced out of business by the combination of foreign competitors. Agreements governing the traffic to and from South American Republics were regularly entered into, and no independent line could live. (See pp. 154, 164, 165, 166, 170 et seq. of vol. 4 of the report.)

The testimony of shippers and shipping experts clearly shows that a combination existed on the part of foreign shipping interests, having for its purpose the control of America's over-sea commerce, and, in a way, to wring annual tribute from it and to checkmate any efforts made here to expand our trade.

This testimony further showed that there was not a single ship under our flag in the carrying trade between the United States, Brazil, and Argentina, and that all other lines known as American lines—operating ships under foreign flags—had certain routes allotted to them in the trade with the west coast of South and Central America; that these so-called American lines were members of the conference lines, and all dominated by the Foreign Shipping Trust, with headquarters in Europe; that the tariffs or freight rates from United States ports to foreign ports, notably to those of South America, were dictated from Europe and were made so as to secure the bulk of the flow of commerce from South America to Europe and vice versa.

The dividends declared by these foreign lines furnished sufficient denials of the statements that the American lines could not compete with European lines on a legitimate basis. (See Report on Steamship Agreements and Affiliations, etc., vol. 4, pp. 415 to 419, and chap. 6, p. 151 et seq.)

So that not only was our over-sea transportation almost exclusively under foreign flags, but a combination of shipping interests existed, dominated from Europe, which effectually shut out any independent line from the United States.

The United States produces a surplus of the prime necessities of life, which other nations must have or go unclothed and hungry. This means a position of supreme power; a power greater than military or naval power and more lasting, because peace lasts longer than war. But these necessities do not yield to us or serve others as they should, so long as the means of delivering them are in the hands of others and we have no voice on the seas.

We should have our own messengers to send when and where we will over the free and open highways of commerce. We are like a merchant prepared to sell his goods but unable to deliver an article.

The means for carrying our products and manufactures to the market places throughout the world and bringing back to us the commodities we want in exchange, and the drummers over the sea, like the traveling men on land, should be at our command.

We must confess to a humiliating lack of foresight or inexcusable neglect, when we note that upon a foreign trade totaling over $4,200,000,000, over half of which has been in exports, we have permitted shipping trusts and combinations, all under foreign flags, to levy an annual tribute of between $200,000,000 and $300,000,000.

Unquestionably a merchant marine under the American flag is essential to our full commercial development.

Adequate and efficient transportation on the seas under the American flag, owned and controlled exclusively by Americans, it is our business to produce.

We need ships which will deliver our mails direct, and invoices and bills of lading, and do the things which will build up per-

manent trade relations; carry our abundant surplus from fields, forests, and factories to markets; unseal the doors of our shipyards; maintain prosperity within our borders. We must see to it that a war between other countries will not have the effect of paralyzing our industries because we have no means of transporting our products.

Little Holland, with an area of 13,171 square miles, not half as large as Florida, has a mercantile fleet of 400 steamers. As a maritime, financial, and colonial power she takes high rank. So far as I have found, there is no subsidy or bounty for the Netherlands ships.

We should have profited by our experience during the Boer War. That war began in October, 1899. It caused Great Britain to withdraw 250 steamships of an aggregate of 1,000,000 tons from commerce to transport and supply service. The effect was to "cripple opportunities afforded by sending freight to and from America and to raise freights." Our farmers were the worst sufferers, as corn exports were cut off, cotton shipments were reduced—decrease in cereal shipments the following year was 1,750,000 bushels—all because we lacked the ships to deliver the goods. Our total exports of breadstuffs shrunk from $317,879,746 in 1898 to $269,955,771 in 1899 and $250,786,080 in 1900.

The British shipowners withdrew their best vessels to accept profitable Government charters and substituted a few old, cheap craft, but they marked up freight rates 30 per cent, so they made as much out of our diminished commerce as before.

Considering both diminished exports and increased freight rates, the direct and indirect loss to our farmers because of foreign monopoly of a large part of our ocean-carrying business was undoubtedly many million dollars.

An article on the "Development of the American Merchant Marine and American Commerce," Document 141, printed at the request of Senator GALLINGER, January 15, 1906, sounds prophetic in this paragraph after mentioning the experience and effect from the Boer War I have referred to:

WHAT OF A GREATER CONFLICT?

The withdrawal of the trans-Atlantic liners flying British and German flags would mean paralysis to the export trade and a crushing loss to our millions of producers of breadstuffs, cotton, and provisions. Millions of men far inland who had never seen the sea would be demanding of Congress an explanation of why there was no American merchant marine and insisting on an answer.

This article further says:

NO SHIPS TO SOUTH AMERICA.

But it is not only in our trans-Atlantic trade that we are at the mercy of Europe. As President Roosevelt says in his message to the present Congress: "It can not but be a source of regret and uneasiness to us that the lines of communication with our sister Republics of South America should be chiefly under foreign control."

And:

HURTING THE FARMERS MOST.

One accompaniment of the working of this foreign shipping "combine" and these "triangular voyages" is that our American exports to Brazil have fallen from $15,135,000 in 1895 to $10,955,000 in 1904. Congress refused a mail subvention of $200,000 a year and cut off four millions of American commerce. This loss falls most heavily, not on the coast States, but on the agricultural States of the West, for our exports to Brazil were very largely breadstuffs and provisions. We sold to Brazil $2,683,000 worth of flour in 1895 and only $1,785,000 in 1904. American consular and other representatives in Brazil all agree that this shrinkage in the flour trade is due primarily to unfavorable freight rates and an irregular shipping service—to a lack of American ships owned and run in American interests. As Consul General Seegar reports, "A Rio commission house made a profit by shipping flour from New York to Europe and thence to Rio, although the increased difference of travel was over 3,000 miles."

NATIONAL AID MEANS LOWER RATES.

From the days when Congress, under the admonition of President Polk, granted the first mail subventions to American steamers on the route to Europe national aid to shipping has always brought not only improved transportation facilities but lower freight rates. Says Lindsay, the historian of the British merchant marine: "Before the Collins (American trans-Atlantic) Line was established the Cunard steamers were receiving £7 10s. sterling per ton freight, which was so much a monopoly rate that in two years after the Collins Line had commenced the rate of freight fell to £4 sterling per ton."

That this is still the result of State aid to shipping is demonstrated anew by some fresh evidence of especial interest to the farmers of the Western States. In 1901 Canada granted a subsidy of $150,000 for a monthly steamship service from Montreal to South Africa. In 1901 Canada sent only $26,815 worth of goods to Cape Town and Natal. In 1903 Canada sent $2,228,000 worth

AN AMERICAN LINE TO SOUTH AFRICA.

No American steamers run from our ports to South Africa. The trade is in the hands of a foreign shipping monopoly which has lately made a heavy advance in rates. Consul General Washington, who reports "a remarkable growth in the Canadian trade with South Africa since the granting of an annual subsidy by the Canadian Government in 1901," also states significantly:

"A trade report received here from New York dated August 1, 1905, quoted the rates for the next direct steamer from that port to Cape Town as not exceeding $6.70 per ton; to East London and Durban, $7.91; and the September sailing from Montreal at $4.26 for Cape Town and Port Elizabeth, and $4.87 to East London and Durban."

In other words, because of the establishment of a direct subsidized Canadian line freight rates on Canadian breadstuffs, lumber, provisions, etc., from Montreal to South Africa are from $2 to $3 a ton below the rate exacted by foreign steamships on similar American products from New York to South Africa.

I may say that for the fiscal year 1913 the exports from the United States to Latin America amounted to $442,419,973 out of a total of exports $2,465,884,149, 17.94 per cent of total to Latin America, or 6 per cent going to South America. Imports from Latin America to United States, $323,775,885 out of a total of our imports of $1,813,008,234, or 17.86 per cent from Latin America, 12 per cent coming from South America, including Mexico and Central America.

WHAT HAS BEEN OUR SITUATION SINCE PRACTICALLY ALL THE OLD WORLD BECAME INVOLVED IN WAR?

Heeding no warnings, closing our eyes to the inevitable in such a contingency, we have drifted along, wrangled some over ways and means, and did nothing. The consequence, which should have been foreseen and guarded against, has been practically a demoralization of our foreign trade. Our abject and sole dependence on foreign ships has placed us in an impotent and deplorable situation. German and Austrian shipping to the amount of some 5,000,000 tonnage has gone suddenly out of commission. A large number of the merchant ships of England, France, and Russia have ceased to engage in peaceful commerce. There is a ship famine on here. The rates of freight have soared to the prohibition point. Cotton is selling in Germany at 19 cents per pound and in our market at 7 cents, and Germany wants 500,000,000 pounds, and we have fifteen times that for sale, and the belligerent nations themselves are willing we should take this cotton to this customer, and we find ourselves without the means of doing it. Phosphate, turpentine, and rosin, and other products which have found their chief markets abroad are weighing down our docks, but we have no craft to take them to the waiting markets. There have been some lines operating under neutral flags, a small tonnage under our flag, but wholly inadequte for our needs, and we have during the past four months paid in freight rates over and above the normal rates, more money than would be required to purchase 60 ships at $500,000 each. That has been the tax and the burden upon our producers. In the last four months we have actually lost more money than would have been sufficient to have carried out every provision under this bill. Still the rates increase.

A gentleman on board the *New Amsterdam*, which sailed from Rotterdam August 9 for New York, told me he had purchased a cargo of rice or rice meal and loaded it at Hamburg, taking bills of lading and all shipping papers and paying 75 per cent, about $40,000, the remainder to be paid when the goods were delivered in St. Louis.

Just before the vessel was to sail she was notified not to go, and this American citizen came away with a claim in his pocket for some $40,000, which he hopes to get liquidated some of these days. If his property had been in American bottoms, he would have come along with it without interruption. No doubt there are numerous instances of that kind in the ports of other countries as well.

No country, whether at war or not, has jurisdiction over the high seas. No country, belligerent or otherwise, has any right to stop our ships on the open seas engaged in customary commerce and say you shall not proceed. This is not denying, however, the right of belligerents to haul to and even board merchantmen to ascertain whether they carry contraband or not and from whence they come and whither bound, but this should be done in an orderly, decent way, without any unnecessary delay or hardship.

The Creator alone rules the seas, and "to all His creatures they are as free as the air they breathe and must be kept so while man remains on earth." No nation can exercise sovereignty over the oceans and seas, which are the inheritance of all the people of the world. They are the highways of commerce for all nations, all races, and all people.

Exporters under international law have the absolute right to ship their goods to any neutral country, regardless of whether they are contraband or not.

If such goods are declared not to be contraband, they can be shipped to Germany, England, France, Russia, or any warring nation. If contraband goods are shipped from the United States to another neutral country, with a view to further shipment to a belligerent nation, the entire shipment may be regarded as a continuous one and the goods will be subject to seizure. It is otherwise if the goods are really intended for a neutral country.

It is clear that goods of all kinds, steel, meat, and everything, contraband or noncontraband, may be shipped without interference from this country to any neutral country.

Goods not declared to be contraband may be shipped to any warring nation as well as to the neutral countries.

If these shipments are made in ships carrying the flag of the United States, that fact ought, and will, no doubt, be accepted

as a guaranty of faithful observance of these principles in making and throughout the shipment. Cargoes of dyestuffs and chemicals are allowed to come from Germany by way of Rotterdam, and cotton can be taken in return the same way, provided ships under the American flag perform the service. The trade of the nations at war with neutral countries has been seriously impaired. Our trade with those neutral countries ought to greatly increase. The contending nations, with no purpose of that kind, we grant, hit us a severe blow when they swept the seas of their own ships, because they were the carriers on which we hitherto relied. South America, which imports over $900,000,000 in value annually and pays for that with her products, finds many of her markets closed, and, like ourselves, is without the ships to transport her own products or bring to her people the goods they need.

PRIVATE INTERESTS WILL NOT OR CAN NOT SUPPLY THE WANT.

Of the 600,000 tons eligible, only 350,000 tons have come under the American register in response to our call under the act permitting American-owned vessels, wherever built, to take United States register for foreign service. Transportation facilities must be provided, and this whether there is immediate profit or loss on the procuring and employment of those facilities. We must have the means of moving our commerce freely and open new routes for ourselves and those to whom the old channels are closed, and we may feel assured the new channels will remain permanently and become mutually profitable to those using them.

We need the ships—

First, to serve American commerce for the benefit of the whole American people, in order that American farmers, manufacturers, and merchants may send their products and goods over the seas without interference by the demon of war.

Second, to prevent the exorbitant rates, which are approaching the prohibition point in many instances.

Third, to open up new routes, cultivate new markets, and establish our flag over the seas and carry it into every civilized port.

Never again should the United States be found dependent, in a great crisis or otherwise, upon any country or countries for the means of transporting their goods.

Peace or war, it is economic folly to continue permitting—yes, inviting—other countries to dictate the ocean freight rates, the insurance rates, and similar charges, which foreigners have hitherto exacted from our vast foreign commerce. That means putting it in the power of competitors to determine and absorb all profits or advantage from our foreign trade. If there are never to be any more wars by any country anywhere, we still must have a great merchant marine to save ourselves hundreds of millions of ocean freight charges.

We can never hope to be the great commercial Nation we can be if we occupy our present position, where wars among other powers deprive us of their merchant marine, which are the only bottoms we have had to do our carrying for us. Our neutrality is of no avail when other powers at war can not let us have their ships to freight our cargoes across the seas. Our vast foreign commerce in these circumstances is entirely at the mercy of the other powers.

Reviewing the matter somewhat, let me summarize the situation.

When war was declared in Europe England had about 5,000 vessels in the foreign trade, Germany had about 2,000, and the United States had only 6 vessels engaged in trans-Atlantic traffic. These 6 American vessels had a total gross tonnage of 70,362. Two vessels of the German merchant marine—the *Vaterland* and the *Imperator*—exceeded the entire American trans-Atlantic merchant marine by about 25,000 tons. Only one American line operated to South America, to wit, the United States & Brazil Steamship Co., from New York to Brazil. Recognizing the exigencies of the situation, Congress passed an amendment to the navigation laws whereby foreign-built vessels, when owned by American citizens or corporations, could register under the American flag for foreign trade. It was thought that this would bring relief, but it did not.

The President signed the bill on August 18, 1914. On November 14, about 90 days later, the Department of Commerce reports that 101 vessels have registered under the American flag. Their total gross tonnage was 350,000. About 20 of these are sailing vessels, 7 are less than 1,000 tons gross, 10 less than 2,000 tons, 11 less than 3,000, 9 less than 4,000, 18 less than 5,000, 13 less than 6,000, 17 less than 8,000. There are none over 8,000 tons, and few would be classed in size as first-class cargo boats.

It is not intended in any way to disparage the importance of the entry of these vessels to American registration, yet the value of the increase to American commerce should not be overestimated. While they are thrice welcome, they have not brought the necessary relief. The majority of these vessels are merely continuing the work they have heretofore done in handling freight from American ports. Of the 85 vessels admitted, 23 belong to the United Fruit Co.'s fleet, which continue to ply between the United States and Latin-American ports in the fruit trade; 11 are tankers of the Standard Oil Co. carrying that company's products; 10 belong to United States Steel, handling that company's business, or 44 out of the 85 ships, representing over 50 per cent of the total newly registered tonnage, have added nothing to the transportation facilities for American commerce. The value of the exchange from foreign to American flags by these companies should be fully appreciated and their actions commended, yet the conditions surrounding this transfer should be fully understood.

Of the 85 newly registered ships, less than half are engaged in the trans-Atlantic trade. Including the 6 vessels already under American register, the aggregate gross tonnage of all American vessels engaged in the trans-Atlantic trade is less than 200,000 gross tons. It will not represent one-third of the tonnage of many individual corporations of other nations. Of the German merchant marine, the Hamburg-American has 457 vessels, aggregating 1,361,819 gross tons, the Hamburg-South American, 59 vessels of 268,000 gross tons, and the North-German Lloyd, 168 vessels of 811,000 gross tons. Of the English fleet the Royal Mail Steam Packet Co. has over a million gross tons. The British Indian Steam Navigation Co., 142 vessels of 660,000 tons; the Peninsula Oriental Steam Navigation Co., 70 vessels of 546,000 tons; Furniss, Withy & Co., 125 vessels of 440,000 gross tons. Besides there are many other smaller English companies, carrying the total gross tonnage of England's merchant marine into the millions. One French company has a gross tonnage of 390,000 tons—more than all the American trans-Atlantic merchant marine—and one Japanese corporation owns a fleet of 85 vessels of 368,000 gross tons. Any of these individual corporations will exceed in tonnage and equipment the entire American merchant marine engaged in the trans-Atlantic trade, including vessels recently registered.

The United States has annually paid nearly $300,000,000 to foreigners to carry our goods. This is a goodly sum in these days of foreign exchange balances, yet it means more than this when our money can not buy the means for transportation of our goods.

German and Austrian shipping have been driven from the sea; the English and French fleets have been considerably reduced by being pressed into Government service or by destruction. We are dependent upon the English and French vessels, the ships of neutral countries, that come to our shore, and the few American bottoms that are capable of ocean voyages. With the foreign vessels attending first to the needs of their own people and their commerce with other parts of the world, we must content ourselves with what we can get.

A shortage of ships is the consequence. Chartering prices have in some cases increased 400 per cent in 60 days, and to obtain ships flying the American flag is almost impossible at any price.

We therefore face the proposition of doing without a merchant marine or following our previous methods of private development, which has resulted in failure, or obtaining the desired result immediately by Government purchase and ownership. This will mean at least a foundation for an American merchant marine. It does not mean that private capital can not also invest. It has been suggested that private corporations may charter these vessels from the Government at an adequate rate, which would pay sufficient interest and depreciation charges, so as to protect the Government and enable it to yearly add to the fleet through this income.

The idea is not a new one. It is not paternalism. It is a commercial necessity, and will mean much to the future of America's foreign commerce. The value of this plan to the Nation in time of war is incalculable. The Government would have the right to use this merchant fleet as auxiliaries and transports, of which our Navy is much in need. England during the present war has commandeered over twelve hundred merchant vessels out of her fleet of five thousand, and one can readily realize our needs in the event of war with a first-class power, when our entire merchant marine consists of less than a hundred ships.

Independent of any question of the shortage of ships at present; without regard to whether ocean freights are exorbitant or not; even ignoring conditions brought on by or resulting from the war now waging in Europe, the fact is, the consensus of opinion is, and the quite universal conviction is, the United States

needs greatly and, if their interests are considered at all, must have a merchant marine owned, controlled, and operated by this country. This need of ocean carriers under our flag has found expression in the platform pledges of all political parties since 1844. It has been promised the people continuously for over 50 years. The only difference among us has been as to how that should be accomplished. Tonnage taxes, discriminating duties, "free ships," subsidy of mail lines, all have been advocated and all tried.

We find ourselves in greater need and less equipped to-day, comparatively speaking, than at any period in our history. Indeed, at one period we surpassed all other countries in ocean carriers. Private enterprise will not supply the need. Foreign ships handle our foreign commerce. We are solely dependent on them, and without them our rich surplus of agricultural products, manufactures, and goods moving in trade must stop at our wharves. That this is a profitable business, the transporting of our freight and passengers to foreign ports, we have but to refer to the profits, as shown by declared dividends, those lines engaged in it have made. Enough is said when it appears that profit has been sufficient to attract $100,000,000 of American capital invested in those foreign lines, mainly in the International Mercantile Marine Co. When the Merchant Marine Commission in 1904 inquired whether they would bring their ships under the American flag if a "free-ship" law was favored, they replied they would not. The reason given was that under a foreign flag they had an advantage of cheap labor and, in some cases, of subsidies. We will never decrease wages in this country. The standards of our workmen as to wages and treatment in the shipyards, on the ships, or on the docks we will never consent to lower. Neither will we adopt a policy of subsidizing the ships, although that of itself would be unavailing. Consequently, there is no other alternative but for the Government to intervene in such way as proposed in this bill.

Quite apart, even, from considerations of national defense, we owe it to the people of this country, out of reasonable regard for their welfare and for the prosperity of the Nation, to establish our own means of reaching the market places of the world. Otherwise, foreign ships will dominate our commerce, take such toll as they will, form trusts and combinations to suit themselves, give every advantage to our competitors, keep our goods out of markets to which they could profitably go, by raising freight rates, discriminate against us and in favor of our foreign competitors, destroy our trade by wretched service, delays, charges, hindrances, sorry vessels, irregular sailings, incurring losses for shippers, economizing at our expense, having no regard for the interests of our exporters, prompted by the single purpose of making all they can with as little benefit as possible to us, operating in the interest of manufacturers and merchants and producers of Europe, and making it impossible for us to develop and extend our commerce and business relations in quarters most desirable.

Our self-interest, as well as our self-respect, demands that such a situation shall cease. The short-sighted course, neglect, and procrastination of the past must not be perpetuated. American ships are practically unknown in foreign lands. If our products are to continue to leave our shores any great length of time they will have to go with our flag. We have too much at stake in trusting our vast export business to foreign competitors. Every day millions of dollars' worth of our property go into merchantmen which are liable to be sunk by their foes.

Let me quote what Mr. GALLINGER very eloquently said in the Senate January 8, 1906:

FOR BROAD NATIONAL INTERESTS.

The plea of the Merchant Marine Commission, indorsed by the Committee on Commerce of this body, is not primarily for the shipowners or shipbuilders, or even for the seamen of this country, though all of these classes deserve at least as much consideration as is granted by our national laws to any other industrious and patriotic body of American citizens. The need of a large, active, and prosperous merchant fleet is primarily to increase our commerce, next to promote the national defense, and last of all to encourage shipbuilding and navigation. To deny adequate consideration to the merchant marine is to cheat the western or southern farmer of one of the surest hopes of an increased market for the products of his industry. It is to cheat the merchant and manufacturer of an indispensable ally in their fight for trade with their powerful European competitors.

Britain, France, and Germany, all make generous provision by national subvention for conveying not only their mails but their merchandise under their national flags to the distant neutral markets in which they and we are contending for the commercial mastery. Even the smaller powers—Spain, Italy, Austria, Portugal, and last, but not least, Japan—do the same thing. The United States alone leaves its merchants, manufacturers, and farmers at the edge of the ocean to get their goods over seas as best they may—by some accident of trade or the grace of their foreign rivals. If we lag in the world's markets, if we fall behind even in the Philippines, our own possessions, if we see Germany striding ahead of us in the Orient, and all Europe grasping South America by commercial bonds stronger than the Monroe doctrine, the fault is our own, and in our own hands lies the remedy.

I refresh the Senator's recollection by calling his attention to those splendid remarks.

Mr. GALLINGER. Mr. President, I am delighted to have the Senator from Florida quote that part of a speech I made a good many years ago. I have repeated it a good many times since then, and I presume I may repeat it in the future. I have held to that view—that it was a national disgrace that we had not an adequate merchant marine. I have sounded the alarm, as the Senator has quoted to-day from the report of the Merchant Marine Commission, which I had the honor to write. I called attention to the fact that the time might arrive when we would not have any transportation for the products of our farms and our factories—the very condition that exists to-day.

While I differ very materially from the Senator in the view he takes of this question, I am glad to welcome him to the ranks of those of us who have labored in season and out of season to get some legislation that would benefit the American merchant marine, which has been very strenuously opposed by the Senator from Florida and his party.

Mr. SMOOT. Mr. President——

The PRESIDING OFFICER (Mr. SMITH of South Carolina in the chair). Does the Senator from Florida yield to the Senator from Utah?

Mr. FLETCHER. I do.

Mr. SMOOT. I have listened with a great deal of interest to the Senator's statements, among which, as I recollect, was the statement that the American people would not establish an American merchant marine through subsidies. If I was correct in my understanding of what the Senator said, I should like to ask him upon what he bases that statement. Is it based upon the action of Congress in the past or is that simply the Senator's opinion as to what the American people really want?

Mr. FLETCHER. Mr. President, I want to say, first, to the Senator from New Hampshire that I trust the day is now dawning when he can realize what he has hoped for lo these many years.

Mr. GALLINGER. It is a vain hope under this bill.

Mr. FLETCHER. In answer to the inquiry of the Senator from Utah, I will say that I base that statement upon our experience in the past and upon whatever pronouncement the people of this country have been able to make upon the subject, and at least in view of the fact that they have been unwilling for all these years to adopt any such policy as the granting of a subsidy.

Mr. SMOOT. Mr. President, for the last half hour I have been pinching myself to find out whether or not I was really asleep and dreaming. As I have listened to the Senator making his statements to-day, I have been wondering where I had heard them before. It seemed to me that I was back again in the year 1911 and that the Senator from New Hampshire had crossed to the other side of the Chamber and was speaking in the voice of the Senator from Florida.

I fully agree with all that the Senator has said of the necessity of an American merchant marine. I believe in a merchant marine, but I do not believe it will ever be established successfully as provided in this bill. If one is established, I say now that it will cost the American people three or four or five times as much as to pay a direct subsidy to the ships that would be owned by private parties.

Mr. GALLINGER. Mr. President——

The PRESIDING OFFICER. Does the Senator from Florida yield to the Senator from New Hampshire?

Mr. FLETCHER. I yield.

Mr. GALLINGER. If the Senator will permit me, I am not going to discuss the question of subsidies to-day; but I have been puzzled all through the years that have intervened since this question was up to be able to satisfy myself as to what a subsidy really is.

Under the statute that will be found now on the books, the ocean mail act of 1891, we are paying to American vessels something over a million dollars a year for the transportation of the mails. I have endeavored to get that amount slightly increased; and had it been slightly increased we would have had vessels in the over-seas trade to-day sufficient to take care of our commerce.

Mr. McAdoo, in a hearing before the House committee to which I shall call attention later on—because it does not amount to anything except that Mr. McAdoo occupied the time—admits that under this bill there will be a large loss to the people of the United States. He frankly says so. He is not sure, he says, that all the lines will be unremunerative, but he knows that most of them will be unremunerative. Now, we

are going to tax the American people for the difference. It is a subsidy, just as much as it would be if we took the money out of the Treasury and established ocean mail lines by aiding private parties in conducting them. I can not for the life of me see the difference between them.

Mr. FLETCHER. In one case, Mr. President, you are simply taxing the American people for the benefit of a few people engaged in a particular business or enterprise. In the other case you are taxing the American people for all the people and all the business of the country—in other words, for themselves.

The question of subsidies is quite a large one and has been extensively discussed in the past. I might mention in that connection, however, that we are now paying $735,000 a year to one trans-Atlantic line for carrying our mails. We have paid subsidies to a Brazil line. Our experience in that connection has not been encouraging as far as building up a mercantile marine is concerned. We have generously contributed in that direction in the past. As the Senator has said, the act of 1891 provides for this enormous outlay for carrying the mails, far in excess of the actual cost, and it gives the preference to the American vessels over foreign vessels as to all second-class matter and third-class matter. Notwithstanding all we have paid out in that connection, however, we have not approached a solution of the problem of providing ships for doing our foreign trade, and I can see no hope that we can ever attain the object in that way. My claim is that for 50 years we have been unable to enlist sufficient interest on the part of private individuals so that they might build up a merchant marine in the foreign trade, although we have given them all these advantages, and even subsidies, in the past; we have discriminated in favor of them in our laws, particularly with reference to the carrying of mail; and yet we are no further advanced in that direction than we were 50 years ago.

Mr. GALLINGER. Mr. President——

The PRESIDING OFFICER. Does the Senator from Florida further yield to the Senator from New Hampshire?

Mr. FLETCHER. I yield.

Mr. GALLINGER. I wish only to put in the RECORD at this point the fact that notwithstanding the subventions, as I call them, we are giving under the ocean mail act of 1891, the Government has an annual profit of over $2,000,000 in the transportation of our mails; and heretofore I have argued that that profit might well be used to further strengthen our American lines and to give us an over-seas commerce.

Mr. FLETCHER. In this connection it is fair also to say that out of the nearly $3,000,000 we are now paying for carrying foreign mails more than one-half of it goes to foreign vessels.

Mr. GALLINGER. Certainly; that is very true.

Mr. FLETCHER. The American vessels are not carrying half of the mails, in spite of the inducements we have offered.

Tonnage of the sailing and steam vessels of the merchant marine of the United States employed in foreign trade in 1887 was, gross tons, 989,412; in 1913, gross tons, 1,019,165, an increase of only 29,753 tons in 26 years, while our foreign commerce has increased by the hundred millions.

TRANSPORTS AND AUXILIARIES.

There is another phase of this question which brings to notice a very important factor to be seriously considered.

Independent of the commercial aspect, we must be impressed with the wisdom of a step like this now proposed for the purpose of providing, reasonably and economically, necessary means of national defense.

The General Board, Navy Department, by Admiral George Dewey, president of the General Board, made a report to the Secretary of the Navy, November 23, 1905, on the subject of "Mail steamships as naval auxiliaries." The General Staff, by Smith S. Leach, lieutenant colonel, General Staff, special committee, made a report to the Secretary of War, William H. Taft, December 22, 1905, on the subject of "The Army's need of merchant steamships as transports in war." These reports appear in Senate Document No. 225, Sixtieth Congress, first session.

So far as I am advised the desirability, if not the public necessity, of providing for the naval auxiliaries and the Army transports pointed out in these reports exists to-day in even fuller measure than when the reports were made.

We may feel like making that provision in a different way from that suggested then, if any specific method may be regarded as favored then, but surely there is no less demand for its being done.

OCEAN MAIL SERVICE.

About one-half the cost of our ocean mail service, amounting to $3,565,328.89 annually, we pay to foreign ships. To some important countries no American ship ever goes. We are dependent entirely upon foreign ships for our mail, freight, and passenger communications with Brazil and Argentina, two great countries, whose friendly relations we enjoy and with whom we could just as well as not have valuable and extensive commercial relations many times greater than we now have. The exception is the one American line from New York to Brazil.

The same is true with other Republics of South America.

Likewise, from our Atlantic seaboard to the Orient we have no ship carrying mails or freight while foreign ship combines control the traffic entirely.

The fast-mail carriers constitute powerful agencies for trade and valuable factors, especially for the country whose flag they fly.

It is highly important that we extend and improve our ocean mail service, which we can only do by increasing facilities. Notwithstanding we pay $4 per mile to the European line, under American register, and the preference rates under the law whereby steamers of United States register not under contract receive 80 cents per pound for letters and post cards and 8 cents per pound for other articles, while steamers of foreign register and all sailing vessels receive about 35 cents per pound for letters and post cards and about 4½ cents per pound for other articles, "comparatively few American steamers are available for the dispatch of the mails, and the bulk of the service is performed by foreign steamers."

It is undisputed that American ships in foreign trade are wholly insufficient and inadequate. It ought to be conceded that it is most desirable and important that we increase the number of American merchantmen and train our citizens as officers and seamen to officer and man such ships. We are not willing to attempt this by giving public moneys for the support and maintenance of any private enterprise, even if that would be helpful in accomplishing the restoration of our prestige upon the seas. The grant of a subsidy to some special interest would be a discriminatory invasion of the Treasury the country would strongly disapprove, no matter if it resulted in more American ships, and properly so, on principle. It is admitted that it would be a great consummation to open up mail routes and give a better mail service to certain foreign countries. No one questions that reasonable foresight would dictate more ample provision for Army transports and Navy auxiliaries.

If these things be true, then it is simply a question of how to attain these desirable and, I venture to say, pressing ends.

It is fundamentally wrong and unjust to use the money of all the people in order that a few engaged in a particular business may get more profit.

The remedy, therefore, does not lie in granting subsidies, "subvention," nor "mail pay," nor "free ships," nor yet in "discriminating duties."

We now have laws providing for "free ships" and "discriminating duties," but they have brought but little addition to our foreign shipping facilities and clearly will not suffice to solve the problem, as we have seen.

The occasion has arisen when we are obliged to resort to other means. Circumstances not of our making at all have brought us face to face with the necessity of providing those means.

No country can prosper by living entirely to and within itself. In these days when cables steal out from our shores to the ports of all civilized countries; when communication can be flashed through the air like lightning a distance of 8,000 miles; when even not an unusual financial disturbance in one part of the world will have its effects here; when an earthquake or other disaster across the ocean is known around the world in a few hours; when, for instance, Dewey's achievement in Manila on Sunday morning was known in Washington the Saturday night before; when our surplus of farm produce and of mine and factory is in demand by other peoples, our neighbors, and it is in our power to take them from places where they are comparatively worthless to places where they have much value, we should exercise that power to our present advantage and for our future increasing benefit.

In doing that we bring to our people the things they want, to the advantage of those with whom we make exchange and to our own service; we broaden and widen our friendship by better acquaintance and clearer understandings; at the same time we help to shed the light of civilization and promote mightily the good of humanity.

We have the right and the power to purchase, build, lease, charter, and acquire the ships required to accomplish those ends. We may operate the ships or charter them to others, as may be determined to be best, under such conditions as will protect our people against excessive charges and prevent combines.

We owe it to ourselves to see that our own agents go to all countries wanting our goods, who will serve our interests rather than the interests of our competitors into whose hands we have hitherto intrusted our exports. The time has arrived for positive, definite, energetic action by the Government itself on behalf of all the people. This action should be prompt and effectual. The situation brooks of no delay. From all portions of the country and from all classes of our people the call is for immediate action by the Government. From every industry and every enterprise the call comes. From every individual who desires the prosperity of the country and the welfare of its citizens, the call is made. I believe there is patriotism enough, wisdom sufficient, and statesmanship ample to answer that call.

Mr. President, I desire, without reading, to attach to and make a part of my remarks a few letters and clippings which I have received.

The PRESIDENT pro tempore. Unless there is objection, permission will be granted. The Chair hears none.

The matter referred to is as follows:

[Chamber of Commerce, successor to Pensacola Commercial Association.]

PENSACOLA, FLA., *December 19, 1914.*

Senator D. U. FLETCHER, *Washington, D. C.*

DEAR SENATOR: Last night I talked with the president of the Pensacola Tar & Turpentine Co., a corporation which produces turpentine, tar, pitch, and various by-products. "We have several thousand barrels of tar on our yards," he said. "We can sell every barrel at a good price in England and on the Continent. The ship brokers will offer us no space, and promise us none definitely. The last turpentine we shipped cost $4 a barrel to deliver in England. This is 8 cents a gallon, four times the normal rate. For the last tar shipped to England we paid $1.50 a barrel freight, deck load, and took our own risk, as the insurance asked was about 15 per cent. We know by heart now the cable-code words that mean 'Can not quote,' 'Unable to get ships.'"

The freight situation has almost killed the export lumber and timber business to England and Europe, the principal markets. The merchants have inquiries and could get business if they could get bottoms to carry it. If they are lucky enough to get a ship, they must pay double or triple freight and 1½ to 2 per cent extra war-risk insurance. They must prepay the freight also.

Ships can be had for cotton and grain, but at three and four times the normal rate. A ship broker told me yesterday he was asked $3.25 a hundredweight freight to Germany. Rates are, by far, the highest known in the experience of ship brokers here.

The remedy for this situation is more neutral ships. Two conditions are the cause of our present European ocean-freight ills:

Decrease in number of vessels available—estimated at 30 to 40 per cent.

Uncertainty as to maintenance of the present supply, which may be reduced by destruction of vessels or their withdrawal from the uses of commerce for war purposes.

More ships would help remedy the first condition; neutral ships the second.

Very truly, yours, C. E. DOBSON, *President.*

NORTH AND SOUTH AMERICAN TRADING CO.,
Louisville, Ky., December 16, 1914.

Hon. DUNCAN U. FLETCHER,
United States Senate, Washington, D. C.

MY DEAR SENATOR: My not replying before this day to your esteemed letter of the 27th of November is due to my absence from Louisville.

I wish to thank you for the pamphlets which you have also sent me.

If you refer to the printed testimony given before the Merchant Marine Committee in the investigation of the foreign ship trust, you will find much information.

I appeared before said committee on January 7, 1913. Mr. Lowry, of the Pan American Mail—the New Orleans line—also testified at some length, giving much valuable information along practical and technical lines.

The sworn testimony of shippers and shipping experts before the Alexander committee indisputably proves that a conspiracy existed on the part of foreign shipping combinations to control America's over-sea commerce, so as to wring annual tribute from it and to checkmate the too ambitious efforts of the United States in expanding her foreign commerce.

The hearings before the committee show that there existed not a single American ship under the Stars and Stripes in the carrying trade between the United States, Brazil, and Argentina, and that all other lines known as American lines—operating ships under foreign flags—had certain routes allotted to them in the trade with the west coast of South and Central America.

These so-called American lines were members of the so-called conference lines, and all dominated by the foreign shipping trust, whose headquarters were London and Germany.

The investigation showed that the tariffs or freight rates from United States ports to foreign marts, notably to those of South America, were dictated from Europe, and were made so as to conserve the bulk of the flow of commerce from South America to Europe and vice versa.

The dividends declared by these foreign lines are sufficient denials of the statements that the American lines can't compete with European lines on a legitimate basis.

All that American lines need is protection against rebating and combinations or monopolies aimed at driving independent American lines off the seas.

To expand our commerce legitimately and to maintain and protect it, we need American lines under the American flag, operated by Americans, and protected by America.

I am inclosing copies of letters which treat of this subject, which I think point out the disadvantages under which our Nation labors and suggest the things we must do to emancipate ourselves from English and European economic domination.

I note that foreign sinister influences are still at work trying to obstruct and defeat the measures now before Congress that would aid in the upbuilding of our merchant shipping. The fact that America might again resume her former place among the nations as a maritime power and carry her own trade is of greater concern to the nations of Europe—England, especially—than the present European struggle.

Europe's war might be over in a year or two and these European nations will then turn loose their shipping to resume the ocean trade routes and reconquer the markets that they temporarily lost, but an American merchant marine would be an obstacle to their ambitions.

Hoping to have the honor of again hearing from you, I beg to remain,

Very respectfully,

SIDNEY STORY.

[From the New York Press, December 19, 1914.]

OUR SHIPPING FOLLY.

On how slender a thread hangs to-day the foreign commerce of this country, though we are at peace with all the world, though we are abundantly supplied with surplus products that all the peoples of the earth, those at peace and those at war, need and ask for, may be appreciated by anybody who reflects upon the possibilities suggested by the raid of the flying squadron of German cruisers against the Yorkshire coast.

Not that anything like that could imperil the safety of, or even do more than negligible damage to, Great Britain. Not that such a thing could hasten or retard the end of the war in favor of one side or the other.

It is not that the German cruisers came flying out against the Yorkshire coast, but that they came out with all the seas before them.

We are doing a vast export business. For the most part our many cargoes of products are going out in English bottoms. Almost between the rising and the setting of the sun of every day we are selling abroad by the tens of millions, and we are making profits by the millions. And almost all of this depends upon the British merchantmen that are free to carry our cargoes over all the waters of the earth so long as German battleships, cruisers, and commerce destroyers are not ranging those waters in fleets, as the solitary *Emden* ranged in the East to the terror of merchant shipping, and as the *Karlsruhe* has similarly ranged in the South Atlantic waters of the West.

A score of *Emdens* scattered over the seas might all be doomed to be run down sooner or later, but in the meanwhile they might very well sweep the oceans clear of the British merchant marine, as England's war fleet have swept the oceans clear of Germany's merchant marine.

And that would be the end of our foreign commerce. We should have the wheat, the corn, the cotton, the thousand and one supplies now going out every day in heavily freighted ships; the peoples of the world, neutrals and belligerents, would be begging for our neutral products, but we could not ship them, for, though a neutral nation, we should lack neutral ships.

Neutral commerce is helpless to transport itself in anything but neutral ships if sea powers at war against each other can both maintain fleets on the high seas.

We ought to have our own neutral ships, just as we have our own neutral articles of commerce, and then all the fleets of commerce of all the belligerents might vanish off the seas, and we could trade with no hindrance. Not only could we sail our commerce into the ports of neutrals, but when there was no contraband goods in the cargoes we could sail them past the forts and under the guns into all the ports of all the powers at war.

And we, aiming to be the greatest trading Nation on earth, to all intents and purposes, haven't a ship. This is an economic folly, a national shame.

[From the New York Press, December 19, 1914.]

FARMERS LOSE THROUGH DISCRIMINATION BY BIG STEAMSHIP INTERESTS—FAILURE OF GOVERNMENT TO ENCOURAGE MERCHANT MARINE FACTOR AGAINST EXPORTERS, SAYS W. N. WHITE.

American farmers and exporters are losing millions of dollars as a direct result of discrimination against this country by steamship interests. That, in substance, is the assertion made to Congress and other branches and departments of the Government by W. N. White, of W. N. White & Co., of this city. Discrimination is made possible by the failure of the United States Government to encourage the American merchant marine.

"This year's crop of apples should realize for the growers about $250,000,000," White estimates. "It will not pay them $50,000,000, and unless something is done soon 650,000 acres of orchards in the far West will be put out of business.

"Thousands of growers who set out from 10 to 20 acre orchards of apples, believing that would enable them and their families to have a competency for life, will be ruined, and not only lose their savings but their homes as well.

"Similar losses will be suffered by growers of other fruits."

Discrimination, White says, takes the form of high ocean freight rates. Comparisons of rates were submitted to the Committee on the Merchant Marine and Fisheries of the House of Representatives.

EXTORTIONATE RATES.

The chairman of that committee, JOSHUA W. ALEXANDER, refers to the ocean freight rates now being charged to ports in Europe as "extortionate."

"If you wish to ship oranges to Europe," White explains, "the ocean freight rate is 50 cents a box. The same sized box of oranges can be shipped from Jaffa, by way of Alexandria, Egypt, to Liverpool for 42 cents. That voyage ordinarily requires 23 days. The rate from Spain to Liverpool is only 18 cents a box.

"The rate for apples to Norway and Sweden—a trip of about 12 days—is $1.50 and $2 a barrel. To South America—a trip of 23 days—the rate is $4.25 a barrel.

"It costs $1.10 a box to send apples from New York to South America, the time required being from 21 to 25 days. On the other hand, freight charges on box apples from Tasmania to England—time in transit, 42 days—is 66 cents, and the same rate is charged from Australia to England—time, 35 days.

"The reason those rates are so much cheaper than ours is they have plenty of ships.

"The Furness Line, from Montreal to South Africa—35 days' run—charges 72 cents a box and $2.38 a barrel. Those vessels are subsidized by the Canadian Government. There are no steamships direct from the United States to South Africa. The American must ship first to England and then transship to South Africa, which costs more than double the freight charged from Montreal."

From these and other illustrations White concludes that this country can not hope to extend its commerce properly without the aid of a large American merchant marine.

SURPLUS FOR EUROPE.

"Plenty of people in America say we will send our surplus to Europe. 'They must have it.' They might take the surplus if the rate of freight were the same as charged from other ports, and the freight would be the same were it not for the steamship combination.

"The steamship agents here say the freight rates are fixed in Europe, but that is a subterfuge. It is a well-known fact that the agents for various companies meet in the Produce Exchange in New York between the hours of 1 and 3 p. m. and there compare their offerings and bookings made for steamers a week in advance. If their ships are well laden, no reductions in freight rates are made, and if they have demands for more space than they can supply they increase the rates."

Millions of dollars of products are being wasted to-day because of inability of farmers to reach foreign markets. In Florida, for instance, many owners of orchards are permitting the fruits to rot on the trees because they can see no profit in trying to sell them.

White says there are 8,000,000 boxes of oranges in Florida and almost 18,000,000 boxes in California. When the season commenced recently Florida oranges were selling at an average of $1.50 a box gross. From that must be deducted 56 cents freight, 15 cents for the box, 13 cents for paper and packing, and about 13 cents more for cost of picking and hauling to the warehouse.

"After Christmas plenty of oranges will be sold for freight and expenses alone."

With adequate shipping facilities and consequent lower ocean freight rates the surplus fruit could be shipped profitably to European, South African, and South American markets.

CHANCE FOR ONIONS.

"This year there is a large crop of onions in the United States," says White, "and with reasonable freight rates quite a quantity could be exported to England and Scotland. The first shipments that were sent paid 30 shillings a ton freight. Now the rate is 40 shillings.

"Every year quantities of onions are shipped here from Egypt on through bills of lading, and the freight charge on these shipments is only 30 shillings a ton. The time of passage from Egypt to Liverpool is 16 days, and from Liverpool to New York 10 days, which includes the time consumed in unloading and reloading on the Liverpool piers.

"The rate from Liverpool to New York is 20 shillings, but to ship the same goods from New York to Liverpool the charge is 40 shillings. The consequence of this unjust rate is that onions must be sacrificed.

"I can not think that the Ship Trust owns America. To fail to encourage an American merchant marine is to encourage the Ship Trust. If the Canadian Government can afford subsidies at the rate of more than $2,000,000 in a year in order to protect its farmers, surely the United States should increase its shipping facilities by subsidies or in some other way. Otherwise, thousands of acres of land will cease to be cultivated."

—

[From the Washington Times, December 26, 1914.]

HIGH SHIPPING RATES.

The first cargo of cotton to leave an American port direct for Germany since the war opened put out from Galveston yesterday, consisting of 6,500 bales, going to Bremen. Under the agreement reached a few weeks ago it will go without opposition or blockade right into its port through the British fleet, for cotton is not contraband when carried in neutral bottoms.

Entirely aside from the importance of resuming the export of cotton to Germany interest attaches to this shipment because of the freight rate on it. The owners of the cotton will pay, despite that it is not a war risk, $3 per 100 pounds, whereas a year ago the charge would have been just about 10 per cent of that rate.

The reason is said to be the scarcity of shipping to handle the business of the world. The German merchant marine has been driven off the seas, and it was highly important as a transportation factor. Many ships have been captured and destroyed. Probably a very much larger number yet have been commandeered for service as transports, auxiliaries of all kinds, colliers, and the like.

Yet all this can hardly justify such a huge advance in ocean freights as is being demanded. Back of all the war-time conditions there is the fact that absolutely no stability governs ocean carriage charges. Rates run all the way from zero—the carriage of heavy cargo free in order to get its use as ballast—to figures which even in normal times are often excessive. The whole subject has been the theme of numerous complaints and is now under investigation by the Treasury Department. David Lubin, American delegate to the International Institute of Agriculture at Rome, made a detailed and most impressive statement of these conditions to a congressional committee a few months ago. The Senate has called for information from the administrative departments of the Government, and it appears there is hope for some effective measures to better conditions.

The measures are needed. Whether or no, the Government will find itself landed right in the business of building or buying ships, and perhaps operating them on Government account for commercial purposes, unless some measure of order can be brought out of the chaos of water-transportation conditions.

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POST OFFICE DEPARTMENT,
SECOND ASSISTANT POSTMASTER GENERAL,
Washington, December 22, 1914.

Hon. DUNCAN U. FLETCHER,
United States Senate.

MY DEAR SIR: In reply to your letter of the 21st instant, you are informed as follows:

The reason why more is paid to foreign steamers than to American steamers for the conveyance of the mails is that comparatively few American steamers are available for the dispatch of the mails, and that the bulk of the service is performed by foreign steamers. For instance, during the fiscal year ended June 30, 1914, 979,002 pounds of letters and post cards and 7,827,593 pounds of other articles were dispatched by American steamers, and 2,554,066 pounds of letters and post cards and 14,014,849 pounds of other articles were dispatched by foreign steamers.

The only steamship lines under formal contract with the department for the conveyance of mails to foreign countries are those operating under the act of March 3, 1891. These lines are paid on the basis of the distance traveled on the outward trips, and are as follows: Red D Line, from New York to Venezuela via Porto Rico and Curacao, once every two weeks in vessels of the third class, compensation $1 a mile. Red D Line, from New York to Venezuela via Porto Rico and Curacao, once every two weeks in vessels of the fourth class, compensation 66⅔ cents a mile. New York & Cuba Mail Steamship Co., from New York to Vera Cruz, Mexico, via Havana and Progreso, once a week in vessels of the third class, compensation $1 a mile. The International Mercantile Marine Co., from New York to Southampton via Plymouth and Cherbourg, once a week in vessels of the first class, compensation $4 a mile. Oceanic Steamship Co., from San Francisco to Sydney, Australia, via Honolulu and Pago Pago, once every four weeks in vessels of the second class, compensation $2 a mile.

Steamers other than those operating under the act of 1891 are compensated on the basis of the actual weights of the mails conveyed, the rates at present allowed being 80 cents a pound for letters and post cards and 8 cents a pound for other articles to steamers of American register, and 4 francs a kilogram (about 35 cents a pound) for letters and post cards and 50 centimes a kilogram (about 4½ cents a pound) for other articles to steamers of foreign register.

The tables on pages 103 to 106, inclusive, of the report of this office for the fiscal year ended June 30, 1914, show in detail the name of each line used for the conveyance of the mails for that year, the weight of the mails conveyed by each line, and the amount of the compensation paid to each line. Said tables indicate also whether the steamers of each line are of American or foreign register.

Yours, very truly,

JOSEPH STEWART,
Second Assistant Postmaster General.

—

POST OFFICE DEPARTMENT,
SECOND ASSISTANT POSTMASTER GENERAL,
Washington, December 18, 1914.

Hon. DUNCAN U. FLETCHER,
United States Senate.

MY DEAR SIR: Referring to your request by telephone to be furnished with the amounts paid to American steamers and foreign steamers, respectively, for the conveyance of United States mails to foreign countries for each fiscal year from 1909 to 1914, inclusive, I have the honor to furnish below a statement in confirmation of the data furnished to you by the superintendent of foreign mails early this afternoon by telephone.

Amount paid.

	American steamers.	Foreign steamers.
Fiscal year ended June 30—		
1909	$1,384,996.18	$919,075.62
1910	1,359,513.21	1,015,696.44
1911	1,321,418.81	1,140,455.46
1912	1,289,787.70	1,295,231.49
1913	1,453,212.18	1,325,344.21
1914	1,409,483.77	1,429,434.25

Yours, very truly,

JOSEPH STEWART,
Second Assistant Postmaster General.

—

DEPARTMENT OF COMMERCE,
OFFICE OF THE SECRETARY,
Washington, December 29, 1914.

Hon. DUNCAN U. FLETCHER,
United States Senate, Washington, D. C.

MY DEAR SENATOR: Replying to your letter of the 26th instant, quoting a statement in Senate Document 425, Sixty-first Congress, second session, and your inquiries based on that document, I call your attention to the following facts:

1. From 1893 until September, 1913, no American steamships were running regularly between ports of the United States and Brazil, but about September, 1913, the United States & Brazil Steamship Line was organized, making use of ships of the American-Hawaiian Steamship Co., with sailings of about once a month or once in three weeks from New York to Rio de Janeiro and other Brazilian ports. I inclose an advertisement of the line from the New York Journal of Commerce of December 28. Since the passage of the ship registry act of August 18, 1914, a number of steamers have taken out American registers for South American trade, principally ships owned by the United States Steel Products Co.

2. From 1893 up to date, so far as I am aware, there has been no regular American steamship service to Argentina.

3. The American people have been dependent on foreign steamships for their mail, freight, and passenger communications with Brazil and Argentina. This condition continued from 1893 to date, except as indicated above.

4. The following steamers ply regularly between our Pacific seaboard and the Orient:

	Gross tons.
Minnesota	20,718
Manchuria	13,639
Mongolia	13,639
Siberia	11,284
Korea	11,276
China	5,060

(NOTE.—Army transports, of course, do a considerable Government business between Pacific coast ports and Honolulu and the Philippines.)

5. I know of no American steamships plying regularly between our Atlantic seaboard and the Orient.

Very truly, yours,

WILLIAM C. REDFIELD, *Secretary.*

—

DEPARTMENT OF COMMERCE,
OFFICE OF THE SECRETARY,
Washington, December 30, 1914.

Hon. DUNCAN U. FLETCHER,
United States Senate, Washington, D. C.

MY DEAR SENATOR: In compliance with your request of December 21, I take pleasure in inclosing herewith a statement showing the exports of the principal articles from the United States to Brazil during the last three fiscal years ending June 30, 1912 to 1914, inclusive.

Very truly, yours,

WILLIAM C. REDFIELD, *Secretary.*

Exports of the principal articles from the United States to Brazil during the last three fiscal years ending June 30, 1912 to 1914, inclusive.

Articles.	Quantities.		Values.		1914	
	1912	1913	1912	1913	Quantities.	Values.
Domestic exports:						
Agricultural implements, and parts of			$426,124	$324,823		$231,698
Blacking			31,464	38,502		25,235
Breadstuffs—						
Wheat flour ..barrels..	625,399	583,418	3,277,981	3,105,239	748,612	3,752,105
All other			75,916	48,161		34,333
Cars, carriages, other vehicles, and parts of—						
Automobiles ..number..	554	1,023	662,883	1,110,320	312	285,441
Cars, passenger and freight			1,243,293	3,754,065		793,604
Cycles and motor cycles, and parts of			17,596	32,191		26,092
All other			135,596	339,579		225,745
Chemicals, drugs, dyes, and medicines—						
Medicines, patent or proprietary			387,554	404,344		248,617
All other			251,949	184,633		141,510
Clocks and watches, and parts of			124,611	120,025		66,015
Coal—bituminous ..tons..	307,125	234,368	1,025,646	727,341	239,082	766,824
Copper, manufactures of			405,223	410,784		133,110
Cotton, manufactures of—						
Cloths—						
Bleached and unbleached ..yards..	384,799	307,559	50,981	54,747	162,132	35,849
Colored ..yards..	889,195	828,183	66,844	65,300	404,904	36,556
All other			190,887	266,321		156,857
Dental goods			159,815	228,422		174,550
Electrical machinery, appliances, and instruments			3,252,666	3,040,465		2,204,753
Explosives—						
Cartridges			371,771	477,349		287,600
All other			30,523	10,019		18,561
Fibers, vegetable, and textile grasses, manufactures of—						
Twine			54,959	82,440		60,634
All other			31,520	36,091		32,923
Fish—						
Salmon, canned ..pounds..	151,717	219,492	17,348	22,820	80,129	7,211
Shellfish			72,060	91,943		43,762
All other			73,958	129,715		54,308
Fruits and nuts			163,990	163,134		348,360
Glass and glassware			93,317	93,591		70,492
Gold and silver, manufactures of, including jewelry			57,561	41,487		26,634
India rubber, manufactures of			199,239	251,260		119,272
Instruments and apparatus for scientific purposes			103,661	111,385		57,057
Iron and steel, and manufactures of—						
Builders' hardware			247,553	236,427		173,808
Cutlery			98,798	108,309		85,329
Firearms			515,323	587,933		362,647
Machinery, machines, and parts of—						
Cash registers ..number..	1,246	2,627	188,574	364,644	1,153	150,267
Engines, and parts of—						
Locomotives ..number..	92	211	1,251,824	2,317,853	66	637,528
All other, and parts of			440,490	523,949		344,019
Metal-working machinery			331,422	346,187		115,974
Mining machinery			236,128	285,119		111,693
Printing presses			17,607	100,186		38,201
Sewing machines			1,011,264	1,677,141		1,611,510
Typewriting machines			312,638	351,640		125,598
Woodworking machinery			116,761	120,896		34,120
All other machinery, and parts of			1,205,027	1,444,026		1,100,157
Nails and spikes ..lbs..	2,762,550	2,257,350	65,852	58,492	1,330,278	38,158
Pipes and fittings ..lbs..	8,229,676	9,637,859	243,374	374,455	4,239,556	144,135
Rails for railways, of steel ..tons..	40,730	31,629	1,187,462	1,031,884	45,367	1,529,309
Tools, n. e. s			620,361	938,001		541,005
Structural iron and steel ..tons..	3,958	9,610	246,763	467,922	2,780	163,641
Wire ..lbs..	32,824,320	37,095,991	825,264	902,327	28,375,955	648,160
All other iron and steel			1,729,350	1,564,633		1,033,105
Lamps, chandeliers, etc. (except electric)			73,873	59,500		43,107
Leather and tanned skins, and manufactures of—						
Leather and tanned skins—						
Upper			483,336	651,024		357,943
All other			99,744	246,249		186,218
Manufactures of—						
Boots and shoes ..pairs..	85,342	160,267	234,817	485,608	143,497	451,628
All other			27,647	22,888		12,207
Meat and dairy products—						
Bacon ..lbs..	958,879	1,150,561	122,995	169,128	870,390	130,502
Pork, pickled ..lbs..	168,415	3,489	16,635	482		
Lard ..lbs..	691,349	603,537	73,854	79,837	651,963	86,377
Butter ..lbs..	598	241	120	47		
All other			44,451	33,210		12,491
Naval stores—						
Rosin ..barrels..	176,964	180,701	1,165,873	1,212,539	97,658	673,687
Turpentine, spirits of ..gallons..	334,240	356,652	188,503	176,324	301,912	154,288
Oils—						
Animal—						
Lard ..gallons..	3,411	2,610	2,882	2,376	2,315	2,216
All other ..gallons..	1,030	498	952	249	200	203
Mineral, refined—						
Illuminating ..gallons..	37,491,101	32,828,176	3,092,334	2,837,707	32,275,552	3,231,668
Lubricating ..gallons..	2,740,496	3,403,672	530,217	723,586	3,181,624	659,352
All other ..gallons..	5,137,719	8,518,771	718,626	1,376,207	8,056,074	1,367,948
Vegetable—						
Cottonseed ..pounds..	3,016,045	3,500,660	192,500	239,275	2,566,670	191,781
All other			2,868	4,929		6,502
Paints, pigments, colors, and varnishes			149,397	240,074		126,019
Paper, and manufactures of—						
Books, maps, engravings, etc			169,584	280,304		227,866
Printing paper ..pounds..	126,306	346,898	6,511	11,735	326,335	10,071
All other			82,687	86,391		77,927
Paraffin and paraffin wax ..pounds..	209,805	257,511	8,640	11,939	555,663	18,498
Perfumeries, cosmetics, and all toilet preparations			17,779	21,392		15,818
Plated ware			25,123	46,215		24,910
Silk, manufactures of			15,957	7,927		6,502
Soap			36,757	49,754		41,050
Spirits, etc.—Malt liquors			12	396		331
Vegetables			53,796	40,302		42,306

Exports of the principal articles from the United States to Brazil, etc.—Continued.

Articles.	Quantities.		Values.		1914	
	1912	1913	1912	1913	Quantities.	Values.
Domestic exports—Continued.						
Wood, manufactures of—						
Timber, sawed.....M feet..	747	853	$17,485	$18,755	331	$7,565
Lumber—						
Boards, planks, deals, joists, and scantling.....M feet..	59,643	69,823	1,248,665	1,564,141	38,023	913,982
All other.....	.....	.....	27,226	75,069	.....	12,682
Furniture.....	.....	.....	148,395	112,274	.....	138,106
All other manufactures of.....	.....	.....	77,644	65,350	.....	34,095
All other articles.....	.....	.....	1,380,394	2,020,721	.....	1,123,100
Total domestic exports.....	.....	.....	34,587,050	42,542,424	.....	29,843,018
Total foreign exports.....	.....	.....	91,031	96,043	.....	120,896
Total exports of merchandise.....	.....	.....	34,678,081	42,638,467	.....	29,963,914

[From the Washington Post, Thursday, December 24, 1914.]

THE SHIPPING SITUATION.

The shipping interests of the United States—the builders and operators of steamships—are paralyzed on account of the uncertainty that hangs over their business. They do not know whether or not the Government is to enter the field as their competitor. They do not know whether or not foreign-built ships will be permitted to enter the coastwise trade. They do not know whether or not the Government will protect them against unjustified aggression by belligerents.

Ocean freight rates have jumped skyward since the beginning of the war. German and Austrian vessels have been laid up; British vessels have been largely commandeered by the Government; Italian vessels are engaged in Government service; French vessels are almost wholly employed by the French Government. Hence the world's neutral commerce, and much of the commerce with belligerents, is carried on with a shortage of ships just at a moment when the demand for supplies is most urgent. Vessels are earning five times as much as before the war, and even when the war is ended the prospect is good for an enormous ocean commerce on account of the destruction and consumption of foodstuffs and supplies of all kinds.

Is it to be supposed that Americans are not wide awake to this opportunity? The shipping men and shipbuilders are not asleep. They would build ships and put them into this immensely profitable business if they knew they were safe. But they dare not order vessels to be contructed in American shipyards if cheaper foreign ships are to be admitted into the coastwise trade. They dare not build ships for the foreign trade while they are threatened with the competition of the Government itself. The best they can do is to meet the huge demands of Europe by chartering foreign vessels and sending them out with American cargoes. They are doing a big business and making a lot of money, but the traffic is not bringing about the construction of a single vessel in American yards.

One of the most urgent questions before Congress is the Government shipping bill. It needs quick and thorough discussion. If it is a good plan it should be put through without delay. If it is unwise it should be promptly rejected in order that individual American enterprise may go ahead and build ships.

—

[From the Florida Times-Union, December 31, 1914.]

USING GERMANY'S EXCUSE.

As a rule the London papers whose opinions of the Wilson note have been quoted by the Associated Press do not claim that Great Britain has been acting within her rights in interfering with American shipping on the high seas, but justify it on the ground of necessity. On precisely the same ground Germany justified her invasion of Belgium. She promised to go through Belgium with as little damage as possible and pay the proper indemnity, just as Great Britain promises to hold American vessels as short a time as possible and pay the proper indemnity. But Belgium as a neutral refused to listen to the German plea of necessity. She would have ceased to be neutral if she had listened, and we should refuse to listen to the British plea of necessity. If we surrender our rights in order that Great Britain and her allies may be able to whip Germany and Austria, our neutrality is a sham. If we are neutral, we are not concerned with Great Britain's necessities. Individuals in this country sympathize with the allies and others with the two Teutonic nations, but the United States as a Nation does not give a continental which side whips. That is what neutrality means. But the United States as a Nation falls contemptibly short of its duty if it does not protect its citizens in their rights, and the fact that it has not done so has already cost the South alone hundreds of millions of dollars, not in the cargoes seized, but because the fear of seizure has paralyzed our commerce.

This damage will never be paid. Great Britain may pay damages amounting to a million or two dollars for the detention of ships, and in some cases to the confiscation of cargoes, but the hundreds of millions of dollars' worth of products that Europe would take from us at a good price if we would deliver them and that have been withheld through fear of capture by the British—this inflicts enormous damage for which payment will not be made.

If Americans are scared away from shipping cotton to Germany throughout the war, this of itself would reduce or rather has reduced the price at least $10 per bale—a loss to American growers of $160,000,000, and a gain to British spinners of $50,000,000 on the 5,000,000 bales they buy. It is announced that cotton is not contraband, but it is also known that ships containing noncontraband cargoes have been seized, detained, and searched for contraband. This is a thing that our Government should not tolerate, and not one other American ship would be seized if it were known that our Government would not tolerate it.

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GREAT BRITAIN HAS LOST SHIPS WORTH $11,400,000—54 VESSELS WITH CARGOES VALUED AT $18,800,000 CAPTURED OR DESTROYED BY THE ENEMY.

LONDON, *December 18.*

During the first four months of the war 54 British foreign-going ships, valued at $11,400,000, with cargoes worth $18,800,000, were captured or destroyed by the enemy. These are the official figures of the Liverpool and London War Risks Insurance Association.

According to these figures the losses for four months were 1.23 per cent of the total number of vessels, 1.49 per cent of their total value, and 0.94 per cent of the total value of cargoes carried.

This would indicate that vessels could have been insured at a rate of 0.37 per cent monthly, and their cargoes at a rate of 0.94. The rates fixed by the Government at the beginning of the war were 0.72 for vessels and 1.24 for cargoes. This shows a snug margin of profit for underwriters.

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STOCKHOLM, SWEDEN, *December 18.*

Total losses to Scandinavian shipping through mine disasters were as follows up to mid-December:

Sweden, 8 ships and 60 lives; Denmark, 6 vessels and 6 lives; Norway, 5 vessels and 6 lives. To this total must also be added Holland, with 3 vessels and 15 lives. The total financial loss for the 22 ships and their cargoes will reach nearly $10,000,000.

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328 SANFORD AVENUE,
Flushing, N. Y., December 31, 1914.

Hon. DUNCAN U. FLETCHER,
United States Senate Chamber, Washington, D. C.

DEAR SIR: My father, brother, and myself having been large owners in, and practical and successful managers of, United States sailing seagoing ships half a century ago, I am naturally much interested in the condition, suddenly discovered by our Congressmen, that we have very few strictly United States seagoing vessels.

For 10 years past I have written letters to our several Presidents explaining how, in the nature of things, there can be no revival of what our "rocking-chair sailors" please to call the "merchant marine."

From early times until, say, 1865, United States seagoing vessels were built in the United States of wood and propelled by canvas. When iron steam-propelled vessels gradually came into use, wooden sailing vessels went out, and will never be revived. In early days our seagoing vessels were of small tonnage; the crews were mostly United States citizens; and the captain was usually a part owner of the vessel under his command.

This has all been superseded by gigantic steam vessels owned by powerful foreign corporations, utterly inefficient seamen, as in the *Titanic* case, and the captains, largely of foreign birth, having no personal ownership in the vessel, merely hired to run the vessel as quickly as possible from one port to another, just as with the engine driver on a railroad train.

Millions of foreign capital is invested in our trans-Atlantic steam lines, and the excessive cost of a first-class steel ocean steamer built in this country offers no attraction to domestic capital.

Young men, members of well-to-do families, often "went to sea," something now unheard of except in naval circles. Appreciating from sad experience the foregoing conditions, I have proposed to Washington officials a practical method for securing at once a number of seagoing steam vessels to serve two purposes, viz, as colliers, absolutely necessary if our present or enlarged Navy is to be of any value; secondly, these vessels, say, of 10,000 tons each with a speed of 15 knots, to be plainly fitted for passengers and freight, and to be chartered to established, responsible United States firms engaged in shipping. Charters to provide for the return of the vessels when needed for Government service. Charterers to keep vessels and machinery in order at their own expense, and to maintain on each vessel, free of expense to the United States, a United States naval and engineer officer with full access at all times to all parts of vessels.

The charter money should more than pay interest on amount invested in vessels, and if eventually sold to charterers or other United States citizens, proceeds could be used in building other similar vessels. By this means lines could be established through the Panama Canal to South American ports by capable shipping merchants, who would not have enough available capital to build such vessels, and eventually, if profitable, private capital would be invested. Heretofore large amounts of the public money has been used in aid of railroads, irrigation, and sundry agricultural requirements, but none, as I can remember, for increase of United States shipping, although the United States has an immense extent of available seacoast with safe harbors. In my time the Swedes, French, Italians, and Germans have gradually but thoroughly supplanted us in ocean transportation.

If the foregoing suggestion does not meet approval, then the only hope for recovering our seagoing ascendancy is to abrogate all sumptuary maritime laws and allow our citizens to purchase vessels wherever built, with all the advantages given to vessels built in United States. Citizens of all other maritime nations have this privilege.

Silver-tongued orators armed with statistics may claim that we can build and operate first-class vessels in this country as cheaply as any other nation, but I and hundreds of other men educated as shipping merchants, but obliged to sell out and find other occupations, are living (or dead) refutations of this claim.

Trusting that your efforts to restore our ocean trade may be successful, and wishing you success in the new year, I remain,
Yours, truly,
ALFRED NELSON.

Mr. OVERMAN. Mr. President, I ask the Senator from Florida if he will not consent to have the bill laid aside temporarily in order to take up the urgent deficiency appropriation bill? I ask unanimous consent to do that.

Mr. FLETCHER. I am willing to have that done, Mr. President.

The PRESIDENT pro tempore. The Senator from Florida asks unanimous consent that the unfinished business may be temporarily laid aside. Is there objection? The Chair hears none, and it is so ordered.

Mr. OVERMAN. I ask unanimous consent for the present consideration of House bill 20241, known as the urgent deficiency appropriation bill.

The PRESIDENT pro tempore. Is there objection to the request of the Senator from North Carolina?

Mr. SMOOT. I did not hear the request of the Senator.

Mr. OVERMAN. I have requested unanimous consent to take up for present consideration the urgent deficiency appropriation bill.

Mr. GALLINGER. I suggest the absence of a quorum. There are Senators absent who are interested in the bill.

The PRESIDENT pro tempore. The Senator from New Hampshire suggests the absence of a quorum. Let the Secretary call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst	Fletcher	Lippitt	Sheppard
Bankhead	Gallinger	Lodge	Shively
Borah	Gore	Martine, N. J.	Simmons
Bryan	Gronna	Oliver	Smith, S. C.
Burton	Hardwick	Overman	Smoot
Camden	Johnson	Page	Thornton
Chamberlain	Jones	Perkins	Vardaman
Clapp	Kern	Ransdell	White
Clarke, Ark.	Lane	Shafroth	

The PRESIDENT pro tempore. Thirty-five Senators having answered to their names, a quorum of the Senate is not present. The Secretary will call the roll of the absentees.

The Secretary called the names of the absent Senators, and Mr. STERLING, Mr. SWANSON, Mr. THOMPSON, Mr. WILLIAMS, and Mr. WORKS answered to their names when called.

Mr. OLIVER. My colleague [Mr. PENROSE] is absent from the Senate to-day on account of illness.

Mr. THOMAS, Mr. SMITH of Maryland, Mr. LA FOLLETTE, Mr. MYERS, Mr. PITTMAN, Mr. ROBINSON, Mr. BRADY, Mr. NORRIS, Mr. HUGHES, and Mr. STONE entered the Chamber and answered to their names.

The PRESIDENT pro tempore. Fifty Senators having answered to their names, a quorum of the Senate is present.

Mr. OVERMAN. Mr. President, I understand unanimous consent has been given to take up the urgent deficiency appropriation bill.

The PRESIDENT pro tempore. Unanimous consent has been given to lay aside the shipping bill. Unanimous consent has not been given to take up the urgent deficiency bill.

Mr. OVERMAN. Then I ask unanimous consent that the Senate take up House bill 20241, known as the urgent deficiency appropriation bill.

The PRESIDENT pro tempore. The Senator from North Carolina asks unanimous consent that the Senate proceed to the consideration of the bill indicated by him. Is there objection?

Mr. LODGE. I object, Mr. President. Let the bill be taken up on motion.

URGENT DEFICIENCY APPROPRIATIONS.

Mr. OVERMAN. I move to take up House bill 20241.

The motion was agreed to; and the Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 20241) making appropriations to supply urgent deficiencies in appropriations for the fiscal year 1915 and prior years, and for other purposes, which had been reported from the Committee on Appropriations with amendments.

The PRESIDENT pro tempore. Unless there is objection, the committee amendments will be considered first. The Chair hears no objection. The Secretary will proceed to read the bill.

The Secretary proceeded to read the bill.

The first amendment of the Committee on Appropriations was, under the head of "Treasury Department," subhead "Collecting internal revenue," on page 2, line 22, after the date "1915," to strike out "$75,000" and insert "$180,000," so as to make the clause read:

For salaries and expenses of collectors of internal revenue, including the same objects specified under this head in the legislative, executive, and judicial appropriation act for the fiscal year 1915, $180,000.

The amendment was agreed to.

The next amendment was, under the head of "District of Columbia," on page 3, after line 13, to insert:

Improving Fourteenth Street: The Commissioners of the District of Columbia are hereby authorized to increase the width of roadway of Fourteenth Street NW., between F Street and Pennsylvania Avenue, to 70 feet, and to replace the present granite block pavement on said roadway with asphalt or asphalt block, chargeable to the appropriation for "Repairs to streets, avenues, and alleys," for the fiscal year 1915.

The amendment was agreed to.

The Secretary resumed the reading of the bill, and read as follows:

MILITARY ESTABLISHMENT.

For transportation of the Army and its supplies, including the same objects specified under this head in the Army appropriation act for the fiscal year 1914, $554,371.24.

Mr. SMOOT. I ask that that paragraph may go over for the present.

The PRESIDENT pro tempore. Unless there is objection, the request of the Senator from Utah will be granted. The Chair hears none.

The reading was continued.

The next amendment was, under the head of "Department of Agriculture," subhead "Bureau of Plant Industry," on page 5, line 22, after the word "means," to strike out "in the city of Washington and elsewhere, and," so as to make the clause read:

For the emergency caused by the infectious nature and continued spread of the destructive disease of citrous trees known as citrus canker, by conducting such investigations of the nature and means of communication of the disease, and by applying such methods of eradication or control of the disease as may in his judgment be necessary, $35,000; and the Secretary of Agriculture is authorized to pay such expense and employ such persons and means to cooperate with such authorities of the States concerned, organizations of growers, or individuals as he may deem necessary to accomplish such purpose.

Mr. SMOOT. Mr. President, my attention was just called to this amendment. I will say to the Senator from North Carolina I do not believe the amendment is in the shape intended by the committee. I call his attention to the fact that if the amendment is adopted as proposed now, it will be impossible to employ persons or means either in the city of Washington or elsewhere. The amendment ought to read:

To pay such expense and employ such persons and means elsewhere than at the city of Washington.

Mr. OVERMAN. That is what the law is. I understand the words "in the city of Washington" were put in in order that they might establish a bureau in the city of Washington. So if we do not include those words they are bound to use the fund outside the city of Washington.

Mr. SMOOT. The Senator does not quite catch my meaning. I am in full sympathy with the Senator in striking out the words "in the city of Washington," because I do not believe persons affected by this appropriation ought to be employed in this city, but we go further in the amendment and strike out the words "and elsewhere," so that if all the words proposed are stricken out persons can not be employed in the city of Washington or elsewhere.

Mr. LODGE. Will the Senator from Utah allow me a moment? If you strike out the words as proposed by the committee the Secretary of Agriculture will be able to employ these persons and spend the money anywhere he pleases. It becomes perfectly general then.

Mr. SHAFROTH. It seems to me it leaves it perfectly general. When the words "in the city of Washington and elsewhere" are stricken out it does not necessarily exclude the employment elsewhere, but it strikes out the word "elsewhere" in the connection where the words "the city of Washington" are used.

Mr. SMOOT. As I understood the committee, it wanted to limit the expenditure of the appropriation to places other than the city of Washington.

Mr. SHAFROTH. That was the voice of the committee. I have no doubt about that; and this language does that very thing. It gives the discretion to the Secretary of Agriculture to employ such persons and means elsewhere and to cooperate with the authorities of the States concerned.

Mr. LODGE. That would not prevent him from using them in the city of Washington.

Mr. SMOOT. The whole appropriation could be used in the city of Washington.

Mr. LODGE. It would leave his power perfectly unlimited.

Mr. OVERMAN. The act of 1882 required the city of Washington to be specified for employment here.

Mr. LODGE. If I may make a suggestion, if you want to make it safe to obtain your purpose, you should say "and employ such persons and means except in the city of Washington."

Mr. SMOOT. Let me call attention to another portion of the bill. For instance, the very first item, "for the Civil Service Commission," reads:

For necessary traveling expenses, including those of examiners acting under the direction of the commission, and for expenses of examinations and investigations held elsewhere than at Washington, $6,000.

Mr. SHAFROTH. The language is there. I do not know that it does any harm.

Mr. SMOOT. As I am opposed to the provision anyway, I am perfectly satisfied to let it go; but the chairman of the Committee on Appropriations of the House called my attention to it. I do not care whether the amendment is made or not.

Mr. OVERMAN. That is a matter the conference can adjust; but here is the law of 1882, which provides that—

No civil officer, clerk, draftsman, copyist, messenger, assistant messenger, mechanic, watchman, laborer, or other employee shall hereafter be employed at the seat of government in any executive department or subordinate bureau or office thereof, or be paid from any appropriation made for contingent expenses, or for any specific or general purpose, unless—

This is the general law—

such employment is authorized and payment therefor specifically provided in the law granting the appropriation.

So unless Congress specifically provides for using it in Washington it can not be used in Washington under the general law.

Mr. SMOOT. I can not say as to that. My attention had not been called to it before, but I think that with these words stricken out they can spend this appropriation anywhere they wish, including the city of Washington.

Mr. OVERMAN. Except in Washington City under the general law.

Mr. SMOOT. Again, I want to say that this is an urgent deficiency bill. We are appropriating here $35,000 that is not a deficiency at all. The Government of the United States is not obligated for the payment of one cent of it. The appropriation belongs in an Agricultural appropriation bill, if it goes into any bill at all. The reason given by the Senators from Forida, in the first place, is that the money must be appropriated immediately, if the Government is going to appropriate any at all, so that the work can be begun at once. I have no doubt the citrus canker is a very dangerous disease to citrus trees. I have no doubt about that, nor would I object to the appropriation if it came in the regular way; but I do not believe that we ought to make on an urgent deficiency appropriation bill an appropriation which is not a deficiency in any sense of the word. The Government is not obligated, as I said, for one cent of the amount. This is simply giving $35,000 to assist the people of Florida to eradicate, if possible, the disease known as the citrus canker.

Mr. FLETCHER. Mr. President, it is scarcely fair to say that this appropriation is confined to taking care of the situation in Florida. The citrous canker was brought from Japan, it is supposed, into Mexico, and from Mexico into Texas, and from Texas it has gone along the Gulf. The States particularly suffering now are Louisiana, Mississippi, a portion of Alabama, and Florida, States where citrus fruits are grown, and those States are now confronted with the worst menace that has ever befallen the industry. Very largely Florida is interested. The trees which seem to be worst stricken by it are the grapefruit trees, and over $200,000,000 have been invested by the people of Florida in grapefruit alone.

It is a disease which is very infectious, and the department says the only treatment for it is absolute eradication. They have not been able to find whether it is a fungous growth or whether it is of germ origin or what it is. The only thing they know is that it is destructive of the tree and the fruit, and the method of disposing of it at present is to set fire to the tree and burn it up. The growers of Florida raised a large fund, and they are cooperating with the Government. The Government is investigating the question as to how to treat the disease, its origin, its nature, and its effects.

This appropriation is in direct line with the activities of the Government under the Bureau of Plant Industry. It is an emergency in that the time for eradicating the disease must be in the months of January, February, and March. Three months of the year covers the time when this action must be taken if we are going to eradicate the disease.

Mr. GALLINGER. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Florida yield to the Senator from New Hampshire?

Mr. FLETCHER. I do.

Mr. GALLINGER. I was called out of the Chamber, and I did not hear the statement made about this item. Does this disease affect peach trees?

Mr. FLETCHER. It does not. It affects only citrus fruit trees.

Mr. GALLINGER. Of course it is not in any proper sense an urgent deficiency, but apparently it is a pretty serious matter.

Mr. FLETCHER. It certainly is urgent. If it is not a deficiency, it is urgent.

Mr. GALLINGER. I have only one added observation to make about it, and that is I fear it is a subsidy.

Mr. FLETCHER. This item of $35,000 is a very small item and the department ought to have it in hand. A part of it, I take, has already been expended. I think it comes more or less within the technical requirements of the Senator from Utah and the Senator from New Hampshire. Indeed, I know that the department sent agents down there, and they have been for some weeks investigating the disease and doing what they could to ascertain its location and the best methods of treating it.

I have not any doubt that a portion of the money has already been spent, and in view of that phase of it it is a deficiency. It certainly is urgent. The disease is not confined entirely to Florida. The department says:

Though the disease has been under investigation in the States of Florida, Alabama, and Louisiana during the past year, no means of prevention or control through the use of fungicides or other spray applications has yet been developed, the treatments found effective for most fungous diseases of plants having failed to control citrus canker.

The only method of control which appeared to be effective is the complete eradication of the disease from those regions most likely to suffer severely by its continuous presence through the destruction by burning of all infected nursery stock and of all infected trees in citrous groves.

Mr. VARDAMAN. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Florida yield to the Senator from Mississippi?

Mr. FLETCHER. I do.

Mr. VARDAMAN. How long has this insect or microbe or whatever it is been known? When was it first discovered in Florida, and to what extent has it been eradicated?

Mr. FLETCHER. They have found that it was probably brought into the State through some nursery stock imported about a year ago.

Mr. VARDAMAN. It has been brought there very recently?

Mr. FLETCHER. Very recently. They have traced it to certain nursery stock, and wherever that stock was sold throughout the States this disease has developed.

Mr. VARDAMAN. Has it spread over the State very largely, or is it sporadic?

Mr. FLETCHER. To a very great extent. It covers the entire citrous belt of the State. I can not say that all portions of the citrous-growing sections are affected.

Mr. VARDAMAN. Is it very disastrous?

Mr. FLETCHER. It is absolutely disastrous and very infectious. Anything that goes through it—a cow passing through a grove has been found to carry the disease. Even an ice wagon passing from one grove to another has carried it.

Mr. VARDAMAN. Have they discovered the germ?

Mr. FLETCHER. They have not yet found it. That is one thing the department are studying in connection with the State authorities, but they have not yet found what its origin is or the nature of the disease.

Mr. VARDAMAN. Nor what it is?

Mr. FLETCHER. No. The only thing that they know is that they must absolutely burn every tree or plant or shrub on which they find the disease.

The department says:

The citrus growers of Florida, working in cooperation with the State experiment station and nursery inspection service, have organized a campaign of eradication, which has been vigorously prosecuted during the past four months with a fair prospect of success if it can be adequately prosecuted throughout all the infected areas within that State during the winter months, when the trees are dormant and the spread of the disease is much less rapid than during the active growing season, which begins about midwinter and continues through spring and summer.

I will ask to have this report go in the RECORD. I will not read it all.

The PRESIDENT pro tempore. Permission will be granted, unless there is objection. The Chair hears none, and it is so ordered.

The matter referred to is as follows:

[Memorandum for item to be included in the urgent deficiency bill for the Bureau of Plant Industry.]

PROPOSED WORDING.

To enable the Secretary of Agriculture to meet the emergency caused by the infectious nature and the continued spread of the destructive

disease of citrus trees known as citrus canker, by conducting such investigations of the nature and means of communication of the disease and by applying such methods of eradication or control of the disease as may, in his judgment, be necessary, $35,000; and the Secretary of Agriculture is hereby authorized to pay such expenses and employ such persons and means, in the city of Washington and elsewhere, and to cooperate with such authorities of the States concerned, organizations of growers or individuals, as he may deem necessary to accomplish such purpose.

EXPLANATION.

Within the past few weeks the attention of this department has been called to the destructive epidemic of citrus canker, a recently introduced disease, in the grapefruit districts of Florida and the Gulf States. Circumstantial evidence indicates that the disease was introduced into Texas from Japan about 1911, but because of its close resemblance to citrus scab, which had for some time been known in that State, it was not at the time recognized as a distinct disease, nor was its destructive nature discovered until a few months ago.

The experience of the past year has demonstrated that it is highly infectious to practically all kinds of citrus trees, affecting roots, trunks, old limbs, small twigs, leaves, and fruit. Although the diseased trees may continue to live in a very unthrifty and feeble condition, the effect of the disease is to promptly destroy the marketability of the fruit and therefore the earning capacity of the tree. It has been found to be especially destructive upon grapefruit, limes, and lemons, and to be spread from tree to tree through contact with cultivators, vehicles, the harness used on horses in the groves, and by the pruning tools, clothing, and hands of the workmen performing the ordinary cultural and harvesting operations.

Though the disease has been under investigation in the States of Florida, Alabama, and Louisiana during the past year no means of prevention or control through the use of fungicides or other spray applications has yet been developed, the treatments found effective for most fungous diseases of plants having failed to control citrus canker.

The only method of control which appears to be effective is the complete eradication of the disease from those regions most likely to suffer severely by its continued presence, through the destruction by burning of all infected nursery stock and of all infected trees in citrus groves.

From the commercial and financial standpoints the greatest danger is to the grapefruit industry of Florida. The best information available through commercial sources indicates that the annual shipments of grapefruit from that State now exceed 3,000,000 boxes. The grapefruit plantings in Florida are valued at approximately $75,000,000. The entire citrus industry of the State, involving investments amounting to approximately $200,000,000, will be jeopardized unless the disease is brought promptly under control. The citrus industries of the other Gulf States are also endangered, although less so than those of Florida, because of the smaller percentage of grapefruit trees in those States and the relatively larger proportion of Satsuma oranges in these plantings, this variety being much less seriously damaged by the canker than most of the citrus fruits.

The citrus growers of Florida, working in cooperation with the State Experiment Station and Nursery Inspection Service, have organized a campaign of eradication which has been vigorously prosecuted during the past four months with a fair prospect of success if it can be adequately prosecuted throughout all the infected areas within that State during the winter months when the trees are dormant and the spread of the disease is much less rapid than during the active growing season, which begins about midwinter and continues through spring and summer. Unfortunately the State authorities are without funds to meet the expenses of systematic inspection of the groves and the destruction of diseased trees by burning. The State legislature does not meet until April, and such action as it may take in the matter will not be in time to meet the emergency. The situation is particularly urgent in that it has recently been discovered that several hundred shipments of young trees from a nursery now known to have been infected were made to planters at various points in the State before the destructive character of the disease was discovered. The successful prosecution of the eradication campaign necessitates the immediate following up and location of all of the stock contained in these shipments and the inspection of the adjacent groves before the next general infection period occurs.

In the absence of appropriations available to meet the expenses of the systematic inspection and eradication work, the citrus growers have during the past few weeks raised approximately $30,000 by subscription for this purpose. This amount is inadequate for the accomplishment of the work within the period in which it must be done, and in view of the menace to the important interests at stake in Florida and other Gulf States, it creates an exigency which this department should be authorized to meet.

It is therefore recommended that Congress be requested to include in the urgent deficiency bill an item appropriating $35,000 to enable the department to cooperate with the State authorities and fruit-growers associations in Florida and other Gulf States, with a view to accomplishing the eradication of the disease from the regions in which it has proved destructive, during the next few months. It is estimated that this amount will be required for the employment of competent men in cooperation with the State authorities and growers' organizations, and the meeting of the necessary field expenses. No reimbursement of the value of trees destroyed in the eradication work is contemplated. To effectively accomplish this purpose the funds should be available by January 1, since to defer the work until later in the season would render impossible the eradication of the disease from the present comparatively restricted centers of infection and permit of its spread to an extent that would probably place it beyond control.

Mr. FLETCHER. In the report it is shown that the time for taking care of the disease is between the 1st of January and the 1st of April, and unless the work is performed then enormous damage will be done.

Mr. VARDAMAN. I should like to ask the Senator how does it affect the trees. Does it kill the tree or cause the fruit to drop?

Mr. FLETCHER. It gradually saps the vitality of the tree and also affects injuriously the fruit.

Mr. GALLINGER. I observe the Senator was not quite correct in saying that it does not affect the orange crop.

Mr. FLETCHER. I did not understand the Senator. I thought he asked about peaches.

Mr. GALLINGER. I meant to ask about oranges, if I said peaches.

Mr. FLETCHER. The Senator said peaches. It does affect all the citrus varieties. I do not think it affects peaches or apples.

Mr. GALLINGER. The testimony shows that the value of the grapefruit industry of Florida is approximately $75,000,000. That is a very great industry; and, really, from reading the testimony it does seem that this is a very serious matter and that the Government might well come to the aid of the people of the States where the industry is affected and render some help. It seems the people of Florida themselves have raised $30,000,000 for this purpose. I hope the provision in the bill will remain.

Mr. SHAFROTH. I wish to say that as a member of the committee I had first the impression that it would be best for this appropriation to be made in the agricultural appropriation bill, but knowing that that bill has not yet passed the House of Representatives, and that likely it will not be submitted to the Senate for some time, and this being a matter of so urgent a nature, I felt that it ought to be included in this bill.

It is a meritorious appropriation. It is necessary that it should be available soon, because it takes time to send men to Florida to visit the various groves and pick out the trees that it is necessary to burn. Consequently, we are even now late in providing an appropriation of this nature.

Mr. BRYAN. Mr. President, before the vote is taken I wish to say a few words. I do not care to argue the proposition. It will be noticed that in the paragraph preceding this item an appropriation is made for the purchase and destruction of animals having the foot-and-mouth disease. In the same way as animals now living are hereafter to be killed and paid for, it might be said that that is not a deficiency.

This disease shows itself in Florida about July or August. The appropriation will not be used to pay for any property destroyed. Property of very great value has already been destroyed. They do not dare to cut the tree down and then burn it up, but they spread oil upon it and burn it where it stands.

I do not believe this matter would have been brought to the attention of Congress if it had not been for the fact that the Legislature of Florida does not meet until April, and, as stated by my colleague, if the Government is to render any assistance at all it must be done between now and that time.

Furthermore, I can see that a certain part of the responsibility for the spread of this disease can be charged directly to the Government. It was by no act of the citrus growers of Florida that this pest, whatever it is, came there. It was brought from Japan into Mexico and from Mexico into Texas, and then by the sale of nursery stock it got into the State of Florida. In that way the Government is more to blame than the State for allowing it to get there.

The Senator from Louisiana stated to me since this amendment has been under discussion that some nursery stock—a thousand trees or a thousand dollars' worth—had been shipped from Florida to Louisiana and burned there, and the nurseryman who gave the order, who was doing a very large business, has practically been made a bankrupt because practically all his nursery has been burned in order to get rid of this disease.

Mr. SHEPPARD. Does the Senator know whether this citrus canker exists in Texas now?

Mr. BRYAN. Oh, yes; it exists in Texas. It was from Texas that within a very recent time it came to Florida. Of course, it had to come before July last, because it was spread over the groves in July.

Mr. SMOOT. In answer to the Senator from Florida [Mr. BRYAN], I desire to say that of the $2,500,000 appropriated to the Department of Agriculture, Bureau of Animal Industry, for the arrest and eradication of the foot-and-mouth disease, $2,000,000 is a deficiency that has already been spent, and the additional $500,000 is for the purpose of continuing the investigation and for the purchase and destruction of animals affected by the disease. That is quite different from the appropriation of $35,000 for citrus fruit trees. The expenditure of the money and also the appropriation is under the act of February 27, 1906, and as provided in that act the loss of human life was involved. I would not want the Senator's statement to go uncorrected, because I think there is a difference between the appropriation of $2,500,000 for the eradication of the foot-and-mouth disease and the appropriation of $35,000 for the destruction of the citrus canker.

Mr. BRYAN. Let me ask the Senator if the half million dollars that has not been spent is not a deficiency at this time?

Mr. SMOOT. It is true it is not a deficiency, but I will say to the Senator that the Senate has already passed a bill appropriating not $500,000 but $1,000,000 for this same purpose.

Mr. BRYAN. That has been used to pay for the stock that has been destroyed.

Mr. SMOOT. And for the investigation.

Mr. BRYAN. This small appropriation to which the Senator objects can only be used for the purpose of scientific investigation and advice by the experts of the Department of Agriculture.

Mr. SMOOT. The appropriation does not only apply to the destruction of animals that may have the foot-and-mouth disease, but it is also for the purpose of carrying on the work of investigation as to whether they have the foot-and-mouth disease and where located.

Mr. BRYAN. I understand. There is this distinction, however, a part of the money will be used for the payment of property, and under this provision no money will be used except for the purpose of investigation.

Mr. SMOOT. Of course the payment for property comes under the present law. The Government is required to pay for the destruction of animals that may be suffering from foot-and-mouth disease. In the case of every animal that is destroyed the law compels the Government to pay for it.

Mr. RANSDELL. Mr. President, I wish to say just a word in regard to this item. My State is very much interested in the citrus industry. It is growing very rapidly in the State. I received a letter just a few days ago from a prominent citrus grower saying, if I recollect it correctly, that a thousand dollar shipment of citrus trees from Florida into the city of Hammond, State of Louisiana, had been seized by the agriculture authorities of the State and burned because the citrus canker was found among the trees. He asked me to watch this matter as closely as possible, and thought it was very important to this young and growing industry of the State that the disease should be eradicated.

I sincerely hope the appropriation will be made.

The PRESIDENT pro tempore. The question is on the adoption of the amendment.

The amendment was agreed to.

The Secretary continued the reading of the bill, and read the next paragraph, as follows:

FOREST SERVICE.

For "General expenses, Forest Service," including the same objects specified under this head in the Agricultural appropriation act for the fiscal year 1915, $349,243.

Mr. OVERMAN. Mr. President, while I shall make no effort to amend this paragraph, the committee having disagreed with me, I want to give the Senate some facts in regard to this appropriation, and not only as to this department of the Government but also as to others.

The fiscal year 1914 began July 1, 1914, and will end June 30 of this year. An estimate came for an appropriation for the Forest Service. We gave them $3,000,000. In addition to that we gave them $250,000 for fighting fires. They have spent in six months $671,000 for fighting fires. I am told by Senators from Western States that they have had no unusual fires out there. The department says they have; but here is a department estimating $250,000, the Senate gives them everything they ask for, and in less than six months they have spent $671,000. At 25 cents an hour, $2 a day, it would take 25,000 men to fight fires for a month. I want to say that the departments come here with their estimates. They will make estimates some time for a large sum and we cut them down. Then they get around it by going and spending the money anyway and coming in here and asking us for a deficiency. This department had $3,000,000. They had $250,000 given them to spend for a year. They spent it in six months, then drew on the $3,000,000 for $72,000, and then for $300,000 more, and then they come here within six months and ask us to make an appropriation of $671,000.

Mr. BORAH. Mr. President——

The PRESIDENT pro tempore. Does the Senator from North Carolina yield to the Senator from Idaho?

Mr. OVERMAN. I do.

Mr. BORAH. What would be the sum total of expenditures of this fiscal year for that department according to their estimates and expenses?

Mr. OVERMAN. If they go on in this way, there is no telling. They will again come back with a deficiency. For six months they have spent $671,000 for fighting fires, when I am told by Senators from Western States that there have been actually no unusual fires out there this year. I am unable to guess; I do not know how much they will spend during the next six months. They already have had $3,000,000 of appropriations.

Mr. SMOOT. In answer to the inquiry of the Senator from Idaho [Mr. BORAH] I will state that we appropriated for the fiscal year ending June 30, 1915, $3,243,096. Included in that amount was $150,000 for fighting and preventing fires. Then, under miscellaneous items, in that bill there was added another $100,000 for the purpose of fighting and preventing forest fires. That would make the appropriations for that one bureau a little over $3,300,000. I do not know whether we shall have in the regular deficiency bill an additional amount asked for; but if what has been appropriated and what is carried in this bill is expended, it will amount to over three and a half million dollars for the Forestry Bureau.

Mr. BORAH. Well, Mr. President——

The PRESIDENT pro tempore. Does the Senator from North Carolina yield to the Senator from Idaho?

Mr. OVERMAN. I do.

Mr. BORAH. That seems a large sum of money. Was there any hearing showing whether or not it had been properly expended or whether there had been any waste of the money, or anything of that kind?

Mr. OVERMAN. The only thing set out in the hearings, Mr. President, is that——

The PRESIDENT pro tempore. The Chair would ask if there is a proposition pending to strike out a part of the bill?

Mr. OVERMAN. No. I am merely calling attention to the matter. The money has been spent, and we ought to know how it has been spent. Something ought to be done with reference to it. I want to say to the Senator that I was in favor of striking out the provision and take the amount out of the balance of the $3,000,000 appropriation which they have.

The Senator from Idaho asked me a question as to the hearings. The officers of the bureau stated that they have had some fires in Oregon, a few in Montana, and some in Washington. I am told by the Senators from those States that they have had no unusual fires out there. They say the money is spent chiefly in the employment of men, to whom 25 cents an hour is paid. That was expended entirely in fighting forest fires. Twenty-five cents an hour would be $2 a day. The Senator can calculate how many men they have had employed—over 25,000 men.

The PRESIDENT pro tempore. The Chair will state that this debate is out of order unless there is some proposition pending. The reading of the bill can not be stopped to make speeches, unless there is something before the Senate to which the debate can be directed.

Mr. BORAH. Mr. President, I realize that the Chair is quite correct, and I therefore move, in line 5, on page 6, to strike out the appropriation "$349,243."

The PRESIDENT pro tempore. That motion will leave merely the text without the appropriation.

Mr. BORAH. Yes; that is the way I should like to have it read.

The PRESIDENT pro tempore. The question is on the adoption of the amendment offered by the Senator from Idaho [Mr. BORAH].

Mr. CHAMBERLAIN. Mr. President, I desire to be heard on that for just a moment.

The PRESIDENT pro tempore. The Senator from Oregon is recognized.

Mr. CHAMBERLAIN. Mr. President, the acting chairman of the committee suggests that there were no unusual fires in the national forests last year.

Mr. OVERMAN. There were no unusual fires there.

Mr. CHAMBERLAIN. He suggests that there were no unusual fires there, as he has been informed by Senators from that section. Since the bill was reported, Mr. President, I have taken it upon myself to ascertain what the number of fires was and in what particular States they occurred for which this money was expended. I may say—and this is authenticated by the records—that the fires during the past year, 1914, were more disastrous than any we have ever had, except those in 1910, in areas covered and in the number of fires which occurred. Those fires were distributed as follows:

In the first district, embracing Montana, northern Idaho, and North Dakota, there were 1,975 of such fires; in district No. 2, including Colorado, eastern Wyoming, South Dakota, Nebraska, Minnesota, and Michigan, there were 279; in district No. 3, embracing Arizona and New Mexico, there were 509; in district No. 4, embracing Utah, Nevada, southern Idaho, and western Wyoming, there were 327; in district No. 5, California, there were 1,468; in district No. 6, embracing Oregon and Washington, there were 1,239; in district No. 7, embracing Arkansas, Florida, and the White Mountains—the Appalachian region—there were 315, such fires amounting in all to 6,112.

Mr. BORAH. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Oregon yield to the Senator from Idaho?

Mr. CHAMBERLAIN. I do.

Mr. BORAH. Does the report give any idea of the extent of the fires—how aggravated they were or how large?

Mr. OVERMAN. I can answer that question.

Mr. BORAH. I have seen some fires that it would not cost over 25 cents to put out.

Mr. OVERMAN. The question is answered in the report. Of the entire six thousand and odd fires which swept the forests, 81 per cent were handled without difficulty and with very small loss; 81 per cent of them did not cover over 10 acres.

Mr. CHAMBERLAIN. Mr. President, I want to say that that very statement justifies all the expenditures that have been made for the protection of our national forests. In 1910 there was a much larger area burned over, and the fires were more destructive, because the department did not then have the appliances necessary to fight such fires. I call attention to the fact as showing the increased efficiency of the service, which has been brought about by the expenditure of these moneys. I call attention to the further fact, Mr. President, that the expenditures for the Forestry Department have been gradually going down, notwithstanding the statement of some of my colleagues.

Now, as showing the increased efficiency of the organization over that of former years may be stated the results: In the Colville forest in 1910, with 62 fires, 155,200 acres were burned, with a cost for fire fighting of $18,000; in 1914, with 103 fires, and a drier season, the total area burned was 7,653 acres, with a cost for fire fighting of $15,900. Still again, in the Tahoe forest in 1910 there were 84 fires, and such a serious situation developed that the United States troops were called upon for aid. This year—and I call especial attention to this—there were 223 fires handled by the organization without help, and the loss was less.

In the Trinity Forest, where there were 51 fires in 1910, which burned over 23,192 acres, in 1914 53 fires burned over only 459 acres. In California, where there were quite a number of fires this year as compared with 1910, the average acreage per fire in 1910 was 653, while in 1914 it was but 37 acres; while the average for fires in the timber, excluding brush fires, was this year only 15 acres. In other words, the areas of the fires are each year diminishing because of the increased efficiency of the service. This increased efficiency has been brought about by the appropriation of money necessary to properly combat the fires.

I call attention to another thing, Mr. President. My distinguished colleague on the committee, who has this bill in charge, always, properly too, fights these so-called deficiency appropriations; but I call attention to the fact that in 1911 there was a million dollars included in the appropriation bill for the purpose of fighting forest fires, and yet none of it was expended. The next year they concluded in the next appropriation bill that inasmuch as no part of that had been expended they would make the appropriation very much less, and they appropriated but $200,000. The next year they reduced it to $100,000, and this year the Agricultural appropriation bill, which is pending before the House of Representatives, has eliminated this protection in the national forests from the bill altogether. So, under the law as it now stands the department has authority to increase these deficiencies, and if they are going to protect the property that belongs to the people of this whole country they must create these deficiencies against which Senators are now protesting here so loudly.

Mr. SMOOT. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Oregon yield to the Senator from Utah?

Mr. CHAMBERLAIN. I yield to the Senator.

Mr. SMOOT. In order that the RECORD may be straight, I wish to say that the million dollars, of which the Senator from Oregon speaks, for 1911, was a deficiency which was caused by fires in 1910. Does the Senator not remember that we had during the year 1910 extensive fires, which were attended by great loss of life in Idaho and also in a number of other Western States?

Mr. CHAMBERLAIN. I ask the Senator from Utah to look at the records for 1910, wherein he will find that there was a million dollars included in the Agricultural appropriation bill, but it was not used at all.

Mr. SMOOT. I am quite positive that the deficiency appropriation bill in 1911 carried an appropriation of a million dollars for the purpose of paying for the fighting of fires of 1910, in which year the country had the most disastrous fires which had occurred for very many years. I call attention to the statement of Mr. Graves, Chief Forester. He says:

Mr. GRAVES. The situation was that we had in the northwestern States and on the Pacific slope an unusual drought. We had a very long dry season, equal in severity, so far as forest-fire hazard was concerned, to that of 1910.

The CHAIRMAN. Was that the bad year?

Mr. GRAVES. Yes, sir; that was the bad year, when we had to come to Congress for a deficiency of about $1,000,000. In some parts of the Northwest, particularly in Oregon and Washington, the drought was a long one, there being in Washington and Oregon 74 days without rain.

Therefore, I think the statement which the Senator made should at least be qualified, because in the year 1910, not only did they spend all of the money which was appropriated, but they came to the Congress of the United States and asked for a deficiency of a million dollars.

Mr. CHAMBERLAIN. Mr. President, my memory is not in accord with the Senator's upon that point, though he may be correct. My understanding of it is different, but it is a matter of easy verification by an examination of the appropriation bills. What I am getting at, however, is the fact that the appropriations for the purpose of protecting the national domain have been growing less each year, because the moneys which have been expended in times past have gone to increase the efficiency of the fire-fighting force.

Within the last four years great strides have been made in equipping the forests and in the organization of the force, as will be seen from the following figures: In the first place, during this time there have been added 1,368 miles of road, 9,617 miles of trail, 12,000 miles of telephone, 300 new fully equipped lookout stations, 695 headquarters buildings, and many other improvements. The forests have had a great increase of equipment in the way of tools and tool caches, portable telephones, tents, and so forth, as well as in transportation facilities.

Mr. President, all of these things for which these moneys have been expended in times past make it easier and cheaper for the Government to control the situation in the future. If the policy advocated by some Senators is carried out and we are absolutely to abandon the forests to destruction by the elements, then we might as well stop at one time as at another; but I, for one, Mr. President, will never consent to the elimination of items from the appropriation bills which go to protect this property which belongs to the people of the whole country.

I do not belong to the school of those who feel that the public domain should be opened up to the indiscriminate taking of everybody who comes along. I have just as good cause to complain as anybody, if there is cause to complain, because at least one-fifth of the area of my State, and probably more, is embraced within national forests; but, Mr. President, if I had it within my power to-morrow to release those lands for the purpose of settlement or acquisition by the public, I would not take such action, for the simple reason that until the homestead law and other statutes under which the public domain may be acquired shall have been amended the lands will be taken up in the future just as they have been taken up in the past.

Now, in my own State hundreds of thousands of acres of land belong to the Weyerhaeusers which ought to belong to the people and ought to be included within the reserves. Not only that, but the Northern Pacific Railroad Co. owns immense tracts of land that ought to belong to the people. Not only does the Northern Pacific own much land formerly a part of the public domain, but the Southern Pacific also owns great tracts of it.

Some of these lands have been acquired by great corporations in questionable ways. Some of them have been acquired through the efforts of dummy entrymen. School-teachers, schoolboys, and girls in department stores have been hired to go into the West—it is true of my State, and I think I can safely say the same statement is true of other States—and have entered lands, and as soon as title was acquired by going before the proper authorities and swearing falsely the lands have been turned over to great timber syndicates and railroad companies. That is what would happen if these lands were now open to entry.

I know my distinguished friend from Idaho differs very essentially from me as to this proposition. I go with him this far: I say that all the land in the Northwest within forest reserves which is more valuable for agricultural purposes than for timber or mineral purposes ought to be opened up to the public; but in my State, at least—and I think it is pretty generally true of the Senator's State—there is very little land included within the forest reserves that is more valuable for agricultural than for other purposes.

Mr. BORAH. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Oregon yield to the Senator from Idaho?

Mr. CHAMBERLAIN. I yield to the Senator.

Mr. BORAH. The Senator has not yet made any statement of fact with which I disagree. If the Senator will assist me in eliminating from the forest reserves those lands which are

agricultural, I will raise no complaint whatever about retaining in the reserves the forest lands. I am only complaining of the withholding of agricultural lands while hundreds of good people are waiting to make them into farms.

Mr. CHAMBERLAIN. I think the Senator and I have pretty generally worked together along that line. The only difference I have had with the Senator usually is that the Senator has always shown an indisposition, as it has seemed to me, to expend the necessary sums of money for the protection of the great forests that exist in his State and in mine.

Mr. President, the forests ought to be preserved, and the record here, the hearings before the House on this very bill, will show that the properties of the Government were protected with a less expenditure this year than they ever were before, and that the small amount which is now sought to be appropriated for the protection of the forests is a mere bagatelle in comparison with the value of that which was in danger of being destroyed, but which was not destroyed simply because the Forestry Bureau acted with efficiency and with zeal in the protection of the property of the Government.

Mr. BORAH. Mr. President, if the Senator is through—I do not want to interrupt if he is not——

Mr. CHAMBERLAIN. Mr. President, I do not believe I could say anything more to enlighten the Senate. I have no disposition to speak on the subject at any length, but I do want to protest against the parsimony that is displayed by some Senators, who, for the purpose of saving an appropriation of $350,000 in round numbers, would incur the risk of losing millions of dollars in property which belongs to the people of this whole country.

Mr. SMOOT. I will say to the Senator that we can not possibly save it, because it has already been spent.

Mr. CHAMBERLAIN. And property has been saved, too.

Mr. SMOOT. I say we can not save the appropriation.

Mr. BORAH. Mr. President, I disagree very little with the Senator from Oregon, except as to possibly some of his conclusions and some of his generalizations. A few years ago I was driving across a portion of my State in company with a gentleman from Ohio, and when we were in the midst of a vast area of country I said to him, "You are now in a forest reserve." Apparently he challenged my veracity, and said, "It can not be possible that this is a forest reserve. Where is the forest?" There was not a tree in sight; over the vast plains the god of nature had never been able to grow a tree in all the years of the past. Some of it was as good agricultural land as any other part of the State of Idaho.

Mr. President, I have never voted against what I believed to be a sufficient amount of money to really protect our forest reserves. No one can be more concerned in the protection of the forests than those who live near the forests, because the destruction of the forests by fire is calculated to injure or destroy all that we have on the outside of the forests, and therefore I am thoroughly in favor of any appropriation, and am willing to make it liberal, for the protection of the forests. But, Mr. President, we discuss here the protection of forests which do not exist; that is to say, we are guarding and surveillancing and superintending thousands and thousands of acres upon which there are no forests. These lands ought not to be there, to be watched over and policed at the people's expense; they ought to be producing wheat and hay and fruit and the other things which people stand in so much need of.

Mr. CHAMBERLAIN. Mr. President, may I interrupt the Senator for a moment?

Mr. BORAH. Yes.

Mr. CHAMBERLAIN. Will not the Senator admit that within the past two or three years, as rapidly as the department has been able to do so, they have released from the reserves land that did not actually grow timber?

Mr. BORAH. Yes; they have been releasing some lands; they have released them very slowly, but if they will keep that up I will not complain about their being a little slow. However, Mr. President, when we began to demand the release of such lands the Senator will recall that we were met with the statement that there were no agricultural lands to be released, and it has only been by persistent presentation of the question time and time again that we have been able to secure action in releasing agricultural lands.

Mr. President, there are counties in my State which are practically covered by forest reserves; and it becomes a question of whether or not they can exist unless the land can properly be settled by homesteaders and people can be induced to live there who are willing to acquire title and to pay taxes to help sustain the Government, and therefore we are persistently asking that the agricultural lands be excluded from the forest reserves. When you shall have done so you will limit and reduce very largely indeed the amount of expenditures which are now being made. For that we contend, and for nothing more.

Let me call the Senator's attention to another fact. The Senator stated that these lands belong to the people, that these forests belong to the people. I agree with that proposition thoroughly; but I find, as I said upon the floor of the Senate a day or two ago, that within the last five years 500,000 of those same people, who were as good citizens as we had in this country, have gone into a foreign country and taken the oath of allegiance to a foreign Government in order to get lands upon which to build homes, while we have thousands and millions of acres tied up in forest reserves. I do not think I am opposing the interests of the people when I insist upon the right of dedicating our agricultural lands to those who desire to plant homes upon them. The best service I can give the people is to help the people get homes.

Mr. CHAMBERLAIN. May I ask the Senator a question at this point?

Mr. BORAH. In just a moment. The trouble is, Mr. President, that the word "people" is used in such an intangible, abstract way that it does not do anyone any good to get a result for the benefit of the people, because there is nobody to be helped. I want to come down to the concrete, individual application of the law to the man who wants a home.

Mr. CHAMBERLAIN. I will ask the Senator is it not true that the inducement which has caused a great many American citizens to go into Saskatchewan, Alberta, and other sections of Canada has been the fact that they find there virgin territory and a condition precisely similar to that which pertained in our section of the country 40 years ago, when people from the eastern section of the United States went out West and settled upon land. They would go there in spite of the law. They have left our borders simply because there is virgin land to be taken in British Columbia while there is probably none to be taken in our country, even if the forest reserves were opened up to settlement.

Mr. BORAH. Oh, yes, Mr. President; they went there because there were virgin lands in Canada and because the virgin land in our territory had been covered into forest reserves. I agree with the Senator thoroughly that that is the reason why they went to Canada, and for the other reason that when they found a piece of land in Canada they could secure title to it sometime within the lifetime of a single individual. Canada, as the Senator knows, has a law which permits a homesteader to acquire title in three years, while until within the last two years our law required him to live upon the land for five years. That provision of the Canadian law, of course, induced considerable emigration to Canada, together with the fact that the land there was undoubtedly available. While there was also land in our country, it was not available.

Mr. President, I moved to strike out this item because I wanted more information regarding it. I presume that there is some portion of the proposed appropriation, perhaps all of it, for aught I know, that is justly in the bill. I have no desire to deny that which is needed, but I observe the same extravagance here as marks the whole of our Government expenditures. While we are remembering that these are the "people's" forests, that this is also the "people's" money we are spending.

Mr. OVERMAN. Mr. President, I presume the Senator from Idaho made the motion in order to discuss this question.

Mr. BORAH. I do not understand the Senator.

Mr. OVERMAN. Before the Senator withdraws the motion to strike out, I desire to say a few words in answer to the Senator from Oregon [Mr. CHAMBERLAIN], who said that I was in the habit of fighting deficiency appropriations. That is true, Mr. President. In 1906 the piling up of deficiencies by the departments grew into a scandal. Congress would make appropriations based upon the estimates of the departments, but, notwithstanding the appropriations thus made, they took the liberty—and this is true of all the departments; it is not confined to one—of spending all the money they wanted to spend here and there and everywhere, and then coming in with a deficiency.

The practice became such a scandal and an outrage that Congress itself passed a law designed to correct the evil. That law is now on the statute books, although I think it is not observed. I will read it into the RECORD right here in the hope that some of the departments will take notice of it and realize what the law is; perhaps they have forgotten about it. I think I am doing my duty when I examine all deficiency items to see whether or not they were properly incurred. Like the Senator from Idaho in this instance I have not enough evidence to justify me in moving to strike out the item; I can not tell much about it; but I know that they have spent in six months $600,000, when their estimate—and we gave them every cent

they estimated for—was $250,000. Here is the provision which Congress enacted in 1906:

SEC. 3679. No executive department or other Government establishment of the United States shall expend, in any one fiscal year, any sum in excess of appropriations made by Congress for that fiscal year, or involve the Government in any contract or other obligation for the future payment of money in excess of such appropriations unless such contract or obligation is authorized by law. Nor shall any department or any officer of the Government accept voluntary service for the Government or employ personal service in excess of that authorized by law, except in cases of sudden emergency involving the loss of human life or the destruction of property.

It is upon that idea, I suppose, that they have spent this $600,000.

All appropriations made for contingent expenses or other general purposes, except appropriations made in fulfillment of contract obligations expressly authorized by law, or for objects required or authorized by law without reference to the amounts annually appropriated therefor, shall, on or before the beginning of each fiscal year, be so apportioned by monthly or other allotments as to prevent expenditures in one portion of the year which may necessitate deficiency or additional appropriations to complete the service of the fiscal year for which said appropriations are made; and all such apportionments shall be adhered to and shall not be waived or modified except upon the happening of some extraordinary emergency or unusual circumstance which could not be anticipated at the time of making such apportionment, but this provision shall not apply to the contingent appropriations of the Senate or House of Representatives; and in case said apportionments are waived or modified as herein provided, the same shall be waived or modified in writing by the head of such executive department or other Government establishment having control of the expenditure, and the reasons therefor shall be fully set forth in each particular case and communicated to Congress in connection with estimates for any additional appropriations required on account thereof. Any person violating any provision of this section shall be summarily removed from office and may also be punished by a fine of not less than $100 or by imprisonment for not less than one month.

Here is the statute; here is the law; and I want to give notice to the departments that I intend to examine critically all these deficiency items, because the law says that such expenditures shall not be incurred, and that the departments shall not spend more money than is appropriated.

The PRESIDENT pro tempore. Does the Senator from Idaho withdraw the amendment proposed by him?

Mr. BORAH. Of course, Mr. President, the law referred to by the Senator from North Carolina is really a very subtle piece of humor, so far as that is concerned.

I wish to say just one word more before I withdraw the amendment. The Senator from Oregon spoke about settlers acquiring homes, making homesteads, and so forth, upon these lands. I want to say, for fear I may be considered as misrepresenting the situation, that there is a provision in the law by which a man can go in a forest reserve and secure a homestead within a forest reserve; but in the application of that law the conditions are so onerous that settlers have practically ceased to avail themselves of it, and for this reason: A man goes into a forest reserve and makes application to file upon a piece of land. The application is considered, and may be granted or may not be; or the forestry officials may permit him to experiment for a time to see whether or not he can make a success of farming on that particular piece of ground, say, in one or two years; and if so, at the end of that time they will grant him a title. So in the application of the law it is practically a dead letter, for the reason that no man, unless he has a large bank account, can afford to go upon these lands and experiment at the discretion of some one in the department as to whether or not he can make a home.

What we ought to have is a law defining what the man shall do; and after he shall have complied with the terms of the law the power ought not to reside in any man to deny him his title or to his homestead; but when it is left to the discretion of the department, and the man is a man of limited means, he can not cope with the situation, and the result is that they have practically ceased to acquire homesteads under this law.

Mr. SHAFROTH. Mr. President, I should not say anything concerning this matter except for the statements which have been made by the Senator from Oregon [Mr. CHAMBERLAIN]. I differ from him so thoroughly with respect to those matters that I want to state the facts with reference to the expenditures for the Forest Service.

The Forestry Service had an appropriation for 1912 of $5,217,000. The receipts were $2,109,000. I leave out the odd dollars and odd cents. The loss to the Government was $3,108,000. Now, when you consider that of the amount which the Government received 35 per cent was paid over to the State it leaves a deficit, so far as the United States Treasury is concerned, of $3,800,000. In other words, the Government is getting and putting into its own Treasury from grazing rentals and sales of timber only $1 out of every $3 that it expends. The appropriation for 1913 was $5,092,111, and the expenditures were $2,391,920, which leaves a deficit, so far as the United States is concerned, in actual expenditures above receipts of $2,700,000. Considering the fact that out of these receipts the Government pays 35 per cent to the State—25 per cent for school purposes and 10 per cent for road purposes—the result is that it left a deficit, so far as the United States was concerned, of $3,490,000. The appropriation we made last fall was even greater than these appropriations.

When it comes to the appropriation made here it shows that even the figures I have quoted do not show the total loss to the Government, because we are now adding $349,000 to the loss of the United States. I am one of those who believe that when we have a law we ought to comply with it and try to carry out its provisions. I am not here to move to strike out this appropriation, nor am I here to cripple the service, because it was a necessary expenditure under existing law; but I want to call the attention of the Senate—and this seems to be a good opportunity—to the fact that we are making appropriations for the Forestry Service year after year and expending practically $3 to $1 of net receipts to the Government.

Mr. President, that was the same experience this Government had with the leasing system of the early part of the last century as applied to the lead mines in Territories. That was just exactly the result, namely, an expenditure upon the part of the Government of $4 for every dollar it collected in royalty. These broad forest reserves have been spread over our States in a manner that makes it almost impossible for counties to maintain their schools and their county governments, because the reserved lands are not liable to taxation, notwithstanding State, county, and school governments must be maintained over them. In my State they have already withdrawn coal lands which the Government of the United States estimates to be worth $500,000,000. Is it possible that the Commonwealth of Colorado can afford to let lands of the value of $500,000,000 remain without taxation for the support of State, county, and school governments? Is that right?

The trouble with all these leasing propositions—and the forest-reserve system is a leasing proposition—is that they are attacking the very sovereignty of the State, because if there is one principle that is recognized above another it is that a State has the right to impose taxes upon every foot of territory within its borders. Whenever you deny that right, you deny to the State the right of existence, and you deny the means of support to the State government itself. No one approves fraudulent land entries, and the Government has the means of preventing the same.

I want to say, with respect to the forest reserves in my State, that 40 per cent of them are upon lands that are above timber line, where nothing but bushes exists. Not only that, but in my State 30 per cent of the same is what is called scrub timber. Consequently there is only 30 per cent left that is merchantable timber. The result is that these reserves ought to be cut down to the 30 per cent of good timber. That is what ought to be done. The present Secretary of Agriculture has cut them down to some extent. I think the forest reserves in my State have been reduced from 16,000,000 acres to 14,500,000 acres, but two-thirds of that area ought not to receive the attention of the Government. These large reserves embarrass and prevent the development of the country, discourage miners from going in there, because there is always a supervision which the miner objects to, and because of the rules and regulations made by the department with respect to having somebody pass upon whether the mine is a pay mine or is likely to become a paying mine, and making the title to the mine dependent upon such inspection after the miner has performed his $500 worth of work.

This appropriation is to repay a past expenditure. I believe that when a necessity arises in order to prevent fire the expenditure ought to be reimbursed. We ought sometimes to go to the fundamentals, and restrict these forest reserves to something that is within the bounds of reason, so that we will not have gigantic forest reserves equal to the area of Massachusetts, Connecticut, and Rhode Island combined in my own State.

Mr. President, while I believe in this appropriation, and voted for it in the Committee on Appropriations, in view of the statement which was made by the Senator from Oregon, I wish to voice my protest against the manner in which this system has been carried on. When we consider reforestation it is absolutely absurd, so far as my State is concerned. This very Agricultural Department has reported that a pine tree grown at an altitude of 7,500 feet in my State takes 200 years to develop to a thickness of 19.6 inches.

Mr. GALLINGER. Mr. President, will the Senator allow me to interrupt him?

Mr. SHAFROTH. Yes, sir.

Mr. GALLINGER. I want to ask the Senator a question—possibly I understand the matter without having the Senator enlighten me—as to the method adopted in establishing these forest reserves. Is it an arbitrary method on the part of the

officials of the Government to select a section of country which they say shall become a forest reserve?

Mr. SHAFROTH. Oh, yes.

Mr. GALLINGER. And that their opinion prevails?

Mr. SHAFROTH. They generally send out a commission, and they take in broad areas. In my State 16,000,000 acres was taken in. It has been reduced to 14,500,000 acres, but that is equal to two or three small States. The fact that it takes in all character of lands, including 65 per cent of the mineral belt of my State, has impaired our mineral development to such an extent that in 1900 we had in the State of Colorado 41,000 metalliferous miners, and the last census—1910—showed that we had but 19,000. The miners will not prospect under those conditions, and thereby a development of the country is retarded.

Mr. GALLINGER. I will further ask the Senator as to the feeling that exists in the State of Colorado on this question?

Mr. SHAFROTH. Oh, it exists to a very strong extent. The Democratic platforms and the Republican platforms for years have both, in most vigorous terms, assaulted the entire policy. We are willing to have forest reserves, but we want genuine forest reserves. This thing of talking about reforestation is absurd in my State. It may be that in some portions of the United States it might be proper, but where it takes 200 years to grow a tree it is absurd to talk about reforestation. As the Senator from Oklahoma [Mr. GORE] says, we want forests with trees in them.

Mr. GALLINGER. I think the Senator is entirely right on that point. I am a great friend of forestry and of the Forest Service in a general way, but I ask the Senator the question because I have absorbed the belief, from hearing these debates so eloquently presented by Senators from the great States of the West, that there ought to be some remedy for the existing conditions. Can the Senator suggest any?

Mr. SHAFROTH. Oh, I suggest that these forest reserves be cut down to what is forest land; and if that is done, 70 per cent would be eliminated in my State.

Mr. GALLINGER. What would be the modus operandi to accomplish that result?

Mr. SHAFROTH. To limit the reserve. You could do it either by a bill or direct that it be cut down, or it could be done by Executive order.

Mr. GALLINGER. Precisely; but if it was not done by Executive order, then I assume it would require legislation.

Mr. SHAFROTH. Oh, yes; it would require legislation if it were not done by Executive order.

Mr. GALLINGER. Are strenuous efforts being made, or is consideration being given to the propriety of legislation touching this matter?

Mr. SHAFROTH. Why, Mr. President, instead of that we have under consideration in committees of this Congress the fastening upon us of a leasing system not only of all of the coal lands, but also of the phosphate lands, the asphaltum lands, and the water-power sites, requiring the payment of royalties to the Government of the United States, to be divided between the Government and the States after they have been turned into the reclamation fund and have been repaid by the people of the West.

Mr. GALLINGER. Mr. President, I have heard objections strenuously urged against the existing condition of things by Senators from Colorado, Wyoming, Utah, Idaho, I think California, and possibly other States. It seems to me that if the Senators from those States would unite in an effort to remedy what seems to be an evil, they would find support enough from the rest of us to accomplish the result.

Mr. CLARK of Wyoming. Mr. President, will the Senator yield to me for one moment?

Mr. SHAFROTH. I yield to the Senator from Wyoming.

Mr. CLARK of Wyoming. I will say to the Senator from New Hampshire that an effort was made a few years ago to limit what we thought was the undue exercise of departmental discretion, and both Houses of Congress passed a law providing that in certain States no further reservations should be made except by affirmative action of Congress. That law passed both Houses of Congress and was before the department for its consideration; but before that law was signed by the President, in defiance of the expressed will of Congress, more than 11,000,000 additional acres were put into these reserves.

The Senator asks how these reserves are created, whether by arbitrary power or not. The answer was made that commissions are sometimes sent out. I will say to the Senator from New Hampshire that the very inception of this movement was when the Congress of the United States appropriated $25,000 to send out a commission to look over this western country and recommend to the President what lands should be included within the reserves. That commission expended the $25,000. They made a report to the President. Upon that report and other information the President acted; and yet it developed, upon hearing, that that commission, spending $25,000, did not go near the land, nor had they any personal observation or knowledge of the land which they recommended should go into the reserve.

Mr. GALLINGER. In that connection I will say that I have frequently been told and I have frequently read that these forest reserves are usually selected by certain gentlemen looking through a car window, and that they do not exercise the care that ought to be exercised in a matter of such great importance.

Mr. SHAFROTH. Mr. President, I want to say, in answer to the inquiry of the Senator from New Hampshire, that the western Senators have at various times introduced bills, and there are a number of bills now pending, dealing with this subject. The difference between the bills that are introduced by most of the western Senators is one which appeals to the question of entry and location by which title can be obtained and by which the State can have the right of taxation upon the property; whereas the bills that have been introduced by others relate to the leasing or royalty system by which title never leaves the Government, which means perpetual ownership in the Federal Government and which means consequently the exemption of these lands from State, county, and school taxation forever. When you consider that in the West 30 years' payment of taxes upon any property with reasonable interest upon each yearly payment amounts to the value of the land, you can readily see that the people of this western country are taxed every year the value of this land to maintain government over these forest reserves and other resources of the public domain that are proposed to be the subject of royalty.

Mr. President, I do not want to discuss the matter. I believe that this appropriation ought to be allowed, because it is a necessary expenditure that has been made; fundamentally there ought to be a change in the entire forestry system.

Mr. BORAH. Mr. President, just a word before I withdraw the amendment.

I do not desire that my position in regard to these forest reserves shall be misunderstood, and I repeat what I have said before, in a more explicit way, that I have no objection to forest reserves as such. I am thoroughly in favor of forest reserves when they are created upon forest lands; and if we could have eliminated from the forest reserves those lands which are purely agricultural lands and fit for making homes and farms, practically all the opposition to the forest reserves would disappear from the West.

I made this suggestion with reference to striking out this item for the same reason that I have called it to the attention of the Senate before. I want to keep before the Senate what I believe to be true from personal observation and personal examination—that there are not only thousands but hundreds of thousands of acres within these forest reserves upon which timber has never grown, which are more valuable for agriculture than for timber, which are fitted for the purpose of making homes, and those are the lands we are asking to have opened to entry.

Mr. President, I withdraw the amendment.

The PRESIDENT pro tempore. The amendment offered by the Senator from Idaho is withdrawn.

Mr. SMOOT. Mr. President, before the Senator withdraws his amendment I simply wish to say a word by way of explanation.

I voted for this provision in the committee. I did so because of the fact that the money has been spent. I also want to say that of all the money that is spent in the Forest Service, that which is spent for protection against fire is the money that is best spent. I do not, however, approve of having a deficiency appropriation for even this purpose every year; and I think myself that in the future either there ought to be a larger appropriation made for this purpose, or there should not be so much money spent as there has been. I want to express the opinion that the agricultural bill should carry a larger appropriation for this purpose, and that we should not have a deficiency every year.

My own State is not so largely withdrawn for forest purposes as some of the other Western States, although there are counties in my State where 93 per cent of the land is now withdrawn from entry, and out of the other 7 per cent all the taxes must be obtained for the maintenance of government. It is an impossibility for that part of our country to receive sufficient taxes to carry on the government as it ought to be carried on.

I believe in the Forest Service; that is, I believe that the real forest lands ought to be withdrawn from entry. I believe that the Forest Service ought to control those lands, but I do not believe that agricultural lands ought to be withdrawn as

forest lands. I now predict that if there is not a change in the policy, if the agricultural lands are not eliminated from the withdrawals, action will be taken by Congress, for the situation is intolerable. There is no one in my State, however, who is not perfectly willing that all of the forest lands should be withdrawn as such. They approve of it. It has been a blessing to the people, from the fact that we have so very little timber in our State; but it has gone a long, long way beyond the actual forest lands. As I stated before, I believe the time will come when the agricultural lands will be open for entry, and will not be allowed to remain in forest reserves.

I approve this appropriation; I voted for it in committee, and I shall vote for it in the Senate.

Mr. CLARK of Wyoming. Mr. President, unfortunately I was absent from the Senate on other matters during the early discussion of this item; but I should like to ask a question of the chairman of the committee. I understand that where the bill speaks of "general expenses, Forest Service," it is intended to cover expenditures for fire.

Mr. OVERMAN. Fire fighting. It is in addition to the $250,000 appropriated for this purpose for the year beginning July 1, 1914.

Mr. CLARK of Wyoming. Can the chairman inform us as to the items making up this expenditure?

Mr. OVERMAN. No item except one—so many employees at 25 cents an hour.

Mr. CLARK of Wyoming. How many?

Mr. OVERMAN. It would take 25,000 men, working a month apiece, to make up this amount.

Mr. CLARK of Wyoming. Has the Senator any notion that that condition of affairs existed? Was there anything before the committee, in the estimate or otherwise, to show what items entered into that expenditure?

Here is my reason for asking the question: I suppose we provide, in the general Agricultural bill, for a staff in the Forestry Service which will be used in fighting fires. I am curious to know how they could incur an extra expense to the amount of $400,000 for performing the service for which their department is already organized. The Senator says they pay 25 cents an hour.

Mr. OVERMAN. That is the way it was spent. The Senator will find from the hearings that that is the only estimate that was given. The men were employed at 25 cents an hour. That is the way the money was expended.

Mr. CLARK of Wyoming. Has the Senator gone into the matter to ascertain how many men it would take and for how long in fighting fire?

Mr. OVERMAN. It would be $2 a day for one man. It would take 300,000 men a day, or 30,000 men 10 days. The Senator can make the calculation as well as I can.

Mr. CLARK of Wyoming. I wanted to know whether this was just a lump sum, or whether it was appropriated as we have been accustomed to appropriate for the Forestry Service, without detailed specifications as to what it was for; that is all.

Mr. OVERMAN. All we know is that we appropriated $250,000 upon their estimate, and six months thereafter they come in here with a request for $371,000 more, saying that they have used this money, have spent it in employing men to fight fires, and it was not much of a fire year.

The PRESIDENT pro tempore. The amendment of the Senator from Idaho having been withdrawn, the Secretary will proceed with the reading of the bill.

The Secretary continued the reading of the bill, and read as follows:

DEPARTMENT OF COMMERCE.

BUREAU OF LIGHTHOUSES.

Lighthouse tender, general service: For constructing and equipping a lighthouse tender for general service, authorized by the act approved March 4, 1913, $250,000.

Mr. JONES. Mr. President, before going further I want to say just a word with reference to this item under the Lighthouse Service.

There is an item there of $250,000 for a lighthouse tender for the Pacific coast. That is a matter in which our people have been very much interested heretofore, and the Secretary himself has urged that we need a larger boat. The Senate at the last session passed a bill increasing the limit of cost of that boat from $250,000 to $325,000, and such a bill was favorably reported by the committee in the House.

I offered an amendment, intended to be proposed to this bill, to increase the amount to $325,000. I did that largely because of the action of the Senate at the previous session, and also because the Secretary of Commerce had urged this increase very strongly in his report, and had pointed out very strong reasons why it should be made.

It has developed, however, possibly even since he made his report, that conditions on the Pacific coast are such that it is very likely that a larger vessel than was contemplated originally for $250,000 can be secured now for $250,000; and the Secretary has assured me that it is his judgment that with this $250,000 he can probably get a vessel that will take care of the situation as he contemplated caring for it in his recommendation for the increase in the limit of cost. Therefore I have not pressed, and will not press, the amendment I introduced for the purpose of offering it to this provision, but I desire to make this statement in the RECORD, so that the facts may be known.

The PRESIDENT pro tempore. The Secretary will resume the reading of the bill.

The Secretary resumed and concluded the reading of the bill.

The PRESIDENT pro tempore. The bill is in Committee of the Whole and open to amendment.

Mr. SMOOT. Mr. President, I will ask the Senator from Missouri if it will suit his convenience to have the Senate go into executive session now?

Mr. STONE. There is an item in the bill, Mr. President, which has been passed over.

Mr. SMOOT. One only.

Mr. STONE. I am informed that it will likely take some time in debate.

The PRESIDENT pro tempore. The Chair can not hear the Senator.

Mr. STONE. I said that there is an item in the pending bill that has been passed over, and I am told that some Senators desire to debate that item, or some matters connected with it, possibly at some length. In view of that fact, if it is agreeable to the Senator from North Carolina——

Mr. OVERMAN. I ask that the bill may be laid aside for the purpose of going into executive session. It becomes then, as I understand, the unfinished business to-morrow at 2 o'clock.

Mr. LODGE. There is no need of laying the bill aside. We can simply go into executive session.

Mr. OVERMAN. It comes up automatically. I thought probably I might move to take it up during the morning hour. It will come up automatically after 2 o'clock.

Mr. LODGE. Oh, certainly it will. This bill is now the unfinished business.

The PRESIDENT pro tempore. It will be well enough to notify the Senate now that unanimous consent was given to laying aside temporarily the so-called shipping bill, which was the unfinished business.

Mr. LODGE. But this bill, Mr. President, was not taken up by unanimous consent. It was taken up on motion.

The PRESIDENT pro tempore. The Chair understands that. It did not affect the other bill, however.

Mr. LODGE. That displaces the unfinished business.

The PRESIDENT pro tempore. However, that is a matter to be disposed of to-morrow.

Mr. STONE. We will dispose of that matter when we get to it.

The PRESIDENT pro tempore. What motion does the Senator make now?

EXECUTIVE SESSION.

Mr. STONE. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to, and the Senate proceeded to the consideration of executive business. After 55 minutes spent in executive session the doors were reopened, and (at 5 o'clock and 55 minutes p. m.) the Senate adjourned until to-morrow, Tuesday, January 5, 1915, at 12 o'clock meridian.

CONFIRMATIONS.

Executive nominations confirmed by the Senate January 4, 1915.

UNITED STATES MARSHAL.

Martin F. Farry to be United States marshal for the district of Delaware.

POSTMASTERS.

ALASKA.

Mary A. Carroll, Treadwell.

GEORGIA.

James J. Gordy, Richland.
Robert L. Horne, Ludowici.

ILLINOIS.

Ben Campbell Allensworth, Pekin.
Joseph V. Campeggio, Ladd.
I. C. Davidson, Carthage.
W. H. Hefferan, Rockford.
Frederick D. Jay, Elmwood.

MAINE.

Joseph A. Kenney, South Paris.
Frank B. Hills, Thomaston.
John W. Hutchins, Fryeburg.

MICHIGAN.

Horatio J. Abbott, Ann Arbor.
John F. McInerney, Wyandotte.
W. L. Tinham, Northville.

MINNESOTA.

S. G. Anderson, Hutchinson.
Charles F. Cook, Austin.
Oscar T. Stromme, Elbow Lake.

TEXAS.

J. L. Sandel, Saratoga.

VIRGINIA.

John W. Kellam, Onley.
William G. Stevenson, Accomac.

REJECTION.

Executive nomination rejected by the Senate January 4, 1915.

Marjorie J. Bloom to be postmaster at Devils Lake, N. Dak.

HOUSE OF REPRESENTATIVES.

MONDAY, *January 4, 1915.*

The House met at 12 o'clock noon.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

Infinite and eternal Spirit, source of light and life and love, our God, our Father, pardon, we beseech Thee, our infirmities; take away our sinful desires and help us to make our lives sublime by the excellence of our thought and the rectitude of our behavior, that Thy kingdom may come in all its fullness and Thy will be done in our lives, that we may hallow the name of our Father in the spirit of the Lord Jesus Christ. Amen.

The Journal of the proceedings of Saturday, January 2, 1915, was read and approved.

CALENDAR FOR UNANIMOUS CONSENT.

The SPEAKER. The Clerk will call the first bill on the Calendar for Unanimous Consent.

EXCHANGE OF CERTAIN OREGON LANDS.

The first bill on the Calendar for Unanimous Consent was the bill (S. 49) to provide for the exchange with the State of Oregon of certain school lands and indemnity rights within the national forests of that State for an equal area of national-forest land.

The Clerk read the title of the bill.

Mr. SINNOTT. Mr. Speaker, I ask unanimous consent that this bill may be passed without prejudice.

The SPEAKER. The gentleman from Oregon asks that the bill be passed without prejudice. Is there objection?

Mr. BORLAND. Mr. Speaker——

The SPEAKER. For what purpose does the gentleman from Missouri rise?

Mr. BORLAND. I rise to reserve the right to object.

The SPEAKER. To object to passing it without prejudice?

Mr. BORLAND. To object to the request; yes.

There is no rule we can make that is not subject to the most gross abuse, and this rule, putting bills on the Unanimous Consent Calendar, is as grossly abused as any rules of this House. Here is the whole first page of this calendar devoted to the titles of bills that have been passed over repeatedly without prejudice. The result is that a bill at the end of the Calendar for Unanimous Consent will have no chance of consideration at this session. Now, we are intending to-day to take up, in the consideration of the Unanimous Consent Calendar, time that, considering the limited time that we have, ought to be devoted to appropriation bills, and gentlemen are going to get up here and argue over these propositions on this first page as to whether the bills shall or shall not be passed without prejudice. Now, why do gentlemen put their bills on the Unanimous Consent Calendar and then repeatedly ask that they be passed without prejudice, when they know it is to the prejudice of every other Member in the House even to make such a request?

Mr. STAFFORD. Will the gentleman yield?

Mr. BORLAND. Yes; I will yield.

Mr. STAFFORD. The bill under consideration was the subject of discussion two weeks ago, but was passed over in order that the gentleman from Oregon [Mr. SINNOTT] and myself might get together on an amendment. I have just returned to the city this morning and we have not been able to come to any agreement on the amendment, so the gentleman, so as not to take up any time in the consideration of it, immediately asked to have it passed over without prejudice. If these other bills are passed over as promptly as the gentleman from Oregon attempted to get this one passed over this morning, it will not interfere with the consideration of bills at the bottom of the calendar.

Mr. BORLAND. I have no disposition to prejudice the gentleman from Oregon; but if he asks that the bill be passed without prejudice it ought to be accompanied by a request that it go to the heel of the docket, and give everybody else a fair chance at this calendar. I have not a single bill on this calendar, so I feel perfectly free to speak about it. The gentleman has no right to hold the head of the calendar day after day with a bill that he is going to ask to have passed over without prejudice.

Mr. COX. Mr. Speaker, I demand the regular order.

The SPEAKER. The regular order is that the gentleman from Oregon [Mr. SINNOTT] asks that this bill be passed without prejudice. Is there objection?

Mr. BORLAND. Is the gentleman from Indiana going to object?

Mr. COX. No; I am not going to object.

Mr. BORLAND. Then I object.

The SPEAKER. The gentleman from Missouri objects, and the bill will be stricken from the calendar. The Clerk will report the next bill.

Mr. MANN. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. MANN. The gentleman from Missouri [Mr. BORLAND] objected to passing the bill without prejudice. Did anyone object to the consideration of the bill?

Mr. GARNER. No one objected to the consideration of the bill.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. STAFFORD. Mr. Speaker, may we have it reported first?

The SPEAKER. The Clerk will report it. The Chair will make the same request of the House that he made a year ago, and that is that when the title of a bill is read, if any gentleman has made up his mind resolutely to object to it, let him object then.

Mr. GARNER. What are you going to do? Are you going to object?

Mr. STAFFORD. We are going to consider it now.

The Clerk proceeded with the reading of the bill.

Mr. SINNOTT. Mr. Speaker——

The SPEAKER. For what purpose does the gentleman rise?

Mr. SINNOTT. I ask unanimous consent that the bill may be passed over and go to the foot of the calendar.

The SPEAKER. The gentleman from Oregon [Mr. SINNOTT] asks unanimous consent that this bill be passed over and go to the foot of the calendar. Is there objection?

Mr. BORLAND. Mr. Speaker, I shall not object to that request.

Mr. MANN. Reserving the right to object, I do not believe that is a good practice to begin.

Mr. BORLAND. Then let it go off. Unanimous consent is a special privilege, anyway.

Mr. MANN. Why, certainly. I am not complaining if the gentleman objects. The same thing will apply to a number of other bills.

Mr. BORLAND. I am willing that the bill be considered now. If it can not be considered now, it has no place on the Unanimous Consent Calendar. The rule ought to be that if a bill is passed over it shall go to the bottom of the calendar.

Mr. STAFFORD. The gentleman says he is not ready to consider it to-day, but will be in two weeks.

Mr. BORLAND. Then it ought not to be on the Unanimous Consent Calendar.

The SPEAKER. Is there objection to the request of the gentleman from Oregon?

Mr. MANN. I object.

The SPEAKER. The gentleman from Illinois objects to the request that it be passed without prejudice and go to the foot of the calendar, and the Clerk will proceed with the reading of the bill.

Mr. STAFFORD. Mr. Speaker, at the request of certain Members on this side, I will object to the bill.

The SPEAKER. The gentleman from Wisconsin objects, and the bill will be stricken from the calendar.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Crockett, one of its clerks, announced that the Senate had passed with amendments the

bill (H. R. 6060) to regulate the immigration of aliens to and the residence of aliens in the United States, in which the concurrence of the House of Representatives was requested.

The message also announced that the President had approved and signed joint resolution and bill of the following titles:

On December 22, 1914:

S. J. Res. 213. Joint resolution authorizing the Secretary of the Senate and the Clerk of the House to pay the officers and employees of the Senate and House, including the Capitol police, their respective salaries for the month of December, 1914, on the 22d day of said month.

On December 23, 1914:

S. 94. An act to amend an act entitled "An act to codify, revise, and amend the laws relating to the judiciary," approved March 3, 1911.

INVESTIGATION OF ACCOUNTS UNDER RECLAMATION ACT.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 124) authorizing and directing the Secretary of the Interior to investigate and settle certain accounts under the reclamation acts, and for other purposes.

Mr. RAKER. Mr. Speaker, I ask unanimous consent that this bill be passed without prejudice.

The SPEAKER. The gentleman from California asks unanimous consent that the bill be passed without prejudice.

Mr. BORLAND. Mr. Speaker, reserving the right to object, I have no disposition to object to the bill of my friend from California; but what is sauce for the goose is sauce for the gander, and I shall have to object. We ought to treat both sides of this House exactly alike.

Mr. RAKER. I did not catch exactly what the gentleman said about sauce for the gander, but when this bill was called up a while ago the gentleman from Illinois objected, and I was having certain matters investigated, and I will have it ready at the next meeting.

Mr. BORLAND. Let me call attention to the fact that this bill has been up several times and a little debate had upon it each time, and at each time the gentleman said he was going to straighten out the difficulty, and had it passed without prejudice. And I object.

The SPEAKER. The gentleman from Missouri objects to the request that the bill be passed without prejudice. Is there objection to the present consideration of the bill?

Mr. STAFFORD. Mr. Speaker, reserving the right to object, I think this is too important a bill to be considered to-day, and I therefore feel obliged to object.

The SPEAKER. The gentleman from Wisconsin objects, and the bill will be stricken from the calendar.

PUBLIC BUILDING AT GRAND JUNCTION, COLO.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 16056) to increase the limit of cost of the United States post-office building at Grand Junction, Colo.

The Clerk read the bill, as follows:

Be it enacted, etc., That the limit of cost of the United States post-office building at Grand Junction, Colo., be, and the same hereby is, increased from the sum of $100,000 to the sum of $250,000, said increase to be employed in the enlargement and betterment of the building.

The following committee amendment was read:

In line 5, page 1, strike out the figures "$250,000" and insert in lieu thereof the figures "$175,000."

The SPEAKER. Is there objection?

Mr. SHERLEY. Reserving the right to object, I would like to hear something about the bill.

Mr. TAYLOR of Colorado. Mr. Speaker, I have asked to have this bill passed over once or twice before, because there are a number of other bills of the same kind on the calendar increasing the authorization of certain buildings. The city of Grand Junction got an appropriation for a public building several years ago, but never has been able to build the building or obtain a bid that was satisfactory to the Supervising Architect of the Treasury Department, because of the insufficiency of the appropriation. This is to increase the appropriation to the extent of $75,000. The building can not be built until Congress makes this additional appropriation. There are five or six Government departments or offices in that town besides the post office—the Reclamation Service, with a large force of officials, the Forest Service, Weather Bureau, Civil Service Commission, Department of Justice, and the drainage department, and a large number of those Government officials are now housed in various places over the city. The Government is paying nearly $3,000 a year in rent, and the officials of the Government are desirous of having this building built at once. The site was purchased some 8 or 10 years ago, and the city has been waiting all this time for this building. As a matter of fact, this is being urged by the Treasury Department, and we feel if there is any building in the country that ought to be provided for at this session of Congress, making appropriations of this kind so as to prevent further delay and inconvenience to the Federal employees, this is one of them. If none of these bills are going to be allowed to pass, of course I expect to take my medicine and wait, the same as the rest; but if the policy is to pass any of them, I want to insist on this one being considered by the House. We want to be treated the same as others, especially as this is one of the most meritorious of these bills before the House.

Mr. SHERLEY. I know of no program to kill bills, and I do not propose to be a party to any such thing, but here is a bill increasing by a large sum the limit of cost of a public building. My experience is that nearly every public-building allowance ought to be cut down instead of increasing it, and that has been accentuated every time I have made examination into a specific case. I have not had a chance to examine the bill or report in this case. How many people are there in this town?

Mr. TAYLOR of Colorado. Something like 8,000 people in the city proper, but there are 15,000 people immediately adjacent and who are patrons of these offices. That is according to the report of the department. The post-office receipts of the post office for the year 1913 were nearly $35,000. This is a wealthy country, the center of a large fruit-growing country in western Colorado. It is at the junction and division point of three railroads, and is the metropolis of western Colorado, the largest and most important city in the western half of the State.

Mr. SHERLEY. Does the United States own the land?

Mr. TAYLOR of Colorado. Yes; and has for some 8 or 10 years.

Mr. SHERLEY. What is to be the size of the building?

Mr. TAYLOR of Colorado. We will have 8,000 feet of floor space. That is what the department reports that the Government needs right now.

Mr. SHERLEY. What is the character of the building to be?

Mr. TAYLOR of Colorado. This increase only provides for a brick building. The inhabitants of that city feel that they are entitled to a marble building, because it is near the marble quarry that is furnishing the marble for the Lincoln Memorial in this city and upon which we are to spend $2,000,000. This marble comes from right near this place, and if we could have a suitable appropriation made for it we would like to have the Government use our marble; but this additional $75,000 only authorizes a brick building, with a floor space that will provide for the Government necessities now and will not make any provision for growth. It is merely to take care of the Government officials there now without any place of abode.

Mr. HAMLIN. Will the gentleman yield?

Mr. TAYLOR of Colorado. Yes; certainly.

Mr. HAMLIN. What was the original appropriation?

Mr. TAYLOR of Colorado. One hundred thousand dollars.

Mr. HAMLIN. And you want $75,000 additional?

Mr. TAYLOR of Colorado. Yes; the Treasury Department insists that it ought to have $100,000 additional, but the Public Building Committee have only authorized an increase of $75,000, so we are asking that sum. I may say that the Senate has passed a similar bill making a $100,000 increase. The Senate bill is on this calendar, and if consent is given to take this bill up, I will ask to have the Senate bill substituted for the House bill.

Mr. MANN. Will the gentleman yield for a question?

Mr. TAYLOR of Colorado. Certainly.

Mr. MANN. As I understand, when they originally provided for this building they only provided for a post office?

Mr. TAYLOR of Colorado. That is all.

Mr. MANN. And since then they find they need room for many other governmental services?

Mr. TAYLOR of Colorado. Yes; because the reclamation project is now there with a large force of Government officials, and they have the forest reserve service of a large part of western Colorado, and they have the drainage service of the Reclamation Service, and a number of other Federal functions are established there.

Mr. MANN. The Weather Bureau.

Mr. TAYLOR of Colorado. Yes, sir.

Mr. MANN. And that is the reason for the increase?

Mr. TAYLOR of Colorado. Yes, sir. That is the reason the increase is necessary.

Mr. STEPHENS of Texas. And the Federal court is there.

Mr. TAYLOR of Colorado. No; but I have a bill pending to create a term of the Federal court at this city, but this bill does not provide for a Federal court. Whenever they get that court there they will have to have an enlargement of the building.

Mr. SHERLEY. What is the good of passing this bill if immediately after getting the authorization you are to come in for an increase?

Mr. TAYLOR of Colorado. There is no immediate prospect for the passage of that bill. We may not pass it for a number of years yet. We do not want to wait until we get that bill passed, which probably will not be until we get another Federal judge, and I do not know when that will be. We do not wish to wait for that. We have been waiting for nearly 10 years now, and we feel we are certainly entitled to the passage of this bill, and I do hope Congress will allow it to pass at this session, because we have been so long patiently waiting for this building and the department has so earnestly recommended its construction.

Mr. SHERLEY. If the gentleman will permit, there is absolutely nothing in this report which I can gather from a hasty reading showing why you need 8,000 square feet of floor space. The statement is made that that amount of space is needed——

Mr. TAYLOR of Colorado. It is made by the Supervising Architect, is it not?

Mr. SHERLEY. I understand so, but that is just the trouble. The statement of the Supervising Architect in the Treasury Department may be upon a basis which would not be agreed to by any business man in expending his own money. Now here you are asking for an increase of nearly 100 per cent in the cost of the building in a report which says you need 8,000 square feet, but why you need it is a question for the House to consider, and the report does not give any information. It simply says——

Mr. TAYLOR of Colorado. Will the gentleman permit me to ask him a question?

Mr. SHERLEY. Yes.

Mr. TAYLOR of Colorado. What higher authority can you get for this than the Government's Supervising Architect?

Mr. SHERLEY. I will tell the gentleman what higher authority you can get, and that is the facts upon which the Supervising Architect bases his conclusion——

Mr. TAYLOR of Colorado. We have got those facts in the hearings.

Mr. SHERLEY. And then determine whether his conclusion is wise or not, but when you simply give the conclusion without the facts, then we are thrown back upon the Supervising Architect's Office, and I for one am not willing to trust its judgment.

Mr. TAYLOR of Colorado. The Supervising Architect came before the committee and his statement is in the hearings.

Mr. SHERLEY. That may be all true, but they do not appear here in the report.

Mr. TAYLOR of Colorado. We do not put all the hearings in the report.

Mr. SHERLEY. But the report should contain an adequate summary. The gentleman is asking a special procedure, to get the bill up here, and the moment it is gotten up it passes; we all know that.

Mr. DONOVAN. Mr. Speaker——

The SPEAKER. For what purpose does the gentleman from Connecticut rise?

Mr. DONOVAN. Mr. Speaker, I demand the regular order.

The SPEAKER. The regular order is, Is there objection to the consideration of this bill?

Mr. SHERLEY. Mr. Speaker, I again desire to reserve the right to object in order to get some information, if the gentleman from Connecticut will permit it.

Mr. TAYLOR of Colorado. I will say to the gentleman from Kentucky, I did not believe it necessary for me to put our hearings before the committee in the report. I gave the substance of what these various governmental functions are and what each one of them is doing, and anybody who will look into the matter will see that the governmental functions that are at that city will require a large amount of space. They are largely in the agricultural development line, and I feel that in the report of the committee and with the hearings and with the synopsis I have given here and the long delay this city has been put to—we have advertised three times and we have not and never can get a building unless there is an additional appropriation, and when the department urges Congress to give $100,000, I feel that we are certainly safe in authorizing an additional $75,000.

Mr. MADDEN. Mr. Speaker, I object.

The SPEAKER. The gentleman from Illinois objects.

Mr. TAYLOR of Colorado. Mr. Speaker, will the gentleman from Illinois permit the bill to go to the foot of the calendar?

Mr. MADDEN. No; I object.

The SPEAKER. The gentleman from Illinois objects, and the bill is ordered stricken from the calendar.

VALIDATING LOCATION OF PHOSPHATE-ROCK DEPOSITS.

The next business on the Calendar for Unanimous Consent was the bill (S. 6106) validating locations of deposits of phosphate rock heretofore made in good faith under the placer-mining laws of the United States.

The Clerk read the title of the bill.

Mr. FRENCH. Mr. Speaker, this bill has been included as an amendment to a bill already passed, and as it is pending in the Senate I ask unanimous consent to pass the bill over without prejudice.

Mr. BORLAND. Mr. Speaker, reserving the right to object, if that is the case, why is it necessary to pass it over?

Mr. FRENCH. Because we do not know what its fate will be in the Senate.

Mr. BORLAND. Then I object.

The SPEAKER. The gentleman from Missouri objects, and the bill is ordered stricken from the calendar.

Mr. BORLAND. Mr. Speaker, I objected to this being passed without prejudice.

The SPEAKER. The gentleman objects to its being passed without prejudice. Is there objection to the present consideration of the bill? [After a pause.] The Chair hears none.

Mr. FRENCH. Mr. Speaker, I ask unanimous consent to consider the bill in the House as in the Committee of the Whole.

The SPEAKER. The gentleman from Idaho asks unanimous consent to consider the bill in the House as in the Committee of the Whole. Is there objection?

There was no objection.

The SPEAKER. The Clerk will report the bill.

The Clerk read as follows:

Be it enacted, etc., That where public lands containing deposits of phosphate rock have heretofore been located in good faith under the placer-mining laws of the United States, such locations shall be valid and may be perfected under the provisions of said placer-mining laws, and such locations shall give title and possession to such deposits. This act shall apply to such locations heretofore patented: *Provided*, That this act shall not apply to any locations made subsequent to the withdrawal of such lands from location, nor shall it apply to lands included in an adverse or conflicting lode location unless such adverse or conflicting location is abandoned.

With the following committee amendments:

First. Page 1, line 5, after the words "United States," insert "and upon which assessment work has been annually performed."

Second. Page 1, line 7, strike out the words "such locations" and insert "patents whether heretofore or hereafter issued thereon."

Third. Page 1, line 8, after the word "title," insert the word "to."

Fourth. Page 1, line 8, strike out the word "to" and insert the word "of" in lieu thereof.

Fifth. Page 1, lines 8 and 9, amend by striking out the period and the words "This act shall apply to such locations heretofore patented."

The SPEAKER. The question is on agreeing to the committee amendments.

The committee amendments were agreed to.

The SPEAKER. The question is on the third reading of the bills as amended.

The bill was ordered to be read a third time, was read the third time, and passed.

On motion of Mr. FRENCH, a motion to reconsider the vote by which the bill was passed was laid on the table.

NAVEL-ORANGE INDUSTRY.

The next business on the Calendar for Unanimous Consent was House Joint Resolution 302, authorizing and directing the President of the United States to invite foreign Governments to participate in the celebration of the fortieth anniversary of the founding of the Washington navel-orange industry.

The SPEAKER. Is there objection?

Mr. BORLAND. Mr. Speaker, I object.

The SPEAKER. The gentleman from Missouri objects, and the resolution is stricken from the calendar.

POST-OFFICE BUILDING AT WALTHAM, MASS.

The next business in order on the Calendar for Unanimous Consent was the bill (H. R. 13489) increasing the limit of cost for the purchase of a site and the construction thereon of a post office at Waltham, Mass.

The Clerk read the bill.

The SPEAKER. Is there objection?

Mr. SHERLEY. Mr. Speaker, reserving the right to object, I would like to hear something about it. [After a pause.] If there is no explanation, I feel that I shall have to object.

The SPEAKER. The gentleman from Kentucky objects, and the bill is stricken from the calendar.

KING THEOLOGICAL HALL, HOWARD UNIVERSITY.

The next business on the Calendar for Unanimous Consent was the bill (S. 5168) for the relief of the King Theological Hall, and authorizing the conveyance of real estate to the Howard University and other grantees.

The Clerk read the bill.

The SPEAKER. Is there objection?

Mr. SISSON. Mr. Speaker, I object.

The SPEAKER. The gentleman from Mississippi objects, and the bill is stricken from the calendar.

POST OFFICE AT SEYMOUR, IND.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 18172) to increase the limit of cost of the United States post-office building at Seymour, Ind.

The Clerk read the bill, as follows:

That the limit of cost of the United States post-office building at Seymour, Ind., be, and the same is hereby, increased $15,000, or so much thereof as may be necessary to meet the additional cost of construction of said building by the substitution of stone instead of brick with stone trimmings, as specified in the existing specification.

The SPEAKER. Is there objection?

Mr. FINLEY. Mr. Speaker, reserving the right to object, I would like to have some explanation of the bill.

Mr. CULLOP. Mr. Speaker, Mr. DIXON is the author of this bill, and it is for a post-office building site in his district. He is unable to be here to-day. For that reason I ask unanimous consent that the bill be passed without prejudice until he is present.

The SPEAKER. The gentleman from Indiana asks unanimous consent to pass the bill without prejudice? Is there objection?

Mr. BORLAND. Mr. Speaker, I will have to object to that.

The SPEAKER. The gentleman from Missouri objects.

Mr. BORLAND. Mr. Speaker, I object to its being passed without prejudice.

The SPEAKER. The gentleman from Missouri objects to its being passed without prejudice. Is there objection to the present consideration of the bill? [After a pause.] The Chair hears none.

Mr. FINLEY. Mr. Speaker, my sole purpose is to find out something about the size of the post office and the necessity of the change from brick to stone, increasing the cost generally. It is pretty generally understood that we are to have no public-buildings bill at this session, and I have had some experience with matters of this kind—not that I know anything about this proposition or that I have any particular objection to it. I merely want a reasonable explanation of the bill, what amount was originally appropriated, and the necessity for an increase in the cost of $15,000.

Mr. CULLOP. Mr. Speaker, I am unable to give the gentleman that information.

Mr. MANN. Mr. Speaker, if the gentleman from Indiana will yield, I do not think it is very difficult to understand the bill.

Mr. CULLOP. I suppose the report shows that.

Mr. MANN. There is no controversy about the need for the building. That has been provided for. Indiana is a great producer of building stone, and under the original appropriation it was proposed to build a brick building right in the midst of a stone-producing territory.

Mr. CULLOP. Yes; it is within 20 miles only of the great stone-producing belt.

Mr. MANN. Which is an anomaly. I think where they produce stone they ought to have a stone building.

Mr. FINLEY. I was not aware of that fact. I have no objection to the bill, but merely wish some explanation.

Mr. CULLOP. That is the fact about it. It is within 20 miles.

Mr. SHERLEY. If it is so close to Bedford, why could not they get the stone shipped?

Mr. MANN. I do not know why; but it seems to me they can not. I believe in lots of places we ought to put up brick buildings, but I would not do it in the Bedford-stone district, because it would make everybody there sore.

Mr. CULLOP. The department always puts out three bids, and one of them is for brick and one is for stone; and the stone is a little more costly, of course, than the brick. But this is right in the heart of the stone belt, and the building ought to be constructed out of the neolithic limestone which is a product of that district.

The SPEAKER. Is there objection to the consideration of the bill? [After a pause.] The Chair hears none. This bill is on the Union Calendar.

Mr. CULLOP. Mr. Speaker, I ask unanimous consent that it be considered in the House as in the Committee of the Whole.

The SPEAKER. The gentleman from Indiana asks unanimous consent that it be considered in the House as in the Committee of the Whole. Is there objection?

There was no objection.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

On motion of Mr. CULLOP, a motion to reconsider the vote by which the bill was passed was laid on the table.

ASSAY OFFICE, NEW YORK CITY.

The next business on the Calendar for Unanimous Consent was the bill (S. 3342) for the enlargement, etc., of the Wall Street front of the assay office in the city of New York.

The bill was read, as follows:

Be it enacted, etc., That all unexpended balances of appropriations heretofore made under the authority contained in the acts of Congress approved March 4, 1911, and August 26, 1912, for the enlargement, etc., of the Wall Street front of the assay office in New York City, and for vaults therefor, and architectural, engineering, and other technical services in connection therewith, are hereby reappropriated and made available for the erection of a new fireproof building on said Wall Street front, in continuation, or extension, of the present assay office building fronting on Pine Street, together with suitable vaults for use of said assay office and the adjoining Subtreasury, and, if necessary, an entrance from or connection with said Subtreasury for access therefrom, at a total limit of cost of not exceeding in the aggregate the present limits of cost for building, vaults, connection with the Subtreasury, and the architectural, engineering, or other technical services in connection therewith, of $607,408.

SEC. 2. That the authority heretofore given to the Secretary of the Treasury to employ, in his discretion, such architectural, engineering, or other technical services as he may deem necessary in connection with the enlargement, remodeling, or extension of the portion of the assay office in New York City fronting on Wall Street, and to pay for such services from the unexpended balance of the appropriation from which the rear portion of said assay office was constructed, is hereby continued with respect to said new building, payment therefor within the limit heretofore fixed to be made from the amounts herein reappropriated.

SEC. 3. That the Secretary of the Treasury be, and he is hereby, further authorized to employ in connection with the Supervising Architect's Office, and without regard to the civil-service laws, rules, or regulations for service, either within or without the District of Columbia, such other specially skilled technical, engineering, consulting, and superintending services as he may deem necessary all such specially skilled technical, engineering, consulting, and superintending services to be exclusively employed in connection with the plans and specifications for said vaults and the foundations of said building and vaults. And the Secretary of the Treasury is hereby authorized to pay for such services mentioned in this paragraph such compensation and such actual necessary traveling and subsistence expenses in connection with such work as he may deem reasonable, from the amounts herein reappropriated; all such additional services and traveling expenses hereinbefore authorized to be in addition to and independent of the authorizations and appropriations for personal services and traveling expenses in said office otherwise made.

And in razing said Wall Street front the Secretary of the Treasury may dispose, by gift or otherwise, of the façade of said present building with a view to the preservation of said façade: *Provided,* That the United States shall not be put to any expense beyond that for said razing.

Also the following committee amendment was read:

Page 1, line 10, strike out the words "reappropriated and" and insert the words "authorized to be."

Mr. BORLAND. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. BORLAND. What has become of Calendar No. 318?

The SPEAKER. The bill was passed on December 21.

Mr. BORLAND. Passed when?

The SPEAKER. Passed the House on December 21.

Mr. BORLAND. It is still on the calendar.

The SPEAKER. It ought not to have been on the calendar. Is there objection to the consideration of the bill S. 3342?

Mr. MOORE. Mr. Speaker, I would like to ask the gentleman from New York a question.

Mr. FINLEY. Mr. Speaker, I reserve the right to object.

Mr. MOORE. I would like to inquire of the gentleman from New York [Mr. FITZGERALD] who is sponsor for this bill——

Mr. FITZGERALD. I am not sponsor for the bill. It was introduced by my colleague, Mr. CANTOR. The item was sent to the Committee on Appropriations in some estimates a year ago, and as it was a legislative matter the item was transferred to the Committee on Public Buildings and Grounds.

Mr. MOORE. I see that the limit of appropriations here would be a little in excess of $600,000.

Mr. FITZGERALD. No. What the bill does is this: Three hundred and twenty-two thousand dollars was appropriated to build vaults in the assay office; $270,000 was appropriated to remodel the existing assay office, a two-story building. The front is one of the few historic fronts and fine pieces of architecture in the city of New York. The Treasury Department ascertains that as it is impossible to do the remodeling and to preserve the front legislation is desired to permit the expenditure of the money to erect a new building instead of remodeling the present one.

Mr. MANN. Is the gentleman quite correct? Was not $322,000 appropriated for the purpose of building vaults under this building?

Mr. FITZGERALD. Yes.

Mr. MANN. And they found they could not do that?

Mr. FITZGERALD. No; they did not find they could not do that.

Mr. MANN. That is what they reported. I do not know what they found.

Mr. FITZGERALD. That is a mistake.

Mr. MANN. And they could reconstruct the building with vaults at no greater expense than it would cost to build the vaults by themselves?

Mr. FITZGERALD. That is a mistake. Three hundred and twenty-two thousand dollars were appropriated for the vaults. Two hundred and seventy thousand dollars were appropriated to make certain changes in the Subtreasury. That plan was abandoned and that money was made available to remodel the assay office. The Treasury Department states now that it can make a better job by constructing a new building instead of remodeling the old one. The Secretary desires authority to take down the front in such a way that it can be preserved and donated to some historical society; the additional legislation is to employ the technical services required in connection with the support of a very large building which adjoins the present site.

Mr. MOORE. There is an increase in the work of the assay office in New York due to recent legislation, is there not?

Mr. FITZGERALD. An increase in the work?

Mr. MOORE. Yes.

Mr. FITZGERALD. I do not think so.

Mr. MOORE. Certain other branches of the work have been consolidated?

Mr. FITZGERALD. The work of the New York Assay Office is almost wholly confined to the importations of gold from foreign countries. That is the principal work done there. When gold is brought here in bars or in bullion, or in whatever form, it is assayed there, because it has to be paid into the Treasury. That is the chief assay work in New York. Work is not taken from other cities to New York. It is the work that has always been there, and it is due to the very large importation of gold to New York.

Mr. MOORE. Will the gentleman explain the necessity for employing outside architects on this work?

Mr. FITZGERALD. The outside architects who are to be employed are not for the work on the building, but in the city of New York in erecting very large buildings a special class of engineers has been developed for the subaqueous work.

Most of the foundations of these buildings in New York are below the sea level, and the engineering work requires the service of engineers who are sufficiently skilled in shoring up and supporting buildings of 8, 10, or more stories, similar to the office building which adjoins the site, to undertake the work.

Mr. MOORE. This provision is not necessarily due to the fact that the Supervising Architect's office in Washington is overcrowded with work?

Mr. FITZGERALD. No. It is due to the fact that there is no one connected with the Government service who is sufficiently familiar with that class of work to undertake it.

Mr. CALDER. Mr. Speaker, will my colleague permit an interruption?

Mr. FITZGERALD. The Secretary of the Treasury stated that arrangements had been made with the engineer who had built the Hudson Terminal Building, one of the very largest buildings in the city, to do the work for 2½ per cent of the cost of the work, the regular fee being 5 per cent.

Mr. CALDER. Mr. Speaker, if the gentleman will permit, I have been through the building, and my attention was particularly called to the fact that these engineers were necessary, in view of the fact that the Government had no men who were familiar with that kind of work. I have had experience in that particular line of work, and I know that there are certain kinds of engineers in our city who make that work a specialty. The building adjoining is 20 stories high, and it is important to the owners and to the Government that we should adopt this policy.

Mr. FITZGERALD. The site is valued at about a million dollars.

Mr. FINLEY. Mr. Speaker, there is no connection between this bill and the one that was passed at the instance of Mr. CANTOR at the last session?

Mr. FITZGERALD. This is Mr. CANTOR's bill. He did not get it through. It was objected to, as I understand.

Mr. FINLEY. I was here, and that is not my recollection.

Mr. FITZGERALD. He had the bill up, but objection was made to it. But this is a Senate bill.

Mr. FINLEY. Mr. Speaker, at the last session the gentleman from New York [Mr. CANTOR] had a bill passed, though I am not sure whether it was for this particular purpose or to improve the subtreasury.

Mr. FITZGERALD. It is the same bill.

Mr. MANN. If the gentleman will permit, the House passed a bill like this—a House bill. This is a Senate bill, but it is the same thing. House bill No. 13296 was passed.

Mr. FINLEY. I was satisfied that the same bill was passed here on the Unanimous Consent Calendar.

Mr. MANN. That was the House bill.

Mr. FITZGERALD. Yes. The gentleman is correct.

Mr. FINLEY. I hardly see how the bill got back here.

Mr. MANN. This is a Senate bill, covering the same thing as the House bill that was passed. One body or the other has to pass the bill first.

Mr. FINLEY. One other question, Mr. Speaker. What is the urgency for the passage of this bill at this time?

Mr. FITZGERALD. They have the money; they have authority to rebuild the existing building.

Mr. FINLEY. And the appropriation has not lapsed?

Mr. FITZGERALD. It has not lapsed, and it would be much better for the Government to tear the building down and put up a new building, and at the same time, give an opportunity to preserve the front, which is one of the finest pieces of architecture in the city of New York.

Mr. FINLEY. It is simply to change the plans and specifications?

Mr. FITZGERALD. Yes. It is simply to put up a new building in place of remodeling the old building.

The SPEAKER. This bill is on the Union Calendar.

Mr. FITZGERALD. I ask unanimous consent, Mr. Speaker, that the bill be considered in the House as in Committee of the Whole.

The SPEAKER. The gentleman from New York [Mr. FITZGERALD] asks unanimous consent that the bill may be considered in the House as in Committee of the Whole. Is there objection?

There was no objection.

Mr. MANN. Mr. Speaker, the amendment ought not to be agreed to. It is evidently a mistake. The money was appropriated and the bill as passed by the Senate provided that it should be reappropriated and made available. The amendment struck out "reappropriated" and provided that it should be authorized to be made available. That would not amount to anything. And then, on page 3, line 13, they refer to the money as being "herein reappropriated," so that the amendment that was proposed was an accidental error, apparently.

Mr. FITZGERALD. The amendment was due to the fact that the Committee on Public Buildings and Grounds did not wish to appear as directly appropriating money.

Mr. MANN. But the only thing to do is to reappropriate the money and make it available. The amendment should be disagreed to.

The SPEAKER. The question is on agreeing to the amendment.

The question was taken, and the amendment was rejected.

The SPEAKER. The question is on the third reading of the Senate bill.

The Senate bill was ordered to be read a third time, was read the third time, and passed.

On motion of Mr. FITZGERALD, a motion to reconsider the vote whereby the bill was passed was laid on the table.

BRIDGE ACROSS NIAGARA RIVER AT LEWISTON, N. Y.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 16640) to authorize the construction of a bridge across the Niagara River, in the town of Lewiston, in the county of Niagara, and State of New York.

The title of the bill was read.

The SPEAKER. Is there objection?

Mr. SMITH of New York. Mr. Speaker, reserving the right to object to the present consideration of this bill, I would like if it could be passed over without prejudice for the reason that my colleague, Mr. GITTINGS, is unable to be present to-day.

The SPEAKER. The gentleman from New York asks unanimous consent that this bill be passed over without prejudice. Is there objection?

Mr. BORLAND. What is the request, Mr. Speaker?

The SPEAKER. The request was that the bill be passed over without prejudice. Is there objection?

Mr. STAFFORD. Mr. Speaker, reserving the right to object, the gentleman from Missouri [Mr. BORLAND] is present, and he has been adopting a very consistent course in objecting this morning to passing over bills without prejudice. I do not know whether he intends now to change his policy or not.

Mr. BORLAND. Does the gentleman want to object?

Mr. STAFFORD. No; I do not; but I want to call the attention of the House to the fact that the gentleman has adopted a very inconsistent position.

Mr. BORLAND. The gentleman is mistaken.

Mr. STAFFORD. No; the gentleman is not mistaken. The gentleman objected to passing over a public-building bill awhile ago when the gentleman from Indiana [Mr. CULLOP] was absent.

Mr. BORLAND. I object to the request to pass the bill over without prejudice.

The SPEAKER. The question is, Is there objection to the present consideration of this bill?

Mr. SMITH of New York. Mr. Speaker, I shall object to its present consideration.

The SPEAKER. The gentleman from New York objects. The bill is stricken from the calendar, and the Clerk will report the next one.

RAILWAY LOCOMOTIVES.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 17894) to amend an act entitled "An act to promote the safety of employees and travelers upon railroads by compelling common carriers engaged in interstate commerce to equip their locomotives with safe and suitable boilers and appurtenances thereto," approved February 17, 1911.

The bill was read, as follows:

Be it enacted, etc., That section 2 of the act entitled "An act to promote the safety of employees and travelers upon railroads by compelling common carriers engaged in interstate commerce to equip their locomotives with safe and suitable boilers and appurtenances thereto," approved February 17, 1911, shall apply to and include the entire locomotive and tender and all parts and appurtenances thereof.

SEC. 2. That the chief inspector and the two assistant chief inspectors, together with all the district inspectors, appointed under the act of February 17, 1911, shall inspect and shall have the same powers and duties with respect to all the parts and appurtenances of the locomotive and tender that they now have with respect to the boiler of a locomotive and the appurtenances thereof, and the said act of February 17, 1911, shall apply to and include the entire locomotive and tender and all their parts with the same force and effect as it now applies to locomotive boilers and their appurtenances. That upon the passage of this act all inspectors and applicants for the position of inspector shall be examined touching their qualifications and fitness with respect to the additional duties imposed by this act.

SEC. 3. That nothing in this act shall be held to alter, amend, change, repeal, or modify any other act of Congress than the said act of February 17, 1911, to which reference is herein specifically made, or any order of the Interstate Commerce Commission promulgated under the safety-appliance act of March 2, 1893, and supplemental acts, except that for a violation of the act of February 17, 1911, as hereby amended, or of any rule or regulation made under its provisions, or of any lawful order of any inspector acting thereunder, the offender shall be subject to prosecution by the United States for a penalty under said act, as hereby amended, only: *Provided*, That the passage of this act shall not affect any suit pending or offense committed prior to the passage hereof.

SEC. 4. That this act shall take effect six months after its passage, except as otherwise herein provided.

The SPEAKER. Is there objection?

There was no objection.

The SPEAKER. The question is on the engrossment and third reading of the bill.

Mr. BARTLETT. Mr. Speaker——

The SPEAKER. For what purpose does the gentleman from Georgia rise?

Mr. BARTLETT. A parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. BARTLETT. Mr. Speaker, this may entail an expense upon the Government by the appointment of additional employees in all probability, and it may be necessary to consider it in the Committee of the Whole House on the state of the Union. It proposes examinations and appoints men to perform certain duties, who doubtless will have to be paid a salary.

Mr. MANN. I do not think this is a Union Calendar bill. While it provides for an inspection of locomotives, broader than is now provided for by law, it does not increase the number of inspectors or their salaries, but authorizes the same inspectors to make the inspection.

Mr. GOEKE. Will the gentleman allow me?

Mr. MANN. In a moment. When we pass a law making an act a criminal act, we know that if anybody is accused of the crime it will involve an expense to the Government, but that does not make it a Union Calendar bill, because it does not increase the number of officials of the Government drawing pay, although it may increase the number of jurors. Now, this bill simply broadens the power of the inspectors who are already provided for by law. I do not think that makes it a Union Calendar bill.

Mr. ADAMSON. It provides for an examination.

Mr. BARTLETT. I merely call it to the attention of the Speaker to let the Speaker decide.

Mr. ADAMSON. Will the gentleman from Illinois yield?

Mr. MANN. Certainly.

Mr. ADAMSON. I wish to remind the gentleman from Illinois, in corroboration of what he says, that it appears that the machinery already exists. There is no extension of the machinery.

The SPEAKER. Is the gentleman arguing the point of order?

Mr. ADAMSON. Yes.

The SPEAKER. The Chair will decide, without argument, that the bill is on the right calendar. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was accordingly read the third time, and passed.

On motion of Mr. GOEKE, a motion to reconsider the last vote was laid on the table.

OLD POST OFFICE, JERSEY CITY, N. J.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 9584) to authorize the Secretary of the Treasury of the United States to sell the present old post office and the site thereof in the city of Jersey City, N. J.

The bill was read as follows:

Be it enacted, etc., That upon the completion of the new Federal building at Jersey City, N. J., and its occupancy by the United States, the Secretary of the Treasury is hereby authorized, in his discretion, to sell the present old post office and site thereof in said city, after proper advertisement, at public or private sale, on such terms as he may deem to be to the best interests of the United States to execute a quit-claim deed to the purchaser thereof, and to deposit the proceeds of said sale in the Treasury of the United States as a miscellaneous receipt.

With the following committee amendment:

Page 1, line 6, strike out the words "sell the present old post office and site thereof in said city, after proper advertisement, at public or private sale, on such terms as he may deem to be to the best interests of the United States" and insert "offer at public sale, after proper advertisement, the present old post office and site in said city, and sell the same to the highest and best bidder."

The SPEAKER. Is there objection?

Mr. FINLEY. Mr. Speaker, reserving the right to object, I would like to understand the necessity for this proposed change of verbiage.

Mr. HAMILL. Mr. Speaker, it was at the request of the board of education of Jersey City that this bill was introduced. Jersey City now has a new post office.

Mr. FINLEY. I understand that.

Mr. HAMILL. They want to procure the old post-office site for a public school. They wanted to make a private arrangement with the Secretary of the Treasury to sell the property at private sale. The bill was presented to the committee, and for a time it looked as if they were perfectly willing to have the building sold by an arrangement between the board of education and the Secretary of the Treasury; but somebody thought that it would look better if the building were sold at public sale, and so this amendment was suggested, that the Secretary of the Treasury sell it at public sale.

Mr. FINLEY. Under the bill as it was originally drawn the Secretary of the Treasury could sell on such terms as he wished.

Mr. HAMILL. Yes.

Mr. FINLEY. That would apply to the sale, the amount to be paid, the deferred payments, and so on. That is correct, is it not?

Mr. HAMILL. Yes.

Mr. FINLEY. Under this amendment the Secretary of the Treasury would be limited to the consideration of cash bids. That is true, is it not?

Mr. HAMILL. Yes; I think so.

Mr. FINLEY. Does the gentleman think that would probably be for the best interests of the Government?

Mr. HAMILL. I will say that if the gentleman wishes to offer any amendment with regard to the sale, I am perfectly willing to accept it.

Mr. FINLEY. My view is that the words "on such terms as he may prescribe and for the best interests of the Government" should be inserted in the amendment. I have no objection to the bill, and I am only suggesting that it may be found to be for the best interests of the Government to leave it to the discretion of the Secretary of the Treasury. In other words, under the original bill you could sell on time, for part cash, while the amendment would confine the Secretary of the Treasury to a cash sale. I have no objection to the bill.

The SPEAKER. Is there objection?

Mr. MANN. Reserving the right to object, there is no information contained in the report on this bill. Does the gentleman from New Jersey think this is a very good time to sell real estate?

Mr. HAMILL. Let me explain the whole situation with regard to the bill. Jersey City some time ago——

Mr. MANN. That information ought to have been contained in the report.

Mr. HAMILL. The committee thought otherwise, and so far as this particular piece of property is concerned it is as good a time as there ever will be to sell it.

Mr. MANN. Is this property liable to become any more valuable?

Mr. HAMILL. No; it is not. It is likely to become less valuable——

Mr. MANN. Then it would be a crime to impose upon some poor ignorant sucker now.

Mr. HAMILL. The board of education of Jersey City intend to purchase it for a public school. It is in a neighborhood that is going down so far as the purchase of property is concerned, but it is a place where a school is badly needed, and the property is located exceptionally for school purposes. There is a small park on one side of the building and a street on the other, giving a good light, and that is the reason for the introduction of this bill.

Mr. MANN. You seem to have a customer already; how much have they offered for the property?

Mr. HAMILL. They have made no offer yet.

Mr. MANN. I think we had better wait until they make an offer.

Mr. HAMILL. Will the gentleman from Illinois consent that it be passed over without prejudice?

Mr. MANN. As far as I am concerned.

Mr. HAMILL. Then, Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice and retained on the calendar.

The SPEAKER. Is there objection to the request of the gentleman from New Jersey? [After a pause.] The Chair hears none.

COINAGE OF COINS FOR THE PANAMA EXPOSITION.

The next business on the Calendar for Unanimous Consent was the bill S. 6039, an act for the coinage of certain gold and silver coins in commemoration of the Panama-Pacific International Exposition, and for other purposes.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury shall cause to be coined at the United States mint at San Francisco not exceeding 2,000 gold coins of the denomination of $50 each, 10,000 gold coins of the denomination of $2.50 each, 25,000 gold coins of the denomination of $1 each, and not exceeding 200,000 silver coins of the denomination of 50 cents each, all of legal weight and fineness; said coins to be struck in commemoration of the Panama-Pacific International Exposition. The words, devices, and designs upon said coins shall be determined and prescribed by the Secretary of the Treasury, and all provisions of law relative to the coinage and legal-tender value of all other gold and silver coins shall be applicable to the coins issued under and in accordance with the provisions of this act; and one-half of the issue of $50 gold coins herein authorized shall be similar in shape to the octagonal $50 gold pieces issued in California in 1851; and the entire issue of said $50, $2.50, and $1 coins herein authorized shall be sold and delivered by the Secretary of the Treasury to the Panama-Pacific International Exposition Co. at par, under rules and regulations and in amounts to be prescribed by him, the delivery of said coins to begin not later than December 1, 1914. Said 50-cent coins herein authorized shall be issued only upon the request of the Panama-Pacific International Exposition Co., and shall be delivered to it by the Secretary of the Treasury, at par, during the period when said Panama-Pacific International Exposition shall be officially open.

SEC. 2. That medals and diplomas, with appropriate devices, emblems, and inscriptions commemorative of said Panama-Pacific International Exposition and of the awards to be made to the exhibitors thereat, shall be prepared by the Secretary of the Treasury at the United States mint at Philadelphia and the Bureau of Engraving and Printing, said medals and diplomas to be delivered to said Panama-Pacific International Exposition Co. subject to the provisions of section 52 of the coinage act of 1873 and upon payment of the cost of the material composing said medals or diplomas.

SEC. 3. That the 50-cent silver coins herein authorized may, in the discretion of the Secretary of the Treasury, be coined or finished and issued from the machinery to be installed as a part of the exhibit of the United States mint at said exposition, and for the purpose of maintaining the exhibit as an educative working exhibit at all times the coins so minted may be remelted and reminted. All of said 50-cent silver coins herein authorized not issued to and at the request of said Panama-Pacific International Exposition, whether the same are coined as a part of said working exhibit or coined at the mint in San Francisco, shall be remelted upon the official closing of said exposition. All provisions hereof in regard to the coinage, finishing, or issue of said 50-cent silver coins from machinery installed as a part of the said exhibit shall be coined, finished, and issued under such regulations as the Secretary of the Treasury may prescribe; and the Secretary of the Treasury shall cause to be prepared a suitable souvenir medal (of such metal or composition of metals as he may prescribe), to be struck off by the machinery in said mint exhibit, and all of said medals shall be delivered to said Panama-Pacific International Exposition Co. upon payment of the cost of the material composing the same, and all other souvenirs which may be coined, stamped, printed, or otherwise issued from any portion of the United States Government exhibit shall be delivered to said exposition company upon payment of the cost of the material composing said souvenirs, and said souvenir medals and other souvenirs shall be delivered to said Panama-Pacific International Exposition Co. subject to such regulations as to disposition thereof as the Government exhibit board may prescribe. All provisions, whether penal or otherwise, of the laws prohibiting the counterfeiting or imitating of coins or securities of the United States shall apply to the medals, diplomas, and souvenirs provided for under sections 2 and 3 of this act.

SEC. 4. That the Secretary of the Treasury is hereby authorized to obtain suitable designs for the coins and medals herein authorized, and the sum of $5,000, or so much thereof as may be necessary, is hereby appropriated, out of any money in the Treasury not otherwise appropriated, to defray the cost of said designs.

With the following committee amendments:

Page 1, line 4, strike out the word "two" and insert in lieu thereof "three."

Page 2, after line 17, insert the words "the coinage shall be executed as soon as may be and."

Page 2, lines 18 and 19, strike out the words "December 1, 1914," and insert in lieu thereof "the day of the opening of the exposition."

Page 5, line 2, insert the words "*Provided*, That the Panama-Pacific International Exposition Co. shall reimburse the Treasury Department for the amount thus expended."

The SPEAKER. Is there objection to the present consideration of the bill?

There was no objection.

Mr. ASHBROOK. Mr. Speaker, I ask that the bill be considered in the House as in Committee of the Whole.

The SPEAKER. The gentleman from Ohio asks unanimous consent that the bill be considered in the House as in Committee of the Whole. Is there objection?

There was no objection.

The SPEAKER pro tempore (Mr. GARRETT of Tennessee). The question is on the amendments.

The amendments were considered and agreed to.

Mr. KAHN. Mr. Speaker, I move to strike out, in line 1, page 2, the dollar sign before the figures "50."

The SPEAKER pro tempore. The Clerk will report the amendment.

The Clerk read as follows:

Page 2, line 1, strike out the dollar sign before the figures "50."

The amendment was agreed to.

The bill as amended was ordered to be read a third time, was read the third time, and passed.

On motion of Mr. ASHBROOK, a motion to reconsider the vote whereby the bill was passed was laid on the table.

OIL OR GAS LANDS.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 15661) authorizing the Secretary of the Interior to lease to the occupants thereof certain unpatented lands on which oil or gas has been discovered.

The bill was read, as follows:

Be it enacted, etc., That upon relinquishment or surrender to the United States, within six months from the date of this act, by any locator or his successors in interest of his or their claim to any unpatented oil or gas lands included in an order of withdrawal, upon which oil or gas had been discovered, was being produced, or upon which drilling operations were in actual progress January 1, 1914, and the claim to which land was initiated prior to July 3, 1910, the Secretary of the Interior shall lease to such locator or his successors in interest the said lands so relinquished, not exceeding, however, the maximum area of 2,560 acres to any one person, association, or corporation, said leases to be conditioned upon the payment by the lessee of a royalty of not exceeding one-eighth of the oil or gas extracted or produced from the leased premises or the proceeds thereof, each lease to be for a period of 20 years, with the preferential right in the lessee to renew the same for succeeding periods of 10 years, upon such reasonable terms and conditions as may be prescribed by the Secretary of the Interior.

SEC. 2. That the Secretary of the Interior is hereby authorized to perform any and all acts, and make such rules and regulations as he may deem necessary and proper for the purpose of carrying the provisions of this act into full force and effect, and all leases or assignments of leases shall be subject to such rules and regulations, and the failure of any lessee or of his successor or successors to comply with the terms and conditions of the lease shall work a forfeiture of the same, to be declared by a court of competent jurisdiction.

With the following committee amendments:

Strike out, after the word "Interior," line 11, page 1, the word "shall," and insert in lieu thereof the words "may in his discretion."

Strike out, after the word "of," line 1, page 2, the words "two thousand five hundred and sixty" and insert in lieu thereof "six hundred and forty." After the word "lease," on line 12, page 1, insert "on such reasonable terms and conditions as he may prescribe."

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. MANN. I reserve the right to object.

Mr. FERRIS. Mr. Speaker, I want to call the gentleman's attention to the fact that when the general leasing bill was passed it contained the provisions of this bill and a bill that was introduced by the gentleman from Idaho [Mr. FRENCH]. The general leasing bill has gone to the Senate, but the calendar is quite congested over there, and there is some objection to it, and we do not know when it will pass. The House very generously let the gentleman from Idaho through with his bill, and I wondered if the gentleman from Illinois would not grant this bill the same courtesy, because they stand on the same status. Both have been passed by the Senate, both passed the House as a part of the leasing bill, and both appear on the Unanimous Consent Calendar.

Mr. MANN. All that the gentleman says is true, but he has not stated all of the truth.

Mr. FERRIS. Then the gentleman can supplement any part that I have omitted.

Mr. MANN. The bill that we passed, now pending in the Senate, is the only bill that we have on that subject, and if that does not pass we have no law at all. In reference to the oil and gas lands, we have passed a law that is now on the statute

books giving the Secretary of the Interior authority to make arrangements and dispose of oil and gas on the lands, putting it in quite a different situation from the other.

Mr. FERRIS. Of course; but I thought that the gentleman might let this go through the same as he did the other.

Mr. MONDELL. Mr. Speaker, it is true that we passed a temporary bill having to do with cases where oil had been developed or where it was difficult to dispose of the product, but that bill does not cover all of the cases which require legislative action. This bill covers some cases that are not in any way affected by the former legislation. In view of the fact that the general legislation pending in the Senate may not pass I hope the gentleman from Illinois will not object to this going over if he is disposed to object to its consideration.

Mr. MANN. I have read in the Attorney General's report that there is a probability of various questions in reference to oil and gas lands being settled at an early day by the Supreme Court. I think it would be wiser under the circumstances, having passed a temporary bill, where the rights of all parties can be preserved—I think it would be wiser to await the permanent legislation until we know what the rights of the respective parties are under the decision of the courts.

Mr. MONDELL. I do not want the gentleman from Illinois to labor under a misapprehension. The legislation already had does not cover all of the cases by any manner of means, nor can it cover all the cases. These are cases that need relief quite as much as cases affected by the other legislation. Of course, the gentleman can object if he sees fit, but I do not want him to object on the theory that we have already legislation on this subject covering all the cases which would be affected by the legislation.

Mr. MANN. As a matter of fact there were two bills, one for permanent legislation and one for a temporary relief. I objected to both of them, but finally upon the suggestion of various parties interested that they would not press this bill, I withdrew my objection to the other bill. Now, as soon as that is a law gentlemen say that furnishes no relief. That may be true, but that was not said at the time.

Mr MONDELL. The gentleman does not suggest that I was one of those.

Mr. MANN. No; but the gentleman was here all the time we were discussing it.

Mr. MONDELL. I can not help what others may have said or done.

Mr. MANN. The gentleman from Wyoming is very quick to give information, and, as a rule, is very valuable in giving information.

Mr. MONDELL. The former legislation, as far as my constituents are concerned, is of very little value. This legislation, on the contrary, is quite important to them.

Mr. MANN. If there is any man in this House who looks out for his own constituents on every possible occasion, it is the gentleman from Wyoming.

Mr. MONDELL. I thank the gentleman very kindly for that compliment. Now, if the gentleman will follow it up by giving me the opportunity at some future time of doing something for my constituents, by agreeing that this may remain on the calendar, I will appreciate his compliment very much more.

The SPEAKER pro tempore (Mr. GARRETT of Tennessee). Is there objection?

Mr. MANN. I object. The gentleman from Wyoming did not make any request to pass the bill over without prejudice. I would not have objected to that.

Mr. MONDELL. Oh, I think I did.

Mr. MANN. No; the gentleman did not.

Mr. MONDELL. Mr. Speaker, I now ask unanimous consent that the bill go over without prejudice.

The SPEAKER pro tempore. But objection has been made.

Mr. MONDELL. But the gentleman from Illinois made the objection, I understand, with the idea that no request had been made to have it go over. The gentleman can withdraw his objection.

The SPEAKER pro tempore. That rests with the gentleman from Illinois, and not the Chair.

Mr. MANN. Oh, Mr. Speaker, the Chair is in error about that. It is the constant practice where objection is made to a bill to ask unanimous consent that it remain on the calendar and be passed without prejudice.

Mr. MONDELL. I understand the gentleman from Oklahome [Mr. FERRIS] submitted that request. I do also in an informal way.

The SPEAKER pro tempore. The bill under the rule can go back on the calendar if it is not objected to twice.

Mr. MONDELL. The gentleman from Oklahoma did make the request that the bill remain on the calendar without prejudice, I understood. I did not think it was necessary for me to again make that request.

The SPEAKER pro tempore. Then the present occupant of the chair misunderstood. He came to the chair when the bill was being considered. Did the gentleman from Oklahoma make that request?

Mr. FERRIS. Mr. Speaker, the gentleman from Wyoming is in error about my making such a request; but I would like to prefer that request at this time, and I now ask unanimous consent that I may be permitted, out of order, to make that request.

Mr. MANN. Oh, the request is in order.

Mr. FERRIS. I wanted to obviate any question in regard to the matter.

Mr. FOSTER. Mr. Speaker, I think a bill was passed with a sort of general understanding that because it was within the provisions of the general leasing bill it would be taken up on the Unanimous Consent Calendar, and on account of my absence I did not have an opportunity to object to it, or I would have done so.

Mr. MONDELL. The gentleman realizes that another bill in the same position as this was passed?

Mr. FOSTER. I feel that this bill ought to go off the calendar, and I therefore object.

The SPEAKER pro tempore. The gentleman from Illinois objects, and the bill will be stricken from the calendar.

CLAIMS UNDER INDIAN DEPREDATIONS.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 22) to amend an act entitled "An act to provide for the adjudication and payment of claims arising from Indian depredations," approved March 3, 1891.

The Clerk proceeded to read the bill.

Mr. MANN (interrupting the reading of the bill). Mr. Speaker, there is no need of reading this bill through. I suggest that the gentleman from Texas make his request to substitute the Senate bill for this.

Mr. STEPHENS of Texas. Mr. Speaker, I ask unanimous consent to substitute for this bill the bill S. 2824—to strike out all after the enacting clause of this bill and substitute that bill.

Mr. MANN. The gentleman wants to ask unanimous consent that there be presented to the House Senate bill 2824, reported to the House, with the same right to object to its consideration.

Mr. STEPHENS of Texas. Yes.

The SPEAKER pro tempore. The gentleman from Texas asks unanimous consent that the bill S. 2824 may be substituted for this bill, subject to the right to object to its consideration. Is there objection?

Mr. FOSTER. Mr. Speaker, reserving the right to object——

Mr. MANN. The gentleman from Illinois would still have the right to object to its consideration.

Mr. FOSTER. I know; but I may save time if I can get some information.

Mr. MANN. It will save time to have the Senate bill read now.

Mr. BURKE of South Dakota. The gentleman can still object to its consideration after it is read.

Mr. FOSTER. I do not know that I shall. Is there any difference between the two bills?

Mr. MANN. There is a wide difference between the two bills. The Senate bill is quite unobjectionable, I think, while about 40 of us would object to the consideration of the House bill.

Mr. FOSTER. Very well.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas to substitute the Senate bill 2824? [After a pause.] The Chair hears none, and the Clerk will report Senate bill 2824.

The Clerk read as follows:

Be it enacted, etc., That the first section of paragraph 1 of an act entitled "An act to provide for the adjudication and payment of claims arising from Indian depredations," approved March 3, 1891, be, and the same is hereby, amended so as to read as follows:

"First. That in all claims for property of citizens or inhabitants of the United States, except the claims of Indians heretofore or now in tribal relations, taken or destroyed by Indians belonging to any tribe in amity with and subject to the jurisdiction of the United States without just cause or provocation on the part of the owner or agent in charge, and not returned or paid for, and in all adjudications under said act as now amended, the alienage of the claimant shall not be a defense to said claimant: *Provided*, That the privileges of this act shall not extend to any person whose property at the time of its taking was unlawfully within the Indian country: *Provided further*, That all cases heretofore filed under said act of March 3, 1891, and which have been dismissed by the court for want of proof of the citizenship of the claimant or alienage shall be reinstated and readjudicated in accordance with the provisions of this act: *Provided further*, That nothing in this act shall be construed to authorize the presentation of any other claims than those upon which suit has heretofore been brought in the Court of Claims: *Provided further*, That all acts and parts of acts in so far as they conflict with the provisions of this act are hereby repealed."

Mr. BURKE of South Dakota. Mr. Speaker, before the Clerk reports the House amendment to the Senate bill I desire to state that in reporting the Senate bill to the House the House committee struck out all after the enacting clause and inserted the House bill, which is upon the Unanimous Consent Calendar. It is the intention of the friends of the measure—and that is the desire of the Committee on Indian Affairs—to consider the Senate bill as it passed the Senate, and to vote down the amendment recommended by the committee, that amendment being the House bill, which the Clerk was proceeding to read. I ask that the further reading of the bill be dispensed with.

Mr. MANN. The amendment does not have to be read now.

Mr. STEPHENS of Texas. The original Senate bill has been read.

Mr. MANN. Mr. Speaker, if I may be permitted, I would like to make a short statement in respect to the subject. We have had before the House at different times various propositions to reinstate a lot of claims growing out of Indian depredations and the House has refused to pass the bill. There has been quite a conflict about it. There were a great many reasons for dismissing the claims. In some of the cases the claimants developed that they were not American citizens. There was one case of a Delegate to this House, if I recall correctly, from New Mexico.

Mr. STEPHENS of Texas. He was from Arizona, and his name was Campbell.

Mr. MANN. He was one of the claimants. He supposed that he was a citizen, but when the claim was tried it developed that he had never taken out citizenship papers. There were a great many cases growing out of citizenship owing to the admission of Texas where people supposed they were citizens, but under the law they were not citizens. This sort of a compromise has been reached, that the only claims that can be reinstated, as stated in the bill, are claims where the alienage of the claimants shall not be a defense to said claim. That is the only thing that is carried by the Senate bill—why the reinstatement of the claim is authorized. There are not very many of those cases, but all of them, I think, so far as I have ever investigated—and I have gone over this matter a great many times—had particular merit in them.

Mr. GARNER. Mr. Speaker, will the gentleman yield?

Mr. MANN. Yes.

Mr. GARNER. The report of the Department of Justice, through the Assistant Attorney General having charge of this matter, goes on to point out that in some of these cases the evidence has been developed showing the property was taken, making out a complete case.

Mr. MANN. Oh, yes.

Mr. GARNER. Except for the fact that the party was not at that time, for some cause or other, under the decision of the Court of Claims, a citizen of the United States. And I might suggest another reason why I think these claims should all be put in one bill and put under the same category. There have been a number of claims passed through this House in the last 10 years, special cases that have gone through, that were no more meritorious than the general class covered by this bill.

Mr. MANN. There has never been any objection to these general bills.

Mr. FINLEY. Will the gentleman yield for a question?

Mr. MANN. Certainly.

Mr. FINLEY. Does this Senate bill permit the filing of new claims?

Mr. MANN. No.

Mr. STEPHENS of Texas. I will state to the gentleman further——

Mr. MANN. Only those old claims filed many years ago.

Mr. STEPHENS of Texas. It only reinstates the old cases dismissed because they were not citizens instead of inhabitants, and I will state to the gentleman here the words "citizens" and "inhabitants" have been used for 75 years, and during all the time these depredations were committed on the frontier an inhabitant was entitled to recover the same as a citizen, but by reason of recent decisions of the courts they have struck out the word "inhabitant" and we want that restored.

Mr. FINLEY. How did that change come about, by court decision and construction?

Mr. STEPHENS of Texas. By construction of the courts of the country and for the reason that these people were as much entitled as citizens this bill has been drafted and recommended. The report of the committee says:

In response to a letter by the former chairman of this committee, Senator WILLIAM J. STONE, the Attorney General, through Huston Thompson, Assistant Attorney General, on March 26, 1914, stated with reference to the present bill as follows:

"As to the attitude taken with respect to bills similar to Senate bill 2824 by the Assistant Attorneys General formerly in charge of this work, I can only say they have neither advocated nor opposed the passage of such bills, but have contented themselves with presenting the facts to Congress. All laws on this subject, commencing with the act of May 19, 1796, prior to the act of March 3, 1891, provided for the recovery by citizens and inhabitants; therefore bills proposing to remove this jurisdictional requirement do not contemplate new legislation, but merely restore a right that had previously existed.

"HUSTON THOMPSON,
"Assistant Attorney General."

That is what the Assistant Attorney General says.

Mr. FINLEY. Now, will the gentleman answer this question: There is no question of interest involved in these claims, is there?

Mr. STEPHENS of Texas. None whatever.

Mr. FINLEY. What about attorneys' fees? To what extent is that proposition involved in this bill?

Mr. STEPHENS of Texas. That is a matter between the man who has a claim against the Government and his attorney the same as any private party.

Mr. GARNER. I will state to the gentleman that these claims are on the same basis as to attorneys' fees as all other claims that come under the Indian depredation act. The original contracts were made and suits filed, and when the Court of Claims decided that an inhabitant was not entitled to recover under that statute the claim would have to be left on the docket.

Mr. FINLEY. What are the numbers of these claims?

Mr. BURKE of South Dakota. They aggregate about $300,000.

The SPEAKER pro tempore. Let the Chair get the parliamentary situation straightened out for a moment before gentlemen continue. The gentleman from South Dakota asks unanimous consent that the reading of House amendment to Senate bill 2824 be dispensed with and that the amendment be disagreed to and that Senate bill 2824 may be considered, subject to the right of objection. Is there objection? [After a pause.] The Chair hears none. Now the matter before the House, subject to objection, is Senate bill 2824.

Mr. FINLEY. Reserving the right to object, about what is the number of these claims?

Mr. GARNER. I do not know; but the Department of Justice, according to Mr. Thompson, special attorney, who looks after these cases, estimates about $300,000, or not exceeding $300,000 is my recollection.

Mr. BURKE of South Dakota. Let me state to the gentleman, if the gentleman will permit, that the Attorney General reports that in his opinion, included in report submitted under date of March 26, 1914, that the probable increased liability, if this amendment was adopted, would be about $300,000.

Mr. FINLEY. And the claimants, I presume, a majority are long since dead?

Mr. GARNER. A great many of them are; yes.

Mr. FINLEY. I will ask the gentleman if he has any other knowledge than that contained in the Attorney General's report?

Mr. GARNER. I will state to the gentleman from South Carolina: I know this, that a man who has acted as foreman of the grand jury, one of the most prominent citizens in the county, is not entitled to recover under this law on account of the fact that he came to this country when he was only 2 years old, and it occurred to me that this Government owed him the same protection that it owed to either the gentleman from South Carolina or myself.

Mr. FINLEY. I will ask this: Was it occasioned by changes in the immigration laws?

Mr. GARNER. It is a decision of the court, I do not know exactly the reason.

Mr. MANN. I think somebody ought to state this: A number of these Indian depredation claims which were dismissed very largely were dismissed for a great many different reasons. Now, practically this pending proposition it is understood, and if it is not so understood by any gentleman here I hope he will deny it, that if this bill passes, if it does pass, authorizing the reinstatement only where alienage is involved, that there would not be pressed any legislation for the reinstatement of any other claims.

Mr. GARNER. Will the gentleman yield?

Mr. MANN. Certainly.

Mr. GARNER. I want to say for myself—I do not know how long I will remain a Member of this body—but I have agreed, and I try to carry out my agreements in good faith, I not only will not ask for them to be considered, but I will object and try to defeat them, although some of my constituents are interested in them. And there is a very good reason. I can not conceive in my mind how it is possible that anyone can urge a good objection to this Government giving the same protection to an inhabitant which it gives to one of its own citizens, whereas I can conceive where the Government is at amity with Indians there is good reason they should not be held responsible.

Mr. MANN. The claims where the question of amity arises which were dismissed I think amount to millions of dollars.

Mr. FINLEY. That is included in this bill?

Mr. MANN. That is included in this bill; and it is the understanding—and I state again—both here and in the other body, that if this bill passes the bills for the other claimants are not to be pressed.

Mr. STEPHENS of Texas. That is as I understand it. If unanimous consent for the consideration is given now, it is limited to cases where citizenship is the sole bar.

Mr. MANN. That is the only ground upon which the claims were rejected.

Mr. STEPHENS of Texas. I will say to the gentleman from Illinois that the bill H. R. 22, that I called up, was a bill that I introduced several years ago, and I have done everything in my power to put it through. I see that it is impossible to do so. This is the best that we can do, and therefore I withdraw my bill and agree to the Senate bill.

Mr. FINLEY. As I understand, the gentleman from Texas is willing to take this bill without pressing the Senate bill now or hereafter?

Mr. STEPHENS of Texas. Yes.

Mr. FINLEY. That is the understanding.

The CHAIRMAN. Is there objection to the consideration of the bill S. 2824?

Mr. FOSTER. Reserving the right to object, I would like some information. The gentleman from South Carolina [Mr. FINLEY] asked some question with reference to these probable claimants who have claims upon the Government, as to whether these are old claims that date back for a hundred years or so. There are no direct settlers living to-day, and it is only a matter of getting money out of the Treasury that goes to pay a lot of claimants' agents who have been hanging around the Capitol trying to get these claims through.

Mr. STEPHENS of Texas. I will state to the gentleman, in answer to the first part of the gentleman's question, that it was said on March 26, 1914, that the probable increased liability in this amendment, if it should be adopted, would be about $300,000.

Mr. FOSTER. I understand that. The question I want to know is, What information can the gentleman give the House in reference to the probable claims—whether they are old claims or not?

Mr. STEPHENS of Texas. No new claims can be filed at all. This is the end.

Mr. GARNER. If my colleague will permit me, these claims have all originated since the Civil War and most of the claimants are from 75 to 85 years of age. So far as my observation and experience go, they are largely in Texas. These claimants, or a larger portion of them, are old men still living, and there are a few cases where their heirs are still living. I do not believe there is 5 per cent of this money that will not go to the parties interested or to their descendants.

Mr. FOSTER. Would the gentleman have any objection to an amendment providing that no attorney should receive a greater compensation than 10 per cent of the amount?

Mr. STEPHENS of Texas. I will say to the gentleman the attorneys' fees are managed in this way: The court requests that in all of these claims the contract shall be signed by the parties, and there is an agreement as to the percentage. If the court thinks the agreement is reasonable they let them have it, and otherwise they do not.

Mr. FOSTER. The trouble is that these men go out and gather up 30 to 50 per cent of the claims and hammer the life out of Members of Congress trying to get the bills passed, and the persons who have suffered losses get nothing. The claimants wake up to the fact that these claim agents get the largest part. It is a great deal like the old French spoliation claims. They make them believe that there is a whole lot of money, whereas if they got all of it and it was divided up there would not be over $5 apiece.

Mr. STEPHENS of Texas. Will the gentleman let me read him this from the bill?—

Provided further, That all cases heretofore filed under said act of March 3, 1891, and which have been dismissed by the court for want of proof of the citizenship of the claimant or alienage shall be reinstated and readjudicated in accordance with the provisions of this act: *Provided further*, That nothing in this act shall be construed to authorize the presentation of any other claims than those upon which suit has heretofore been brought in the Court of Claims.

These are old cases, and there were very few of them. The claims do not amount to more than $300,000.

Mr. BURKE of South Dakota. Will the gentlemen from Illinois yield?

Mr. FOSTER. Yes, sir.

Mr. BURKE of South Dakota. I want to say to the gentleman from Illinois that I am in hearty accord with his position in reference to preventing unconscionable fees being collected, and especially where it is taking money from Indians. But here are a number of cases that were prosecuted in the Court of Claims by lawyers probably under contract with their clients for contingent fees. Now, after having gone through the courts, and finally having to go back to the courts, if this legislation is enacted, without having any information or knowledge as to what fee they are to receive, I think the gentleman will see that they ought to receive whatever fee their clients contracted to pay to them. They are not Indians, they are not incompetents, but are able to make their own contracts and ought to live up to them.

Mr. FOSTER. I think it is a poor policy to vote money out of the Treasury in that way——

Mr. BORLAND. Mr. Speaker, I call for the regular order.

The SPEAKER pro tempore. The gentleman from Missouri calls for the regular order. The regular order is, Is there objection to the present consideration of the bill?

Mr. FOSTER. Will the gentleman withhold his objection?

Mr. BORLAND. I will, if the gentleman really wants any further information.

Mr. FOSTER. I am trying to get some information.

Mr. BORLAND. All right; go ahead.

Mr. FOSTER. The only thing about these claims is this, that practically all of this $300,000 that is estimated to be taken out of the Treasury to pay these claims is practically all to be paid out to claim agents, and I do not believe it is good policy for Congress to allow that.

Mr. GARNER. Mr. Speaker, will the gentleman yield for a statement?

Mr. FOSTER. Yes.

Mr. GARNER. I have seen a number of these contracts. Of course, I can not give testimony as to the contracts that I have not seen, but I know some of my constituents have made these contracts—made them years ago—15 or 20 years ago—and all the contracts that I have seen bear 15 per cent.

Mr. FOSTER. Well, that is not unreasonable.

Mr. GARNER. I want to state this fact further to the gentleman from Illinois, that these cases have nearly all been proven up. They are simply lying there awaiting the passage of this law, in order that the courts may take into consideration the facts that have all been proven in court.

I will say further that most of these cases that I have investigated show conclusively that the property was taken, and the courts have found the amount due, except that they can not render judgment on account of the condition of the law. Under these conditions I do not think that new contracts would be made by my constituents or by anybody else's constituents.

Mr. FOSTER Mr. Speaker, upon the statement of my friend from Texas [Mr. GARNER] that he has seen some of these contracts, and that they call for 15 per cent—probably not an unreasonable fee—I am going to withdraw my objection.

The SPEAKER pro tempore. The gentleman from Illinois [Mr. FOSTER] withdraws his objection.

Mr. LENROOT. Mr. Speaker, reserving the right to object, I very much dislike to object to this bill, and probably will not, but this is a practice that ought not to be permitted. Here is a bill on the Calendar for Unanimous Consent, accompanied by a committee report. A Senate bill is now proposed to be substituted for the House bill, and it is proposed to adopt the Senate bill, which the House committee itself has not recommended should pass, but instead has reported an entirely different bill. Now, I do not know but that this bill is meritorious throughout, but when we go through bills on the Unanimous Consent Calendar and come to the bill H. R. 22, see it bristling full of objections, we do not take the time to go into all the details of the bill. Some parts may be meritorious, but we can not examine them in detail, and for that reason we do not pay careful consideration to all of the details of the bill when as a whole it is objectionable.

Mr. CARTER. Mr. Speaker, will the gentleman yield?

Mr. LENROOT. Yes.

Mr. CARTER. My recollection was—and I will ask the gentleman [Mr. STEPHENS of Texas] in charge of the bill whether it is not a fact—that the committee did really authorize the reporting of the Senate bill in lieu of the House bill. Did not the Committee on Indian Affairs do that? That is my recollection.

Mr. STEPHENS of Texas. The original bill, H. R. 22, was reported by the committee.

Mr. LENROOT. Here is a bill of 12 pages, and only one-half of one page is devoted to this question.

Mr. STEPHENS of Texas. That bill has been voted down. The bill now before the House is a Senate bill.

Mr. GARNER. Mr. Speaker, will the gentleman yield?

Mr. LENROOT. Yes.

Mr. GARNER. The Committee on Indian Affairs is in favor of amending the present law so as to permit the adjudication of cases of nonjoinder and amity and alienage that failed to pass the House. The House refused to pass such cases. When the bill went to the Senate committee they amended the Senate bill so as to include all three of those characters of cases.

Now, then, knowing that this bill can not become a law, knowing that the judgment of the Committee on Indian Affairs can not be carried into effect, we tried to arrive at a compromise with those gentlemen who were opposing this character of legislation so as to get that portion of it that was unobjectionable. This is the only method we have to amend this bill now, and the sending of it back to the Senate will possibly or probably defeat the entire legislation, so that the gentleman from South Dakota [Mr. BURKE] conceived the idea that the most practical and expedient way would be to substitute the Senate bill for this bill and pass the Senate bill.

Mr. LENROOT. The gentleman does not get my point. No Member of the House could have any notice of what matter was coming up under a practice of this kind. This is my objection.

Mr. MANN. Mr. Speaker, will the gentleman yield?

Mr. LENROOT. Yes.

Mr. MANN. Well, it seems to me that anyone would have full notice of what was coming up, although I may be mistaken. The House bill that was reported and the committee amendment to the Senate bill as reported provided that the alienage of the claimant or the want of amity in defendant Indians should not be considered as a bar against the claimant. That matter has been before the House repeatedly. I have quite a bunch of bills and reports thereon that have been before the House in previous Congresses. To those who have watched the matter it was very plain what they cover. That whole question is involved in the proposition.

Now, the committee are willing to say that they will throw out the want of amity as a lack of defense and leave that as a defense. Involved in most of the claims is the question of whether the Indians were in amity with the United States or not. Only the question of alienage is left. Now that whole matter is presented in both the House bill that was reported and in the committee amendment to the Senate bill that was reported, so that the whole matter is before anyone who has given any attention to it, and that, I think, is fair notice to every Member of the House.

The gentleman from Wisconsin would not claim that if the House has before it a bill that covers three matters it would not be in order as a matter of unanimous consent to pass a bill covering only one of the three?

Mr. LENROOT. No; but the gentleman certainly must see that with respect to a bill upon the Calendar for Unanimous Consent, involving a great many propositions, no Member is under any assumption that if there is one item in the bill that may be meritorious that is the one that is going to be considered and all the rest thrown away. He makes his objection to the bill as a whole, and when he sees several objectionable features to a bill he very naturally does not go to the minutiæ of whether one particular item in the bill may be meritorious or not.

Mr. MANN. I should think he would, especially a careful man like my friend from Wisconsin.

Mr. LENROOT. The gentleman from Wisconsin does not.

Mr. MANN. I know I do. I think now that the gentleman from Wisconsin has never taken any interest in this bill in the past.

Mr. LENROOT. I am frank to say that I have not much information about it.

Mr. MANN. The gentleman has probably never given it particular attention. Those who have given it particular attention in opposition to the claim think that the Government really, by the passage of this bill, wins a great victory. I made a very exhaustive study of this matter some years ago and fought the claim when the bill was reported, and I have some of my memoranda here now. No one else was in opposition to the bill, except the gentleman from Mississippi [Mr. SISSON], but we beat the bill in the House in the discussion of it.

Mr. LENROOT. Mr. Speaker, in view of the statement of the gentleman from Illinois [Mr. MANN], who I know has given a great deal of attention to this question, and confident as I am that the bill as proposed is meritorious, I will not object; but I do want to serve notice now that I believe the practice that has been indulged in with reference to this bill is a bad practice, and in the future I shall object.

The SPEAKER pro tempore. Is there objection?

There was no objection.

The SPEAKER pro tempore. This bill is on the Union Calendar.

Mr. STEPHENS of Texas. I ask unanimous consent that it be considered in the House as in Committee of the Whole.

The SPEAKER pro tempore. The gentleman from Texas asks unanimous consent that the bill be considered in the House as in Committee of the Whole. Is there objection?

There was no objection.

Mr. MANN. I move to amend, on page 2, line 7, by striking out the word "claimant" and inserting the word "claim."

The SPEAKER pro tempore. The gentleman from Illinois offers an amendment which the Clerk will report.

The Clerk read as follows:

Page 2, line 7, strike out the word "claimant" and insert the word "claim."

The amendment was agreed to.

The bill was ordered to a third reading, and was accordingly read the third time, and passed.

On motion of Mr. STEPHENS of Texas, a motion to reconsider the last vote was laid on the table.

Mr. MANN. I ask unanimous consent that House bill 22 be laid on the table.

The SPEAKER pro tempore. The gentleman from Illinois asks unanimous consent that House bill 22 be laid on the table. Is there objection?

There was no objection.

BELL OF THE LATE U. S. S "PRINCETON."

The next business on the Calendar for Unanimous Consent was the joint resolution (S. J. Res. 58) authorizing the Secretary of the Navy to loan the bell of the late U. S. S. *Princeton* to the borough of Princeton, N. J.

The joint resolution was read, as follows:

Resolved, etc., That the Secretary of the Navy be, and he is hereby, authorized to loan to the borough of Princeton, N. J., the bell of the old U. S. S. *Princeton*, which the Navy Department loaned the borough of Princeton for use in the one hundredth anniversary of the incorporation of the borough.

The SPEAKER pro tempore. Is there objection?

Mr. MANN. Reserving the right to object, why and on what conditions is it proposed to do this?

Mr. PARKER of New Jersey. Mr. Speaker, if the gentleman will permit me, I have no knowledge of this bill, except that I see it is unanimously reported by the Committee on Naval Affairs, and that the report is drawn by the chairman of that committee [Mr. PADGETT]. I know that there was a lamentable explosion on the *Princeton* about the year 1843, killing a great many prominent people, among them, I think, the Secretary of the Navy. I suppose the bell of that vessel would not be used on any other ship after that.

Mr. MANN. When is the one hundredth anniversary of the incorporation of the borough of Princeton?

Mr. PARKER of New Jersey. That was some time ago. The bell was loaned to the borough of Princeton at that time, and it is now proposed apparently to make a perpetual loan of this bell, which is obviously not a very large article. I will ask the Clerk to read the report.

Mr. MANN. You need not have the report read on my account. Unless somebody makes an explanation, I shall object.

The SPEAKER pro tempore. Is there objection to the present consideration of the joint resolution?

Mr. MANN. In the absence of anybody to look after the bill——

Mr. PARKER of New Jersey. Then, I will ask that it be laid over.

Mr. MANN. If they wanted to give this bell outright to the borough of Princeton, I do not know that I would object. I am not in favor of loaning it without knowing anything about the conditions on which it is proposed to be loaned.

Mr. FOSTER. Let us give it to them.

Mr. MANN. I have no objection to that.

Mr. FOSTER. Offer an amendment to give it to them.

Mr. MANN. No; I will not do that.

Mr. FOSTER. I will offer it, if the gentleman will not object.

Mr. MANN. I will not object, if you will ask unanimous consent.

Mr. FOSTER. I ask unanimous consent to offer an amendment to change the word "loan" to "donate."

The SPEAKER pro tempore. The gentleman from Illinois asks unanimous consent to strike out, in line 4, the word "loan" and to insert in lieu thereof the word "donate." Is there objection?

Mr. BORLAND. Reserving the right to object, will it not be necessary, then, to say "without expense to the Government of the United States"?

Mr. MANN. I think that would be proper.

Mr. BORLAND. If those words are put in, I shall not object.

Mr. FOSTER. There is no expense to the Government. You do not need to do that.

Mr. BORLAND. It is better to add those words.

The SPEAKER pro tempore. Is there objection to agreeing to the amendment offered by the gentleman from Illinois [Mr. FOSTER]?

Mr. FLOOD of Virginia. I do not think this amendment ought to be agreed to without the concurrence of the committee.

Mr. FOSTER. They will have no objection to it. They want to give this bell to the borough of Princeton.

Mr. FLOOD of Virginia. Does the gentleman represent the committee that reported the bill?

Mr. FOSTER. No; but I will take the responsibility of saying that it is satisfactory to them. It is just intended as a memento.

The SPEAKER pro tempore. Is there objection to agreeing to the amendment proposed by the gentleman from Illinois [Mr. FOSTER]?

There was no objection.

The SPEAKER pro tempore. Is there objection to the present consideration of the joint resolution?

There was no objection.

Mr. FOSTER. I will ask my colleague if he does not think we ought to change the word "loaned," in line 6, to "presented"?

Mr. MANN. No; it was loaned at that time. That is merely descriptive.

Mr. FOSTER. Oh, that is right.

The joint resolution was ordered to a third reading, and was accordingly read the third time, and passed.

The SPEAKER pro tempore. The Chair will venture to suggest that the title of the joint resolution ought to be amended.

Mr. FOSTER. I ask unanimous consent to strike out the word "loan" in the title and to insert the word "donate."

The SPEAKER pro tempore. The gentleman from Illinois asks unanimous consent to strike out the word "loan" where it appears in the title and to insert the word "donate." Is there objection?

There was no objection.

INTERNATIONAL ENGINEERING CONGRESS.

The next business on the Calendar for Unanimous Consent was House joint resolution 307, authorizing the President to extend invitations to other nations to appoint delegates or representatives to the International Engineering Congress to be held at San Francisco, Cal., September 20 to 25, inclusive, 1915.

The Clerk read the joint resolution, as follows:

Resolved, etc., That the President is hereby authorized to extend invitations to other nations to appoint delegates or representatives to the International Engineering Congress to be held at San Francisco, Cal., September 20 to 25, inclusive, 1915: *Provided*, That no appropriation shall be granted for the expenses of delegates or for other expenses incurred in connection with the said congress.

The SPEAKER pro tempore. Is there objection?

Mr. MANN. Reserving the right to object, this is to authorize the President to extend invitations to nations to appoint delegates to an international engineering congress. How many congresses which are international in character are to be held in San Francisco during the Panama Exposition?

Mr. KAHN. I have not the exact number on hand, but I understand that there will be 10 or 15 international congresses.

Mr. MANN. The officials of the Panama Exposition claim that there will be many more; but, of course, we expect some exaggeration about that. The officers of the exposition say that there is to be a congress every day.

Mr. KAHN. That is true, but they are not all international. Many are State congresses; some congresses embrace a number of States. I believe there is a congress of the League of Municipalities in the United States. The number of international congresses is rather limited. Now, the International Congress of Engineers, as I understand, is a fixed body and has periodical meetings in various parts of the world. This is possibly the first time the organization is to hold a convention in the United States.

Mr. MANN. As I understand, there are many international congresses. Is it expected to pass a separate resolution for each one, to have the President invite them, or can some come without having an invitation while others require an invitation? Would it not be better to give to the President the authority in one resolution to invite Governments to participate in any congress?

Mr. KAHN. As I understand it, these organizations, when they hold their meetings in foreign countries, extend invitations through the Governments of those foreign countries. Some correspondence that I have had with officers of the International Engineering Congress would indicate to me that it has been customary in the past to receive invitations from foreign Governments for the sending of delegates. I understand that Col. Goethals is now and has been for some years the president ex officio of this congress; that it has an international standing; and that even some of the belligerent Governments will send engineers, or, rather, give its engineers from the respective countries credentials as delegates to this congress.

Mr. MANN. As I understand, where a Government invites delegates to a congress it imposes certain obligations on the part of the Government extending the invitations. This resolution says that the Government is responsible for the invitation, but when the delegates get here the Government is not responsible for their being properly taken care of. I fear that the Panama Exposition may become bankrupt before it is over. Of course I hope that it will not.

Mr. KAHN. I want to say to my friend from Illinois that never in the history of California has that State undertaken anything that has been a failure. The exposition at San Francisco is the most beautiful that has ever been constructed on this mundane sphere, and I say that with a full knowledge of the magnificent exposition that was held at Chicago, and the splendid one that was held at St. Louis, and the other expositions that have been held in various parts of the world. The people of California are known the world over for their hospitality.

Mr. FINLEY. Will the gentleman yield?

Mr. KAHN. Yes.

Mr. FINLEY. Does not the gentleman from Illinois think that this could in anyway add to the financial injury of the exposition because the engineers in the great countries in Europe are otherwise engaged and would not attend?

Mr. KAHN. We have positive information that the great countries will send delegates if the invitation is extended. I want to say that France, even when she is at war, has sent her architects to San Francisco to put up her building and install her exhibit.

Mr. FOSTER. Can the gentleman from California suggest some way that a poor man can get out and see the exposition?

Mr. BORLAND. The gentleman from Illinois might be appointed as a delegate.

Mr. KAHN. I feel satisfied that there will be no difficulty in getting out there for those who want to go, and I know that everyone who does go will come back delighted and instructed.

Mr. FOSTER. I want to say that my experience with California has been that it is one of the greatest States in the Union, and one of the most enterprising lot of people anywhere in the country. They are conducting simultaneously two great expositions in that State, and unless it was a great State they could not do that with the rivalry between them.

Mr. KAHN. There is no rivalry between the expositions; one is the complement of the other. They have a different scope, like the two that were held in Italy two years ago.

Mr. MANN. I do not think we ought to go into the business of having the Government invite delegates to every congress that chooses to meet. There is no information given in the report in this case, absolutely none at all. I do not see why the delegates can not come if the foreign countries appoint them, if San Francisco wants to pay the bill. They will probably have no difficulty in getting delegates to any congress. I can see no object in the Government starting in and inviting delegates to come from abroad and then not even knowing that they are here. Objection was made this morning to a similar resolution, not at San Francisco, but at another exposition in California.

Mr. KAHN. That was not at an exposition in California; it was at Riverside.

Mr. MANN. I did not know that you had cut Riverside out of California.

Mr. KAHN. We have not; but there is no exposition there; there is to be a display of oranges, but is not an exposition.

Mr. FINLEY. Mr. Speaker, will the gentleman from Illinois yield?

Mr. MANN. Yes.

Mr. FINLEY. Does not the gentleman think that in the case of engineers of the character, reputation, and fame of Col. Goethals, whose fame is not only national but international, it would not be anything derogatory to the Congress to pass a simple resolution, which would involve no obligation and cost the Government nothing, inviting the great engineers of other

countries who have also international reputations? It would be merely an act of politeness on the part of this great Government.

Mr. MANN. We do not even appoint delegates ourselves to attend this engineers' congress. Here is a proposition to have the Government invite foreign nations to do it, and when they come here there is nobody to meet them at the trains.

Mr. HAMILTON of Michigan. But they come by boat.

Mr. MANN. How does the gentleman know they come by boat?

Mr. HAMILTON of Michigan. There is no other way.

Mr. MANN. Oh, I beg the gentleman's pardon. The United States is not entirely surrounded by water. There will be a great many of them come from Canada; in fact, that is where the most of them would come from.

Mr. KAHN. As I understand it, there are organizations of engineers in every one of the States, and no doubt they will have committees to meet these gentlemen.

Mr. MANN. I have no doubt that they will, without any invitation being extended by the General Government.

Mr. KAHN. I do not think the gentleman wants to put any obstacles in the way of having this done.

Mr. MANN. I do not want to put any obstacles in the way of this congress, but this is a mere fancy on the part of somebody connected with the engineering congress. The other international congresses get along without it.

Mr. KAHN. The information that I have is that it is customary in extending invitations to this particular congress to have the invitation issued by the Governments where the congresses are to be held.

Mr. MANN. We have extended an invitation to delegates from South America to attend congresses in the United States this year, and it was said that it would cost $30,000 or $40,000. I may be wrong about the amount. We appropriated the money, and now we have a supplemental estimate that it will cost in the neighborhood of $80,000 more. That is the way it goes.

Mr. KAHN. This does not call for any appropriation.

Mr. MANN. I know that it does not, but if we receive people we must see that they are properly provided for in some way.

Mr. KAHN. Mr. Speaker, the gentleman will recall that when the matter was up before, especially at the other end of the Capitol, there was some complaint that the foreign guests had not been properly treated at former expositions, and the city of San Francisco promptly requested that the State Department designate somebody who would act in a semiofficial character, to represent the State Department and the Government. There has never been a single complaint since that time that a single representative of a single foreign Government has received any but the most courteous and most kindly treatment at San Francisco, and they have all come away from there delighted with their visit and fulsome in their expressions of appreciation of the courteous and kind treatment that had been extended them.

Mr. MANN. I know our Government has appointed a few people, and has made the Panama Exposition pay for them, to dance attendance upon some of these people. We have a bunch of fellows on the pay roll in that way, and I think it is a disgrace to the country and to the Panama Exposition Co.

Mr. KAHN. There are not many on the exposition pay roll.

Mr. MANN. I do not know, but you are paying for them. We have not made any appropriation, and they are drawing their salaries.

The SPEAKER pro tempore. Is there objection?

Mr. MANN. I object.

The SPEAKER pro tempore. The gentleman from Illinois objects, and the resolution will be stricken from the calendar.

CREATION OF COAST GUARD.

The next business on the Calendar for Unanimous Consent was the bill (S. 2337) to create the coast guard by combining therein the existing Life-Saving Service and Revenue-Cutter Service.

The Clerk proceeded to read the bill.

Mr. MANN (interrupting the reading). I object.

The SPEAKER pro tempore. The gentleman from Illinois objects, and the bill will be stricken from the calendar.

SALE OF LANDS IN LYMAN COUNTY, S. DAK.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 11318) authorizing the sale of lands in Lyman County, S. Dak.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior, in his discretion, be, and he is hereby, authorized to sell for cash, under such rules and regulations as he may prescribe, the unallotted, unreserved, and unentered lands in Lyman County, S. Dak., being lands formerly in the part of the Sioux Indian Reservation which was restored to the public domain by the act of March 2, 1889.

With the following committee amendment:

Line 7, strike out the words "being lands."

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. STAFFORD. Mr. Speaker, I reserve the right to object.

Mr. FINLEY. Mr. Speaker, I reserve the right to object. I would like to have some explanation of the bill and how it will affect the public domain.

Mr. BURKE of South Dakota. Mr. Speaker, this bill affects 10,640 acres of land in Lyman County, S. Dak.

Mr. FINLEY. To whom does it belong now?

Mr. BURKE of South Dakota. Lyman County was a part of the area ceded by the Indians in 1889, and opened to settlement under the homestead laws. The land has been subject to entry under the homestead laws since 1889, and all of it has been entered and patented many years ago except 10,640 acres.

Mr. FINLEY. Under what authority of law?

Mr. BURKE of South Dakota. Under the homestead law.

Mr. FINLEY. Then what is the necessity of coming here now?

Mr. BURKE of South Dakota. These lands are isolated. They are located in the hills, rough and rocky, and can not be disposed of under the homestead laws.

Mr. FINLEY. How could they be entered and patented under the law if that is so?

Mr. BURKE of South Dakota. These lands have not been entered and patented. They are a part of the public domain. Nobody will take them because of their character. They are not lands that are susceptible of making a living on, considering the number of acres that a person is restricted to who makes a homestead entry.

Mr. FINLEY. About what is the value of the lands per acre?

Mr. BURKE of South Dakota. I presume these lands will sell anywhere from $2 to $3 or $4 an acre. I want to say to the gentleman that in the bills that have passed Congress in the last 10 years disposing of surplus lands in Indian reservations we have provided that after so many years—in one instance four years and in others seven years—all of the lands that had not been filed upon should be sold at public sale to the highest bidder; and in a number of reservations that has been done. but there is no provision of law for disposing of these remnants.

Mr. FINLEY. Of Indian lands.

Mr. BURKE of South Dakota. Of what were formerly Indian lands that were ceded to the Government, paid for by the Government, and which have been open to entry under the homestead laws and the provisions of the free-homestead law since May 17, 1900, and nobody has taken them or applied for them, and just so long as there is no legislation these tracts will remain public domain, doing nobody any good, and there is no way by which they can be acquired.

Mr. FINLEY. Then I incorrectly understood the gentleman when I took it that these lands had been patented under the laws of the United States.

Mr. BURKE of South Dakota. Oh, not at all. The balance of the lands have been acquired. These are only the remnants.

Mr. FINLEY. Now, is not this true, that these lands were set off to the Indians and since that time the county line has been changed?

Mr. BURKE of South Dakota. Not at all; and the Indians have no interest, directly or otherwise, in them.

Mr. FINLEY. And the money will go into the Treasury of the United States?

Mr. BURKE of South Dakota. The money will go into the Treasury of the United States.

Mr. FINLEY. Now, what is the proposition, to sell them as a whole?

Mr. BURKE of South Dakota. Not at all; under regulations to be prescribed by the Secretary of the Interior; and I will say to the gentleman they are small tracts of 40 acres and in some instances of a few hundred acres, possibly not to exceed a section or two in any one place, perhaps not as much as that.

Mr. FINLEY. There is no limit to the price that the Secretary may fix?

Mr. BURKE of South Dakota. No limit whatever.

Mr. FINLEY. I have no objection.

The SPEAKER. Is there objection?

Mr. MANN. Mr. Speaker, reserving the right to object, this land has been subject to homestead entry at 50 cents an acre for a number of years, as I understand.

Mr. BURKE of South Dakota. Let me correct the gentleman. That is the price paid in commutations, but if the settler lived upon the land for five years he could acquire title without pay-

ing the 50 cents since May, 1900, when the free-homes act was passed.

Mr. MANN. All I know about it is in the report, which says:

And lands which have not been disposed of within five years from the taking effect of the act were disposed of at 50 cents per acre, entrymen being required to comply with the homestead laws.

So my statement is correct if the statement of the First Assistant Secretary of the Interior Department is correct. I do not know whether it is or not.

Mr. BURKE of South Dakota. I will call the gentleman's attention to the same report from which he has just read, on page 2, to the words where it says:

The act of May 13, 1900, relieves the settler of the payment of said price.

Mr. MANN. Then it has been subject to homestead entry without any price?

Mr. BURKE of South Dakota. Since 1900.

Mr. MANN. Having been for many years subject to be taken at 50 cents an acre, they could not find anybody to take it and then proposed to give title and could not find anybody to take it up. Now, what is it worth? I understood the gentleman to say some of it is worth $3 or $4 an acre. This might all be sold to one man under the terms of this bill for 10 cents an acre.

Mr. FERRIS. Will the gentleman from Illinois yield?

Mr. MANN. Certainly.

Mr. FERRIS. Will the gentleman accept a little practical information about how these remnants of land work out?

Mr. BURKE of South Dakota. That is what I want to state to the gentleman.

Mr. MANN. I was raised in a public-land country, and I know how it works out.

Mr. BURKE of South Dakota. The gentleman will recall the opening of Gregory County, a part of the Rosebud Reservation, which was the first bill since we adopted the new policy of disposing of surplus land in Indian reservations.

Mr. MANN. Yes.

Mr. BURKE of South Dakota. That bill, I will say to the gentleman, provided that after four years all lands remaining undisposed of should be sold—the same as this bill—and the lands that were not taken by homesteaders were sold for an average price of about $4.87 an acre.

Mr. MANN. Those were little odd pieces of land——

Mr. BURKE of South Dakota. That is what these are.

Mr. MANN. I do not know whether these are or not, and the gentleman says they will not be taken under homestead entry. That is not the situation here, as I understand it at all—I may be incorrect, but these are little odd lands where a man who had a homestead bought it.

Mr. BURKE of South Dakota. Many were bought by speculators.

Mr. MANN. Now, these lands the gentleman said are very bad—rough and rocky——

Mr. BURKE of South Dakota. That is true.

Mr. MANN. And you can not homestead. If that is the case there is no homestead right next to them. I think there ought to be some knowledge about the value of these lands and some restrictions about some one buying all of them.

Mr. FERRIS. On that point I want to suggest to the gentleman——

Mr. BURKE of South Dakota. Let me say this to the gentleman: The reason why this bill is thrown open as it is is that the Secretary of the Interior may have full discretion to dispose of the land under such terms as he thinks are practical and to avoid future legislation. There is not enough land involved here to make it necessary to legislate again, and that is the theory of legislating as we did in bills that have passed heretofore with reference to disposing of the lands that would not be taken under the homestead law; and, as I have stated, it has worked satisfactorily, and all the remnants and isolated tracts have been sold at prices averaging $4 to $5 an acre, and they could not be disposed of under the homestead laws even though the price was only $2.50 an acre. Nobody would take them under the homestead laws at any price.

The SPEAKER. Is there objection?

Mr. MANN. Reserving the right to object——

Mr. FERRIS. On several occasions since I have lived in the new State of Oklahoma we have had occurrences similar to this where Indian lands were sold and the proceeds put in the Treasury, and the Government went ahead and opened the lands and the lands dwindled down to only a few fragments—in this instance there are only 10,000 acres—and to leave these remnants hanging there is just an invitation for surrounding communities and towns to take advantage of and to fight and squabble over.

Now, the gentleman from South Dakota [Mr. BURKE] has come in with a bill here that is perfectly fair and square, and it authorizes the sale of these remnant lands under rules and regulations to be proposed by the department. What the department will do will be to send out some competent man and have the lands appraised, and put them up and sell them on competitive bids. But the lands nearly always bring more than they are worth, and I have seen lands sold through the department under the competitive plan that two or three years later, with many improvements on them, sold for less than they brought at the sale. I think the gentleman from South Dakota has adopted the right method to get rid of this scrap land and get the money into the Treasury and not leave it for the citizens to fight for. I can see no earthly objection to the bill. I think it is a matter that ought to be cleaned up. I think this is the correct way to do it.

The SPEAKER. Is there objection to the consideration of the bill? [After a pause.] The Chair hears none. This bill is on the Union Calendar.

Mr. BURKE of South Dakota. Mr. Speaker, I ask unanimous consent that the bill may be considered in the House as in the Committee of the Whole.

The SPEAKER. The gentleman from South Dakota asks unanimous consent that the bill be considered in the House as in the Committee of the Whole. Is there objection? [After a pause.] The Chair hears none.

The question is on agreeing to the amendment.

The question was taken, and the amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read a third time, and passed.

On motion of Mr. BURKE of South Dakota, a motion to reconsider the vote by which the bill was passed was laid on the table.

MONEYS TO SCHOOL DISTRICTS IN OKLAHOMA.

The next business on the Calendar for Unanimous Consent was the bill H. R. 16738, to provide for the payment of certain moneys to school districts in Oklahoma.

The bill was read, as follows:

Be it enacted, etc., That all moneys heretofore paid for lands sold by the Government for town-site purposes at the price of $10 per acre under section 22 of the act entitled "An act to provide a temporary government for the Territory of Oklahoma, to enlarge the jurisdiction of the United States court in the Indian Territory, and for other purposes," approved May 2, 1890, and under the act entitled "An act providing for the commutation for town-site purposes of homestead entries in certain portions of Oklahoma," approved March 11, 1902, which have not already been paid to the proper municipal authorities shall be paid to the proper authorities of the several school districts in which the lands for which such moneys were paid are located; and the Secretary of the Interior and the Secretary of the Treasury are hereby authorized and directed to cause such payments to be made out of the funds arising from such sales.

The SPEAKER. Is there objection to the consideration of the bill?

Mr. MANN. Mr. Speaker, reserving the right to object, upon what theory is the Government under any obligation to pay this money over?

Mr. FERRIS. The law provided for the opening of town sites, and that the money should be paid to the school districts as fast as it was collected. It was under the act of March 11, 1902, and under the act of May 2, 1890, two different kinds of town sites. The proceeds from all but 12 of them have been turned over to the school districts that were entitled to them. This treats the remaining 12 as the others were treated. This is a department bill. The report is short, and I know the gentleman is familiar with it. I think it gives all the information that I have.

Mr. MANN. I have read the department report.

Mr. FERRIS. I was satisfied the gentleman had done so.

Mr. MANN. We had provided that lands for town sites should be reserved, and provided that the money derived from the sale of those should be paid to the municipalities for school purposes, as I recall it——

Mr. FERRIS. That is true.

Mr. MANN. Now, we find that some of those reservations are not required for town sites at all, and they have been taken up for other purposes. Is not that the case?

Mr. FERRIS. That is about it.

Mr. MANN. And you now propose to pay that money to the school authorities?

Mr. FERRIS. As the gentleman knows, town sites are opened up throughout the new country here and there irrespective of railway facilities. Along came the railroad, and the railroad established railroad town sites near by, and everybody pulled up stakes from the Government town site and set up shop on the railroad town site, and there are oftentimes towns within that township, the same settlers and the same occupants, and they build quite a successful little town in the same community. For instance, in the little town of Pruitt, in my own community, plots, lots, and so forth, were filed for a Government town, and they went through the regular procedure, and along came

the Frisco Railroad and missed that town by a mile. The townsite people would not do anything with the Government town site, and they opened the little town of Cache near by. That town is right in the middle of Indian allotments, which are just as thick as hair up and down the creek. And the town and township need this money now just as badly with Cache as the town site as they would had the town of Pruitt survived. There are 12 instances of that kind.

Mr. MANN. Will they get the money? The original town site was in one place.

Mr. FERRIS. Yes. I think it will be all right. The department thinks so.

Mr. MANN. And the land sold was to go to schools in that town?

Mr. FERRIS. Yes.

Mr. MANN. Now they locate a town somewhere else, and it seems they are not in the same school district. It is proposed to pay the money realized from the sale of that land to the school district in which the land is located, although the town might not be in that school district.

Mr. FERRIS. The department drew this bill, I will say to the gentleman.

Mr. MANN. That does not prove it was well drawn.

Mr. FERRIS. It says:

To pay the proper authorities of the several school districts in which the lands for which such moneys were paid are located; and the Secretary of the Interior and the Secretary of the Treasury are hereby authorized and directed to cause such payments to be made out of the funds arising from such sales.

If the gentleman has any amendment which he thinks would make it accomplish more fully what we want to accomplish, I would be glad if he would offer it. It seems to me, however, that the language offered is sufficient. It reads:

Which have not already been paid to the proper municipal authorities shall be paid to the proper authorities in the several school districts in which the lands for which said moneys were paid are located.

This makes them pay it to the proper authorities of the school districts in that particular town or township.

Mr. MANN. Well, it may be all right.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none. This bill is on the Union Calendar.

Mr. FERRIS. Mr. Speaker, I ask unanimous consent to consider it in the House as in the Committee of the Whole.

The SPEAKER. The gentleman from Oklahoma asks unanimous consent that the bill be considered in the House as in the Committee of the Whole. Is there objection? [After a pause.] The Chair hears none.

The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

On motion of Mr. FERRIS, a motion to reconsider the vote by which the bill was passed was laid on the table.

RETIREMENT OF OFFICERS OF PHILIPPINE SCOUTS.

The next business on the Calendar for Unanimous Consent was the bill (S. 1281) providing for the retirement of certain officers of the Philippine Scouts.

The title of the bill was read.

Mr. MANN. Mr. Speaker, I object.

The SPEAKER pro tempore (Mr. CRISP). The gentleman from Illinois [Mr. MANN] objects. The bill is stricken from the calendar. The Clerk will report the next one.

BRIDGE ACROSS THE ST. LOUIS RIVER.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 17762) to amend an act approved February 20, 1908, entitled "An act to authorize the Interstate Transfer Railway Co. to construct a bridge across the St. Louis River between the States of Wisconsin and Minnesota."

The bill was read.

The SPEAKER pro tempore. Is there objection?

Mr. MILLER. Reserving the right to object, Mr. Speaker, may I ask the gentleman from Wisconsin [Mr. LENROOT] if he wants to ask that the bill be passed over?

Mr. LENROOT. If the gentleman desires to ask that it be passed over I am willing.

Mr. MILLER. Mr. Speaker, I shall have to object to the consideration of the bill. I ask unanimous consent, Mr. Speaker, that the bill 17762 and the bill 15727, the succeeding bill on the calendar, be passed over without prejudice.

The SPEAKER pro tempore. The gentleman from Minnesota [Mr. MILLER] asks unanimous consent that the House bill 15727 be passed over without prejudice. Is there objection?

Mr. MANN. Both of them.

Mr. MILLER. H. R. 17762 and H. R. 15727.

The SPEAKER pro tempore. And also the bill H. R. 17762. Is there objection?

There was no objection.

The SPEAKER pro tempore. The Clerk will report the next one.

COMMISSION TO SURVEY CRATER BATTLE FIELD.

The next business on the Calendar for Unanimous Consent was the bill [H. R. 13923] authorizing and directing the Secretary of War to appoint a commission to designate, define, and survey the battle field of the Crater at Petersburg, Va., and to collect certain data concerning the same and make report thereupon.

The bill was read, with a committee amendment.

The SPEAKER pro tempore. Is there objection to the present consideration of this bill?

Mr. MANN. Reserving the right to object——

Mr. WATSON. I was going to ask, Mr. Speaker, that the consideration of this bill go over to-day. It can be taken up at some other time.

The SPEAKER pro tempore. The gentleman from Virginia [Mr. WATSON] asks unanimous consent that this bill be passed over without prejudice. Is there objection?

There was no objection.

The SPEAKER pro tempore. The Clerk will report the next bill.

MAJ. CLYDE S. FORD.

The next business on the Calendar for Unanimous Consent was the bill [H. R. 15418] authorizing Maj. Clyde S. Ford, Medical Corps, to accept and wear the decoration tendered him by the Ottoman and Bulgarian Governments for services rendered in the Balkan wars.

The bill was read.

The SPEAKER pro tempore. Is there objection?

Mr. MANN. Reserving the right to object, Mr. Speaker, this is a bill to authorize an Army officer to accept a decoration. There are a great many of these decorations which have been tendered to Army and Navy officers and other officers of the Government that are up here in the State Department. Since I have been a Member of Congress I think no one has been authorized to accept one. I am not opposing allowing officers to accept decorations where it is proper. It may be proper in this case. But I am opposed, after refusing for years some of our best officers the privilege of accepting them, to singling out one man now and saying he may accept one.

I recently introduced a resolution reading as follows:

Resolved, That the Secretary of State be, and he is hereby, directed to send to the House of Representatives a list of decorations, medals, and other presents tendered to the officers of the United States, now held in the State Department.

That would be information that would tell us what there is up there. That resolution has been pending quietly in a pigeonhole in the Committee on Foreign Affairs, which reported this bill, since October 7 last, and until I can get the information or at least have the resolution considered, I shall object to the consideration of the bill.

The SPEAKER pro tempore. The gentleman from Illinois objects. The bill is stricken from the calendar. The Clerk will report the next bill.

CLAIMS OF THE UNITED STATES AGAINST THE STATE OF TENNESSEE.

The next business on the Calendar for Unanimous Consent was the resolution (S. J. Res. 65) to amend Senate joint resolution 34, approved May 12, 1898, entitled "Joint resolution providing for the adjustment of certain claims of the United States against the State of Tennessee and certain claims against the United States."

The Clerk read the joint resolution, as follows:

Joint resolution to amend Senate joint resolution 34, approved May 12, 1898, entitled "Joint resolution providing for the adjustment of certain claims of the United States against the State of Tennessee and certain claims against the United States."

Whereas the resolution in the caption mentioned, being Senate joint resolution 34, approved May 12, 1898, providing for the adjustment of certain claims of the United States and of the State of Tennessee, provides that the Attorney General, the Secretary of the Treasury, and the Secretary of War of the United States, as representatives of the United States, and agents or commissioners to be appointed by the State of Tennessee, as representatives of the State, shall proceed by conference to compromise, adjust, and settle the claims in the resolution mentioned, but that the compromise or settlement shall not be effective as final until approved by Congress; and

Whereas at conference held between said representatives they have been unable to proceed because the said representatives of the United States have insisted that the settlement or compromise of the claims of the State of Tennessee under said Senate joint resolution 34 should be precluded by the consideration that the State of Tennessee was during the Civil War, in the resolution mentioned, a public enemy and in rebellion, and not entitled to compensation for any losses suffered by reason of the action of the United States in suppressing such rebellion; and

Whereas it was the true intent and purpose of said resolution to provide for the compromise, adjustment, and settlement of all the matters in the resolution mentioned, upon terms that would do equal and exact justice to the parties, on the merits of their claims; and

Whereas it is not deemed just that the consideration of the claims of Tennessee should, or can be, precluded, or the same disallowed upon the ground that the State was a public enemy and in rebellion: Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the said Senate joint resolution 34 be, and is hereby, amended by adding thereto the following, namely:

"The claims of the parties respectively shall be considered, adjusted, and settled on their merits without regard to any question of loyalty or disloyalty, and upon such terms as to amounts and allowance of interest as shall do equal and impartial justice to the parties. The said compromise or settlement is not to be effective or final until approved by Congress."

The SPEAKER pro tempore. Is there objection?

Mr. MANN. Reserving the right to object, Mr. Speaker, a good many years ago a commission was appointed, consisting of the Attorney General, the Secretary of the Treasury, and the Secretary of War, to adjust the matter of claims between the United States and the State of Tennessee. One resolution was passed a few years ago giving them additional power. It is proposed now to pass this resolution, which destroys the defense of the Government as to loyalty on the part of Tennessee.

When this matter was passed through the Senate I asked the gentleman from Iowa [Mr. SCOTT] to go to the Attorney General's office and obtain information in regard to it. There was no information available; not very much, at least in the debates on the passage of the resolution in the Senate, and although a report has been made to the House there is not very much information in the report of the committee to the House. The gentleman from Iowa went to the Attorney General's office, and, if I remember aright, the Attorney General then was from the State of Tennessee, and that office declined to give the gentleman from Iowa any information. Until we can obtain information concerning it from the Attorney General's office I am not willing to pass, by unanimous consent, a resolution which relinquishes practically all the claim that the Government of the United States has against the State of Tennessee.

Mr. HOUSTON. Mr. Speaker——

Mr. MANN. I am aware that the gentlemen representing the State of Tennessee are not to be held responsible for this failure on the part of the Attorney General; and yet where else are we to get the information? This is a very complicated matter. It is in the papers in the hands of the Attorney General, and although a resolution was pending affecting the matter in Congress, he declined to permit these papers to be examined in his office.

Mr. HOUSTON. Mr. Speaker, I am not aware of any reason that could exist that would prevent the Attorney General from giving such information, in response to the gentleman's request, as he asked for, but I am very much of the opinion that the Attorney General was not supplied with the information that was sought.

This controversy is of such a character that I do not think the facts in the matter appear in the Department of Justice. I can not understand why they should be there. It is a controversy growing out of some claims between the State of Tennessee and the United States that have not been adjudicated or adjusted. There has been no proceeding that I can think of that would cause the facts in this case to be in the Department of Justice. Now, this is an old claim which has been on hand a long time which the Government has against the State of Tennessee for some bonds and other indebtedness, but as against which the State of Tennessee claims an offset.

Mr. MANN. Mr. Speaker, will the gentleman yield?

Mr. HOUSTON. Yes.

Mr. MANN. Since 1868 the Attorney General has been on a commission to settle these claims. Do I understand the gentleman from Tennessee to say that he thinks that although this commission has been in existence since 1868 it has no information on the subject?

Mr. HOUSTON. Mr. Speaker, I think that the commission, consisting of two different Attorneys General before the one of whom the gentleman made his inquiry and the Secretary of War and the Secretary of the Treasury, never reached the point where they could ascertain the facts in this controversy, because they concluded that inasmuch as the offset claimed by the State of Tennessee arose out of matters that occurred chiefly during the war they were confronted with the question of the disloyalty of the State of Tennessee; and because of the State being disloyal they concluded that there was no occasion to go into the merits of the controversy or to ascertain what the real facts were. They stopped right on the threshold of the investigation, and never ascertained the facts or merits of the controversy. All this resolution seeks to do——

Mr. MANN. This resolution seeks to relinquish entirely the rights of the United States.

Mr. HOUSTON. No; I do not think that is a fair conclusion. All the resolution does——

Mr. MANN. Why certainly; that is what it is for.

Mr. HOUSTON. It only provides that these commissioners shall meet three commissioners appointed on the part of the State of Tennessee, and that they shall examine the equities of the parties in these claims and counterclaims; that they shall see what the real differences and what the equities of the parties are, and it proposes that that shall be done without regard to the question of loyalty or disloyalty. It further provides that the action of this commission shall not be final, but that it shall be reserved for Congress to pass upon this question. Now, this matter was up before the Senate and passed the Senate unanimously.

Mr. MANN. Without any information being presented to the Senate.

Mr. HOUSTON. I think there was a statement made to the Senate by the Senator from Tennessee that fully answered the demands of the occasion. Several Senators made inquiries, investigated it, and they were satisfied——

Mr. MANN. The gentleman understands that I do not desire to reflect upon the Senator from Tennessee.

Mr. HOUSTON. Certainly not.

Mr. MANN. But here is a case where there is a controversy, and it all hinges upon whether the Government had the right to deed some railroad property which belonged to a State that had voted to secede. That is the question in controversy. Now you propose to say that in considering the claim they shall not consider the question that Tennessee had seceded, and all the rights that our Government acquired by taking the property on the ground of secession fall to the ground, and we are rendered responsible. That is a settlement of the case in advance, so far as I can learn from the facts. I do not pretend to have the facts very fully. They are not set out in the report. The Attorney General, who I understand does have the information, did not decline on the ground that he did not have the information, but just declined because he thought it was too much trouble to let a Member of the House obtain information.

Mr. HOUSTON. The Attorney General can not have this information. The information that is sought in this matter is the very subject of this inquiry.

Mr. MANN. Then we ought to get the information before we pass the resolution.

Mr. HOUSTON. The gentleman speaks of the State of Tennessee being in rebellion or revolt against the Government, and says that the Government is asked to relinquish all the claims that it may have. Now, a part of the matter involved in this controversy grew out of the operation of this railroad by the Federal Government for months after the war had ended. There can be no question of loyalty or disloyalty involved in that. That is one feature of the controversy that they could report on, and on which they could get the information.

Mr. MANN. Why do they not do it?

Mr. HOUSTON. Because this commission never acted at all. They said at the outset that they were not prepared to go through the whole matter, and they have made no report on it.

Mr. MANN. But they have the authority to act. Why have they not acted?

Mr. HOUSTON. Because they did not see proper to make two bites of a cherry. I suppose they wanted to do it all at once when it was done.

The SPEAKER. Is there objection?

Mr. MANN. I object.

Mr. HULL. Will the gentleman reserve his objection for a moment?

Mr. MANN. Certainly.

Mr. HULL. Mr. Speaker, I think if all the facts were understood, there would be no objection to the passage of this resolution. If this involved the question of Congress surrendering any defenses the Government may have against the claim presented by the State of Tennessee, I myself, having at heart the interests of the Government as well as those of my own State, would not support the resolution; but on its face this resolution expressly reserves to the Government the defense to which the gentleman from Illinois [Mr. MANN] refers. It is left entirely to Congress to say in the end whether any report made by this commission shall be ratified. If the commission suggests a settlement of the claims and equities of the respective parties, the claims of the State and the General Government, it is then left to Congress to say whether the question of the attempted secession of the State shall operate as a bar to the claims of the State or any part of them. Now, as I understand this situation, some of these claims have been pending since before the

war. Some of them accrued since the war. The State of Tennessee, upon the other hand, has had some alleged counterclaims. While there are conflicting views as to that, I have the impression that it may turn out that the claims of the Government exceed those of the State. But the main question in which I am interested is to see this controversy settled. If it develops that the Government has a larger amount of valid claims than the State, then the balance should be settled in favor of the Government. If, on the other hand, it should appear that none of the claims of the State are bona fide or legal and valid, then the matter will be developed through the report of this commission and laid before Congress, in order that the report may be ratified or rejected and the controversy forever settled.

Now, I think that since this matter was thoroughly discussed in the Senate committee and was discussed at some little length—two or three pages in the RECORD—in the Senate, and that it was agreed to by all the Members of the Senate, the House should pass the resolution to authorize this board to come together and agree upon a tentative conclusion with respect to these conflicting claims, and then that agreement would come back to Congress for its ratification or rejection and we could adjust the matter permanently. If the resolution should be defeated, if Congress should refuse to take such further steps as to enable the commission to perform its functions, then the Government and the State will be obliged to resort to the courts of the country in a number of different lawsuits and opposing lawsuits, and the matter would linger along, causing great trouble and expense.

Now, when this report comes in Congress could and would pass upon the question as to whether the attempted secession of Tennessee was, under the holdings of the Federal court, a bar; and if not, then they would act accordingly in passing on the validity of the claims of the State.

Mr. NORTON. Will the gentleman yield?

Mr. HULL. I will.

Mr. NORTON. There is no reason why this commission appointed 16 years ago can not report at once.

Mr. HULL. If my colleague [Mr. HOUSTON] did not make himself clear on that point, I want to say that, as I understand, whenever the commission acted heretofore they have become engaged in this discussion as to whether the attempted secession of Tennessee, through the vote of the general assembly, was such an act as operated as a bar to the claims of the State. The difference of opinion that arose upon that one question has prevented any further deliberation or investigation and consideration of the matter. Now, in order that these conflicting claims may be considered and the results put in a concrete form and brought to Congress, it is asked here in this resolution that that question may be pretermitted by the board and its conclusions upon other questions laid before Congress, and have Congress pass upon all of them, including the question of loyalty.

Mr. NORTON. This resolution before the committee now merely proposes to change the rules of law and equity as to the settlement of these claims.

Mr. HULL. I beg the gentleman's pardon; the resolution does not undertake to change any rule or any law; it refers to the commission with all the rights of defense reserved to Congress, so that when the report comes in it will have no binding effect whatever until Congress shall act upon it.

Mr. NORTON. The commission now has the right to report a proper settlement under the rules of law and equity.

Mr. HULL. The original commission was authorized to determine the conflicting claims, but the question of the attempted secession of the State rose at each meeting of the commission, and they failed to act.

Now, in order that the matter may be settled, instead of directing the commission to make final and complete determination of the matter the resolution seeks to direct the commission to consider all the conflicting claims and make a report to Congress and allow Congress to pass on the defenses of both the State and the Government.

Mr. NORTON. If the resolution is passed and the commission reports the equities as between the State and the Federal Government, and Congress decides that there should be taken into consideration the disloyalty of Tennessee, and determines that the State was disloyal, will Congress have before it the facts to determine what the damages are or what the claims of the Federal Government should be as against the State? Is it not a fact that the real purpose of passing this resolution is to cut out for all time the question of disloyalty of the State and bring in a settlement for this Congress where Congress will not have the facts as to what the rights were between the parties and the State was found to be disloyal at the time the property was taken over?

Mr. HULL. On the contrary, this resolution expressly reserves to the Government that defense to which the gentleman refers. If this resolution passes, the commission would make its report in the alternative.

Mr. NORTON. On its face it purports to give Congress the right, but, when the matter is brought up before the Congress, Congress has no facts to act upon.

Mr. HULL. The report of the commission will be such that if Congress determines that the attempted secession of the State was a valid defense, then certain claims would be eliminated.

Mr. NORTON. The matter would have to be sent back to the commission again?

Mr. HULL. No; it would simply be eliminated so far as the action of Congress was concerned.

Mr. MANN. Mr. Speaker, I do not profess to speak with much information, for I have not been able to secure it up to this date. As I understand this matter, the State of Tennessee seceded, and at that time owned a lot of railway bonds, I suppose, for money advanced in aid of the railroads. The United States in the course of the rebellion seized the railroads on the ground that the State of Tennessee was in rebellion and that they had the right to seize them and operate them. The Government seized the railroads, and did operate them, and the rolling stock was greatly depreciated. Afterwards the State of Tennessee practically—I do not know whether actually—came into ownership of the bonds and made a claim against the Government for depreciation of the rolling stock and damage to the roads.

It seems to me that the question of loyalty is inextricably interwoven in that proposition. Now, the resolution says that the commission shall pass upon the question without considering the question of loyalty. That is to admit the claim of Tennessee. That is what this resolution means and that is what it amounts to. So that we are prejudging the case by the passage of the resolution, as it seems to me. While the gentleman from Tennessee calls attention to the fact that these commissioners can not enter judgment, that it is to be referred to Congress for final adjudication—that is, for an appropriation—still from the moment that the commission makes a report we will be told that a commission composed of impartial officials of the Government have made a report finding that so much was due.

I read in the Washington Post of this city this morning an editorial in which it was said that the Court of Claims had entered great numbers of judgments against the Government which were not paid, criticizing the Government because it did not pay these claims which had been allowed. Not one of them is a judgment. We pay a judgment secured in the Court of Claims, as a matter of course, without controversy, without question. Those were findings of the Court of Claims, they were not judgments, yet the distinguished gentleman who wrote that editorial thought that they were judgments. When a commission reports, we will say, or the gentleman from Tennessee [Mr. HULL] will say, and everyone else, "Here is the report of a commission; we ought to pay whatever is found by the report of a commission." That is all right, if a man can act upon all of the facts in the case; but by this resolution you cut out any question of loyalty and you decide in advance that the Government had no right to seize this property and use these railroads without paying for the depreciation.

Mr. HULL. Is it the gentleman's contention that the Federal courts have not held that the attempted action of State legislatures to put the States in the attitude of secession was null and void?

Mr. MANN. That is not the question at all. The whole rebellion was null and void. All of the secession was null and void, but the facts are there just the same. They are theoretically null and void, but practically we were in a state of war between two countries.

Mr. HULL. I was just getting at the way this matter is developing. The administrations in power since the war have given sufficient importance to these claims of Tennessee that they have not undertaken to collect the claims of the Federal Government against that State without a mutual consideration and settlement of all the claims and counterclaims, and it has been upon the theory that the Federal courts have held as I have just indicated, and that is why I thought we ought to reach some method by which this entire controversy could be wound up and the Government rights secured, less whatever set-off the States might be able to show, provided Congress should hold as the courts have held on that question.

Mr. MANN. Oh, well, theoretically, of course, the war determined that a State could not secede. That was not determined, however, until after the war was over. No one knew before the war was over whether a State could constitutionally secede or not. That was what we fought about. That was the

decision of the war. The courts followed that decision. Theoretically a State can not secede, but actually the State did secede. If, as a result of that, the Government seized something which it has a right to seize upon the theory of secession, I do not see any reason now for changing that policy; I do not undertake to pass upon that, but you determine it in advance without having the facts before us.

Mr. HULL. I beg the gentleman's pardon. It is not the purpose of this resolution to do that. It is intended to keep that in abeyance until the commission makes its report as to the merits of the claims and counterclaims. The Congress will then pass on the question as to whether that will be a valid defense.

Mr. MANN. My friend from Tennessee, Mr. HULL, or the gentleman from Tennessee, Mr. HOUSTON, after the commission shall report, will come in and say, "We have a report of the commission composed of three officers of the Government, the Secretary of the Treasury, the Secretary of War, and the Attorney General, and certainly you can not go back of a report of these three officers of the Government," and they will insist on paying the claims, although the three officers of the Government find their hands bound before they commence work.

Mr. HULL. Congress could just as well pass on that question then as on any other phase of the report, could it not?

Mr. MANN. I do not think it could. It could pass upon it then. It can not pass upon it intelligently now, because we do not have the information before us.

The SPEAKER. Is there objection?

Mr. MANN. Mr. Speaker, I object.

The SPEAKER. The gentleman from Illinois objects.

Mr. HULL. Mr. Speaker, I thought my colleague [Mr. HOUSTON] would seek recognition. I ask unanimous consent, in view of the statements of the gentleman from Illinois in regard to the absence of certain information, that this resolution be passed over without prejudice.

Mr. MANN. I have no objection to that.

The SPEAKER. The gentleman from Tennessee asks unanimous consent that the resolution be passed over without prejudice. Is there objection?

There was no objection.

BRIDGE ACROSS TENNESSEE RIVER AT DECATUR, ALA.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 17168) to authorize the North Alabama Traction Co., its successors and assigns, to construct, maintain, and operate a bridge across the Tennessee River at Decatur, Ala.

The Clerk read the bill, as follows:

Be it enacted, etc., That the North Alabama Traction Co., a corporation organized under the laws of the State of Alabama, its successors and assigns, be, and are hereby, authorized to construct, maintain, and operate a bridge and all approaches thereto across the Tennessee River at Decatur, Ala., at a point suitable to the interests of navigation, in accordance with the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906: *Provided*, That said bridge shall be constructed, maintained, and operated so that it may be used for steam and electric railroad purposes, and shall be provided with an adequate and separate roadway and approach for the continuous use by the public as a highway bridge to be used by vehicles, pedestrians, horsemen, animals, and all kinds of highway traffic and travel, for the transit of which reasonable rates of toll may be charged and received, but no rate for passage of a single passenger on a railroad train shall exceed 25 cents.

SEC. 2. That the North Alabama Traction Co. may not be required to construct that portion of the approaches on either side of said bridge that are required to make the same ready for vehicles, pedestrians, and other highway traffic until there shall be paid to said company, or secured to its use by local authorities or interests, the sum of $50,000, and said company shall not be required thereafter to maintain or bear any of the costs of maintaining such portions of said approaches, and shall not collect or receive tolls for use of said approaches.

SEC. 3. That the North Alabama Traction Co. shall have the right to sell, transfer, or lease to any county, city, or other municipality any part of such portions of said approaches or of the separate roadway provided for in this act, or both, and in the event of such sale, transfer, or lease the said North Alabama Traction Co. shall be relieved of any requirements to maintain the property so sold, transferred, or leased, and shall not thereafter charge or receive any tolls for use of said wagon way and approaches.

SEC. 4. That the right to alter, amend, or repeal this act is hereby expressly reserved.

The SPEAKER. Is there objection?

Mr. MANN. Mr. Speaker, reserving the right to object, I would like to ask the gentleman a question. If this bridge is transferred or leased to a county, city, or other municipality, who is to maintain it?

Mr. HARRIS. The parties who lease it.

Mr. MANN. There is nothing in the bill to that effect.

Mr. HARRIS. The people who lease it will have to maintain it, I think.

Mr. MANN. Supposing you provide for tolls upon this bridge, is the gentleman willing to make that read so that it shall be in accordance with the provisions of the general bridge act?

Mr. HARRIS. This bridge bill is drawn just like the bridge bill at Memphis, Tenn.

Mr. MANN. That does not make any difference. Is the gentleman willing to accept an amendment, on page 2, line 9, by inserting, after the word "received," the language "in accordance with the provisions of the aforementioned act," so that there will be no question that the Secretary of War has jurisdiction over the matter of tolls?

Mr. ADAMSON. I think the gentleman will notice that in the former part of the bill he will find that language.

Mr. MANN. Well, I do not find it.

Mr. HARRIS. It is in lines 9 and 10, first page.

Mr. MANN. Oh, yes; I understand that. But, then, the gentleman goes ahead and says the bridge shall be built in accordance with the general bridge act. That covers the question of tolls. Then farther down he says that the tolls shall be reasonable, but no rate for passage shall exceed 25 cents. That is entirely useless unless the purpose is to relieve it from the operations of the general bridge act. I want to be sure it is still under the operation of the general bridge act.

Mr. HARRIS. We have no objection to that.

Mr. MANN. If the gentleman will insert, before the word "receive," "in accordance with the provisions of the aforementioned act," that removes any objection about it.

Mr. HARRIS. We have no objection.

Mr. MANN. Then, on page 3, why should this company be relieved of any requirement to maintain the property so sold, transferred, or leased, and no one else be required to maintain it?

Mr. HARRIS. It is believed that if this company parts with it the parties purchasing it will maintain and operate it. They have to pay for it.

Mr. MANN. But the authority given in here is for this company to construct, maintain, and operate. Then you provide that the company may sell, transfer, or lease, and then you say that the company shall be relieved of the requirement of maintaining the property.

Mr. HARRIS. After it is sold.

Mr. MANN. Yes; but you do not give anybody else the authority to maintain it.

Mr. BARKLEY. If the gentleman will yield, I suggest that the bill provides that it may be leased, transferred, or sold to a city, county, or municipality.

Mr. MANN. That does not make any difference.

Mr. BARKLEY. I understand that the county or municipality would have the duty imposed upon it to maintain it as a public highway.

Mr. MANN. I do not know whether they would have the right to maintain it as a highway; that is what I am talking about. Here is a bill conferring the right on the North Alabama Traction Co. to maintain and operate this bridge. Then you say that upon its sale the company shall be no longer required to maintain it, and you do not give anybody else the right to maintain it.

Mr. BARKLEY. The bridge has to be constructed not only as a bridge for steam and electric railways but also as a combination bridge for a public highway.

Mr. MANN. I understand that; but the gentleman does not get my point. We give authority to the company to construct, maintain, and operate a bridge across a navigable stream.

Mr. BARKLEY. Yes.

Mr. MANN. We assume that without that authority they have no right to maintain and operate it even after they have constructed it. Now, you give authority to this company to construct, maintain, and operate this bridge. Then you say under certain conditions they shall no longer be required to maintain it, and you do not give the authority to maintain it to anybody else. I do not undertake to say whether the language "maintain and operate" in these bridge bills is necessary or whether it might not be assumed that when you give authority to construct that you thereby give authority to construct and operate, but we have always put it in these bills, and, if it is necessary, this bill would not give authority to anybody else to operate it.

Mr. ADAMSON. Does the gentleman from Illinois think it is better to confer authority on the transferee or strike out the exemption to the bridge company?

Mr. MANN. I think it is better to strike out the exemption to the bridge company; then that company has authority to maintain it, and passes it to the transferee.

Mr. ADAMSON. In their contract they can pass it on.

Mr. MANN. Certainly.

Mr. ADAMSON. I think that is right.

Mr. MANN. That leaves the company the right to maintain.

Mr. BARKLEY. Does the gentleman offer that as an amendment?

Mr. ADAMSON. The committee will offer that amendment, if the gentleman will permit, and strike out the language exempting the company.

Mr. MANN. Mr. Speaker, I do not object to the consideration of the bill.

The SPEAKER. The Clerk will report the amendments.

The Clerk read as follows:

Amend, on page 2, by inserting, after the word "received," in line 9, the following: "In accordance with the provisions of the aforementioned act."

The question was taken, and the amendment was agreed to.

Mr. MANN. Mr. Speaker, on page 1, the gentleman from Georgia desires to offer an amendment, in line 1, striking out all after the word "Company" down to and including the word "and," in line 3.

Mr. ADAMSON. Will the Clerk report the language proposed to be stricken out.

The Clerk read as follows:

Amend, on page 3, by striking out, after the word "Company," in line 1, the following: "Shall be relieved from any requirements to maintain the property so sold, transferred, or leased and."

Mr. ADAMSON. Does that include all the language?

Mr. MANN. That would leave it so that it would read:

The said North Alabama Traction Co. shall not thereafter charge or receive any tolls for use of said wagon way and approaches.

Mr. ADAMSON. That is right, because the public has to furnish the money.

The question was taken and the amendment was agreed to.

The SPEAKER. The gentleman from Alabama offers an amendment, which the Clerk will report.

The Clerk read as follows:

Page 1, line 7, after the word "at" and before the word "Decatur," insert the words "or near."

The question was taken, and the amendment was agreed to.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed.

Mr. BARKLEY. Mr. Speaker, I ask unanimous consent that the title be amended so as to conform to the text.

There was no objection.

On motion of Mr. BARKLEY, a motion to reconsider the vote by which the bill was passed was laid on the table.

CONSTRUCTION OF BUILDINGS ON ALLEYWAYS, DISTRICT OF COLUMBIA.

Mr. JOHNSON of Kentucky. Mr. Speaker, I desire to say that the bill S. 1624, "An act to regulate the construction of buildings along alleyways in the District of Columbia, and for other purposes," in on this calendar, being No. 339. A bill in exact language to that passed the House and Senate and became a law, and I ask that this bill not only be stricken from this calendar but from the Union Calendar, and that it lie on the table.

The SPEAKER. The gentleman from Kentucky asks unanimous consent that the bill S. 1624, Calendar No. 339, be stricken from this calendar and also from the Union Calendar and be laid on the table. Is there objection? [After a pause.] The Chair hears none.

MUNICIPAL BRIDGE, ST. LOUIS, MO.

Mr. IGOE. Mr. Speaker, I ask unanimous consent to take up out of its regular order the bill H. R. 19424, a bill to extend the time for the completion of the municipal bridge in St. Louis, Mo.

The SPEAKER. The Clerk will report the bill.

The Clerk read as follows:

Be it enacted, etc., That the time for the completion of the bridge authorized by an act entitled "An act to authorize the city of St. Louis, a corporation organized under the laws of the State of Missouri, to construct a bridge across the Mississippi River," approved June 25, 1906, be, and the same is hereby, extended for the period of three years from the date of the passage of this act.

The SPEAKER. Is there objection to the request of the gentleman from Missouri to take the bill H. R. 19424 up out of its regular order and consider it now?

There was no objection.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

On motion of Mr. IGOE, a motion to reconsider the vote by which the bill was passed was laid on the table.

PUBLIC BUILDING, GRAND JUNCTION, COLO.

The next business on the Calendar for Unanimous Consent was the bill (S. 412) to increase the limit of cost of the United States public building at Grand Junction, Colo.

The bill was read in full.

Mr. TAYLOR of Colorado. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

Mr. BORLAND. Reserving the right to object, I want to ask the gentleman from Colorado if this bill has ever been called on this calendar before?

Mr. TAYLOR of Colorado. No, sir; it has never been reached before.

Mr. BORLAND. Is this the first time it has been called on this calendar?

Mr. TAYLOR of Colorado. Yes.

Mr BORLAND. Then I will not object.

The SPEAKER. The gentleman from Colorado asks unanimous consent that the bill be passed over without prejudice. Is there objection?

There was no objection.

SALE OF INTOXICATING LIQUORS TO MINORS.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 18851) to prohibit the sale or gift of intoxicating liquors to minors within the admiralty and maritime jurisdiction of the United States.

The bill was read, as follows:

Be it enacted, etc., That section 288 of the act approved March 4, 1909, entitled "An act to codify, revise, and amend the penal laws of the United States," is hereby amended by adding thereto the following as a new section:

"SEC. 288a. Whoever shall sell, give, or dispense in any manner intoxicating liquors of any kind as a beverage to any person under the age of 21 years, within the admiralty and maritime jurisdiction of the United States, shall be fined in any sum not exceeding $500 for each offense. The master of every vessel is directed to enforce this prohibition, and in case any violation of this act is permitted or is committed upon any vessel by any officer or employee of said vessel then said vessel shall be fined in any sum not exceeding $500, the amount of the fine to be determined by the Secretary of Commerce in the same manner that other fines for violation of the navigation and inspection laws are now determined under section 5294 of the Revised Statutes of the United States."

The SPEAKER. Is there objection to the consideration of the bill?

Mr. STAFFORD. Mr. Speaker, reserving the right to object, I am in entire sympathy with this bill and the purposes of it. No one can criticize the prohibition of the gift or sale of intoxicating liquors to minors, but I assume this bill is going to be used as a vehicle for amendment so as to project the prohibition question before the House at this late hour of the day. If it is, I shall be compelled to object. If it is the intention to pass the bill as it stands, I have no objection.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

Mr. BRYAN. Mr. Speaker, I have an amendment.

Mr. STAFFORD. I believe the gentleman was in the Chamber when I made that remark.

The SPEAKER. For what purpose does the gentleman from Washington rise?

Mr. BRYAN. I wish to offer an amendment.

The SPEAKER. The gentleman from Washington offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amend, on page 1, line 11: After the words "United States" add the following: "or elsewhere within the jurisdiction of the United States and outside the jurisdiction of any particular State."

Mr. STAFFORD. Mr. Speaker, I make the point of order that that is not germane.

The SPEAKER. Why is it not?

Mr. STAFFORD. The bill under consideration restricts this proposition to the consideration of those cases which are within the maritime and admiralty jurisdiction of the United States. It is for one specific purpose, limited to that particular condition. The amendment of the gentleman from Washington [Mr. BRYAN] seeks to open it up and make it a general proposition. It is well within the rulings of the House that where a bill refers to one specific case it is not permissible by amendment to make it a general law. The amendment of the gentleman from Washington seeks to make this general in its character. Therefore I think I am well within my grounds in contending that it is not germane.

Mr. BRYAN. Mr. Speaker, the amendment does not broaden the subject matter of the bill in any respect. The amendment merely goes to the extent of the area that this enactment, if it be enacted into law, shall apply to, and makes it apply, for instance, to islands that are outside of the jurisdiction of any State. I think that it is perfectly in order while this thing is

before us, while we are considering whether or not we will make this law effective on the high seas, and on the Great Lakes, and on the rivers, and in the canals, and on the inland waterways, and the gulfs and bays, where our ships may go, for us to consider whether or not that other jurisdiction which is surrounded by this particular jurisdiction shall also be included. It is only a matter of area and not a matter of subject matter. It is certainly constitutional, a good amendment, and one that ought to be adopted.

The SPEAKER. It has been decided over and over again, so that it is not any more a controverted question, that where we are legislating on one particular class of subjects we can not spread them out to take in others. For instance, the important ruling along that line was to the effect that when we took one Territory into the Union we could not hitch on another to the same bill. Also when they had up the bill prohibiting the trading in cotton futures, since the present occupant of the chair has been Speaker, there was an amendment offered to it to take in wheat and corn and similar articles, of which I was very much in favor personally, but paying attention to the precedents the Chair had to rule it out. And the Chair rules this out.

The question is——

Mr. BRYAN. I have another amendment which I desire to offer, Mr. Speaker.

The SPEAKER. The Clerk will report the amendment.

The Clerk read as follows:

Amend, on page 1, line 11: After the words "United States" add "or in the Philippine Islands."

Mr. STAFFORD. Mr. Speaker, I make the point of order that it is not germane.

The SPEAKER. The point of order is sustained.

Mr. BRYAN. I submit another amendment, Mr Speaker.

The SPEAKER. The Clerk will report the amendment.

The Clerk read as follows:

Page 1, line 11, after the words "United States," add the following: "or elsewhere within the jurisdiction of the United States and outside the jurisdiction of any particular State."

Mr. BRYAN. Mr. Speaker, that is the amendment that was read a moment ago.

Mr. STAFFORD. I make the point of order, Mr. Speaker, that that is not germane.

The SPEAKER. Is not that the same amendment?

Mr. BRYAN. Yes. I had not sent the other up. The Clerk did not wait.

The SPEAKER. The Clerk will report the amendment.

The Clerk read as follows:

Page 1, line 11, after the words "United States," add "or in Alaska."

Mr. STAFFORD. Mr. Speaker, I make the same point of order on that.

The SPEAKER. The point of order is sustained.

Mr. STAFFORD. Question, Mr. Speaker.

Mr. BRYAN. I offer this amendment, Mr. Speaker.

The SPEAKER. The Clerk will report it.

The Clerk read as follows:

Page 2, line 1, after the word "exceeding," strike out "$500" and insert "$1,000," and add "or imprisonment for not more than one year, or both such fine and imprisonment."

The SPEAKER. The question is on agreeing to the amendment.

The question was taken, and the Speaker announced that the noes seemed to have it.

Mr. BRYAN. Mr. Speaker, I call for a division on that.

The SPEAKER. The gentleman from Washington demands a division.

The House divided; and there were—ayes 1, noes 15.

Mr. BRYAN. Mr. Speaker, I make the point of order that there is no quorum present.

The SPEAKER. The gentleman from Washington [Mr. BRYAN] makes the point of order that there is no quorum present. Evidently there is not a quorum present. The Doorkeeper will close the doors, the Sergeant at Arms will notify the absentees, and the Clerk will call the roll. Those in favor of the Bryan amendment to increase the penalty will, when their names are called, answer "yea"; those opposed will answer "nay."

The question was taken; and there were—yeas 13, nays 244, answered "present" 2, not voting 168, as follows:

YEAS—13.

Bell, Cal.	Cramton	Keating	Sims
Brockson	Crisp	La Follette	
Bryan	Fowler	Park	
Carlin	Gilmore	Quin	

NAYS—244.

Adamson	Bailey	Bathrick	Booher
Alexander	Baker	Beakes	Borland
Ashbrook	Barkley	Beall, Tex.	Brodbeck
Aswell	Barnhart	Blackmon	Broussard
Brown, N. Y.	French	Konop	Reilly, Wis.
Brown, W. Va.	Gallagher	Korbly	Rogers
Browning	Gard	Lafferty	Rouse
Buchanan, Ill.	Gardner	Langham	Rubey
Buchanan, Tex.	Garner	Lazaro	Rucker
Bulkley	Garrett, Tenn.	Lee, Pa.	Russell
Burgess	Gill	Lenroot	Scott
Burke, S. Dak.	Gillett	Lesher	Seldomridge
Burnett	Glass	Lever	Shackleford
Butler	Goodwin, Ark.	Levy	Sherley
Byrnes, S. C.	Gray	Linthicum	Sinnott
Byrns, Tenn.	Green, Iowa	Lloyd	Sisson
Calder	Greene, Vt.	Lobeck	Slemp
Campbell	Gudger	Lonergan	Sloan
Candler, Miss.	Hamill	McAndrews	Small
Cantrill	Hamilton, Mich.	McGuire, Okla.	Smith, Idaho
Caraway	Hamlin	McLaughlin	Smith, J. M. C.
Carter	Hardy	Madden	Smith, N. Y.
Church	Harris	Maguire, Nebr.	Smith, Tex.
Cline	Harrison	Mahan	Stafford
Collier	Hart	Maher	Stanley
Connelly, Kans.	Haugen	Mann	Stedman
Conry	Hawley	Mapes	Steenerson
Cooper	Hay	Martin	Stephens, Cal.
Copley	Hayden	Metz	Stephens, Nebr.
Cox	Hayes	Miller	Stevens, Minn.
Crosser	Heflin	Mitchell	Stone
Cullop	Helgesen	Mondell	Stout
Curry	Helm	Montague	Stringer
Danforth	Henry	Moon	Sutherland
Decker	Hensley	Moore	Switzer
Deitrick	Hill	Morgan, La.	Talcott, N. Y.
Dent	Hinds	Morgan, Okla.	Tavenner
Dickinson	Hinebaugh	Morrison	Taylor, Ala.
Dies	Holland	Moss, Ind.	Taylor, Ark.
Difenderfer	Houston	Murray	Taylor, Colo.
Dillon	Howard	Nelson	Temple
Donohoe	Howell	Nolan, J. I.	Ten Eyck
Donovan	Hoxworth	Norton	Thacher
Doolittle	Hughes, Ga.	O'Brien	Thomas
Doremus	Hulings	Oldfield	Thomson, Ill.
Doughton	Hull	Padgett	Treadway
Dupré	Humphrey, Wash.	Page, N. C.	Tribble
Eagle	Humphreys, Miss.	Parker, N. J.	Underhill
Edmonds	Igoe	Peterson	Underwood
Edwards	Jacoway	Phelan	Vaughan
Esch	Johnson, Ky.	Platt	Vinson
Fairchild	Johnson, S. C.	Plumley	Vollmer
Fergusson	Johnson, Utah	Porter	Volstead
Ferris	Johnson, Wash.	Post	Watkins
Fess	Kahn	Pou	Watson
Fields	Kent	Prouty	Webb
FitzHenry	Kettner	Rainey	Williams
Flood, Va.	Key, Ohio	Raker	Willis
Foster	Kindel	Rauch	Wingo
Francis	Kinkaid, Nebr.	Rayburn	Winslow
Frear	Kirkpatrick	Reilly, Conn.	Young, Tex.

ANSWERED "PRESENT"—2.

Falconer	Palmer

NOT VOTING—168.

Abercrombie	Driscoll	Kennedy, Iowa	Riordan
Adair	Drukker	Kennedy, R. I.	Roberts, Mass.
Aiken	Dunn	Kiess, Pa.	Roberts, Nev.
Ainey	Eagan	Kinkead, N. J.	Rothermel
Allen	Elder	Kitchin	Rupley
Anderson	Estopinal	Knowland, J. R.	Sabath
Ansberry	Evans	Kreider	Saunders
Anthony	Faison	Langley	Scully
Austin	Farr	Lee, Ga.	Sells
Avis	Finley	L'Engle	Sherwood
Baltz	Fitzgerald	Lewis, Md.	Shreve
Barchfeld	Floyd, Ark.	Lewis, Pa.	Slayden
Barthoidt	Fordney	Lieb	Smith, Md.
Bartlett	Gallivan	Lindbergh	Smith, Minn.
Barton	Garrett, Tex.	Lindquist	Smith, Saml. W.
Bell, Ga.	George	Loft	Sparkman
Borchers	Gerry	Logue	Stephens, Miss.
Bowdle	Gittins	McClellan	Stephens, Tex.
Britten	Godwin, N. C.	McGillicuddy	Stevens, N. H.
Browne, Wis.	Goeke	McKellar	Sumners
Bruckner	Goldfogle	McKenzie	Taggart
Brumbaugh	Good	MacDonald	Talbott, Md.
Burke, Pa.	Gordon	Manahan	Taylor, N. Y.
Burke, Wis.	Gorman	Morin	Thompson, Okla.
Callaway	Goulden	Moss, W. Va.	Towner
Cantor	Graham, Ill.	Mott	Townsend
Carew	Graham, Pa.	Mulkey	Tuttle
Carr	Greene, Mass.	Murdock	Vare
Cary	Gregg	Neeley, Kans.	Walker
Casey	Griest	Neely, W. Va.	Wallin
Chandler, N. Y.	Griffin	Oglesby	Walsh
Clancy	Guernsey	O'Hair	Walters
Clark, Fla.	Hamilton, N. Y.	O'Shaunessy	Weaver
Claypool	Hammond	Paige, Mass.	Whaley
Coady	Helvering	Parker, N. Y.	Whitacre
Connolly, Iowa	Hobson	Patten, N. Y.	White
Dale	Hughes, W. Va.	Patton, Pa.	Wilson, Fla.
Davenport	Jones	Peters	Wilson, N. Y.
Davis	Keister	Powers	Witherspoon
Dershem	Kelley, Mich.	Price	Woodruff
Dixon	Kelly, Pa.	Ragsdale	Woods
Dooling	Kennedy, Conn.	Reed	Young, N. Dak.

So the amendment was rejected.

The Clerk announced the following pairs:

For the session:

Mr. BARTLETT with Mr. BUTLER.

Until further notice:

Mr. SLAYDEN with Mr. ANTHONY.

Mr. SCULLY with Mr. HAMILTON of New York.

Mr. TALBOTT of Maryland with Mr. WALLIN.

Mr. ALLEN with Mr. BARTON.
Mr. PATTEN of New York with Mr. PARKER.
Mr. WILSON of Florida with Mr. ROBERTS of Nevada.
Mr. BELL of Georgia with Mr. AINEY.
Mr. BARTLETT with Mr. ANDERSON.
Mr. ADAIR with Mr. BARCHFELD.
Mr. AIKEN with Mr. BARTHOLDT.
Mr. BURKE of Wisconsin with Mr. AUSTIN.
Mr. CALLAWAY with Mr. AVIS.
Mr. CASEY with Mr. BURKE of Pennsylvania.
Mr. CLARK of Florida with Mr. BRITTEN.
Mr. COADY with Mr. BROWNE of Wisconsin.
Mr. DALE with Mr. CARY.
Mr. DAVENPORT with Mr. FARR.
Mr. DERSHEM with Mr. DAVIS.
Mr. DIXON with Mr. FORDNEY.
Mr. DRISCOLL with Mr. GOOD.
Mr. EAGAN with Mr. DRUKKER.
Mr. ESTOPINAL with Mr. DUNN.
Mr. EVANS with Mr. GREENE of Massachusetts.
Mr. FINLEY with Mr. GRIEST.
Mr. GALLIVAN with Mr. GRAHAM of Pennsylvania.
Mr. GOLDFOGLE with Mr. HUGHES of West Virginia.
Mr. GORDON with Mr. KEISTER.
Mr. GREGG with Mr. KELLEY of Michigan.
Mr. GRIFFIN with Mr. KENNEDY of Iowa.
Mr. HELVERING with Mr. GUERNSEY.
Mr. JONES with Mr. KENNEDY of Rhode Island.
Mr. KITCHIN with Mr. J. R. KNOWLAND.
Mr. LEE of Georgia with Mr. KIESS of Pennsylvania.
Mr. LEWIS of Maryland with Mr. KREIDER.
Mr. LIEB with Mr. MCKENZIE.
Mr. MCGILLICUDDY with Mr. LANGLEY.
Mr. MCKELLAR with Mr. LEWIS of Pennsylvania.
Mr. NEELY of West Virginia with Mr. MOSS of West Virginia.
Mr. NEELEY of Kansas with Mr. LINDQUIST.
Mr. O'SHAUNESSY with Mr. MORIN.
Mr. PRICE with Mr. MOTT.
Mr. RAGSDALE with Mr. PAIGE of Massachusetts.
Mr. RIORDAN with Mr. PATTON of Pennsylvania.
Mr. SABATH with Mr. POWERS.
Mr. SAUNDERS with Mr. PETERS.
Mr. SHERWOOD with Mr. ROBERTS of Massachusetts.
Mr. SPARKMAN with Mr. VARE.
Mr. STEPHENS of Mississippi with Mr. TOWNER.
Mr. STEPHENS of Texas with Mr. WOODS.
Mr. SUMNERS with Mr. YOUNG of North Dakota.
Mr. TAGGART with Mr. SELLS.
Mr. WHALEY with Mr. SHREVE.
Mr. DOOLING with Mr. SAMUEL W. SMITH.
Mr. CAREW with Mr. SMITH of Minnesota.

The result of the vote was announced as above recorded.

The SPEAKER. The Doorkeeper will open the doors. There is a quorum here.

Mr. UNDERWOOD. Mr. Speaker, I move the previous question on the bill and all amendments to final passage.

The SPEAKER. The gentleman from Alabama [Mr. UNDERWOOD] moves the previous question on the bill and amendments to final passage. Those in favor of the motion will say "aye."

The affirmative vote was taken.

Mr. BRYAN. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. BRYAN. I desire to offer an amendment. Under this condition can I not offer another amendment?

The SPEAKER. It is too late.

Mr. BRYAN. I make the point of order that there is no quorum present.

The SPEAKER. The roll call just this moment shows that there is a quorum present.

Mr. BRYAN. The period for the amendment of the bill had not been passed.

The SPEAKER. The Chair knows; but any gentleman has the right to move the previous question on a bill at any stage of the proceedings. Of course, as a matter of practice and courtesy, the Chair generally recognizes the man in control of the bill.

Mr. BRYAN. I ask unanimous consent that I may have five minutes to explain that amendment and state why I offered it.

Mr. UNDERWOOD. I object, Mr. Speaker.

ENROLLED BILL SIGNED.

The SPEAKER. The previous question has been ordered, and the Chair lays before the House the following report from the Committee on Enrolled Bills:

Mr. ASHBROOK, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bill of the following title, when the Speaker signed the same:

H. R. 13698. An act for the relief of Charles A. Coulson.

SALE OF INTOXICATING LIQUOR TO MINORS.

Mr. BRYAN. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. BRYAN. The negative has not been put to the House on that question. I made the inquiry before the Chair put it.

The SPEAKER. The Chair's recollection is that both sides were put. However, the Chair will put it again. Those in favor of ordering the previous question will say "aye;" those opposed will say "no."

The question was taken, and the Speaker announced that the ayes have it.

Mr. BRYAN. Mr. Speaker, I make the point of order that there is not a quorum present.

The SPEAKER. It has been only three minutes since the roll call developed 257 gentlemen present.

Mr. BRYAN. I ask for a division.

The SPEAKER. The gentleman from Washington [Mr. BRYAN] asks for a division. Those in favor of ordering the previous question will rise and stand until they are counted.

The House divided; and there were—ayes 181, noes 3.

Mr. BRYAN. Mr. Speaker, this demonstrates the want of a quorum, but I will not insist on the point.

Mr. HOWARD. The gentleman will note that 35 or 40 men did not vote.

The bill was ordered to be engrossed and read a third time, and was accordingly read the third time.

The SPEAKER. The question is, Shall the bill pass?

The question being taken, the Speaker announced that the ayes appeared to have it.

Mr. BRYAN. I make the point of order that there is no quorum present.

The SPEAKER. The Chair will count. [After counting]. Two hundred and twenty-one Members present—a quorum.

Mr. BRYAN. Mr. Speaker, before you make that announcement I want to ask unanimous consent that my name may be recorded as against this bill, and I withdraw the point of no quorum.

The SPEAKER. There is a quorum here anyhow.

Mr. MANN. The gentleman may vote in favor of selling liquor to minors if he wants to.

Mr. BRYAN. But I will not be doing any such thing.

So the bill was passed.

On motion of Mr. UNDERWOOD, a motion to reconsider the vote by which the bill was passed was laid on the table.

LEAVE TO EXTEND REMARKS.

Mr. BRYAN. Mr. Speaker, I ask unanimous consent—I believe it is my privilege—to extend in the RECORD my remarks in explanation of my opposition to this bill.

The SPEAKER. The gentleman asks unanimous consent to extend his remarks on the bill just passed. Is there objection?

Mr. STAFFORD. Reserving the right to object, I assume that the gentleman wishes to extend his remarks in the back part of the RECORD and not in the body of the proceedings.

Mr. BRYAN. I agree to that.

The SPEAKER. That is where the remarks ought to be extended, whether the gentleman wants it so or not. That is the rule and practice of the House. Is there objection?

There was no objection.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted as follows:

To Mr. MORIN, indefinitely, on account of illness.

To Mr. AUSTIN, for one week, on account of sickness.

LEAVE TO WITHDRAW PAPERS.

By unanimous consent, at the request of Mr. GREEN of Iowa, leave was granted to withdraw from the files of the House, without leaving copies, the papers in the case of H. R. 22976, no adverse report having been made thereon.

THE LATE SENATOR JOHNSTON AND THE LATE REPRESENTATIVE RICHARDSON.

Mr. UNDERWOOD. Mr. Speaker, I ask unanimous consent for the present consideration of the order which I send to the Clerk's desk.

The SPEAKER. The gentleman asks unanimous consent for the present consideration of a resolution, which the Clerk will report.

The Clerk read as follows:

House resolution 693.

Resolved, That Sunday, January 31, 1915, be set apart for services upon the life, character, and public services of Hon. JOSEPH F. JOHNSTON, late a Senator from the State of Alabama, and of the Hon. WILLIAM RICHARDSON, late a Representative from the State of Alabama.

The SPEAKER. Is there objection?

There was no objection.

The resolution was agreed to.

UNIFORM GRADING OF GRAIN.

Mr. MOSS of Indiana. Mr. Speaker, I move to suspend the rules and pass the bill (H. R. 17971) for securing the uniform grading of grain, preventing deception in transactions in grain, and regulating traffic therein, and for other purposes, with an amendment.

The SPEAKER. The Clerk will report it.

The Clerk read as follows:

Be it enacted, etc., That this act shall be known by the short title of the "grain grades act."

SEC. 2. That the Secretary of Agriculture is hereby authorized to investigate the handling, grading, and transportation of grain and to fix and establish as soon as may be after the enactment hereof standards of quality and condition for corn (maize), wheat, rye, oats, barley, flaxseed, and such other grains as in his judgment the usages of trade may warrant and permit. In promulgating the standards the Secretary shall specify the date or dates when the same are to become effective, and shall give public notice, not less than 60 days in advance of such date or dates, by such means as he deems proper.

SEC. 3. That the standards so fixed and established shall be known as the official grain standards of the United States.

SEC. 4. That whenever standards shall have been fixed and established under this act for any grain no person thereafter shall ship or deliver for shipment from any State, Territory, or District to or through any other State, Territory, or District, or to any foreign country, any such grain which is sold or offered for sale by grade unless the grade by which it is sold or offered for sale be one of the grades fixed therefor in the official grain standards of the United States, and the grain shall have been inspected and graded by an inspector licensed under this act, and the grain conforms to the standard fixed and established for the specified grade: *Provided*, That any such grain not sold or offered for sale by grade may be sold, offered for sale, shipped, or delivered for shipment by sample or by type, or under any name, description, or designation which is not false or misleading, and which name, description, or designation does not include in whole or in part the terms of any official grain standard of the United States: *Provided further*, That any such grain sold or offered for sale by one of the grades fixed therefor in the official grain standards may be shipped from any place at which no inspector licensed under this act is located to or through any place at which such an inspector is located, subject, under such rules and regulations as the Secretary of Agriculture shall prescribe, to be inspected at the place to which shipped, or at the place through which shipped for inspection, and subject further to the right of appeal from such inspection, as provided in section 6 of this act: *And provided further*, That any such grain sold or offered for sale by any of the grades fixed therefor in the official grain standards may, upon compliance with the rules and regulations prescribed by the Secretary of Agriculture, be shipped from a place at which there is no inspector licensed under this act to a place at which there is no such inspector, subject to the right to refer any dispute as to the grade of the grain to the Secretary of Agriculture, who may determine and certify the true grade thereof: *And provided further*, That variations from the official grain standards may be permitted under such rules and regulations as the Secretary of Agriculture shall prescribe. No person shall in any certificate or in any contract or agreement of sale or agreement to sell by grade, either oral or written, involving, or in any invoice or bill of lading or other shipping document relating to, the shipment or delivery for shipment, in interstate or foreign commerce, of any grain for which standards shall have been fixed and established under this act describe, or in any way refer to, any of such grain as being of any grade other than a grade fixed therefor in the official grain standards of the United States.

SEC. 5. That no person shall certify or otherwise represent that any grain which has been shipped or delivered for shipment in interstate or foreign commerce is of a grade fixed in the official grain standards unless the same conforms to the standard fixed therein for that grade or is within the variations from that grade permitted by the rules and regulations prescribed by the Secretary of Agriculture under section 4 of this act; and the Secretary of Agriculture is authorized to cause examinations to be made of any grain for which standards shall have been fixed and established under this act, and which has been certified to conform to any grade fixed therefor in such official grain standards, or which has been shipped or delivered for shipment in interstate or foreign commerce. Whenever, after opportunity for hearing is given to the owner or shipper of the grain involved, and to the inspector thereof if the same has been inspected, it is determined by the Secretary that any quantity of grain has been incorrectly certified to conform to a specified grade or the authorized variations therefrom, or has been sold or offered for sale under any name, description, or designation which is false or misleading, he may publish his findings.

SEC. 6. That whenever standards shall have been fixed and established under this act for any grain and any quantity of such grain which has been sold, offered for sale, shipped, or delivered for shipment in interstate or foreign commerce shall have been inspected and a dispute arises as to whether the grade as determined by such inspection of any such grain in fact conforms to the standard of the specified grain, any interested party may appeal the question to the Secretary of Agriculture, and the Secretary of Agriculture is authorized to cause such investigation to be made and such tests to be applied as he may deem necessary to determine the true grade: *Provided*, That any appeal from such inspection to the Secretary of Agriculture shall be taken before the grain leaves the place where the inspection appealed from was made and before the identity of the grain has been lost, under such rules and regulations as the Secretary of Agriculture shall prescribe. In such cases the Secretary of Agriculture shall charge and assess and cause to be collected reasonable fees, in amounts to be fixed by him. All such fees shall be deposited and covered into the Treasury as miscellaneous receipts. The findings of the Secretary of Agriculture as to grade, made after the parties in interest have had opportunity to be heard, shall be accepted in the courts of the United States in all suits between such parties or their privies as prima facie evidence of the true grade of the grain determined by him at the time and place specified in the findings.

SEC. 7. That no person authorized or employed by any State, county, city, town, board of trade, chamber of commerce, corporation, society, or association to inspect or grade grain shall certify, or otherwise state or indicate in writing, that any grain which has been inspected or graded by him, or by any person acting under his authority, is of one of the official grades of the United States unless he holds an unsuspended and unrevoked license issued by the Secretary of Agriculture authorizing him to inspect and grade grain for interstate and foreign commerce. The Secretary may issue a license to any person upon presentation to him of satisfactory evidence that such person is competent to inspect and grade grain: *Provided*, That in States which have State grain inspection established by law the Secretary of Agriculture may, in his discretion, issue licenses to persons duly authorized and employed to inspect grain under the laws of such States at the time this act goes into effect. Any such license may be suspended or revoked whenever the Secretary of Agriculture is satisfied that the holder thereof has failed to grade grain correctly, in accordance with the official grain standards of the United States, or has violated any provision of this act or of the rules and regulations made thereunder, or that the license has been used for any improper purpose whatsoever.

SEC. 8. That the Secretary of Agriculture shall, from time to time, make such rules and regulations as he may deem necessary for the efficient execution of the provisions of this act.

SEC. 9. That every person who shall violate any provision of this act or of the rules and regulations made hereunder shall be deemed guilty of a misdemeanor, and, upon conviction thereof, shall be fined not exceeding $200 for the first offense and for each succeeding offense not exceeding $1,000. After judgment by the court notice thereof shall be given by publication in such manner as the Secretary of Agriculture may prescribe.

SEC. 10. That every person who forcibly assaults, resists, impedes, or interferes with any officer or employee of the United States Department of Agriculture in the execution of any duties authorized to be performed by this act or the rules and regulations made hereunder shall, upon conviction thereof, be fined not less than $100 nor more than $1,000, or be imprisoned not less than one month nor more than one year, or be punished by both such fine and imprisonment.

SEC. 11. That the word "person" wherever used in this act shall be construed to import the plural or singular, as the case demands, and shall include individuals, corporations, companies, societies, and associations. When construing and enforcing the provisions of this act, the act, omission, or failure of any official agent, or other person acting for or employed by any corporation, company, society, or association within the scope of his employment or office shall, in every case, also be deemed the act, omission, or failure of such corporation, company, society, or association, as well as that of the person.

SEC. 12. That there is hereby appropriated, out of any money in the Treasury not otherwise appropriated, the sum of $125,000, which shall be available until expended, for the expenses of carrying into effect the provisions of this act, including rent and the employment of such persons as the Secretary of Agriculture may deem necessary in the city of Washington and elsewhere.

PANAMA-PACIFIC INTERNATIONAL EXPOSITION.

The SPEAKER. The Chair agreed to recognize the gentleman from Indiana [Mr. Moss] at half past 3, and that hour having passed, the Chair has now recognized him; but there is one bill on the calendar that, if it is ever going to be passed at all, ought to be passed to-day. That is the bill relating to the Panama-Pacific International Exposition. It is on the Unanimous Consent Calendar.

Mr. MANN. It is the next bill on the calendar.

The SPEAKER. Yes. The Chair recognizes the gentleman from New York [Mr. UNDERHILL], and after that bill is disposed of the House will recur to the motion of the gentleman from Indiana [Mr. Moss] to suspend the rules and pass the grain-inspection bill.

Mr. UNDERHILL. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (S. 6454) to authorize the Government Exhibit Board for the Panama-Pacific International Exposition to install any part or parts of the Government exhibit at the said exposition either in the exhibit palaces of the Panama-Pacific International Exposition Co. or in the Government building at said exposition.

The SPEAKER. The gentleman from New York asks unanimous consent for the present consideration of the Senate bill 6454. Is there objection?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Government Exhibit Board, created by the sundry civil act approved June 23, 1913, is hereby authorized to install, display, and maintain any part or parts of the exhibit of the United States Government at the Panama-Pacific International Exposition in the exhibit palaces provided by the Panama-Pacific International Exposition Co. or in the Government building provided for in the sundry civil act approved August 1, 1914, as the said Government Exhibit Board may determine.

The SPEAKER. The question is on the third reading of the Senate bill.

The bill was ordered to be read a third time, was read the third time, and passed.

On motion of Mr. UNDERHILL, a motion to reconsider the vote whereby the bill was passed was laid on the table.

UNIFORM GRADING OF GRAIN.

Mr. HAUGEN. Mr. Speaker, I demand a second on the Moss bill for the grading of grain.

Mr. MOORE. Mr. Speaker, I would like to ask the gentleman from Iowa if he is opposed to the bill?

Mr. HAUGEN. Not to the entire bill.

Mr. MOORE. Mr. Speaker, I desire to oppose the bill, and I also demand a second.

The SPEAKER. The gentleman from Pennsylvania demands a second.

Mr. MOSS of Indiana. Mr. Speaker, I ask unanimous consent that a second be considered as ordered.

The SPEAKER. The gentleman from Indiana asks unanimous consent that a second be considered as ordered. Is there objection?

There was no objection.

Mr. MOSS of Indiana. Mr. Speaker, I ask that the amendments I have sent to the desk be read. One of them is to correct a misprint in the bill, and I ask that the other one be made a part of my motion.

The SPEAKER. The gentleman's first amendment was read into the bill. Now, the gentleman from Indiana asks unanimous consent that another amendment which he sends up may be considered as a part of the bill, and the Clerk will report it.

The Clerk read as follows:

Amend, by striking out, after the figures $1,000, all of lines 13, 14, and 15, the language of which is as follows: "After judgment by the court notice thereof shall be given by publication in such manner as the Secretary of Agriculture may prescribe."

Mr. MANN. Is that a part of the motion?

The SPEAKER. The gentleman from Indiana asks unanimous consent to incorporate that into the bill as a part of his motion to suspend the rules. Is there objection?

Mr. MOORE. Reserving the right to object, Mr. Speaker, and for the purpose of making a parliamentary inquiry, would it be in order for me, not being a member of the committee, to offer an amendment?

The SPEAKER. No; nobody can offer an amendment, except by unanimous consent, after it has reached this stage. If the gentleman wants to ask unanimous consent, the Chair will put it.

Mr. MOORE. Then I ask unanimous consent to have the following amendment considered:

Page 2, line 12, after the word "district," strike out "or to any foreign country."

The Clerk read as follows:

Page 2, line 12, after the word "district," strike out the words "or to any foreign country."

The SPEAKER. Is there objection to this amendment being read into the bill?

Mr. MOSS of Indiana and Mr. NORTON objected.

Mr. MOORE. What became of the amendment offered by the gentleman from Indiana [Mr. Moss].

The SPEAKER. He had unanimous consent to make it a part of his motion.

Mr. MOORE. I did not understand that unanimous consent was given to consider the motion of the gentleman from Indiana. I reserved the right to object, and the Chair did not again ask whether there was objection. Action has been taken only on the request made by me.

Mr. LEVER. Mr. Speaker, I think the Chair announced that the request of the gentleman from Indiana has been passed upon.

Mr. MANN. No; the Chair did not.

The SPEAKER. What the Chair announced was that the first amendment offered by the gentleman from Indiana has been read into the bill. Then the gentleman from Indiana asked unanimous consent to read the other one in, and the gentleman from Pennsylvania reserved an objection. The Chair was under the impression that he had put the request, but he thinks the gentleman from Pennsylvania is right. Is there objection to the request of the gentleman from Indiana to read this amendment which has been reported by the Clerk into the motion to suspend the rules?

There was no objection.

The SPEAKER. The gentleman from Indiana has 20 minutes and the gentleman from Pennsylvania has 20 minutes.

Mr. MOSS of Indiana. Mr. Speaker, I yield five minutes to the gentleman from Missouri [Mr. RUBEY].

[Mr. RUBEY addressed the House. His remarks will appear hereafter.]

Mr. MOORE. Mr. Speaker, as the gentleman from Missouri [Mr. RUBEY] says, there is some objection to this bill, or at least to one phase of it, from the shipping interests along the Atlantic seaboard. It is contended that to require the inspection of grain that comes in bond from Canada, intended for export, will work a hardship upon the shippers generally and will not aid the farmers of this country who seek to be benefited by the bill. I have asked to strike out that portion of section 4 which is objectionable to those interests.

Mr. BORLAND. Mr. Chairman, will the gentleman yield?

Mr. MOORE. I yield to the gentleman.

Mr. BORLAND. The gentleman realizes of course that this provides that grain may be sold by sample or by any other designation which does not appear to be an imitation of the Federal grades. Does not that obviate largely that situation?

Mr. MOORE. No; the principal objection is that under this bill very large quantities of grain that come from Canada and are intended for export would be subjected to an unnecessary scrutiny and would very materially interfere with the export trade generally. That export trade, it is believed, is of great advantage to the farmers of the United States, particularly in regulating prices and in generally maintaining the business when there is no very great market at home for grain—corn and grain in particular.

Mr. BORLAND. Does the gentleman refer to grain that comes into Canada for reexport?

Mr. MOORE. That is what I said.

Mr. BORLAND. Does the gentleman say that it is to the interest of the farmer that that grain be excepted from the provisions of this bill?

Mr. MOORE. I will read to the gentleman a statement from the Commercial Exchange, of Philadelphia:

The export interests, although little known in the West, who naturally disregard us and look to their interests should be encouraged. It is a safety valve to the country.

These are business men—dealers in grain—who are speaking.

For instance, during the years 1892 to 1895 and in the year 1907 the grain export business largely helped to stop and settle panics by bringing gold into this country. The export interest makes the price and saves it from further decline for the farmer. The export interest takes the farmers' grain when it is not wanted by our millers and manufacturers. This is best illustrated by conditions every year early in the movement of crops. Domestic interests are unable to take care of the grain as fast as it moves from the farm, and some of it is not in condition that the millers and elevator interests desire it. The export market comes to the rescue of the farmer and stops the decline in price and opens a market for the farmers' grain.

I think that answers the question of the gentleman. Now I desire to ask the gentleman from Indiana [Mr. Moss] whether he can enlighten the House as to the application of that part of section 4 which provides that the inspection shall apply to shipments—

From any State, Territory, or District to or through any other State, Territory, or District, or to any foreign country.

Large quantities of grain, as the gentleman knows, come in from Canada, and they are shipped through to foreign countries without breaking bulk, leaving it largely to the purchasers, the people on the other side, to determine whether the grain is satisfactory to them or not. The question I am raising is, Will this export grain, shipped in bond, have to stand the proposed Federal inspection? I would like the gentleman from Indiana to answer.

Mr. MOSS of Indiana. As I understand the gentleman's question, it is whether a grain shipment originating in Canada and passing through the United States for export purposes, going through as it is now called "in bond," would come under the operation of this law. Is that the question?

Mr. MOORE. It is.

Mr. MOSS of Indiana. It would not come under the operation of this law.

Mr. MOORE. If the gentleman will pardon me a moment. The gentleman heard the amendment I sent to the Clerk's desk and had read a little while ago?

Mr. MOSS of Indiana. I did. The purpose I had in objecting to that amendment is that if the proposed language were to be stricken from the bill our domestic grain going to foreign countries would not come under the provisions of the bill. The change would have no relation whatever with the question which the gentleman has in mind at the present time.

Mr. MOORE. If those words were stricken out "or to any foreign country," does the gentleman think that would relieve the situation entirely?

Mr. MOSS of Indiana. If those words were stricken from the bill, it would simply mean that all domestic grain that is sold for export to foreign countries, or what we now know as our export trade, would not come under the operations of the bill, whereas the gentleman's question is, whether or not grain grown in Canada passing through the United States on its way for export would come under the operation of the bill. The domestic grain for export will come under the operations of the bill. Canadian grain passing through the United States in bond will not come under the operations of the bill. I will say to the gentleman I will be glad to put in the RECORD the opinion of the Solicitor of the Department of Agriculture, under

date of August 26, 1914, in which he answers the gentleman's question specifically, that grain passing through the United States in bond for export does not come under the operations of the bill. If the gentleman would like to have the Solicitor's opinion read, I will have it read in his time.

Mr. MOORE. I would be very glad to have it read in my time, because I am going to ask leave to insert certain documents which bear upon this question, as I expect to vote against the bill because of this paragraph, and I would be very glad to know on what the gentleman bases his opinion.

Mr. MOSS of Indiana. I send to the Clerk's desk the following letter to be read in the time of the gentleman from Pennsylvania [Mr. MOORE].

The SPEAKER pro tempore (Mr. FOWLER). The Clerk will read the letter in the time of the gentleman from Pennsylvania.

The Clerk read as follows:

DEPARTMENT OF AGRICULTURE,
OFFICE OF THE SOLICITOR,
Washington, August 26, 1914.

Hon. RALPH W. MOSS,
House of Representatives.

DEAR MR. MOSS: Recently you informally requested my opinion as to whether H. R. 17971, in the form in which it was introduced by yourself on July 18 last, would interfere with or affect shipments of grain in bond from Canada to a port in the United States for export. I am very glad to give you my views on this question.

Section 4, which is the only section of the bill that need be considered in determining the question at hand, prohibits any person from shipping or delivering for shipment from any State, Territory, or District to or through any other State, Territory, or District, or to any foreign country, any grain which is sold or offered for sale by grade unless it be one of the grades fixed therefor in the official grain standards of the United States and the grain has been inspected and graded by an inspector licensed under the act and conforms to the official standard.

In order that this provision may apply to any particular shipment it must have its point of origin in some State, Territory, or District of the United States. In the case of a shipment of grain from Canada through the United States to some foreign country the point of origin would be in Canada and not in any State, Territory, or District of the United States. It seems clear, therefore, that the language of the provision cited would not apply to such a shipment.

There may be cases, however, in which the transit of grain from Canada is so interrupted that its export from the United States to a foreign country would constitute a new shipment and not merely a continuation of the original shipment. In such case the bill would seem to apply to such new shipment, but in general it is believed that it would not apply to through shipments of grain from Canada to a foreign country by way of the United States.

Very truly, yours,

FRANCIS G. CAFFEY, *Solicitor.*

Mr. MOORE. Mr. Speaker, the Commercial Exchange of Philadelphia is not wholly satisfied that that interpretation of the law will hold, but I am very glad to have it in the RECORD. I desire now to ask unanimous consent to include in my remarks a brief by the Commercial Exchange of Philadelphia and a letter from the same organization.

The SPEAKER pro tempore. The gentleman from Pennsylvania asks unanimous consent to extend his remarks in the RECORD by printing certain data. Is there objection. [After a pause.] The Chair hears none.

Mr. MOORE. I reserve the balance of my time.

The SPEAKER pro tempore. The gentleman has occupied 10 minutes.

The articles referred to are as follows:

THE COMMERCIAL EXCHANGE OF PHILADELPHIA,
Philadelphia, August 13, 1914.

Hon. J. HAMPTON MOORE,
House of Representatives, Washington, D. C.

DEAR SIR: I am in receipt of your letter of the 5th instant asking if I have any suggestions to make as to bill H. R. 17971, which is a modification of bill H. R. 17329.

In reply, would say our position with reference to the grading of grain is the same as that set forth in our brief, under date of May 15, 1914, a copy of which was forwarded to you, and also the letter of our president to you, under date of June 23, 1914, referring to the grain-grades act, bill H. R. 17329. The modified bill, H. R. 17971, requires all grain to be inspected under Federal supervision in accordance with the standards of grade established by the Secretary of Agriculture, whether for export or consumption within the United States.

The export business is a world's proposition, and we must meet the competition and conditions of other grain-exporting countries. The Commercial Exchange of Philadelphia, therefore, is unalterably opposed to Federal inspection or supervision of grain when intended for export. We believe it would be greatly to the detriment of the export business and to the producers in the United States, and would suggest that all grain for export, whether grown within the United States or elsewhere, be eliminated from the grain-grades act.

We are heartily in favor, however, of this bill in so far as it relates to the Federal supervision of inspection of grain for consumption within the United States, whether it be domestic or foreign grown grain.

Yours, very truly,

A. B. CLEMMER, *Secretary.*

THE COMMERCIAL EXCHANGE OF PHILADELPHIA,
Philadelphia, May 15, 1914.

Hon. RALPH W. MOSS,
Chairman Subcommittee of Committee on Agriculture.
House of Representatives, Washington, D. C.

DEAR SIR: We respectfully submit to you the following brief:

The Commercial Exchange was founded in 1854. It is comprised of merchants in the grain, flour, hay, and feed business, manufacturers, nearly all of the banks of Philadelphia, and all of the railroads and steamship lines. Through our exchange is handled all of the grain business, both domestic and export, that comes to the city of Philadelphia amounting to from thirty to sixty million dollars yearly.

We have a most able and capable inspection department, and it is not in any way affiliated with the grain business, the rules of our exchange forbidding that. A more honest, conscientious, able, and careful staff of inspectors we do not believe can be found. Their salaries are paid by the exchange; their employment is assured as long as their work is faithful, efficient, and honest.

Referring to bill H. R. 14493, we have the utmost respect and kindly feeling toward your honorable committee and realize that you have a very big task before you, and with your kind permission we desire to take exceptions to the bill as relating to or governing export grain. We would gladly assist in the formation of a bill for uniform grading of grain for domestic application, but we most respectfully ask your honorable committee to exempt the export trade from bill H. R. 14493, or, if that be impossible, to then insert a section in the bill making the present grades of corn its basis of grade for export. We have been many years in building up the foreign grain business, and the changes, as proposed by the honorable Secretary of Agriculture, for the grading of corn would be a great hardship, completely upsetting the export business in that commodity, because—

First. During a very important part of the corn season, from December until the middle of June, it is impossible to get corn of the quality required by the honorable Secretary of Agriculture of the proposed grade of No. 2 corn at 15½ per cent moisture content in its natural condition. This would result in forcing exporters to sell the next lower grade, which is No. 3, as proposed by the honorable Secretary of Agriculture, with a moisture content of 17½ per cent. The foreigner would be compelled to buy that, because the other grade is an impossibility. To adjust the foreign buyer to this changed condition would be difficult and harmful.

Second. The difference between the proposed grades of corn is not a practical, merchantable difference. The 2 per cent moisture content between No. 2 and No. 3 and between No. 3 and No. 4 corn is too great. It will work a hardship to the producer. In this climate experience has shown that it is perfectly safe for us to export corn with 18 per cent moisture and give satisfaction to the foreign buyer. There should be a difference as to moisture content of corn for export between North Atlantic seaboard and the Gulf ports, because of the shorter journey and climatic conditions, which are more favorable for the grain carrying in good condition. We have the world's markets and conditions to compete with. Ours is not a domestic proposition, and that, we feel, should be considered.

The export interests, although little known in the West, who naturally disregard us and look to their interest and condition, should be encouraged. It is a safety valve to the country. For instance, during the years 1892 to 1895 and in the year 1907 the grain export business largely helped to stop and settle panics by bringing gold into this country. The export interest makes the price and saves it from further decline for the farmer. The export interest takes the farmer's grain when it is not wanted by our millers and manufacturers. This is best illustrated by conditions every year early in the movement of crops. Domestic interests are unable to take care of the grain as fast as it moves from the farm, and some of it is not in condition that the millers and elevator interests desire it. The export market comes to the rescue of the farmer and stops the decline in price and opens a market for the farmer's grain.

The seaboard grades of corn for export are about one grade lower than the western grades. It is very necessary for the large western terminal markets to have their corn grades higher than the seaboard, because they—the western markets—are compelled to carry their corn indefinitely. Their business is to accumulate the stock and carry it until there is a demand for it. This often results in stocks of grain, including corn, being held in the western markets month after month—and, indeed, it has been held from one year to another.

The method at the seaboard is entirely different. Stocks are not carried for any length of time by exporters, but handled as quickly as possible. They do not bring grain to the seaboard unless there is a demand for it, because the proper place to carry it is in the West, or the source of the movement, and where it can be sent to any domestic market as well as to the seaboard.

If grain were brought to the seaboard without having a foreign demand, it might prove a very expensive experiment. From this you will see that by moving and handling without any delay or long term of storage grain is put into consumption and a moisture content of 15½ per cent is not at all necessary. We aim to give satisfaction to foreign buyers; our grades are doing that; and the moisture content of corn has been about 18 per cent.

Last year Philadelphia shipped 8,000,000 bushels of United States grown grain, about one-fourth of which was corn, and not a single complaint thereon; nor have we had a single complaint on any foreign grain since the bad crop of 1910 and 1911, which year the crop was improperly matured and was of a poor quality over nearly the entire United States. A great deal of it arrived at the seaboard out of condition from the West, and it was at that time or from that crop complaints were made; none to our knowledge since.

Third. We respectfully ask that Canadian grain in bond for export be exempt from any inspection in the United States. We do not understand that will be permitted according to section 5 and section 6. Much of our business in Philadelphia is bonded grain. Last year we exported 15,200,000 bushels, which, you will please note, is nearly double the amount of the United States grown grain that we exported through Philadelphia. Our total exports last year were 23,000,000 bushels, a smaller amount than we have often shipped before. The railroads and steamships, as well as the merchants, would be greatly injured if we were compelled to sell on United States grade only. The foreign grain buyer using Canadian grain does not wish to buy that on United States inspection, because in buying Canadian certificate of inspection only he is assured that there is no mixture of United States grain with the Canadian. The reason for this is plain. The Canadian grown grain is far superior in quality to that grown in the United States, their virgin soil producing a better quality.

Section 5, line 12, states that we shall not ship to any foreign country any grain unless the grade is fixed by the United States official standard, and section 6, line 4, states that "no person thereafter shall ship or deliver for shipment from any State, Territory, or District to or through any other State, Territory, or District, or to any foreign country, any such grain which is sold or offered for sale, whether by grade or not, under any name, description, or designation which is false or misleading in any particular." The provision in line 10 that "nothing contained herein shall prevent shipment or delivery of shipment, otherwise lawful, of any grain which is sold or offered for sale,

without reference to grade under the names, descriptions, or designations which are not false or misleading" does not, to our mind, give us permission to ship for export Canadian grain on Canadian certificates of inspection, because their certificates of inspection are very similar to the grades or inspections of the United States. Both countries use like terms. For instance, both have No. 1, No. 2, and No. 3 wheat, oats, flax, barley, and rye. The names and descriptions and designations would surely be misleading in that respect.

To injure this Canadian grain business, which to the port of Philadelphia is amounting to twice as much as the United States grown grain, would be a hardship to the port of Philadelphia, which affects the railroads and steamships; the latter failing to get cargoes are withdrawn and sail to more profitable ports. Removal of steamships injures not only Philadelphia but the entire State and neighboring States on export and import business.

Philadelphia does not see any need at this time to put a greater expense on the Government of the United States by changing the methods of handling and inspecting grain, which long years of experience have improved to about as efficient a condition as possible. An efficient force of Federal inspectors of grain would require, in our opinion, a much larger force than the meat-inspection department, which we understand is upward of 2,500 employees, and which we understand cost the Government some $3,000,000 yearly. The grain business is vastly larger than the meat business. Of course, Federal supervision would not be so expensive, but should not the grain interests—meaning from the grower to the exporter—have the same privilege accorded them as the meat interests?—that is, no inspection charges are made for the inspection of meats. The grain interests would naturally expect to be placed on the same basis, or that no charges be made for the inspection of grain if done by the Government.

Fourth. The Federal supervision of corn only, as proposed by the honorable Secretary of Agriculture, would be most misleading to foreign buyers. They would suppose all grain was under Government supervision or inspection, and we believe if the Government is to take charge of the inspection of grain, it should be of all kinds of grain at the same time.

Referring to the trading in grain futures, there is no trading on our exchange, but many of our members use Chicago, Minneapolis, and New York markets. It is quite as necessary for a grain or flour merchant or a miller to insure himself against loss, either against the advance or decline of the market, as it is to insure houses, barns, or buildings of any kind from loss by fire or tornado; in fact, the risk is vastly greater.

For instance, we buy 25,000 bushels of wheat in Indiana for export; unless we happen at that time to have an order in hand that will pay a profit, we must sell an equal amount of wheat to hedge ourselves from loss in case of a decline in the market price. The expense of hedging or insuring is so small that it becomes a part of the cost for handling. If the market declines 2 cents a bushel, we can sell our 25,000 bushels of wheat at 2 cents decline, also, from the price at which we would have sold it at the time we bought it.

On the other hand, if one of our millers receives an order for 5,000 barrels of flour but could not at the moment buy the equivalent of 25,000 bushels of wheat to cover his sale of flour, he would buy, or should buy, 25,000 bushels in the market best adapted for his purpose to insure him from loss of an advance in the market.

Without this method of insurance against change in the market the grain dealers, millers, and merchants would find it necessary to have a much wider margin of profit, and this would mean a less price to the farmer. Business, of course, could be done again without trading in futures, but we would go backward about 50 years, and it would result in the big elevator interests and capitalists becoming more powerful than ever, because they would have the storage capacity and the capital to carry the grain in stock.

We thank you, gentlemen, for permission to file this brief, and regret exceedingly that the nondelivery of mail prevented our appearance. If you wish to question us by wire, we will answer immediately in that way. With the greatest respect and sincerety, we are,

Yours, very truly,

L. G. GRAFF,
GEORGE M. WARNER,
JAMES L. KING,

Delegates appointed by the Commercial Exchange of Philadelphia to represent it at hearing on the "Lever grain-grading bill."

Mr. MOSS of Indiana. Mr. Speaker, I yield to the gentleman from Nebraska [Mr. SLOAN].

[Mr. SLOAN addresssed the House. See Appendix.]

Mr. MOORE. Mr. Speaker, I yield three minutes to the gentleman from Minnesota [Mr. STEVENS].

Mr. STEVENS of Minnesota. Mr. Speaker, I sincerely regret that I am compelled to vote against this bill, as I know the gentleman from Indiana [Mr. Moss] and his associates have labored so earnestly and with such a desire to produce a beneficial measure for the welfare of the agricultural interests of the country. But my district is the headquarters of the grain-inspection system of the State of Minnesota, and for more than 20 years our State has sustained one of the best systems in force in any State in this country. Its organization and the results of its work have been everywhere commended, and it justly possesses the confidence of our people. The Railroad and Warehouse Commission of Minnesota, as it is officially termed, is very strenuously opposed to this bill, because it believes that it would be greatly injurious to the agricultural interests of our section of the country. Early in the discussion the commission desired a hearing before the Committee on Agriculture, and the chairman, Judge Mills, sent me a telegram to that effect, which I delivered to the chairman of the committee, but by some inadvertence the commission was not notified, and, although the committee desired to hear from the commission and the commission was anxious to be heard, no hearing was had. I will send a telegram from the chairman of the commission to the desk to be read in my time. It is from the chairman of the commission, Judge Ira B. Mills, who has served very faithfully and ably for many years, and it states the views of the commission of Minnesota.

The SPEAKER pro tempore. The Clerk will read the communication referred to.

The Clerk read as follows:

ST. PAUL, MINN.

Hon. F. C. STEVENS, M. C.,
Washington, D. C.:

This commission knows that several bills now pending before Congress will injure the northwestern grain growers, because they favor the buyer against the producer. The Federal rules for the grading of corn are impractical and have caused several losses to the growers, and local buyers can not comply with them. They were made by the theorists, who know nothing about grain conditions in the Northwest. If any of the bills now pending are passed, the grain business of the country will be demoralized and the producers be a large loser.

I. B. MILLS.

Mr. STEVENS of Minnesota. Mr. Speaker, one of the commissioners of the State, Mr. Jacobsen, who has had a very large experience as a member of the State board of grain appeals and later has served very acceptably upon the State railroad and warehouse commission, and has just been reelected to it by a large majority, during the summer came to Washington with the chief inspector of grain, Mr. Eva, also an official of large experience and splendid ability, and they conferred at some length with the officials of the Department of Agriculture in charge of this work.

Mr. Jacobsen set forth his views after such conference in a typewritten statement, which I shall not read here on account of lack of time, but which I shall ask to have inserted as a part of my remarks, in which he outlined the basis for the telegram just read, which is substantially this: That the rules as laid down by the department are so theoretical and impractical that the grain buyer in the field will be compelled to buy from the producer at some grade below what the grain might possibly fairly produce, in order to protect himself, because of the uncertainty of the requirements. It is obvious these must be such as the buyer and producer can readily understand and carry out in everyday business, and the grades adopted are not at all of that character.

Mr. Jacobsen states that the grades as adopted by the Agricultural Department do not consider actual conditions of production and marketing. Where this is so, it is evident somebody along the line will suffer from the defects, and that somebody is always the farmer. The Minnesota commission is particularly the guardian of the agricultural interests of our State. When it solemnly expresses its deliberate judgment that this bill is injurious, I am bound to respect and follow such judgment. It seems to be a defect in the bill that in a State like Minnesota, which has a first-class system of inspection and grading already established and in successful operation, that the Secretary of Agriculture would have power to also license a competitive system of inspection by the Minneapolis Chamber of Commerce and by the Duluth Board of Trade, with exactly the same powers under this law. This will be encouraged and may produce chaos and injustice and injury.

The SPEAKER. The time of the gentleman from Minnesota has expired.

Mr. STEVENS of Minnesota. Mr. Speaker, I ask leave to extend my remarks by inserting these papers and explanations in the RECORD.

The SPEAKER pro tempore. Without objection, it will be so ordered.

There was no objection.

Following are the papers referred to:

ST. PAUL, MINN., *December 21, 1914.*

Hon. F. C. STEVENS, *Washington, D. C.:*

This commission knows that several bills now pending before Congress will injure the Northwestern grain growers, because they favor the buyer against the producer. The Federal rules for the grading of corn are impractical and have caused severe loss to the growers, and local buyers can not comply with them. They were made by theorists who know nothing about grain conditions in the Northwest. If any of the bills now pending are passed, the grain business of the country will be demoralized and the producers be a large loser.

IRA B. MILLS.

Previous to the year 1913 the Minnesota Board of Grain Appeals at their annual meeting adopted rules for grading of different kinds of grain. For a great many years this board had about eight rules for grading of corn—either white, yellow, and also for moisture.

In February, 1913, Congress passed a law that gave the United States Agricultural Department the power to grade corn, or, as we may call it, "Federal inspection" of corn. These rules were adopted by several of the Western States, and, among them, Minnesota. The reason for adopting these rules was on account of the interstate shipping. The Eastern States, such as Maryland, Pennsylvania, New York, and Massachusetts did not adopt the Federal grades, and therefore they are to-day buying our western corn according to Federal inspection and selling to European buyers on whatever grade they may put on the same. This shows that the producers of grain are the losers.

As stated above, Minnesota had eight grades, and the inspectors in Philadelphia and New York told Mr. Eva and Commissioner Jacobson

that when a car of corn arrived from Minnesota it was not necessary to reinspect same for outshipment, because they knew that it was inspected according to grades. When the Federal Government or Agricultural Department sent out their new grades, as promulgated by the Secretary of Agriculture for the grading of corn, which took effect July 1, 1914, their rules affected about 22 different kinds of corn. The Minnesota appeal board did not think, when they adopted the Government rules, that they would overturn the grading of corn, as they finally did, because the grading of corn to-day is impracticable. No elevator buyer in the country can buy corn intelligently and expect to get either 2 or 3 grade, according to the new rules.

Early in the fall several corn buyers in the State wrote to the commission asking for advice, as they could not understand the new rules sent out by the Government. It was almost impossible for the chief inspector to answer these letters. Therefore the chief inspector and Commissioner Jacobson went to Washington, D. C., to get information from Dr. Duval, head of that department, and, together with Congressman ANDERSON, spent about two hours with him. It much surprised all three to see that his explanation was theory and lack of experience. Therefore we came away no wiser than when we went.

Mr. Eva, Commissioner Jacobson, and Mr. Evanson, of the appeal board, attended a meeting of the National Association of Grain Dealers held in Kansas City last September. Dr. Duval, of the Agricultural Department at Washington, was invited to this meeting to explain the grading of corn, but, to the astonishment of all present, he could not defend his position against the practical corn buyers of the United States.

I am of the opinion that hereafter all corn in the country will be bought as sample corn, because it is impossible for the country buyer to do it in any other way. Consequently, it will mean a great loss to the producers of the country.

So far I have given my opinion why it is impracticable. Now I will give you a few of the rules in the new grades. We shall pass the first two grades and take up what is called "No. 3 corn." This rule reads as follows:

"No. 3 corn: Shall be sweet, exclusive of heat damaged or mahogany kernels, and must not contain more than 17.5 per cent moisture, 6 per cent damaged corn, 2 per cent foreign material, 4 per cent cracked corn.

"No. 4 corn: Shall be sweet and must not contain more than 19.5 per cent moisture, 8 per cent damaged corn, 2 per cent foreign material, 4 per cent cracked corn, one-half of 1 per cent heat damaged or mahogany kernels.

"No. 5 corn: Shall be sweet and must not contain more than 21.5 per cent moisture, 10 per cent damaged corn, 3 per cent foreign material, 5 per cent cracked corn, 1 per cent heat damaged or mahogany kernels.

"No. 6 corn: Must not contain more than 23 per cent moisture, 15 per cent damaged corn, 5 per cent foreign material, 7 per cent cracked corn, 3 per cent heat-damaged or mahogany kernels. May be musty, sour, and include corn of inferior quality, such as immature and badly blistered corn."

They have anothter rule they call "Sample corn." That includes all corn that does not meet the requirements of either of the six grades by reason of excessive moisture, damaged kernels, foreign matter, cracked corn, hot corn, heat-damaged corn, fire-burnt corn, infested with live weevil, or otherwise distinctly low grade.

I did not mention the two first grades because that is easy enough for any buyer to buy from, but besides these six grades we have white corn, six grades, and yellow corn and mixed corn and finely broken corn.

The moisture percentages, according to those provided in grade specifications, shall conform to results obtained by the standard method and testor described in Circular No. 72, Bureau of Plant Industry, United States Department of Agriculture. Further than that, they have also a note that it is understood that the damaged corn, the foreign material, including pieces of cob dirt, finely broken corn, other grains, etc., and the coarsely broken or cracked corn as provided for under the various grades shall be such as occur naturally in corn when handled under good commercial conditions.

These rules undoubtedly read good and may be understood by theorists in certain departments where such work is performed, but it is impossible for any practical buyer in the country to know just how much moisture there is in corn when brought to the elevator, and it is impossible for such a buyer to determine the moisture content in his place. Under the old Minnesota rules it is true that it included moisture in the rules, but the practical buyers knew from experience what that meant, and the same when we speak about immature, badly blistered corn, foreign material, and mahogany color.

This, added to the above, I think, will convince any practical man that the so-called grades for commercial corn promulgated by the Secretary of Agriculture, Washington, taking effect July 1, 1914, are impracticable for both State and interstate trade.

Mr. MOSS of Indiana. Mr. Speaker, I yield two minutes to the gentleman from North Dakota [Mr. HELGESEN].

The SPEAKER pro tempore. The gentleman from North Dakota [Mr. HELGESEN] is recognized for two minutes.

[Mr. HELGESEN addressed the House. See Appendix.]

Mr. MOSS of Indiana. Mr. Speaker, I yield two minutes to the gentleman from Illinois [Mr. MANN].

The SPEAKER pro tempore. The gentleman from Illinois [Mr. MANN] is recognized for two minutes.

Mr. MANN. Mr. Speaker, this subject has been before Congress for a good many years. The Committee on Interstate and Foreign Commerce at one time had jurisdiction of bills on the subject and had a number of hearings upon those bills. When the Moss bill was finally introduced I believe that was the result of various negotiations between people interested in the subject and was the outgrowth of several bills that had been introduced before.

I hold in my hand, for instance, a letter from the chairman of the Millers' National Federation Committee on Grain Standardization and Inspection, representing the millers of the land, very heartily approving the provisions of this bill. I also hold in my hand a letter from the secretary of the Chicago Board of Trade. While gentlemen speak of the Chicago Board of Trade in language that is not particularly pleasant, still that is the great body in the country that handles grain. The Chicago Board of Trade has come to the conclusion that Federal supervision of grain is desirable and ought to be put into effect, and the secretary, who has had considerable to do with working out the solution of this problem in behalf of the Chicago Board of Trade and the boards of trade quite generally, speaks in behalf of this bill.

I believe that it will be a good thing if the bill be enacted into law. It does not go as far as some people desire; it goes further than other people desire. But it gives us Federal supervision and undertakes to provide a uniformity in the standardization of grain which can be understood by everybody.

The SPEAKER pro tempore. The time of the gentleman from Illinois has expired.

Mr. MANN. I ask unanimous consent to extend my remarks by inserting these letters.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

Following are the letters referred to:

BOARD OF TRADE OF THE CITY OF CHICAGO,
Chicago, July 24, 1914.

Hon. JAMES R. MANN, M. C.,
House of Representatives, Washington, D. C.

MY DEAR CONGRESSMAN: I am in receipt of copies of H. R. 17971, introduced by Mr. MOSS July 18.

The object of this letter is to acquaint you with the present situation in this association in the subject matter of the bill, because you may receive letters from members for or against the enactment of this measure.

Some two and a half years ago a committee of this association went to Washington to interview Dr. Wiley relative to rulings he had recently promulgated bearing on fermenting and heating corn and oats having weather stain artificially bleached off by the use of dioxide of sulphur gas, with the result that within a month thereafter delegates representing the exchanges and grain associations of the country, including farmers, to the number of 82 met in Washington to make a representation to the three Secretaries constituting a board of control of the Bureau of Chemistry of the Department of Agriculture, the board at that time being composed of Secretaries Wilson, Nagel, and MacVeagh.

At a conference of the whole number in attendance, for the purpose of determining what should be presented to the Secretaries, the question of Federal inspection of grain was brought out by Mr. Brandeis, of Louisville—by the way, a brother of the well-known attorney—and he insisted that the Secretaries be informed that the grain interests of the country were in favor of Federal inspection of grain. A committee was finally appointed by the chair to draw up resolutions setting forth the attitude of the conference, on which committee Mr. C. B. Pierce, then a director of this association, a member of Bartlett Frazier Co., was a member. I was present as a delegate. This committee brought in a resolution, which was adopted, approving Federal supervision of grading of grain, but opposing Federal inspection. At the Norfolk convention of the Grain Dealers' National Association, held in October, 1913, delegates from this board participating, the resolution referred to was read and indorsed, thereby making it the action of the national body. In New Orleans, October, 1913, it was reaffirmed. The president and secretary of this association and other delegates were present and agreeing to it, therefore this association is committed to the principle of Federal supervision.

The bill herein referred to, in my opinion, can do us no harm. I have studied it carefully. Boiled down, it simply means that there would be Federal supervisors in our State inspection department in this city; that the appointment of our inspectors would remain as now, in the hands of our State authorities; that the interchanging of supervisors between markets would soon produce uniformity of grading throughout the country—this being the sole object of supervision, in order that No. 2 wheat or No. 2 corn may be of the same quality in all markets, which we believe would facilitate business with our buyers in this and foreign countries, the grade and quality being thoroughly understood, leaving price only to be adjusted to complete transactions.

I have met with representatives of the Department of Agriculture in conference with members of the Committee on Agriculture, and the statement was there made and agreed to that the rules and regulations to be made by the Secretary would be made after fully consulting with the grain growers and handlers.

I believe that we are more likely than not to have some legislation bearing upon this subject at no distant time in response to a more or less general demand. I believe this proposed measure will do us no harm, and perhaps another might, especially Federal inspection in the shape of the McCumber bill, would do us a lot of harm.

This association has held no public meeting to consider the matter, but it has been freely discussed for a considerable time, and I feel myself tolerably well qualified to express the conclusions of a major portion of our membership.

Yours, very truly, J. C. F. MERRILL, *Secretary.*

—

WASHINGTON, D. C., *December 18, 1914.*

Hon. JAMES R. MANN,
Washington, D. C.

DEAR SIR: Referring to my call on you this morning in connection with the Moss grain bill, H. R. 17971, I desire to confirm my statement that the Millers' National Federation, having a membership of over 1,000, favors the passage of this bill, believing it to be very much needed.

We do not believe that this or any other bill will or could be expected to eliminate all inspection or trade abuses. We believe, however, that this bill, if enacted, will decidedly improve conditions.

Yours, truly,

FRED J. HINGHAM,
Chairman Millers' National Federation Committee on Grain Standardization and Inspection.

—

WASHINGTON, D. C., *December 18, 1914.*

The Hon. JAMES R. MANN,
Washington, D. C.

DEAR SIR: The Millers' National Federation committee on grain standardization and inspection is as follows:

Mr. E. H. Evans, of Acme Evans Co., Indianapolis, Ind.; Mr. L. R. Hurd, president the Red Star Mill & Elevator Co., Wichita, Kans.; Mr. John S. Pillsbury, vice president Pillsbury Flour Mills Co., Minneapolis, Minn.; Mr. B. M. Renick, secretary and manager the Paris Milling Co. and secretary-treasurer Central Kentucky Millers' Association, Paris, Ky.; Mr. Alexander Stock, of F. W. Stock & Sons, Hillsdale, Mich.

Mr. M. N. Mennel, president Millers' National Federation, secretary Central Freight Association of Millers, and treasurer the Harter Milling Co., Toledo, Ohio, has been in constant touch and in full accord with our committee.

From the above you will note that our committee is representative of many sections of the whole country, and also of flour milling businesses, both large, small, and of medium size. In fact, we believe that a request for assistance from our Federal Government in improving general trade customs and practices could hardly be more general.

Yours, truly,

FRED J. HINGHAM, *Chairman*,
Vice President Federal Milling Co., Lockport, N. Y.

Mr. MOSS of Indiana. Mr. Chairman, I yield to the gentleman from Minnesota [Mr. SMITH].

[Mr. SMITH of Minnesota addressed the House. See Appendix.]

Mr. MOORE. Mr. Speaker, may I inquire how much time remains to this side?

The SPEAKER pro tempore (Mr. FOWLER). The gentleman from Pennsylvania has seven minutes remaining.

Mr. MOORE. I yield to the gentleman from Iowa [Mr. HAUGEN].

Mr. HAUGEN. Mr. Speaker, in the limited time allotted to me it is not my purpose to detain the House by entering into a detail discussion of this bill.

I believe it enough to say that the proposed bill provides for the standardization of grain for a uniform application of Government standards in determining the real grade of grain for which standards have been established and promulgated by the Secretary of Agriculture. It authorizes the Secretary of Agriculture to fix, establish, and promulgate standards of quality and condition of corn, wheat, rye, oats, and other grains. The Secretary of Agriculture may issue license to a person competent to inspect and grade grain; that such license may, in the discretion of the Secretary, be suspended or revoked whenever the Secretary is satisfied that the licensed inspector has failed to grade grain correctly in accordance with the official standard or has violated any provision of this act or if the license has been used for any improper purpose whatsoever; also that no person shall certify that any grain which has been inspected or graded by him is one of the official grades unless he holds an unsuspended and unrevoked license issued by the Secretary of Agriculture authorizing him to inspect and grade grain for interstate and foreign commerce. Whenever standards shall have been fixed, established, and promulgated no person thereafter shall ship or deliver for shipment, sell or offer for sale, in interstate and foreign commerce any such grain by grade unless the grade by which it is sold or offered for sale be one of the grades fixed therefor and the grain shall have been inspected and graded by an inspector licensed under this act and the grade conformed to the standard fixed for the specific grade.

The practice of selling by sample, by type, or under name, description, or designation, may be continued, provided such name, description, or designation is not false or misleading. It provides further that whenever standardized grain has been inspected and a dispute arises as to whether the grain determined by such inspector of any such grain in fact conforms to the standards any interested party may appeal the question to the Secretary of Agriculture; if so, the Secretary of Agriculture is authorized to cause investigatioin to be made and to determine the true grade thereof, to charge and collect a reasonable fee in amounts to be fixed by him. In the absence of private agreement the appeal from such inspector to the Secretary shall be taken at the initial point and before the identity of the grade has been lost. The findings of the Secretary shall be accepted in the courts as prima facie evidence of the true grade. It also authorizes the Secretary to cause examination to be made of any grain for which standards have been established, which has been certified, or which has been sold or offered for sale in interstate and foreign commerce under any name, description, or designation, he may publish his findings. Heavy penalties are to be imposed for violation of the provisions of the act. The bill carries an appropriation of $375,000 to enable the Secretary to carry into effect the provisions of it.

As has been stated, the bill does not provide for Federal inspection and grading at first hand. It does provide for Federal supervision of the grading and final determination of the grade by the Secretary of Agriculture which, in fact, amounts to Federal inspection in the end. That is, if in case the inspection and grading by the licensed inspector is not satisfactory and an appeal is taken, the only difference then is that under the proposed bill the grain will in the first instance be inspected by inspectors authorized by the States, exchanges, or municipalities and licensed by the Federal Government, and if said inspection is not satisfactory either party interested may appeal and procure Federal inspection and determination, while with Federal inspection the grain would be inspected by a Federal inspector at first hand; but in case where an appeal is taken under either system the final inspection will be by one and the same, hence in the end, if an appeal is taken, we will have Federal inspection under either system.

The contention is that at present the inspectors are controlled and under the influence of the exchanges and interested parties employing them and therefore Congress should provide for Federal inspection and thus remove the inspectors from the influences surrounding them, such as the operators of exchanges, State politics, and interested parties who control their appointment. Undoubtedly inspectors are inuflenced and great injustice has been done to the shipper and buyer in inspecting and grading grain below its real grade when coming in and grading it above its real grade when going out for the benefit of the operators, manipulators, and jugglers of grading on the various exchanges; but when the inspector and those interested are made to understand that unless they do the right thing, that unless they grade grain correctly, appeals will be taken, fraud will be disclosed, licenses will be suspended and revoked, and publicity given to every evil practice of the kind. That, I believe, will have a powerful influence over the inspectors, States, exchanges, and those interested in maintaining the grain business at their market, and if the law is enforced and taken advantage of, no market can continue the evil practice of incorrect grading. If it does, it is sure to lose its business. If so, it will be up to every State and market to maintain an honest inspection and grading of grain or lose its grain business. Certainly no board of trade or market can afford to have numerous appeals taken and reversed, licenses suspended, and such facts published to the world. Under the bill, as a business proposition it will be to their interest to give a square deal. Be that as it may, whatever course they may pursue, the farmer, the miller, the brewer, the shipper, and the buyer are protected in their right to an appeal and thus have the true grade determined. Why this legislation? The answer is simply to do away with the present fraudulent practice in grading of grain, to protect the farmers, the elevator men, the millers, the brewers, the shippers, and the buyers against fraud, deception, to insure an honest grading, to do away with the manipulations of grades, and insure a square deal.

The farmer has long suffered from the fraudulent practice; his grain all these years has been undergraded. We find that his grain when it reaches the market is graded below its true grade, and, as the grade determines the price on grain, he receives a lower price as a result. Take, for instance, barley: If you would turn to the hearings, you will find Mr. Stuher's testimony. Mr. Stuher is a crop specialist and a barley expert, with many years' experience as a shipper and as an operator on the board of trade. His statement is that—

> There is something absolutely wrong with the present system of inspection and grading of grain.

He cites one case where the farmer sold his barley at Wahpeton, N. Dak. His barley was graded No. 2 feed barley, subject to 2 pounds dockage, and sold at Wahpeton at 40 cents a bushel. The barley was shipped to Minneapolis—commission, freight, weighing, and inspection charges, 7½ cents. The barley sold at Minneapolis at 58 cents, not by grade but by sample, with a No. 2 feed barley certificate stain on it, even grading and certifying it as feed barley, when in fact it should have been certified as malting barley. Mr. Stuher's statement is that—

> Barley coming to Duluth and Minneapolis is generally inspected by the inspection department as feed barley in order to correspond with the inspection and grade given the farmer; that the terminal men, under the existing laws, have to send the certificate back to the country points, and the farmer is shown the certificate in order to pacify him who is under the impression that his barley was malting barley.

Thus the farmer is deceived and defrauded of the difference in value of No. 2 feed barley and malting barley, which generally runs from 5 to 15 cents a bushel. Mr. Stuher stated to the committee that he collected and sent 30 or 40 samples of barley, all graded at Minneapolis as feed barley, to Pabst Brewing Co., to have them analyzed, and that every one of them, according to the analytical report, showed them to be malting barley. In other words, 30 or 40 samples, representing that many carloads,

graded feed barley at the initial point and graded malting barley at the analysis, such being the general practice. Has not the farmer a right to ask for relief?

How about the miller, the brewer, and the buyer? Under the present system of grading, grain coming in is graded low in order to defraud the farmer and the shipper; in going out it is graded high in order to defraud the miller and the buyer. The operator gets the farmer and the shipper coming and the miller, the brewer, and buyer going. A number of years ago a bankers' association of North Dakota investigated the inspection and grading of grain in the Northwest. In going over the records of the grain-inspection department of Minnesota it found that a single terminal elevator in a period of three months had advanced the grade on 435,618 bushels of wheat. Out of its total receipt of 890,245 bushels, evidently nearly one-half of the grain handled was either undergraded coming in or graded too high going out. The records showed that 59,742 bushels had been graded rejected, 16,021 no grade, 201,267 as No. 4, and not a bushel graded such going out. All were converted into higher grades, every bushel of it going out as 1, 2, and 3 northern. According to the report only 513,213 bushels was graded Nos. 1, 2, and 3 coming in, and 890,245 bushels graded Nos. 1, 2, and 3 going out. It is clear that the manipulation of grading was for some purpose and that whatever the elevator operator gained must have been some one's loss, and of course came out of either the shipper or the buyer, and in the end largely, if not all, out of the producer. The shipper and buyer often lose, but most of the time they can protect themselves against losses by fixing prices accordingly. If malting barley, when graded as such, is worth 50 cents and its selling price is reduced to 40 cents by reason of false grading, necessarily he pays that much less. If the brewer and the miller buy grain graded higher than its true grade, they have something to say in fixing the price and fix the price according to its real value. With the producer it is quite different. If the price of grain is lowered by reason of manipulation of grade, he is helpless. He simply has to take what he gets. So, while the manipulation of grades is greatly to the disadvantage of the shipper and buyer, the injustice and loss falls most heavily on the producer.

How about selling and buying for future delivery? We have the testimony of Mr. Stuher, who sold 100,000 bushels of oats by sample for January delivery. He bought 100,000 bushels of standard oats which, by a purifying process, was to be made into fancy oats. He was buying the standard oats against what he had sold, and of course needed the quality of oats contracted for, namely, the standard oats. On December 2, 100,000 bushels of oats were tendered under certificate as standard oats. He had 10 or 20 cars of the oats tendered as standard inspected by a board of trade private inspector, who graded them as No. 4 white oats. He complained and took the matter up with the appeals commission. It passed on the oats as if standard oats. He served notice that he would take the oats under protest; that he would bring it into court and expose the rotten system. He was then told that the oats would be passed as standard in the East; but that did not help matters out, as he had bought oats to be made into fancy, and No. 4 oats could not be improved upon in grade to that extent and did not answer his purpose. What next? The firm financing him came to the rescue of the exchange by serving notice upon Stuher to stop; if not, it would break up the Chicago Board of Trade. If he did not stop they would stop financing him. Of course he stopped, as there was nothing else for him to do. Others testified before the committee, and all to the fact that grading and certification of grain has become so unreliable and false that millers and buyers of grain no longer do or care to accept of grain on contracts certified by the terminal elevators; that they are compelled to sell their hedges for anything they can get and buy grain elsewhere for their use. Their experience has been the same as that of Mr. Stuher; that their hedges are worthless except as an insurance, and as an insurance they have become very expensive by reason of the manipulation of grades.

It would seem that the statement made by those experienced, practical, and well-informed men who appeared before the committee—recorded in 588 pages of printed hearings before the House committee and 260 pages before the Senate committee—would be sufficient to convince anybody that there is something radically wrong somewhere. I believe that anyone who will investigate will agree that there is absolutely something wrong with the present system of grading grain, and that there is a pressing demand and just cause for the proposed legislation; that the farmers and shippers have sustained heavy losses by reason of this unfair grading and manipulation of grades; that our foreign trade in grain has suffered; that our markets have been demoralized by the incorrect grading; that it is due the farmer and shipper that Congress should prevent further wrongdoing through this incorrect and unjust grading system; and that it should protect him against fraud and further demoralization of his markets.

The bill comes to you backed up by the unanimous report of the committee, by representatives of the Department of Agriculture, by representatives of legislative committees of the Grain Dealers' Mutual Association of Elevator Companies, and Farmers' Cooperative Association, who appeared before the committee and advocated the passage of the bill; by publishers, millers, and representatives of the boards of trade, chambers of commerce, and grain exchanges of Chicago, Louisville, Ky., Buffalo, Indianapolis, Peoria, Minneapolis, Duluth, Toledo, Omaha, Boston, St. Louis, Kansas City, Milwaukee, Baltimore, and others who appeared before the committee; representatives of the Warehouse Commission of Missouri; and Illinois State Public Utility Commission testified before the committee in favor of the bill. Mr. Stuher, specialist and barley expert, speaking, I believe, for the brewers, indorsed it; in fact everybody expressed themselves in favor of the bill, except, as has been stated, a few exporters.

It would seem that in this Congress, its Members professing so much interest in the farmer and so much concern about his welfare, a Congress so enthusiastic in its laudation for the farmer, coupling this with the unceasing flow of eloquence recorded in several hundred pages of the CONGRESSIONAL RECORD, all indicating a desire to help the farmer in every way possible, and with the promises in the platforms of all parties so loudly proclaimed from the stump, I take it that there will be no difficulty in passing this meritorious bill which means so much to the farmer and shipper.

Mr. MOORE. Will the gentleman from Iowa tell the House whether he holds the same opinion—he being the ranking Republican on the committee—that is held by the gentleman from Indiana [Mr. Moss], that this act will not apply to Canadian grain in bond intended for export?

Mr. HAUGEN. In my opinion it does not apply to grain shipped in bond from Canada for export.

Mr. MOORE. I thank the gentleman for that statement.

Mr. HAUGEN. But it applies to grain entering into interstate and foreign commerce.

Mr. SUMNERS. Are you in favor of the bill?

Mr. HAUGEN. I am in favor of the bill; yes.

In availing myself of the privilege granted me to extend my remarks in the RECORD, in order that the RECORD may show the existing conditions I offer extracts from the report as printed in Senate Document No. 116, page 17:

REPORT OF INVESTIGATION BY NORTH DAKOTA BANKERS' ASSOCIATION MADE NOVEMBER 23, 1906.

To Members North Dakota Bankers' Association:

Your committee appointed to investigate the subject of grain inspection and grading, as affecting the interests of North Dakota shippers, met according to arrangement at Superior, Wis., on the morning of September 27, and, after a preliminary discussion as to the scope of the investigation, proceeded to visit some of the terminal elevators in order to familiarize themselves with the methods of handling grain as it comes from the shipper. We found that grain is inspected, graded, and the dockage fixed by the State inspector under the rules of the Minnesota grain inspection board. The grain is then ordered into one of the terminal elevators and after being unloaded is elevated to the top of the elevator where it is weighed. During the process of elevating all grain is subjected to a suction draft in order to keep the building free from dust (?). This is an injustice to the shipper, as, in our judgment, all grain should be weighed immediately upon being unloaded and nothing should be taken from it before it is weighed. The amount of light grain and dirt taken out under the present method simply depends upon the force of the suction draft.

We obtained a statement showing the grain of various grades shipped in and shipped out from one of the larger elevators during a period of three months.

* * * * * * *

We find that eastern millers want the grain as it comes from the farmer, and it is an injustice to the shipper and to the miller to prevent this, as is now done. The shipper must accept the inspection, rules, and customs which have been forced upon him by the powerful combination of elevator and railway interests, and the miller must take the grain that is offered him by the "grain trust," so called, and not in the condition as to mixing that he wants it.

In examining the report, above referred to, of grain received and grain shipped out of the terminal elevator we were able to get a report from, we found that during the three months covered the report showed the following grain received and shipped out:

RECEIPTS.	Bushels.
No. 1 northern	99,711.40
No. 2 northern	141,455.10
No. 3 northern	272,047.20
No. 4	201,267.20
No grade	116,021.10
Rejected	59,742.30
	890,245.10

SHIPPED OUT.	Bushels.
No. 1 northern	196,288.30
No. 2 northern	467,764.00
No. 3	213,459.30
No. 4	None.
No grade	None.
Rejected	None.
	877,512.00
On hand, estimated	12,733.10
	890,245.10

* * * * * * *

What an eloquent story is told by the above figures. The fact that nearly 100,000 bushels more of No. 1 northern, the highest grade taken in, was shipped out than was received speaks so loud against the present system and rules of inspection that it is simply unnecessary to go on down the line and call your attention to the fact that nothing lower than No. 3 wheat was shipped out.

The profit in mixing the receipts of this elevator for the three months, as shown by their report, was $83,720.69. In order to arrive at the probable profits of the terminal elevators there should be added to the above the amount realized from the screenings, the charges for handling the grain, and the proceeds of the sale of wheat and other grain taken from the screenings, for we found that all screenings are carefully cleaned over and all good grain taken out, and that the good grain taken from the screenings is shipped out as screenings in order to avoid inspection and appearing in the amount of grain shipped out of the elevator. We are of the opinion that grain hospitals, either independent or in connection with terminal elevators, should be established, where shippers could have "off-grade" grain cleaned or scoured at a reasonable cost before it is offered for sale, the shipper to pay this expense and receive the benefit resulting from such treatment of his grain needing treatment in a hospital elevator. We also favor the amending of existing laws governing the handling of grain by terminal elevators so as to allow no more grain of a given grade to be shipped out than is taken in.

Your committee found much to criticize by visiting the freight yards, in the careless manner in which cars are handled by the railroad companies and the very poor class of grain doors used. The amount of grain lost by leakage from cars and by the careless shunting and switching of cars in the yards is very large.

All the foregoing are, of course, matters of minor importance as compared with the apparent combination of the railroad and elevator interests in forcing all grain received at terminal points to be inspected under Minnesota inspection rules. A competitive market was established under Wisconsin inspection at Superior. The Wisconsin law provides that the grain and warehouse commission shall consist of three members—one from Wisconsin, one from New York, and one from North Dakota. Under this law the shipper in this State has a representative on the board, and the influence of this representative can be of great benefit to our shippers if his duties are conscientiously performed.

This board appoints all inspectors and weighers and can see to it that inspection and weighing is honestly and properly done. Our shippers were undoubtedly greatly benefited during the time the Wisconsin inspection was in force, but by the apparent combined efforts of the interests above named this Wisconsin inspection is inoperative and all grain received at the head of the Lakes must be inspected by Minnesota inspectors under Minnesota rules.

The story of how the Wisconsin law was made absolutely inoperative is an interesting one. The Duluth Board of Trade made a rule that no member of the Duluth Board of Trade could hold membership in a similar organization within a hundred miles of Duluth. This was done to compel all grain men doing business at the head of the Lakes to confine their business to Duluth. Then all terminal elevators located in Superior suddenly were closed as public elevators and became private elevators, operated by individuals holding leases. As private elevators, they were able to discriminate in the business offered them, and this discrimination took the form of refusing to receive grain inspected under Wisconsin rules and by Wisconsin inspectors. It does not require anything further to show you how Wisconsin inspection was put "down and out" and why all of our grain must now be graded, inspected, and weighed under Minnesota inspection rules.

Your committee attempted to have a hearing with the Duluth Board of Trade and met with some of the officers and members of that board for this purpose.

* * * * * * *

Your committee is of the opinion that the reforms outlined will be of material benefit to the grain growers of the State and will be a stepping-stone to a better system of inspection, viz:

Federal inspection, which would do away entirely with the many conflicting inspections established in the various States.

Respectfully submitted.

JOHN L. CASHEL,
GEORGE M. YOUNG,
F. W. CATHRO,
M. F. MURPHY,
W. C. MACFADDEN,
Committee.

Also, page 231, hearings before the Senate committee in 1908, a report from the chief inspector of the grain and warehouse commission of the State of Minnesota, which show the receipts and shipments for the year ending August 31, 1901, to be as follows:

	Receipts.	Shipments
	Bushels.	*Bushels.*
No. 1 hard	341,567	1,000,433
No. 1 northern	10,070,414	16,900,917
No. 2 northern	7,341,594	3,978,311
No. 3 spring	1,335,830	444,041
Rejected	256,063	134,471
No grade	1,335,531	344,825

It will be observed that for the year 1902 about 5,000,000 bushels of the No. 2 northern was converted into No. 1, and that of the 19,693,454 bushels graded No. 2, 7,035,133 bushels No. 3 northern, 892,241 bushels were rejected, and 2,561,595 bushels, no grade; when coming in very little of it shipped out as such, the major portion of the lower grade going out at a high grade. The statement and reports tell the story. Comments seem unnecessary.

Another table, taken from the records of the weighing department of the State of Minnesota, shows the amount of each grade weighed in at, and the amount weighed out of, the elevator at Duluth during the years 1902, 1903, and 1904—found on page 207, Hearings before the Committee on Agriculture and Forestry, United States Senate, April 4, 1908.

The table is as follows:

Wheat.

[From annual reports Minnesota chief grain inspector for years named, Duluth weighing department.]

Grade.	Year ending August 31—					
	1902		1903		1904	
	Received.	Shipped.	Received.	Shipped.	Received.	Shipped.
No. 1 hard	599,606	648,607	1,628,681	1,746,712	90,543	109,523
No. 1 northern	15,187,012	19,886,137	21,905,842	23,606,721	12,401,897	18,217,789
No. 2 northern	19,693,454	15,178,999	11,625,037	7,638,201	10,295,172	6,723,732
No. 3 northern	7,035,133	1,971,355	1,300,553	297,794	[2]12,616,065	[1]283,299
Rejected	892,241	94,626	1,890,093	77,624	2,350,302	314,139
No grade	2,561,595	468,922	966,170	112,840	2,586,843	256,943

[1] Spring.

The following is a letter written by Robert A. Patterson, chairman of the European international committee on American grain certificates. He is an English miller and also president of the Corn Exchange of Great Britain and continental Europe. It is dated the 15th of February, 1908, and written from London to the President. It reads:

LONDON CORN TRADE ASSOCIATION,
EXCHANGE CHAMBERS, 28 ST. MARY AXE,
London, E. C., February 15, 1908.

MR. PRESIDENT: I am instructed by the European international committee on American grain certificates to communicate to you the following facts:

There has been for some years past a general consensus of opinion among European buyers of grain that the operation of the present system of certificating grain for export is increasingly unsatisfactory and that whatever may be its merits for the purposes of domestic trading, it no longer gives to European buyers the confidence and protection which is necessary in a trade where the only guaranty for reliable quality and condition in exchange for buyer's money is a paper certificate. Formerly buyers in buying from the United States of America were able, as they still are in their dealings in grain with other exporting countries, to recover from shippers any damage they sustained owing to defects in quality or condition; but since the introduction of the certificating system this is no longer possible. Even after its introduction, indeed until comparatively recent times, it was seldom found that any serious abuses arose, and trusting to their belief in the reliability of the grading system, buyers were willing to continue trading with America on less favorable terms than they demanded elsewhere; but whether from the increase of individual competition, or, what is probably more important, the rivalry between the older ports and their smaller and more recently established competitors, there seems little doubt but that the standard of grading has been lowered, either temporarily or, in some cases, permanently, in order to attract business from interior points; and we in Europe feel that the burden of such departure from the more reliable and stricter method in force formerly has been borne chiefly by European importers, who, being far away, have no power of protecting themselves against errors, or worse, in the grading methods of recent years. The result is that American grain suffers as regards price when in competition with grain from other countries. The increasing dissatisfaction culminated some 12 months ago in a general request from the principal European grain centers that a conference

should be summoned by the London Corn Trade Association to consider the best measures to adopt in order to remedy the defects of the present system of dealing in grain from the United States of America.

The conference was held in London on the 8th of November, 1907, and was attended by delegates from all European importing countries. It was unanimously resolved that a committee be appointed, consisting of seven members from the United Kingdom and an equal number from other European countries (the latter being represented as follows: Belgium, 1; France, 1; Germany, 3; Holland, 1; and Scandinavia, 1), to suggest necessary improvements and to negotiate with American grain trade for their adoption.

This committee met and drew up a scheme (a copy of which I have the honor to append), which was submitted to the principal grain associations of the United States of America, but which, I regret to say, did not only prove unacceptable to the American exchanges, but even failed to draw any counter proposals from them. Indeed, the way in which this subject has been treated by some of the leading grain associations, there would almost seem to indicate that there is no desire to recognize the undoubted fact that serious faults have arisen or that there is any need to amend a system which is responsible for abuses of which European importers universally complain.

Traders here generally recognize that a reliable system of inspection and certificating presents many advantages, but that to be thoroughly reliable it must depend not only upon the expert knowledge, integrity, and independence of the inspection officials, but that the rules for grading by which these officials are bound must be uniform, applying equally to every port, and should be generally known not only in the various American but also in the principal European grain centers, and that wherever possible from time to time type samples should be sent to our leading grain associations.

This is the system adopted by the agricultural department of His Majesty's Government in the Dominion of Canada, and has hitherto proved generally satisfactory.

My committee observed with great satisfaction your reference to this important matter in your last presidential message, and that there is before your Senate and House of Representatives at the present time a bill embodying some of the above suggestions. While they would, of course, have preferred to get their own suggestions accepted by American traders, they wish to be permitted to offer you their sincere congratulations and thanks for the steps you are taking to remedy an undoubted evil, and to assure you of the warm support of the European grain trade in your efforts.

I have the honor to be, your most humble and obedient servant,

ROBERT A. PATTERSON,
Chairman European International Committee on American Grain Certificates.

The PRESIDENT,
White House, United States of America, Washington, U. S. A.

In a letter to Senator MCCUMBER, under date of February 15, 1908, he stated:

I believe that great efforts are being made to persuade your Senators and House of Representatives that the proposed change is not only unnecessary but not generally desired, but I can assure you that unless some such change is made, and that shortly, your export trade will suffer severely.

European buyers have lost confidence in the reliability of United States certificates, and American grain consequently suffers in price, buyers giving a preference whenever possible to other grain, and only buying yours when compelled to do so, or at a reduction in price sufficient, in their opinion, to compensate them for risks they run in buying certificate final.

Another letter from Holland and one from our consul at Marseille, which is also a very strong letter. The Holland letter reads as follows:

P. J. MCCUMBER, Esq.,
United States Senate, Washington, D. C.:

During the last Berlin grain conference, held January 29 and 30 of this year by delegates of the German, Holland, and Scandinavian grain trade, the McCumber bill and the other bills of similar character introduced into Congress were one of the chief subjects on the program.

The question of American grain inspection has been a very important one these latter years, and its having been a subject of the conference program induces us to assure you of the sympathy that the proposed change in the inspection system has among the members of this association.

During many years already the American grain-inspection certificates have been very unsatisfactory, and immense losses were caused to the buyers on this side by the careless inspection of American grain shipped for export. It has been said by American opponents of the bills mentioned above that the fixing of grades on better and higher standards would injure the export trade, and that the European buyers will not buy anything but the grades which have always been shipped and to which they are accustomed.

We want to energetically deny that anything like this is the case or may be expected when Government grain inspection will have been introduced. On the contrary, we think that a more reliable inspection will greatly benefit the American export trade.

Many important firms in the importing centers on this side have absolutely given up importing American corn, taught by the experience of several years, when a single parcel of this article, certified No. 2 mixed, sail mixed, etc., and still showing 30 to 90 per cent damage on arrival, caused a loss greater than the small gain made on many shipments together. They preferred to buy from Argentina, Russia, and the Danube. A better inspection, however, and certificates which give sufficient guaranty that the grade has really been given in accordance with the grain's quality and condition will induce these firms to take up the import of American corn again.

We don't object to the export of inferior grain, but to the fact that the grades are not given according to the condition of the grain, so that the certificates are entirely unreliable. Perhaps some buyers on this side want the inferior grain, but those who deal in the better qualities want to be sure that when they pay a better price for the higher grade the certificate gives them the guaranty to get this grade. Up till now this has not been the case, and it is quite evident that a more satisfactory inspection will be of great benefit to the trade.

As soon as grades all over the United States are uniform, and as soon as certificates of inspection will be reliable, the import of American grain will certainly increase again after the sharp decline which it has experienced.

Uniform Government inspection will bring a higher standard of export grain, induce the European importer to buy American grain more freely again, and consequently greatly benefit the honest American exporter at the cost of his dishonest competitor. It will greatly purify the trade and make an end to an unbearable situation.

Yours, truly,

HET COMITÉ VAN GRAANHANDELAREN TE ROTTERDAM.
(ROTTERDAM CORN TRADE ASSOCIATION.)
A. COANEST, *President.*
H. VON RANDERYTH, *Secretary.*

ROTTERDAM, *February 20, 1908.*

The letter from the United States consul at Marseille is in part as follows:

GRAIN-INSPECTION METHODS.

It is highly desirable that certain facts in regard to American grain-selling methods be given immediate and wide circulaton, and that something be done, either by action of Congress or by the concerted action of American commercial bodies, to reform or rather standardize the system under which the great cereal-exporting business has been created.

There is little popular knowledge in the United States in regard to the fact that wheat, corn, grease, and similar products of American origin are not now sold abroad by sample, but by nominal grade. The European buyer knows nothing of the merchandise whatever before it reaches his possession. He imports and resells various classes of merchandise the quality or grade of which is certified to him, not by the merchant who has sold him the article, but by the official inspector of a board of trade or other equivalent body at the port of shipment. He pays for the goods before he receives them, and when the exporter in the United States delivers to him a certificate of inspection declaring the goods to be of a given grade he has no alternative but to honor the drafts. The bargain is absolutely final upon the production to him of this certificate of inspection.

Although no two ports in the United States may absolutely agree as to the descriptive terms to be applied to a given grade of wheat, although previous shipments may have been of obviously different quality, if the certificate delivered conforms to the grade ordered, the buyer must accept delivery. These are "American conditions." The fact that for many years we have exported nearly all our surplus agricultural products under these conditions speaks well for American business methods, and the fact that these methods are generally acceptable is of advantage to the people of the United States.

Of late years the murmurs against this system have been increasing in Europe, and whereas a short time ago they took the form of isolated private complaints that goods did not always conform to the certified grade they now take the form of organized protests. I have before me not merely private correspondence running through a number of years, but the recent proceedings of the London Corn Trade Association and the proceedings of a delegate conference held on December 12 at the Berlin Bourse, the general tenor of which is that foreign importers are vexed with prevailing conditions in the United States and are determined to force an improvement. At these two conferences a great many harsh things were said in regard to American certificates, and specific instances of irregularities were mention which I need not now repeat. The vital point which it will be well to separate from so much context is this:

"Mr. FRIEDBERG (Hamburg). It is perfectly clear that if an American inspector certifies we have no right to doubt, or if we do we are asked, 'Why do you go on buying?' I may assure this meeting that a good many of us are not going on buying. We have none of this trouble in South America. For the general trade I think that there are respectable people enough in America, and I am wondering why they do not stop the glaring abuses that are complained of."

It was the fact that not many years ago the vast bulk of our grain exportations went forward from New York, and that every year standard samples of cereals were sent out to European buyers bearing the seal of the New York commercial bodies which issued certificates of inspection. Under such circumstances, when European buyers received a certificate from New York stating that a certain cargo afloat was of X quality, they could refer to their sample of this X grain, and there was at least a moral guaranty that sample and cargo would be alike. The practice of sending out standard samples is no longer followed, while grain is being shipped under certificates of inspection from Duluth, New York, Baltimore, New Orleans, Galveston, and probably elsewhere. In each port or place a commercial organization assumes the right to issue certificates of grade, and yet no two ports or places have agreed upon the text of the terms which they use to describe the standard grades, let alone upon the grain itself. Nor is this all. I quote from the printed rules of a great board of trade:

"The committee on grain shall have full power and authority to establish grades of grains and to alter and amend the same as may be deemed necessary or expedient."

This instability is naturally one of the conditions of American business that is least acceptable to foreign importers, and what with rivalry between ports for export business it has created not only bitter feeling abroad but definite differences in the prices at which grain of the same nominal grade is offered for sale at the different ports of shipment. There are "easy ports" and "good ports," and sometimes the "easy ports" are penalized, as thus explained in a recent letter from an importer to an officer of an American commercial organization:

"As you know, at present exporters have great difficulty selling on certificates, but were quality is reasonably assured they are willing to pay a premium over lower inspections. Newport News and Norfolk were excluded on the London and Liverpool contracts because of last year's No. 2 corn shipments, while, as you know, your inspection maintained a premium all last season over the Atlantic."

No wheat importers desire to pay a premium here, or to exact a penalty there, based upon their appreciation of inspection methods. Wheat will fix its own price readily enough, and what the importer wishes to know, and has a right to know with as much certainty as attaches to any human transaction, is that No. 1 white winter wheat, for example, is the same kind of grain, whether it be inspected at Duluth or New Orleans. The importer insists that if the American Government, commercial bodies, and individual exporters have not agreed upon the qualifications of various grains necessary that they may receive specific gradings, it is the result of their own negligence, very possibly encouraged in certain quarters by those who profit by this unsatisfactory state of affairs.

The remedy sought is so easy of application and the demand for its application is so entirely reasonable that to the importer protracted resistance is incomprehensible. The proper remedy may be applied

either by our Government or by the cooperation of our trade bodies. The starting point of the reform would be, naturally, the establishment of standard descriptions by law. This done, if the Government were charged with the issuance of inspection certificates, the service would be removed from local influences, and our so-called official certificates would be rehabilitated. If this very rational proposition be objected to, the surest means of effectively combating it would be the holding of a conference of American grain-inspecting bodies for the adoption of grain standards and for the adoption of ways and means of drawing standard samples, to be deposited in American consulates at great European ports or to be issued upon demand to importers, and to provide for a board of inspectors, the members thereof to be transferred at intervals and liberated from every form of local pressure.

ROBERT P. SKINNER,
Consul General.

MARSEILLE, *December 8, 1906.*

Also, in order that the RECORD may show how the manipulation of grades affect our foreign markets, I will include correspondence printed in Senate Document No. 116 and hearings before the Senate committee:

Mr. Tedford, State grain inspector of Kansas, testified that the standard of grades going out of elevators was the minimum or lowest character of grade, while others testified that of the grain as it went into elevator the lowest grade in the car was the standard.

On pages 788, 789, Mr. Bevan testified as to the custom of "car plugging," and gave instances of where from 150 to 200 cars were so plugged, and described the plugging system as follows:

"Q. What is the practice of plugging cars?"

Mr. Bevan answered:

"It is putting a poor grade on the bottom and covering it with good stuff, so the inspector can not get at it. They have what is called 'trier' to push into the car. If it does not go deep enough, he does not know the poor stuff is there."

On page 790 Mr. Forsaith testified to his knowledge of the plugging of wheat going to public elevators, as follows:

"They would run up tailings, bin-burned wheat, stumpy wheat—all inferior grades of wheat they had in the house—in one spot and run contract wheat in the others. They would get a string of cars in and give me the capacities and tell me how much to drop, as they call it, of the 'dope.' I would drop it, and when I got that dropped I would drop contract on top of it."

GRAIN-TRADE COMPLAINTS AS REPORTED BY AMERICAN CONSULS, AND CONSEQUENT LOSS TO AMERICAN PRODUCER.

Consul Thomas R. Wallace, in a report from Crefeld, says that the grain dealers in northern and western Europe have been holding meetings, the principal purpose of which seems to be to take united action with regard to a change in the rules and methods of transacting business with the United States in their line and to correct abuses now existing in the same. The consul continues:

"The grain trade from the United States with this district has been declining for some time, and if such dissatisfaction becomes general throughout Europe the losses to the people of America in this important branch of their export trade will be enormous. To gain some idea of the causes of the complaints regarding the grain exported from the United States I have made personal inquiry among the millers and dealers in these products, and am told that the conditions complained of here are the same all over Europe.

"The dealers say they have suffered excessive losses through the purchase of grain from America by its not grading up to the standard given in the inspector's certificate in kind, quality, or condition when received. Wheat sold as good winter wheat and so certified to by the inspector, is very often found to be new wheat mixed with old and often wormy wheat. Grain often arrives in very bad condition. Wheat purchased as new is found weevilly—very good wheat with badly damaged grain mixed with it.

"They say, further, that the American shippers well know these facts, but of late years refuse to take these precautions, and because of the rule that the inspector's certificate is final the purchaser is compelled to suffer the loss arising from this negligence of the shipper. If the purchaser presents a claim for loss caused by grain received in bad condition, or of inferior quality from that certified to by the inspector, he receives no satisfaction from the shipper.

"UNITED STATES ALONE TO BLAME.

"I am informed that such conditions have become worse; that the purchaser here does not receive what he buys, and that no reliance can be placed on the inspector's certificate. The result is the miller has ceased to buy American grain for his mill and the farmer for his stock. It is further said that grain received from South America, Russia, or Roumania arrives in good condition, that received from the United States alone being bad.

"A general meeting of those engaged in the grain trade was held in 1905 by representatives from Holland and Germany. A meeting was held in London in November last, in which appeared representatives from Germany, France, Holland, Belgium, Denmark, Italy, and England, Ireland, and Scotland, and still another meeting was held on December 12 at Berlin. At all of these assemblies the principal topic for discussion was methods to correct the alleged abuses in the grain trade with the United States.

"COERCIVE MEASURES THREATENED.

"The dealers having radical or extreme views do not believe that an amicable settlement of the matter can be made with the shippers unless coercive measures are used, and this is one of the reasons of the international character of these assemblies. It is said by them that some of the same conditions prevailed in the grain trade with Russia some time ago. The Russian dealers were invited to Berlin to a conference, but treated the action with indifference, whereupon the German dealers refused to buy any Russian grain, and in a short time Russia asked for a meeting.

"The seriousness of this movement, threatening the loss of trade in this important branch of American exports, should not be underestimated. It is general in its character and covers the countries buying about all of the surplus crops of the United States.

"The unanimity of sentiment expressed at these meetings indicates there must be good cause for complaint, and as representatives of nearly all the nations of Europe are taking part in these assemblies and the meetings have become international in character, it is time the American people, who are interested in this great and important branch of the Nation's industries and commerce, should take some action to preserve it from further losses."

FRANCE.

FAULTY AMERICAN GRAIN-INSPECTION METHODS.

Consul General Robert P. Skinner, of Marseille, thinks it is highly desirable that certain facts in regard to American grain-selling methods be given immediate and wide circulation, and that something be done either by action of Congress or by the concerted action of American commercial bodies to reform or, rather, standardize the system under which the great cereal-exporting business has been created. Mr. Skinner writes:

"There is little popular knowledge in the United States in regard to the fact that wheat, corn, grease, and similar products of American origin are not now sold abroad by sample, but by nominal grade. The European buyer knows nothing of the merchandise whatever before it reaches his possession. He imports and resells various classes of merchandise the quality or grade of which is certified to him, not by the merchant who has sold him the article, but by the official inspector of a board of trade or other equivalent body at the port of shipment. He pays for the goods before he receives them, and when the exporter in the United States delivers to him a certificate of inspection, declaring the goods to be of a given grade, he has no alternative but to honor the drafts. The bargain is absolutely final upon the production to him of this certificate of inspection.

"STRENUOUS OBJECTIONS.

"Of late years the murmurs against this system have been increasing in Europe, and whereas a short time ago they took the form of isolated private complaints that goods did not always conform to the certified grade, they now take the form of organized protests. I have before me not merely private correspondence running through a number of years, but the recent proceedings of the London Corn Trade Association and the proceedings of a delegate conference held on December 12 at the Berlin Bourse, the general tenor of which is that foreign importers are vexed with prevailing conditions in the United States and are determined to force an improvement. At these two conferences a great many harsh things were said in regard to American certificates and specific instances of irregularities were mentioned. The vital point, which it will be well to separate from so much context, is this:

"'Mr. Friedberg (Hamburg) stated: "It is perfectly clear that if an American inspector certifies we have no right to doubt, or if we do we are asked, Why do you go on buying?" I may assure this meeting that a good many of us are not going on buying. We have none of this trouble in South America. For the general trade I think that there are respectable people enough in America, and I am wondering why they do not stop the glaring abuses that are complained of.'

"This instability is naturally one of the conditions of American business that is least acceptable to foreign importers, and, what with rivalry between ports for export business, it has created not only bitter feeling abroad, but definite differences in the prices at which grain of the same nominal grade is offered for sale at the different ports of shipment. There are 'easy ports' and 'good ports,' and sometimes the 'easy ports' are penalized, as thus explained in a recent letter from an importer to an officer of an American commercial organization:

"'As you know, at present importers have great difficulty selling on certificates, but where quality is reasonably assured they are willing to pay a premium over lower inspections. Newport News and Norfolk were excluded on the London and Liverpool contracts because of last year's (1905) No. 2 corn shipments, while, as you know, your inspection maintained a premium all last season over the Atlantic.'

"SIMPLE REMEDY PROPOSED.

"The remedy sought is so easy of application and the demand for its application is so entirely reasonable that to the importer protracted resistance is incomprehensible. The proper remedy may be applied either by the American Government or by the cooperation of American trade bodies. The starting point of the reform would be, naturally, the establishment of standard descriptions by law. This done, if the Government were charged with the issuance of inspection certificates the service would be removed from local influences and the so-called official American certificates would be rehabilitated. If this very rational proposition be objected to, the surest means of effectively combating it would be the holding of a conference of American grain-inspecting bodies for the adoption of grain standards and for the adoption of ways and means of drawing standard samples, to be deposited in American consulates at great European ports or to be issued upon demand to importers, and to provide for a board of inspectors, the members thereof to be transferred at intervals and liberated from every form of local pressure."

Consul General Skinner, of Marseille, France, under date of January 10, 1907, writes as follows:

"In continuation of my report, dated December 18, 1906, I wish to say that my attention had been called to a report presented to the Syndical Chamber of Grain and Flour, at Paris, by George Lefebvre, delegate to the International Reunion, organized by the London Corn Trade Association. This report has been sent to me by a prominent Marseille miller, and I take it that it is a résumé of the sentiments of the trade in this city, which has not acted upon the subject as yet in an official manner, although at this port the great bulk of American hard-wheat exportations are received. The report of M. Lefebvre is quite long, and I translate merely the salient passages, as follows:

"'I have the honor to render an account of my mission as your representative at the conference of November 8, organized by the London Corn Trade Association for the purpose of considering final certificates covering grain exportations from America. The conference was attended by not less than 45 members, whose opinions were unanimous as to the necessity of reforming the actual system. Some wished to ameliorate it and others to abolish it. Complaints were made of a detailed nature, which I have no need here to repeat, except as to two cases, which deserve to be set forth.

"'Complaint was made in regard to the delivery of hard winter wheat No. 2, in which not only the old and the new crop were mixed, but in which there was to be found also a considerable quantity of seriously damaged wheat. From the American inspectors who delivered the certificates, the only answer received was this: "We consider our principal duty is to secure the consumption of our crop."

"'Corn certified as No. 2 or "sail grade" (the quality capable of supporting a voyage in sailing ships) and which should have been able to endure a long voyage, arrived in a completely bad condition after a rather short journey. The complaint made was met by the reply that "It is the fault of the buyers who purchase during the months when corn germinates."

"'Mr. Montgomery, of Liverpool, speaking first, declared that the inspection service was badly established in the United States; that the European buyer renouncing any right of appeal as to quality when an

inspector has delivered a certificate, thus constitutes the inspector an arbiter between the seller in America and the receiver in Europe.

"'The abuses concerning which complaints arise from all parts of Europe prove that the buyers must come to an understanding, in order to determine the methods by which this business should be handled between America and the Old World. This conference is probably the first effort along these lines between the interested countries.

"'First of all, what is it that is called an "official" certificate of inspection as to quality? This is a very broad definition. There is not in the trade any definition of the word "official," and in consequence every certificate of an inspector who holds an official position must be accepted by the buyer.'"

CANADA.

The following Associated Press dispatch is corroborated by the Agricultural Department:

"GRASS SEED IS BEING DOPED WITH ADULTERATIONS FROM CANADA.

"WASHINGTON, *February 13, 1907.*

"The Department of Agriculture has issued a circular relative to the investigation of the adulteration of orchard grass, bluegrass, clover, and alfalfa seed. The department gathered seed from all parts of the United States, buying in the open market, and of the seed examined about one-third was found adulterated. The degrees of adulteration varied from 10 per cent to 75 per cent. The names of upward of a hundred firms which the department alleges are selling adulterated seeds are printed in the circular. It is estimated that 700,000 pounds of Canadian bluegrass seed are annually imported into the United States and mixed with Kentucky bluegrass seed and sold as the latter. A similar amount of trefoil is imported from England, mixed with alfalfa seeds, and sold at a corresponding advance, says the circular."

SCOTLAND.

AMERICAN FLOUR HURT BY MISBRANDING.

Consul R. W. Austin, of Glasgow, writes that the friends of American flour in Scotland are elated over the passage by Congress of "the food and drugs act of June 30, 1906," and are predicting that with the enforcement of the law mentioned the American flour will regain its old-time reputation and be restored to the head of the list which it occupied in Great Britain prior to 1904. Mr. Austin continues:

"At that time no flour—home or foreign—equaled the American article, which had grown in popular favor to such an extent that it had no real competitor.

"The American wheat crop of 1904 being short, enabled the continental mills to introduce their flour into Scotland, many of them not hesitating to use popular American labels. This scheme was worked successfully for some time, to the injury of the American trade and the excellent reputation of its flour. Finally a vigorous protest under the British 'sale-of-goods act' was made, and this practice of the millers of the Continent discontinued. While this afforded relief, American flour is, and has been for several years, seriously injured in Great Britain by its being misbranded or labeled before leaving America, and this unfair method, it is hoped, will be discontinued by an observance of the 'food and drugs act.'"

Mr. MOORE. I yield to the gentleman from Maryland [Mr. LINTHICUM.]

Mr. LINTHICUM. Mr. Speaker, I voice the news and interests of the largest grain-shipping port in America, namely, the city of Baltimore. The city of Baltimore can, through its system of modern elevators, handle something over 2,000,000 bushels of grain a day. It is the nearest port on the Atlantic seaboard to the great grain-producing sections of the Middle West, and for that reason it is the channel through which passes a large amount of our grain shipped abroad. Those interested in the grain business of Baltimore have written me in opposition to this provision, and I have been urged by the chamber of commerce of our city to record my vote against it when it is brought before this House. Our city has established a reputation throughout the country for grain inspection, and that inspection is regarded by grain merchants and others in this country and throughout the world as being in every way acceptable. I am told that the passage of this provision will be of no benefit to those affected by it, but, on the contrary, will work considerable harm. I therefore call the attention of this House to the views and attitude of those men of Baltimore who are versed and experienced in this business, and submit to this House that the apprehensions of these men and their views in this matter, which is one affecting their livelihood, should receive our careful consideration before we take action which may be decidedly prejudicial to them. It is because of these statements and this attitude of the business men of my city that I object to this provision and why I oppose it on this floor.

Mr. MOORE. Will the gentleman from Indiana use any of his time?

Mr. MOSS of Indiana. I shall close in one speech if we have any remarks at all.

Mr. MOORE. Mr. Speaker, I yield the balance of my time to the gentleman from Wisconsin [Mr. LENROOT].

Mr. LENROOT. Mr. Speaker, I wish to congratulate the Committee on Agriculture on the fact that this bill, if enacted, will be clearly within the constitutional powers of Congress, which its companion, the Lever bill, as clearly is not. I want to call attention to section 7, to some obvious defects which I hope may be remedied by unanimous consent. The proviso in lines 17 to 21, page 6, reads:

Provided, That in States which have State grain inspection established by law the Secretary of Agriculture may, in his discretion, issue licenses to persons duly authorized and employed to inspect grain under the laws of such States at the time this act goes into effect.

Now, surely it could not have been the intention of the committee to limit the authority of the Secretary of Agriculture to issue licenses to persons employed by the State who may be employed at the time this act goes into effect. Clearly it must have been the intention to authorize the Secretary to issue licenses to any inspectors employed by the State at any time. I ask unanimous consent that there be included in the motion an amendment to strike out the words in line 4, page 6, "at the time this act goes into effect."

Mr. MANN. What is the gentleman's request?

Mr. LENROOT. To strike out the words, on page 6, line 21, "at the time this act goes into effect."

The SPEAKER pro tempore. The Clerk will report the proposed amendment.

The Clerk read as follows:

Page 6, line 21, after the word "States," strike out the words "at the time this act goes into effect."

The SPEAKER. The gentleman from Wisconsin asks unanimous consent to read into the motion the amendment that has just been reported. Is there objection?

Mr. MOSS of Indiana. As far as I am concerned, Mr. Speaker, I have no objection, and I understand the gentleman from Missouri [Mr. RUBEY] has no objection.

The SPEAKER. Is there objection?

There was no objection.

Mr. LENROOT. Now, Mr. Speaker, one further defect. At the beginning of section 7 it provides—

That no person authorized or employed by any State, county, city, town, board of trade, chamber of commerce, corporation, society, or association to inspect or grade grain shall certify, or otherwise state or indicate in writing, that any grain which has been inspected or graded by him, or by any person acting under his authority, is of one of the official grades of the United States—

And so forth.

This prohibition ought not to be limited to those persons who may be employed by a city, county, or State. This prohibition should be general, that no person should be permitted to certify that it is an official grade of the United States unless he has been licensed under the Federal law. Therefore I ask unanimous consent that that amendment be included in section 7, striking out all of line 5 after the word "persons" down to and including the word "grain," in line 8.

Mr. MANN. That would prohibit a Federal official from so certifying.

Mr. MOSS of Indiana. Mr. Speaker, I shall have to object to that.

Mr. LENROOT. Well, Mr. Speaker, I hope that it will be considered when it gets into conference, for it should be remedied.

Mr. MOSS of Indiana. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD, and after obtaining that permission I ask that we take a vote. I have no further debate.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

The SPEAKER. The question is on suspending the rules and passing the bill with the amendments read into it.

The question was taken; and on a division (demanded by Mr. MOORE) there were 98 ayes and 11 noes.

Mr. LINTHICUM. Mr. Speaker, I make the point that no quorum is present.

The SPEAKER. The gentleman from Maryland makes the point that no quorum is present. Evidently there is not. The Doorkeeper will close the doors, the Sergeant at Arms will notify the absentees, and the Clerk will call the roll.

The question was taken; and there were—yeas 221, nays 17, answered "present" 1, not voting 188, as follows:

YEAS—221.

Abercrombie	Burke, S. Dak.	Decker	Francis
Adamson	Burnett	Dickinson	Frear
Alexander	Butler	Dies	Gallagher
Anderson	Byrnes, S. C.	Difenderfer	Gallivan
Ashbrook	Byrns, Tenn.	Dillon	Gard
Aswell	Calder	Donovan	Gardner
Baker	Campbell	Doolittle	Garner
Barkley	Candler, Miss.	Doremus	Garrett, Tenn.
Barnhart	Cantrill	Doughton	Gill
Bathrick	Caraway	Dupré	Glass
Beakes	Carlin	Eagle	Goeke
Beall, Tex.	Carter	Esch	Gray
Bell, Cal.	Collier	Falconer	Greene, Mass.
Blackmon	Conry	Fe.gusson	Greene, Vt.
Booher	Cooper	Ferris	Gudger
Borland	Cox	Fess	Hamilton, Mich.
Brockson	Cramton	Fields	Hamlin
Brodbeck	Crisp	Finley	Hardy
Brown, W. Va.	Crosser	FitzHenry	Harrison
Bryan	Cullop	Flood, Va.	Hart
Bulkley	Curry	Foster	Haugen
Burgess	Danforth	Fowler	Hawley

Hay	Lesher	Phelan	Sutherland
Hayden	Lever	Platt	Switzer
Hayes	Lindbergh	Plumley	Taggart
Heflin	Lobeck	Pou	Talcott, N. Y.
Helgesen	Lonergan	Prouty	Tavenner
Helm	McAndrews	Quin	Taylor, Ala.
Henry	McGillicuddy	Rainey	Taylor, Ark.
Hensley	McLaughlin	Raker	Taylor, Colo.
Hill	MacDonald	Rauch	Temple
Holland	Maguire, Nebr.	Reed	Ten Eyck
Houston	Mahan	Reilly, Conn.	Thacher
Howard	Mann	Reilly, Wis.	Thomas
Howell	Mapes	Rogers	Thomson, Ill.
Hoxworth	Martin	Rouse	Treadway
Hughes, Ga.	Metz	Rubey	Tribble
Hull	Miller	Russell	Underhill
Humphrey, Wash.	Mitchell	Seldomridge	Underwood
Humphreys, Miss.	Montague	Shackleford	Vaughan
Igoe	Moon	Sherley	Vinson
Jacoway	Morgan, Okla.	Sims	Vollmer
Johnson, Ky.	Morrison	Slemp	Volstead
Kahn	Moss, Ind.	Sloan	Watkins
Keating	Neeley, Kans.	Smith, J. M. C.	Watson
Kelly, Pa.	Nelson	Smith, Minn.	Weaver
Kettner	Nolan, J. I.	Smith, N. Y.	Webb
Key, Ohio	Norton	Smith, Tex.	Williams
Kindel	O'Brien	Stafford	Willis
Kinkaid, Nebr.	Oldfield	Stedman	Wingo
Konop	Page, N. C.	Steenerson	Woods
Korbly	Palmer	Stephens, Cal.	Young, N. Dak.
Lafferty	Park	Stephens, Tex.	Young, Tex.
La Follette	Parker, N. J.	Stone	
Lazaro	Patton, Pa.	Stringer	
Lenroot	Peterson	Sumners	

NAYS—17.

Bailey	Hinds	Logue	Small
Edmonds	Johnson, Utah	Moore	Stevens, Minn.
Fairchild	Johnson, Wash.	Murray	
Fitzgerald	Levy	Sherwood	
Gordon	Linthicum	Sisson	

ANSWERED "PRESENT"—1.

Browning

NOT VOTING—188.

Adair	Dershem	Keister	Post
Aiken	Dixon	Kelley, Mich.	Powers
Ainey	Donohoe	Kennedy, Conn.	Price
Allen	Dooling	Kennedy, Iowa	Ragsdale
Ansberry	Driscoll	Kennedy, R. I.	Rayburn
Anthony	Drukker	Kent	Riordan
Austin	Dunn	Kiess, Pa.	Roberts, Mass.
Avis	Eagan	Kinkead, N. J.	Roberts, Nev.
Baltz	Edwards	Kirkpatrick	Rothermel
Barchfeld	Elder	Kitchin	Rucker
Bartholdt	Estopinal	Knowland, J. R.	Rupley
Bartlett	Evans	Kreider	Sabath
Barton	Faison	Langham	Saunders
Bell, Ga.	Farr	Langley	Scott
Borchers	Floyd, Ark.	Lee, Ga.	Scully
Bowdle	Fordney	Lee, Pa.	Sells
Britten	French	L'Engle	Shreve
Broussard	Garrett, Tex.	Lewis, Md.	Sinnott
Brown, N. Y.	George	Lewis, Pa.	Slayden
Browne, Wis.	Gerry	Lieb	Smith, Idaho
Bruckner	Gillett	Lindquist	Smith, Md.
Brumbaugh	Gilmore	Lloyd	Smith, Saml. W.
Buchanan, Ill.	Gittins	Loft	Sparkman
Buchanan, Tex.	Godwin, N. C.	McClellan	Stanley
Burke, Pa.	Goldfogle	McGuire, Okla.	Stephens, Miss.
Burke, Wis.	Good	McKellar	Stephens, Nebr.
Callaway	Goodwin, Ark.	McKenzie	Stevens, N. H.
Cantor	Gorman	Madden	Stout
Carew	Goulden	Maher	Talbott, Md.
Carr	Graham, Ill.	Manahan	Taylor, N. Y.
Cary	Graham, Pa.	Mondell	Thompson, Okla.
Casey	Green, Iowa	Morgan, La.	Towner
Chandler, N. Y.	Gregg	Morin	Townsend
Church	Griest	Moss, W. Va.	Tuttle
Clancy	Griffin	Mott	Vare
Clark, Fla.	Guernsey	Mulkey	Walker
Claypool	Hamill	Murdock	Wallin
Cline	Hamilton, N. Y.	Neely, W. Va.	Walsh
Coady	Hammond	Oglesby	Walters
Connelly, Kans.	Harris	O'Hair	Whaley
Connolly, Iowa	Helvering	O'Shaunessy	Whitacre
Copley	Hinebaugh	Padgett	White
Dale	Hobson	Paige, Mass.	Wilson, Fla.
Davenport	Hughes, W. Va.	Parker, N. Y.	Wilson, N. Y.
Davis	Hulings	Patten, N. Y.	Winslow
Deitrick	Johnson, S. C.	Peters	Witherspoon
Dent	Jones	Porter	Woodruff

So, two-thirds having voted in favor thereof, the rules were suspended and the bill was passed.

The Clerk announced the following additional pairs:

For the session:

Mr. SCULLY with Mr. BROWNING.

Until further notice:

Mr. RIORDAN with Mr. GRIEST.

Mr. EVANS with Mr. SELLS.

Mr. BARTLETT with Mr. SAMUEL W. SMITH.

Mr. BUCHANAN of Illinois with Mr. HAMILTON of New York.

Mr. BROWN of New York with Mr. WALTERS.

Mr. DOOLING with Mr. GRAHAM of Pennsylvania.

Mr. CHURCH with Mr. KEISTER.

Mr. CLINE with Mr. LANGLEY.

Mr. DENT with Mr. LINDQUIST.

Mr. EDWARDS with Mr. FRENCH.

Mr. GODWIN of North Carolina with Mr. ROBERTS of Massachusetts.

Mr. GRAHAM of Illinois with Mr. GREEN of Iowa.

Mr. PADGETT with Mr. GILLETT.

Mr. RAYBURN with Mr. MCGUIRE of Oklahoma.

Mr. RUCKER with Mr. MADDEN.

Mr. SMALL with Mr. MANAHAN.

Mr. STANLEY with Mr. MONDELL.

Mr. STEPHENS of Nebraska with Mr. PORTER.

Mr. STOUT with Mr. SCOTT.

Mr. WHITE with Mr. SMITH of Idaho.

Mr. TUTTLE with Mr. SINNOTT.

Mr. TOWNSEND with Mr. WINSLOW.

The result of the vote was announced as above recorded.

HOUR OF MEETING TO-MORROW.

Mr. UNDERWOOD. Mr. Speaker, at the request of the chairman of the Committee on Indian Affairs, having in charge the Indian appropriation bill, I ask unanimous consent that when the House adjourns to-day it adjourn to meet at 11 o'clock to-morrow morning.

The SPEAKER. The gentleman from Alabama, on behalf of the chairman of the Committee on Indian Affairs, asks unanimous consent that when the House adjourns to-day it adjourn to meet at 11 o'clock to-morrow morning. Is there objection? [After a pause.] The Chair hears none.

Mr. QUIN. Mr. Speaker, I object.

The SPEAKER. For what purpose does the gentleman rise?

Mr. QUIN. I rise to object.

The SPEAKER. The gentleman from Mississippi objects. Really, as a matter of fact, it is too late.

ENLARGEMENT OF WALL STREET FRONT, ASSAY OFFICE, NEW YORK.

Mr. FITZGERALD. Mr. Speaker, I ask unanimous consent to vacate the order by which Senate bill 3342 was passed to-day and to lay the bill on the table. A similar House bill has already passed the Senate and been approved.

The SPEAKER. What is the number?

Mr. FITZGERALD. S. 3342.

The SPEAKER. The gentleman from New York [Mr. FITZGERALD] asks unanimous consent to vacate the order by which Senate bill 3342 was passed and to lay the same on the table. Without objection, it is so ordered.

There was no objection.

CHANGE OF REFERENCE.

The SPEAKER. There is a communication here from the Secretary of the Treasury, a letter which was referred to the Committee on Ways and Means, that ought to have been referred to the Committee on Appropriations (H. Doc. No. 1427). Without objection, it will be so referred.

There was no objection.

LEAVE OF ABSENCE.

The Clerk read as follows:

Mr. ALEXANDER requests leave of absence January 5 and 6, on account of important business.

The SPEAKER. Is there objection?

Mr. DONOVAN. Mr. Speaker, I object—on account of important business?

The SPEAKER. On account of important official business.

Mr. DONOVAN. I do not object.

The SPEAKER. The Chair hears no objection.

ADJOURNMENT.

Mr. UNDERWOOD. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 58 minutes p. m.) the House adjourned to meet to-morrow, Tuesday, January 5, 1915, at 12 o'clock noon.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. DILLON: A bill (H. R. 20525) to establish a standard of weights for various commodities, and for other purposes; to the Committee on Coinage, Weights, and Measures.

Also, a bill (H. R. 20526) to establish the metric system as the standard for weights and measures, and for other purposes; to the Committee on Coinage, Weights, and Measures.

By Mr. TRIBBLE: A bill (H. R. 20527) to provide capital for agricultural development, to create a standard form of investment based upon farm mortgages, to equalize rates of interest upon farm loans, to furnish a market for United States bonds, to provide a method of applying postal savings deposits to the promotion of the public welfare, and for other purposes; to the Committee on Banking and Currency.

By Mr. GARDNER: A bill (H. R. 20528) to authorize the maintenance of organizations of the mobile army at their maxi-

mum strength and to provide an increase of 1,000 officers; to the Committee on Military Affairs.

By Mr. ADAMSON: A bill (H. R. 20529) to prevent, prohibit, and punish frauds, and cheating and swindling in interstate and foreign commerce; to the Committee on Interstate and Foreign Commerce.

By Mr. KEY of Ohio: Resolution (H. Res. 692) authorizing the payment of $1,200 to William McKinley Cobb for extra and expert services rendered to the Committee on Pensions during the third session of the Sixty-third Congress; to the Committee on Accounts.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ANSBERRY: A bill (H. R. 20530) granting a pension to Clarence E. Gleason; to the Committee on Invalid Pensions.

Also, a bill (H. R. 20531) granting an increase of pension to William Hilbert; to the Committee on Invalid Pensions.

By Mr. BAILEY: A bill (H. R. 20532) granting a pension to Elizabeth C. Grimes; to the Committee on Invalid Pensions.

By Mr. BARNHART: A bill (H. R. 20533) granting an increase of pension to George W. Hayward; to the Committee on Invalid Pensions.

By Mr. BORLAND: A bill (H. R. 20534) granting an increase of pension to James S. Botsford; to the Committee on Invalid Pensions.

By Mr. CARY: A bill (H. R. 20535) granting a pension to James M. Thurston; to the Committee on Invalid Pensions.

Also, a bill (H. R. 20536) to carry out the findings of the Court of Claims in case of Albert G. Peabody; to the Committee on War Claims.

By Mr. COOPER: A bill (H. R. 20537) granting an increase of pension to Henry L. Phillips; to the Committee on Invalid Pensions.

By Mr. CRAMTON: A bill (H. R. 20538) granting an increase of pension to William H. Courliss; to the Committee on Invalid Pensions.

By Mr. DANFORTH: A bill (H. R. 20539) granting a pension to Mary E. Blood Coffin; to the Committee on Invalid Pensions.

By Mr. DOREMUS: A bill (H. R. 20540) granting a pension to Leo A. Kelly; to the Committee on Pensions.

Also, a bill (H. R. 20541) granting an increase of pension to Louis C. T. Kramer; to the Committee on Invalid Pensions.

By Mr. FERRIS: A bill (H. R. 20542) for the relief of Halvor Nilsen; to the Committee on the Public Lands.

By Mr. GREEN of Iowa: A bill (H. R. 20543) granting a pension to Nicholas Schiller; to the Committee on Invalid Pensions.

Also, a bill (H. R. 20544) granting a pension to Elmira Goshen; to the Committee on Invalid Pensions.

By Mr. JOHNSON of South Carolina: A bill (H. R. 20545) granting a pension to Virgil T. Gregory; to the Committee on Pensions.

Also, a bill (H. R. 20546) granting a pension to J. Horace Keeter; to the Committee on Pensions.

Also, a bill (H. R. 20547) granting a pension to Thomas M. Boswell; to the Committe on Pensions.

By Mr. KEY of Ohio: A bill (H. R. 20548) granting a pension to Charles G. Farling; to the Committee on Pensions.

Also, a bill (H. R. 20549) granting an increase of pension to Arthur Adams; to the Committee on Invalid Pensions.

By Mr. KINKAID of Nebraska: A bill (H. R. 20550) granting an increase of pension to Ezra Kramer; to the Committee on Invalid Pensions.

By Mr. KONOP: A bill (H. R. 20551) for the relief of Rev. D. O. Sanborn; to the Committee on War Claims.

By Mr. LAFFERTY: A bill (H. R. 20552) for the relief of James D. Watts; to the Committee on Claims.

By Mr. MAGUIRE of Nebraska: A bill (H. R. 20553) granting an increase of pension to Aaron Streets; to the Committee on Invalid Pensions.

By Mr. AVIS: A bill (H. R. 20554) granting an increase of pension to N. B. Nicholson; to the Committee on Pensions.

By Mr. STONE: A bill (H. R. 20555) to reimburse James McDowell, postmaster at Armington, Ill., for expense of opening and repairing safe caused by attempted robbery; to the Committee on Claims.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. ANTHONY: Petitions signed by Rev. Theodore Bundenthal and other citizens of Atchison, Kans., protesting against shipment of munitions of war to belligerent countries of Europe; to the Committee on Foreign Affairs.

By Mr. ASHBROOK: Evidence to accompany H. R. 19837, for the relief of Homer C. Dodd; to the Committee on Pensions.

By Mr. DALE: Petition of William M. Pence, Norfolk, Va., favoring an appropriation for the redemption of the Holy Land in the New World; to the Committee on Appropriations.

Also, petition of New York Board of Trade and Transportation, favoring passage of S. 3672, relative to straightening of the Harlem River; to the Committee on Rivers and Harbors.

By Mr. DILLON: Petition of citizens of South Dakota, favoring House joint resolution 377; to the Committee on Foreign Affairs.

Also, memorial of Jay Smith Camp, No. 2, of Mitchell, S. Dak., favoring law to make none but veterans officers of the National Soldiers' Homes; to the Committee on Military Affairs.

By Mr. DONOVAN: Petition of citizens of Bridgeport, Conn., against alleged violations of neutrality; to the Committee on Foreign Affairs.

By Mr. ESCH: Petition of citizens of the State of Wisconsin, favoring House joint resolution 377; to the Committee on Foreign Affairs.

By Mr. GARNER: Petition of the executive committee of the Interstate Inland Waterway League of Louisiana and Texas, favoring certain amendments to rivers and harbors bill; to the Committee on Rivers and Harbors.

By Mr. GERRY: Petitions of the Louttit Home Hand Laundry Co., What Cheer Laundry, Providence, R. I., urging the passage of legislation providing for protection against Chinese competition; to the Committee on Interstate and Foreign Commerce.

Also, petition of E. C. Barber, Shannock, R. I., urging the passage of legislation restoring protective tariff to American industries; to the Committee on Ways and Means.

Also, petitions of Saida S. Wright, Mrs. Draper, Walter A. Wright, of Newport, R. I.; Mary Sturtevent, of Middletown, R. I.; Lorania C. Beckwith, Nettie E. Bauer, of Providence, R. I., urging the passage of legislation providing for equal suffrage; to the Committee on the Judiciary.

By Mr. GILMORE: Memorial of the National Grange at Wilmington, Del., favoring restriction of immigration; to the Committee on Immigration and Naturalization.

Also, petition of the board of directors of the Taunton Chamber of Commerce, favoring the Gardner resolution (H. J. Res. 377); to the Committee on Foreign Affairs.

By Mr. HAYES: Petitions of Jefferson School Mothers' Club; I. F. B. Lodge, No. 686; Live Oak Lodge, Knights of Pythias; Loyal Order of Moose; Ancient Order of Hibernians; Oakland Circle, Sons of American Revolution; Knights of Pythias; Estrella Da Mantha Council, No. 84, I. D. E. S.; Le Tres Joli Club; Knights and Ladies Council 733, Fraternal Order of Eagles, all of Oakland, Cal., favoring Hamill civil-service retirement bill; to the Committee on Reform in the Civil Service.

Also, petitions of Independent Order of Red Men, Los Satos, Cal.; Knights of Pythias, of Fruitvale, Cal.; Woodmen of America and Independent Order of Red Men, of San Jose, Cal.; Creston Social Club, of Creston, Cal.; and Oakland (Cal.) Lodge of Fraternal Brotherhood, favoring Hamill civil-service retirement bill; to the Committee on Reform in the Civil Service.

By Mr. KENNEDY of Rhode Island: Petition of Walter A. and Saida S. Wright, of Newport, R. I., favoring woman suffrage; to the Committee on the Judiciary.

By Mr. KONOP: Letters and petitions of citizens of ninth congressional district in favor of House joint resolution 377, prohibiting shipment of arms to belligerents of Europe; to the Committee on Foreign Affairs.

By Mr. LAFFERTY: Papers to accompany a bill for relief of James D. Watts; to the Committee on Claims.

By Mr. LEVY: Memorial of New York Board of Trade and Transportation, favoring passage of Senate bill 3672, relative to straightening the Harlem River; to the Committee on Rivers and Harbors.

By Mr. MAHAN: Petition of sundry citizens of Rockville, Conn., favoring the passage of a joint resolution prohibiting the export of arms and ammunition from the United States to any of the belligerent nations; to the Committee on Foreign Affairs.

By Mr. MAHER: Petition of the New York Board of Trade and Transportation, favoring the passage of Senate bill 3672, relative to straightening the Harlem River; to the Committee on Rivers and Harbors.

By Mr. MURRAY: Memorial of German-American citizens of Oklahoma, favoring Hitchcock bill for neutrality; to the Committee on Foreign Affairs.

By Mr. J. I. NOLAN: Petitions of sundry citizens of San Francisco, Cal., members of Our Own Money League, for a modification of the currency laws of the United States; to the Committee on Banking and Currency.

Also, resolutions of the fruit growers of California, favoring the passage of House bill 4357; to the Committee on Agriculture.

Also, resolutions of Fruitvale Aerie, No. 1375, F. O. E.; Oakland Lodge, No. 324, Loyal Order of Moose; T. F. B. Lodge No. 686; John B. Wyman Circle, No. 22, Ladies of the Grand Army of the Republic; Oakland Lodge, No. 123, Fraternal Brotherhood; and Jefferson School Mothers' Club, all of Oakland; Wetonka Tribe 208, Improved Order of Red Men, of Los Gatos; Estrella Da Mantha Council, No. 84, I. D. E. S., of Oakland; Fruitvale Lodge, No. 56, Knights of Pythias, of Fruitvale; Knights and Ladies of Security, Oakland Lodge, No. 733, and Le Tres Joli Club, of Oakland; Ouray Tribe 132, Improved Order of Red Men, of San Jose; Dirigo Lodge, No. 224, K. O. P., and Live Oak Lodge, No. 17, Knights of Pythias, of Oakland; and San Jose Camp 7777, Modern Woodmen of America, of San Jose, all in the State of California, representing a total membership of 5,643, favoring the passage of the Hamill bill (H. R. 5139) for civil-service retirement; to the Committee on Reform in the Civil Service.

By Mr. O'SHAUNESSY: Petitions of Mrs. Charles Weaver, Mrs. Joseph Howland, and Mrs. Walter N. Hill, Newport; Ruth P. Burgess, Athenwood, Newport; Mary B. L. Steedman, Providence; A. B. Vernon, Abbie Langley, Tallie B. Manchester, Sarah W. Covell, Mary S. Sheffield, Margaret Sheffield, Mary L. Ives, Mary J. Peckham, Laura B. Peckham, Antoinette S. Peckham, Martha H. Stedman, Annie Bryant, Martha A. Coggeshall, Sarah T. Hammett, Elizabeth P. Burdick, Jane B. Coggeshall, Louise D. Hammett, Sarah P. Landers, Isabella Sanborn, Mary C. Sherman, Louise Arnold, Elizabeth Vernon, Mary W. Case, Susan C. Weaver, and Leonora H. Vernon, all of the State of Rhode Island, against woman suffrage; to the Committee on the Judiciary.

Also, petitions of Mrs. Eugene Sturtevant, Mary Sturtevant, and Louisa C. Sturtevant, Newport; Mary B. Anthony, Mary R. Ballou, Mrs. Carroll Miller, and Ingeborg Kindstedt, Providence; Elizabeth B. Peckham, Margaret Bokee, Charles Biesel, and Mrs. Maud Howe Elliott, Newport; Elizabeth Upham Yates, Providence; Helena Sturtevant, Middletown; Marian E. Jenckes, Providence; Mrs. Sarah M. Ray Aldrich, East Providence; Alice B. Ham, Providence; George W. Eddy and Walter Hayward, Wickford; Mrs. J. W. North and Sara L. G. Fitz, Providence; Mrs. Draper and Mr. Walter A. Wright, Newport; Saida S. Wright, Weaver Cottage, Newport; Mary Sturtevant, Middletown; Carl Borus and Arthur L. Washburn, Providence; Annabel Ledhi Berry, Newport; Ellen M. Anthony, Barton P. Jenks, and Edwin C. Smith, Providence, all in the State of Rhode Island, favoring woman suffrage; to the Committee on the Judiciary.

By Mr. PATTEN of New York: Petition of citizens of New York City relative to violations of neutrality; to the Committee on Foreign Affairs.

By Mr. STEVENS of Minnesota: Petition of Minnesota Peace Society, protesting against any increase in our military or naval program at this time; to the Committee on Military Affairs.

By Mr. WILLIS: Petition of E. C. Miller and 15 other citizens of Lorain, Ohio, favoring the adoption of House joint resolution No. 377 to prohibit the shipment of arms to the warring nations; to the Committee on Foreign Affairs.

By Mr. WINSLOW: Memorial of Freedon Lodge, No. 139, International Order of Good Templars, of Worcester, Mass., favoring national prohibition; to the Committee on Rules.

SENATE.

TUESDAY, *January 15, 1915.*

The Chaplain, Rev. Forrest J. Prettyman, D. D., offered the following prayer:

Almighty God, we seek Thee in the altitudes of prayer before we address ourselves to the common tasks of life. We stand upon the common platform with our unity of interest and with our common need before Thee. When we enter the arena of life, and in the great discipline of life that Thou hast committed to us, we must stand in our own individual personality. We pray that we may carry with us into the tasks of this day the impression of Thy Holy Spirit and that we may realize that the oneness of our life is in God. In our effort to bring peace, prosperity, and happiness to the people of a great Nation we shall be successful according to the measure of our interest in Thy kingdom and of our obedience to Thy will. So do Thou guide us. For Christ's sake. Amen.

The Journal of yesterday's proceedings was read and approved.

YAKIMA INDIAN RESERVATION (H. DOC. NO. 1472).

The PRESIDENT pro tempore laid before the Senate a communication from the Secretary of the Interior, transmitting, pursuant to law, a plan for the distribution of water on the Yakima Indian Reservation, Wash., and for reimbursing the Government for sums it may have expended or may expend for a complete irrigation system for that reservation, which was referred to the Committee on Public Lands and ordered to be printed.

INDIANS OF NORTH CAROLINA (S. DOC. NO. 677).

The PRESIDENT pro tempore laid before the Senate a communication from the Secretary of the Interior, transmitting, in response to a resolution of June 30, 1914, a report of an investigation of the condition and tribal rights of the Indians of Robeson and adjoining counties of North Carolina, which, with the accompanying papers, was referred to the Committee on Indian Affairs and ordered to be printed.

SHIPMENT OF NAVAL STORES ABROAD.

Mr. SMITH of Georgia. I have several telegrams with reference to the naval-stores question. One of them, which is short, I should like to have read and the others placed in the RECORD.

The PRESIDENT pro tempore. The request of the Senator from Georgia will be complied with unless there is objection. The Chair hears none, and the Secretary will read the first telegram sent to the desk.

The telegram was read, as follows:

SAVANNAH, GA., *December 29, 1914.*

Senator HOKE SMITH,
Washington, D. C.:

Have just wired Secretary of State emphatic protest against action of British Government in declaring rosin and turpentine absolute contraband. You are well aware of the enormous losses already sustained by the Southern States growing out of this European war through the paralysis of the cotton market, and this additional burden now proposed to be put upon our people prompts the inquiry as to what rights neutrals have which belligerents are bound to respect. We emphatically insist that there is no good reason why rosin or turpentine should be made contraband, and that to do so will do more damage to neutrals than to the belligerents against whom it is directed. Whether contraband or not, we also insist that our commerce with neutral ports in these commodities should suffer no interference. Over 60 per cent of these commodities are exported to Europe, a large portion of which goes to North Sea ports. The proposed action will be an additional and heavy burden imposed upon the South, and we request that you cooperate with the State Department to the extent of your abilities in averting this threatened destruction of our commerce in these commodities.

JOHN W. MOTTE,
President Savannah Board of Trade.

The remainder of the telegrams were ordered to be printed in the RECORD, as follows:

ATLANTA, GA., *December 29, 1914.*

Hon. HOKE SMITH,
United States Senate, Washington, D. C.:

Naval stores, lumber, and crosstie industries so closely interdependent that if one is hurt all suffer. In Georgia these lines aggregate over thirty millions annually. Please spare no effort to keep turpentine from contraband list.

C. J. HADEN,
President Georgia Chamber of Commerce.

SAVANNAH, GA., *December 31, 1914.*

HOKE SMITH,
United States Senate, Washington, D. C.:

Whether turpentine is or is not used in manufacture of new explosive which we understand is called "turbinite" from name of its inventor and not because of its supposed ingredients, we insist that this affords no justification whatever for declaring rosin contraband nor for interfering with trade between neutrals in either turpentine or rosin. Under Lord Salisbury's interpretation of the rule, as we understand it, Great Britain must show not merely that shipment might be used for purposes of war, but that it is actually destined for enemy's military service. We feel confident firm insistence at this time by our State Department on our rights as neutrals will accomplish the result desired and prevent immense losses which our people must otherwise suffer. We bespeak your continued cooperation and earnest support in our efforts to avoid this disaster.

J. W. MOTTE,
President Savannah Board of Trade.

VALDOSTA, GA., *December 30, 1914.*

Hon. HOKE SMITH,
Senate Chamber, Washington, D. C.:

The Valdosta Chamber of Commerce approves protest of United States against English action placing naval stores on contraband list, and urges you to use all possible influences to have these commodities going to neutral ports remain on noncontraband list.

J. M. ASHELY, *Secretary.*

SHIPMENTS TO NEUTRAL COUNTRIES.

Mr. GALLINGER. I have a letter from a manufacturing company in New Hampshire touching upon a public question that is now in the mind of the people of the United States, and I ask that it may be read.

There being no objection, the letter was read, as follows:

PIKE MANUFACTURING CO.,
Pike, N. H., December 31, 1914.

Hon. J. H. GALLINGER,
United States Senate, Washington, D. C.

DEAR SENATOR GALLINGER: We believe you will desire to have the widest possible knowledge concerning the attitude of manufacturers and business men in the United States toward the position the administration has just taken in its note to England with regard to the interference of shipping to neutral countries.

We therefore wish to say that this course meets with our entire approval, and we earnestly hope that President Wilson will have your support and that of all patriotic Congressmen irrespective of party in his effort to lift this embargo, which, if long continued, means certain and far-reaching disaster to American industry. In our own case we are utterly unable to ship the product of one of our mills, 80 per cent of which goes into the European market. If this condition is long continued, it inevitably means that the employees of that plant will be out of work. We are straining every point to provide them with something to do through the winter months in order that their families may be kept from actual want. Hundreds of manufacturers with whom we have close acquaintance are confronted by more or less similar conditions, and there must be thousands of others.

The restrictions placed upon exports have been getting severer from week to week, so that steamship companies now operating trans-Atlantic boats have been imposing conditions which are equivalent in many cases to absolute prohibition of transportation. The list of contraband and "conditional contraband" goods has of late been increased beyond all reason. Manufacturers of goods that are not clearly "contraband" are certainly entitled to the active support of Congress in their efforts to get safe and reasonable transportation of those goods to foreign markets, and we earnestly hope there may be united effort to that end.

Sincerely, yours,

E. BERTRAM PIKE,
President Pike Manufacturing Co.

PETITIONS AND MEMORIALS.

Mr. BURTON presented petitions of sundry citizens of Ohio, praying for the enactment of legislation to prohibit the exportation of ammunition, etc., which were referred to the Committee on Foreign Relations.

Mr. PITTMAN presented a petition of sundry citizens of Fallon, Nev., praying for national prohibition, which was referred to the Committee on the Judiciary.

Mr. OWEN presented a petition of the city council of Shawnee, Okla., praying for the enactment of legislation to provide pensions for civil-service employees, which was referred to the Committee on Civil Service and Retrenchment.

He also presented petitions of sundry citizens of Payne County, Okla., praying for national prohibition, which were referred to the Committee on the Judiciary.

Mr. BURLEIGH presented a memorial of the State Grange of Maine, Patrons of Husbandry, remonstrating against placing the rural free-delivery system on a contract basis, which was referred to the Committee on Post Offices and Post Roads.

He also presented a memorial of sundry citizens of Lewiston, Me., remonstrating against the adoption of a literacy test for immigrants to this country, which was ordered to lie on the table.

Mr. KERN presented a petition of Inland City Lodge, No. 374, Brotherhood of Railroad Trainmen, of Indianapolis, Ind., praying for the extension of the boiler-inspection service, which was referred to the Committee on Interstate Commerce.

He also presented petitions of sundry citizens of Fort Wayne, Bremen, and Decatur, all in the State of Indiana, praying for the enactment of legislation to prohibit the exportation of ammunition, etc., which were referred to the Committee on Foreign Relations.

Mr. CLAPP presented petitions of sundry citizens of Minnesota, praying for the enactment of legislation to prohibit the exportation of ammunition, etc., which were referred to the Committee on Foreign Relations.

Mr. STERLING presented petitions of H. J. G. Koolz and sundry others of Scotland; of F. W. Schmitt and others of Tripp; and of Rev. H. Achtermann and others of Alpena, all in the State of South Dakota, praying for the enactment of legislation to prohibit the exportation of ammunition, etc., which were referred to the Committee on Foreign Relations.

REPORTS OF COMMITTEES.

Mr. O'GORMAN. I am directed by the Committee on the Judiciary, to which was referred the bill (S. 93) to regulate the judicial procedure of the courts of the United States, to report it adversely.

The PRESIDENT pro tempore. The bill will be placed on the calendar.

Mr. O'GORMAN. I am directed by the Committee on the Judiciary, to which was referred the bill (S. 95) to amend chapter 11 of the Judicial Code, to report it adversely.

The PRESIDENT pro tempore. The bill will be placed on the calendar.

Mr. O'GORMAN. I am directed by the Committee on the Judiciary, to which was referred the bill (S. 1762) relating to procedure in United States courts, to report it adversely.

The PRESIDENT pro tempore. The bill will be placed on the calendar.

Mr. O'GORMAN, from the Committee on the Judiciary, to which was referred the bill (H. R. 4545) to amend an act entitled "An act to codify, revise, and amend the laws relating to the judiciary," approved March 3, 1911, reported it with an amendment and submitted a report (No. 852) thereon.

He also, from the same committee, to which was referred the bill (H. R. 12750) relating to procedure in United States courts, reported it without amendment and submitted a report (No. 853) thereon.

Mr. SHIVELY, from the Committee on Pensions, to which was referred the bill (H. R. 19545) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war, reported it with amendments and submitted a report (No. 855) thereon.

AMENDMENT OF FEDERAL RESERVE ACT.

Mr. OWEN. From the Committee on Banking and Currency I report back with amendments the bill (H. R. 15038) proposing an amendment to the Federal reserve act relative to acceptances, and for other purposes, and I submit a report (No. 854) thereon.

The amendments are to permit the banks of the Federal Reserve System to issue acceptances above one-half of the paid-up and unimpaired capital stock and surplus of the bank by authority of the Federal Reserve Board under such regulations as said board may prescribe, but that such regulations shall apply to all banks alike, regardless of the amount of capital stock.

This bill has passed the House of Representatives, and it was authorized reported by the unanimous vote of the members of the Committee on Banking and Currency who were present, there being a quorum present this morning.

It is a short bill, which the Federal Reserve Board is anxious to have enacted into law, and I ask unanimous consent that it be considered at this time.

The PRESIDENT pro tempore. The Senator from Oklahoma asks unanimous consent for the present consideration of the bill just reported by him.

Mr. HITCHCOCK. I hope the chairman of the committee will not press that request.

Mr. OWEN. I withdraw the request.

Mr. HITCHCOCK. I am a member of the committee, but I was unable to be present this morning, and I am very desirous of looking into the bill.

The PRESIDENT pro tempore. The bill will be placed on the calendar.

BILLS AND JOINT RESOLUTIONS INTRODUCED.

Bills and joint resolutions were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. SHAFROTH:

A bill (S. 7148) for the relief of Ellen Sexton; to the Committee on Claims.

A bill (S. 7149) granting a pension to Maggie Turner; to the Committee on Pensions.

By Mr. KERN:

A bill (S. 7150) to divorce transportation in interstate and foreign commerce from manufacture, mining, production, and dealing, and for other purposes; to the Committee on Interstate Commerce.

By Mr. SMOOT:

A bill (S. 7151) to correct the military record of Samuel D. Chase (with accompanying papers); to the Committee on Military Affairs.

By Mr. JONES:

A bill (S. 7152) granting an increase of pension to Sarah McDowell (with accompanying paper); to the Committee on Pensions.

By Mr. PITTMAN:

A bill (S. 7153) granting a pension to John M. Evans; to the Committee on Pensions.

By Mr. OWEN:

A bill (S. 7154) for the protection of officers of the United States in the eastern district of the State of Oklahoma, authorizing the search for and seizure of liquors introduced into the eastern district of the State of Oklahoma, and making the possession of such liquors prima facie evidence of an unlawful introduction, and for other purposes; to the Committee on the Judiciary.

A bill (S. 7155) to give to any State entitled to at least three Representatives in Congress the privilege of electing them by proportional representation, and to supplement the act of August 8, 1911, entitled "An act for the apportionment of Representatives in Congress among the several States under the

Thirteenth Census"; to the Committee on Privileges and Elections.

A bill (S. 7156) granting an increase of pension to Sadie Hatch (with accompanying papers); to the Committee on Pensions.

A joint resolution (S. J. Res. 219) looking toward an international peace conference at The Hague immediately after the close of the present war in Europe; to the Committee on Forern Relations.

A joint resolution (S. J. Res. 220) authorizing the Secretary of the Interior to cause investigation to be made concerning duplicate and fraudulent enrollments and allotments in the Creek Nation, and to enforce the rights of said Creek Nation; and

A joint resolution (S. J. Res. 221) withholding from allotment the unallotted lands or public domain of the Creek Nation or tribe of Indians, and providing for the sale thereof, and for other purposes; to the Committee on Indian Affairs.

THE MERCHANT MARINE.

Mr. LODGE. I desire to offer an amendment to the pending ship-purchase bill (S. 6856). I ask that it may be printed and lie on the table. I also ask that it may be read.

The amendment was read, ordered to lie on the table, and to be printed, as follows:

At the end of the bill insert the following:

"*Provided*, That no vessels shall be purchased under this act which are the property, in whole or in part, of or which are in any manner controlled or subsidized by any of the nations now at war, nor shall any vessels be purchased under this act which are the property of any of the subjects or citizens of said belligerent nations."

GOVERNMENT OF THE PHILIPPINES.

Mr. GRONNA submitted an amendment intended to be proposed by him to the bill (H. R. 18459) to declare the purpose of the people of the United States as to the future political status of the people of the Philippine Islands, and to provide a more autonomous government for those islands, which was referred to the Committee on the Philippines and ordered to be printed.

AMENDMENTS TO APPROPRIATION BILLS.

Mr. GRONNA submitted an amendment proposing to appropriate $100 for the erection of a headstone to mark the grave of Scarlet Crow, a Sioux Indian chief of the Wahpeton Tribe, who was buried March 13, 1867, in the Congressional Cemetery, Washington D. C., etc., intended to be proposed by him to the Indian appropriation bill (H. R. 20150), which was referred to the Committee on Indian Affairs and ordered to be printed.

He also submitted an amendment proposing to increase the total appropriation for support and education of 400 Indian pupils at the Fort Totten Indian School, Fort Totten, N. Dak., for improving the water system and for the construction and equipment of a gymnasium and assembly hall, from $73,500 to $103,500 intended to be proposed by him to the Indian appropriation bill (H. R. 20150), which was referred to the Committee on Indian Affairs and ordered to be printed.

Mr. BRADY submitted an amendment proposing to appropriate $101 to credit the account of William Schuldt, of Lewiston, Idaho, late deputy United States marshal, expended by him in traveling on official business, etc., intended to be proposed by him to the general deficiency appropriation bill, which was referred to the Committee on Appropriations and ordered to be printed.

Mr. OWEN submitted an amendment proposing to appropriate $25,000 for investigation and promotion of efficient instruction and training in citizenship, including personal service in the District of Columbia and elsewhere, intended to be proposed by him to the legislative, etc., appropriation bill (H. R. 19909), which was referred to the Committee on Appropriations and ordered to be printed.

Mr. TILLMAN submitted an amendment providing that hereafter officers of the Navy and Marine Corps appointed student Navy air pilots while lawfully detailed for duty involving actual flying in air craft shall receive the pay of their rank and service plus 35 per cent thereon, etc., intended to be proposed by him to the Naval appropriation bill (H. R. 20975), which was referred to the Committee on Naval Affairs and ordered to be printed.

SHIPMENT OF NAVAL STORES ABROAD.

The PRESIDENT pro tempore. The Chair lays before the Senate a resolution coming over from a former day, which will be read.

The Secretary read Senate resolution 512, submitted yesterday by Mr. HARDWICK, as follows:

Resolved, That the President is respectfully requested, if not incompatible with the public interest, to transmit to the Senate copies of all communications transmitted to or received from the Government of Great Britain touching the recent order of said Government declaring naval stores, turpentine, rosin, and resinous products absolute contraband of war; and the previous order of said Government declaring that the products above enumerated were not contraband of war.

Also copies of any other communications transmitted to or received from any foreign Government in reference to the classification of naval stores, turpentine, rosin, and resinous products as contraband of war.

Mr. HARDWICK. Mr. President, I ask unanimous consent that the resolution just read may go over without prejudice until to-morrow.

The PRESIDENT pro tempore. Such will be the order unless there is objection. The Chair hears none.

GOODS PRODUCED BY CONVICT LABOR.

Mr. HUGHES. I ask unanimous consent to take from the table for consideration the bill (H. R. 1933) to limit the effect of the regulation of interstate commerce between the States in goods, wares, and merchandise wholly or in part manufactured, mined, or produced by convict labor or in any prison or reformatory, a similar bill having been reported by the Senate Committee on Interstate Commerce and is now on the calendar.

The PRESIDENT pro tempore. The Senator from New Jersey asks unanimous consent to take up for consideration at the present time House bill 1933, which is substantially a copy of Senate bill 2321, which has been favorably reported and is now on the calendar.

Mr. HARDWICK. I object, Mr. President.

Mr. HUGHES. Then I move that the bill be taken up.

The PRESIDENT pro tempore. The Senator from New Jersey moves that the Senate proceed to the consideration of House bill 1933.

Mr. STONE. Mr. President, before I can vote upon the motion I should like to know what the bill is.

The PRESIDENT pro tempore. The Senator's request to have the title of the bill stated will be complied with.

The SECRETARY. A bill (H. R. 1933) to limit the effect of the regulation of interstate commerce between the States in goods, wares, and merchandise wholly or in part manufactured, mined, or produced by convict labor or in any prison or reformatory.

Mr. SMOOT. Mr. President, I merely wish to ask what is the calender number of the bill and if a similar bill has been introduced here and reported from the Committee on Interstate Commerce?

Mr. HUGHES. The calendar number of the Senate bill is 672.

The PRESIDENT pro tempore. The bill which the Senator from New Jersey moves to take up at this time is said to be a copy of the bill on the same subject heretofore reported to the Senate and which is now on the calendar.

Mr. SMOOT. Mr. President, I should like to have the bill read, and I will follow it as it is being read.

Mr. O'GORMAN. Mr. President, I ask unanimous consent to make a report out of order from the Judiciary Committee upon two bills.

The PRESIDENT pro tempore. The question is on the adoption of the motion made by the Senator from New Jersey to proceed to the consideration of House bill 1933.

Mr. GALLINGER. Is that a bill which has just been sent down from the other House?

The PRESIDENT pro tempore. The Chair is advised that the bill has been here for some time; that it was referred to a committee; that the committee was discharged from its consideration; and that the bill was ordered to lie on the table, to be considered in connection with the Senate bill on the same subject.

Mr. GALLINGER. Has it been reported back from the committee?

The PRESIDENT pro tempore. The Chair is so advised. The question is on the motion of the Senator from New Jersey.

Mr. SMOOT. I should like to have the bill read before the motion is put.

The PRESIDENT pro tempore. The Secretary will read the bill for the information of the Senate.

The Secretary read the bill, as follows:

Be it enacted, etc., That all goods, wares, and merchandise manufactured, produced, or mined wholly or in part by convict labor, or in any prison or reformatory, transported into any State or Territoy of the United States, or remaining therein for use, consumption, sale, or storage, shall, upon arrival and delivery in such State or Territory, be subject to the operation and effect of the laws of such State or Territory to the same extent and in the same manner as though such goods, wares, and merchandise had been manufactured, produced, or mined in such State or Territory, and shall not be exempt therefrom by reason of being introduced in the original package or otherwise.

The PRESIDENT pro tempore. The question is on the adoption of the motion of the Senator from New Jersey.

Mr. SMOOT. Mr. President——

Mr. McCUMBER. Is that a motion——

The PRESIDENT pro tempore. The Senator from Utah has the floor.

Mr. SMOOT. I want to call the attention of the Senator from New Jersey to the fact that the bill just handed down is not the same as the Senate bill which has been reported.

Mr. HUGHES. I said it was substantially the same bill. I think it comes within the rule. There are but two slight amendments.

Mr. SMOOT. I think they are two very important amendments.

Mr. HUGHES. I do not think they are very important.

Mr. SMOOT. I do not think they are slight amendments. I think they are very vital to the bill.

Mr. HUGHES. They were not so considered by the committee.

Mr. SMOOT. I think it would be best, if the Senator will do so, to ask that the House bill be substituted for Senate bill 2321 and allow it to go over one day, so that we may see just what will be the effect of the proposed changes.

Mr. HUGHES. I should prefer not to take that course.

Mr. SMOOT. Then, Mr. President, I want to say that I am in favor——

The PRESIDENT pro tempore. The motion is not debatable.

Mr. SMOOT. I am aware of that; but I merely want to say a few words by way of explanation.

I am in favor of the bill as reported to the Senate, but I certainly shall vote against the motion submitted by the Senator from New Jersey at this time.

Mr. HUGHES. The Senator from Utah understands that I am simply making my motion to get the bill up for consideration. The question is not on the passage of the bill. The Senator will have abundant opportunity to debate it later.

Mr. GALLINGER. Mr. President, this report has been made, as I understand, this morning. I make the point of order that it should go over for one day under objection.

The PRESIDENT pro tempore. The Chair is advised that the House bill had been referred to the Committee on Education and Labor and that committee had been discharged from its further consideration with the direction that the bill lie on the table, to be considered in connection with the Senate bill on the same subject. That action was taken on March 12, 1914. The House bill has been here since that time.

Mr. SMOOT. Do I understand the Chair to say that this bill has been referred to the committee?

The PRESIDENT pro tempore. The Chair is so advised. The bill was referred to the Committee on Education and Labor on March 9, 1914.

Mr. GRONNA. Mr. President, may I ask that the report of the committee be read?

The PRESIDENT pro tempore. The Senator from New Jersey has the floor.

Mr. GALLINGER. Mr. President, I simply wanted to know the parliamentary status. I should like a little time to look into this bill; I presume it is all right, but my thought was that if it has just been reported from the committee, under our rules it should go over for a day under objection.

The PRESIDENT pro tempore. The ruling of the Chair is to the effect that the House bill is not subject to that rule.

Mr. GALLINGER. If the House bill is not subject to that rule, of course I have nothing further to say about it.

The PRESIDENT pro tempore. The question now properly presented to the Senate is as to whether or not the Senate will proceed to the consideration of the bill.

Mr. GALLINGER. I supposed a House bill held exactly the same status as would a report on a Senate bill, and that this is a report from a committee. I confess I do not quite understand why the rule does not apply; but if the Chair has decided otherwise——

The PRESIDENT pro tempore. The report on the bill was made on the 14th of March, 1914; the bill has been on the table of the Senate ever since. The question is on the adoption of the motion made by the Senator from New Jersey [Mr. HUGHES].

Mr. McCUMBER. Has morning business been closed?

The PRESIDENT pro tempore. Routine morning business is closed.

Mr. SMITH of Georgia. Then one objection prevents the consideration of the bill?

Mr. McCUMBER. I am asking whether routine morning business is closed?

The PRESIDENT pro tempore. Routine morning business is closed; but the morning hour has not yet expired.

Mr. SMITH of Georgia. Then one objection stops it, as I understand, until the close of routine morning business.

The PRESIDENT pro tempore. Objection has been made; but the Senator from New Jersey, in the exercise of an alternative right, has moved to take up the bill notwithstanding the objection.

Mr. SMITH of Georgia. But is that motion in order, Mr. President, before morning business is closed?

The PRESIDENT pro tempore. Routine morning business is closed. The motion would not be in order pending the disposition of routine morning business.

Mr. SMITH of Georgia. I had been out of the Chamber for a moment, and I was told that morning business had not closed.

The PRESIDENT pro tempore. The routine morning business has closed.

Mr. CLAPP. Regular order!

The PRESIDENT pro tempore. The question is on the motion of the Senator from New Jersey to proceed to the consideration of House bill 1933.

Mr. GRONNA. Mr. President, may we have the bill read as it passed the House?

The PRESIDENT pro tempore. The bill as it passed the House has been read at the desk.

Mr. GRONNA. May we have the bill offered by the Senator from New Jersey read?

The PRESIDENT pro tempore. That is the bill that has just been read to the Senate.

Mr. STONE. Mr. President, a parliamentary inquiry. If the motion to proceed to the consideration of this bill, of which I am heartily in favor, should be agreed to, I should like to know whether it would displace the unfinished business?

The PRESIDENT pro tempore. It would not until 2 o'clock.

Mr. GRONNA. Mr. President, as I understand the motion of the Senator from New Jersey, it is to take up this bill, so that it can not now be before the Senate. I simply want the bill read for information.

The PRESIDENT pro tempore. The Secretary has just finished the reading of the bill. That was the last action taken.

Mr. GRONNA. The bill as passed by the House was read, but not the bill as presented by the Senator from New Jersey.

The PRESIDENT pro tempore. The Secretary has not read the Senate bill on the same subject. Does the Senator desire that bill to be read?

Mr. GRONNA. I ask that the Senate bill may be read.

The PRESIDENT pro tempore. The Secretary will read the Senate bill for which it is proposed to substitute the House bill.

The Secretary read the bill (S. 2321) to limit the effect of the regulation of interstate commerce between the States in goods, wares, and merchandise wholly or in part manufactured, mined, or produced by convict labor or in any prison or reformatory, as follows:

Be it enacted, etc., That all goods, wares, and merchandise manufactured, produced, or mined wholly or in part by convict labor, or in any prison or reformatory, transported into any State or Territory of the United States, or remaining therein for use, consumption, sale, or storage, shall, upon arrival and delivery in such State or Territory, be subject to the operation and effect of the laws of such State or Territory to the same extent and in the same manner as though such goods, wares, and merchandise had been manufactured, produced, or mined in such State or Territory, and shall not be exempt therefrom by reason of being introduced in the original package or otherwise.

The PRESIDENT pro tempore. The question is on the adoption of the motion made by the Senator from New Jersey to proceed to the consideration of House bill 1933. [Putting the question.] By the sound, the noes appear to have it.

Mr. HUGHES. I ask for the yeas and nays.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. CHILTON (when his name was called). I have a general pair with the Senator from New Mexico [Mr. FALL], which I transfer to the Senator from Nevada [Mr. NEWLANDS] and vote "yea."

Mr. FLETCHER (when his name was called). I have a general pair with the Senator from Wyoming [Mr. WARREN]. Not knowing how he would vote on this subject if present, I withhold my vote.

Mr. GRONNA (when his name was called). I have a general pair with the senior Senator from Maine [Mr. JOHNSON]. As I do not see him in the Chamber, I withhold my vote.

Mr. HOLLIS (when his name was called). I announce my pair with the junior Senator from Maine [Mr. BURLEIGH] and withhold my vote.

Mr. MYERS (when his name was called). I transfer my pair with the Senator from Connecticut [Mr. McLEAN] to the Senator from Kentucky [Mr. CAMDEN] and vote "yea."

Mr. REED (when his name was called). I transfer my pair with the Senator from Michigan [Mr. SMITH] to the Senator from Oklahoma [Mr. GORE] and vote "yea."

Mr. ROOT (when his name was called). I have a general pair with the Senator from Colorado [Mr. THOMAS]. I do not observe him in the Chamber and therefore withhold my vote.

Mr. CLARK of Wyoming (when Mr. WARREN's name was called). I wished to announce the unavoidable absence of my colleague [Mr. WARREN] and to make the statement that he is paired with the Senator from Florida [Mr. FLETCHER]. I ask that this announcement stand for the day.

The roll call was concluded.

Mr. GRONNA. I transfer my pair with the senior Senator from Maine [Mr. JOHNSON] to the junior Senator from Wisconsin [Mr. STEPHENSON] and will vote. I vote "nay."

Mr. DILLINGHAM. I observe that the senior Senator from Maryland [Mr. SMITH] has not voted. I have a pair with that Senator and therefore withhold my vote.

Mr. JONES. I desire to announce that the junior Senator from Michigan [Mr. TOWNSEND] is detained from the Senate on account of indisposition.

Mr. BRADY (after having voted in the negative). I observe that the junior Senator from Mississippi [Mr. VARDAMAN] has not voted. I have a general pair with that Senator and therefore withdraw my vote.

Mr. SAULSBURY. I transfer my general pair with the junior Senator from Rhode Island [Mr. COLT] to the senior Senator from Indiana [Mr. SHIVELY] and vote "yea."

Mr. CULBERSON (after having voted in the affirmative). As I have a general pair with the Senator from Delaware [Mr. DU PONT], who I observe is not present, I withdraw my vote.

Mr. WILLIAMS (after having voted in the negative). I neglected to state the transfer of my pair. I transfer my pair with the Senator from Pennsylvania [Mr. PENROSE] to the Senator from Alabama [Mr. WHITE] and will allow my vote to stand.

Mr. BRYAN (after having voted in the negative). I have a pair with the junior Senator from Michigan [Mr. TOWNSEND]. Inasmuch as he has not voted I transfer that pair to the junior Senator from Tennessee [Mr. SHIELDS] and will allow my vote to stand.

Mr. HARDWICK. I desire to announce that the junior Senator from Mississippi [Mr. VARDAMAN] is absent on public business. He is paired with the junior Senator from Idaho [Mr. BRADY].

Mr. JAMES. I inquire if the junior Senator from Massachusetts [Mr. WEEKS] has voted?

The PRESIDENT pro tempore. The Chair is informed the Senator has not voted.

Mr. JAMES. I have a pair with that Senator, and therefore withhold my vote.

Mr. REED (after having voted in the affirmative). The Senator from Oklahoma [Mr. GORE] having entered the Chamber and voted, I withdraw the transfer which I announced a moment ago, and I also am compelled, under the circumstances, to withdraw my vote.

Mr. WALSH (after having voted in the affirmative). I am advised that the Senator from Rhode Island [Mr. LIPPITT], with whom I have a general pair, has not voted. I transfer my pair with that Senator to the Senator from Arizona [Mr. ASHURST] and allow my vote to stand.

Mr. WILLIAMS (after having voted in the negative). A moment ago I transferred my pair with the Senator from Pennsylvania [Mr. PENROSE] to the Senator from Alabama [Mr. WHITE]. Since that time the Senator from Alabama has appeared in the Chamber and voted. As I am unable to secure a transfer, I withdraw my vote.

Mr. GALLINGER. I was requested to announce the following pairs:

The Senator from Connecticut [Mr. BRANDEGEE] with the Senator from Arizona [Mr. SMITH];

The Senator from Illinois [Mr. SHERMAN] with the Senator from Virginia [Mr. MARTIN]; and

The Senator from South Dakota [Mr. CRAWFORD] with the Senator from Tennessee [Mr. LEA].

The result was announced—yeas 33, nays 19, as follows:

YEAS—33.

Burton	Kern	Perkins	Sterling
Chamberlain	La Follette	Pittman	Stone
Chilton	Lane	Poindexter	Sutherland
Clapp	Lodge	Pomerene	Swanson
Clarke, Ark.	Myers	Robinson	Thompson
Cummins	Norris	Saulsbury	Walsh
Gore	O'Gorman	Shafroth	
Hughes	Oliver	Sheppard	
Jones	Page	Simmons	

NAYS—19.

Bankhead	Gronna	Overman	Thornton
Bryan	Hardwick	Ransdell	Tillman
Clark, Wyo.	Lee, Md.	Smith, Ga.	White
Gallinger	McCumber	Smith, S. C.	Works
Goff	Nelson	Smoot	

NOT VOTING—44.

Ashurst	Dillingham	Lippitt	Shively
Borah	du Pont	McLean	Smith, Ariz.
Brady	Fall	Martin, Va.	Smith, Md.
Brandegee	Fletcher	Martine, N. J.	Smith, Mich.
Bristow	Hitchcock	Newlands	Stephenson
Burleigh	Hollis	Owen	Thomas
Camden	James	Penrose	Townsend
Catron	Johnson	Reed	Vardaman
Colt	Kenyon	Root	Warren
Crawford	Lea, Tenn.	Sherman	Weeks
Culberson	Lewis	Shields	Williams

So the motion was agreed to; and the Senate, as in Committee of the Whole, proceeded to the consideration of the bill (H. R. 1933) to limit the effect of the regulation of interstate commerce between the States in goods, wares, and merchandise wholly or in part manufactured, mined, or produced by convict labor or in any prison or reformatory.

The PRESIDENT pro tempore. The bill is before the Senate as in Committee of the Whole and open to amendment.

Mr. WORKS. Mr. President, some time ago I gave notice that I would address the Senate this morning upon the Public Health Service. I do not want to interfere with the regular course of the business of the Senate if this bill is to be taken up and voted upon without lengthy discussion. If, however, it is likely to go past the morning hour, I should prefer to proceed with what I have to say under the notice I have given.

I have no assurance upon that question and therefore I shall proceed to the discussion of the subject noticed heretofore.

Mr. McCUMBER. Mr. President——

The PRESIDENT pro tempore. Does the Senator from California yield to the Senator from North Dakota?

Mr. WORKS. I do.

Mr. McCUMBER. In order that the Senator may feel wholly justified in proceeding now I will state to him that there will probably be considerable debate upon this bill.

THE PUBLIC HEALTH SERVICE.

Mr. WORKS. Mr. President, what I am about to say is composed very largely of quotations from others, and extracts from various publications. They are identified in the manuscript I am using. In order to save time I ask in advance that as I come to those portions that I do not desire to read I may omit them, and make them a part of my remarks, without calling attention to each of them separately as I reach them.

The PRESIDENT pro tempore. Unless there is objection, permission will be granted. The Chair hears none.

Mr. WORKS addressed the Senate. After having spoken for some time,

The PRESIDENT pro tempore (at 2 o'clock p. m.) The Senator from California will please suspend until the Chair lays before the Senate the unfinished business.

The SECRETARY. A bill (H. R. 20241) making appropriations to supply urgent deficiencies in appropriations for the fiscal year 1915 and prior years, and for other purposes.

The PRESIDENT pro tempore. The Senator from California may proceed.

Mr. WORKS resumed his speech, and after having spoken for three-quarters of an hour he said:

Mr. President, I have now reached another branch of the subject which I desire to take up. I have been talking for a couple of hours and am somewhat wearied. I shall, with the consent of the Senate, suspend at this point, and I give notice that to-morrow, immediately after the close of the routine morning business, I shall conclude what I have to say.

[Mr. WORKS's speech is printed entire in proceedings of Wednesday, January 6, 1915.]

URGENT DEFICIENCY APPROPRIATIONS.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 20241) making appropriations to supply urgent deficiencies in appropriations for the fiscal year 1915 and prior years, and for other purposes.

Mr. KERN. I suggest the absence of a quorum.

The PRESIDENT pro tempore. The Senator from Indiana suggests the absence of a quorum. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst	Hitchcock	Oliver	Smith, Md.
Bryan	Hughes	Overman	Smith, S. C.
Burton	James	Owen	Smoot
Chamberlain	Johnson	Page	Sterling
Clapp	Jones	Perkins	Swanson
Clarke, Ark.	Kern	Poindexter	Thomas
Cummins	Lane	Ransdell	Thompson
Dillingham	Lee, Md.	Robinson	Thornton
Fletcher	Lodge	Shaforth	Tillman
Gallinger	McCumber	Sheppard	White
Goff	Martine, N. J.	Shields	Works
Gore	Myers	Shively	
Hardwick	Norris	Simmons	

Mr. SHEPPARD. I wish to state that my colleague, the senior Senator from Texas [Mr. CULBERSON], is unavoidably detained on official business.

The PRESIDENT pro tempore. Fifty Senators having answered to their names, a quorum of the Senate is present.

Mr. OVERMAN. Mr. President, there is one item, on page 3 of the bill, which has been passed over. It is under the heading "Military Establishment." I ask that that item be read.

The PRESIDENT pro tempore. The Secretary will read as requested.

The Secretary read as follows:

MILITARY ESTABLISHMENT.

For transportation of the Army and its supplies, including the same objects specified under this head in the Army appropriation act for the fiscal year 1914, $554,371.24.

Mr. SMOOT. Mr. President, in connection with this item I wish to call to the attention of the Senate a number of matters, and perhaps in doing so I ought to read to the Senate——

The PRESIDENT pro tempore. Does the Senator move to strike out the item or modify it in any way?

Mr. SMOOT. Yes, Mr. President, so that the matter may be before the Senate I move to strike out lines 23 to 26, on page 3 of the bill.

The PRESIDENT pro tempore. The question is on the adoption of the amendment of the Senator from Utah.

Mr. SMOOT. Mr. President, in connection with this amendment I think there are a number of questions involved in this general subject which should be brought to the attention of the Senate. In the first place, I wish to state that this item of $554,371.24 is not all that will be asked for at this session of Congress for transportation of the Army and its supplies. I have no doubt that in the next deficiency bill there will be an item of something over a million dollars more for these purposes. I am not going into the question of what the Mexican difficulties have cost the Government, nor am I going into detail as to what the entrance of our Army, by order of the President, into Vera Cruz has cost the Government; but I intend at this time to confine my remarks to the cost incurred by the Government in chartering transports during the year 1914, payment for which has been made from the appropriation for the transportation of the Army and its supplies.

Maj. Gen. James B. Aleshire, Quartermaster General, appeared before the subcommittee of the House Committee on Appropriations in relation to this particular item of $554,371.24. This is the information he gave to that subcommittee:

The CHAIRMAN. The item is as follows:

"Transportation of the Army and its supplies: For all purposes of the appropriation mentioned under this heading in the act of March 2, 1913, making appropriations for the support of the Army for the fiscal year 1914, $554,371.24."

The appropriation was $12,984,980

Gen. ALESHIRE. The amount of the deficiency we have estimated for is required to settle transportation accounts that are due—as they became due on June 30, 1914—for services rendered up to that date. The apportionments were made as provided for by an act of Congress which, I think, was passed in 1906 (Feb. 27), and those apportionments, as made, were approved by the Secretary of War. The deficiencies were incurred in the apportionments for refitting chartered transports, the charter of vessels, and for the payment of travel allowances of enlisted men upon discharge. The amount estimated for refitting chartered transports is $110,000, and the amount estimated for the charter of vessels for use as transports is $411,400, making a total of $521,400. Now, the actual amount expended for refitting chartered transports was $398,991.59, while the amount actually expended for the charter of vessels was $429,663.60—

That, mind you, was up to June 30, 1914—

making a total of $828,655.19. The total of these two amounts exceeded the amounts estimated for by $307,255.19, and that is the deficiency occurring in these two items.

The CHAIRMAN. We gave you in the deficiency bill $5,214,000 in two items.

Gen. ALESHIRE. Yes, sir. When the amounts fell due for refitting chartered transports, on June 30, and when we came to settle for the charter of transports up to that date the bills were presented and we had to pay them. The funds for that purpose were made available by transferring funds, by authority of the Secretary of War, from the apportionments made for settling railroad accounts under the several transportation items. The Secretary of War issued in writing a waiver of the apportionment which was made of the several items, and that enabled us to settle those accounts, but we will have to reimburse the apportionment for paying railroad accounts by that amount.

Mr. POINDEXTER. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Utah yield to the Senator from Washington?

Mr. SMOOT. I do.

Mr. POINDEXTER. What is the state of the law as to the authority of the Secretary of War to take money from one fund and use it for a different purpose than that contemplated by the law? It is stated in the testimony from which the Senator has just read that they took money which was appropriated for railroad transportation and used it for chartering transports. I should like to ask the Senator, if he is familiar with the matter, as to whether or not the Secretary of War has any legal right to do that, and if that extends to all the appropriations for military purposes. If it does, if that is the state of the law, then there is very little use in segregating these appropriations, and we might just as well take the estimate of the War Department for the entire sum needed for the department and appropriate it in a lump sum, if he can transfer a fund appropriated for one purpose and use it for another purpose.

Mr. DU PONT. Mr. President, I suggest the absence of a quorum.

The PRESIDENT pro tempore. The absence of a quorum being suggested, the Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst	Lee, Md.	Reed	Smoot
Brady	Lodge	Robinson	Stone
Clapp	McCumber	Root	Swanson
Clarke, Ark.	Martine, N. J.	Saulsbury	Thornton
du Pont	Overman	Shafroth	Tillman
Hitchcock	Owen	Sheppard	Weeks
James	Page	Shields	White
Johnson	Perkins	Shively	Williams
Kern	Poindexter	Smith, Ga.	Works
Lane	Pomerene	Smith, S. C.	

Mr. SHEPPARD. I make the same announcement as before in regard to my colleague [Mr. CULBERSON]. He is detained on official business.

The PRESIDENT pro tempore. Thirty-nine Senators having answered to their names, a quorum of the Senate is not present. The Secretary will call the list of the absentees.

The Secretary called the names of absent Senators, and Mr. HOLLIS, Mr. HUGHES, Mr. STERLING, Mr. THOMAS, and Mr. THOMPSON answered to their names when called.

Mr. BANKHEAD, Mr. JONES, Mr. HARDWICK, Mr. DILLINGHAM, Mr. BRYAN, Mr. MYERS, Mr. NORRIS, Mr. PITTMAN, Mr. GORE, Mr. CAMDEN, Mr. LA FOLLETTE, Mr. OLIVER, Mr. SMITH of Maryland, Mr. CHAMBERLAIN, Mr. GALLINGER, Mr. CUMMINS, and Mr. BURTON entered the Chamber and answered to their names.

The PRESIDENT pro tempore. Sixty-one Senators having answered to their names, a quorum is present. The Senator from Utah will proceed.

Mr. SMOOT. Mr. President, in answer to the question of the Senator from Washington [Mr. POINDEXTER], I will state that I know of no law that authorizes the Secretary of War, or the head of any other department of the Government, to transfer funds from one account to another after the apportionment has been made. The Senator will remember that but yesterday we had this same question up in regard to the Forestry Service. The amount is taken from the lump-sum appropriation. In this case it was $12,984,980. Under the act of February 27, 1906, the apportionments were made, and after those apportionments were made the Secretary of War issued a written authority to transfer from one account to the other. Now, we are asked to appropriate here in a deficiency bill to take care of that, so that each account can be credited with the amount of the deficiency.

Mr. OVERMAN. If that were not so, if the Senator will yield to me, we would have no deficiency.

Mr. SMOOT. We would have a deficiency.

Mr. OVERMAN. Every department does that. It has been the rule, and that is what I complained about yesterday.

Mr. SMOOT. And I think every member of the Appropriations Committee and every Member of Congress ought to complain against that practice. It is not ceasing. The matter has been called to the attention of the heads of departments in the past, but it is increasing.

Mr. POINDEXTER. Mr. President, if that authority exists, if we should appropriate money for maintaining one branch of the Army the Secretary of War could use it for maintaining another branch of the Army, and the purpose of Congress would be entirely defeated. If that principle prevails, the Secretary of the Navy could take money that was appropriated for constructing ships and use it in the maintenance of navy yards, and the ships which were authorized by Congress would not be constructed, because there would be no money for their construction.

I asked the question only because I was surprised to hear from the report of the committee that such a thing had been done.

Mr. SMOOT. This is a statement of the Quartermaster General, and not a report.

Mr. POINDEXTER. It is contained, as I understand, in the hearing before the committee?

Mr. SMOOT. Yes. I will say to the Senator, however, that in the past the head of every department has relied upon the generosity of Congress, and in the past it has never yet been denied them whenever a deficiency has been asked for the pur-

pose of repaying an amount which has been used for one purpose, but which belonged to another. The practice is growing, and growing rapidly, and it ought to cease.

Mr. POINDEXTER. It looks to me as though, when the money is obtained from some other fund, the emergency is ended. The head of the department has met the emergency by depleting another fund from which he has no legal authority to take money for that purpose.

If we are to have an emergency appropriation, it seems to me the real emergency should be presented to Congress. For instance, if there is an emergency for chartering transports, instead of taking money that was appropriated by Congress for another purpose to pay for the transports, the matter should be presented to Congress for the purpose for which it is needed, and let Congress act upon the emergency. Then we would have a bill which in truth and in fact would meet the emergencies of the Government.

Mr. ROOT. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Utah yield to the Senator from New York?

Mr. SMOOT. I do.

Mr. ROOT. If the Senator will permit me, does the Senator from Utah mean to say that the head of a department transfers money from one specific appropriation to another and different appropriation?

Mr. SMOOT. I mean to say that, Mr. President; and I say it upon the word of Gen. Aleshire; and I will read to the Senator what the general says:

The CHAIRMAN. We gave you in the deficiency bill $5,214,000 in two items.

Gen. ALESHIRE. Yes, sir. When the amounts fell due for refitting chartered transports, on June 30, and when we came to settle for the charter of transports up to that date the bills were presented and we had to pay them. The funds for that purpose were made available by transferring funds, by authority of the Secretary of War, from the apportionments made for settling railroad accounts under the several transportation items.

Now—

The Secretary of War issued in writing a waiver of the apportionment which was made of the several items, and that enabled us to settle those accounts, but we will have to reimburse the apportionment for paying railroad accounts by that amount.

Mr. ROOT. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Utah further yield to the Senator from New York?

Mr. SMOOT. Certainly.

Mr. ROOT. The process which the Senator from Utah has described by reading from the testimony of the Quartermaster General of the Army is not what I understood the Senator from Washington to describe, and it is not what I described in my question. The action which the Quartermaster General describes is a transfer from one category or division of expenditure established not by Congress but by the Secretary of War——

Mr. SMOOT. Established by law.

Mr. ROOT. To another division of expenditure established by the Secretary of War. That is, we make an appropriation for transportation.

Mr. SMOOT. No; we have been making a lump appropriation of $12,984,980, and that was apportioned.

Mr. ROOT. By the Secretary of War.

Mr. SMOOT. By the Secretary of War, under an act of Congress of February 27, 1906.

Mr. ROOT. Yes. The act of Congress required the Secretary of War to apportion it. Congress did not apportion it. Congress did not say, "So much shall be paid for railroad transportation and so much shall be paid for transportation by water"; it required the Secretary of War to apportion it, and it was his apportionment that he amended or changed.

It is not a case of taking money across the line that Congress had established. That would be so wholly illegal that I can not suppose that the vouchers would pass the accounting officers of the Government. It is quite a different thing for the Secretary of War to amend or modify his own apportionment of a lump appropriation, changing it from one specific object under that appropriation to another specific object under that appropriation. That is quite a different thing from taking money appropriated for one purpose and applying it to another purpose.

Mr. SMOOT. Well, only yesterday we had the same thing in the Forestry Service. We made a direct appropriation of $150,000 for fighting forest fires, and in a miscellaneous item in the same bill following we gave an additional amount of $100,000 for the same purpose, making $250,000. Now they come, in this very bill, and ask for three hundred thousand and some odd dollars more, that they have already expended.

In this particular case, I will say to the Senator from New York, where they have tried to transfer the apportionment to some other account, the auditor would not pass it; and the transfer was made, as Gen. Aleshire stated and, in order that it might get past the auditor. Now they come in and ask for this deficiency of $554,000; but the $554,000 is not entirely for the transports nor for the deficiency in refitting the transports. It also applies to the deficiency in the travel allowance of enlisted men upon discharge. They apportioned a certain amount of the $12,000,000 for that purpose, and a part of this deficiency is for that purpose.

Mr. OVERMAN. Mr. President, this was transferred from the transportation account of $12,000,000.

Mr. SMOOT. Well, that is the general account, the general lump sum.

Mr. OVERMAN. Therefore the Secretary of War having apportioned that much and transferred it, he had a right to transfer it again and make another apportionment. That is all he did.

Mr. SMOOT. Oh, no. He could not make the second apportionment without taking it from some other account that had already been created by the apportionment under the act of February 27, 1906.

Mr. ROOT. Mr. President, is the apportionment to which the Senator refers the apportionment by months?

Mr. SMOOT. No; by years—for the fiscal year ending June 30, 1915.

Mr. ROOT. I mean it is declaring that so much of the lump appropriation of $12,000,000 shall be used for railroad transportation, so much for——

Mr. SMOOT. So much for travel allowance to enlisted men upon their discharge.

Mr. ROOT. So much for another purpose and so much for another?

Mr. SMOOT. Yes.

Mr. ROOT. But not applying by months?

Mr. SMOOT. Not applying by months; by the year. Now, they have used not only the appropriation for the full year but $554,000 more.

Mr. ROOT. The whole $12,000,000?

Mr. SMOOT. Not only that, Mr. President, but you will find out when the next deficiency bill comes in that for transports alone there will be over a million dollars more.

Mr. ROOT. May I ask the Senator, then, how this was paid—how these payments in excess of the whole appropriation got past the accounting officers?

Mr. SMOOT. I can only tell that by what Gen. Aleshire says.

Mr. LODGE. If the Senator will allow me, they had money in one division of the apportionment.

Mr. SMOOT. Yes.

Mr. LODGE. They took that money to pay for the boats. Then in two or three months the deficiency thus created appears in the division from which the money was taken, and they have to make it good in that division.

Mr. SMOOT. That is exactly what Gen. Aleshire says.

Mr. LODGE. There is no deficiency in the pay of enlisted men, except that they took money out of that to pay for steamboats.

Mr. SMOOT. That is what the general says. I will go on and read what the general says in relation to the travel allowance to enlisted men upon their discharge.

Mr. HITCHCOCK. Mr. President, before the Senator proceeds will he permit me to ask him a question?

Mr. SMOOT. Certainly.

Mr. HITCHCOCK. Was not that expenditure made by reason of an emergency which had arisen, and did not Congress specifically authorize that expenditure by a joint resolution asked for by the President and voted for by both Houses?

Mr. SMOOT. No, Mr. President; Congress never authorized the expenditure. In the resolution the Senator speaks of there is no mention whatever of a dollar of appropriation.

Mr. HITCHCOCK. I realize that; but let me read the resolution which Congress adopted at that time.

Mr. SMOOT. I will say to the Senator, before he reads the resolution, that our Army had been ordered into Vera Cruz before ever the Senate passed upon that resolution.

Mr. HITCHCOCK. Just let me put it in the RECORD at this point:

That the President is justified in the employment of the armed forces of the United States to enforce his demand for unequivocal amends for certain affronts and indignities committed against the United States.

That was adopted and approved April 22, before the department incurred these expenditures. Now, does the Senator criticize the department for doing what it was ordered to do by the President and authorized to do by Congress?

Mr. LODGE. It is the method.

Mr. SMOOT. Mr. President, I have not criticized the President for doing what he did after Congress acted upon the ques-

tion. I am criticizing the method. It is not only this case, but it is in every department of the Government, and it ought to be stopped. The Senator knows that if an emergency arose and the President or the head of the War Department should ask that a bill be passed through Congress, it would not take very many days to do so, and the appropriation could have been made directly and would have been made directly, I have no doubt. That has not been the policy in the past, however; it is not the policy to-day; and if there is not some criticism made of it by Congress it will not be the policy in the future.

Mr. HITCHCOCK. Mr. President, there is a vast difference between the act of an administrative officer in diverting funds which Congress has voted for a specific purpose and the act of an administrative officer in diverting funds from one branch of the service to another after Congress has made a lump-sum appropriation and after Congress has specifically authorized the act that must be paid for at some time. It is not very important whether Congress specifically votes the appropriation after the act or before the act, as long as it is authorized.

Mr. SMOOT. Mr. President, if there was to have been any expense attached to the resolution the expense ought to have been estimated for, and it should have been a part of the resolution. That is the way we do with every other demand made by the departments at the beginning of a fiscal year, and that should be the practice in every expenditure of money by any department of our Government. Congress then would know what the money was going to be spent for or would demand to know what it was to be spent for. Congress would know whether it was necessary to have all these transports tied up here from April 23 until December 12 of this year, some of them costing a thousand dollars a day, and we spending $118,000 to refit them, and never leaving the wharf—tied up at the wharf all the time.

I do not believe Congress would agree to any such thing as that, and I do not believe it is necessary. Therefore not only do I criticize this, but I criticize the method of using for one purpose money that has been appropriated for another purpose.

Gen. Aleshire says, further:

> The act of Congress provided that travel allowance should be paid at the rate of 2 cents per mile, or transportation in kind and subsistence; but the Paymaster General's estimate included only $300,000, it being made on the basis that the Paymaster General's Office would only pay mileage at 2 cents. In the Quartermaster's Department estimate there was no amount included for that item, and in the Subsistence Department's estimate no amount was included, because we had never included it. Therefore when we came to have our hearing before the Military Affairs Committee I explained the situation to the committee, as set forth on pages 61 and 62 of the hearings. I invited attention to the fact that the comptroller had ruled that this allowance was properly paid from one appropriation—not from three appropriations, but from a single appropriation—and with a view to carrying out the comptroller's ruling, I recommended that the item be transferred from appropriation Pay of the Army to the appropriation Transportation of the Army and its supplies. Then it was stated that considering the expenditures made in previous years by the Pay Department on the 4 cents per mile basis, this amount of $300,000 would be too small, but that in making the apportionment for the fiscal year 1914 I would recommend to the Secretary of War such an additional amount from Army transportation as we could spare and endeavor to get along. We were only able to add to that $300,000 the sum of $86,300 by apportionment, which made available for the purpose of paying the travel allowance of enlisted men the sum of $386,300. Now, there was actually expended on this account $842,690.52, or an excess of $456,390.52. At the end of the fiscal year there were unexpended balances from other apportionments, or apportionments to other items of Army transportation, which amounted to $209,274.47. This amount of $209,274.47 was applied to the settlement of the claims on account of the travel allowance of enlisted men on discharge, thereby reducing that deficiency to $247,116.05. That amount, with the $307,255.19, the amount of the deficiency incurred in the refitting of chartered transports and the charter of transports, makes the total of the estimate $554,371.24.
>
> The CHAIRMAN. The deficit on account of the refitting of chartered vessels and the charter of vessels was occasioned by the situation in Mexico?
>
> Gen. ALESHIRE. Yes, sir.
>
> The CHAIRMAN. Do you know how many vessels were chartered?
>
> Gen. ALESHIRE. There were 11 vessels chartered.
>
> The CHAIRMAN. Have you a statement covering that?
>
> Gen. ALESHIRE. I have a statement here giving the names of the vessels, their gross tonnage, capacity, date of charter, rate of charter per day, cost of refitting, cost of charter to June 30, 1914, and port where refitted.

In this connection I wish to call attention to those vessels.

The *San Marcos* has a gross tonnage of 2,839 tons and her capacity is 377 men and 320 animals. She was chartered April 24, 1914, and the rate of charter per day was $600. The cost of refitting was $4,843.06. The cost of charter to June 30, 1914, was $40,800.

The next was the *Denver*. I will simply give the cost of charter per day, the cost of refitting, and the cost of charter to June 30, 1914, in each case, so that I shall not have to repeat the heading of each.

The *Denver* was chartered May 10, 1914. The rate of charter per day was $910; the cost of refitting was $12,456.48; the cost of charter to June 30 was $47,320.

The *Colorado* was chartered May 12 at a rate of $442 per day; the cost of refitting was $4,391.81; the cost of the charter to June 30 was $23,868.

Mr. STONE. How much was the tonnage?

Mr. SMOOT. The tonnage was 2,764.

The *Satilla* was chartered April 25, 1914, at $450 a day, with a refitting charge of $3,382.18. The cost of charter to June 30, 1914, was $30,150.

The *Ossabaw* was chartered May 9, 1914, at $425 a day; the cost of refitting was $4,918.40; the cost of charter to June 30 was $22,525.

The *City of Memphis* was chartered May 9. The rate of charter per day was $1,000; the cost of refitting was $100,195.60; the cost of charter to June 30 was $53,000.

The *City of Macon*, on May 9, was chartered at $1,000 a day; the cost of refitting was $118,287.28; the cost of charter was $53,000 to June 30.

The *Kansan* was chartered May 9 at $1,200 a day; the cost of refitting was $10,195.41; the cost of charter to June 30 was $63,600.

The *Minnesotan* was also chartered May 9 at $900 a day; the cost of refitting was $69,675.25; the cost of charter to June 30 was $47,700.

The *Panaman* was chartered May 11 at $900 a day; the cost of refitting was $60,665.07; the cost of charter to June 30 was $45,900.

The *Dorchester* was chartered May 9 at $405.92 a day; the cost of refitting was $981.05; the cost of charter to June 30, although it was released before June 30, was $1,800.60.

In other words, Mr. President, the cost of charter per day, on an average, was $8,232.92; the cost of refitting was $398,981.59; the cost of charter to June 30 was $429,663.60.

Mr. STONE. The total?

Mr. SMOOT. The total to June 30.

Mr. STONE. Does that include the refitting?

Mr. SMOOT. No; that is the total for the charter vessels to date.

Mr. STONE. The refitting is added?

Mr. SMOOT. No; the refitting was $398,981.59.

Mr. STONE. So altogether about a million dollars——

Mr. SMOOT. No; about $800,000. I can give the exact amount.

Mr. STONE. Approximately.

Mr. SMOOT. A little over $800,000 to June 30.

Mr. STONE. Then the Government paid for the refitting?

Mr. SMOOT. The Government paid for the refitting.

Mr. STONE. It would have been better for the Government to have bought the vessels.

Mr. SMOOT. As to some of them it would have been, but, then, with other vessels, such as the *City of Macon* and the *City of Memphis*, it would not have been.

Mr. STONE. Is not that a pretty good argument in favor of the Government ownership of vessels to be used for this service?

Mr. SMOOT. Certainly they should not be used in this way. I do not think that this was Government economy.

Mr. President, that is not all. I have here a letter giving the dates of the release of these vessels.

The *San Marcos* was released December 12 last, the *Denver* December 11, the *Colorado* September 23, the *Satilla* September 23, the *Ossabaw* September 23, the *City of Memphis* December 14, the *City of Macon* October 8, the *Kansan* December 9, the *Minnesotan* October 3, and the *Panaman* October 3.

So it will cost the Government for the transports alone from June 30 to the date of release $1,118,895, or for these transports that they have held from the time that they were chartered until the date of their release an amount equal to $1,540,188.76.

Now, when the next deficiency appropriation bill comes in we will have an item for $1,118,895. They are already discharged, the money is due, and I can not see why that was not put in this deficiency bill and have one item covering the whole amount.

Mr. CUMMINS. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Utah yield to the Senator from Iowa?

Mr. SMOOT. I yield to the Senator.

Mr. CUMMINS. I am curious to know whether the Senator from Utah is of the opinion that these transports ought not to have been chartered.

Mr. SMOOT. I am of the opinion that they should not have been held until December 12.

Mr. OVERMAN. If the Senator will permit me, our troops were at Vera Cruz waiting to return. We had chartered these vessels. No one knew when those ships would have to come back. Is it the Senator's idea that we ought to have released those vessels and then chartered and refitted other vessels when

there was no telling when the troops would have to be brought back?

Mr. SMOOT. It would be very much easier to do that than to do what was done. Not only that, but no one had an idea that there would be some 11 vessels wanted for the transportation of the few men we had in Mexico.

Mr. CUMMINS. I am trying to ascertain——

Mr. SMOOT. Not only that, Mr. President, but I do not believe there are many people in this country who did not know that after the A B C mediators had passed upon the question, and it had been agreed to by whatever authority or government there was in Mexico, and agreed to by our President, there was no need of any troops being retained at Vera Cruz.

Mr. OVERMAN. They were there.

Mr. SMOOT. They were there; but there was no necessity for them to go there.

Mr. CUMMINS. I am trying to ascertain whether the line of criticism of the Senator from Utah is on account of bookkeeping in the department or whether it is upon the conduct of the department in putting the Government to this unusual and extraordinary expense.

Mr. SMOOT. I did not quite catch what the Senator said.

Mr. CUMMINS. The Senator is evidently of opinion that something has been done that ought not to have been done. I want to know whether his criticism is based upon the transfer from one account to another of a certain part of the appropriation of last year or whether it is in incurring the expense itself.

Mr. SMOOT. Both.

Mr. CUMMINS. The former seems to me to be rather a trivial matter. The latter is a very serious matter.

Mr. SMOOT. Both, Mr. President, and I do not look at the former as very trivial. If the heads of this Government can transfer appropriations from one account to another and then go beyond all the appropriations made for the purpose without saying a word to Congress and come in at every session with a deficiency and we pass bills here covering those deficiencies without a word of complaint or without a word of warning to them that they must cease that practice, what is the use of having appropriation bills? We might just say to the heads of departments: "Go and spend all the money you want and then we will pass a bill to cover it."

Mr. CUMMINS. I listened with a good deal of interest to the colloquy between the Senator from New York [Mr. ROOT] and the Senator from Utah. I have been unable yet to reach a conclusion as to what has really been done. If we appropriated $12,000,000, or a matter like that, for a certain range of purposes, and the Secretary of War, looking forward to the various needs of the branches of the service, apportioned at the beginning of the year this lump appropriation to various objects, I can see nothing wrong at all if he finds that he was mistaken in his apportionment in recasting it and taking from one account and putting it in another. But I can see something very wrong in committing the Government to an expense in excess of the appropriation itself. I have not been able to find out yet, although I assume it is because I am unfamiliar with the subject, whether the real objection here is because the Government has spent too much money or more than was authorized by Congress, or whether it is because the Secretary of War was not able to accurately apportion the appropriation at the beginning of the year.

Mr. SMOOT. I will say to the Senator that in all my experience in this body I have never yet known a transfer of money from one account to another and then a deficiency asked for to cover that amount that the apportionment for any other account in the department has been cut down one cent.

Mr. CUMMINS. Does that mean that the twelve million and odd dollars which Congress appropriated for these several purposes will be insufficient to cover the expenses incurred by the Government in those several services?

Mr. SMOOT. There is no doubt of it. I will say to the Senator right now that this is not the only deficiency that there will be, nor is the one that I have already called attention to all that we know will be asked for, but there will be other deficiencies for other apportionments in that department and in nearly every other department of the Government.

Mr. CUMMINS. That is what I am trying to find out. Is it true that the officers of our Government incur obligations in excess of the amount appropriated for a specific purpose?

Mr. SMOOT. Undoubtedly.

Mr. OVERMAN. It always has been so.

Mr. SMOOT. It became so bad in 1906 that we passed an act here specifically stating that they should not do it, and in that act there was a proviso that, except in case of sudden emergency involving the loss of human life or the destruction of property, it should not be done.

I feel that I am warranted in making this assertion. If the Senator would go and ask the Secretary of War to-day whether he was authorized by law to spend the money that this item is for, he would say, "No; I was not authorized by law."

Mr. OVERMAN. He says in his report that he submitted it to the legal authorities, and they said he had a right to do it. The Senator read that.

Mr. SMOOT. I will say now that when we had a representative of the State Department before us in relation to the payment of the deficiency for the interned Mexicans and he was asked whether there was any law that would allow the payment of that money for caring for those interned he admitted that there was no law covering such a case.

Mr. OVERMAN. The law I put in the RECORD yesterday prevents him from using this money except as stated in the proviso—to protect life or prevent the destruction of property. The Mexicans were interned to save life, and I suppose that is the way they construed the law

Mr. SMOOT. There was no such excuse, even, given by the department.

Mr. CUMMINS. Putting aside the Mexican case, I understand both the acting chairman of the Committee on Appropriations and the Senator from Utah, who is a member of the committee, are agreed that the departments spend regularly more than is appropriated for the purpose and then ask Congress to supply the deficiency.

Mr. OVERMAN. Ever since I have been here that has been the practice. We have what is known as an urgent deficiency bill and we have what is known as a deficiency bill. Toward the last of the session we shall have another bill called the deficiency bill. This is an urgent deficiency bill.

Now, take the Forest Department. They did not do like the War Department. I will ask the Senator from Oregon [Mr. CHAMBERLAIN] to listen. They transferred from another account and spent $600,000 in six months for forest fires. That is what I was criticizing. That was a more flagrant abuse of law than this. My criticism is that the deficiency ought not to be made unless it is necessary for the protection of life and property.

Mr. CUMMINS. I see no such exception in this bill, although it may be there.

Mr. OVERMAN. Yes.

Mr. CUMMINS. But, however, that may be——

Mr. OVERMAN. If the Senator will pardon me, the law reads, "except in cases of sudden emergency."

Mr. CUMMINS. The statement is extraordinary. I did not know our administrative officers looked upon it as within their power to spend money or to commit the Government to the expenditure of money beyond the amount appropriated and then ask for a reimbursement. I supposed that deficiency bills were to cover expenditures yet to be made.

Mr. SMOOT. I will go further, and tell the Senator that many of the bureau heads in the departments go to work and will hire men and put them on work with no appropriation whatever made to pay them. It goes on that way, and it will be paid out of some account or other until the end of the year, and then the deficiency bill is brought in, and we are told that the money has been spent, and it must be paid; that we owe those men for so many months of labor.

Mr. CUMMINS. None of those officers have ever been punished for this plain violation of the law?

Mr. SMOOT. No; and not only that, Mr. President, but if we do as we have done in the past it will not cease, as I said, and it is going to grow.

Mr. CUMMINS. I should think the Senator from Utah, having known of these things, would have put in motion long ago the processes of the law to punish those who have been guilty of such plain violations of the law.

Mr. SMOOT. I think the Senator from North Carolina [Mr. OVERMAN] and myself have called attention to these matters every time that there has been a deficiency bill considered.

Mr. STONE. Mr. President, may I ask the Senator from Utah a question? I understand that there was a lump-sum appropriation of approximately $12,000,000 for the purpose of transporting troops and the like.

Mr. SMOOT. That was a general appropriation for many purposes.

Mr. STONE. That was the amount appropriated. Now, if the emergency had never occurred which seemed to necessitate the transportation of troops from the barracks where they were stationed, perhaps, in different parts of the country to the seacoast and thence by ships to Vera Cruz, and if this extraordinary expense had not been made, then this deficiency would not have arisen. Is that correct?

Mr. SMOOT. Perhaps the one in this particular account would not have arisen.

Mr. STONE. I am speaking of this particular one, as that is the one now under discussion by the Senator.

If that be true, then if there was an emergency of sufficient moment to justify the President in taking the action he took, and which action was approved and justified by the act of Congress, can it be said that the expenditure was not a legitimate one? Can it be said that in the circumstances Congress should not reimburse the Treasury or make whatever payment was necessary to meet the expense?

Mr. SMOOT. Mr. President——

Mr. STONE. If the Senator will pardon me a second, I do not wish to trespass upon him but to make this observation: The Senator from Iowa [Mr. CUMMINS] expresses astonishment—and I am not out of sympathy with what he said altogether—that the administrative officers should assume to make expenditures in excess of the appropriation. As a rule I think that practice should be discouraged and forbidden, and if indulged in in some way punished, whether punished by refusing to make appropriations to meet deficiencies and therefore impose losses upon innocent people or punish the executive officials guilty of the offense by some judicial procedure in the courts. But undoubtedly emergencies will arise or may arise when the President can not wait even the presence of the Congress, much less to summon Congress and wait for it to come and then take action. If a foreign power, for example, should send an army of invasion across our border we would not expect the President to wait until Congress could be assembled and take action before he would resist it. To resist it would require large expenditures not authorized by act of Congress but justified by the emergency, and Congress would not hesitate to appropriate to meet it.

Mr. SMOOT. I agree with the statement of the Senator, Mr. President, but this particular item is not such as that. Congress was in session on June 30. A bill introduced in the House of Representatives for this purpose would have passed that House any day; it would have come to this body and been referred to the Committee on Appropriations, and the Appropriations Committee would have reported it likely the very day it was referred to the committee and the appropriation made. There is no trouble at all in a case such as the Senator recites. No one would hesitate to appropriate for it in either House of Congress. But that has not been the practice, Senator.

Mr. CHAMBERLAIN. May I make a suggestion to the Senator? I differ from the Senator in the position he assumes that these expenditures were not authorized by law. As a matter of fact, they were authorized by law. They were created under current statutes, and it was such deficiency as the War Department had a right to incur. For instance, the statute upon which the Senator bases his objection, page 49 of the Statutes at Large, volume 34, part 1, provides that—

> No executive department or other Government establishment of the United States shall expend, in any one fiscal year, any sum in excess of appropriations made by Congress for that fiscal year, or involve the Government in any contract or other obligation for the future payment of money in excess of such appropriations unless such contract or obligation is authorized by law.

Mr. SMOOT. The Senator is wrong in assuming any such statement as that. We are discussing the question of transferring an appropriated amount from one fund to another, and that is prohibited by the act of February 27, 1906, not the act the Senator has referred to at all. The question the Senator from Iowa [Mr. CUMMINS] brought up had reference to the act the Senator now refers to.

Mr. CHAMBERLAIN. That is the reason why I thought the Senator was addressing himself to this particular section. The position I take——

Mr. SMOOT. The section had reference to the appropriation in this bill for the prevention of forest fires. That is the section of the law Mr. Graves invoked to justify his expenditure of $339,000 more than was appropriated for that purpose last year.

Mr. CHAMBERLAIN. If the Senator will pardon me just a moment, the position is that here the War Department must carry out certain obligations created by statute. For instance, they are required to pay the Army; they are required to transport the Army from one point to another. They are required to repair these transports and fit them for the use of the Army. If Congress at any particular session fails to make an appropriation sufficient to carry out these purposes, the obligation is on the department to perform such service anyway, and any obligation that they create is a proper one to be paid.

Mr. SMOOT. No one has denied that, Mr. President; I have not criticized the amount of the appropriation; but in this connection I call attention to the appropriation that is yet to come. Nobody is going to say that they should not have kept the transports until June 30; nobody will deny that that was the proper thing to do; but that is not what they did. They kept the transports until December 12, and there is an obligation of $1,118,895 made for those transports that is not included in this amount.

Mr. CUMMINS. Mr. President, I am more mystified than ever. I tried to find out whether the criticism was lodged against the discretion reposed in the department or in the President, or whether it was laid against a violation of law. The former is, of course, a mere matter of opinion and the department might find a defender; but as against the other they could have no defender. What I have been trying to discover is, whether the War Department in making the expenditure or in incurring the obligation of which the Senator from Utah [Mr. SMOOT] has spoken violated the law. I understood the Senator from Utah to say that they had violated the law.

Mr. SMOOT. I say they did so in the transfer of the funds from one account to another.

Mr. CUMMINS. Let us see about that. Is there any law that forbids the head of a department recasting the apportionment that he may make at the beginning of a year?

Mr. SMOOT. There is no law authorizing him to do so, but there is a law stating what he shall do.

Mr. OVERMAN. That he shall apportion the amount.

Mr. SMOOT. That he shall apportion the amount.

Mr. CUMMINS. Precisely; but certainly it can not be urged that if the head of the department is mistaken in his estimate of what would be required for the various services he can not correct that mistake.

Mr. OVERMAN. Or reapportion the amounts.

Mr. CUMMINS. But if he expends more as a whole than the law permits him to spend, then it seems to me he is justly open to censure.

Mr. SMOOT. Mr. President, to show the Senator from Iowa that the law means that the apportionment shall be made and strictly adhered to, I want to call his attention to the fact that wherever there is an apportionment made for any purpose in any department of this Government and that apportionment is insufficient, if there are funds that have been transferred from another account to that particular account, we always find the appropriation bills providing for the deficiency for the original apportionment. It is not a general deficiency nor does it become a general deficiency; it becomes a deficiency of the account to which the first apportionment was made that fell short of being sufficient to carry out the orders of the department.

Mr. CUMMINS. Suppose the account from which the money is taken in order to supply the needs of the service that has not been anticipated should be abundant for this other purpose, then there would not be any deficiency at all?

Mr. SMOOT. There would be this deficiency in the account and the auditor would so hold. Not only that, but the amount would be retransferred back to the account from which the amount was taken.

Mr. CUMMINS. So far as Congress is concerned, there would be no deficiency.

Mr. SMOOT. So far as dollars and cents are concerned, if any such thing ever happened; but I want to say to the Senator that it happens so seldom that it is hardly worth considering, for no appropriation was ever made by Congress that was not all used up except in very rare instances. In the case which the Senator cites, if the money had not been spent, that amount of money would go back into the Treasury of the United States from the account and the apportionment that was originally made.

Mr. CUMMINS. Would it not be retransferred to some other account?

Mr. SMOOT. No; not under the law.

Mr. OVERMAN. If the Senator will pardon me, it is only a question of bookkeeping. The heads of departments do not actually spend more money than is appropriated.

Mr. CUMMINS. That is what I want to find out.

Mr. OVERMAN. If we appropriate $3,000,000 for the Forestry Service they do not spend more than three millions.

Mr. SMOOT. Yes; they do.

Mr. OVERMAN. They do not spend more than the total amount appropriated, though they may spend from this amount more than is appropriated for a certain purpose. If, for instance, the War Department should have an appropriation of $110,000,000, they may spend more for certain items than had been apportioned for them, and then they borrow the amount from some other apportionment.

Mr. CUMMINS. Now, I wish to ask the Senator from North Carolina a question. It has been stated here that we appropriated something like $12,000,000 for certain purposes.

Mr. OVERMAN. For travel pay and transportation.

Mr. CUMMINS. At the end of the year, was there more spent for all those purposes or were there more obligations incurred for those services than the $12,000,000?

Mr. OVERMAN. There would be if we did not pass this deficiency appropriation bill.

Mr. CUMMINS. Then, somebody violated the law, unless they can find authority under some other provision of the statute.

Mr. OVERMAN. Gen. Aleshire says he has got authority for it. The authority is to allow this apportionment of a lump sum. It is more flagrant in some things than in others. This was a lump sum of $12,000,000 that was apportioned to this fund for travel pay and for some other purposes—I have forgotten the various items. He transfers from one to another fund and spends the $559,000 which had been apportioned to another fund by the Secretary himself, and not by Congress.

Mr. LODGE. Will the Senator from Utah yield to me for a moment?

Mr. SMOOT. Certainly.

Mr. LODGE. The shifting from one apportionment to another, I am inclined to think, he had a right to do; but the net result is that there is a deficiency of $554,371.24 over and above the appropriation of the lump sum.

Mr. SMOOT. There is no doubt of that.

Mr. OVERMAN. Of course, the deficiency is here.

Mr. CUMMINS. And that is a violation of law?

Mr. LODGE. That is what the Senator from Iowa is trying to get at.

Mr. CUMMINS. That is what I am trying to find out. That is a violation of law, unless authority for it can be found outside of the appropriation.

The Senator from Missouri [Mr. STONE] suggested that the excursion into Mexico might be regarded as an emergency—I call it "an excursion"; I possibly ought to call it "an invasion"—but that was not for the purpose of saving life or saving property definitely and specifically. That was for the purpose of securing reparation for an insult. There was no emergency with regard to that offense against our country that could bring it within this statute, nor do I think it would fall within the general principle that has been stated by the Senator from Missouri, with which every loyal man must agree. Does the Senator from Oregon [Mr. CHAMBERLAIN], who cited certain other statutes, concur in the general statement that the President of the United States or the Secretary of War had no authority to incur this obligation or to authorize the expenditure?

Mr. CHAMBERLAIN. I think he had a right to authorize it.

Mr. CUMMINS. Under what statute?

Mr. CHAMBERLAIN. Under the theory that he is in duty bound, under contracts that have already been made to pay the privates—the enlisted men of the Army—so much money; that he is bound under contracts that are made with the officers of the Army to pay them so much; and wherever Congress fails to appropriate enough money at any session of Congress to meet these obligations, which are fixed by statute, the Secretary of War can not get around and the President of the United States can not get around the obligations which they had a right to incur, because they were so authorized by statute.

Mr. CUMMINS. Undoubtedly that is true; but the statute did not create any obligation to go into Mexico and to hire transports for the purpose of carrying our Army there. There was no statutory obligation to do anything of that sort. That was done, I will assume, by the President under the authority of Congress—that is, the general policy that was approved by Congress—but would that general approval of his course toward Mexico warrant him in expending more for the transportation of soldiers than the law had authorized him to expend for such purpose?

Mr. CHAMBERLAIN. Mr. President, I do not think there is any doubt about that, because Congress has expressly authorized the President of the United States to incur this very obligation.

Mr. CUMMINS. Then, of course, in just the same way he could have increased our Army to a million men and our Navy he could have multiplied, all because we had approved a certain course toward Mexico.

Mr. CHAMBERLAIN. And had authorized it.

Mr. CUMMINS. In other words, he could have incurred any expense that he might have thought necessary in order to carry out that general policy which we had approved? I can not agree with the Senator.

Mr. CHAMBERLAIN. If the Senator will excuse me a moment in that connection——

Mr. SMOOT. Just one moment. I might suggest to the Senator from Iowa the fact that Congress was in session all of that time; Congress was in session on June 30, and, as I suggested to the Senator from Missouri [Mr. STONE], a bill could have been introduced in the other House, this amount appropriated, the bill passed there in a day and then passed in a day in the Senate, and been signed by the President; but it was never asked to be done.

Mr. STONE. Why did not Congress make the appropriation if it was in session and thought it was necessary?

Mr. SMOOT. Because the department never asked Congress to do so.

Mr. STONE. The department did not have to ask Congress to do it; Congress had authorized this step; the step was taken; Congress could appropriate the money, and it had the right and the power to do it.

Mr. SMOOT. The Senator is wrong in the statement that he has just made.

Mr. STONE. How am I wrong?

Mr. SMOOT. The statute does not provide that way of appropriating money when there is no estimate made.

Mr. CUMMINS. Will the Senator from Utah allow me to make a suggestion?

Mr. STONE. I undertake to say, as a Senator here tells me now, during the Spanish-American War $50,000,000 was appropriated without an estimate.

Mr. SMOOT. Yes; but it was asked for by the head of some executive department.

Mr. CUMMINS. Will the Senator from Missouri attend just a moment?

Mr. STONE. I beg the Senator's pardon.

Mr. CUMMINS. The Senator will not assert that if Congress neglects its duty and fails to appropriate money for some proper purpose, therefore and thereupon the President can go forward and expend the money or commit the Government to an obligation in the absence of an appropriation?

Mr. STONE. If the Congress should refuse to do it, that would present one question; but while the emergency exists and the movement to meet it is afoot and in progress with the approval of Congress, and Congress stands still, taking no action, I think the President can proceed under the reasonable assumption that the Congress will provide the means for whatever is undertaken, for he has the approval of Congress.

Mr. CUMMINS. I understand, however, that there was nothing in the communication from the President to Congress upon which the resolution was based indicating a purpose to occupy Vera Cruz. I think we all understood when we adopted that resolution that we were sustaining the general policy of the President toward Mexico and were supplementing his own view that we ought to demand promptly and effectively reparation for an insult. I am astonished to hear anyone express the opinion that under an authority of that sort the President of the United States or the War Department may exceed the appropriations which have been made for the maintenance of the department and substitute his or their own discretion with regard to what the Government ought to spend in its service.

Mr. CHAMBERLAIN. Mr. President, if the Senator will allow me to interrupt him right there, I think warrant for it is found in the very section of the statute to which I directed attention awhile ago, which provides that—

> No executive department or other Government establishment of the United States shall expend, in any one fiscal year, any sum in excess of appropriations made by Congress for that fiscal year—

Now, listen—

> or involve the Government in any contract or other obligation for the future payment of money in excess of such appropriations unless such contract or obligation is authorized by law.

There is the exception; and the authorization was the authorization which was given, Mr. President, to transfer the troops to Vera Cruz or to transfer them to any other point. That is the rule, if the Senator will pardon me just for a moment, that has been adopted by the States. Where the legislature has provided that no money shall be expended in excess of the appropriations except as authorized by law the courts have held universally that where there is some statute devolving upon an executive a particular duty and that duty is performed and requires the payment of money, the executive is warranted in creating obligations for the payment of it.

Mr. CUMMINS. Mr. President, the Senator from Oregon has stated a sound principle of law of course. My difference from him does not lie in the application of that principle or the recognition of that principle, but I differ from him as to the purport and effect of the resolution of general support, or, as the President himself stated, moral support, which we passed. He said in his communication that he did not need to ask us for any authority to do what he wanted to do, but he wanted the American people to know that the Congress of the United States was in sympathy with him in the policy he was proposing to pursue.

There was not a Member of Congress, I think, who believed that the resolution which we passed at that time gave to the President authority to spend money. It never occurred to me that in holding up the hands of the President in that juncture or in that extremity we were authorizing him to spend large sums of money for the purpose of invading Mexico.

Mr. GALLINGER. Mr. President, will the Senator from Utah yield to me?

Mr. SMOOT. I yield to the Senator.

Mr. GALLINGER. Mr. President, this is an intensely interesting and illuminating debate, and I observe that less than one-sixth of the Senators are present. I make the point of no quorum.

The PRESIDENT pro tempore. The Senator from Utah has the floor. The Chair does not think the Senator from New Hampshire can rise for the purpose of making that suggestion until the Senator from Utah has yielded the floor. The Chair declines to submit the request. The Senator from Utah will proceed.

Mr. GALLINGER. Mr. President, I did not understand the observation of the Chair.

The PRESIDENT pro tempore. The Chair stated that the Senator from New Hampshire could not make the suggestion of the absence of a quorum while another Senator has the floor.

Mr. GALLINGER. The Senator from Utah yielded to me.

Mr. SMOOT. The Senator from New Hampshire asked me if I would yield, and of course I yielded.

The PRESIDENT pro tempore. He did not say for what purpose, and the supposition was he yielded for the purpose of allowing a question to be asked.

Mr. GALLINGER. Well, Mr. President, that is a novel ruling. I am not going to resist the ruling of the Chair, however the Chair may rule, because I have got beyond that——

The PRESIDENT pro tempore. The Chair thinks it is in accordance with some of the precedents. It seems to fall in with what would be proper on this occasion. If the Senator from Utah desires to yield the floor, of course the Chair will put any request the Senator from New Hampshire may make, regardless of what he would do on any other occasion.

Mr. GALLINGER. Let us understand this matter.

The PRESIDENT pro tempore. The Chair thinks the suggestion of the Senator is well made; but the Chair will not accept the suggestion of the absence of a quorum when the Senator making it has not the floor.

Mr. SMOOT. I will yield the floor now.

The PRESIDENT pro tempore. The Senator from Utah has yielded the floor. The Senator from New Hampshire makes the suggestion of the absence of a quorum.

Mr. WILLIAMS. Mr. President, before the Chair directs the roll to be called I will inquire, Has any business intervened since the last call for a quorum?

The PRESIDENT pro tempore. The Senator would think so if he had been here all the time. [Laughter.] Several Senators have seemed to work themselves overtime.

Mr. WILLIAMS. My recollection is that the Senator from Utah was speaking the last time we had a call for a quorum, and he still has the floor.

The PRESIDENT pro tempore. There are precedents, however, to the effect that substantial debate is business.

Mr. WILLIAMS. It has been ruled several times that debate was not business.

Mr. GALLINGER. I make the point of no quorum.

The PRESIDENT pro tempore. The Senator from New Hampshire makes the point of no quorum. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst	Hollis	O'Gorman	Sterling
Bryan	Jones	Overman	Stone
Chamberlain	Kenyon	Perkins	Sutherland
Clapp	Kern	Ransdell	Thomas
Clarke, Ark.	Lane	Robinson	Thompson
Cummins	Lippitt	Saulsbury	Thornton
Fletcher	Lodge	Sheppard	Vardaman
Gallinger	McCumber	Shively	Williams
Gore	Martine, N. J.	Smith, Md.	Works
Hardwick	Norris	Smoot	

The PRESIDENT pro tempore. Thirty-nine Senators having answered to their names, a quorum of the Senate is not present. The Secretary will call the roll of the absentees.

The Secretary called the names of the absent Senators, and Mr. JAMES, Mr. PAGE, Mr. SIMMONS, Mr. SWANSON, and Mr. WHITE answered to their names when called.

Mr. SHAFROTH, Mr. HITCHCOCK, Mr. LEE of Maryland, Mr. JOHNSON, Mr. OLIVER, Mr. CAMDEN, Mr. TILLMAN, Mr. BANKHEAD, and Mr. POINDEXTER entered the Chamber and answered to their names.

The PRESIDENT pro tempore. Fifty-three Senators having answered to their names, a quorum of the Senate is present.

Mr. SMOOT. Mr. President, I want to ask the chairman of the Committee on Military Affairs a question, but I do not see him in the Chamber.

Mr. LODGE. Mr. President, pending that I should like to ask the Senator from Utah a question.

Mr. SMOOT. I yield to the Senator for that purpose.

Mr. LODGE. How many ships were there altogether?

Mr. SMOOT. I think 11 transports were chartered.

Mr. LODGE. What was their total tonnage?

Mr. SMOOT. Their total tonnage was 49,803.

Mr. LODGE. In round numbers, what would they cost per day?

Mr. SMOOT. That is, the cost of the boats?

Mr. LODGE. Of the 11 ships.

Mr. SMOOT. As to that I have no information.

Mr. LODGE. Does the Senator know to what extent these ships were used to transport our men?

Mr. SMOOT. That is the very question I was going to ask the chairman of the Committee on Military Affairs.

Mr. CHAMBERLAIN entered the Chamber.

Mr. SMOOT. If the Senator from Oregon will give me his attention, I should like to ask him, he being chairman of the Committee on Military Affairs of the Senate, if he knows whether the 11 ships which were chartered were used in the transportation of our Army to Vera Cruz and back, or whether the Army was transported by regular Government transports?

Mr. CHAMBERLAIN. I am not advised as to that, I will say to the Senator.

Mr. SMOOT. Mr. President, I was in New York City last August, at which time this question was discussed. I was then told that some of the boats which had been chartered in May had never been used a day by our Government, that they had never been used to transport any portion of our Army from any point in the United States to any point outside of it.

Mr. OVERMAN. Did the Senator ever try to get that information from the Secretary of War?

Mr. SMOOT. I will say that I have asked the War Department within the last hour to give me the names of the transports that were actually in service, and out of the 11 there were only 6 that were used. Five of them have not been used at all. The *City of Macon*, belonging to the Ocean Steamship Co., controlled by the Central Railroad of Georgia, has never been used. We chartered that boat on May 9. We paid for the boat $1,000 every day. We also paid for refitting the boat $118,287.28, and we will yet have to pay for her, from June 30 until the day she was released, $167,000.

The *Colorado* was not used. The *Minnesotan* was not used.

Mr. OVERMAN. Did the Senator get that information from the department?

Mr. SMOOT. I did.

Mr. OVERMAN. They were not used at all for any purpose?

Mr. SMOOT. They were not used for the transportation of our troops.

Mr. OVERMAN. I will ask the Senator if they were used for any purpose?

Mr. SMOOT. I doubt whether they were used for any purpose.

Mr. OVERMAN. I think the Senator, if he wants to inform the Senate, ought to have full information as to whether or not they were used at all. They might not have been used for troops.

Mr. SMOOT. That is what they were chartered for.

Mr. GALLINGER. What else could they be used for?

Mr. SMOOT. Yes; what else could they be used for? To be absolutely candid with the Senator, however, I will say that I did not ask whether the Government of the United States used them for any other purpose, because I did not think of it. I did not know of any other purpose for which they could be used.

Mr. OVERMAN. Why, transporting supplies, provisions, animals.

Mr. LIPPITT. Mr. President, I will ask the Senator from North Carolina if he knows of any purpose for which they were used?

Mr. OVERMAN. I know nothing whatever about it.

Mr. LIPPITT. I imagined, from the way the Senator spoke, that he had some information on the subject.

Mr. OVERMAN. No; I have no information at all. I asked the Senator if he got information only as to troops or as to other things. They might have transported stock or provisions or something else. I do not know anything about it.

Mr. SMOOT. If that were the case, I do not think they would have spent $118,000 in fitting up the *City of Macon* for the transportation of troops.

Mr. ROOT. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Utah yield to the Senator from New York?

Mr. SMOOT. I yield to the Senator from New York.

Mr. ROOT. I merely wanted to suggest that really the burden of explaining why this very large sum was paid to the Central Railroad of Georgia for this vessel rests upon the Senators who have reported this bill favorably.

Mr. OVERMAN. The Senator from Utah voted to report this appropriation favorably. He was on the subcommittee and on the general committee.

Mr. SMOOT. The Senator must know that I reserved the right to speak upon this amendment in the Senate.

Mr. OVERMAN. The Senator said he was going to speak on it, but that he was in favor of the appropriation and would vote for it.

Mr. ROOT. Mr. President, if the Senator from Utah is now engaged in supporting this appropriation, he has the most extraordinary methods I have ever observed. [Laughter.] It appeared to me that he was criticizing the appropriation, and that the Senators who were in favor of it were attempting to throw upon him the burden of proof of maintaining it.

Mr. OVERMAN. These speeches are made with a different aim than that. They are made for the purpose——

Mr. SMOOT. I resent that insinuation on the part of the Senator, because I want to say, Mr. President, that I believe the appropriation is open to criticism; and, that being the case, I am criticizing the appropriation. I did not want to take the time of the committee to go all over the details, because I know it would do no good in the committee, and I do not think it will do any good in the Senate as far as the ultimate result is concerned.

Mr. ROOT. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Utah further yield to the Senator from New York?

Mr. SMOOT. I do.

Mr. ROOT. I want to dissent from that suggestion of the Senator from Utah. I have not a doubt that the Secretary of War—who, I suppose, is the officer under whom these vessels were chartered—will have a ready explanation of the uses to which they were put. I do not doubt it. I think we ought to have it. I think, sir—and I say this from a lively recollection—that the exhibition of a settled purpose on the part of the Congress of the United States to look after the expenditure of their appropriations; to inquire, not indiscriminately or perfunctorily, but as a matter of performance of their duty, into the way in which the money appropriated by the Congress is expended, is not merely demanded by the duty of Congress, but is a most beneficial thing for executive officers.

As I have said, I say this from a lively recollection. I know that the ever-present expectation of being called to account is a most wholesome check upon the head of an executive department. It makes him watchful and it furnishes a means by which he can hold his subordinates to strict accountability and to carefulness in their use of money.

I am not opposing this appropriation. I do not know anything about it. I think, however, that the Senator from Utah is rendering a useful service, and that he ought to have the cooperation of the Members of this body in seeing to it that we perform our duty. No amount of friendly consideration for the head of an executive department, no amount of confidence in an administration, can justify us in neglecting our duties, and it is our duty to exercise some sort of oversight as to the expenditure of the money we have appropriated. If we neglect it, no matter how kindly the feeling may be which leads to the neglect, things are sure to go wrong.

I have long felt, sir, that it would be a very useful thing for us to have a committee, such as is the case in the British House of Commons, specially charged with looking after the use that has been made of the money appropriated.

Mr. OVERMAN. We have 26 committees, I think, altogether.

Mr. ROOT. I know; and the result is that not one of them follows up an appropriation.

Mr. WILLIAMS. We have committees on expenditures in all the departments.

Mr. ROOT. Yes; and none of the committees do anything about it, except that when there is a change of administration there is a little spurt in the way of an attempt to find fault with something, to get somebody in a hole, to injure somebody. Under our Government, however, there is no systematic arrangement by which the Congress follow up the use that is made of the money they appropriate, and the only approach to it we can have is by somebody who is on the other side of the aisle getting up and criticizing an appropriation and asking questions. I think it is a useful service, and I hope my friend from North Carolina and other Senators on that side of the aisle will help us. I think we ought to know what has been done.

Mr. OVERMAN. I spent half a day here yesterday trying to show that one department had expended money without any authority.

Mr. ROOT. I do not doubt that the Senator was successful.

Mr. SMOOT. Mr. President, in that connection I want to call the attention of the Senator from New York to this situation, which actually exists to-day: Take the appropriations for our national parks. They are not all carried in one appropriation bill. The appropriations for the national parks are carried in five different appropriation bills. I have called attention to the matter several times in this body. I have called it to the attention of the Secretary of the Interior. I have asked that a change be made, but so far I have been absolutely helpless in the matter.

Here we are. We continue in the same way. The appropriation for a given national park is carried partly in this appropriation bill and partly in another one. There are five appropriation bills carrying appropriations for our national parks.

Mr. OVERMAN. Yes, Mr. President; and another method is to appropriate in one place one sum for a certain purpose, and in another place to appropriate another sum for that purpose. As I showed yesterday, we appropriated $150,000 for fighting fires, and then in the miscellaneous appropriations——

Mr. SMOOT. In the same bill.

Mr. OVERMAN. In the same bill we appropriated another $100,000 which was used for the same purpose. Then, having spent all of it, they had in six months a deficiency of $671,000.

Mr. ROOT. Well, it is our fault.

Mr. OVERMAN. The Senator did not pay any attention to it, and left me talking here all the evening, when there were only about half a dozen Senators listening.

Mr. ROOT. We ought to have a better system of keeping tab on the expenditure of the money we appropriate. It ought to be systematic. It ought not to be left to sporadic efforts on the part of the Senator from North Carolina or the Senator from Utah or other Senators who want to perform their duty. It can only be done by a systematic, regular machine which attends to the business of looking after expenditures everywhere through the executive departments, and always so that the gentlemen who are expending the money will have, if not the fear of God before their eyes, the fear of Congress before their eyes.

I can tell you that it is a very hard thing for the head of an executive department, however anxious he may be to restrain expenditures, to accomplish it, because the vast multitude of details in one of the great departments can not be within his continual knowledge and under his continual attention. The exercise of a proper restraint, by scrutiny of expenditures on the part of Congress, furnishes the most potent means by which the head of a department can control his subordinates. Under our present lack of system the way to render that service is, when a case comes up calling for a deficiency, to be rigid in requiring explanations of the reason for it. I do not doubt there is a reason; but if there is no demand for the reason, if the making of appropriations to cover deficiencies is assumed as a matter of course, the reasons will be very slight and colorable before we get through.

Mr. SMOOT. The Senator has stood at the head of one of our great departments of Government; and I take it for granted that there was not a subordinate in that department who was not pressing the Senator all the time he was Secretary of War for increased appropriations.

Mr. ROOT. Why, Mr. President, the general rule is in our departments, and always has been in the thirty-odd years I have been familiar with them, to consider that it is rather discreditable to leave any money over from an appropriation. When the close of a fiscal year approaches the men who are in charge of the subdivisions of the department go looking around, and if they find that there is fifteen or twenty or a hundred thousand dollars left of their appropriations, they say "We must do something with it. We can not let that go back." They look for some way to spend it. Of course, if they are worth their salt, they are considering their own particular work.

Mr. OVERMAN. Not only that, but they come here when they have a balance and ask us to cover it into the next appropriation, always.

Mr. SMOOT. Yes; if it ever should happen.

Mr. OVERMAN. If it ever should happen.

Mr. ROOT. There used to be a statute which made it a penal offense to spend money which had not been appropriated. What has become of that?

Mr. OVERMAN. I put it in the RECORD yesterday. That is exactly what I put in the RECORD on yesterday. There is a law providing against it.

Mr. SMOOT. That law was passed February 27, 1906.

Mr. ROOT. Why was this $500,000, and so forth, spent? I do not know. I have no doubt there is a reason for it, however.

Mr. OVERMAN. The exception is, cases of emergency involving the preservation of property or the saving of life. There is where they get the authority for it.

Mr. SMOOT. No; the Senator puts that incorrectly. It is not that way.

Mr. OVERMAN. I will ask the Senator to read it.

Mr. WILLIAMS. It says, "where authorized by law."

Mr. SMOOT. These are the exceptions; the Senator put it too broadly:

> Except in cases of sudden emergency involving the loss of human life or the destruction of property.

Mr. OVERMAN. Well, that is the way it is done.

Mr. SMOOT. Those are the only exceptions there are; and whenever the head of any department or any bureau of the Government expends more than the appropriation made, unless there is an emergency which involves the loss of human life or the destruction of property, he violates the law. Those are the only exceptions there are under the law.

Mr. STONE. Mr. President, if the Senator will permit me, if executive officers exceed their authority in the way stated it seems to me there is but one or the other of two things that may be done. We may refuse to make the appropriation to cover the deficiency——

Mr. SMOOT. Which we never have done.

Mr. STONE. To do that might entail suffering or hardship to——

Mr. SMOOT. To the officer responsible.

Mr. STONE. Well, to the officer responsible, or possibly to others. If that is not done, then the other remedy, and the only other legislative remedy, it seems to me, would be to have the fact of the violation of the law laid before the proper judicial officer of the District of Columbia, in order that he may proceed in the courts to indict and punish the men who have violated the law.

If there is now no adequate statute to authorize a proceeding of that kind, then a bill on the subject should be introduced by some Senator familiar with the subject who would know how to treat it and let the whole matter be discussed and such action taken as might be necessary.

The Senator from Utah has had the floor to-day for two hours, criticizing one item in this deficiency bill, the only one not agreed to. The Senator from New York says the Senator from Utah is performing a useful public service in calling attention to these official improprieties on the part of executive officers. He thinks it wise to criticize them, to rivet public attention upon them, and all that; but it boots nothing if we go right on, as we did yesterday, after the Senator from North Carolina, as he says, had spent half a day here showing how a deficiency had been improperly incurred, and then the Senate almost unanimously voted to pass it, as we will doubtless do in this instance; and the Senator from Utah, after spending these hours in making criticisms, says he is going to vote to pass the item he is opposing.

Mr. President, it seems to me enough has been said, so far as mere criticism goes. I do not wish to impugn motives, but it begins to look to me very much as if behind it all there was some ulterior object in wasting the time of the Senate to prevent the consideration of other measures. In other words, to my eye this proceeding has the complexion of an organized filibuster.

I suppose the object of it is to prevent the consideration of what is known as the shipping bill. Senators should know now that the bill will be considered, and obstructive measures thrust in to prevent its consideration will not accomplish their purpose. It is a good while from now until Christmas——

Mr. LODGE. Fifty days.

Mr. STONE. From now until Christmas, 1915.

Mr. LODGE. The 4th of March intervenes.

Mr. STONE. Yes; but there will be plenty of time after the 4th of March before the next Christmas.

Mr. LODGE. You have, with a new Congress.

Mr. STONE. Yes; with a new Congress; and some of those who would like to prevent action will not, I am very, very sorry to say, be present then to give us the benefit of their counsel. [Laughter.]

Mr. LODGE. I hate to disappoint the Senator, but if I am alive I shall still be here.

Mr. SMOOT. For the information of the Senator from Missouri, I want to say that if there had not been any shipping bill reported to the Senate, if the Senator from Missouri had not even introduced a shipping bill, and if there had not been such a thing spoken of in public, I would have made the same remarks I am making now.

Mr. STONE. Not so extendedly, perhaps.

Mr. SMOOT. Well, I have been patient. I have not objected to interruptions, and I want to be patient. I do not want to object to interruptions. I want to be long suffering. [Laughter.]

Mr. OVERMAN. You would rather have interruptions than not. [Laughter.]

Mr. WILLIAMS. You invite them.

Mr. STONE. And with it all, the good and kindly disposed Senator from Utah will not fool anybody.

Mr. SMOOT. Mr. President, the Senator from Missouri is the last person in the world that I could fool, and I would not if I could.

Mr. STONE. And you are not fooling him now.

Mr. SMOOT. No; I would not if I could.

Mr. GALLINGER. The Senator is well acquainted with filibustering, himself.

Mr. SMOOT. I want to ask the Senator from Missouri if he ever knew the time when the Senator from Utah stood on this floor and filibustered upon any question?

Mr. STONE. I have had a suspicion. [Laughter.]

Mr. SMOOT. I will say to the Senator that I have not only had a suspicion as to his filibustering but I have known that he has been filibustering.

Mr. STONE. Well, I admitted it. [Laughter.] I have been candid; and have admitted it. Unlike the Senator from Utah, I have made no pleasant evasions.

Mr. SMOOT. Mr. President, I will let the Senator from Missouri have his suspicions this afternoon, but when I am engaged in a filibuster I am going to say so. No one in the Senate will ever doubt it. I want to say to the Senate, also, that there are very few bills that have ever come before this body on which I would undertake to filibuster, and this is not one of them

Mr. STONE. Mr. President, I think it is about time the Senator was bringing his remarks to a conclusion. [Laughter.]

Mr. SMOOT. Mr. President, I would have been through before this if it had not been for the interruptions of the Senator from Missouri. He is the only Senator I have noticed this afternoon who has tried to filibuster. I expect him, before I can proceed, to ask me another question that will require an answer, and I would not be discourteous to the Senator from Missouri for anything in the world. There is not a Senator in this body for whom I have higher respect than I have for him. In fact, there is a kind of bond of friendship and love that has sprung up between us. We came into the Senate on the same day. We took the oath of office on the same occasion.

Mr. OVERMAN. He was reelected, and you were reelected.

Mr. SMOOT. I have noticed his labors here, and, as you know, they have been of the highest order. He has always looked out for Missouri, and I have had the greatest respect for him for that. There was never any matter that affected his people in which their interests were not guarded and watched early and late.

Mr. GALLINGER. The tariff bill, does the Senator mean?

Mr. SMOOT. He thought so, and I think even in the tariff bill he did, because lead and zinc was taken care of. I think that aspersion is wrongfully cast upon the Senator from Missouri.

Mr. President, the few criticisms I have made upon this bill this afternoon have not been a criticism upon the head of the department. I have the highest regard for the Secretary of War. I have the highest regard for him not only as a man but for what I believe he stands for—honor and honesty not only in private affairs but governmental.

I was referring when I was interrupted to the transport *City of Macon*. Is it not rather strange that the *City of Macon* was not released until the very last boat? Or, in other words, from June 30 she was held for 167 days and was the last transport that was released.

Mr. LODGE. And not used.

Mr. SMOOT. And not used by our Government for the transportation of one soldier. Not only that; as I said before, $118,000 was paid for fitting her up so that our soldiers could be comfortable when they were being transported by that boat.

I do not know, Mr. President, whether it is necessary for me to put into the record of the other boats that were not used for the purpose of the transportation of our troops. As I stated in the first place, out of 11 there were only 6 used for that purpose. I was not reflecting at all upon the city of New York when

I stated that it was in that great city I first heard of these boats being tied up to the wharves and never being used. I was told about the *City of Macon*, the Government paying $1,000 a day, and that she was tied up at the wharves at that time and that she had not been released. I could hardly believe it; but when I came to Washington and inquired as to whether it was true or not, I was informed that it was, and I have been informed this afternoon that it never had been used.

So I am not criticizing the appropriation here so much, nor am I calling it to the attention of the Senate to-day, for this appropriation but for what is coming. By the end of this month we will have another deficiency bill here in the Senate, and it will include an item of $1,118,895 for the payment of transports. I have not the information to tell the Senator how many had been used since June 30, but I do know that not more than six of them were used if they were all used for bringing troops that were used for taking them to Vera Cruz.

I do not know, Mr. President, that I have anything more to say at this particular time upon this particular subject, but I believe that not only this paragraph should be scrutinized most carefully by the Senate but I think it would save the Government of the United States millions and millions of dollars annually if a little more attention were given to the items of the appropriation bills.

Mr. LANE. Mr. President, just a moment before the Senator finishes. The Senator did not call attention to instances when the passing of deficiencies appropriations may be perfectly legitimate; that it was a deficiency is no evidence that it was not a proper expenditure. The gentlemen who are interested to-day have had their attention called in the past to deficits covered as living appropriations—money purporting to be appropriated to be expended in the ensuing year when the appropriation actually covered a deficit. That kind of work should be stopped, and stopped peremptorily.

I was reading an account the other day—I think, in the Literary Digest—showing that this country had expended in the last 10 years nearly as much money as the German Empire had expended in the same length of time in building her navy. We have ours and they have theirs. They came out with a good, efficient navy and ours is one whose efficiency is questioned.

It would save this Government hundreds of thousands and perhaps millions of dollars if each executive department—this has gone along under every administration—were compelled to come in here with a clear, plain businesslike statement. Let Congress then scrutinize them and pass them on their merits. There is no business which could succeed if it were conducted in the manner in which the governmental affairs of this country are carried on. The Senate has been partly to blame for it in the past. The Senator from Utah has occupied his seat with very little interest evinced by him when deficits amounting to $100,000 or $200,000 in a single appropriation bill were put through as living appropriations.

Mr. SMOOT. May I ask the Senator what he means by a living appropriation?

Mr. LANE. Appropriated to be spent in the ensuing fiscal year when the money was to be used to cover a deficit and had been spent the year before.

Mr. SMOOT. I do not think there is an instance of that kind.

Mr. LANE. I called attention to it last year in the Indian appropriation bill.

Mr. SMOOT. The Indian appropriation is one appropriation bill to which I have not given attention.

Mr. LANE. No man knows how many deficits are covered in these appropriation bills, nor will he ever be able to find out until a different system of accounting is adopted.

Mr. SMOOT. Of course I do not understand how that could be done under the law. The appropriation bills are made for each fiscal year, and there is no authority of law to use an appropriation made in one fiscal year for another fiscal year. I really do not understand how any such thing could happen as the Senator from Oregon cites.

I want the Senator to understand I do not say that it has not happened; but really I do not understand how it could possibly happen, because it certainly would be a violation of law if any such thing occurred.

Mr. OVERMAN. But nothing of the kind has ever happened with our committee.

Mr. SMOOT. Not with our committee, I am quite sure. As I said, I have not given very much attention to the Indian appropriation bill, but I have given attention to the details of all the appropriation bills that come before the Committee on Appropriations, and I was not satisfied, Mr. President, with the mere fact of the estimate, but I have gone into the question as to where the money went, who drew the money, and salaries paid.

Mr. LANE. If the Senator will allow me, he himself is a member of that committee which, I understand, makes these appropriations, and it should have been his duty at the time, it seems to me, when these items were brought forward to demand an explanation there and make his protest and come in here loaded with the facts.

Mr. SMOOT. I have read to the Senate to-day the testimony that was given. It was given by Gen. Aleshire, the Quartermaster General of the Army, and I think he knows more about this question and why it was required than any other man. I did exactly what the Senator thought I ought to do.

Mr. LANE. Did you get a statement from the department showing it?

Mr. SMOOT. I did, and I have the statement here. I have the testimony, and I have read it to the Senate this afternoon.

Mr. LANE. Then I should like to ask the Senator why he did not come in here with a minority report upon this bill?

Mr. SMOOT. There was no necessity for a minority report.

Mr. LIPPITT. If the Senator had been here this afternoon, he would have heard a very large amount of ammunition discharged on this question. The Senator from Utah has been speaking on this matter for two hours and a half. I do not see why any Senator could reasonably object on the ground that he was not amply loaded.

Mr. WILLIAMS. He is still voting for this appropriation. That is the point the Senator from Oregon is making. Despite the fact that it has been all wrong, yet he gives it his support.

Mr. SMOOT. I wish to repeat what the Senator from North Carolina [Mr. OVERMAN] so well said. It is not altogether this appropriation, but if some one does not call the attention of the Senate of the United States and of the country to it and record his objections to this mode of creating deficiencies and say to the department that this practice must cease or the appropriation will not be made every head of a department will come to the conclusion that he can go right along and increase the amount, if necessary, and there will be no limit to the expenditure of Government money.

Mr. WILLIAMS. If the Senator will pardon me for a moment, I do not think that merely calling attention to it is going to stop it. I see but one way of stopping it, and that is when you find out it is wrong not to vote for it. I remember, unless my memory plays me a trick, away back in 1874, when the Democratic House refused to make an appropriation for the Army because they would not agree not to use the soldiers at the polls, and they let the Army appropriation bill fail, a Republican administration went ahead and spent all the money for the Army just as if Congress had appropriated for it and kept it up until the next Congress, and then came back in the next Congress with a deficiency bill.

Now, what ought to have occurred was, of course, to refuse to pay the bills and leave those people who had undertaken to take the word of executive departments against the law to suffer. Then we would have had no more trouble, but any amount of calling attention to it on the floor does not do any good.

I have been in Congress since March, 1893. The first session I ever attended met in August of that year, I believe, and at that very session a matter just like this was up, involving this same general principle. In the last Congress that I served in the other House a Member from Minnesota, Mr. Tawney, got a provision upon an appropriation bill to try to stop this very sort of thing. Talking does not do any good. In this particular case I think the expenditure was justified by the fact that Congress had given authority to the officer for the end, for the aim, for the thing done, and in doing that had given authority to expend money in order to do it.

During the Civil War, if the Senator will pardon me a minute, I dare say there were never three months when the executive departments were not exceeding the appropriations. They had it to do. When you say to an administration, "Go forward here and do this thing," in a case where it is impossible to make specific statements beforehand of how much it is going to cost, specific recommendations of an exact amount, as was the case then and was the case in connection with this particular item, the general authority granted by Congress is sufficient under the very law read by the Senator from Oregon [Mr. CHAMBERLAIN], standing a few moments ago where I am standing now, and that says "unless authorized by Congress."

Now, can the Senator from Utah enlighten the Senate and the country as to how the President of the United States and the Secretary of War could go on and make an estimate of how much it was going to cost to accomplish an indefinite purpose of resenting a special insult to the flag? All that was necessary

was for Congress to authorize the accomplishment of the purpose.

Mr. SMOOT. But, Mr. President, this appropriation was made after they had gone into Vera Cruz. It was made on an estimate from the Secretary of War. The estimate for this purpose was $411,400.

Mr. WILLIAMS. Yes; but after the fact—after the execu- department was able to determine what it was going to do. When we gave the authority of law, we did not give the authority of law, as the Senator from Iowa [Mr. CUMMINS] says, to go to Vera Cruz nor Tampico nor to go anywhere else, nor had the President, I suppose, made up his mind what were the proper steps to be taken. He merely wanted the authority to take the steps necessary to accomplish what he had in view.

One word more: What is fish to one can not be fowl to another. The Senator is standing here now attacking the Democratic administration because under the general authority which Congress freely gave—if my memory does not mislead me, unanimously gave—the President in trying to carry out the general purpose announced in the law incurred certain expenses, and yet there stands behind the Senator in the history of his own party the most memorable defiance of the legislature that ever occurred in the history of any party in any country in the world. The ministry in Great Britain would have gone to the block for it. Congress deliberately refused to make appropriations for the Army for fear it might be used at the polls, and after having put a rider on the Army appropriation bill that it should not be used at the polls, and getting vetoed, the executive officers proceeded not only to keep up the Army, pay the expenses, but to use them at the polls besides.

Mr. SMOOT. Mr. President, the Senator from Mississippi is not quite correct in the statement that the policy of the President had not been agreed upon before the action of Congress. The President of the United States ordered our troops into Vera Cruz before ever the resolution authorizing it was passed by Congress.

Mr. WILLIAMS. Of course——

Mr. SMOOT. Our troops had killed nearly 200 Mexicans. We had 17 or 18 of our own men killed before ever the resolution passed Congress.

Mr. WILLIAMS. The Senator means before the resolution actually passed Congress, but the recommendation of the President came in before that time.

Mr. SMOOT. The recommendation of the President came in on the 20th day of April, 1914. That is the day the President made his address in the Hall of the House of Representatives before the two Houses.

Mr. WILLIAMS. And Congress knew and the Senator knew—I had forgotten that. Now he tells me that he knew and Congress knew at the time the troops had been ordered to Vera Cruz.

Mr. SMOOT. I did not say I knew it. I said I knew they were at Vera Cruz on the 21st day of April; that the fighting had begun; that the papers reported there were about 200 Mexicans killed and about 17 of our own men killed. That was before the Senate of the United States voted upon the resolution.

Mr. WILLIAMS. That is what I am coming to. In other words, at the time the Senator voted upon that resolution he knew that the President had sent troops to Vera Cruz. Notwithstanding the fact that he knew the President had sent troops to Vera Cruz, he voted for the resolution.

Mr. SMOOT. Oh, no; I did not vote for the resolution.

Mr. WILLIAMS. Well, the Senate did, and the Senate was sufficient, under the circumstances.

Mr. SMOOT. Oh, certainly.

Mr. WILLIAMS. Then, the Senate having voted for the resolution with the troops already sent to Vera Cruz, the Senator now stands here and says the Senate did not authorize the expenditure of money. How did he expect the troops to get to Vera Cruz without expending any money?

Mr. SMOOT. Why, Mr. President, the troops would have gone to Mexico. The appropriation was made to provide for the transportation of troops.

Mr. OLIVER. Mr. President——

Mr. WILLIAMS. Wait one moment. I beg the Senator's pardon.

Mr. SMOOT. Not only that, but they were there.

Mr. WILLIAMS. Very well. They were there at the time we passed the resolution, but not at the time the President asked the legislation. The President at a certain time asked legislation to give him power to accomplish a certain purpose. Between the time that the President asked the power and the time that the Senate by a vote granted it troops had been landed in Vera Cruz and a little skirmish had taken place. The law provides that the department shall not exceed an appropriation unless so authorized by law. At the very time that we did authorize the President in pursuing a certain policy—authorized him by law—we knew exactly how the President was going to carry it out, because we knew before we voted upon the resolution that we had landed troops at Vera Cruz.

Mr. SMOOT. Yes; and in that connection I want to say to the Senator that knowing that the Secretary of War stated in an estimate that it would take $411,400 for the transportation of those troops, and he also stated that it would take $110,000 for refitting the chartered transports. That was the estimate that was given; that was the amount that was apportioned for this purpose.

Mr. WILLIAMS. In other words, he made a mistake in his estimates.

Mr. SMOOT. Certainly; but that is not the question that is involved at all.

The PRESIDENT pro tempore. May the Chair have the attention of the Senator from Utah? The line of debate——

Mr. WILLIAMS. He made a mistake in his estimates, as did the engineers make a mistake in reference to the estimates for the Panama Canal, and as they are doing every year in connection with rivers and harbors and everything else.

The PRESIDENT pro tempore. The line of debate adopted by the Senator from Utah seems to invite interruption. The Chair has therefore not attempted to strictly apply the rule which requires that each Senator intending to interrupt him should have the recognition of the Chair. Therefore the Chair thinks, in order that the opportunities may be equal, the Chair will announce that he will continue the nonobservance of that rule, under the belief that the Senator from Utah can take care of himself, and in that way will not only give an additional number of Senators an opportunity, but will probably increase twofold the amount of matter that will appear in the CONGRESSIONAL RECORD. The Senator from Pennsylvania may, therefore, address such inquiries to the Senator from Utah as he may see fit.

Mr. OLIVER. Mr. President, I simply wanted to say that I hope the Senator from Utah will be allowed to proceed with his speech and to conclude; otherwise, there may seem to be some ground for suspicion—to use the word of the Senator from Missouri [Mr. STONE]—that the Senators on the other side are filibustering against their own bill.

The PRESIDENT pro tempore. The Senator from Utah is like the statute of limitations; every time you interrupt him he takes a new start. [Laughter.]

Mr. SMOOT. Mr. President, I want to say to the Senator from Mississippi that this is not the first time that I have criticized appropriations; this is not the first time that I have criticized such appropriations as are contained in bills like this. I have done it many times when the Republican Party was in power, and I shall continue to do it.

Mr. WILLIAMS. I should like to ask the Senator a question, if he will yield for a moment. Was the Senator in Congress when President McKinley sent troops to the Philippines without any authority of law at all?

Mr. SMOOT. I will say to the Senator that I was not.

Mr. WILLIAMS. Was the Senator in Congress when the subsequent appropriation was made to pay for the movement of those troops?

Mr. SMOOT. No, Mr. President.

Mr. WILLIAMS. I never heard any Republican Representative criticize that.

Mr. SMOOT. No, Mr. President, I was not in the Senate at that time.

This is only one of hundreds of such items. I asked the Senator from North Carolina if he had the Book of Estimates at hand. If I had the Book of Estimates I could take it and show to the Senate not one item but hundreds of deficiency items, and whenever the Committee on Appropriations undertakes to strike one of them out the head of the department or the head of the bureau——

Mr. OVERMAN. Or some Senator——

Mr. SMOOT. Or some half dozen Senators appear before the committee and say, "You can not strike this item out; it is going to hurt so-and-so; he has done the work; the work has been accomplished; he has earned his money; and it is not right for the great Government of the United States not to pay him, now that it is done." That happens in the case of nearly every appropriation bill.

Mr. WILLIAMS. At every session.

Mr. SMOOT. At every session; and it will continue to happen, Mr. President, so long as we do not give the heads of departments to understand that these deficiencies must cease.

I was in sympathy with the statement made by the Senator from Missouri that one of two things to which he called attention should take place, and I hope the Senator from Missouri will join the members of the Appropriations Committee to bring a reform about. I will assure him that I will cooperate with him in passing any law that will make it impossible for the head of any department to spend money beyond the regular appropriation; and when I say "impossible" I mean that there shall be some way provided, so that if the practice is continued as it has been pursued in the past and is now, some action will be taken, and not merely words of warning uttered from the floor of the Senate, such as have been spoken this afternoon and during the half a day which was spent yesterday upon the same subject matter.

Mr. President, I do not know that I have anything further to say on this matter. I will conclude, therefore, by expressing the hope that if some action is not taken at this time, when the general deficiency appropriation bill comes before this body, a majority of the Senate of the United States will refuse to appropriate for some of the items in that bill.

DISTRICT OF COLUMBIA APPROPRIATIONS.

Mr. LODGE obtained the floor.

Mr. SMITH of Maryland. Mr. President——

Mr. LODGE. I yield to the Senator from Maryland.

Mr. SMITH of Maryland. With the consent of the Senate, I report back favorably with amendments the bill (H. R. 19422) making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1916, and for other purposes, and I submit a report (No. 856) thereon.

The PRESIDENT pro tempore. It becomes the duty of the Chair to interpose an objection to such proceedings, but the Chair has relaxed so many of the rules this afternoon that he believes he will continue that practice until the adjournment. Therefore, unless there is objection, the report will be received. The Chair hears none, and it is so ordered.

Mr. SMOOT. Mr. President, I do not see the Senator from Washington in the Chamber. He asked me whether the bill would be reported this afternoon.

The PRESIDENT pro tempore. It will not be disposed of this afternoon; it has only been reported.

Mr. SMOOT. I think myself it is all right, but I told the Senator from Washington I did not think it would be reported. I do not know whether or not he wanted to make any objection.

Mr. GALLINGER. Does the Senator from Utah refer to the Senator from Washington [Mr. JONES]?

Mr. SMOOT. Yes; I refer to the Senator from Washington [Mr. JONES].

Mr. GALLINGER. The Senator from Washington was present at the meeting of the committee.

The PRESIDENT pro tempore. Unless there is objection, the report will be received. The Chair hears none.

Mr. SMITH of Maryland. I wish to say that I shall endeavor to call up the bill in a few days for consideration.

The PRESIDENT pro tempore. The bill will be placed on the calendar.

URGENT DEFICIENCY APPROPRIATIONS.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 20241) making appropriations to supply urgent deficiencies in appropriations for the fiscal year 1915 and prior years, and for other purposes.

Mr. LODGE. Mr. President, I am as anxious as possible to pass the appropriation bills. I am anxious to avoid an extra session—perhaps not so anxious as Senators on the other side, but I am very anxious to escape that burden. I do not want to delay the appropriation bills.

I think the item under consideration makes provision for an expenditure that was honestly incurred. I think, of course, there is but one thing to do, and that is to pay the debt, to pay the bill; but it is a new doctrine to me that we can not discuss an item in an appropriation bill unless we are opposed to it. That seems to me to be carrying things rather far.

I have no intention of opposing this appropriation. I think it is possible that the expenditure has been somewhat improvident, and that the idle ships might have been put into that carrying trade in which we were so deficient in the summer, and helped to have moved some of the American exports; but I repeat that I think the debt was honestly incurred, the money honestly expended, and that its payment should be provided for. I do wish, however, to say something in regard to the circumstances which brought about and made necessary this expenditure and the appropriation to meet the deficiency which the department was forced to create. I think I am entitled to do that. I am going to speak very briefly, and I should be very much indebted to the Senator in charge of the bill if he would not compel me to speak at this late hour of the day.

Mr. OVERMAN. Mr. President, I understood the Senator to say that there will be no delay on his side of the Chamber.

Mr. LODGE. There will be no delay, so far as I am concerned, except possibly a 30-minute speech on this item.

Mr. OVERMAN. With that understanding, I am willing that the bill be laid aside temporarily, and I will call it up at the close of the morning business to-morrow.

Mr. LODGE. I shall be very glad if the Senator will adopt that course, and I will make my speech as brief as I can.

The PRESIDING OFFICER (Mr. HOLLIS in the chair). Without objection, the bill will be temporarily laid aside, to be called up to-morrow morning.

OHIO RIVER BRIDGE.

Mr. SHEPPARD. The Committee on Commerce has had under consideration and has acted upon favorably a short bridge bill introduced by the Senator from Kentucky [Mr. JAMES]. As I understand, the bridge is very much needed and the Senator from Kentucky is anxious to have the bill passed this afternoon. I therefore ask unanimous consent to report the bill at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. SHEPPARD. From the Committee on Commerce I report back favorably with an amendment the bill (S. 7107) to authorize the construction of a bridge across the Ohio River at Metropolis, Ill., and I submit a report (No. 857) thereon.

Mr. JAMES. I ask unanimous consent for the present consideration of the bill just reported by the Senator from Texas.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill, which had been reported from the Committee on Commerce with an amendment, on page 1, line 4, after the words "State of," to strike out "Illinois" and insert "Kentucky."

Mr. JAMES. That amendment is made necessary only by reason of a mistake in the original draft of the bill in stating that the corporation was created under the laws of Illinois, when it was created under the laws of Kentucky. I ask that the amendment be agreed to and that the bill be passed.

The PRESIDING OFFICER. The question is on agreeing to the amendment reported by the committee.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

PURCHASE OF MINERAL LANDS.

Mr. SMOOT. Mr. President, on December 21 last Senate bill 2651 was passed by the House with amendments and came over to the Senate. The Senator from South Dakota [Mr. STERLING] asked the Senate to concur in the amendments made by the House. At that time I asked that they be not acted upon, and I am informed that the RECORD shows that I asked that they be laid on the table. I therefore move that the vote by which the bill and amendments were laid on the table be reconsidered and that the Senate concur in the amendments made by the House of Representatives.

The PRESIDING OFFICER. The Senator from Utah moves that the vote whereby Senate bill 2651 and the amendments of the House were laid on the table be reconsidered. The question is on that motion.

The motion was agreed to.

Mr. SMOOT. I now move that the Senate concur in the House amendments.

Mr. SHAFROTH. I should like to have the amendments of the House read.

The PRESIDING OFFICER. The amendments will be stated.

The SECRETARY. On page 1, lines 4 and 5, strike out "within such parts of Indian reservations" and insert "in Tripp County in what was formerly within the Rosebud Indian Reservation in South Dakota"; on page 2, line 11, strike out "for agricultural purposes" and insert "to be determined by the Secretary of the Interior"; and amend the title so as to read: "An act providing for the purchase and disposal of certain lands containing the minerals kaolin, kaolinite, fuller's earth, china clay, and ball clay, in Tripp County, formerly a part of the Rosebud Indian Reservation in South Dakota."

Mr. SMOOT. I will say to the Senator that it is what is known as the kaolin bill. We applied it generally to Indian

reservations, but the House desired it to be restricted to the one county in South Dakota.

Mr. SHAFROTH. I remember, however, Mr. President, that in the bill there was some effort to make these lands subject to lease by the Government. Has that been eliminated?

Mr. SMOOT. That has been entirely eliminated.

Mr. SHAFROTH. So that there is now nothing of the kind in the bill?

Mr. SMOOT. Nothing whatever.

Mr. SHAFROTH. Then I have no objection to it.

The PRESIDING OFFICER. The question is on concurring in the amendments of the House of Representatives.

The amendments were concurred in.

EXECUTIVE SESSION.

Mr. STONE. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to, and the Senate proceeded to the consideration of executive business. After eight minutes spent in executive session the doors were reopened, and (at 5 o'clock and 45 minutes p. m.) the Senate adjourned until to-morrow, Wednesday, January 6, 1915, at 12 o'clock meridian.

CONFIRMATIONS.

Executive nominations confirmed by the Senate January 5, 1915.

JUDGE OF THE CIRCUIT COURT.

Thomas B. Stuart to be third judge of the circuit court of the first circuit of the Territory of Hawaii.

JUDGE OF THE DISTRICT COURT.

Charles E. Bunnell to be judge of the district court of the District of Alaska, division No. 4.

POSTMASTERS.

CONNECTICUT.

William L. Hanley, Thomaston.
Michael J. Howard, Norwalk.
Francis J. Kilborn, Washington Depot.
Edward L. Reidy, Winsted.
William H. Russell, Southport.
Thomas F. Ryan, Litchfield.
William P. Stone, Salisbury.

INDIANA.

Amasa S. Robinson, Monroeville.
James H. Roy, Topeka.

IOWA.

Greenup C. Boston, Malvern.
Ira L. Breffle, Lake Park.
Earl Bronson, Spencer.
N. A. Christensen, Alta.
John F. Dalton, jr., Manson.
J. J. Glenn, Marengo.
Henry C. Hastings, Eldon.
A. F. Jenkins, Russell.
George E. Jennings, Garden Grove.
S. T. Jordan, Fonda.
W. C. McWilliams, Hedrick.
Emma Nicolay, Postville.
Hans Peter N. Rix, Manning.
Joseph Peters, Preston.
Lacey A. Wine, Sac City.

MASSACHUSETTS.

Edward F. Dannahy, Holliston.
Joseph F. Lapine, Hudson.

WISCONSIN.

William Alexander, Hayward.
Robert A. Grignon, Suring.
Edward Lowth, Wisconsin Veterans' Home.
John A. Stewart, Seymour.

SOUTH CAROLINA.

Martha E. Nichols, Yorkville.

REJECTION.

Executive nomination rejected by the Senate January 5, 1915.

UNITED STATES MARSHAL.

Ewing G. Bland to be United States marshal for the western district of Missouri.

HOUSE OF REPRESENTATIVES.

TUESDAY, *January 5, 1915.*

The House met at 12 o'clock noon.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

Infinite Spirit, our heavenly Father, impress us continually with Thy presence that our devotions may spring spontaneously from our hearts; that we may do the work to which we have been called willingly, faithfully, efficiently, and thus find ourselves in harmony with Thee and with our better self, now and always in the spirit of the Master. Amen.

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Crockett, one of its clerks, announced that the Senate had passed bills of the following titles in which the concurrence of the House of Representatives was requested:

S. 6776. An act granting an extension of time to construct a bridge across Rock River at or near Colona Ferry, in the State of Illinois; and

S. 6839. An act extending the time for completion of the bridge across the Delaware River authorized by an act entitled "An act to authorize the Pennsylvania Railroad Co. and the Pennsylvania & Newark Railroad Co., or their successors, to construct, maintain, and operate a bridge across the Delaware River," approved the 24th day of August, 1912.

SENATE BILL REFERRED.

Under clause 2, Rule XXIV, Senate bill of the following title was taken from the Speaker's table and referred to its appropriate committee, as indicated below:

S. 6839. An act extending the time for completion of the bridge across the Delaware River authorized by an act entitled "An act to authorize the Pennsylvania Railroad Co. and the Pennsylvania & Newark Railroad Co., or their successors, to construct, maintain, and operate a bridge across the Delaware River," approved the 24th day of August, 1912; to the Committee on Interstate and Foreign Commerce.

LEAVE OF ABSENCE.

Mr. HINEBAUGH, by unanimous consent, was granted leave of absence, indefinitely, on account of illness in his family.

IMMIGRATION.

Mr. BURNETT. Mr. Speaker——

The SPEAKER. For what purpose does the gentleman from Alabama rise?

Mr. BURNETT. I desire to move for a conference on the bill H. R. 6060, the immigration bill.

Mr. MADDEN. Mr. Speaker, the bill is not printed. It is lying on the Speaker's table, and nobody in the House knows what the amendments to it are. I notice, however, that the Senate amended the bill so as to exclude negroes, if I may class them that way. We have over 10,000,000 negroes in this country, most of them Americans, and they go back and forth, and their friends may want to come from any place in the world. And unless we can have a separate vote on that amendment I shall object to sending the bill to conference.

Mr. BURNETT. I have no objection to a separate vote. You mean when it comes from the conference committee?

Mr. MADDEN. No; I mean now, before you go to conference.

Mr. BURNETT. I have no objection to that, Mr. Speaker.

Mr. TRIBBLE. Mr. Speaker, reserving the right to object, I desire to call the attention of the gentleman from Alabama, the chairman of the committee, to the fact that another amendment has been placed in the bill by the Senate, and that is one which gives special privilege to the Belgians. Now, unless we can get a vote on that, I want it distinctly understood I shall be opposed to this amendment of the Senate.

Mr. BURNETT. I think when the conference report comes in the gentleman may have an opportunity, and possibly this thing may be very much changed.

Mr. MADDEN. When a report of the conference comes in w' have to vote the bill either up or down. We can not get a separate vote at all unless it be taken before the bill goes to conference.

Mr. BURNETT. I have no objection.

Mr. MANN. There is no reason why there should not be a separate vote on the two amendments now.

Mr. BURNETT. I have no objection whatever to a separate vote on either one of the propositions, or both of them.

Mr. STAFFORD. At this time?

Mr. MADDEN. At this time.

Mr. STEPHENS of Texas. A parliamentary inquiry, Mr. Speaker.

The SPEAKER. The gentleman will state it.

Mr. STEPHENS of Texas. I desire to ask whether or not the Indian appropriation bill, being under consideration, has preference over the matter submitted by the gentleman from Alabama?

The SPEAKER. If you make the motion.

Mr. STEPHENS of Texas. I desire to move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 20150, the Indian appropriation bill.

The SPEAKER. The Chair was of the opinion—just guessing at it, of course—that the motion of the gentleman from Alabama [Mr. BURNETT] could be disposed of in a minute or two.

Mr. MANN. It is a privileged motion, anyhow. Nobody asked unanimous consent, but it would be privileged to move——

The SPEAKER. The other one is privileged, too; and if the Chair had any choice he would go ahead with the appropriation bills, so as to get them finished at some time or another.

Mr. STAFFORD. Will the gentleman from Alabama withhold pressing the matter, so that Members may have time to look over the amendments? I had not a copy until this morning, and have just been able to get it.

Mr. GALLIVAN. Mr. Speaker, I am going to object, anyway. If there are any unanimous consents asked, I am going to object.

The SPEAKER. The gentleman from Massachusetts [Mr. GALLIVAN] objects.

Mr. BURNETT. Then, Mr. Speaker, I move that the bill be taken from the Speaker's table and referred to the committee of conference.

Mr. GALLIVAN. I raise the point of order that there is no quorum present.

Mr. BURNETT. I shall not press it at this time. It is all right. I am willing to have it go over until Thursday morning, and I give notice that I will call it up and ask unanimous consent to have it printed with Senate amendments.

The SPEAKER. The gentleman from Alabama [Mr. BURNETT] asks unanimous consent to have the bill printed with Senate amendments.

Mr. BURNETT. It is already printed.

Mr. STAFFORD. Copies were distributed this morning.

Mr. MADDEN. They were distributed to the Democrats, but I sent to the document room and could not get a copy.

INDIAN APPROPRIATION BILL.

The SPEAKER. The Doorkeeper informs the Chair that there are plenty of them here at the desk.

The gentleman from Texas [Mr. STEPHENS] moves that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 20150, the Indian appropriation bill.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 20150, the Indian appropriation bill, with Mr. BYRNS of Tennessee in the chair.

The CHAIRMAN. The Clerk will report the title.

The Clerk read as follows:

A bill (H. R. 20150) making appropriations for the current and contingent expenses of the Bureau of Indian Affairs, for fulfilling treaty stipulations with various Indian tribes, and for other purposes, for the fiscal year ending June 30, 1916.

Mr. BURKE of South Dakota. Mr. Chairman, I move to strike out the last word in the paragraph which was last read when the bill was under consideration.

I desire to call attention on page 5 of the bill, line 25, to the proviso beginning on that page and ending on line 3, page 6. When that paragraph was read the gentleman from Illinois moved that it be stricken from the bill, and when asked the purpose of his motion said, "Because there is no such thing as the act referred to," which is the act of August 24, 1912. And then he made some reference to the "sloppy" way in which he says the bill had been prepared. Now, Mr. Chairman, it so happens that there is an act of August 24, 1912, which amended the act of June 7, 1897, and therefore the language ought to be restored as it appears in the bill as reported. I therefore ask unanimous consent that the action of the House in adopting the amendment changing the date to June 7, 1897, be vacated, and that the language as it appears in the bill as reported be restored on pages 5 and 6.

Mr. STEPHENS of Texas. Mr. Chairman, I have no objection to the amendment.

The CHAIRMAN. What is the amendment?

Mr. BURKE of South Dakota. Simply that the language be restored as the bill is printed.

The CHAIRMAN. The gentleman from South Dakota [Mr. BURKE] asks unanimous consent that the amendment adopted on line 3, page 6, of the bill be vacated; that the action of the committee in adopting the amendment on line 3, page 6, be vacated; and that the language as it appears in the bill be restored. Is there objection to the gentleman's request?

There was no objection.

Mr. BURKE of South Dakota. Now, Mr. Chairman, I make the same request as to the proviso on page 7, beginning with line 16 and ending with line 21. It has the same purpose.

Mr. STEPHENS of Texas. It is for the same purpose, and I have no objection to that.

The CHAIRMAN. The gentleman from South Dakota asks unanimous consent that the action of the committee in adopting the amendment on line 16 of page 7, down to line 21, be vacated, and that the language of the bill as reported to the House be restored. Is there objection to the request?

There was no objection.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

That the Secretary of the Interior is authorized to purchase for the use of superintendents, farmers, physicians, field matrons, allotting, irrigation, and other employees of the Indian field service, in the supervision and administration of the affairs of the Indians, 20 motor-propelled passenger-carrying vehicles, at a cost not to exceed $15,000; 40 horse-drawn passenger-carrying vehicles, not to exceed a total cost of $8,000; and to expend for the maintenance, repair, and operation of motor-propelled and horse-drawn passenger-carrying vehicles, including those now on hand and those to be purchased for the Indian Service, $200,000; in all, $223,000, payment to be made from applicable funds herein appropriated or otherwise available.

Mr. FOSTER. Mr. Chairman, I make a point of order on the paragraph.

The CHAIRMAN. The gentleman from Illinois [Mr. FOSTER] makes a point of order on the paragraph.

Mr. STEPHENS of Texas. Mr. Chairman, I think the point of order should not be sustained, for the reason that this carries no appropriation, but simply continues the authority now granted to the Secretary of the Interior for the purchase of these vehicles. I will read to the House the law upon which this is founded—section 5 of the legislative, executive, and judicial appropriation act for the fiscal year 1915. This extract is found in the hearings had before the Committee on Indian Affairs. I read:

No appropriation made in this or any other act shall be available for the purchase of any motor-propelled or horse-drawn passenger-carrying vehicle for the service of any of the executive departments or other Government establishments or any branch of the Government service unless specific authority is granted therefor and after the close of the fiscal year 1915, and there shall not be expended out of any appropriation made by Congress any sum for purchase, maintenance, repair, or operation of motor-propelled or horse-drawn passenger-carrying vehicles for any branch of the public service of the United States unless the same is specifically authorized by law.

This is the act that specifically authorizes that, and it carries no appropriation, but simply authorizes it to be paid out of other available funds. Therefore it is not subject to a point of order.

Mr. FOSTER. Mr. Chairman, I think the gentleman from Texas [Mr. STEPHENS] will be unable to show any authorization of law for the purchase of these vehicles. The provision which would prevent any department from purchasing out of the contingent fund any motor-propelled vehicles of any kind was intended to put a stop to the indiscriminate use of money appropriated for other purposes, not intended to buy these motor vehicles.

Now, then, I think that provision, if it is read closely, as the gentleman from Texas read it, will show that it says none of them shall be bought unless it is provided for by law. I do not think the gentleman from Texas will contend for a moment that there is any provision of law for the purchase of motor-propelled vehicles. I do not think there is any law. I have never heard of it, and I do not think the gentleman from Texas will be able to show it.

Mr. COX. Mr. Chairman, will the gentleman yield?

Mr. FOSTER. Yes.

Mr. COX. The very law that the gentleman from Texas reads does not give the authority.

Mr. FOSTER. Yes; and that was what I was calling attention to. It prevents the purchase of them unless they are provided for by law; and that provision, which was inserted in the bill last year, did not authorize the purchase of any vehicles of that kind.

Mr. CARTER. Mr. Chairman, will the gentleman reserve his point of order on that?

Mr. FOSTER. No; I would rather make it.

Mr. CARTER. If the gentleman will reserve it, I would like to know what the purpose is.

Mr. FOSTER. This provides for 20 passenger vehicles proposed to be purchased by the Government for the use of the Indian Service.

Mr. CARTER. I just want to call the attention of the gentleman to the statement of the Assistant Commissioner of Indian Affairs, in which he says section 5 of the act in question is very broad and sweeping and that if we do not get this legislation their hands will be tied completely. And he adds, "We shall not be able to buy, and we shall not be able to operate the vehicles we now have in the service." If the gentleman wants to cut down the number of vehicles purchased, I think that would be a more intelligent and better way to get at it.

Mr. FOSTER. How many vehicles have they?

Mr. CARTER. They have 857 horse-drawn vehicles and 157 motor-propelled vehicles. They can not maintain them without this.

Mr. FOSTER. I have no objection to their maintaining them.

Mr. BORLAND. Mr. Chairman, this is not a proposition to maintain vehicles, but to purchase them at the fixed price of $750 per vehicle, so that it is a provision to bring these within——

Mr. CARTER. The gentleman evidently did not read the item. It says:

That the Secretary of the Interior is authorized to purchase for the use of superintendents, farmers, physicians, field matrons, allotting, irrigation, and other employees of the Indian field service, in the supervision and administration of the affairs of the Indians, 20 motor-propelled passenger-carrying vehicles, at a cost not to exceed $15,000; 40 horse-drawn passenger-carrying vehicles not to exceed a total cost of $8,000; and to expend for the maintenance, repair, and operation of motor-propelled and horse-drawn passenger-carrying vehicles, including those now on hand and those to be purchased for the Indian Service, $200,000; in all, $223,000, payment to be made from applicable funds herein appropriated or otherwise available.

Mr. BORLAND. Yes; but if there is anything in a section that is subject to a point of order the whole section is subject to it. The main purpose is to buy 20 vehicles at a total cost of $15,000.

Mr. CARTER. I was not discussing the point of order. I was discussing the merits of the case and the condition we would be left in if they could not make this purchase.

Mr. BORLAND. The committee put that restriction in against the expenditure of money out of the contingent fund for the purchase of vehicles so that you will have to come in and ask for a law for that purpose, and when you ask for a law to do it that is new legislation, and that is the very purpose of the amendment.

Mr. CARTER. The gentleman will understand that in the past it has been the practice to buy these vehicles out of the different parts of this bill.

Mr. BORLAND. Out of the contingent fund?

Mr. CARTER. Yes; out of the different portions.

Mr. BORLAND. It is not confined to the Indian Department. It extends to all the departments.

Mr. CARTER. I understand that very well. There is some urgent need, perhaps, for a few new vehicles of this kind. The superintendents are enabled by them to get over the reservations and do their work with much more rapidity and to do much more work if these vehicles were operated. The doctors have to have vehicles to travel around in to go to see their patients, and the matrons have to have vehicles to go to the reservations and see that they are properly regulating the Indian homes. It will create considerable havoc if we do not have something for maintenance, and it might create some havoc if we do not have something with which to buy new vehicles. I will not insist upon the number here.

Mr. BORLAND. Let me suggest to the gentleman that if he separates his proposition of buying new vehicles from the maintenance of existing vehicles he will find that the maintenance of existing vehicles is not subject to the point of order. The gentleman has a proposition to purchase new vehicles, to which the gentleman from Illinois [Mr. FOSTER] raises the point of order, and it seems to me that the point of order is good; but if he separates them, he undoubtedly can maintain those now in the service.

Mr. HARRISON. Mr. Chairman, will the gentleman yield?

Mr. CARTER. Certainly.

Mr. HARRISON. If the gentleman from Illinois [Mr. FOSTER] who has the floor will permit me to ask a question of the gentleman from Oklahoma——

Mr. FOSTER. Certainly.

Mr. HARRISON. I notice in the hearings that this question was asked the assistant commissioner, Mr. Meritt, by the gentleman from Oklahoma [Mr. CARTER] on page 90:

What I am trying to get at is what use is made of all of these vehicles? You have 857 now, and 90 more will give you 947, and you have less than half that number of superintendents, doctors, and farmers.

It seems from the reading of that question that the gentleman from Oklahoma was opposed to the purchase of about nine hundred and some odd motor-propelled and passenger-carrying vehicles, when it was shown there were only about 500 men who actually needed them. In reading the hearings I was very much gratified to see the stand the gentleman from Oklahoma [Mr. CARTER] took. Is not that about correct?

Mr. CARTER. That is about correct.

Mr. HARRISON. May I ask the gentleman this in connection with that? I notice that the assistant commissioner came before the committee and he asked for an appropriation of $20,000 for 30 automobiles, together with another appropriation for some traveling vehicles. The committee, evidently inspired with the spirit of economy, did not want to make that appropriation, but thought probably it was too much. It did appropriate, however, $15,000 to allow him about 20 automobiles. In other words, I believe the question was put by the chairman of the committee:

The CHAIRMAN. I see you want 30 motor-propelled vehicles. Of course, that means automobiles, at a cost not to exceed $20,000. That would be $666.66 per automobile. What kind of an automobile do you propose to purchase, and what kind have you been purchasing—the most expensive or the least expensive?

Mr. MERITT. I do not like to advertise any particular brand of automobile, but we usually limit our automobiles for farmers, matrons, and doctors to the well-known cheap automobile.

The CHAIRMAN. Something that you can afford and still have a Ford, is that it?

Mr. MERITT. Yes, sir.

The committee evidently did not want to buy Fords but wanted a more expensive car, and, contrary to the bureau's request, appropriated $750 for each automobile. Why was that spirit of economy shown in the matter of these automobiles?

Mr. CARTER. Mr. Chairman, I will say to the gentleman from Mississippi that there is no money appropriated by this provision, as he will see if he reads it closely. It merely authorizes this money to be used out of other appropriations. This within itself does not carry any appropriation.

Mr. HARRISON. The gentleman is mistaken about that, because it says:

and to expend for the maintenance, repair, and operation of motor-propelled and horse-drawn passenger-carrying vehicles.

And other language is employed that shows it clearly to be an appropriation.

By "operation" it may be that you gentlemen want to pay some chauffeurs to drive around those matrons who get only $150 a year. Is that right?

Mr. CARTER. But the gentleman has not read the following language:

payment to be made from applicable funds herein appropriated or otherwise available.

Mr. FOSTER. That shows that it is subject to a point of order, because the money was appropriated for another purpose, and you are proposing to change it.

Mr. CARTER. I will say to the gentleman that I am not discussing the point of order.

Mr. HARRISON. Mr. Chairman, it strikes me that the chairman of the committee, the gentleman from Texas [Mr. STEPHENS], made the best argument in behalf of the point of order when he read the law that was passed with respect to the heads of bureaus purchasing automobiles in the future.

Let me read that section once more:

No appropriation made in this or any other act shall be available for the purchase of any motor-propelled or horse-drawn passenger-carrying vehicle for the service of any of the executive departments or other Government establishments or any branch of the Government service unless specific authority is granted therefor and after the close of the fiscal year 1915, and there shall not be expended out of any appropriation made by Congress any sum for purchase, maintenance, repair, or operation of motor-propelled or horse-drawn passenger-carrying vehicles for any branch of the public service of the United States unless the same is specifically authorized by law.

The question is, Why do they want to pass this legislation? If it is not new legislation, what is the need to pass this provision? I submit that the only object in asking for this provision to be incorporated in the bill is to get money to expend for the purchase of automobiles, because they realize that this provision of law which was passed by a previous Congress prohibited them from appropriating money to be used for the purchase of automobiles without special legislation, and their object here is to get a provision of law that will give them authority to appropriate this money for the purchase of automobiles. I submit that the point of order ought to be sustained.

Mr. STEPHENS of Texas. Can the gentleman inform us how they are to feed their horses or to get gasoline to run their automobiles or do anything else if we do not make this appropriation?

Mr. HARRISON. The merits of the question are not now presented. We are discussing the point of order now, and I want to say to the gentleman it looks to me as though there is no spirit of economy shown by the committee when they bring out a provision like this, that not only purposes to expend such a large amount for traveling vehicles, but which increases the price that the department in the past has paid for automobiles. If the Bureau of Indian Affairs has been in the habit of buying Ford automobiles, paying about $600 a year for them, so that these matrons, farmers, and superintendents, who wait on the Indian children, can be driven through the pleasant western country, I can not understand why the committee want to increase it to $750 for each automobile now. That is what they do in appropriating $15,000 for 20 automobiles. The department did not ask to have that done. The department asked for $20,000 with which to purchase 30 automobiles, and I am curious to know what prompted the committee to increase the price that they formerly allowed the department to pay for automobiles to the now higher price. Can the gentleman tell us?

Mr. STEPHENS of Texas. I will state the reasons are given fully in the hearings.

Mr. HARRISON. I read the hearings.

Mr. STEPHENS of Texas. We did not wish to confine the purchase of these automobiles to any certain class of automobiles, so that they can make the very best contracts they can for the automobiles.

Therefore, as he has stated, $666 is the limit, and we could not and would not undertake to state what certain kind of automobiles should be purchased. But, Mr. Chairman, I desire to read to you the law authorizing and giving the creation and history of the Committee on Indian Affairs. You will find it on page 785 of volume 4 of Hinds' Precedents, section 4204, section 16 of Rule XI.

The rule gives to the Committee on Indian Affairs jurisdiction of subjects relating to "the relations of the United States with the Indians and the Indian tribes, including appropriations therefor." Now, section 4205 says this:

The Committee on Indian Affairs has a broad jurisdiction of subjects relating to the care, education, and management of the Indians, including the care and allotment of their lands. On December 6, 1888, the resolutions distributing the President's message used this language relating to the jurisdiction of the Committee on Indian Affairs, giving to that committee so much "as relates to the care, education, and management of the Indians." This language had been used for a long time in these resolutions, and the committee has exercised a broad jurisdiction as to the care of Indians on the reservations and in Indian Territory while that reserve existed as a separate territory, and also as to the care and preservation of Indian lands and the allotment in severalty.

There is therefore given to this committee jurisdiction of so much as relates to the care, education, and management of the Indians. Now, how can the Indians be cared for when they are sick unless the doctor has some means of reaching them? How can they be managed unless there are some vehicles to use upon the reservation? And this has been the language for many years. The reason that this item is in the bill is, as has been stated, that we prevented, by the act of last year, the use of any funds unless specifically authorized for this purpose.

Mr. HARRISON. May I ask the gentleman in that connection what was the object of the wording of the provision which says:

And to expend for the maintenance, repair, and operation of motor-propelled and horse-drawn passenger-carrying vehicles, including those now on hand and those to be purchased for the Indian Service, $200,000.

Was it the idea of the committee to employ chauffeurs to drive these people around to these various places to their work? Is that what is intended by the word "operation"?

Mr. STEPHENS of Texas. It is to feed the horses and to provide for the repair of vehicles, whether they be buggies or motor-propelled vehicles of any kind or character. If the gentleman has had any experience with automobiles or motor-propelled vehicles, he knows that it costs more to keep them than to buy them in the first place.

Mr. HARRISON. I have never had any experience with them. I am not able to ride in them. I have to walk.

Mr. STEPHENS of Texas. And unless they can purchase everything needful to keep them in working order, it is better not to have them at all, because a mule or horse is always ready for business.

The CHAIRMAN. Will the gentleman from Texas point out to the Chair the statute authorizing the purchase of automobiles or motor-propelled vehicles?

Mr. STEPHENS of Texas. It is in the general item I have just read, the general authorization that this committee has over Indian matters.

The CHAIRMAN. The gentleman is reading from Hinds' Precedents and not from the statute. The Chair would like to have the gentleman, if he can do so, send him the statute which authorizes, or under which the power has been exercised heretofore, of purchasing these vehicles.

Mr. STEPHENS of Texas. I will yield to the gentleman from South Dakota [Mr. BURKE], who has examined the matter more closely than I have.

Mr. BURKE of South Dakota. If the point of order is insisted on, there is not much doubt about it. Congress, following the Committee on Appropriations, prohibited by law in the last session, as I understand it, the purchase of automobiles or other vehicles except as authorized by law.

Mr. STAFFORD. I think the gentleman is going too far when he takes that position. It merely stated in the legislative act that no appropriation shall be utilized for the purchase of automobiles unless it so specifically provides. The question before the committee at the present time is whether—there being automobiles in service now—the department has the right to purchase additional ones; whether there is any authority for the continuing of a present work in operation. I have not examined the question directly, but I think——

Mr. FOSTER. I think that provision limited them to what was provided by law.

Mr. STAFFORD. I wish to direct the attention of the Chair to section 5 of the legislative act, which has been referred to and which was called to the attention of the Chair by the gentleman from Mississippi [Mr. HARRISON], found on page 88 of the hearings:

No appropriation made in this or any other act shall be available for the purchase of any motor-propelled or horse-drawn passenger-carrying vehicle for the service of any of the executive departments or other Government establishments or any branch of the Government service unless specific authority is granted therefor and after the close of the fiscal year 1915, and there shall not be expended out of any appropriation made by Congress any sum for purchase, maintenance, repair, or operation of motor-propelled or horse-drawn passenger-carrying vehicles for any branch of the public service of the United States unless the same is specifically authorized by law.

The intendment of this provision is to place a limitation on the departmental officials so that they can not purchase automobiles from lump-sum appropriations, but that there must be specific authorization for such a purpose.

The committee, in this paragraph, is attempting to authorize specifically the purchase of 15 automobiles. It is conceded that there are at present in the service some 70 or more.

Mr. FOSTER. I think there are 800 vehicles.

Mr. BURKE of South Dakota. No; 118 automobiles.

Mr. STAFFORD. One hundred and eighteen are now in the service.

Mr. BURKE of South Dakota. And 739 horse-drawn vehicles.

Mr. STAFFORD. And 739 horse-drawn vehicles.

Mr. FOSTER. There are over 800 vehicles in all.

Mr. STAFFORD. There being already in the service 118 automobiles, I do not think there can be any question—I will not say there can not be any question, but I think it is a mooted question—whether Congress can not authorize the replacement of some of these 118, this being an institution already established.

Mr. SISSON. Mr. Chairman, the Chairman of the Committee of the Whole is a member of the Committee on Appropriations. Of course he is familiar with the legislation placed in appropriation bills to prevent the purchase of motor-drawn vehicles unless the authority is specifically granted for that purpose.

Now, the authority read by the chairman of the Committee on Indian Affairs gives the Committee on Indian Affairs jurisdiction over all this matter. Therefore the committee could bring in a bill authorizing the purchase of automobiles, because they have full jurisdiction of that subject matter. They can legislate on the question. They have failed to do that, and under the statute passed in the last session of Congress prohibiting the appropriation for motor-drawn passenger vehicles, unless specifically appropriated for, this item is subject to a point of order.

In the absence of such a statute, however, under the general rules of the House the decisions read by the chairman of the committee simply apply to the general jurisdiction of the Committee on Indian Affairs and legislation for the Indians. But that does not mean that they could on an appropriation bill regulating the Indians include an item of this kind, because that would mean that on this appropriation bill you could load it down with all sorts of legislation. The very reason that this appropriation is put in the bill is because, as the law now stands, they can not use any of this money provided for in this bill for doing this specific thing. If they could do what they are seeking to do now, there would be no necessity for the legislation, and the fact that they are asking for the legislation is because the Commissioner on Indian Affairs can not do the very thing that they are asking in this bill.

Mr. BURKE of South Dakota rose.

The CHAIRMAN. The Chair sees that the gentleman from South Dakota is on his feet, and he will ask the gentleman if he can cite to the Chair any provision that authorizes the Indian Bureau to purchase automobiles. The Chair refers to authority prior to the passage of the act referred to.

Mr. BURKE of South Dakota. I was about to say that I am inclined to agree with the gentleman from Mississippi [Mr. SISSON]. I think the action of the Committee on Appropriations in reporting the provision that was enacted in the last session—I was going to say is almost absurd—but they did it, and it is now the law. They might have gone a great deal further and said without specific authority of law we could not purchase an ax or a plow or a harrow or a mowing machine or any other implement used in the Government service. The fact is, that the different appropriations that have been made in the past for the support and civilization of the Indians, for the different branches of the service, such as the Forestry Division, the Irrigation Division, and other branches, have been used in the purchase of implements and such things as were necessary to carry out the purpose of the appropriation, including automobiles and horse-drawn vehicles.

The CHAIRMAN. The Chair will state what he understands the Committee on Appropriations had in mind. It had been found that some public officials had been using funds for the purpose of purchasing automobiles. This provision that has been referred to was framed and made a part of the legislative bill for the purpose of preventing any possible abuse.

Mr. BURKE of South Dakota. I understand that, and it includes horse-drawn vehicles.

The CHAIRMAN. In other words, it was the intention of Congress, as the Chair understands, not to deprive any department or bureau of the privilege of purchasing automobiles when needed, but to provide that hereafter when it was desired to purchase them there should be some specific authority from Congress for such purchase.

The Chair does not understand that the effect of this provision is such as to prevent Congress from authorizing the Bureau of Indian Affairs to purchase automobiles as an administrative necessity, provided there has been authority heretofore for the purchase of such vehicles. It was for that reason that the Chair asked the gentleman if he could cite to the Chair any statute under which the Indian Bureau has authority to purchase automobiles and vehicles.

Mr. BURKE of South Dakota. I do not think there is any specific statute; it is implied when we make the appropriation. We make appropriations for certain purposes, and in order to carry out the purpose it is absolutely necessary that we have certain implements and tools with which to do it. It has been done, and done ever since we have been making appropriations for the Indian Service. The Committee on Appropriations, as I understand, with good intentions determined that hereafter there should not be any authority in any of the administrative offices by which they could buy these vehicles without authority of Congress. I think it was in the mind of the Committee on Appropriations that when the different appropriation bills were being prepared and considered that it would be quite within the power of the House to grant the authority. But in doing so it changes the existing law, which prohibits it, and consequently it is legislation. That is the way it seems to me.

The provision undoubtedly goes further than was probably intended. It is very apparent to every Member of this House that if this provision goes out of the bill it is going to seriously cripple the Indian Service, because if a wagon breaks down or a horse dies, if an automobile is worn out, the Indian Bureau will be absolutely without any authority whatever to purchase a new one or to repair one that is out of order. For these reasons I hope the gentleman from Illinois will not insist upon his point of order.

Mr. LEVER. Mr. Chairman, this is a very important proposition upon which the Chair is to rule. I assume that every appropriation committee will carry an item similar to the one carried in the Indian appropriation bill. I know that the Agricultural bill will carry one.

I disagree with the gentleman from South Dakota [Mr. BURKE] as to his understanding of the proposition. As I take it, the Committee on Appropriations which brought in this statute had in mind this one fact, namely, to compel the appropriation committees to set out in their appropriation bills the amount of money that was to be used for the purchase of these various vehicles, and for the upkeep and maintenance of them. I think that was a wise purpose. I can not conceive that the Committee on Appropriations had in mind a statute or provision which would make it impossible, under its terms, for a Cabinet officer to have a wheel of his carriage repaired. And yet, if the Chair holds that this item is subject to a point of order, it means that very thing—that you could not buy a single vehicle; that you could not maintain or operate one; that you could not provide for its upkeep; that you could not provide for anything about it. It would mean that all vehicles in the service of the Government must go out or else the various appropriation committees will have to bring into the House separate bills authorizing the purchase of motor-propelled vehicles, automobiles, and the like of that, and for their maintenance, upkeep, and operation. I do not believe the Committee on Appropriations had any such thing in mind. It seems to me that the very provision which is being invoked here as sustaining the point of order in itself makes this proposition in order. The proposition says that except when specifically authorized you shall not do certain things. Now, the Committee on Indian Affairs has come in here with its regular appropriation bill. It is carrying out the intent of this provision. It is authorizing the setting aside of a certain amount for that purpose, authorizing the Indian Service to do these certain things which the Appropriations Committee had requested should be done. It strikes me that this provision is carrying out the very intention of Congress which passed the other provision, and that it is clearly not subject to the point of order.

Mr. BURKE of South Dakota. Will the gentleman permit?

Mr. LEVER. Certainly.

Mr. BURKE of South Dakota. The gentleman says the Committee on Appropriations has requested that this be done. Has it not by solemn act provided that it shall not be done?

Mr. LEVER. No; my understanding of the motive in the minds of the Committee on Appropriations was this——

Mr. BURKE of South Dakota. There is no doubt about the motive.

Mr. LEVER. That it desires that every appropriating committee shall set out by specific items the amount of money that is to be expended for these certain purposes.

Mr. BURKE of South Dakota. I think the gentleman is right about the motive?

Mr. LEVER. And I think that being the case, that we are following the intention, at their request, if you want to call it that, and in bringing in these items on the bill we are carrying out the will of Congress, and I do not believe it is subject to a point of order.

Mr. BORLAND. Mr. Chairman, this section 5 of the legislative, executive, and judicial act of 1915 covering this proposition is divided into two propositions, as the Chair will see. The first clause says:

> That no appropriation in this or any other act shall be available for the purchase of any motor-propelled or horse-drawn passenger-carrying vehicle for the service of any of the executive departments or other Government establishment or any branch of the Government service unless specific authority is granted therefor.

Now, that is a limitation upon these appropriations. Then follows an item of permanent law, which says:

> And after the close of the fiscal year 1915, there shall not be expended out of any appropriation made by Congress any sum for purchase, maintenance, repair, or operation of motor-propelled or horse-drawn passenger-carrying vehicles for any branch of the public service of the United States unless the same is specifically authorized by law.

Now that is a provision of future law. This is a permanent provision of law, and whatever may be the wisdom or unwisdom of it, as the gentleman from South Dakota [Mr. BURKE] has said, it is the law, and unless specific authority of law appears for the purchase of these vehicles they can not be appropriated for. The result is it is perfectly possible for a committee having jurisdiction of a subject, either the Committee on Indian Affairs for its bureau or the Agricultural Committee for its department, to authorize by law the purchase and maintenance of a certain number of vehicles and thereafter to appropriate for that purpose. But section 5 of the statute under consideration says that this must be done by law, under specific authority by law.

Mr. HAY. Will the gentleman yield for a question?

Mr. BORLAND. In just a minute. The specific authority by law for particular vehicles might be the existing law, in existence at the time this section 5 was adopted, or it might be a new law brought in at some future time, but it must be an act of legislation, and the section itself defines it as an act of legislation.

Mr. HAY. Is not an appropriation act the law?

Mr. BORLAND. An appropriation act is law when it is passed; it is the current law of that year, but it is not permanent law beyond the current year unless it be made so by the word "hereafter," or words of similar import, and that makes it subject to a point of order.

The CHAIRMAN. Will the gentleman permit the Chair to ask him a question?

Mr. BORLAND. Certainly.

The CHAIRMAN. The Chair desires to ask whether or not, in the opinion of the gentleman, it was the intention of Congress in the passage of this provision of the legislative, executive, and judicial appropriation bill to deny to itself the right to permit any bureau or department of the Government to purchase automobiles whenever Congress in its wisdom and discretion thought it was necessary for administrative purposes?

Mr. BORLAND. No; certainly not; for it defines exactly the way in which it should be done, and that is it should be done by law. If a department thinks it wants 20 automobiles, it comes in and asks for legislation—not an appropriation—but for legislation authorizing it to have 20 automobiles for a particular service, and Congress reserves to itself the right to pass upon the wisdom of that request.

The CHAIRMAN. The Chair calls the gentleman's attention to the latter portion of this section—and the Chair is simply asking for information—which provides:

> And there shall not be expended out of any appropriation made by Congress any sum for purchase, maintenance, repair, or operation of motor-propelled or horse-drawn passenger-carrying vehicles for any branch of the public service of the United States unless the same is specifically authorized by law.

Now, the Chair wants to ask the gentleman if the authority granted in an appropriation bill, if Congress should see fit to give that authority, is not an authority granted by law?

Mr. BORLAND. The point I made, if the Chair will permit me, was that any general language under which these vehicles had been purchased in the past was expressly repealed, as the gentleman from South Dakota says, by that provision that hereafter it should not be done out of any appropriation unless specifically authorized by law. Now, "specifically authorized by law" means legislation.

Mr. HAY. Mr. Chairman, I would like to be heard on the point of order, unless the Chair is ready to rule.

The CHAIRMAN. The Chair will be glad to hear the gentleman.

Mr. HAY. Unless the Chairman has made up his mind.

The CHAIRMAN. The Chair will be glad to hear the gentleman briefly.

Mr. HAY. Mr. Chairman, I want to call the attention of the Chair to the fact that every appropriation bill which will be considered will contain a provision providing for the operation and repair, and also the purchase, of either motor-driven or horse-drawn vehicles. The Army, for example, has a very large number of both kinds of vehicles; how large I do not know, but certainly running into thousands. Now, if, under section 5 of the legislative act, to which gentlemen have referred, it is only possible to provide for the maintenance and upkeep of those vehicles by a special act, the Government service will be practically destroyed, and the vehicles which the War Department, for instance, has and those in the Army will be allowed to be worn out, and it will be necessary to purchase new ones much more frequently than it would be if there could be carried in the appropriation bill an appropriation for the upkeep of these vehicles. So much for the upkeep.

Every year in the Army it is necessary to purchase wagons, which are horse-drawn vehicles, and ambulances for hospitals, and motor vehicles of various kinds, and it never could have been contemplated by the Committee on Appropriations when they reported this provision, nor by the Congress when it was adopted, that a separate bill should be brought in every year for the purchase of vehicles which were necessary for the use of the Army and the other departments of the Government.

Mr. LEVER. Will the gentleman yield?

Mr. HAY. I will.

Mr. LEVER. Is it not safe, I will ask my friend from Virginia, to assume that the Committee on Appropriations had in mind that each of the departments had general authority under general law to make these purchases and repairs, and the like of that, of vehicles, and that the Appropriations Committee had in mind the fact that they desire the amounts expended for these purposes should be segregated in the various appropriation bills, and with this section 5 of the appropriation bill they hold this item in order on the various bills?

Mr. HAY. I was coming to that very thing—that the purpose of this provision was to prevent abuses in the purchase of these motor-drawn and horse-drawn vehicles. That was the purpose of it; and in order to get at that they required that in every appropriation bill there should be specific authority for the purchase of any of these vehicles which are spoken of in this section. As to the contention of the gentleman from Missouri that this is specific law, and that therefore any provision in an appropriation bill which provides for the purchase of a vehicle or for the upkeep of a vehicle must be a separate and distinct law, and that if it is put on an appropriation bill it violates the general rule about legislation on appropriation bills, I want to say that anybody who will read this section carefully must come to the conclusion that when the Committee on Appropriations and the Congress adopted this section, which, in part, reads—

> unless specific authority is granted therefor, and after the close of the fiscal year 1915, and there shall not be expended out of any appropriation made by Congress any sum for purchase, maintenance, repair, or operation of motor-propelled or horse-drawn passenger-carrying vehicles for any branch of the public service of the United States unless the same is specifically authorized by law—

it meant the appropriation bill.

I will place in the RECORD the full quotation from the hearings, as follows:

VEHICLES, INDIAN SERVICE.

Section 5 of the legislative, executive, and judicial act for the fiscal years 1915 reads as follows:

"No appropriation made in this or any other act shall be available for the purchase of any motor-propelled or horse-drawn passenger-carrying vehicle for the service of any of the executive departments or other Government establishments or any branch of the Government service unless specific authority is granted therefor and after the close of the fiscal year 1915, and there shall not be expended out of any appropriation made by Congress any sum for purchase, maintenance, repair, or operation of motor-propelled or horse-drawn passenger-carrying vehicles for any branch of the public service of the United States unless the same is specifically authorized by law."

In compliance therewith and in order to make the general appropriations of the Indian Service applicable for the purchase of additional passenger-carrying vehicles and for maintaining, repairing, and operating those on hand and those to be purchased this item has been inserted. Transportation facilities in the Indian country are an absolute necessity in order that the various employees of the field service may visit among the Indians for the purpose of ascertaining their wants and relieving their conditions and needs, etc.

Senate Document No. 461, Sixty-third Congress, second session, shows that in the Indian Service at that time there were 118 motor-propelled passenger-carrying vehicles, valued at $113,978, and 739 horse-drawn passenger-carrying vehicles. Many of these vehicles, both horse drawn and motor propelled, have been in actual service for a number of years, and, due to constant and hard usage, are or have become unserviceable and must be replaced in order to permit the officials to carry on their duties. The superintendents must go over their reservations in order to learn the conditions and be able to report the facts to the office. The field matron must visit among the Indians in their homes and advise them as to their needs, etc. The physicians must visit among the sick, and time is of the essence in reaching many of the patients. Farmers and stockmen should have transportation facilities to get out among the Indians to teach them farming, operations regarding the care and upbreeding of stock, and the like. Without this item the work of the Indian Service must to a very large extent be at a standstill.

An appropriation bill is just as much a law as any other bill or any other law, and the Committee on Appropriations must have intended to have conferred upon the various appropriating committees of the House the power to specifically give that authority in the appropriation law. I also want to call the attention of the Chair to the fact that if this point of order is sustained the whole public service, not only in the Indian Bureau but the entire public service, will be crippled in a way which will be criminal, and I do not believe that this is subject to the point of order upon the grounds stated by the gentlemen who have so argued.

Mr. LEVER. Will the gentleman yield for a moment before he takes his seat?

Mr. HAY. I will.

Mr. LEVER. I would like to ask the gentleman from Virginia if he has considered the proposition in this light—that this item in the Indian appropriation bill may be considered as a limitation upon an appropriation bill, and therefore not subject to a point of order?

Mr. HAY. I have not, and I do not think it is a limitation.

Mr. LEVER. I am not sure of it myself.

Mr. FOSTER. Mr. Chairman, I would like to call the Chairman's attention to something which may help him without going into such a broad field, and that is the provision which says "from other funds available," and in the hearings, if the Chair will notice, he will see that they propose by this authority to take from other funds which have been appropriated for another purpose and use them for this, which changes the existing law. Now, I suggest to the Chairman that that is one reason why this will be subject to a point of order. It might give him an opportunity to look up this provision, because I think there is no question about that. If the Chair will look on page 89 of the hearings, he will find that statement made, and then as to the provision which says "herein appropriated or otherwise available."

Mr. STAFFORD. If the gentleman will permit, that will not prevent anyone from offering the paragraph we have left out, and that would leave it to the Chair for a decision.

Mr. FOSTER. That might give the Chairman a chance to consider the question more fully.

Mr. STAFFORD. A breathing spell.

Mr. SISSON. Mr. Chairman, I want to call the Chair's attention to the fact that the chairmen of these other committees are unduly exercised about the provision in this bill, and I want the Chair's attention a moment, inasmuch as he is on that committee and on the subcommittee that reported that bill, and it was discussed at length. This statute is against vehicles, horse drawn or motor drawn, that haul passengers. It can not affect the motor vehicles in the Army or in the Agricultural Department; it only affects those used for social purposes, a vice the department had grown into by buying them and using them for social purposes, and if you will read the language of this legislation put upon this appropriation bill you will find it is limited to passenger vehicles.

Mr. LEVER. Then, the statement of the chairman of one of these committees that an automobile was being used for public purposes would relieve the item of the point of order?

Mr. SISSON. No. If it is a vehicle that can be used for hauling passengers. If it is and it can be used for the hauling of the individual passengers, it comes within the contemplation of this statute. Now, I want to call the Chair's attention to this proposition. There are two reasons why this is subject to a point of order: First, it is on account of this legislation placed upon the appropriation bill; and, second, they have no right to complain if the rules of the House prevent legislation on appropriation bills. Now, they will not find any authority anywhere justifying these people in purchasing automobiles, and if they can not find it, it is subject to a point of order, even though this statute had not been passed on the legislative, executive, and judicial appropriation bill.

Mr. MANN. Mr. Chairman, when I first read this item in the Indian appropriation bill I thought without very careful reflection it was subject to a point of order because apparently it endeavored to confer authority. But as I read it more carefully I find it is simply a matter of appropriation and not a matter of authority. In other words, this does not extend the authority which the department would now have, but simply appropriates the money.

Some years ago the question arose in the House as to whether an appropriation for automobiles in the Army was subject to a point of order. Well, we appropriate quite a number of millions of dollars for transportation of the Army. There was quite a debate on the subject in the House as to whether appropriating money for automobiles in the Army was in order, or whether it required specific legislative authority in advance. The Chair held at that time that transportation in the departments was just as essential and necessary as any other branch of the service and held that Congress, having the authority to appropriate large sums of money for transportation of the Army, might specify the character of the transportation, and hence might appropriate for automobiles.

No one will contend for a moment that we can not appropriate for the traveling expenses of officers in the Indian Service. Now, there is no distinction, so far as the law is concerned, between traveling by rail and traveling by automobile, and if we can appropriate for the traveling expenses in one way, we can appropriate for traveling expenses in another way.

I take it that on an Indian agency or on a reservation where there is an Indian agent it is not supposed that the officials of the Government are required to walk, because that would be a great deal more expensive than riding. We can appropriate for the purchase of horses in order that they may have transportation. We can appropriate for automobiles in order that they may have transportation, that being a matter left to the sound legislative discretion of Congress. But the authority to make the appropriation is covered by the right to provide for the service.

Such was the state of the law and the practice before the legislative appropriation bill passed last year. My recollection is—and I am not sure it is correct—that when that item was reported to the House I made a point of order on it, and it went out, and that it afterwards came back as a Senate amendment and was agreed to in conference.

But what does it mean and what does it say? It simply covers the matter of using appropriations. It says, "No appropriations made in this or any other act shall be used for a certain purpose." It does not forbid the departments purchasing automobiles except that they can not use appropriations therefor unless it is specifically provided for, unless specific authority is given therefor.

That does not mean, as I take it, that it requires a legislative act by Congress to authorize the purchase of an automobile here or a motor cycle there or a horse-drawn vehicle somewhere else, but the authority is contained in the appropriation. We appropriate the money for this purpose. That is the specific authority given.

Now, where the language is used, "unless the same is specifically authorized by law," it means the same thing. The purpose is and was to have the specific authority of law contained in the item making the appropriation. In other words, it has become the practice of the departments, out of general appropriations—lump-sum appropriations for various purposes of transportation and otherwise—to purchase these vehicles for carrying passengers, and the purpose was to give Congress the legislative authority, in passing the appropriation act, to determine in the appropriation whether it would authorize the purchase and use and maintenance of these automobiles and other passenger-carrying vehicles; and to carry out that purpose in the same section of the bill and of the law it provides that the departments shall make estimates of the appropriations for that purpose. It says:

There shall be submitted in detail estimates for such necessary appropriations as are intended to be used for the purchase, maintenance, repair, or operation of these vehicles.

The whole purpose of the section was to provide that the departments shall make estimates of the appropriations, and that in making the appropriations Congress should determine in the appropriating act itself whether it authorized the use of any of the money for the purpose of purchasing these vehicles.

Now, this item, while it is not very clear in form, is either an appropriation itself or is an authorization to pay out of other appropriations in the bill. It is not an uncommon thing in an appropriating act to give a general authority, based upon the appropriations in the bill, and that is all this item does. I think it is in order.

The CHAIRMAN. The gentleman from Illinois has discussed the main proposition. The Chair would like to ask the gentleman what he has to say with reference to the point made by the gentleman from Illinois [Mr. FOSTER] as to the words "or otherwise available"?

Mr. MANN. Well, personally I do not think that means anything at all. The provision of the law is that "no part of the appropriation shall be used for the purchase." It does not refer to any other funds. If the department has other funds for the purchase of automobiles, the prohibition in the legislative act does not apply. This item refers to payments to be made from applicable funds "herein appropriated or otherwise available." I do not think that language means anything at all myself.

Mr. FOSTER. Mr. Chairman, let me ask my colleague, Does he not think that changes existing law and takes funds that are appropriated for another purpose?

Mr. MANN. Oh, in an appropriating bill we have the right in making the appropriation to appropriate. We can appropriate any funds in the Treasury for any purpose that is in order. That is a part of the appropriation.

Mr. FOSTER. They must have thought they had not the authority to do that now, so they were asking to change the law so that they would have the authority.

Mr. MANN. I do not think so.

Mr. FOSTER. I do not know of any other reason for putting that in there.

Mr. MANN. I think it is an appropriation of $223,000, in the bill as drawn, but I am informed by the members of the committee that that was not their purpose. I think it ought to be corrected, although that would not affect the point of order. The purpose of the item was to make certain funds available for these purposes. We have the right to appropriate money for these purposes. We have the right to say that any funds in this bill shall be appropriated for a certain purpose. We have the authority, in my judgment, to provide that all the funds of the Indian Service may be used for the purchase of automobiles. Of course we will not do that. As far as the point of order is concerned, we have the right to make the appropriation, and that is all this does.

Mr. FOSTER. And if it has been appropriated for another purpose, does it not change existing law——

Mr. SISSON. To authorize it for that purpose.

Mr. FOSTER. To authorize it for that purpose.

Mr. MANN. No; probably not.

Mr. FOSTER. I thought it did. I do not know why they want it, unless it does.

Mr. MANN. I do not think myself that it means anything.

The CHAIRMAN. The Chair is ready to rule. The gentleman from Illinois makes a point of order against the paragraph beginning with line 9 and ending with line 21 on page 11:

That the Secretary of the Interior is authorized to purchase for the use of superintendents, farmers, physicians, field matrons, allotting, irrigation, and other employees of the Indian field service, in the supervision and administration of the affairs of the Indians, 20 motor-propelled passenger-carrying vehicles, at a cost not to exceed $15,000; 40 horse-

drawn passenger-carrying vehicles not to exceed a total cost of $8,000; and to expend for the maintenance, repair, and operation of motor-propelled and horse-drawn passenger-carrying vehicles, including those now on hand and those to be purchased for the Indian Service, $200,000; in all, $223,000, payment to be made from applicable funds herein appropriated or otherwise available.

It is contended that this section is not authorized by law and is new legislation on an appropriation bill. Gentlemen have cited, in support of the point of order, section 5 of the legislative, executive, and judicial act for the fiscal year 1915.

The Chair has some personal knowledge of the reasons which brought about the action of the Committee on Appropriations in recommending the enactment of such legislation. As has been stated several times, it was intended to correct a possible abuse in applying the lump-sum contingent fund to the purchase of automobiles, and so forth. This section was passed in order to afford Congress some information as to the automobiles that were to be purchased, and why they were to be purchased.

The Chair does not think it was intended by Congress to deny itself the right in an appropriation bill to authorize any executive department of the Government to purchase motor-drawn vehicles or any other kind of vehicles, where they are needed as an administrative necessity. The section in question provides that these automobiles and vehicles shall be purchased for the use of superintendents, farmers, physicians, field matrons, allotting, irrigation, and other employees of the Indian field service in the supervision and administration of the affairs of the Indians.

It is very clear to the Chair that the occasion might arise as an administrative necessity where an automobile, or a motor-drawn vehicle, or some other class of vehicle, like a wagon or other horse-drawn vehicle, would be necessary in order to properly perform the duties of the Bureau of Indian Affairs. The Chair does not think that the section which has been quoted and relied on to sustain this point of order goes so far as to require, or that it was intended to require, special legislation. It seems to the Chair that it was passed for the purpose of providing a check by Congress, so to speak, on the purchase of motor-drawn vehicles used by the various departments of the Government, so that Congress might have before it estimates from these various departments as to the number of vehicles required, and why they were needed.

The point has been made that this section of the legislative, executive, and judicial act provides that there shall not be expended out of any appropriation, and so forth, any money for any vehicle for any branch of the Government service unless the same is specifically authorized by law. The Chair thinks that is nothing more nor less than a limitation upon an administrative officer, and that if Congress in its wisdom sees fit to authorize the purchase of motor-drawn vehicles or other vehicles for the administrative purposes set forth in this bill, then it would be authorized by law within the meaning of the section referred to, because an appropriation bill after it has passed, is as much law as any other statute which may be passed.

The Chair, therefore, overrules the point of order.

Mr. FOSTER. Mr. Chairman, in line 13, page 11, I move to strike out "twenty" and insert "ten."

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 11, line 13, strike out the word "twenty" and insert the word "ten."

Mr. FOSTER. And in line 14 strike out "$15,000" and insert "$6,000."

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

On page 11, line 14, strike out "$15,000" and insert "$6,000."

Mr. STEPHENS of Texas. I have no objection to that.

Mr. MANN. Oh, yes; you have.

Mr. HARRISON. I have a substitute to offer for that, Mr. Chairman.

Mr. BURKE of South Dakota. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. BURKE of South Dakota. I have a substitute for the paragraph, but, as I understand it, it will not be in order to offer it until the paragraph has been perfected.

The CHAIRMAN. The Chair so understands.

Mr. BURKE of South Dakota. I would like to offer the substitute and have it read, in order that it may be pending.

The CHAIRMAN. The gentleman will send it to the desk.

Mr. BURKE of South Dakota. I offer the following as a substitute for the paragraph in the bill.

The CHAIRMAN. The Clerk will report the amendment offered as a substitute.

The Clerk read as follows:

Substitute for paragraph, lines 9 to 21, inclusive, on page 11:

"That not to exceed $220,000 of the appropriations made herein for the Bureau of Indian Affairs shall be available for the purchase, maintenance, repair, and operation of motor-propelled and horse-drawn passenger-carrying vehicles for the use of superintendents, farmers, physicians, field matrons, allotting, irrigation, and other employees in the Indian field service: *Provided*, That not to exceed $12,000 of this amount shall be expended for the purchase of not to exceed 20 motor-propelled passenger-carrying vehicles, and not to exceed $8,000 in the purchase of not to exceed 40 horse-drawn passenger-carrying vehicles, and that such vehicles shall be used only for official service."

Mr. FOSTER. Mr. Chairman, the amendment that I have offered reduces the number to 10 and provides that the amount shall be $6,000. The gentleman from South Dakota offers a substitute which provides that the total amount in this bill shall be about the same, but limits the amount that can be paid for the new automobiles.

Mr. BURKE of South Dakota. It simply makes the amount the same as does the gentleman's amendment, but increases the number of machines.

Mr. FOSTER. It seems to me that we ought to limit the number of these passenger-carrying vehicles. Congress ought not to be spending this great amount of money every year for a lot of automobiles which in many instances are used by people to ride around the cities and in the country with at the expense of the Government, not on official duties but for other purposes. We see them around Washington and see them going to markets and to residences, and even places of amusement.

Mr. STEPHENS of Texas. As I caught the reading, it prohibits the use of these automobiles except on official business.

Mr. FOSTER. Oh, yes; I know we provided at one time that large letters should be placed upon the automobiles. They were placed on the automobiles, but they were placed on the inside, where they could not be seen, until Congress again changed the law.

Mr. MANN. As I understand, under this appropriation none of them could be used in the city of Washington.

Mr. BURKE of South Dakota. That is true.

Mr. COX. Will the gentleman from Illinois yield?

Mr. FOSTER. Certainly.

Mr. COX. Does the gentleman have any idea that if this amendment offered by the gentleman from South Dakota is agreed to it will have any tendency to reduce the number that are employed in this line of work?

Mr. FOSTER. No; but I will say that if my amendment is adopted I propose to offer another to reduce this sum of $223,000.

Mr. BURKE of South Dakota. Does the gentleman appreciate that if his amendment prevails it does not reduce the amount carried in the bill a 5-cent piece?

Mr. FOSTER. I propose to offer an amendment reducing the sum of $223,000.

Mr. BURKE of South Dakota. Where are you going to reduce it, what part of the bill?

Mr. FOSTER. This paragraph here, which provides for $223,000.

Mr. BURKE of South Dakota. The paragraph as printed in the bill and as proposed by my substitute expressly provides that it shall be money used from appropriations carried in this bill; the paragraph does not appropriate anything.

Mr. FOSTER. I take it that the commissioner will follow the intention of Congress, that no more should be used. The commissioner is a man of excellent judgment, and I believe he is trying to do what is right. I have the very highest regard for him.

Mr. MANN. If the gentleman has any doubt about the standing of the Indian Commissioner, I can call as evidence the commissioner himself on the subject.

Mr. FOSTER. Well, I might not agree with everything the commissioner would say or be willing to give him everything that he wants.

Mr. BURKE of South Dakota. I might say that the commissioner estimated for the purchase of 30 automobiles. The committee reduced the number to 20.

Mr. FOSTER. That was the assistant commissioner.

Mr. BURKE of South Dakota. The gentleman from Illinois, without any information on the subject except what he has been able to get in a short time, proposes to reduce the number to 10. Does the gentleman think, in view of the fact that we have 118 of these machines now in the service and that we may need a few new ones, that 20 is an excessive number to provide for?

Mr. FOSTER. Yes; I think that 20 is more than we need; but I am willing to risk getting along with 10.

Mr. HARRISON. Mr. Chairman, I have an amendment to the amendment of the gentleman from Illinois.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 11 line 13, after the word "Indians," strike out the word "twenty" and insert in lieu thereof the word "five." Strike out in

line 14 the figures "$15,000" and insert in lieu thereof "$3,000." Strike out in line 19 the figures "$200,000" and insert in lieu thereof the sum of "$75,000."

Mr. HARRISON. Mr. Chairman, I ask unanimous consent to modify that amendment, so that it will apply as an amendment to the amendment of the gentleman from Illinois. His figures reduce the number to 10 and mine reduce it to 5.

The CHAIRMAN. Without objection, the amendment of the gentleman from Mississippi will be modified to that extent.

There was no objection.

Mr. HARRISON. Mr. Chairman, it occurs to me that it is too large an appropriation carried in this item for automobiles and for traveling vehicles. It occurs to me that there is extravagance somewhere. I do not say that in criticism of the Indian Bureau, because I think they have a man presiding over it who is excellently qualified for the duties that devolve upon him. He is a man of splendid accomplishments—patriotic and able—and I know he is trying to bring about efficiency and economy in that department. It strikes me, though, that when you appropriate such a large amount for automobiles and traveling vehicles that you are breeding extravagance in a bureau of this Government.

To substantiate the uselessness and folly of the appropriation of this vast sum of money for automobiles it is only necessary to read the hearings and the testimony of the assistant commissioner on that point.

The gentleman from Oklahoma [Mr. CARTER], a member of the subcommittee, asked certain questions of the assistant commissioner as to these automobiles. Here is a question he asked:

What I am trying to get at is, what use is made of all these vehicles?

Evidently Mr. CARTER had in his mind the idea that there were too many being asked for, because he follows that question up with the remainder of the question, saying:

You have 859 now, and 90 more will give you 949. And you have less than half that number of superintendents, doctors, and farmers.

You will note that appropriation as carried provides for automobiles for superintendents, farmers, and physicians, matrons, and so forth. In other words, you want to appropriate a large part of $223,000 for the purchase of automobiles and other traveling vehicles for some farmers and some matrons and superintendents.

Mr. COX. How many are there altogether?

Mr. HARRISON. In the whole Indian service now there are nearly 900 automobiles and other traveling vehicles, and the gentleman from Oklahoma, chairman of the subcommittee says: "You have less than half that number of superintendents, doctors, and farmers." I do not know what the idea of the committee was in wanting 947 of these automobiles and passenger-carrying vehicles when they have only 500 people to use them. If they want to provide two automobiles and passenger-carrying vehicles for each person, then I can see their idea in making this most extravagant appropriation. Of course they do not want every employee in the whole Indian service to use one. They would have no use for one.

Mr. STEPHENS of Nebraska. But the gentleman is in error as to the number. That is the entire number.

Mr. HARRISON. Yes; I so stated.

Mr. STEPHENS of Nebraska. There are only about 118 automobiles.

Mr. HARRISON. I stated passenger-carrying vehicles of every kind. As I said, there are only approximately 118 automobiles. In looking over what these matrons do, for whom they want to provide an automobile and a passenger-carrying vehicle, I am impressed with the thought that it may be that they desire them to use the buggy at one time when the automobile is in the garage, and use the automobile at another time when the buggy is in the stable. I notice that some of them get about $150 a year and others $180 a year. Some of them are employed just a little while and others for a longer time. I do not know why they want to provide an automobile for these matrons at a cost of seventy hundred and fifty dollars, to carry about employees who get only $150 a year. I notice later on in this provision they say that $200,000 of this appropriation shall be used for operating these automobiles and passenger-carrying vehicles. It may be that they need this amount to hire chauffeurs to drive these matrons and other people around and about.

The CHAIRMAN. The time of the gentleman from Mississippi has expired.

Mr. HARRISON. Mr. Chairman, I ask unanimous consent to proceed for two minutes more.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. HARRISON. Mr. Chairman, I submit that this is the most extravagant provision that has ever come in an appropriation bill in this House. There is less merit in it and justification for it. In the Agricultural bill, where they have superintendents of farms and farm demonstrators, men in the Forestry Service, cattle business, and employees of every kind who might need vehicles such as are appropriated for here, there is an appropriation for this service, I think, not to exceed $75,000, and probably it is not over $60,000. Yet for this Indian Service to employ these few superintendents and farmers and matrons they want $223,000 appropriated. I have proposed by my amendment to cut this appropriation to $75,000 and the number of automobiles to 5. I submit that the amendment ought to prevail, that we may cut a small part of this extravagance and rottenness from the bill.

Mr. STEPHENS of Texas. Mr. Chairman, I ask unanimous consent that all debate on this paragraph and all amendments thereto close in 10 minutes.

The CHAIRMAN. Is there objection?

Mr. STAFFORD. Mr. Chairman, I shall have to object to that. The gentleman from South Dakota [Mr. BURKE] would like to discuss his substitute.

Mr. STEPHENS of Texas. Then I will make it 15 minutes.

Mr. HOWARD. Mr. Chairman, I object.

The CHAIRMAN. The gentleman from Georgia objects.

Mr. CARTER. Mr. Chairman, the gentleman from Mississippi [Mr. HARRISON] in his discussion of this paragraph evidently overlooked the fact that it does not appropriate a dollar. It simply provides for the use of funds, as has been stated so often from the floor of the House, from appropriations now already carried in the bill; and if the amendment of the gentleman from Mississippi prevails, it will not save one dollar to the service; it will not cut this appropriation one dollar, because this item carries no appropriation.

Mr. HARRISON. Mr. Chairman, will the gentleman yield?

Mr. CARTER. Yes.

Mr. HARRISON. If it carries no appropriation, evidently it is money that is here authorized to be taken out of some other fund.

Mr. CARTER. It is.

Mr. HARRISON. And in the end it will cost the Government just that much money.

Mr. CARTER. If the money is not used for some other purpose, it might; but the chances are that the Indian Bureau will find other uses for the money, so it will not be a saving, and the gentleman from Mississippi has undertaken to say that he wanted to cut this "rottenness" out of the bill. Mr. Chairman, there is nothing rotten about it. It is a plain, specific appropriation for the purchase of automobiles, 10 less than the commissioner said were necessary, and a great many less horse vehicles than he said were necessary.

Mr. COX. Out of what fund does this come?

Mr. CARTER. This comes out of different contingent funds for other agencies. It comes out of funds carried in this bill for other agencies.

Mr. COX. That contingent fund is made up by appropriations from time to time.

Mr. CARTER. It is made up by appropriations.

Mr. COX. I can not get it through my head, to save my life, if the gentleman's amendment prevails, why it will not reduce the appropriation.

Mr. CARTER. It will not reduce the appropriation, because if the funds are not used for this purpose they can be used for some other purpose.

Mr. COX. How long has that fund been kept at that figure of $200,000?

Mr. CARTER. This is the first time it has appeared in the bill.

Mr. MANN. If they do not use this fund to purchase automobiles, they would have to use it to buy horses to ride on. There is no prohibition about that.

Mr. CARTER. There is much virtue in what the gentleman from Illinois says. If the money is not used for this purpose, doubtless the Indian Bureau will find some other purpose for which to use it.

Mr. HOWARD. Mr. Chairman, will the gentleman yield?

Mr. CARTER. Yes.

Mr. HOWARD. I want to vote intelligently on this proposition, and I know the gentleman can give me information. How are appropriations made for the Indian Service, if they are not specifically made? How can you divert one fund from one channel into another without legislative authority?

Mr. CARTER. You are doing it by this provision.

Mr. HOWARD. I want to know the modus operandi by which it is done.

Mr. CARTER. It is set forth in this provision. This is a provision that does it. The amendment of the gentleman from

South Dakota [Mr. BURKE], if I remember correctly, which is now under consideration, I believe provides that not more than a certain amount of the available funds in this bill shall be used for these vehicles.

Mr. SISSON. Will the gentleman yield?

Mr. CARTER. I will.

Mr. SISSON. It simply means the committee has appropriated in some other items more than they ought to have for the other items. In other words, you can dig into these items and get out $223,000. Does the gentleman believe that is a scientific way of making up an appropriation bill?

Mr. CARTER. Well, I will say to the gentleman from Mississippi that is about as near as we can get at it. I do not know how you can go about that. For instance the Commissioner of Indian Affairs is not able to tell us exactly what motor cars and what horse-drawn vehicles he might need at this time, and he would not know because some might break down during the fiscal year for which this appropriation is made.

Mr. HOWARD. I see the committee provides 20 motor-propelled passenger-carrying vehicles to cost not exceeding $15,000.

Mr. CARTER. Yes.

The CHAIRMAN. The time of the gentleman has expired.

Mr. HOWARD. Why should you not specifically state in the section the other items as definitely——

Mr. CARTER. My time has expired, although I should be glad to answer.

Mr. FERRIS. Mr. Chairman, I shall only consume a moment. It happened to come under my observation that one of the Indian farmers had one of the automobiles in my home district. They buy for them these little $550 Ford automobiles, and this farmer, Mr. Hutto, has a district of approximately 60 miles square, and the regulations require that he must go and call on the Indian farmers at least twice a month.

Now, if this Indian farmer, this employee of the Indian Office, must go to the Indian allotments and instruct each individual allottee twice a month as to how to conduct his farm, it is absolutely impossible for him to do it with an old horse and buggy or with two horses and a buggy. There was a time when any man who rode in an automobile had the public ban put upon him out in the country precincts, and there was a time when the automobile scared the farmers' horses and there was some prejudice among farmers against them; but that time has vanished with the farmer, and it seems to me it ought to vanish here. Every time the word "automobile" is mentioned on this floor, why, some of the Members seem to throw a fit and go into a spasm about automobiles. I can not believe, where an automobile is a matter of economy and where a public servant can do twice as much business with an automobile as he could with an old horse and buggy, why that prejudice should not vanish when the use of such vehicle brings about the best results.

Mr. TRIBBLE. Will the gentleman yield?

Mr. FERRIS. I will.

Mr. TRIBBLE. It appears from the statements of gentlemen and from evidence in the hearings that the bill is providing for twice as many automobiles as there are superintendents. What do you want with all these?

Mr. FERRIS. I do not think that can be borne out in the hearings, but, on the contrary, I read from the hearings, which I hold in my hand, that the Indian Service will be crippled and impaired if we do not give them these vehicles.

Mr. TRIBBLE. That is not an answer to my question.

Mr. FERRIS. I do answer the gentleman's question. I think the gentleman is not correct in his statement about it. The members of the committee do not corroborate the gentleman's statement. The gentleman must remember I am not a member of the committee.

Mr. STAFFORD. If the gentleman will permit, as a matter of information, the hearings show that there was at the time 118 automobiles, valued at $113,000, and 135 superintendents, not including doctors, farmers, and matrons, each of whom think they should have one.

Mr. FERRIS. I am with my friends who want to practice economy, but we are not talking about buying $2,000 or $3,000 automobiles and turning them over to an agent to ride over the country; we are not talking about that sort of transportation; but out on the prairie reservations, where the roads are good and where the agent can cover 115 miles a day in an automobile, and where he could only cover, say, 35 miles with a team and buggy, why, it is economy to buy these little Ford automobiles. They can do three times as much business, instruct three times the number of farmers; and if anything on earth is needed among the Indian people it is to try to get them to be on a self-supporting and industrious basis. Nothing will educate the Indians so fast, nothing will lift them aloft so readily, as to teach them agriculture, and I understand the Commissioner of Indian Affairs, with the able assistance of Mr. Meritt, is trying to inculcate in the minds of the Indian a disposition, first, to stay on his allotment, and, second, to do something with his allotment, and in order to have that done the Indian agent or farmer, so called, must go around and instruct. The committee, of course, will know better than I whether they need these particular automobiles or not.

Mr. HOWARD. Mr. Chairman, I would not want to do or say anything that would cripple a great service of the Government, and I am heartily in favor of dissemination of agricultural knowledge among the Indians. The reason I can not give my assent to this appropriation is this: I know and every other Member of Congress knows and sees the use of passenger-carrying vehicles abused every day in the year right here in the city of Washington. The Government has hundreds of thousands of dollars invested in passenger-carrying vehicles here in Washington. You can go to any social function in this town at any time in the day or night and you can see vehicles that are paid for by the taxpayers of this country hauling Army officers and naval officers and other administrative officers of this Government and their wives to public functions in magnificent equipages. Now, that is what is the matter with these appropriations. They are being abused. Now, the Indians will be attending tango dances out there with these automobiles——

Mr. STAFFORD. Does not the gentleman think that is better than war dances?

Mr. HOWARD. No. The war dance is more decent and elevating than many of these new dances. Now, let me call attention to something all of you know to be a fact. We have got a branch of the Agricultural Department in which we have farm demonstrators. They are located in the counties throughout the Union for the purpose of demonstrating to the American farmers generally something about scientific agriculture. This work has and is accomplishing more real good than any branch of the Agricultural Department.

Now, I know a half dozen of these gentlemen in my district. What do they get? They get $600 to $900 a year. They sometimes have to take their horse out of the buggy when they are going around in the county, to put in their own crops, in order to make a living and thereby supplement what they are making. Now, if there is any class of Government employees on earth that needs an automobile in which to travel about, it is these farm demonstrators, who have to cover a county sometimes 30 to 40 miles wide and 60 to 80 miles long.

Mr. STEPHENS of Texas. Will the gentleman yield?

Mr. HOWARD. I will.

Mr. STEPHENS of Texas. There are 206 of those men, exactly, in the Indian Service.

Mr. HOWARD. I do not care whether there are 406. I was talking about the economy of the situation and the discrimination this bill makes. You were talking about the automobile. If you could have a mechanically devised automobile that would have one seat in it and nobody else on the face of the earth could ride in it but one person at a time, I probably would be willing to vote for automobile passenger carriage. But they will get these touring cars, and instead of using them for the official business of the Government they will use them about one-tenth of the time for official business and about nine-tenths of the time for pleasure. That has been the experience here. That has been the experience wherever you grant these special privileges to the employees of the Government.

Now, if you are going to give these matrons, if you are going to give these teachers, these farm demonstrators in the Indian Service automobiles, why should you deny in the agricultural appropriation bill automobiles for these farm demonstrators who are doing so much in every section of the country other than in the Indian Service? Why not give the rural mail carrier an automobile? He does a great public service. When is this thing going to end and where, if you are going to continue these appropriations? They say it is not an increase——

Mr. MILLER. Will the gentleman yield?

Mr. HOWARD. I will yield to my good friend.

Mr. MILLER. Does not the gentleman think it would perhaps be economy for the rural carriers themselves, in their work, if the road permitted, to have these automobiles rather than to have four horses and to pay for horse feed?

Mr. HOWARD. Well, I think it is the difference between tweedledum and tweedledee when you come to keeping horses and a buggy, and a cheap automobile. They talk about the Ford. It is a splendid car. I think it is the best car made, because it comes nearer my pocketbook than any other.

The CHAIRMAN. The time of the gentleman from Georgia has expired.

Mr. HOWARD. Mr. Chairman, I ask unanimous consent for two minutes more.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. STAFFORD. Can the gentleman inform the committee, because I know he is an expert on that subject, as to the cost of operating electric automobiles? [Laughter.]

Mr. HOWARD. I can not. I have always been afraid of these electric automobiles. It is true I never received a shock in one equal to the shock I have received here in this House for the ruthless and extravagant manner in which the money of the people of the country is spent. I think it takes a good deal of courage for a man not only to ride in one, but it takes a good deal of courage for him to walk along the highway when they are running. But I am getting down to the economy of this thing. We are getting crazy about riding folks around in automobiles. I never saw anything like it. They want to ride everywhere. They do not want to ride like our daddies, on "shank's two ponies," any more; they have gotten too big when they secure a Government job to ride with a horse and buggy, but they want an automobile. Would not these automobiles cut a shine out there on those sandy plains in Indian Territory?

Mr. CARTER. Will the gentleman yield?

Mr. HOWARD. I will.

Mr. CARTER. I would like to state that not one of these automobiles provided for here goes to the Five Civilized Tribes.

Mr. HOWARD. I do not know where they go, except I know that they go to the Indian Service, and cost $223,000.

Mr. JOHNSON of Washington. I would like to state that I am anxious to get some of these automobiles for 19 tribes of Indians out in my territory, where they have country that they can not walk over.

Mr. HOWARD. My judgment is that if the manipulation of these Indian funds had not been so flagrantly abused, from my view of legislation that has been passed in the interest of the Indian, every Indian on earth could not only have a Ford automobile, if his funds had been administered in a businesslike way, but he could have a Packard limousine and be riding with that over the western plains to-day.

The CHAIRMAN. The time of the gentleman from Georgia has expired.

Mr. MILLER. Mr. Chairman, the gentleman who has just spoken always commands the interest of the House, and I have listened to him on this occasion with more than ordinary pleasure. He states that he is afraid of automobiles. Mr. Chairman, I am not. I am not afraid of an automobile in the hands of a private individual or in the hands of a public servant, if it is being applied to a proper purpose and being operated in a proper manner. If we set our faces against the introduction into our public administrative work of all the modern means and appliances, if we keep our faces set to the past and against all progress, we will not advance very far in the humanitarian and necessary work we are trying to do. In my judgment, Mr. Chairman, it is just as sensible to say that we will not use the telephone in connection with our Indian Service, or that we will not use the telegraph, or that we will not use any of the modern conveniences in the transaction of business, as it is to say that we shall not use a little automobile. All the world knows, or pretty nearly all of it does, that a small automobile can be operated with less expense than a man can keep a team of horses.

Mr. HELGESEN. Will the gentleman yield?

Mr. MILLER. Certainly.

Mr. HELGESEN. When you talk about economy—I do not know anything about the Indian Department, but in the Agricultural Department in its estimates they estimate that the upkeep of a Ford automobile is $400 a year without a chauffeur; but you want to realize that in public business you can not do anything in an economical way, because they had the upkeep of a one-horse buggy at $50.

Mr. MILLER. I am not responsible for the estimates of the Agricultural Department. If they estimate that it costs $400 for a man to run his own automobile, I am inclined to think they have poor mechanics in that service.

Mr. HOWARD. I agree with you about the upkeep. It is estimated that they could replace everything on the automobile except the horn and the push button at a cost of $400.

Mr. MILLER. Yes; the horn and the toot of the horn. [Laughter.]

Of course, Mr. Chairman, any such estimate as that is without the range of common sense, because we know it can not be, and there is no such estimate in this paragraph. There is no purpose in this paragraph contemplating the expenditure of any such sum as that in the upkeep of a machine.

Now let me call the attention of the committee to this, to me the vital feature: When the Indians were grouped together on reservations and all whites were excluded, they were fairly close together, because they resided usually in villages. Their affairs could be administered therefore with a greater degree of ease, because they were right there where you could administer their affairs, because you were in physical contact with them. To-day there are very few places like that remaining in the United States. In most cases the Indians have been allotted. They have not been allotted in solid masses; they have been scattered out over quite an area. Their surplus lands have been opened up to white settlement, and to-day the whites are more or less interspersed among the Indians.

Now, the thing to my mind that we need to do in order to put the Indian on a self-supporting basis and to remove the necessity for continued appropriations for him and the supervision of his acts, business and otherwise, is to teach him agriculture, teach him mechanics, teach him to be self-supporting with the instrumentalities he has at hand, and for this purpose it is necessary to have farm demonstrators to teach agriculture. It is also necessary to have matrons and physicians to visit the homes to see that sanitary conditions take the place of the horrible disease-breeding, germ-infested regions that they inhabit. It is necessary that the superintendents themselves get about among the Indians to see the needs of the respective individuals and devise means for their betterment and welfare. I do not think we fully appreciate the necessity of frequent communication between the administrative officers and the Indians, and I want to burden the committee with one illustration.

The CHAIRMAN. The time of the gentleman from Minnesota has expired.

Mr. MILLER. Mr. Chairman, I would like to have an additional five minutes.

The CHAIRMAN. The gentleman from Minnesota [Mr. MILLER] asks unanimous consent to proceed for five minutes more.

Mr. CARTER. Mr. Chairman, can we come to some arrangement about the time for closing debate?

Mr. MILLER. I do not care for more than three or four minutes, and the gentleman from Wisconsin [Mr. STAFFORD] wants five minutes.

Mr. MANN. I may want five minutes.

Mr. STAFFORD. I would like to have five minutes.

Mr. CARTER. Would it be satisfactory to close the debate on this paragraph in 15 minutes? I ask unanimous consent, Mr. Chairman, that the debate on this paragraph close in 15 minutes—5 minutes to be used by the gentleman from Minnesota [Mr. MILLER], 5 by the gentleman from Wisconsin [Mr. STAFFORD], and 5 by the gentleman from Illinois [Mr. MANN].

The CHAIRMAN. The gentleman from Oklahoma [Mr. CARTER] asks unanimous consent that all debate on the pending paragraph and all amendments thereto close in 15 minutes. Is there objection?

There was no objection.

The CHAIRMAN. The gentleman from Minnesota [Mr. MILLER] will proceed.

Mr. MILLER. Let me cite one illustration. I visited one Indian reservation. There were 900 Indians on that reservation. I hunted up the farmer. In order to find him I was obliged to go to a place about two miles and a half away from the main village. He happened to be there. I found he had about a dozen harrows or drags piled up. He had four or five other agricultural implements, all brand new, lying out in the open, without any covering. I asked him what he was going to do with them. He said he did not know. They had been sent to him for use. I asked him, "Are you going to turn them over to the Indians or use them in some kind of demonstration work?" He said, "I do not know. I have no team." I said, "When did you last go out to visit these allotments that the Indians are trying to improve?" I had passed by a good many that had been improved. "Well," he said, "I try to get around a little, but the truth is I have no means of conveyance; and while I have been here a year, I have not visited more than five or six farms. I depend on their coming to me, and I give them all the advice they want when they come to me."

Thank God, as soon as I got back to Washington that man was amputated from the service. He was not in the spirit of doing his work, either with a team or without one. But that is a condition that easily might exist, even where there was a man with the proper spirit, if he did not have the means of getting about among his people. The farmers and the matrons and the agents need these vehicles to take them out to their work.

And then there is another class, and that is the physician. We had a little debate here the other day on the subject of physicians. I find that one of the greatest difficulties of having medical attention brought home among the Indians is to get the doctors to go out and treat the people. That is not saying anything in the way of strong criticism against many good doctors who are in the Indian Service. I know of two or three cases that have recently arisen where the doctor says he did not go and could not go to attend the ailments of people afflicted, because he had no means of getting 15 or 20 miles away. I do not expect that you can get a doctor who will walk a long distance to visit an Indian patient. Not all the physicians need vehicles of this kind, but some do. But if any of them do, do you think it is possible that a physician on a salary of $1,100 a year or $900 a year—and within those two limits most of them are paid—can afford to keep a horse or team or automobile of his own? Not at all. These instrumentalities are an absolute necessity in the administration of the Indian Service.

Now, I do not know how many they need. I do not know anything about it, I am frank to say. I do not know whether they need 5 more or 6 more or 20 more. But I do know that the amount they have indicated means that they will purchase what we call very cheap automobiles, but good ones, for the service; nothing luxurious, nothing extravagant, but something useful and designed for their immediate work. [Applause.]

The CHAIRMAN. The time of the gentleman from Minnesota has expired. The gentleman from Wisconsin [Mr. STAFFORD] is recognized.

Mr. STAFFORD. Mr. Chairman, because I believe that automobiles add to the efficiency of the service, no matter in what department that service may be, I rise in opposition to the antagonists to automobiles in the Government service. Every committee of this House that has consideration of transportation has recommended from time to time the substitution of automobile service for the old, obsolete horse-drawn vehicles. Even in the Postal Service we find the rural carriers themselves voluntarily purchasing their automobiles, because their work can be done more cheaply and more efficiently. Those who are seeking to convey the idea that an automobile is an extravagance fail to take into consideration the value of the service of the official in his work of disseminating knowledge. If it were the purpose of the superintendent, of the doctor, of the matron, of these inspecting farmers, to remain in their offices, why, then, perhaps it might be considered as an extravagant proposition to afford them automobiles. But when we know that it adds to the efficiency of the service to allow them to go afield and come in contact with the Indians, it can not be considered as extravagant at all, because you are but multiplying the time and efficiency of the official.

It has been my good fortune to know very well a country doctor whom on occasions I visit on week ends and accompany about the country district where his practice exists. I know that his field of clientage has been extended twice by reason of having a small, inexpensive automobile. I know that he can care for many more patients. I know that the cost is much less, when you consider the territory covered, than the old, abandoned, obsolete service of horse-drawn vehicles.

The department, according to the hearings, comes before the committee and asks for an increase of 30 automobiles. They have in use at the present time 118. There are 135 superintendents. No provision whatsoever is made for doctors and the other employees of the Indian Service who need automobiles in going about the districts, and the committee have recommended an increase of 20, not 20 touring cars, but 20 automobiles, the average price of which would be $750 each. Can anyone consider it as extravagance to replace perhaps a few of these 118 that are worn out? Why, I wish to call the attention of the House to the fact that one of the rural carriers in Waukesha County last year ran his automobile and served his district with it for 10 months, in all kinds of weather, and found it more economical to do so. We find it more economical in the Postal Service to substitute automobiles in City Delivery Service. In my home city we are to-day inaugurating a motorcycle service. These motor cycles are much cheaper than the old, obsolete, $400, yearly leased, horse-drawn vehicle, because a man can cover four times the distance that he covered before. You are paying that letter carrier $4 a day. He can cover four times the distance. If you considered only the amount of oats that a horse would eat, perhaps you might be able to show that the motor cycle was more expensive, because the cost of the gasoline is more than the cost of the oats; but the fact is that it is cheaper to operate a motor cycle, driven by one man, who covers four times the district, when you consider the multiplication of the efficiency of the carrier, and that is the very question before the committee.

These superintendents should not be in their offices. These doctors also should go about the country; and the question is, Ought they to have the convenience to take them three or four times the distance that they would travel with a horse-drawn vehicle? I say to deny them moderate-priced automobiles is poor economy and inefficient service.

The CHAIRMAN. The time of the gentleman has expired.

Mr. MANN. Mr. Chairman, the Commissioner of Indian Affairs recently made a very interesting report, filled with information concerning the Commissioner of Indian Affairs, and not so very much information about the Indians. He issued a circular letter concerning himself, so that people might understand what a great man he was and what great work he was doing. This was a letter issued to the press, for their benefit, and it is seven pages long. He says, referring to the commissioner, that he found the Indian Service disorganized and discouraged, and that he has endeavored to place it on a sound economic and efficient business basis, working in harmony and with enthusiasm, with a view of promoting the best interests of the Indians; and, among other things which the Commissioner of Indian Affairs is called upon to do, is to entertain all of the Indians who come to Washington. He says that to this end he has made it the practice in the case of every delegation and every individual Indian visiting Washington to understand their wants and needs from their point of view and has given them his personal attention wherever possible.

Now, I think we ought to provide an automobile for the Commissioner of Indian Affairs. When I walk up F Street occasionally and meet the Commissioner of Indian Affairs with a number of Indians in tow, showing them the sights, I really feel chagrined. I think he ought to have a chance to ride around the town and show them these sights.

Mr. MADDEN. With a bodyguard of Indians around him.

Mr. MANN. When he is talking about how he has reduced the Indian Service to a sound economic and business basis, I find that he wants to increase the appropriation. That is always the case. Every reformer who comes along to institute a reform for the sake of economy always starts out by increasing the expenditure.

Now, here the Commissioner of Indian Affairs has $200,000 to spend for the maintenance of automobiles. I assume that is what he has been spending in the past. The gentleman from Wisconsin [Mr. STAFFORD] says they have 125 superintendents and only 118 automobiles; but they have $200,000 to spend for automobiles and horse-drawn passenger vehicles. All of the superintendents probably do not require automobiles in addition to a horse and buggy or a team and carriage. Now, we are reducing expenses this year, not at the suggestion of the Commissioner of Indian Affairs. We reduced the appropriation for industry among the Indians. That is to teach the Indians how to farm. We reduced it from $600,000 this year to $200,000 next year. It is proposed to cut off an appropriation of $400,000 that was practically expended to aid the Indians in farming. Well, we ought to be able to cut off some automobiles while we are cutting off this large expenditure.

We have reduced the appropriation for irrigation of Indian reservations from $345,000 to $259,000. That reduces the number of automobiles required. We have reduced the appropriation for education; that reduces the number of automobiles required. We have made a number of reductions in the bill, and yet they want more automobiles. Whenever you reduce the service then they want more automobiles. The Indian Service has 118 automobiles, and I do not know how many horses and carriages or horses and buggies. It seems to me that when we reduce the appropriations for various purposes they have quite a sufficient number of automobiles to get along for one more year.

Mr. SISSON. Mr. Chairman, I ask unanimous consent to proceed for five minutes.

The CHAIRMAN. The gentleman from Mississippi asks unanimous consent to address the committee for five minutes. Is there objection?

There was no objection.

Mr. SISSON. Mr. Chairman, the $223,000 provided in the bill will buy 446 runabout automobiles of the cheap variety. If you spend one-half of the amount you could get 223, then for a single horse and buggy at a reasonable price you could get 446. In other words, it means 800 or 900 vehicles of some kind in the service.

Mr. BURKE of South Dakota. Will the gentleman yield?

Mr. SISSON. Yes.

Mr. BURKE of South Dakota. I do not think the gentleman from Mississippi wants to be unfair.

Mr. SISSON. Certainly not.

Mr. BURKE of South Dakota. There is a limitation here as to the number of vehicles that may be purchased under the appropriation.

Mr. SISSON. I understand that, but I am going to figure what must be used in the maintenance. You have 118 now, and you propose to buy 20 more, and you could buy 446 at the price that has been asked for, showing unquestionably that if you intend to buy 20, your appropriation is twenty times what it ought to be unless it costs twice as much to maintain a machine as it does to buy one.

Mr. BURKE of South Dakota. The gentleman realizes that there is no appropriation carried here.

Mr. SISSON. I have heard that repeated many times. If you are not appropriating a specific sum, you have appropriated more money than you ought to in some other department. If you have done that, you are diverting a sum where they have made an estimate deliberately for more than they needed so that it might be used for this purpose.

Mr. Chairman, there has been a great deal said about people being opposed to the buying of machines for the public service. I have yet to hear a Member of the House say that he is opposed to buying automobiles at reasonable prices for the public service, provided it is used for the public service and the public service needs it. What I have been hearing inveighed against is the purchase of passenger-drawn vehicles to be used by officials of the Government for social purposes, and the taxpayers of the Federal Government ought not to have to furnish machines used for social purposes.

Now, there is a great deal of misconception about economy. Some men say: "Yes; buy automobiles, because you can do so much more with them." That is true; if you have the money to buy things that you want, why buy them. But the private individual consults always the amount of his income, and he endeavors, if he is a wise man, to live within his income. I hope the time will come when this Government may look with the same scrutiny upon public expenditures that they do their private expenses. The question ought to be, What the revenues of the Government will be, with a reasonable taxation of the people, and how shall we wisely expend what we will get by this reasonable taxation, and spend it for the good of the people? If you need more machines than we can reasonably buy, the proper thing to do, if your Treasury is low, is to reduce the number of machines and live within your income.

I was taught when a child to go and emulate the ant, that saves up something and puts it aside for the future. That old philosophy has been thrown away here for years in Congress. Men are expending money in many avenues for the purpose of securing votes to get back to Congress. A Senator at the other end of the Capitol some years ago stated that if this Government was run on a business basis we could save $300,000,000 a year. This Senator was not a man in the habit of making remarks of that kind unless he meant it. I refer to Senator Aldrich, a man of great business ability, who for years was a Member of the Senate, passing appropriation bills, and it was a criticism of his own conduct as well as of others.

So in considering this item I feel that the remarks of the gentleman from Illinois [Mr. MANN] are timely. You can cut these appropriations for the amount to be expended in this manner in half, and the Committee on Indian Affairs ought to have cut the other half off from some other items in the bill and shown the economy which they claim. [Applause.]

The CHAIRMAN. The question is on the amendment to the amendment offered by the gentleman from Mississippi [Mr. HARRISON].

Mr. HOWARD. Mr. Chairman, is it too late to offer an amendment to the section?

The CHAIRMAN. There is an amendment to the amendment pending.

Mr. HOWARD. I would like to offer a substitute for the amendment.

The CHAIRMAN. There is a substitute also pending to the paragraph.

Mr. HARRISON. I understood the gentleman from South Dakota [Mr. BURKE] to offer a substitute for the paragraph.

The CHAIRMAN. The situation is this: The gentleman from Illinois [Mr. FOSTER] offered an amendment, and the gentleman from Mississippi offered an amendment as a substitute for the amendment of the gentleman from Illinois. The gentleman from South Dakota [Mr. BURKE] also had read and pending a substitute for the whole paragraph.

Mr. NORTON. Mr. Chairman, may we have the amendment to the amendment read?

The CHAIRMAN. The Clerk will read the amendment to the amendment as a substitute for the amendment offered by the gentleman from Illinois [Mr. FOSTER].

The Clerk read as follows:

Page 11, line 13, after the word "Indians," strike out the word "twenty" and insert the word "five"; strike out of line 14 the figures "$15,000" and insert in lieu thereof "$3,000"; strike out, in line 19, the figures "$200,000" and insert in lieu thereof the sum of "$75,000."

The CHAIRMAN. Debate has been closed by order of the committee.

Mr. MANN. Mr. Chairman, I ask for a division of the amendment.

Mr. HARRISON. I have no objection to that.

The CHAIRMAN. The Clerk will read the first provision of the amendment.

The Clerk read as follows:

Page 11, line 13, after the word "Indians," strike out the word "twenty" and insert the word "five."

The question was taken; and on a division (demanded by Mr. HARRISON and Mr. COX) there were 25 ayes and 26 noes.

Mr. HARRISON. Mr. Chairman, I demand tellers.

Tellers were ordered, and Mr. HARRISON and Mr. STEPHENS of Texas were appointed to act as tellers.

The committee again divided; and the tellers reported—ayes 27, noes 37.

So the amendment was rejected.

The CHAIRMAN. The Clerk will report the other portion of the amendment.

The Clerk read as follows:

Line 14, strike out "$15,000" and insert in lieu thereof "$3,000."

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was rejected.

The CHAIRMAN. The Clerk will report the next portion of the amendment.

The Clerk read as follows:

Line 19, strike out the figures "$200,000" and insert in lieu thereof the figures "$75,000."

The CHAIRMAN. The question is on agreeing to the amendment.

The question was taken; and on a division (demanded by Mr. HARRISON) there were—ayes 24, noes 28.

So the amendment was rejected.

The CHAIRMAN. The question now recurs on the amendment offered by a gentleman from Illinois [Mr. FOSTER].

Mr. MANN. Let us have that reported.

The CHAIRMAN. Without objection, the Clerk will report the amendment.

The Clerk read as follows:

Page 11, line 13, strike out the word "twenty" and insert in lieu thereof the word "ten."

Page 11, line 14, strike out the figures "$15,000" and insert the figures "$6,000."

Mr. HOWARD. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. HOWARD. I want to offer a substitute for that amendment.

The CHAIRMAN. The gentleman can do that.

Mr. HOWARD. Mr. Chairman, on line 13, page 11, insert a semicolon, and strike out all after the word "Indian," down to and including "$15,000," on line 14; and strike out, in line 19, the figures "$200,000" and insert in lieu thereof the figures "$185,000"; strike out, in line 20, the figures "$223,000" and insert in lieu thereof the figures "$208,000."

Mr. STEPHENS of Texas. The object of that would be to strike out all of the automobiles?

Mr. HOWARD. The object of it is to strike out all of these new automobiles.

Mr. MANN. The mathematics of the gentleman's amendment would not be correct, I will say to the gentleman.

Mr. HOWARD. Well, a little thing like that does not make any difference. [Laughter.]

Mr. MANN. I shall have to ask for a division of the amendment, because the addition is not correct. The gentleman proposes to strike out $15,000 and then to reduce $200,000 to $185,000, making a cut of $30,000.

Mr. HOWARD. Leave the $200,000 as it is. In other words, leave $200,000 and take $15,000 off the $223,000. I have taken off too much in my zeal to economize.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 11 line 13, after the word "Indian," strike out the remainder of the line and all of line 14, which language is as follows: "Twenty motor-propelled passenger-carrying vehicles, at a cost not to exceed $15,000."

And in line 20, on the same page, strike out "$223,000" and insert "$208,000."

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Georgia.

The question was taken; and, on a division demanded by Mr. HOWARD, there were—ayes 27, noes 26.

Mr. STEPHENS of Texas. Mr. Chairman, I demand tellers.

Mr. STAFFORD. Mr. Chairman, I demand tellers.

Tellers were ordered, and Mr. STEPHENS of Texas and Mr. HOWARD were appointed to act as tellers.

The committee again divided; and the tellers reported—ayes 40, noes 27.

So the amendment was agreed to.

Mr. BURKE of South Dakota. Mr. Chairman, I now ask unanimous consent to modify the substitute which I have offered to the amendment that has been made, so as to perfect the paragraph, changing the figures to correspond with these figures.

The CHAIRMAN. Without objection, the gentleman from South Dakota will be granted permission to modify his amendment.

There was no objection.

Mr. MANN. Mr. Chairman, let us now have it reported as amended.

The CHAIRMAN. The Clerk will report the substitute offered by the gentleman from South Dakota.

The Clerk read as follows:

That not to exceed $200,000 of the appropriations made herein for the Bureau of Indian Affairs shall be available for the maintenance, repair, and operation of motor-propelled and horse-drawn passenger-carrying vehicles for the use of superintendents, farmers, physicians, field matrons, allotting, irrigation, and other employees in the Indian field service: *Provided*, That not to exceed $8,000 shall be used in the purchase of not to exceed 40 horse-drawn passenger-carrying vehicles, and that such vehicles shall be used only for official service.

Mr. STEPHENS of Texas. That covers the ground exactly.

Mr. STAFFORD. It is not as good a provision as the existing paragraph, because there is nothing limiting the use of the automobiles to the service of the Indians. They may be used for joy rides.

Mr. MANN. The gentleman is mistaken about that.

The CHAIRMAN. The question is on agreeing to the substitute.

The substitute was agreed to.

The Clerk read as follows:

To reimburse A. G. Pollock, former disbursing agent of the Santee Competency Commission, for moneys expended for printing and stationery used by the Santee Competency Commission, $49.25.

Mr. JOHNSON of Washnigton. Mr. Chairman, I move to strike out the last word.

Mr. HARRISON. Mr. Chairman, I desire to reserve a point of order on the paragraph.

Mr. JOHNSON of Washington. Mr. Chairman, during the debate with reference to automobiles for Indian superintendents, supervisors, and others the statement was made that the Commissioner of Indian Affairs should be permitted to have an automobile here for the purpose of entertaining Indians when they were in Washington, D. C. I believe that he should have one. I believe, too, that the superintendents and agents should have them, and good ones, too. As a matter of interest I would like to read to those who are interested in the welfare of the Indians a letter which I received from an Indian a few days ago, as follows:

TAHOLAH, WASH., *December 5, 1914.*

DEAR MR. JOHNSON: Can you help me sell a little of my timber? Get me permission to sell some of it. I would like to use a little of my money while I live. After I die I will have nothing to use it for. I want to buy an automobile. * * *

Yours, truly, JOHNSON WAUKENUS.

He is one of 800 Indians living on the large Quiniault Reservation, where the timber is estimated to be worth, at the least calculation, $5,000,000. Probably it is worth much more. Waukenas owns some under allotment, which he can not sell. He gets from fishing barely enough money for ordinary expenses. He is not permitted to sell his timber. He is getting on in years and will die long before the timber is sold, and he can not have an automobile. Neither does the superintendent of his agency have one, although the agency is many miles from the nearest railroad point, over a road where teams are driven at far more expense than an automobile could be. While on this floor we discuss automobiles, joke about them, harangue against their use by public servants, such conveniences are needed and are generally properly used. Only last Saturday we discussed here the need of a physician for this tribe of Indians living so far from a railroad, and the statement was made that $720 was the most that could be paid for a doctor for the Quiniault Indians. As a result of that discussion, and on evidence submitted concerning the cost of travel, I am to-day informed that the department has decided to authorize the sending of a doctor there at pay of $1,200 a year. If he is going to serve the Indians on the Quiniault, he will be badly in need of an automobile. I am sorry, indeed, to see the item for a few additional cheap automobiles go out of the bill. It is simply another case of the wrong kind of cheap, buncombe economy.

Mr. HARRISON. Mr. Chairman, I do not care to insist on my point of order, but I want to get some information from the chairman of the committee, because I think, while the point of order would lie against this paragraph without question, that this is one instance in the case of the committee where really they have written one paragraph in the bill which is good [applause], and I thought, in frankness to the committee, that they ought to explain this item and show why it is not as bad as the balance.

Mr. STEPHENS of Texas. As the gentleman has objected to everything else in the bill, why does he make this discrimination?

Mr. HARRISON. I will not discriminate against this good paragraph, so I withdraw the point of order.

The Clerk read as follows:

For payment to the heirs of Farmer John, an Indian, for land purchased by the Government for a boathouse site on Pelican Lake, Minn., $20.

Mr. HARRISON. Mr. Chairman, I have an amendment which I desire to offer.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amend by inserting the following as a new paragraph:

"To reimburse William E. Johnson, former chief special officer and special disbursing agent, for expenditures made by him under direction of the Commissioner of Indian Affairs, in the defense of Juan Cruz, a noncommissioned officer engaged in the suppression of liquor traffic among Indians, for the payment of which no appropriation was available, $1,853.95."

Mr. STEPHENS of Texas. Mr. Chairman, I make the point of order on that that it is clearly new legislation.

Mr. HARRISON. Will the gentleman reserve the point of order?

Mr. STEPHENS of Texas. I do not think it is necessary. I ask for a ruling.

The CHAIRMAN. The point of order is sustained.

Mr. HARRISON. Mr. Chairman, I have another amendment which I desire to offer.

The CHAIRMAN. The Clerk will report it.

The Clerk read as follows:

Amend, page 12, after line 3, by inserting a new paragraph, reading as follows:

"That so much of section 4 of the act of May 11, 1880 (21 Stat. L., p. 102) as prohibits granting permission, in writing or otherwise, to any Indian or Indians on any Indian reservation to go into the State of Texas under any pretext whatever, be, and the same is hereby, repealed."

Mr. STEPHENS of Texas. Mr. Chairman, I make the point of order that this is new legislation. It was not in the bill.

Mr. HARRISON. Mr. Chairman, I realize it is new legislation, but I hope the gentleman will reserve the point of order.

Mr. STEPHENS of Texas. It is not in the bill at all. We would like to go ahead with the bill.

The CHAIRMAN. The point of order is sustained.

Mr. HARRISON. Mr. Chairman, I move to strike out the last word.

Mr. STEPHENS of Texas. Mr. Chairman, I make the point of order there is nothing before the House. The last paragraph is the first paragraph on page 12—

For payment to the heirs of Farmer John, an Indian.

Mr. HARRISON. That has not been finished yet.

The CHAIRMAN. The Chair will state we have passed that paragraph and we are considering a new paragraph.

The Clerk read as follows:

SEC. 2. For support and civilization of Indians in Arizona and New Mexico, including pay of employees, $330,000.

Mr. HARRISON. Mr. Chairman, I move to strike out the last word. I offered two amendments a moment ago, and the chairman of the committee [Mr. STEPHENS of Texas] made points of order against them and refused to reserve the points of order. I really think if he had given it any consideration he would have withdrawn the points of order. The reason why I offered this amendment for the relief of this man Johnson was because the present Commissioner of Indian Affairs asked the Committee on Indian Affairs to write this provision into this appropriation bill. I do not know who this man Johnson is, but in reading the hearings it seems to me that he ought to have had that money, and it seems to me that the Appropriations Committee ought to have written it into the bill. Here is the explanation of that amendment. The Commissioner of Indian Affairs says:

Mr. Johnson in 1911 was the special officer of the service for the suppression of the liquor traffic, and he received instructions from the then Commissioner of Indian Affairs, Mr. Valentine, to "help in his fullest protection every way in your power" an Indian by the name of Juan Cruz, a noncommissioned officer engaged in the suppression of the liquor traffic. He was having some trouble in the courts at that time, and Mr. Johnson complied with the instructions

of the commissioner, and in carrying out those instructions he incurred certain indebtedness which the comptroller held could not be paid out of the appropriation then available, and the office believes that, inasmuch as Mr. Johnson was acting under instructions from his superior officer, the Commissioner of Indian Affairs, that this amount should be paid.

Now, these reasons that the Commissioner of Indian Affairs gave to the committee ought to have persuaded the committee to appropriate this small amount to a man who had acted in the discharge of his duty at the instance and under instructions of the then Commissioner of Indian Affairs.

Mr. STEPHENS of Texas. Will the gentleman yield?

Mr. HARRISON. Yes.

Mr. STEPHENS of Texas. Is not the gentleman aware that is subject to a point of order——

Mr. HARRISON. Yes; but——

Mr. STEPHENS of Texas. Let me conclude. If we let in one claim of that character, does not the gentleman know this bill would be loaded down with claims of a similar character?

Mr. HARRISON. The gentleman knows he has passed over two claims here on which I did not make a point of order, and they were subject to a point of order, and if I had made it they would have gone out.

Mr. STEPHENS of Texas. They are under $100.

Mr. HARRISON. Here is one for payment to the heirs of Farmer John, an Indian, for land purchased by the Government for a boathouse site on Pelican Lake, Minn., and another item, to reimburse A. G. Pollock—I suppose he must be some man in the employ of the Government up there—a certain amount of money. These items are all right, but both were subject to points of order.

And yet when the commissioner says here is a man who was directed to go and spend some of his own money in defense of the employees of this Government who were trying to stop the illicit sale of liquor to Indians, and when he asks that he be reimbursed the committee says because it is subject to a point of order they will not incorporate it in the bill. I will say to the chairman of the committee that there are many items in this bill subject to a point of order, and he could not defend on that account at all. O Consistency, thou art a jewel!

Mr. STEPHENS of Texas. If the gentleman will examine the bill he will find that we cut out over a million dollars' worth of claims.

Mr. HARRISON. The bill would have been much better if his committee had cut out that automobile piece of extravagance that the House cut out a few moments ago.

Mr. STEPHENS of Texas. The House will regret that.

Mr. HARRISON. I offered another amendment—the one relating to Texas—that by all means no point of order should have been made against, especially by the gentleman from Texas, because the amendment purports to give to Texas some benefit and to some Indians some privileges.

Away back in 1880 there was some law passed that prohibited an Indian on reservations in the then Indian Territory going into the State of Texas. Now the once Indian Territory is Oklahoma, and the State has progressed by leaps and bounds. It now has men in high places who have Indian blood in their veins—men of superb and splendid character and strong ability. And yet with all this progress among the people of that State and the Indians of that State, here the same old restriction is kept in the law prohibiting Indians off of the reservations in Oklahoma from going into the State of Texas. I submit it is not fair to the State of Texas that Indians out of the adjoining State of Oklahoma, if they want to go into the State of Texas, should be kept from going into the State of Texas. It is not fair to the Indians of Oklahoma who might want to go to Texas to be prohibited from exercising that right. Give the Indians of Oklahoma at least some liberty and freedom.

The CHAIRMAN. The time of the gentleman from Mississippi has expired.

Mr. HARRISON. I ask for two minutes more, Mr. Chairman.

The CHAIRMAN. The gentleman from Mississippi asks unanimous consent for two minutes more. Is there objection?

There was no objection.

Mr. HARRISON. And yet, when I offer this amendment to repeal this obnoxious piece of legislation that is on the statute books now, the gentleman from Texas makes the point of order against it. I submit there would be no opposition at all in this whole House to repealing that old law that prohibits those Indians from going into Texas, and I appeal to the gentleman now if he will not withdraw his point of order so that we can write into this bill at this time a repeal of the law, so that these people whom my friends from Oklahoma are so anxious to take care of—their constituents—may be permitted to go into the State of Texas and visit my friend's [Mr. STEPHENS] constituents in that State?

Mr. STEPHENS of Texas. If the gentleman knew as much about that district as I do, he would know that this has been a dead letter on the statute books for 20 years. Twenty years ago Quanah and the Apache Indians, and also Geronimo, the famous Apache chief, came to my town for several celebrations, and we had the permission of the agent at Fort Sill for them to do so. That was after they had been defeated, in 1876, by Gen. Kinsey. The reason we passed that law was this: Immediately after the Civil War these Indians were all known as blanket Indians and were west of the Five Civilized Tribes' territory.

They were under the control of an agency at Fort Sill and Fort Cantonment, then north of Fort Sill 20 or 30 miles. These agents permitted the Indians to draw rations from the United States Government, and permitted them to draw arms and ammunition from the Government on the pretense that they were going to the Staked Plains, hunting. Instead of that, they would cross the Red River and come into Texas and destroy our property and kill our people, and that was the basis of the claim for which we passed the bill yesterday—to recoup and repay the people of Texas for the damages done by these Indians in Texas.

Mr. HARRISON. The gentleman does not think they would do that now?

Mr. STEPHENS of Texas. No; I do not think they would do that now. They are civilized now. Congress passed the act making it unlawful for these Indians to cross the Red River and go into Texas. And I will state to the gentleman that I was living at the frontier of Texas at that time, at one of the extreme outposts of Texas, located in the county of Montague, and the rangers, under Maj. Ross and Lieut. Jones, at that time controlled that territory from the Rio Grande to the Red River, and I, as a scout—a young man then, much younger than I am now—assisted those troops in driving those Indians back. So you see it was absolutely necessary at that time that this frontier should have been protected and that the Indians should not be permitted to cross the Red River. That was the reason for the law; and the reason for the law having passed away, it is now necessary that the law be repealed.

Mr. HARRISON. I am quite sure that it was a good law at that time; it answered its purpose; but the argument that the gentleman has made would convince every Member of this House that it ought not to remain longer on the statute books, because the gentleman himself says it is a dead letter and useless.

I ask unanimous consent, Mr. Chairman, to recur to the paragraph where I offered the amendment, so that I can offer it now.

Mr. STEPHENS of Texas. It is not necessary, because it is not in the bill. If the gentleman can find any clause of that kind in the bill, he can move to strike it out.

The CHAIRMAN. The gentleman from Mississippi [Mr. HARRISON] asks unanimous consent to recur to a previous portion of the bill for the purpose he has indicated. Is there objection?

Mr. MANN. Reserving the right to object, Mr. Chairman, there is no paragraph to refer to.

Mr. HARRISON. Just before we got to the item of Arizona and New Mexico, I thought it would be very appropriate to write it in there.

Mr. STEPHENS of Texas. I object, Mr. Chairman.

The CHAIRMAN. The gentleman from Texas objects. The Clerk will read.

The Clerk read as follows:

To enable the Secretary of the Interior to carry into effect the provisions of the sixth article of the treaty of June 8, 1868, between the United States and the Navajo Nation or Tribe of Indians, proclaimed August 12, 1868, whereby the United States agrees to provide school facilities for the children of the Navajo Tribe of Indians, $100,000: *Provided*, That the said Secretary may expend said funds, in his discretion, in establishing or enlarging day or industrial schools.

Mr. HARRISON. Mr. Chairman, I reserve a point of order on that paragraph.

The CHAIRMAN. The gentleman from Mississippi [Mr. HARRISON] reserves a point of order on the paragraph.

Mr. HARRISON. I merely wanted to ask the gentleman from Arizona [Mr. HAYDEN] about the provision there in the last paragraph as it is written. Will the gentleman explain that?

Mr. HAYDEN. It is the same amount as has been appropriated for some years. It is made in pursuance of a treaty by which the United States agreed to furnish the Navajo Indians with school facilities.

Mr. HARRISON. Does this appropriation carry $100.000 a year?

Mr. HAYDEN. The Indian bill carried that amount last year. I do not know as to other years.

Mr. HARRISON. Can the chairman of the committee tell us how many years that item has been provided for?

Mr. STEPHENS of Texas. Ever since the treaty went into effect. Otherwise the Government would have been violating its good faith with that tribe of Indians and would have been refusing to carry out a treaty, which, I presume, is of the same solemnity as a treaty with a foreign nation.

Mr. HARRISON. I withdrew my reservation of the point of order, Mr. Chairman.

The CHAIRMAN. The gentleman from Mississippi withdraws his reservation.

Mr. SISSON. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Mississippi [Mr. SISSON] moves to strike out the last word.

Mr. SISSON. Calling attention to the provision at the bottom of page 13, with reference to the $100,000 item, concerning money appropriated in that item for Arizona and New Mexico for the support of schools, does the gentleman know whether any of this money is used in denominational schools or not?

Mr. STEPHENS of Texas. I am informed it is not. I have not investigated the matter personally, but if it is so used it is in violation of a statute.

Mr. SISSON. I am informed that there are some items in the bill which may need explanation. I shall call the gentleman's attention to them later. I want to get the record straight on this proposition.

The CHAIRMAN. Without objection, the pro forma amendment will be withdrawn.

There was no objection.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

For continuing the work of constructing the irrigation system for the irrigation of the lands of the Pima Indians in the vicinity of Sacaton, in the Gila River Indian Reservation, within the limit of cost fixed by the act of March 3, 1905, $10,000; and for maintenance and operation of the pumping plants and canal systems, $10,000; in all, $20,000, reimbursable as provided in section 2 of the act of August 24, 1912 (37 Stat. L., p. 522), and to remain available until expended.

Mr. HARRISON. Mr. Chairman, I reserve a point of order on that.

The CHAIRMAN. The gentleman from Mississippi reserves a point of order on the paragraph.

Mr. HARRISON. May I ask the gentlemen of the committee what was the original estimate for this work?

Mr. STEPHENS of Texas. On page 121 of the hearings the gentleman will find it. The amount appropriated was $15,000. The unexpended balance for previous years made a total of $26,735.64. The amount expended was $25,332.78, and the unexpended balance is $1,402.86. Then there follows an analysis of the expenditures, and they amount to $25,332.78.

Mr. HARRISON. Was an original estimate made on this work?

Mr. HAYDEN. The estimated cost of the project was $150,000, of which there has been expended heretofore $116,735.48.

Mr. MILLER. Mr. Chairman, will the gentleman from Arizona yield?

The CHAIRMAN. Does the gentleman from Arizona yield to the gentleman from Minnesota?

Mr. HAYDEN. With pleasure.

Mr. MILLER. Are those figures for the Pima Indian project? Is that the correct amount?

Mr. STEPHENS of Texas. That is for the construction and repair of necessary channels and laterals for the utilization of the pumping plant.

Mr. HARRISON. That is not what I was asking about.

Mr. MILLER. The estimated cost of this project was $725,000, was it not?

Mr. HAYDEN. Yes. It was $725,000. We were reading from the wrong page of the hearings. The estimated cost, as the gentleman from Minnesota says, was $725,000, of which there has been expended up to June 30, 1914, $515,000.

Mr. HARRISON. Do the settlers get the benefit of this irrigation work or is it for the benefit of the Indians?

Mr. HAYDEN. It is for the benefit of the Indians.

Mr. HARRISON. Incidentally the white people do not get any benefit from it? It does not benefit their land?

Mr. HAYDEN. It is all for the benefit of the Indians.

Mr. BORLAND. Is not this a part of the Phoenix project?

Mr. HAYDEN. No. The only connection between this and the Salt River project is that the electric current that is used to pump water for this project is purchased from the Reclamation Service.

Mr. BORLAND. My recollection is that the Indian Service paid a certain amount of the cost of the Roosevelt Dam project.

Mr. HAYDEN. No; not a cent.

Mr. BORLAND. And that for that they got a certain amount of power, which they use on their own lands.

Mr. HAYDEN. There is a contract between the United States Reclamation Service and the Indian Office, which provides that the Indian Service may purchase electric power at certain rates from the Reclamation Service. They pay for what they get. But the Indians paid no part of the cost of the construction of the Salt River reclamation project.

Mr. BORLAND. Did they not pay $50,000 for a transmission line to run to the Indian reservation, and then, in addition, agree to pay their acreage cost of the maintenance of the Salt River project?

Mr. HAYDEN. No operation and maintenance charge is paid by these Indians to the Salt River project. They pay for what electric current they use at a comparatively low rate.

Mr. BORLAND. This is not an independent irrigation system on the Pima Reservation?

Mr. HAYDEN. Yes; entirely independent.

Mr. BORLAND. It is connected with the Salt River project.

Mr. HAYDEN. No; the Pima lands are in another valley.

Mr. STEPHENS of Texas. This is on the Gila River, and the Salt River is entirely different.

Mr. MILLER. I want to ask the gentleman from Arizona [Mr. HAYDEN] a question or two, but I will wait until the gentleman from Mississippi [Mr. HARRISON] has completed his questions.

Mr. HARRISON. No; I want to get some information later; that is all.

Mr. MILLER. As the gentleman from Arizona well knows, some individuals who have been interested in Indian affairs in one way and another made the claim, a few years ago, that the expenditures heretofore made on this project were inadvisable, because the water provided by wells contained alkali and salt and destroyed the land, and they worked among the Indians to such an extent that they got the Indians to believe it. It almost resulted in a scandal; whereupon the Indian Committee, a short time ago, authorized a full investigation both as to the feasibility of the project and as to the engineering features, and a report was subsequently made. I should like to ask the gentleman from Arizona—and I hope he will make the statement for the RECORD—just what the facts have now been found to be respecting this water.

Mr. HAYDEN. There is no question that the water from wells containing alkali is not as good as stream water which contains a less percentage of alkali; but alkaline water is better than no water at all, and the Pimas had no water. They are making a beneficial use of the water from these wells. For instance, it has been found that an alkali-resistant plant like Egyptian cotton can be grown with water from these wells just as well as with any other water.

Mr. MILLER. Is it not a fact that they have been growing at this exact spot some of the finest cotton grown in the United States?

Mr. HAYDEN. Yes; excellent cotton.

Mr. MILLER. From the land irrigated by this water?

Mr. HAYDEN. Yes. The Indians are learning how to use it. It is a question of methods of using the water and finding a crop suitable to it.

Mr. MILLER. There is no question about the advisability of completing this project.

Mr. HAYDEN. No; and I think the appropriation in this bill is well justified.

Mr. HARRISON. I should like to ask the gentleman whether or not the white people get any incidental benefit or protection from this project?

Mr. HAYDEN. Absolutely none.

The CHAIRMAN. The time of the gentleman has expired.

Mr. HARRISON. I ask for a few minutes more.

The CHAIRMAN. The gentleman asks unanimous consent that his time be extended five minutes. Is there objection?

There was no objection.

Mr. HARRISON. I wish to ascertain whether all this money should come out of the tribal funds or whether the white settlers, who get the benefit of it, ought not to be made to pay their pro rata part.

Mr. HAYDEN. The gentleman is mistaken in two particulars. First, there are no tribal funds. These Indians are very poor. In the second place, there are no white settlers on this reservation.

Mr. HARRISON. Then, all this $750,000 will come out of the Treasury of the United States?

Mr. HAYDEN. Yes; reimbursable under the law.

Mr. HARRISON. And the Indians have no tribal funds?

Mr. HAYDEN. No; none at all.

Mr. HARRISON. I withdraw the point of order.

The CHAIRMAN. The gentleman withdraws the point of order.

The Clerk read as follows:

For reclamation and maintenance charge on Yuma allotments, $40,000, to be reimbursed from the sale of surplus lands or from other funds that may be available, in accordance with the provisions of the act of March 3, 1911: *Provided*, That maintenance and operation charges shall not be made against any of said allotments prior to completion of the distributing system so as to provide for actual delivery of water to each 40-acre tract of said allotted land, and any such charges heretofore paid upon any other basis shall be adjusted to conform hereto.

Mr. HAYDEN. Mr. Chairman, I make a point of order on that part of the paragraph beginning with the word "*Provided*," in line 21, to the end of the paragraph.

This language was placed in the bill as the result of a dispute between the Indian Office and the Reclamation Service over what was the proper charge for operation and maintenance. I am informed by the Indian Office that they have reached an agreement with the Reclamation Service, so that this proviso is not necessary, and therefore I make the point of order that this is new legislation on an appropriation bill.

Mr. MANN. If it were necessary, I would make the point of order. It has no place in the bill.

Mr. STEPHENS of Texas. I understand that the two offices have agreed on an arrangement of the matter that is satisfactory.

The CHAIRMAN. Does the gentleman from Texas admit that the proviso is subject to the point of order?

Mr. STEPHENS of Texas. I admit that it is subject to the point of order, and it should be stricken out, because the department wants its stricken out.

Mr. MANN. That is a great reason.

The CHAIRMAN. The Chair sustains the point of order.

The Clerk read as follows:

FLORIDA.

SEC. 4. For support and civilization of Seminole Indians in Florida, including the purchase of such lands as the Secretary of the Interior may deem proper, $10,000, of which $3,000 shall be immediately available.

Mr. MANN. Mr. Chairman, I make a point of order against the section.

Mr. STEPHENS of Texas. Mr. Chairman, I think it is subject to a point of order, but I hope the gentleman will not make it, for the reason that this $3,000 to be immediately available is to be used, as I understand it, as an additional amount for the purchase of lands for these Indians. They seem to be a homeless band of Indians in the Everglades of Florida. A few years ago the Government investigated them and found them in a deplorable condition. This is like the item for support and civilization of all the other Indians in the United States, and while it may be subject to a point of order, I hope the point of order will not be made.

Mr. MANN. Mr. Chairman, a few years ago we made an appropriation of $10,000 at the request of somebody for the support and civilization of the Seminole Indians in Florida. They were not asking for it. The department did not spend the money, because they could find no way of using it. That appropriation was reappropriated once or twice I believe. They sent a man down finally to see if there was not some excuse upon which they could spend this money. The Seminole Indians were in fairly good shape. They do a lot of work for tourists and earn something in various other ways. Of course they are not millionaires—they have to work for a living—but in some way they have been getting along for many years without difficulty until some bright genius in the House or in the Indian Office suggested that we ought to support and civilize them. Then we appropriated for their support and civilization; but we have found no method of spending the money in behalf of those Indians, and they come in now with an appropriation to have us buy them land in Florida. Why, there is more land in Florida than anybody wants that they can get on—land that is not made use of and where they will not be interfered with. But the only way the department has found to make use of this appropriation to support and civilize the Indians, after an investigation, is to purchase land for them.

Mr. MILLER. Will the gentleman yield?

Mr. MANN. Yes.

Mr. MILLER. Has the gentleman overlooked the fact that they spent $2,000 of it for salary?

Mr. MANN. The first year they did not spend anything and the second year I think they did not spend anything, although I am not sure about that. Then they employed some agent to go down there and find some excuse for spending the money, and they paid him several thousand dollars in salary. They never have spent a dollar for the benefit of the Indians.

Mr. MILLER. I notice an item of $12.35 spent for subsistence, and that is the only item in addition to the item for salary and traveling expenses of the agent. Is it possible that that $12.35 went for the benefit of the Indians?

Mr. MANN. If they spent $12.35 for subsistence out of the $10,000, it has not been for the Indians, but for the subsistence of the agent in endeavoring to find some excuse for spending money on the Indians. They have never found any excuse yet. I think the Seminole Indians are liable to be self-supporting if the Government will let them alone. We have discovered in the past, in relation to other Indian tribes, that in taking them under our wing and appropriating for them they never become self-supporting. I insist on the point of order.

The CHAIRMAN. The Chair sustains the point of order.

Mr. MANN. Mr. Chairman, a parliamentary inquiry. Does the word "Florida" go out with the section?

The CHAIRMAN. Yes; that will go out with the paragraph.

The Clerk read as follows:

IDAHO.

SEC. 5. For support and civilization of Indians on the Fort Hall Reservation in Idaho, including pay of employees, $30,000.

Mr. HARRISON. Mr. Chairman, I reserve a point of order on that for the purpose of asking the chairman of the committee a question. I notice several items in this bill for support and civilization of Indians in different States. As I understand, there is no authority of law for any of these appropriations, they are merely gratuities.

Mr. STEPHENS of Texas. The authority is found under the act of 1821, establishing the Bureau of Indian Affairs, and in the act of 1886. The act of 1821 creating the Indian Bureau states what its duties and purposes are, and so forth. This language has been carried for many years, as long as I have known anything about Indian legislation, in these words: "for support and civilization."

Mr. HARRISON. But there is no authority of law for the appropriation.

Mr. STEPHENS of Texas. There is in the general law creating the bureau.

Mr. HARRISON. The gentleman thinks that a point of order against it does not lie?

Mr. STEPHENS of Texas. It could not, because the law authorizes the Indian Bureau to control the Indians' property, and authorizes anything that will tend to educate and civilize them.

Mr. HARRISON. Mr. Chairman, for the purpose of testing the question as to whether or not a point of order will lie, I will make the point of order to this paragraph.

Mr. STEPHENS of Texas. The gentleman's point of order comes too late.

Mr. HARRISON. Oh no: I reserved the point of order. Now I will make it. It has been my idea all the time that this was merely a gratuity, and that all these items were subject to a point of order. I do not care particularly to make it, because I am in favor of the item, but if there is any authority for it it may cut some figure in an amendment that I propose to offer hereafter.

Mr. CARTER. Mr. Chairman, the clerk of the Indian Committee informs me that there is a law that authorizes these appropriations, and I will have it very soon. In the meantime I will call attention to Hinds' Precedents, volume 4, section 4204, which recites the rule of the House giving the Committee on Indian Affairs jurisdiction of subjects relating to the Indians.

The CHAIRMAN (Mr. FOSTER). The Chair will call the attention of the gentleman to the fact that that only gives jurisdiction to the Committee on Indian Affairs.

Mr. CARTER. I stated that it was a rule of the House, and that I was going to read it to the Chair while the clerk of the committee was getting the law that has been sent for.

Mr. FERRIS. Mr. Chairman, while they are looking up that law I want to say that it seems to me that this is not subject to a point of order; that it is clearly carrying out the policy that was authorized in the statute that created the bureau to handle and support and maintain and civilize the Indian tribes in North America. It seems to me that it comes within that policy and within that statute.

The CHAIRMAN. The Chair is inclined to hold that it is not subject to a point of order.

Mr. HARRISON. Mr. Chairman, as I recall the rule, it devolves upon the committee to show that it is not subject to a point of order, and I was hoping that they would show some law that would authorize this appropriation. I can not understand how there is any law already on the statute book that would allow any future Congress to just donate gratuitously a lot of money to Indians. I do not think there is any treaty that the United States is bound by in regard to it. I do not recall any general law that would say that Congress has the authority, whenever it wants to, to send out a donation of

money to these Indians or any other Indians in any place in any State in the United States. It strikes me that it is subject to a point of order and that there is no authority of law for it. Certainly it has not been shown yet.

Mr. STEPHENS of Texas. Mr. Chairman, I desire to call the attention of the Chair to section 4204 in Hinds' Precedents, volume 4, page 785, which gives the creation of and the history of the Committee on Indian Affairs:

4204. The creation and history of the Committee on Indian Affairs, section 16 of Rule XI.

The rule gives to the Committee on Indian Affairs jurisdiction of subjects relating "to the relations of the United States with the Indians and the Indian tribes, including appropriations therefor."

Section 16 of Rule XI provides for the reference of subjects relating "to the relations of the United States with the Indians and the Indian tribes, including appropriations therefor; to the Committee on Indian Affairs."

This committee consists of 18 Members and one Delegate.

It was established as a standing committee on December 17, 1821, by a resolution moved by Mr. Samuel Moore, of Pennsylvania, who became its first chairman. The present form of the rule dates from the revision of 1880, as modified by the distribution of the appropriation bills in 1885. The committee may report its appropriation bill at any time.

4205. The Committee on Indian Affairs has a broad jurisdiction of subjects relating to the care, education, and management of the Indians, including the care and allotment of their lands. On December 6, 1888, the resolutions distributing the President's message used this language relating to the jurisdiction of the Committee on Indian Affairs, giving to that committee so much "as relates to the care, education, and management of the Indians." This language had been used for a long time in these resolutions, and the committee has exercised a broad jurisdiction as to the care of Indians on the reservations and in the Indian Territory while that reserve existed as a separate Territory, and also as to the care and preservation of Indian lands and the allotment in severalty.

I think that is perfectly clear to show to the House that we have jurisdiction of this matter, and it has been exercised from that time to the present time.

The CHAIRMAN (Mr. FOSTER). The Chair would suggest that the question is not one of jurisdiction. The gentleman from Mississippi raises the question of the right to make the appropriation under the law.

Mr. HARRISON. Mr. Chairman, I wanted to ask the chairman of the committee this question: Do I understand that the gentleman's view is that under existing law the committee has the right to appropriate money for the support and civilization of Indians in any State? The point is it does not limit it to any particular State. For instance, if you write a provision in here for the support and civilization of Indians in Mississippi, that would not be subject to a point of order, in the gentleman's opinion?

Mr. STEPHENS of Texas. I think not, because it relates to the care, education, and management of the affairs of the Indians, and it is certainly strong enough to do that.

Mr. MANN. What is the provision of law creating the Indian Office?

Mr. STEPHENS of Texas. I have not the original act before me, but I quote from Hinds' Precedents. He makes the statement of what the law is.

Mr. MANN. My recollection is that the law authorizes Congress to make an appropriation for support and civilization.

Mr. STEPHENS of Texas. It does. There is no question about that.

Mr. MANN. There is a question about it just now which nobody can answer.

Mr. STEPHENS of Texas. I have read the best authority in the House, Hinds' Precedents.

Mr. MANN. The best authority would be the law.

The CHAIRMAN. Has the law been produced to show the authority for making this appropriation?

Mr. STEPHENS of Texas. There is authority in law, and it has never been questioned before.

The CHAIRMAN. The Chair would like to see the law. The Chair was inclined to believe there was such a law, and yet he is not clear upon the matter. The gentleman from Texas read only from Hinds' Precedents.

Mr. STEPHENS of Texas. Does the Chair believe that Mr. Hinds would write a book which would be approved by Congress and would put something in it that was not so?

The CHAIRMAN. The Chair understands what the gentleman from Texas read as being the authority of the Committee on Indian Affairs. If there is anything different, the Chair does not understand it. If the gentleman from Texas will be kind enough to send that volume to the Chair, the Chair will be obliged.

Mr. STEPHENS of Texas. I would like to have the act of 1821. I ask unanimous consent to pass this item until we can get the act of 1821.

The CHAIRMAN. The gentleman from Texas asks unanimous consent to pass this temporarily. Is there objection?

Mr. HARRISON. Mr. Chairman, reserving the right to object, I have an amendment that will be along the line of that appropriation—one that affects the Indians in Mississippi—and I would not like to be barred from offering my amendment by this unanimous consent. I do not want to lose my right——

The CHAIRMAN. The Chair understands that would not affect that. The Chair would not like to rule upon this point of order until the matter is thoroughly investigated. Without objection, the request of the gentleman from Texas will be granted.

There was no objection.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

For the Coeur d'Alenes, in Idaho: For pay of blacksmith, carpenter, and physician, and purchase of medicines (art. 11, agreement ratified Mar. 3, 1891), $3,000.

Mr. HARRISON. Mr. Chairman, we are reading all of these items, and, of course, they will all be subject to a point of order, if that point of order that is now pending is sustained.

Mr. STEPHENS of Texas. I am willing to admit that.

Mr. MILLER. Do I understand that all of these paragraphs are to be returned to?

Mr. HARRISON. Those for the support and civilization of Indians in the various States.

Mr. MILLER. That means a paragraph every few inches of the bill.

The CHAIRMAN. If the Chair is compelled to rule, of course he will rule; but the Chair thinks that this is important enough to pass it over temporarily until he has the authorities.

Mr. HARRISON. I mean only the provisions that relate to the support and civilization of the Indians. They will be in the same attitude as the paragraph now pending.

Mr. STEPHENS of Texas. There is only one of that kind. This is for support and education, and not support and civilization. Does the gentleman make the point of order against that?

Mr. HARRISON. No.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

The Secretary of the Interior is hereby authorized to advance to the executive committee of the White Earth Band of Chippewa Indians in Minnesota the sum of $1,000, or so much thereof as may be necessary, to be expended in the annual celebration of said band to be held June 14, 1915, out of the funds belonging to said band.

Mr. HARRISON. Mr. Chairman, reserving the point of order, I want to ask the gentleman from Minnesota a question. Has this appropriation been allowed for several years?

Mr. MILLER. It has been allowed for a great many years.

Mr. HARRISON. Will the gentleman tell us what these celebrations are that these appropriations are made for?

Mr. MILLER. I will be very glad to. The Chippewa Indians have one day each year that to them is a very big event. That day is June 14. The members of the various scattered bands throughout the northern part of the State of Minnesota go to the White Earth Reservation, because there most of the Indians are located together, and they have a celebration at that time lasting three days. Some one suggests that the Indians get drunk at this celebration.

There is very close supervision and excellent care exercised to prevent any intoxicating liquors reaching them. This celebration, to the Indians, apparently is of more value than any other one thing that they have. We do not do this, because they pay for it themselves. The thousand dollars is usually utilized in providing food for the visitors. They have games and they have an opportunity to meet and communicate with each other and determine matters of large importance to their interest.

Mr. HARRISON. How many are there in that tribe?

Mr. MILLER. Well, all the Indians in our State except the Sioux Indians, who are over on the western border, belong to the Chippewas of the State of Minnesota. So, while there are several distinct and separate bands, yet there is a general grouping of them all, and their property rights are in common. The general fund in the hands of the United States belongs to all the Chippewa Indians in Minnesota, although they comprise several separate and distinct bands. These various bands have large matters in which they are interested, and at this celebration they have an opportunity to meet and talk things over at that time.

Mr. HARRISON. Do all of these Indians take part in this celebration?

Mr. MILLER. All of them—that is, members from the various bands—and it is a kind of home-coming for them all. It gives also an especially fine opportunity to exhibit their wares, products of the soil, showing each other what the various peoples in the different bands are doing. It has a very strong and great educational effect.

Mr. HARRISON. The cost of holding this celebration is quite a large amount, is it not?

Mr. MILLER. Well, it is a thousand dollars.

Mr. HARRISON. I mean generally, for the whole thing. Of course we only appropriate here $1,000.

Mr. MILLER. No; that is about what is expended.

Mr. HARRISON. About all that is expended?

Mr. MILLER. Yes. They may raise a little locally for some local purposes, but that is about what they spend.

Mr. HARRISON. I think the appropriation ought to be passed. I think it is spent in a most beneficial cause, and I withdraw the point of order.

Mr. MILLER. Mr. Chairman, I would like to be recognized so I may ask the chairman of the Committee on Indian Affairs [Mr. STEPHENS of Texas] a question. The language of this is that the $1,000 appropriated by the bill is "to be paid out of the funds belonging to said band." The only band mentioned is the White Earth Band of Chippewa Indians in Minnesota. Now, I do not know whether my attention was ever directed to it before; it certainly never occurred to me, and I want to ask if this was the language heretofore employed. As a matter of fact there are no funds belonging to the White Earth Band of Indians.

Mr. STEPHENS of Texas. The language must be sufficient, because it has been paid under such language by the department. They paid it last year.

Mr. MILLER. I am surprised at the comptroller letting it go that way. That should be out of the funds belonging to the Chippewa Indians in Minnesota.

Mr. STEPHENS of Texas. They have so construed it.

Mr. MILLER. All right, then, we will let it go.

The Clerk read as follows:

That the Secretary of the Interior, under such rules and regulations as he may prescribe, is hereby authorized to use for or advance to any individual Chippewa Indian in the State of Minnesota entitled to participate in the permanent fund of the Chippewa Indians of Minnesota who is blind, crippled, decrepit, or helpless from old age, disease, or accident, in the aggregate not to exceed one-fourth of the amount which would now be coming to said Indian under a pro rata distribution of said permanent fund: *Provided*, That any money received hereunder by any member of said tribe or used for his or her benefit shall be deducted from the share of said member in the permanent fund of the said Chippewa Indians in Minnesota to which he or she would be entitled.

Mr. HARRISON. Mr. Chairman, I desire to offer an amendment.

The CHAIRMAN (Mr. BYRNS of Tennessee). The Clerk will report the amendment.

The Clerk read as follows:

Amend, on page 18, after line 19, by adding a new paragraph reading as follows:

"MISSISSIPPI.

"SEC. 9. For the support and civilization of Indians in Mississippi, including the purchase of such lands as the Secretary of the Interior may deem proper, $500,000; the said sum to be reimbursable from the funds now to the credit of the Choctaw Tribe of Indians in the Treasury of the United States or deposited in any bank or held by any official under the jurisdiction of the Secretary of the Interior."

Mr. STEPHENS of Texas. Mr. Chairman, I make the point of order on that amendment that it is new legislation and is not authorized and is not germane to anything in the bill.

Mr. HARRISON. I see the permanent Chairman has just taken the chair. The gentleman from Illinois [Mr. FOSTER] was in the chair when a similar point was raised, and they have had that point under advisement and consideration for about an hour and a half. It has not yet been decided. The point that was before the Chair before the present Chairman took his seat was to an item under the heading "Idaho," reading as follows:

For support and civilization of Indians on the Fort Hall Reservation in Idaho, including pay of employees, $30,000.

I made a point of order to that item, because I did not think there was any authority of law for that appropriation. The Chairman of the Committee, however, stated that it was not subject to a point of order, and that there was authority of law for making the appropriation, holding that under the general law Congress had the right, and he made this assertion in answer to a question I put to him—whether Congress had the right to appropriate money for the support and civilization of Indians in every State in the Union if it wanted to do so. So that question is before the Chair and has not been decided. It is my opinion that Congress has not the authority to gratuitously give money away out of the Treasury of the United States without authority of law. I do not believe that there is any such law upon the statute books that would give the Committee on Indian Affairs the right to bring in a bill here that would give away all the money in the Treasury to Indians of any State in the Union; but the gentlemen of the committee took the opposite view to me, and they say that there is authority of law for the Committee on Indian Affairs to bring in a bill and for Congress to appropriate money to any amount to any Indian in any State in the Union, so that, they having taken that view, I wanted the Indians of my State to be taken care of just the same as other Indians in other States. The only difference between their proposition and mine is that I am not trying to get by this amendment money for Indians in my State out of the Treasury of the United States, but trying to get it where it should be given—out of the funds of the tribe.

Mr. STEPHENS of Texas. Will the gentleman yield?

Mr. HARRISON. In one moment I will yield to the gentleman. I submit that if it is in order for the committee to bring in a provision for the support and civilization of Indians in Arizona, Idaho, or Oklahoma, and in every other State in the Union, that certainly the amendment is not subject to a point of order that proposes to take care of and support and civilize the Indians in the State of Mississippi, so with these observations I submit the question to the Chair. Did the gentleman from Texas desire to ask me a question?

Mr. STEPHENS of Texas. Yes. The gentleman is aware that in Idaho the point of order he raised was against the support and civilization of the Fort Hall Indians in Idaho?

Mr. HARRISON. Yes.

Mr. STEPHENS of Texas. Is it not a fact that those Fort Hall Indians have been recognized as wards of the Government for a good many years? Is it not a fact?

Mr. HARRISON. I think it is.

Mr. STEPHENS of Texas. And is it not a fact that your Indians have not been recognized as wards of the Government? Has there ever beeen an appropriation made for them?

The CHAIRMAN. The Chair was about to make this suggestion: He understands that while he was absent from the chair a point of order was raised against another item in the bill which may or may not involve the point of order that is now made against this amendment.

Mr. CARTER. Mr. Chairman, I think I can convince the Chair in a moment in relation to this particular amendment if he will hear me.

Mr. HARRISON. Mr. Chairman, the gentleman from Texas [Mr. STEPHENS] asked me a question and I did not have opportunity to answer it. I want to answer it. I want to say, in reply to the gentleman's question about the Mississippi Indians, that I notice from the record that in the Sixtieth Congress the gentleman himself on December 2, 1907, introduced a bill in behalf of these Mississippi Choctaws. I notice in the same Congress, on January 29, 1908, the gentleman introduced another bill for these Mississippi Choctaws, evidently thinking that those Indians down there ought to be recognized by the Government. And again in the Sixtieth Congress, on April 13, 1908, he offered another bill for their relief. And I could quote where the gentleman introduced many other bills for their relief.

Mr. STEPHENS of Texas. Well, is it not a fact that each of those resolutions and bills were directed to the point of whether or not they had any right in Oklahoma?

Mr. HARRISON. It was done for the purpose of doing something for them.

Mr. STEPHENS of Texas. For those Indians?

Mr. HARRISON. Yes; for the Mississippi Indians. And I want to congratulate the gentleman, too, on the magnificent stand he took at that and the magnificent fight he made for four years and more in behalf of those poor Indians down in Mississippi. They are grateful to him. I am only too sorry that the gentleman's efforts and energies did not meet with some reward. I am sorry his help in their behalf is not now employed.

Mr. STEPHENS of Texas. Will the gentleman yield just there?

Mr. HARRISON. Oh, yes.

Mr. STEPHENS of Texas. Has the gentleman offered a bill similar to the amendment now offered in behalf of the Indians in Mississippi?

Mr. HARRISON. Pretty nearly. If the gentleman will permit one now, I will soon furnish it.

The CHAIRMAN. Can the gentleman furnish the Chair the statute which will show that this amendment is authorized?

Mr. HARRISON. Mr. Chairman, the Chair did not understand me to say that I thought the other proposition was not subject to a point of order. I have no law to offer, because I have contended that there was not any law for the United States Government to gratuitously give to the Indians in any State money. But if the Chair is going to hold they can do it in other States, then I certainly want to be put on record as being in favor of the Mississippi Indians getting some money.

Mr. CARTER. Mr. Chairman, I am not prepared to say whether or not the point of order against Idaho was well taken or not, but certainly the point made against the amendment of the gentleman from Mississippi [Mr. HARRISON] is well

taken, because the present law provides that all the funds which he proposes now to use shall be devoted per capita among the enrolled Indians in Oklahoma. I will read, if the Chair will indulge me, the treaty and act of Congress in regard to that. It is the treaty of July 1, 1903, which was duly negotiated between the duly authorized agents of the Chickasaw Nation and the Federal Government, and approved by Congress and by the general vote of the tribe. In article 365 occurs this provision:

No person whose name does not appear upon the rolls prepared as herein provided shall be entitled to in any manner participate in the distribution of the common property of the Choctaw and Chickasaw Tribes, and those whose names appear thereon shall participate in the manner set forth in this agreement.

Then, again, in the act of April 26, 1906, we have the following:

That when the unallotted lands and other property belonging to the Choctaw, Chickasaw, Cherokee, Creek, and Seminole Tribes of Indians have been sold and the moneys arising from such sales or from any other source whatever have been paid into the United States Treasury to the credit of said tribes, respectively, and when all the just charges against the funds of the respective tribes have been deducted therefrom, any remaining funds shall be distributed per capita to the members then living and the heirs of deceased members whose names appear upon the finally approved rolls of the respective tribes, such distribution to be made under rules and regulations to be prescribed by the Secretary of the Interior.

If the gentleman's amendment did not propose to make payment out of the funds of the Five Civilized Tribes in direct contradiction to this law, I do not know whether it would be in order or not, but it evidently is not in order in face of these two plain provisions of law.

The CHAIRMAN. The gentleman from Mississippi [Mr. HARRISON] offers the amendment which has been reported at the Clerk's desk, and the gentleman from Texas makes the point of order against it that it is not authorized by existing law. The Chair thinks the point of order to be well taken. The Chair finds an authority in volume 4 of Hinds' Precedents, section 3809, page 544, which he thinks exactly in point. It appears that—

On December 20, 1900, the Indian appropriation bill was under consideration in the Commmittee of the Whole House on the state of the Union, and the Clerk had read this paragraph:

"For the support and civilization of the Shebits, Muddy, and other Indians in Southern Utah, $2,500."

Hon. Joseph G. Cannon, of Illinois, made a point of order against the paragraph.

Hon. James A. Tawney, of Minnesota, a former very distinguished Member of this body, was in the chair at the time, and he sustained the point of order made against it. Among other things he said:

The Chair does not understand the claim is made that this appropriation comes within the provisions of either one of those two clauses of section 2 of Rule XXI. It is not claimed that it is made in accordance with any treaty stipulation or existing law; and the latter clause of the paragraph is so general in its terms that it might include other tribes of Indians. The language is, "and other Indians in southern Utah." Not being in accord with treaty stipulations, therefore, and not coming within the other provision of section 2 of the rule, the Chair sustains the point of order.

The Chair will state that section 2 of the rule to which he refers is a rule providing for the continuation of appropriations for public works and objects already in progress. The gentleman from Mississippi [Mr. HARRISON], upon whom the burden rests, has not furnished the Chair with any treaty stipulation or any existing law which would authorize this amendment.

Mr. HARRISON. May I ask the Chair a question?

The CHAIRMAN. This amendment certainly can not be held as a continuation of public works and objects already in progress. The Chair understands that there never has been any appropriation heretofore for the purposes proposed by this amendment or anything in relation thereto. In other words, it is an entirely new appropriation.

Mr. HARRISON. May I ask the Chair this question: Does the Chair differentiate this amendment and the law and the rules of the House applicable to it to the provisions along in the bill, especially the one where I made the point of order under the item for the support and civilization of Indians in Idaho? Does he think there is any difference in the two propositions? In other words, the same ruling would apply to both propositions?

Mr. FERRIS. Mr. Chairman, before the Chair answers that will the Chair allow me to make an observation right there?

The CHAIRMAN. The Chair will hear the gentleman.

Mr. FERRIS. I think the Chair would scarcely hold that on a different state of facts his ruling would be identical with the other ruling. I think the Chair will find, as a matter of fact, that in the Idaho case, where the point of order was submitted a few moments ago by the gentleman from Mississippi [Mr. HARRISON], under the original organic act creating the Indian Bureau, which was in 1834, while the Indian Bureau was under the War Department, these were regularly enrolled Indians, that a regularly constituted agency was established, and that a regular quota of employees was there engaged in the conduct of the Indian business; so that a point of order in that case would not rest upon the identical state of facts with an amendment similar to the one offered by the gentleman from Mississippi, which proposes to do an entirely new thing, to wit, first, to appropriate for Indians not on the roll; second, to appropriate for Indians not under a regularly organized agency or in any organized service; third, it would amount to the creation of new and additional officers; and, fourth, it differentiates in this, that the amendment of the gentleman from Mississippi proposes to divest other Indians of their funds in order to supply his Indians with funds as distinguished from the general obligation which the Federal Government owes to the American Indians.

The CHAIRMAN. The Chair wants it clearly understood that this ruling is confined strictly and alone to the amendment pending before the committee. It has nothing to do with the point of order on the question raised against the Idaho proposition, which, as the gentleman from Oklahoma [Mr. FERRIS] states, perhaps rests on an entirely different state of facts.

Mr. HARRISON. I wish the present Chairman had been in the Chair when the original point was up, because I offered this amendment on the decision—whatever it might be—of the Chair in deciding the point of order made with respect to the Idaho item, and I think the Chair ought to rule on the point of order that was first made in the reading of the bill, and ought to decide the point of order that I made to the Idaho item before the point of order is decided on this amendment that I have offered. The present Chairman was not in the chair at that time, but I would call the Chair's attention to the fact that my amendment was offered several pages back under the Idaho item.

The CHAIRMAN. The present occupant of the chair was not in the chair at that time.

Mr. HARRISON. I realize that, Mr. Chairman. I ask unanimous consent that the Chair do not rule on my proposition until he has ruled on the pending point that was made some time ago.

Mr. STEPHENS of Texas. I object, Mr. Chairman.

The CHAIRMAN. It is very clear to the Chair that in the absence of any treaty stipulation or any existing law this amendment is subject to a point of order, and therefore the Chair sustains the point of order.

Mr. HARRISON. I ask the Chair to recur to the ruling on the other proposition.

Mr. STEPHENS of Texas. I shall object, Mr. Chairman, until we reach the end of the bill.

Mr. HARRISON. Here is the place where I would offer my amendment with respect to Indians in Mississippi. I do not want to lose my parliamentary rights. A parliamentary inquiry, Mr. Chairman.

The CHAIRMAN. The gentleman will state it.

Mr. HARRISON. This is the place in the bill where I had intended to offer an amendment. My offering an amendment will depend upon the ruling of the Chair on the Idaho proposition, and I ask unanimous consent that my right to offer an amendment at this place go over, pending the decision of the Chair on the other point of order.

The CHAIRMAN. The gentleman from Mississippi [Mr. HARRISON] asks unanimous consent that he be permitted to return to this particular portion of the bill for the purpose of offering an amendment. Is there objection?

Mr. CARTER. Mr. Chairman, reserving the right to object, the gentleman could offer his amendment at almost any part of the bill—for example, at the place where the Oklahoma items are stated, I assume—and for that reason I feel compelled to object.

The CHAIRMAN. The gentleman from Oklahoma [Mr. CARTER] objects, and the Clerk will read.

Mr. HARRISON. A parliamentary inquiry, Mr. Chairman.

The CHAIRMAN. The gentleman will state it.

Mr. HARRISON. Does the Chair think I would have the right to offer an amendment to take care of the Mississippi Indians at any time later on the reading of the bill?

The CHAIRMAN. The Chair would not undertake to say as to that.

Mr. HARRISON. I will say to the Chair that it is only fair to us Members from the State of Mississippi that the Chair should rule on the other proposition before we go to the other place, or that we be assured that we will be permitted to do so later on.

Mr. STEPHENS of Texas. If the gentleman will permit me, Mr. Chairman, under section 9 of the bill, under the heading of

"Montana," there is an item for the support and civilization of the Indians at Fort Belknap Agency, Mont., including pay of employees.

The CHAIRMAN. There is nothing before the committee, and the Clerk will read.

At this point Mr. BYRNS of Tennessee vacated the chair, which was assumed by Mr. FOSTER.

The CHAIRMAN (Mr. FOSTER). The Chair is ready to rule on the proposition. The gentleman from Mississippi [Mr. HARRISON] makes a point of order on the paragraph on page 15, on the words:

SEC. 5. For support and civilization of Indians on the Fort Hall Indian Reservation in Idaho, including the pay of employees, $30,000.

The Chair was under the impression that there was a law for these appropriations, but on examining the different statutes with reference to Indian affairs and what he was able to find, with the help of most of those who were interested in the subject, he has not been able to find the law with reference to this matter which gives the right of appropriation.

This matter came up in the House on December 20, 1900, in the Fifty-fifth Congress, and the Hon. James A. Tawney, of Minnesota, at that time was in the chair. Mr. Cannon, of Illinois, made a point of order against the language, "For the support and civilization of the Shebits, Muddy, and other Indians in southern Utah, $2,500." The Chair understands the decision of the Chair has been read, so that it is not necessary to do that again at this time.

Again, an item was offered "For support and civilization of the Yakimas and other Indians," in Oregon, "including pay of employees, $5,000." A point of order was again made by the Hon. Joseph G. Cannon, then a Member of this House, and the point of order was sustained for the same reason. So that with this ruling and without any authority of law, the Chair sustains the point of order.

Mr. BURKE of South Dakota. I hope the gentleman from Mississippi will not insist upon his point of order.

The CHAIRMAN. The present occupant of the chair has procured all the information he is able to get; he believes he could make no other ruling than the one he has made, and he thinks the regular occupant of the chair during the consideration of this bill—Mr. BYRNS of Tennessee—will fully agree with the temporary occupant of the chair in this matter.

Mr. HARRISON. Mr. Chairman, I have another amendment to offer.

The CHAIRMAN (Mr. BYRNS of Tennessee). The gentleman will send his amendment to the desk.

The Clerk read as follows:

Amend, on page 15, line 17, after the figures "$30,000," by inserting the following

"*Provided*, That $100,000 is hereby appropriated for the support and civilization of Indians in Mississippi."

Mr. STEPHENS of Texas. Mr. Chairman, I make a point of order against that amendment, as new legislation and not authorized by law. These Indians have not heretofore been under the supervision and control of the Government of the United States and are not wards of the Government.

The CHAIRMAN. The point of order is sustained.

Mr. BURKE of South Dakota. Mr. Chairman, just a moment. Do I understand that the gentleman from Mississippi [Mr. HARRISON] insists upon his point of order to the Idaho item?

Mr. HARRISON. No; I withdraw the point of order which I made.

Mr. BURKE of South Dakota. I ask unanimous consent that so much of section 5 as has gone out on a point of order may be reinstated in the bill.

The CHAIRMAN. The gentleman can offer it as an amendment.

Mr. BURKE of South Dakota. I offer as an amendment the words printed in lines 15 to 17, inclusive, on page 14.

The Clerk read as follows:

Amend, on page 15, by inserting after the word "Idaho" the following:

"SEC. 5. For support and civilization of Indians on the Fort Hall Reservation in Idaho including pay of employees, $30,000."

Mr. HARRISON. I have an amendment to offer to that paragraph, as a proviso.

The CHAIRMAN. The gentleman from Mississippi offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amend, on page 15, by inserting, at the end of line 17, the following:

"*Provided*, That $100,000 is hereby appropriated for the support and civilization of Indians in Mississippi."

Mr. CULLOP. I make a point of order against that.

Mr. FERRIS. I make the point of order that that is new legislation and not germane.

The CHAIRMAN. The Chair understands that this particular amendment was recently ruled out of the bill on the ground that it was new legislation.

Mr. BORLAND. The further point of order is made that it is not germane.

Mr. FERRIS. The further point that it is an appropriation for a tribe of Indians wholly foreign to the Idaho Indians and wholly foreign to the State of Idaho, to wit, in the State of Mississippi. That is not germane to an Idaho provision or to an appropriation for Idaho Indians. For that reason it is out of order.

The CHAIRMAN. The Chair will hear the gentleman from Mississippi.

Mr. HARRISON. The Chair has just ruled the item that was offered under the heading "Idaho" was not in order and was subject to a point of order. The Chairman sustained the point of order that I made to that item. The ruling of the Chair has been made on that proposition. Now this same item that is not germane to the bill and is subject to a point of order is reoffered. I have made no point of order to it, and under the rules of the House when a provision is incorporated into the bill that is subject to a point of order you may offer an amendment to that provision, and while it would have been subject to a point of order in the original case, it is not subject to a point of order when it is offered as an amendment to a provision that in the first place was itself out of order.

Mr. CULLOP. Will the gentleman permit an interruption there?

Mr. HARRISON. Yes.

Mr. CULLOP. Is not the rule exactly the reverse of what the gentleman from Mississippi has stated? Is it not the rule that if an amendment is offered to a section that would be subject to a point of order, though that section is passed without the point of order being made, if a point of order is made to an amendment which is offered to it, and if the amendment is subject to the point of order, does it not, like a demurrer to an answer, carry it back to the complaint to which the answer is addressed, and is not the demurrer sustained as to both? This provision is subject to a point of order, but none was made to it. The amendment to this provision against which the point of order has been made the Chair has held was subject to a point of order. Therefore the point of order ought to be sustained, not only to this provision, but carried back and sustained to the original provision which it seeks to amend. This, it occurs to me, should be the logical result in such cases. The point of order, like a demurrer, searches the entire record; that is, not only the amendment, but also the provision which it seeks to amend.

Mr. HARRISON. The difference is that while the first provision was subject to a point of order, yet the point of order not being made, under the rules this amendment is in order if it is germane. The question of germaneness is for the Chair.

The CHAIRMAN. The Chair is ready to rule. The gentleman from Mississippi offers an amendment to the amendment, to which the gentleman from Texas [Mr. STEPHENS] interposes the point of order that it is not germane. There are a long line of precedents which sustain the Chair in holding that the amendment offered by the gentleman from Mississippi is not germane. For instance, it has been held that an amendment proposing relief to an individual is not germane to a bill proposing similar relief to another individual; that to a bill proposing the admission of one Territory into the Union an amendment for the admission of another Territory is not germane. The Chair does not think that the amendment offered by the gentleman from Mississippi [Mr. HARRISON] is germane, and therefore sustains the point of order. The question is on the amendment of the gentleman from South Dakota [Mr. BURKE].

Mr. CULLOP. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. CULLOP. As the Chair has now sustained a point of order to the amendment, would not that ruling also carry back the point of order so that it must be sustained to the section which was introduced as an amendment to the bill?

The CHAIRMAN. No point of order was made against the amendment offered by the gentleman from South Dakota.

Mr. CULLOP. I understand, if the Chair will permit me to state it, that no point of order was made against that, but an amendment was offered to it, and the point of order was made against that. Now, on the same ground that the Chair sustains the point of order to the amendment, ought not the point of order to be sustained against the paragraph which was sought to be amended?

Mr. CARTER. Will the gentleman yield?

The CHAIRMAN. If a point of order had been interposed to the amendment offered by the gentleman from South Dakota, it would have been sustained, but no point of order was made. The Chair sustains the point of order to the amendment offered by the gentleman from Mississippi [Mr. HARRISON] on the ground that it is not germane to the amendment offered by the gentleman from South Dakota. The question is on the amendment offered by the gentleman from South Dakota [Mr. BURKE].

The question was considered, and the amendment was agreed to.

The Clerk read as follows:

MONTANA.

SEC. 9. For support and civilization of the Indians at Fort Belknap Agency, Mont., including pay of employees, $20,000.

Mr. MANN. Mr. Chairman, I move to strike out the last word. The Chair has just sustained the point of order made to the language in the bill for support of civilization of the Indians on authorities which he cited from the fourth volume of Hinds' Precedents. I wish to add to that, because it might be caught some time in the future, a decision rendered by Mr. Olmsted, of Pennsylvania, in the chair on February 21, 1910, found in the CONGRESSIONAL RECORD of the second session of the Sixty-first Congress, page 2192, to the same effect. It was a point of order I made in relation to an item for the Florida Indians.

The CHAIRMAN. The Chair is glad to have the authority.

MESSAGE FROM THE SENATE.

The Committee informally rose; and the Speaker having resumed the chair, a message from the Senate, by Mr. Crockett, one of its clerks, announced that the Senate had disagreed to the amendment of the House of Representatives to the bill (S. 136) to promote the welfare of American seamen in the merchant marine of the United States; to abolish arrest and imprisonment as a penalty for desertion and to secure the abrogation of treaty provisions in relation thereto; and to promote safety at sea; had asked a conference with the House on the disagreeing votes of the two Houses thereon, and had appointed Mr. FLETCHER, Mr. CHAMBERLAIN, Mr. VARDAMAN, Mr. NELSON, and Mr. SMITH of Michigan as the conferees on the part of the Senate.

INDIAN APPROPRIATION BILL.

The committee resumed its session.

The Clerk read as follows:

For maintenance and operation, including repairs of the Milk River irrigation system on the Fort Belknap Reservation, in Montana, $20,000, reimbursable in accordance with the provisions of the act of April 4, 1910.

Mr. STOUT. Mr. Chairman, I offer the following amendment.

The Clerk read as follows:

Page 19, between lines 9 and 10, insert the following paragraph:

"For continuing the construction of irrigation systems to irrigate the allotted lands of the Indians of the Flathead Reservation in Montana, and the unallotted irrigable lands to be or which have been heretofore disposed of under authority of law, including the necessary surveys, plans, and estimates, $500,000, reimbursable in accordance with the provisions of the act of April 4, 1910."

Mr. STOUT. Mr. Chairman, the Indian bills for a number of years have contained items for the irrigation work begun on three Indian reservations in Montana. This amendment is in line with the paragraphs which have always been included in these bills since these great works were begun, seven or eight years ago. The Flathead irrigation project was started in 1908, and at this time there has been expended one million five or six hundred thousand dollars on that project.

Much to my astonishment, and without any reason so far as I have been able to discover, all reference to that project is excluded from this Indian bill this year. It is patent that this appropriation can not go in at any other place. It is an appropriation for the irrigation of Indian lands, and to stop now means the abandonment of the project, which, as I stated, has cost the Government or the Indians a million and a half dollars and has reclaimed something like 40,000 or 50,000 acres of land, and contemplates the reclamation of 70,000 acres of Indian lands, including also 75,000 acres of unallotted white settlers' land.

As I understand, the objection always has been to this project that they are using Indian money for the reclamation of lands settled upon by white people. I wish to state, however, that the reclamation of the unallotted lands is simply incidental to the main project, which is the reclamation of the Indian land. These lands are mixed up; there will be a section belonging to an Indian and the next to it an unallotted section settled upon by some white fellow. It would be manifestly impossible by any system of engineering to construct a project that would irrigate the Indian's land without running the ditch by the land settled upon by the white settler. Of course, the white settler expects to pay his portion of the cost of the project. It will be reimbursed to the Indians and the Indians will reimburse the Government in the final wind-up of the project.

I can not understand just why the Indian Service has omitted this. I can understand why the Indian Committee has not included it in the bill because, as I understand, no estimate for it was made by the Indian Service. I went to the Indian Service, and they stated that the Reclamation Service was going to take care of it. I have positive assurance that the Reclamation Service has no intention of taking care of it, saying that it is an Indian matter. So we are confronted with the prospect of having two bureaus in the department playing battledore and shuttlecock with these projects which have cost so much money and which propose the reclamation of hundreds of thousands of acres of land. It is so manifestly a proper expenditure, and these projects will be so very desirable when completed and it is so utterly absurd to abandon the projects after all that has been expended upon them, that I could not conceive of any reasonable objection to the amendment I have submitted. I ask unanimous consent to extend my remarks in the RECORD with reference to this paragraph by the insertion of certain tables.

The CHAIRMAN. The gentleman asks unanimous consent to extend his remarks in the RECORD. Is there objection?

There was no objection.

Mr. STEPHENS of Texas. Mr. Chairman, I do not think there is any question but that the amendment is subject to a point of order.

The CHAIRMAN. The Chair will ask the gentleman if there is any work going on now in reference to the construction for this project of irrigation. On its face the amendment shows that it is for a continuing work.

Mr. MANN. It is not subject to a point of order.

Mr. STOUT. Oh, yes; Mr. Chairman, the construction is in progress, and they have an unexpended balance of less than $160,000.

Mr. BURKE of South Dakota. There is another reason, Mr. Chairman, why it is not subject to a point of order, and that is the act which provides for the sale of the surplus lands in the Flathead Indian Reservation provides that the proceeds may be used in the construction of irrigation projects.

The CHAIRMAN. The Chair overrules the point of order, and the question is on the amendment offered by the gentleman from Montana.

The question was taken, and the amendment was agreed to.

Mr. STOUT. Mr. Chairman, I offer the following amendment, to follow in after the one that has just been adopted.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 19, to follow the amendment just adopted, between lines 9 and 10, insert the following:

"For continuing the construction of irrigation systems to irrigate the lands of the Indians of the Black Feet Indian Reservation in Montana, including the necessary surveys, plans, and estimates, $100,000, reimbursable in accordance with the provisions of the act of March 1, 1907."

Mr. CARTER. Mr. Chairman, on that I reserve the point of order.

Mr. STOUT. Mr. Chairman, this is the same sort of a project as the one upon which we have just voted. The project has been started there and several hundred thousand dollars have been expended. They are now working on that with a force of men.

The CHAIRMAN. This is the continuation of a public work?

Mr. STOUT. Yes.

The CHAIRMAN. The Chair overrules the point of order.

Mr. STOUT. Mr. Chairman, I will simply state that this is reimbursable to the tribal funds.

Mr. MILLER. Mr. Chairman, if the gentleman from Montana has completed his statement, I would like to ask him a question or two.

Mr. STOUT. Certainly.

Mr. MILLER. I would like to ask the gentleman how much is the estimated cost of this project.

Mr. STOUT. I think it is approximately $3,000,000.

Mr. MILLER. Is it not $4,000,000?

Mr. STOUT. Perhaps it is.

Mr. MILLER. Four million dollars is the estimated cost of the project, and, as a matter of fact, is it not true it is going to cost over $6,000,000?

Mr. STOUT. Not that I know of.

Mr. MILLER. I can inform the gentleman that that is true. Is it not also a fact that this is being built in what might be called units, a unit having already been completed for the accommodation of the Indians, another unit perhaps can be com-

pleted for the exclusive accommodation of the whites, settled on Indian lands, and a third additional unit for the purpose of developing a great water power at that place. Am I not correct in stating the situation?

Mr. STOUT. All of these reclamation projects are pretty much operated in that manner. They attempt to complete one unit, so as to get a portion of the land under cultivation as soon as possible, rather than to wait until the whole project is completed.

Mr. MILLER. Is it not also necessary as an engineering feat, in order to complete this additional unit, that some very extensive engineering works shall be constructed for the purpose of diverting water quite a distance away that it might reach what is now an upland?

Mr. STOUT. That is a project that does not necessarily have to be carried out.

Mr. MILLER. Is not that the remainder of the project which remains to be completed?

Mr. STOUT. Not according to my information.

Mr. MILLER. At least that is a portion of it, I will say to the gentleman; the major portion of it.

Mr. STOUT. That is a part of it, but not all of it by any means.

Mr. MILLER. That region is inhabited exclusively by whites settled on Indian lands.

Mr. STOUT. I am not so informed. If the gentleman has any other information upon it, I will be glad to have it. I am under the impression that Indians reside on that land.

Mr. MILLER. Possibly the word "exclusively" is a little bit too strong. Ninety-eight per cent of the people inhabiting the area to be improved by the additional unit are whites, I think.

Mr. STOUT. I think the gentleman is about 50 per cent too strong yet.

Mr. MILLER. If the gentleman has any better information than I have, I would be glad to receive it.

Mr. STOUT. I would be glad to hear the gentleman's information.

Mr. MILLER. How much has already been expended on this project?

Mr. STOUT. I will have that here in just a moment.

The CHAIRMAN. The time of the gentleman from Minnesota has expired.

Mr. MILLER. Mr. Chairman, I ask unanimous consent to proceed for five minutes more.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. STOUT. I had the information here a moment ago.

Mr. MILLER. I will ask the gentleman if his information is not that the sum is over $2,000,000? Have we not already expended more than $2,000,000?

Mr. STOUT. I think we have; yes.

Mr. MILLER. About $2,000,000 is probably the amount that we have expended. May I ask the gentleman why he does not offer his amendment instead of $100,000 in the sum of $4,000,000, so as to complete the project?

Mr. STOUT. I am trying to get the information the gentleman desires.

Mr. MILLER. I do not think he will find it in the hearings.

Mr. BURKE of South Dakota. Will the gentleman yield?

Mr. MILLER. I will.

Mr. BURKE of South Dakota. I would like to ask the gentleman from Montana if he is not a little modest in only asking $100,000 when he has just gotten an amendment through for $500,000 for the Flathead Indians. I would suggest to him that he modify his amendment and make it $500,000. We have made a good record here to-day in economy by eliminating a few automobiles, and we might just as well appropriate a million or two for these irrigation projects in Montana.

Mr. STOUT. I will say I have talked with the Bureau of Indian Affairs about this, also the Reclamation Service, and that is what they feel will be necessary to carry out an orderly development.

Mr. MILLER. Certainly the officials are prepared to go ahead and complete all the projects immediately, and probably could do it if they had the money.

Mr. STOUT. I would be glad, indeed, if we could appropriate many times this.

Mr. MILLER. I asked the gentleman a question a few moments ago, but his attention was momentarily diverted, and I would like to repeat it. Why does not the gentleman offer an amendment asking for $4,000,000 instead of $100,000?

Mr. STOUT. Because I know I could not get it.

Mr. MILLER. The gentleman has just gotten the most outrageous sum ever appropriated by this Congress for any project connected with the Indian Service when he received $500,000 without any reason or need for it, no estimate, no plan for expending it, and when a man has hit the trail like that, burned up powder and dust so beautifully and successfully, why not fire off the biggest cannon he has got? He can not tell what that side of the House may drop in his basket.

Mr. STOUT. I am proceeding upon the same line the gentleman from Minnesota would, and am offering this amendment in good faith——

Mr. MILLER. The gentleman did a year ago.

Mr. STOUT. I have only asked for what is absolutely needed for the orderly development of these projects. We do not need a half a million dollars for this project; if we did, I would ask for it. As it is, I am only asking $100,000. That is what is actually needed.

Mr. MILLER. Mr. Chairman, I really think the gentleman's modesty has overcome him at the last stretch and that his mind is giving evidence of failure just as he sees the tape in sight. I certainly was in hopes at last Montana would come to the front. I certainly had indulged myself in the fond expectation at this moment this new genius which has arisen would see that the great doors of the Treasury had been opened wide and all the wealth therein contained poured out upon the plains of Montana in order that the poor, suffering handful of Indians and the long-suffering and long-hungry whites might have their places irrigated and their lands made productive and useful; but, Mr. Chairman, at the last moment this great, powerful Gideon has hauled down his flag, thrown away his saber, smashed his lance, and said farewell to the people who sent him here, has forgotten the splendid efforts he so nobly began with, and, instead of asking for $4,000,000 in order that this project might be completed, breathed just a faint gasp and asked, "Please give just $100,000." [Applause.]

The CHAIRMAN. The time of the gentleman has expired.

Mr. STOUT. Mr. Chairman, I am perfectly willing to have a vote after the outburst of the gentleman.

Mr. STEPHENS of Texas. Mr. Chairman, I hope the amendment will not be adopted, for the reason the department did not estimate for this amount. They estimated only $200,000. That was the amount received last year——

Mr. BORLAND. Will the gentleman yield for a question?

Mr. STEPHENS of Texas. I would like to have the amendment read again.

The CHAIRMAN. The Clerk will again report the amendment.

The amendment was again reported.

Mr. BORLAND. Is this money payable in the first instance out of the Federal Treasury?

Mr. STEPHENS of Texas. Yes.

Mr. BORLAND. There is no tribal fund out of which it can be paid.

Mr. STEPHENS of Texas. No; none whatever. Mr. Chairman, I hope this amendment will not be adopted, for the reason, Mr. Chairman, that the white persons in that vicinity will have a greater benefit than the Indians. The department has refused to give more than the amount given, for the reason that these Indians have money out of which this amount can be paid.

They have quite a lot of land and a great deal of timber that is not available at the present time. Consequently these payments will have to be made out of the Treasury of the United States, and we do not think it advisable at the present time to appropriate this great amount of money for that purpose.

Mr. CAMPBELL. In what respect does this proposition differ from the one that was just agreed to in regard to the Flathead Reservation? That was not estimated for by the department.

Mr. STEPHENS of Texas. It was a similar provision, but because we did wrong in that event we should do right this time. That should have been voted down.

Mr. CAMPBELL. There were a few of us here who voted against it, and everybody on that side of the House seems to have voted for it.

Mr. STEPHENS of Texas. The gentleman is entirely wrong. I voted against that and the committee voted against it.

Mr. CAMPBELL. It seemed to have gone through by unanimous consent over there.

Mr. STEPHENS of Texas. It did not. I think every member of the committee voted against it. And I hope this amendment will not be adopted.

Mr. MANN. Mr. Chairman, last year there was included in the Indian appropriation bill three irrigation items for various irrigation projects in the State of Montana, one at Flathead Reservation, $200,000; one at the Blackfeet Reservation, $50,000; and one at the Fort Peck Reservation, $50,000. This year when

it came to making up the estimates the department did not ask for any appropriations for these irrigation projects, and the committee did not report any item in the bill for any one of these projects.

This afternoon for nearly three hours this great committee, composed of all the Members of the House, sat here in wise deliberation and succeeded in eliminating from the bill a provision, which the committee had reported, for $15,000 to purchase needed automobiles. For three hours we discussed the advisability of appropriating that $15,000, which the committee had recommended on the advice of the Indian Office and the Department of the Interior. A few moments ago, after a discussion of two or three minutes, the committee agreed to an amendment appropriating $500,000, which the department had not asked for, which the committee had not recommended, and the gentleman in charge of the bill did not even ask for a division on the vote. That is Democratic economy.

Mr. STEPHENS of Texas. Will the gentleman yield?

Mr. MANN. In three hours they cut out $15,000, and in three minutes they inserted $500,000.

Mr. STEPHENS of Texas. Is it not easier to get a vote on these propositions by a separate vote when the bills are reported to the House?

Mr. MANN. That is so. That is the reason I am making these remarks, hoping I can goad the gentleman from Texas in charge of the bill into demanding a separate vote on this amendment and getting his side of the House, which, after three hours, eliminated $15,000 that was needed and put in $500,000 which was not asked for, to vote on the proposition.

Mr STEPHENS of Texas. The gentleman is aware that we are voting against the elimination of the automobile item on this side.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Montana [Mr. STOUT].

The question was taken, and the amendment was rejected.

Mr. BORLAND. Mr. Chairman, I voted in the affirmative on the amendment for the Flathead Reservation. I move that the vote by which that was passed be reconsidered.

Mr. FERRIS. A point of order, Mr. Chairman. That motion is not in order.

Mr. BORLAND. Why not?

Mr. FERRIS. We have passed the section. The way to reach that is to demand a separate vote at the end of the bill.

The CHAIRMAN. A motion to reconsider is not in order in the Committee of the Whole.

Mr. STOUT. Mr. Chairman, I offer a further amendment.

The CHAIRMAN. The gentleman from Montana offers a further amendment, which the Clerk will report.

The Clerk read as follows:

Page 19, between lines 9 and 10, insert the following paragraph:

"For continuing construction of irrigation systems to irrigate allotted lands of the Indians of the Fort Peck Indian Reservation, in Montana, including necessary surveys, plans, and estimates, $100,000, the same to be reimbursable: *Provided*, That the Secretary of the Interior is hereby authorized to make allotments in accordance with the provisions of the act of May 30, 1908 (35 Stats., p. 558), to children on the Fort Peck Reservation who have not received, but who are entitled to, allotments as long as any of the surplus lands within said reservation remain undisposed of, such allotments to be made under such rules and regulations as the Secretary of the interior may prescribe."

Mr. STEPHENS of Texas. Mr. Chairman, I make a point of order against that because it contains legislation.

The CHAIRMAN. The amendment on its face says it is a continuation of public work now in progress.

Mr. STEPHENS of Texas. It contains other provisions—one in regard to the children of the Fort Peck Reservation. I hope the amendment will not be adopted, in any event.

The CHAIRMAN. The Chair thinks it is subject to the point of order, and therefore sustains the point of order. The Clerk will read.

The Clerk read as follows:

For the employment of "line riders" along the southern and eastern boundaries of the Northern Cheyenne Indian Reservation in the State of Montana, $1,500.

Mr. HARRISON. Mr. Chairman, I reserve a point of order on that. May I ask what these "line riders" are?

Mr. STEPHENS of Texas. I will state to the gentleman that this item has been carried in the appropriation bill for many years. A line rider is employed by the Government for the purpose of riding the line in order to keep the cattle of the Indians on their reservations and to keep the outside cattle from intrenching on the Indian reservations. It serves in the place of a fence. I understand recently they have erected fences, and they now ride the fences.

Mr. HARRISON. If they have a fence, what is the necessity for the "line riders"?

Mr. STEPHENS of Texas. For the purpose of keeping up the fences and keeping the cattle from the white man's ranches adjoining from breaking down the Indian fences and mixing with the Indians' stock. And I will state to the gentleman further that persons in the West owning adjoining ranches pursue the same policy. They have line riders to separate their stock from those of their neighbors.

Mr. HARRISON. How many line riders are employed in this work?

Mr. STEPHENS of Texas. They have two.

Mr. HARRISON. How much do they get?

Mr. STEPHENS of Texas. The amount appropriated was $1,500, and the amount expended under that item was $1,440. As I stated, there are two line riders.

Mr. HARRISON. Does not the gentleman think the title of these men ought to be changed to "fence riders" instead of "line riders"? [Laughter.]

Mr. STEPHENS of Texas. It is a cow-camp expression, and it is generally known out there, and it has the force and effect of law.

Mr. HARRISON. How much of a line have they got out there? How far do they have to keep that line protected?

Mr. STEPHENS of Texas. Well, it is quite a large reservation. Perhaps the distance is 50 miles around it.

Mr. HARRISON. Are any appropriations made in other States for their line riders?

Mr. STEPHENS of Texas. I do not know of any other reservation where the Indians own a separate part of the reservation on which they have their stock except the Crow Indians. I think there is a fence between the tract of land on which they keep their own stock and the land which they lease to the cattlemen.

Mr. HARRISON. Does not the gentleman think there ought to be a provision here for line riders for other tribes that need to have their lines protected?

Mr. STEPHENS of Texas. I think there are none except the Crow Indians. We leave that entirely with the inspectors and agents in charge of the Indians, and if they made it appear to the department that it was necessary the department would probably put it in their estimates, and if they did that we would consider the matter, and if we thought it advisable we would recommend the employment of line riders.

Mr. HARRISON. Two line riders are created here. Can the gentleman state whether or not the department furnishes them with traveling vehicles, either horse drawn or power propelled?

Mr. STEPHENS of Texas. The Government furnishes them with horses.

Mr. HARRISON. Could the gentleman tell us how they are maintained?

Mr. STEPHENS of Texas. All the line riders that I know of furnish their own horses at so much per month and take care of their own business.

Mr. HARRISON. I was wondering whether that provision that we passed this morning about automobiles would take care of these two line riders.

Mr. STEPHENS of Texas. No.

Mr. HARRISON. I withdraw the point of order, Mr. Chairman.

The CHAIRMAN. The gentleman from Mississippi withdraws the reservation of the point of order. The Clerk will read.

The Clerk read as follows:

That the Secretary of the Interior be, and he is hereby, authorized to withdraw from the Treasury of the United States not to exceed the sum of $75,000, or so much thereof as may be necessary, of the principal sum on deposit to the credit of the Indians on the Blackfeet Reservation in Montana, for the purpose of purchasing and caring for cattle for the use of said Indians, to enable them to become self-supporting, under such rules, regulations, and conditions as said Secretary of the Interior may prescribe.

Mr. HARRISON. Mr. Chairman, I reserve a point of order on this new paragraph.

The CHAIRMAN. The gentleman from Mississippi [Mr. HARRISON] reserves a point of order on the paragraph.

Mr. HARRISON. May I ask the chairman of the committee or the gentleman from Oklahoma [Mr. CARTER] about this provision? It has not been necessary heretofore to appropriate this money, has it?

Mr. STEPHENS of Texas. It is needed, and it is from their own funds. It is needed for the purpose set forth here—for the purchase and care of cattle. They own the grass on a very valuable range, and the best way of sustaining these Indians is to let them raise stock. They can do that better than they can farm. It is the best arrangement that can be made and the best use of the money and of their lands that can be devised. We

have found in all this Montana and northern country that the Indians who are engaged in stock raising are more successful than they could be if engaged in any other occupation.

Mr. HARRISON. The bill says it is reimbursable. Is that the law now, that it is reimbursable?

Mr. STEPHENS of Texas. It is their own fund. They withdraw that much of their own fund from the Treasury. It is good legislation.

Mr. HARRISON. Mr. Chairman, I withdraw the point of order.

The CHAIRMAN. The point of order is withdrawn. The Clerk will read.

The Clerk read as follows:

That any moneys which may be due from the Indians of the Fort Belknap Reservation, State of Montana, and unpaid on June 1, 1915, for property purchased under the provisions of the sections of the Indian appropriation acts approved April 30, 1908 (35 Stat. L., pp. 70–83), appropriating the sum of $25,000 for the purchase of implements and other equipment for said Indians, under such conditions as the Secretary of the Interior might prescribe for the repayment by the Indians to the United States of the sum so expended, and March 3, 1909 (35 Stat. L., pp. 781–795), authorizing the use of the repayments made by the Indians until June 1, 1915, shall be collected as soon thereafter as is practicable, and any moneys heretofore or hereafter repaid by the Indians shall be available for reexpenditure under such conditions as the Secretary of the Interior may prescribe for its repayment to the United States in the purchase of seeds, live stock, vehicles, harness, machinery, tools, implements, and other agricultural equipment, and for such other purposes as may be deemed proper in promoting the civilization and support of said Indians until June 30, 1925.

Mr. STAFFORD. Mr. Chairman, I reserve a point of order on the paragraph.

The CHAIRMAN. The gentleman from Wisconsin [Mr. STAFFORD] reserves a point of order on the paragraph.

Mr. STAFFORD. I would like to inquire specifically as to the paragraph contained on page 21, authorizing the reexpenditure of all the moneys that the Indians have either paid in the past or will pay in the future which are to be utilized for the purchase of seeds, live stock, vehicles, and so forth, until the year 1925. Why not make it in perpetuity? If you are going to extend it until 1925, why not extend it for a century?

Mr. CARTER. Well, it is hoped by the Commissioner of Indian Affairs that by 1925 they will be able to pay it back.

Mr. STAFFORD. There is no provision here directing that it shall be paid back. It is a mandatory provision that the money shall be utilized for this specific purpose.

Mr. CARTER. Perhaps I was unfortunate in the language I used. I meant that it might be used for other purposes at that time, and that there might be a settlement of the affair by 1925.

Mr. STAFFORD. All the money is going to be utilized or may be utilized until 1925.

Mr. CARTER. Yes.

Mr. STAFFORD. Has the gentleman any question in his mind that if the money is available it will be utilized in the next 10 years?

Mr. CARTER. I think it will be.

Mr. STAFFORD. Then there will not be any money left to be used in 1925.

Mr. CARTER. It will be used up until 1925.

Mr. STAFFORD. If you give authority to the commissioner to use it, it will certainly be used; but what is the need of providing such a long time?

Mr. CARTER. It is one of these reimbursable, revolving appropriations, and there is merely an arbitrary time set for the settlement.

Mr. STAFFORD. Has the committee at any time made one of these revolving appropriations for so long as 10 years?

Mr. CARTER. Yes; it is in almost all of them now—until 1925.

Mr. BORLAND. The revolving plan has never been a success.

Mr. STAFFORD. I think it is very bad practice to have a certain amount of money turned over to an official of the Government for use extending over a long period of time. Therefore I make a point of order against the paragraph. I have no objection to having the paragraph reoffered down to the word "practicable," in line 3 on page 21.

Mr. MANN. Why not make your point of order to the language following that?

Mr. STAFFORD. I make the point of order to the language after the word "practicable," in line 3, page 21, down to the end of the paragraph.

The CHAIRMAN. The point of order is sustained.

Mr. BORLAND. It seems to me that the word "thereafter," in line 3, page 21, should be "hereafter."

Mr. CARTER. That has been stricken out on a point of order.

Mr. MILLER. The period of collection begins June 1, 1915, which is in the future, and "thereafter" relates to that time.

Mr. MANN. It is to extend the time of payment.

Mr. STEPHENS of Texas. I think the language is correct.

The Clerk read as follows:

NEBRASKA.

SEC. 10. For support and education of 375 Indian pupils at the Indian School at Genoa, Nebr., including pay of superintendent, $60,000; for general repairs and improvements, $5,000; in all, $65,000.

Mr. STEPHENS of Nebraska. Mr. Chairman, I offer the following amendment.

The CHAIRMAN. The gentleman from Nebraska offers an amendment, which the Clerk will report.

The Clerk read as follows:

Strike out all of section 10, on page 21, and insert in lieu thereof the following:

"For support and education of 400 pupils at the Genoa Indian School, at Genoa, Nebr., including pay of superintendent, $68,800; for general repairs and improvements, $5,000."

Mr. STEPHENS of Nebraska. Mr. Chairman, this amendment increases the authorization from 375 pupils to 400 pupils. This was recommended by the department. The Genoa School has a capacity of 400 pupils. Some 150 pupils are now sent across the country from Genoa territory to Carlisle to be educated at that institution, at a per capita expense of something like $189, whereas the appropriation in this bill for the Genoa School is $160 per capita. I want to call attention to the fact that out of the 25 Indian schools that are appropriated for in this bill, this school and one in Arizona have the lowest per capita appropriation in the bill.

Mr. STEPHENS of Texas. I think the gentleman is mistaken as to his figures. If he will look at page 201 of the hearings, just printed, he will see a statement made a few days ago and will find that the cost per capita on enrollment is $184.51 and the cost on average attendance is $211.98.

Mr. STEPHENS of Nebraska. That is true, Mr. Chairman; but I want to call attention to the fact that this bill carries a $60,000 appropriation to educate 375 pupils, and $60,000 divided by the number of pupils gives $160 per capita, and that is the lowest per capita appropriation carried in this bill for any school in the United States, except the one in Arizona that has 700 pupils, and therefore can stand a lower per capita appropriation. It not only has 700 pupils in attendance, but it is in a warm climate, where no fuel is required, and can be operated at a much less expense than it can in Nebraska.

I want to call attention to a comparison of the actual rate per capita of appropriation carried in this bill for support of these schools: Genoa, Nebr., per capita, $160; Fort Mojave, $175; Phoenix, Ariz., $158; Truxton Canyon, $180; Riverside, Cal., $166; Fort Bidwell, $164; Greenville, $184; Lawrence, Kans., with 750 pupils, $172; Flandreau, S. Dak., $168; Pierre, S. Dak., $175; Rapid City, $195; Carlisle, Pa., $189; Albuquerque, N. Mex., $172; and so on down the list, not a single one of them receiving as small a per capita appropriation as does Genoa, except the one noted at Phoenix, Ariz.

I maintain that it is a mistake on the part of the committee, and I believe they will recognize it at once when they understand and appreciate the force of the facts I have stated in regard to the comparison of the appropriations.

I want to call attention to the fact that we are sending out of Nebraska to Carlisle 58 pupils to be educated at $189 per capita, transporting them across the country at an expense of $50 or $75 a head, and paying $189, whereas the appropriation for Genoa is only $160.

Mr. MADDEN. Will the gentleman yield?

Mr. STEPHENS of Nebraska. I will.

Mr. MADDEN. If the amendment offered by the gentleman is agreed to and the appropriation made, has the gentleman thought of insisting on reducing the appropriation for the Carlisle school?

Mr. STEPHENS of Nebraska. I have; and I propose to offer an amendment to prevent the transportation of pupils from the territory of other schools to the Indian school at Carlisle.

Mr. MADDEN. So that if the amendment of the gentleman is adopted the appropriation, as a whole, will not be larger, owing to the adoption of his amendment?

Mr. STEPHENS of Nebraska. Well, that depends upon whether my amendment with reference to the Carlisle school is adopted. We are paying a per capita for Carlisle of $189.

Mr. MADDEN. It would not do to adopt the amendment of the gentleman from Nebraska and then continue the appropriation at the same figure for the Carlisle school?

Mr. STEPHENS of Nebraska. No; I think the appropriation should be reduced. The pupils attending there from other territory contiguous to other schools ought to be compelled to attend their own schools. If your child does not care to attend the school in your school district, he can not be transported at the public expense to some other district and attend without paying tuition and traveling expenses.

Mr. MILLER. Will the gentleman yield?

Mr. STEPHENS of Nebraska. Yes.

Mr. MILLER. Will the gentleman inform the House as to the character of the instruction at Genoa, whether the character of the instruction is substantially that given at Carlisle, or about the same.

Mr. STEPHENS of Nebraska. It is; the only difference being that at Carlisle they have a football team, and I am of the opinion that the work in Genoa is infinitely better suited to the western Indian than the work in Carlisle. It seems preposterous to transport an Indian out of his environment and educate him in a foreign environment, as we are educating them in Carlisle.

Do you know that the institution at Carlisle has but 250 pupils who are legitimately entitled to go there? It has something like 141 from the State of New York, 54 from North Carolina, and perhaps a few more from other localities, making about 250 pupils that are legitimately within the territory of the Carlisle School. The Government of the United States has been paying tens of thousands of dollars for transporting pupils from the most isolated localities in the United States to Carlisle. For instance, there are 4 from Arizona, and it must cost $100 per capita to take them to Carlisle. There are 16 from California, 10 from Idaho, and so on down through the list scattered through the States in which Indians live. I think it is economic waste for us to transport pupils out of the neighborhood of a good school clear across the country to Carlisle, and then make a larger appropriation for that institution than we do for the school at the Indians' dooryard. The Genoa School is equal in every particular to the Carlisle School, and it gives those boys the kind of education they ought to have. It teaches them how to farm in the most approved manner.

Mr. LENROOT. Mr. Chairman, will the gentleman yield?

Mr. STEPHENS of Nebraska. Yes.

Mr. LENROOT. I would like to ask the gentleman where the pupils at this Genoa School come from?

Mr. STEPHENS of Nebraska. I have the list here. Two hundred and fifty of them approximately come from Nebraska. The others are scattered around in different parts of the country. For example, 2 come from Maine. Can you conceive of anything more idiotic than that, excepting the 16 that go from California to Carlisle? I do not know how we happened to get those 2 from Maine, but I know that it is bad practice and ought not to be allowed. We ought not to tolerate pupils being transported from Maine to Nebraska and from California to Carlisle. What I am trying to do is to amend this bill so that this school, which is located right in the heart of four Indian tribes, will receive proper treatment. The pupils do not have to travel to exceed five or six hours on a railroad train, not much more than a day's travel by wagon, to get to this school. It is practically a reservation school, and we have enough Indians there to fill it to its capacity under proper stimulation.

The CHAIRMAN. The time of the gentleman from Nebraska has again expired.

Mr. STEPHENS of Nebraska. Mr. Chairman, I ask unanimous consent to proceed for five minutes more.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. STEPHENS of Texas. Is not this a nonreservation school?

Mr. STEPHENS of Nebraska. It is a nonreservation school, but it is located midway between four Indian tribes; 4,000 Indians live within not to exceed five hours travel of it. Every Indian in Nebraska that attends this school can do so with less than $5 expense for traveling expenses.

Mr. STEPHENS of Texas. Is not the gentleman aware of the fact that for a number of years not only the department but the Committee on Indian Affairs of the House has been endeavoring to build up boarding schools and day schools on the reservation, and has stood out against building any more nonreservation schools or adding to the pupils in those schools?

Mr. STEPHENS of Nebraska. The committee has, and I am in accord with that idea. I believe that the Indians of this country should be educated at home on their own reservations where it is possible to do so, and as long as these nonreservation schools are maintained I insist they should be patronized by the Indians that are nearest to them. This amendment I am offering here is only justice to the Genoa School. It has been discriminated against, not intentionally, because I know that this committee did not intend to do it, I know they overlooked these facts. This school is entitled to as much per capita as any other nonreservation school, and it has not had as much by from $10 to $45 as these other schools that do the same character of work.

Mr. BURKE of South Dakota. Mr. Chairman, is the gentleman aware of the fact that if this bill becomes a law in the form in which it passed this committee up to this point, there can not be expended of the money that we have appropriated this year to exceed $167 per capita, because we have eliminated on a point of order the provision that allows any more than that amount?

Mr. STEPHENS of Nebraska. You mean we can not under the law appropriate any more than $167 per capita?

Mr. BURKE of South Dakota. This bill provides that. The item that heretofore has permitted an expenditure to exceed that amount went out on a point of order.

Mr. STEPHENS of Nebraska. My amendment falls within that rule, because I have not asked in my amendment for even the amount the Indian Office has asked for. I have asked for $167 per capita, the standard amount that has been fixed for many years by the Indian Committee, and I think the school is entitled to $167 per capita when all of the other schools in the United States have that amount or more, excepting the one in Arizona to which I have referred.

Mr. BURKE of South Dakota. What does the gentleman claim has been expended at Genoa?

Mr. STEPHENS of Nebraska. The amount appropriated this year for the support of the school is $60,000, carried in this bill, and the amount carried in the bill last year for support was $60,000, or $160 per capita.

Mr. BURKE of South Dakota. The statement made by the Commissioner of Indian Affairs says the per capita cost based on enrollment was $181.54, while the cost per capita based on average attendance was $211.98.

Mr. STEPHENS of Nebraska. Yes; but that takes into account the cost of transportation and the transportation of the food supplies and other items that are paid out of the general fund that is appropriated in the beginning of the bill.

Mr. BURKE of South Dakota. I say to the gentleman the calculations are based upon the same figures that are used in arriving at the cost at other schools.

Mr. STEPHENS of Nebraska. No; I beg the gentleman's pardon. The committee did something I think it did not intend to do. It did not treat the Nebraska school as it did the other schools. It did not follow the recommendations of the Indian Office in making the appropriation, but instead they cut it down from $68,800, the total amount called for in the Indian Office, to $60,000 in the bill, and my amendment simply increases the amount for the support of the superintendent and the school to $68,880, or $167 per capita, which is many dollars below the per capita appropriation for the Rapid City School, which is $195 per capita.

Mr. BURKE of South Dakota. Where does the gentleman get the figures?

Mr. STEPHENS of Nebraska. I get them from the actual amount appropriated; $48,500 carried in this bill for the Rapid City School, which has 250 pupils in attendance, and you can perform the calculation and will find it is $195 per capita, and when you take the Pierre School, with $43,750, with 250 pupils in attendance, you have $175 per capita. Now, I only ask $167 per capita for this Genoa School.

Mr. BURKE of South Dakota. If there is any difference in the cost of maintenance of these schools, the gentleman, of course, appreciates that where there are 400 pupils you expect the amount to be less than if there were 200 pupils or 250.

Mr. STEPHENS of Nebraska. I wish to call attention to the fact that down here at the Carlisle School, where there are something like 700 pupils, the per capita appropriation for support is $189, and at the Haskell Institute, where there are 750 pupils, the per capita appropriation is $172, and in every one of the large schools their per capita appropriation is much in excess of that which is appropriated for the Genoa School, and I believe the committee, in justice to me and to this school, ought to concede this amendment, because I think it is clear it was an error on the part of the committee in reducing the commissioner's estimate to this amount. I have not had opportunity to call their attention to it——

Mr. MANN. Will the gentleman yield for a question?

Mr. STEPHENS of Nebraska. I will.

Mr. MANN. Is not the amount appropriated this year in this bill the same amount that was appropriated last year?

Mr. STEPHENS of Nebraska. It is exactly the same, but I made no protest last year because they appropriated $24,000 for some extra buildings which were needed on the grounds.

Mr. MANN. I am not speaking of the buildings.

Mr. STEPHENS of Nebraska. The amount was just the same. I did not call the attention of the committee to it, but I feel this year, in justice to the school, I ought to do so.

Mr. MANN. The gentleman has proposed an increase in the number. Does the superintendent out there claim that he can not maintain the school unless he gets the money?

Mr. STEPHENS of Nebraska. I do not know what he claims in regard to that, but he evidently does, or the department would not recommend it be increased to 400.

Mr. MANN. This increase was made before the school commenced operation?

Mr. STEPHENS of Nebraska. No; the department recommended the number be increased to 400 in this bill.

Mr. MANN. I am speaking of the amount we appropriated for the maintenance of the school. Is there any information to show that the amount of $60,000 appropriated is not sufficient to maintain the school as far as the school is concerned?

Mr. STEPHENS of Nebraska. Why, the more money the school has the better work it can do.

Mr. MANN. I do not know that necessarily follows; sometimes they do less work——

The CHAIRMAN. The time of the gentleman has expired.

Mr. STEPHENS of Texas. Mr. Chairman, I hope the amendment will not be adopted, for the reason we have refused in every instance in this bill to enlarge the number of pupils in any nonreservation school, and this amendment would enlarge the number from 375 to 400, and I find the total average attendance in this school at Genoa was only 340; and there is no necessity why it should be enlarged to 400 when they only have an average attendance of 340. We provide for the 375 pupils the same sum of money we appropriated last year. We give them exactly the same amount for the same number of students, and unless the gentleman can state to us—and they have failed to do it when we had the hearing—that it is necessary for them to have more money than last year, there is no necessity for enacting the gentleman's amendment.

Mr. STEPHENS of Nebraska. Will the gentleman yield?

Mr. STEPHENS of Texas. I will.

Mr. STEPHENS of Nebraska. Does not the gentleman think that this school is entitled to an appropriation of $167 per capita for 375, then?

Mr. STEPHENS of Texas. It is not, because it is a nonreservation school and because we have religiously opposed raising the number of students in nonreservation schools.

Mr. STEPHENS of Nebraska. The gentleman does not understand my question. You have appropriated more than $167 for every single one of these schools save one. Now, the question I am putting to you is, Do you not favor appropriating at least the standard amount you have agreed upon, namely, $167 per capita, for this school, upon the enrollment, as you claim, of 375?

Mr. STEPHENS of Texas. We followed the estimates made by the department for 400 pupils, and consequent reduction to this amount, like the amount the committee has allowed you; and that is in keeping and on all fours with the amounts allowed all other nonreservation schools, and we could not make any difference between yours and those in other States.

Mr. STEPHENS of Nebraska. I do not see how you can claim you have treated this school exactly as you have other schools, when the appropriation is $60,000 for 375 pupils. Now, in every single one of these other schools the figures are all the way from that up to $195 per capita. Now, all I ask is that this school be appropriated for at the standard rate of $167 per capita, and I think it is entitled to have that apropriation in all justice and fairness.

Mr. STEPHENS of Texas. Will you not admit that some schools in some States, owing to climatic conditions, and so forth, cost more than schools in other States, and our estimates must be based on the country, what it costs to get the pupils there, and the surroundings of the schools, what it has cost heretofore, and so forth? We have to base our estimates upon that.

Mr. STEPHENS of Nebraska. The climatic conditions have a great deal to do with it. At Chilocco, Okla., they have 500 pupils, and the rate in this bill is $172 per capita. That school is situated in a warm climate, where they hardly ever have to buy any coal, and the rate is $160 at Genoa, Nebr., which is located in a cold climate. Take every school appropriated for in this bill and it is the same way.

Mr. STEPHENS of Texas. Does the gentleman think it would be possible for the committee to guess what it should cost per capita as against the estimates of the superintendents who have charge of the schools, and the department, which sends inspectors every few months to inspect these schools? All the reports they have are certainly much better than anything we could do, and they are better informed than we are.

Mr. STEPHENS of Nebraska. Certainly not.

Mr. STEPHENS of Texas. Then should we not be compelled to take their figures?

Mr. STEPHENS of Nebraska. You do not take their figures. That is what I am protesting about. If you had taken the estimates of the Indian Department in this matter, I would not protest. But you did not do that. They estimated $68,800 for support, and you have only given us $60,000. It is the only school in the whole list that you have cut. There is no justification for that.

Mr. STEPHENS of Texas. They estimated for 400 pupils——

Mr. HARRISON. Will the gentleman yield?

Mr. STEPHENS of Texas. When I make my statement I will. That estimate was made for 400 pupils, and not for 375. We refused to increase from 375 to 400 because we had refused in every other nonreservation school, and that is the difference between the statement the gentleman has made and the estimates made by the department.

The CHAIRMAN. The time of the gentleman from Texas [Mr. STEPHENS] has expired.

Mr. HARRISON. Mr. Chairman, I ask unanimous consent that the gentleman have two minutes more.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. HARRISON. I want to ask the gentleman from Nebraska a question.

The CHAIRMAN. Does the gentleman from Texas yield to the gentleman from Mississippi for the purpose of asking the gentleman from Nebraska a question?

Mr. STEPHENS of Texas. I do.

Mr. HARRISON. Did the appropriation cut all these schools the same as they did Nebraska, or did they just pick Nebraska?

Mr. STEPHENS of Nebraska. If they had cut them all, I would have no objection to make. I did not ask for buildings or repairs in this amendment. I simply asked for what I thought was just and right as compared with appropriations for other schools.

Mr. CARTER. Will the gentleman from Nebraska yield?

Mr. STEPHENS of Nebraska. I will.

Mr. CARTER. The gentleman said the cost per capita at the Chilocco School, in Oklahoma, was over $172. From the report it says that the per capita cost is $157, based on the attendance. I call your attention to page 240 of the hearings.

Mr. STEPHENS of Nebraska. But I call the attention of the gentleman from Oklahoma to the fact that this bill carries $86,250 for the Chilocco School, for the support of the school and the superintendent. Now, there are 500 pupils there, and $86,250 divided by 500 gives a per capita appropriation of $170. That is $170 per capita carried in this bill for the support of the Chilocco School.

Mr. CARTER. But the gentleman must remember that the superintendent of the Chilocco Agency also has other Indians to look after on the reservation. That is the cause of that expense. The actual cost per capita for maintaining the school, according to this statement of the Commissioner of Indian Affairs given to us on page 240 of the hearings, is $157, based on average attendance; $133 on enrollment.

The CHAIRMAN. The time of the gentleman has expired.

Mr. CARTER. Mr. Chairman, I move to strike out the last word.

Mr. STEPHENS of Texas. Mr. Chairman, I ask unanimous consent that all debate on this item and amendments thereto close in five minutes.

The CHAIRMAN. The gentleman from Texas asks unanimous consent that all debate on this item and amendments thereto close in five minutes. Is there objection?

There was no objection.

The CHAIRMAN. The gentleman from Oklahoma [Mr. CARTER] is recognized.

Mr. CARTER. I notice, further, Mr. Chairman, that the statement given by the Commissioner of Indian Affairs of the per capita cost of the school at Genoa is $211.98.

Mr. STEPHENS of Nebraska. That takes in transportation of children and the transportation of food supplies and other items of that kind and character that are paid out of a general fund, and not out of the appropriation per capita that is carried in this bill.

Mr. CARTER. But it does cost $211.98 per capita.

Mr. STEPHENS of Nebraska. That is figured on another basis and does not affect my comparisons in the least. The figures I give for each school are based on the same facts.

Mr. CARTER. I was just giving the figures furnished by the Commissioner of Indian Affairs, and those are all the figures we could go upon.

Mr. BURKE of South Dakota. Mr. Chairman, will the gentleman yield?

Mr. CARTER. I yield to the gentleman.

Mr. BURKE of South Dakota. I understood that what the gentleman from Nebraska [Mr. STEPHENS] is complaining about is that the appropriation for the Genoa School in Nebraska is on the basis of $160 per pupil, whereas all the other schools are on a higher basis.

Mr. STEPHENS of Nebraska. That is it exactly.

Mr. BURKE of South Dakota. And that it would be impossible to maintain this school if those figures as to the per capita cost were correct. That is, that there would not be money enough.

Mr. STEPHENS of Nebraska. I do not know that it would be impossible, but——

Mr. BURKE of South Dakota. They say here that the per capita cost was $180 on the enrollment.

Mr. STEPHENS of Nebraska. Yes.

Mr. BURKE of South Dakota. If they have only $160, how have they been able to spend $180 per capita?

Mr. STEPHENS of Nebraska. The school has an income of something like $9,000 from its farm and its other items that enter into that per capita cost, which fact does not need to figure in this argument at all, because I am simply taking the amounts that are carried in this bill for the support of each school, and it is perfectly easy to figure. Here is Albuquerque, N. Mex., with an appropriation of $68,600 for the support of 400 pupils, which figures out exactly $173 per capita. Now, I figured every school on the same basis precisely, and every school has a larger per capita appropriation than the Genoa School, excepting one, in Arizona.

Mr. BURKE of South Dakota. What was the appropriation for Genoa last year?

Mr. STEPHENS of Nebraska. It was $160 per capita last year. I wish to refer to the chairman of the committee, who made the statement that they followed out the recommendations of the department. In this particular case the committee did not follow the recommendations of the department.

Mr. STEPHENS of Texas. As to per capita cost?

Mr. STEPHENS of Nebraska. Yes; as to the per capita, and when you take $60,000 appropriated and divide it by 375, you have $160 per capita. It is as plain as day.

Mr. SLOAN. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. Does the gentleman from Oklahoma yield to the gentleman from Nebraska?

Mr. CARTER. I have the floor, I think. I will yield in a moment. I wanted to call the attention of the gentleman from Nebraska [Mr. STEPHENS] to the fact that the commissioner also states that the average attendance at the Genoa school last year was only 340 pupils.

Mr. STEPHENS of Nebraska. And the enrollment was 397.

Mr. CARTER. The per capita could not be based on the enrollment. It must have been based on the average attendance.

Mr. STEPHENS of Nebraska. Certainly.

Mr. CARTER. So that you should divide the $60,000 by 340 instead of dividing it by 375 or 397. You should divide it by the average attendance of pupils.

Mr. STEPHENS of Nebraska. Would not the same relative result be reached, when I did the same thing for every school in the United States?

Mr. CARTER. The difficulty with other Indian schools is that at many of them they have agencies and the reservation is looked after along with the school, and those expenses enter into the expenses of the agency; so that when the per capita cost for average attendance is made up it is made up on the actual expenses of the school and not those expenses which are incurred for supervising the reservation.

Mr. STEPHENS of Nebraska. I know that is true, but it really has nothing to do with the bald, bare fact that you have carried the smallest per capita appropriation in this bill for Genoa of any other school except the one at Phoenix, Ariz.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Nebraska [Mr. STEPHENS].

The question being taken, on a division (demanded by Mr. STEPHENS of Nebraska) there were—ayes 24, noes 19.

Mr. STEPHENS of Texas. I ask for tellers, Mr. Chairman.

Mr. MANN. I make the point of order that there is no quorum present.

The CHAIRMAN. The gentleman from Illinois makes the point of order that there is no quorum present. The Chair will count.

Mr. STEPHENS of Nebraska. Mr. Chairman, if the gentleman from Texas will withdraw his demand for tellers, will the gentleman from Illinois withdraw his point of no quorum?

Mr. MANN. I made the point to save the vote.

Mr. STEPHENS of Texas. I withdraw the demand for tellers.

Mr. STEPHENS of Nebraska. Does the gentleman from Illinois withdraw his point of no quorum?

The CHAIRMAN. Sixty-three Members present—not a quorum.

Mr. STEPHENS of Texas. I move that the committee do now rise.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. BYRNS of Tennessee, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee, having had under consideration the bill (H. R. 20150) making appropriations for the current and contingent expenses of the Bureau of Indian Affairs, for fulfilling treaty stipulations with various Indian tribes, and for other purposes, for the fiscal year ending June 30, 1916, had come to no resolution thereon.

PROHIBITION.

Mr. VARE. Mr. Speaker, I ask unanimous consent to address the House for one minute.

Mr. HARDY. Mr. Speaker, I do not wish to object to that request, but I would like to secure the appointment of a conference committee.

The SPEAKER. The gentleman from Pennsylvania asks unanimous consent to address the House for one minute. No other request can be considered until that is disposed of. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. VARE. Mr. Speaker, owing to illness in my family I was called away from the House to Philadelphia on the evening of December 22, just prior to the vote on the resolution proposing an amendment to the Constitution for national prohibition. I had come to Washington that morning for the express purpose of voting on that amendment, but the call from my family took me away before I could arrange a pair. This is the first opportunity I have had since then to address the House, and I wish to say that had I been present when the vote was taken I would have voted against the proposed amendment.

The President of the United States has stated that the liquor question is a State issue. Secretary Bryan, in the Commoner, has taken a similar stand. Former President Taft recently stated that, after mature reflection, he felt that the present form of government in the United States would be endangered unless this matter were left to the people in the different States. Leading men of all parties have taken this view.

For my own part I feel that the question belongs to the States. The police power to enforce any law that is passed should accompany the law itself. Most of the police powers now invested in the States would have to be transferred to the Government to insure a successful enforcement of the law that it proposed, and inasmuch as the people of the States can decide the question to suit themselves and have the facilities for enforcing their will under home rule there is no reason why the Government should adopt such an expedient as has been proposed. Had I been present, as I had expected and desired to be when the vote was taken, I would have voted against the resolution.

AMERICAN SEAMEN IN THE MERCHANT MARINE.

Mr. HARDY. Mr. Speaker, the Senate has sent back to the House what we call the seamen's bill, having disagreed to the amendments made to the House and has appointed a committee of conference. I would ask that the Chair appoint a conference committee on behalf of the House.

Mr. MANN. The gentleman asks unanimous consent that the House agree to the conference asked by the Senate?

Mr. HARDY. Yes.

The SPEAKER. The Clerk will report the title of the bill.

The Clerk read the title of the bill (S. 136) to promote the welfare of American seamen in the merchant marine of the United States, to abolish arrest and imprisonment as a penalty for desertion and to secure the abrogation of treaty provisions in relation thereto, and to promote safety at sea.

The SPEAKER. The gentleman from Texas asks unanimous consent to take the bill from the Speaker's table and agree to the conference asked for by the Senate. Is there objection?

There was no objection.

The SPEAKER appointed as conferees on the part of the House Mr. ALEXANDER, Mr. HARDY, Mr. BURKE of Wisconsin, Mr. GREENE of Massachusetts, and Mr. CURRY.

THE MANUAL AND DIGEST.

Mr. FOSTER. Mr. Speaker, I offer the following resolution and ask unanimous consent for its present consideration.

The Clerk read as follows:

House resolution 694.

Resolved, That there be printed 2,000 copies of the Digest and Manual of Rules and Practice of the House of Representatives for the third session of the Sixty-third Congress, the same to be bound and distributed under the direction of the Clerk and Doorkeeper of the House.

The SPEAKER. Is there objection to the present consideration of the resolution?

There was no objection.

The resolution was considered and agreed to.

INLAND WATERWAYS ASSOCIATION OF CALIFORNIA.

The Speaker laid before the House the following communication, which was read:

SAN FRANCISCO, *December 18, 1914.*

Hon. CHAMP CLARK,
House of Representatives, Washington, D. C.

DEAR SIR: We desire to invite through you the House of Representatives, or such Members of it as may be present in California during President Wilson's visit, to attend the Inland Waterways Congress of California, which will be in session at the Exposition Auditorium in this city March 25, 26, and 27.

This will be the most important convention ever held on the Pacific coast, and we are desirous of dealing with various phases of the subject regarding the national aspect toward the improvement of inland waterways, this being more important now since the opening of the Panama Canal.

We hope to have you present on that occasion, and if you are we hope to have an address from you.

President Wilson and the members of his Cabinet have been invited. The governors of all the States west of the Rocky Mountains will be in attendance. Over 1,000 representative men of California will be in attendance as delegates.

Hoping that there will be a large delegation from the House of Representatives, and appreciating anything you can do to further this movement, we remain,

Yours, very truly,

INLAND WATERWAYS ASSOCIATION OF CALIFORNIA,
By ISIDOR JACOBS,
Chairman Committee on Arrangements.

Mr. MANN. I suppose that will be referred to the Committee on Industrial Arts and Expositions.

Mr. MADDEN. I think it ought to be referred to the Inland Waterways Commission.

Mr. MOORE. We should be happy to cooperate.

The SPEAKER. The Chair doubts very much whether the document needs a reference; it is simply an invitation to the House; but if it goes anywhere it should go to the Committee on Industrial Arts and Expositions, and the Chair will so refer it.

MANUFACTURE OF MUNITIONS OF WAR.

Mr. CROSSER. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD on the Government manufacture of munitions of war.

Mr. MADDEN. Reserving the right to object, is there anything in the gentleman's extension of remarks in relation to the foreign situation?

Mr. CROSSER. Not at all.

Mr. MADDEN. It is purely domestic?

Mr. CROSSER. Yes, sir.

Mr. MANN. I think I will object. They now have that matter before the Committee on Foreign Affairs of the House.

Mr. CROSSER. Oh, no; my remarks refer to the Government manufacture.

Mr. MANN. I have no objection to that.

The SPEAKER. Is there objection?

There was no objection.

ADJOURNMENT.

Mr. STEPHENS of Texas. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 38 minutes p. m.) the House adjourned until to-morrow, Wednesday, January 6, 1915, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1. Letter from the Secretary of War, transmitting draft of provision for general deficiency appropriation bill, authorizing the accounting officers of the Treasury to credit in the accounts of Edwards J. Williams, disbursing officer, the sum of $83.19, disallowed him on the books of the Treasury (H. Doc. No. 1471); to the Committee on Appropriations and ordered to be printed.

2. Letter from the Secretary of the Interior, transmitting a report and plans prepared by the superintendent of irrigation for district No. 1, in the Indian Service, on provisions for water supply for 40 acres of each Indian allotment on the Yakima Indian Reservation, Wash. (H. Doc. No. 1472); to the Committee on Indian Affairs and ordered to be printed, with illustrations.

3. Letter from the Secretary of the Treasury, transmitting a copy of a communication of the chairman of the United States Commission on Industrial Relations, submitting an urgent estimate of deficiency in the appropriation for the expenses of the commission (H. Doc. No. 1473); to the Committee on Appropriations and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the several calendars therein named, as follows:

Mr. HINDS, from the Committee on the Merchant Marine and Fisheries, to which was referred the bill (S. 4725) providing for the establishment of a lobster-rearing station at some suitable point on the Atlantic coast, reported the same without amendment, accompanied by a report (No. 1258), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. BARKLEY, from the Committee on Interstate and Foreign Commerce, to which was referred the bill (H. R. 20499) to authorize the construction of a bridge across the Ohio River at Metropolis, Ill., reported the same with amendment, accompanied by a report (No. 1259), which said bill and report were referred to the House Calendar.

Mr. CARAWAY, from the Committee on the District of Columbia, to which was referred the bill (H. R. 13226) prohibiting the interment of the body of any person in the cemetery known as the Cemetery of the White's Tabernacle, No. 39, of the Ancient United Order of the Sons and Daughters, Brethren and Sisters of Moses, in the District of Columbia, reported the same without amendment, accompanied by a report (No. 1260), which said bill and report were referred to the House Calendar.

Mr. KAHN, from the Committee on Military Affairs, to which was referred the joint resolution (H. J. Res. 329) to provide for the detail of an officer of the Army for duty with the Panama-California Exposition, San Diego, Cal., reported the same without amendment, accompanied by a report (No. 1257), which said joint resolution and report were referred to the House Calendar.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII,

Mr. ADAIR, from the Committee on Invalid Pensions, to which was referred the bill (H. R. 20562) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war, reported the same without amendment, accompanied by a report (No. 1261), which said bill and report were referred to the Private Calendar.

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, the Committee on Invalid Pensions was discharged from the consideration of the bill (H. R. 19073) granting a pension to Howard E. Tolson, and the same was referred to the Committee on Pensions.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. McANDREWS: A bill (H. R. 20556) to provide a revenue cutter for the thirty-ninth customs-collection district; to the Committee on Interstate and Foreign Commerce.

By Mr. DENT: A bill (H. R. 20557) to amend an act entitled "An act to increase the internal revenue, and for other purposes," approved October 22, 1914; to the Committee on Ways and Means.

By Mr. STEVENS of New Hampshire: A bill (H. R. 20558) to provide for the purchase of a site and the erection of a public building thereon at Claremont, in the State of New Hampshire; to the Committee on Public Buildings and Grounds.

By Mr. WITHERSPOON: A bill (H. R. 20559) to repeal section 9 of the personnel act of March 3, 1899; to the Committee on Naval Affairs.

By Mr. GILL: A bill (H. R. 20560) to amend the act of Congress of May 9, 1902, to permit the coloration of oleomargarine; to the Committee on Agriculture.

By Mr. SLOAN: A bill (H. R. 20561) authorizing the refunding to certain corporations part of amounts heretofore

collected by the United States as compromise of their delinquency; to the Committee on Ways and Means.

By Mr. TAGGART: Joint resolution (H. J. Res. 397) authorizing the Secretary of the Interior to cause the settlement of the account of Special Agents Moore, and Woodson, and Whitfield, under the treaty of 1854 with the Delaware Indians, etc.; to the Committee on Indian Affairs.

By Mr. LOBECK: Joint resolution (H. J. Res. 398) to refund under certain conditions, and for the year 1914, a portion of the offers in compromise for failure to make return required under the act of October 3, 1913, said offers in compromise having been covered into the Treasury; to the Committee on Ways and Means.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ADAIR: A bill (H. R. 20562) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war; to the Committee of the Whole House.

By Mr. BARTHOLDT: A bill (H. R. 20563) to correct the military record of Anton Herzog; to the Committee on Military Affairs.

By Mr. BLACKMON: A bill (H. R. 20564) granting an increase of pension to Mrs. A. J. Conner; to the Committee on Pensions.

By Mr. BROWN of New York: A bill (H. R. 20565) for the relief of Jennette Hooker Powell; to the Committee on Claims.

By Mr. CALDER: A bill (H. R. 20566) for the relief of Alexander H. Allan and others; to the Committee on Claims.

By Mr. CLARK of Missouri: A bill (H. R. 20567) granting an increase of pension to Fredrica Gorman; to the Committee on Invalid Pensions.

Also, a bill (H. R. 20568) granting an increase of pension to Daniel B. Rose; to the Committee on Invalid Pensions.

By Mr. COX: A bill (H. R. 20569) granting an increase of pension to George H. Devol; to the Committee on Invalid Pensions.

Also, a bill (H. R. 20570) granting an increase of pension to William Whitton; to the Committee on Invalid Pensions.

Also, a bill (H. R. 20571) granting an increase of pension to Reuben B. Reynolds; to the Committee on Invalid Pensions.

By Mr. FERRIS: A bill (H. R. 20572) for the relief of the Woman's Board of Domestic Missions, Reformed Church of America; to the Committee on Claims.

By Mr. HAY: A bill (H. R. 20573) for the relief of J. A. Riddel; to the Committee on Claims.

By Mr. HULINGS: A bill (H. R. 20574) granting an increase of pension to Ira J. Barber; to the Committee on Invalid Pensions.

By Mr. JOHNSON of Kentucky: A bill (H. R. 20575) granting an increase of pension to C. W. Brown; to the Committee on Pensions.

By Mr. KEY of Ohio: A bill (H. R. 20576) granting an increase of pension to Luther W. Bell; to the Committee on Invalid Pensions.

Also, a bill (H. R. 20577) granting an increase of pension to James P. Rush; to the Committee on Invalid Pensions.

By Mr. KIESS of Pennsylvania: A bill (H. R. 20578) granting an increase of pension to William E. Munroe; to the Committee on Pensions.

Also, a bill (H. R. 20579) granting an increase of pension to James H. Goodrich; to the Committee on Invalid Pensions.

By Mr. LANGHAM: A bill (H. R. 20580) granting an increase of pension to Martha J. Forsythe; to the Committee on Invalid Pensions.

By Mr. MAPES: A bill (H. R. 20581) granting an increase of pension to James Cram; to the Committee on Invalid Pensions.

By Mr. NEELY of West Virginia: A bill (H. R. 20582) granting a pension to Belle Shroyer; to the Committee on Invalid Pensions.

Also, a bill (H. R. 20583) granting an increase of pension to Silas Morgan; to the Committee on Invalid Pensions.

By Mr. SELLS: A bill (H. R. 20584) granting an increase of pension to John T. Peters; to the Committee on Pensions.

Also, a bill (H. R. 20585) granting a pension to William Peacock; to the Committee on Invalid Pensions.

By Mr. SMITH of Idaho: A bill (H. R. 20586) granting an increase of pension to Jonathan Casteel; to the Committee on Invalid Pensions.

By Mr. SMITH of New York: A bill (H. R. 20587) granting a pension to Harry Bidwell; to the Committee on Pensions.

By Mr. STEPHENS of California: A bill (H. R. 20588) granting an increase of pension to Jackson B. Cleveland; to the Committee on Invalid Pensions.

By Mr. STEVENS of New Hampshire: A bill (H. R. 20589) granting an increase of pension to Alexander H. Taylor; to the Committee on Invalid Pensions.

By Mr. TAGGART: A bill (H. R. 20590) granting a pension to Mary White; to the Committee on Invalid Pensions.

By Mr. VOLLMER: A bill (H. R. 20591) granting a pension to Mary J. Wilcox; to the Committee on Invalid Pensions.

Also, a bill (H. R. 20592) granting a pension to Augusta Dellit; to the Committee on Invalid Pensions.

Also, a bill (H. R. 20593) granting a pension to Paul McCoy; to the Committee on Invalid Pensions.

Also, a bill (H. R. 20594) granting a pension to Maggie Shaffer; to the Committee on Invalid Pensions.

Also, a bill (H. R. 20595) granting an increase of pension to Nancy Van Zandt; to the Committee on Invalid Pensions.

Also, a bill (H. R. 20596) granting an increase of pension to Kate Klima; to the Committee on Invalid Pensions.

Also, a bill (H. R. 20597) granting an increase of pension to Mary J. Beach; to the Committee on Invalid Pensions.

Also, a bill (H. R. 20598) granting an increase of pension to Thomas Fry; to the Committee on Invalid Pensions.

Also, a bill (H. R. 20599) granting an increase of pension to Joseph A. Cummings; to the Committee on Invalid Pensions.

Also, a bill (H. R. 20600) granting an increase of pension to Peter Ryan; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By the SPEAKER: Petitions of sundry citizens of the State of Missouri, favoring national prohibition; to the Committee on Rules.

Also, memorial of West End Citizens' Association of the District of Columbia, asking suffrage for people of the District of Columbia; to the Committee on the District of Columbia.

By Mr. BAILEY: Petition of John Thomas & Sons, George K. Kline, M. Miller & Co., Swank Hardware Co., S. A. Snook, Porch Bros., Charles B. Buck, and H. C. Lockard, all of Johnstown, Pa., for the passage of House bill 5308, a bill providing for the taxation of mail-order houses for local purposes; to the Committee on Ways and Means.

By Mr. BARKLEY: Petition of citizens of the State of Kentucky, relative to credit to Dr. F. A. Cook for his polar efforts; to the Committee on Naval Affairs.

By Mr. BARTHOLDT: Petitions of Adolph Haesler, of New York City; Adolf Schroder, on behalf of 10,000 citizens of Dallas, Tex.; Paul W. Grane, of Chicago, Ill.; John H. Schmid, of Quincy, Ill.; C. S. Gookin, of Roanoke, Va.; and Bernhard Fischer, William Schuster, E. Edw. Meyer, and Hermann Landis, of St. Louis, Mo., in favor of bill prohibiting the sale and export of arms and ammunition to the belligerent nations of Europe; to the Committee on Foreign Affairs.

Also, petition of North St. Louis Business Men's Association, of St. Louis, Mo., in favor of bill providing for 1-cent postage; to the Committee on the Post Office and Post Roads.

Also, petition of citizens of Austin County, Tex., favoring a bill to provide a merchant marine; to the Committee on the Merchant Marine and Fisheries.

By Mr. BROWN of New York: Petition of New York Board of Trade and Transportation, relative to straightening of the Harlem River; to the Committee on Rivers and Harbors.

By Mr. BRUCKNER: Petition of citizens of New York City, favoring House joint resolution 377, forbidding export of arms; to the Committee on Foreign Affairs.

Also, petition of German-American League and United Irish Societies of San Francisco, Cal., favoring strict neutrality by United States; to the Committee on Foreign Affairs.

By Mr. CALDER: Petition of the Pilgrim Steam Laundry Co. of Brooklyn, N. Y., relative to enforcement of the Chinese exclusion laws; to the Committee on Interstate and Foreign Commerce.

Also, petition of sundry citizens of Brooklyn and New York City, N. Y., relative to straightening of the Harlem River; to the Committee on Rivers and Harbors.

Also, petition of United Retail Grocers' Association, favoring passage of House joint resolution 372; to the Committee on Foreign Affairs.

Also, memorial of National Board of Steam Navigation, relative to providing funds for the ships and apparatus required by the United States Coast and Geodetic Survey; to the Committee on Interstate and Foreign Commerce.

Also, memorial of Broadway (N. Y.) Board of Trade, favoring the passage of the Hamill bill, H. R. 5139; to the Committee on Reform in the Civil Service.

By Mr. DALE: Memorial of German-American League and United Irish Societies, favoring strict American neutrality; to the Committee on Foreign Affairs.

Also, petition of steamship companies of Puget Sound and Alaska, favoring certain aids to navigation; to the Committee on Appropriations.

By Mr. DILLON: Petition of citizens of South Dakota, favoring House joint resolution 377, forbidding export of munitions of war; to the Committee on Foreign Affairs.

By Mr. EAGAN: Petition of steamship companies of Puget Sound and Alaska, favoring certain aids to navigation; to the Committee on Appropriations.

Also, petition of William M. Pence, of Norfolk, Va., favoring appropriation for promotion of international peace; to the Committee on Appropriations.

By Mr. FESS: Memorial of 350 Friends of Xenia, 190 of Dover, and 241 of Martinsville, all in the State of Ohio, favoring passage of House bill 16098, to protect the Quaker name from advertising; to the Committee on the Judiciary.

Also, petition of Fred Lozchky, Milford Center, Ohio, favoring House joint resolution 377; to the Committee on Foreign Affairs.

By Mr. GRAHAM of Pennsylvania: Memorial of Church Council of St. Johannis English Lutheran Church, relative to violation of neutrality in our country; to the Committee on Foreign Affairs.

Mr. JOHNSON of South Carolina: Papers to accompany H. R. 20547, for the relief of Thomas M. Boswell; to the Committee on Invalid Pensions.

Also, papers to accompany H. R. 20546, for the relief of J. Horace Keeter; to the Committee on Invalid Pensions.

Also, papers to accompany H. R. 20545, for the relief of Virgil T. Gregory; to the Committee on Pensions.

By Mr. KENNEDY of Rhode Island: Petition of What Cheer Laundry and Louittit Home Hand Laundry Co., of Providence, R. I., relative to Chinese competition; to the Committee on Interstate and Foreign Commerce.

Also, petitions of Helen A. Thomas and Mrs. Marsden J. Perry, of Providence, R. I., favoring woman suffrage; to the Committee on the Judiciary.

Also, petition of Providence (R. I.) Branch of National Association for Advancement of Colored People, against negro exclusion in immigration bill; to the Committee on Immigration and Naturalization.

By Mr. KONOP: Petition of citizens of the ninth congressional district of Wisconsin, favoring House joint resolution 377, prohibiting export of munitions of war from the United States; to the Committee on Foreign Affairs.

By Mr. LONERGAN: Letter of the Taplin Manufacturing Co., of New Britain, Conn., relative to foreign shipments; to the Committee on Interstate and Foreign Commerce.

Also, letters of S. Basia, of Darien, Conn., and Charles Herzer and August Moeller, of Hartford, Conn., in re House resolution 377; to the Committee on Foreign Affairs.

By Mr. MAHAN: Petition of Admiral Bunch Section of the Navy League of the United States, Hartford, Conn., protesting against House bill 1732, relative to erection of monument to Robert Fulton; to the Committee on the Library.

By Mr. MOORE: Petition of the First Magyar Presbyterian Church of Philadelphia, Pa., favoring bill forbidding export of arms; to the Committee on Foreign Affairs.

Also, petition of the American Peace Society, recommending that the President call a conference of the neutral powers to consider what steps should be taken to safeguard neutral rights during the present European war; to the Committee on Foreign Affairs.

By Mr. NEELY of West Virginia: Papers filed in support of House bill for the relief of Silas Morgan; to the Committee on Invalid Pensions.

Also, papers filed in support of House bill for the relief of Belle Shroyer; to the Committee on Invalid Pensions.

Also, papers filed in support of House bill 13846, for the relief of William A. Garnett; to the Committee on Pensions.

By Mr. PLATT: Petition of citizens of Newburgh, N. Y., favoring the passage of Senate bill 3672, relative to straightening of the Harlem River; to the Committee on Rivers and Harbors.

By Mr. RAKER: Petition by H. Clineschmidt and 65 leading citizens of Redding, Shasta County, Cal., favoring the early passage of House joint resolution 377, forbidding export of arms; to the Committee on Foreign Affairs.

Also, petition of F. J. Janssen, Anderson, Cal., favoring House joint resolution 377, forbidding export of arms; to the Committee on Foreign Affairs.

By Mr. SELLS: Papers to accompany a bill to pension William Peacock; to the Committee on Invalid Pensions.

By Mr. SINNOTT: Petition of Christian Endeavor Society of Brogan, Oreg., favoring arbitration and international peace; to the Committee on Foreign Affairs.

By Mr. SLOAN: Petition of J. P. Thomer and 25 other citizens of Nebraska, favoring House joint resolution 377, forbidding export of arms; to the Committee on Foreign Affairs.

By Mr. SMITH of Idaho: Papers to accompany bill to increase pension of Jonathan Casteel; to the Committee on Invalid Pensions.

By Mr. STEPHENS of California: Petition of A. S. Wells, of Los Angeles, Cal., against literacy test in immigration bill; to the Committee on Immigration and Naturalization.

Also, petition of shipowners of Pacific coast favoring certain aids to navigation; to the Committee on Appropriations.

Also, petition of forty-fifth convention of Fruit Growers of California, favoring Raker bill (H. R. 4357) providing for inspection of all horticultural products at certain points of entry into any State; to the Committee on Agriculture.

By Mr. WALLIN: Petition of sundry citizens of Fonda, N. Y., favoring passage of Senate bill 3672, for improvement of the Harlem River; to the Committee on Rivers and Harbors.

Also, memorial of Common Council of Gloversville and the Ministerial Association of Schenectady, N. Y., favoring House bill 5139, the Hamill bill; to the Committee on Reform in the Civil Service.

By Mr. WILLIAMS: Letters, telegrams, petitions, etc., from various church organizations, ministers, Woman's Christian Temperance Union organizations, etc., all of Illinois, in favor of the Hobson resolution for national prohibition; to the Committee on Rules.

By Mr. WILLIS: Petition of William Wenzel and Joseph Kaplo, of Lorain, Ohio, favoring adoption of House joint resolution 377, to prevent the shipment of firearms to warring nations; to the Committee on Foreign Affairs.

SENATE.

WEDNESDAY, *January 6, 1915.*

The Chaplain, Rev. Forrest J. Prettyman, D. D., offered the following prayer:

Almighty God, we thank Thee for all the spirit of sympathy and helpfulness that has been shown by the people of this great Nation for those who are in the conflict of war. The spirit of brotherhood still abides with us. Down in the depths of the human heart Thou hast kept alive the divine passion. We pray Thee to teach us the way of largest usefulness and of divinest service for all mankind. May we not be content with our own peace or prosperity. May we seek the welfare of universal man. Cleanse us from our national sins that we shall be enabled to teach others the way of God and restore unto them the joy of Thy great salvation. We ask for Christ's sake. Amen.

ISAAC STEPHENSON, a Senator from the State of Wisconsin, appeared in his seat to-day.

The Journal of yesterday's proceedings was read and approved.

RENT OF BUILDINGS, RALEIGH, N. C. (S. DOC. NO. 678).

The PRESIDENT pro tempore. The Chair lays before the Senate a communication from the Secretary of the Treasury, which will be read.

The communication was read, as follows:

TREASURY DEPARTMENT,
Washington, D. C., January 4, 1915.

The President of the Senate.

SIR: I have the honor to request that the following item be included in the urgent deficiency bill:

Raleigh, N. C., rent of buildings.

For rent of temporary quarters for the accommodation of Government officials, and moving expenses incident thereto.. $1,200

This request is made necessary by virtue of the fact that it will be impossible to move into the new quarters until about February 1, 1915, and the balance of the appropriation for "Rent of temporary quarters," now available, is only sufficient to pay the rent up to the middle of November last. The amount asked for above will be necessary to pay for the rent of quarters to February 1, 1915, or a few days thereafter, as the case may be.

The delay incident to the completion of this project is brought about by unforeseen conditions, which have postponed the date on which the new quarters would have been ready for occupation.

Respectfully,

BYRON R. NEWTON,
Acting Secretary.

The PRESIDENT pro tempore. The communication relates to the urgent deficiency bill, and the same will be referred to the Senator from North Carolina [Mr. OVERMAN], the acting chairman of the Committee on Appropriations.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by J. C. South, its Chief Clerk, announced that the House had passed the bill (S. 6454) to authorize the Government Exhibit Board for the Panama-Pacific International Exposition to install any part or parts of the Government exhibit at the said exposition either in the exhibit palaces of the Panama-Pacific International Exposition Co. or in the Government building at said exposition.

The message also announced that the House insists upon its amendment to the bill (S. 136) to promote the welfare of American seamen in the merchant marine of the United States; to abolish arrest and imprisonment as a penalty for desertion and to secure the abrogation of treaty provisions in relation thereto; and to promote safety at sea, disagreed to by the Senate, agrees to the conference asked for by the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. ALEXANDER, Mr. HARDY, Mr. BURKE of Wisconsin, Mr. GREENE of Massachusetts, and Mr. CURRY managers at the conference on the part of the House.

The message further announced that the House had passed the bill (S. 2824) to amend an act entitled "An act to provide for the adjudication and payment of claims arising from Indian depredations," approved March 3, 1891, with an amendment, in which it requested the concurrence of the Senate.

The message also announced that the House had passed the bill (S. 6039) for the coinage of certain gold and silver coins in commemoration of the Panama-Pacific International Exposition, and for other purposes, with amendments, in which it requested the concurrence of the Senate.

The message further announced that the House had passed the bill (S. 6106) validating locations of deposits of phosphate rock heretofore made in good faith under the placer-mining laws of the United States, with amendments, in which it requested the concurrence of the Senate.

The message also announced that the House had passed the joint resolution (S. J. Res. 58) authorizing the Secretary of the Navy to present the bell of the late U. S. S. *Princeton* to the borough of Princeton, N. J., with amendments, in which it requested the concurrence of the Senate.

The message further announced that the House had passed the following bills, in which it requested the concurrence of the Senate:

H. R. 11318. An act authorizing the sale of lands in Lyman County, S. Dak.;

H. R. 16738. An act to provide for the payment of certain moneys to school districts in Oklahoma;

H. R. 17168. An act to authorize the North Alabama Traction Co., its successors and assigns, to construct, maintain, and operate a bridge across the Tennessee River at or near Decatur, Ala.;

H. R. 17894. An act to amend an act entitled "An act to promote the safety of employees and travelers upon railroads by compelling common carriers engaged in interstate commerce to equip their locomotives with safe and suitable boilers and appurtenances thereto," approved February 17, 1911;

H. R. 17971. An act for securing the uniform grading of grain, preventing deception in transactions in grain, and regulating traffic therein, and for other purposes;

H. R. 18172. An act to increase the limit of cost of the United States post-office building at Seymour, Ind.; and

H. R. 19424. An act to extend the time for the completion of the municipal bridge at St. Louis, Mo.

ENROLLED BILL SIGNED.

The message also announced that the Speaker of the House had signed the enrolled bill (H. R. 13698) for the relief of Charles A. Coulson, and it was thereupon signed by the President pro tempore.

PETITIONS AND MEMORIALS.

Mr. NELSON presented petitions of sundry citizens of Minnesota, praying for the enactment of legislation to prohibit the exportation of ammunition, which were referred to the Committee on Foreign Relations.

Mr. CRAWFORD presented petitions of sundry citizens of South Dakota, praying for the enactment of legislation to prohibit the exportation of ammunition, etc., which were referred to the Committee on Foreign Relations.

Mr. BURTON presented petitions of sundry citizens of Ohio, praying for the enactment of legislation to prohibit the exportation of ammunition, etc., which were referred to the Committee on Foreign Relations.

Mr. HITCHCOCK presented petitions of 120 citizens of Holt County, of 80 citizens of Bennington, of 20 citizens of Naper, and of sundry citizens of Dodge County and of Smithfield and Bertrand, all in the State of Nebraska, praying for the enactment of legislation to prohibit the exportation of ammunition, etc., which were referred to the Committee on Foreign Relations.

Mr. TOWNSEND presented petitions of sundry citizens of Michigan, praying for the enactment of legislation to prohibit the exportation of ammunition, etc., which were referred to the Committee on Foreign Relations.

He also presented a petition of the Typotheta-Franklin Association, of Detroit, Mich., praying for the discontinuance of stamped envelopes by the Government, which was referred to the Committee on Post Offices and Post Roads.

Mr. BRISTOW presented petitions of sundry citizens of Hanover, Atchison, and Wamego, all in the State of Kansas, praying for the enactment of legislation to prohibit the exportation of ammunition, etc., which were referred to the Committee on Foreign Relations.

He also presented a petition of sundry citizens of Lawrence, Kans., praying for national prohibition and also to grant the right of suffrage to women, which was ordered to lie on the table.

He also presented memorials of sundry citizens of Clay Center and Bird City, in the State of Kansas, remonstrating against the exclusion of anti-Catholic publications from the mail, which were referred to the Committee on Post Offices and Post Roads.

Mr. SHIVELY presented petitions of Local Division No. 221, Brotherhood of Locomotive Engineers, of Huntington; of Local Lodge No. 111, Brotherhood of Locomotive Firemen and Enginemen, of Mattoon; of Inland City Lodge, No. 374, Brotherhood of Railroad Trainmen, of Indianapolis; and of Local Division No. 537, Brotherhood of Locomotive Engineers, of Fort Wayne, all in the State of Indiana, praying for the extension of the boiler-inspection laws, which were referred to the Committee on Interstate Commerce.

Mr. THOMPSON presented petitions of sundry citizens of Marion and McPherson Counties, and of Vassar, Russell, and Atchison, all in the State of Kansas, praying for the enactment of legislation to prohibit the exportation of ammunition, etc., which were referred to the Committee on Foreign Relations.

Mr. McLEAN presented memorials of the Business Men's Association of Hartford, of the Manufacturers' Association of Hartford County, and of the Connecticut State Board of Trade, all in the State of Connecticut, remonstrating against the enactment of legislation to prohibit the exportation of ammunition, etc., which were referred to the Committee on Foreign Relations.

Mr. BURLEIGH presented a petition of the Common Council of Bath, Me., praying for the enactment of legislation to grant pensions to civil-service employees, which was referred to the Committee on Civil Service and Retrenchment.

REPORTS OF COMMITTEE ON CLAIMS.

Mr. ROBINSON, from the Committee on Claims, to which was referred the bill (H. R. 13240) for the relief of the legal representatives of James S. Clark, deceased, reported it without amendment and submitted a report (No. 858) thereon.

He also from the same committee, to which was referred the bill (H. R. 9734) for the relief of Victoria Coffman, reported it with amendment and submitted a report (No. 859) thereon.

He also from the same committee, to which was referred the bill (H. R. 10201) for the relief of the heirs of Theodore Dehon, reported it without amendment and submitted a report (No. 860) thereon.

Mr. BRYAN, from the Committee on Claims, to which were referred the following bills, reported them severally without amendment and submitted reports thereon:

H. R. 17424. An act for the relief of Hunton Allen (Rept. No. 861);

H. R. 8811. An act to execute the findings of the Court of Claims in the case of Sarah B. Hatch, widow of Davis W. Hatch (Rept. No. 862); and

H. R. 5966. An act for the relief of Clyde Odum (Rept. No. 863).

Mr. CRAWFORD, from the Committee on Claims, to which was referred the bill (H. R. 13) for payment to the Chicago, Milwaukee & St. Paul Railway Co. the $4,583.67 improperly collected under the act of August 5, 1909, reported it without amendment and submitted a report (No. 864) thereon.

Mr. NORRIS, from the Committee on Claims, to which was referred the bill (H. R. 17110) to reimburse Epps Danley for

property lost by him while light keeper at East Pascagoula River (Miss.) Light Station, reported it without amendment and submitted a report (No. 865) thereon.

He also from the same committee, to which was referred the bill (H. R. 2662) for the relief of Andrew J. Lawrence, reported it with amendment and submitted a report (No. 866) thereon.

He also from the same committee, to which was referred the bill (H. R. 15557) for the relief of Anna Miller, reported it without amendment and submitted a report (No. 867) thereon.

Mr. LANE, from the Committee on Claims, to which were referred the following bills, reported them each without amendment and submitted reports thereon;

H. R. 10167. An act for the relief of Hannah Waldo (Rept. No. 868); and

H. R. 13830. An act for the relief of William A. Howard (Rept. No. 869).

BILLS INTRODUCED.

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. BRISTOW:

A bill (S. 7157) granting an increase of pension to Thomas T. Jones (with accompanying paper); and

A bill (S. 7158) granting a pension to Lydia A. Muma (with accompanying paper); to the Committee on Pensions.

By Mr. SHAFROTH:

A bill (S. 7159) granting a pension to Martha J. Tumbleson; and

A bill (S. 7160) granting a pension to Anna E. Babbitt; to the Committee on Pensions.

By Mr. SHERMAN:

A bill (S. 7161) granting an increase of pension to David Cox;

A bill (S. 7162) granting an increase of pension to George W. Shoop; and

A bill (S. 7163) granting an increase of pension to Eliza M. Watkins; to the Committee on Pensions.

By Mr. SHIVELY:

A bill (S. 7164) granting a pension to Oliver P. Marsh;

A bill (S. 7165) granting a pension to Fred Lamke;

A bill (S. 7166) granting an increase of pension to Luther D. Whitten;

A bill (S. 7167) granting an increase of pension to Joseph Randolph;

A bill (S. 7168) granting an increase of pension to Charles Updegraff;

A bill (S. 7169) granting an increase of pension to Lee Jenkins;

A bill (S. 7170) granting an increase of pension to Henry Mandler;

A bill (S. 7171) granting an increase of pension to Richard Dobson;

A bill (S. 7172) granting an increase of pension to Robert O. Jones;

A bill (S. 7173) granting an increase of pension to Miles Matthews;

A bill (S. 7174) granting an increase of pension to Eli W. Adams;

A bill (S. 7175) granting an increase of pension to Joseph H. Dearborn; and

A bill (S. 7176) granting a pension to Sarah L. Hammerton; to the Committee on Pensions.

By Mr. THOMPSON:

A bill (S. 7177) granting an increase of pension to Theresa L. Breese (with accompanying paper); to the Committee on Pensions.

By Mr. SHIELDS:

A bill (S. 7178) authorizing the Secretary of War to donate to Bluff City, Sullivan County, Tenn., two brass cannon with carriage; to the Committee on Military Affairs.

AMENDMENT TO POST OFFICE APPROPRIATION BILL.

Mr. OLIVER submitted an amendment proposing to appropriate $3,200,000 for compensation to assistant postmasters at first and second class post offices, etc., intended to be proposed by him to the Post Office appropriation bill (H. R. 19906), which was referred to the Committee on Post Offices and Post Roads and ordered to be printed.

OMNIBUS CLAIMS BILL.

Mr. OVERMAN. I submit an amendment intended to be proposed by me to the omnibus claims bill (H. R. 8846), which I ask may be properly referred.

The PRESIDENT pro tempore. The amendment offered by the Senator from North Carolina will be printed and lie on the table to be taken up in connection with the bill to which it refers.

RIVER AND HARBOR APPROPRIATIONS.

Mr. BRANDEGEE submitted an amendment intended to be proposed by him to the river and harbor bill (H. R. 20189), which was referred to the Committee on Commerce and ordered to be printed.

THE MERCHANT MARINE.

Mr. GALLINGER. I submit sundry proposed amendments to the so-called shipping bill (S. 6856), which I desire shall be read, printed, and lie on the table.

The PRESIDENT pro tempore. Such will be the order, unless there is objection. The Chair hears none.

The amendments were read, ordered to lie on the table, and to be printed, as follows:

Add a new section to the bill, as follows:

"SEC. —. That the ships purchased, chartered, or leased under the provisions of this act shall be officered by American citizens in conformity with existing laws, and the crew shall be composed of at least one-half citizens of the United States."

Add a new section to the bill, as follows:

"SEC. —. That all ships purchased, chartered, or leased under the provisions of this act, if not constructed with particular reference to prompt and economical conversion into auxiliary naval cruisers, shall be so changed before being put into the service, in accordance with plans and specifications prepared by the Secretary of the Navy, and they shall be made of sufficient strength and stability to carry and sustain the working and operation of at least four effective rifled cannon of a caliber of not less than 6 inches, and shall be made of the highest rating known to maritime commerce. Before being accepted for service they shall be thoroughly inspected by a competent naval officer or constructor detailed by the Secretary of the Navy, and such officer shall report in writing to the Secretary of the Navy who shall transmit said report to the President; and no such vessels not approved by the Secretary of the Navy as suitable for the service required shall be purchased, chartered, or leased by the Government."

Add a new section to the bill, as follows:

"SEC. —. That each said vessel shall take as cadets or apprentices one American-born boy under 21 years of age for each 1,000 tons gross register, and one for each majority fraction thereof, who shall be educated in the duties of seamanship, rank as petty officers, and receive such pay for their services as may be reasonable."

Strike out all after the enacting clause and insert in lieu thereof the following:

"That the Postmaster General is hereby authorized to pay for ocean mail service, under the act of March 3, 1891, in vessels of the second class on routes to South America south of the Equator to the Philippines, to Japan, to China, and to Australasia at a rate not exceeding $4 per mile on the outward voyage by the shortest practicable routes, and in vessels of the third class on said routes at a rate not exceeding $2 per mile on the outward voyage by the shortest practicable routes: *Provided*, That, subject to the foregoing provisions, every contract hereunder shall be awarded to that responsible bidder who will contract, under penalties prescribed by the Postmaster General, for the highest running speed between the points named in the contract."

Amend the title of the bill to read as follows:

"A bill to amend the act of March 3, 1891, entitled 'An act to provide for ocean mail service between the United States and foreign ports, and to promote commerce.'"

ANNIVERSARY OF BATTLE OF NEW ORLEANS.

Mr. THORNTON. Mr. President, I submit a concurrent resolution which I ask be ordered printed and go over under the rule until to-morrow morning, at which time I shall ask the permission of the Senate to address the Senate briefly in connection with the resolution.

The concurrent resolution (S. Con. Res. 35) in relation to the celebration by the State of Louisiana of the one hundredth anniversary of the Battle of New Orleans was ordered to lie on the table, as follows:

Whereas the General Assembly of the State of Louisiana for the year 1914 provided by act No. 144 for a fitting celebration of the one hundredth anniversary of the Battle of New Orleans, intrusting the execution of the provisions of said act to the Louisiana Historical Society; and

Whereas, in accordance with said act, invitations have been extended to the respective presiding officers and the Members of the Congress of the United States to attend these commemorative exercises, to be held in the city of New Orleans on January 8, 9, 10, 1915: Therefore be it

Resolved by the Senate (the House of Representatives concurring), That the Congress of the United States acknowledges with pleasure the receipt of said invitations and appreciates the courtesy thus extended; be it further

Resolved, That the Congress of the United States commends the patriotic spirit that has prompted the people of Louisiana to celebrate properly the great victory achieved on the field of Chalmette by American arms under the leadership of Andrew Jackson, and rejoices in the heroic valor displayed by friend and foe alike in that memorable conflict; be it further

Resolved, That a copy of this resolution be transmitted to the governor of Louisiana, the mayor of New Orleans, and the Louisiana Historical Society.

AIDS TO NAVIGATION.

Mr. CHAMBERLAIN. I desire to have printed in the RECORD and referred to the Committee on Commerce an appeal to Congress from the steamship companies of Puget Sound and Alaska, asking for aids to navigation in compliance with the recommendations of the Secretary of Commerce.

The PRESIDENT pro tempore. Unless there is objection, the request of the Senator from Oregon will be complied with. The Chair hears none, and it is so ordered.

The communication was referred to the Committee on Commerce and ordered to be printed in the RECORD, as follows:

AN APPEAL TO CONGRESS FROM THE STEAMSHIP COMPANIES OF PUGET SOUND AND ALASKA.

[An argument for wire-drag survey of Alaskan waters, suitable steamships for United States Coast and Geodetic Survey, charting Alaskan watercourses, establishment of aids to navigation, and creation of office of supervising inspector for Puget Sound and Alaska.]

SEATTLE, WASH., *1914*.

To Senators and Representatives in Congress.

GENTLEMEN: Actuated by the urgency of the case, we, the undersigned, representing the steamship companies engaged in Alaskan trade, herewith respectfully present for your careful reading some brief and pertinent facts relating to the need for aids to navigation on the coast of Alaska and the proper survey of its dangerous channels. We ask that you give this communication that attention which we feel the importance of the subject demands.

It is not our intention to go into detail at this time, for the annual report of the Secretary of Commerce, a thoughtful document covering the situation in full, has but recently been published and no doubt read by Members of Congress generally. We indorse that report for its plain, straightforward statement of facts, and we desire to emphasize the need of certain work being carried out in the resurvey of Alaskan waters and the establishment of aids to navigation from the viewpoint of those engaged in operating steamships along that coast.

Alaska has a rugged, rocky coast line of some 26,000 miles, or relatively a greater length of coast line than the United States proper. Its annual commerce has reached a total of $70,000,000 in one calendar year and will steadily increase from now on, with the prospect of a much greater activity in steamship operations. This is due to the proposed plan of the United States Government to build a 1,000-mile railroad and to develop coal, copper, and other heavy tonnage. It appears to us that now is the time to abide by the judgment of the Government officials in charge of the Department of Commerce and pass such appropriations as may be recommended by that department. It should be thoughtfully considered in this connection that the U. S. S. *Tahoma*, of the Revenue Service, and the *Armeria*, of the Lighthouse Board, were wrecked on the unlighted shores and upon unknown rocks in Alaska, and the total valuation of the Government vessels and property lost in those two catastrophes would represent a figure that would accomplish much toward the proper charting of those dangerous channels.

These are but two instances where the Government has suffered loss. But what of the privately owned and operated steamships that for years have pioneered the water routes to Alaska? Hidden rocks are best remembered or named by the unfortunate vessels that have found them. Too often such vessels have gone to the bottom, leaving no record save that of heavy financial loss and deepest sorrow among those whose relatives or friends have been lost. A detailed and absolutely correct list of wrecks, loss of life, and value of hulls and cargoes taking place in Alaska is impossible to obtain, but from the list of the larger vessels and those of which official record is at hand the grand total in vessels lost is 85, representing a valuation of nearly $7,000,000.

There is nothing new about this statement. It has been published in the press of the country and has even found its way into the CONGRESSIONAL RECORD. The total loss of life is not known, but it is very great, some of the ships that have gone to the bottom having lost nearly all on board, while history records that several, with their entire list of passengers and crew, have never been heard from, and their fate can only be conjectured.

It is proverbial that those who go down to the sea in ships must be ready at all times to manfully face the perils of the deep, the perils being largely due to action of the elements. Those who are endeavoring to operate regular steamship service to and from Alaska must at all times meet additional contingencies and face unknown danger due to the devious watercourses, rocky formation of the shore line and sea floor, the absence of beacons and guides to navigation, and the ever-present danger of striking a pinnacle rock.

This caused the wreck of the *State of California*, with its awful toll of human lives. That steamship, wrecked on August 17, 1913, struck an uncharted rock where the chart showed 12½ fathoms (75 feet), and yet the *State of California* had made 16 trips in and out of that same harbor during the two years preceding, since a new and important industry had been started at Gambier Bay. The year before, on August 13, 1912, the steamship *Mariposa* struck an uncharted rock off Port Baker in Sumner Straits, just west of where the chart shows 111 fathoms (666 feet). On January 14, 1909, the steamship *Ohio* struck an uncharted rock in Tongass Narrows, just north of Ketchikan. The charts showed the soundings where she struck at 30 fathoms (180 feet).

In the case of the *Ohio* and *Mariposa*, these vessels were saved and later repaired. Mention is made of these three cases to show how steamships traveling the regular routes to and from Alaska may, under certain conditions of the tide, strike a pinnacle rock at points where they had previously crossed and recrossed without any idea of the menace to navigation lying beneath the surface of the water.

Every great industry that is started in Alaska means an increased steamship service. The only possible avenue of transportation between the United States and its northern territory is the water route, and as the greater portion of its populous towns and mining camps are located along the inside passages, which abound throughout the southern and western coasts, it will always be necessary for any vessel serving Alaska to use those inside routes. This condition extends from the thriving fishing city of Ketchikan, in the southeast portion of the territory, in a great arc, to the extreme end of the Aleutian Islands, and takes in such well-known places as Wrangell, Petersburg, Metlakahtla, Juneau, Douglas, Treadwell, Haines (Fort Seward, U. S. A.), Skagway, Sitka, Yakutat, Cordova, Latouche, Valdez (Fort Liscum, U. S. A.), Ellamar, Seward, Portage Bay, Knik, and all the salmon canneries and other points where industries flourish.

It seems strange indeed that a great catastrophe in which property loss and a heavy death toll is recorded should be the means of bringing these great needs of Alaska before the people; but such has been the case, and with the expected large addition to the number of steamships operating, while not anticipating trouble, it is apparent that unless something is done immediately to better these conditions that the danger of such disasters will greatly increase.

It is not our intention to suggest an especial appropriation covering any particular lighthouse or other aid to navigation, as those are matters which should be left to the department; but we do most earnestly urge upon each of you gentlemen the necessity of giving immediate heed to the seriousness of this situation, and request that you work for such appropriations as may be recommended by the department:

First. For a thorough survey and search of the channels and passages of Alaska for the purpose of locating pinnacle rocks. This work to be accomplished by wire drag.

Second. For suitable steamships and other vessels to be used in such work by the United States Coast and Geodetic Survey.

Third. For the proper charting and surveying of the watercourses of Alaska.

Fourth. Such lighthouse establishments and other aids to navigation as may be recommended by the department from time to time.

Fifth. The creation of the office of supervising inspector for Puget Sound and Alaska, headquarters Seattle, to take care of this immense coast line; also, additional assistant inspectors for the Seattle office of the Steamboat Inspection Service.

You have already been informed in detail that the steamships now used by the Coast and Geodetic Survey are entirely inadequate for such service. These vessels are such that if they were being used by any privately operated company in regular commercial traffic their owners would be most severely criticized. The cost of conducting the wire-drag survey and the cost of proper vessels for the survey would represent but a very small sum when compared with the tremendous valuation of the steamships operating in those waters, to say nothing of the more humanitarian view of the case in considering the protection of the thousands of people whose lives are imperiled by traveling through those passages.

Alaska is America's last frontier. Alaska is a land of great industrial promise. At the present time its development seems to be assured by legislation which makes for the opening of its great interior mineral storehouses, but it should be remembered that all that interior development must for all time depend upon the successful operation of the steamships connecting that Territory with the United States proper, and it is in behalf of all of the present companies operating and of those who may later join in that important traffic that this appeal is addressed to each of you gentlemen, representing in Congress the great States of this Union, each one of which has been greatly aided and encouraged in its development by the cooperation at all times of its representatives. We now petition you, in behalf of a great Territory of the United States, feeling sure that when these facts are brought to your personal attention you will refer to the detailed reports covering the subject and grant to that frontier country the protection her growing commerce justifies.

Yours, very truly,

J. C. FORD,
President Pacific Coast Steamship Co.
R. W. BAXTER,
Vice President Alaska Steamship Co.
H. F. ALEXANDER,
President Pacific Alaska Navigation Co.
M. KALISH,
Vice President Humboldt Steamship Co.
H. C. BRADFORD,
Vice President Northland Steamship Co.
JOSHUA GREEN,
President Puget Sound Navigation Co.
W. L. GAZZAM,
President Puget Sound Steamboat Owners' Association.

PRESIDENTIAL APPROVALS.

A message from the President of the United States, by Mr. Latta, executive clerk, announced that the President had approved and signed the following acts:

On January 2, 1915:

S. 6227. An act granting the consent of Congress to the Norfolk-Berkley Bridge Corporation, of Virginia, to construct a bridge across the Eastern Branch of the Elizabeth River in Virginia; and

S. 6687. An act to authorize the Chesapeake & Ohio Northern Railway Co. to construct a bridge across the Ohio River a short distance above the mouth of the Little Scioto River, between Scioto County, Ohio, and Greenup County, Ky., at or near Sciotoville, Ohio.

INDIAN DEPREDATION CLAIMS.

The PRESIDENT pro tempore laid before the Senate the amendment of the House of Representatives to the bill (S. 2824) to amend an act entitled "An act to provide for the adjudication and payment of claims arising from Indian depredations," approved March 3, 1891, which was, on page 2, line 4, to strike out "claimant" and insert "claim."

Mr. SMOOT. I move that the Senate concur in the amendment of the House.

The motion was agreed to.

DEPOSITS OF PHOSPHATE ROCK.

The PRESIDENT pro tempore laid before the Senate the amendments of the House of Representatives to the bill (S. 6106) validating locations of deposits of phosphate rock heretofore made in good faith under the placer-mining laws of the United States, which were, on page 1, line 5, after "United States," to insert "and upon which assessment work has been annually performed"; on page 1, line 7, to strike out "such locations" and insert "patents whether heretofore or hereafter issued thereon"; on page 1, line 7, after "title," to insert "to"; on page 1, line 8, to strike out "to" where it first occurs and insert "of"; and on page 1, line 8, to strike out all after "deposits" down to and including "patented," in line 9.

Mr. SMOOT. I move that the Senate concur in the House amendments.

The motion was agreed to.

PANAMA-PACIFIC EXPOSITION COINS.

The PRESIDENT pro tempore laid before the Senate the amendments of the House of Representatives to the bill (S. 6039) for the coinage of certain gold and silver coins in com-

memoration of the Panama-Pacific International Exposition, and for other purposes, which were, on page 1, line 5, to strike out "two" and insert "three"; on page 2, line 14, to strike out the comma and insert a period; on page 2, line 14, after "him," to insert "the coinage shall be executed as soon as may be and"; on page 2, in lines 15 and 16, to strike out "December 1, 1914," and insert "the day of the opening of the exposition"; and on page 4, line 23, after "designs," to insert "*: Provided*, That the Panama-Pacific International Exposition Co. shall reimburse the Treasury Department for the amount thus expended."

Mr. MARTINE of New Jersey. I move that the Senate concur in the amendments of the House.

The motion was agreed to.

LOAN OF BELL.

The PRESIDENT pro tempore laid before the Senate the amendments of the House of Representatives to the joint resolution (S. J. Res. 58) authorizing the Secretary of the Navy to loan the bell of the late U. S. S. *Princeton* to the borough of Princeton, N. J., which were, on line 4, to strike out "loan" and insert "present," and to amend the title so as to read: "Joint resolution authorizing the Secretary of the Navy to present the bell of the late U. S. S. *Princeton* to the borough of Princeton, N. J."

Mr. MARTINE of New Jersey. I move that the Senate concur in the amendments of the House.

The motion was agreed to.

HOUSE BILLS REFERRED.

The following bills were severally read twice by their titles and referred to the Committee on Public Lands:

H. R. 11318. An act authorizing the sale of lands in Lyman County, S. Dak.; and

H. R. 16738. An act to provide for the payment of certain moneys to school districts in Oklahoma.

The following bills were severally read twice by their titles and referred to the Committee on Commerce:

H. R. 17168. An act to authorize the North Alabama Traction Co., its successors and assigns, to construct, maintain, and operate a bridge across the Tennessee River at or near Decatur, Ala.; and

H. R. 19424. An act to extend the time for the completion of the municipal bridge at St. Louis, Mo.

H. R. 17894. An act to amend an act entitled "An act to promote the safety of employees and travelers upon railroads by compelling common carriers engaged in interstate commerce to equip their locomotives with safe and suitable boilers and appurtenances thereto," approved February 17, 1911, was read twice by its title and referred to the Committee on Interstate Commerce.

H. R. 17971. An act for securing the uniform grading of grain, preventing deception in transactions in grain, and regulating traffic therein, and for other purposes, was read twice by its title and referred to the Committee on Agriculture and Forestry.

H. R. 18172. An act to increase the limit of cost of the United States post-office building at Seymour, Ind., was read twice by its title and referred to the Committee on Public Buildings and Grounds.

SHIPMENT OF NAVAL STORES ABROAD.

The PRESIDENT pro tempore. The Chair lays before the Senate Senate resolution 512, coming over from a former date. It will be read.

The Secretary read Senate resolution 512, submitted by Mr. HARDWICK on the 4th instant, as follows:

Resolved, That the President is respectfully requested, if not incompatible with the public interest, to transmit to the Senate copies of all communications transmitted to or received from the Government of Great Britain touching the recent order of said Government declaring naval stores, turpentine, rosin, and resinous products absolute contraband of war; and the previous order of said Government declaring that the products above enumerated were not contraband of war.

Also copies of any other communications transmitted to or received from any foreign Government in reference to the classification of naval stores, turpentine, rosin, and resinous products as contraband of war.

The PRESIDENT pro tempore. The question is on agreeing to the resolution.

Mr. SMITH of Georgia. In connection with the adoption of the resolution, I would be glad to have read a telegram which I send to the desk.

The PRESIDENT pro tempore. The Secretary will read it unless there is objection. The Chair hears none.

The Secretary read the telegram, as follows:

SAVANNAH, GA., *January 4, 1915.*

Hon. HOKE SMITH,
Washington, D. C.

We have booked considerable rosin for Genoa, Italy, and Gottenberg, Sweden, prior to allies placing rosin on contraband list, and seems to us if goods are shipped to neutral consignees domiciled Italy and Sweden, with accompanying certificate to effect Italy and Swedish consumption, belligerent nations would not have right to seize or seriously detain. Would appreciate your investigation and telegraphic reply at earliest possible moment.

STRACHAN SHIPPING CO.

Mr. HITCHCOCK. Mr. President, I think the resolution ought to be so enlarged as to include any correspondence between our State Department and belligerent nations of Europe relative to all shipments affected by the war. If the Senate is to have information, it ought to be in a comprehensive form so as to bring up to date all the correspondence which is only heard of now through the newspapers. I should like to offer an amendment——

Mr. HARDWICK. Will the Senator from Nebraska yield to me for a moment?

Mr. HITCHCOCK. Certainly.

Mr. HARDWICK. I will support with very great pleasure a proposition of that kind; but this stands in a class by itself, for reasons which I will be glad to explain to the Senate. I hope the Senator from Nebraska will not complicate this proposition by insisting on a broader resolution. I will support a resolution of that sort if the Senator will prepare and introduce a proper one. If the Senator will permit me, I will state some reasons why this resolution stands on rather a different footing from the proposition he suggests.

In November of last year, Mr. President, the British Government issued an order or statement declaring that naval stores, rosin, turpentine, and resinous products, were absolute noncontraband of war. Based on that declaration, business of that kind moved ahead very freely from the southern part of this country, where most of this business originates.

Some time in December, five or six weeks after the first order was issued, the British Government issued another order in which it declared that these very identical products were absolute contraband of war. Of course that very seriously affected some shipments that were in process of transit when the order was issued, when the status of this product, according to the second British contention, was changed.

Mr. President, the contention on which the British Government based its final action was this: Years ago naval stores used to be generally considered by all nations as contraband of war. As ships were then built all naval stores were used in some way in shipbuilding and, of course, for the construction of warships. Since the change in naval warfare, calling for a different class and kind of vessels, naval stores were not thought by most nations of the world to be contraband of war until the present war had progressed for some time. Now, however, the British Government, as I understand, contends that certain explosives of the newer kind have rosin wrapped around them so that when they are thrown into trenches filled with water they will not be put out but will explode more certainly, and, also, that the turpentine is put in them to affect the smoke in some way—that it makes the smoke denser.

Undoubtedly, Mr. President, in view of the change in the position of the British Government itself in regard to the shipping and transportation of naval stores, these articles occupy a different status even in their eyes from what they might had not this sudden change in classification occurred.

Mr. President, it seems to me that this is liable to inflict a very great hardship on that portion of our country which has suffered most from the European war. For every cent per pound reduction in the price of our cotton, which reduction, in part at least, can be attributed to this war, the South stands to lose eighty or eighty-five million dollars on this year's cotton crop. So you can see that the loss is heavy on the very section of the country where we are already suffering heaviest from the war. This conduct of the British Government as to naval stores seems to put a great additional burden on that section of the country and on one of our great products, of an annual value of about $35,000,000, of which about $19,000,000 are produced in Florida and $9,000,000 in Georgia.

This product is susceptible of two uses, even if the British contention as to its war uses is sound. It is not essentially and necessarily and solely an article of war; it has many peaceful uses and purposes; it may be used for many purposes totally disconnected—indeed, most of the purposes for which it is used are totally disconnected—with warfare of any kind, shape, or form.

It does seem, sir, to us that the Government of this country ought to require, if it is possible to require it—and we hope the British Government will readily concede it—that at least the same status be granted to naval stores which have already been granted us, we understand, in an informal way at least, as to copper. Where naval stores are consigned to neutral countries, to given consignees, and there is no reasonable ground to suppose that their ultimate destination is one of the belligerent

powers or that their ultimate use is for the purposes of war, we say that under no view of the law of nations ought such shipments to be interfered with.

Therefore we ask, Mr. President, that this resolution be adopted, so that the Executive may disclose to the Senate such negotiations and representations as have been had or made, if any, with or to the British Government on the subject, and so that our State Department and the President may go to the British Government with the representation that this is a matter of such vital importance to a great portion of our people that the American Congress is interested in knowing whether or not the law of nations is being carried out on this question and whether the rights of our people as to this most important product are being protected.

Of course, I fully realize that my friend the Senator from Nebraska [Mr. HITCHCOCK] can move to amend the resolution if he wants to, and, so far as I am concerned, I am willing to support and urge the passage of a general resolution of this kind, as suggested by him; but I do not think there is any objection to this resolution in this specific case, and I am afraid there might be in the other and more general form. So, if the Senator from Nebraska will pardon me, if he had just as soon do it, I had rather he would introduce his proposition separately and let us vote on this resolution, which is in reference to a policy which seems to impose a particular hardship upon a great interest of our country, without involving the matter in other questions which might be raised on the broader and general line suggested by the Senator from Nebraska.

Mr. HITCHCOCK. Mr. President, unquestionably there ought to be no objection to the resolution offered by the Senator from Georgia [Mr. HARDWICK], but I think it is equally true that there can be no reasonable objection to making public in a single document the whole correspondence between the United States and all belligerents in the present war relating to all contraband and conditional contraband articles.

Mr. President, this is not a secret matter; it is not one for which there is any legitimate reason for preserving secrecy. The State Department has from time to time given out, as I understand, most of the declarations which have been made. They have been published widespread in many newspapers, but there is a certain feeling of unreliability in such publications, and I think there ought to be officially laid before the Senate and before the country all the correspondence between the United States and all belligerents showing each one of the various steps by which certain articles were first declared contraband, then certain articles were added to the list, then under which certain other articles were declared conditional contraband, and then also those same articles made absolute contraband.

The Senator from Georgia is undoubtedly correct so far as his special interest is concerned. The Senator from Montana [Mr. WALSH] showed here the other day that copper had been treated very much in the same way. I am not advised as to other large interests that are involved, but unquestionably many articles of American commerce have been materially affected. It may be a matter of considerable consequence some time for the Congress to know exactly what treatment has been proposed, and certainly no harm can come from wide publicity.

Mr. SMITH of Georgia. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Nebraska yield to the Senator from Georgia?

Mr. HITCHCOCK. I do.

Mr. SMITH of Georgia. Mr. President, the Senator from Nebraska has not yet offered a formal amendment to this resolution. Before he reaches that stage, I wish to join my colleague [Mr. HARDWICK] in appealing to him not to add it to the pending resolution. We have in this resolution a concrete proposition, applicable to a commodity in which the State which my colleague and I represent and two or three adjoining States are greatly interested. We have an investigation going on with reference to it. We believe that we are in a position to bring substantial results if we are allowed to go on at once with this matter. We would regret exceedingly to see it complicated with the general subject.

If the Senator from Nebraska desires the general subject investigated, if he desires information generally with reference to other commodities, it would be very easy for him to introduce a resolution upon the subject and submit it to the Senate. I take it for granted that there will be no objection to such a resolution. Still we have our resolution in a position where we feel it at least will not be if it be broadened to embrace other subjects. We think we will probably obtain a speedy report upon our resolution, and that we are helping the situation by what we are doing.

We are not engaged simply in an idle presentation of a resolution for information. The telegram which I send to the Secretary's desk, and which was read, is from one of the largest shipping houses in Savannah, Ga., and Savannah, Ga., is the largest shipping port of rosin and turpentine in the United States; indeed, much the largest, although I believe the State of Florida produces more turpentine and rosin.

Mr. BRYAN. And it also exports more, although that is not material.

Mr. SMITH of Georgia. The Senator from Florida [Mr. BRYAN] says that Florida exports more than Savannah. He may be right, although I think he is wrong; in fact, I am very confident he is wrong, for I have seen but recently the figures covering the exports from Fernandina, Fla., which is the chief place of export of Florida.

Mr. BRYAN. Mr. President, the Senator from Georgia is making so many mistakes that I can hardly correct them all at once. The State of Florida produces 56 per cent of the naval stores within its own confines, and Jacksonville, Fernandina, Pensacola, and Tampa are the export cities of naval stores.

Mr. SMITH of Georgia. Fernandina, Fla., exports more than any other seaport of Florida, and Savannah, Ga., exports more than does Fernandina. If you take all of the ports of Florida they export more than Savannah, but Savannah, as I have said, is the largest export city for these goods in the United States.

Mr. BRYAN. That is to say, that as between Fernandina, a town of about 4,000 people, and Savannah, a town of about 50,000, Savannah exports more than does Fernandina. I agree to that.

Mr. SMITH of Georgia. And Fernandina exports more than does any other port of Florida.

Mr. GALLINGER. Mr. President, will the Senator from Georgia permit me to ask a question of the Senator from Nebraska which may perhaps clarify this question?

Mr. SMITH of Georgia. Certainly.

Mr. GALLINGER. I will ask the Senator from Nebraska if he has in mind other articles that have been declared contraband, or does he desire simply to get information concerning the halting of our exports abroad? The Senator will observe that I put into the RECORD yesterday a communication from a manufacturing concern in my State complaining bitterly of the disturbance of their business because of the action largely of the British Government; but the articles in which that concern is interested are not articles that are contraband. Has the Senator in mind other articles that have been declared contraband?

Mr. HITCHCOCK. In reply to the Senator from New Hampshire I will say that it was not my purpose to so broaden the resolution offered by the Senator from Georgia as to bring it into the realm of controversial subjects. I think that the inquiry suggested by the Senator from New Hampshire might be desirable, but I do not propose to go into it, because it might raise other questions. I will at this moment read the substitute which I intend to propose to the resolution of the Senator from Georgia, and I want to say that it includes necessarily all that he seeks. It would simply result in laying before the Senate as a complete whole the record of the correspondence between this country and other countries which has been handed out piecemeal through the newspapers and which would only remain piecemeal in case his resolution is adopted. My substitute——

Mr. GALLINGER. Mr. President, if the Senator will permit me, my thought was that if the information the Senator from Nebraska desires is along the line that my correspondents would like concerning articles that have not been declared contraband, my judgment would be that we might well pass the resolution now submitted and then adopt a separate resolution covering the other questions.

Mr. HITCHCOCK. I think that would be——

Mr. ROOT. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Nebraska yield to the Senator from New York?

Mr. HITCHCOCK. I do.

Mr. ROOT. Mr. President, I am altogether sympathetic with both of these propositions. I shall support the resolution of the Senator from Georgia, and I am ready to support a resolution to accomplish what the Senator from Nebraska desires; but I think that, under the circumstances, it is hardly kind to complicate the action which the Senator from Georgia desires by a general enlargement of the resolution.

The constituents of the Senator from Georgia are evidently in a good deal of distress because of the interference with their trade. They want relief to which the correspondence called for would be material, and, if there were no other reason, the de-

lay which would ensue upon enlarging this resolution would be a substantial reason for not amending it. It is a pretty large field that the Senator from Nebraska is entering upon, and it would be quite likely to take a long time to obtain all the information he desires. Now, let us pass the resolution of the Senator from Georgia, so that he may obtain the information he wishes in the limited field in which he is specially interested, and then let us pass another resolution covering what the Senator from Nebraska wishes. I think that such a resolution ought to be pretty fully considered and made broad enough to cover the whole field.

I had in mind one subject which I think ought to be covered, and, if the Senator will permit me, by way of suggestion I will send to the desk and ask to have read a Treasury order which I think bears upon the subject and ought to be included in the scope of the inquiry.

The PRESIDENT pro tempore. The Secretary will read unless there is objection. The Chair hears none.

The Secretary read as follows:

TREASURY DEPARTMENT,
October 28, 1914.

To collectors and other officers of customs:

Until further directed you will refrain from making public or giving out to any other than duly authorized officers of the Government information regarding any and all outward cargoes and the destination thereof until 30 days after the date of the clearance of the vessel or vessels carrying such cargoes.

WM. P. MALBURN,
Assistant Secretary.

Mr. ROOT. Now, Mr. President, I think we ought to know why any such order as that was made and what facts or communications led to it, for upon its face it appears to stamp upon all the honest export business of this country a suspicion.

Mr. SMITH of Georgia. Mr. President——

Mr. HITCHCOCK. I should like to ask the date of that order.

Mr. ROOT. October 28, 1914.

The PRESIDENT pro tempore. The Chair will not undertake to keep up with the interruptions. The Senator from Nebraska will be the judge of when he will yield and to whom.

Mr. ROOT. Mr. President, at a time when, under the admitted law of nations, when under the law as it is agreed upon by both the United States and Great Britain, Great Britain was justified in stopping and searching vessels for contraband, this Treasury order imposes secrecy upon the cargoes of vessels sailing from our ports, necessarily creating a suspicion, necessarily involving the honest cargoes in the same interference, delay, inconvenience, and injury which will be visited upon clandestine attempts to introduce contraband. Let us know why that was done, and let us have a resolution, not interfering with the resolution of the Senator from Georgia for the purpose, but adopting that, and then let us have a resolution that will cover this whole ground and find out why all honest American commerce has been blackened by a Treasury order which creates suspicion regarding it.

Mr. HITCHCOCK. Mr. President, I have an impression that that policy as represented by the Treasury order has been changed sometime back, but whether it has or not, and whether there ought to be an inquiry into it, it would be a controversial matter involving national policy. The amendment which I propose to offer as a substitute involves nothing of that kind. It simply sufficiently broadens the resolution offered by the Senator from Georgia to include all the correspondence, instead of parts of it, relating to contraband and conditional contraband.

Mr. ROOT. Mr. President, I will say that my attention was called to this subject by listening to the very admirable, temperate, and scholarly presentation of the law of contraband by the Senator from Montana [Mr. WALSH] a few days ago. It recalled to my mind having seen something in the newspapers about secrecy of shipments. I sent to the Library and could not find anything about it, and then I sent to the Treasury Department, calling for all the Treasury orders which had been made within the last half dozen months, and this came down; but no modification or repeal of it came from the Treasury Department, so I think it must be still in force. Unless there is some reason which can be given, and which ought to be given, if it exists, it certainly ought not to be in force.

Mr. HITCHCOCK. Mr. President, I have no purpose to antagonize that suggestion. I only gave it as my impression, that the present attitude of the department was not as represented by that order. The resolution which I offer is a simple enlargement of the scope of the resolution of the Senator from Georgia, and I offer it as a substitute.

Mr. HARDWICK. Mr. President, the Senator has been very generous in yielding. Will he yield once more?

Mr. HITCHCOCK. Certainly.

Mr. HARDWICK. If the case that we present is one where there is a peculiar hardship involved, on account of the changes of orders, and where expedition is necessary in whatever is done in order to secure the best results, the Senator from Nebraska would not wish to delay us in this particular matter, when he can get the same general result he seeks by presenting his resolution disconnected from this, would he?

Mr. HITCHCOCK. I have no idea that it will cause any delay. The communications in question are brief and specific. They consist of documents issued by the belligerents of Europe naming certain articles as contraband and certain articles as conditional contraband. Later on supplemental documents of the same sort were issued, and there may have been, and probably has been, certain correspondence by the United States on the subject.

Mr. HARDWICK. If the Senator will pardon me just once more, not only that but the substitute calls for certain information relating to the detention of ships. Now, to my certain knowledge there are many cases of that kind. It would take a long time to get up all of that. To get up the information requested by the Senator from Nebraska will very much delay, and therefore very much affect, the usefulness of the proposition we submit. I hope, therefore, the Senator will disconnect his proposition from ours, if he can.

Mr. HITCHCOCK. I will say to the Senator from Georgia that I have not any intention——

Mr. HARDWICK. I know that, and that is the reason why I am pressing my suggestion to the Senator.

Mr. HITCHCOCK. I have no intention of changing the paragraph of the Senator's resolution relating to the detention of ships. I would neither enlarge it nor expand it in any way. My substitute reads as follows:

Resolved, That the President is respectfully requested, if not incompatible with the public interest, to transmit to the Senate copies of all of the various communications transmitted to or received from the Government of Great Britain and other belligerents in the present war touching the orders of said Governments declaring contraband and conditional contraband of war various articles of commerce, also copies of any communications transmitted to or received from any foreign Government relating to the detention of ships under American registry carrying cargoes of naval stores, turpentine, rosin, and resinous products.

Mr. FLETCHER. Mr. President, will the Senator allow me just a word in this connection?

Mr. HITCHCOCK. I will.

Mr. FLETCHER. I know quite a good deal regarding the matter of naval stores, and I corroborate what the Senator from Georgia has said with reference to the situation in connection with that industry, namely, that some time back the British ambassador informed our State Department that naval stores would not be regarded as contraband of war, and matters proceeded in that direction until it was acquiesced in on all sides that naval stores might accompany cargoes of cotton.

There seems to have been some misunderstanding about the nature of this product, by reason of its name. It consists of rosin, which is solid, shipped in barrels, and spirits of turpentine, which is liquid, shipped likewise in barrels. They can go in the holds of vessels carrying cotton cargoes, as ballast, and accommodate both the shipper and the shipowner, and the markets likewise, because the cotton is going to the same markets in which the naval stores are wanted. The rosin, which is solid, is used largely in the manufacture of soap, while the liquid turpentine is used not only for medicinal purposes but in paints and varnish, and the like.

It was with that understanding that those engaged in the industry—and, as has been stated by my colleague, Florida is very largely concerned, because the product there amounts annually to over $20,000,000—proceeded to find markets and to respond to that demand, and arranged for shipment, and did ship cargoes of naval stores. Some of those vessels have not yet arrived on the other side. There is a question as to what will happen when they do arrive, since the declaration has now come down that they will be regarded as absolute contraband. So it is important that this information shall be obtained as early as possible, not only because of the condition in which the industry is left but by reason of the fact that there are cargoes proceeding across the ocean, and we wish to know something about the fate of those vessels and those shipments.

Mr. STONE. Mr. President, as to the cargoes en route to the foreign port or market, I saw it stated in the press a day or two since that the ambassador from Great Britain had given out a statement that his Government had instructed him to say to our State Department that the order making naval stores absolute contraband would not apply to cargoes on the way at the time the order was made.

Mr. FLETCHER. I saw a statement of that kind, but I have not been officially informed in any way that that has been ultimately decided upon. I hope it is practically concluded, and that that will follow. There is also an effort being made, while leaving the spirits as contraband, to exempt rosin as contraband. We have some favorable indications in that regard.

What I wish to impress upon the Senator from Nebraska, however, is that this situation is in such shape that it will be very prejudicial to delay the pending resolution or to delay furnishing the information desired in connection with it. I have no doubt it can be readily furnished, because there will be no complications about it. They will simply turn to this one question and furnish that information very easily and very quickly; whereas to comply with the resolution which the Senator from Nebraska offers would involve all of these questions of contraband or conditional contraband cargoes, correspondence in connection with them, the detention of ships and all that sort of thing, which would take weeks and weeks to get up, I have no doubt.

Therefore I join the Senators from Georgia in asking the Senator from Nebraska if he will not offer his resolution as a separate matter and leave this to pass as it is.

Mr. HITCHCOCK. There is no reason why we should not take that course, except that the Senators who have made the request feel that these particular articles are of supreme importance because their communities are interested; but there are other communities in the United States interested in other articles.

Mr. SMITH of Georgia. It would take only 24 hours to present it.

Mr. HITCHCOCK. There is no reason why we should not have this information presented to the Senate in one volume and at the same time.

Mr. STONE. Will the Senator allow me to make a suggestion? The resolution presented by the junior Senator from Georgia calls for information respecting certain things relating to the shipment of naval stores only. The resolution requests the President to furnish the information if compatible with the public interest. It might be that nothing has occurred with respect to naval stores that would make the President consider it not compatible with the public interest to supply the information. On the other hand, if you widen the field so as to include a variety of subjects and put it all in one resolution, it might be that the President would answer that he could not respond to the resolution without disclosing matters that he thought it incompatible with the public interest to disclose.

The PRESIDENT pro tempore. The Chair will say to the Senator from Nebraska that there is no amendment pending. If he has prepared a substitute for the resolution, if he will be good enough to send it to the desk it will be stated to the Senate.

Mr. HITCHCOCK. I offer the substitute which I send to the desk.

The SECRETARY. The Senator from Nebraska offers, as a substitute, the following:

Resolved, That the President is respectfully requested, in so far as not incompatible with the public interest, to transmit to the Senate copies of all of the various communications transmitted to or received from the Government of Great Britain and other belligerents in the present war touching the orders of said Governments declaring contraband and conditional contraband of war various articles of commerce.

Also copies of any other communications transmitted to or received from any foreign Government in reference to the classification of articles as contraband and conditional contraband of war.

Also copies of any communications transmitted to or received from any foreign Government relating to the detention of ships under American registry carrying cargoes of naval stores, turpentine, rosin, and resinous products and other contraband and conditional contraband of war.

The PRESIDENT pro tempore. The question is on the adoption of the substitute offered by the Senator from Nebraska.

Mr. HITCHCOCK. Mr. President, in deference to the suggestion made by the Senator from Missouri, he will observe that I have inserted in the substitute offered by me the words "in so far," so that it reads:

In so far as not incompatible with the public interest—

Leaving to the President the privilege of omitting anything he may deem incompatible with the public interest.

Mr. President, I think enough has been said, and I offer that as a substitute.

Mr. SMITH of Georgia. Mr. President, we do not desire to continue the discussion, but we do wish to say that we hope the Senate will vote down the substitute and let it come up as an original proposition. It can be presented to-morrow and can be acted on the next day as an original proposition. We feel that it does handicap us in what we are trying to do with our special naval-stores resolution.

The PRESIDENT pro tempore. The question is on the adoption of the substitute.

The substitute was rejected.

The PRESIDENT pro tempore. The question is on the adoption of the original resolution.

The resolution was agreed to.

The PRESIDENT pro tempore. Morning business is closed. The Calendar under Rule VIII is in order.

URGENT DEFICIENCY APPROPRIATIONS.

Mr. OVERMAN. I ask that the Senate proceed to consider Order of Business No. 742.

Mr. OLIVER. I should like to have the bill identified in some way.

The PRESIDENT pro tempore. The Senator from Pennsylvania desires to know what bill it is which the Senator from North Carolina asks unanimous consent to consider. The Secretary will please state the title of the bill.

The SECRETARY. A bill (H. R. 20241) making appropriations to supply urgent deficiencies in appropriations for the fiscal year 1915 and prior years, and for other purposes.

Mr. OLIVER. I have no objection.

There being no objection, the Senate, as in Committee of the Whole, resumed the consideration of the bill.

Mr. LODGE. Mr. President, I desire to thank the Senator from California [Mr. WORKS] for his kindness in giving way to me to speak briefly on this amendment at this moment. I also appreciate the kindness of the Senator from North Carolina [Mr. OVERMAN] in being good enough to allow the bill to go over yesterday in order that I might speak this morning upon the amendment proposed by the Senator from Utah [Mr. SMOOT]. I shall try to be as brief as possible.

This amendment, which is purely formal, proposes to strike out the clause supplying the deficiency in the appropriations for the War Department caused by the leasing of transports to take troops to Vera Cruz. It is an honest debt, honestly incurred and must of course be paid; but I think, Mr. President, it is not amiss at this time and in this connection to review briefly the circumstances which have led to the necessity for this appropriation, and which will lead to the necessity of other appropriations to cover other deficiencies arising from the same source.

I wish, in as compact a manner as possible, to call attention to the events in Mexico which have led to these appropriations and to the condition of affairs in Mexico at the present moment.

The great war in Europe has obscured that question, as it did many others, in people's minds. The Mexican situation has been largely pushed aside and forgotten. Although one of the most important transactions in which this country has been engaged in the last two or three years, it seemed so unimportant to the President that he did not even allude to it in his annual message. But, Mr. President, although in comparison with what we are witnessing in Europe it may not be serious, I think that in itself it is extremely serious, and especially so to the United States, whose territory adjoins that of Mexico.

If I may go back for a moment, so that we may get simply the order of events, I would remind the Senate that in the autumn of 1910 the Madero revolution, directed against the long-established government of President Diaz, began. President Diaz left Mexico City on May 25, 1911, and Francesco Madero, the leader of the successful revolution, arrived there on June 7 of the same year. He took the oath of office as President November 6, 1911.

When the revolution broke out, as everyone will recall, President Taft sent an army of 20,000 men to the border to maintain peace in that region. After Madero had taken the oath as President and become President de facto of Mexico, the disturbances still continuing, President Taft issued a proclamation of neutrality March 2, 1912.

On March 14, 1912, Congress passed a resolution giving the President power, when he found that in an American country conditions of domestic violence existed which were promoted by the use of arms or munitions of war procured in the United States, to forbid the export of such arms or munitions of war, and on the same day President Taft exercised this power and laid an embargo on the export of arms to Mexico.

Mr. President, at the time it seemed to me that the action of Congress was reasonable. I made no opposition to it. I think it was generally agreed to on both sides. But subsequent events in Mexico convinced me of the unwisdom of giving such an authority to the President. The Constitution reserves to Congress the sole right to declare war. To put in the hands of the Executive the opportunity to alter at will neutrality laws which have been in existence more than a hundred years is going far toward impairing the authority of Congress in the great func-

tion of declaring war or maintaining peace. We can see how it operated in this case. President Taft imposed an embargo on the export of munitions of war and arms, and it was a direct aid to the Madero government, which was then facing an insurrection. Then President Wilson, at a later period, lifted the embargo, and that was a direct aid to the insurgents who were opposing the government of Gen. Huerta.

I think this is a power which should not be in the hands of any one man, and I think, moreover, that it is a mistake to subject the Chief Executive to the pressure which the existence of that power in his hands necessarily causes—pressure from one side or the other and from all sorts of influences, which may be sinister or the reverse. The alteration of the neutrality laws is a grave duty which ought to remain in the hands of Congress, which has the sole authority to declare war.

But Congress gave the President that authority, and President Taft, as I have said, laid the embargo on the export of arms. The Madero Government was recognized by President Taft. On January 23, 1913, a little less than a year later, Felix Diaz headed a revolution against the Madero Government in Mexico City and attacked the palace. Gen. Huerta, who was in command of the Madero forces, went over to Diaz and the Madero Government was overthrown. Madero and the vice president, Suarez, were arrested by Huerta February 18 and were forced to resign. On February 20 Lascurain was sworn in as Provisional President, and about forty-eight hours later Madero and Suarez were killed. The manner of their death has never been made perfectly clear, but that they were unlawfully killed is, I think, beyond doubt.

Gen. Huerta then took over the Government, and in accordance with constitutional forms became Provisional President. This was so near the 4th of March that President Taft took no action in regard to the Huerta Government, feeling that he had not the right to commit his successor on so important a point.

President Wilson came in on the 4th of March, and on the 20th of that month the revolution headed by Carranza broke out in northern Mexico. Nothing, practically, was done in regard to Mexican affairs until the following summer, when the President sent Mr. Lind as his personal agent to Vera Cruz and subsequently delivered a message to Congress upon the Mexican situation. The instructions to Mr. Lind involved a demand in the nature of an ultimatum upon Gen. Huerta that he should abdicate. It is not usual, Mr. President, in entering into negotiations, no matter how informal or through a personal emissary, no matter how informal the emissary's position may be, to demand of the head of the Government, with whom that emissary is to communicate, that he should abdicate. Such a demand crudely stated laid us open to a telling retort, and that is the reason why the then secretary of foreign affairs in Mexico was so successful in his reply. Gen. Huerta refused to abdicate and the correspondence to which I have referred ensued.

Mr. President, I was not one of those who was disposed to find fault with the refusal to recognize Gen. Huerta, although there was much to be said in favor of that course. There were broad international grounds and sound international grounds upon which that refusal could have been based. It was entirely possible to say that Gen. Huerta's government was unable to maintain international relations, for over a large area of Mexico it exercised no authority. It was possible and proper to say that the recognition might entail the validification of the loans which the Huerta government was then attempting in Europe, and which would have pledged certain revenues of Mexico, and thus deprived the United States of the opportunity of securing indemnity for injuries to its citizens.

But those grounds, Mr. President, were not put forward. The ground on which recognition of Huerta was refused was what was called a moral ground; that he was a man of bad character, who had reached the highest position in Mexico by treacherous and murderous methods. I think it highly probable that such were his methods. That is the way supreme power has generally been acquired in Mexico. It has been attained by force and accompanied by acts of violence, which are repellent to every man who believes in the reign of law and in ordered freedom.

But when we put our refusal of recognition on the personal ground that the character of the head of the Mexican Government at that time was unsatisfactory to us, to that extent we intervened. We had an absolute right on international grounds to refuse recognition, but when we say to another nation we object to the man who is at the head of your government or at the head of the only government you have got because he is a person of obnoxious character, we intervene in the affairs of that nation.

However, the refusal to recognize Gen. Huerta was based upon that ground, and while it undoubtedly embarrassed the Huerta government it did not overthrow it. He proved himself contumacious. The President, who disapproved of his methods, as we all disapproved of them, now had added to his feelings a personal resentment because Gen. Huerta had not obeyed the President's demand for his abdication. The President is a man accustomed to obedience, and I can quite understand that he should feel a natural resentment at Gen. Huerta's seeming indifference to his request.

But, Mr. President, an animosity is not a policy. The policy of the United States in regard to Mexico, speaking from the international point of view, was to secure as soon as possible the pacification of the country, the reestablishment of order, the removal of all our many causes of complaint, the security of the lives and property of our own citizens and also of the citizens or subjects of other nations, because other nations, in view of our attitude and of the Monroe Doctrine, declined to intervene and made no suggestion of intervening themselves, and that threw a moral, if not a legal, responsibility upon us. This would have been a worthy national policy, but the business of driving Huerta from power and putting somebody else in his place was not a policy at all. Nevertheless, that was the object to which our Government addressed itself.

Still Huerta continued to hold on. Rumors reached us in the spring of 1914 that he had effected a loan through the Mexican banks of sixty millions and that a large cargo of arms was on its way to him from Germany.

At that time, while the indications that the Huerta government might be established and held in power for at least a year longer were before us, there came what was known as the Tampico Incident. I need not recall it in detail to the Senate. All Senators are familiar with what happened. A boat's crew from one of our warships, flying the American flag, landed perfectly properly for peaceful purposes and were arrested. They were taken to the town hall and released. An apology was offered by the commander and Admiral Mayo demanded a salute to the flag. Our Government took the question from the locality where it had occurred and carried it to the City of Mexico, thus extending its scope and giving it a national character.

The Huerta government declined to give the salute unless they were assured that it would be returned. In those cases which have happened in our own history, where a salute has been given it sometimes has been returned and sometimes not. It was on that precise point we came to blows with the Huerta government. The President appeared before Congress and delivered his message, and there was submitted from the White House a resolution for Congress to pass which declared that we should give the President power to take proper steps against Victoriano Huerta, naming him, which shows, as I have said, that the whole purpose was the removal of Huerta.

That resolution was passed by a genial and compliant House, but the Senate was unwilling to put the United States in the attitude of taking a step, which might very well mean a general war with Mexico, by declaring against an individual by name. The United States in war with Victoriano Huerta did not commend itself to the Senate as a title for our action. So the name of Gen. Huerta disappeared from the resolution. This side of the Chamber thought that, if we were to take this very serious step, it was proper to put it on the broad international ground of protection to American citizens, to their rights, to their lives, to their property, rather than on the narrow ground of the actions of one man who happened to be at the moment President de facto of Mexico. Our proposition of amendment in this sense was voted down. All efforts to get any recognition of the wrongs to American citizens were voted down. An amendment offered by the Senator from Wisconsin [Mr. LA FOLLETTE] pledging this Government against the acquisition of Mexican territory was voted down, and the resolution which in fact, though not actually by name, put the United States into war with Victoriano Huerta was passed.

While it was passing our forces had gone to Vera Cruz, where there was no American property in danger, where nothing had occurred, in order to secure reparation for something that had happened at Tampico. The resolution passed to the sound of the guns. We lost 19 men killed, and, I think, altogether there were 120 killed and wounded. Several hundred Mexicans were also killed and wounded.

There apparently was an idea in the President's mind that there would be no resistance to our taking Vera Cruz. I said in speaking that day, not knowing at the time what information the President had received, that we might look for resistance as a matter of course at Vera Cruz, and it came even while I was speaking. He had been told, I afterwards heard, that there

would be no resistance and that we would peacefully take Vera Cruz. That is only a sample of the manner in which his agents subtracted from the sum of human information when they reported to him. But after the bloodshed in the taking of Vera Cruz it seemed to the onlooker that the administration were very much disturbed. They did not seem to have much stomach for the unexpected fight which had arisen, and took shelter under the Niagara conference, a conference which never could have had any result, because, although the United States and Huerta sent representatives to it, the other party in Mexico sent none, and were not compelled by our Government to send any. However, the conference enabled us to escape further fighting, and for that we may be duly grateful.

Mr. President, the object for which we sent those ships and troops to Vera Cruz was to get reparation for the insult to the flag, and the reason for the great celerity demanded in dealing with the resolution was to stop the landing of a cargo of arms. I do not know what has become of the reparation for the insult to the flag; if it has been made, I have never heard of it. My own impression is that it has been forgotten. The ship that brought the cargo of arms from Germany, which was then selling arms to belligerents, was named the *Ypiranga*. She arrived, I think, the day after our occupation of Vera Cruz. We could not exclude her by a peaceful blockade; if we had made a general blockade, it would have been an act of war; and we were not to be at war. Therefore, the *Ypiranga* having come there, the only way she could land her cargo was by getting permission from us as the possessors of the port to do so. That permission, naturally, we did not give. Admiral Badger—I think he was in command at the time—telegraphed to Washington to ask if he should give clearance—the vessel was obliged to get clearance from us—to the *Ypiranga*. The clearance was given. She went to some American port—Mobile, I think, though I am not perfectly certain; but it does not matter—stayed there a few days, sailed again, and landed her entire cargo of arms at Puerto Mexico, which was in control of the Huerta forces. The arms were taken up on the Tehuantepec Railroad to the City of Mexico and delivered. So we did not stop the landing of that cargo by our expedition to Vera Cruz. We neither got reparation to the flag, nor did we stop the delivery of arms to Huerta. In its avowed purposes the Vera Cruz adventure was not very successful. But President Wilson, just about that time, took off the embargo on arms. That, of course, was a real help to the insurgents, with whom we were more or less involved as allies. The insurgents had no port; they could not import arms; but they could bring them over the border when the embargo was raised, because at that time we were selling arms to belligerents without objection from anybody. The Secretary of War, however, with a wisdom and a courage which can not be too highly commended, insisted, for military reasons, that no arms should be carried across the border. A military order to that effect was made. That left Villa and Carranza in an awkward position, without a port, and it became of very great importance to the administration that they should have a port.

Then ensued the second Tampico incident. Our ships were withdrawn and placed 9 miles away, on the ground that if they were there it might cause trouble. My own impression is that they would have saved us from trouble. We have freely caused trouble and bloodshed at Vera Cruz, but we seemed strangely unwilling even to run the risk of trouble at Tampico. So the ships were withdrawn. At Tampico there were American citizens in the immediate neighborhood to be protected, and also American property, especially in the oil fields. The people employed in the oil fields after the withdrawal of our ships, alarmed by the advance of the insurgents, hurried to Tampico, to find themselves without any protection and in danger of a massacre from the Huerta troops and the population still in the city. That massacre and assault were prevented was due to the action of the commanders of the German and British ships which were lying there. Those refugees, to the number of 2,100, as I recall, 1,300 of whom were Americans and 800 the citizens or subjects of other powers, were taken on board the British and German cruisers. Our ships were lying 9 miles away. That method of saving American lives did not, I think, gratify the feelings of the American people. The admiral in command, when he received the order to withdraw, was so astounded by it that he declined to act unless the order was repeated; and the order of withdrawal was thereupon repeated. Our action at Tampico in withdrawing our ships was due to the fact that unless the insurgents secured Tampico they could not get arms, and lifting the embargo would have been of no advantage to them. It was, therefore, of great importance to the movement against Huerta that the insurgents should be able to procure arms and munitions of war. They took Tampico, and they did it to secure the arms.

Mr. President, having got thus far, although we had failed in our alleged objects at Vera Cruz, the interposition at that point and our help to the insurgents in securing Tampico were sufficient to bring about the fall of the Huerta government. The object of the President had been accomplished, but the policy of the United States had not been advanced one step.

It seemed impossible to induce anyone connected with the administration to consider what was to happen after Huerta had been driven from power. When he was driven from power it became painfully obvious that no consideration whatever had been given to that point. The whole course of the administration was owing to the fact that they absolutely declined from the beginning to recognize the character of the Mexican population. It was not our business, however desirable it might be, to undertake to give Mexico new land laws or to choose a President for her. We had no protectorate over Mexico, and to regulate her internal affairs would have been intervening in the affairs of another country; but it was of the utmost importance that in our policy toward that country we should not forget of what the population consisted—50 per cent and more pure-blood Indians, some of them in a wild state; 30 per cent of half-breeds, and perhaps 20 per cent of pure Spanish blood, the descendants of the old Spanish conquerors. To suppose, with a population like that, with the history of Mexico, which apparently nobody in the administration took the trouble to read, that you could build up a government there, at a moment's notice, such as we have, let us say, in the State of Nebraska, that with those foundations you could erect an American Government on American principles, was a dream. When Huerta fell from power the result of this refusal to face facts was seen.

What has been the condition of Mexico since? As everybody who has taken the trouble to study Mexican history and to inform himself knew, the first thing was that our two allies, Villa and Carranza, fell to fighting each other. It required no great intelligence to predict that such would have been the case. We did not hear so much of Carranza when we were his ally, but we can all remember how popular Villa was in certain quarters. When I ventured to have read into the RECORD a sketch of that eminent person's life it was resented, and a defense, said to have been prepared in the State Department, was made of Villa's character. It was currently rumored that it was felt in the highest quarters that he must be a good man because he neither drank nor smoked. It is not apparent that these premises were correct, for I am told by other persons competent to know, such as the Senator from New Mexico [Mr. FALL], that he is guilty of both drinking and smoking; but even assuming that he does not indulge in those particular vices, was it not a hasty inference that he was therefore a good man in the international sense and devoid of murderous tendencies? A mad dog neither drinks nor smokes, but it would be rash to conclude that he was therefore a safe and pleasant companion. At all events, it may be admitted that Villa seems to have been the one man in Mexico who has distinct military capacity.

As I have said, after we got Huerta out Villa and Carranza fell to fighting with each other, and look at Mexico to-day. It is a chaos of fighting factions, the prey of banditti, with predatory bands riding through the country. The social organization has collapsed, and anarchy is a polite word to apply to the condition of things.

Mr. President, I fear that it is now too late to adopt any policy which would be effective there except a complete military occupation of the country at great cost, which all of us wish to avoid, but it is certain that when the Mexican question was first presented to us there were but two possible policies. I am speaking now of policies and not of personal animosities. One policy was to begin by exerting all the power and influence we had under international law and under treaties and in accordance with the comity of nations to prevent outrages, to prevent wrongs, and to try to bring about pacification. This was never effectively attempted, but that is the way we should have begun, and then, in line with the policy of avoiding war at all hazards, we should have refrained from any intervention beyond the efforts warranted by international law.

The other course was to enter Mexico in sufficient force to take possession of and pacify the country and try to bring back a government there which would have the capacity of fulfilling its international obligations and at least establish order. To that course the United States was opposed, and quite naturally and rightly; but the course we did pursue was neither one or the other. It combined with singular dexterity the evils of both and the advantages of neither. We did not stay out and we did not go in effectively. I should be sorry to shed the blood of a single American soldier or sailor for the sake of restoring order in Mexico, but nothing, it seems to me, can possibly justify shedding the blood of a single American soldier or sailor for the

sake of putting one blood-stained Mexican in the place occupied by another. We have our reward for what we have done in the condition of Mexico to-day.

There was American property in Mexico to an enormous amount. I am told there was a billion dollars of American money and capital invested in Mexico—certainly many hundreds of millions. It is practically all gone. More capital, which is nothing but the savings of the American people, has been lost in Mexico in the last few years, many times over, than has been lost by the unfortunate interferences with our foreign trade which have occurred in the last few months. I was informed by gentlemen with property interests in Mexico, who came here representing many Americans employed and large American capital invested, that they were told substantially at the State Department, "We are not concerned about American property in Mexico; Americans who invest in property in foreign countries must not look to this Government to protect them." That was a new doctrine in international law to me, and I think it is a novel one to everybody. I am glad to see, Mr. President, that the indifference to American property in Mexico has not extended to American property on the high seas. I cling to the old notion that American property on the high seas and in foreign countries, when the owners of that property live in accordance with the laws of the countries in which the property is placed, is entitled to our regard and to the active protection of this Government. That protection has not been given in Mexico, and, what is far worse, between 150 and 200 American lives have been lost in Mexico. If there has been any redress secured, or even demanded, I do not know it, for a veil of secrecy has been drawn over our Mexican proceedings, and the inquiries of the Senate in regard to it have thus far been in vain.

Americans have been killed there within a short time. I understand that 52 people have been killed and wounded by Mexican bullets across the line at Naco. It is said that Gen. Bliss announced that if there was any more shooting across the line he would stop it. There was more shooting, and I am sorry to say that he did not stop it. Knowing of him as I do, I think that he may have been prevented from stopping it. There before us is that dismal record of American lives lost, and now, with irresponsible bands roaming over the country, with no government, look at the City of Mexico. One of the presidents has set up a guillotine there, and has been executing the supporters of Huerta, reminding one of the scenes of the French Revolution, but unfortunately without that which was behind the French Revolution, a strong population, with traditions and institutions which were certain to reassert their power, as they did. Those securities for the future have perished in Mexico, and bloodshed goes on unchecked in the capital of the country.

It has gone further than that. These bandits have been turned loose and have thrown themselves upon the most helpless class—upon the women, upon the priests, and upon the nuns. It is a revolting story, unfortunately only too well authenticated. Father Tierney, of New York City, one of the best known and most distinguished of his order, when he went to the State Department to ask for our good offices to prevent these outrages upon his coreligionists, has stated publicly that it was said to him, in the presence of two friends, that the followers of Huerta had committed similar outrages on two American women from Iowa.

What a reply to make! Certainly every dictate of humanity would lead us to do what we could to save those unfortunate men and women who have been the helpless victims of these half-wild Indian soldiers; and the reply is that Huerta's troops were guilty of two cases of similar outrages on American women! What has been done about that? There was an affront, indeed. In the reasons for the excursion to Vera Cruz it did not appear.

I shall ask, Mr. President, to print, at the end of my remarks, the article of Col. Roosevelt, from which I have taken the statement of Father Tierney that I have just quoted, and there I shall leave the matter.

The PRESIDING OFFICER (Mr. NORRIS in the chair). In the absence of objection, that order will be made.

Mr. LODGE. I have no intention of doing otherwise than vote for this deficiency and the others that are to follow. The Secretary of War has done his duty; but I can not let the matter go by, Mr. President, without thus calling attention to what has happened in Mexico; without saying that, in my opinion, even in the midst of the dreadful disasters to humanity and civilization which are now filling Europe and the world, we should not forget what has taken place and is now going on in Mexico—a situation so bad that when the President of the United States delivered his annual message to Congress the best way in which he could deal with it was by complete silence.

The article referred to is as follows:

[From the New York Times, Sunday, December 6, 1914.]

OUR RESPONSIBILITY IN MEXICO.

(By Theodore Roosevelt.)

RECITING A LONG LIST OF CHARGES, BACKED BY AFFIDAVITS, AGAINST THE SOLDIERS OF CARRANZA AND VILLA, MR. ROOSEVELT FLATLY DECLARES THAT THE UNITED STATES IS "PARTIALLY (AND GUILTILY) RESPONSIBLE FOR SOME OF THE WORST ACTS EVER COMMITTED EVEN IN THE CIVIL WARS OF MEXICO."

An astonishing proof of the readiness of many persons to pay heed exclusively to words and not at all to deeds is supplied by the statement of the defenders of this administration that President Wilson has "kept us out of war with Mexico" and has "avoided interference in Mexico." These are the words.

The deeds have been: First, an unbroken course of more or less furtive meddling in the internal affairs of Mexico carried to a pitch which imposes on this Nation a grave responsibility for the wrongdoing of the victorious factions; and, second, the plunging of this country into what was really a futile and inglorious little war with Mexico, a war entered into with no adequate object, and abandoned without the achievement of any object whatever, adequate or inadequate.

To say that we did not go to war with Mexico is a mere play upon words. A quarter of the wars of history have been entered into and carried through without any preliminary declaration of war and often without any declaration of war at all.

The seizure of the leading seaport city of another country, the engagement and defeat of the troops of that country, and the retention of the territory thus occupied for a number of months constitute war, and denial that it is war can only serve to amuse the type of intellect which would assert that Germany has not been at war with Belgium because Germany never declared war on Belgium. President Wilson's war only resulted in the sacrifice of a score of American lives and a hundred or two of the lives of Mexicans; it was entirely purposeless, has served no good object, has achieved nothing, and has been abandoned by President Wilson without obtaining the object because of which it was nominally entered into; it can therefore rightly be stigmatized as a peculiarly unwise, ignoble, and inefficient war; but it is war nevertheless.

This has been bad enough. But the general course of the administration toward Mexico has been worse and even more productive of wide and far-reaching harm. Here again word splitters may, if they desire, endeavor to show that the President did not "interfere" in Mexico; but if so they would be obliged to make a fine discrimination between interference, and officious and mischievous intermeddling.

Whether it is said that President Wilson interfered in Mexico or merely that he meddled in Mexican affairs so as to produce much evil and no good and to make us responsible for the actions of a peculiarly lawless, ignorant, and bloodthirsty faction is of small importance. The distinction is one merely of words. The simple fact is that, thanks to President Wilson's action—and at times his inaction has been the most effective and vicious form of action—this country has become partially (and guiltily) responsible for some of the worst acts ever committed even in the civil wars of Mexico.

When Mr. Wilson became President of the United States, Huerta was President of Mexico. On any theory of noninterference with the affairs of our neighbors, or any theory of avoiding war and of refusing to take sides with or become responsible for the deeds of blood-stained contending factions, it was the clear duty of President Wilson to accept Mr. Huerta as being President of Mexico.

Unless President Wilson was prepared actively to interfere in Mexico and to establish some sort of protectorate over it, he had no more business to pass judgment upon the methods of Mr. Huerta's selection—which had occurred prior to Mr. Wilson's advent to power—than Mexico would have had to refuse to recognize Mr. Hayes as President on the ground that it was not satisfied with his economic policy and, moreover, sympathized with Mr. Tilden's side of the controversy. And if President Wilson made up his mind to interfere in Mexico—for, of course, the most trenchant type of interference was refusal to recognize the Mexican President—he should have notified foreign powers of his proposed action, in order to prevent, so far as possible, Huerta's recognition by them. President Wilson interfered in such feeble fashion as to accomplish the maximum of evil to us and to other foreigners and the Mexicans and the minimum of good to anybody. He hit; but he hit softly. Now, no one should ever hit if it can be avoided, but never should anyone "hit soft."

WILSON'S DEFINITE ACT OF INTERFERENCE.

When President Wilson refused to recognize Huerta he committed a definite act of interference of the most pronounced type. At the same time he and Mr. Bryan looked on with folded arms and without a protest of any kind while American citizens were murdered or robbed or shamefully maltreated in all parts of Mexico by the different sets of banditti who masqueraded as soldiers of the different factions. He maintained for a long time a friendly intercourse with one set of political adventurers through irregularly appointed diplomatic agents, and he adopted an openly offensive attitude toward the chief of another set, although he was then the de facto head of whatever Government Mexico had.

By his action in permitting the transmission of arms over the border, President Wilson not only actively aided the insurrection but undoubtedly furnished it with the means essential to its triumph, while at the same time his active interference prevented Huerta from organizing an effective resistance. His defenders allege that he could not properly have forbidden the transmission of arms to the revolutionaries across the border. The answer is that he did forbid it at intervals. He thereby showed that he was taking an active interest in the arming of the revolutionaries; that he permitted it when he chose to do so and stopped it intermittently whenever he thought it best to stop it, and was therefore entirely responsible for it.

The nominal rights which the contending factions championed and the actual and hideous wrongs done by all of them were in no sense our affair save in so far as Americans and other foreigners were maltreated.

UNITED STATES RESPONSIBLE FOR VICTORS' MISDEEDS.

We may individually sympathize—as, for instance, I personally do—with the general purpose of the program for division of the lands among the Mexican cultivators, announced by Carranza, Villa, and other revolutionary leaders; but this no more justified interference on our part than belief in the wisdom of the single tax for the United States by some foreign ruler would warrant his interference in the internal affairs of the United States. Moreover, nothing in the career of Carranza and Villa or in the conduct of the Mexican people at present justifies us in any certainty that this program will in any real sense be put into effect.

However, the interference took place. By the course President Wilson pursued toward Huerta and by the course he pursued toward Villa and Carranza he actively interfered in the internal affairs of Mexico. He actively sided with the factions which ultimately triumphed, and which immediately split into other factions which are now no less actively engaged in fighting one another.

Personally I do not think that the administration should have interfered in this manner. But one thing is certain, when the administration did interfere, it was bound to accept the responsibility for its acts. It could not give any aid to the revolutionaries without accepting a corresponding share of responsibility for their deeds and misdeeds. It could not aid them because of their attitude on the land question without also assuming a corresponding share of responsibility for their attitude toward religion and toward the professors of religion.

The United States would have had no responsibility whatever for what was done to the church by any faction which did not owe its triumph to action by the United States. But when the United States takes part in civil war in Mexico, as Messrs. Wilson and Bryan forced our Government to take part, this country has thereby made itself responsible for the frightful wrongdoing, for the terrible outrages committed by the victorious revolutionists on hundreds of the religious people of both sexes.

To avoid the chance of anything but willful misrepresentation, let me emphasize my position. I hold that it was not our affair to interfere one way or the other in the purely internal affairs of Mexico, so far as they affected only Mexican citizens, because if the time came when such interference was absolutely required it could only be justified if it was thoroughgoing and effective.

Moreover, I hold that it was our clear duty to have interfered promptly and effectively on behalf of American citizens who were wronged, instead of behaving as President Wilson and Secretary Bryan actually did behave. To our disgrace as a nation, they forced American citizens to claim and accept from British and German officials and officers the protection which our own Government failed to give.

When we did interfere in Mexican internal affairs to aid one faction, we thereby made ourselves responsible for the deeds of that faction, and we have no right to try to shirk that responsibility. Messrs. Wilson and Bryan have declined to interfere to protect the rights of American or of other foreigners in Mexico; but they have interfered as between the Mexicans themselves in the interest of one faction and with the result of placing that faction in power. They have therefore bound themselves to accept responsibility for the deeds and misdeeds of that faction.

Not long ago President Wilson, in a speech at Swarthmore, Pa., declared that "nowhere in this hemisphere can any Government endure which is stained by blood," and at Mobile that "we will never condone iniquity because it is most convenient to do so."

At the very time he uttered those lofty words the leaders and lieutenants of the faction which he was actively supporting were shooting their prisoners in cold blood by scores after each engagement, were torturing men reputed to be rich, were driving hundreds of peaceful people from their homes, were looting and defiling churches, and treating ecclesiastics and religious women with every species of abominable infamy, from murder and rape down.

In other words, at the very time that the President was stating that "nowhere on this hemisphere can any government endure which is stained by blood," he was actively engaged in helping install in power a government which was not only stained by blood but stained by much worse than blood. At the very time that he was announcing that he would "never condone inquity because it was convenient to do so" he was not merely condoning but openly assisting inquity and installing into power a set of men whose actions were those of ferocious barbarians.

Remember that I am not engaged in defending the factional opponents of these victorious wrongdoers. There is not evidence sufficient to decide which of the many factions behaved worst. But there is ample material to decide that they all behaved atrociously. Apparently the administration took the ground that inasmuch as Mr. Huerta and his followers were bad men, it was our duty to condone the evil committed by their opponents.

Father R. H. Tierney, of New York City, an entirely responsible man, informs me that when (in company with two other gentlemen whose names he gives me) he called upon Mr. Bryan to bring to his attention the abominable outrages committed on certain nuns by the followers of Carranza and Villa, Mr. Bryan informed Father Tierney that he had information that "the followers of Huerta had committed similar outrages on two American women from Iowa." (This sentence has been read to Father Tierney, who states that it describes the interview with exactness. The original of the affidavits herein quoted are in the possession of Father Tierney, 59 East Eighty-third Street, New York City, and Father Kelley, and will be shown by them to any reputable person.)

Apparently Mr. Bryan believed this disposed of the situation and relieved the revolutionaries of blame.

Surely, it ought not to be necessary to say that if the facts as thus stated to Mr. Bryan were true (and if there was any doubt immediate investigation as to their truth by the Government was demanded), then the way to get justice was not by treating one infamy as wiping out the other, but by exacting the sternest retribution for both and effectively providing against the repetition of either.

Even assuming for the moment that the attitude of the administration had not so committed the Government that it was its duty to interfere on behalf of the nuns thus outraged, Mr. Bryan's statement to Father Tierney shows almost incredible callousness on his part to the most dreadful type of suffering, to acts far worse than the mere murder of any man.

It seems literally impossible that any representative of the American Government in high office could fail to be stirred to his depths by such wrong or could have failed to insist on the immediate and condign punishment of the wrongdoers and on the amplest safeguarding against all possible repetition of the wrong. Apparently the only way in which it occurred to Mr. Bryan to take any action against the factions whose adherents had perpetrated these hideous wrongs on the two American women was by encouraging another faction which he must have known in advance, and certainly did know after the event, would commit and had committed wrongs equally hideous.

I have before me a copy of El Heraldo de Toluca of September 13 last. It contains a manifesto on behalf of the victorious revolutionaries of the party of Messrs. Carranza and Villa, dealing with the "conditions under which the Roman worship will have to be practiced." (I translate into English.) Among the preambles are the following:

"1. That the ministers of the Catholic Worship circulate doctrines which are not in accordance with the principles of the true Christ; 2, That on account of the learning that these ministers have acquired they can not, in the minds of those who possess equal or greater learning (but who differ from them in opinion), pass as sincere believers in the doctrines they preach, and that they thereby exploit the ignorance of the ignorant masses; 3, That inasmuch as this conduct harms people by frightening them with the fear of eternal punishment, and thereby tends to make them subservient to the priesthood, and that inasmuch as all kinds of people, from workmen to capitalists, give too much money to the churches and because of various other similar facts, the decree in question is promulgated."

WE SHOULD PROTEST AGAINST ANTICLERICAL OPPRESSION.

This decree includes the forbidding "of any sermons which will encourage fanaticism"; the proscribing of any fasts or similar practices; the prohibition of any money being paid for christenings, marriages, or other matters; the prohibition of the soliciting of contributions—that is, the passing of the plate; the prohibition of celebration of masses for the dead or the celebration of more than two masses a week; the prohibition of confession, and with this object in view the closing of the churches except once a week at the hour of the masses; and, finally, the prohibition of more than one priest living in Toluca and the requirement that he, when he walks in the streets, shall be dressed absolutely as a civilian without anything in his costume revealing the fact that he is a minister. In order to be permitted to exercise the functions thus limited the priest is required to affix his signature of acceptance to the foregoing regulations.

Now, in various South American countries there have been bitter contests between the Clericals and the anti-Clericals, and again and again the extremists of each side have taken positions which in the eyes of sensible Americans of all religious creeds are intolerable. There are in our own country individuals who sincerely believe that the Masons, or the Knights of Columbus, or the members of the Junior Order of American Mechanics, or the Catholic Church, or the Methodist Church, or the Ethical Culture Society represent what is all wrong.

There are sincere men in the United States who by argument desire to convince their fellows belonging to any one of the bodies above mentioned—and to any one of many others—that they are mistaken, either when they go to church or when they do not go to church, when they "preach sermons of a fanatical type" or inveigh against "sermons of a fanatical type," when they put money in the plate to help support a church or when they refuse to support a church, when they join secret societies or sit on the mourners' bench or practice confession. According to our ideas, all men have an absolute right to favor or oppose any of these practices. But, according to our ideas, no men have any right to endeavor to make the Government either favor or oppose them. According to our ideas, we should emphatically disapprove of any action in any Spanish-American country which is designed to oppress either Catholics or Protestants, either Masons or anti-Masons, either Liberals or Clericals, or to interfere with religious liberty, whether by intolerance exercised for or against any religious creed or by people who do or do not believe in any religious creed.

AFFIDAVITS OF ATROCITIES COMMITTED BY SOLDIERS.

I hold that these should be our sympathies. But I emphatically hold that it is not the duty of this Government to try to make other countries act in accordance with these sypmathies, and, above all, not the duty of the Government to help some other Government which acts against these great principles with which we sympathize. Messrs. Wilson and Bryan by their actions have assumed a certain undoubted responsibility for the behavior of the victorious faction in Mexico which has just taken the kind of stand indicated in the proclamation above quoted; a stand, of course, hostile to every principle of real religious liberty, a stand which if applied logically would mean that no minister of any church could in public wear a high-cut waistcoat or perhaps even a black frock coat, and which would put a stop even to such commonplace actions as the passing of the plate in any church to encourage home missions.

But this attitude is only one of the offenses committed. Catholic schools almost everywhere in Mexico have been closed, institutions of learning sacked, and libraries and astronomical and other machinery destroyed, the priests and nuns expelled by hundreds, and some of the priests killed and some of the nuns outraged.

Archbishop Blenk, of New Orleans; Father Tierney, editor of America; Father Kelley, president of the Catholic Church Extension Society; Mr. Petry, one of the directors of the Catholic Church Extension Society; and a Mexican bishop, whose name I do not give, because it might involve him in trouble, came to see me at my house; and in Chicago I saw other priests and refugees from Mexico, both priests, nuns, and lay brothers. The statements and affidavits submitted to me in the original and copies of which I have before me as I write set forth conditions which are literally appalling and for which, be it remembered, the actions of Messrs. Wilson and Bryan have made this country partly responsible.

For example, Archbishop Blenk submitted to me an affidavit by the prioress of the Barefooted Carmelite Nuns of the Convent of Queretaro. This sets forth, from the personal knowledge of the prioress, how the churches have been profaned by soldiers entering them on horseback, breaking statues, trampling on relics, and scattering on the floor the sacred hosts, and even throwing them into the horses' feed; how in some churches the revolutionaries have offered mock masses and have in other ways, some of them too repulsive and loathsome to mention, behaved precisely as the red terrorists of the French Revolution behaved in the churches of Paris; how, for example, St. Anthony's Church at Aguascallentes has been made into a legislative hall and the Church of St. Joseph at Queretaro and the great convent of the Carmelites and the lyceum of the Christian Brothers all have been confiscated; how the church property has been sequestered and the archives burned and the men and women in the cloistered communities expelled without being allowed to take even an extra suit of clothes or a book of prayer.

The prioress states that she has herself seen in Mexico City nuns who have been "victims of the passions of the revolutionary soldiers," and some whom she found in their own homes, others in hospitals and in maternity houses who in consequence are about to be delivered of children. She deposes:

"I have seen soldiers dressed up in chausables, stoles, maniples, and cinctures, with copes and altar linen, and their women dressed up in albs, surplices, and corporals used as handkerchiefs."

She has seen the sacred vessels profaned in a thousand ways. She describes meeting seven nuns who had been outraged, who she directed to a maternity house, and who had abandoned themselves to utter despair, saying "that they were already damned and abandoned by God, and they cursed the hour of their religious profession." She describes how she escaped from Queretaro with nuns who had been obliged to hide in private houses in order to escape being taken to the

barracks by the soldiers. She describes how she had daily to beg the food necessary to sustain the 24 sisters with whom she escaped.

In Chicago I saw a French priest, Father Dominic Fournier, of the Congregation of the Passion, who had just escaped from Mexico with two young Spanish students for the priesthood. He had escaped from the city of Toluca with nothing whatever, not even a rosary. He and the two novices described to me their experience in Toluca. The churches and religious houses were sacked and confiscated and the soldiers and their women indulged in orgies before and around the altars.

One of the lay brothers named Mariano Gonzales tried to save some of the things from the church. The revolutionists seized him and accused him of robbing the State. He was shot by a file of soldiers on August 22 last and his dead body was left all day long in the court in which Father Fournier and the other priests and the two novices who spoke to me and their associates were confined. They were kept in prison 16 days and then allowed to go with nothing but what they had on.

I have seen the original of and have in my possession a translation of a letter written on October 24 by a young girl of Toluca to her pastor who had been exiled. She described how the bishop had been heavily fined and exiled. She describes how the clubs of boys and girls for whom she had been working had been broken up, but how some of the boys to whom they used to give breakfast on Sunday mornings still occasionally come to see them; and she asks advice how to keep these clubs of the poor together. But the dreadful and pathetic part of the letter is contained in the following sentence:

"Now I will ask you a question. Suppose some one falls into the power of the Zapatistas. Would it be better for her to take her own life rather than allow them to do their will and what they are accustomed to do? As I never thought such a thing could happen, I did not ask you before about it, but now I see it quite possible. If we had not our good God in whom we trust, I think we would give way to despair."

In other words, this girl who had been engaged in charitable work in connection with the church asks her pastor whether she is permitted to commit suicide in order to avoid the outrages to which so many hundreds of Mexican women, so many scores of nuns, have been exposed in the last few months. I can not imagine any man, of whatever creed, or of no creed, reading this letter without his blood tingling with horror and anger; and we Americans should bear in mind the fact that the actions of President Wilson and Secretary Bryan in supporting the Villaistas have made us partly responsible for such outrages.

I have been given and shown letters from refugees in Galveston, in Corpus Christi, in San Antonio, and Habana. These refugees include 7 archbishops, 6 bishops, some hundreds of priests, and at least 300 nuns. Most of these bishops and priests have been put in jail or in the penitentiary or otherwise confined and maltreated. Two-thirds of the institutions of higher learning in Mexico have been confiscated and more or less completely destroyed, and a large part of the ordinary educational institutions have been treated in similar fashion.

Many of the affidavits before me recite tortures so dreadful that I am unwilling to put them in print. It would be tedious to recite all the facts set forth in these affidavits. For instance, there is one, by Daniel R. Loweree, a priest of the diocese of Guadalajara, the son of an American father and librarian of the seminary and professor of chemistry. He describes what took place in Guadalajara. On July 21 about 100 priests from the city and country round about were put in the jail, while the cathedral was used as a barracks.

MURDER AND TORTURE BY MEXICAN REBELS.

In the affidavit of Canon José Maria Vela, of the Cathedral of Zacatecas, he sets forth how the constitutionalists shot a priest named Velarde, how 23 priests were gathered together and under the orders of Gen. Villa required to produce $1,000,000 within 24 hours under penalty of being shot. A committee of the priests went out through the city begging from house to house and accepting even pennies from the children. A girl was forcibly violated by one of the soldiers in the room adjoining that in which these priests were kept. Finally the citizens raised a couple of hundred thousand pesos, and the priests were released and allowed to flee without any of their belongings. Seventeen of the fleeing priests are now in El Paso, and their names are given in the document, and those of some of them signed to an accompanying document.

In an affidavit by the Rev. Michael Kubicza, of the Society of Jesus, whose father was a Hungarian physician, he describes how he was tortured in order to make him give up money. A soldier nicknamed Baca, in the presence of Col. Fierro, put a horsehair rope around his neck and choked him until he became unconscious. When he came to Baca fired a revolver near his head and commanded him to give up and tell him where the Jesuit treasures were buried. On answering that there were none he was again choked until he was unconscious, and this was repeated a third time. The affidavit describes at length some of the sufferings of the priests in fleeing.

All kinds of other affidavits have been submitted to me, dealing with torture and murder, as, for example, the killing of Father Alba, the parish priest of Cabra, the killing of the parish priest and vicar at Tula, the killing of the chaplain and rector and vice president of the Christian Brothers' College, etc.

The one feature in the events narrated to me and set forth in the affidavits to me which can give any American the least satisfaction is the statement of the kindness with which the unfortunate refugees had been treated in Vera Cruz by the officers and men of the Army and Navy, particular mention being made of Gen. Funston.

What I have above stated is but a small part of the immense mass of facts available to the President and Mr. Bryan, had they cared to examine them. They relate to outrages on Catholics. This is merely because the enormous majority of the religious people of Mexico are Catholics. I should set them forth just as minutely if they had been inflicted by Catholics on Freethinkers or Protestants or Masons—I am myself both a Protestant and a Mason. Even if we had no responsibility for them, I nevertheless fail to see how any American could read the account of them without a feeling of burning indignation. As things actually are, shame must be mingled with our indignation, for the action of the President and Mr. Bryan has been such as to make this country partly responsible for the frightful wrongs that have been committed.

Mr. WORKS. Mr. President, I was glad to give way to the Senator from Massachusetts in order that he might give us this interesting statement of our relations with the Republic of Mexico. Having done so, I now desire to resume the remarks which I began on yesterday.

Mr. STONE. Mr. President——

The PRESIDING OFFICER. Does the Senator from California yield to the Senator from Missouri?

Mr. WORKS. I do.

Mr. STONE. I desire to say to the Senator that I do not wish to interrupt the very able and learned discussion which he began on yesterday, but I do desire, when he has completed such part of his speech as he wishes to deliver to-day, to make some observations growing out of the speech just delivered by the Senator from Massachusetts. I will ask the Senator from California if he can indicate about how much time he will likely occupy to-day?

Mr. WORKS. I expect to conclude what I have to say within an hour.

Mr. STONE. Very well. I will not interrupt the Senator.

Mr. WORKS. I am sorry to interrupt the course of the discussion that has been opened by the Senator from Massachusetts, but I had given notice yesterday that I would conclude to-day what I have to say, and gave way at the request of the Senator from Massachusetts, with the consent of the Senator from North Carolina who is in charge of the bill which is the unfinished business.

THE PUBLIC HEALTH SERVICE.

Mr. WORKS resumed and concluded the speech begun by him yesterday. The speech entire is as follows:

Mr. WORKS. Mr. President, it has come to be regarded as a sacred duty of the National Government to maintain and preserve the public health. In the performance of this duty we have established a bureau of the Treasury Department known as the Public Health Service. We have been making lavish appropriations for this service. The annual expenditures for the Health Service in its various branches, including the Army and Navy, now exceed $20,000,000 a year. We have a Surgeon General at the head of the Public Health Service proper, a Surgeon General of the Army and a Surgeon General of the Navy, and under them an army of surgeons, assistant surgeons, and subordinates of various and sundry kinds running up into the thousands. In a statement issued nearly two years ago by the Secretary of the Treasury, under a resolution offered by me calling for information, a detailed enumeration of expenditures in the interest of the public health was given and a summary of the information thus furnished and also a brief recapitulation by departments, as follows:

Departments and bureaus.	Expenses of operation and maintenance.	Salaries and other compensation.	Total expenses.	Number of officers and employees.
State Department	$36,084.09		$36,084.09	
Treasury Department	668,289.55	$1,236,413.49	1,904,703.04	1,507
War Department	2,875,574.56	2,838,516.13	5,714,090.69	4,521
Panama Canal	628,641.44	991,749.68	1,620,391.12	1,634
Soldiers' Home, Washington, D. C.	65,469.01	23,415.56	88,884.57	89
National Homes for Disabled Volunteer Soldiers	755,022.61	291,719.21	1,046,741.82	1,244
Navy Department	1,911,522.88	1,819,000.00	3,730,522.88	2,074
Interior Department	892,422.70	684,691.40	1,577,114.10	1,278
Department of Agriculture	347,225.60	3,551,977.28	3,899,202.88	3,159
Department of Commerce and Labor	44,739.83	95,060.03	139,799.86	98
Department of Justice	32,598.18	9,953.00	42,551.18	28
Total	8,257,590.45	11,542,495.78	19,800,086.23	15,632

This shows an expenditure for the health service of the Government for the fiscal year 1912 of $19,800,086.23, considerably more than half of which was paid for the salaries and other compensation of 15,632 employees, all of whom were of one school of medicine or under its control. No other school of medicine or mode of healing is recognized or considered. The number of employees and expenses have been largely increased since then. In the endeavor to preserve the public health we have given the Surgeon General and his subordinates almost unlimited powers. We have usurped the constitutional rights and liberties of the individual. If contagion is feared, or an epidemic of disease, the Surgeon General is clothed with or assumes despotic and autocratic power. His authority is not exceeded by that of the general of the Army in time of martial law. He represents, for the time being, the enormous and unrestrained police power of the Government. He may restrain and imprison a citizen and prescribe and enforce the habits of the people, what they shall eat and what they shall wear, and where and how they may live. Even in ordinary times his power is little

less despotic and unrestrained. When we travel he may determine for us what we shall drink and how we shall drink it. The useless and unnecessary precautions taken to keep us in good health are often burdensome and humiliating in the extreme.

Mr. President, we have given over this vast power over the lives and habits of our people to one public official, and the people are compelled to submit to his domination and dictation whether they will it or not. But, unfortunately, most of our citizens are willing and submissive slaves to the doctor whether he appears in the uniform of a public official or serves in a private capacity. The extent to which intelligent people submit to the ministrations of the physician or surgeon, take his obnoxious drugs, and submit to be carved, mutilated, and maimed by the surgeon's knife is one of the wonders of the age. The country is filled with hospitals, many of them veritable slaughterhouses, as reputable surgeons themselves bear witness. The incompetency and recklessness of some physicians and surgeons have filled more graves and mutilated and maimed for life more of their unfortunate victims, made more drunkards, and drug fiends, and more helpless and suffering invalids than probably any other cause. And, sir, it is in the hands of a profession composed to a large extent of such as these that the health and happiness of a suffering and deluded people now mainly rest, and that in large measure by force of laws enacted by Congress and State legislatures. And this is not the worst. Our Public Health Service has been given over without question to just one school of medical men to the absolute exclusion of all other modes of healing. The allopathic or old school of medicine, called by themselves the "regular" school, is made the standard mode of healing and is supreme. No different method is recognized or even considered. No citizen, in time of existing or threatened contagion or epidemic of disease, is allowed to exercise his individual belief or conscience as to the manner or mode of preserving or restoring his health. He must submit to the rules and regulations of the Health Department, eat and drink what it dictates, swallow the vile drugs it prescribes, and live where and as it commands. The service maintains a press bureau and sends broadcast over the country, at public expense, literature, mostly doctors' opinions about microbes and causes of disease and how to circumvent them, that breeds fear, which in turn produces and fosters disease and cures or saves none who are unwise enough to read it, which, fortunately, very few people do.

At this very moment we have before us bills of various kinds intended to enlarge and extend the powers of this service. We have them and pass them every session. The demands of the force for greater power and larger pay are continuous and insatiable. We grant their requests and submit to their continuous demands because of our childlike confidence in the infallibility of the doctors in the matter of health. If they say it is necessary for the public good, who is there with wisdom enough to question their actual or assumed technical knowledge on the subject? We have other bills before us, and they are being introduced at nearly every session of every legislature, intended to perpetuate the old school of medicine and to exclude from consideration every other school of medicine or method of healing. Among other bills that have been pressed for consideration and passage is what is known as the radium bill. Like many other bills of the present time, it is fathered and urged for passage by one of the departments of the Government, moved thereto by the doctors. Its purpose is to preserve in the National Government the title to all radium-bearing public lands. What for and on what theory? Because some doctors have said and some people believe that radium is a cure for the dread disease of cancer. This claim is stoutly denied by other physicians of high character and standing; but no matter, Congress is asked, in effect, to indorse and become sponsor for the radium cure for cancer. It now indorses with all its great power and backs with its unlimited influence, resources, and wealth one school of medicine, and in practice condemns every other so far as governmental health activities are concerned, and compels the people to receive into their bodies vile and loathsome serums and other remedies. But that is not enough. We are asked now to step in and monopolize in the Government the radium trade, and at the same time advertise this mineral as a specific for cancer, and hold out what is certain to prove a false and delusive hope to the poor unfortunates who are suffering from this disease, rob them of their money to the advantage of speculators in human lives, and add to the discomfort and suffering of those so afflicted.

Mr. President, the consideration of these conditions and many others that might be mentioned has strongly influenced me to lay before the Senate some reasons why the Government should no longer cling to one mode of healing to the exclusion of every other and lend its powerful aid to the building up of one school of medicine. I have come to this conclusion with no little reluctance. To me the administration of the Public Health Service is a sacred duty. It affects the comfort, the health, the liberty, and the lives of millions of our people. We have constituted ourselves the guardians of the public health. It is a guardianship that we can not delegate, without reason or intelligent inquiry, to any school of medicine. This great Nation, through its Congress and other agencies, should be broad enough to seek and try, without prejudice or bias, to find the most effective means of preserving the public health, and have courage enough to apply it to the needs of the people, but always leaving every citizen perfectly free to resort to such means of preserving his health as he desires and believes in. If one wants the doctor, whether allopathic, homeopathic, or of any other school, he has just as much right to choose his physical remedy as he has to choose his church. So, if he believes in Christian Science as a means of preventing and healing disease, his right to resort to that remedy is just as sacred in this free country as is the right of the other man to resort to the doctor and his material remedies.

The Government may properly investigate and educate and advise, but it has no right to coerce any citizen to resort to or use any remedy against his own will, judgment, or conscience. I have strong convictions on this subject of physical healing, the result of long suffering and an abundant personal experience. I hope and believe that these bitter experiences and my final relief from my physical ailments and great sufferings for many years by means other than those now fostered and maintained by the Government have not made me a fanatic or unreasonable or unjust toward people who do not believe as I do and have no sympathy with my views or convictions. I recognize the fact, and here acknowledge it with pleasure, that there are many high-minded and conscientious men engaged in the medical profession who are doing very much to alleviate human suffering. They are loyally and faithfully devoting their lives to this great purpose. To such as these I accord great honor. They are entitled to and deserve and have my entire sympathy in their efforts. Many of them are devoted and self-sacrificing humanitarians. But the difference between us is that some of them have not discovered a better remedy for disease than the one they employ, and others are not yet willing to acknowledge that there is a better mode of healing than their own, in the face of the most convincing evidence to that effect, while I, in my own experience and by later observations, have been convinced that drugs and other material alleged remedies do not heal and that there is a remedy that, if rightly applied, will heal all our diseases. I have been the more reluctant to enter upon this discussion because it necessarily leads in an indirect way into a discussion of religion, because of the conscientious belief on my own part, and of thousands of others, that the healing of disease is as much a religious rite as redemption from sin, and that the same principle that regenerates the sinner, applied in precisely the same way, heals the sick. So, in presenting my views on this subject, I come directly in opposition to two powerful forces—contrary religious convictions as sincere as my own and the medical profession, that sees its teachings of centuries put in peril and about to be overthrown and its material interests invaded. The one defends his calling upon which he depends for a livelihood, and holds stubbornly to his position that all knowledge and understanding of disease and its cure is confined to the medical profession, especially his own school of medicine, and that all who believe in or practice any other mode of healing are therefore fakirs and quacks. He assumes at once that the practice of any mode of healing except his own is a menace to health and life and should be suppressed by law. Some of these are honest and conscientious in their views, while others are themselves frauds and fakirs and are looking alone to their own selfish interests. The other class, often intelligent and conscientious, fear, or profess to fear, that the only safe plan of salvation is put in peril, and denounce those who believe that the only true source of healing is divine as un-Christian and unbelievers who are contributing to the loss of men's souls as well as their bodies. Men, and especially women, change their religious views with the greatest reluctance, and only upon convincing and, to them, unanswerable evidence of the error of their beliefs.

The world has been taught for centuries to believe that religion pertains only to the spiritual; that man is a material being and can only be healed when he is sick by material means; and that the only resort in case of disease is the doctor and his drugs. Consequently, their faith in the doctor has become a fixed fact. They see no other means of relief. To such as these, to assail the methods of the doctor in whom they put their trust is to attack their household god, their sole and only source of

relief in sickness, their shield and buckler in the battle of life. Not only so, but the great masses of the people believe that God, in his wisdom, sends sickness and disease upon his children to punish and chasten them in their course through life. But, strange as it may seem, they at once question the divine decree and resort to the doctor for relief from its effects. Thus they array the doctor against God, the supposed cause of disease, with the hope that he may frustrate the divine purpose. So the doctors and the All Wise Father of us all, whom we worship as divinely and wholly good, are made to appear as enemies striving against each other, with God on the wrong side. How inconsistent and unreasonable it all seems when we come to think about it.

Mr. President, I have no animosities against either the doctor or the preacher. So long as people believe as the majority of them now do, they are both necessary—the one to minister to the prevailing belief about sickness and disease, their cause and their cure, and the other to meet the necessities of erroneous but conscientious beliefs about man and his relation to his Maker. I have no criticism to pass upon the good faith and worthy purposes of the one or the other. My purpose is to consider principles and not men, and to show, if I can, that the prevailing beliefs about God and his relation to sickness, disease, and suffering here on earth are mistaken, and that through those mistaken beliefs and the practices growing out of them sickness and suffering are increased and not diminished, and that it is the solemn duty of the Government to abandon its position of accepting one school of doctors as the only reliable school and the remedies they recommend and use as the only ones to be depended upon, and to investigate, through broad-minded, unbiased, disinterested men, all sources of healing, with the common good always in view and with the fundamental doctrine of freedom and liberty of conscience to the citizen always in mind.

Of course the reliability of different methods of healing must, in part at least, be tested by comparison one with another. All human methods are necessarily imperfect, as is every method that must be exercised and applied through human agencies. History has disclosed but one perfect healer of both sin and disease, and even in his case it is said that under certain adverse circumstances and conditions good and perfect work could not be done. But, sir, I maintain and think I shall show before I have concluded that there is a perfect principle and system of healing which, if rightly and understandingly applied, will prevent or cure any and every disease of whatever kind or nature, and that the failure to heal any disease in a given case is not the fault of the healing principle but results from the erroneous attempted application of it. Before I have done I will produce my witnesses, proving to the satisfaction of any unbiased and reasoning mind the truth of the claim I am making. Some of the witnesses I know personally and can vouch for their integrity and reliability. Others I can vouch for from the recommendations of others, who are known by me personally as reliable and trustworthy. I shall not knowingly bring to the attention of the Senate any evidence that is not worthy of entire confidence. This is a solemn subject, that no man can afford to trifle with, and one about which it would be cruel and unjust, yea, inhuman, to mislead or deceive. So, Mr. President, I shall deal with the subject with entire freedom and frankness. It will be my endeavor to show, in the first instance, the unreliability of the methods of healing and preventing disease now resorted to in the public service and promoted and maintained at the public expense and the cruel injustice of excluding from consideration or practical application other methods that have brought health, comfort, and happiness to millions of people, who are rejoicing and praising God for their deliverance from sorrow and suffering. I can not remain silent while the Government, which in part I represent, is a party to such injustice.

In dealing with this question and criticizing methods and measures I exclude from consideration the work that has been done in the way of sanitation. This work, on the part of the Public Health Service, is to be commended. I do not question its efficacy or value as a means of preventing disease.

Mr. President, I hope Senators will understand that in what I am about to say it is not my purpose or my desire to criticize or attack any individual profession or class. My sole object is to show the injustice and inconsistency of the National Government looking to one school or kind of healing to the exclusion of all others, and of laws intended to exalt that one school and suppress and destroy every other. To do this I must perform the unpleasant duty of showing not only that this school is unreliable and unworthy of the confidence and support of the Government but that there are other remedies, and remedies that the Government is refusing to consider, that are more reliable and trustworthy. Not only so, but the right of individuals to resort to the remedies of their choice is constantly being violated and the application of those remedies forbidden by law and made a penal offense. It is a most serious question, involving the liberties of the people in a matter of life and death and, to some of them, of liberty of religion and conscience.

I am not pleading for legislation in favor of any class or any mode of healing. What I insist upon is that no class shall be oppressed or prevented from doing their work by adverse and restrictive legislation. In short, I stand for liberty of thought and conscience, for justice to all classes and all people.

INEFFICIENCY AND DANGER OF MEDICAL HEALING.

In the preface to a pamphlet entitled "The Fallacy of the Prevailing Practice of Medicine," by Alexander K. Calhoun, it is very well said:

When the people see medical men so persistent, as they now are, in their attempts to establish a medical oligarchy in this State, and see millions of dollars of their money going into health boards, it is but natural for them to conclude that the time has arrived to thoroughly investigate the prevailing practice of medicine in order to determine whether or not the doctors give value received for their money.

In this same pamphlet are given the opinions and conclusions of many leading doctors reflecting more severely than I should want to do on their own profession. I give these quotations here, omitting the comments made upon them by the author:

Dr. Oliver Wendell Holmes, who was a past master in the practice of medicine, said: "Mankind has been drugged to death, and the world would be better off if the contents of every apothecary shop were emptied into the sea, though the consequences to the fishes would be lamentable."

The celebrated John Abernathy, professor of anatomy and surgery, Royal College of Surgeons, author of Surgical Observations on the Constitutional Origin and Treatment of Local Diseases, said: "There has been a great increase of medical men of late years; but, upon my life, diseases have increased in proportion."

Prof. Hermann Boerhaave, M. D., a celebrated German physician, said: "If we weigh the good that has been done to mankind by a handful of true disciples of Æsculapius against the evil wrought to the human race by a great number of doctors since the origin of the art of medicine to our own time, we shall doubtless come to think that it would have been better had there never been any doctor in the world."

Prof. C. A. Gilman, M. D., says: "A mild mercurial course and mildly cutting a man's throat are synonymous terms."

Prof. François Magendie, M. D., Paris member of the French Institute of Medicine, celebrated physiologist and teacher, wrote and lectured as follows: "Let us no longer wonder at the lamentable want of success which marks our practice when there is scarcely a sound physiological principle among us. I hesitate not to declare, no matter how sorely I should wound our vanity, that so gross is our ignorance of the real nature of the physiological disorder called disease that it would perhaps be better to do nothing and resign the complaint into the hands of nature than to act as we are frequently compelled to do, without knowing the why and wherefore of our conduct, at the obvious risk of hastening the end of our patients."

In addressing his medical class, he said: "Gentlemen, medicine is a great humbug. I know it is called science. It is nothing like science. Doctors are merely empirics when they are not charlatans. Gentlemen, you have done me the honor to come here to attend my lectures, and I must tell you frankly now, in the beginning, that I know nothing in the world about medicine, and I don't know anybody who does know anything about it. Who can tell me how to cure the headache, or the gout, or diseases of the heart? Nobody. Oh, you tell me doctors cure people. I grant you people are cured, but how are they cured? Gentlemen, nature does a great deal; imagination a great deal; doctors—devilish little, when they don't do any harm. Let me tell you, gentlemen, what I did when I was physician at the Hotel Dieu: Some three or four thousand patients passed through my hands every year. I divided the patients into two classes; with one I followed the dispensary and gave the usual medicine, without having the least idea why or wherefore; to the others I gave bread pills and colored water, without, of course, letting them know anything about it; and occasionally, gentlemen, I would create a third division, to whom I would give nothing whatever. These last would feel that they were neglected, but nature invariably came to the rescue, and all the third class got well. There was but little mortality among those who received the bread pills and colored water, but the mortality was greatest among those who were carefully drugged according to the dispensary."

Prof. William Cullen, M. D., famous teacher, lecturer, and author of the world-renowned Treatise on Materia Medica, published the following: "Our Materia Medicas are filled with innumerable false deductions, which are nevertheless said to be derived from experience."

Prof. Martin Payne, M. D., said: "Drugs do but cure one disease by producing another."

In the Philadelphia Record, April 9, 1905, Dr. S. Solis Cohen said: "Until quite recently one of the most efficacious remedies for tuberculosis in its milder forms was raw meat, which was given the patient at least once a day, but after a time we discovered that this had a tendency to generate tapeworms, and as a result the treatment is now practically obsolete."

John Mason Good, M. D., F. R. S., author of The Study of Medicine, in that work says: "The science of medicine is a barbarous jargon, and the effects of our medicines on the human system are in the highest degree uncertain, except, indeed, that they have destroyed more lives than war, pestilence, and famine combined."

Dr. Reid said: "More infantile subjects are perhaps destroyed by the mortar and pestle than in the ancient Bethlehem fell victims in one day to the Herodian massacre."

The celebrated Dr. Ramage said: "It can not be denied that the present system of medicine is a burning shame to its professors, if, indeed, a series of vague and uncertain incongruities deserves to be called by that name. How rarely do our medicines do good! How often do they make our patients really worse! I fearlessly assert that in most cases the sufferer would be safer without a physician than with one. I have seen enough of the malpractice of my own professional brethren to warrant the strong language I employ."

The venerable Prof. Alex. H. Stephens, M. D., of the New York College of Physicians and Surgeons, said: "The older physicians grow the more skeptical they become of the virtues of medicine, and the more they are disposed to trust to the powers of nature."

Francis Adams, A. M., M. D., LL. D., M. R. C. S., said: "We can not think of the changes in professional opinions since the days of John Hunter without the most painful feelings of distrust in all modes of treatment."

John Stileman Bostock, M. R. C. S., L. S. A., in his history of medicine, says: "And in the space of less than 40 years we have gone through three revolutions of opinion with respect to our treatment of typhoid, a disease of very frequent occurrence and of the most decisive and urgent symptoms."

Dr. Adam Smith said: "The chief cause of quackery outside the profession is the real quackery in the profession."

Prof. Reil said: "Our knowledge of the effects of medicine is empirical."

Thomas Smith, F. R. C. S., the great surgeon, wrote: "Medicine as a whole, as it comes to us, has none of the exact laws of science, nor are its doctrines capable of demonstration."

Deitrick George Kieser, a great physician and a highly esteemed authority in medicine, said: "In many cases the old saying holds good, that the remedy is worse than the disease, and the doctor does more mischief than the malady."

From a medical journal of April, 1904, we clip the following: "Drug treatment is useless in cases of pneumonia. The medical profession, so far as medicines are concerned, can be of no assistance in the fight against this disease. The sooner the profession will acknowledge this to the public, and set to work to discover some specific to save pneumonia patients, the better for all concerned."

This startling statement by Dr. Arthur D. Bevan, who stands high in the profession, has stirred up the members of the Chicago Medical Society at their meeting. Several physicians sprang to their feet to protest against this arraignment. All had to admit, however, that there is no definite remedy known, and they based their protests solely on the fact that they might influence the patient favorably and cure him solely by the moral effect of their presence.

From a paper by Dr. J. H. Kellogg: "Dr. Billings, president of the American Medical Association, in his address in 1903, at New Orleans, made the assertion, almost without qualification: 'Drugs do not cure.' Yet many thousands of medical men still plod on in the old beaten paths of artificial therapeutics, dosing their patients with varied drugs and combinations of drugs, regardless of the irrational character of such a course, and contend that they have abundant authority and precedent for what they do."

From the Philadelphia Record, May 5, 1905: "Dr. Oliver T. Osborn, of Yale University and president of the American Therapeutic Society, in his address on 'The Therapeutic Art,' delivered at the meeting of the society held yesterday in the pink room of the Bellevue-Stratford, said: 'The educated physician of to-day rarely speaks of curing, but constantly of managing a disease. He leaves the word "cure" for practitioners of a dogma, for quacks and nostrum venders. The management of a disease means the diet, hygiene, climate, water, electricity if indicated, and the necessary drugs.'"

Dr. James Gregory, who admittedly added as much reputation to the medical department of the University of Edinburgh as any other of her professors, said: "Ninety-nine in the hundred medical 'facts' are medical lies, and the most medical theories are stark, startling nonsense."

Prof. Marie François Cavier Bichat, M. D., French anatomist, biologist, physiologist, physician, and author, wrote: "Medical practice is said to be contradictory. I say more—it is not in any respect a profession worthy to be followed by sensible men."

Herbert A. Parkyn, M. D., said: "The laymen are familiarizing themselves with suggestive therapeutics and are healing and being healed by it in various guises, and they will soon be called upon to pronounce for or against it. Physicians are not in the class that will be permitted to pass final judgment on the practice of the healing art."

Charles Kidd, M. D., M. R. C. S., author of various treatises, wrote: "It is a sad and humiliating confession that at present our chiefest hopes of medical reform exist in the outer educated public."

Dr. J. Wylie Anderson said: "The doctors are desirous of medical legislation to protect the dear public—in fact, to save themselves. This country was sought for and founded by people of foreign lands, who fled from persecutions because of their beliefs, and the express constitutional provision was made that they were not to be interfered with in their pursuits of life, liberty, and happiness. All medical legislation is of itself in the nature of class legislation, asked for by the few and not by the masses. When the latter are happy and are not seeking redress, why should the former force upon them medical restrictions, unless from selfish motives? While believing in the highest education and qualification, I, for one, do not wish to stand for such methods; and until the demand is made by the people I am an advocate of liberty in things medical and of giving to every adult the right to pursue in his own way any method of healing that appeals to him, proving to himself the good or bad of each dogma.

"Our lawmakers should remember that the Indian tribes, with their limited amount of learning and intelligence, successfully healed themselves for ages past, as was demonstrated by their ability to endure fatigue, exposure, and hardship. Then surely the whites at this day, with their far more learning and intelligence, are capable of selecting the safest and best methods of healing, and therefore should not be prevented from exercising this privilege by State medical laws created for the sole benefit of a class of physicians who follow the dispensary as aforesaid and attempt to cure one disease by producing another. Why should these doctors be entitled to receive any recognition or protection from the State? Why should a vast army of these men have the right, as they now have, to give to sick people anything they please, even though it be patent medicine from the drug store, without the least idea why or wherefore, kill or cure? Why are State laws made to encourage and protect such practices? Is it any wonder that Oliver Wendell Holmes said mankind has been drugged to death? And does not the fact of there being about four times as many doctors in this country as are needed explain why the Americans are the shortest-lived people on the earth, the average being but 24.9 years? This marks the difference between the present condition of the whites and that of the old Indian tribes.

"As the doctors now want a national health bill passed, it will be well for us to seriously consider the question, Shall the American Medical Association or the people control this country in the future?"

Mr. President, this is melancholy reading to people who have been taught to rely upon the doctors and their medicines for relief in case of sickness and disease and who are dependent upon them for help. To thousands of us who have ceased to be dependent upon such remedies for the healing of disease it is only the revelation of the great truth that disease can not be healed by material means.

It is admitted on all sides that there are many well-known diseases that, from the standpoint of the medical doctor, are incurable. Before these the doctor stands entirely helpless and is forced to admit it. *And these are the diseases that need to be cured.* The others will get well of themselves. So where the doctor or some other healing influence is needed he and his remedies are useless, and in the others he is a needless expense and his drugs often create diseases and deadly habits that did not exist before. The only need of the doctor—and in this respect he is useful and does much good—is to allay the fear that engenders disease and often prevents recovery. Faith in the doctor allays fear and promotes and often brings about recovery from functional or curable diseases; but bread pills flavored with the faith and confidence of the patient are just as effective and much less dangerous than all the drugs he may administer. This is well known and acknowledged by nearly all of the doctors themselves, and is coming to be well understood by others.

Perhaps the worst feature of the doctors' mistakes is their wrong diagnosis of cases. The inability to properly diagnose a case is not necessarily an evidence of either incompetency or negligence. There are certain diseases that can be discerned by the layman, the symptoms are so evident. There are others that baffle and deceive the most skillful physician or surgeon. So I am not holding the doctor as always culpable in making such mistakes. But many of them are culpable, and their diagnoses are the result of either incompetence or carelessness. But whatever the cause of them, the large percentage of such mistakes has resulted in the most disastrous consequences and untold suffering. They show also what I am trying to demonstrate, namely, the uncertainty of medical and surgical practice. They not only fail to heal, but they kill untold numbers, how many no one can tell. Dr. Richard C. Cabot, holding a chair of medicine in Harvard University, author of a standard textbook on physical diagnosis, and probably one of the ablest physicians in the country, delivered an address before the American Medical Association at its annual session of 1910 entitled "A study of mistaken diagnosis." It is an exceedingly interesting paper that has been very favorably commented upon, and the doctor very justly commended for his courage and frankness in disclosing his own mistakes in diagnosis. I take the following extract from an editorial of the National Druggist as giving a brief statement of the result of the showing made:

The analysis, as may be supposed, is a very comprehensive one, embracing almost every type of disease in various stages and manifestations, and represents a careful and systematic investigation of every case, both before and after death. *Its net result shows that the diagnosis was correct in only about 50 per cent of the entire aggregation of cases. In the other 50 per cent the post-mortem demonstrated that he was mistaken in his diagnosis, either by commission or omission; i. e., he had either diagnosed conditions which were not present or had overlooked those that were there; and it must be borne in mind that in this 50 per cent of correct diagnoses there were a large number of cases of diseases whose manifestations are so plain that the merest tyro in medicine would recognize them almost at a glance,* such, for instance, as typhoid fever, diabetes, pneumonia, meningitis, valvular disease of the heart, and others which present a well-marked and easily recognized group of symptoms.

It is therefore plain that if all these simple cases had been eliminated the proportion of mistakes would have been much greater, for, according to Dr. Cabot's statements, the percentage of correct diagnoses reached the low figures of 16 per cent in acute nephritis, 20 per cent in acute pericarditis, 22 per cent in chronic myocarditis, 33 per cent in broncho-pneumonia, and so on.

Now, if a man of Dr. Cabot's recognized supremacy in the field of diagnosis, with the courage and candor to face the real facts, confesses that he is only able to make a correct diagnosis in something like 50 per cent of all the cases that he undertakes, and considerably less than that in those diseases which make anything like a tax upon expert skill, what is the irresistible conclusion concerning the thousands of practicing physicians whose skill in this direction is admittedly far below that of Dr. Cabot, who have not the facilities that lie at his command and whose opportunities for verification or disproof are practically nil?

The following brief statement along the same line is taken from the London Daily Mail of June 24, 1907:

MISTAKEN DIAGNOSES.

In the annual report on the work of the Metropolitan Asylums Board, published to-day, it is noted that the cases of mistaken diagnosis admitted number 2,151. The percentage of error amongst cases certified as scarlet fever was 5.2 and amongst diphtheria cases 18.3.

The mistakes amongst cases certified as enteric fever were very numerous, being 33.7 per cent for all hospitals, and attaining the extraordinarily high figure of 52.1 per cent amongst the admissions at the South-Western Hospital.

An investigation by the hospital investigating committee showed that autopsies upon patients that died in Bellevue Hospital showed that 47.7 per cent of the diagnoses of diseases in that hospital were mistaken. The superintendent of that hospi-

tal is reported to have said that that was a very good showing, and that in the Massachusetts hospitals the average of erroneous diagnoses ran higher than 50 per cent.

As the doctors believe that different diseases call for different remedies, that each disease is caused by a different germ and can be healed only by a microbe whose business in the economy of things is to destroy that particular disease producer, the disastrous consequences of missing the disease and its germ in half the cases and prescribing the wrong microbe in the form of a serum or in some other preparation may well be imagined. It is not to be wondered at that the patients became the subjects of an autopsy, to find that their death more than likely resulted from the mistaken diagnosis of some doctor, whose good intentions may be conceded after the death of his patient and a revealing autopsy.

MISTAKES AND TERRORS OF SURGERY.

Surgery has become one of the most common remedies for disease as well as injuries. It is more scientific in its operation than the practice of medicine. Some surgeons have become wonderfully skillful in the use of the knife. They apparently vie with each other in the effort to show how far the human body can be carved and mutilated and the patient still live. The desire to use the knife has become a mania with many surgeons. No one who has noticed the extent to which surgery is resorted to in these modern times can fail to know that thousands of lives are needlessly sacrificed and thousands of persons made invalids and cripples for life by this means. This occurs sometimes from the eagerness to operate but more frequently from ignorance and incompetency, but more commonly still from wrong diagnosis of disease. A conspicuous case of the latter was called to my attention a short time ago, where a bright young boy was saved from an operation by which he would have been made a cripple for life and which was declared by expert surgeons to be necessary to save the child's life. The facts, briefly stated, are these, as I had them from the lips of the boy's father: He was taken violently ill and was suffering agonies of pain. Specialists in surgery were called in, who, after examination and consultation, pronounced the case one of spinal meningitis. They informed the parents of their conclusion and that the only remedy was an operation that would mean curvature of the spine and make the boy a cripple for life. I knew the child, and his parents have been my friends for many years. He was a boy of fine promise and until then strong, hearty, and vigorous. The agonized parents, in this extremity, asked leave to call in their family physician, who was not an expert surgeon. The surgeons consented. The physician came and, after a careful examination in the presence of the others, said to them: "This boy hasn't a single symptom of spinal meningitis. There is nothing the matter with him but a stoppage of the bowels." He gave him a simple remedy for that trouble, and the next day the boy was playing out in the yard. The father, who is a man of high character and a prominent banker in my home city, said to me that he trembled yet when he thought how near his boy Jack, who was the apple of his eye, came to being made a lifelong cripple by the surgeon's knife.

Another case that came under my personal observation, and of which I shall speak in more detail before I have concluded, was that of a young child 3 or 4 years old. She had serious trouble with one of her eyes. As in the other case, specialists were called in. They reached the conclusion that there was a malignant growth behind the eye, presumably cancerous, that could be cured only by an operation. They informed the parents that the operation would be so delicate and dangerous that no one in Los Angeles would undertake it, and advised the parents to take the child to eastern surgeons as the only means of saving her life. The parents did not take the advice, and the child was soon after healed by other means, as I shall explain later on.

These are two striking cases; one of wrong diagnosis, that would, but for the forethought of the parents, have resulted in a tragedy, the other from the mistake of the doctors in believing that there is no means of healing but their own. These two young lives were saved from the knife in spite of the mistakes of the doctors; but how many lives, young and old, have been sacrificed by such mistakes followed to their ghastly conclusions none of us can tell. There is no means of knowing. But surgeons and physicians, many of them conscientious and humane, deplore this condition more even than the laymen. They realize it more and probably sympathize with it less than we do, because they can comprehend its fearful consequences better than we can. Such as these have protested against and pointed out the frequency and the dreadful consequences of mistaken diagnosis and too frequent operations.

This is shown by the following account of the proceedings of the American Medical Association at the session of June, 1912, taken from the Philadelphia North American:

SURGEON ROUNDLY FLAYS HOSPITAL INCOMPETENCE—DR. JOHN B. MURPHY SAYS CLUMSY MEN AND UNSKILLED ANESTHETIZERS CAUSE MANY DEATHS AND OPERATIVE FAILURES.

[By J. Solis-Cohen, jr.]

ATLANTIC CITY, N. J., *June 5.*

A bomb was exploded in the camp of the hospitals late this afternoon when Dr. John B. Murphy, of Chicago, one of the most distinguished surgeons in America, declared at a meeting of the hospital section of the American Medical Association that these institutions suppress the number of deaths and infections occurring after operations in order that the medical profession generally and the public shall not learn of the surgeon's failure and carelessness in operating.

He also declared that a halt should be called in the use of vaccines, which he terms most dangerous and wicked playthings; that the greatest mortality in a hospital is caused by incompetent men administering anesthetics; and concluded his remarks by stating that things occur in a hospital that would not stand the light of day, and unless the institutions themselves forbid the use of their operating rooms to clumsy and unskilled surgeons there is a danger of the legislators stepping in.

Dr. Murphy's remarkable paper was a complete surprise to the members of the section, which is chiefly composed of medical directors of hospitals and sanitariums and members of the medical staff. In view of the recent investigation of certain Philadelphia hospitals, as well as municipal institutions in Atlantic City and other places, it is evident that Dr. Murphy's address will be given careful consideration and his recommendation that the American Medical Association, through State committees, collect mortality statistics about every hospital in the country, carried out at once.

Mr. President, take, for example, the recent craze for removing the tonsils by surgery. This generally useless and cruel torture of young children has come largely from the modern medical idea that the public health calls for the enforced examination of all school children.

Dr. John M. Mackenzie, professor of laryngology and rhinology in Johns Hopkins University, has discussed this phase of the subject quite freely and frankly, condemning in strong terms the craze for the indiscriminate and useless removal of the tonsils. I take some extracts from an article of his on "The massacre of the tonsils":

During the past years I have been repeatedly urged by medical friends to give some public utterance by way of formal protest against the indiscriminate and wholesale destruction and removal of the tonsils, which, far above all others, is the chief and most glaring abuse in the laryngology of the present day. They have been good enough to say that a word might not be amiss from one who has been through the dust and heat of the conflict that has raged around this and other fancies in surgical laryngology which have arisen and fallen during the quarter of a century that has just passed away.

One of these friends, a distinguished general surgeon of wide experience, large practice, and exceptionally high professional skill, in insisting that I say something on the subject, gave me as his deliberate opinion that of all the surgical insanities within his recollection this onslaught on the tonsils was the worst, not excepting the operation on the appendix. And, indeed, when I look back through an experience of over 30 years, in which I have seen theory after theory, for some of which I have been partially, if not wholly, responsible myself, come and go, materialize and dissolve, I feel that, notwithstanding the fact that I approach the subject with reluctance, with diffidence, with hesitancy—with even timidity—and fully mindful of the truth that we are all liable to error, even the youngest of us, and that nowadays in some quarters apparently age and experience count for nothing, I feel I may be pardoned for saying a few words in what I consider to be the interest of the public health and therefore of the public safety.

Let me at the outset be not misunderstood. It is not my object to stir up strife, to impute unworthy motives to anyone, or to arrogate to myself any superior wisdom in the surgical management of tonsil disease.

Nor do I wish to shift to other shoulders all the blame. I, too, in my earlier days have fallen by the way. Indeed, it was once facetiously said that the street in front of my office was paved with the turbinated bones of my victims.

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Many years ago Austin Flint was conducting an examination in physiology at the Bellevue Hospital Medical School in New York. Among the students who came up for graduation was a bright young fellow to whom Flint propounded the following conundrum: "What is the function of the spleen?" And the lad replied that the function of the spleen was to enlarge in malarial fever. To the next question, "What is the function of the tonsil?" the boy declared that the function of the tonsil was to swell and suppurate in quinsy. "That will do," said Flint, "you have passed a perfect examination, for you know as much about the subject as I do myself." * * * I remember a long time ago in a discussion on hemorrhage after tonsillotomy before a New York society a distinguished laryngologist made the statement that he had removed without accident many thousands (I have forgotten the exact number) of tonsils, to which declaration an inquisitive, incredulous individual present, with a mathematical turn of mind, said he had made a calculation which showed that in order to have removed that many tonsils within the limit of an ordinary lifetime the operator would have to average a bushel a day.

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But never in the history of medicine has the lust for operation on the tonsils been as passionate as it is at the present time. It is not simply the surgical thirst from which we have all suffered in our earlier days, just as at a still earlier period we suffered from the measles; it is a mania, a madness, an obsession. It has infected not only the general profession but also the laity.

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In the annual reports of nearly all the special hospitals for diseases of the nose and throat, the number of tonsils removed, as compared

with all other operations on the upper air tract and its appendages, is simply appalling. In conspicuous and refreshing contrast to the usual narratives of these productions, let me quote from the last report of a well-known children's hospital in this city these words of sanity and wisdom:

"The recent universal inspection of the throats of school children has revealed the fact that nearly all children at some time of life have more or less enlarged tonsils.

"That most of these are harmless if not actually physiological, and that their removal in these cases is not only unnecessary but injurious to the proper development of the child is our conviction.

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"Much wild and incontinent talk, for which their teachers are sometimes largely to blame, has poisoned the minds of the younger generation of operators and thrown the public into hysteria. Tonsillectomy, for example, is held out to them not only as sure cure for but as an absolute prophylactic against rheumatism and heart disease. They are told with the disappearance of the tonsil in man these diseases will cease to exist. Parents bring nowadays their perfectly sound children to the laryngologist for tonsil removal in order to head off these affections. Tonsillectomy is recommended as a curative during the agony of acute articular rheumatism.

"But the origin of the latter disease has recently been traced to an infection of the nasal mucosa following operation. To-morrow it will come from somewhere else. Those of us who are old enough to remember will recall the story of chorea. Years ago we found the cause of this affection in the nasal passages. When this view, after the usual struggle, had to be abandoned, it was suddenly discovered that the eye was the portal of entrance. To-day it has been caught in the tonsil. If we exercise a little patience, it will turn up soon in some other organ.

"In considering the question of operation on the tonsils, and especially complete removal, we must face the following facts:

"1. The functions of the tonsils are, in the present state of our knowledge, unknown. * * *

"2. Whatever its functions may be, and the production of leucocytes is undoubtedly one of them, the tonsil is not, as is generally believed and taught, a lymphatic gland.

"The general ignorance of this fact has led to the useless sacrifice of thousands of tonsils, on the fallacious assumption that their functional activity may easily be replaced by the myriads of other lymphatic glands in the body. The physiological integrity of the tonsil is of the utmost importance in infant and child life."

Dr. Mackenzie is one of the ablest of his profession, and we owe him a debt of gratitude for his fearless exposure and condemnation of this tendency to use the knife unnecessarily and to the injury of the health of its unfortunate and unprotected victims.

Dr. R. K. Smith, in a health talk at the Sunday Commons in Huntington Chambers, Boston, February 1 last, is reported to have praised Dr. Cabot for having exposed the appalling facts relating to the mistakes of the doctors in their hospital work. As reported in the Boston Post, "he showed how fashion instead of actual sickness might play a great part in the treatment of patients by telling that recent investigations indicated astonishing numbers of unnecessary operations in those two fashionable diseases, enlarged tonsils and appendicitis, and that 17 per cent of the appendixes removed at a Boston hospital were shown by autopsies to be normal," and told of a professor at the Johns Hopkins Medical School who declared in a recent treatise that the street before his office was "paved with tonsils that should never have been removed." The pathetic story is told of little Leroy Atkinson, 8 years old, who drew straws with his sister, aged 6, to determine which should undergo an operation for adenoids first. He lost the cut, went bravely to the operating table, and in a few moments was dead. William C. Johnson, 37 years old, died on the operating table in a hospital in Indianapolis, reported to be from the anesthetic. He was undergoing a slight operation on his toe. Complaint was made that Mary E. Mitchell was forced, against her will, to undergo an operation at the Bayview Asylum, Baltimore, Md., from which she died soon after leaving the operating table. Minnie Light, after a sickness of three days, died in Berlin, N. H., alleged to be from a delayed operation for appendicitis after being treated for some other disease through mistaken diagnosis. John Mehrer died in the General Hospital at Spokane, Wash., from an operation on the tonsils. Verne Alexander, aged 8 years, died from the same cause in the office of the surgeon who performed the operation, in the same city, November 22, 1911. At the same hospital in that city, August Mengelkemp, 16 years of age, died from an operation on November 24, 1911. The cause was not learned, because, as reported, the doctors "refused to discuss the case." The 4-months-old child of Mr. and Mrs. Fred R. Wood, Hammond, Ind., September 26, 1914, died from an operation. Oliver Cramer, aged 15, August 18, 1914, at Gloversville, N. Y., died from lockjaw, resulting from vaccination. Twin children of Mr. and Mrs. W. C. Ulmer, Bloomingdale, Ind., aged 5 years, died August 28, 1914, from an operation removing their tonsils. Mena Smith, aged 15 years, daughter of Mrs. O. G. Smith, Salem, Oreg., died August 14, 1914, from the effects of an anesthetic given for operation for tonsillitis. Thousands of such deaths have occurred in this country. The few I have mentioned have been gathered from the local newspapers and reported at the time of their occurrence.

The custom of splitting fees for performing operations has become a common source of revenue for family physicians. This will explain to some extent the enormous number of operations that are being performed. It pays. This scandal was lately exposed by the Chicago News. The following article from the Kansas City Star, reproduced in the Humboldt Union, quoting from a paper read by Dr. Child before the Jackson County Medical Society, will explain the situation:

TOO FREE WITH THE KNIFE—GRAFT AMONG PHYSICIANS SAID TO CAUSE MANY DEATHS.

Fee splitting between family doctors and surgeons who perform operations has been taken up by the Jackson County Medical Society. It has been openly charged in a meeting of the society that "Commercialism, with its parasites, speculation and graft, has a strong hold in the medical profession in Kansas City." Those were the words of Dr. Scott P. Child, chairman of the board of censors of the society, at its last meeting.

It is charged that so universal has become the practice of fee splitting between the physician who gets a case and the surgeon who performs the operation, not only in Kansas City, but throughout Missouri and Kansas, that many physicians get their principal income from their half of the surgeon's fee, and that patients who are in need of operations are hawked around by the family doctors among different surgeons to see which one will give the biggest per cent of his fee to the physician.

But more startling than all is the charge that the family physicians, being enriched by their share of big surgical fees, are straining a point and urge operations where no operation is necessary, and that many have died from this manhandling of patients for big fees.

In the paper which he read before the Jackson County Medical Society Dr. Child made the following statement:

"That such fee splitting is a fact is common history the country over, most flagrantly practiced in our neighboring State of Kansas, and, to our regret, the custom prevails among the profession in this city. To the uninformed, to the doubters, or to those who may believe that proof is wanting, or who, as guilty, may demand evidence to prove their guilt, permit me to say that plenty of proof is in hand and more proof is within easy reach if our society acts upon it as it should."

In his paper Dr. Child made the following specific charges:

"During the last month a physician, a graduate of one of our local medical schools, stated that he had referred operative cases from his town, about 100 miles from Kansas City, to a surgeon and former teacher of his, and that after the operation the surgeon had mailed him a check.

"Recently, on request of the chairman of the board of censors of this society, a member of this society confessed that he had mailed several letters to members of the profession in general practice in which he stated that he was now practicing surgery and was prepared to attend to any work they might refer to him, and concluded by saying: 'The business consideration will be satisfactory.'

"A local physician only recently committed himself in speaking of the number of surgical cases he was referring to a surgeon in this city, of the fees charged, and the fact that he, the physician, received one-half of the money paid by the patients.

"A member of this society, upon graduating a few years ago, and having eye cases to refer to an ophthalmologist, went to a local man of practice and ability and solicited a fee on cases he might refer for special eye treatment. The oculist very honorably refused to buy cases or to pay percentages; and the physician has not referred any cases to him since. Within the past two weeks this same physician referred a special case of another type to a certain specialist in this city and again demanded a division of the fee.

"A very busy surgeon of this society went into a country town to perform an operation upon a boy for appendicitis. The boy was the only child of a family of moderate circumstances. The family physician in the case mailed a check for $500 to the surgeon through a local bank. The surgeon immediately remitted a draft for $200 directly to the family physician. I could give many other instances."

I also call attention to the following item in the Chicago News of January 11, 1911, cabled from Paris, showing that this despicable practice is widespread:

"The scandals of commercialized medicine exposed by the Chicago Daily News," said Dr. Doyen, one of the world's most noted surgeons, "exist not only in America but throughout the world, and are most disgraceful where civilization is supposed to be the highest."

In an interview to-day Dr. Doyen described to the correspondent of the Daily News his experiences and suggested what he believes to be the only remedy. Dr. Doyen was found in a Paris hospital, where he had just completed an operation. He was still wearing his white coat and apron and rubber gloves when the correspondent told him of the articles in the Daily News.

HE PRAISES PUBLICITY WORK.

"That is the best work done by a newspaper in the last decade," he said heartily. "Certainly the horrible situation described exists in France, Germany, and England. It is everywhere, and publicity given it by newspapers is the best remedy. I hope that publications throughout the world will take up the work begun by the Daily News. While undoubtedly there are many honest physicians, civilization to-day is plagued by hordes of men who are worse than the charlatans of the Middle Ages. The evils existing in the days of Molière still flourish. Read the Malade Imaginaire and other plays of Molière and you will find everything, including the doctor who impresses the patient by spouting a string of almost meaningless Latin medical terms."

"What are some of the instances of quackery that you have observed?"

SAYS MURDER IS DAILY EVENT.

"Fee splitting is the commonest. Operations by incompetent surgeons are being performed continually and actual murder is committed in this way almost daily. Other physicians form a ring to exploit a patient, passing him from one to the other, saying, 'Go to Dr. Jones for the eyes, to Dr. Brown for the ears, and to Dr. Smith for the stomach,' etc. One of the commonest witticisms of doctors is: 'A millionaire always has a little piece of cartilage in his nose which can be removed for a large sum of money.' Only last week I overheard one surgeon ask another, 'Why did you operate on So-and-so

for cataract before it was ripe?' 'If I had done otherwise, my patient would have gone to another doctor,' was the reply.

"The truth is that medical science has advanced with such rapidity recently that not a few physicians are lost. Intelligent laymen understand modern medical discoveries as well as many professional men, and often better. There is no excuse for a doctor's not explaining a patient's condition in simple language if he knows what the matter is and can explain so the patient can understand. When a doctor does not know he always spouts Latin.

HAS TO KICK OUT LEECHES.

"Physicians telephone to me daily, saying that they have patients requiring operations and asking what commission I will give. When I ask leave to examine the patients they decline to allow it before I have fixed my commission. Sometimes I have to kick such leeches to the door. I also know of several cases of alleged operations in laparotomy when the surgeon merely cut the skin and resewed it.

"Other charlatans, when they hear the name of a man who is about to undergo an operation, search for the name of the surgeon in the case, and sometimes they come three or four at a time demanding commissions, pretending that they are the family physicians of the patient."

"Is it possible for an ordinary physician in Paris to live without such practices?"

"Assuredly, if he is honest."

CHARGE ACCORDING TO WEALTH.

"Do you believe that a doctor should charge in proportion to the wealth of the patient?"

"Yes; because all physicians make no charge to the poor. Also, I believe that a family physician should have a commission when he is forced to advise a patient to go to a specialist. However, instead of the specialist giving the commission secretly, the patient should pay each openly."

"How do you determine the financial status of a patient?"

"The fee should always be discussed and decided before the treatment is begun. People should learn to buy a doctor's services just as they buy clothing."

"Do you believe that such a business arrangement would tend to eliminate the evils mentioned?"

"The evils are due largely to the stupidity of the public, which does not take pains to discriminate between good and bad doctors. The daily press, through leading medical men, should educate the people to use the same common sense regarding the treatment of illness that they use in business."

The following statement of B. F. Goldman, of his experience with the operating doctors, as given in the Boise (Idaho) Capital News of February 23, 1913, is interesting in this connection:

"Several years ago," said Mr. Goldman, "I came to Boise with a swelling in my throat, and, becoming anxious as to what it was, I visited a half dozen of the most prominent physicians and surgeons of the city. Without exception these experts all informed me that I was suffering from goiter and advised me that an immediate operation was necessary. Naturally I did not relish the idea of being cut any more than the average citizen, so I hesitated. I even visited a Chinese doctor, who, to his credit, was the only one among the number visited who advised me against an operation.

"Believing that if I was suffering from such a serious ailment, and must be operated upon, I felt loath to intrust my life to the hands of any but the best surgeons I could find. Accordingly I visited Dr. Housner, of Salt Lake City; Dr. Hamilton, of Topeka, Kans., and others. Without exception the doctors whom I visited outside of Idaho informed me than an operation was not necessary, laughed at my fears, and told me to 'go home and forget it.'

CURE WITHOUT OPERATION.

"With fear and trembling I took their advice, because the idea of being operated upon was repugnant to me. To-day I have no trace of a goiter or any other swelling visible on my throat, and have not been treated in any way for the ailment.

"A number of weeks ago I was lifting a huge bowlder in the mine and suffered a hernia. The local doctor told me that an operation would be necessary, and I hastened to Boise. Here I was told by several physicians and surgeons of high standing that I was suffering from an irreducible hernia and that an immediate operation, costing some hundreds of dollars, would be necessary. I was likewise advised to eat nothing, as eating food, I was told, would kill me. Again I visited a number of physicians and surgeons and finally heard of one who had prevented an operation upon a prominent citizen.

"As a last despairing hope I visited him. After an examination he told me that he would show me in five minutes that my hernia was 'reducible.' In a few moments this physician, with his bare hands, reduced the hernia and to-day I am as sound as ever I was, and that without the use of the scalpel.

"If I had been operated upon I would more than likely be in my grave by this time, or at least would have been injured for life. The instances I have cited are merely my own experiences. I know of many more similar cases and of others in which it is very apparent that surgeons have either operated upon sound persons through ignorance or else for the monetary consideration.

"The only protection for an abused public is legislation which will make the surgeons and physicians legally as well as morally responsible for errors in diagnosis, as well as in deliberate cases where the knife is resorted to in order to collect the big fees usually charged in such cases."

The following comments of Dr. George R. Cruickshank on the work of his profession are interesting and encouraging. They are taken from the Detroit Times, of November 23, 1910:

Dr. George R. Cruickshank, of Windsor, member of the Ontario Medical Council for the counties of Essex, Kent, and Lambton, and one of the leading members of the medical profession in the Dominion, is the author of the foregoing statements. He made them to the Times in his office in Windsor Wednesday morning while commenting on the book Medical Chaos and Crime, recently written by Dr. Norman Barnesby, of Chicago. A review of Dr. Barnesby's book appeared last week in the Times, and caused no end of comment among the doctors of the city and vicinity. Dr. Barnesby, among other things, charges that ignorance, commercialism, and criminal indifference on the part of many doctors are responsible for much human suffering, and that many young physicians obtain experience at the cost of patients' lives.

"I have seen a number of reports on Dr. Barnesby's book," said Dr. Cruickshank, "and I have come to the conclusion that it is really my book. Dr. Barnesby has said just what I planned to say myself when I got the time to write it. But Dr. Barnesby has got ahead of me in regard to having his views placed in book form. For years I have been voicing the sentiments expressed in Dr. Barnesby's book. I have made known my views in papers before medical societies, and taken advantage of every other opportunity to let the medical profession and public know just how I feel about operations. Certain doctors in Detroit and elsewhere have been performing unnecessary operations for years. Abdominal operations have been performed on men and women for no just cause at all. For these operations the patients have paid fabulous sums. Then you may ask, 'Is there graft in medicine?' I am afraid so, and the grafting is made easy by the high standing of the profession. But the worst offenders are not the young doctors; the leaders of the profession are guilty. Thousands of operations are performed which were better left undone. Perhaps the grafters were enthusiasts, not thieves. If that be not the case, then the offending doctors are worse than the man who robs you with a dark lantern and a 'billy.'

"Young doctors operate better than the older ones, but they don't know when to do so. When a man is sick the great question should be, 'What should be done?' The patient should be glad to give his automobile for the answer. He gives too little for advice and too much for the operation. When a man knows he should give $100 for advice before he gives $10 for an operation he will avoid some graft. Meanwhile the grand old profession is at heart self-sacrificing and noble.

"I have seen hundreds of operations which were not necessary, and I will venture to say that no Detroit physician will deny that thousands of operations performed in Detroit are unnecessary."

Dr. Cruickshank deplores the surgical excesses to which the profession has gone in regard to appendicitis, for one thing. In addition to declaring that 75 per cent of the operations for the disease are not necessary, the doctor proudly points to the fact that no patient of his is ever unnecessarily operated on for the ailment. He believes in medical treatment for the cure of the disease.

"No patient suffering from appendicitis should be operated on until it is seen that an operation is absolutely necessary," said the doctor. "Most cases can be cured by proper diet and the administration of medicines and hot or cold applications to the affected portion of the body. Not one of my patients is among those operated on in Detroit, I am glad to say. The appendix is in the body for a purpose, and is not a useless appendage, as claimed by some operators."

Speaking on the practice of removing tonsils, Dr. Cruickshank said: "The fad just now is to remove tonsils. They should not be removed at all. Tonsils are necessary in the throat, otherwise they would not be there. They stand in the throat like two sentinels, ready to take care of any germs which may gather there.

"Some doctors remove them because they get enlarged, but I don't think that is any reasonable excuse. If they become enlarged, it must be for some purpose, probably so they can take care of more than an ordinary amount of germs in the throat. I would remove a tonsil only in case of its being diseased.

"But, happily, customs are changing. While operative excesses are the rule just now, 10 years from now the operators of to-day will be looked on as barbarians. There will be but little unnecessary operating in the future."

But, unfortunately, the criticisms and advice of such members of the profession as Dr. Cruickshank have been of little, if any, avail. The dangerous and life-destroying operations in great and unnecessary numbers still go on. Some time reason and justice may overcome cupidity and greed as the result of wise counsels such as these.

EFFICACY OF CHRISTIAN SCIENCE HEALING.

Mr. President, I can not speak with authority or from actual knowledge of the healing influences of the various schools of medicine and other means of healing except Christian Science. I have had personal experience in abundance with the so-called regular school of medical practitioners and with homeopathic physicians and a limited experience with osteopathy, none of which were satisfactory. I know nothing of the others except from hearsay. I have no doubt all of them have done much good and some have done less harm than others. The schools of medicine, called irregulars by the allopathic school, have each been compelled to fight their way against the regular school. They came into existence as a protest against the inefficiency of the regulars. The old-school doctors, with their powerful political organizations, have persecuted them with a shocking degree of bigotry and intolerance. They have persecuted them through unjust restrictive laws procured by them from altogether too trusting legislative bodies, but in spite of this persecution these new schools of medicine have been established with more or less success and have gained a greater or less degree of public confidence and favor. All of them have their followers who believe them to be the best means of healing their diseases and ameliorating their sufferings, and the stronger their faith in them the more benefit they derive from their ministrations, but much of this faith and confidence has been misplaced, and as a result many lives have been needlessly sacrificed, many people have unnecessarily been made suffering invalids for life, and many more have been made the hopeless victims of degrading and degenerate habits, caused by the dispensation of habit-forming drugs, that are worse than death. So it is a grave question whether medical practitioners have not done the human race more harm than good. My own experience and observation leads me to believe they have. But some other people do not agree with me. They believe in the different schools of medicine, some in one and some in another. So long as they

believe in these remedies they should be protected in their right to resort to them for relief. Naturally practitioners of the various schools of medicine each believe that his school and his medicines are the best and most efficacious of all. But it is a well-known and now an almost uniform belief that there are no healing qualities in drugs. Some of them deaden and destroy the feeling of pain and suffering and give temporary relief, but they do not heal disease. Their effect is temporary and fleeting. As they lose their power over consciousness or feeling the pain and suffering return often with redoubled fury. The anæsthetic destroys consciousness and feeling while the surgeon wields the knife. This is a blessing if the operation is necessary, but it has resulted in many unnecessary operations with deadly consequences.

Mr. President, there is one remedy about which I can speak with confidence and certainty from my own personal experience, confirmed by like experiences that have come under my own observation. I was healed in Christian Science when death was near and after all hope of relief through medical practitioners had been abandoned after long and faithful trial of such remedies. I have seen and known of other cases of healing, many of them of organic and so-called incurable diseases, and after medical practitioners had given up the patient as hopelessly incurable. I am going to call some of these cases of healing to the attention of the Senate, not to advertise Christian Science or to induce anyone to accept or resort to it for relief. Its adherents do not proselyte or advertise it or persuade anyone to accept it. My sole purpose now is to show the cruel injustice and folly of legislating against it in favor of any other means of healing. If it saves lives and ameliorates and mitigates sorrow and suffering and regenerates humanity morally and physically where no other relief is to be had, as I shall show it does, it is not only cruel, it is criminal, to forbid or hinder *those from* doing so who administer its benefits or who resort to it for relief. I would not have anyone infer from the showing I am about to make that it is, as it is now administered, an infallible remedy and always heals. It does fail to heal sometimes, altogether too often, as all remedies must of necessity do when administered through human imperfect instruments. Some of its patients are disappointed and return to the doctors. They have so long been accustomed to be thumped and pounded and dosed and carved that the quiet and silent Christian Science treatment is too tame for them. They think nothing adequate is being done. Doctors often boast of this return to them of those who have taken up Christian Science as convincing proof that the treatment of disease in that way is a failure. But the fact that thousands of patients have left them for Christian Science never to return, or the fact that those who do return get no relief and are doubly disappointed, makes no impression on their minds, but leaves them strong in the faith that nothing but their method is scientific, regular, or effective. But I am prepared to show that while it fails in individual cases, for reasons that can not always be known or understood, it has healed thousands of cases that under materia-medica treatment would have been incurable. I think I can say with perfect truth that there is no disease not subject to its healing influence, including all of the diseases that are given up by the medical fraternity to be incurable. I am going to give you a few of these cases, many of them coming under my own personal knowledge and observation, the others known to me, through those who have furnished them to me at my request to use as I am now about to use them, to be undoubtedly true and reliable accounts of cases of healing thoroughly authenticated. To mislead anyone by false or unfounded claims in a matter so grave and so important would be cruel and inhuman.

If I have myself been misled as to any of them, I should never cease to regret it. I have for these reasons taken the greatest care in procuring the statements I am about to submit for the candid consideration of the Senate. I shall take the liberty as I go along to state the source of my information and the character and standing of the persons from whom I have received it. None of it has been volunteered. In every instance it has been furnished at my request, with an understanding of the use I intended to make of it. I have called for information from those only upon whose word I felt I could implicitly rely.

Mr. President, I first call attention to a case that came under my own observation, and of which I had personal knowledge. I have mentioned the case in calling attention to the uncertainties and perils of surgery. With as little repetition as possible, I review the facts here. The case is that of a young child 3 or 4 years old, the only daughter of a prominent young business man of Los Angeles, Cal. When I first saw her, she was a beautiful child, with the exception I am about to state. One of her eyes was diseased from infancy; it was believed from birth. The eye and the surrounding parts were badly inflamed, and the eye protruded and seemed almost ready to escape from the socket. This condition gave the side of the face a distorted and distressing appearance. Looked at from one side, the child had beautiful and regularly formed features. From the other side her appearance was repulsive. She was first attended by the family physician, a very worthy and competent member of the profession, whom I know personally. He was unable to give relief. A consultation of specialists in diseases of the kind was called. They concluded that there was a malignant growth, presumably cancerous, behind the eye, and that an operation was necessary to save the child's life. They informed the parents that the operation was so delicate that no one in Los Angeles would undertake it, and advised that the child be taken to the celebrated surgeons, Mayo brothers. The parents had the wisdom in this dreadful emergency to apply to Christian Science for help. I saw the little one at this time and on frequent occasions afterwards. The alarming conditions subsided gradually under the treatment by the Christian Science practitioner and in a few months the child was entirely healed of the trouble. This was five or six years ago, and now the eye is perfectly well and that side of the face is as beautiful as the other.

I submit now for the consideration of the Senate a statement by himself of the healing of Dr. E. F. Burton, now a resident of New York City, but formerly of Los Angeles and Pasadena, Cal. His statement of his experience, in the form of a letter, was furnished at my special request for the use I am now making of it. I have known Dr. Burton since very soon after his marvelous healing. He is a man of superior intelligence and of integrity and high character.

The following is his letter, which states his experience as a physician and surgeon before his healing and his work since that time:

30 EAST FORTY-SECOND STREET,
New York, N. Y., August 21, 1914.

MY DEAR SENATOR: Replying to your letter of the 10th instant, in which you ask as to my healing and experience through and with Christian Science, I am glad to tell you of the following history.

I am an alumnus of Rush Medical College, Chicago. After graduation I received an appointment, through competitive examination, as interne in Cook County Hospital, of Chicago, one of the largest hospitals in the country, and served an internship of 18 months, after which I was appointed on the surgical staff of the same hospital, and at the same time an instructor in Rush Medical College. I held these positions until forced by ill health to leave the North. In Arizona I was afterwards appointed acting assistant surgeon of the United States Marine Hospital Service for Arizona. I was a member of the American Medical Association until I left medical for Christian Science work.

About 12 years ago I was advised by Drs. Frank Billings and John B. Murphy, whose names are widely known, that I must go to Arizona if I would take my one chance for life, as I would soon die with consumption otherwise. For a year prior to this time I had been taking a preparation of opium, which was then considered to be nonhabit forming, to subdue the symptoms of consumption. When I went to Arizona I tried to stop the drug, but found that I had a well-founded opium habit, and that when I attempted to break it, which I did several times, the lung trouble became too serious to be borne. Thus the habit increased, as it always does. I had been a moderate drinker, but became less moderate in the use of alcohol, and also soon began to use cocaine to alleviate both the effects of the morphine and for throat symptoms. To make a long and miserable story as short as possible, these three things—alcohol, morphine, and cocaine—became my food and drink.

After some time in Arizona I went to southern California—to Pasadena. Here I sought the aid of a hypnotist to enable me to free myself from these habits, but found this method ineffectual. After this experience the quantities of the three things that I was taking was enormously increased, until toward the end I was taking such quantities of morphine and cocaine as no one has ever recovered from, so far as I know. For weeks I took on an average of more than 100 grains each of these two drugs daily hypodermically, and consumed between 1 and 2 quarts of whisky daily. I became entirely demented and a menace to those about me.

At this point, and when I had been entirely unconscious for 48 hours, my wife was obliged to call for a consultation of physicians, and five of my fellow physicians, four of whom had been seeing me for some time, told her that I could not live more than three or four weeks, and that this time must be spent under the strictest restraint. It was arranged that I should be sent to the State asylum the following day if possible. At the request of a friend whose husband had been benefited by Christian Science, Mrs. Burton was induced to allow a Christian Science practitioner to call to see me. Again to make a long story short, he came and spent three hours with me. I have no memory of his coming or of his going, but he left me asleep, and I woke on the following morning free from all of these habits, normal in brain and nerve, hungry, energetic, clear-headed, and happy. I knew the moment that I awoke that something had happened to me, and that, whatever had done it, I was free from the awful things that had bound me. But I did not know what it was that had done it until I was told.

That was nine years ago the 20th of April of this year. From that moment I have never felt the slightest appetite for any opiate, cocaine, or alcohol in any form, have never felt any symptom of lung trouble, and have been mentally sound and clear. Nor was there a moment of convalescence. My bowel condition was normal, whereas these organs are in such dreadful conditions even where a moderate quantity of opium has been habitually taken that there are weeks of keenest suffering attendant upon withdrawal of the drug. My nerves were steady and quiet. I read quietly and with understanding, for the greater part of the morning, a book which took a great deal of mental concentration

to understand, the like of which I had not been able to do for months. I drove my automobile half the afternoon, also a thing I had not been able to do for some time. I gained 30 pounds in weight the subsequent month, and within 10 days from this memorable morning I undertook and carried to a successful issue the most strenuous piece of work, from both mental and physical standpoints, that I have ever done. A year from the day of this healing I was asked to assist in the surgical work in the Emergency Hospital at San Francisco following the earthquake and fire of 1906, and for three weeks I stood on my feet and operated for about 16 hours a day. This was my last surgery, and coming after a year of study of Christian Science, decided me as to my future course.

I have spent over nine years in constant study of Christian Science and seven years in its practice. I was most enthusiastic in the practice of surgery and was a Pharisee of the Pharisees as to its virtues. I gave it up only after being most thoroughly convinced that there was something better. I have learned to my entire satisfaction, knowing both sides of the question, that Christian Science is a science, and not only that, but also that it is an advance step—and a long one—beyond medicine and surgery, and that time will prove this to the whole world. I have seen many cases of disease healed by it after they had been pronounced hopeless and dying by the best physicians. I have seen disease healed through it in a few minutes where it would have run days or weeks, according to medical prognosis. And although it is not the practice of Christian Science practitioners to attempt the healing of broken bones without the aid of surgery, I have seen dislocated joint and broken bone healed within a few days without the use of splint or bandage. This only promises what will be done in the future.

As to contagious diseases, my experience teaches me that Christian Science practitioners and other Christian Scientists are more scrupulously careful to shield others from danger of contagion and in obedience to the law than are physicians. This I say without equivocation or qualification.

Most sincerely yours, E. F. BURTON.

Mr. President, what must a man who has passed through such an experience think of laws, which actually exist in some of the States, making the man who rendered him this great service a criminal, subject to fine and imprisonment for saving his life and restoring him to a healthy body and a sound mind? What must he think of the members of his own profession who on that fateful night, with him lying there unconscious, gave up his case as hopeless and consigned him to an asylum as hopelessly insane and sentenced him to an early death, and who would consign the man who took their place and saved both the life and the reason of one of their profession to prison for presuming to save the man whose case they had given up as past all help by a means of healing that they denounce as irregular and unscientific?

Mr. President, this must not be taken as an unusual or extraordinary case of healing in Christian Science. Relief came quickly in this case. So it has in many other cases. But in most cases it comes more slowly. I could cite the Senate to hundreds of cases of healing by this means just as remarkable, some even more remarkable than this one, thoroughly authenticated and beyond dispute. If I had asked publicly for such and like experiences, I could furnish you authentic proof of thousands of cases of healing of diseases pronounced by medical doctors to be incurable. But I could not take up the time of the Senate in reciting any great number of cases however important I regard this question. I have asked for and will submit only a few of them.

Here is another of a like kind that should challenge the attention of lawmakers, social workers, and humanitarians the world over:

2111 WEST THIRTY-FIRST STREET,
Los Angeles, Cal., August 27, 1914.

DEAR MR. WORKS: So great a change has been brought about in my life by Christian Science that I am most desirous and anxious that others may know of the experience and profit by it if they wish.

I was born in Hastings, Mich., in 1865; attended the local schools until 1880, when I entered Olivet College. I hold the degree of Bachelor of Arts from that institution, of which I am at the present time a trustee. I was admitted to practice law in 1889, and later went to Saginaw where I associated myself with the Hon. Ferdinand Brucker, then judge of probate and afterward Member of Congress from the eighth congressional district, now represented by the Hon. JOSEPH W. FORDNEY. I had youth, health, education, friends; I belonged to the leading fraternal organizations and was on the highway to success, but I was said to have been born with a hereditary taint in my blood, the appetite for intoxicating liquor, and as my law practice grew larger my appetite for drink grew stronger. Friends warned me, but I laughed at their fears, and told them that drinking would never overpower me; that I could take it or leave it, just as I wanted to do. By sheer force of will I held the appetite in check for a while, but little by little it crawled upon me until it held me within its grasp. Friends advised, relatives reasoned, and my dear mother begged me to take Christian Science treatments and free myself from the bondage; but I laughed at her and told her that while Christian Science might do for nervous old ladies, it would hardly answer for a strong, rugged man like myself. I struggled a little longer, and then my associate, Mr. Brucker, advised me to take the gold cure. I did so, but its effect was only temporary. Then I did everything I could.

Friends, relatives, physicians, and fraternal brothers did all they could, but it was too late for any human help. I lost everything—law practice, money, home, friends, mother—all. I was lost. I went away. My relatives did not know where I was for years. They had given me up as lost. I was a helpless slave to liquor, a hopeless wanderer on the face of the earth, a nameless derelict on the ocean of failure. In addition to the appetite for drink, I was suffering from kidney and liver troubles and was merely waiting for death to come and end me of my misery. It was in January, 1901, that I left Saginaw. I wandered away West, doing anything I could find to do to make a living, working with my hands at any work that offered. I had given up completely. One day in October, 1907, up in the foothills of the Sierras, I met a courageous woman who told me that I could be healed in Christian Science. She gave me some of the literature and loaned me the textbook of Science, but I believed I was too far gone to be saved and wandered on. After a few more months of suffering and misery I found myself in direst extremity. I was hopeless, friendless, and alone. As I stood there watching the sun rise over the Sierras the thought came to me, as it did to another prodigal long ago, "I will arise and go to my Father." I had kept the page of a Christian Science Journal with the address of a Los Angeles attorney who had been saved from the very bondage that then held me. I determined to go to this man, tell him my story, ask his aid, give Christian Science a fair trial; and if that failed, I would then end it all. I started for Los Angeles immediately. I was at Monterey at the time. I had no money, but I lost no time. I rode on freight trains, engines, blind baggage cars, farmers' wagons, and walked when I had to—anyway to get there—but I kept on and on. One day I arrived in Los Angeles and found the man I was looking for. * * * He listened to my story, took me to his heart in kindness, introduced me to a Christian Science practitioner, and—that is all. I awoke from my nightmare and found I was not a drunkard at all. This was in March, 1908. From that day to this I have never had the slightest desire to drink intoxicating liquor. The kidney and liver trouble went with the appetite for drink. I also lost a smoking habit of 25 years' standing. I was later healed in less than a day of an acute attack of diphtheria. I was healed in 1910 of a chronic condition of sciatic rheumatism, to cure which I had spent many hundreds of dollars in materia medica without any cure being effected. I have had many other healings I need not mention, but I am not ill any more as I used to be. In these years I have known Christian Science I have learned to live a clean and a pure life. I now have a wife and home and a dear little baby 17 months old. I am learning to be more patient, more kind, more considerate of others in my daily life. Hatred and anger and criticism and resentment are being driven out of my life, and in their place is being established love and kindness and good will to all mankind. Years ago I agreed with Burns that "Man was made to mourn"; but now I know that there is no condition of disease, misery, or sin so bad that it can not be wiped out forever by the power of Truth. I have learned that it is normal for man to be happy, peaceful, and prosperous, and I am happier to-day as I am writing this letter than I have ever been in all my life. Every statement in this testimony is capable of legal proof. I will furnish full list of names, dates, and other information to any that may desire further information.

Cordially yours, FREDERICK ALLEN.

Like Dr. Burton, I did not know Mr. Allen until after his healing. His letter shows what he was before he contracted the fearful habit of drink and the depths of poverty and degradation to which he was reduced. He is now fully restored to himself, is engaged in successful literary work in Los Angeles, has a happy home and family, and is, as he says, happier and better contented than he has ever been in all his life. His condition when he applied for Christian Science help has been graphically described to me by the friend upon whom he first called on coming to Los Angeles. He was unshorn and unkempt; his clothing was soiled and worn; in stealing his way on the train he had lost his hat and was wearing an old discarded cap that some one had thrown away. In short, when he stepped into the office, seeking information that might free him from the habit that had so nearly destroyed his life and wrecked his future prospects, he was a veritable tramp. He had no money and no prospects. This was the only hope left to him, and he had sought it eagerly as his last chance. He was taken to a practitioner, who ministered to him without present reward or hope thereof except the inestimable consolation of serving such a human derelict and making of him a free man and useful citizen. He was healed as he says. I know well and intimately the practitioner who rendered this man this great service. I have spent weeks in her home. She was in her earlier womanhood a trained nurse and knew the ways and the practices of the physician and surgeon by actual hospital service. Later her husband was healed by the same means that this man was restored. As a result she became a Christian Science practitioner. She has saved many unfortunates afflicted as this man was and healed many of diseases of almost every kind. Her husband holds a high and important public office. She has a home of culture and refinement, but she finds her greatest and highest enjoyment in her work. She devotes her days and nights to this beneficent service and is subject to call at all hours. She was, amongst many others, called to minister to a woman whom the doctors had determined to be afflicted with an abdominal tumor. An operation was decided to be immediately necessary. The woman had heard something of Christian Science. Her husband had been healed of a broken-down instep. In her great fear of the operation she called for this practitioner's help. She did not go to the operating table. Under treatment, the tumor came away in pieces and the woman was healed.

Let me call the attention of the Senate to one more case of healing of the many performed by this one practitioner, as she has given it to me in a written statement:

A woman of about 45 was taken to a hospital and operated on for cancer of the breast and tissues of the side. Some two weeks after the operation the patient, feeling that her condition was not satisfactory, as she was suffering and being kept constantly under heavy doses of morphine, asked to have a Christian Science practitioner attend her.

During the second visit made by the practitioner the attending surgeon arrived to dress the wound. He asked the practitioner to look at the wound, and then he pointed out some places upon it where the tissue was breaking down and in a bad condition. Asking the practitioner

to go into another room where the patient might not hear what he had to say, he assured the practitioner that he was very glad to have the help of Christian Science, as he believed the religion would be a great help in making her happy in the last few months of her life. He further explained that he and some well-known surgeons had operated on the case two weeks previous to this time; that they had found it one of the worst and most malignant cases of cancer they had ever seen; that the woman's system was full of it; that the tissues had already begun to break down again with the disease; that there was no possible way in which her life could be saved; and that there was nothing to be done but to keep her under heavy doses of morphine until such time as she would die, which he insisted would probably be six months, though there was a slight possibility of her life being prolonged to a year, but under no conditions could she get well. In less than a week after treatment in Christian Science the doctor reported great improvement in the wound. In two weeks the patient was taken from the hospital, driving in an open automobile. After a few days at home and away from the hospital care she refused to take any more morphine, the wound healed completely, and since that time, which is two years or more, she is a perfectly well woman.

Mr. President, the best and most competent physicians declare that the only remedy for deep-seated cancer is the surgeon's knife. They are perfectly sincere in this declaration, because they know of no better remedy. They know and freely acknowledge that this remedy is effective only when the diseased parts are completely removed, which in many cases is impossible to the most skillful surgeon. That many lives have been saved in cancer cases by the knife no intelligent man would presume to deny. But here was a case where the surgeon was helpless to save. He was honest and sincere enough to say so. He was not envious of Christian Science interference, as many doctors are, but like most of them he believed that it could do no more than afford religious consolation until death came within a very brief space.

Mr. President, I have spoken specifically about the work of this one practitioner not because her work is more successful or her devotion to it greater than that of hundreds of others who are rendering like service, but only because I was more familiar with her life and her work.

I submit also the very interesting and remarkable case of healing of Mrs. Elizabeth Downey, wife of Harry S. Downey, of Shelbyville, Ind. Mrs. Downey is a woman of superior education, intelligence, and refinement. Her husband is a prominent lawyer in Shelbyville. His father was a judge in that State for more than a quarter of a century—six years of which was as judge of the supreme court of the State. His last service was as judge of the circuit court, his term of office terminating when he was 80 years of age. One of his sons followed in his footsteps and was for a number of years judge of the same circuit court, a position which he resigned to accept an important office here in Washington, which office he now holds.

I have known the family well and intimately all my life and can assure the Senate of the reliability and truthfulness of Mrs. Downey's statement.

She says:

SHELBYVILLE, IND., *December 11, 1914.*

When a child of 11 years, in piercing the ears, the lobe of the right ear was injured, the wound refused to heal and remained in an irritated condition until we were obliged to remove the earrings. A small growth about the size of a pea made its appearance on the lobe of the ear, but was removed without serious trouble for the surgeon and little discomfort to myself.

Two years later I again had the ears pierced; the same trouble followed, attended with severe stabbing pains, and the ear became angry in inflammation, which was subdued, but the growth grew to be as large as a medium-sized hickory nut, and the pains increased, when it was again removed. Then the physicians pronounced it a recurrent fibrous tumor.

After six or seven such operations, at intervals from 18 months to 2 years, each time the size increasing, the entire lobe of the ear was deformed and fibers extended down and the pain was almost unbearable at times.

Next a burning process was resorted to, medicines given, and applications used locally, but it was only adding fuel to the flames. After 14 applications of this burning process, in which I suffered tortures only to be compared to the fiery furnace, the tumor was lifted out and was about the size of a hen's egg. The entire lower part of the ear was gone and a surface of diseased tissue extended about 4½ inches down the neck, making it necessary to close the wound by skin grafting, using 9 silver pins and 14 stitches, which was a beautiful piece of surgical work. I was in the hospital nearly three months.

Nine months later trouble commenced again, and I had another experience, though slight in comparison to the others.

Two years later the growth appeared again, when it was operated upon with the knife, but almost at once began spreading its fibers over the face, the pain growing, spasmodically, more and more severe. When the growth below the ear had increased again to the size of a walnut and was purple in color I began to think that death would be preferable to such suffering. Again the burning process was used, chloride of calcium, followed by a powder and poulticing was kept up with suffering untold for six months, when it appeared to be healed. Many kinds of medical springs and drugs were used in an effort to subdue the trouble which was on the increase on the cheek, but finally I was compelled to again go to the operating table. This time the surgeons laid the wound open to the bone and found that the fibers had grown and entwined themselves back of the eyeball, and to save deformity of the eye the skin was drawn up in a puff under the hair. The surgeons had again performed a most skillful and delicate operation, and I thought I was restored and had a chance to claim my birthright of freedom from pain, but the trouble came up again on the same side, in the throat, and grew more serious, if possible, than before. The surgeons then removed five growths in the throat and mouth. The irritation had become so severe, the throat so inflamed, and the tonsils so diseased that the surgeons thought best to remove the tonsils, which was done, and there were found two growths back of them, and in the process of removing them two severe hemorrhages followed, and the situation was most serious. After my seeming recovery and sojourn in Denver for five months, the physician's advice to me was to never again have any cutting done in the throat, and if he had known how much had been done he would not have operated; that I was now all right, but to avoid a repetition.

I came home in November, and in December I found, after a case of pneumonia, that the throat and lungs were in diseased conditions, two growths almost as large as peas, causing constant coughing, and the roof of the mouth was in a badly ulcerated condition, with my voice and entire body in an exhausted condition, and one lung very imperfect. For the first time in my many years of suffering I grew rebellious and discouraged, but finally yielded to the importunities of relatives and friends and consented to go South again, but I felt that it would be a fruitless trip. The physician and my family felt that it was my only hope to regain health in a warmer climate, if life was to be spared to prepare for another surgical operation, so we again turned our faces toward San Antonio, Tex.

After being there five weeks, instead of improving I grew worse, coughing and expectorating such poison that each day I would think I could not endure another. Then developed a case of acute kidney trouble, and, to add to the suffering, a pus formation appeared over the left lung. I then realized that the only material hope was in another surgical operation. By this time my courage had failed and I felt that death would prove a friend rather than an enemy; but God's ways are higher than man's ways, so that, in my extremity and in my desire to live until my husband could reach me and to escape the operating table (selfish motives, I grant), at the earnest solicitation of friends who realized the situation better than I did, I turned to Christian Science. The saying that it is a dangerous thing to be ignorant of your own ignorance reflected my attitude at that time, for such was my condition. I thought I knew God, but I found that I did not know and understand His power, His willingness, and His might; but in that dark hour I was left alone with Him to guide and protect, and I found that His love did not fail me. All drugs were discarded and, not without some doubts, I turned to a Christian Science practitioner for help; nor was I disappointed. The kidney trouble was met in three days; breathing was improved so that I could lie down in bed; the coughing grew less day by day, and I have never had a hemorrhage since; the roof of the mouth healed, and the pus formation disappeared at the place where the surgeons had blistered to nerve exposure and drained off the pus. Four months later the tumors came off, one after the other, filled with fibers and pus, but with scarcely any flow of blood. From a weight of 110 pounds I have increased to 156.

The first Christian Science treatment was in January, 1905, almost 10 years ago. I have had little or no trouble in the old scars that formerly gave so much trouble in damp or hot weather or when overheated; indeed, all is fast fading from sight or consciousness except the deformity resulting from the cutting, but no longer are they red and angry looking, but are gradually fading away, and the past nine years have been most blessed ones. As I look back and recall the fact that six of these medical men who rendered me the most faithful service of which they were capable have passed on, I can not refrain from expressing my gratitude for their faithful, loyal services, but my heart overflows with gratitude to God for what this truth, Christian Science, has revealed to me, lifting me out of suffering untold, which one would scarcely believe unless witnessing and in the presence of which more than one brave heart has grown faint.

I could not do otherwise than to stand where I do, with absolute belief in the power of truth as learned from the Bible and Science and Health, with an honest effort daily to let my feeble light shine as a true Christian Scientist, for I have had all proof of its healing power and its spiritual uplift.

All of this is absolute truth.

ELIZABETH HARSHMAN DOWNEY
(MRS. HARRY S. DOWNEY).

Mr. President, many lives are sacrificed and others ruined by the habitual use of intoxicating liquors and deadly habit-forming drugs. For these unfortunates the medical doctor can afford no relief and the surgeon's knife is unavailing. It is here that Christian Science has shown its efficiency in a marked degree. It has saved hundreds of lives and made happy many desolated homes. I have already given one case of healing from the drink habit and another from morphine and cocaine. Here is another striking case of such healing:

AUGUST 29, 1914.

MY DEAR SENATOR WORKS: In response to your request it gives me pleasure to testify to the immeasurable benefits I have enjoyed as a result of the study and application of the teachings of Christian Science.

Since a child I had been accustomed to associating with those who indulged in liquor in a social way, and, quite naturally, was one with them. After reaching young manhood the habit grew, and it was not long before I often reached home in varying stages of intoxication. This continued with increasing frequency until it was the exception rather than the rule for me to leave my companions and go home before midnight or until I had become so helpless that I had to be cared for.

For many years during this time I held a responsible position with one of the largest financial institutions in the West. My employers realized somewhat the condition into which I had fallen, but through consideration for my family and appreciation of my clerical ability I was allowed to remain with them. Finally my appearance and habits had reached a stage where they were reflecting discredit upon the institution for retaining me and I was asked to leave. Twice this request was made, and on each occasion I begged for another chance, but it only meant a chance to earn more money to spend for drink. I had forfeited nearly everything a man holds dear—home, friends, reputation, credit, and the confidence of my employers. I had not lost all, for a faithful, loving wife stood nobly by me through these dark days. In her desperation over our unhappy home she suffered a severe attack of nervous prostration. In this condition and after our

family physician had done all he could and failed she turned to Christian Science and experienced such relief that it gave her renewed hope for me.

Each morning as I left the house it was with the firm determination to return home immediately at the close of the day's work, but this resolve was shattered as often as it was made. Will power in my case availed nothing. Matters went on from bad to worse. My life was a veritable hell. The future was a blank and my few sober moments were filled with remorse over my wasted life.

At this point, in response to the solicitation of my wife, I agreed to attend a Wednesday evening testimonial meeting. I was not only late in reaching the church but was far from sober. My wife and a friend were waiting for me, and this friend asked if I wanted to be helped out of the condition against which I had struggled so long. My response was in the affirmative, and while I promised to call on him the next day it was the following Sunday before I felt the desire to go to him and talk matters over. The three intervening days have always been more or less of a blank, for during that time I indulged in the wildest dissipation of the years I had drank. I questioned the propriety of this friend's receiving me on Sunday, but a kind invitation came for me to come to his home, where I was lovingly received, and, after talking with me gently and I asked for help, he gave me a treatment, and from that moment to this day I have not taken a drink of liquor nor have I had the slightest desire to do so.

Following the destruction of this false appetite, the tobacco habit left me, the use of profanity was eliminated, many physical ills have been met and conquered, and, in short, a complete mental, moral, and physical regeneration has taken place in my life.

Sincerely yours, CHAS. E. JARVIS.

I know Mr. Jarvis well. He is a man of superior qualifications and ability, and in every way trustworthy and reliable. Like so many others who have benefited by its ministrations, he has become an earnest and effective worker in Christian Science.

I submit now a testimonial of healing of double curvature of the spine, uniformly agreed, I believe, by medical practitioners and surgeons, to be incurable, and other serious troubles. Mrs. Kleinberger is known to me to be a woman of high character and entirely worthy of belief. This healing is one well known about by many people in Los Angeles and is thoroughly authenticated. Knowing of it, I requested that the statement be furnished me for my use. She says:

In the year 1908 I took my first Christian Science treatment, the principal desire being that I receive relief from the disease commonly known as gallstones, stomach and intestinal troubles, and paralysis of the bowels. I was instantly helped and quickly healed of these diseases.

When I was 3 years old it was discovered that I had spinal trouble; as time went on many physicians agreed that I would continue all my life to suffer from double curvature of the spine. Because of this trouble I was inactive and a burden to myself and those about me.

While treating for the diseases mentioned above I noticed a great relief from the pain in the back, and gradually, with treatment and study, the spine grew straight and strong, allowing me to gain flesh and become a useful member of society.

Accompanying the physical change came an understanding of the true relationship of God and man, and as a result of this understanding a happier outlook upon life and a greater patience and love for mankind.

For this change in disposition I am indeed grateful.

GLADYS KLEINBERGER,
No. 2302 West Twenty-second Street, Los Angeles, Cal.

Mrs. R. L. Craig, whom I have known for a number of years, is a woman of unusual ability, education, and refinement. Her husband died leaving a wholesale grocery business to be cared for by some one. She took charge of and has managed it for several years, and made it one of the largest, best-managed, and prosperous wholesale establishments in Los Angeles. Besides, she is a public-spirited woman and takes a deep and intelligent interest in public affairs. She is now a member of the board of education of the city. She was healed in Christian Science of tumor that threatened her life, and asthma, from which dreadful disease she had suffered from her childhood. At my request she has furnished me a statement of her experience. She says:

From early childhood I suffered greatly from asthma, with all its attendant complications, such as bronchitis, pleurisy, pneumonia, tonsillitis, and quinsy. At one time, when in a very congested condition, a reputable physician pronounced my case tubercular, and strongly advised an immediate change to a warmer climate. My parents were broken hearted at this decision, and were seized with fear for my future. I was not allowed to go out at night, and was dressed in flannels from head to foot, constantly in dread of taking cold, to which I was most susceptible.

I was told by a number of physicians that there was no cure for asthma, and that I would be obliged to endure it. I was so resigned to this verdict that I did not at first accept Christian Science for asthmatic trouble, but for another affection, which developed about 12 years ago. This was pronounced by physicians to be a tumor, and threatened a quick termination of my life. At this time I asked for and received Christian Science treatment, and was soon relieved and healed. From the first treatment I began to make a consecrated study of Mrs. Eddy's works on Christian Science. I found through this healing that I was also much relieved from asthma, but about a year later I suffered a very acute attack. A few treatments in Christian Science quickly relieved me. This was the last of this trouble, which had been so persistent and painful through many years. Christian Science is my daily study, the source of my happiness and peace of mind.

Mrs. R. L. CRAIG.

I also submit the statement by Mrs. Josephine A. Hebbard of her healing of the drug habit. I know Mrs. Hebbard well. She is a woman of high character and strict integrity, who is now devoting her time and her efforts to the healing of others by the means that saved her from a lingering and horrible death:

Most gratefully do I testify to the healing efficacy of Christian Science. I came to Christian Science to be healed of the morphine habit, having become addicted to the use of that drug through a most severe form of neuralgia which had been superinduced by albuminuria. At the time I was also taking strychnia, digitalis, quinine, and nitroglycerin. I mention these stimulants because it was considered impossible to drop the use of these drugs without severe reaction, causing heart failure; but with Christian Science help I was able to give up all, including morphine. I weighed 97 pounds and was a physical and mental wreck, and turned to Christian Science only as a last resort for and in overcoming this terrible habit.

After receiving one treatment all desire for morphine left me and I gained rapidly in strength and health. During 28 days after taking my first treatment I gained 28 pounds, and in less than three months I had gained 43 pounds.

I was also cured of kidney trouble, nervous prostration, and neuralgia. I did not suffer from the results which always follow the use of this drug.

I am a strong, healthy woman, rejoicing in the freedom Christian Science has given me. I had been a trained nurse before my marriage, and had helped to care for patients who had been afflicted with the morphine habit, and I can not but compare the wide difference in treatment and results when undertaken in materia medica. In materia medica the gradual diminishing of the drug, a substitution, and prolonged suffering, with no encouraging results, and sometimes failure, is pitiful to recall. And if the drug is given up the intense craving and after results leave one in a wretched state physically. This contrast has impressed me deeply when I think of the peace, hope, and encouragement and instantaneous relief which Christian Science brings to one.

MRS. JOSEPHINE A. HEBBARD,
509 Story Building, Los Angeles, Cal.

Mrs. Hebbard is now a strong, vigorous, and healthy woman.

I submit for the consideration of the Senate a further statement from Mrs. Mattie De L. Macready, whom I have also known for a number of years. She, too, is entitled to entire confidence. Her statement of her experience in Christian Science speaks for itself in simple and eloquent language:

When Christian Science was suggested to me as a remedy for my ills, even though I knew nothing of it as a means of healing, I consented to try it, for I was in a thoroughly unhappy and discouraged state.

Many of the best physicians in the East and in this city had been employed by my family in an endeavor to find relief for me, but I was pronounced incurable, having organic heart disease and rheumatic gout, the latter disease causing me much suffering for 29 years previous to my turning to Christian Science for help.

As a child I was very frail, and I can not ever recollect feeling well or not being under treatment of some sort. In fact everything possible seemed to have been tried to lift from me the sentence that I was incurable.

It is now nearly nine years since I was healed of these diseases and other distressing conditions, and since the first treatment I have used no material means whatever, for Christian Science alone has been relied upon at all times.

I am most grateful to the many physicians who were doing their best for me, but because of my experience with Christian Science I conscientiously believe that it heals where every other remedy known to humanity has failed.

MRS. MATTIE DE L. MACREADY.

LOS ANGELES, CAL., *September 1, 1914.*

I furnish you also, for your candid and fair consideration, the statement of another good woman, an acquaintance of mine, Mrs. Edna A. Bauer, which tells its own story of health and peace of mind, the result of the same treatment:

LOS ANGELES, CAL., *September 9, 1914.*

About the year 1897 I was operated on by our family physician for what he called cancerous growth, and after the first operation the doctor said the cancerous condition had eaten the stitches all out, so that he was forced to operate again with practically no favorable results, since my condition became almost unbearable, and until 1901 I suffered on, confined to my bed a great deal of the time. I was fast becoming a chronic invalid, and after exhausting all material means for relief I turned only as a last resort to Christian Science, as it promised me relief. I started the treatment and in a short time I was completely healed of this trouble, so that I became well, strong, and useful.

My healing in Christian Science took place in 1901 and I have never had the slightest return of this trouble since. I am still in perfect health, and I know I owe my all—of health, peace of mind, success, and happiness—to Christian Science absolutely.

I would be glad to furnish any further information regarding my healing. I have two sisters living in Los Angeles who witnessed the operations and heard the doctor's statements. My husband can also verify my statements, as he was there also. We had three doctors and a trained nurse.

Most sincerely yours, EDNA A. BAUER,
437 Savoy Street, Los Angeles, Cal.

I have another statement of healing from F. D. Holman. I do not know him personally but know of him, and he is highly recommended to me as entirely worthy of confidence. He is a dentist now practicing his profession in Los Angeles:

LOS ANGELES, *September 12, 1914.*

It is with pleasure I testify to the efficacy of Christian Science, for I am fully convinced that had it not been for Christian Science treatment I would not be here to-day.

Several prominent physicians of Los Angeles diagnosed my case as chronic ulceration of the stomach, that there was a stoppage in the passage known as the duodenum, and that unless an operation was performed at once there was slight chance of saving my life. Through the work of Christian Science this operation proved unnecessary, and in three months' time I gained 50 pounds in weight and am now in perfect health.

From a materia medica point of view, I had "just one chance in a hundred," to use the doctors' own words, and an operation seemed inevitable.

I am deeply grateful for this wonderful healing, and am always pleased to so express myself, trusting it may help others.

Respectfully,

F. D. HOLMAN.

I present also for your consideration the case of Harry C. Carr. I have known Mr. Carr for a number of years. He is the assistant managing editor of the Los Angeles Times, one of the great newspapers of the country, and a capable and successful newspaper and magazine writer. I saw him when he returned to Los Angeles from Washington, as mentioned in his letter to me. He was in a deplorable condition. I saw him frequently after that time and knew of his tribulations and his gradual improvement under Christian Science treatment. I have no doubt that under medical treatment he would have died long before this. As it is, he is a strong, healthy, useful man, in the full vigor of young manhood. His own account of his experiences will speak for itself:

LOS ANGELES, CAL., *September 10, 1914.*

MY DEAR SENATOR: You can well imagine the pleasure that it gives me to comply with your request for the facts about my healing.

The year that Taft was nominated as President I attended both national conventions, and the following December I was sent to Washington, to remain there until the following March to witness the inauguration. Since the previous August I had been afflicted with a nervous twitching of my head and neck so dreadful that it almost amounted to St. Vitus's dance. While in Washington one of my friends sent me to Dr. Fowler—I don't remember his first name. He told me I had tuberculosis of the left kidney. He said I must have the kidney cut out within 30 days. I left at once for home, losing 15 pounds during the short trip. On the train I thought it all over and decided to try Christian Science instead of an operation. I went to see a practitioner, arriving at his office in a condition bordering on hysteria. He gave me several treatments, which corrected my nervous twitching, and I thought the trouble had passed. Suddenly, the following April or May, I had a severe hemorrhage from the kidneys. Dr. Claire Murphy was called in. He had a chemical examination made of the urine by the city chemist. The verdict was that I had a tubercular kidney. Dr. Murphy's associate, Dr. R. V. Day, told me that I ought to have an immediate operation. I decided to stick to Christian Science. The real battle then began. I had terrible night sweats nearly every night, a fever every afternoon, and became very weak. For months afterwards I passed a little blood every time I went to the toilet. Some time after that—during the summer that followed—I had a rash that broke out all over the upper part of my body. My face and shoulders were covered with a scarlet cape. My right hand and forearm were so covered with blisters you could not have placed the point of a pin upon unaffected skin. This continued for two or three days, then passed away as suddenly as though erased from a blackboard. My symptoms did not immediately cease, and I went on having treatment from two practitioners for some months. The tide had turned, however. Finally, all symptoms absolutely passed away. I am now blessed with perfect health. My weight has increased from 135 pounds to 165.

During the latter part of my treatments Dr. Charles McCleery, an optician, in fitting me with glasses, told me that I had a cataract coming on one of my eyes. I took one treatment (Christian Science) and then visited Dr. H. Burt Ellis. He made a careful examination of the eye and said it was not affected in any way.

I would like to add that before taking my treatments I was almost a neurasthenic, and that my family had anything but a happy existence. Christian Science seemed to take the tensity out of my work and has changed our family conditions. Incidentally, the twitching of my neck has long since gone.

Yours very truly,

HARRY C. CARR.

Dr. Fowler practices his profession in Washington, D. C. I understand he is a man of high character and an able and skillful physician and surgeon. His diagnosis of Mr. Carr's case as one of tuberculosis of the kidneys was confirmed by Dr. Murphy, of Los Angeles, and was no doubt correct. They agreed that the only remedy was an operation, removing one of the kidneys. It was as to the best means of healing that they were mistaken.

Healings from accidents, even in cases of broken bones, have often occurred in Christian Science, although it is customary with Scientists to have the bone set by a surgeon while the Science practitioner protects the patient from pain, infection, and other complications. I give here one case of this kind of healing where the surgeon was called as usual, but failed to accomplish what he desired, and the mother, who was a practitioner, with other help, saved her son from the life of a cripple. I have known the mother for a long time and vouch for her sincerity and reliability:

LOS ANGELES, CAL., *September 16, 1914.*

DEAR SIR: Two years ago last February my son, then 20 years of age, met with a dreadful accident and received a compound fracture of his left leg. The little bone was badly broken, and the large bone was broken in such a way that a piece of it had to be taken out before attempting to set it, and the physician we employed said he would have to put a silver plate on the bone to hold it together, as he could not set it in any other way, and in order to do this he had to notch the bone, which he said would make the limb shorter, even if it healed. He put on the plate, but the bone cracked on both sides where the plate was attached, and the plate had to be taken out, and two pieces of bone, one on each side where the plate had been screwed on, came out of the wound, and when the doctor took out the piece of notched bone he said, "As far as I am concerned that notched bone is the only thing that could save the leg and that is out." He also said the leg was full of infection and gave me very little hope. I am a Christian Science practitioner; I had been for several years; and of course I used all my understanding of Christian Science to save my boy, as I had been healed myself when there as nothing else left to try. When we took an X-ray picture of the bone we found to our great joy new bone formed where the notched bone had been pushed out, and of course this made the leg the proper length, dropping it down in its natural place, so that my boy walks as good as he did before the accident, without a limp. The small bone was not set, but it adjusted itself. He is 22 years old now and he has perfect use of his leg.

One can imagine what a frightful wound he had in his leg from this terrible operation that was almost as serious as the broken bones, but that also was healed. I worked day and night on this case and employed another Christian Science practitioner to help me for something over a week while the boy was in the hospital. He is my only child, and it meant much to me to have him restored to me and not be a cripple.

I am grateful to the physician for all his efforts to help us, even if it did fail. He told me to give him no credit for the healing, but I give him all the credit due him for doing all he could to help us; but it was certainly Christian Science that restored my boy's limb, and I really think the doctor is as grateful for it as I am. I don't see how he could help but be. Many people here know of this healing, and I have the X-ray pictures in my possession and should be glad to show them to anyone who would like to see them. They were taken here in Los Angeles, Cal.

This is one of the greatest proofs of Christian Science healing we have ever seen. I send this testimonial with the one thought of benefiting suffering humanity.

EDNA A. BAUER,
420 Herman W. Hellman Building, Los Angeles.
LOS ANGELES, CAL., *September 16, 1914.*

I have read this testimonial and so, being the one who had the accident, can verify the healing herein mentioned. I am ready to give any information on this healing that may be called for.

Yours truly,

EDWARD M. GRANT.

I submit another testimonial of healing of tuberculosis and of diseases of the spine which is vouched for as reliable and trustworthy:

May 15, 1911, I entered an orthopedic sanitarium in this city. In doing this I was following the advice of our family physician. I had been ill for three years and had had various treatments under different physicians. I was an intense sufferer from spinal trouble and was practically an invalid, being on the bed most of the time and unable to do my work.

The family physician said there was no help unless it was to be found in this sanitarium; that the spine was tubercular, the cushions between the vertebrae diseased and in some instances practically gone, and that the spine had an ankleosed double curvature. This was also the diagnosis given by the physician in charge of the sanitarium.

The treatments in this institution were given by the head nurse because of my serious condition and consisted of massage, light, and traction. A certain part of each day was spent in a jury. I wore a heavy canvas brace, reinforced with eight 1-inch steels across the back, and it was necessary to have a new one made about every six weeks.

I improved slowly under this treatment and at the end of 19 months was dismissed as well. I still wore the brace, but was told that I could take it off when I chose.

About three months before leaving the sanitarium I became interested in Christian Science from a scientific standpoint and did a great deal of studying. I thought that should the days come that I did not feel so well I might be able to lean on Christian Science for help.

I left the sanitarium in January, 1913, and in about six weeks it became necessary to either leave off the brace or get a new one. After a day's trial I found the pain too intense to be without it, but rather than go back and get a new one I decided to apply what little I knew of Christian Science. The greater part of the next four days was spent in bed, but at the end of that time I was able to do without it. I am absolutely sure that I could not have done this without the help of Christian Science.

However, in April of the same year I suffered a decided relapse. I was as ill as when I first entered the sanitarium. It was evident that all the help I had received was temporary. I talked over the matter with the physician and was advised to return to the sanitarium for an indefinite length of time—in fact, I was given to understand that I had better never leave. It was because of this discouraging outlook that I made my stand for Christian Science treatments against the wishes of my family. A practitioner was called, and for two weeks I had treatments every day. At the end of that time I was as well as when I left the sanitarium. Treatments were continued for about three months, then I took up the work for myself. While the healing has been slow, there has never been any relapse, and I feel that the trouble has been fully overcome.

MRS. NELL FLASH,
3904 Theo. Villa Court, Los Angeles.
SEPTEMBER, 18, 1914.

Locomotor ataxia is classed as one of the incurable diseases from the standpoint of the physician or surgeon. It is not so regarded by Christian Scientists. Many cases of this kind have been healed in Science. I submit now an interesting case of that kind:

In July, 1909, after having been treated for six years by medical physicians, five in number, in various parts of the United States for the cure of a disease that developed to be locomotor ataxia and pronounced generally by them, and particularly by two in Milwaukee, to be incurable, I found that I was rapidly advancing to the point of greater evidence of incurability, as predicted by these physicians.

During these years I had visited my physician and taken medicine continuously; visited Hot Springs, Ark., as advised by my physician in St. Paul, who was supposed to be a specialist on this particular disease, and did everything possible to regain health, but to no avail.

At this stage of development the study of Christian Science was recommended to me, and while I looked upon it as next to nothing I began the study and visited a Christian Science practitioner. At this time I had been away from business for many months, my physical condition compelling me to do so; but after one month's treatment and study of Christian Science I began to see good signs of improvement. In five months' time I returned to my business, and since then, which is five years, I have not lost a day from business on account of this

trouble nor visited a physician for treatment. I attribute my healing positively and absolutely to Christian Science.

When I paid a friendly visit to my good old doctor, whom I dearly esteem, he said, "If Christian Science is doing this for you, it is surely commendable, and I recommend your continuing, as we in medicine have no further hope to offer."

HORACE H. MULLIN,
103 South Alexandria Avenue, Los Angeles, Cal.

SEPTEMBER 22, 1914.

I also submit a statement by Hon. Leslie R. Hewitt, judge of the Superior Court of Los Angeles, Cal., of the healing of his little daughter of a malformation of the mouth, which tends strongly to show that no deformity is beyond the healing influence of Christian Science. I have known Judge Hewitt for 20 years or more. He has filled a number of places of trust as a public official, and is justly regarded as one of our best citizens in every sense:

When our young child was 20 months old she was taken to the dentist with the two older children, all of whom were to be looked to by the dentist to determine whether teeth were coming in and out properly.

All was well excepting with this baby, the dentist discovering a fault in the jaws. The lower jaw protruded so that when the teeth were closed together the lower teeth were forward or outside the upper teeth. The mouth was then examined by another dentist, a specialist on this particular trouble, the technical name of which has been forgotten, and the diagnosis of the first dentist confirmed. What could be done for the child's mouth? Nothing until she was 4 or 5 years old, when she would have to submit to the jaw being harnessed with bands to force the lower jaw back into its proper place in the sockets, a tedious, painful operation. The mother studied over the condition, and having been interested in Christian Science since the child was 6 months old, suggested that this trouble could be handled as successfully as others that had been met for different members of the family.

So the case was the next day put before the practitioner. A week or so after the mother and children went over 500 miles from home for a long visit with relatives and the baby's case was left with the practitioner to be handled absently.

At the end of nine months upon the return of the family the dentist asked to see the child again. With glad heart the mother took the child to the office, for she had seen the wonderful work done and the teeth now closing, upper jaw forward or outside the lower as it should.

The dentist placed the child on a seat, bent before her, and asked her to open the mouth, then close it, and when the teeth closed properly, turned to the mother, explaining that the trouble had disappeared, and asked what had been done, as such a thing had never been noted in dentistry before.

Indeed, we were and are still grateful to Christian Science for this wonderful relief to ourselves and to the little daughter.

LESLIE R. HEWITT,
Judge of the Superior Court, Los Angeles County, Cal.

I submit also the testimonial of Hon. W. S. Metz, a prominent lawyer and former judge of Sheridan, Wyo. I first met Judge Metz in Los Angeles, where he was trying to get relief from his sufferings at a sanitarium. He applied to me to know something about Christian Science, saying that he had heard that I had been healed by that means. I had never met him before. He informed me that he knew nothing about Christian Science, and explained to me the nature of his troubles and the extent of his suffering, much as he recounts them in his letter furnished at my request. I told him of my own condition and healing, and advised him to try Christian Science. He at once commenced to take the treatment. I saw him very frequently and witnessed his improvement and final recovery. His letter is as follows:

SHERIDAN, WYO., *October 2, 1914.*

MY DEAR SENATOR: In reply to your inquiry as to the beneficial effect of Christian Science treatment in my personal case, I wish to say that for five or six years I was considered among my friends and neighbors as an invalid. I had been suffering during those years with nervous exhaustion and very severe bowel and liver trouble, also persistent indigestion. During the five or six years mentioned I was treated by a number of physicians and also spent several months in what was known as the best sanitarium in the country. I also, under the advice of physicians, endeavored to secure some relief; visited the warm climates and low altitudes, taking a trip to Cuba; also spent some time on the Gulf coast and in southern California, but secured no relief from my distressing physical ailments until I secured the aid of a Christian Science practitioner. For five years before receiving treatment in Christian Science there was no activity of the bowels without the use of drugs, which were administered almost daily during that length of time. Under a few treatments of Christian Science the bowels resumed their normal activity, and though it has been several years since receiving my first Christian Science treatment there has been no occasion in the meantime for the use of drugs, and the distressing bowel condition has been entirely removed and fully healed. Likewise the indigestion was completely healed by a few treatments in Science. The extreme nervous exhaustion disappeared almost entirely after the first treatment in Science.

My recovery from the long-continued illness was a great surprise to my neighbors and friends. My physical strength was restored within a few weeks after the commencement of treatment by my practitioner, and I have been able to do more continuous hard work in my profession since my recovery than I had ever been able to perform before.

One of the most distressing ailments under which I suffered for years was persistent insomnia. During the five or six years of my illness I was unable to sleep at any time over three or four hours in the night. This continued during the years that I have mentioned, but this condition of sleeplessness was wholly removed by Christian Science treatment and in a very short time.

Yours very truly,

W. S. METZ.

I submit for your further consideration the case of Dorothy S. Chelson, a child two and a half years of age, who was afflicted with diabetes. The following is a statement of her case furnished me by her father:

1436 MALVERN AVENUE,
Los Angeles, Cal., October 15, 1914.

The opportunity of again telling of the restoration of my little daughter is a highly esteemed privilege, and I am herewith giving you a brief résumé of her healing:

In August, 1904, our little girl, aged 2½ years, was pronounced to be dying of diabetes. There was a very great amount of sediment in the urine and her heart action ranged from 140 to 170 beats per minute. This I know to be a fact, as the physician kindly allowed me to use his stethoscope to verify the count. At this time my wife and I were members of the Swedish Lutheran Church of this city, and I was serving as secretary and treasurer, and also as one of the trustees of the church. We knew absolutely nothing of Christian Science and did not want to know, as we were told it was the work of evil.

I knew of two Christian Scientists at this time, and in talking to one of them I was told that Christian Science would cure my little girl. Love for our daughter being stronger than our religious scruples a Christian Science practitioner was called, and with the first treatment all sediment in the urine disappeared, and in a short time her heart action became normal and she was entirely healed. She is to-day as healthy a child as one can wish to see. Needless to state, Christian Science has been our only remedy for the past 10 years, and this means much in the bringing up of three children. Our home has been transformed from one of want, woe, and inharmony to one of peace, happiness, and contentment, and we are indeed deeply grateful to God and to our dear leader, Mary Baker Eddy, for all benefits received.

Yours respectfully,

THEO. A. CHELSON.

I know Mr. Chelson personally. As a result of the rescue from death of his little daughter he has become an earnest Christian Science worker. His reliability can not be questioned. But I have the following confirmation of the condition of the child and the fact that she was healed. Very naturally the doctor does not commit himself as to the cause of her restoration to health, which was entirely proper, as he had no direct evidence of the fact. He intimates, however, that a child unconscious from the effect of her diabetic condition could have recovered without further help after he had given her up to die. This will hardly be accepted as within the possibilities. He says:

I am, and at all times herein mentioned have been, a duly registered practicing physician in the city of Los Angeles, Cal.

In August, 1904, I attended in a professional capacity Miss Dorothy S. Chelson, who at that time was suffering from a diabetic condition, showing a heavy percentage of sugar; who was quite anemic, and whose heart beats were from 140 to 170. Her condition was such that she was practically in a stage of collapse, and was given up. Her age was 2½ years, as I am informed and believe. One will readily appreciate that a patient with diabetes, if the sugar is persistent, is beyond the control of the physician, and death results. Yet sometimes the sugar will disappear as rapidly as it occurs; consequently it is impossible for me to say the exact conditions that existed, although when I last saw the child she was practically in a comatose condition.

She passed out of my hands and has had no medical attention since then, as I am informed and believe.

She was examined by me on February 12, 1910, and I found absolutely no sugar, perfect health, heart beating at 82, and a perfectly bright and normal child.

R. NICHOL SMITH, M. D.

There are Members of this body who know by experience, either in their own person or that of some member or members of their family of the curative effects of Christian Science. The daughter of a distinguished Senator has given her time, unselfishly, to the great work of healing, and that in a State where it is made a criminal offense to take fees or other compensation for such services. The junior Senator from Minnesota [Mr. CLAPP], honored and respected by all who know him, was healed by this means. He has been good enough to furnish me a statement of his healing, as follows:

For many years I was a sufferer from rheumatism. This became complicated with heart trouble, and this became so acute that at times I did not dare to sleep in a reclining position, and often slept in a sitting posture, fearing a fatal attack if I went to sleep lying down. I used various remedies for rheumatism that seemed to temporarily relieve the pain, but all remedies in time seemed to lose their efficacy and the relief was only temporary. Finally, in a spirit more of hope than of any real expectation of getting relief, I took treatment in Christian Science, with the result that I obtained immediate and complete relief from rheumatism, and after a time all symptoms of heart trouble disappeared. This was some years ago, and I have never suffered from either since. Subsequent study, experience, and observation have satisfied me that the only limitation upon the healing in Christian Science is our knowledge of the subject.

MOSES E. CLAPP.

Mr. President, I have selected the above cases, 21 in number, from the experience of people of my own acquaintance upon whom I knew I could place implicit trust. All of the cases I have given except two are the fruits of Christian Science work in one city, and that an infinitesimal part of the work done in the city of Los Angeles alone. I could have given you hundreds of other cases of healing, many of so-called incurable diseases, but I can not in justice to the Senate consume time by including the many cases, convincing in their character, that I could easily furnish. If I had made public request for such statements I would have been overwhelmed with attested cases of healing from thousands of people who are filled with gratitude for their deliverance from the bonds of sin, sickness, sorrow, and disease. I have therefore in my own city asked pri-

vately for a few of the many cases that had come to my own knowledge and for which I could vouch as either within my own personal knowledge or from people known by me to be worthy of implicit confidence.

In addition to this I have asked a good and reliable friend of my own to secure for me a few reliable and trustworthy testimonials of healing from other parts of the country. I have some of them here. They are so convincing of the efficacy of Christian Science healing that I can not see how any fair and candid mind can continue to doubt it. I submit these additional statements of healing without comment. I could not, if I would, make them stronger or more convincing by any word of mine. It should be noticed that all of the cases that I am giving are of so-called incurable diseases. The thousands of healings of minor diseases in this way would fill volumes. At the head of each testimonial I have given the name of the person and the disease of which he was healed.

(1) B. F. SHERROUSE—CANCER.

NEW ORLEANS, *August 20, 1914.*

This is to state that after making an incision for an exploratory examination the eminent surgeons operating pronounced my case absolutely hopeless, as my stomach seemed practically eaten up with a malignant type of cancer, and to cut it out was certain death and to leave it was certain death, and, preferring nature to take its course, they simply closed the incision and turned me over to my family to die, and told them they did not see how I could possibly live over three or four weeks. This was on March 20, 1912, and on May 30, 1912, I discharged my physicians and called in a Christian Science healer. For seven days thereafter my condition remained about as formerly, but during the four days following I was an extremely sick man, and it looked like I would die in spite of all, but on the morning of the eleventh day I rallied, and from that day on I gradually improved, and, so far as I can possibly know, I am entirely cured, having no symptoms whatever of past troubles.

B. F. SHERROUSE, *New Orleans, La.*

(2) GEORGE W. REMBERT—CONFIRMING MR. SHERROUSE'S HEALING AND GIVING HIS OWN OF SIMILAR TROUBLE.

To whom it may concern:

For nearly 10 years I have enjoyed the personal acquaintance and friendship of Mr. B. F. Sherrouse, of this city. Mr. Sherrouse is a man of high integrity and purpose, he is widely known, and his veracity is beyond question with all who know him.

On or about May 30, 1912, I met Mr. Sherrouse in the rooms of the New Orleans Chess, Checkers, and Whist Club, of 1,000 membership. Observing his most extreme condition of health, I sought an interview with him, and he then stated to me that nine of our New Orleans physicians and surgeons had diagnosed his case as being "wholly incurable." His trouble was malignant cancer of the stomach, and these nine medical men were wholly agreed both as to diagnosis and prognosis; they held out to him not one ray of hope, but told him death was inevitable, and in a very short while; he himself was reconciled to this end and was only awaiting the final summons.

It was at this distressing moment of the conversation that I gave him the cup of cold water in the suggestion of Christian Science, of which he knew nothing then and knows but little more now. However, this, he at once dismissed his physicians and immediately sought help in Christian Science. I was in a position to observe him frequently thereafter, and his improvement, which was constant from almost the day he began Christian Science until a few months later, when he became a well man, was a source of much rejoicing to me. I see Mr. Sherrouse now almost daily and he shows no evidence of his former trouble.

Nearly all of the nine medical men who passed on this case are personally known to me, and they are the peer of any medical men in New Orleans, and some of them the peer of any in the United States.

At the time I suggested Christian Science to Mr. Sherrouse I was not a Christian Scientist, but was a member of the Presbyterian church. My reason for offering Christian Science to Mr. Sherrouse was because of the help I had derived through Christian Science. My own case, seen by some 17 medical men in different cities in this country and by certain specialists of experience and ability, had been diagnosed by them as malignant and all of them declaring an operation as imperative, but very likely I had deferred too long to get relief. It has been nearly three years since. I did not have the operation; I am 25 pounds heavier and in the best health of my life, all through Christian Science truth. I am now a member of the Mother Church in Boston, Mass., and a member of First Church of Christ Scientist of New Orleans, La.

GEORGE W. REMBERT.

AUGUST 22, 1914.

(3) LAURA MORRIS—TUBERCULOSIS.

BUFFALO, N. Y., *August 28, 1914.*

Hon. JOHN D. WORKS,
United States Senate, Washington, D. C.

DEAR SIR: Three years ago I resigned my position as tuberculosis nurse for Chautauqua County, this State, on account of sickness, which Dr. Floyd Benjamin, of Cherry Creek, N. Y., thought was typhoid fever. Dr. Ellis W. Storms, of Falconer, N. Y., was also of the same opinion.

After six weeks, growing worse all the time, Dr. Thomas E. Soules, of Buffalo, was called in, and he diagnosed the case as tubercular peritonitis, with an affection of the lungs, taking a small quantity of fluid from the pleural cavity and having it examined by a bacteriologist, who confirmed his opinion. Dr. Soules also said I would not live three weeks. At this time I decided to try Christian Science and discontinued all medication. I immediately began to improve, and in a short time was up and about the house. I was entirely healed by Christian Science and have remained well and able to go about my work ever since.

Very truly yours,

LAURA MORRIS,
Graduate nurse, 2017 Bailey Avenue.

We, the undersigned, hereby certify that we are familiar with the facts of the illness and healing of Miss Laura Morris by Christian Science, and that the statement above made by her is true and correct.

BESSIE MORRIS.
IDA M. STOWELL.
A. H. STOWELL.

(4) CHARLES RINKER—PEMPHIGUS.

DUBUQUE, IOWA, *August 26, 1914.*

Senator J. D. WORKS,
Washington, D. C.

DEAR SIR: About 10 years ago I was taken sick with a very severe skin disease, which my doctor, F. H. Holland, pronounced pemphigus. After treating with him for about three months he sent me to the clinic of the Rush Medical College in Chicago, under the care of Drs. Hyde and Ormsby, who also said I was suffering from pemphigus. I remained at the clinic for three months, after which I was dismissed, not healed, but was informed to go to my home and continue treatments, which I did for about two years without any good results.

At this time Christian Science was presented to me, and in a few months I was healed, without a return of the disease since.

Yours very truly,

CHARLES RINKER,
2271 Washington Street, Dubuque, Iowa.

(5) ED. C. VOLKERT—LEAD POISONING AND CONSUMPTION.

More than 20 years ago, while following the occupation of printing and while under the care of Dr. Ralph Jackson, a recognized homeopathic physician of Dubuque, Iowa, my condition of health became so serious that he assured me I had only a few months to live. I was at that time a printing pressman in the office of the Dubuque Times. I requested a change to outdoor work, being unable to stand on my feet and often losing a cupful of blood at stool. My employers demanded an examination by some physician of another school, and at their request I was examined by Dr. Greene, also of Dubuque, an allopath, and he frankly informed me I might live a year if I left the business. I was suffering from insomnia, piles, my system was "leaded" with type poisoning, and consumption would soon end my life. I had been in the care of Dr. Jackson for several years continuously, and he then informed me that medicine could do nothing further for me. I gave up my employment and retired to a home in the country to die. Before the expiration of three months a lady handed me a copy of Science and Health, Mary Baker Eddy's textbook, and as the result of the application of her teachings I soon regained perfect health and am alive to-day. I was also enabled to return to and follow the printing business for some years previous to my voluntary retirement from it to follow the occupation of farming.

Since that time I have found Christian science the most reliable and effective curative agent on earth when employed by those who understand it. The facts herein stated can all be easily corroborated.

Respectfully yours,

ED. C. VOLKERT,
R. R. 2, Bagley, Wis.

(6) GLADYS HOPE MILDRANE—VALVULAR HEART DISEASE.

Six years ago, when I was a very young girl, Dr. Herman Vichery and Dr. Jackson, both heart specialists of this city, pronounced my case incurable valvular heart disease, caused by rheumatic fever. I was never to have any exercise that other children had, never to be allowed any freedom along physical lines. Finally, when the physicians told my family I would have one year at the most to live, my mother becoming desperate tried Christian Science. All drugs were thrown aside, and within two weeks I was up and out, playing baseball with the little boys and girls who were my playmates. From that day my heart has been the same as my eyes and ears to me. I have never even thought of it. For all this I am extremely grateful and happy.

GLADYS HOPE MILDRANE,
South Mallen Street, Dorchester, Mass.

FEBRUARY 9, 1914.

I am grateful for the opportunity to attest the truth of my daughter's testimony as stated above, and hope that through it others may be led out of darkness into the light of Christian Science.

MRS. T. H. MILDRANE.

(7) BERTHA H. WOODS—TUBERCULOSIS OF THE GLANDS.

Christian Science treatment cured me of tuberculosis of the glands in the early fall of the year 1895. I was then living in West Newton, Mass. My mother and sister had died of tuberculosis under medical treatment. In both these cases Dr. Frederic Knight, a well-known throat and lung specialist of Boston, had been called in consultation during the last stages of the disease; therefore it was thought best for me to go to him in the early stages of the trouble while there was yet hope of recovery. I did so, and Dr. Knight used the arsenic treatment. If there was any gain it was not noticeable to me.

We moved to West Newton, and there Dr. Frederick Thayer, of West Newton, was called. He continued the arsenic treatment and also treated me for kidney trouble and constipation, both ailments dating back to my childhood. Dr. Thayer told my husband that my kidneys were so badly affected that unless I was watched carefully a cold settling on the kidneys might end my life very suddenly, consequently he made examination of conditions at regular intervals of a few weeks apart. When my boy was born I had four convulsions, and after that all the bad symptoms were greatly aggravated. I can not give this testimony without a just acknowledgment of Dr. Thayer's wonderful surgery, which saved my baby's life, and the loving devotion he gave us during all those hard months. In Dr. Thayer's absence Dr. Henry Perkins, of West Newton, was called, and he suggested removing, by surgery, the most diseased glands, which were those in the neck, the right breast, and under the right arm. It was then that I turned to Christian Science.

After five days' treatment in Christian Science natural action of the bowels was permanently restored. The feverish sensation and pain in the back from kidney trouble ceased, and in six weeks' time the swollen glands had so diminished in size as not to be noticeable. With the exception of slight ailments, which Christian Science treatment has always cured, I have been a perfectly well woman for the past 18 years. This blessing I owe to Christian Science.

BERTHA H. WOODS.

I hereby testify to the truth of the foregoing statements.

AGNES C. YOUNG.

BROOKLINE, MASS.

(8) A. W. NICHOLAS—TUBERCULOSIS.

AUGUST 15, 1914.

I am 64 years of age. On August 28, 1913, I was afflicted with an abscess on my right wrist, which developed into bone tuberculosis, rotting the bone from the wrist nearly to the elbow.

On the 18th of November it was found necessary to amputate the arm. Two weeks after the amputation inflammation spread over my

right side, causing intense agony. I wasted away to a mere skeleton. Dr. W. S. Turner, of this city, who was my physician, said he could do nothing more for me, and he told the neighbors that I had but a few weeks to live.

As a last resort, a Christian Science practitioner was called, and I was entirely healed in a few weeks. At the same time I was healed of chronic rheumatism and stomach trouble that had been the bane of my life for many years.

I have perfect health and weigh 10 pounds more than I ever did.

A. W. NICHOLAS,
17 Vine Street, Newark, Ohio.

(9) ADELE M. FOURNIER—CANCER.

In June, 1911, I had been operated on for a growth in my back. The doctors pronounced it a cancer, and incurable. They went on to say that it would return in six months or a year, and that being so near my spine it would be impossible to remove it. In June, 1912, the condition having returned and causing me much trouble, I decided to turn to Christian Science. For a year I struggled on not seeming to get any better. The summer of 1913 found me in what my friends and relatives called a dying condition. The growth was enormous, causing me much suffering. I had grown very weak. I now weighed less than 90 pounds, my usual weight being about 120 pounds.

I had had treatment from two different practitioners, but another was called. In a few weeks I began to improve and grow stronger. The pain left me entirely, but the manifestation was the same.

One morning in August I awakened with a clear sense of being healed. It was so vivid that I placed my hand to my back to see if the growth had disappeared. Although it was still there, I had a feeling of relief; it seemed as if a burden had been lifted from me. A few days later, when my mother was helping me to dress, she noticed that the growth was smaller. Every day it softened and diminished. About three weeks from that time it had entirely disappeared. I am now in perfect health.

ADELE M. FOUNIER,
Littleton, N. H.

Witnesses:
A. J. BARRETT,
J. ANNIE WHITING.

(10) ALICE C. BAIRD—FIBROID TUMOR.

Nine years previous to my healing I had been operated upon for the removal of a fibroid tumor at St. Joseph's Hospital, Chicago, Ill. Dr. Nicholas Senn, one of the world's most famous surgeons, performed the operation. At that time it seemed best not to disturb the smaller tumor, hoping it might cause no further trouble. Its removal meant the taking out of all the female organs and would include a slight operation on the spine, to which the tumor was attached.

Immediately this tumor became extremely painful, and after weeks of suffering I was allowed to go home. I could sleep only on one side with a pillow under one knee; I could walk but a few blocks after a year's time, and could perform no household duties.

I was persuaded that I must submit to another operation, and had all arrangements made when I was healed in Christian Science.

I have since resorted to no material means and am a perfectly normal woman. I have gained in weight 27 pounds in the nine years since I was healed, and through the understanding of the law of life I am learning how to live in health and happiness.

Sincerely yours,

ALICE C. (Mrs. SELDEN N.) BAIRD,
1116 Locust Street, Dubuque, Iowa.

P. S.—Drs. Sarah Kendall, Seattle, Wash., and Charles B. Reed, of Chicago, agreed upon the necessity of an operation.

I hereby certify that the within statement of my wife, Alice C. Baird, is correct in every detail.

S. N. BAIRD.

(11) MRS. LILLIAN L. VARRELL—TUMOR.

Over 27 years ago my attention was called to Christian Science by the wonderful healing of a friend. Later, when in great need of physical help, after different methods of treatment failed, I turned to Christian Science and received the help sought.

Several years later I had a tumor form in my left breast, which grew in size very rapidly. It was examined by two physicians, and both recommended its removal by a surgical operation. I entered a hospital, and after its removal I was assured I would have no further trouble. In a little more than a year I had five growths—three in one breast and two in the other—and the physician who had treated and removed the first one again treated these, and failed as before to check the growth or help them, and he finally recommended the removal of both breasts. I had treatment from a Christian Science practitioner, however, and these growths were entirely wiped out.

Not understanding Christian Science sufficient to apply it to my needs, and living where there was no one at all interested, I turned to material remedies for the little needs. But when four years later a polypus growth of the womb appeared, and the same physician recommended its removal, and said the womb, because of its badly congested condition, must be drawn down and scraped, I turned in my extremity as before to Christian Science and was healed. The positive proofs of these healings was the birth of two sons, one now in his nineteenth year and the other seventeenth, who have had no material remedies. Christian Science has met their every need.

A daughter of 12 years had appendicitis and requested a physician. One was called, and the next day in consultation with another physician decided she had only a few hours to live. She was instantaneously healed when she seemed near passing away, through her own declaration of the Truth, as she had been taught in Christian Science.

Mrs. LILLIAN L. VARRELL,
54 Bridge Street, Portsmouth, N. H.

(12) MISS FAITH R. EMERY—TUBERCULOSIS OF THE BOWELS.

In the year 1900, in my second year of training as a nurse in the Homeopathic Hospital, in Boston, I was taken ill. After a serious operation, the trouble was diagnosed as tuberculosis of the bowels.

After four months' treatment there I was taken to a private sanitarium in Rutland, Mass. But the treatment there was considered too harsh for me in my condition, and I was taken back to the hospital for a few weeks and then was sent away to die, as I afterwards learned.

From the hospital I was taken to Hebron, Me., where I seemed to get some better, so that I began to walk a little. For the four months that I was in the hospital I was not even bolstered up in bed, and for nine months I did not step my feet on the floor. In June of the next year I was so much better that I was taken to my home at the seashore. In the fall, however, the serious condition returned, and application was made for me to enter the hospital again, but they would not take me back. They did not want an incurable on their hands. I seemed to be in the depths of despair, suffering mentally and physically.

"Man's extremity is God's opportunity." I turned to Christian Science for help. Now after 13 years I can testify that I have spent only one day in bed from illness, and that every illness that has come to me has been healed by Christian Science. To-day I am a well, strong woman, doing my work—hard work—and carrying on a business, free and happy.

Miss FAITH R. EMERY,
2 Court Street, Exeter, N. H.

Witnesses:
ANNIE M. BLISS, *Redding, Mass.*
ANNIE L. EMERY, *Exeter, N. H.*
JNO. SCAMMON,
Justice of the Peace.

(13) ELIZABETH J. GRIFFIN—CANCER.

2040 SEVENTH AVENUE,
New York City, August 24, 1914.

In 1901 I visited Dr. William J. Kingsley, of the Cancer Hospital, Rome, N. Y., for advice about growths in both my right and left breasts. Dr. Kingsley pronounced the growth to be scirrhus or hard cancer. I was operated upon in 1901 and again in 1902 by Dr. Will Kingsley, son of Dr. William J. Kingsley. In all there were seven developments in the right and nine in the left breast. It was in 1904, when the condition made its appearance for the third time under the wounds of the previous operations, that I called for Christian Science treatment. After five weeks treatment by Christian Science all trace of cancer disappeared, and I am now entirely free.

Sincerely yours,

ELIZABETH J. GRIFFIN.

AUGUST 26, 1914.

This is to verify the statement made by my sister Elizabeth J. Griffin, in a letter dated August 24, 1914, addressed to the Hon. JOHN D. WORKS, Senate Chamber, Washington, D. C. I was with my sister at Dr. Kingsley's hospital in Rome, N. Y., during the time of the first operation, and remained with her until the doctor felt that the operation had been successful. I also accompanied her to the train when she went to Rome for the second operation. I know that the condition had made its appearance for the third time, and that it disappeared under Christian Science treatment.

Yours very truly,

CHAS. E. GRIFFIN.

(14) JOHN H. CUSHING—DIABETES.

VINTON, IOWA, *August 26, 1914.*

I was examined several times and my case diagnosed by Drs. J. P. Whitney and L. Chadburn, practicing physicians of Vinton, Iowa, and my condition was pronounced by them to be "sugar diabetes," and they said it was incurable and medicine could not cure it, and that I might prolong existence by a strict diet, but that I would never be well.

I spent the most of one winter at Mineral Wells, Tex., drinking the water in hope of relief. Before this condition came upon me I weighed 210 pounds, and on returning from the "Wells" I was in a worse condition, only weighing 165 pounds. A few weeks after my return a friend who had been healed of the same trouble by Christian Science advised me to try it, which I did, and in one treatment in Christian Science I was healed, and within an hour ate a hearty meal, and have not missed a meal since. This healing took place in March, 1912, and I have continued well ever since and now weigh 187 pounds, and I am able to do all kinds of heavy work, which I could not do for three years previous to my healing in Christian Science.

Respectfully yours,

JOHN H. CUSHING.

(15) FRANK HALE—DRINK HABIT.

CEDAR RAPIDS, IOWA, *August 30, 1914.*

My affliction was the whisky and cigarette habits, having constantly used whisky and cigarettes to excess from 15 to 20 years. Previous to my complete breakdown I was consuming fully a quart of whisky each day and night and smoking 40 to 50 cigarettes daily until July, 1913, when I was awakened to the fact that I was a physical and mental wreck, when I decided to take the whisky cure at the Keeley Institute, at Des Moines, Iowa. I remained there five weeks under the care of this institution, at the end of which time Dr. Culver, the physician in charge, pronounced my case incurable under their treatment, and indicated to my sister, who was a Christian Scientist, that I might possibly be helped through this means of healing. I was sent away from this institute with an attendant, as I was demented and almost blind, not able to in any way care for myself. My first stop was at Marshalltown, where my sister lived, and when I arrived there I took my first treatment in Christian Science, commencing to improve immediately. After three weeks I was able to return to my home in Cedar Rapids, Iowa, in a much improved condition and continued the treatments for some little time, and through the healing power of Christian Science I am now in my right mind and physically well and morally strong, and never felt better in my life. I am convinced that if it had not been for Christian Science I would not be here to tell the story. I am not only restored to health, but to my wife and family and to my former work, as traveling salesman, and my gratitude to God and Christian Science is unbounded.

Very respectfully,

FRANK HALE,
818 South Second Street W.

(16) FLORENCE A. LOPEZ—TUBERCULOSIS OF KNEE JOINT.

I had been in poor health for a number of years and was constantly under the doctor's care, until finally, about the spring of 1901, I think it was, I was obliged to give up my work altogether. I suffered continually with my head and back and had gradually lost the use of my right leg. The pain seemed to center in my knee and was intense. I went from doctor to doctor, but grew constantly worse. Finally I was taken to Dr. Lillienthal, a prominent surgeon connected with Mount Sinai Hospital; he diagnosed the condition as tuberculosis of the knee joint, and ordered me to wear on orthopedic brace. This I did for several months, but it only seemed to make matters worse. By this time the leg had shriveled considerably and I was constantly in great pain.

In December, 1902, I was removed to St. John's Hospital, of Brooklyn, N. Y., and was operated on by Dr. Beekman H. Delatour, who removed several pieces of cartilage which had broken loose from the knee joint. I had been promised by the doctors that if I would consent to this operation I would experience immediate relief, and, though my knee would be permanently stiff, I would otherwise be well and able to walk without difficulty. This, however, did not happen. I continued to suffer intensely, and shortly after this operation I developed a mastoid abscess and six weeks later was operated on for that

trouble. I remained in St. John's Hospital for three months, until the spring of 1903. As the result of these operations my knee was entirely stiff and the leg had shortened over an inch. I continued to suffer almost as much as previously, and was unable to walk without crutches.

During the next year I had treatment from an osteopath, who tried in vain to restore motion to the knee and who finally gave up the case as hopeless. In March of 1904 I was again taken to the hospital and operated on for appendicitis, returning home at the end of a month weaker and more miserable than ever. The following winter, at the advice of the doctors, I went south and remained for six months, returning much better and even able to walk a little without crutches, but in a few months I was much worse again and had to return to the doctors. In October, 1905, I went a third time to the hospital and was again operated on, further pieces of the cartilage being removed. This resulted in a still further shortening of the leg, but was otherwise without result.

In February, 1906, after a winter of great suffering and hopelessness, I was persuaded to try Christian Science. I knew nothing of it and had no faith in it, but simply tried it as a last resort, as I was almost in despair. Six weeks after I started treatment I was walking on the street without crutches, and in another six weeks the leg had grown back to its natural length. On the 17th of June, 1906, I went to work, and have been constantly employed ever since. A month or two later I was examined by Dr. W. L. Duffield, who had been my attending physician for years, and, to quote his own words, he said, "Your knee is in absolutely perfect condition." I have continued to grow stronger during the last eight years, until I can say gratefully that I am absolutely well.

The truth of the foregoing statement can be vouched for by the following: Mrs. Fred Riley, 5 Kenmore Place, Brooklyn, N. Y.; Mrs. Clarence Steere (formerly of Brooklyn), Wickford, R. I.

FLORENCE A. LOPEZ,
820 Nostrand Avenue, Brooklyn, N. Y.

(17) MISS JULIA C. MEEK—CHRONIC MYELITIS.

About eight years ago, at the age of 13, I was taken with what physicians called chronic myelitis, which gradually developed in intensity until it extended over the entire length of the spinal column, in consequence of which my entire body except the right arm became absolutely useless. My head and knees were drawn so closely together that the only way I could take food was by having my knees forced apart and being fed by means of a tube. Every physician who was employed pronounced my case incurable, and in consultation they agreed that it was impossible for me to live, and positively would never be well. After failing to receive any help or get any encouragement from the several physicians, I turned to Christian Science, and through its efficacy was completely healed. The following doctors were employed: Dr. C. O. Bernhardt, sr., No. 506 Eighteenth Street, Rock Island, Ill.; Dr. George Eyster, No. 1109 Second Avenue, Rock Island, Ill.; Dr. J. F. Meyers, No. 2926 Fifth Avenue, Moline, Ill.; Dr. V. A. Berland, No. 1721½ Second Avenue, Rock Island, Ill.

Respectfully yours,

MISS JULIA C. MEEK,
No. 912 Seventeenth Street, Rock Island, Ill.

(18) MISS NELLIE B. TINKHAM—CANCER.

Nine years ago I first began to notice a disease manifesting itself in my left breast. This increased gradually until it began to give me considerable pain and swelling. I consulted Dr. C. E. Longlaux, Dubuque, Iowa, who stated, upon examination, that an immediate operation was absolutely necessary; that it was a tumorous cancer; that it was so far developed as to make an immediate operation a positive necessity in order to save my life, as well as threatening paralysis of the left arm. At this stage of my disease the pains became very severe and lasting. The mental condition following such a diagnosis and the physical evidence to support it made human existence to me most unendurable. This first doctor said that the left breast had to be entirely removed, part of the right one also; that the operation had to be performed within 10 days; that the growth of this cancer had extended to this positive necessity.

I then consulted Dr. Reuter, of Waterloo, Iowa. He corroborated what the first doctor said. This last-named doctor was an allopathic doctor. At this time my left arm could not be raised to my head. It was at this extreme period, in March, 1913, that I tried Christian Science upon the advice of a friend. The first treatment brought relief, although severe pains followed three days later during the night, but the following morning I realized that I was greatly improved, and in the first week's Christian Science work the growth became smaller, pains disappeared, fear destroyed, my general condition greatly improved. At the end of three months the cancerous growth had entirely disappeared, my breasts were in perfect normal condition, my left arm well, my general condition of health most excellent. I relied absolutely upon Christian Science during this time. My condition as to health and happiness has been normal and permanent to this date, September 7, 1914.

I am willing to verify under oath the correctness of this testimony.

MISS NELLIE B. TINKHAM,
Dubuque, Iowa.

(19) MRS. REBA G. PECK—FIBROID TUMOR.

Sixteen years ago I suffered greatly from nervous headaches and great depression. This continued for a number of years, with attacks of acute pain so great that at times I thought I would die in them. My husband, being a physician, treated me without any permanent relief, frequently calling in other physicians to suggest treatment, without any permanent results. After several years' suffering the trouble was diagnosed fibroid tumor of the uterus. An eminent surgeon and a specialist of women's diseases suggested the knife as the only remedy, but I would not submit to a surgical operation and continued to suffer almost unendurable pain and depression, with impaired digestion and inability to properly attend my household duties. The tumor gradually grew until it was the size of one's head. Finding no relief from medicine, electricity, osteopathy, or psychology, I turned to Christian Science and found in this treatment great relief. First the headaches were relieved, digestion improved, and the tumor reduced and disappeared. Since then I have turned to Science for different diseases in my family and have seen some wonderful healings. My gratitude is unbounded.

Respectfully,

MRS. REBA G. PECK,
235 West Peachtree Street, Atlanta, Ga.

SEPTEMBER 6, 1914.

The very brief statement of the suffering of my wife, Mrs. R. G. Peck, only partly states her condition and suffering. I certify that the statement is correct and only details a very small part of her suffering. She was perfectly relieved by Christian Science treatment, as stated, after failure of all known medical treatment.

F. H. PECK, M. D.,
SEPTEMBER 6, 1914. *Atlanta, Ga.*

(20) FRED J. STEVENS—LOCOMOTOR ATAXIA.

501 SOUTH LA SALLE STREET.
Chicago, September 16, 1914.

For a period of 12 years I was in very poor health, almost constantly under the care of a physician. I was then taken with a disease diagnosed by the doctor as locomotor ataxia and pronounced incurable. He also advised very strongly against the employment of specialists or any system of medical treatment, saying there was absolutely nothing known in medical science that would heal this disease. As he was also an old friend of the family, he knew that we had no money to waste, and he was very willing to do all the doctoring we needed.

This ailment, owing to my very weakened physical condition, made very rapid headway, and at the end of three years I was helpless, bedridden, unable to walk or to stand upright on my feet. A specialist was then called, and after three months' treatment I was so much worse that he told my wife that he could do nothing more, that my end was near—a matter of six weeks at most. I decided then and there that I would discontinue all medicine and medical treatment and live the balance of my days in peace. A copy of the Christian Science textbook, Science and Health, with Key to the Scriptures, by Mary Baker Eddy, was brought to me at this time by a Christian Science friend, and after a few weeks of thorough study and an honest desire for understanding I was once more enabled to use my limbs, which had been useless for so long. After reaching the point where I could walk out on the street without assistance a Christian Science practitioner was consulted for the purpose of obtaining a better understanding of the truth. One month from the day that I called on the practitioner I returned to my place of employment thoroughly and completely healed. It is now more than 11 years since this healing was effected, and there has never been the least symptom of the old complaint returning. To-day I can walk as good as any man and am enjoying perfect health.

The physician who diagnosed this case is Dr. Wells Andrews, whose last address that I have been able to get was at 2259 West Madison Street, Chicago. The specialist who treated this case was a Dr. Gilbert White, who at that time was the head of a goat lymph sanitarium, located in the Auditorium Building, Chicago, but whose present whereabouts are unknown to me.

Very sincerely, yours,

FRED J. STEVENS.

The events narrated in the foregoing testimony of my husband are true and exact in every particular.

MRS. NELLIE E. STEVENS.

(21) C. DUDLEY GEDDES—CRIPPLED FROM BIRTH.

1415 SECOND AVENUE,
Detroit, Mich., September 2, 1914.

I wish to testify to the efficacy of Christian Science as a healing agency.

My son, now 17 years of age, from his birth to his twelfth year was a cripple, delicate, and puny.

Christian Science has changed him to a rugged, healthy, normal boy. It has both straightened and lengthened the curved and shortened limb, restored the carious bone to soundness and the stiffened joints to their normal action.

This condition was prenatal, consequently looked upon by the medical profession as incurable. Manipulation, massage, electricity were each given a trial, without result. Nothing remained to be done from a material standpoint but an operation. Friends and doctors advised it as the only remedy, but even this held no assurance of a complete healing. The only committal given was that it would help the condition.

No less a distinguished physician than Dr. Royal Copeland, of New York City, dean of New York Homeopathic Medical College and Flower Hospital, 58 Central Park West, formerly the head of the homeopathic department of the University of Michigan, and a man of great breadth and generosity of mind, willing to give justice where justice is due, made the statement that it was beyond the realm of reason to expect Christian Science to heal this particular case; that the only thing to be done was an operation.

An operation did heal the boy, but it was the operation of Divine mind, not of matter. It was the operation of the Divine law of harmony replacing that of inharmony—suffering; the law of freedom replacing that of bondage. Furthermore, the healing was painless, thorough, and complete.

That this testimony may give hope to others who are in need and that Christian Science may be given the credit of the healing is the reason for giving it.

Very sincerely yours,

LULU Y. GEDDES.

I hereby certify that the above testimony as given by my mother in regard to my healing is true in every particular.

C. DUDLEY GEDDES.

I personally know C. Dudley Geddes and the mother, Mrs. Lulu Y. Geddes, hence I can vouch for the verity of the above statement.

Sincerely yours,

CHAS. V. WINN.

In a personal note accompanying the above testimonial Mrs. Geddes says:

"I am sending you a testimony of my son's healing through Christian Science. It has been slow in going forward to you for the reason that I had first to find the address of Dr. Copeland, to whom reference is made, and then wait for a reply—wishing to make sure that the use of his name would not be objectionable to him. In writing him I inclosed a copy of the testimonial I am sending you, and this is what he said in answer to it:

"'Your letter is certainly truthful, and I have no desire to have it changed in the least. I have always said that as a system of ethics, as a way of everyday living, Christian Science has in it all the good in the world. You know I have never been quite willing to admit that organic disease could respond to the methods of Christian Science, but I would be a poor Christian, indeed, if I doubted God's ability to do anything.'

"Dr. Copeland is dean of the New York Homeopathic Medical College and Flower Hospital, New York City.

"Very sincerely yours,

"LULU Y. GEDDES."

(22) R. H. PENTECOST—BRIGHT'S DISEASE.

MEMPHIS, TENN., *September 12, 1914.*

In the year 1905 my health failed to such an extent that I was practically incapacitated for work. Dr. W. T. Watson, of Lexington, Tenn., where I was living at that time, diagnosed my case, and, being a friend of my family, evidently feared to acquaint me with his finding. However, subsequent events proved that his diagnosis confirmed my opinion of the case.

Failing to receive any benefit from materia medica, as a last resort I turned to Christian Science and was shortly healed. Some two years after my healing I was again in Lexington, and seeing Dr. Watson I urged him to tell me what his diagnosis had revealed, whereupon he stated that it was undoubtedly Bright's disease, and that he feared to tell me the real condition at the time of his diagnosis. My healing was permanent, and I am now in excellent health.

Yours truly,

R. H. PENTECOST.

I am familiar with this case and know it to be absolutely true.

Truthfully,

MARY BEATRICE GARRISON.

(23) MRS. MAME LUND—TUMOR.

GRAND RAPIDS, MICH., *September 11, 1914.*

I was healed of an ovarian cyst tumor through Christian Science treatment 16 years ago. My family physician, Dr. O. L. Dales, of Grand Rapids, took me to the U. B. A. Hospital, of this city, where Dr. Herrick performed the operation. I had become very thin and emaciated, and then filled up with water until, from the waist line down to my feet, I was very large. The tumor and what water they caught filled a large pail and weighed 40 pounds. Another tumor grew in its place, which at the end of a year had become very large. The same family physican, Dr. Dales, urged me to have it removed again, and with it the organ from which it grew.

While dreading the operation I heard of Christian Science. I asked for Christian Science treatment and at the end of a week I was free from all pain and discomfort. I continued taking treatment in Christian Science for about three weeks. Not long after Dr. Dales made an examination and found no trace of the tumor. About six months after my healing I passed examination for life insurance.

During all these years there has never been any return of the trouble.

Very truly yours,

MRS. MAME LUND.

We gladly indorse Mrs. Lund's testimony of healing.

MRS. CHAS. ALDEN,
901 Scribner Avenue, Grand Rapids, Mich.
M. LUND,
923 Scribner Avenue, Grand Rapids, Mich.
MRS. H. A. LARAWAY,
506 Union Avenue SE., Grand Rapids, Mich.

(24) FRIEND WEST—CANCER.

CEDAR SPRINGS, MICH., *September 11, 1914.*

In September, 1908, my physician, Dr. A. C. Auren, then of Cedar Springs, took me to a hospital in Grand Rapids to be operated on for appendicitis. Dr. Graves started to perform an operation, and instead of appendicitis he found a cancer of the bowels of so serious a nature as to make an operation useless. The incision was sewed up without performing any operation, and I was informed by Dr. Graves that I might possibly live six weeks.

My cousin, who is a Christian Scientist, asked me to try Christian Science. The incision for an operation took place Tuesday. On the following day—Wednesday—I had my first Christian Science treatment. Saturday of the same week I walked down town, a distance of several blocks. Sunday I took a ride of about 12 miles in a carriage and in 10 days I was working on the farm picking up potatoes.

I am pleased to say that I have remained in good health ever since, having had no return of the cancer.

Very truly yours, FRIEND WEST.

We indorse the above testimony of the healing of Friend West through Christian Science treatment.

CHAS. R. ALLMAND.
MRS. FRIEND WEST.

(25) HARRY FISHER—MULTIPLE NEURITIS, KIDNEY TROUBLE, AND TOBACCO HEART.

BUFFALO, N. Y., *September 25, 1914.*

While attending a convention of the National Association of Merchant Tailors of America, held in Washington, D. C., in February, 1911, I was seized with a severe attack of tonsilitis. Upon my return home I sought my physician, Dr. George M. Lewis, 2567 Main Street, Buffalo, N. Y. He did what he could to relieve me, but without success. A few days later I was stricken down with what the doctors term multiple neuritis, kidney trouble, and tobacco heart, and for a period of several weeks I suffered untold agony, and half of that time was in a semi-conscious condition. During the earlier part of my sickness my wife called in Dr. George Mosley, of Delaware Avenue, Buffalo, in consultation with Dr. Lewis, and they agreed that the diagnosis was a correct one and the remedies satisfactory. I was given hot-air baths up to a temperature of three and four hundred degrees, together with various medicines, but I gradually became weaker, until the doctor informed my family that I would not live longer than 48 hours at the longest. My family then asked me to try Christian Science, and I gave my consent to call a practitioner. When he came to my room I was in such a condition that I was unable to sit up or stand, unable to feed myself, and my nurse carried me in his arms just like a baby. After he had given me a treatment he told me that I would be able to leave my bed on the next day, and could do so at once if I wished to. I looked at the practitioner and felt very sorry for him, but to my surprise I did get up about three-quarters of an hour after he had left, for I was completely healed of all my complaints. A desire for tobacco was taken away and a few days later I discovered that my eyesight was healed, for I had worn glasses for about 12 years.

From the day of my healing to the present time I have had splendid health and have not take any medicine internally or externally.

I remain, yours, very truly,

HARRY FISHER.

I have personally known Mr. Harry Fisher for the period of 20 years and known the awful sickness through which he passed in February, 1911, and can testify to the wonderful healing which he had under Christian Science treatment.

Yours very truly,

LOUIS SAPERSTON,
146 East Utica Street, Buffalo, N. Y.

SEPTEMBER 25, 1914.

One of the most wonderful cases of healing that has come to my notice occurred here in Washington. It is the casé of a child born crippled and deformed and declared by the doctors to be idiotic. It was practically made over by Christian Science treatment. And yet people in their ignorance say that this remedy can not heal organic disease, but is good only for nervous or imaginary ailments. I submit the account of the father and mother of this healing:

(26) CHILD OF MR. AND MRS. A. K. WINE—CRIPPLED AND DEFORMED FROM BIRTH.

WASHINGTON, D. C., *September 19, 1914.*

Our youngest daughter, born July 15, 1912, was misshapen at birth, having curvature of the spine and both arms and legs constantly remained in an unnatural position, one arm being drawn down to the side and back in a twisted position, the other arm being drawn up back of the head; both legs were drawn up in an unnatural position. The child had convulsions from the day of her birth, sometimes as many as 18 in a day and night. Every particle of food she attempted to eat would bring on convulsions. She never had a natural movement of the bowels. We tried every means that we could, but her condition never improved.

On August 1, 1913, we took her to Johns Hopkins Hospital, in Baltimore. The surgeons told us that the child had been injured at birth and had a clot of blood on the brain; that she was an idiot and could not live; that if it were possible for her to live she would never be able to walk, because her legs were drawn out of shape. They also said that one shoulder was dislocated. She was in such a misshapen condition that this had never been discovered. We brought the child home and the end seemed to be at hand. The local physician, Dr. William P. Wood, said that she was nearly gone, and we began to make arrangements for the funeral. She revived, however, and continued to live. Some friends then called our attention to Christian Science and advised us to give it a trial. We did so, and as soon as the treatment in Christian Science commenced the convulsions stopped and the bowels began to act normally, and have done so ever since. One day when bathing her and moving as carefully as possible the dislocated arm it suddenly snapped into place with considerable noise. It has remained in place ever since. She is now able to stand on her feet, her legs are straight, and she is learning to walk and talk, and is not an idiot.

Before being healed in Christian Science she had cut several teeth. They were all without enamel, so soft and chalky that they could be flaked off with the finger nail. Since her healing the teeth that she has cut have been covered with enamel, and enamel is forming at the roots of the teeth that came before she was healed.

The surgeons at the Johns Hopkins Hospital stated, among other things, that a rib had been broken and grown together. There was a disagreeable-looking lump where the break had occurred. The lump has entirely disappeared. Her back is also perfectly straight.

MRS. MAUDE A. WINE,
A. K. WINE,
116 Third Street NE.

This is to certify that I have this day seen the daughter of Mr. and Mrs. A. K. Wine, referred to in the accompanying statement. The appearance of the child bears out the statement of the parents. The child appears bright, active, and happy.

WM. S. CAMPBELL,
The Burlington.

WASHINGTON, D. C., *September 19, 1914.*

(27) MRS. G. H. HAMILTON—DISEASE OF KIDNEYS.

COLUMBUS, OHIO, *September 23, 1914.*

DEAR SIR: In February of 1902 I was confined to my bed for two weeks with abscess and hemorrhage of the kidneys. At that time I was chief night nurse at the Grant Hospital, Columbus, Ohio. Dr. J. F. Baldwin suggested operating. Dr. E. J. Wilson was called in consultation, and they decided not to operate.

For six years after that time, and after leaving the hospital, I had frequent attacks, having employed different physicians—Dr. C. D. McCoy, now of Kenton, Ohio; Dr. E. J. Emerick, of Columbus; and Dr. J. F. Baldwin being in consultation with each one.

The attacks growing more severe and my general health in a more weakened condition until February, 1908, which was the last and most severe, I in a short time after that had an X-ray examination by Dr. C. J. Bowen, which showed the left kidney to be about three times its normal size, with light spots, which, he said, they thought might be tubercular. The right kidney showed the light spots, but could not get distinct outline.

Next, Dr. Starling Wilcox catheterized the ureters, by request of Dr. Baldwin, to determine whether the right one could stand the removal of the left one. But after none of them would tell me what was the trouble, but said the right one was as bad as the left, and they could not operate, but said I must give up all my work. They prescribed a treatment which I tried to carry out, but grew worse and could not stand the medicine, as it injured the stomach.

In May I was advised to try Christian Science. After sarcastically refusing for some time, I finally consulted a practitioner and in four weeks was healed, the poison passing off in the form of a diarrhea, lasting four days.

I have had no return of the trouble and am able to do anything I have to do, for which I am very grateful, indeed.

MRS. G. H. HAMILTON,
9132 Summit Street.

(28) MRS. MARY S. STEWART—CANCER.

MCCONNELSVILLE, OHIO, *September 22, 1910.*

It gives me pleasure to give my testimony as to what Christian Science has done for me.

After being operated upon twice for the removal of a cancerous growth in the breast, and after the growth had appeared again for the third time and in two places, I was induced to try Christian Science.

I was healed. I have had perfect health and there has been no return of the disease since. That was seven years ago.

Very respectfully,

Mrs. MARY S. STEWART.

P. S.—The physician who diagnosed the case and who performed the operation were one and the same, Dr. Henry McLaughlin, of Marietta, Ohio.

M. S. S.

(29) MRS. ADELAIDE M. GILMAN—DISEASE OF KIDNEYS.

CLEVELAND, OHIO, *September 22, 1914.*

After suffering for three years with sinking and fainting spells, as well as having considerable pain, I went to Dr. C. F. Hoover, 700 Rose Building, Cleveland, Ohio, for an examination. As a result of this examination he stated that there was a large growth on the right kidney and that the left kidney was so badly affected that there were continuous hemorrhages from it. He said that it would not be advisable to operate, as both kidneys were seriously affected, and advised that I remain as quiet as possible, explaining that any sudden jar might cause a hemorrhage which might result fatally. He even advised me not to go home in my machine, fearing the jolting of the car would produce a serious hemorrhage.

At the request of Dr. Hoover, Dr. William Lower, Osborn Building, Cleveland, also made an examination, as well as a test of the urine, which test corroborated the diagnosis of Dr. Hoover. He also advised against riding in an automobile or street car and recommended perfect quiet.

After consulting with these specialists I was advised by friends to try Christian Science treatment, which I did. The change was apparent from the first treatment. In three months I took an automobile trip of over 1,000 miles, and while on that trip my complete healing was manifested. After the healing a sample of the urine was analyzed by Dr. Tanner, of Willoughby, Ohio, who pronounced it free from any foreign matter.

During the past seven years I have been absolutely free from any discordant condition of this kind and have annually taken trips ranging from 1,000 to 3,000 miles by automobile without experiencing any inconvenience.

Mrs. ADELAIDE M. GILMAN,
Beauwood, Euclid, Ohio.

(30) MAJ. LORENZO P. DAVISON—PARALYSIS, RHEUMATISM, AND OTHER DISEASES.

The STATE OF TEXAS, *County of Tarrant:*

Before me, the undersigned authority, on this day personally appeared Maj. Lorenzo P. Davison, United States Army, retired, known to me to be a credible person, who, being first duly sworn, deposes and says:

That he is at present detailed by the War Department as instructor of military science and tactics at a military school near Fort Worth, Tex.; that he is an alumnus of Colgate University, Hamilton, N. Y.; a graduate of the United States Military Academy, West Point, N. Y., class 1885; that he took the post graduate course at the United States Engineer School of Application, Willets Point, N. Y., 1888–1890; and that at the outbreak of the Spanish-American War he was pursuing special work in the Ryerson Physical Laboratory at the University of Chicago under the direction of Prof. Michallson, the celebrated physicist; that he is now sound, mentally and physically, and able to do more work and better work than ever before in his life; that his present physical condition is due to the healing power of Christian Science; that he was healed by reading Science and Health, With Key to the Scriptures, by Mary Baker Eddy, of the following diseases: Rheumatism of 12 years' standing, diagnosed as chronic; malaria of about 8 years' standing, developed into its most pernicious form, due to continued tropic service; and of the after effects of a violent attack of tropical—Shanghai—dysentery; constipation in its most stubborn form, said to be due to a stricture of the sigmoid flexure which the surgeons claimed could only be completely remedied by an operation.

At the close of the Spanish-American War he found himself completely prostrated physically and mentally, suffering from the above-mentioned complications combined with what the doctors diagnosed as chronic neurasthenia, and that he was invalided home from the Tropics, with little or no expectation of ever being able to do active service again. That in July, 1900, his command was ordered abroad as part of an expedition for the relief of the legations at Peking, China, and while but little improved in health, he went with his company in a vain attempt to flee from what seemed a worse state of affairs at home—desperately sick in soul and in body, a soldier's grave in a far-off land seemed to be the highest hope both for himself and his family; that his service in the Philippines was practically a repetition of that in the American Tropics, resulting in frequent collapses and a final complete breakdown, culminating with malignant ear trouble and mastoiditis; that his mental and physical condition was such as to render it unsafe to operate for the latter trouble, which apparently developed into what was finally clearly diagnosed by expert physicians and surgeons as pachymeningitis, affecting the part of the brain supposed to be the center of sight, speech, and hearing; that he was sent from one military hospital to another for observation and treatment, until between Christmas and New Year's, 1902, at the Army and Navy General Hospital in Hot Springs, Ark., he was stricken with paralysis affecting the right side; 11 days later a second stroke included the entire right side and affected the left; some 14 days later a third stroke of paralysis completed the work and left him apparently helpless, sightless, and speechless. That these strokes were well defined, and on account of his age, 44, the surgeons held out no possible hope of recovery. While in this state, much of the time in a state of coma, given up by the kind, competent, and sympathetic surgeons as hopeless, waiting as patiently as possible for death which seemed inevitable, some words of the Christian Science textbook, Science and Health, with Key to the Scriptures, by Mary Baker Eddy, came to him with new meaning, a meaning not understood when read years before in mere technical investigation; that he began to realize their healing effect, and turned to God for the first time with an honest desire to live, to be good, and to do good; that more and more of this truth came to him as he continued to ponder it, and to the amazement and confusion of the surgeons in charge he began to recover the use of faculties and limbs; that from that time on, especially after being able to again procure a copy of Science and Health, depending entirely on Christian Science for healing and reformation, he was freed from those various diseases slowly but surely, and is to-day a well, strong, active, and happy and contented man; that for many years preceding his final breakdown he was what is called a steady drinker—never actually drunk, but requiring more and more frequent indulgence in stimulants to do his work, and fond of gaming, often carrying it to excess; profane and otherwise not over choice in the use of words or ideas; a confirmed tobacco user in all its worst forms, and without fear of God or respect to man, and without a hope of a hereafter; that these habits fell away from him one by one while reading and studying the Bible in connection with and as interpreted by Science and Health until now he rejoices in freedom from all the above degrading conditions; that in 1904, when he came up regularly for examination for promotion to his present rank, the examining board, in performance of their sworn duty, called in expert medical testimony and found that, although rapidly improving, he was entirely unfit for active service, and that there was no reasonable hope that he would be able to do duty again, and thereupon he was retired from the active list of the Army; that in 1906 he was examined for a policy of $5,000 in a well-known life insurance company and passed the medical examination successfully and highly satisfactorily, and that with a full and detailed knowledge of the medical history of the applicant the proper authority (the vice president of the company in this case) waived the facts of said medical history and officially considered him and recommended him as an "excellent risk"; that said policy was thereupon issued, and that a year and a half later, when deponent allowed said policy to lapse because he considered it an unnecessary expense, the said insurance company urged him strongly to maintain said policy; that he at this time hardly knew what a "healer" or "practitioner" meant in Christian Science, and had no treatment or other ouside help until later; that the medical history of the deponent is a matter of record in the War Department, Washington, D. C., and at the various hospitals and posts where he was afflicted—records made on the spot by unbiased and competent surgeons; that in the interest of truth the deponent will facilitate the examination of such records and will gladly answer in detail any questions as to his previous or present condition; and deponent further states that he knows by indubitable evidence which is too sacred to be made public that his healing and reformation are due to the complete change of thought concerning God and concerning man in His image and likeness, brought about by reading and studying and attempting to apply the discovery by Mary Baker Eddy known as Christian Science.

L. P. DAVISON.

Subscribed and sworn to before me this 22d day of April, 1910.

W. W. HAZZARD,
Notary Public, Tarrant County, Tex.

(31) MRS. NINA ECKSTEIN—BLINDNESS.

When about 4 years old I fell into a pond of water which was covered with scum, my eyes becoming infected with same. For some weeks I could not see at all, and when the doctor did not help me my mother took me to an old man who healed by prayer. After my third visit I was able to see. When the trouble returned and I was taken there again we found that the man had died, and I was obliged to resort to material means again. When I reached my sixteenth year I went to Prague, Austria, and entered a hospital, where I remained about four weeks and was discharged as healed. Two years later I went to New York, and after being there one week my eyes again became very much inflamed and I was taken to an eye specialist, whose name I have forgotten. He said that my trouble was incurable, and his fee being more than I could pay, I was obliged to go to Dr. Knapp's free clinic; and I continued to go there for 12 years, sometimes three and four times a week. Dr. Born attended me most of the time, and although everything was done for me, I grew worse. Hearing then of a new clinic that had been opened on One hundred and twenty-sixth Street and Fifth Avenue, known as the Sherwood Memorial Eye Infirmary, Dr. A. Scott being the head physician, I went there. I can honestly say that everything known to the medical profession was tried by Dr. Scott. After one year and a half of faithful service he came to the conclusion that he could do no more, and said that unless God performed a miracle I would become blind.

Shortly after this I heard of Christian Science, and remembering Dr. Scott's statement, I investigated it to see if there was any help for me. I was also told by the above-named physician that the sight of one eye was gone and it was only a question of time with the other. Indeed, my whole head was so affected that for eight months previous to my coming into Christian Science I was attended by two physicians daily, Dr. Scott for my eyes and Dr. A. Kuntz for my head. Fearing that I might lose my mind, the latter often put leeches on my temples to draw off the blood. I was warned by Dr. Scott never to neglect my eyes even for one day, as it might prove fatal. With this thought I took up Christian Science, and three weeks later, not having sufficient understanding of the Truth, as taught in Science and Health, with Key to the Scriptures, by Mary Baker Eddy, to overcome the fear produced by the doctor's verdict, I became totally blind. I remained in this condition for three months, when the light began to dawn upon me and gradually I was able to go alone. About a year later I called on Dr. Scott and told him what I had done. I shall never forget the tears of joy he shed when I explained to him that I was no longer discouraged nor despondent and that I wanted to live. Although he was sure, according to the condition of the eyes while under his care, that if the vision were ever destroyed nothing could possibly restore it, when he was told that after being blind for three months I was able to see he was honest and good enough to acknowledge the power of God as taught in Christian Science.

In conclusion, will say that for over 16 years I have relied wholly on Christian Science for every discordant condition that has presented itself, and can honestly say that I am younger, healthier, and happier than I had ever hoped to be.

Sincerely yours,

Mrs. NINA ECKSTEIN,
70 Lenox Street, Hartford, Conn.

Although I am not a Christian Scientist, I know the above statement of my sister-in-law's healing to be absolutely true.

H. W. SEIDE.

(32) MRS. LILLIE D. ATKINSON—DEAFNESS.

When about 18 years of age my parents discovered that I was becoming deaf, and at once placed me in the hands of a specialist. For a period of about nine years I was treated by almost as many physicians, but without relief; in fact, I became almost totally deaf. Eight years ago last May I went to Dr. Frank Crouch, one of the most noted specialists of Baltimore, Md. After a thorough examination he told me that the deafness was caused by a gradual weakening of the auditory nerves, and that in a very short time I would be totally deaf.

I immediately took up the study of Christian Science, and my hearing has been restored so that I can hear ordinary conversation without the least difficulty. Along with this healing came healing of my eyes, and I was able to dispense with glasses, which I had worn for 10 years,

besides being healed of an affection of the kidneys, for which an operation had been advised, and a supposedly incurable skin disease of lifelong standing.

Very truly yours, Mrs. LILLIE D. ATKINSON,
1205 N Street, Washington, D. C.

OCTOBER 9, 1914.

(33) WILLIAM H. SEYFRIED—NECROSIS OF BONES OF THE CHEST.

NEW LONDON, CONN., *October 15, 1914.*

By this letter I desire to testify to my personal experience and to the efficacy of Christian Science as a healing agency when at death's door.

In June, 1903, I was taken down with typhoid fever while playing an engagement at the Atlantic Highlands Casino as musical director. During my illness that season the board of governors did everything possible to make me comfortable and furnished me with the best medical aid obtainable. My local physician being Dr. Van Mater, of Atlantic Highlands. When my condition permitted, I was removed to my home in New York City with the hope of being able to take my usual winter engagement, but my convalescence was very slow. In November of the same year I had severe pains in my chest, and finally after our family physician's examination (Dr. Gilday, of the Polyclinic Hospital staff, East Thirty-fourth Street, New York City), it was said that there was a growth on my chest which must be removed by an operation. When this was over, I was informed that the operation, which took place in Dr. Gilday's office, had disclosed a serious affection of the bone.

I kept putting off the question, however, until after another examination in April, 1904, when I went to the Polyclinic Hospital for my second operation. This time the surgeons removed not only part of the center sternum, or breastbone, but also one rib. The wound not healing, I became very much disheartened, and in November of the same year I went to a specialist, Dr. William Tillinghast Bull, who said after an examination that another operation was the only thing.

A few days before Thanksgiving Day found me in Dr. Bull's sanitarium for my third operation, and this time a second and third rib were removed, leaving me weaker than ever. This operation was performed by Drs. Bull, Walker, and Denton. Now came the time for me to go about with a cane, with one of my family as an escort, and I often prayed to be taken out of such misery.

January, 1905, found me back in the same sanitarium for the fourth operation within less than a year. In this last experience two more ribs were removed, and left me in a dreadful condition; and about the 1st of March my dear friend Dr. Bull gave me up, saying twice to me while dressing my wounds: "Can't you think of something else you might try, or some other doctor?" When I returned home I pondered over this question, but concluded I had had about all the cruel steel I could endure; in fact, my surgeon told me once I had better arrange my personal affairs, as bone necrosis was incurable when in such an advanced stage as mine.

Shortly after this a friend called and asked my good wife to have me try Christian Science. I was approached on the subject, and, thinking it over, it came to me that if Christian Science did me no good it certainly could do me no harm, and the more I thought of it the more I felt like trying it. Very rarely was I permitted to go from home to the surgeon's office, unless one of my family accompanied me; but one day something happened that I went alone, and when I came out of the surgeon's office I stood at Herald Square with tears streaming down my cheeks, confronted with the prospect before me of trying surgery again, and this time still another rib was to be removed. But remembering my firm resolution not to have any more operations, my heart filled to the brim with discouragement, these thoughts presented themselves to me: Will you try Christian Science, or will you submit to another operation? As I could not take any chances in a crowded Broadway car, I walked with great difficulty to a Christian Science practitioner's office in Forty-second Street.

It was on a Saturday that I had my first Christian Science treatment, and every day I went to my practitioner's office, and on the following Thursday I had left off the corset-fashioned bandage which I had worn over six months. It was cold weather in March, and I questioned whether I should leave it off or undress and put it on; however, I did not put it on. On Friday of that same week I had no cane to carry, and the week following the exposed rib which was to have been next operated upon was entirely covered.

The next thing that happened came as a surprise to my friends. It was well known that I had worn glasses for 12 years. It is now over 9 years since my healing in Christian Science, in which time I have felt no need of glasses, nor has my health ever failed me once in that time. I know no fatigue or weakness, which I attribute to the healing preventive as taught me in the Science of Christ.

Here it is but just to say that all the physicians and surgeons who attended me through many years of sickness were working diligently to make me a well man—for some were very dear, personal friends—and I wish to express my love for and appreciation of these gentlemen. I know that they and the nurses did the best they knew; but, notwithstanding, they could give me no assurance of restored health.

It is in gratitude for my splendid recovery and with the hope that this testimony may help others to understand the healing efficacy of prayer as taught in Christian Science that I submit these statements to you.

Very sincerely, WM. H. SEYFRIED.

I hereby wish to indorse all the statements made by my husband in the accompanying testimony. From my own personal knowledge and observation I realize "the half has not been told" of this wonderful recovery from what seemed to be certain death.

ANNA M. SEYFRIED.

(34) CHILD OF MR. AND MRS. WALTER T. TRITTIPOE—EPILEPSY.

September 15, 1912, our little girl came home from a three months' visit to Virginia very nervous, and grew much worse daily. We called a physician (Dr. Chadwick, the Burlington), and he in turn ordered us to get our family physician, who was sick himself when we first sought medical treatment for the little one, namely, Dr. E. L. Mason, the Portner, and the two of them consulted a third physician. After several weeks' treatment, the medicine being changed three to four times a week, they agreed that it was a very pronounced case of epilepsy and assured us that there was no hope for the child, who, by the 15th of December, was having from 20 to 30 spasms in 24 hours, in some of which we could scarcely detect any signs of life whatever, the doctor remarking that the only relief for us or the child would be in its death. About December 20, 1912, on the advice of some friends and acquaintances who were not Christian Scientists, we sought a Christian Science practitioner. Within the space of two weeks the little girl was sleeping fine of nights and before the 15th of January, 1913, she was absolutely well. Nearly two years have passed, the little one is well, is enrolled in the Christian Science Sunday School, and attending the public school every school day.

Mr. and Mrs. WALTER T. TRITTIPOE,
1105 N Street NW., Washington, D. C.

NOVEMBER 3, 1914.

(35) MARY S. COOK—LOCOMOTOR ATAXIA.

In October, 1907, I was taken very seriously ill with peritonitis, and while still laboring under this claim I was attacked with a severe nervous affliction, one of the manifestations of which was very severe pains in my lower limbs. The diagnosis of my trouble by the physicians of the health resort at which I was staying was rheumatism. The pain was so intense that it became necessary to keep me under the influence of morphine most of the time. Upon my return to my home my family physician pronounced my trouble to be neuralgia, and still continued the morphine treatment. Later our local physicians determined that I was suffering from neuritis, which they thought was superinduced by eye strain, and they recommended that I consult a noted eye specialist in Philadelphia, which was done without any relief, although glasses were prescribed and I was assured that they would give the desired relief.

While in the East another physician was consulted, who diagnosed my trouble to be multiple-neuritis, and upon my return home our local physicians agreed with this diagnosis. I was confined to my bed and conditions grew constantly worse, and specialists were called in from many different parts of the country. This was the condition for about four or five months, during all of which time I was almost constantly under the influence of morphine. Finally at a consultation of physicians it was announced that I had locomotor ataxia and that my chances of getting well were very slight indeed, and that if I should get well I would never be able to walk again. About this time morphine ceased to affect me, and it became necessary to chloroform me several times a day. Things went on like this for several months until I became insane and almost totally paralyzed, and was given up to die by a consultation of physicians.

After the physicians gave up and it was thought to be only a question of hours before I would pass on, it was decided to try Christian Science. A practitioner was called on the 15th day of April, 1908, and about three days later my mind was entirely clear, and in less than a month I was out riding. Being unable to walk, I was carried every place for about six weeks; then I learned to walk, like a child taking his first steps. I finally walked and enjoyed perfect health, and have done so ever since that time.

MARY S. COOK,
129 West Rayen Avenue, Youngstown, Ohio.

(36) MARY E. BOHRER—DEAFNESS.

As a result of brain fever when a small child, abscesses formed in both ears, perforating the drums and in a few years causing deafness. This condition existed about 20 years, and at the time that I first heard of Christian Science I had never used a telephone, conversation at my own dining table was almost an impossibility, and for nine years I sat before a Presbyterian minister and never heard a single sermon he preached. The first time I attended a Christian Science service the only sound I was able to hear was that of the congregational singing.

I began treatment in Christian Science about eight years ago, and now through Christian Science I am able to hear not only all of the Sunday service, but also most of the testimonials given at our Wednesday evening meetings. About two years ago some wax hardened in the interior of the ears, which I could not remove, and I was advised to go to a physician and have it removed. I did so, and when the physician looked into my ears he said that the scars on the ear drums showed where the perforations had been, but that the drums were perfectly healed and there was no reason from a medical standpoint why I should not hear perfectly. He expressed himself as regarding the healing as a most remarkable one.

MARY E. BOHRER,
326 Virginia Avenue SE., Washington, D. C.

DECEMBER 18, 1914.

Mr. President, to summarize the cases of healing I have presented to the Senate and the number of each of the mentioned diseases, they include 57 cases, covering 36 distinct diseases, and the number of each kind shown to have been healed are almost, if not all of them, regarded as incurable by medicine or surgery, and diagnosed as such by competent physicians. They are as follows:

Tuberculosis	7	Insomnia	1
Drink habit	3	Diabetes	2
Drug habit	2	Pemphigus	1
Kidney disease	6	Lead poisoning	1
Cancer	10	Valvular heart disease	1
Tumor	7	Paralysis	1
Double curvature of spine	2	Chronic myelitis	1
Asthma	1	Gallstones	1
Nervous prostration	1	Lung trouble	1
Neuralgia	1	Bright's disease	1
Organic heart disease	1	Multiple neuritis	1
Rheumatic gout	1	Tobacco heart	1
Ulceration of stomach	1	Rheumatism	3
Accidental injuries	1	Blindness	1
Locomotor ataxia	3	Deafness	2
Malformation of children	3	Necrosis of chest bones	1
Chronic constipation	2	Epilepsy	1
Indigestion	1	Appendicitis	1

Many good people who do not believe in Christian Science concede willingly that it is doing great good in bringing consolation and good cheer to the bereaved and disconsolate, allaying fear, and healing functional or imaginary diseases, but deny its power to heal organic diseases. For these they still believe resort to the medical practitioner is necessary. In the cases I have given not one is of the kind to which it is thus conceded Christian Science may successfully minister. Of such as these cases by the thousands might be cited. But they can be healed by the medical doctor with his drugs or his bread pills. The great work of Christian Science, as I have shown, is in the healing of organic diseases given up by the doctors as incurable.

Mr. President, it is this kind of beneficent and humane work that the doctors and others are trying by every means within their power to suppress by law and by regulations of the Public Health Service. And incomprehensible as it may seem, the Government in its various departments is aiding and abetting this unjust persecution of people who are endeavoring to ameliorate the suffering and sorrows of their fellow men, redeem them from their sins, and heal them of their diseases. The work of Christian Science is too well known now for any intelligent man to say that he does not know of its good work. If anyone does not, it is his own fault. Its beneficial ministrations have extended all over the civilized world. Its workers can be found everywhere. Through bias and prejudice men may go blindly on and deny its efficacy. But if they do, it is either through willful prejudice and intolerance or ignorance, for which there is no valid excuse. Men continue to denounce and ridicule not what Christian Science is but what they think or have been told it is. But the opposition to it no longer comes from broad-minded, tolerant, and intelligent people who are informed of its methods and its fruits, but from those who are not informed or those who are wilfully blind to its beneficent work or those who are interested in preventing the continuance of its activities for selfish reasons of their own.

There can be no better place to discuss its merits and expose the sources from which this opposition comes than in the Senate of the United States, where broad-minded, tolerant men sit in judgment on the rights and privileges of American citizens and make laws to protect and preserve those rights inviolate. It is this fact and the fact that proposed laws restrictive of the rights of Christian Science are now pending before this body that have emboldened me to speak freely and candidly in defense of those rights and the rights of common humanity.

HEALINGS RECORDED IN THE BIBLE.

Mr. President, such healings as I have been relating and by the means indicated are not new. Christian Scientists have no monopoly on divine healing. It is a remedy open to all men who in the right spirit seek or give relief. It may be administered by anyone possessed of sufficient understanding, consecration to the work, and faith in the healing power. Jesus of Nazareth practiced it centuries ago. He commanded his twelve disciples:

> Heal the sick, cleanse the leper, raise the dead, cast out devils; freely ye have received, freely give.

After appointing the additional 70, He imposed upon them the same duty to mankind and his commands were faithfully observed. He said:

> He that believeth on me the works that I do shall he do also, and greater works than these shall he do because I go unto my Father.

I am not going to detain the Senate by any extended comments on the healings performed by the Nazarene. I assume that every Member of this body is familiar enough with the Bible to know of His healing work. I refer briefly to the fact that it is recorded that He healed the following diseases specifically mentioned: Leprosy, palsy, fever, insanity, issue of blood for 12 years, blindness, dumbness, withered hand, paralysis, both blindness and dumbness in the same person, great multitudes of the lame, blind, dumb, maimed, and many others, impediment of speech, epilepsy, and dropsy; and that He healed all manner of diseases and raised some from the dead.

In His great work of healing He resorted to neither drugs nor the surgeon's knife, neither did He recommend or recognize any such remedies.

Before and after His crucifixion this same work of healing was done not only by His disciples but by others. At the gate of the temple beautiful, Peter healed the man lame from his mother's womb, and the people "brought forth the sick into the streets and laid them on beds and couches that at least the shadow of Peter, passing by, might overshadow some of them. There came also a multitude out of the cities round about Jerusalem bringing sick folk, and them which were vexed with unclean spirits, and they were healed everyone."

And for this the high priests were filled with indignation and laid hands on him and his companion, John, and put them in the common jail. But they continued their work, saying: "We ought to obey God rather than men," and "they beat them and let them go." For like work Stephen was stoned to death. Philip, in the city of Samaria, "cast out unclean spirits and healed many, and there was great joy in that city." At Lydda Peter healed the man Æneas, who had kept his bed for eight years and was sick of the palsy, and raised Dorcas from the dead.

For this and his teachings Peter was thrown into jail, but escaped, and James for like reason was slain by the sword. In Lys-tra Paul healed the man, impotent in his feet, from his mother's womb. For his work Paul was stoned and left for dead, and later he and Barnabas were imprisoned and put in the stocks.

Mr. President, these devout and consecrated men were persecuted, imprisoned, and some of them put to death because of their teachings and their beneficent work for mankind. Jesus, who taught and practiced this method of healing, was persecuted, imprisoned, and finally crucified. His followers, following in His footsteps and endeavoring to fulfill His commands, met a like fate. This was centuries ago. But the spirit of intolerance and persecution survives the years. The men and women of to-day, who are conscientiously trying to carry out His injunction, laid upon all men, to heal the sick, are persecuted and imprisoned as He and His disciples were persecuted and imprisoned. If they were here to-day doing the work of healing that they did then, they would be subject to fine and imprisonment under the laws of some of the States. They would have been held criminals under the laws of still other States if they had healed the sick without first procuring a license from an examining board of doctors. How absurd this appears when applied to the original Teacher of this mode of healing and His disciples. But, sir, it would have been no more absurd, no more cruel, no more unjust than it is to-day as applied to those who are conscientiously endeavoring to do this same work of healing and with such results as I have been presenting to the Senate.

I have given but few of the cases of healing recorded in the Bible, as I have of those of this later time. There were multitudes healed then, and of all manner of diseases, just as at the present time. I might follow up this work of healing for at least 300 years after the crucifixion. In Gibbon's History of Rome it is recorded that such healings occurred long after the crucifixion and long after all of the disciples of Jesus had passed away. The work of healing that is now going on is only a renewal of the methods then practiced. It is not new. It is as old as the Christian religion.

WHAT THE DOCTORS ARE DOING TO MAINTAIN THEIR MONOPOLY.

Mr. President, on a previous occasion I called the attention of the Senate to the extent to which doctors are going to secure monopolistic control of all medical and healing activities. But the efforts of certain doctors have increased of late rather than diminished. They are not content to follow their profession, to which no one would object. The most of the people of this country still desire the services of the medical practitioner, though the number is steadily growing less as people learn how little help they can get from that source in time of sickness and disease. But so long as anyone believes in medicine or surgery as a means of healing disease he is entitled to have it, and neither the Government nor anyone else has any right to deny him what he wants. And no one will deny, not even those who have no faith in drug healing, that the medical doctors are doing great good and alleviating much human suffering.

Therefore the right of the doctor to practice his profession, and of those who desire his services to go to him for help, should be jealously preserved and protected. Not only that, but the efforts of the American Medical Association to educate the members of their profession, elevate the standard of medical practice, and render the work of its members more intelligent and effective are to be highly commended. I presume nobody would complain of that. Certainly I do not. It is the constant and often unwarranted efforts made by some, not all, of the members of that association who control its policies and methods, to secure legislation beneficial to themselves at the expense of others, in violation of the constitutional rights of other people, and detrimental to their interests that has aroused deep-seated and determined opposition to their methods. By such methods they have materially injured the reputation of the whole medical profession of their school, and the association has been falling off in its membership. In the report made by the president of the association at its meeting at Atlantic City June 15, 1912, it was said on this subject of membership, among other things:

> The number of members May 1, 1911, was 33,960; 299 members have died, 1,301 members have resigned, 500 members have been dropped as noneligible, and 1,987 have been dropped for nonpayment of dues, and 64 reported not found, making a total of 3,151 names to be deducted from the membership list. There have been added 3,474 to the membership roll, of which 2,253 were transferred from the subscription list. The membership of the American Medical Association May 1, 1912, is 34,283. There have resigned from the association in the past four years 4,899; there have been dropped for the nonpayment of dues 2,726, making a total of 7,635 members taken out of the association. Why? This means an annual loss to the association in dues alone of $38,175, and a still greater loss in prestige and education. No business house would permit such a loss of patronage without the closest scrutiny and the most careful analysis.

Mr. President, much of the opposition to legislation favoring and extending the power of the regular school of medicine has been aroused by the proposal in the Owen bill to establish a department of health, with its head a member of the President's Cabinet, and some of the matter I shall submit will relate specifically to that bill. But it is only a part of a general scheme on the part of the American Medical Association to intrench its school of medicine in power in both State and National affairs. It has worked through various channels to manufacture sentiment in favor of its legislation. The teachers in the various schools, public and private, and the woman's clubs throughout the country have been the victims of its selfish efforts in this direction. In some instances they have had the good sense to refuse to be made parties to the scheme, as I shall presently show. But a good many others, including the National Bureau of Education, have succumbed to its influence and become the advocates of unjust and undesirable legislation.

As an evidence of the activity of the doctors in their efforts to secure the passage of the Owen bill, let me quote an account furnished me of a meeting of the Chicago Woman's Club, at which the bill was considered:

For the third time within a year the Chicago Woman's Club discussed the Owen bill Wednesday, January 22. The advocates of the measure brought all of their influence and their strong forces to obtain an indorsement. Dr. Charles A. L. Reed was brought from Cincinnati to speak. Dr. John B. Murphy, ex-president of the American Medical Association, who has been the leader of the campaign to obtain a national department of health, with Dr. C. A. L. Reed as his principal lieutenant, was there. Dr. W. A. Evans, of the Chicago Tribune, was on hand. All spoke.

Dr. Mary McEwen, chairman of the legislative committee of the General Federation of Women's Clubs and also of the Illinois Federation of Women's Clubs, was present and told the Chicago Woman's Club that as the two great central organizations had investigated and indorsed a national health department there was nothing for the Chicago Woman's Club to do but to pass resolutions favoring a national department of health. Dr. Anna Blount, chairman of the legislative committee of the Chicago Woman's Club, approved what Dr. McEwen had said, and pointed to the indorsement of the Owen bill by her committee by a vote of 4 to 3. Dr. Rachel Yarros also spoke as a member of the Chicago Woman's Club for the bill.

The opposition was participated in by Mrs. Grace Wilber Trout, Mrs. Linda Prussing Azemar, Mrs. Sarah P. Cane, Mrs. Florence Potter Seaton, Dr. Frances D. Bloomington, Dr. Mary Elizabeth Manks, Mrs. Bernadotte K. Sodon, and Mrs. Katherine Knowles Robbins. Dr. A. C. Tenney was the only outside speaker, and as a guest he was allotted five minutes. Mrs. Charles W. Wright, member of the legislative committee, presented the minority report against the indorsement of the Owen bill.

Mrs. Trout made the hit of the day by declaring that "we have been fighting to rid ourselves of the political boss and the commercial boss, but now you propose to saddle upon us a medical boss."

After the conclusion of the discussion the guests were requested to withdraw and the voting began. The motion to adopt the report of the legislative committee indorsing the Owen bill was defeated by a vote of 2 to 1. The motion to adopt resolutions similar to those passed by the General Federation of Women's Clubs and the Illinois Federation was then made by Dr. Yarros, but the club adjourned before they were acted upon.

In view of the great pressure brought to bear upon the members of the club by the speakers of the day, the women who opposed the steam roller of the American Medical Association certainly are to be congratulated upon the success they achieved. The Illinois branch of the National League for Medical Freedom contributed toward that success by advice and literature, which were supplied to various members of the Chicago Woman's Club upon request.

Mr. President, the efforts being made to control all health activities extend to the management of the schools as well as the homes of the people. Sex hygiene, compulsory physical examination of school children, vaccination, the use of various serums, eugenic marriages, and many other fads and fancies intended to increase the power and the emoluments of the medical doctors, are being forced upon unwilling victims by the enactment of unjust and unnecessary laws and by rules and regulations of the National Public Health Service and State and county boards of health. It is an intolerable condition that is meeting with earnest and determined opposition on the part of people who believe in personal liberty.

The strictures upon the so-called political doctors are fully justified by some of their methods and the means to which they have resorted to satisfy their selfish desire to maintain and strengthen their hold on deluded people who depend on medical doctors for the healing of sickness and disease. They have sought to obtain laws and make health regulations that would place the school and the home, as well as private practice, completely under their control and domination. They make the false cry that others are seeking vicious legislation, and maintain that all physicians of their school should unite to prevent the making of such laws, when they are the only people who are seeking such laws as will give them a monopoly of healing and at the same time make it unlawful for anyone else to engage in any such practice. Their object is not to serve the public good but to preserve their hold on the people and maintain their profits. They have seen other means of healing extending to a degree that is destined to ruin their practice and destroy the influence and power of the "regular doctors." They are striving by every possible means to hold their people together, and thus destroy all others who seek, by other means than their own, to heal disease. Above all things they want the help of the lawmaking departments of State and Nation. To obtain it they bring to bear wherever possible the influence of teachers and educational bodies, civic organizations, women's clubs, and any others they can reach. In this they have sometimes failed, but too often they have succeeded. Legislative bodies have been subservient to their schemes altogether too often. The National Government with all its power and influence is supporting their efforts and supplying over $20,000,000 a year to these same "regular doctors" to spend as they see fit. In some of the States the practice of other methods of healing is made a criminal offense through the machinations of these same doctors. In others it is made a criminal offense for a Christian Scientist to charge a fee for healing disease in his way. Of course, the doctors, who alone have secured the enactment of these prohibitory laws, care nothing about whether these practitioners charge or accept a fee or not. The sole object of such laws is to prevent them from practicing at all.

The two great States of New York and Ohio, where hundreds of healings by this means—many of them of diseases pronounced incurable by these same doctors—have been effected, are to-day disgraced by laws of this kind. Just lately, in New York, a Christian Science practitioner, regularly engaged in Christian Science healing, has been convicted of accepting fees from his patients who were glad to pay for his services, and sentenced to be punished as a criminal. Such laws are so manifestly unjust that juries have almost universally refused to convict for violation of them. This was so subversive of liberty and justice that the legislature of the State passed a law in effect repealing it, but at the instance of the doctors the governor vetoed the bill.

Now, Mr. President, let us consider for a moment how such pernicious and unjust laws are obtained. The situation is pretty clearly shown by the following letter bearing date of June 28, 1912, sent out presumably to all "regular" doctors in the State of Illinois. It is prefaced by the appeal, "Please read every word":

DEAR DOCTOR: Do you realize that the great number of the benefit societies in England, together with the new Lloyd-George benefit bill, have so cheapened medical services that there are now only half a million of the population of England who need pay more than $1.50 each per year for such services? This means ruin to a large number of physicians.

Do you realize that in Austria, Germany, and France, as well as in England, pauperization of the medical profession has become a veritable curse; that it has become necessary for the doctors to organize into medical protective leagues in sheer defense of their means of existence?

Do you realize that all over Europe the rising tide of State socialism, the blighting hand of fraternalism, the innumerable hospitals and clinics for free care of the sick, the multiplication of friendly societies all help serve to keep down the natural increase of the profession and keep those in it poor?

Do you realize that the spread and popularity of quackish medical fads is more prevalent than ever; that in America 50 new cults have arisen in the last 10 years, many of them practicing the healing art in some form, and many of them having grown at tremendous speed at the expense of the regular schools of medicine?

Do you realize the importance of the above? In Germany laws against quackery were stringent and effective in the early part of the nineteenth century. In 1869, at the instance of the Medical Society of Berlin, the laws were very much relaxed. The result was a tremendous development of quackery in Germany. In Berlin the number of quacks increased from 28 in 1869 to over 1,000 in 1893. The whole number practicing in Prussia was over 5,000. In 1896 it was estimated the number of quacks in Prussia was 10,000, and the scope of their practice had become unlimited. In certain districts the number of quacks outnumbered the qualified practitioners two to one. The unqualified practitioners are regularly organized and have schools and institutions providing for a four months' course for quacks: there are over 800 societies for study of "natural healing," with a total membership of 112,000; there are over 50 periodicals with millions of circulation.

Do you realize that the average income of the doctor in America has been placed by many competent authorities at about $700 per year, or $2 per day; that economic conditions here are not as favorable to-day as they were 20, 10, and even 5 years ago; that the earnings of a large proportion of the profession are less than that of organized labor; that the abuse of medical charity, as practiced in our hospitals and dispensaries, is a powerful factor operating to reduce the physician's income; that competition is becoming rife; that sanitation and preventive medicine is reducing disease materially; that hygiene, not medicine, is the slogan of the day; last, but not least, the work of the doctor is to be finally eliminated by being absorbed as a function of the State, as evidenced by the fact that the State is continually encroaching upon the work of the profession? It no longer confines itself to its legitimate and original sphere of enforcing the laws of sanitation and hygiene or of assisting physicians in the diagnosis by laboratory tests, etc. It has become in more than one way a privileged competitor of the physician in private practice. It has practically, if not legally, taken from him nearly all cases of vaccination. It not only opens up dispensaries, but even sends out physicians and nurses to the bedside of patients without taking any more trouble to eliminate (sic) the bestowal of such public charity on the really poor than do hospitals or dispensaries.

We realize, of course, after digesting the above that medicine as a livelihood has arrived at the most critical period of its existence. The economical status and outlook of the profession is nothing if not pitiful. The very existence of the doctor is at stake; survival of the fittest is the issue of the day.

Do you not realize that it is time for physicians to be up and doing; that by cooperation and cohesion the profession should enter an earnest and vigorous protest against all unwarrantable encroachments affecting economic conditions and circumstances under which physicians have to make a livelihood?

The needs and advantages of cooperation are obvious. The abuses herein enumerated will grow in importance and the profession will continue to be underpaid unless we organize and cooperate our efforts for mutual protection. In correcting abuses which confront the profession we must learn a lesson from the captains of industry, as well as from laborers and other fields of endeavor, who have learned that it is necessary to combine and cooperate.

Only physicians, it seems, are foolish enough to expect that they can fight the battle as individuals. The sooner the better for the profession when all are brought to a realization that the day of purely individual self-help against the many unfavorable conditions under which they are compelled to practice their profession is over.

(I may say in parentheses that these worthy doctors seem to have overlooked the American Medical Association, one of the strongest organizations in the country, and the hundreds of State, county, and city organizations of doctors.)

This point is well illustrated in England, where the national insurance bill has done one thing which seemed previously impossible—that is, completely united the medical profession, the union being to resist the obnoxious portions of the national insurance act. When the bill was first promulgated nothing was done. Now that it is seen that the system of contract practice is not only an evil but a weak point in the profession's organized resistance against the act, the British Medical Association has made a bold move and attacked the whole contract system. A defense fund is being established for the purpose of compensating physicians who may lose by resigning from their society appointments. Contributions of $50 are being solicited from each member of the profession.

By way of illustrating the difficulties encountered in trying to prevent the passage of vicious medical legislation, the lawmakers tell us that the medical profession is unorganized; that as a voting unit it is of little or any value, for the reason that the average doctor takes no interest in public affairs; that he will not go to the primaries; that the majority don't even take the trouble to vote on election day.

At every session of the legislature an attempt is made to pass special medical legislation sectarian in nature, the object of which is to secure the right for certain cults to break into the medical profession by a cheap and short-cut route, and at a standard of medical education lower than those already in the field. Powerful and financial influences are always operating to enact these measures into law.

In order to overcome the impression that the profession is unorganized, and in order to overcome the disrespect in which we are held by the lawmakers, it becomes at once apparent that in order to do effective work in preventing vicious legislation there should be an organization representing the whole profession, and that this organization should have the earnest cooperation and support of every licensed physician.

Such an organization would quickly bring every physician to a thorough realization of his rights, privileges, and power for safeguarding his own vital interests as well as the interests of the community. The medical profession in Illinois, comprising 11,000 members, could, if organized, put any just law it wanted on the statute books, as well as defeat any attempt to pass vicious medical legislation.

The public relations committee of the Chicago Medical Society is trying to familiarize the profession with the true status of affairs and help correct the apathy of individuals toward their own interests. This can best be brought about by reputable physicians like you joining the organization and working in harmony for one common end. The enormity of the task of safeguarding the interests of the individual member necessitates the heartiest cooperation of every physician in Chicago with the public relations committee, and we ask you to join us in our effort.

We are inclosing you a blank, which you will please fill out with the indorsement of two members of the Chicago Medical Society; or if you do not know who are members of the society, send a blank to the public relations committee, and we will get indorsers for you from your branch.

Make the check payable to the Chicago Medical Society. We will immediately forward it to the committee on membership and have your name passed upon at the next meeting of the council.

Now is the day and the hour. Fill out the application blank and return it by next mail. Otherwise you may mislay the blank or forget to attend to it.

Very truly,

J. V. FOWLER, M. D.,
E. M. WEBSTER, M. D.,
CHAS. J. WHALEN, *Chairman*,
Public Relations Committee, Chicago Medical Society.

P. S.—Fee for membership $5 the year; 50 cents per month after July 1 to January 1; or, if you prefer, $6.50 will give you a membership to January 1, 1914, together with the advantages given in the inclosed circular. Remember the legislature convenes in a few months. Your assistance will help prevent the enactment of vicious legislation which will be introduced when the forty-eighth general assembly opens.

Appended to the above letter is a lengthy statement setting forth the advantages to be derived from membership in the Chicago Medical Society. From this I extract one of the nine reasons given for joining:

MEDICAL DEFENSE.

Out of each $5 of annual dues paid the trustees of the Chicago Medical Society are requested to turn $1 over to the "medical defense committee" for the protection and defense of members of the society against whom suits for malpractice or damages may be brought. Any member of the Chicago Medical Society against whom suits for damages may be instituted is entitled to the services and assistance of the Chicago medical attorneys up to the time of actual appearance in court without any cost whatever to him. This practically means that every member of the Chicago Medical Society is protected against suits for malpractice and damages in the most effective manner. The history of the work of this committee is that up to the present time, under this stand-together arrangement, very few of the many threatened suits have actually been brought. This one feature alone is worth to the practicing physician many times the entire cost of membership. Private defensive companies are charging many times the above fee for this feature alone.

Mr. President, it will be seen that the appeal made in the letter is not for the protection of the public or the sick and afflicted against vicious laws. It is directed wholly to the object of protecting the doctors. The claim that their object is to prevent the passage of vicious laws is a false pretense. It is they who have brought about all medical laws, many of them of the most vicious kind. The only effort made by other schools of medicine and modes of healing has been to prevent the enactment of such vicious laws, intended only for the benefit of the doctors themselves, and to bring about their repeal when these gentlemen have once procured their passage. As I have shown on a previous occasion, their passage has sometimes been prevented by the veto of wise, broad-minded, and liberty-loving governors of States.

A word should be said about the assault made in the letter on quacks. By "quacks" these gentlemen mean all people who do not practice as the so-called "regulars" practice. They do not discriminate. It sounds impressive and creates sympathy for them to denounce the quacks and place their reason for combined effort upon the ground of exterminating the quacks and protecting the regular old-school allopathic practice in all its purity. It sounds good to people who do not know and makes their effort appear laudable and praiseworthy.

The efforts that are directed toward Congress by the American Medical Association to bring about the enactment of the Owen bill to establish a department of health are clearly shown by the following extract from a report made to the house of delegates of that body at its annual convention at Atlantic City June 3, 1912:

The progress of the campaign for a national department of health is doubtless familiar to all the members of the house of delegates. As the efforts of the association for the passage of the Owen bill have been placed in the hands of an independent committee, which will report to you direct, it is not necessary to discuss the details of this campaign in this report.

Beginning the last week in February, a letter was sent to a selected correspondent in the home town of each Member of Congress, asking for the name of the family physician of the Congressman. A second letter was then sent to the family physician of each Congressman, so far as obtainable, asking him to write or call personally on the Congressman in question, explaining the purpose of the Owen bill and asking for his support.

On April 29 a circular letter was sent to each member of the national auxiliary legislative committee, numbering about 2,000, asking them to support the Owen bill for the sake of public health; to have as many physicians as possible in each county to do the same thing; to have a resolution indorsing the bill and asking the Senators to support it passed at once by the county society and a certified copy sent to both of the Senators; to secure the indorsement of as many prominent citizens in the county as possible; to secure indorsements of women's clubs, local health organizations, civic and commercial organizations, and other bodies; and to get the indorsement of any newspapers in the county, with favorable editorial comments, if possible. With this letter was sent a copy of the report of the Senate committee and a reprint from the Journal, giving an extract from the CONGRESSIONAL RECORD, showing the debate on the floor of the Senate.

In addition to these two series of letters, a large amount of printed matter has been distributed. The Bulletin for November 15, containing the text of the Owen bill, editorials, and extracts from the Journal and many newspapers, biographical reports regarding the promoters of the National League for Medical Freedom, cartoons, and other material, has been widely distributed. Four editions of this Bulletin were printed, amounting to about 20,000 copies. A large number of copies of Senator OWEN'S speech, of the report of the Senate committee on the Owen bill, and of various reprints from the Journal have also been distributed, being sent to medical societies, women's clubs, and individuals asking for literature.

The Bulletin for November 15, 1911, was devoted entirely to the campaign for a national department of health. It consisted of cartoons, editorials, extracts from the Journal, a summary of the Owen bill, as well as the full text of the bill, numerous editorial extracts from newspapers, and biographical and other matter regarding the officers of the National League for Medical Freedom. This Bulletin has proved of the utmost value in educating the public and the profession on this subject, between twenty and twenty-five thousand copies of it having been distributed in January, February, and March.

I commend this account of the activities of the American Medical Association to the attention of the committee on insidious lobbying.

But the doctors were not satisfied with their strenuous efforts to influence legislative action from the outside. They conceived the idea of sending members of their own profession to legislative bodies to protect their interests. Of course such a man, when selected, was there for just one purpose, and that a selfish one affecting his own personal interests and that of his profession. The way this was worked in Kansas is shown by the following article, taken from the Journal of the American Medical Association of February 15, 1913:

GETTING TOGETHER IN KANSAS—AN EXAMPLE TO EMULATE.

To the EDITOR: At the spring meeting of the medical society of a certain county in southwest Kansas suggestion was made that one of the members of the society should be candidate for the legislature in order that the interests of physicians might be safeguarded by representatives from among the profession. This was determined because

the interests of physicians were menaced by the last legislature and were also seriously threatened through the activities of the chiropractors and the League for Medical Freedom in the legislature which was to be chosen and is now in session.

After considerable discussion it was decided that Dr. R. T. Nichols, of Liberal (the county seat), should be the person to make the race. Dr. Nichols's popularity among the people had been attested by the fact of his election as mayor, and he had shown marked executive ability as well as much forcefulness of character in the conduct of the city's business.

Notwithstanding that the physician-candidate was a Democrat, while most of the members of the society were Republicans (Seward County is strongly Republican), they stood together "as one man" and succeeded in electing him. But the story does not end here. The doctors agreed not only that they would work for his election, which they did most heartily, but also that they would turn back all of his patients on his return from the legislature and pay him a per diem bonus as well while he was in attendance at the capital.

Dr. Nichols made his maiden speech the other day in the house, defeating the schemes of the enemies of the Kansas food and drugs law by causing the untimely death of house bill 76. This bill called for the reorganization of the State board of health, replacing the majority of the physicians on the board with laymen who are interested in the manufacture and sale of food and drugs. Incidentally it might be remarked that the present Democratic governor—who won his election by a majority of 26 votes—was elected by the physicians of Kansas, 85 per cent of whom voted for him as against the Republican candidate, the publisher of the Topeka Capital and a large number of other publications which carry nostrum advertisements. Dr. Nichols is ably assisted by two other physicians, one of whom ran on a platform of public-health education, disregarding the platform of his own political party. Is it not about time that the physicians of the country should emulate the example set by the Seward County Medical Society and "get together"?

S. J. CRUMBINE, M. D., *Topeka, Kans.*

This step was taken not in the public interest. The reason for it is clearly stated in the article written by one of the doctors. It was "*in order that the interests of physicians might be safeguarded by representatives from among the profession,*" and "*this was determined because the interests of physicians were menaced by the last legislature, and were also seriously threatened*" at the one coming on.

So they, the doctors, generously agreed to take care of the patients of the member of the profession who was chosen to sacrifice himself in their interest and pay him a per diem for his services, not to his State but to the doctors. They seemed filled with pride that they elected their fellow member, whose interests and theirs were in jeopardy, and also elected a governor with whom they were well pleased, and they were rejoiced that through the influence of their doctor friend, whom they were supporting financially, certain legislation was defeated. I do not know how meritorious the defeated legislation was or to what extent the interests of the doctors were protected by its defeat. I am only concerned to show the methods resorted to by these worthy representatives of the regular school of medicine to protect their own material interests. In my native State of Indiana the doctors seem to have gone the limit in this direction. The following extracts from Medical Freedom for December, 1912, show what they are seeking to accomplish:

Burke on one occasion said, "The people never give up their liberties but under some delusion," and a few years ago one of the most distinguished members of the American Medical Association, when denouncing the reorganized association after the political doctors had gained control of it, as "a medico-political and commercial trust," said: "The more speciously fair the mask self-interest wears, the more dangerous it becomes."

These thoughts were brought vividly to our mind recently on reading an extended article which appeared in the Indianapolis Star under the heading "State doctors to combat vice. Bill drafted for legislature making all Indiana physicians health officers." The article describes at length the latest and most amazing proposal on the part of the political doctors, which is nothing less than the establishment of a State-wide medical inquisition, with every licensed physician acting as a spy or inquisitor of state for the board of health. In this article Dr. J. H. Hurty, secretary of the Indiana State Board of Health and probably the most active political doctor in the State, and also Dr. Harvey Adams Moore, another militant worker for increased power for the medical hierarchy, express at length their views in regard to the proposed measure.

The pretexts advanced by the leaders of the proposed new inquisition are very similar to those which have been advanced in past ages in defense of despotic arrogation of power on the part of religious hierarchies. In both instances the good of the people is advanced as a warrant for the arbitrary power demanded—power which ruthlessly tramples upon the just rights and would disregard the intelligent and conscientious convictions of a large proportion of the people.

In the present instance the doctors are seeking this special legislation, which would deliver the people into their hands, under the pretext of lessening vice and physical disease. Should the proposed legislation be enacted, every licensed physician would be forced to become an inquisitor for the State medical authorities, under penalty of losing his license to practice, while the rights of the citizens would be entirely subordinated to the autocratic power of a body of men whose fallibility is only equaled by their dogmatism—a body of men whose eminent diagnosticians are constantly making the most amazing blunders, and of whose practice one of their most distinguished medical educators declared: "The whole face of medicine changes unexpectedly from one generation to another."

In his sympathetic presentation of this latest move on the part of the political doctors, the writer in the Indianapolis Star said:

The present move aims to solidify the medical profession into a single purpose, to place the responsibility for the effectiveness of the plan upon Dr. Hurty, and to call every physician in the State into service as an officer of the board of health, to serve without compensation and upon penalty of forfeiture of the license to practice.

* * * * * * *

"Publicity is not essential to the work which we propose to do," said Dr. Moore. "We must lay our foundations securely before we endeavor to do the great work which we hope to accomplish. To do this we must proceed quietly and overcome any legal difficulties which may stand in the way."

To accomplish this end the medical men have employed attorneys, and an act has been drawn up, for presentation to the legislature, by J. Walter Pritchard, of the legal firm of Pritchard & Pritchard, embodying the power to carry out the plans of the physicians.

"We have already pledged a number of candidates to the legislature to support our measure," said Dr. Moore, "and before election day we expect to have every candidate pledged."

Something of the nature and scope of the proposed measure may be gleaned from the following extract from the Star article:

The primary duty of the physician in his district is the inspection of all that it contains at intervals specified in the statute. Individuals, especially children, are to be inspected regularly as to the state of health when their condition warrants it and proper provision is made for the care of any that may be afflicted with any disease or abnormality, the treatment to be at the public expense in all cases where the individuals afflicted are not able to pay for it.

This would, of course, furnish fat positions for an army of State doctors, whose meager practice leads them to seek State aid, and it would enormously increase the burden of taxation, force upon many people physicians representing a school of practice in which they had no faith, and have a distinctly pauperizing effect upon the people.

The sweeping character of the proposed legislation may be inferred from the following:

The inspection extends into the private homes, into all public places, all places of abode, and all places where labor of any sort is performed. * * *

A complete and detailed report will be made by each physician after each inspection.

Diseases of all sorts must be reported and classified, and the district physician will be held responsible and compelled to see that proper treatment is administered.

In closing the article the writer in the Star states that—

The Indianapolis Medical Society, as an organization, had indicated its acceptance of the measure, and the approval of the State medical organization is assured. The American Medical Association will be asked to sanction the work and give it prominence in other States, the eventual purpose being to make the movement world-wide in its scope.

But for a full disclosure of this conspiracy against the liberties of the people of Indiana, we must look to an article by Dr. Harvey Adams Moore, published in the Indianapolis Medical Journal of December, 1912. I can not use all of this remarkable article. It is too long. Its title is "The real solution of the social problems and the way to accomplish it." The doctor says, in the beginning:

The dreams of Edward Seguin, fantastic and ignored in his day, are near to realization under the line of work proposed for the medical profession in Indiana with the cooperation of the public along educational lines.

"But, alas," he says: "Seguin was not appreciated. He was scoffed at in Europe and found little better success in America. His last effort, the publication of his works in New York in 1866, was a failure. Seguin died forgotten."

But since then, according to the doctor, one Maria Montessori, an Italian woman, has made practical application of his theories and proved their efficacy. But the doctor asserts, with becoming modesty, that "*Success depends wholly upon the cooperation of the medical profession.*"

Now, let us see by the following extracts from the article just how the medical profession is going to make Seguin's theories successful. He says:

And in order that the educational system shall forever have a fair opportunity to work its results, the medical profession must watch every child that is permitted to be born unto the day of its death, determining the causes of its every act, remedying its deficiencies, and developing its possibilities.

This is the principle underlying the bill which the physicians of this State are asked to urge the Indiana Legislature to pass at its next session.

That is taking a pretty big contract for the medical profession. *Watch every child from its birth to its death!* The parents of some children, and some people after they arrive at maturity, might object.

But let us see, by quoting a few more extracts, what they are going to do with everybody while watching over them from the cradle to the grave. I quote a few choice bits:

The clauses relating to education are intended to cooperate perfectly with the advanced systems of teaching and to take the normal child at the earliest practicable age, developing and utilizing its entire energy. The plan comprehends the abnormal child and offers it the opportunity for the fullest development of its powers, *but it also emphatically specifies that the abnormal child shall in every case be sterilized in order that it shall not become simply an instrument for the propagation and maintenance of abnormality.*

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The new movement is intended to place all contagious diseases upon the same plane, thus eliminating the terrible secrecy of the venereal evil. *It also proposes to make the existence of disease in any form an automatic warrant for the making of the diseased individual a legal ward of the State during the term of the disease.*

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The bill makes every physician an officer of the State board of health. It is provided that the State shall be divided into districts of equal population, *with a physician assigned to each of these districts and giving him the authority of personal inspection of all that the district contains.*

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Marriage, as the legal basis of population, *is made a public institution under the supervision of the medical officers.*

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No doubt there will be considerable protest among members of the profession at the apparent volume of work entailed. That is an element yet to be settled. *It is true that the proposed method places the responsibility for the entire social welfare upon the medical profession,* or rather, since that responsibility has actually rested there anyway in the past, the new method simply puts the responsibility on a legal footing, extending authority with obligation.

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The section of the tentative draft of the bill relating to the licensing of physicians provides:

"That any person who holds a license from the State of Indiana, or who shall procure such a license in the future, to practice medicine, surgery, or obstetrics in the State of Indiana, is hereby made a health officer in the State of Indiana, to serve and faithfully perform the duties hereinafter defined."

* * * * * * *

The division of districts is provided in the following terms:

"That the board of health of each county of the State shall, under the direction and subject to the orders of the State board of health, divide the county into districts and assign a health officer or health officers to each district; it shall be the duty of such health officers in each district to promulgate and enforce all rules and regulations of the State board of health in their respective districts; to report any infractions thereof to the county board of health, the number of physicians assigned to each district to be proportionate to the work of the district and the number of physicians in the county."

* * * * * * *

The educational feature, as tentatively provided, says:

"That each public school or institution for education of children shall supply to children from the age of *10 years until the age of 16 years a course of instruction in anatomy and hygiene, including the organs of procreation, and dealing specifically with the common diseases or afflictions of these organs of procreation,* such course of instruction to be designed and superintended by the State board of health through the county board of health."

Mr. President, the bill as described by the doctor, besides granting the powers above set out, gives the doctors complete control of the physically or mentally defective whose offspring may prove to be undesirable, and a health officer is required to examine everybody in his district suspected by him to be so defective and report the facts to the State board of health, and the board is authorized to remove all such from the place where they are to places where the board thinks they should be. So the incompetents, or people believed to be incompetent, are pretty effectually disposed of. This is about the most comprehensive effort to place the whole country, old and young, rich and poor, competent and incompetent, in the hands of the medical practitioners that I have run across. I have always regarded Indiana as a progressive State, but this goes beyond anything yet conceived of. The constitutional rights of the people of the State, who were about to be put under the control of the doctors, seem not to have been considered at the time this article was written. One would naturally infer from the scope of this proposed legislation that they were not regarded as having any constitutional rights or any rights at all not granted to them by the health officers. I do not know what the legislature did about it, but I can hardly believe that this beautiful scheme to make Seguin's theories effective ever became a law. But, while the claims here made seem absurd and extravagant, they are in direct line with efforts persistently made by organized bodies of the medical profession, and the Government, by upholding their pretensions to being the "regular" and only method of healing, is encouraging them in their efforts.

Mr. President, the doctors in North Carolina have not been behind in this effort to dominate and control the management and healing of everybody in the State to the exclusion of all other methods of healing. The people of that State seem to have given themselves over body and soul to the medical profession, if one may judge by the claims made by their boards of health. My information is that the North Carolina State Board of Medical Examiners consists of seven members, *appointed by the State medical society,* to hold office for six years. Therefore the activities and proceedings of the public health of the State is safely placed in the hands of the medical profession, which, of course, is "regular." The county boards are likewise brought under the same control by a provision that any appointment by the board of commissioners must be approved by the county medical society. When we consider that the county medical society is a branch of the State medical association, which is a branch of the American Medical Association, we have a combination quite satisfactory to the old or regular or allopathic school of medicine.

Dr. W. S. Rankin was, and may be yet, the secretary of the State board of health. In the bulletin of the State board of health for October, 1910, he defined the physician's duty to boards of health. Among other things, he says:

Since boards of health represent the Government in all matters pertaining to health, the relation of physicians to boards of health are identical with their professional relations to the Government.

To boards of health, as representatives of Government, the physician is bound by reciprocity and by common purpose.

To boards of health the physician becomes bound by reciprocal ties when he is licensed, for by this act the Government imposes in him great confidence and confers upon him important rights and privileges. For example, consider the confidence bestowed and the privilege granted in confiding the medical license law to the administration of our profession. By this trust we become to a large extent the guardians of the most precious possession of our Government—the county, State, and national health.

The State has a drastic law compelling teaching in the public schools of the "modes by which each of the dangerous communicable diseases are spread and the best methods for the restriction and prevention of each such disease." Listen to a reading of two of the sections of this law:

SECTION 1. There shall be taught in every year in every public school in North Carolina the principal modes by which each of the dangerous communicable diseases are spread and the best methods for the restriction and prevention of each such disease. Such instruction shall be given by the aid of textbooks on physiology, supplemented by oral and blackboard instruction. From and after July 1, 1910, no textbook on physiology shall be adopted for use in the public schools of the State, unless it shall give at least one-eighth of its space to the causes and prevention of dangerous communicable diseases. Textbooks used in giving the foregoing instruction shall, before being adopted for use in the public schools, have that portion given to the instruction in communicable diseases approved by the State board of health to the State board of education.

SEC. 2. Neglect or refusal on the part of any superintendent or teacher to comply with the provision of this law shall be considered a sufficient cause for dismissal from the school by the school board. Any school board willfully neglecting or refusing to comply with any of the provisions of this act shall be subject to fine, the same as for neglect of any other duty pertaining to their office. This act shall apply to all schools in this State, including schools in cities or villages whether incorporated under special charter or under the general laws.

The doctors have made themselves safe by having this law provide that the textbook used in the schools shall be approved by the State board of health. Think of giving the doctors of one school of medicine, for that is what it means, absolute control over the education of the children of the State in the important matter of preventing and healing disease, a matter of life and death. And think of the poison daily instilled into the innocent minds of the children by such teaching. No; do not think about it. It is too horrible. By this law the children of thousands of parents who do not believe in but abhor such teachings must be submitted to its evil and dangerous influences or be denied the benefits of the schools. Could there be any worse tyranny than this in a civilized country? Such laws come about by combinations, and sometimes conspiracies, of members of the medical profession. They appreciate the power of combination in their work. Thus Dr. Richard H. Lewis, member of the North Carolina Board of Health, through the bulletin issued by that board, says:

"In union there is strength," "In the multitude of counselors there is wisdom," are recognized as axiomatic truths. The advantage of organization, therefore, is such a self-evident proposition that discussion of the general subject would be a work of supererogation. I will consequently confine myself to a consideration of the special need for and the advantages to be derived from an organization of the health officers of our State.

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Finally, it will promote an esprit de corps, a spirit of cooperation not only among local health officers themselves, but between them and the State board of health. In union there is strength, and if we all get together something will have to give and we will advance the cause of the public health, which means the greatest good to all the people.

The enterprising health officials of the State point out how the county medical societies can educate the school children and their parents by disseminating disease-breeding informaton that children should be protected from as from deadly poisons. The secretary of the health board, in an article in the June, 1914, bulletin before mentioned, entitled "Public Health Opportunities of County Medical Societies," has this to say:

An acetylene stereopticon lantern that can be used in almost any building, and that anyone can operate, can be purchased for $60; an abundance of lantern slides illustrating tuberculosis, typhoid fever, malaria, hookworm disease, flies, etc., can be obtained for about $40. The entire outfit will cost about $100. With this outfit the county society could appoint a committee to prepare a standard lecture or lectures to be used with the lantern illustrations; and, at a subsequent meeting of the society, to submit the lecture or lectures for the approval of the society as a body, and at the same meeting demonstrate the use of the lantern. This committee should then be authorized to assign the different public schools to various members of the society and to request such members to use the lantern and slides on two successive Friday nights in an illustrated lecture to the children and parents interested in that particular school. Handbills announcing the lecture, supplied the teacher by the county superintendent of health, could be distributed a week in advance to the people of the community. After the lectures the outfit would be sent to the next school on the schedule arranged by the committee of the county society. Nothing would go so far in arousing popular interest in the most important and fundamental problem that concerns the people of any county.

The construction of the law by the doctors as giving legislative and practically unlimited power in the health officers is shown by the following letter by this same Dr. Rankin:

RALEIGH, N. C., *September 23, 1911.*

MY DEAR SIR: As a member of your county board of health you are by this time doubtless familiar with the health machinery of your county. You realize the wide margin of power legislative enactment has provided—and very wisely provided, too—for the safeguarding of the public health of counties against unforeseen conditions and emergencies that may arise from time to time. The section of the law clothing the county board of health with this power is to be found in section 9, chapter 62, Public Health Laws, 1911. Among other things it says: "They shall make such rules and regulations * * * and impose such penalties as, in their judgment, may be necessary to protect and advance the public health." You observe, therefore, that you are clothed with a legislative authority in health matters in your county almost as great as that which the general assembly is clothed in passing health laws for the State. And it is hardly necessary for me to remind you that, with such power, opportunities are extensive and responsibility heavy.

You should also be aware of the fact that your executive officer, your county superintendent of health, bears to your board the same relation that the secretary of the State board of health bears to the State board of health and to the general assembly. His duty is to see that health laws are properly executed, but the right kind of an officer will not be content simply to do what he is specifically commanded to do but will suggest new laws or health regulations. By this constructive work will be measured, to a considerable extent, the wisdom of your choice of a county superintendent of health.

How many propositions has your county superintendent of health asked your board to consider?

How many rules and regulations initiated by your county superintendent of health have you passed?

What work has been done by your board in your county in addition to the specific requirements, the minimum amount of health work required of you by the General Assembly of North Carolina?

These are questions that bear upon the efficiency of your work.

This good doctor, who, I have no doubt, believes he is saving lives and preserving the public health of his State, is a most alarming individual and spreads disease thoughts and fears, and breeds disease, I have no doubt, to an alarming extent in his honest efforts to serve humanity.

Mr. President, I have selected North Carolina and its health officers more because of the fearless way Dr. Rankin has seized upon the poor people of that State, especially the innocent and defenseless school children, and made them the victims of the dangerous propaganda of medical practitioners that has caused so much misery and suffering and cost so many lives, than for any other reason. Other States are equally culpable in this respect. This is intended only as a sample. When will the people of this country awaken to the fact that such methods and such publications are creating instead of preventing or curing disease! Many people know it, but remain silent. Lawmakers know it, but the pressure for laws that only perpetuate and give greater strength to the deadly evil, on the part of a powerful body of professional men, is strong, and lawmakers are indifferent. They leave the responsibility with the doctors, content to say that "They are specialists in the healing of disease, I am willing to trust them." Consequently this profession dictates and administers all so-called health laws.

Mr. President, is it fair, is it wise, is it just to the people who must suffer from bad laws to leave it to the doctors who are interested parties and far from infallible?

OBJECTIONS TO THE EFFORTS OF THE DOCTORS.

Congress has by a law lately passed authorized the Public Health Service to publish and send out information about diseases and their cures. No doubt this is intended to prevent disease. At the same time the fears engendered in others by these same doctors, by their own fears of microbes, germs, and other alleged causes of disease that exist only in their wrong way of thinking, cause more diseases and destroy more lives than all their medicines and the faith in their ability to heal can save. Mostly through the fears they have created people are afraid of what they eat, what they drink, what they breathe, and the pure air that blows upon them.

It is the refinement of cruelty that has added immensely to the weight of human sorrow, suffering, and misery. Information that is sent broadcast all over the country through publications printed and sent out at public expense by the Public Health Service would be amusing if it were not so frightfully serious in its consequences. The one saving feature of it is that very few, besides the doctors, read the deadly stuff, and they are so full of it that they can not well be made worse. But to instill it into a free and innocent mind is no less than a crime. I have examined a number of the reports sent out by the Public Health Service, and I wonder how an intelligent Government, if it is intelligent on this subject, can tolerate this systematic slow poisoning of the minds of the people, much less pay for its printing and publication. It is appalling to think of the indifference that exists in the face of this deadly practice of filling the public mind with the belief in and fear of disease. This mass of hurtful and disease-breeding information is supplemented by various State and county boards of health throughout the country. I have had occasion heretofore to call attention to certain health almanacs issued by the State Board of Health of Kansas, by which its readers were made to expect and fear certain diseases at given periods of the year. This bad example has been followed by other State boards. The original Health Almanac of Virginia is a fair sample of this death-dealing literature. It has for its motto "Good health for every day of every month." It then proceeds to enumerate the diseases that we may look forward to each month of the year, as follows:

January for smallpox.
February for pneumonia.
March for measles.
April for good wells and good water.
May for infants' complaints.
June for flies and mosquitoes.
July for typhoid fever.
August for hookworm disease.
September for diphtheria.
October for scarlet fever.
November for colds and influenza.
December for consumption.

This is a cheering prospect for the readers of such stuff. One may look forward with pleasing anticipation to the danger of at least 12 separate diseases each year, with a multitude of others not enumerated. And ignorant people who rely upon the supposed superior wisdom of the doctors meet each month with the dread and fear of at least one disease alleged to be prevalent that month, and the man who is strong enough to meet and overcome this false suggestion of disease and the common fear that it engenders should feel himself fortunate indeed.

But, sir, this so-called health almanac is only a sample of hundreds of fearful disease-breeding, death-dealing publications that are being distributed throughout the country, publications that teach the people to think and believe in disease when their minds should be filled with the hope and belief in life and good health, publications that are constantly suggesting sickness and death and inspiring the fear that all competent medical men, as well as others, know to be one of the most prolific and powerful causes of disease and death. And the good, innocent, and deluded people, forced thereto by acts of Congress and State legislatures, support this unhealthy propaganda with their money and at the same time suffer the consequences. And now it is proposed to use the great Panama Exposition at San Francisco as a means of spreading this infection of the public mind with just such deleterious and disease-breeding information, and the National Government is to be made its sponsor and advocate.

On this subject I can not refrain from quoting from a letter written by Rev. James Mulligan, priest of St. Mary's Catholic Church, of Waverly, Iowa, to the senior Senator from that State [Mr. CUMMINS]. This letter was written as a protest against the so-called Owen bill, now pending in the Senate, providing for a department of health. I may quote it in full later on, but a part of the letter is so pertinent to the evil influence of the kind of publications I am now considering that I quote it here. He says:

It is deplorable, if true, that 600,000 of our people come to an untimely end each year through disease, but in the distribution of these fatalities it is found that the States maintaining the most elaborate health departments quite uniformly bear a larger share of the number than do the States that maintain small and inconsequential ones. In the light of such an anomaly, therefore, it requires more credulity than I possess to concede that the establishment provided for by the Owen bill would be capable of reducing the ravages of disease in the smallest degree. Quite the contrary, I should fear that the adoption of this measure would have the effect of increasing illness, *especially if it is contemplated, as I believe it is, that the bureau of publications provided for therein shall engage in the popular distribution of health (disease) bulletins.* I am firmly of the belief that thoughts freighted with the fear of illness are more potent of evil as disease carriers than the types of God's humble creatures that we are persistently urged to "swat." Science has long recognized the value of suggestion as a curative agency, and our most advanced thinkers recognize that the same agency can produce, if not disease itself, at least the morbid condition of mind and body that invites it.

I am not a scientific man in any sense, but in the course of a busy life I have had under my observation a number of cases of illness produced by suggestion, and at the risk of wearying you I will refer to one of them. One morning, a few years ago, I boarded a train at West Union, Iowa, where I was then established, en route for Turkey River. It was a route I frequently traveled, and I was acquainted with the trainmen. When the conductor approached he told me confidentially that they were having some sport with Jimmy, the new brakeman, by persuading him that he looked very ill, and he asked me to aid in carrying the joke along. I declined to do so, but other passengers were more accommodating, and Jimmy was not only persuaded that he looked ill, but he actually became ill, and at Turkey River I saw him carried from the train on a stretcher, as sick a lad as I ever looked upon that made a subsequent recovery.

Authentic cases such as I have cited here could, I believe, be multiplied almost without number; but if we recognize that influences on

the mind are even small factors in the causation of disease, should we not hesitate ere we sanction the popular distribution of bulletins under the seal of the Government that deal with the subject of disease?

As a sample of the feeling of opposition that has been aroused by these proposed innovations, I quote from some remarks of Rev. Bernard C. Ruggles, of the First Universalist Church of Denver, on the subject of medical inspection of school children, as quoted in the Denver Republican. He says:

Not only economically, but also educationally, we must conserve the welfare of the child. Therefore there is both a danger and a menace in the present move for the compulsory medical inspection of school children. On first thought we would not credit this statement. On its surface it appears as a most beneficial and health-conserving movement, but when seen in the light of its intentions it proves to be political in character, tyrannical in its nature, and baneful and harmful rather than beneficial in its effects.

When this movement was inaugurated it appeared simply as a preventive measure in time of contagion to protect healthy children. Next came the demand from the doctors for compulsory vaccination. To this has now been added a program which contemplates the creation of a regular staff of salaried doctors to be connected with the schools of the country for the purpose of examining the school children for physical defects. It adds that nurses be attached, to go into the homes and see that the political doctor's instructions be carried out.

This is a political move, which is being backed and promoted by the political doctors of the American Medical Association. It has its final expression in the Owen bill, now pending in Congress, and its intent is to establish a medical control, through a department of health, which shall not be amenable even to the President, but can enter homes and supersede the authority or wisdom of parents in caring for their children. This is nothing short of a medical tyranny, letting the Government say what kind of doctor or school of medicine or system of healing shall be employed.

It is tyrannical to bring about compulsory medical inspection. There is an increasing number of children whose parents are adherents of drugless forms of healing, mostly religious in character. With such the forms of medical diagnosis contemplated are highly distasteful. They comply with all sanitary measures which look to checking contagions. But the compulsory submitting of their children to examinations for physical defects of which these little ones are ignorant is an outrage on their rights. It means that their right to believe that their right-thinking can correct their physical defect is denied them. Our forefathers periled all to establish man's religious rights, and it is tyranny for political doctors who have rejected their systems of healing to force on a people that which their hearts and souls cry out against.

The whole matter works finally the greatest injustice and harm to the children from the most approved psychological standpoint. Modern psychology has demonstrated beyond a doubt that fear is one of the greatest promoters of disease. It creates a depleted vitality and a negative condition. The Medical Journal of January 6 cautions doctors against suggesting symptoms. If this is true, think of the lasting effects of the fears which compulsory examinations will produce on the plastic and imaginative minds of children. Let us not be guilty of a step which will make children the victims of a political and mercenary procedure.

Hon. Edgar M. Cullen, former chief judge of the Court of Appeals of New York, in the annual address before the New York State Bar Association, entitled "The Decline of Personal Liberty in America," had this to say on the subject I am now considering:

Nor are the professions free from the same spirit. Surely there is no nobler, none so charitable and unselfish a profession as that of the physician. Yet the persecution which some of the physicians seek to inflict on the Christian Scientists is discreditable. Personally, when ill, if compelled to make a choice, I prefer the attendance of the physician to that of the minister, but others may entertain a different view. It took centuries of time and untold human suffering to establish the right of a man to be saved or damned in the next world in his own way. And the right of an adult sane person to be cured or killed in this world in his own way seems to me to be equally as great unless his disease, being contagious, endangers others, and even in that case it is difficult to see how the attendance of the Christian Scientists can increase the danger. Doubtless, the requirements of technical education and skill prescribed as conditions for a license to practice as a physician are proper. In default of such requirements we would be subject to be imposed upon by imposters and charlatans. But no one, however, can be deceived by the Christian Science reader except as to the extent of the special intervention of the Deity in human affairs. As to that, a man has a right to believe what he chooses, and the further right to act on his belief. In all Christian churches prayers are offered for the recovery of the sick, and all decent Christians, Friends possibly excepted, believe in supporting their clergymen. The Christian Scientist has exactly the same right to be paid for his service.

There are many other protests from various sources that have been made public. I can cite only a few of them. The demand of the doctors for compulsory physical examination of school children has aroused the most indignant protest and opposition. I have on previous occasions called the attention of the Senate to this condition. The efforts of the doctors to bring about such objectionable examinations have not abated, but, if any thing, have become more persistent and determined, and the demand has been extended to examinations of all citizens. In an editorial in the New York Evening Post of May 11, 1914, entitled, "The Price of Health Worship," after praising Dr. Goldwater for his services as commissioner of health, it is said among other things:

Whether Dr. Goldwater, or Dr. Biggs before him, or the estimable and distinguished gentlemen who are the backers of the life extension institute movement look upon compulsory medical examination of all persons as their goal, we can not positively state. It looks very much as though they did. Dr. Biggs has been quoted as advocating medical examination of all "citizens," which points very strongly that way. No unmistakable statement of such an object has yet been made, so far as we have observed; but we are as yet only in the first beginnings of the movement. Dr. Goldwater's article closes as follows:

"The next great task of preventive medicine is, therefore, the inauguration of universal periodic medical examinations as an indispensable means for the control of all diseases, whether arising from injurious habits, from congenital or constitutional weakness, or from social and vocational conditions."

If we see this in the green tree, what may we expect to find in the dry? Will it be much of a step from "universal" examination to compulsory examination? Will it be much of a step from that to compulsory heeding of the results of that examination? Is there any limit that can safely be set to the extension not of life but of the meddling with life, which this whole movement promises?

But it is by no means on the score of legal compulsion alone that the proposal of "universal periodic medical examination" is open to objection. Whether brought about by legal requirement or by the pressure of general opinion, the benefits to health and the prolongation of life which it might bring about would be purchased at a tremendous price. What that price would be requires some power of imagination, perhaps, to realize, but some idea of it may be obtained from the very facts which Dr. Goldwater adduces. Take but a single one of them. "In a recent examination of the employees of a New York City bank," he says, "100 per cent of the employees were found to be abnormal and on the sure road to diseases of heart, lungs, kidneys, or blood vessels." Very likely this examination will have been the means of stopping the progress of disease in the case of some of these men; but if the fact is as stated, the whole body of them were suddenly converted from a group of normal men, nearly all of whom were doubtless going about their work and their play with no thought of sickness, into a solid body of semi-invalids. Who shall say that the addition of two or three years to the average duration of their existence will outweigh, in the scales which measure real human values, the freedom, the elasticity, the unconsciousness of the trammels of the body, which have been impaired or destroyed by this intrusion?

And even from the standpoint of medical results in the narrowest sense there is room for grave misgivings. Not all diagnoses are correct; not all alarms given by medical men are well founded. * * * "The task before us," says Dr. Goldwater, "is to discover the first sign of departure from the normal physiological path, and promptly and effectually to apply the brake." With this as the ideal before them, will not the false alarms of the physicians outnumber those of to-day 10 to 1 or 50 to 1? Will not thousands of persons who might have lived happily and comfortably to threescore and ten before that "first sign of departure" had developed into anything serious be called upon to exercise care, to be solicitous about their bodies instead of ignoring them, and in no one knows how many cases have their lives not only dulled, but actually shortened by hypochondria?

"Those to whom the care of delicate mechanical apparatus is intrusted," says Dr. Goldwater, "do not wait until a breakdown occurs, but inspect and examine the apparatus minutely at regular intervals, and thus detect the first sign of damage." This is the favorite simile of the health enthusiasts. But in it are embedded two fatal fallacies. In the first place, the working of a machine is not affected by our concern over it, while our body may be; and, secondly, the only interest we have in the machine is that it shall function well as a mechanism, while in the case of our bodies we may deliberately choose to sacrifice perfection of the mechanism to other objects which we prize more highly; indeed, we must do so at some point or other if we wish to keep out of bedlam.

The demand for forced examination and inspection is not confined to school children. It is proposed to extend it to the industrial workers in the country. In an article in the November, 1914, Public Health Report by Dr. Schereschewsky, surgeon, Public Health Service, entitled "Physical Examination of Workers," such examinations are strongly insisted upon. As to the extent to which this interference with personal rights and individual liberty should go the doctor says:

Whatever is worth doing is worth doing well. The importance of making physical examinations thorough can not be overemphasized. A reliable record of the physical condition can not be obtained by a hasty and superficial examination; the data so collected are of no especial value, nor can incipient disease be detected by such methods. What is especially needed is a standard form of physical examination, so that the data obtained in this manner for various industries may be comparable.

Workers found suffering from physical defects and diseases should be held under observation and requested to report back for reexamination, so that advice as to their condition may be given, as well as a watch kept upon their progress to recovery. It is also earnestly recommended that periodic reexaminations be made of all workers, as this is the best way of insuring a continuous state of health on their part.

This continuous examination and reexamination would open a wide and lucrative field of labor for the medical practitioner which would do infinitely more harm than good.

From an article by the League for Medical Freedom, entitled "The struggle for freedom," I take this short extract:

WILL PERSONAL RIGHTS BE INVADED?

But back of all the debate as to whether the plan results in good or evil it is the question of how far the Government can safely go in forcing legislation of limitations, prohibitions, and penalties upon the citizen respecting health matters. The argument is made that there will be no attempt to invade the rights of the citizen. Can we rely on this? Are not our school children already stripped, examined, treated, inoculated, and otherwise controlled without our consent and mainly without even statutory authority?

We do not ask that measure of freedom that disregards the rights of others, and needful rules and regulations concerning spread of disease among helpless persons will be received and readily obeyed. But we can not give up our right to house, home, treat, love, protect, shelter, and save our children and ourselves and consign ourselves and our children to the doctrine of a school of healing with which we have no sympathy. Sanitation, cleanliness, quarantine, and similar regulations may be administered when administered properly, to the end that those who do not obey and those who do not know how to live may be shown the proper way. But we know when power is left to discretion of a class it is usually administered with autocratic and despotic hand.

Early in 1913 the President was reported to have said to a gathering of social workers in Hoboken, N. J.:

Most of the things you have spoken of are without political embarrassment. One that does have political embarrassment is the health-department project. There is a fear in many minds that we are about to set up what has been called a "medical trust." It is very desirable to remove that idea.

It is not my intention to embarrass the President or to do him any injustice. Therefore, I may say to the Senate that the President disclaims the language attributed to him, and I have no doubt that he was misquoted. Therefore, the editorials I am about to submit are not produced to reflect upon or criticize the President, but to show the prevalent feeling against any effort to interfere with the liberty of the citizen in the matter of medicine or of resorting to the remedy of his choice in case of sickness.

The supposed statement of the President was very generally commented on by the press. I submit a few editorials bearing on the question:

[From the Chicago Inter Ocean of January 28, 1913.]

NO "MEDICAL TRUST" WANTED.

President-elect Wilson, in the course of an address to a gathering of social workers at the private house in Hoboken, where he was a week-end guest, is reported to have said of the proposal for national supervision of health and sanitation:

"Most of the things you have spoken of are without political embarrassment. One that does have political embarrassment is the health department project. There is a fear in many minds that we are about to set up what has been called a 'medical trust.' It is very desirable to remove that idea."

It is very desirable. There is nothing, except his religious convictions, with which the average citizen so deeply resents governmental interference as in matters affecting his health and the health of his family. Any sort of dictation about what measures he shall take to preserve or restore health the average man regards as an unbearable outrage.

Although Mr. Wilson went on to say that he had "never seen any serious proposal to put any particular school of medicine in charge of the national health," precisely such an intention was widely imputed to the measure most earnestly urged in the last Congress. Whether justified or not, these imputations were confirmed in the minds of thousands by the apparent unanimity with which medical societies of a particular school urged the passage of the Owen bill.

It is probably true that desirable measures of sanitation and disease prevention could be more effectively administered under national authority. But so long as doctors disagree so widely and violently among themselves it is impossible to expect the laity to accept any method of treatment of disease as right to the exclusion of all other methods.

Anything that even looked like a "medical trust" would be widely and deeply resented by all sorts and conditions of citizens. The political party that makes itself responsible for any legislation which can be so construed will have only its own folly to blame for its subsequent troubles. And it will have plenty of troubles.

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[From the Boston Post of January 28, 1913.]

NO MEDICAL TRUST.

President elect Wilson is reported to have told a private meeting of social workers in Hoboken the other day that, in so far as he could have anything to say about the matter, there would be no placing of any possible bureau of health in control of a particular school of medicine. It is to be hoped that the report is true.

While allopathy is still the dominant medical practice in this country, there are millions of people who are adherents of homeopathy and are convinced of the good it has done them. So of other lesser schools. To give the so-called "regulars" sole power over a Federal health bureau would be an outrageous injustice to a large class of American citizens.

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[From the Christian Science Monitor of January 29, 1913.]

PRESIDENT ELECT AND MEDICAL TRUST.

A private gathering of persons described as "prominent social workers," held at the home of Mrs. Caroline B. Alexander, Hoboken, N. J., on Sunday, was addressed by President elect Wilson. Representatives of the press were not admitted, but at the conclusion of the meeting the hostess gave out a statement attributed to Mr. Wilson, from which the following excerpts are taken:

"Every subject treated here to-day engaged my deep interest and enthusiasm. My enthusiasm is in proportion generally to the practicability of a scheme. * * * Most of the things that you have spoken are without political embarrassment. One that does have political embarrassment is the health-department project. * * * There is a fear in many minds that we are about to set up what has been called a medical trust, and it is very desirable to remove that idea. I have never seen any serious proposal to put any particular school of medicine in charge of the national health."

Mr. Wilson exhibits keen discernment in discovering that "there is a fear in many minds that we are about to set up what has been called a medical trust," and in recognizing the desirability of removing this idea. The possibility of its removal in existing circumstances is, however, another matter. If the President elect has not "seen any serious proposal to put any particular school of medicine in charge of the national health," it is because no such proposal is necessary. A particular school of medicine is now, and has been for years, in charge of the "national health," so far as it is and has been within the power of the Government to confer such authority. The allopathic school dominates the Federal medical service. It exercises, and has exercised for years, a close monopoly in this respect. No other school of medicine has recognition or opportunity worth mentioning in any of the departments of the National Government, civil or military. It is all but stamped as the state school of medicine; it is all but empowered to drive out all other schools of medicine. What is necessary to impose allopathy upon the Nation to the exclusion of every other method of healing, so far as law can regulate the popular conscience and direct and control the popular will, is not to "put any particular school of medicine in charge of the national health," but simply to create a department of health, of which the allopathic school, already dominant in every other respect, may take possession.

Mr. Wilson is right in the view that there is political embarrassment in any proposal of this kind. His party at Baltimore saw this, and in an effort to be noncommittal became vague by reaffirming "previous declarations advocating the union and strengthening of the various governmental agencies relating to pure foods, quarantine, vital statistics, and human health * * * without partiality to or discrimination against any school of medicine or system of healing." But the issue, we think, is one that will have to be frankly put and squarely met, no matter how embarrassing it may be to political parties or to statesmen. The proposition involved is so simple that those who run may grasp it in all its fulness and seriousness. It is whether the allopathic school of medicine—the school of political doctors—shall be granted absolute power in all matters relating to sanitation and health in the United States of America, this power carrying with it the right to say how every man, woman, and child shall be treated, regardless of the personal and religious freedom guaranteed by the Constitution.

We can not now believe that as President Woodrow Wilson's exceptionally clear perception of the inherent rights of the individual citizen will be dulled by any degree of enthusiasm for any misdirected efforts of social workers or others.

The following extracts from some remarks of Dr. John M. Hodge, published in Health Culture for January, 1913, are interesting:

In many of our American cities and villages the medico-political schemer has already succeeded through false promises in having the pupils in the public schools placed under the care of political drug doctors, whose privilege it is to experiment upon the children at the taxpayers' expense.

To a logical and unbiased mind it is incomprehensible why healthy school pupils should be placed at the mercy of political doctors. * * * The truth of the matter is that compulsory medical inspection of school children is not needed, is not desired, and has never been asked for by the parents of school children nor by the public.

The demand for compulsory medical inspection of pupils comes from political doctors, who desire to create places and revenue for themselves and their confederates. Compulsory medical inspection of school children is a lucrative branch of State medicine, in which political doctors alone are the beneficiaries.

The present demand for medical inspection of school children, which is so prevalent, is due chiefly to a systematic campaign diligently pushed by the American Medical Association. The placing of school children in the hands of monopoly-seeking doctors without the consent of the parent or guardian will result in burdening the taxpayers with an ever-increasing army of State-paid political doctors.

The majority of doctors appointed as medical inspectors are incompetents who are unable to establish a practice for themselves. They receive the appointment through political influence without inquiry as to fitness for the place. The main qualification required of them is that they have political "pull." This is the class of doctors who go into our public schools and experiment upon children at the taxpayers' expense and without the consent of the children's parents.

Compulsory medical inspection of school children is intended by its self-seeking promotors to secure places for an ever-increasing army of State-supported doctors, who are seeking to establish by legislative enactment a monopoly of medical practice. Compulsory medical inspection of schools, if attained, will be toward the establishment of State medicine, which would be a greater evil than State religion.

The American Medical Association aims to establish a medical hierarchy which shall control the people from birth to death.

The bureaucratic rule which it hopes to secure in the National Government is un-American in principle and despotic in spirit. It is monopolistic and tyrannical in the most offensive sense of those terms.

The conscience-guided American citizen is resolutely opposed to the encroachment of the privilege-seeking advocate of State medicine. The American people are opposed to both State medicine and State religion; also to the policy of extending special privilege to any sect in religion, medicine, or philosophy.

Mr. President, the strenuous efforts that are being made to establish a monopoly in the healing of disease are attributed almost entirely to a certain class of doctors belonging to the American Medical Association, often referred to as "political doctors." It is understood by everybody that there is no public demand for any of the legislation having for its purpose the exaltation and continuance in power of one school of medicine and the exclusion of all other modes of healing, and that it is a selfish effort on the part of some, not nearly all, of that school to benefit themselves without regard to the needs of the general public.

Objection to the monopolistic methods of the association has not been confined to outsiders. Some of its members have protested loudly against the unjust and suicidal course it has taken. One of the most persistent of these is Dr. G. Frank Lydston, of Chicago. I am convinced from the information I have obtained that Dr. Lydston is a physician of ability and standing and a man of high character and strict integrity. I understand that he is personally known to more than one Member of this body, who will vouch for his standing as a man and a physician. I am about to quote from a pamphlet of which Dr. Lydston is the author. It was published in February, 1913. It is entitled, "*A Privileged Medical Class—The Latest Move of Medical Trust Monopoly—A Warning to the Profession, the Public, and Especially to State Legislatures and Medical Examining Boards.*"

As this pamphlet relates mainly to the manipulations of the American Medical Association to obtain control of the Medical Reserve Corps, the doctor's warning should have beer extended to Congress. I now call the contents of this pamphlet to the particular attention of the Committee on Military Affairs of

the Senate. It should move that committee to investigate conditions in the War Department relating to the Medical Reserve Corps.

He says:

The attempt by certain medical monopolists to "corner" everything pertaining to medicine and surgery in the United States is so flagrant that it is marvelous that the rank and file of the profession does not wake up. Medical schools, health boards, medical journalism, medical publishing, medical advertising, medical appointments of all kinds—the medical octopus is after them all, and is likely to get them all while the profession sleeps.

One might suppose that the Medical Department, United States Army, could not be made the playground of the medical octopus. Not so, however. In the near future I shall prove to the citizens of this country that the Medical Department of the Army is dominated by and subverted to the base uses of the dominant American ring of medical politicians. I ask the profession to read and carefully weigh the proof which I shall later submit.

I shall herein limit myself to the presentation of as pretty a little scheme of professional graft as ever has been sprung upon an unsuspecting public and long-suffering profession. I refer to the establishment of a privileged class from the Army, Navy, and Marine Hospital medical services and the proposed attempt to add to this class the Medical Reserve Corps, United States Army, and to further extend the privileges of all of these branches of the Government medical services.

The Medical Reserve Corps, United States Army, was a scheme of the medical octopus, by which it proposed—

1. To get its tentacles onto the Army, and thereby creep close to the throne in Washington.

2. To get more political influence through the large numbers and wide ramifications of the corps and more power by having more bribes to dispense wherewith to win satellites and prestige. As I will prove in a paper now in preparation, it has done these things most effectually.

The first batch of appointees to the Medical Reserve Corps of Chicago comprised the editor-manager-boss of the American Medical Association and 12 of his official family, only 1 of whom had ever worn any uniform save the "collar" of the American Medical Association. Every local official of the American Medical Association is now in the Medical Reserve Corps Association of Chicago, which numbers 112 members, to say nothing of members at large who have not joined the association. The first president of the Illinois division of the reserve corps was an ex-president and ex-treasurer of the American Medical Association. Its present vice president is a paid employee of the American Medical Association. What prevails here is duplicated in every State in the Union.

As to the personnel of the Illinois Reserve Corps Association, its roster contains the names of the following: The editor-manager-boss of the American Medical Association, two ex-presidents of the American Medical Association (one a former treasurer of the American Medical Association), the assistant secretary of the American Medical Association, the local trustee of the American Medical Association, two associate editors of the American Medical Association, a former trustee of the American Medical Association, two editors of subsidiary journals of the American Medical Association, the chairman of the committee of public health of the American Medical Association, the chairman of the committee on education of the American Medical Association, and ex-chairmen galore, a member of the council of chemistry and pharmacy, American Medical Association, three secretaries of sections, American Medical Association. In brief, every Chicago member of the oligarchic ring, and practically every one of its satellites is in the Illinois Reserve Corps Association.

Commissions in the reserve corps are supposed to be issued after a rigid examination. The majority of the Chicago contingent were not examined at all—not even physically. Any examination which may have been given in most cases was a farce. So far as I can ascertain, only two were examined as is pretended to be prescribed by law, and these gentlemen were not examined in Chicago. The "examining board" in most cases was a single Army medical officer, and the examination essentially consisted of "How do you do? What is your name? Good day."

N. B.—Part 14, Manual for the Medical Department, United States Army, provides for an examination for the Medical Reserve Corps, as follows:

"MEDICAL RESERVE CORPS.

"(b) The statement and certificate having been given and the diploma submitted, the board will then make a thorough physical examination of the applicant, which must conform in all respects to that required of candidates for commission in the Medical Corps. (Par. 5a.)

"If any physical disqualification for the service is found the examination will be discontinued. The findings and action of the board will be reported on Form 145a, modified to suit the case.

"(c) The applicant having been found physically qualified the board will next proceed with his professional examination in the following subjects:

"Practice of medicine, surgery, obstetrics and gynecology, and hygiene This examination will be oral and sufficiently comprehensive to determine whether, in the opinion of the board, the applicant is qualified to practice his profession under the usual conditions of the military service. Should the oral examination in any subject be unsatisfactory, the applicant may be required to take a written examination therein."

The profession will kindly notice the "jokers" in sections (b) and (c). Most astounding. A report "modified to suit the case." An examination for an Army commission which, it is claimed, should give a man the right to obtain without examination a license to practice in any State in the Union.

What has all this to do with the establishment of a privileged class? Read the following letter from Dr. Lewis and the official reply to an inquiry which he made of the Surgeon General, United States Army:

CHICAGO, ILL., *January 10, 1913.*

DEAR DR. LYDSTON: In answer to your letter of December 15, asking me for information relative to the "license" status of the members of the Medical Reserve Corps, I beg leave to submit the answer of the Surgeon General to my query. Relative to your questions as to the examinations for the Medical Reserve Corps I will state that I, and many others within my knowledge, were not required to pass an examination of any kind

Very truly,

HENRY F. LEWIS, M. D.,
First Lieutenant Medical Reserve Corps,
United States Army.

Upon what meat do our military medical Cæsars feed that they have grown so great that they should be exempt from medical-practice laws to which even gray-haired professors must submit?

The American Medical Association medical reserve corps can not "put anything over" in Illinois under the present State board of health, for a very peculiar reason—the president of the board, Dr. George W. Webster, understands the situation, as the following correspondence shows:

CHICAGO, ILL., *December 14, 1912.*

Dr. GEORGE W. WEBSTER,
32 North State Street, Chicago.

MY DEAR DR. WEBSTER: I am interested in the method of formation of the Medical Reserve Corps, United States Army. As you are a member of said corps, I take the liberty of asking you the following questions, which I trust you may do me the courtesy of answering:

1. Who constituted the board which examined you for the Reserve Corps?
2. Were you submitted to a physical examination; and if so, what was the nature of said examination?
3. If a physical examination was made, was same made a matter of record?
4. Were you examined in medicine and surgery? If so, what was the nature of said examination and in what subjects were you examined?
5. Was the examination oral or written?
6. Was a record made of your examination and markings?

Trusting that you may see fit to give me an early reply to the foregoing query, I am,

Very fraternally,

G. FRANK LYDSTON.

Answer:

DEAR DR. LYDSTON: I was not required to take either a medical or a physical examination.

Very sincerely,

GEO. W. WEBSTER.

My associate, Dr. B. S. Rogers, major and surgeon, Second Infantry Illinois National Guard, informs me that he also was not submitted to examination. I wrote to a number of others who had informed me that they were not submitted to any examination, but received no reply. One gentleman who had already told me the facts called me up by phone and said that he did not care to go on record, as he was "afraid the bunch would get him" if he did. Two others, who had already told me the facts, also begged off on the ground that if they went on record it "might hurt their business." Is it not about time that the evil system which is sapping the manhood of the American doctor was overthrown?

The following rule bears upon the method of applying for admission to the Reserve Corps, United States Army:

"Permission to appear before the board is obtained by letter to The Adjutant General of the Army, which must be in the handwriting of the applicant, giving the date and place of his birth and the place and State of which he is a permanent resident. He must also furnish certificates based on personal acquaintanceship, character, and habit."

This is a huge joke. The method followed in Chicago was the selection by the A. M. A. ring of names "acceptable" to themselves. No one who was persona non grata to the oligarchy ever had an opportunity to submit an application in writing. Applications were made and acted on where the alleged "applicant" was ignorant of both the application and the action taken upon it.

One of the requirements for admission to the Medical Reserve Corps of the Army pertains to the applicant's age, as follows: "An applicant for appointment in the Medical Reserve Corps must be between 22 and 45 years of age."

N. B.—Nearly 70 of the 112 members of the Chicago association are above the age limit.

The Medical Reserve Corps, United States Army, as at present constituted is a farce and merely a kitchen for the medicopolitical trust monopoly—a kitchen in which to prepare its scheme of graft, power, revenge, and politics. Graft is the acquirement of money, honors, property, or any emolument without giving the quid pro quo. That the Medical Reserve Corps, United States Army, is used for political purposes I will prove later. When the Medical Department of the Army is used by medical politicians for their own private ends it is time for the great American citizen and the apathetic American doctor to "sit up and take notice." That this has been done, and that the Medical Department of the Army is at present under the control of the octopus, I will shortly demonstrate beyond peradventure of doubt. I am curious to see whether the rank and file of the profession believe in the methods of the men who are trying to dominate and monopolize American medicine. I am still more curious to learn whether or not the rank and file really like to have their rights as American citizens trampled on.

If there are to be any special privileges, why not have a competitive examination and give everybody a chance? Is the Medical Reserve Corps, United States Army, to be the only department of the medical service to which only the politically chosen few can be appointed, and after a fake examination or without any examination? And why not give the preference to men of military experience rather than to obstetricians, neurologists, pedistricians, ophthalmologists, and gynecologists? Military experience and a knowledge of military surgery are not mentioned in the examination requirements.

It remains to be seen whether the new administration will approve of the Medical Department of the Army being made a kitchen for medical politics.

What about the woman doctor? What provisions has the medicopolitical gang that is running the Medical Department of the Army made for her? What special privilege is to be provided for her? She can not join the Army, Navy, or Marine Hospital Service, nor even the Medical Reserve Corps. Possibly the medical Cabinet officer whom we are to have when the gang acquires complete control of medical matters in the United States is to be a woman. Let us hope so. The situation will require some features of redemption. I would suggest that the female suffragists give this matter due consideration.

Then there is the homeopath—he and his clientele vote, own property, and pay taxes. His school is recognized as legal. What special privileges is the homeopath to have? How many homeopaths are there in the medical service of the Government, particularly in the Medical Reserve Corps? If the homeopath is not eligible to the Government medical service or to the Medical Reserve Corps, he can not become one of the specially privileged licensed to practice without examination class; but something should be done for him. Possibly positions on the proposed Federal bureau of health will be reserved for him. The all-hog A. M. A. ring is noted for its fair play.

N. B.—There are about 1,200 Medical Reserve Corps men already appointed. The number is not limited by law. There are some 150 in Chicago and 250 in New York alone. As these men are all bound to the

A. M. A. ring by political hooks of steel, the gang has an organization in each State which gives the A. M. A. a powerful grip in Washington.

Do the privileged medical class and medical monopoly accord with the principles of democracy and the spirit of true American citizenship?

In conclusion, I would ask the medical officers of the Army how they like the placing of the farcical Medical Reserve Corps on the same plane with themselves? Do they approve of the Surgeon General's A. M. A. political scheme? Do they really believe that even they themselves should enjoy special privileges—privileges denied to other medical men? If so, why?

Of this much Washington may be assured, viz: Behind the protest which I have made herewith will stand several million fair-minded American citizens and every physician in this country, in or outside the A. M. A., who is not a beneficiary of medical trust politics. The new administration would do well to count these men before passing on what I have herewith submitted.

Let the profession remember what I have said over and over again, viz, the octopus is trying to monopolize health boards, including a Federal bureau of health, medical schools, medical journals, and medical publishing and advertising, hospitals, all public offices, the medical department of the Army—and now comes the proposed monopoly of operative surgery. Who are at the head of the trust? Read Munsey's Magazine for February, 1913.

Mr. President, the view taken by some of the leading women of the country of the efforts of the American Medical Association to secure the kind of legislation I am considering will be shown by the following extracts from the clear, logical, and forceful letter written by Mrs. Lydia Avery Coonley-Ward to the first division of the Federation of Women's Clubs of Illinois:

In saying what I think of this bill I shall make assertions that only duty could compel, but I shall say nothing that can not be substantiated.

The movement for new medical legislation was instigated and is maintained by the American Medical Association, a powerful trust. Many excellent people have interested themselves in it, but its motive was political. So dangerous were the plans, so specious the claims, so insidious the action that the National League for Medical Freedom was formed in opposition to this and kindred efforts, and its rapidly growing ranks have been recruited from every State until it has over 300,000 members, 21,000 of those being in Illinois. This league has been bitterly opposed and grossly maligned, but its members are devoted to public welfare and untrammeled by commercial interests. They do not in the least oppose laws for public health and sanitation, but they do oppose the efforts to force class legislation and the subjection of the people to a medical system.

I do not question the honesty of many who favor the Owen bill, but I do assert that its instigation and maintenance by a powerful trust are not to its credit, and should prevent acceptance of its statements without careful examination.

When Senator OWEN disclaims the intention of fortifying one school of medicine, we submit that evidence of close relations with the American Medical Association invalidates the claim. From the first Marine Hospital report issued 40 years ago, only the allopathic school has been recognized. Nor has the charge been denied, made on the floor of the Senate more than a year ago, that of the 7,000 doctors in Government employ every one is an allopath. The Government has no more right to be sectarian in medicine than in religion.

But for interested support this propaganda would never have gained prominence. The demand for a national bureau of health has been artificially created. Women's clubs have been besieged by humanitarian arguments and pleas for home and child conservation—interests dear to every woman's heart—and many have been won by specious arguments that will not bear the light of truth.

The bill was so obnoxious in the beginning that its friends amended it, and even then it failed. As it now stands it has no real use, but is designed as an entering wedge. "It will be followed up until we get what we want" has been frankly said. Let us try to find what "we" want. The bill contemplates the absorption of many bureaus, but excludes the medical departments of Army and Navy. The first bill would have included them, but they absolutely refused to be merged and were too strong politically to be antagonized. When asked why bureaus that would naturally be first to join the national bureau are not molested, Senator OWEN said that it would probably be impossible to pass the bill with the hostility of the medical service of the Army and Navy. But why should there be hostility to a bill essential to the well-being of the Nation? Their opposition is suggestive, to say the least.

I ask if we as women dare to further these unworthy ambitions? Our definite aim is to promote purity of motive as well as of action. Let us beware of the disguises in which the Owen bill is wrapped.

Great weight is laid on the impression that the medical profession at large considers this bill in the interest of the public health, whereas it is only one school that so considers it. The national associations of every other prominent school are on record against it. Are all other schools without concern in public welfare, excepting only the one that is to benefit by this legislation? Those who believe that under this bill power would not be concentrated in the old school should consider the experience of President Taft. An order for the Canal Zone, drawn by the interests that push the Owen bill, was presented for his signature. Believing it as harmless as it seemed, he signed it, thereby prohibiting the practice of medicine in the zone without a license from the allopathic board of health on pain of fine or imprisonment. The President was forced to the mortifying necessity of modifying the bill, but even now all other schools are at the mercy of "the regulars."

We are all glad to admit that excellent work has been done in the Canal Zone, but we believe that its value is of a purely practical and sanitary kind—good housekeeping rather than the use of serums and drugs, regarding which there is fundamental difference of opinion among the several schools of medicine. There is no difference of opinion regarding the efficacy of the laws of sanitation. What they have done in the zone they can do in the United States just as well, and no further legislation is needed to this end.

In the beginning Prof. Fisher wrote to a physician asking for a generous contribution to push the new bureau, saying that it is a project that "will surely expand within a decade so that millions upon millions of Government money" will be at its service. This alone should make women pause before risking their reputation for economical management. With vast expenditures this bill would bring politics into medicine and medicine into politics. Only last year an unwary member of a western legislature presented a bill proposing a tax of 50 cents a month on every family in the State for the services of a government-appointed doctor, and it came very near passing. Perhaps if it had had the indorsement of the women's clubs of the State it might have passed. Yet it was simply a bolder effort in the direction of the Owen bill. Why should women advocate centralization at Washington when an effort at this moment is being made to prevent the exploitation of taxpayers by keeping things in local hands?

Shall we not hesitate before trying to add to burdens already oppressive the "millions upon millions" the passage of the Owen bill predicts? We should make sure that the present comparatively economical management is ineffective before putting enormous financial power into unknown hands at Washington.

In a matter as tremendously important as this each woman should inform herself personally before voting, and if each makes examination of the facts I am sure indorsement will never follow.

I know of a committee appointed by a club to examine and report upon this bill. The acceptance of a place on an investigating committee presupposes impartiality—an open mind—without opinions formed in advance. By request three eminent health authorities appeared before this committee, and yet, although two of them opposed the bill, the committee advised the club to indorse it. There should be assurance in advance that a case like this is not prejudged. Its members ought to be as impartial as jurors are required to be.

Because I believe from my heart these things that I have written I beg that our clubs will not indorse the Owen bill or any similar measure creating a national department of health or extending the present health powers of the Federal Government.

Mr. President, this is only one of the many cases where the doctors have endeavored to secure the powerful influence of women's clubs to bring about the passage of laws in their own interests. In many cases indorsements have been obtained from such clubs by unwarranted statements and appeals to women's natural sympathies for any effort that is understood to be for the public good, especially where they are made to believe that the health of the children is to be preserved by that means.

But an inquiry into the motives that impel action on the part of the doctors and the objects they have in view will prevent all good women from supporting such proposed legislation. Most of the effort is to procure legislation that will put the "regular" doctors in control of all medical and other healing activities.

SERUM REMEDIES.

The doctors have conceived the idea that every disease is caused by some disease germ or microbe, and that there is some remedial health germ that will destroy it and thereby restore the patient to health. So they have been hunting about, first, to find the particular disease germ that produces each ailment. They have vivisected animals and prospected the bodies of dead human and animal beings for enlightenment along these microbe lines. They have not stopped there. Live children who are unfortunate enough to be without protection from their inhuman explorations have been made the victims of their search for information about disease germs and the means of their destruction. Their endeavors have led to the most fantastic theories and the most loathsome remedies for disease germs. The vile concoctions that have been and are being injected and poured into human bodies, often causing disease and suffering even unto death, is appalling. No one knows whether any of the serums and other like remedies devised by the doctors as a result of their theories about disease germs have ever healed a single disease or prevented it. But it is known beyond the possibility of doubt that thousands of people, many of them innocent and helpless children, have been killed and thousands of others inoculated with loathsome diseases by their use. Whether they heal or prevent disease or not is a matter of sheer speculation, not knowledge. A serum is administered and a patient gets well. Whether it was because of the serum or in spite of it no one can tell. But if the patient dies suddenly after the administration of the drug, with all the symptoms of poisoning, the cause and the result is too apparent to be doubted. Then, all kinds of excuses are made for the fearful consequences of a doctor's fatal blunder. Serums are forced on whole armies and navies and on school children, from which fearful deaths occur. The epidemic of disease that is feared does not occur. But who knows whether its failure to occur was the result of the administration of the drug?

Sometimes the serum is administered, and the much-feared epidemic of disease does come, and the people who were inoculated sicken and die like all the rest. And, then, what? Oh, there was something wrong with the virus or serum. But who knows? We go on experimenting and risking our lives and our health at the dictation of the doctors, the command of the military and naval officers, and in obedience to cruel and inhuman laws upon the mere theories and speculations of the doctors. We surrender the lives of our children to the experimentations of these men who have utterly failed to heal disease by the methods they have resorted to for centuries and are trying out other remedies equally futile and none the less destructive to health and life. And the people are compelled by law and health regulations to submit to be slaughtered by these loathsome alleged remedies, whether they will or not. The most ruthless enforcement of these remedies will be found in the Army and

Navy. Officers of these departments have been made to believe that such remedies are necessary to prevent the spread of diseases supposed to be infectious. To prevent this they require every soldier and sailor to submit to be inoculated with the various serums that are supposed to prevent certain diseases. Their bodies are made receptacles of these foul and unhealthy concoctions. A conspicuous case of the kind came to my knowledge a short time ago that will serve to lay before the Senate the practice which prevails in the Army and Navy in the enforced administration of such remedies:

Joseph Kapsa was a gunner's mate on one of our war ships. He was a Christian Scientist, and conscientiously opposed to taking drugs. The Navy Department promulgated an order that all men in the naval service must be inoculated with a serum supposed to prevent typhoid fever. Kapsa explained what his beliefs and convictions were, and asked to be relieved from complying with the order. His request was refused. He then refused to submit to the treatment. He was tried and convicted of disobedience to orders and sentenced to two years' imprisonment and a dishonorable discharge. He was sent to prison, and there, again, the rules of the prison required him to take the treatment. His attorney at his trial appealed to me to intercede for him when he was first convicted. His punishment was reduced by order of the then Secretary of the Navy to one year's imprisonment and a dishonorable discharge. There is no better way to lay the Kapsa case before the Senate than to submit the naval order and the correspondence that took place between the Secretary of the Navy and me, and others, on the subject. It is as follows:

[General Order No. 133.]

NAVY DEPARTMENT,
Washington, D. C., December 1, 1911.

First. As soon as practicable after the receipt of this order typhoid prophylactic will be administered to all officers and enlisted men of the Navy and Marine Corps under the age of 45 years who have not already received it or who have not already had a well-defined case of typhoid fever. Officers and enlisted men on leave or on duty where no medical officer is available will receive the typhoid prophylactic upon their arrival at the first station where this measure is practicable.

Second. Typhoid prophylactic will be administered to all recruits under 45 years of age immediately upon their arrival at a training station, receiving ship, or marine recruit depot. This applies to all men reenlisting who have not received the prophylactic treatment within two years previously or had a well-defined case of typhoid fever; in case of doubt the prophylactic will be administered. Every applicant for enlistment in the Navy or Marine Corps will be informed that he must submit to typhoid prophylaxis and unless he agrees to acquiesce in this procedure he will not be considered eligible for enlistment.

Third. Typhoid prophylaxis must be regarded as a supplemental safeguard and under no circumstances will the usual sanitary precautions be modified or set aside.

Fourth. The antityphoid serum should be obtained from the Bureau of Medicine and Surgery by telegraphic or written request.

G. v. L. MEYER,
Secretary of the Navy.

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MAY 28, 1912.

MY DEAR MR. SECRETARY: I am inclosing you a letter from Mr. Ralph K. Jacobs, relating to the court-martial of John Joseph Kapsa, gunner's mate, first class, United States Navy, May 20, 1912.

The letter explains clearly the conditions under which this young man was convicted. I can not refrain from expressing my utter astonishment that a court-martial composed of American naval officers should have imposed such a punishment under the circumstances. The question may soon have to be tested whether the Navy Department can violate the conscientious religious convictions of its enlisted men by such order as was made in this instance.

But I am not writing to you now to raise any question of that kind, although I may be impelled to do so later. The judge advocate has magnanimously reduced the imprisonment of this young man one year, which leaves standing the order depriving him of pay and discharging him dishonorably from the service at the end of his imprisonment. That is to say, he is to be dishonorably discharged a year earlier than under the original sentence.

I think this man acted unwisely. If he were an officer, having the right to resign, he could have satisfied his conscience by resigning his position; but in his case this could not be done. He must either submit or take the punishment. In one case that has come to my knowledge and about which I wrote you earlier an enlisted seaman, under exactly the same conditions, was not imprisoned but was given an undesirable discharge. Such a sentence might be justified, but the one rendered against this man is utterly unjustifiable from any point of view. If his conscientious scruples prevented him from accepting the treatment, he should have expected that he would be discharged from the service. I have so advised a number of Christian Scientists who were likely to be placed in the same situation. The result of it will be that Christian Scientists, who, I imagine, make as good seamen as you have in the Navy, will be deprived of their right to enlist because of the orders requiring the kind of treatment that was proposed in this case and which is obnoxious, not only to Christian Scientists but to thousands of other good people in this country, and all of those now in the service will be compelled to waive their conscientious religious scruples and accept the treatment or undergo such punishment as was inflicted in this case or some greater or less punishment, according to the views of the particular officials composing the court-martial in a given case.

I submit to you, with all due respect, whether some conclusion should not be arrived at by which cases of this kind could be disposed of and Christian Scientists who prefer that course should be allowed to accept an undesirable discharge, which is certainly bad enough and unjust enough, rather than undergo imprisonment where the refusal is not willful, but grounded upon their conscientious convictions? In this instance I understand Kapsa prefers to receive an undesirable discharge or a dishonorable one rather than waive his convictions, although he has made a good seaman and is anxious to remain in the service.

Under these circumstances I appeal to you for such degree of clemency in his case as you may feel to be just in the interest of the public service. I think it must be seen by any just-minded man that the service can not be benefited by the infliction of such punishment as has been imposed in this case. Religious persecution has never yet aided in accomplishing results. It will simply bring about the feeling of resentment which will do much more harm than good. For myself I do not desire to see this condition of mind brought about. I should prefer to see Christian Scientists denied the right to participate in the public service because of their religious convictions—the injustice of which must be apparent to anyone—rather than have them punished as this man was punished, which must arouse the strongest indignation and protest not only from Christian Scientists but from all just-minded people.

Sincerely yours,

JOHN D. WORKS,
United States Senator.

Hon. G. VON L. MEYER,
Secretary of the Navy, Washington, D. C.

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DEPARTMENT OF THE NAVY,
Washington, June 24, 1912.

MY DEAR SENATOR: I have the honor to acknowledge the receipt of your letter of the 28th ultimo, together with the letter from Mr. Ralph K. Jacobs, relating to the general court-martial of Joseph J. Kapsa, seaman, United States Navy.

Mr. Jacobs acted as counsel for Kapsa at his trial and there urged as a defense that the department's General Order No. 133 of December 1, 1911, is illegal in that it violated the constitutional rights of the accused, and that the direct order of Kapsa's commanding officer was also illegal. Mr. Jacobs, however, quoted no authorities or precedents in support of his contention. In his letter to you Mr. Jacobs does not insist upon his previous contention, but requests that you intervene for the purpose of securing clemency, stating in his letter: "My own belief is that since the department asks him to submit his body to treatment the case should stand on a par with those cases in which an enlisted man refused to undergo an operation which the naval surgeons say is necessary, in which case the man is discharged as undesirable." This statement of Mr. Jacobs is erroneous in that it fails to take notice of the distinction that is made between major and minor operations. The policy of the department is not to insist upon a major operation against the man's wishes, but the case is different in minor operations. The following is quoted from circular No. 11, Adjutant General's office, War Department, of December 10, 1885, and shows that the policy of that department with respect to surgical operations is the same as that of the Navy Department:

"Except in the case of a capital operation involving risk of life, a soldier can not refuse to submit to medical treatment or surgical operation without subjecting himself to trial by court-martial for willfully avoiding treatment the purpose of which is to enable him to perform the duties for which he enlisted."

With regard to the severity of Kapsa's punishment I beg to invite your attention to the fact that the department has reduced Kapsa's sentence of imprisonment to one year's detention at the United States Naval Disciplinary Barracks, Port Royal, S. C. Detentioners are not considered as prisoners in the ordinary sense of the word, are not required to wear prison garb, and are not required to perform hard labor, being given such drills and instructions as will fit them for return to the service should they show a proper disposition to submit to discipline and so conduct themselves as to warrant special clemency being exercised in their behalf. Moreover, the department exercises clemency toward all detentioners by remitting one-third of the term of detention, provided their conduct while under detention is excellent. This in Kapsa's case would reduce his period of detention to eight months. It will therefore be seen that the punishment in his case is not a severe one, considering the very serious nature of his offense.

Referring to those matters which you urge in justification of Kapsa's offense, it may be remarked that a man's religious convictions can not legally justify his refusal to obey the law, or the regulations or orders, which are just as binding upon any person in the service. As stated by the Supreme Court of the United States in Allgeyer *v.* Louisiana (165 U. S., 578), a citizen "may be compelled, by force if need be, against his will and without regard to his personal wishes or his pecuniary interests, or even his religious convictions, to take his place in the ranks of the Army of his country and risk the chance of being shot down in its defense." It certainly would appear that when a man has voluntarily enlisted and bound himself by oath to obey the lawful orders of his superior officers he would have less justification in violating his oath and refusing to obey orders than would a man who is compelled by force to join the ranks of his country's forces, yet the Supreme Court, as above noted, states that religious convictions would not justify a man in disobedience in the latter case.

The question in this case, as in all others, which the department must bear in mind is the question of discipline. In considering the punishment this man is to receive, the department was not influenced by any desire to conduct a religious persecution, as you suggest, but solely to maintain discipline in the Navy. The department can not permit any officer or enlisted man of the Navy to repudiate his oath of office or enlistment on the grounds that he can not conscientiously comply with it in some one or more particular. Were the department to accept such a doctrine, there would be no more discipline in the Navy, for every man could then disobey orders with impunity, relying upon his alleged religious convictions as a justification for the violation of his oath of enlistment, and demanding a discharge whenever it might suit his convenience, on the grounds that his conscientious scruples would not permit of his submission to discipline. It would simply amount to an attempt to force upon the naval authorities the rules and regulations of other organizations, and to govern the Naval Establishment thereby. It might as well be said that a person in the naval service could justify his refusal to fire on the enemy when ordered so to do because to obey such an order would be contrary to the religious beliefs of the person so ordered.

In this connection, the following extract is quoted from Winthrop's Military Law and Precedents, 1896, page 890:

"Unjust or objectionable commands.—That the order was merely unjust or unreasonable would, it need hardly be added, constitute no defense to a charge of disobedience of orders under this article. *The plea that the order was opposed to the religious scruples of the accused and that he was therefore warranted in disregarding it is one which has been considerably discussed in England, where it was held wholly insufficient as a defense. It would of course be held equally untenable in our practice.*"

The department can not subscribe to the statement that any officer can refuse to obey a lawful order and resign, and have his resignation accepted. The department has the right, and has frequently exercised it, of refusing to accept an officer's resignation.

Referring to paragraph 2 of your letter, the order for court-martial was issued by the department itself after careful consideration of the best interests of the service. It was an order which it was the duty of the commanding officer of the *Delaware* to see carried out. The department itself preferred the charge against Kapsa of refusing to obey the lawful order of his superior officer, and it was the duty of the naval officer who sat upon the court to make a finding in accord with the evidence adduced at the trial. Having arrived at a finding of "guilty," which was the only finding possible under the circumstances, it became the duty of the court to award a sentence adequate to the offense. The President of the United States established the limitations of punishments that a general court-martial may adjudge in time of peace, and the limitation so established by the President for the offense of refusing to obey the lawful order of a superior officer, as shown in the Navy Regulations for the past 12 years, has been imprisonment at hard labor for two years, corresponding forfeiture of pay, and dishonorable discharge.

If there are matters which appear to the court to warrant clemency, they can only be considered in connection with a recommendation to the reviewing authority that clemency be exercised in the particular case; but the court, as above stated, is required to adjudge an adequate punishment. Clemency was recommended by the court in this case to the reviewing authority—the department—and has been exercised, as previously explained.

The fact that Kapsa was a petty officer of experience is one reason why he should not escape punishment, as petty officers are expected to set a good example in the matter of discipline and obedience to men of inferior rating. The commanding officer of the *Delaware* gave Kapsa exceptional opportunities to reconsider his refusal to obey orders, but he deliberately and willfully continued in his disobedience, the fact was well known on board to all the crew of the ship, and discipline would have been at an end or seriously impaired on board that ship had he been permitted to escape with no punishment.

The department does not consider medical treatment administered to protect the health of the naval service as religious persecution; nor can it concede that any officer, even of the lowest rating, can claim the right to personally decide whether or not he will obey a lawful order. If the order is unlawful or illegal, of course no one can be compelled to obey it; but if it is a lawful order, it must be obeyed by all persons to whom it applies. General Order No. 133 was an order issued by the Navy Department itself and is considered a lawful order, and anyone in the naval service refusing to obey it renders himself liable to the penalties prescribed for the offense of refusing to obey the lawful order of his superior officer.

In order to demonstrate the efficacy of inoculation against typhoid fever and the necessity of prevention and precaution for the safety of the lives of the military forces, I inclose a copy of a statement of the Surgeon General of the Navy.

I should be very glad indeed if the circumstances of the case warranted further clemency than that previously mentioned, but regret, for the reasons stated, that the department would not be justified in permitting Kapsa to be simply discharged as undesirable and thereby escape punishment for the offense of which he was convicted.

Faithfully yours,

BEEKMAN WINTHROP,
Acting Secretary of the Navy.

Hon. JOHN D. WORKS,
United States Senate, Washington, D. C.

(Inclosure.)

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JUNE 29, 1912.

MY DEAR MR. SECRETARY: Referring again to the case of Joseph J. Kapsa, seaman, United States Navy, who was court-martialed for refusing to submit to serum treatment for typhoid fever and sentenced to a punishment that should shock the sense of justice of all men, and in response to the letter of the Acting Secretary of the Navy, in which he justifies the sentence in this case, I have this further to say:

The most of the Acting Secretary's letter is devoted to an effort to refute a claim that I did not make, namely, that Kapsa might disobey an order of the Secretary of the Navy because it conflicted with his religious convictions. Not only did I not make any such claim, but expressly waived it in my letter. I said further:

"If his conscientious scruples prevented him from accepting the treatment he should have expected that he would be discharged from the service. I have so advised a number of Christian Scientists who were likely to be placed in this same situation. The result of it will be that Christian Scientists, who, I imagine, make as good seamen as you have in the Navy, will be deprived of their right to enlist because of the orders requiring the kind of treatment that was proposed in this case, and which is obnoxious not only to Christian Scientists but to thousands of other good people in this country and all of those now in the service will be compelled to waive their conscientious religious scruples and accept the treatment or undergo such punishment as was inflicted in this case or some greater or less punishment, according to the views of the particular officials composing the court-martial in a given case."

My letter, as the Acting Secretary must have understood, was not intended to justify Kapsa but to have the punishment reduced, at least sufficiently to commend it to a reasonable man as just. So my letter seems to have failed of its purpose. I said in the very beginning of my letter that I thought the man acted unwisely in refusing to submit to the treatment, however loathsome and objectionable it might be, notwithstanding his conscientious religious scruples. But I am not the keeper of his conscience. You are, and may force him to violate his conscientious religious convictions—quite as well founded as your own—or suffer punishment that from a religious point of view is persecution. Of course, this can not continue very long in a free and enlightened country.

Of course, as the Acting Secretary very justly contends, a subordinate in the service could not be allowed to question the order of his superiors unless the order was unconstitutional or void for some other reason. He could not say, as I do unhesitatingly, that the order was unreasonable, unjust, and unnecessary, and the enforcement of it a violation of his religious rights. To allow him to say what I am saying, conceding the legality of the order, however unreasonable and unjust it might be, would be insubordination. It would put an end to all discipline. But this, under the circumstances, could hardly justify or excuse a sentence as severe as the one enforced in this case.

If I believed that this treatment is either necessary or efficacious I should feel quite differently about it. Or if the doctors and others claiming to have some knowledge of the supposed effects of serum therapy were agreed about it I should say that the Navy Department was justified in forcing men who are in its power to submit to it. But alleged experts do not agree about it. Many of them maintain that it is not only very uncertain as to its beneficial effects but extremely dangerous in its use.

* * * * * * * *

Sincerely yours,

JOHN D. WORKS,
United States Senator.

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[Telegram.]

BROOKLYN, N. Y., *July 3, 1912.*

Hon. JOHN D. WORKS,
Washington, D. C.:

Kapsa is about to be court-martialed again for refusing a second time to submit to vaccine treatment. At this rate he will be in jail all his life.

RALPH K. JACOBS,
215 Montague Street, Brooklyn, N. Y.

—

UNITED STATES NAVAL DISCIPLINARY BARRACKS,
Port Royal, S. C., July 7, 1912.

Mr. JOHN WORKS,
United States Senate, Washington, D. C.

SIR: I take pleasure in writing you a few lines to ask you for advice in my case, of which you were informed by Mr. Ralph K. Jacobs, of Brooklyn, N. Y.

I was court-martialed for refusing to submit to antitoxin treatment and received one year at hard labor, and was sent to Port Royal, S. C., to do my sentence.

Your letter to Mr. Meyer, it seems to me, did little good, and I would like to have you look into the matter and advise me.

I was sent for the other day and was asked to submit to the treatment by the doctor here at the disciplinary barracks, and informed him that I was doing a year at hard labor for refusing the treatment aboard the U. S. S. *Delaware;* but he informed me that it was orders to give the treatment to everyone that arrived here, and I was given to understand that I would have to take the treatment or I would be court-martialed again on another charge.

Am I to be made a criminal, Mr. WORKS, because I do not believe in this treatment?

I am a citizen of the United States, and still I haven't the right of a citizen, and if I am tried again I will receive two more years to my sentence and be sent to another prison, where I will either have to submit to the treatment or receive another court-martial.

Mr. WORKS, I am writing to you because I know you to be just, and if it were known that I had written and appealed to you, I would be punished for it, as it is not permitted. Our mail is read when we receive any, and it is also read before we are permitted to send any, but I will try to get these few lines to you somehow and trust you will receive them.

I may not be able to write to you again, but hope you will do me justice and look into my matter and help me, if you possibly can, as I certainly do not care to spend my life in prison.

I will close now, thanking you in advance. I beg to remain,

Respectfully yours,

JOSEPH JULIUS KAPSA.

—

JULY 8, 1912.

Hon. GEORGE VON L. MEYER,
Secretary of the Navy, Washington, D. C.

MY DEAR MR. SECRETARY: I have received a telegram from Mr. Ralph K. Jacobs, of which the inclosed is a copy.

Will you kindly let me know if it is true that the Government proposes to court-martial this man continuously while he is in prison for refusing to accept the serum treatment, as indicated by this telegram, and particularly whether a court-martial has now been ordered?

Sincerely yours,

JOHN D. WORKS,
United States Senator.

—

JULY 13, 1912.

Mr. JOSEPH J. KAPSA,
United States Naval Disciplinary Barracks, Port Royal, S. C.

MY DEAR MR. KAPSA: You write me for advice in your case. You first refused to submit to the treatment required by the order of the Secretary of the Navy for the prevention of typhoid fever. This was a clear case of disobedience. You did so for conscientious reasons, but a soldier or sailor can not set up his own convictions, religious or otherwise, against the orders of his superiors. I have been trying to secure clemency in your case for this offense on the ground that you acted in good faith and from religious convictions, but I was bound to admit that you could not escape the punishment for a violation of orders on any such ground. Now you are confronted with another order of the same kind, or perhaps the same one, requiring you to submit to the same treatment in your present position. My advice to you is to submit to this treatment without further objection. If you had asked me in advance I should have told you to submit to the first treatment. I believe thoroughly and conscientiously, just as you do, that this order is unreasonable and unjust, but neither the Army nor the Navy could exist for any length of time if the soldiers or sailors could refuse to obey orders on any such ground as that.

I understand that you are a Christian Scientist, as I am, and that you refused to submit to the treatment because we conscientiously believe that no such treatment should be imposed on anyone, and particularly people like ourselves, who are conscientiously opposed to such treatment. But Christian Scientists are law-abiding people. They believe thoroughly in not only obeying but in maintaining law and order under all circumstances. They may use their best endeavors to change the law, as I think every reasonable and proper effort should be made to change the order of the Navy Department inflicting this sort of treatment upon their unwilling men. But so long as the law exists it should be obeyed by Christian Scientists as well as by others, and in your case orders of the Secretary of the Navy, or any other superior officer authorized to promulgate such orders, is the law so far as you are concerned, and should be and must be obeyed if order is to be maintained.

I will do everything I can to secure clemency in your case, but I can accomplish nothing for you if you continue to violate the orders of

the Navy Department. I could not justify you in that course myself, and for that reason could not ask the Secretary of the Navy to reduce the punishment that has already been imposed on you so long as you continue in disobedience. So you will understand that your future punishment depends wholly upon your own conduct. If you obey the order now sought to be enforced and express your willingness to obey the future ones, I may be able to succeed in securing pardon for you and your restoration to your former place in the Navy. But if you continue to disobey, of course I can do nothing for you. I sympathize thoroughly with your unwillingness to allow yourself to be subjected to this treatment. I am as much opposed to it as you are. But so long as you are in the Navy you must necessarily obey the orders of your superiors. My advice to you is to do so without further delay.

I note what you say about the probability of your being punished for sending me this communication. Of course I could not give you the advice you need without the knowledge of the prison authorities. I do not think that, under the circumstances, you will be punished for asking advice, in good faith, as to your rights and duties. If so, I should think less of the naval authorities than I do now. I think they are exercising what they believe to be their duty, and, as you are seeking to find out what is yours, they can hardly find reason to complain of you.

Sincerely yours,

JOHN D. WORKS,
United States Senator.

—

JULY 13, 1912.

MY DEAR MR. SECRETARY: I have had no answer from you to my last letter relating to the case of Joseph J. Kapsa. Since writing that letter I have received a letter from Mr. Kapsa himself, with whom I have had no previous correspondence or communication of any kind, informing me that he has again been required to accept treatment for the prevention of typhoid fever and is threatened with further punishment. He asks for my advice as to what he should do. The whole thing is exceedingly revolting to me. Looking at it as I do, the punishment and repeated punishment of this man is wholly unnecessary and unjust. It is a violation of the sacred rights of an American citizen. Notwithstanding this, I have written him that he must necessarily obey orders or subject himself to punishment. I am sending you a copy of his letter to me and my answer, so that you may be fully informed of the situation and my views on the subject.

Sincerely yours,

JOHN D. WORKS,
United States Senator.

Hon. GEORGE VON L. MEYER,
Secretary of the Navy, Washington, D. C.

—

DEPARTMENT OF THE NAVY,
Washington, August 2, 1912.

MY DEAR SENATOR: The receipt is acknowledged of your letter of the 29th ultimo relative to the case of Joseph J. Kapsa, seaman, United States Navy.

In reply thereto you are informed that on July 31, 1912, the department directed, in view of Kapsa's excellent conduct while at the disciplinary barracks, that the unexpired portion of his sentence be remitted after he has taken the typhoid vaccination, and that he then be restored to duty.

Faithfully yours,

BEEKMAN WINTHROP,
Acting Secretary of the Navy.

Hon. JOHN D. WORKS,
United States Senate.

—

NAVY YARD, NORFOLK, VA., *August 11, 1912.*

The Hon. JOHN D. WORKS,
United States Senate, Washington, D. C.

MY DEAR MR. WORKS: I take the pleasure in writing and informing you of my release from Port Royal, and that I have been restored to duty.

I have been restored as a seaman, and am waiting for transfer to a ship.

I submitted to the antitoxin treatment, as you advised me in your letter, and received the last of the treatment on August 7; so was restored to duty on the same day.

I am a Christian Scientist, Mr. WORKS, and that is the reason I refused to submit to the treatment, and not because I wished to violate orders of the Navy Department.

I only asked for my rights as a Christian and citizen, but could not obtain them because I was in the naval service.

Just because I was in the naval service I was compelled to obey the commandments of men in direct violation of the plain teachings of Christ, and if I possibly can obtain my discharge I would like to do so before a new order is issued by the Navy Department which would violate my religious scruples; so if you possibly can give me any information as to whether this is possible or not, it will be greatly appreciated.

Thanking you for your kindness, and God bless you, I wish to remain,

Yours, in truth,

JOSEPH J. KAPSA,
U. S. S. "Franklin," Navy Yard, Norfolk, Va.

—

AUGUST 13, 1912.

Mr. JOSEPH J. KAPSA,
U. S. S. "Franklin," Navy Yard, Norfolk, Va.

MY DEAR MR. KAPSA: I shall be very glad, indeed, to do anything I can to secure your discharge from service in the Navy. I think, however, you are taking too seriously the obligations of a Christian Scientist as opposed to vaccination and other similar treatment. Of course, we do not believe in these treatments and do believe that there is a higher mode of healing, but there is nothing in the teachings of Christian Science that would obligate you or me to violate the law or any order of our superiors in the service because we are Christian Scientists. The right thing for a Christian Scientist to do is to obey the law so long as the law exists and to know that the treatment can not do you harm. A good Christian Scientist, if compelled by law to submit to vaccination, ought to be able to prevent its having any effect upon him, and that is the course taken by Christian Scientists in cases where the law of the States requires their children to be vaccinated in order to entitle them to enter the schools. If I were you and desired to remain in the service I certainly would not ask for a discharge on that ground. You can be just as good a Christian Scientist and your conscience should be just as clear if you continue in the service and submit to such orders for vaccination and other treatment as the Navy regulations may require. If I had supposed that to accept the treatment was to violate the religion that we profess, I should not have advised you to submit to it. There are thousands of Christian Scientists in the country today who are compelled to submit to vaccination and to other material means for the prevention of disease, and the fact that they submit to the treatment or remedies is in no sense a violation of their obligations as Christian Scientists. I hope you will realize this fully and not be misled into leaving the service on that ground alone if you otherwise desire to remain.

I will not take up the matter of your discharge with the Secretary of the Navy until I hear from you further after you receive this letter. If you still think you desire to leave the service, I will, of course, do anything I can for you.

I sincerely sympathize with you and admire the stand you took in refusing to accept the treatment; but, notwithstanding, I must say that I think it was a mistake which could not do you or your religion any good, however conscientious you were in taking that course.

With kind regards, I am,

Sincerely yours,

JOHN D. WORKS.

—

U. S. S. "FRANKLIN,"
August 16, 1912.

The Hon. JOHN D. WORKS,
United States Senate, Washington, D. C.

MY DEAR MR. WORKS: Your letter received yesterday, and so answer it to-day, this being my first opportunity.

You will agree with me, Mr. WORKS, that it is for the good of the service that I leave it when you consider my position and the conditions under which I am and will be placed.

I will be looked upon as a man who refused to obey an order of the Navy Department, and that will prevent me from advancement, as it has in other men's cases.

If you will just imagine yourself in my place, you will see that I am right.

I am discontented and disgusted and make men I come in contact with feel the same unintentionally, so it is far better for me to leave and start over again somewhere else.

So if you will take the matter up and have me discharged, you will be doing the Navy as well as myself and my people a great favor, who have become worried since I have been in this trouble.

Hoping to hear from you in the near future, I beg to remain,

Truly yours,

JOS. J. KAPSA,
U. S. S. "Franklin," Norfolk, Va.

—

AUGUST 17, 1912.

Mr. JOSEPH J. KAPSA,
U. S. S. "Franklin," Norfolk, Va.

MY DEAR MR. KAPSA: I will at once apply to the Secretary of the Navy for your discharge. I am not familiar with the rules on the subject and do not know what may be necessary for that purpose, or whether or not the discharge can be obtained at all, but I will do the best I can for you, as you desire to take that course.

Sincerely yours,

JOHN D. WORKS.

—

AUGUST 17, 1912.

Hon. GEORGE VON L. MEYER,
Secretary of the Navy, Washington, D. C.

MY DEAR MR. SECRETARY: A few days ago I received a letter from Joseph J. Kapsa, the gunners' mate who was recently court-martialed for refusing to accept the serum treatment required by the rules of your department, asking me to try and secure his discharge from the Navy. I wrote him that if he had no other reason than that he was conscientiously opposed to accepting these enforced preventive remedies because of his religious scruples, I thought he had better consider seriously whether it was a wise thing for him to leave the Navy, where, as I understand, he has made an excellent record. This morning I received the inclosed reply from him, which will fully explain his views and his feelings on the subject. I am satisfied that under the circumstances, if his discharge can be arranged it will be, as he says, best both for him and the service. I am therefore asking you whether under the rules and regulations of your department he can be discharged from the service; and if so, upon what terms? An early reply will be appreciated.

Sincerely yours,

JOHN D. WORKS,
United States Senator.

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DEPARTMENT OF THE NAVY,
Washington, August 22, 1912.

MY DEAR SENATOR: I have received your letter of August 17, 1912, inclosing a communication herewith returned from Joseph J. Kapsa with regard to his discharge.

As Kapsa is now in his third enlistment he could only be discharged by special order of the department, and I would suggest he be advised to make an official application to his commanding officer for discharge, and, in view of the circumstances in the case, the department will be glad to give it favorable consideration.

As Kapsa is now in the third year of his present enlistment, he would be required to refund one-half of the honorable discharge gratuity paid to him at the time of his enlistment April 28, 1910.

Faithfully yours,

G. VON L. MEYER.

Hon. JOHN D. WORKS,
Senate Chamber, Washington, D. C.

—

AUGUST 23, 1912.

Mr. JOSEPH J. KAPSA,
U. S. S. "Franklin," Norfolk, Va.

MY DEAR MR. KAPSA: I have just received the inclosed letter from the Secretary of the Navy, which will explain itself. You will see that it is necessary for you to make application for your discharge to your commanding officer and also that you will have to refund one-half of the honorable discharge gratuity paid to you at the time of your enlistment April 28, 1910.

If these conditions are complied with I feel quite sure, from the Secretary's letter, that you can procure the discharge.

Sincerely yours,

JOHN D. WORKS,
United States Senator.

Mr. President, I heard no more from Kapsa on the subject, and do not know whether he was discharged from the service or not. I have had a number of complaints just like his, but this one will sufficiently disclose the conditions that prevail in the Navy. They are the same in the Army. This same coercive system exists in the case of school children. They must be vaccinated and be inoculated with such vile serums as the doctors prescribe, and the school authorities may order or lose their school privileges. They are not sent to prison as the soldiers and sailors are, but they are penalized. In the same way the rules of the Public Health Service are enforced by criminal prosecutions or in other objectionable ways.

When the people living along the Ohio and Mississippi Rivers were driven from their homes by floods last year, and were being furnished with rations by the Government, they were forced to submit to vaccination as a condition upon which they would be furnished with food. They must comply with the order of the health department that they be vaccinated or starve. To compel compliance with the order placards were posted on the relief boats, announcing in big letters, "No vaccinations, no rations." It was a brutal proceeding, that was denounced in many newspapers.

Many cases of disastrous consequences resulting from serum treatments have been brought to my attention. I can not refer to all or to any considerable number of them. They can be found in almost every community. The trail of the serum treatment is the trail of disease and death wherever it is practiced. In Los Angeles eight deaths occurred in the county hospital at one time from the use of what is called neosalvarsan, supposed to be a cure for syphilis. This case excited public attention because of the number slain at one time. In East New York the family of Robert E. Mercer, wife, and three children were given typhoid serum, and all died. The antitoxin used was procured from the health board. The following account of the case, given in the Los Angeles Tribune after the death of Mrs. Mercer and while the children were still living, sufficiently discloses the facts:

NEW YORK, *June 16.*

Friends of Robert E. Mercer, who died of typhoid fever at his home in New York on May 16, are determined that an investigation shall be made of the death of Mrs. Mercer and the pitiful plight of their two children, Herbert, 10, and Ruth, 5 years old, who have been dangerously ill since they were inoculated with serum at the same time as their mother.

Mrs. Mercer died Monday morning. The two children have steadily wasted away, and their condition is so serious that they have not been told of the death of their mother. Friends of the father, who was an employee of the Mergenthaler Linotype Co., will see that the children are well taken care of, and meantime they are instituting an investigation, which may result in a suit against the city.

Dr. Sydney E. Smith injected the antityphoid serum into the mother and two children after the father had been stricken with typhoid. He obtained the antitoxin from the board of health.

The Mercer children are now under the constant care of a nurse. They were perfectly normal children before they were inoculated. Now their bodies are wasted and so sensitive that they can hardly endure to be touched by those caring for them. Neither child is expected to live.

The death of Mrs. Mercer makes interesting the assertion of Charles H. Higgins, treasurer of the Antivaccination League of America, who claims it can readily be proven from death certificates and other statistics that there are more deaths caused every year in city and State from lockjaw and septicemia in vaccination wounds than by smallpox. He declares that among children the proportion is 3 to 1 in some years; in a published statement he challenges the board of health to disprove this assertion, and also challenges the board to permit a representative company of citizens to examine their death records.

About the same time Private Bellinger, of Troop A, First Regiment of Cavalry, died from the same cause, from serum procured at the same place.

At Rockford, Ill., a young child of Mrs. Frank Lagona died from diphtheria antitoxin a few minutes after it was administered. Indignation ran so high that the doctor who administered the drug was threatened by a mob and escaped from his office. In Greensburg, Ind., on October 25, 1911, the 9-year-old child of Mr. and Mrs. Woodhill died from the diphtheria antitoxin 15 minutes after it was administered. On January 29 last Norman Fusselman, aged 20 years, died suddenly from diphtheria antitoxin. This was in Philadelphia. Here is another case, taken from Medical Freedom, reproduced from the Lancet-Clinic:

In the Lancet-Clinic for April 25 Dr. S. P. Kramer told of a 5-year-old girl who was in good health March 29, became ill that night, and the following evening died when about 3 cubic centimeters of the second tube of antimeningitis serum were being injected. Dr. Kramer commented upon the child's death as follows:

"It is now a year since I called attention to the danger of injecting serum containing ticresol into the subarachnoid space. This report has certainly gained enough publicity, and one might be justified in inquiring how long these accidents are to continue. As you are doubtless aware, all the manufacturers and distributors of serum are licensed by the Secretary of the Treasury. I brought this matter to the attention of the United States Public Health Department a year ago, but have been unable as yet to obtain any definite answer as to whether or not I am right in my contention. The distribution of the serum has gone on as before.

"I therefore shall take the liberty to appeal to my colleagues to aid in this matter and submit the following resolution, the adoption of which I hereby move: '*Resolved*, That the Academy of Medicine of Cincinnati respectfully requests the Secretary of the Treasury of the United States to institute an immediate investigation on the toxity of the antimeningitis serum.' Seconded and carried."

I do not know what action, if any, was taken by the Secretary of the Treasury.

Cases of death from the use of serums and antitoxins of various kinds might be cited by the hundreds, but I need not pursue the subject here, because it is a fact well known to all intelligent people.

Mr. President, is this great sacrifice of the lives of innocent, unsuspecting, and unprotected people by such means necessary or justifiable? If we had any assurance that the lives of the comparatively few were sacrificed for the benefit of the many, and that the remedy that destroyed their lives saved many others, the use of these serums might be justified, or at least excused. But we have no such assurance. The use of them has met with the most strenuous opposition from doctors and others as not only useless, but dangerous. A serum for tuberculosis was one much boasted about as a remedy for that dread disease, but it has proved a failure and great disappointment. As showing how complete the failure has been, I quote from Medical Freedom of October, 1912, commenting upon the report made on the subject published in the Journal of the American Medical Association:

An extended report published in the Journal of the American Medical Association for August 3, 1912, of 150 cases of pulmonary tuberculosis treated with tuberculin affords typical illustration. This report is prepared by Dr. H. L. Barnes, M. D., superintendent of the State sanatorium, Wallum Lake, R. I. In opening his paper, this physician, enjoying such exceptional advantages for testing the treatment, states that the material for the report was derived from 150 cases of tuberculosis treated at the Rhode Island sanatorium extending over a period of five years from 1907 to 1912, inclusive. The report is very full and is plainly the work of a painstaking scientist earnestly striving to test the virtue of a treatment from which so much was expected. The concluding lines of his paper give the result of his experiment in the following words: "This analysis furnishes no evidence that these 150 patients, taken as a whole, were influenced by the tuberculin treatment."

Even the Federal health authorities have at last come to realize the worthlessness of this treatment that was formerly heralded as one of the great medical discoveries of our time, for in the Public Health Reports for August, 1912 (issued by the National Government), in the official utterance of the Public Health Service tuberculosis sanatorium at Fort Stanton, Surg. F. C. Smith says:

"The use of tuberculin was discontinued at this station after the last series of cases reported in the 'Transactions of the Seventh Annual Meeting of the National Association for the Study and Prevention of Tuberculosis.' * * * I believe, moreover, that there is a growing skepticism among sanatorium physicians as to the therapeutic efficacy of tuberculin and a general limitation of its use to private practice and those sanatoria where some special effort is needed on the part of the practitioner to keep in intimate touch with his patients; and, in short, that the benefit of tuberculin is limited chiefly to the effect of its administration on the mental condition of the patient."

It will be noted that there are no regrets expressed for the injuries resulting in many cases from the use of tuberculin.

Now, if we turn to the medical literature shortly after Dr. Koch made his hope-inspiring statements regarding his discovery of a lymph alleged to be a specific in the cure of this dread disease we will see how this supposed wonderful discovery, considered at that time as one of the greatest scientific achievements of the age, was merely an ignis fatuus. And yet so late as the autumn of 1908 we find the eminent Dr. J. Hammer, of Heidelberg, in an address delivered before the Sixth International Congress of Tuberculosis, held in Washington, D. C., speaking of the great importance of "bringing about a general use of tuberculin," which he describes as a "precious and successful remedy," whose use "will always prove a strong weapon in the combat against tuberculosis."

Serum therapy is as much the fetish of the old-school profession to-day, as was the inoculation with smallpox virus the death-dealing fetish of the same school in Great Britain during the eighteenth century. For though from the above recent citations it would appear that this treatment, as it relates to tuberculosis, is ready for the scrap heap the profession to-day is as much dominated by the supposed virtue of typhoid antitoxin as were the enthusiasts of earlier years with tuberculin.

Dr. W. H. Smith, formerly a member of the American Medical Association, writing in Medical Freedom, has this to say on the subject:

Official statistics published by Bertillon give a greater mortality rate under serum treatment than has ever been known during any preceding year before the discovery of this celebrated specific. Drs. Sevestra, Gaucher, and Legendre have been courageous enough to make known to the Société Medicale des Hopitaux the serious and frequent accidents to which the antidiphtheria serum gives rise, even when applied to the very simple cases of sore throat.

Rosenbach, the eminent German pathologist, says:

The bacteriologists, by means of fallacious conclusions, have established the dogma that all infectious diseases are caused by bacteria, and that all diseases in which so-called specific bacteria are found are infectious diseases. Since this unsubstantiated teaching has become so popular, and is matter of such common comment in the daily press that all the world is driven to really dangerous bacteriophobia, I fully appreciate the value of bacteriology as a biological science, but I raise my voice against the unjustified, the unwarranted claims of bacteriologists, especially of those whom one calls "nothing-but-bacteriologists"—the diagnosticians in absentia—with their disinfectants and measures based on unsupported theory.

The pictures and statements are fallacious and misleading, because they relate to an unproved theory and not to fact, as the vitiated evidence offered as statistical proof in favor of medical theories. Here are some wise words from the Medical Brief:

"The Pasteur Institute at Paris records 26,165 persons bitten by dogs and treated by Pasteur's treatment. Of this number 107 died. The institution thereupon assumes, and claims, that all the rest were saved by the Pasteur process. There is absolutely no evidence to show that any of the other patients would have developed hydrophobia—an exceptionally rare disease, the existence of which is doubted by some of our ablest men.

"There is no proof to show that the dogs which inflicted the wounds were mad; neither is it shown that infection always follows contamination. Susceptibility and immunity are things not yet fully understood. The same method has been used to support other theories. Large numbers of children suffering from a variety of throat troubles, from the most insignificant sore throat to genuine diphtheria, have been treated with antitoxin in conjunction with the usual supporting remedies. All those who recovered were indiscriminately classed as antitoxin cures. The deaths were ascribed to the unavoidable fatality attending a grave disease. Where the cause of death points so plainly at antitoxin as not to be misread by anyone the death is explained away by argument, which forever condemns its use to an unprejudiced mind.

"Upon analysis of statistics, and comparison with previous death rates ruling at different periods, it is clearly shown that serum therapy has not lowered the death rate one particle. The much-quoted 10 per cent mortality has been the prevailing rate, except in isolated epidemics, for years. Flint, one of our best authorities in diseases of children, warns us that nothing is more misleading than statistical evidence as to the fatality of diphtheria, varying so widely at different times and in various epidemics. Also in this disease the diagnosis is very apt to be erroneous."

It is very well understood that these numerous serum remedies have been ineffectual. They have not been beneficial to the many, as statistics show. It is said by those who have investigated the question that the use of such remedies has not reduced the death rate in the least. I quote the following on the subject from the Pawtucket (R. I.) Chronicle:

NO DECREASE IN DISEASE.

Speaking of disease, here is another deplorable confession from no less an authority than the Medical Record. In spite of the army of physicians, their discoveries, and their hecatombs of vivisected guinea pigs, we may doubt, says the Medical Record, whether the sum total of diseases is any less than it was before the medical profession reached its present high standing. Preventive medicine has made "little headway," and "in the opinion of some medical men diseases are on the increase." In the deeper recesses of our consciousness we had suspected something of the kind ourselves, but such heterodoxy on the part of a layman would have exposed him to excommunication with bell, book, and candle, or at least with bacteria, serums, and antitoxins. But with the Medical Record behind us, we can afford to creep out into the open.

In Brain and Brawn, published in Los Angeles, this is said in its issue of October, 1913, on the subject of diphtheria antitoxin:

DIPHTHERIA ANTITOXIN.

Antitoxin does not cure diphtheria. Like the manufacture of other serums, it is a commercial enterprise that pours millions and millions into the coffers of the National Drug Co. Its use is encouraged by garbled statistics, every case of suspected diphtheria or of diphtheretic sore throat now being reported as diphtheria. With a few old horses the manufacturers of this stuff can get enough serums to infect all the boys and girls in the United States. It is more profitable than a gold mine.

Perhaps you doubt what I say, or may even disbelieve what I say, about diphtheria antitoxin. Well, then, let me refer you to the highest medical authority in the United States—to the Journal of the American Medical Association, the bible of the serum-injecting school. That publication recently said:

"Our present methods of prevention of diphtheria are admittedly far from satisfactory. * * * *The use of diphtheria antitoxin for preventive purposes is not a practical success, because the antitoxin is eliminated too rapidly.*"

And this after we have been told for years that diphtheria has been entirely conquered by medical "science."

And the same publication has this to say on microbes and fear:

THE GERM SUPERSTITION.

Of all the negative conditions the race is subject to fear is the greatest. We are born cowards. Our mothers feared for us before we were born. We came into earth life with a wail of fear. All who had anything to do with us feared something evil would happen to us. They were afraid we would "catch" cold or the measles or whooping cough or diphtheria or die of "summer complaint." Somebody feared all the time that we would get scalded or frozen or fall out of bed or downstairs or into the well.

When we were old enough to be afraid we feared our parents, our teachers, the minister, the dark, the devil, and even feared God, whom St. John says is Love. Later we were afraid of failure in business, of fire; afraid the election would start some one to tinkering with the tariff or our blessed money system. We were afraid on land or sea, or of fire and water, cold and heat, wind and hail, lightning and cyclone, earthquake and tidal wave, and yet we wonder why there are so many sick people.

The silliest of all fears is the fear of microbes. We laugh at the elephant because it fears a mouse, but the ignorance of the elephant in that respect is pure wisdom when compared with man's fear of contagious diseases and his senseless efforts to "stamp them out" by quarantine, disinfectants, germicides, lymphs, and serums. We constantly hear parents commanding children to wrap up in warm clothing during cold or stormy weather in order that they may not "catch" grippe or diphtheria, as though a microbe cares a flip how you are clothed. Some noted person goes for a month with his colon clogged with half-digested food all around from the cæcum valve to the sigmoid flexure. The doctors dose him with 17 varieties of drugs and mixed drinks, any one of which would make a healthy person sick unto death, and the patient dies "in spite of the very best medical attendance." The relatives, the press, the people, demand a name for the disease. A name! A name! My kingdom for a name! So the doctors say grippe or influenza or typhoid or appendicitis, and everyone is satisfied that the patient died in a perfectly regular, orderly, and proper manner.

But the following publication in the New York Times of January 21, 1911, with quotations, is one of the most severe arraignments of the medical profession and practice that has come to my attention:

It is now some four or five years since physicians in the Eastern States, and more particularly in the city of New York, began to complain that it was becoming more difficult for them to make a living. These complaints at first were sporadic, and found voice at comparatively infrequent intervals in the medical publications, appearing in the form of letters to the editor, reprints of addresses delivered before medical societies, and editorial comments upon the views expressed therein.

Various reasons were assigned for this shrinkage of incomes. The consensus of opinion, however, attributed the trouble to a combination of circumstances, which included overcrowding of the profession, the abuse of medical charity, lodge and contract practice for ridiculously small fees, and the increase of specialization with its attendant ridiculously large fees.

The outlook for the general practitioner's pocketbook grew rapidly worse. The complaints—based on fact, it must be admitted—became more insistent and remedies were demanded. Conditions to-day are so intolerable that it is well-nigh impossible to find an issue of a publication devoted to general medical topics which does not contain a disquieting reference to them. One such journal contained the statement in one of its issues of last summer that the incomes of physicians in this city had been reduced one-half in the two preceding years.

It is a fact that the profession is overcrowded. France has a population of some 37,000,000, and yet there are nearly as many doctors in the State of New York as there are in that country. The United States and Canada, with fewer than 100,000,000 inhabitants, support 120,000 physicians; but Great Britain, with 40,000,000 inhabitants, has only 32,000.

Dr. Norman Barnesby, of this city, has recently written a book bearing the title "Medical Chaos and Crime," which one might quite properly expect to have either of these effects if it should be widely read. It may result in reducing the incomes of the majority of medical and surgical practitioners to the vanishing point, or it may create such an upheavel that the profession, stimulated thereto by an outraged and indignant public, will purify itself by eliminating the grafter, the incompetent, and the quack, and put medical education and hospital administration on a sounder basis.

This book of Dr. Barnesby's scatters tradition to the winds in that it is the most terrible arraignment of a profession by one of its members that could be conceived. It stands alone in the history of muckraking. Stockyard revelations and shameful civic exposures are tame and trivial incidents in comparison with the unspeakable horrors contained in its pages. Surgeons, both great and small, are charged with crimes ranging from minor mutilations to murders. The book reeks with stories of the coarsest brutality and the most refined cruelty, while the details of countless hideous blunders are of a character to make the honest and capable doctor blush with shame for the incompetence of certain of his fellows.

The author states that his book "is a criticism of the present standards and practices of the medical profession." In the prefatory chapter he states that the work "is mainly an exposure of the abuses that exist in the medical profession in this country—abuses that not only degrade the practice of medicine but contribute not a little to the physical and moral deterioration of the American people." Dr. Barnesby inveighs against what he declares to be the false standard of ethics which fetters the profession, and he has broken the shackles, so far as they may have bound him, in the publication of this work.

This is not the place to catalogue his monstrous disclosures. It is sufficient to explain that the reader does not have to take the author's word alone for them; he quotes liberally from the published adverse criticisms of scores of honest physicians.

Mr. President, the physicians need not look far to find reasons for the falling off of their practice and their fees. They have largely lost the confidence of the people. Their attacks upon their own profession, its practices, and its motives have done much to destroy public confidence in their work and their remedies. It is not to be wondered at that in their distress they are appealing to Congress and other legislative bodies for laws that will hold them up and destroy all other methods of healing. And Congress has responded to this appeal. The regular or allopathic school of medicine is in a very great degree living off the blind and unthinking support of the National Government. A large percentage of them are in the Government employ to the exclusion of everyone else. Other modes of healing have come into existence, because most people have come to know that the so-called regular doctor with his drug remedies is a failure. Whether they are better or worse than he they divide practice and fees with him, and do as much or more good than he and most of them much less harm. If they do not heal more people than the "regular" doctor, they take fewer lives, make fewer invalids, and burden less victims with deadly drug habits.

And this brings me to a brief consideration of this subject of habit-forming drugs administered by the regular doctors. I have said that I believed the doctors were responsible for more of the unfortunate drug fiends than any other cause. I am by no means alone in this opinion. I call attention to a few opinions by the doctors themselves bearing out this assertion.

I quote the following from the Milwaukee Free Press of October 18, 1912, quoting, in part, from Dr. A. H. Levings:

"I believe thoroughly with the convention of the National Druggists' Association that doctors are largely responsible for the drug habit, only I would put it more strongly and say that nine out of every ten cases are due to doctors," said Dr. A. H. Levings yesterday.

"The one class of patients to whom morphine should never be administered are those who get it most and where it does the most ultimate damage—nervous, hysterical, and, in some cases, undisciplined women. This kind of woman has a pain and the doctor gives her morphine, and the trouble is started.

"Of course it is an easy way for the doctor, and saves him a great deal of trouble to pull out his hypodermic syringe and quiet his patient, but it is this that makes morphine fiends.

"Doctors can avoid this and should avoid it by never using morphine except in most urgent cases, and in these cases not repeating the dose and never telling the patient what it is," said Dr. Levings.

"The exceptions to this general rule are found in those cases where the patient is afflicted with an incurable disease and tormented by terrific pain. Then it is the part of mercy to quiet the suffering, for the formation of the habit is not of great importance when a patient can live but a few weeks in any event.

"The great fault of doctors is that of giving morphine for inconsequential ailments."

Also, on the same subject, I take from the Chicago Post of its issue of December 11, 1912:

WASHINGTON, *December 11.*

The medical profession is doing more to spread the drug habit among the American people than all other agencies combined, was the indictment made by Dr. L. F. Kobler, Chief of the Drug Division of the Department of Agriculture, in an address before the forty-second annual meeting of the American Society for the Study of Alcohol and Other Narcotics.

Dr. Kobler declared that the hypodermic needle, which had been regarded as a great boon to mankind, has proved to be one of its greatest curses. He said the amount of opium used in the United States had increased about 100 per cent in the last 40 years, and charged that many physicians were drug users themselves.

And the Chicago Tribune of February 6, 1914, carries this dispatch from the city of New York:

NEW YORK, *February 5.*

Habit-forming drugs are sold here in "appalling quantities," Carl E. Whitney said to-day, speaking before the county medical society. Mr. Whitney, as assistant United States district attorney, had charge of enforcing the laws regulating the sale and use of these drugs. He asserted that upward of 100 doctors and druggists in New York are engaged in a drug traffic which threatens health and morals. One physician in a single month purchased on prescription $2,500 worth.

"The drug habit," he said, "can be cured by legislation. It does not need segregation and societies for social uplift."

He recommended that the manufacture and importation of "dope" drugs be limited and the traffic regulated by a system of registration, which would make it possible to trace a container from the manufacturer to the dispenser.

Mr. President, these are tragic stories for which the doctors are responsible. Why should they wonder that intelligent people are afraid of them and that their practice is falling off. I have shown that while they are making drunkards and drug fiends Christian Scientists are healing them. Why, then, should they wonder that thousands of their former patients have left them and now go to Christian Science practitioners for their healing. And why, in the name of common sense and justice, should Congress, or any other legislative body, enact laws making it a criminal offense for a Christian Scientist to save the unfortunates whom the "regular" doctors have started on the downward road to ruin. I submit the following statement of conditions by Dr. Charles V. Chapin, superintendent of health at Providence, R. I., as reported in the Boston Journal of March 24, 1914:

"There is no evidence that quinine cures malaria; that pollution of a water supply is a cause of typhoid; that the typhoid germ is the cause of typhoid; that vaccination prevents smallpox; that antitoxin has decreased diphtheria to a great extent." These were the assertions of Dr. Charles V. Chapin, superintendent of health at Providence, R. I., in a lecture on preventive hygiene and medicine at the Harvard Medical School yesterday.

"There is no real reason for saying that bad air is bad," he continued. "We have no reason to assert that district nursing causes the decrease of infant mortality. We have advocated the school inspection, though it proves to have no appreciable effect on the severity of infectious diseases in a community.

"Public health officers are likely to follow any plausible-sounding measure for sanitation like sheep. The way we have been removing adenoids and tonsils wherever we find them is an example of that. We need less faith and more careful, scientific study in our methods of municipal sanitation.

"All established forms of preventive medicine should be questioned. The more established and older they are the more they should be questioned. In fact, when consensus of public opinion is strong in support of any one method of treatment that method should be immediately investigated."

Dr. John B. Murphy, one of the leading physicians and surgeons of the country, has declared that vaccines are very "dangerous and wicked weapons to play with." He is quoted in the following forceful editorial in the Jersey Journal of September 5, 1911:

COMPULSORY VACCINATION.

"At the present time," said Dr. John B. Murphy, the retiring president of the American Medical Association, in an address at the recent medical convention at Atlantic City, "our knowledge of vaccines is extremely limited, and they are very dangerous and wicked weapons to play with."

Other scientists of the highest authority, among them Metchnikoff, have taken a similar position. Is it not extraordinary, then, that the Navy Department should adopt a policy of punishing seamen who refuse to be inoculated with the antityphoid vaccine? Recently a seaman named J. M. Holloman was ordered to the prison ship *Manila* for one year because he refused to be inoculated.

This was not only an instance of cruelty and oppression, but a demonstration of rank stupidity.

The New York Medical Journal takes the view that the claims put forth with so much confidence by the advocates of a compulsory use of the antityphoid vaccine in the Army and Navy may in reality rest upon improved conditions in sanitation. It says: "The exclusion of typhoid from the Texas maneuver camps last year may be credited to the same wonderful sanitation as in India and as in other camps freed from typhoid in seriously infected territory years before inoculations were tried."

Clearly there should be no compulsion about the adoption of alleged medical remedies which are only in an experimental state and in regard to whose virtue our best authorities differ.

And now the doctors are quarreling among themselves as to the virtue of quarantine in case of infectious diseases. Dr. L. M. Holn, State bacteriologist of Michigan, scouts all the old ideas, and declares quarantine causes more deaths than it prevents. On the other hand, Prof. Clyde Ross Newell, bacteriologist of the University of Illinois, takes just the opposite view. And a special committee of the Massachusetts Association of Boards of Health condemns the methods and extent of quarantines by the boards of health of the State and recommends radical changes in this respect.

So, Mr. President, wherever we look into the work of the medical practitioner we find incompetency, negligence, uncertainty, confusion, and differing views among themselves. Most of them are honest and sincere. Many of them are competent and skillful. Many of them are doing their best to elevate their profession and make it worthy and an instrument for good. But the great fundamental trouble is that their principle of healing is wrong. Their remedies are not only inadequate and ineffectual, they are dangerous to life and health. Doctors help by their presence and the confidence their patients have in them, but their drugs and the surgeon's knife kill and maim. There is a higher law of life and health than this, and they, in common with all mankind, must find it. There is a principle of health and harmony that they have not found, nor have their unfortunate patients, who suffer and sorrow and die under a system of healing that ignores this principle and leans on material means. It is a broken reed. It has cost many precious lives that might have been saved. It has brought into the world and perpetuated many sorrows and much suffering. And yet, strange as it may seem, in an enlightened and Christian country this material and deadly system is being blindly imposed upon a protesting and suffering people by harsh and unjust laws and by placing over them with autocratic powers the men who have mistakenly devised and are practicing this ineffectual and dangerous system. Thousands, yea, millions of people, are crying out against these unjust and coercive laws, but Congress heeds them not. The hands of their oppressors are being strengthened day after day by new laws. Their rules and regulations, by which men's lives are guided and forced into wrong and dangerous ways, grow more and more unreasonable and harsh. Men, women, and children are being sacrificed by a false system, that violates the divine laws of health and harmony.

Mr. President, this is a matter about which there should be no coercion. It is as sacred as religion. And any law or regulation that forces action contrary to the honest convictions of a citizen is a violation of his most sacred rights and of the Constitution of the United States. I protest earnestly against such laws. I appeal to Congress to awaken and inform itself on this great question affecting life, health, and liberty, and afford relief to the people who are suffering under these unjust and oppressive laws. I am not asking for laws in favor of any class or mode of healing. I am asking only for freedom to follow their convictions of what is best for them. There should be no class legislation on the subject. I am only asking that they shall not be deprived of their rights and their liberties by adverse and restrictive laws in favor of and at the dictation of some other class.

RADIUM.

Mr. President, I come now to consider, briefly, the question of radium as a cure for cancer. A few months ago it was heralded by some doctors as a sure remedy for that fearful disease. It was hailed with joy as the deliverer of those who suffer a thousand deaths from its dreadful ravages. A sympathizing world was ready to accept it. Congress was appealed to to enact such laws as would preserve the precious metal produced in this country in the Government, to be applied to healing purposes. If Congress could be assured that radium is indeed a cure for cancer, it could do no less than comply with this request and pass the bill for that purpose, now pending in the

Senate. But the claim that radium is a cure for cancer has been effectually exploded by actual experience and declared by numerous competent authorities on the subject to be ineffectual for that purpose. I have already shown that there is a remedy for this disease that has healed many cases, but the doctors and the surgeons still maintain their position that there is no cure for cancer but the surgeon's knife, and when the knife can not be used the disease is incurable. If radium is not a specific for cancer, the passage of the radium bill would be an act of inhuman cruelty. It would be taken as an indorsement by the Government of that remedy and would bring additional suffering, disappointment, and sorrow to sufferers from the disease, their relatives and friends, and bring no compensating results.

Briefly, I want to call the attention of the Senate to some of the announced opinions of doctors and others to the effect that the belief that radium will cure cancer is a delusion and that the claim for it is being made for speculative and commercial purposes. The following from the Los Angeles Times of date April 12, 1914, contains, in a brief way, the opinions of some of the most eminent members of the medical profession on the subject:

NEW YORK, *April 11.*

All hope of curing cancer by radium has been abandoned by some of the foremost surgeons and research workers of the country, who declared at last night's meeting of the American Society for the Control of Cancer that the failures of radium outnumber cures 100 to 1.

That nothing is of avail against the most dreaded disease but use of the knife was the opinion advanced by Dr. William H. Mayo, of Rochester, Minn.

Operation is the only cure, but radium or ray treatment is in order as a temporary palliative, where operations are impossible, according to Dr. Francis G. Wood, director of cancer research at Columbia University. "Failures from radium outnumber the cures 100 to 1," he said. "Another generation will be required," he said, "to furnish knowledge on the real cause and actual nature of cancer. Experiments for 35 centuries show that heredity plays small part if any at all in its appearance."

That a change in the habits and customs may reduce the disease to some extent was a ray of hope held out by Dr. Mayo, who also said any cancer could be cured if operated upon in its early stages.

"If we could only tell how to avoid it I would be glad, because I am frank to admit that we do not know," he asserted. He said that the statement that the use of meat was one of the habits to be avoided in connection with cancer prevention had been wrongly attributed to him.

The only optimistic note at the meeting was struck by Dr. J. Collins Warren, chairman of the Harvard Cancer Commission, who, after reviewing its work, stated that the prospect for progress in combating cancer had never seemed so bright as now. "Immediate discovery of the causes of cancer could scarcely be expected, but the scientific commission in research work had entered upon a field where progress was sure though slow," he declared.

The same paper, of date January 18, 1914, carries the following dispatch from London, England:

LONDON, *January 17.*

Apropos of Dr. Lazarus Barlow's report on radium treatment for cancer at the Middlesex Hospital this week, the Lancet protests against the publication in the lay press of optimistic statements which are not only inaccurate but also raise false hopes among the sufferers from this disease, and expresses regret that medical men should encourage such publication.

"In many instances," says the Lancet, "grievous disappointment and serious financial embarrassment have been needlessly added to the sufferings of the victims of the malignant disease by the publication of ill-understood medical evidence.

"The critical question is, How many cases of undoubted and inoperable malignant diseases have been completely relieved by radium treatment and remained apparently cured sufficiently long to give reasonable hopes of permanent relief?

"The number must be small, we think, and permanent relief probably only occurs where circumstances are unusually favorable. Up to the present radium has brought us little, if any, nearer to the discovery of a definite cure for the malignant disease, and we feel that science is not benefited by allowing enthusiasm to outrun discretion."

The Lancet adds that no stress should be laid on Dr. Barlow's recent statement.

"It is of a pathologist having no responsibility for the treatment of any patients. The figures given are incorrect, and the statement has been repudiated by the surgical staff of Middlesex Hospital.

"The time has not come for any public announcement, however guarded, pointing to radium as a cure for cancer. Meanwhile any statement of the results obtained at the hospitals should clearly come from the medical staff who carry out the treatment and watch the results."

The following from the Journal of the American Medical Association, of date March 21, 1914, shows how the claim that radium carries remedial medicinal qualities is being commercialized as well as the unproved fact that it is effective as a cure for cancer:

STATUS OF RADIUM.

To the editor:

I have recently received several circulars from the Radium Chemical Co., Forbes and Meyran Avenues, Pittsburgh, Pa., which seems to be introducing radium drinking water, radium bath water, radioactive earth for external applications, radium compresses, and radium in ampules for intravenous injection.

The company and its methods are new to me, and I should be glad if you have any information on the subject to give to the profession, especially in regard to the efficacy of radioactive water and radium baths, of which the newspapers are saying so much of late and which I find are being adopted by some members of the profession.

WILLIAM H. VAN DER BURG, M. D.,
New York.

Answer. Radium is still on trial in all its forms. Water containing radium emanations is presumably radioactive and may produce the milder effects of radium on the animal organism, but it must still be held as undemonstrated that these effects are of value in the treatment of constitutional diseases. While some clinical evidence has been introduced to show a favorable effect from these preparations, the interpretation of such evidence is always beset with difficulties; it is hard to separate the improvement which arises from psychic influences from that which rests on an objective basis.

It is notable that the conditions in which radium emanations are used, such as rheumatism, are liable to psychic impressions and are readily influenced by new forms of treatment which later lose their beneficial influence.

Like many other applied remedies, or supposed remedies, the use of radium has been an experiment that has hastened the death of many patients thus experimented upon. It has not only hastened, it has caused such deaths, that, as I have shown, could have been prevented by other means. The following brief extract from the Chicago Record-Herald, in its issue January 27, 1914, tells how it works in actual practice:

WASHINGTON, *January 26.*

Radium as a cure for cancer is still in an experimental stage, and its use in the treatment of internal cancer results fatally in a large percentage of cases, according to testimony given before the House Mines Committee to-day by William H. Campbell, director of the radium clinic of Pennsylvania.

Dr. Campbell told the committee that, so far as the deeper cancers were concerned, "we can not tell to-day what the outcome of the radium treatment will be."

"We can tell," he said, "that there is a disappearance of the tumor; that the radium causes the disintegration of the tissue of the cancer; but something is created in that disappearance which is absorbed by the blood and which kills my patients. Nobody can tell for four or five years what the ultimate result will be."

"How many of your patients have died as a result of your treatment?" asked Representative BYRNES of South Carolina.

Dr. Campbell said that two out of five of the cases treated ended fatally. He added that all were cases which would have resulted in death in a few months without treatment.

"I simply feel," he said, "that I've shoved those patients over a little bit sooner."

Here also comes the voice of Germany, through one of its medical experts, as reported in the Chicago Tribune of date January 3, 1914:

BERLIN, *January 2.*

"A gigantic swindle" is the vigorous description applied by Prof. Ernst Schweninger, of Munich, to the theory, prevalent throughout the world, that radium and mesothorium are the long-sought cure for cancer.

Prof. Schweninger, who is famous as the private physician of Prince Bismarck, airs his views in the January number of the Neu Runschau. He says he can not and will not believe that the much-vaunted radioactive substances are the panacea medical men have been hunting for generations.

All the means hitherto used in treating cancer, he says, produce temporary amelioration but no cure.

"Radium and mesothorium," he says, "are simply new auxiliary means of treating cancer; they are certainly not a cure. In the last analysis they are no better than other inadequate means at our disposal."

Prof. Schweninger goes further and asserts that radium and mesothorium even have positively dangerous properties. They are often "too aggressive" and involve the risk of "entirely destroying adjacent tissues or neighboring organs."

Prof. Schweninger's article concludes:

"The whole business can only be described as madness."

Not only have the most capable experts declared that radium does not cure cancer, but at least one competent authority is reported to have declared that it actually causes cancer.

The following from the Denver Post of October 4, 1914, gives the views of Dr. Rovsing on the subject that should challenge attention:

RADIUM MAKES SOME CANCERS WORSE.

That radium may promote cancer, instead of checking it, is the conclusion forced on Dr. Rovsing, a well-known surgeon, by his tragic experiences in a number of cases. He found that exposure to radium apparently fanned into rapid malignant growth many small superficial growths which had hitherto been not at all serious.

Dr. Rovsing says he was unable to find any authentic case of an actual cure of a cancer under radium, but the chorus of encouraging reports overcame his first misgivings, and he began to apply radium himself in 1912. His extremely unfavorable experiences made him fear that his technic was at fault, so he took a trip to Heidelberg to study the technic in vogue there, and found that he had been applying it strictly according to rule in every respect.

Yet in many instances the exposure was followed by the transformation of an indolent growth into a rapidly gnawing cancer, becoming too serious for an operation in the course of a few days. He gives the details of 10 such cases. They were selected for radium treatment on account of the apparently peculiarly favorable conditions for this.

In one case a small tumor in the cheek, the recurrence of one which had been removed with the knife less than three months before, could easily have been removed, but as it seemed to invite radium treatment, this was applied for 20 hours. The tumor became in a few days much worse, and all who saw it were convinced that this was the direct result of the radium exposure, especially as case after case showed this same course.

The growth often became intensely painful shortly after the radium exposure. This was particularly evident in the case of a man of 29, who had been given the radium treatment at Omaha for a suspicious lump on his lower lip, which had been noticed for two years.

After the radium exposure the lump began to grow rapidly, and when cut out it quickly returned.

This occurred again after a second operation.

The small ulceration in the scar and two slightly enlarged glands under the jaw were then treated with radium. The glands had been thus enlarged for two years without change, but after the last radium exposure the whole region at once became a rapidly fatal cancer.

Mr. President, I could go on indefinitely quoting opinions from competent experts declaring against the efficacy of radium as a remedy for cancer. But I desist. The Senator from Colorado [Mr. SHAFROTH], when the radium bill was up for discussion at the last session, cited a number of these adverse opinions. I am not so much concerned about the restriction of the sale by the Government of radium-bearing lands. But I am greatly concerned about the avowed purpose for which such lands are to be reserved, for the reasons I have stated.

Mr. President, I have done. My appeal has been made to the sense of justice of the Senate and the American people. I would not abolish or overthrow the Public Health Service if I could. I would make it broader, more tolerant, more humane. I would have it presided over by a man of broad, tolerant, and humanitarian views, who could look beyond the dead line of the so-called regular school of medicine and seek for, find, and apply for the common welfare all that is good in every school of medicine, old and new, and all other methods of healing, saving none, favoring none. I would not allow any medical or any other professional practitioner of any other school of medicine or other mode of healing to preside over the Public Health Service. I would allow no preference to rule or control the service. As it is now governed, it is an auxiliary of the American Medical Association, and of course is biased, narrow, and unjust. The by-laws of the American Medical Association provide:

* * * Commissioned medical officers of the United States Army, United States Navy, and the United States Public Health and Marine-Hospital Service shall be members of this association so long as they are engaged actively in their respective service and thereafter, if they have been retired on account of age or physical disability. These members shall not be required to pay dues, and shall not receive the Journal of the American Medical Association, except by personal subscription.

Thus are all of the medical officers of the Government made members of the association, and I am informed that none of them have declined to accept such membership. I do not question their motives or their good faith, but I do seriously question their judgment and the propriety of the health officers of the Government belonging to an association operated for the benefit of its own members. For every annual meeting of the association the following certificate is sent to such medical officers:

This is to certify that Dr. ——— ——— is a fellow in good standing of the American Medical Association for 1914, and he is entitled to register at the Atlantic City session on presentation of this card. (United States Health Service.)

———— ———, *Secretary.*

The Government should see to it that the service is removed from any such influence and made the unbiased and honest searcher for the best that can be found as a means of preventing disease and preserving the public health. I ask no more than this, and I ask it for and in the name of the American people. The Government should grant them no less. I appeal to Congress for a fair, unbiased, and patriotic consideration of this great question that involves the health and happiness, the lives of our people.

URGENT DEFICIENCY APPROPRIATIONS.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 20241) making appropriations to supply urgent deficiencies in appropriations for the fiscal year 1915 and prior years, and for other purposes.

The PRESIDENT pro tempore. The question is on the adoption of the amendment offered by the Senator from Utah [Mr. SMOOT] to strike out the language which appears in the bill on page 3, beginning with line 22, and going down to and including line 26.

Mr. SMOOT. Mr. President, I will state that I gave notice yesterday that I intended to withdraw the amendment rather than have it voted upon. I offered it only for the purpose of having something before the Senate to speak to. If there is no one else to speak upon the question, I will gladly withdraw the amendment.

The PRESIDENT pro tempore. The Senator from Utah withdraws the amendment heretofore offered by him. The bill is in Committee of the Whole and open to amendment.

Mr. OVERMAN. Mr. President, on behalf of the committee, I offer the amendment which I send to the desk.

The PRESIDENT pro tempore. The Senator from North Carolina offers an amendment, which will be stated.

The SECRETARY. On page 2, after line 10, it is proposed to insert:

Raleigh, N. C. Rent of buildings: For rent of temporary quarters for the accommodation of Government officials and moving expenses incident thereto, $1,200.

The amendment was agreed to.

Mr. OVERMAN. I offer another committee amendment, which I send to the desk.

The PRESIDENT pro tempore. The Senator from North Carolina offers a further amendment, which will be stated by the Secretary.

The SECRETARY. On page 7, after line 16, it is proposed to insert:

Panama Canal: The balances of the appropriations heretofore made under the headings "Fortifications, Panama Canal," are hereby consolidated so as to constitute one fund in the Treasury, to be disbursed and accounted for under the appropriation title of "Panama fortifications," for the objects specified in the several appropriation acts and in accordance with such allotments as may be authorized by the Secretary of War.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time.

Mr. STONE. Mr. President, at the close of the remarkable address of the Senator from Massachusetts [Mr. LODGE] I felt in humor to make some observations, somewhat extended, by way of response, but on reflection I think I will take but a few minutes of the Senate's time to-day.

There are one or two things discussed by the Senator that I shall desire later on to have something to say about, but not now. I refer first to his broad assertion that it is impossible to expect the organization of an orderly government on popular lines in Mexico, and that anything looking to that end is but a dream impossible of realization. Mr. President, that is an old, old story that has been told by many men in different ages of the world. The pages of the world's history are replete with efforts made by different peoples to throw off the chains of oppression, to strike for greater liberty, to struggle out of the darkness into the light of better things, and to form a government in which the individual man would have a more potent and effective voice. Never has a struggle of that kind been undertaken that other men, inspired with a different spirit, have not arisen to speak in denunciatory terms against the effort of the great masses to progress upward. All such struggles have been denounced as absurd and impossible of success by men actuated by the spirit which seems to control the Senator from Massachusetts. But despite all such disparagement, whether originating at home or abroad, men have continued to fight their way through hardships, suffering, and bloodshed to the point where success was not only possible but certain, and the things they risked their lives for were established. No free government has ever been organized and maintained where the men who took the hazard, as well as the cause they struggled for, were not denounced very much in the same way in which the Senator from Massachusetts has to-day spoken of the people of Mexico. The world is too full of those who in their hearts are out of sympathy with efforts made by men who are oppressed for a larger measure of individual liberty and opportunity.

I intend, Mr. President, at another time in the near future, to take up this subject and go into it more at length and to discuss it not only with reference to its general application to the mighty struggles that have been waged at different periods throughout the world, but with special reference to the Republic and people of Mexico. But to undertake that task at this moment and perform it intelligently would, I feel, take more time than I would be authorized to devote to it in view of the immediate pressure of other important measures upon the attention of the Senate.

One other thing about which I shall take occasion to express myself later on has reference to what the Senator from Massachusetts had to say about the religious aspects of the conflict so long raging in Mexico. The remarks of the Senator in this behalf may be regarded and treated as a supplement to the remarkable, and I think most execrable, screed recently promulgated by ex-President Roosevelt, in which he sought, almost without attempting to disguise his purpose, to inject the passion and prejudice of religious partisanship into our international affairs. The Senator has not only indorsed the utterances of the former President and made himself a party to them, but he has had this entire Rooseveltian fulmination inserted in the RECORD so that it may be scattered broadcast under the frank-

ing privilege. I can not characterize such action as it deserves without violating the proprieties of this forum. It is detestable and unpardonable that any man, in or out of the Senate, and especially that any Senator or ex-President of the United States, should use his commanding influence to arouse religious passions and to excite men who may be swayed by intolerant influences to make of themselves an organized force to be exerted in the conduct of grave and delicate international relations. Mr. President, I intend in a short while, when I take up this subject again, to express without fear or favor my opinion of and to enter my protest against the introduction of religious questions, opinions, or influences as a factor in the political and civil affairs of the American people. I regret to say that too much of that kind of thing is being done at this time, alike by Catholics and Protestants. In my view everything of this kind merits the condemnation of thoughtful and patriotic men of all parties and of all religious sects. I can not think of anything more dangerous to our peace and progress, or more hurtful to our public and civic life, or more to be regretted and condemned than this; and it amazes me that gentlemen of the high standing, importance, and influence of Col. Roosevelt and his coadjutor, the senior Senator from Massachusetts, should become the voluntary instrumentalities through whom a propaganda of this nature is to be given impetus in this country. I think the time has come when right-thinking, liberal-minded, patriotic American Senators should begin to express themselves with great deliberation and with the utmost freedom upon this subject and to do whatever they can to arouse a just public opinion throughout the country that will check the onward movement toward a political-religious conflict in this land of ours. The Senator from Oklahoma [Mr. GORE] says, sotto voce, that anything like that tends to revive the conditions which prevailed in the Dark Ages, upon which we have hitherto looked with horror. This is not the age nor this the country where a propaganda of that kind should be permitted to go unscathed, much less to be encouraged.

I shall say nothing more on that subject at this time, but will deal with it extensively at a later date. But aside from the two matters to which I have adverted, I would have been astonished anyhow that a Senator of the distinction and influence of the Senator from Massachusetts should have made on this floor such a deliverance as fell from his lips this morning. I think that most all who heard him were astonished that this Senator, especially, should have done that thing; and yet there were Senators on the Republican side who seemed to be in sympathy with his performance, if we are to judge by the haste with which they clustered around him with handclasps and congratulations upon what he had done, foremost among them being the senior Senator from New York [Mr. ROOT]. That was, indeed, a most amazing spectacle. This is the first time in my experience as a Senator that I have known of any Senator making a partisan speech on international questions, and especially at a time when the relations between Governments and peoples are acute and when the administration in charge of our diplomatic and executive affairs is making every effort to bring about more peaceable and better conditions.

The Senator says the President was animated by animosity in his opposition to the Huerta régime; that animosity was the underlying basis of his policy. Why should the President have entertained a feeling of personal animosity or hatred or hostility against Victoriano Huerta? The question answers itself far enough to say that the assumption of the Senator is a bald absurdity.

The Senator complains that the President did not refer to Mexican conditions in his last annual message, and from that he draws some sinister conclusion. It was only a short time before that the President had delivered a special communication of considerable length before the two Houses of Congress assembled, in which he reviewed the whole situation as to our relations with Mexico and as to his ideas with respect to them. It is to be presumed that every Member of Congress has kept himself reasonably familiar with the events occurring in Mexico during the last few weeks, and therefore the President very properly concluded that as he could not discuss every question of public moment in a single message he might for the time being pass by the one which he had so exhaustedly discussed so short a time before. Still, if the Senator felt aggrieved by this course of the President and felt called upon to supplement the message by a discussion of his own, no doubt he is within his right. I shall not complain of that; but it is the character of the discussion indulged in by the Senator that amazes me, and it is of that that I make complaint. Evidently the Senator from Massachusetts has had an overdose of partisan animosity toward this administration, long stored away and pent up in the bowels of his wrath, and it may be that he felt obliged to do something with it; and now that he has relieved himself of the overcharge, I hope he will be able to sleep more soundly and to enjoy more refreshing dreams hereafter than I imagine have visited him as he tossed upon his downy pillow last night and for many nights before.

The Senator says that he would, if necessary, take armed forces into Mexico, compel peace and restore order.

Mr. LODGE. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Missouri yield to the Senator from Massachusetts?

Mr. STONE. I do.

Mr. LODGE. I have no objection to the Senator saying anything about me he likes, but he must not misquote me. I stated explicitly that I was against putting armed forces into Mexico.

Mr. STONE. Mr. President, of course I have no wish to misquote the Senator, but I was listening with wide open and astonished ears to what he was saying, and I understood him to say that it was better at least to resort to armed intervention——

Mr. LODGE. I never said anything of the kind.

Mr. STONE. Or words to that effect.

Mr. LODGE. I never said anything of the kind.

Mr. STONE. Then I now understand the Senator to be opposed to the use of force.

Mr. LODGE. So I stated in my speech. I said there were only two policies; that one was to refrain absolutely from intervening and that the other was to intervene effectively—which the United States had no desire to do and I did not desire to do—and that neither course was followed by this administration.

Mr. STONE. Yes; I know the Senator said that neither course had been followed by this administration; but I understood the Senator also to insist—it may be I am wrong about that—that it was the duty of this Government to protect the life, liberty, and property of American citizens in Mexico, and——

Mr. LODGE. I certainly said I thought that was its duty, and I thought that we ought to have exhausted every resource of international law, every resource given us by our treaties, to bring about that protection.

Mr. STONE. And if it failed to bring about the desired protection, what then?

Mr. LODGE. I said unfortunately there was nothing to do then but to avoid as far as possible going into war.

Mr. STONE. But following what the Senator advises would lead us inevitably to the employment of armed forces. He says that there are but two policies that can be followed—one to keep your hands off and do nothing and the other to take your Army across the border. For the last four or five years, under both President Taft and President Wilson, we have been following the policy of keeping our hands off, but it has not resulted in the saving of American lives or the protection of American citizens from imprisonment or the despoilation of their property. Therefore, according to the logic of the Senator, that policy has proved to be a failure. If that be true, then the Senator has led us up to stand before a wall blindly. Would the Senator have us, and did he to-day advise us, that we continue to stand against that wall, impotent and helpless, or did he mean to say that we should go over the wall? We can not scale the wall without carrying men with guns in their hands. If the Senator did not mean that, then his speech is without meaning and must be treated merely as a partisan outburst of idle criticism and denunciation.

Mr. President, I recall another occasion not wholly dissimilar to the one presented here to-day. During the Sixty-second Congress, while the Republicans were in control of the Presidency and the Senate, the same turbulent unrest, disorder, crime, and anarchy prevailed in Mexico as prevails to-day and has prevailed since Mr. Wilson became President. The Mexican situation came down as an inheritance from President Taft to President Wilson. At that time there was shooting across the border by Mexicans into Douglas, Ariz.; El Paso, Tex., and other points. American men, women, and children were killed or seriously injured by Mexican bullets. I then thought it was bad that such a condition should be permitted without any action upon our part to prevent it. I introduced a resolution in the Senate relating to the subject which I desire to repeat, as follows:

Whereas in conflicts between the military forces of the Mexican Government and revolutionists near the border line between the United States and Mexico several American citizens on the American side of the boundary line have been slain as the result of Mexicans firing across the line and other American citizens while peaceably pursuing their avocations or while in their homes have been wounded; and

Whereas a great and important public work on the Colorado River in Lower California is being constructed by Americans, for which work Congress has made a large appropriation, and which work is being constructed on the Mexican side by American engineers and contractors under an agreement made with the Mexican Government, and is being obstructed and endangered by repeated interferences of lawless bands of Mexican revolutionists who have at different times appropriated property of the contractors engaged in the work, and have so seriously delayed the work as to greatly endanger it by threatening the lives of workmen and thus disorganizing the working force: Therefore be it

Resolved, That the Committee on Foreign Relations be, and hereby is, directed to make speedy inquiry into the facts recited in the preamble hereto and into such other facts as said committee may deem necessary to a complete explanation and exposition of the actual conditions prevailing in Mexico; and said committee is directed to make report of its findings, with such recommendations as the committee may deem advisable respecting the duty of the United States in the premises, and which report may be made to the Senate in open or executive session as the said committee may deem most expedient in the public interests.

That resolution was intended to have the Committee on Foreign Relations, through its own processes, ascertain the facts and bring them before the Senate for such consideration as this body might see proper to give them. The resolution was mild in terms and conservative in its requirements, but it was strongly opposed on the floor of the Senate.

Mr. FLETCHER. Will the Senator from Missouri state on what date the resolution was introduced?

Mr. STONE. It was introduced on April 17, 1911. In the course of the debate on the resolution the Senator from Massachusetts delivered a highly conservative and patriotic address, as did the distinguished senior Senator from New York [Mr. ROOT], who was the first this morning to congratulate the Senator from Massachusetts on his volcanic, if not magnificent, outburst. I will read those speeches in the order in which they were delivered. I shall read from page 442, volume 47, part 1, of the CONGRESSIONAL RECORD, Sixty-second Congress, first session:

Mr. ROOT. Mr. President, before the subject is passed over and the resolution laid upon the table, I wish to express my entire dissent from the assumption which seemed to me to be carried by the expression of opinion on the part of the Senator from Missouri. Granting that injuries have been done to American citizens which ought to be redressed, that wounds have been inflicted, that lives have been taken, that property has been destroyed, it does not follow, sir, that we should begin the process of securing redress for those injuries by a threat of force on the part of a great and powerful nation against a smaller and weaker nation. That, sir, is to reverse the policy of the United States and to take a step backward in the pathway of civilization.

There is no reason whatever, sir, to assume, if injuries have been done of the kind described, that the Government of Mexico is unwilling to make due redress upon having those injuries and claims for redress presented to her in the ordinary course of peaceful negotiation; and the passage of such a resolution as has been described, equivalent to a declaration of war, would be to preface the ordinary demand—the demand which it is the duty of every civilized power to make upon a friendly nation—with a threat that if the demand is not complied with force will be used.

Sympathy with the people of Mexico in their distress, a just sense of the duties that we owe to that friendly people, and the duties that we owe to the peace of the world must forbid our assenting to or yielding to any such course.

Then came the Senator from Massachusetts, supporting the Senator from New York as usual. I say "as usual," for it generally happens that these two able and distinguished Senators play as Jonathan and David in every political game.

Mr. LODGE. Mr. President, I do not rise with any purpose of discussing the question which has been before the Senate, for I deprecate all such discussion, and I regret that there should have been any discussion about it. I think it most desirable that the condition of affairs in Mexico and our relations with those affairs should not be discussed in Congress at present. It seems to me to be in the interest of peace and of harmonizing the difficulties that now exist in Mexico that there should not be discussion in either branch of Congress about it.

What a wonderful change has come over the spirit of the dream of the Senator from Massachusetts. He not only now discusses Mexican affairs, but he does it in an extremely violent partisan spirit and manner. He continued:

I desire to call attention to one important point that has been somewhat overlooked. When the President remits to Congress a question of difference with another country, the last step but one has been taken before a declaration of war. The Congress can carry on no negotiations; it can do nothing of a diplomatic character. Congress has but one power in dealing with another nation, and that is the war power. And when a President remits to Congress a question of that character and Congress gives him the power to intervene, it is a practical assertion of the war power.

That is the exact course which was pursued in relation to Cuba when the war with Spain began. President McKinley remitted the question to Congress, saying substantially that diplomatic methods had failed, and we conferred upon him the right to intervene, and that amounted to war.

Mr. President, we have nothing but the kindest of feelings toward the Republic of Mexico. We all, I think, universally regret the disturbances that now exist there. We have no outstanding grievances against Mexico. We have no questions between the two countries. The unfortunate incidents at Douglas and on the border are the results of the disturbed conditions in our neighbor to the south, and it seems to me that in every possible way we should use our best efforts to help Mexico to settle those differences; that we should show the greatest consideration, and that we should avoid in every possible way anything that looks like a threat or a resort to force.

I sincerely hope that the question will not be discussed in Congress, because when the time comes that it must be discussed in Congress we shall have reached a very serious point, indeed, and therefore I trust that the matter may end here, for the present, at least.

What has so changed the attitude of the Senator from Massachusetts?

Mr. LODGE. Perhaps the same events that have changed the attitude of the Senator from Missouri.

Mr. STONE. Mr. President, I have not changed my attitude. I thought at that time, as I do now, that if I controlled the situation I would employ the forces of the United States to whatever extent might be necessary to prevent firing across the international boundary to the great danger of our people; that I would not permit our people to be slaughtered in that way in their own homes in their own country. I have not changed my position as to that, but I wish to say that some time after the resolution I have read had been debated and laid on the table I went at his request to see the President, Mr. Taft, for whom I have always entertained and now entertain not only a great respect but a genuine affection. The whole subject was discussed between us with the utmost freedom on his part as well as on mine. Mr. President, when I learned that utterances unfavorable to the course of the administration made in Congress were telegraphed to the City of Mexico or to the leaders of revolutionary forces and that they tended to embarrass the administration in the effort it was making to bring about better and more peaceable conditions, not only along the border but throughout Mexico, I determined then to refrain, as far as possible, from saying anything or doing anything that could be construed as being antagonistic to the policy of the President. I believed in his sincerity and patriotism, and I had no doubt as to his earnest desire to promote international peace, which every right-thinking man desires, and hence thereafter I uttered no word nor took any step that was not designed to support the laudable desire and purpose of the Chief Executive. I felt that I ought to take that course as one upon whose shoulders rested in some part the great responsibility cast upon the membership of this body. But now the administratiion has changed, and I am sorry to see that the Senator from Massachusetts, with the apparent hope of securing some partisan advantage, would stir up bad blood among our people; aye, that he would even arouse religious as well as political hostility toward the President and his policies with respect to this international situation, apparently forgetting that they are the same policies followed by President Taft and then so earnestly supported by the Senator from Massachusetts. There can be but one purpose in all this, and that purpose is far from commendable. I hope now that the Senator has relieved himself from his surcharge of partisan bile, and after he has had time to reflect he will regret his utterances of to-day. I can not expect him to come here before us in sackcloth and ashes and make public profession of his repentance, but I have such a good opinion of the Senator's intelligence and of his regard for the proprieties that I feel confident he will not very long be proud of his performance, although he may be a little elated for the time being by the warm congratulations he received at the hands of his fellow partisans. Mr. President, for the present that is all I care to say.

The PRESIDENT pro tempore. The question is, Shall the bill pass?

Mr. BORAH. Mr. President, the Senator from Missouri has informed us that it was not his purpose to discuss the Mexican question at length to-day, but that he would do so in a few days and present the matter fully to the Senate and to the country from his viewpoint. I had expected to discuss the matter this afternoon, but I think I shall follow the course outlined by the Senator from Missouri and defer my remarks until I shall have before me all the facts, and especially the views of the chairman of the Committee on Foreign Relations. I shall not, therefore, at this time discuss the subject as I had intended to do, although I am very much of the opinion that the time has come when it is not only proper but a duty upon our part to discuss it.

Before dismissing the subject to another day, however, I desire to call attention to an error into which the Senator from Missouri has, in my judgment, fallen in regard to the views entertained by the Senator from Massachusetts on one particular subject, namely, intervention, and the views which the Senator from Missouri entertains, for, as I understand, he has not changed his opinion upon that same subject. It seems to me that the Senator from Missouri in discussing the question mistook his views for the views of the Senator from Massachusetts upon that subject. I find that in discussing the resolution which he introduced in the Senate on April 17, 1911, he gave expression to this view:

Nevertheless, we can not close our eyes to the unfortunate conditions now existing in Mexico; and, moreover, we not only can not close

our eyes, but we can not remain passive and inactive and permit disorder to run riot to the peril of the lives, liberty, and property of American citizens lawfully resident in that Republic. There is unquestionably a solemn duty resting upon us in this regard which we can not ignore, however delicate it may be or however great the responsibility it may impose.

Further on, on the same occasion, he said:

A few weeks ago the governor of the State of Jalisco made a most inflammatory public speech at Guadalajara, accusing Americans of inciting and participating in the revolution, thus accentuating the strong anti-American feeling already existing there, and tending to foment riotous outbreaks. As a consequence, Americans in Guadalajara were in a state of fear amounting almost to panic, and naturally they sought the protection of their own Government. There are thousands of Americans scattered over the Mexican Republic, engaged in numerous employments and without means of self-defense. Numerous instances have been reported of the forcible confiscation and appropriation of the property of Americans by revolutionists or by bands of men supposed to be of the revolutionary party—

And so forth.

Having stated the facts upon which he had formed his conclusion, he proceeded to advise the Senate as to what, in his opinion, should be the course of action upon the part of the Government, not only with reference to and because of the unfortunate disturbance at Douglas and at other points along the border, but by reason of the treatment which had been received at the hands of the Mexicans upon the part of our people residing in Mexico, and he said:

Nevertheless, I am going to say, whether I do right or wrong in saying it, that the Congress should at once and without delay authorize the President to employ whatever force may be necessary to prevent a repetition of the bloody outrage committed at Douglas, Ariz., and a repetition of which is threatened at El Paso, Tex. The President should be authorized by formal action, and the Congress should express its opinion in positive terms that it is his duty to use whatever force the circumstances may require to protect our people on their own territory and in their own homes from danger. His authority in this behalf should be extended far enough and have sufficient latitude to fully warrant him in using our military forces in whatever way he may deem expedient and necessary to accomplish the desired end, even though it should lead to an intrusion upon Mexican territory. Moreover, if any act done under this authority by the President for the proper protection of our own people on our own soil should lead to hostile demonstrations against American citizens resident in the interior of Mexico, the President should be authorized, not now perhaps, but later on, to use the military forces of the United States, if that is found to be necessary, to protect the lives and liberty of peaceable American citizens, wherever domiciled in any quarter of Mexico.

Mr. President, I have no doubt, just as the Senator from Missouri now states, that he uttered at that time his views as a citizen and gave voice to his patriotism; that in all probability he yet entertains that view as a citizen.

I desire, next, to call attention to the views of the Senator expressed after, I assume, he had the interview with President Taft to which he has referred. This is on May 9, 1911. The speech from which I have quoted was delivered by him on April 20, 1911. In discussing affairs in Mexico he said, on May 9, 1911:

I say all we can do is to wait for news, for, judging to-day by yesterday and the future by the past, our Government does not intend to lift a hand for the protection of its own people in their own homes. It is the misfortune of these good people that they live in Texas on the American shore of the Rio Grande. It may be that, in addition to Mauser bullets, this fair city of the Lone Star State may be swept by shrapnel and canister, by Gatling guns, and cannon balls. For mercy's sake, I hope not, but as our Government does not intend to lift a hand for the protection of our people, the Mexican soldiery can work their bloody havoc apparently without fear of responsibility to us.

Mr. President, this is a repetition of the frightful tragedy enacted at Douglas, Ariz., a few weeks ago. At that time I raised my voice in denunciation of that crime and in vehement protest against permitting its repetition. I was surprised and mortified that in that denunciation and protest I not only stood alone, but I brought down upon my head a shower of criticism and reproach from distinguished Senators on this floor. I proposed a resolution at that time authorizing the President to use force, if necessary, to prevent injury to our people as the result of battles on the border. My proposition was that the President should notify the responsible authorities of both the federal and insurrectionary forces that outrages like that at Douglas would not be permitted, and that if the same thing should be again attempted and persisted in, the President should instantly employ such military force as might be necessary to stop it. I did not propose to invade Mexico with the object of remaining and occupying the territory of that country, but to carry across the line only so much of our Army as might be required to accomplish the immediate end in view, and after it had been accomplished to withdraw our forces from the Mexican side. I insisted then, as I insist now, that we have the right to do that much in the interest of humanity, for our own protection, and for the preservation of public order on the border line, where disorder concerns the lives and property of our people, as well as the lives and property of Mexicans.

We were told that to send a military force across the border for any purpose or on any provocation is war, and that a step of that kind would precipitate a conflict between the two countries. I was called to sharp account for what I said and for the resolution I offered, and I was gravely advised by the senior Senator from New York [Mr. ROOT] that any such act on our part as that I suggested would be a step backward in the march of civilization. Other Senators indulged in observations of the same general nature. I asked what should be done and what we could do for the safety of our own people, and was told there was nothing we could do. In other words, it seemed that these distinguished Senators looked upon the United States as helpless, bound hand and foot by some refined and altruistic considerations that are beyond the comprehension of ordinary men.

My speech of protest and appeal is buried in the CONGRESSIONAL RECORD, and my resolution directing the Committee on Foreign Relations to investigate the facts and report what action should be taken by Congress is buried in the archives of the committee room. The newspapers report the President as saying that he will take no affirmative action until he is authorized to do so by the Congress, and Senators say that Congress can not, without violating some red-tape precedent, take any action until the President first calls upon the Congress for its advice and direction. And so, between the upper and nether millstones of this disgraceful governmental inaction, peaceable American citizens residing on the border are being ground to ashes.

Mr. President, in the address I made to the Senate some weeks ago I took occasion most heartily to approve the action of the President in mobilizing a military force along the Mexican border. I then gave what I considered, and still consider, ample and sufficient reasons to justify what the President did. But I supposed, when the President went to the trouble and expense of calling these troops from their barracks throughout the country and hurriedly transported them to the border, that he meant to make that force effective for the protection of American citizens, if unhappily an occasion arose for using them in that behalf. I did not dream that the Government of the United States was merely engaged upon a game of bluff.

* * * * * * *

I wish again, although I may still stand alone, to record my earnest and solemn protest against this inaction of our Government—a degree of inaction so pronounced that it smacks too much of something I do not like to name. Speaking for myself, I am more sensitive about the lives of American men, women, and children, peaceably pursuing the even tenor of their way on their own soil and about their own homes, than I am about the pride and sensibilities of other men who have on their hands the innocent blood of our people. I am more concerned about the American flag being in fact an emblem of protection to American citizens than I am about offending those who themselves display but little respect for our rights and our sovereignty. I would at all hazards defend and protect our people against such monstrous outrages as those at Douglas and El Paso, let the consequences be what they might, and hence I appeal to the Committee on Foreign Relations to at once consider the resolution I offered and make some recommendation as to the duty of this Government.

On the 2d of August, 1912, nearly a year afterwards, the Senator from Missouri said:

We seem to be very much concerned all of a sudden about a danger that is not, in fact, a danger; something up in the air; some remote possibility. At the same time Senators have not been so careful of the rights of American citizens themselves in South America or in Mexico. Here we have before us an example. I have to-day received a telegraphic request or invitation, as other Senators have, to visit the city of El Paso to see and interview 2,500 or 3,000 American citizens who have been driven from Mexico in destitution. They have been compelled to abandon their homes and possessions, and we are now about to pass a joint resolution to take money out of the Public Treasury—and that joint resolution I shall vote for—to send these wretched people to some place. I do not know whether they have homes to go to, but to send them to some place of refuge at the public expense.

I can not forbear at this juncture from drawing a contrast between that anxiety in a particular case upon the part of Senators to protect American people against a danger that is at least exceedingly remote in its possibilities while we remain silent when our own people, under our treaties domiciled in Mexico, are being ruthlessly mistreated, in many instances losing their lives, and are being driven from their homes in that country. We remain silent, except to authorize the use of the public money to transport them to the interior of the country.

Mr. President, I read this, not for the purpose of seeking to involve the Senator from Missouri in a contradiction; that is the least of my concern. As I said before, I have no doubt that he was expressing then the views of a citizen. It may be he is now in a large measure expressing the views of a partisan. But my principal object in reading these paragraphs is that the Senator from Missouri may not with consistency, when we come in a few days to the discussion of this matter in all its fullness, seek to charge the Senator from Massachusetts or other Senators who desire to speak upon this question with simply desiring to raise a partisan question. It has passed beyond that. It can not be said to be a partisan question, and a fair discussion ought not to be charged to partisanship. It has reached the time when it involves the protection to the lives of hundreds of our people. It involves the question whether we shall remain inactive while these conditions which the Senator from Missouri has heretofore portrayed are continued, not merely from month to month but from year to year.

To show that the precise conditions which the Senator described three years ago continue, I call his attention to a statement made only a few days ago by one who will not be charged at least with partisanship, although no doubt he will be charged with having some radical views. This is a statement from Gov. Colquitt. Speaking about the entrance to Vera Cruz, it says:

It set all Mexico aflame against the Americans, not only in Mexico but in Texas, where along the north bank of the Rio Grande there are 10 Mexicans for 1 American. It brought on a reign of terror all along the Texas border, so that when the Federal Government refused to afford protection for our people in their own State I was forced to send 1,200 Texas troops down there to give it.

Mexican bandit gangs were crossing the border into Texas, raiding and terrorizing our scattered people. Women and children were huddled together in brick houses, menaced with murder and worse. My desk was flooded with telegrams from chambers of commerce, bankers, stock men, and other responsible citizens praying for protection all along our 1,200-mile frontier.

STATE TROOPS TO BORDER.

The Federal Government had only 60 troopers at Brownsville to cover more than two-thirds of that long border. When I rushed the Texas State troops down there, stationing a company at each of the principal border towns, I instructed them not to cross the river nor in any way to violate the neutrality law, but at all costs to protect the lives and property of Texas people.

Mr. President, with inserting that in the RECORD, I shall not go further with the discussion. I insert all these quotations to silence the charge made by the Senator that it is appealing to partisan prejudice in the discussion of a matter of this kind, for I shall not discuss it in that light. I shall discuss it in the light of the obligation of this Government to protect American citizenship wherever that citizenship is found, whether in Mexico or in any other foreign country.

Mr. LODGE. Mr. President, any question of personal inconsistency or consistency of the Senator from Missouri or of myself is not of any great consequence so far as the merits of the question are concerned. The Senator has read what I said and what he said. The Senator from Idaho has added to the reading what the Senator from Missouri said four years ago. Many things have happened in four years, and the situation in Mexico is very much altered. At that time, just at the opening of hostilities, I thought it unwise to do anything which would inflame feeling down there and in any way impair our influence in bringing about a conclusion of hostilities. I think I was right in taking that view at the time, and I have not changed my view. I am still anxious to avoid armed intervention in Mexico. The Senator has not changed his view.

Mr. President, as to not wishing the matter debated at that time, as I say, that was four years ago. For two years, since this administration has been in power, I have refrained from discussing it. This side has refrained, with the single exception of the Senator from New Mexico [Mr. FALL], who, owing to the position of his State, had the question very sharply brought home to him. Nothing was done here to thwart or to hamper the President. The President's policy, which consisted in the removal of Gen. Huerta, so far as it is possible to learn, has come to an end. If he has any further policy, he did not take us into his confidence in his annual message. As he is silent I think a subject of that sort may be properly discussed, not for the sake of partisan advantage or disadvantage, but because it is a subject of great moment to the United States; and if anything can be done it ought to be done.

The PRESIDENT pro tempore. The question is, Shall the bill pass?

The bill was passed.

THE MERCHANT MARINE.

Mr. FLETCHER rose.

The PRESIDENT pro tempore. The Senator from Missouri gave notice on yesterday that he intended to ask the Senate to-day to proceed to the consideration of executive business.

Mr. FLETCHER. I ask that the unfinished business, Senate bill 6856, may be laid before the Senate.

Mr. GALLINGER. Mr. President, is it the purpose of the Senator to ask the Senate to proceed to the further consideration of that bill to-day?

Mr. FLETCHER. I should like to proceed with it.

Mr. GALLINGER. Then, Mr. President, there are absent Senators who have requested me to make the point of no quorum, so that they may be present.

The PRESIDENT pro tempore. The Senator from New Hampshire suggests the absence of a quorum. Let the Secretary call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst	Gore	Nelson	Smith, S. C.
Bankhead	Gronna	Norris	Smoot
Borah	Hardwick	O'Gorman	Stephenson
Brandegee	Hollis	Overman	Sterling
Bristow	Hughes	Page	Stone
Burton	James	Perkins	Sutherland
Camden	Jones	Pittman	Swanson
Chamberlain	Kenyon	Ransdell	Thomas
Clapp	Kern	Reed	Thompson
Clark, Wyo.	La Follette	Robinson	Thornton
Clarke, Ark.	Lee, Md.	Saulsbury	Tillman
Culberson	Lodge	Shafroth	Vardaman
Cummins	McCumber	Sheppard	Weeks
Fletcher	Martine, N. J.	Smith, Ga.	White
Gallinger	Myers	Smith, Md.	Williams

Mr. ASHURST. I wish to announce the unavoidable absence of my colleague [Mr. SMITH], and further to announce that he is paired with the senior Senator from Connecticut [Mr. BRANDEGEE].

Mr. JONES. I wish to announce that the junior Senator from Michigan [Mr. TOWNSEND] is necessarily absent on account of indisposition.

Mr. SWANSON. My colleague [Mr. MARTIN] is detained from the Senate on account of sickness in his family. He has a pair with the junior Senator from Illinois [Mr. SHERMAN]. I will let this announcement stand for the day.

Mr. CLARK of Wyoming. I desire to announce the unavoidable absence of my colleague [Mr. WARREN]. He is paired with the senior Senator from Florida [Mr. FLETCHER]. I will let this announcement stand for the day.

Mr. MARTINE of New Jersey. I have been requested to state that the senior Senator from West Virginia [Mr. CHILTON] is unavoidably absent. He is paired with the junior Senator from New Mexico [Mr. FALL].

The PRESIDENT pro tempore. Fifty-nine Senators having answered to their names, a quorum of the Senate is present.

Mr. FLETCHER. I ask that Senate bill 6856 may be laid before the Senate.

The PRESIDENT pro tempore. The Senator from Florida moves that the Senate proceed to consider Senate bill 6856, the so-called shipping bill.

The motion was agreed to; and the Senate, as in Committee of the Whole, resumed the consideration of the bill (S. 6856) to authorize the United States, acting through a shipping board, to subscribe to the capital stock of a corporation to be organized under the laws of the United States, or of a State thereof, or of the District of Columbia, to purchase, construct, equip, maintain, and operate merchant vessels in the foreign trade of the United States, and for other purposes.

The PRESIDENT pro tempore. Under the order heretofore taken the committee amendments will be first considered.

Mr. LODGE. Mr. President, I ask that the report may be read. I do not know whether the bill has been read or not.

The PRESIDENT pro tempore. The bill has been read.

Mr. LODGE. Then I ask for the reading of the report.

The PRESIDENT pro tempore. The Chair will say to the Senator, however, that it was not read to-day.

Mr. FLETCHER. I take it that that is immaterial, Mr. President. Perhaps it would be better at this point to suggest that the committee has agreed upon certain amendments to the bill, not changing it in any vital respect but making plainer and more clear certain of its provisions.

I move, on behalf of the Committee on Commerce, as a substitute for the bill, to strike out all after the enacting clause, and to insert what I send to the desk.

Mr. LODGE. I asked for the reading of the report.

The PRESIDENT pro tempore. The Secretary will read the report. It is in order and is a proper request.

Mr. FLETCHER. Mr. President——

The PRESIDENT pro tempore. There is a rule that when the reading of a paper is called for and objection is made, the matter is submitted to the Senate. If the Senator from Florida does not desire to have the report read at this time, an objection will necessitate submitting the matter to the Senate.

Mr. LODGE. Does that apply to reading a committee report accompanying a bill under consideration?

The PRESIDENT pro tempore. The Chair thinks that is a doubtful matter.

Mr. SMOOT. That applies only to a request——

The PRESIDENT pro tempore. The Chair has not been able to find an instance where objection was made when a Senator asked for the reading of a report.

Mr. LODGE. It has been our practice, I think, to read, when called for, reports accompanying bills.

Mr. FLETCHER. Mr. President, if the Chair will permit me to be heard for one minute——

The PRESIDENT pro tempore. The Chair will be glad to hear the Senator from Florida.

Mr. FLETCHER. It will save all this trouble and all this confusion. I am not attempting to discuss the bill. What I rose to say was that the Senate Committee on Commerce have agreed upon a number of rather small amendments to the bill, as far as their vital effects are concerned, but which tend to clarify the bill, and they have added one or two items which are of consequence. Those amendments are so numerous that it would be confusing to offer them, perhaps, as we went on in the discussion of the bill; and I now offer all those amendments in the form of a substitute for the bill, and have the substitute printed. I offer it now, from the committee.

The PRESIDENT pro tempore. That may be done by unanimous consent. The regular order, however, is the reading of the report. Does the Senator ask unanimous consent to take that action?

Mr. FLETCHER. I ask unanimous consent to take that action.

The PRESIDENT pro tempore. Is there objection?

Mr. LODGE. The Senator asks to have the amendments printed?

Mr. FLETCHER. Yes.

Mr. LODGE. Why, certainly.

Mr. FLETCHER. The request is to offer now an amendment to the bill from the committee, in the form of a substitute, which will have the effect of striking out all after the enacting clause and inserting what can be read now and printed. If that is done I shall not insist upon proceeding further with the bill to-night, if that is agreeable to the Senator.

The PRESIDENT pro tempore. Unless there is objection, the request of the Senator will be granted.

Mr. SMOOT. Mr. President——

The PRESIDENT pro tempore. Is there objection? The Chair hears none, and it is so ordered.

Mr. SMOOT. Mr. President——

The PRESIDENT pro tempore. The Chair called for objections, and did not hear any objection.

Mr. SMOOT. Then, Mr. President, I object.

The PRESIDENT pro tempore. The Senator from Utah objects. The question is, then, Shall the report be read? The Chair is doubtful as to whether it is not the right of an individual Senator to have the report read, and the Chair is going to rule that a report must be read on the request of any Senator. It seems that that will be the way to present the matter definitely and fairly to the Senate. Let the Secretary read the report.

The Secretary proceeded to read the report.

Mr. BURTON and Mr. STONE addressed the Chair.

The PRESIDENT pro tempore. The Senator from Ohio.

Mr. STONE. I interrupt simply to ask the Senator from Florida to lay the bill aside for the day.

The PRESIDENT pro tempore. The Senator from Ohio was recognized.

Mr. BURTON. It seems to me we are causing unnecessary confusion and delay here.

The PRESIDENT pro tempore. There is not the slightest confusion.

Mr. BURTON. The reading of the report at this time will hardly be apposite. A bill modified in vital particulars is to be considered——

The PRESIDENT pro tempore. That results from the rules of the Senate.

Mr. BURTON. And the reading of the report would more naturally follow the presentation and printing of the substitute bill, as I understand the Senator.

Mr. GALLINGER. Regular order!

Mr. BURTON. I understand it is not intended to proceed with the discussion of the bill to-night. I trust the request for the reading of the report will be withdrawn, and that the objection will be withdrawn.

The PRESIDENT pro tempore. Unless the request of the Senator from Massachusetts is withdrawn, the regular order is the reading of the report.

Mr. LODGE. I will withdraw my request for the reading of the report.

Mr. FLETCHER. Then, Mr. President, on behalf of the committee I renew the motion to amend the bill by striking out all after the enacting clause and inserting the matter I send to the desk.

Mr. LODGE. I understood the Senator to ask that those amendments be printed, but he is now taking substantive action.

Mr. FLETCHER. I ask to have them printed, of course.

Mr. LODGE. To that I have no objection at all. I do not want to have them adopted until I have seen them.

Mr. FLETCHER. I have the right to offer them.

Mr. SMOOT. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Florida yield to the Senator from Utah?

Mr. FLETCHER. No; I prefer not to yield just at present.

The PRESIDENT pro tempore. The Senator from Florida declines to yield.

Mr. SMOOT. I simply want to ask a question of the Senator from Florida.

Mr. FLETCHER. I will yield for that purpose.

The PRESIDENT pro tempore. The Senator yields for that purpose.

Mr. SMOOT. I find on my desk here a committee print, Order of Business No. 737, Senate bill 6856. Is that the print the Senator desires to have printed again?

Mr. FLETCHER. I desire to have it printed, so as to have a clean print showing precisely what the substitute will mean. This indicates what it is, but there are some lines stricken out and others inserted. The original bill is set out, with the proposed amendments in connection with it, and in order to make it one proposition I offer this from the Committee on Commerce as a substitute for the bill, to strike out all after the enacting clause and insert. I offer it, including the amendments attached to the bill, as one substitute for the bill under consideration.

Mr. VARDAMAN. Mr. President——

Mr. LODGE. Mr. President, may I ask the Senator a question? The Senator does not intend to substitute it now, but only to have it printed?

Mr. FLETCHER. No; I am offering it now in order to have it printed.

Mr. VARDAMAN. Mr. President——

The PRESIDENT pro tempore. The Senate will come to order. The Senator from Florida may introduce his substitute as an amendment to the bill as a matter of right, without anybody's consent except his own.

Mr. FLETCHER. That is what I supposed.

The PRESIDENT pro tempore. The Senator will send it to the desk, and the Secretary will read it.

Mr. FLETCHER. I move to strike out all after the enacting clause and insert what appears there.

The PRESIDENT pro tempore. The Secretary will read the amendment offered by the Senator from Florida.

Mr. SMOOT. Do I understand that the Senator from Florida now offers this as a substitute?

The PRESIDENT pro tempore. He offers it as a substitute bill.

Mr. SMOOT. It will be printed, I understand; but the Senator does not offer it to be acted upon at this time?

Mr. FLETCHER. Oh, no.

Mr. SMOOT. I do not see why we should take the time of the Senate in reading it.

The PRESIDENT pro tempore. That is a question for the Senate to determine.

Mr. FLETCHER. I do not insist on having it read.

Mr. WILLIAMS. I ask unanimous consent to dispense with the reading.

The PRESIDENT pro tempore. The reading is the regular order when an amendment is offered.

Mr. WILLIAMS. I ask unanimous consent to dispense with the reading and that it merely be printed.

The PRESIDENT pro tempore. The Senator from Mississippi asks that the amendment be printed without reading. Is there objection to the request of the Senator from Mississippi? The Chair hears none, and it is so ordered.

The amendment moved by Mr. FLETCHER on behalf of the Committee on Commerce is to strike out all after the enacting clause of the bill and to insert the following:

That the United States, acting through the shipping board hereinafter created, may subscribe to the capital stock of any corporation now or hereafter organized under the laws of the United States or of any State thereof or of the District of Columbia to meet the requirements of the foreign commerce of the United States, or to charter vessels for such purposes, and to make charters or leases of any vessel or vessels owned by such corporation to any other corporation, firm, or individual to be used for such purposes: *Provided*, That the terms and conditions of such charter parties shall first be approved by the shipping board, the initial capital stock of which corporation shall not be over $10,000,000, of the par value of $100 per share.

SEC. 2. That the United States shall subscribe to 51 per cent of the initial capital stock of such corporation at par and the remainder thereof shall be offered for public subscription at not less than par; and the United States may then further subscribe at par for any amount of such stock not taken by public subscription, but such corporation may begin business as soon as 51 per cent of said stock has been subscribed and paid for by the United States. The shipping board, with the approval of the President, may consent to or may cause an increase of the capital stock from time to time as the interests of the corporation may require, but the United States shall subscribe for 51 per cent of each and every such increase.

SEC. 3. That the United States, through the shipping board and with the approval of the President, is authorized to purchase or construct vessels suitable, in the judgment of the shipping board, for the purposes of such corporation, with a view to transferring them to such corporation, and for this purpose the Secretary of the Treasury, upon the request of the shipping board and the approval of the President, may issue and sell or use for such purchases or construction any of the bonds of the United States now available in the Treasury of the United States under the act of August 5, 1909, the act of February 4, 1910, and the act of March 2, 1911, relating to the issue of bonds for the construction of the Panama Canal, to a total amount not to exceed $30,000,000 for the purpose of purchasing or constructing such vessels: *Provided*, That the bonds issued and sold or used under the provisions of this section may be made payable at such time after issue as the Secretary of the Treasury, in his discretion, may deem advisable, and fix, instead of 50 years after date of issue, as in said act of August 5, 1909, not exceeding 50 years: *Provided further*, That payments for such purchases or construction from proceeds of sales of bonds, or delivery of bonds in payment thereof, shall be made only as ordered and directed by the shipping board.

SEC. 4. That the shipping board is authorized to transfer the vessels purchased or constructed as herein provided to any such corporation in which the United States has become a stockholder as hereinbefore provided, and such corporation shall issue to the United States in payment thereof its gold bonds bearing interest at not less than 4 per cent per annum, and upon such further terms and conditions as may be prescribed by the shipping board, such bonds to constitute a first and

paramount lien upon such vessels thus transferred and upon all the property of such corporation: *Provided*, That the amount of bonds received by the United States in payment for such vessels shall not be less, at the then par value, than the total amount expended by the United States in the purchase or construction of such vessels; and the same may be sold by the Secretary of the Treasury, in his discretion and with the approval of the President, to reimburse the Treasury for expenditures made in the purchase or construction of vessels. Such corporation shall make suitable provision for sinking fund and for the depreciation charges under the rules and regulations to be prescribed by such shipping board; and all vessels acquired under this act, or in which the United States shall otherwise be interested as owner in whole or in part, or upon which the United States shall have or hold any mortgage, pledge, lien, or other security, shall, when and while employed solely as merchant vessels, be in all respects subject to the rules, regulations, and liabilities governing merchant vessels under the principles of international law, in like manner and to the same extent as merchant vessels in private ownership when duly registered under the laws of the United States.

SEC. 5. That vessels purchased or constructed by such shipping board and conveyed to such corporation as herein provided shall be entitled to registry under the laws of the United States, and shall be deemed vessels of the United States and entitled to the benefits and privileges appertaining to such vessels, except such vessels shall engage only in trade with foreign countries or with the Philippine Islands, the Hawaiian Islands, and the islands of Guam and Tutuila. Such vessels shall be subject to the navigation laws of the United States except as herein provided.

SEC. 6. That the Secretary of the Treasury, the Postmaster General, and the Secretary of Commerce are hereby constituted a board to be known as the shipping board, with full power, subject to the approval of the President, to vote the stock of the United States in said corporation, either as a body or by one or more of its members duly authorized by a majority, and to do all things necessary, whether specifically enumerated or not, to carry out the purposes of this act and protect the interests of the United States.

SEC. 7. That, with the approval of the Congress, such shipping board may at any time sell the stock of such corporation owned by the United States.

SEC. 8. That the President of the United States is hereby authorized to charter, lease, or transfer such naval auxiliaries now belonging to the Naval Establishment of the United States as are suitable for commercial use and which are not required for use in the Navy in time of peace, and vessels belonging to the War Department suitable for commercial uses and not required for military transports in time of peace, and to direct or cause to be chartered, leased, or transferred vessels now owned and operated by the Panama Railroad Co. to any corporation now or hereafter organized as in this act provided under such terms and conditions as the shipping board, with the approval of the President of the United States, shall prescribe. The vessels purchased or constructed by the United States through the shipping board, with the approval of the President of the United States, shall be of a type, as far as the commercial requirements of the foreign trade of the United States may permit, suitable for use as naval auxiliaries in the Naval Establishment of the United States.

SEC. 9. That the President of the United States, upon giving to any such corporation in which the United States shall be a stockholder, through its president, vice president, secretary, or manager, notice in writing for such reasonable length of time as in his judgment the circumstances require and will permit of his intention so to do, may take possession, absolutely or temporarily, for use as naval auxiliaries, of any vessel or vessels owned or leased by or otherwise in the possession of said corporation, and said corporation shall be entitled to a reasonable price or rental therefor, to be fixed by the shipping board with the approval of the President: *Provided*, That if in the judgment of the President an emergency exists requiring such action he may take possession of any such vessel or vessels without notice.

SEC. 10. That the shipping board shall make to Congress, at the beginning of each regular session, a report of expenditures and receipts under this act and of the operations of any corporation in which the United States may have become a stockholder hereunder.

SEC. 11. That for the purpose of carrying out the provisions of this act there is hereby appropriated, out of any money in the Treasury of the United States not otherwise appropriated, the sum of $10,000,000; but the corporation in which the United States shall become a stockholder as herein provided shall pay all necessary expenses of the shipping board in this behalf.

SEC. 12. That the President is hereby authorized and empowered to designate from time to time such ports of the United States as he may for the purposes of this section deem advisable at which the several collectors of the ports so designated shall for such periods of time as the President may prescribe inspect all goods, wares, and merchandise of whatever description offered for shipment from any such port to any foreign port upon any vessel directly or indirectly owned in whole or in part by the United States or in which the United States may have a proprietary interest when employed solely as a merchant vessel, or upon any vessel whatsoever when duly registered under the laws of the United States. It shall be, and is hereby made, the duty of the collector of the port at each of the ports so designated, and authority is hereby granted to such collector for that purpose, to make such inspection and examination before the same shall be loaded and stored aboard ship of all goods, wares, and merchandise of whatever description offered for shipment from such port to any foreign port upon any vessel defined by this section as may be necessary to inform him as to the exact character and description of the goods, wares, and merchandise so offered for shipment. It shall be unlawful for any person, whether as principal or agent, to load and store aboard ship, or attempt to load and store aboard ship, any goods, wares, or merchandise subject to inspection under this section before the same have been duly inspected and examined as herein required; and it shall be unlawful for the master or other chief officer of any vessel defined in this section to receive and store aboard ship any goods, wares, or merchandise subject to inspection under this section before the same have been duly inspected and examined as herein required. Any person who shall knowingly violate the provisions of this section shall be guilty of a misdemeanor, and upon conviction before any court of competent jurisdiction shall be sentenced to pay a fine of not more than $5,000, and shall be committed to prison until such fine and the costs of the prosecution shall be paid; and clearance shall not be granted to any vessel whose owners or chief officers shall knowingly violate the provisions of this section: *Provided*, That the Secretary of Commerce may upon hearing and for satisfactory reasons permit and direct the clearance of any such vessel, stating his reasons therefor in a written opinion to be filed as a public document in the Department of Commerce.

It shall be, and is hereby made, the duty of the collector of the port from which any such vessel clears to inspect the manifest or cargo invoice of each vessel subject to the provisions of this section to ascertain whether the manifest or cargo invoice sets forth a true exhibit of all goods, wares, and merchandise aboard ship at the time of sailing; and if the collector of the port shall be satisfied that the manifest or cargo invoice does set forth a true exhibit of all goods, wares, and merchandise received aboard ship at the time of sailing, he shall in every such case attach to the manifest or cargo invoice his official certificate under seal, setting forth that he has inspected and examined the goods, wares, and merchandise aboard such ship, and that the manifest or cargo invoice sets forth a true exhibit of the same. No such vessel shall be granted a clearance at any such port until after the certificate, herein required to be issued under his official seal by the collector of the port, has been issued and delivered by him to the chief officer or other proper officer of such vessel.

It shall be the duty of the Commissioner of Navigation, with the approval of the Secretary of Commerce, to make and promulgate all needful and proper rules and regulations for administering the provisions of this section; and for the purpose of carrying out the provisions of this section the sum of $500,000 is hereby appropriated out of any money in the Treasury of the United States not otherwise appropriated.

SEC. 13. That this act shall take effect from its passage.

EXECUTIVE SESSION.

Mr. STONE. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to, and the Senate proceeded to the consideration of executive business. After 1 hour and 25 minutes spent in executive session the doors were reopened.

RECESS.

Mr. FLETCHER. I move that the Senate take a recess until to-morrow morning at 11 o'clock.

The motion was agreed to; and (at 6 o'clock and 22 minutes p. m., Wednesday, January 6, 1915) the Senate took a recess until to-morrow, Thursday, January 7, 1915, at 11 o'clock a. m.

NOMINATIONS.

Executive nominations received by the Senate January 6, 1915.

ASSISTANT TREASURER.

George Fort, of Georgia, now Deputy Assistant Treasurer of the United States, to be Assistant Treasurer of the United States, to fill an existing vacancy.

MEMBER OF THE COMMISSION ON INDUSTRIAL RELATIONS.

Richard H. Aishton, of Chicago, Ill., to be a member of the Commission on Industrial Relations, vice Frederic A. Delano, resigned.

SURVEYOR OF CUSTOMS.

Guy W. Steele, of Westminster, Md., to be surveyor of customs in customs collection district No. 13, in place of Robert A. Ravenscroft, whose term of office has expired by limitation.

COLLECTOR OF CUSTOMS.

William P. Ryan, of Baltimore, Md., to be collector of customs for customs collection district No. 13, in place of William F. Stone, whose term of office has expired by limitation.

APPRAISERS OF MERCHANDISE.

Walter B. Warner, of Baltimore, Md., to be appraiser of merchandise in customs collection district No. 13, in place of J. Carlyle Wilmer, resigned.

James A. McQuade, of Baltimore, Md., to be appraiser of merchandise in customs collection district No. 13, to fill the vacancy caused by the death of James H. Butler.

UNITED STATES ATTORNEY.

Samuel K. Dennis, of Maryland, to be United States attorney for the district of Maryland, vice John P. Hill, whose term has expired.

UNITED STATES MARSHAL.

William W. Stockham, of Maryland, to be United States marshal for the district of Maryland, vice George W. Padgett, whose term has expired.

APPOINTMENTS IN THE ARMY.

CHAPLAIN.

Rev. Thomas L. Kelley, of Nebraska, to be chaplain with the rank of first lieutenant from December 29, 1914, vice Chaplain Henry L. Durrant, Seventeenth Infantry, who resigned April 17, 1914.

MEDICAL RESERVE CORPS.

To be first lieutenants with rank from January 5, 1915.

Edward Jenner Barrett, of Wisconsin.
George Sherman Haswell, of New York.
John Marvin Ingersoll, of Ohio.
Otto Juettner, of Ohio.
Cyril Ettrick Lewis, of California.
Arthur Thomas McCormack, of Kentucky.
John Rogers, of New York.

Robert Lewis Irvine Smith, of Illinois.
John Gurney Stowe, of New York.
Charles William Thompson, of Colorado.

PROMOTIONS IN THE ARMY.

QUARTERMASTER CORPS.

Maj. Herbert M. Lord, Quartermaster Corps, to be lieutenant colonel from March 4, 1913, vice Lieut. Col. Beecher B. Ray, whose recess appointment expired by constitutional limitation March 3, 1913.

Maj. Robert S. Smith, Quartermaster Corps, to be lieutenant colonel from March 27, 1914, vice Lieut. Col. George F. Downey, promoted.

PROMOTIONS IN THE NAVY.

Capt. De Witt Coffman to be a rear admiral in the Navy from the 12th day of December, 1914.

Capt. William F. Fullam to be a rear admiral in the Navy from the 15th day of December, 1914.

Commander Edward L. Beach to be a captain in the Navy from the 12th day of December, 1914.

Lieut. Commander Gatewood S. Lincoln to be a commander in the Navy from the 12th day of December, 1914.

Lieut. (Junior Grade) Ralph C. Needham to be a lieutenant in the Navy from the 1st day of July, 1914.

Lieut. (Junior Grade) Richard T. Keiran to be a lieutenant in the Navy from the 1st day of July, 1914.

Asst. Paymaster Smith Hempstone to be a passed assistant paymaster in the Navy from the 7th day of December, 1913.

Second Lieut. Charles L. Austin, United States Army, to be an assistant paymaster in the Navy from the 2d day of January, 1915.

CONFIRMATIONS.

Executive nominations confirmed by the Senate January 6, 1915.

PROMOTIONS AND APPOINTMENTS IN THE NAVY.

The following-named ensigns to be lieutenants (junior grade):
Marion C. Robertson,
Ernest L. Gunther, and
Henry T. Settle.

William V. Fox to be an assistant paymaster.

Maj. Thomas C. Treadwell to be a lieutenant colonel in the Marine Corps.

Maj. Dion Williams to be a lieutenant colonel in the Marine Corps.

Capt. Reynold T. Hall to be a rear admiral.

Ensign Edmund S. R. Brandt, to be a lieutenant (junior grade).

The following-named warrant officers of the Navy to be ensigns:
Machinist Morris J. Lenney, and
Machinist John D. Edwards.

Capt. John F. McGill to be a major in the Marine Corps.

First Lieut. Harold F. Wirgman to be a captain in the Marine Corps.

Second Lieut. Frederick R. Hoyt to be a first lieutenant in the Marine Corps.

WITHDRAWAL.

Executive nomination withdrawn January 6, 1915.

William Goodyear, of Pullman, Wash., to be receiver of public moneys at Walla Walla, Wash.

HOUSE OF REPRESENTATIVES.

WEDNESDAY, *January 6, 1915.*

The House met at 12 o'clock noon.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

Eternal God, our heavenly Father, open Thou our understanding, that we may have a broader, clearer conception of Thine almightiness and know the eternal values and be lifted into the higher realms of thought and action in the daily duties of life, that we may leave behind us a trail which others may follow with impunity and so fulfill the law of Christ: "All things whatsoever ye would that men should do to you, do ye even so to them." In His name. Amen.

The Journal of the proceedings of yesterday was read and approved.

SAFETY ON RAILROAD TRAINS.

Mr. ADAMSON. Mr. Speaker, I ask unanimous consent for a reprint of the bill and the report of H. R. 16875, to promote the safety of employees and passengers on railroads engaged in interstate or foreign commerce. That bill with the report has been printed without all of the amendments reported by the committee. I therefore ask for a corrected print of the bill and the report.

The SPEAKER. The gentleman from Georgia asks unanimous consent for a correct reprint of the bill H. R. 16875. Is there objection?

There was no objection.

EXTENSION OF REMARKS.

Mr. FALCONER. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD on the subject of denatured alcohol and also upon the subject of franchise for women.

The SPEAKER. Is there objection?

Mr. FALCONER. Mr. Speaker, I would say that of course these are two separate subjects.

The SPEAKER. The Chair understands that. Is there objection?

There was no objection.

Mr. MOORE. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by inserting an address on Inland Waterways and Coast Defenses, delivered by one of my constituents, Mr. Justice.

The SPEAKER. The gentleman from Pennsylvania asks unanimous consent to extend his remarks in the RECORD on the subject of inland waterways and coast defenses by inserting an address delivered by one of his constituents. Is there objection?

Mr. BARNHART. Mr. Speaker, reserving the right to object, is the maker of the speech an ex-Member of Congress?

Mr. MOORE. No.

Mr. BARNHART. Who is the gentleman?

Mr. MOORE. He is a gentleman who made an address before the Rivers and Harbors Congress, which met in Washington a short time ago. The address was not published. It is one of considerable interest to the people along the coast. The address is not very long.

Mr. BARNHART. How long is it?

Mr. MOORE. I suppose it will take about a column and a half of the RECORD.

Mr. BARNHART. Mr. Speaker, I object.

The SPEAKER. The gentleman from Indiana objects.

Mr. GARDNER. Mr. Speaker, before the gentleman from Indiana takes his seat, will he allow me, with the permission of the House, to ask him a question?

Mr. BARNHART. Certainly.

Mr. GARDNER. Mr. Speaker, I have here a letter from a correspondent whom I do not happen to know, but I am getting every day a number of requests for material upon the question of the preparedness of this country for war. I am sending circular answers, and sending them also other matter, and telling them to get the reports of the Secretary of War, the Chief of Staff, and the Secretary of the Navy. This correspondent notifies me that he is unable to get them because of exhaustion of supply. What step ought to be taken to replenish those supplies?

Mr. BARNHART. Mr. Speaker, the regular procedure would be for the gentleman to introduce a bill and have it referred to the Committee on Printing.

Mr. GARDNER. Would the gentleman think this the most practical way of doing it? I am asking for information.

Mr. BARNHART. That would be the only way that the chairman of the Printing Committee could advise. That is the legal way, except by unanimous consent.

Mr. GARDNER. That means getting a bill through Congress.

Mr. MADDEN. As a matter of fact, the department is supposed to print its own report out of its own appropriation, is it not?

Mr. BARNHART. Yes. I would say that in numerous efforts to get bills through providing additional prints of reports of departments I have found that the Appropriation Committee insists that it makes most liberal provision for printing for the departments. That committee gives them all of the appropriations for that purpose that they ask, and yet they keep coming to Members of Congress from time to time asking that we print more. They get these reports out largely for their own use, of course.

Mr. GARDNER. These are mostly joint debaters who are writing to me for them.

Mr. BARNHART. The departments seem to utilize all of these prints for their own use. I do not know for what purpose. I am not prepared to say, for I have never investigated; but they ask liberal appropriations, and the Committee on Appropriations and the Congress allows it to them. Yet they keep coming to the House from time to time asking for more

and more, and frequently when a Member of Congress asks for some of these documents to supply demands that he has he is notified by the department that the supply is exhausted and that he must go to Congress to get what he wants.

Mr. GARDNER. The gentleman from Indiana knows that it is not a practical thing to get through a bill and have it signed by the President for additional printing, or a concurrent resolution.

Mr. BARNHART. Oh, yes; that can be readily done.

Mr. HAMLIN. Mr. Speaker, I demand the regular order.

The SPEAKER. The regular order is the consideration of the bill H. R. 6143. The Chair understands the gentleman from Indiana to object to the request of the gentleman from Pennsylvania?

Mr. BARNHART. Yes.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted as follows:

To Mr. FERGUSSON, for the remainder of this week, on account of personal illness.

To Mr. IGOE, indefinitely, on account of a death in his family.

Mr. CRAMTON. Mr. Speaker, I ask leave of absence for this week on behalf of the gentleman from Michigan [Mr. KELLEY], on account of illness.

The SPEAKER. Without objection, the request is granted.

There was no objection.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Tulley, one of its clerks, announced that the Senate had passed bill of the following title, in which the concurrence of the House of Representatives was requested:

S. 7107. An act to authorize the construction of a bridge across the Ohio River at Metropolis, Ill.

The message also announced that the Senate had agreed to the amendments of the House of Representatives to the bill (S. 2651) providing for the purchase and disposal of certain lands containing the minerals kaolin, kaolinite, fuller's earth, china clay, and china ball clay within portions of Indian reservations heretofore opened to settlement and entry.

ACTION FOR DEATH ON THE HIGH SEAS.

Mr. WEBB. Mr. Speaker, taking up the bill H. R. 6143, relating to the maintenance of actions for death on the high seas and other navigable waters, I desire to say, as chairman of the Committee on the Judiciary, that when the bill was reported by the committee to the House it was agreed among the members of the committee that we should have a provision in the bill reserving to the various States whatever rights they may now have with reference to suits for death on the high seas. The committee has now prepared such an amendment, and I desire to offer it on behalf of the committee.

The SPEAKER. The Clerk will report the amendment.

The Clerk read as follows:

Amend, on page 2, line 4, by striking out the word "to" and inserting the word "by"; strike out all of page 3 after line 7 and all on page 4 and insert the following:

"SEC. 6. That the right under this act to recover damages for the death of a person caused by wrongful act, neglect, or default occurring on the high seas, the Great Lakes, or any of the navigable waters of the United States, wherever such death may occur, shall be deemed to be a right of recovery within the admiralty and maritime jurisdiction of the United States, but nothing in this act shall be construed to abridge the right of suitors in the courts of any State or Territory to a remedy given by the laws of any State or Territory in such cases."

Mr. WEBB. Now, Mr. Speaker, the committee amendment strikes out of the pending bill section 6, which is as follows:

That this act shall not affect the rights of shipowners and others to avail themselves of the provisions of the laws of the United States relating to limitation of liability.

We strike that out because it is useless language. The proposed bill does not repeal or change the present limiting liability laws, and this section has no practical force, so we strike it out of the bill entirely. We strike out sections 7 and 8 and substitute the matter which I have just had read at the Clerk's desk.

Mr. STAFFORD. Will the gentleman yield?

Mr. WEBB. I will.

Mr. STAFFORD. Will the gentleman explain the effect of the substitution of his amendment? I assume the amendment has not been printed for the use of Members. It is an important amendment as it affects three sections of the bill.

Mr. WEBB. I am going to explain it in a moment. I had just begun to explain that we had stricken out section 6 of the bill because it adds nothing to the bill and takes nothing from it. We therefore strike that out entirely because it is needless. Section 7, as originally drawn, made this right of action for death on the high seas exclusive in admiralty. This section, the committee agreed among themselves when the bill was originally reported, should be so amended as to preserve all remedies which the States now give suitors for death from negligence on the high seas, and also gives a remedy to the suitor in a court of admiralty for such death. Section 8 is covered by the amendment which I have just had read, because that is in reference to reserving to citizens of the States the right to bring suit for personal injuries. The right under the laws of a State to sue for damages, resulting from negligence causing death, has heretofore been recognized, and all such suits for personal injuries are left as they are now and are not affected by this bill at all.

In other words, gentlemen, the only thing this bill will do, if passed with the amendment suggested, is to give the suitor the right to go into a United States court of admiralty and sue for death caused by negligence on the Great Lakes, navigable waters, and the high seas. It is rather an anomalous thing that the United States Government has existed since 1787 and yet during all that time no citizen of the United States had a right to go into an admiralty court and sue for death caused by negligence on the high seas. He has been able to sue for breaking a finger or for breaking a leg, but he has never been able to bring a suit in an admiralty court for the highest injury that can occur to a human being, and that is death.

Mr. TOWNER. Will the gentleman yield for a question?

Mr. WEBB. Yes.

Mr. TOWNER. I do not see the proposition to amend, to which the gentleman refers, referred to in the report.

Mr. WEBB. I have just had it read, and I will read it again if the gentleman wishes.

Mr. TOWNER. I will be glad to have the gentleman do so.

Mr. WEBB. Section 6 takes the place of sections 7 and 8, and is as follows. This is the new section 6:

SEC. 6. That the right under this act to recover damages for the death of a person caused by wrongful act, neglect, or default, occurring on the high seas, the Great Lakes, or any of the navigable waters of the United States, wherever such death may occur, shall be deemed to be a right of recovery within the admiralty and maritime jurisdictions of the United States; but nothing in this act shall be construed to abridge the right of suitors in the courts of any State or Territory to a remedy given by the laws of any State or Territory in such cases.

Mr. TOWNER. What I am getting at is this: Is it the gentleman's understanding now that the jurisdiction of all cases be transferred to the admiralty court?

Mr. WEBB. Not at all.

Mr. TOWNER. Will not this proposition do that? Merely because a remedy or because, for instance, a right is declared in the statute of a State does not necessarily mean that the jurisdiction shall be within the State by any means, and this declaration here by the gentleman's amendment may—I will say to the gentleman I have not time to consider it carefully—still transfer the jurisdiction of all cases to the United States court. Let me say this to the gentleman, if he will pardon me for the interruption: As we all understand, I think, just as soon as the United States assumes this jurisdiction the States will lose it. It is only theirs now by sufferance, and, as I understand the gentleman, it is not the intention to transfer the jurisdiction of these cases or the trial of these cases exclusively to the admiralty court. It is only the intention to add the jurisdiction of the admiralty court to the State courts. Am I correct in that assumption?

Mr. WEBB. Yes; in a sense that is correct.

Mr. TOWNER. I will say to the gentleman I very much doubt whether his amendment will be sufficient to accomplish it.

Mr. WEBB. I will say to my friend that Congress has undoubtedly the power to prescribe the jurisdictional limits of courts that it creates. We reserve to the States the remedy which they now have in such cases and only give an additional remedy in admiralty, and if the plaintiff brings his suit under this act it simply adds a new forum. He can go to the State court and bring his action for death on the high seas, or if he prefers he can go into the admiralty court under this bill and pursue his remedy there. It is simply giving an additional remedy in the national courts, a remedy that has been delayed for a hundred years. I can not understand why it has not been done long ago.

Mr. PARKER of New Jersey. Will the gentleman yield for a question?

Mr. WEBB. Yes.

Mr. PARKER of New Jersey. The gentleman's amendment says something about rights given in the State courts. Does that apply to rights hereafter to be given by the State courts?

Mr. WEBB. I think so, undoubtedly.

Mr. PARKER of New Jersey. Would it not be better to add the words "given or to be hereafter given"?

Mr. WEBB. The subcommittee that went over that question discussed that matter, and they were of the opinion that any remedy given hereafter would be included by this provision.

Mr. PARKER of New Jersey. It does not seem so to me. It seems to me very doubtful. The words "given or to be given" would cover it.

Mr. WEBB. If the remedy is added next year, it is "given" and comes under this provision.

Mr. STAFFORD. Will the gentleman yield?

Mr. WEBB. Yes.

Mr. STAFFORD. I notice in reading the proposed amendment that it only extends to cases where death results, whereas the bill under consideration also provides for jurisdiction in cases not resulting in death. Your amendment merely provides that, so far as those cases resulting in death are concerned, it shall not supersede the authority of the State court.

Mr. WEBB. That is correct.

Mr. STAFFORD. But you do not provide for cases where injury is suffered that do not result in death.

Mr. WEBB. Certainly not; because this bill does not affect anything but death on the high seas, and so forth. It refers strictly and solely to deaths and has nothing to do with personal injuries. Injuries are already taken care of under present laws, both in State and admiralty courts.

Mr. STAFFORD. I would like to ask whether under section 4 suit can not be brought merely for injuries resulting from wrongful act, neglect, or default?

Mr. WEBB. I did not quite catch my friend's remark.

Mr. STAFFORD. I was under the impression from the reading of the bill that in cases pending in courts by the injured person for the wrongful act, neglect, or default of the shipowner in case of death the action would survive.

Mr. WEBB. That is true. You can sue now, I will say to my friend. Under the present laws you can sue for personal injury, for breaking your finger, your leg, or for any other negligence which causes personal injury. You can sue either in admiralty or in State courts if the State laws give you that remedy. Now, in order to preserve the right of a man who should go into admiralty and sue for damage for personal injuries, who afterwards dies from those injuries before the suit is terminated, we have added section 4.

Mr. LEWIS of Maryland. Will the gentleman yield?

Mr. WEBB. Yes.

Mr. LEWIS of Maryland. I would like to ask the gentleman whether in the studies of the committee they went into the subject as to the forum in which the suit might be brought in case the accident, say, happened to a foreigner on the high seas or happened to a citizen of our own country on a foreign bottom on the high seas? I understand that actions for death are not transitory as between our respective States. If a citizen of the United States happens to drown while on a foreign vessel, in what forum would the suit have to be brought, negligence being assumed?

Mr. WEBB. If he were drowned, I should think in order to have a wider jurisdiction the plaintiff, or the representative of the decedent, would bring his action under this act in admiralty. However, he can bring action in the State court if he can get jurisdiction. But that might give him little advantage, because he might not be able to get hold of the foreign res or any personal representative of it.

Mr. LEWIS of Maryland. I have not made myself clear. Would he be able to sue in American courts at all? Would he not in that case go to foreign courts, too?

Mr. WEBB. He could sue in American courts, if he chooses, with the hope of getting jurisdiction of the vessel itself. If he thought he never could get jurisdiction or possession of the vessel so as to enforce an action in res, he would probably go to a foreign country where he might get that possession or jurisdiction.

Mr. LEWIS of Maryland. Another question. Of course the treatment given the subject by this bill would apply only to cases where negligence could be proved and burden of proof would be on the plaintiff. Suppose an accident at sea, where the shipowners have actually been negligent, let us say, but the corpus delicti is entirely lost, the vessel has gone down and all on board with it, only the common-law standard will be applicable there, and no proof would be made of negligence? Is that correct?

Mr. WEBB. Of course if no proof could be had, there would be nothing to support an action for negligence.

Mr. LEWIS of Maryland. That leads me to the principal question I have in mind. Would it not be better in our day, when nearly all our States and all the foreign countries have taken up this subject of accidents, to organize a system for indemnification of all of them, where the victim has suffered, and would it not be better if they had reported a compensation for accidents at sea without reference to the proof of a fact of negligence in the case?

Mr. WEBB. That would be, I think, an entirely different subject from the one we are legislating about now. We are trying to give suitors or claimants in the United States a right to bring a suit for negligent death on the seas in a United States court—something they have never before had the right to do—and we are confining it exclusively to death on the high seas, Great Lakes, and navigable waters. The rule of damages as expressed in section 5 says damages shall be apportioned according to negligence of one or the other. In other words, contributory negligence on the part of the deceased shall not bar recovery, which is a very liberal rule for recovery of damages—more liberal than a number of the States have.

Mr. BORLAND. Will the gentleman yield?

Mr. WEBB. Certainly.

Mr. BORLAND. The reply of the gentleman to the question of the gentleman from Maryland brought out the difficulty of obtaining service or jurisdiction upon a foreign steamship company. I want to ask the gentleman whether any suggestion had been made to the committee that foreign steamship companies operating to and from American ports be required to file some sort of appointment of agency, or something of that nature, in order that service might be had on them in these cases?

Mr. WEBB. No; we have not considered that.

Mr. BORLAND. The gentleman knows that is customary between the different States of the Government; that they require a foreign corporation, frequently a foreign insurance company or railroad company, to provide some person in the State where they do business upon whom service may be had, in order that the local citizen injured may have some rights within the States where injuries really occur. Has any suggestion been made in regard to that feature to this bill?

Mr. WEBB. I will say to my friend that we have had only one thing in mind in this bill, and that is to create the right on behalf of the citizens of the United States that they have never had heretofore, and that is to go into a United States admiralty court and sue for damages for death caused by negligence on the high seas.

And in that suit I will say you have this remedy, which in a degree does away with the necessity of having the agency you desire, and that is, that if a vessel ever touches a port of the United States it can be seized, because in admiralty you bring your action in rem and take the vessel. Whether you have the persons to serve the process on or not, you can seize the vessel and with the proceeds pay the damages.

Mr. BORLAND. I understand that is true—that you can bring your suit in admiralty directly against the vessel in rem. But suppose the vessel for some reason does not touch a port of the United States from that time on, or suppose the vessel is lost wholly; and suppose it does touch a port of the United States, and it is found that the accumulated claims are greater than the value of the vessel and cargo, then what?

Mr. WEBB. Well, under the limiting liability laws they would bring it into court and sell the vessel and pay all the claims they could out of it.

Mr. BORLAND. Suppose the vessel has gone down. Would not the American claimant be without remedy?

Mr. WEBB. Yes; unless something is left over from the vessel and its freight.

Mr. BORLAND. I realize that this is a step in advance of the present law. I was just making the inquiry for information.

Mr. WEBB. We are not undertaking to revise the maritime laws of the United States. That is the most difficult maze of legislation that a man can walk into. We men who live in the hills know very little about maritime law. It is a most difficult, scientific, expert part of our law, and this committee did not want to undertake to revise that which some people call the antiquated maritime law, but we did want to cleave to one idea, and that is to give this additional right to the families of men killed on the high seas.

Mr. DICKINSON. Mr. Speaker, will the gentleman yield?

Mr. WEBB. Yes.

Mr. DICKINSON. I would like to know why you provide that suits shall be instituted by the personal representative? Why not provide that it shall be instituted by the wife, husband, or other real party in interest?

Mr. WEBB. Well, has your State a law like the one you suggest?

Mr. DICKINSON. Yes.

Mr. WEBB. In most jurisdictions you have to have a personal representative appointed by the court to represent all the parties, instead of having all parties sue as individuals.

Mr. BRYAN. Mr. Speaker, will the gentleman yield there?

Mr. WEBB. Yes.

Mr. BRYAN. May I suggest that the United States Government has a law like that? The Federal law provides for the wife first, and then for others. It does not bunch them as this shipowners' bill would do. This bunches them all together, so as to make it everybody's money and practically nobody's money, and thereby the ship will get out of it.

Mr. DICKINSON. In our State the law requires that the suit shall be instituted in the name of the real party in interest. Now, if I interpret this correctly, if a personal representative is entitled or required to bring this suit, then a personal representative other than the real party in interest would have to be appointed, and thereby the wife or the husband or the children might be at the mercy of a personal representative.

Mr. WEBB. I think the gentleman is wholly mistaken. Practically, every State in this Union has its law with reference to the appointment of executors and administrators, and in the case of a husband most of the State laws provide that the wife shall have the first right to administer the estate. If she disclaims the right, then the oldest son, and if he disclaims, then the next one, and so on. That is usually covered by State laws. You do not want to change those.

Mr. DICKINSON. But do you appoint executors or administrators except for the purpose of paying debts? Here the money recovered goes absolutely to the wife or husband free of any other duty.

Mr. WEBB. The court appoints a representative in my State and other States usually both to pay and to collect debts and to look after everybody in interest.

Mr. DICKINSON. Here you make it the duty of the wife or the husband.

Mr. WEBB. Suppose there was a family with a lot of children, and the older boy should sue for himself and not as the personal representative, and he should "gobble up" all the recovery and allow the others to shift for themselves? We provide here that the personal legal representatives have the right to sue for all the parties entitled to share in the recovery.

Mr. TOWNER. Mr. Speaker, will the gentleman yield?

The SPEAKER. Does the gentleman from North Carolina yield to the gentleman from Iowa?

Mr. WEBB. Yes.

Mr. TOWNER. I would like the gentleman to consider this proposition: Suppose that under the State law suit is brought for $25,000, but the defendant is a citizen of another State, and on the ground of diverse citizenship the action is removed. What becomes of it then?

Mr. WEBB. It goes as any other case of diverse citizenship would go. In other words, State laws would govern the trial, because we expressly provide that the remedies under the present State laws shall not be touched.

Mr. TOWNER. In your judgment the laws of the State would follow into the admiralty court?

Mr. WEBB. Not at all. The suit would not go into admiralty at all. It would go into the United States court, on account of diverse citizenship, and would be tried by a jury just as any other case of diverse citizenship is tried now.

Mr. LENROOT. Mr. Speaker, will the gentleman yield?

The SPEAKER. Does the gentleman from North Carolina yield to the gentleman from Wisconsin?

Mr. WEBB. Yes; I yield to the gentleman.

Mr. LENROOT. If that is the gentleman's intention, is he not willing to change his amendment so that it will not abridge any remedy that your suitors may now have? It limits it to the remedies they may have in the courts of a State.

Mr. WEBB. Well, I will say to my friend that the whole committee and the subcommittee and everybody connected with the bill went over that provision very carefully. The gentleman from Minnesota [Mr. VOLSTEAD], and the gentleman from New York [Mr. DANFORTH], and the gentleman from Illinois [Mr. FITZHENRY], and the gentleman from Indiana [Mr. PETERSON], and, in fact, the whole committee went into it, and we concluded that this language would preserve to every suitor his present rights under the State laws or his rights that would be given hereafter, and this is the language:

Nothing in this act shall be construed to abridge—

That is, lessen or minimize—

the rights of suitors in the courts of any State or Territory, or in the courts of the United States other than in admiralty, to a remedy given by the laws of any State or Territory—

In such cases.

Mr. LENROOT. Mr. Speaker, I would like to pursue that a moment. Did the gentleman or his committee consider the question where the rights of diverse suitors were involved?

Mr. WEBB. Yes; certainly. We considered it and discussed it.

Mr. LENROOT. Does the gentleman as a lawyer make the statement that where it is limited to the rights of a court in a State it goes as far as the gentleman now states—that it preserves every remedy that a suitor now has?

Mr. WEBB. I undoubtedly do. We do not propose to take away the right of diverse citizenship from a man. If a suit is removed from the State court into the Federal court because of diversity of citizenship, the gentleman knows that it is tried according to the laws of the States, and that is the case in this instance.

Mr. TALCOTT of New York. The bill by its terms refers to actions in rem, I think.

Mr. LENROOT. Will the gentleman from North Carolina yield for one more question?

Mr. WEBB. I should like to yield first to my friend from New York [Mr. TALCOTT], because I told him I would.

Mr. TALCOTT of New York. The bill by its terms relates to actions in rem?

Mr. WEBB. Yes; and in personam.

Mr. TALCOTT of New York. Why would it not be better to give the jurisdiction to the district courts of the United States which the State courts now have, so that the action would not be confined to a proceeding in rem?

Mr. WEBB. You can not do that. For one reason the United States has no common law, and we have no power to give to the Federal courts common-law jurisdiction unless it is based on some provision in the Constitution of the United States. The Constitution of the United States gives to the Federal courts admiralty jurisdiction, and also jurisdiction over interstate and foreign commerce.

Mr. TALCOTT of New York. This is enlarging the admiralty jurisdiction; that is all.

Mr. MONTAGUE. By giving it to the State courts?

Mr. TALCOTT of New York. No; by giving it to the district courts of the United States.

Mr. WEBB. The State courts have no right of action in rem, and that is why this bill ought to be passed. If a man is killed on a vessel by wrongful act, neglect, or default occurring on the high seas, if you pass this bill you can go into the admiralty court and seize the vessel; that is, begin an action in rem.

Mr. TALCOTT of New York. Why not give the State jurisdiction over the vessel?

Mr. WEBB. I do not understand that we want to undertake to harmonize the various laws of 48 States. We expressly preserve to each individual suitor the right that he now has under his State laws, and only superadd a new remedy which gives him the right to go into admiralty for death on the high seas.

Mr. TALCOTT of New York. But this bill is incomplete, because you can only proceed against the ship or the property itself. Take a case like the *Titanic*——

Mr. FITZHENRY. This gives a remedy against the vessel, person, or corporation.

Mr. WEBB. You can bring a personal suit in the Federal court if diverse citizenship is shown; but the main reason for going into admiralty is to give jurisdiction over the res, the vessel itself, because that is usually all the property that a shipping corporation has. When the vessel goes down everything goes down. If a man is injured or killed, all that his dependents usually have to proceed against is the ship itself. That is why you want the action in rem. You seize all the property they have, namely, the vessel.

Mr. BRYAN. This helps some, because it wipes out half the statute, and if we could wipe out the other half that would be what we ought to do. Now, the bill refers to the Federal court those cases that arise in the State courts under State law. The gentleman says that the jury will follow it, and that it will have the same procedure. We had here a short time ago in the *Titanic* case practically the same proposition that was raised by the gentleman from Iowa [Mr. TOWNER].

Mr. WEBB. Will not the gentleman ask his question? The gentleman has spoken an hour on the bill.

Mr. BRYAN. There is no need to hurry. There are a great many proctors in admiralty who want to hurry this along. All the attorneys for the big ship companies want to hurry it along.

Mr. WEBB. I do not yield to my friend to make that sort of a statement, because that is a reflection on the committee.

Mr. BRYAN. I do not mean to reflect on the committee.

Mr. WEBB. And it is a reflection on the honorable gentlemen who have appeared here on behalf of this bill.

Mr. BRYAN. The committee had another meeting to reconsider the bill yesterday, after it had been pending a long time, and the committee were misled honestly in the matter.

Mr. WEBB. I beg the gentleman's pardon. The committee were not misled. When the bill was originally reported it had been agreed with Mr. McCoy, who is now a justice on the bench of the Supreme Court of the District of Columbia, that we would preserve the remedies of the States that they now have. Yesterday we got together and invited the gentleman from Washington by courtesy to appear before the committee, and we, as previously agreed, framed this amendment.

Mr. BRYAN. That is all right, but in the case of the *Titanic*, which was referred to a moment ago, the Supreme Court held that they would apply the remedy and the procedure of this country, and would not apply the remedy and procedure of England at all. I think the point that the gentleman from Iowa [Mr. TOWNER] makes is absolutely correct, that when you get into the Federal court the procedure of that court will be regarded. I have here the *Titanic* case, from which I quote just these lines:

It clearly limits the remedy, as we have shown, in cases where it has nothing to say about the rights.

Now, if you do create this jurisdiction, you are creating a jurisdiction that does not exist in England or in Canada. The admiralty court has no jurisdiction of these death claims. They are like ordinary cases. They are tried before juries in England and tried before juries in Canada, and they are not admiralty cases at all, notwithstanding the fact that the cause of action occurs on the ocean.

Mr. MONTAGUE. Will the gentleman yield?

Mr. BRYAN. Yes.

Mr. MONTAGUE. Did not the gentleman take the distinct position the other day that they were admiralty cases, and that the admiralty laws applied to the procedure in the form of a jury trial?

Mr. BRYAN. No; I did not; I took the position that they were tried in England——

Mr. WEBB. The gentleman from Washington stated the other day that they had jury trials in admiralty in England.

Mr. BRYAN. If I did, I ought not to have said it. I do not think I did say it.

Mr. MONTAGUE. I ask the gentleman if he did not say the other day that the admiralty courts in England had under their procedure jury trials?

Mr. BRYAN. If I did, I was wrong. Mr. Putnam, in this report, when he was the head attorney for the Old Dominion Steamship Co., appeared before the United States Supreme Court and made the argument that there was no admiralty jurisdiction. He was trying to avoid liability for death. He said in England it was under law jurisdiction there and cited the Vera Cruz case. He said there was no law jurisdiction in Canada and cited a case from a case in the Canadian Supreme Court. He said there was no admiralty jurisdiction in the United States and that you could not allow a death claim. The court said that they could because there was a State statute, and turned Mr. Putnam and his company down.

Then, the shipowners have come with one accord from the Great Lakes and the coast, and are trying to get admiralty jurisdiction where they can get away from the State statute and get their claims tried by the admiralty court without a jury. It is a new jurisdiction you are creating, and it has no precedent among the English-speaking countries. Mr. Putnam says we ought not to lag behind England, but England has no such jurisdiction. The *Titanic* cases were brought in the law courts before juries, as the report shows. The gentleman is not offering anything new to the claimants, but is taking away from them what they now have.

Mr. WEBB. Well, the House will decide whether the gentleman from Washington is right or whether the Judiciary Committee is right. We say they have no right to bring a suit now in admiralty for death on the high seas, and so forth, and we are giving them that right in this bill.

Now, Mr. Speaker, in relation to the *Titanic*, that was a case where they surrendered the vessel under the limited-liability law. The gentleman from Washington is complaining because we have not put something into the bill, but does not seem to complain at what the bill actually contains.

Mr. BRYAN. I am complaining about the contents of the bill. If you are going to confer admiralty jurisdiction, give the claimants as much right as they have in the Federal courts with the right of jury. The idea of going into admiralty and applying the assumption of risk doctrine and the old provisions as to negligence that are antiquated is absurd.

Now, the very first section of my bill provides—

That every person, firm, or corporation engaged in transporting of passengers or freight by water, or who shall own or operate any vessel or sailing craft on the nigh seas, Great Lakes, or any navigable water of the United States within the admiralty jurisdiction of the United States and out of the jurisdiction of any particular State, shall be liable in damages to any person suffering injury while such person is employed on any such vessel, or is a passenger thereon, or is on or upon any such vessel under any other conditions, or in case of death of any such employee, passenger, or person, to his or her personal representative, for the legal benefit of the surviving widow or husband or children of such person; and if none, then of such employee's parents——

Mr. WEBB. That is as far as I can yield to the gentleman.

Mr. BRYAN. Let me read the rest of the section—

and if none, then of the next of kin dependent upon such employee, for such injury or death resulting in whole or in part from the negligence of any of the officers, agents, or employees of such person, firm, or corporation, or by reason of any defect or insufficiency due to its negligence in its engines, appliances, machinery, works, boats, wharves, or equipment.

Mr. WEBB. The amendment of my friend would include vessels of all foreign nations and countries. The admiralty law can do it because we can seize the vessel itself, but the gentleman's remedy would seem to be incomplete.

As far as jury trials are concerned in admiralty in England, they do allow a jury to fix the amount of damages, but they do not allow a jury to fix the responsibility. If you put a provision for jury trials in this bill, you would have Filipino juries. What do they know about the course and direction and speed and the conduct of a great modern steamship? I do not believe that you want Filipino juries. This bill applies to the Philippines, Panama, and to continental United States, and you could not well put a provision for a jury trial into it. It has never been provided for in an admiralty court in the world's history.

Mr. BRYAN. And that is why I want to keep these cases out of admiralty courts, the same as England has.

Mr. SUMNERS. Will the gentleman yield?

Mr. WEBB. In a moment. We do give them the right. If they want to keep out of admiralty, they do not have to go in. If they want to bring a suit in the admiralty court, they can do so. Now, I will yield to the gentleman from Texas.

Mr. SUMNERS. I was going to ask the reason why you exclude the right of the suitor to submit to the jury the quantum of damages since you have the power of shaping this bill?

Mr. WEBB. I will say to my friend that admiralty law is just as abstruse to the average juror as it is to the average lawyer. The average juror knows very little about the course, the direction, about the mechanism of these great steamships, and in addition to that these suits usually require a great deal of time; they take the testimony by deposition of witnesses that go from one foreign country to another, and sometimes the suits are in court from two to three years. It would be almost impossible to have a jury trial in these cases.

I want to say this to my friend. If the plaintiff does not want to go into the admiralty court under this bill, he need not. He can choose the remedies given him by his own State, and he can not complain if the United States does not give him any better remedy than his own State gives him.

Mr. SUMNERS. Mr. Speaker, will the gentleman yield for a question?

Mr. WEBB. Yes.

Mr. SUMNERS. I understand the difficulty of a jury determining liability. My question was not that, but was this, that in framing this law you do not submit to a jury the question of the quantum of damages.

Mr. WEBB. I will tell my friend that there are two reasons. One is that we did not want to inject a new principle into this bill. We had only one idea in mind, and that is to give that right to a suitor to bring action for death on the high seas. The other was that the admiralty judge can now call in a jury, if he desires to, to pass on both liability and damages.

Mr. SUMNERS. Why do you not make it as a matter of right?

Mr. WEBB. Why do you not have jury trials in equity cases? This is equity on the high seas, just as we have equity on the dry land. I am willing to have a jury trial, but we are trying to hew to one idea and not try to amend the entire admiralty law in this one simple bill.

Mr. LEWIS of Maryland. Mr. Speaker, will the gentleman yield?

Mr. WEBB. Yes.

Mr. LEWIS of Maryland. I notice that the rule on contributory negligence has been substantially modified.

Mr. WEBB. That is correct.

Mr. LEWIS of Maryland. May I ask the gentleman whether the fellow-servant rule, as we know it by decisions, so far as inland courts are concerned, applies to cases at sea?

Mr. WEBB. I think it does.

Mr. LEWIS of Maryland. The bill contains no provision eliminating or modifying that.

Mr. WEBB. No.

Mr. LEWIS of Maryland. It seems to me that it would be in line with the gentleman's purpose to have a provision eliminating the fellow-servant rule in this bill.

Mr. WEBB. Mr. Speaker, I will say to my friend that there are a great many inequalities and injustices, in my opinion, in the shipping laws of the country. We are gradually picking them off and changing them one by one, but we can not do it all in this one bill. I think a great many gentlemen would be glad to abolish peonage on steamships. I believe that slavery on steamships is the only class of slavery that the Supreme Court of the United States held was not intended to be abolished by the adoption of the thirteenth and fourteenth amendments to the Constitution. We would like to abolish that.

Mr. Speaker, I yield five minutes to my friend from Pennsylvania [Mr. GRAHAM], a member of the committee, to offer an amendment.

Mr. MANN. There is an amendment pending that ought to be first disposed of.

Mr. WEBB. I move the previous question on the amendment.

Mr. LENROOT. Is the gentleman going to shut off any discussion?

Mr. WEBB. Oh, no. I did not know that the gentleman from Wisconsin desired to discuss the matter.

Mr. LENROOT. I would like to have five minutes.

Mr. WEBB. I would be glad to grant the gentleman five minutes.

Mr. MANN. Can we not agree on time for debate on the gentleman's amendment?

Mr. WEBB. Yes.

Mr. LENROOT. I would like to offer an amendment to the gentleman's amendment.

Mr. WEBB. Mr. Speaker, I ask unanimous consent that debate on this amendment be closed in 15 minutes, 5 minutes of the time to be used by the gentleman from Pennsylvania [Mr. GRAHAM], a member of the committee, 5 minutes by the gentleman from Wisconsin [Mr. LENROOT], and 5 minutes by the gentleman from Washington [Mr. BRYAN].

The SPEAKER. The gentleman from North Carolina asks unanimous consent that debate on the amendment that he offered be limited to 15 minutes, the gentleman from Pennsylvania [Mr. GRAHAM] to have 5 minutes, the gentleman from Wisconsin [Mr. LENROOT] to have 5 minutes, and the gentleman from Washington [Mr. BRYAN] to have 5 minutes. Is there objection?

Mr. VAUGHAN. Mr. Speaker, reserving the right to object, I would like to ask the gentleman from North Carolina a question.

Mr. WEBB. I yield to the gentleman.

Mr. VAUGHAN. The general purpose of the bill, as I understand it, is to give a remedy in rem, in addition to the remedy in personam that is now allowed by the States.

Mr. WEBB. It is to give a remedy in rem, and in addition thereto a remedy in personam in the admiralty courts.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

Mr. GRAHAM of Pennsylvania. Mr. Speaker, I rise for the purpose of making a suggestion, and I ask the attention of the chairman of the committee to what I am about to suggest. It will probably remove, especially from the minds of those near me here on this side of the House, the criticisms that have been made with reference to the pending amendment. The last clause of the proposed amendment reads:

But nothing in this act shall be construed to abridge the rights of suitors in the courts of any State or Territory to a remedy given by the laws of any State or Territory in such cases.

If the gentleman is following the text, he will readily perceive the suggestion that I am about to make. Could not the committee accept these words in lieu of those that are in the amendment?—

But nothing in this act shall be construed to abridge the right to sue and pursue any remedy given by the laws of any State or Territory in such cases.

Mr. WEBB. Mr. Speaker, I will be frank with my friend and say that that is just saying the same thing in different language, it seems to me.

Mr. GRAHAM of Pennsylvania. No. The objection here is to the use of the words "in the courts of any State or Territory," that that might not include the transfer of cases to the United States courts, and other incidental things; but the language which I suggest by striking out a few words from the sentence the gentleman has in his amendment would make it so broad that there could be no question or objection made to it, and I think would answer the criticisms that have been made here.

Mr. WEBB. We do not undertake to prevent suits of diverse citizenship, and we do not intend to.

Mr. MANN. This clearly accomplishes what the gentleman had in mind. There is no question about the amendment he offered.

Mr. GRAHAM of Pennsylvania. This would remove all criticism from the amendment which I have heard thus far.

Mr. WEBB. I would have to object to accepting the amendment, Mr. Speaker, because I think the amendment the subcommittee worked on all day yesterday—and I wish my friend from Pennsylvania had been there and perhaps we could have got his consent to this amendment—covers the ground agreed upon and preserves all the rights of suitors.

Mr. MANN. If the gentleman from North Carolina or the gentleman from Pennsylvania will permit, the amendment that the gentleman offers uses the term "any suitor," while the question is whether he is going to be a suitor or not. You do not abridge the rights of any suitor. But can he become a suitor? That is the question.

Mr. WEBB. The moment he institutes a suit he is a suitor, and that is the language the Judicial Code uses in all expressions, and that is why we embody it here.

Mr. MANN. No; the gentleman from Pennsylvania proposes now to give the right to sue or pursue any remedy authorized by State law.

Mr. WEBB. That is exactly what we do.

Mr. MANN. That is what the gentleman is aiming to do, but there is a question about it. There is no question about this.

Mr. WEBB. I think I understand the English language very well. We preserve to the suitor, any individual in any State, the rights he now has under existing or future laws. I hope the gentleman from Pennsylvania will not offer his amendment, because I think it is already covered.

Mr. GRAHAM of Pennsylvania. Mr. Speaker, I would say I do not desire to stand in opposition to my own committee upon this question, and in making this suggestion I am striving to remove certain differences that seem to exist to my mind and in the minds of the critics of this amendment. If they exist here, they will exist elsewhere, and if by the elimination of a portion of a sentence we can remove this doubt, we may hope that we will accomplish the same result in other places, and I would therefore offer this amendment. I move to strike out, in section 6 of the proposed amendment, the following words: "but nothing in this act shall be construed to abridge the right of suitors in the courts of any State or Territory to a remedy given by the laws of any State or Territory in such cases," and in lieu thereof to insert the following: "but nothing in this act shall be construed to abridge the right to sue and pursue any remedy given by the laws of any State or Territory in such cases."

The SPEAKER pro tempore (Mr. CRISP). The time of the gentleman from Pennsylvania has expired. The Clerk will report the amendment to the amendment offered by the gentleman from Pennsylvania.

The Clerk read as follows:

Strike out of the proposed amendment the language, "but nothing in this act shall be construed to abridge the right of suitors in the court of any State or Territory to a remedy given by the laws of any State or Territory in such cases," and insert the following: "but nothing in this act shall be construed to abridge the right to sue and pursue any remedy given by the laws of any State or Territory in such cases."

Mr. LENROOT. Mr. Speaker, I rise to favor the amendment proposed by the gentleman from Pennsylvania, and I would like to have the attention of the chairman of the committee, as he feels so certain that this amendment does not change the effect of his amendment. Now, the gentleman, as every other lawyer, knows that the courts, in construing any law, give effect and meaning, if possible, to every word that is written into the law. Now, the construction of the gentleman from North Carolina of his amendment results in the conclusion that the words "in the courts of any State or Territory" mean nothing. Now, the courts, when they come to construe this law and give effect, if they can find a purpose in it, to the words "in the courts of any State or Territory," they can only give it effect and give it meaning by construing it as limiting the rights of suitors to a remedy, so long as they are confined within the courts of the State or Territory. That in the case of diverse citizenship a citizen has a right in certain cases to removal to the Federal court, and the moment he gets into the Federal court the remedy given by the State court is gone. Now, the gentleman, good lawyer as he is, must concede that the courts will strive to find purpose and meaning in the words

"in the courts of any State or Territory," but the gentleman says they mean nothing. If they mean nothing, they ought not to be there.

Mr. WEBB. Will the gentleman permit an interruption?

Mr. LENROOT. I will.

Mr. WEBB. I do not understand what the gentleman means by saying that "they mean nothing." What means nothing?

Mr. LENROOT. What does the gentleman think it means?

Mr. WEBB. It means exactly what it says and exactly what the amendment the gentleman is advocating says. It is only the difference between tweedledum and tweedledee. The amendment preserves to the suitor and individuals in any State such rights as those States give them now to sue for death on the high seas.

Mr. LENROOT. Does the gentleman think if the words "in the courts of any State or Territory" were stricken out the amendment would have the same construction it has now?

Mr. WEBB. Why, of course it would not. Listen to the language.

Mr. LENROOT. Then what is the purpose of putting in the words "in the courts of any State or Territory"?

Mr. WEBB. Because it confines your rights and remedies to the laws within the State in which the suit may arise.

Mr. LENROOT. No; it does not; it is the rights of suitors within the courts of any State.

Mr. WEBB. It is the right of every suitor asserted in the State courts.

Mr. LENROOT. That is the point exactly; and if they are asserted anywhere else than in the courts of a State, then the remedy is gone. Now, if that is the gentleman's construction, which he has just placed upon it, the amendment ought not to be defeated. His amendment does not do that which the gentleman has been telling the House for an hour it does do.

Mr. TOWNER. Will the gentleman yield to me for a question?

Mr. LENROOT. Yes.

Mr. TOWNER. If the statement of the chairman of the committee is correct, it would be tried in the United States court according to the State laws upon transference, and the language here, as the gentleman states, is that these remedies shall be preserved to a man only, in fact, within the State where the suit is brought.

Mr. LENROOT. Absolutely.

Mr. WEBB. If my friend will permit an interruption, I wish to say that if a suit were brought in a State court and transferred to the United States court the State law would apply.

Mr. LENROOT. If it is not in there; certainly.

Mr. WEBB. If it is not in there.

Mr. LENROOT. What is the purpose of the language "in the courts of the State" unless it is intended to limit the right of the suitor to a remedy only so long as he remains in the courts of the State?

Mr. WEBB. If the suit is transferred to the Federal courts, his remedies under the State law are applied just as they are now on account of transference because of diverse citizenship.

Mr. LENROOT. The gentleman takes two positions. The words "in a State or Territory" mean something or they do not. If they mean something, they do abridge the right of a suitor the moment he goes outside of a State court.

Mr. TOWNER. Will the gentleman yield?

Mr. LENROOT. I will.

Mr. TOWNER. Is that only where directly or inferentially that says the remedies given here shall be carried from the State courts into the United States courts?

Mr. LENROOT. Absolutely not.

Mr. WEBB. My friend from Iowa knows that there is a general United States statute which covers that and provides that State law shall apply in the Federal courts.

Mr. LENROOT. If this word "abridge" means anything, it only means saving the remedy so far as it states it in the amendment itself, and so far as any other statute may give a suitor a remedy that statute is amended to just that extent in this amendment.

Mr. WEBB. The Federal statute itself makes that application. We need not reenact it here.

The SPEAKER. The time of the gentleman from Wisconsin [Mr. LENROOT] has expired.

Mr. BRYAN. Mr. Speaker, it seems to be admitted by the chairman of the committee that this involves only the difference between tweedledee and tweedledum; that the gentlemen over here are right so far as their amendment goes, but they are wrong in their contention that it would interfere with what the chairman of the committee wants. The chairman of the committee says if the contention of the gentleman from Wisconsin and the contention of the gentleman from Pennsylvania are right as to their amendment he would be for it, and so he would yield nothing, for he supports the purpose of the amendment, but believes it is already in the act. Then, what is the difference whether we accept tweedledee or tweedledum, since a great many of the Members here are anxious for one or the other, and all are anxious to accomplish what the gentleman from Pennsylvania wants to accomplish.

Mr. WEBB. If it is tweedledee and tweedledum, I do not care to have the action of Mr. VOLSTEAD and Mr. DANFORTH and a half dozen other members of the subcommittee set aside.

Mr. BRYAN. If it be assumed it is only a matter of pride of authorship——

Mr. VOLSTEAD. Will the gentleman yield?

Mr. BRYAN. I yield.

Mr. VOLSTEAD. In connection with that statement I will say that I called attention to this very thing and tried to have an amendment along this line.

Mr. BRYAN. The gentleman from Minnesota says he called attention to this very thing and tried to get the committee to allow an amendment of this very kind, but that the committee did not allow it. Then, so far as Mr. VOLSTEAD is concerned, the pride of authorship is gone.

Mr. FITZHENRY. I would like to say that the gentleman from Minnesota did not discuss this phase of the proposed amendment. He asked to have stricken out the words "of death" and insert "such" before "cases" in the last line of the proposed amendment, and that was finally agreed upon.

Mr. BRYAN. Now, we are establishing a new jurisdiction. As already stated, there is no admiralty jurisdiction in England in death-claim cases. Unless the shipowner gives up the ship and goes into a kind of bankruptcy, there is no admiralty jurisdiction. There is none in Canada and none in this country. Of course, if they do as they did out here with the recent wreck off the coast of Virginia, and come in and give up the ship, they may go into the admiralty court, because the proceedings in admiralty alone provide procedure for giving up the ship and escaping personal liability. And when you go into admiralty, that court is very jealous of its jurisdiction and procedure. There is a sort of Freemasonry among admiralty proctors. They love to get cases there with which ordinary lawyers do not have anything to do, and where ordinary suitors are more or less afraid to go. And so I think that since it is plain on both sides that this amendment will certainly not interfere with the plans or purposes of the committee, it ought to be adopted; and then we ought to defeat the bill, because we do not want to create any such jurisdiction. This country does not want death claims tried in admiralty without a jury. We want them tried as law cases, like they are tried in England, before juries.

The SPEAKER. The Clerk will report the first committee amendment.

The Clerk read as follows:

On page 1, line 4, after the word "compensation," insert "for the pecuniary loss sustained."

The amendment was agreed to.

Also, the following committee amendment was read:

Page 2, line 4, strike out the word "two" and insert "five."

The amendment was agreed to.

Also, the following committee amendment was read:

In line 7, strike out the word "pecuniary."

The amendment was agreed to.

Also, the following committee amendment was read:

In line 10, strike out the words "one year" and insert the words "two years."

The amendment was agreed to.

Also, the following committee amendment was read:

In line 15 strike out the words "one year" and insert the words "two years."

Mr. BRYAN. Mr. Speaker——

The SPEAKER. For what purpose does the gentleman rise?

Mr. BRYAN. I rise to be recognized.

The SPEAKER. For what?

Mr. BRYAN. To make some remarks.

The SPEAKER. The gentleman is recognized for five minutes.

Mr. BRYAN. A parliamentary inquiry, Mr. Speaker. Are we under the five-minute rule?

The SPEAKER. The Chair understands that the previous question has not been agreed to as yet.

Mr. WEBB. Mr. Speaker, I asked a while ago unanimous consent that all debate on this committee amendment——

The SPEAKER. This is not your amendment at all. This is a committee amendment.

Mr. BRYAN. I shall not take the whole hour. I will see that it is parceled out. [Laughter.] How long am I recognized for, Mr. Speaker?

The SPEAKER. The gentleman is recognized for an hour.

Mr. MANN. Mr. Speaker, I ask for recognition. The gentleman had an hour the other day, and he is not entitled to another hour.

The SPEAKER. That is correct.

Mr. WEBB. The gentleman from Washington has already spoken a full hour, and then an hour more.

Mr. BRYAN. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. BRYAN. Does the rule in reference to recognition for an hour apply to a case where a bill was under consideration three or four weeks ago and then comes up later?

The SPEAKER. It is forever and forever.

Mr. BRYAN. Very well. I do not want to take up an hour, anyway.

The SPEAKER. The rule is that a gentleman is not entitled to take two hours if anybody else wants one.

Mr. BRYAN. I would like to use a little time.

Mr. MANN. I do not know how much time I have remaining, Mr. Speaker. I used very little of my hour. How much time would the gentleman from Washington like to have?

Mr. BRYAN. I would like 15 minutes.

The SPEAKER. The gentleman from Illinois yields to the gentleman from Washington how much?

Mr. MANN. Fifteen minutes.

The SPEAKER. The gentleman from Washington [Mr. BRYAN] is recognized for 15 minutes.

Mr. BRYAN. Mr. Speaker, in the question here under the amendment the proposition of the lien on the vessel comes up. In my State of Washington we have a statute that has been recognized by the Federal courts that gives us a three-year lien on the vessel. We have a three-year lien from the time we make the demand under the State statute, and we have the right to trial before a jury. The court has recognized that right, and that statute is valid and binding.

Then, under the terms and provisions of this section and these other sections now pending, a very weak relief is provided. In the employers' liability law, for instance, you have a provision that wherever the train or wherever the company is guilty of the violation of the safety-appliance act or any law with reference to the safety of employees, in such case the company can not plead negligence.

Here is the Federal employers' liability law and its rule of negligence:

That every common carrier by railroad * * * shall be liable * * * for such injury or death resulting in whole or in part from the negligence of any of the officers, agents, or employees of such carrier, or by reason of any defect or insufficiency, due to its negligence, in its cars, engines, appliances, machinery, track, roadbed, works, boats, wharves, or other equipment.

SEC. 3. That in all actions hereafter brought against any such common carrier by railroad under or by virtue of any of the provisions of this act to recover damages for personal injuries to an employee, or where such injuries have resulted in his death, the fact that the employee may have been guilty of contributory negligence shall not bar a recovery, but the damages shall be diminished by the jury in proportion to the amount of negligence attributable to such employee: *Provided*, That no such employee who may be injured or killed shall be held to have been guilty of contributory negligence in any case where the violation by such common carrier of any statute enacted for the safety of employees contributed to the injury or death of such employee.

SEC. 4. That in any action brought against any common carrier under or by virtue of any of the provisions of this act to recover damages for injuries to, or the death of, any of its employees, such employee shall not be held to have assumed the risks of his employment in any case where the violation by such common carrier of any statute enacted for the safety of employees contributed to the injury or death of such employee.

SEC. 5. That any contract, rule, regulation, or device whatsoever, the purpose or intent of which shall be to enable any common carrier to exempt itself from any liability created by this act, shall to that extent be void: *Provided*, That in any action brought against any such common carrier under or by virtue of any of the provisions of this act, such common carrier may set off therein any sum it has contributed or paid to any insurance, relief benefit, or indemnity that may have been paid to the injured employee or the person entitled thereto on account of the injury or death for which said action was brought.

Here are the provisions of the pending act as to negligence of which Mr. Putnam says "This is also the doctrine of the Federal employers' liability act":

SEC. 5. That in suits under this act the fact that the decedent has been guilty of contributory negligence shall not bar recovery, but the court shall take into consideration the degree of negligence attributable to the decedent and reduce the damage accordingly.

The above is all about the negligence rule; but those who drew this bill incorporated in it the following choice provisions:

SEC. 2. That the recovery in such suit shall be a fair and just compensation for the pecuniary loss sustained to the persons for whose benefit the suit is brought, and shall be apportioned among them by the court in proportion to the damage they may severally have suffered by reason of the death of the person by whose representative the suit is brought.

* * * * * * * *

SEC. 6. That this act shall not affect the rights of shipowners and others to avail themselves of the provisions of the laws of the United States relating to limitation of liability.

While I am discussing the Federal employers' act I desire to submit this suggestion. Section 1 of that act reads as follows:

That every common carrier by railroad while engaging in commerce between any of the several States or Territories, or between any of the States and Territories, or between the District of Columbia and any of the States or Territories, or between the District of Columbia or any of the States or Territories and any foreign nation or nations, shall be liable in damages to any person suffering injury while he is employed by such carrier in such commerce, or, in case of the death of such employee, to his or her personal representative, for the benefit of the surviving widow or husband and children of such employee; and if none, then of such employee's parents; and if none, then of the next of kin dependent upon such employee, for such injury or death resulting in whole or in part from the negligence of any of the officers, agents, or employees of such carrier, or by reason of any defect or insufficiency, due to its negligence, in its cars, engines, appliances, machinery, track, roadbed, works, boats, wharves, or other equipment.

It will be seen that this act applies to all death claims or personal injuries committed through negligence by railroad owners anywhere and everywhere. Note the last provisions of the first section of the act above quoted:

* * * or by reason of any defect or insufficiency, due to its negligence, in its cars, engines, appliances, machinery, track, roadbed, works, boats, wharves, or other equipment.

Railroad companies own ferries as part of their main lines and as freight and passenger feeders, and they own ocean carriers. These ferries take passenger and freight trains aboard and ferry them across rivers, and the vessels carry on a general business. Such vessels owned by railroads come under the employers' liability act, it would seem. But if you pass this act, the employers' liability act would be repealed, so far as it affected these railroad vessels. On the high seas, including the Great Lakes, such vessels would go under admiralty jurisdiction exclusively. As to the ferries across rivers and inland waters, it would seem that the employers' liability act has already divested State jurisdiction. This pending shipowners atrocity only reserves to the States such jurisdiction as they now have. As they have no jurisdiction over railroad-owned boats and ferries in any waters, it would follow that hereafter admiralty jurisdiction, without a jury, and under this pending act, would apply exclusively to railroad-owned ferries and boats in inland waters if this bill is enacted into law. Does anybody want this to occur? This is only one of many unconsidered complications likely to occur if this bill is passed.

Mr. Putnam says in his letter:

In some States the recovery is limited to the conscious suffering before death—a matter difficult of proof in matter of drowning at sea.

This evidently refers to Massachusetts, as the case of Robert Graham Dunn is referred to. (70 Fed., 271.) Mr. Putnam in 1914 based a statement as to present conditions on the conditions existing 21 years ago, in 1893. There was at that time no death liability statute in Massachusetts—merely a statute for the survival of actions for personal injuries. The statement is not a true one. Massachusetts now has a very adequate death liability statute. Other statements about present statutes in the States being antiquated, I think, are rather unfounded. I have examined the statutes of practically every State in the Union, and I find a public conscience on this subject has greatly advanced the standard of State statutes.

And then you have in the Federal law the widest and most carefully safeguarded provision for the relief, first, to go to the widow, then to go to the children, and then to the collateral relations. Here you have a provision that bunches all of these claimants and gives it to them to be apportioned by the Federal judge, to be apportioned by the judge in admiralty.

Now, I think that is wrong, and I think that the whole purpose of this bill, so far as it is lobbied for by the steamboat interests outside of Congress is to get away from the provisions of the State laws and to make it possible for the admiralty court to apply this statute instead of the State statute.

Now, you say you reserve——

Mr. WEBB. Mr. Speaker, will the gentleman permit an interruption there?

Mr. BRYAN. Yes.

Mr. WEBB. I want to say that the two gentlemen who had as much to do with preparing and perfecting this bill as any two men in the world are Mr. Louis FitzHenry, jr., of Boston, who never represented a corporation in his life——

Mr. BRYAN. Yes; but he said yesterday that he hoped to be soon, and he wished he could get that business——

Mr. WEBB (continuing). And Mr. George Whitelock, a high-class gentleman in the practice of his profession in Baltimore. The gentleman from Washington [Mr. BRYAN] is insisting

upon spreading some sort of prejudice or pouring some sort of gall into the minds of Members of the House, as if the Committee on the judiciary had been guilty of an improper act. I think those reflections on the part of the gentleman are hardly in keeping with the gentleman's dignity and character.

Mr. BRYAN. Mr. Speaker, I will say that I have no purpose in the world of reflecting on the purposes or intentions of the Committee on the Judiciary or any of these gentlemen. I think the members of the Committee on the Judiciary that recommended this bill in its original form were hoodwinked. Otherwise they would not have recommended it, and they would not have come in to-day and moved to strike out half of it.

Mr. WEBB. Mr. Speaker, I will say that when Mr. McCoy first reported the bill it was understood by the members of the Committee on the Judiciary that we would put a provision in the bill reserving to the States their present rights. There was no hoodwinking and no attempt to do any hoodwinking, and nothing dark about it.

Mr. BRYAN. The committee, of course, had no intention of assisting the shipping interests, or anything of that kind, but before the committee here appeared several men representing the big interests. One was a gentleman who said, "I represent all the shipping interests from Maine on down." Another said, "This is no two-sided matter. All the shipping interests on the coast have considered it." That was at the hearing two years ago. Another man said he represented the shipping interests along the Lakes, and said they were satisfied. Then the distinguished gentleman from Illinois [Mr. MANN], who has been so kind and generous as to yield me time to-day, submitted a letter here from Mr. Kremer, of Chicago, who wanted the bill passed by all means. Mr. Kremer is president of about three different shipowning companies and of the Lake Carriers' Association.

The reason why they wanted this bill was for their relief. Never do you hear of steamboat companies coming in and trying to create a liability against themselves. Who ever heard of a steamboat company trying to create such a liability against itself? The truth is that Mr. Putnam appeared before the Supreme Court in behalf of the Old Dominion Steamboat Line and tried to avoid any statute in this country, and cited the fact that there was no jurisdiction in this country or in Canada. That was in 1907; and the United States Supreme Court said, "We will apply the State law of the State of Delaware"; and the very minute that the steamboat companies found out that the State laws were going to be applied, they got busy right, they got industrious, indeed. Away back yonder, in 1900, Mr. Boutell, of Illinois, introduced a bill here providing for this, but he had in it a provision for jury trials. Then, later on Senator Depew introduced a bill, and that said "Federal courts." They were not interested yet. But in 1907 Mr. Putnam lost in the Supreme Court, and State statutes were applied even on the high seas, and then they got a bill, and they said that was just the way they wanted it. All the shipping interests of the Atlantic coast were satisfied with the form of the bill, the shipping interests of the Lakes were delighted in the hope of escaping juries, and the shipping interests of the Pacific coast were pleased; and then they got a report; not, in fact, a report from the committee, but a report from Mr. Harrington Putnam, who was the hired attorney for the Old Dominion Steamship Co. in the case referred to in 1907.

Mr. Putnam further says in the letter quoted by the gentleman from North Carolina [Mr. WEBB]:

> The fact that the several States have followed Lord Campbell's act, in so far as actions in the courts of common law are concerned, shows that public opinion in this country favors recovery for death. The *Titanic* disaster is still fresh in mind.
>
> There is no reason why the admiralty law of the United States should longer depend on the statute laws of the States and lag behind the general law of Europe. Congress can now bring our maritime law into line with the laws of those enlightened nations which confer a right of action for death at sea.

He thus endeavors to throw these cases out of the hands of the States and juries into the admiralty courts, and pretends that action would—

> bring our maritime law into line with the laws of those enlightened nations which confer a right of action for death at sea.

A DIFFERENT VIEWPOINT AND A DIFFERENT VIEW IN 1907.

He does not want us to "lag behind" on this subject, yet in 1907, when Mr. Putnam was serving for pay the Old Dominion Steamship Co. he appeared before the Supreme Court of the United States and said:

> The system of law on the Continent of Europe in some form also gives a recovery for loss of life. Yet in no case have the courts of Great Britain or the United States regarded the law of the flag upon the high seas as authorizing such a recovery in the admiralty courts.
>
> Even in Canada the admiralty court has no jurisdiction for loss of life. (Monogon *v.* Horn, 7 Du Val, Supreme Court, Canada, 409.)
>
> The same rule was reached in England, notwithstanding Lord Campbell's act, that admiralty has no jurisdiction for loss of life. (The Vera Cruz, 10 App. Cases, 59.)

Admiralty has no jurisdiction in England. All cases must be tried under the Lord Campbell act with a jury. Admiralty has no jurisdiction in Canada. All cases must be tried under the local laws of the Provinces—States—before a jury.

At the trial before Judge Bailbache the jury found answers to the following questions on the question of negligence: Was the navigation of the *Titanic* negligent in respect of (a) lookout? Answer. No. (b) Speed? Answer. Yes. (Rept. of *Titanic* trial in England, Times Law Repts., vol. 110, p. 643.)

Yet Mr. Putnam sends in this act transferring jurisdiction to admiralty and away from juries, so we in America will not "lag behind" England. He was working for the Old Dominion Steamship Co. when he said what he did before the United States court in the case cited above—the *Hamilton*—and what he said was true. (207 U. S., 398.)

This great corporation proctor lost his case before the Supreme Court. The court said, in effect: "Yes; there is no admiralty jurisdiction in England, Canada, or America, but there is law-court jurisdiction in England under the Lord Campbell act and in Canada under the laws of the several Provinces and in the United States under the laws of the several States. Your client, the Old Dominion Steamship Co., is here seeking to limit its liability by giving up its ship, the *Hamilton*, out there in the ocean. This admiralty court has jurisdiction of this limiting liability case, and it becomes necessary for us to know what you owe these claimants. In order to learn what you owe for death claims we will apply the law of your State—Delaware."

Mr. Putnam labored hard and long to try and bring the Supreme Court around to his view, but he failed; and the case became an unquestioned precedent that the death liability exists in this country the same as in Canada and England, and that the only way a shipowner can get away from ordinary liability under State laws before juries the same as a sawmill, a cotton gin, or a railroad train, is to give up the ship under the limitation statutes. If the claims are less than the value of the ship, of course it will not pay to give up the ship. If the thing sinks and many claims exist, the case is different.

Mr. WEBB. Will my friend permit an interruption?

Mr. BRYAN. Yes.

Mr. WEBB. With reference to Judge Harrington Putnam, I never met the gentleman in my life. I do not know him; but this bill was agitated by the Maritime Law Association and by the American Bar Association in 1903.

Mr. BRYAN. Mr. Benedict is secretary of the Maritime Law Association, and his name appears here in cases as one of the attorneys of the big steamship companies.

Mr. WEBB. Judge Harrington Putnam has been for several years a very distinguished judge on the bench in the State of New York. I do not know whether he is a good man or a bad man.

Mr. BRYAN. He is a good man.

Mr. WEBB. I know he is an able man.

Mr. BRYAN. He is able, too.

Mr. WEBB. And he ought not to be reflected on by the gentleman because he appeared for a steamboat company.

Mr. BRYAN. I do not reflect on him. I think he is all right. I have no doubt he got a fee of $10,000, and he earned his money, if he did lose in the *Hamilton* case.

Mr. WEBB. The gentleman ought to attack the bill and not attack Judge Putnam.

Mr. BRYAN. All right, here goes. In this bill you provide for the reenactment of the old common-law rules. You provide a negligence provision that would not pass any State legislature, that is entirely out of date, and you give the ship-owning companies protection behind which they can seek refuge and help themselves in every way. You will not permit the negligence rules that have been recognized by the Federal Government here in its employers' liability law to be applied to these steamboats. I tried to get that. I am discussing the bill on its merits, and I want again to repeat that, as far as Judge Harrington Putnam is concerned, I believe he is all right. I do not believe there is anything dishonest about him. I have no thought of that; but he has been for a long time a proctor in admiralty, just like Mr. Whitelock, who was before your committee yesterday, and like Mr. FitzHenry Smith, jr., who wanted to be a corporation proctor in admiralty, as he himself said, and this other man, Mr. Benedict, secretary of your Maritime Law Association, whose name is repeatedly carried in these Supreme Court reports as attorney for the shipping interests. All these men are honest; but you do not go to railroad lawyers to find out how to fix up a liability law for the railroads. Why should you go to steamboat lawyers to fix up steamboat legislation?

The railroad lawyers are honest and the steamboat lawyers are honest. I do not say they are dishonest.

Mr. WEBB. Mr. FitzHenry Smith, jr. is as high-minded and honorable a man as I know of.

Mr. BRYAN. Yes; a member of the legislature in Massachusetts.

Mr. WEBB. He never was attorney for a steamboat company in his life. He came all the way down here in the interest of this bill.

Mr. BRYAN. And I have no doubt he paid his own expenses, too. He is that much interested in it, and he says he hopes he will get some corporation practice.

Mr. WEBB. He says he would like to have some, and I have no doubt the gentleman from Washington [Mr. BRYAN] would like to have some, too.

Mr. BRYAN. Members of the legislature do not usually get such employment. They are politicians, and do not have the time. Now, the proposition is that I think this bill is wrong in its conception, because it creates an admiralty jurisdiction that does not exist in England, that does not exist in Canada, and ought not to exist in the United States. Then, I think it is wrong, because on the merits it is not up to date, and it is fathered by the people who are interested from the side of the shipowner.

Mr. Putnam makes the statement, "The *Titanic* disaster is still fresh in mind," which I think is entirely misleading. The *Titanic* case would not be affected one way or the other by this act. No question has ever existed about the liability of the *Titanic* owners, an English corporation, for such deaths of passengers or crew as were occasioned through negligence. That liability is as complete under American law as under English law. And in this case admiralty has jurisdiction both in America and England. Why? Because this English ship-owning corporation has no hesitancy in giving up the ship out there at the bottom of the ocean at 40–40 or somewhere else. Let the claimants have the ship. That company gets back its millions invested in the vessel through insurance policies. The shippers of freight get theirs through insurance. Now let the widows and the orphans and the other claimants take the ship, if they can raise it. They may also have the lifeboats, "the trimmings," and the current freight and passenger revenues of the trip. In the *Titanic* the Supreme Court has plainly indicated that English law—the Lord Campbell act—establishes the right to damages, but the liability limitation laws of this country will govern as to the remedy or as to the procedure.

When Mr. Putnam tries to get help in the passage of this act by reference to the *Titanic* case, I can not believe him sincere or else he did not think. I have read carefully the briefs in the *Titanic* case so far as that case has been litigated, and I have studied the decision of the court. If any proctor had suggested that there was no death liability—and in the admiralty court in this case—he would have been hooted at. There is death liability in all cases, domestic or foreign, and in England, Canada, and the United States the admiralty court acquires jurisdiction by statutes of the sovereign government in each case as to the limiting of liability whenever the shipowner elects to give up the ship and applies to a Federal judge in admiralty to save him from the dependents of the men and women he has drowned and killed.

This ought to be plain. A suit for death liability incurred on the high seas in an American forum is before the State court, with jury trial, subject to transfer to the Federal court, with jury trial, under the same conditions as any other action may be transferred from State to Federal court unless the owner of the ship or the ferryboat or the barge on a river or other American water or on the high seas gives up the vessel and seeks to limit his liability by admiralty procedure. Think of it. They can kill a man on a barge or flatboat on an inland creek and escape by giving up the barge or flatboat, even if it is sunk or destroyed by fire. That comes under the statutes preserved by section 6 of the pending shipowner's plea for more safety from widows and orphans and other claimants. "Safety first" is their plea, but a rather unusual application is made.

In the *Titanic* case it will be admitted that no death claim has yet come to final adjudication in America. But that death liability exists in much more full and complete measure than is proposed by this act is admitted and is absolutely without question. The only reason why awards have not been made is on account of these uncivilized limitations of liability laws and rules of court. Yet this bill seeks to reenact and make effective those very rules and laws. All the death claimants in the *Titanic* case have been enjoined in admiralty court from appearing in State courts or elsewhere before juries because the English company has appealed to admiralty to let them limit their liability to the present value of the ship and other charges as stated.

Several suits had already been filed, one by Louise Robins, evidently a surviving widow, as administratrix for the death of George Robins. This suit was commenced in the United States District Court for the Southern District of New York. Another was commenced in the State of Minnesota, in the district court of Ramsey County, by Carl Johnson for personal injuries and loss of baggage. Another in Chicago by John Devine as administrator for death of A. Willard. Federal Judge Holt, in "admiralty"—oh, that blessed word for shipowners—ordered all these claimants to quit at once and come to him at New York, for the English corporation which owned the *Titanic* had come to this judge with its petition to limit its liability by giving up the ship yonder at the bottom of the ocean. Mind you, the English corporation selected this Judge George C. Holt to try these cases, and then by injunction all other courts are forbidden to hear or consider a claim against the English company.

Mr. MONTAGUE. Will the gentleman yield?

Mr. BRYAN. Yes.

Mr. MONTAGUE. The other day the gentleman cited two cases, one of which he said was decided by Judge Taft.

Mr. BRYAN. Yes.

Mr. MONTAGUE. And the other, as I recall it, by Judge Addison Brown.

Mr. BRYAN. Yes.

Mr. MONTAGUE. In which, the gentleman said, the juries assessed the damages.

Mr. BRYAN. No; I did not. There was no jury in either of those cases. I do not know anything about the case in the lower court, but Judge Taft's decision was a circuit judge's decision.

Mr. MONTAGUE. My recollection of the gentleman's argument was that he cited those cases as showing the beneficial effects of a jury trial.

Mr. BRYAN. No; in each of those cases, as I remember, the owner of the boat came in and wanted to give up the boat and let the claimants go out in the middle of the ocean or the lake and take the boat. He gave up the boat under the limited-liability law, and therefore he got into the admiralty court. There is the provision in the bill to preserve that, and I understand you are to take out the section, but you say it is still a law and will not hurt it.

Mr. MONTAGUE. The gentleman said the other day that there was a jury trial in the admiralty jurisdiction.

Mr. BRYAN. I did not say that, but I said there was admiralty jurisdiction where they gave up the ship.

Mr. MONTAGUE. The gentleman's memory is a little different to-day from what it was then.

Mr. BRYAN. And the memory of the gentleman from Virginia is a little different now. He said there was no jury trial under the Lord Campbell act.

Mr. MONTAGUE. I said that the Lord Campbell act did not confer admiralty jurisdiction.

Mr. BRYAN. The Lord Campbell act refers to death on the water the same as on the land, and the ordinary courts have law jurisdiction. If they have law jurisdiction there, why do you want admiralty jurisdiction here?

Mr. MONTAGUE. I am not stating what I want; I am stating what the gentleman and I differed about. I understood the gentleman the other day to say that there was jury trial in admiralty cases in England. I asked him if there was a jury within the admiralty jurisdiction of England, and he said yes.

Mr. BRYAN. Oh, no.

Mr. MONTAGUE. And he said that the Lord Campbell act extended over the high seas.

Mr. BRYAN. I did.

Mr. MONTAGUE. And that the admiralty jurisdiction applied to the Lord Campbell act.

Mr. BRYAN. I say it does now whenever they give up the ship, whenever the owner of the boat comes in and says, "The boat has gone down to the bottom, and for goodness sake take it and relieve me from liability in the admiralty court." The admiralty law comes in and says, "We will, because you can not get relief in any other court."

Mr. MONTAGUE. Has the gentleman ever read the Vera Cruz case?

Mr. BRYAN. I have; and Mr. Putnam quoted it to the Supreme Court in the Old Dominion Steamship Co. case, and that case declares the admiralty court has no jurisdiction in case of death at sea, but the ordinary jury courts do have such jurisdiction.

The SPEAKER. The time of the gentleman from Washington has expired.

Mr. MANN. Mr. Speaker, I yield five minutes to the gentleman from Wisconsin [Mr. LENROOT].

Mr. LENROOT. Mr. Speaker, I am sorry, indeed, that the gentleman from Washington [Mr. BRYAN] has seen fit to make the speech which he has made on this bill, for its only effect will be to becloud the issue that is before the House. If the amendment proposed by the gentleman from North Carolina and the amendment to the amendment proposed by the gentleman from Pennsylvania be adopted, then we certainly do have this, if the bill shall then pass in its present form with the amendments adopted—we have a very substantial relief for a large class of people. To make assaults on motives behind the bill can have no good purpose at this time.

Now, I want to say to the gentleman from North Carolina that I am sorry, indeed, that he takes the position that because the subcommittee has agreed upon this identical language, because the amendment happens to be offered from this side, it should not be adopted, although he admits that he has no objection to it. I want to say, first, that his subcommittee ought not to feel any pride in the authorship of this language, because he and his subcommittee were not the authors of it at all. The gentleman from Washington [Mr. BRYAN] has introduced a bill on this subject. I examined his bill to see what provision he had made to protect the remedy now given, and to my utter amazement I find that, notwithstanding his opposition to the amendment now, in the bill of the gentleman from Washington is the identical language that the Committee on the Judiciary now proposes in this bill. I will read it.

Mr. WEBB. I think the gentleman from Washington copied it from the Judicial Code. I am not on the subcommittee.

Mr. LENROOT. I will read:

That nothing in this act shall be construed to abridge the rights of suitors in the courts of any State or Territory to a remedy given by the laws of any State or Territory in case of injury or death from injury received on the high seas or elsewhere.

Now, Mr. Speaker, in view of the fact that this language—that ought not to be in the bill—does not really emanate from that side at all, but emanates from this side of the House—Mr. BRYAN, of Washington—I sincerely hope the subcommittee and the chairman may not feel that pride of authorship and pride of opinion that necessitates them longer continuing to oppose the amendment, which certainly should be adopted.

Mr. MANN. Mr. Speaker, I yield five minutes to the gentleman from Iowa [Mr. TOWNER].

Mr. TOWNER. Mr. Speaker, I desire the attention of the committee to this particular fact, which it seems to me has not been comprehended in its full force by gentlemen who have considered this proposition. It must be remembered that the admiralty courts have never given consideration to any suit brought for death, because of the fact that in the admiralty court you can not bring a suit for damages for death.

Section 6, which is the substitute offered in the first sentence, does give this remedy for death. Standing alone, that would transfer exclusive jurisdiction for damages for death to the United States courts whenever it occurred on the high seas and in navigable waters. Then as a necessary consequence it would follow that all the rules of admiralty would follow it as well; so while the remedy would allow for damages, the manner and conduct of the trial—which would exclude the right of trial by jury—would be tried in the admiralty court under the admiralty rules.

It is sought by a proviso, by an exceptional clause, to prevent this occurring, and in doing so this language, which has been under discussion for such a length of time, has been considered with such object in view. Again, let me call the gentleman's attention to the fact that when the bill provides that nothing in this act shall be construed to abridge the rights of a suitor in the courts of any State or Territory from the rights that he then has, that means that only in such cases where under the State law now the right of action exists up to $3,000 for damages, in case of diverse citizenship, as most of these cases are, the suitor can maintain and keep his rights in the State courts. There is no question about that, but suppose, as is the case in most instances where damages for death are sought, the amount sought to be recovered is more than $3,000, ten or twenty-five thousand dollars, or whatever it may be, the amount is not limited in this bill; and suppose, as is nearly universally the case, that the suit does involve a question of diverse citizenship, what do you have? If the suit is brought in the State court, immediately the action is removed to the United States court by the defendant. The gentleman says that it comes then under other rules. I think the gentleman when he makes that statement makes it unadvisedly, for the reason that there is nothing in this language that so provides. This language here only preserves these rights in the courts of the States where the action is brought. It does not carry, and there is no language to carry, these rights into the United States courts, and certainly it will not be presumed that they exist unless it is distinctly specified they are to apply.

Mr. FITZHENRY. Mr. Speaker, will the gentleman yield?

Mr. TOWNER. Certainly.

Mr. FITZHENRY. Is it the contention of the gentleman from Iowa that a common-law suit commenced in a State court by an administrator of a deceased person when removed to a Federal court should become an admiralty suit?

Mr. TOWNER. I do not know. I do not know what will become of it.

Mr. FITZHENRY. If it does not become an admiralty suit under what rules would it be tried?

Mr. TOWNER. I do not know, and I do not know what would become of the suit.

Mr. FITZHENRY. Would it not be tried under the same rules it would be tried under to-day?

Mr. TOWNER. Oh, no; not in this case, because you have legislated with regard to this matter. It is exclusively the jurisdiction of the United States to legislate whenever it attempts to do so. Gentlemen forget that this jurisdiction belongs to the United States courts; it does not belong to the State courts and only exists in the States by sufferance; and when we assume the jurisdiction, when we say affirmatively that the right of action for death may be brought in the admiralty courts that is exclusive, except as to the very language and text of any exception we put into it, and when this text of the exception says that these rules only apply in the State courts, then I say, if it ever does get into the admiralty court, it will have to be tried under admiralty rules. This language is not nearly sufficient to carry that which the gentlemen contend for.

The SPEAKER. The time of the gentleman from Iowa has expired.

Mr. MANN. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. MANN. A while ago, Mr. Speaker, the gentleman from North Carolina in charge of the bill offered an amendment. The gentleman from Pennsylvania [Mr. GRAHAM] offered an amendment to that amendment. By unanimous consent debate on that amendment was closed, and while it is true the Speaker recognized me and I took the floor, is not the parliamentary situation that the vote shall now be taken on these amendments?

The SPEAKER. The Chair thinks so.

Mr. STAFFORD. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. STAFFORD. What, then, becomes of the other committee amendment upon which we were about to vote when interrupted by the gentleman from Washington [Mr. BRYAN]?

Mr. MANN. My point is that the gentleman in charge of the bill, this being the House Calendar bill and not being considered under the five-minute rule, can offer an amendment at any time and have it voted on, and the vote on the committee amendments reported in the bill is taken later.

Mr. WEBB. Mr. Speaker, I have conferred with the members of the subcommittee who presented this amendment which I presented this morning, and it is entirely agreeable to them, and is certainly so to me, that the amendment offered by the gentleman from Pennsylvania should be accepted as an amendment to that amendment.

The SPEAKER. Without objection, then, the amendment of the gentleman from Pennsylvania to the amendment of the gentleman from North Carolina will be agreed to.

There was no objection.

The SPEAKER. The question now is on agreeing to the Webb amendment as amended.

The question was taken, and the amendment was agreed to.

Mr. MANN. Mr. Speaker, I now yield to the gentleman from Pennsylvania, who desires to offer an amendment, the remainder of my time.

Mr. GRAHAM of Pennsylvania. Mr. Speaker, I offer the following amendment, which I send to the Clerk's desk.

The Clerk read as follows:

Add as section 7 the following:

"In all cases now pending or hereafter brought to limit liability where the loss occurred upon the high seas, and only a vessel or vessels of foreign ownership are involved, and the laws of the foreign country to which such vessel or vessels belong provide for limitation of liability in an amount greater than that fixed by laws of the United States, the owner of such foreign vessel or vessels shall be permitted to limit liability only in accordance with the laws of the foreign country to which such vessel or vessels belong."

Mr. WEBB. Mr. Speaker, I hope that amendment will be adopted.

Mr. GRAHAM of Pennsylvania. Mr. Speaker, I desire to say but a few words on this amendment, because I think it speaks for itself. Under the existing law and under the law which we now propose to enact, a vessel owner may at any time file a petition in the admiralty court for the purpose of limiting liability. When that is done and the proper petition is presented, the court may limit the liability and the question arises, which law shall be applicable to the particular case that is before the court. Where it arises with respect to an American vessel, of course the policy and law of the United States would apply, and where it arises with respect to a foreign vessel or vessels, exclusively, the foreign law has been held in the last utterance of the Supreme Court of the United States on that question not to be applicable. That decision creates this anomalous condition. Take, for instance, the case of the *Titanic*. The policy and rule in the United States is that the liability shall be limited to the vessel or the salvage from the vessel which would at the most in that case amount to $50,000 or $60,000, and yet the person who sues in the courts of England under the liability fixed by the laws of England would get the right to a limited liability fixed at so many pounds per ton, £15 per ton——

Mr. BRYAN. Amounting to nearly $3,000,000.

Mr. GRAHAM of Pennsylvania. And in that case would give a limit of liability of nearly $3,000,000. Why should we in America, when we can get service upon a foreign corporation here and bring our suit in our courts, be limited to a small amount when a suitor in a foreign court is entitled to a larger amount. This amendment is simply applicable to cases of negligence in which foreign vessels alone are concerned, and therefore does not impair or disturb the policy of the United States with respect to its own vessels or the vessels that are owned or registered here. Mr. Speaker, I move the previous question upon the amendment.

Mr. WEBB. I hope the gentleman will withdraw that. I wish to yield five minutes to the gentleman from Virginia [Mr. MONTAGUE].

Mr. MANN. The gentleman's motion is limited to this particular amendment?

Mr. GRAHAM of Pennsylvania. It is only on this amendment that I move the previous question.

The SPEAKER. The gentleman moves the previous question on this particular amendment.

The previous question was ordered.

The question was taken, and the amendment was agreed to.

Mr. WEBB. Mr. Speaker, I yield five minutes to the gentleman from Virginia.

Mr. MONTAGUE. Mr. Speaker, I appreciate that there is merit in some of the suggested amendments to this bill, but I think the subjects of the particular criticisms can better be taken care of in substantive legislation in the way of amendments of existing statutes that now appertain to those particular questions. I rise, however, to make one or two suggestions. It is a very humiliating fact to American citizens who may come in contact with foreign Governments to ascertain that such Governments give this remedy which our Government does not give. In Europe—in Holland, which was at one time the maritime rival of Great Britain; in France, and in Germany—persons are entitled to recover damages for death occurring upon the high seas. Here the common-law remedy applies, by reason of which the remedy dies with the person, and therefore no remedy is afforded for the damages caused by death. It was that which brought me to my feet on the 16th day of December, when I understood or misunderstood the gentleman from Washington [Mr. BRYAN] to say that Lord Campbell's act was enforceable in the admiralty court for damages resulting in death upon the high seas. I then said:

> The proposition I submitted was that the original Lord Campbell act did not apply to death occurring by negligence on the high seas.

And further on the context of my remarks will show—

> as asserted in the admiralty court or in admiralty procedure.

Now I desire to read from Hughes on Admiralty what is known as the Hornbook series, section 3, page 99, this language:

> 3. In England there is no right of action in admiralty for injuries resulting in death.
>
> The English courts recognized no such right in the admiralty equally as at law. Lord Campbell's act did away with this doctrine of the common law and gave a right of action to the personal representative for the benefit of the wife, husband, parent, or child for the injury done to them; not for any injury to the deceased inherited by them. The act expressly excepted Scotland, for the reason, above explained, that the right already existed there.
>
> It was long a question in England whether this statute was intended to apply to the admiralty courts. After much fluctuation it was finally settled by the House of Lords in the case of the *Vera Cruz*, decided in 1884, that the language of the English act contemplated only suits in the common-law courts, as was evident from the provisions in relation to juries, and that neither that act nor the other acts giving the admiralty courts jurisdiction in case of "claims for damage done by a ship" gave the latter courts cognizance in rem over death claims. This is still the law of England.

Mr. BRYAN. I understand the gentleman is reading that in confirmation of my statement. That confirms my statement.

Mr. MONTAGUE. I am reading that, if the gentleman will pardon me, in confirmation of my statement and in contradiction of his statement. [Laughter.]

Mr. BRYAN. That is what I said—there is no admiralty jurisdiction in England.

Mr. MONTAGUE. Well, I misunderstood the gentleman, or I never would have injected myself into the debate on the 16th of December.

I wish a further word, because the question was suggested by the gentleman from Texas [Mr. SUMNERS], in reference to jurors. The bulk of the damages occurring in cases of this sort result from collisions at sea. The determination of negligence by virtue of collisions at sea rests upon rules of navigation and seamanship that have been worked out through centuries and to the average landsman and average juror are most difficult to appreciate and to apply. In England they have what are called "Trinity masters," who sometimes even advise the admiralty court on questions relating to or growing out of collisions at sea and cases of marine disasters. Moreover, in admiralty, as in courts of chancery, nearly all the evidence is taken in the form of depositions. When you seize the ship a bond is given, the ship goes away, and the witnesses go with it. Therefore, to enforce that explanation, I desire to read from a letter which I have received from Mr. Robert M. Hughes, of Norfolk, Va., the eminent author of the book from which I have just read.

Mr. SUMNERS. Would it interrupt the gentleman from Virginia if I asked him a question?

Mr. MONTAGUE. If you will give me time, I shall be glad to answer, if I can.

Mr. SUMNERS. I can understand the reason why the question of liability in the first instance should not be submitted to a jury, but I am not able to appreciate why the quantity of injury suffered by the plaintiff should not be submitted to the jury as in the ordinary suit. And I would like to direct your attention to that.

Mr. MONTAGUE. I appreciate the force of the gentleman's suggestion, and I would like to see the jury given appropriate jurisdiction in that particular matter; but I say to the gentleman that if you undertake to give it there without full consideration of its bearings upon other cognate matters, we may introduce unutterable confusion in admiralty proceedings.

I will read now from the letter of Mr. Hughes:

> It is true that juries try death cases in England, but this is for the very reason that death cases do not go into the admiralty courts.

Mr. BRYAN. They go into the law courts.

Mr. MONTAGUE. I will continue:

> In the Vera Cruz case, 10 Appeals Cases, the House of Lords held that Lord Campbell's act did not apply to the admiralty courts at all, and, consequently, all of those suits are necessarily brought in the common-law courts. I can not conceive of anything more uncertain and unsatisfactory than to turn a jury loose in passing upon the rules of navigation in a collision case. I have had that experience several times where counsel brought a common-law action, as they have a right to do, and it is like tossing pennies. Even in that case, however, we at least have the common-law procedure and a definite method of work. The great objection, after all, however, is the evanescent character of testimony. We have to take most of our evidence by deposition; and even when we save a few of the crew to produce on the trial we would have to let them go in case of a hung jury or a reversal. Try an admiralty case before a jury, then take it to an appellate court, then reverse it and send it down for a new trial, and your witnesses may have scattered all over the world by the time it gets back.

I am in sympathy with having somewhat of this done, but I am not willing to vote against a bill because I can not have everything in it I would like to have in it. What I say is that we are now giving an additional remedy where we had none heretofore. I will not vote against what is good because I can not at this time get something better.

The SPEAKER. The time of the gentleman from Virginia has expired.

Mr. WEBB. Mr. Speaker, I ask unanimous consent that the previous question on the bill and all amendments thereto may be considered as ordered.

The SPEAKER. Is there objection?

There was no objection.

The SPEAKER. The Clerk will report the next committee amendment.

The Clerk read as follows:

> Page 2, line 10, strike out "one year" and insert "two years."

The amendment was agreed to.

Also, the following committee amendment was read:

Page 2, line 15, strike out "one year" and insert "two years."

The amendment was agreed to.

Also, the following committee amendment was read:

Page 2, line 16, after the word "shall," insert the word "not."

The amendment was agreed to.

Also, the following committee amendment was read:

Page 2, line 17, strike out the word "within" and insert the word "until."

The amendment was agreed to.

Also, the following committee amendment was read:

Page 3, line 5, strike out the word "taken" and insert the word "take."

The amendment was agreed to.

The SPEAKER. The question is on the engrossment and third reading of the bill.

Mr. STAFFORD. A parliamentary inquiry, Mr. Speaker.

The SPEAKER. The gentleman will state it.

Mr. STAFFORD. Has a vote been taken on section 6 amended as proposed by the chairman of the committee?

The SPEAKER. That was taken some time ago. The question now is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read a third time.

Mr. BRYAN. Mr. Speaker, I move the bill be recommitted to the committee from which it came with instructions to report back the following, which I send to the Clerk's desk.

The SPEAKER. The Clerk will report the motion and instructions.

The Clerk read as follows:

Mr. BRYAN moves to recommit the bill to the Committee on the Judiciary, with instructions to report the same back forthwith with the following substitute.

Mr. WEBB. Mr. Speaker, I ask unanimous consent that the reading of the bill be dispensed with, because it is in the RECORD, and we have had it read before.

Mr. MANN. Mr. Speaker, we ought to have a thing read that we are going to vote on.

Mr. WEBB. It will go in the RECORD.

Mr. MANN. To read it to-morrow will not help the vote to-day.

The SPEAKER. Does the gentleman from North Carolina [Mr. WEBB] withdraw his request?

Mr. WEBB. Yes, sir.

The SPEAKER. The Clerk will read the substitute.

The Clerk read as follows:

Mr. BRYAN moves to recommit the bill on the judiciary, with instructions to report the same back forthwith with the following substitute:

"*Be it enacted, etc.*, That every person, firm, or corporation engaged in transporting of passengers or freight by water, or who shall own or operate any vessel or sailing craft on the high seas, Great Lakes, or any navigable water of the United States within the admiralty jurisdiction of the United States and out of the jurisdiction of any particular State, shall be liable in damages to any person suffering injury while such person is employed on any such vessel, or is a passenger thereon, or is on or upon any such vessel under any other conditions, or in case of death of any such employee, passenger, or person, to his on her personal representative, for the legal benefit of the surviving widow or husband or children of such person; and if none, then of such employee's parents; and if none, then of the next of kin dependent upon such employee, for such injury or death resulting in whole or in part from the negligence of any of the officers, agents, or employees of such person, firm, or corporation, or by reason of any defect or insufficiency due to its negligence in its engines, appliances, machinery, works, boats, wharves, or equipment.

"SEC. 2. That in all actions hereafter brought against any such person, firm, or corporation under or by virtue of any of the provisions of this act to recover damages for personal injuries to an employee, or where such injuries have resulted in his death, the fact that the employee may have been guilty of contributory negligence shall not be considered.

"SEC. 3. That in any action brought against any such person, firm, or corporation under or by virtue of any of the provisions of this act to recover damages for injuries to or the death of any of its employees, such employee shall in no case be held to have assumed the risks of his employment to prevent or limit recovery.

"SEC. 4. That any contract, rule, regulation, or device whatsoever, the purpose or intent of which shall be to enable any such person, firm, or corporation to exempt itself from any liability created by this act, shall to that extent be void: *Provided*, That in any action brought against any such person, firm, or corporation under or by virtue of any of the provisions of this act, such person, firm, or corporation may set off therein any sum it has contributed or paid to any insurance, relief benefit, or indemnity that may have been paid to the injured employee or person entitled thereto on account of the injury or death for which said action was brought.

"SEC. 5. That no action shall be maintained under this act unless commenced within two years from the day the cause of action accrued, or within two years from the death of the decedent, unless during that period there has not been reasonable opportunity for securing jurisdiction of the vessel, person, firm, or corporation sought to be charged: *Provided, however*, That after the expiration of a period of two years from the decedent's death the right of action hereby given shall not be deemed to have lapsed until 90 days after a reasonable opportunity to secure jurisdiction has offered.

"SEC. 6. That any receiver or receivers of any person, firm, or corporation liable under this act may be sued under the provisions of this act without first obtaining the consent of any court under whose jurisdiction such receivers may have been appointed.

"SEC. 7. That nothing in this act shall be construed to abridge the rights of suitors in the courts of any State or Territory to a remedy given by the laws of any State or Territory in case of injury or death from injury received on the high seas or elsewhere.

"SEC. 8. That the personal liability of any shipowner or person sued under this act shall not be subject to any form of limitation on account of the provisions of Congress or general admiralty law as to limiting liability of shipowners."

The SPEAKER. The question is on agreeing to the motion to recommit.

The question was taken, and the motion to recommit was rejected.

The SPEAKER. The question is, Shall the bill pass?

The question was taken, and the Speaker announced that the ayes have it.

Mr. BRYAN. Mr. Speaker, I make the point of order that there is no quorum present.

Mr. WEBB. Mr. Speaker, the point of order is made too late. The Chair has announced the result.

The SPEAKER. Well, the Chair will count. [After counting.] One hundred and two Members are present—not a quorum. The Doorkeeper will close the doors, the Sergeant at Arms will notify the absentees, and the Clerk will call the roll.

Mr. WEBB. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. WEBB. Is this a vote on the bill or on the point of no quorum? The Chair has declared the vote on the bill.

The SPEAKER. Well, the Chair did declare the vote on the bill, but he will give the gentleman another opportunity. This vote is on the bill itself. Those in favor of the passage of the bill will answer "yea" when their names are called; those opposed will answer "nay."

The question was taken; and there were—yeas 284, nays 14, not voting 129, as follows:

YEAS—284.

Abercrombie	Donohoe	Hobson	Phelan
Adair	Donovan	Houston	Platt
Adamson	Doolittle	Howard	Plumley
Aiken	Doremus	Howell	Porter
Alexander	Drukker	Hoxworth	Post
Ansberry	Dunn	Hughes, Ga.	Pou
Anthony	Dupré	Hughes, W. Va.	Price
Ashbrook	Eagan	Hulings	Prouty
Aswell	Eagle	Hull	Quin
Bailey	Edwards	Humphrey, Wash.	Rainey
Baker	Esch	Humphreys, Miss.	Raker
Barkley	Falconer	Jacoway	Rauch
Barnhart	Ferris	Johnson, Ky.	Rayburn
Bartholdt	Fess	Johnson, S. C.	Reed
Bartlett	Fields	Johnson, Utah	Reilly, Conn.
Barton	Finley	Jones	Reilly, Wis.
Bathrick	Fitzgerald	Kahn	Rogers
Beakes	Fitzhenry	Keating	Rouse
Beall, Tex.	Flood, Va.	Kettner	Rubey
Bell, Cal.	Floyd, Ark.	Key, Ohio	Rucker
Blackmon	Foster	Kinkaid, Nebr.	Russell
Booher	Francis	Kinkead, N. J.	Sabath
Borchers	Frear	Kirkpatrick	Saunders
Borland	French	Kitchin	Scott
Bowdle	Gallagher	Konop	Seldomridge
Brockson	Gallivan	Korbly	Sherley
Brodbeck	Gard	Lafferty	Sherwood
Broussard	Gardner	La Follette	Sims
Brown, W. Va.	Garner	Lee, Ga.	Sisson
Browne, Wis.	Garrett, Tex.	Lee, Pa.	Slayden
Browning	Gerry	Lenroot	Slemp
Bruckner	Gill	Lesher	Sloan
Buchanan, Tex.	Gillett	Lever	Smith, Idaho
Bulkley	Gilmore	Levy	Smith, J. M. C.
Burgess	Gittins	Lewis, Md.	Smith, Saml. W.
Burke, S. Dak.	Glass	Linthicum	Smith, Tex.
Burnett	Godwin, N. C.	Lloyd	Stafford
Butler	Good	Logue	Stanley
Byrnes, S. C.	Goodwin, Ark.	Lonergan	Stedman
Byrns, Tenn.	Gordon	McAndrews	Steenerson
Calder	Gorman	McGillicuddy	Stephens, Cal.
Candler, Miss.	Graham, Ill.	McLaughlin	Stephens, Nebr.
Cantrill	Graham, Pa.	Madden	Stephens, Tex.
Caraway	Gray	Mahan	Stevens, Minn.
Carlin	Green, Iowa	Mann	Stone
Church	Greene, Mass.	Mapes	Stout
Cline	Greene, Vt.	Miller	Stringer
Collier	Gregg	Mitchell	Sumners
Connelly, Kans.	Griffin	Montague	Sutherland
Conry	Gudger	Moon	Switzer
Copley	Hamilton, Mich.	Moore	Taggart
Cox	Hamlin	Morgan, Okla.	Talbott, Md.
Cramton	Hardy	Morrison	Talcott, N. Y.
Crisp	Harris	Moss, Ind.	Taylor, Ala.
Cullop	Harrison	Mulkey	Taylor, Ark.
Curry	Hart	Murray	Taylor, Colo.
Danforth	Haugen	Neeley, Kans.	Temple
Davis	Hawley	Norton	Ten Eyck
Decker	Hay	Oldfield	Thacher
Deitrick	Hayden	Padgett	Thomas
Dent	Heflin	Page, N. C.	Thompson, Okla.
Dershem	Helgesen	Paige, Mass.	Thomson, Ill.
Dickinson	Helm	Palmer	Towner
Dies	Henry	Park	Treadway
Difenderfer	Hensley	Parker, N. J.	Tribble
Dillon	Hill	Patton, Pa.	Tuttle
Dixon	Hinds	Peterson	Underwood

Vare	Volstead	Webb	Wingo
Vaughan	Walker	White	Woods
Vinson	Wallin	Williams	Young, N. Dak.
Vollmer	Watson	Willis	Young, Tex.

NAYS—14.

Anderson	Crosser	MacDonald	Tavenner
Bryan	Kelly, Pa.	Nolan, J. I.	Walters
Buchanan, Ill.	Lindbergh	Rupley	
Cooper	Lobeck	Smith, Minn.	

NOT VOTING—129.

Ainey	Estopinal	Kreider	Powers
Allen	Evans	Langham	Ragsdale
Austin	Fairchild	Langley	Riordan
Avis	Faison	Lazaro	Roberts, Mass.
Baltz	Farr	L'Engle	Roberts, Nev.
Barchfe'd	Fergusson	Lewis, Pa.	Rothermel
Bell, Ga.	Fordney	Lieb	Scully
Britten	Fowler	Lindquist	Sells
Brown, N. Y.	Garrett, Tenn.	Loft	Shackleford
Brumbaugh	George	McClellan	Shreve
Burke, Pa.	Goeke	McGuire, Okla.	Sinnott
Burke, Wis.	Goldfogle	McKellar	Small
Callaway	Goulden	McKenzie	Smith, Md.
Campbell	Griest	Maguire, Nebr.	Smith, N. Y.
Cantor	Guernsey	Maher	Sparkman
Carew	Hamill	Manahan	Stephens, Miss.
Carr	Hamilton, N. Y.	Martin	Stevens, N. H.
Carter	Hammond	Metz	Taylor, N. Y.
Cary	Hayes	Mondell	Townsend
Casey	Helvering	Morgan, La.	Underhill
Chandler, N. Y.	Hinebaugh	Morin	Walsh
Clancy	Holland	Moss, W. Va.	Watkins
Clark, Fla.	Igoe	Mott	Weaver
Claypool	Johnson, Wash.	Murdock	Whaley
Coady	Keister	Neely, W. Va.	Whitacre
Connolly, Iowa	Kelley, Mich.	Nelson	Wilson, Fla.
Dale	Kennedy, Conn.	O'Brien	Wilson, N. Y.
Davenport	Kennedy, Iowa	Oglesby	Winslow
Dooling	Kennedy, R. I.	O'Hair	Witherspoon
Doughton	Kent	O'Shaunessy	Woodruff
Driscoll	Kiess, Pa.	Parker, N. Y.	
Edmonds	Kindel	Patten, N. Y.	
Elder	Knowland, J. R.	Peters	

So the bill was passed.

The Clerk announced the following pairs:

Until further notice:

Mr. IGOE with Mr. MOTT.

Mr. HOLLAND with Mr. BURKE of Pennsylvania.

Mr. WILSON of Florida with Mr. ROBERTS of Nevada.

Mr. TALBOTT of Maryland with Mr. HAMILTON of New York.

Mr. PATTEN of New York with Mr. PARKER of New York.

Mr. WATKINS with Mr. AINEY.

Mr. SMITH of New York with Mr. SELLS.

Mr. CALLAWAY with Mr. AUSTIN.

Mr. CAREW with Mr. AVIS.

Mr. CARTER with Mr. BARCHFELD.

Mr. CASEY with Mr. BRITTEN.

Mr. CLARK of Florida with Mr. CAMPBELL.

Mr. COADY with Mr. CARY.

Mr. ALLEN with Mr. EDMONDS.

Mr. DALE with Mr. FAIRCHILD.

Mr. DAVENPORT with Mr. FARR.

Mr. DOOLING with Mr. POWERS.

Mr. DOUGHTON with Mr. GRIEST.

Mr. DRISCOLL with Mr. GUERNSEY.

Mr. ESTOPINAL with Mr. FORDNEY.

Mr. FAISON with Mr. HINEBAUGH.

Mr. BELL of Georgia with Mr. HAYES.

Mr. BROWN of New York with Mr. JOHNSON of Washington.

Mr. BURKE of Wisconsin with Mr. KEISTER.

Mr. GARRETT of Tennessee with Mr. KELLEY of Michigan.

Mr. GOLDFOGLE with Mr. KENNEDY of Rhode Island.

Mr. GOULDEN with Mr. KENNEDY of Iowa.

Mr. HAMILL with Mr. KIESS of Pennsylvania.

Mr. LAZARO with Mr. J. R. KNOWLAND.

Mr. LIEB with Mr. KREIDER.

Mr. MCKELLAR with Mr. LANGLEY.

Mr. MAHER with Mr. LANGHAM.

Mr. MORGAN of Louisiana with Mr. LEWIS of Pennsylvania.

Mr. NEELY of West Virginia with Mr. LINDQUIST.

Mr. O'BRIEN with Mr. MCGUIRE of Oklahoma.

Mr. OGLESBY with Mr. MCKENZIE.

Mr. O'SHAUNESSY with Mr. MONDELL.

Mr. RAGSDALE with Mr. MANAHAN.

Mr. RIORDAN with Mr. MORIN.

Mr. SCULLY with Mr. MOSS of West Virginia.

Mr. SHACKLEFORD with Mr. NELSON.

Mr. SPARKMAN with Mr. PETERS.

Mr. STEPHENS of Mississippi with Mr. ROBERTS of Massachusetts.

Mr. WHALEY with Mr. SHREVE.

Mr. SMALL with Mr. WINSLOW.

Mr. HELVERING with Mr. SINNOTT.

The result of the vote was announced as above recorded.

The SPEAKER. A quorum is present. The Doorkeeper will unlock the doors.

On motion of Mr. WEBB, a motion to reconsider the last vote was laid on the table.

RESIGNATION OF A MEMBER.

The SPEAKER laid before the House the following communication:

ST. PAUL, MINN., *January 6, 1915.*

Hon. CHAMP CLARK,
Washington, D. C.:

I have to-day resigned the office of Representative to the United States Congress from the second congressional district of Minnesota.

WINFIELD S. HAMMOND.

THE SPEAKER'S MANUAL.

The SPEAKER. The Chair wishes to make an announcement of some interest to himself, and that is that somebody has—inadvertently, no doubt—carried away from the desk two copies of the Manual, annotated in lead pencil both by the parliamentary clerk and by the Speaker. If the gentlemen who have them will bring them back, we will give them two more copies, and it will save a good deal of hard work. The Chair wishes each Member would examine the copy of the Manual in his possession.

CALL OF COMMITTEES.

The SPEAKER. The Clerk will call the committees.

The Clerk proceeded with the call of committees.

The Committee on Coinage, Weights, and Measures was called.

STANDARD BARREL FOR FRUITS, ETC.

Mr. ASHBROOK. Mr. Speaker, I call up the bill (H. R. 4899) to fix the standard barrel for fruits, vegetables, and other dry commodities.

The bill was read as follows:

Be it enacted, etc., That the standard barrel for fruits, vegetables, and other dry commodities other than cranberries shall be of the following dimensions when measured without distention of its parts: Length of stave, 28½ inches; diameter of heads, 17⅛ inches; distance between heads, 26 inches; circumference of bulge, 64 inches, outside measurement; and the thickness of staves not greater than four-tenths of an inch: *Provided*, That any barrel of a different form having a capacity of 7,056 cubic inches shall be a standard barrel. The standard barrel for cranberries shall be of the following dimensions when measured without distention of its parts: Length of staves, 28½ inches; diameter of head, 16½ inches; distance between heads, 25½ inches; circumference of bulge, 58½ inches, outside measurement; and the thickness of staves not greater than four-tenths of an inch.

SEC. 2. That it shall be unlawful to sell, offer, or expose for sale in any State, Territory, or the District of Columbia, or to ship from any State, Territory, or the District of Columbia to any other State, Territory, or the District of Columbia or to a foreign country, a barrel containing fruits or vegetable or any other dry commodity of less capacity than the standard barrels defined in the first section of this act, or subdivision thereof known as the half barrel, and any person guilty of a violation of any of the provisions of this act shall be liable to a penalty of $1 and costs for each barrel so unlawfully sold or offered for sale or shipped, as the case may be, to be recovered at the suit of the United States in any court of the United States having jurisdiction: *Provided, however*, That no barrel shall be deemed below standard within the meaning of this act when shipped to any foreign country and constructed according to the specifications or directions of the foreign purchaser if not constructed in conflict with the laws of the foreign country to which the same is intended to be shipped.

SEC. 3. That reasonable variations shall be permitted and tolerance shall be established by rules and regulations made by the Director of the Bureau of Standards and approved by the Secretary of Commerce. Prosecutions for offenses under this act may be begun upon complaint of local sealers of weights and measures or other officers of the several States and Territories appointed to enforce the laws of the said States or Territories, respectively, relating to weights and measures: *Provided, however*, That nothing in this act shall apply to barrels used in packing or shipping commodities sold exclusively by weight or numerical count.

SEC. 4. That this act shall be in force and effect from and after the 1st day of July, 1915.

With the following committee amendments:

Page 2, line 18, strike out "subdivision" and insert "subdivisions."

Page 2, line 18, after the word "the," insert "third," and after the word "half," insert "and three-quarters."

Page 2, line 20, strike out the words "liable to a penalty of $1 and costs for each barrel so unlawfully sold or offered for sale or shipped, as the case may be, to be recovered at the suit of the United States in any" and insert in lieu thereof the words "deemed guilty of a misdemeanor and be liable to a fine not to exceed $500, or imprisonment not to exceed six months, in the."

Page 3, in lines 1 to 7 inclusive, strike out the following words:

"*Provided, however*, That no barrel shall be deemed below standard within the meaning of this act when shipped to any foreign country and constructed according to the specifications or directions of the foreign purchaser if not constructed in conflict with the laws of the foreign country to which the same is intended to be shipped."

The SPEAKER. The gentleman from Ohio [Mr. ASHBROOK] is recognized for one hour.

Mr. ASHBROOK. Mr. Speaker, this bill is to provide a standard barrel for fruits, vegetables, and other dry commodities. The Committee on Coinage, Weights, and Measures have had this bill and also the bill S. 2269, which passed the Senate last January, under consideration for a long time. Extensive hearings were given to many persons who appeared before our

committee. The hearings disclosed the fact that there is practically no opposition to this bill. A bill somewhat similar, relating exclusively to apples, and known as the Sulzer bill, was passed in 1912. The Sulzer bill has created no complaint on the part of the trade. It has given satisfaction to such an extent that not only the producers but the commission merchants desire that it be extended to include all dry commodities.

Mr. MOORE. Mr. Speaker, will the gentleman yield?

Mr. ASHBROOK. I yield to the gentleman.

Mr. MOORE. Will the gentleman state whether the measurements given in this bill have the approval of the Bureau of Standards of the Department of Commerce?

Mr. ASHBROOK. They have, and the bill has the approval of the Bureau of Standards.

Mr. WINGO. Will the gentleman yield for a question?

Mr. ASHBROOK. Yes.

Mr. WINGO. Is the word "fruits" as used in this bill intended to be limited to dried fruits?

Mr. ASHBROOK. Yes; dry commodities.

Mr. WINGO. Why does not the bill specifically state that?

Mr. ASHBROOK. Perhaps I do not understand the gentleman. I understand that dried fruits are sold by weight.

Mr. WINGO. Would this apply to fresh apples and fresh peaches?

Mr. HAY. Of course.

Mr. WINGO. Fruit fresh from the tree and ready to be shipped for market?

Mr. ASHBROOK. Yes.

Mr. WINGO. Does that mean that peaches would have to be shipped in barrels?

Mr. ASHBROOK. I think the gentleman is aware that peaches are not shipped in barrels. They are shipped in baskets and crates.

Mr. WINGO. Does the word "fruits" mean preserved fruits?

Mr. ASHBROOK. I do not believe anyone would ship fruit in a standard barrel simply because this bill was the law, if it become the law, if the fruit was of a kind that could not be shipped in a standard barrel. In other words, fruits that are now shipped in crates or baskets will not be affected in anywise by this bill.

Mr. WINGO. Peaches might be shipped in a barrel. It would be possible, but not practicable. They might be hauled to a local market in a barrel.

Mr. ASHBROOK. It could be done if the shipper wished to do it.

Mr. WINGO. The point I am trying to make is that you have not placed any definition at all on "fruits." "Fruits" would include any kind of fruit in any condition, dry, fresh, or preserved.

Mr. ASHBROOK. No one is compelled to ship fruit in a barrel.

Mr. WINGO. Section 2 says:

SEC. 2. That it shall be unlawful to sell, offer, or expose for sale in any State, Territory, or the District of Columbia, or to ship from any State, Territory, or the District of Columbia to any other State, Territory, or the District of Columbia or to a foreign country, a barrel containing fruits or vegetables or any other dry commodity of less capacity than the standard barrels defined in the first section of this act.

The "dry" might be interpreted as a limitation on the word "fruits."

Mr. ASHBROOK. I think if the gentleman will refer to paragraph 3 where it says "*Provided, however*, That nothing in this act shall apply to barrels used in packing or shipping commodities sold exclusively by weight or numerical count," it will answer his question.

Mr. WINGO. What difference would that make? That would not be a limitation; they sell some commodities by weight, numerical count, or by package.

Mr. ASHBROOK. I am not certain but that the contention of the gentleman is right.

Mr. WINGO. I have not seen this bill until this morning, but it seems to me that it might include canned fruit.

Mr. ASHBROOK. The gentleman means dried fruit?

Mr. WINGO. No; I mean canned fruit.

Mr. ASHBROOK. I do not think canned fruit is sold in any other way except by the can.

Mr. WINGO. In my district they sometimes sell it by the carloads. I will say that canned peaches, as a rule, are sold in carload lots by the larger canneries.

Mr. ASHBROOK. They are in tin cans.

Mr. WINGO. Yes; and they are put in boxes or cases, as they are called. Now, unless they are sold by the dozen or weight they would have to put canned peaches in a barrel.

Mr. SUMNERS. Will the gentleman yield?

Mr. ASHBROOK. I will first yield to the gentleman from Kentucky.

Mr. THOMAS. Mr. Speaker, I would like to ask the gentleman if he thinks this is constitutional.

Mr. ASHBROOK. I am not a constitutional lawyer, but I believe that it is.

Mr. THOMAS. The second clause provides—

That it shall be unlawful to sell, offer, or expose for sale in any State, Territory, or the District of Columbia, or to ship from any State, Territory, or the District of Columbia to any other State, Territory, or the District of Columbia, or to a foreign country, a barrel containing fruits or vegetables or any other dry commodity of less capacity than the standard barrels defined in the first section of this act.

Does the gentleman think that Congress has the right to pass a law defining what kind of barrels people in the various States shall use in shipping their apples from one town to another within the State? That is what this bill does. This bill is seeking to control intrastate commerce.

Mr. TUTTLE. If the gentleman from Ohio will allow me, Solicitors of the Department of Commerce have said in a written opinion that this is constitutional, that it applies to intrastate as well as interstate commerce.

Mr. THOMAS. I do not care what he says. I have a right to my own opinion.

Mr. TUTTLE. That opinion is backed up by ex-Attorney General Bonaparte, who was Attorney General in 1907, and there are a long line of cases cited by Charles Earl, the Solicitor of the Department of Commerce, which I will put in the RECORD, all agreeing that it is constitutional and that there is no question about the right of the Government to fix the standard for intrastate as well as interstate commerce.

OFFICE OF THE SOLICITOR,
DEPARTMENT OF COMMERCE AND LABOR,
Washington, D. C., May 15, 1907.

The SECRETARY OF COMMERCE AND LABOR.

SIR: My opinion is requested, by your reference of a letter from the Bureau of Standards, as to whether, under the fifth clause, section 8, Article I, of the Constitution, Congress may enact a law which shall define the standard of weights and measures to be used throughout the several States and Territories of the United States, require all such weights and measures to bear a prescribed stamp, and make it a misdemeanor to use in trade any weights or measures departing from such standard or without such stamp.

I have the honor to answer this question in the affirmative on the following grounds:

In enumerating the powers granted to Congress, the Constitution provides (sec. 8, Art. I):

"The Congress shall have power: * * * To coin money, regulate the value thereof, and of foreign coin, and fix the standard of weights and measures."

The proceedings of the Constitutional Convention, as recorded, add nothing to the simple words of this grant, as brief as they are comprehensive and as clear as they are precise. In the earlier drafts of the Constitution no mention was made of weights and measures. The clause, precisely as it now appears, though standing alone, was first introduced in the draft reported by the committee on detail August 6, 1787, and it was adopted by the convention August 16, 1787, without debate. It was combined with the clause granting the power to coin money and regulate the value thereof in the draft reported by the committee on style and arrangement September 12, 1787 (3 Doc. Hist. Const., 449, 545, 724; 8 Fed. Stat., An., 152). In the Federalist the power in question is noticed only by Madison, who says merely, "The regulation of weights and measures is transferred from the Articles of Confederation and is founded on like considerations with the preceding power of regulating coin" (Federalist No. 42). Referring to the Articles of Confederation, it is found that the power was there granted in the following terms (Art. IX):

"The United States, in Congress assembled, shall also have the sole and exclusive right and power of * * * fixing the standard of weights and measures throughout the United States."

The power to fix the standard of weights and measures having been granted to Congress without limitation, and the clause containing the grant having been "transferred" from the Articles of Confederation, where it was exclusive in terms, the view has been taken that it remains now as formerly a power exclusively vested in Congress, and it has been regarded as "doubtful whether the enactments of any State on the subject are of any validity whatever, even though Congress have wholly neglected to attend to this regulation." (The Miantonomi, 17 Fed. Cas., 9521.) This view, however, is not accepted either by the State courts or by general writers on the Constitution. (See Weaver *v.* Fegely, 29 Pa. St., 30; Caldwell *v.* Dawson, 4 Met. Ky., 123; Harris *v.* Rutledge, 19 Iowa, 390; Higgins *v.* Petroleum Co., 109 Cal., 310; and see remarks of Justice Woodbury in the Passenger cases, 7 How., 282, 562; but see Thompson *v.* District of Columbia, 21 Ap. Cas. D. C., 395, 402, where the court intimated that this grant to Congress "effectually prevented the several States from fixing standards that might vary and hence prove a hindrance to trade and interchange of commodities.") The view more widely held is that the power in regard to weights and measures is exclusive in Congress only when it is exercised, and that, pending such exercise, the several States may fix their own standards, or at least enforce existing standards. This is the position taken not only in the cases last cited, but by such commentators as Story, Pomeroy, Burgess, and Cooley, as shown by the following extracts:

"The other power 'to fix the standard of weights and measures' was doubtless given from like motives of public policy for the sake of uniformity and the convenience of commerce. Hitherto, however, it has remained a dormant power, from the many difficulties attendant upon the subject, although it has repeatedly been brought to the attention of Congress in most elaborate reports. Until Congress shall fix a standard, the understanding seems to be that the States possess the power to fix their own weights and measures, or, at least, the existing standards at the adoption of the Constitution remain in full force." (2 Story, Const., sec. 1122.)

"The power to fix the standard of weights and measures was left in the hands of the States, as well as of the General Government. As long as this power remains dormant in the National Legislature the local

Commonwealths may fully exercise it. Although the standard of weights and measures is connected with the general subject of the trade, business, and commerce of the country, and although uniformity in this standard throughout the Union is demanded by considerations of expediency, yet it is evident that such a uniformity is by no means as essential as a common standard of coined money. Without the latter business would be interrupted and, in great measure, destroyed; without the former some inconveniences have been and are felt. * * * Should the National Legislature, however, change its policy and fix a standard for the whole country, all inconsistent State legislation would be a nullity." (Pomeroy, Const., sec. 410.)

"This can not be claimed as an exclusive power of the Legislature of the General Government as against the Commonwealths. Congress may occupy the ground whenever it sees fit, and the acts of Congress will displace the acts of the Commonwealths upon this subject; but until Congress acts, the Commonwealths may regulate the system of weights and measures." (2 Burgess, Pol. Sci. and Const. L., 141.)

"When this power is exercised, it is exclusive, or there would be no 'standard.'" (Cooley, Prin. Const. L., 85.)

Where, however, as in this case, a power is vested in Congress which is neither made exclusive by the terms of the grant nor expressly prohibited to the States, the true test of determining whether or not it is exclusive was long ago laid down by Chief Justice Marshall in Sturgis v. Crowninshield (4 Wheat., 122, 196, 191), in considering the power to establish uniform laws on the subject of bankruptcies throughout the United States. "The power granted to Congress," it was observed, "may be exercised or declined, as the wisdom of that body shall decide. If, in the opinion of Congress, uniform laws concerning bankruptcies ought not to be established, it does not follow that partial laws may not exist, or that State legislation on the subject must cease. It is not the mere existence of the power, but its exercise, which is incompatible with the exercise of the same power by the States. It is not the right to establish these uniform laws, but their actual establishment, which is inconsistent with the partial acts of the States. * * * The principle laid down by counsel for the plaintiff, in this respect, is undoubtedly correct. Whenever the terms in which a power is granted to Congress, or the nature of the power, requires that it should be exercised exclusively by Congress, the subject is as completely taken from the State legislatures as if they had been expressly forbidden to act on it." As already pointed out, the power to fix the standard of weights and measures, by the weight of opinion, is not in its "nature" one which "requires" that it should be exercised exclusively by Congress.

But it is not necessary that the power should be exclusive in order that Congress may deal with the subject in the manner suggested by the present inquiry. All the authorities are agreed that the power of Congress with regard to the standard weights and measures is plenary and complete, that it is only while it lies dormant that the States may act, and that once it is exercised State laws are displaced and, so far as inconsistent, nullified. It is clear, therefore, that Congress has ample power to enact a law which shall fix the standard of weights and measures to be used throughout the several States and Territories of the United States and require all such weights and measures to bear a prescribed stamp.

And it is no less clear that Congress may make it a misdemeanor to use in trade any weights or measures departing from the standard fixed or without the stamp prescribed. "Whenever Congress may adopt any particular measure, may require anything to be done or anything to be forborne, in carrying out the specific grants of the Constitution, it may declare acts of disobedience, or acts which tend to interrupt the accomplishment of the proposed design, to be crimes and may fix such punishment as it deems proper." This principle is not only sustained by the uninterrupted practice of Congress in the passage of enumerable statutes providing for the definition and punishment of crimes, but it has received the explicit sanction of the Supreme Court. In United States v. Marigold (9 How., 559, 566) the question was as to the validity of a statute which made it a crime to utter or circulate spurious or counterfeited coin. The decision sustained the validity of the law, although there was no express constitutional authority to enact it on the ground that such a law was one of the necessary and proper means for carrying out the power "to coin money, regulate the value thereof, and of foreign coin."

"The power to coin money being thus given to Congress, founded on public necessity, it must carry with it the correlative power of protecting the creature and object of that power. * * * We admit that the clause of the Constitution authorizing Congress to provide for the punishment of counterfeiting the securities and current coin of the United States does not embrace within its language the offense of uttering or circulating spurious or counterfeited coin (the term 'counterfeit,' both by its etymology and common intendment, signifying the fabrication of a false image or representation); nor do we think it necessary or regular to seek the foundation of the offense of circulating spurious coin, or for the origin of the right to punish that offense, either in the section of the statute before quoted or in this clause of the Constitution. We trace both the offense and the authority to punish it to the power given by the Constitution to coin money, and to the correspondent and necessary power and obligation to protect and to preserve in its purity this constitutional currency for the benefit of the Nation. Whilst we hold it a sound maxim that no powers should be conceded to the Federal Government which can not be regularly and legitimately found in the charter of its creation, we acknowledge equally the obligation to withhold from it no power or attribute which, by the same charter, has been declared necessary to the execution of expressly granted powers, and to the fulfillment of clear and well-defined duties." (9 How., 559, 566, 567, 568.)

In the Legal Tender cases (12 Wall., 457, 535) it was said:

"Congress is expressly authorized 'to provide for the punishment of counterfeiting the securities and current coin of the United States, and to define and punish piracies and felonies committed on the high seas and offenses against the laws of nations.' It is also empowered to declare the punishment of treason, and provision is made for impeachments. This is the extent of power to punish crime expressly conferred. It might be argued that the expression of these limited powers implies an exclusion of all other subjects of criminal legislation. * * * Yet Congress, by the act of April 30, 1790, entitled 'An act more effectually to provide for the punishment of certain crimes against the United States,' and the supplementary act of March 3, 1825, defined and provided for the punishment of a large class of crimes other than those mentioned in the Constitution, and some of the punishments prescribed are manifestly not in aid of any single substantive power. No one doubts that this was rightfully done, and the power thus exercised has been affirmed by this court in United States v. Marigold."

Respectfully submitted.

CHARLES EARL, *Solicitor.*

DEPARTMENT OF JUSTICE,
OFFICE OF THE ATTORNEY GENERAL,
Washington, D. C., February 13, 1908.

The SECRETARY OF COMMERCE AND LABOR.

SIR: In reply to your letter of February 11, 1908, in which you request my opinion upon the question as to whether under the fifth clause, section 8, Article I of the Constitution, Congress may enact a law which shall define the standard of weights and measures to be used throughout the several States and Territories of the United States, require all such weights and measures to bear a prescribed stamp, and make it a misdemeanor to use in trade any weights or measures departing from such standard or without such stamp, I have the honor to advise you that the question appears to be one of great importance, but not of much difficulty.

The fifth clause of Article I of section 8 of the Constitution, to which you refer, authorizes the Congress to "fix the standard of weights and measures." In the opinion of the solicitor of your department, of which you inclose a copy, the question is discussed as to whether this is to be considered an exclusive power, rendering any exactment which establishes a standard of weights or measures by any State legislature unconstitutional, or is one which will supersede such State laws when exercised, but leaves the subject matter open to legislation by the several States so long as the Congress shall deem it unnecessary or inexpedient to exercise the power conferred.

I express no opinion on this subject, because I do not see that it is embraced within the terms of your question or that it constitutes a question of law arising in the administration of your department. The above-mentioned clause of the Constitution empowers the Congress to fix the standard of weights and measures. This language implies necessarily that there shall be the one standard and only one, and the same conclusion is reached if we consider the meaning of the term "standard." This is defined by Webster's International Dictionary as follows:

"That which is established by authority as a rule for the measure of quantity, extent, value, or quality; especially the original specimen weight or measure sanctioned by government, as the standard pound, gallon, or yard."

In the nature of things, therefore, the standard fixed by the Congress will be the only legal standard as soon as the power to fix it shall have been exercised, and since this power has no territorial limitations, such as those conferred by the seventeenth clause of the same section, it must be understood as coextensive with the territory subject to the legislative power of the United States.

The Congress, having the authority to establish an exclusive legal unit for weights and measures, it can, under clause 18 of the same section, "make all laws which shall be necessary and proper for carrying into execution the foregoing power," and if it shall make a provision that weights and measures shall bear a prescribed stamp and that the use of unstamped or incorrect weights or measures shall constitute a misdemeanor, it has clearly, in my opinion, constitutional authority to make laws to such effect. I have the honor, therefore, to advise you that the question asked in your letter on February 11, 1908, should be answered in the affirmative.

I approve of the publication of the opinion of the Solicitor of the Department of Commerce and Labor, and remain, sir,

Yours, very respectfully and truly,

CHARLES J. BONAPARTE,
Attorney General.

Mr. THOMAS. It makes no difference how many courts have said to the contrary, the bill on its face is plainly unconstitutional in that it seeks to control commerce purely within the State.

Mr. ASHBROOK. The gentleman from Kentucky, of course, is entitled to his opinion. The gentleman from New Jersey has stated that, in the opinion of high authority, it is constitutional.

Mr. HAY. Will the gentleman state who gave the opinion referred to by the gentleman from New Jersey?

Mr. TUTTLE. The first opinion was given by Solicitor Earle, of the Department of Commerce, in 1907. That was written, after a careful and exhaustive investigation, in reply to an inquiry as to whether laws of this character applying to intrastate commerce were constitutional. That opinion was confirmed at that time by ex-Attorney General Bonaparte. When this bill was under consideration it was submitted to the Solicitor of the Department of Commerce, and, in his opinion, there was no question about the validity or constitutionality of this act, and we have his written opinion, which I will be glad to insert in the RECORD:

IN RE SENATE BILL NO. 2269, TO FIX THE STANDARD BARREL FOR FRUITS, VEGETABLES, AND OTHER DRY COMMODITIES.

The above bill has passed the Senate and is now being considered by the House Committee on Coinage, Weights, and Measures. In the deliberations of this committee objections have been raised to certain provisions of the bill. At the suggestion of the Bureau of Standards, the opinion of this office has been requested as to whether these objections have been well taken, and, if so, what amendments should be offered to remedy the defects.

The objections referred to are stated by the bureau, as follows:

"First. It was contended that the exception made for barrels 'constructed according to the specifications or directions of the foreign purchaser' might be found an excuse for the possession of barrels which were not standard.

"Second. The provision that prosecution for offenses may be begun upon complaint of local sealers of weights and measures or from officers of the States is said to prevent action being started by anyone else.

"Third. Objection was made to the word 'prosecution,' because the actions were all civil and 'prosecution' applies to criminal cases.

"Fourth. There still remains a feeling that there should be no exception made for cranberries.

"Fifth. The general contention that this legislation is a function of the States rather than of the Federal Government."

1. Relative to the first objection, it may be stated that the bill does not prohibit the having in possession of barrels which are not standard. It merely makes it "unlawful to sell, offer, or expose for sale * * * or to ship * * * a barrel containing fruits or vegetables or any other dry commodity of less capacity than the standard barrels," etc.

(Sec. 2.) Not only could a person lawfully have in possession empty barrels which were not standard, but he could also lawfully have in possession barrels, not standard, containing the articles enumerated. Until he sold, offered, or exposed for sale, or shipped barrels, not standard, containing such commodities, he would not be subject to the provisions of the proposed act. Even if the bill were amended so as to prohibit the having in possession of barrels which were not standard, the proviso "that no barrel shall be deemed below standard when shipped to a foreign country and constructed according to the specifications or directions of the foreign purchaser," etc., would probably be construed as excepting such barrels from the preceding prohibitive provisions, for, it being lawful to ship such barrels to foreign countries, it could hardly be regarded as unlawful to have them in possession for that purpose. Were it otherwise, the proviso would be rendered nugatory.

I am, therefore, of opinion that, as the bill stands, the proviso to section 2, by impliedly permitting the possession of barrels which are not standard, does not afford an opportunity for violating any other provision of the bill, for the bill nowhere prohibits the mere possession of such barrels; and, furthermore, that even if the bill were amended so as to prohibit the possession of such barrels, so long as the proviso remains as it is, it would be lawful to possess barrel which are not standard, if intended for shipment abroad in accordance with the terms of the proviso.

2. By section 771, Revised Statutes, Congress has provided that:

"It shall be the duty of every district attorney to prosecute in his district all delinquents for crimes and offenses cognizable under the authority of the United States, and all civil actions in which the United States are concerned * * *."

The authority conferred upon the local sealers of weights and measures or other officers of the States to institute proceedings under the proposed act is, in the absence of explicit language to the contrary, plainly to be regarded as supplemental to, rather than exclusive of, the authority vested in the various United States district attorneys by the above statute.

3. The objection here is to the use of the word "prosecutions," in the clause of section 3, which reads: "Prosecutions for offenses under this act may be begun upon complaint of local sealers of weights and measures," etc. It is urged that the word "prosecutions" applies only to criminal cases, and the suits to be brought under the proposed act are to be civil in their nature. I do not think this objection is well taken. As the bill declares the act against which it is directed to be "unlawful," and that "any person guilty of a violation of any of the provisions of this act shall be liable to a penalty * * * to be recovered at the suit of the United States," etc., the United States could, at its option, recover the penalty in a criminal action against such offender, or bring a civil suit of debt against him for the amount of the penalty. (Hepner *v.* United States, 213 U. S., 103; United States *v.* Stevenson, 215 U. S., 190.) But a civil suit in the name of and for the benefit of the United States can be instituted only by the proper district attorney, under the supervision and control of the Attorney General. As stated in United States *v.* San Jacinto Tin Co. (125 U. S., 273, 279):

"There must, then, be an officer or officers of the Government to determine when the United States shall sue, to decide for what it shall sue, and to be responsible that such suits shall be brought in appropriate cases. The attorneys of the United States in every judicial district are officers of this character, and they are by statute under the immediate supervision and control of the Attorney General."

In criminal cases, however, the proceedings preliminary to prosecution may be instituted by a "complaint" made by a private individual. The word "complaint" is of technical import. In some jurisdictions it is the name given to the first pleading in a civil suit, ordinarily termed a "declaration." It is certainly not used in this sense in the above bill, for the Government and not the local State officers will be the party to file the first pleading in any civil suit brought thereunder. In criminal actions a "complaint" is a sworn statement, usually in writing, made before a judge, magistrate, or other committing officer, charging the accused with the commission of an offense, which may be followed by the issuance of a warrant of arrest, and the preliminary examination and binding over of the accused. (12 Cyc., 290.) In Hale *v.* Henkel (201 U. S., 43, 49) the functions of a "complaint" are thus described: "An accused person is usually charged with crime by a complaint made before a committing magistrate, which has fully performed its office when the party is committed or held to bail."

There would appear to be no objection, therefore, to the use of the word "prosecutions" where it appears in the bill, for it is only in criminal proceedings that a "complaint" may be made by anyone. But the statement in the bill, that "prosecutions * * * may be begun upon complaint," would seem to involve an inaccuracy, for it has been held that a "complaint" does not begin the prosecution which may follow it. Thus in Virginia *v.* Paul (148 U. S., 107, 119) the court says:

"Proceedings before a magistrate to commit a person to jail, or to hold him to bail in order to secure his appearance to answer for a crime or offense, which the magistrate has no jurisdiction himself to try, before the court in which he may be prosecuted and tried, are but preliminary to the prosecution, and are no more a commencement of the prosecution than is the arrest by an officer without a warrant for a felony committed in his presence."

The provision in question should, therefore, be amended. If the purpose is to authorize local State officers to initiate criminal proceedings against offenders, I would suggest that the provision be amended to read:

"For any violation of the provisions of this act the offender may, upon complaint of local sealers of weights and measures or other officers, etc., be arrested and imprisoned or bailed, as the case may be, for trial before any court of the United States having jurisdiction."

If, however, the purpose is to require that proceedings for the recovery of the penalty, either civil or criminal, shall be instituted whenever the aforesaid State officers have information that the act has been violated, the following should be substituted:

"It shall be the duty of each district attorney to whom any local sealer of weights and measures or other officer of a State or Territory appointed to enforce the laws of the said State or Territory, respectively, relating to weights and measures, shall present satisfactory evidence of any violation of this act, to cause appropriate proceedings to be commenced and prosecuted in the proper courts of the United States for the enforcement of the penalty herein provided."

4. This objection does not involve any question of law. It is purely a matter of legislative policy to be determined by Congress.

5. The Constitution provides (Art. I, sec. 8, cl. 5) that "the Congress shall have power * * * to coin money, regulate the value thereof, and of foreign coin, and to fix the standard of weights and measures." Relative to this clause the Attorney General, in an opinion rendered to the Secretary of Commerce and Labor, dated February 13, 1908, said:

"The above-mentioned clause of the Constitution empowers the Congress to fix the standard of weights and measures. This language implies necessarily that there shall be the one standard and only one, and the same conclusion is reached if we consider the meaning of the term 'standard.' This is defined in Webster's International Dictionary as follows:

"'That which is established by authority as a rule for the measure of quantity, extent, value, or quality; esp., the original weight or measure sanctioned by the Government, as the standard pound, gallon, or yard.'

"In the nature of things, therefore, the standard fixed by the Congress will be the only legal standard as soon as the power to fix it shall have been exercised, and, since this power has no territorial limitations such as those conferred by the seventeenth clause of the same section, it must be understood as coextensive with the territory subject to the legislative power of the United States."

And in Ex parte Siebold (100 U. S., 371) Mr. Justice Bradley, in discussing the question whether an act might be an offense against both the Federal and State laws and punishable under both, said (p. 391):

"So if Congress, as it might, should pass a law fixing the standard of weights and measures and imposing a penalty for sealing false weights and measures, but leaving to the States the matter of inspecting and sealing those used by the people, would not an offender filling the office of sealer under a State law be amenable to the United States as well as to the State?"

In view of these authorities, there would seem to be no question that Congress may, as soon as it sees fit to do so, exercise exclusive jurisdiction over the subject of weights and measures throughout the United States.

Respectfully submitted.

ALBERT LEE THURMAN,
Solicitor.

The SECRETARY OF COMMERCE.

Referred to the Bureau of Standards.

———, *Assistant Secretary.*

Mr. ASHBROOK. Now I will yield to the gentleman from Texas.

Mr. SUMNERS. Mr. Speaker, when I first examined the bill it occurred to me that the committee had undertaken to standardize the containers in which the shipments are made, but on a more careful examination of the bill it disclosed that it has merely undertaken to standardize the barrel. If the chairman of the committee will permit me to make an observation, I will say that there is very great demand in the trade and the country generally for the standardization of the containers in which fruit is shipped. If a man does not want to ship his peaches in a barrel—and we do not ship them that way in Texas—he does not come within the provisions of this bill. The bill merely says, as I understand, that if you ship your fruit in a barrel it must be in a standard barrel which is defined in this bill, and for that reason it seems to me that the bill ought to pass, because you not only standardize the cubic contents, but you standardize the quality, and the lack of standardization is one of the greatest difficulties that the honest producer has in protecting himself against the dishonest man who puts his in containers that do not contain the full amount, and thereby short-weights the people.

Mr. THOMAS. Mr. Speaker, I want to ask the gentleman from Ohio this question. In the report he says the bill would standardize the barrel for interstate and foreign commerce, and for intrastate traffic as well. Here you have Congress absolutely attempting in this bill to regulate intrastate traffic, and that is to take away the rights of the fruit growers in a State to ship their products in the kind of barrels they desire within the State. And yet the other day in this House I heard a great deal of discussion about the rights of the States. Now you come and want to take away the right of the States even in the shipment of their fruits. I do not care if all the ex-Attorneys General in the United States and all the lawyers in the United States and all the courts in the United States declare that this bill is constitutional, it is plainly unconstitutional.

Mr. ASHBROOK. The gentleman would not take the decision of the courts?

Mr. THOMAS. Oh, as to the binding decision of the courts of this country, they cross their own tracks as often as that of a fox pursued by a pack of hounds. This bill is plainly unconstitutional.

Mr. TOWNER. Mr. Speaker, will the gentleman yield?

Mr. ASHBROOK. I yield to the gentleman from Iowa.

Mr. TOWNER. Mr. Speaker, it is only necessary, to answer the objection of the gentleman from Kentucky [Mr. THOMAS], to read the Constitution, which, evidently, he never has done. Among the powers expressly granted to Congress is that to fix the standard of weights and measures. It is not one of the reserved powers of the States and never has been. It is expressly given to Congress to fix the standard of weights and measures for the whole United States, and because it has not before been done is only because Congress has not chosen to exercise the power given directly to it by the Constitution of the United States. Whenever Congress does so choose to exercise that power every State law in existence will go out of effective operation if it conflicts with the provisions of the act of Congress

made in pursuance of the power given to it by the Constitution of the United States.

Mr. THOMAS. Mr. Speaker——

The SPEAKER. The gentleman from Ohio [Mr. ASHBROOK] has the floor.

Mr. ASHBROOK. Mr. Speaker, I yield now to the gentleman from Missouri [Mr. RUSSELL].

Mr. RUSSELL. Mr. Speaker, I would like to ask whether this bill, if passed, will in any way affect the shipment of apples or any character of fruit that the producer may desire to ship in any other way—in a box or in any other kind of a receptacle?

Mr. ASHBROOK. If he cares to ship it in a tub, he may do so; but if he ships it in a barrel and says it is a barrel, then it must contain the cubic contents provided for in this bill.

Mr. RUSSELL. If a farmer wanted to ship apples in a box, this would in no way affect him?

Mr. ASHBROOK. In no way at all, if he ships it as a box.

Mr. RUSSELL. But when he ships in a barrel, the purpose of this is to standardize the barrel?

Mr. ASHBROOK. If he sells a barrel of apples, it must contain 7,056 cubic inches, if he represents it to be a barrel of apples.

Mr. RUSSELL. I notice in the report that it is stated that this bill has been advocated by various associations engaged in the fruit and produce business. Does the gentleman know whether those associations represent the men that handle the fruit, the commission merchants, or do they represent the producers, and do they, the producers, favor the passage of this bill?

Mr. ASHBROOK. We have had before the committee representatives not only of commission merchants but of the producers and, so far as my knowledge goes, there is no opposition on the part of the producer or the trade from any section of the country.

Mr. RUSSELL. It seems to be generally desired, then, you think, by all concerned to standardize the barrel?

Mr. ASHBROOK. It does.

Mr. HAY. Mr. Speaker, will the gentleman yield?

Mr. ASHBROOK. I yield.

Mr. HAY. I just want to call attention to the argument made by the gentleman from Iowa [Mr. TOWNER] as to the constitutionality of this law. Of course, there is no question about the fact that Congress has the right to fix a standard, but the point made by the gentleman from Kentucky [Mr. THOMAS] was, as I understood him, that Congress did not have the right to interfere with the commerce within a State. The second section of this bill has nothing to do with fixing the standard of the barrel, but it says that it shall be unlawful to sell, offer, or expose for sale, in any State, Territory, or the District of Columbia, a barrel containing fruits or vegetables or any other dry commodity of less capacity than the standard barrel defined in the first section of this bill.

Mr. ASHBROOK. If it is sold as a barrel or as a part of a barrel.

Mr. HAY. Wait one moment. Under that law if a man had a barrel that did not hold as much as a standard barrel and exposed for sale any fruit in that smaller barrel in a State, even upon his own farm, he would be liable under this law to be prosecuted and put in jail.

Mr. GARRETT of Texas. Or if it was a larger barrel.

Mr. ASHBROOK. Oh, no.

Mr. HAY. If it is a smaller barrel. That has nothing to do with the standardization of the barrel. That has to do with exposing for sale within a State of the fruit or any other product provided for to be sold in a standard barrel. If you undertake to ship it from one State to another, that is another proposition, and Congress, of course, has the right to control the shipments of any product in interstate commerce, but not within a State itself. It does seem to me that the committee ought to amend this bill so as to avoid the constitutional objection, which has been raised, and I think properly so, by the gentleman from Kentucky.

Mr. COOPER. Mr. Speaker, will the gentleman permit an interruption?

Mr. ASHBROOK. Yes.

Mr. COOPER. Mr. Speaker, I wish to call the attention of the gentleman from Virginia [Mr. HAY] to the fact that the clause of the Constitution which empowers Congress to fix the standard of weights and measures also empowers Congress to coin money. In other words, both provisions are in one clause, and that clause gives to Congress the power—

To coin money, regulate the value thereof and of foreign coins, and fix the standard of weights and measures.

Now, as to money, there is no question but that Congress has the absolute power to say what money can be and what can not be used as legal tender in a State.

Mr. HAY. That is true.

Mr. COOPER. Nor can there be any question that under the provision of the Constitution that I read Congress has the power—power unrestricted and without qualification—to coin money and to fix the standard of weights and measures.

Mr. HAY. I do not deny that.

Mr. COOPER. The gentleman admits that this power to fix the standard of weights and measures is without restriction or qualification. But the mere fixing of a standard—the mere calling a thing a standard measure—is of absolutely no avail unless there be attached a penalty for the use of any other than the standard measure for the purpose for which it is established, just as it would be of no avail for Congress to coin a standard gold dollar, if the States at the same time were at liberty to coin other kinds of standard dollars and make them legal tender in the payment of debts.

Mr. HAY. Oh, yes; the Constitution especially prohibits the coinage of money by the States.

Mr. COOPER. There used to be State-bank bills everywhere, and we taxed them out of existence.

Mr. HAY. That was not coined money.

Mr. COOPER. No; but it was paper money.

Mr. MANN. We only stopped it by a tax upon it.

Mr. COOPER. I understand that.

Mr. MANN. We never attempted to prohibit it.

Mr. COOPER. The power to tax is the power to destroy. But the point which the gentleman from Virginia [Mr. HAY] makes against this clause of the bill is that it would prohibit the sale of apples from or the exposure of apples for sale in a barrel of any except the certain standard size specified in the bill.

Mr. HAY. In a State.

Mr. COOPER. But in my judgment the gentleman is clearly wrong in his reading of the bill. It does not prohibit the sale, nor the offering for sale, of apples from a barrel. It prohibits the sale, or the offering or exposing for sale, of a barrel containing fruits, and so forth, unless it be a standard barrel. The language is:

That it shall be unlawful to sell, offer, or expose for sale in any State, Territory, or the District of Columbia, or to ship from any State, Territory, or the District of Columbia to any other State, Territory, or the District of Columbia or to a foreign country a barrel—

Containing so-and-so. Not that it shall be unlawful to expose apples in a barrel for sale, but unlawful to offer to sell a barrel containing apples unless the barrel is of lawful standard size. That is the point. It is exposing for sale a barrel containing apples. It proposes to regulate the selling of the barrel and its contents. That is what it means. It does not relate to the exposure for sale of apples from or in a barrel or in or from a paper bag; not at all, but to the sale or to the exposure for sale of the barrel itself and its contents.

Mr. HAY. Containing fruits or vegetables.

Mr. COOPER. Well, a barrel. You shall not expose that barrel with its contents for sale as a barrel, except it be of standard size.

Mr. HAY. That is the very thing I say; this bill will prohibit it.

Mr. COOPER. It ought to prohibit it. This bill is, in my judgment, clearly constitutional and ought to be enacted into law; for not only do we need what we have long enjoyed, a uniform system of money for all the States, but we need also what this bill seeks to provide, a national uniform system of standard weights and measures which knows nothing of State lines.

Mr. ALEXANDER. Will the gentleman yield for a question?

The SPEAKER pro tempore. The gentleman from Ohio has the floor.

Mr. ASHBROOK. I yield to the gentleman from Missouri.

Mr. ALEXANDER. I want to call attention to the fact that the confusion seems to be that the section is ambiguous; that if you should expose apples in a barrel not of a standard size, not to be sold by the barrel, you might incur this penalty. What is the objection to amending section 2 so as to read:

That it shall be unlawful to sell by the barrel, or offer or expose for sale by the barrel, in any State, Territory, or the District of Columbia, or to ship from any State, Territory, or the District of Columbia to any other State, Territory, or the District of Columbia, or to a foreign country, a barrel containing fruits or vegetables, etc.

Mr. COOPER. In reply to the gentleman from Missouri I have to say that I never saw this bill until it came up for consideration a few minutes ago. I think, however, that it is drawn as it ought to be drawn.

Beyond all doubt the business of the country needs a uniform national system of standard weights and measures. Then why not have a standard barrel? It could not work a hardship upon any person, but, on the contrary, would be of much benefit to producers and consumers everywhere.

The language of the clause under discussion is, I think, entirely correct.

Mr. TUTTLE. Mr. Speaker, I am not a constitutional lawyer, and I would like to read from some constitutional authorities. I cite Solicitor Earl in 1907——

Mr. COOPER. Will the gentleman yield for a brief interruption right there? To show that my contention was correct. I call attention to the proviso which my friend from Oregon [Mr. SINNOTT] has brought to my notice—the proviso, page 3, line 16, as follows:

Provided, That nothing in this act shall apply to barrels used in packing or shipping commodities sold exclusively by weight or numerical count.

Mr. TUTTLE. That covers the ground.

Mr. COOPER. It covers it exactly.

Mr. SAUNDERS. Will the gentleman yield to me for a question?

Mr. TUTTLE. Yes.

Mr. SAUNDERS. Conceding the constitutional authority that has been referred to, which I do not question, what authority does the gentleman find for undertaking to say what shall be the thickness of the stave?

Mr. TUTTLE. That has been established by custom and by usage. As the gentleman knows the standard measurements are the development of custom.

Mr. SAUNDERS. The standard of measure refers to contents. What constitutional authority does the gentleman find for undertaking to say that a stave shall not be more than four-tenths of an inch? I question the right to fix that.

Mr. TUTTLE. Well, that is not important, the circumference——

Mr. SISSON. Will the gentleman yield?

Mr. TUTTLE. I will.

Mr. SISSON. In my State we are not so much interested in the apple proposition as in the thickness-of-the-stave proposition. Now, you will find one character of timber, white gum, out of which you can make very thin staves; but red gum, which is more easily split and one of the most plentiful timbers in the South, you require a very much thicker stave to make a barrel. Now, it is immaterial to the stave people and timber people about the cubical contents of the barrel, nor would there be much objection, perhaps, to the size and thickness of the head, but when you endeavor to prescribe the thickness of the stave you may eliminate from the barrel industry certain timber that is now being used and cause barrels to greatly advance in price.

Mr. TUTTLE. I will say to the gentleman from Mississippi that this bill provides for that contingency.

Mr. SISSON. Where?

Mr. TUTTLE. In the next provision:

That any barrel of a different form having a capacity of 7,056 cubic inches shall be a standard barrel.

In case that thinner staves are used, it must have the cubic capacity.

Mr. SISSON. Would the gentleman have any objection to eliminating from his bill the clause in reference to the thickness of the staves? It strikes me that is utterly immaterial as to the good your bill will accomplish, and that is the most serious objection in my mind, because a man getting apples wants to know this and this only—that his barrel will keep the fruit intact and that he is receiving the cubical capacity. It is a matter of great concern to the man who is manufacturing staves.

Mr. TUTTLE. I want to say to the gentleman that these measurements have to be taken on the outside circumference of the barrel. If a man used staves an inch thick he would be beating his customers that much.

Mr. SISSON. You will find that the stave or the barrel maker will never do it, because they will make the barrel as thick as they can in order to get them on the market.

Mr. ASHBROOK. If the gentleman will permit, it says:

And the thickness of staves not greater than four-tenths of an inch.

Mr. SISSON. From some of the timber out of which they make barrels it would be difficult to make staves that would be perfectly good, unless you made them thicker than two-fifths. Now, if you leave the cubical contents of the barrel in your bill—the inside measurement of your barrel—intact, there could be no objection whatever on the part of thousands of people who are engaged in manufacturing staves. The classes of people who must be consulted here are the public which buys the fruit, the dealer, and the people who furnish the barrels.

Mr. TUTTLE. I will say to the gentleman that representatives of all the cooperage industries from all over the United States have appeared before our committee. The language of this bill meets their approval entirely, and there has been no objection so far as I know. This bill has been under consideration, and this language has been known for the last four years, and no one ever appeared in opposition.

Mr. SISSON. I have my doubts whether all the cooperage people have or not.

Mr. TUTTLE. Well, through their organization.

Mr. SISSON. I have great doubt about it.

Mr. STAFFORD. Will the gentleman yield?

Mr. TUTTLE. I will.

Mr. STAFFORD. I assume then that the physical content of the standard barrel is the same as is stated here in the bill for those barrels that are not of the same thickness as prescribed in the bill?

Mr. TUTTLE. They must have those contents.

Mr. STAFFORD. That the cubic content of the standard barrel is the same as stated on page 2 for those barrels that are not of the same dimension, of the thickness of the standard barrel.

Mr. TUTTLE. Of the standard barrels; that is true.

Mr. SUMNERS. Would the committee have any objection, in order that we who favor the general plan may all support this bill, to describing the barrel by its cubic capacity and leave out this detail with reference to how the barrel shall be constructed? After all, it is the contents of the barrel that the committee is concerned about and which the country is concerned about.

Mr. TUTTLE. I think the chief objection to it would be the difficulty of administration. It appears it is a very, very difficult matter to ascertain the cubical contents of a barrel or cylinder, and if you should make that provision, it would be difficult of administration and slight changes would cause a good deal of fraud.

Mr. SLAYDEN. I would like to ask the gentleman from Ohio [Mr. ASHBROOK], the gentleman from New Jersey [Mr. TUTTLE] having yielded the floor, what was the evidence before the committee as to the practice of the coopers in making of barrels. Is it or is it not true that an overwhelming percentage of the barrels now made by coopers and sold to the trade comply to the provisions we propose to enact here?

Mr. ASHBROOK. A very large percentage now comply with the conditions described in this bill.

Mr. SLAYDEN. Is not that approximately as large as 90 per cent?

Mr. ASHBROOK. That is my recollection.

Mr. HAMILTON of Michigan. Will the gentleman state what producers came before the committee—I mean producers of fruit; particularly, say, apples—and announced themselves in favor of this bill, and will you give the names of some of those who did so appear?

Mr. ASHBROOK. I will have to refer to the hearings.

Mr. HAMILTON of Michigan. Will the gentleman state, while he is looking it up, whether anybody came from Michigan or not and said that they were satisfied with this bill?

Mr. ASHBROOK. I do not recall whether there were any representatiives from the State of Michigan or not. We had hearings for four or five days.

Mr. HAMILTON of Michigan. The gentleman ought to be able to give the names of some of the producers.

Mr. THACHER. If the gentleman from Ohio will permit, I will say to the gentleman from Michigan that Mr. Westcott, of Virginia, representing the Eastern Virginia Produce Exchange, with a membership of about 3,000 farmers, appeared and supported the bill very strongly.

Mr. HAMILTON of Michigan. From Virginia?

Mr. THACHER. From the eastern shore of Virginia.

Mr. HAMILTON of Michigan. I would like to know whether the producers of the West expressed an opinion in regard to this bill?

Mr. THACHER. I believe you will find their names in the hearings. I can not recall them.

Mr. ASHBROOK. Here is Mr. H. R. Pennington, of Evansville, Ind. He says:

I represent the Western Fruit Shippers of America.

Mr. HAMILTON of Michigan. He is a shipper and not a producer.

Mr. GARRETT of Texas. Mr. Speaker, will the gentleman yield?

The SPEAKER. Does the gentleman from Ohio yield to the gentleman from Texas?

Mr. ASHBROOK. Yes; I yield to the gentleman.

Mr. GARRETT of Texas. I want to ask the gentleman if this attempt to fix the standard of weights and measures of apples is not a departure entirely from the ordinary way in which we fix the standard of weights and measures of all other products? For instance, we fix the measure of wheat, oats, and corn, and everything of that kind, by the bushel or pound, so many pounds

constituting a bushel. Now, you say in your bill that a certain space shall constitute a barrel of apples. If you stopped right there nobody would object to it, but you go beyond that and provide that if anybody attempts to ship a barrel of apples containing a less quantity than that he shall be subject to penalties.

Now, suppose you take the case of those regions or countries where the large companies go out and buy the fruit on the trees. They are the ones, as I understand, who are behind this project to fix the standard of the barrel. A man who has an orchard may not want to sell his apples to those people, and he may prefer to pack his apples in sugar barrels or salt barrels or other barrels, and by this act he would be cut off. Why not establish a standard barrel of apples and stop right there, and not punish the man who attempts to give something else than that?

Mr. ASHBROOK. It might be that the enactment of this law would work some hardship to some farmer who had a few bushels of apples to sell, but in my judgment and in the judgment of the committee if the standard is fixed it is likely that all the barrels will be made of this standard size, and there will be no trouble for the people to quickly adjust themselves to it.

Mr. FLOYD of Arkansas. Mr. Speaker, will the gentleman yield to me?

The SPEAKER. Does the gentleman from Ohio yield to the gentleman from Arkansas?

Mr. ASHBROOK. Yes.

Mr. FLOYD of Arkansas. Right in connection with the suggestion made by the gentleman from Texas [Mr. GARRETT], I want to say that it will be possible for the men who control the barrel industry to prevent small farmers and apple raisers from shipping their apples at all. I would like to know if anybody has come here representing the fruit growers of Arkansas and advocated the passage of this bill?

Mr. ASHBROOK. I can not tell the gentleman the localities of all who appeared before the committee.

Mr. FLOYD of Arkansas. Does the gentleman know of any fruit growers of Arkansas who have advocated the passage of this bill?

Mr. ASHBROOK. I will say to the gentleman from Arkansas that at the time the committee had hearings there was a convention of some sort held here in this city, and representatives of that convention came before the committee and indorsed this bill. And I will say further that of course while I do not know to what extent the people of the country are aware that this bill is pending, no complaint has ever been made against the bill on the part of any, so far as I know.

Mr. JACOWAY. Mr. Speaker, will the gentleman yield?

Mr. ASHBROOK. Yes.

Mr. JACOWAY. I wish to say to the gentleman that in various parts of Arkansas a man could not get a barrel, perhaps, of the prescribed size. He would use a hogshead or some other kind of container. Then, in that case, he would be subject to a fine under this bill, would he?

Mr. ASHBROOK. If he shipped a barrel and it did not contain the number of cubic inches prescribed by this bill, he would be subject to prosecution.

Mr. JACOWAY. This bill prescribes a certain number of cubic inches in the barrel?

Mr. ASHBROOK. Yes.

Mr. JACOWAY. Is not this bill drawn in favor of the buyers of the apples that are on the trees?

Mr. ASHBROOK. It is in favor of the people. The object of the bill is to benefit the people and prevent short changing the consumer.

Mr. FLOYD of Arkansas. Under this bill suppose a farmer not desiring to ship his apples out of the country at all finds that when he comes to market his apples in the local market, these very buyers, who have great organizations and control the whole buying industry of fruits for shipment, have a monopoly of all the barrels of this standard variety, and he can not buy them; and they are buying fruit on the trees, and he goes to the village store or somewhere else where he can get flour barrels or barrels of a different description, and proposes to sell his apples in the local market, not as barrels of apples but apples contained in barrels for purposes of sale. Would he be liable? It might be that he would have to use coal-oil barrels.

I think the gentleman's bill is wrong in this: A barrel of apples or a barrel of any commodity has a technical meaning just like a bushel has, a meaning denoting measure, apart from its meaning simply as a container. Now, he says, "Here is a barrel containing certain fruits or vegetables, but not representing same as a standard barrel or unit of measure." Your bill ought to be so worded that if a man sells a barrel as a barrel in a technical sense, when in fact it contains a less quantity, he would be guilty of the violation of the law, and if he simply had his fruit contained in some sort of a barrel and sold it as fruit in a barrel he ought not to be liable. I think the wording of the bill is unfortunate.

Mr. ASHBROOK. I will say to the gentleman that we have a standard bushel, and yet if you have corn or potatoes to sell and wish to sell them in a barrel and do not represent the number of bushels therein, you can sell them in that way.

Mr. HAMILTON of Michigan. You would sell the contents in that case?

Mr. FLOYD of Arkansas. Yes. Let me illustrate my idea of the fault in the wording of this provision: What you are trying to prevent here is the perpetration of a fraud by a dealer selling by the barrel apples in barrels that do not contain a barrel, taking the standard barrel as the measure of its contents, weight, or measure. I think the bill should read somewhat in this way: "It shall be unlawful to sell, offer, or expose for sale in any State, Territory, or the District of Columbia, or to ship from any State, Territory, or the District of Columbia to any other State, Territory, or the District of Columbia or to a foreign country, by the barrel, fruits or vegetables or any other dry commodity in barrels of less capacity," than prescribed in the bill.

You see, the word "barrel" has two meanings. A barrel might contain 100 bushels of apples, if you made the barrel large enough. It might contain the unit of measure known as a barrel, a barrel in contents, or 20 such barrels. What you desire to prohibit, as I understand, if you are going to legislate upon the subject, is the misuse of a barrel used as a unit of measure, just as a bushel is used as a unit of measure in a technical sense. You might have a large coal-oil barrel. In one sense it would be a barrel and it would contain fruits or vegetables, and yet under your bill a man could not sell fruits and vegetables in such a barrel.

Mr. ASHBROOK. He could sell them in a crate or a basket.

Mr. FLOYD of Arkansas. Your bill does not say so. It says "a barrel containing fruits and vegetables." It would be a barrel containing fruits and vegetables, and yet you prohibit its sale, although the man who sold it made no pretense of selling the fruit by the barrel

Mr. ASHBROOK. A barrel containing fruits or vegetables or any dry commodity of less capacity than the standard barrel defined in the first section of this act——

Mr. FLOYD of Arkansas. Suppose a barrel had the capacity of 1 bushel.

Mr. ASHBROOK. He has the right under this bill to sell one-third, one-half, three-quarters, or one barrel.

Mr. FLOYD of Arkansas. I understand that; but suppose it was of less quantity and not the exact proportion described in the bill. You are imposing all kinds of difficulties upon the fruit producer. You are giving the fruit buyer and the men in control of the fruit market the advantage in this proposition. It is a barrel maker's bill and a vegetable and fruit buyers' bill, not a fruit grower's bill, in my judgment.

Mr. ASHBROOK. If your contention is right, the fact remains that we must always legislate in the interest of the majority, and the majority of the people are consumers and not producers.

Mr. FLOYD of Arkansas. I do not object to legislating in the interest of the majority, and I do not object to defining the technical barrel, in order to prevent men from perpetrating frauds in the sale of any apples or any other commodities; but here you define what shall be a technical barrel, the length of the staves, and so forth, and then you provide that if anyone sells apples or other fruits or vegetables in a barrel not corresponding with those dimensions he shall be guilty of a misdemeanor, although he may be selling to a neighbor who has full knowledge of the irregular contents of the barrel. He may not have a box or any other container in which to put them, and so he dumps them into a flour barrel, and under this bill the sale is prohibited. I am opposed to the bill in its present form.

Mr. THOMAS. Mr. Speaker——

Mr. ASHBROOK. I yield to the gentleman from Kentucky for a very brief question.

Mr. THOMAS. Is that all?

Mr. ASHBROOK. How much time have I?

The SPEAKER. The gentleman has consumed 50 minutes.

Mr. THOMAS. I would like five minutes.

Mr. ASHBROOK. I will ask the Speaker to call my attention when I have used 55 minutes. I desire to reserve 5 minutes of my time.

Mr. THOMAS. I only want five minutes.

The SPEAKER. How much time does the gentleman from Ohio yield to the gentleman from Kentucky?

Mr. ASHBROOK. Three minutes. I promised to yield to the gentleman from New Jersey, the author of the bill.

Mr. THOMAS. Mr. Speaker, it is true that Congress has the right to legislate concerning weights and measures. That seems to have been a new discovery on the part of the gentleman from Iowa [Mr. TOWNER] to-day. But this bill goes beyond that. If it simply fixed a standard of measure I do not suppose anyone would object to it, but it absolutely prevents the producer from exposing for sale or offering for sale any fruits or dry commodity in a barrel, except it be in that kind of barrel set out in this bill; and I submit that Congress has no constitutional right to pass any such law.

I am sorry the gentleman from Iowa [Mr. TOWNER] makes a personal matter of this thing. He says that I have never read the Constitution. He may have read the Constitution many times. A man may read forever and never understand. [Laughter.] If I had read the Constitution of my country only one time I believe I would be more familiar with it than the gentleman from Iowa, who pretends to have read it many times. Mr. Speaker, if self-esteem was the measure of intelligence, the gentleman from Iowa would be a wiser man than ever Solomon was in his day and generation.

The SPEAKER. The time of the gentleman has expired.

Mr. ASHBROOK. I yield two minutes to the gentleman from Virginia [Mr. JONES].

Mr. JONES. Mr. Speaker, it has been intimated, if it has not been charged in so many words, that this bill is written in the interest of the barrel makers of this country. I wish to say that no such statement as this is warranted by the facts. The farmers of the State of Virginia—at least those with whom I have conversed upon the subject—favor the passage of this bill. A large number of the farmers of the district which I have the honor to represent, to my certain knowledge, are urging its passage, and will be greatly disappointed if it should fail of passage.

Mr. HAMILTON of Michigan. May I ask the gentleman a question?

Mr. JONES. In a moment. There are two counties in my district that I am informed raise about 5 per cent of all the Irish potatoes produced in the United States. The potato growers of these counties sent a representative to this city, who appeared before the committee having charge of this bill and most forcefully urged the passage of a measure providing for uniformity in the size of barrels. Had I the time, I would read his statement to the House, for it is both illuminating and convincing. There is on the eastern shore of Virginia a cooperative farmers' association known as the Eastern Shore of Virginia Produce Exchange. It is composed of a large number of farmers who are engaged in growing potatoes that are shipped all over the United States, and they are deeply interested in this proposed legislation. For years they have been urging the passage of a bill of this character, and I believe that this bill, if enacted into law, will greatly promote the interests of the farmers of every section of our country. I know that the lack of uniformity in the requirements of the various States as to the size of barrels has caused much confusion and great loss to the farmers whom I represent here, for the Eastern Shore potato is shipped into perhaps as many as 40 of the States of the Union. There can be no constitutional objection to this character of legislation, for the Constitution itself expressly confers upon Congress the power to fix the standard of weights and measures.

The SPEAKER. The time of the gentleman from Virginia has expired.

Mr. ASHBROOK. I yield to the gentleman from New Jersey [Mr. TUTTLE], the author of this bill.

Mr. TUTTLE. Mr. Speaker, the House is asked to pass this bill under the authority of clause 5, section 8, Article I, of the Constitution, which gives Congress the power to "fix the standard of weights and measures." Although the language of the Constitution is very plain and very explicit, and although the early Presidents—Washington, Adams, and Jefferson—repeatedly urged the importance of the subject, Congress during all these years has failed to establish any standard of weights and measures. Even the yard, the pound, the gallon, and the bushel have never been ordained by Congress, but were adopted by the Treasury Department, and have been voluntarily accepted by the States.

Owing to the failure of Congress to enact this needed legislation from time to time the several States have undertaken to fix their own standards, with the result that we have to-day a mass of diverse, inconsistent, and contradictory laws. Business has suffered greatly from the lack of uniform standards as bases of contracts and our domestic and foreign commerce is seriously hampered by the conflicting laws of the various States.

There has grown up in recent years a tremendous demand for a uniform and honest system of weights and measures. This demand has been met in part by the State legislatures, which have recently passed many progressive laws along these lines, and many States have provided for the standard fixed in this bill. Others have hesitated because there has been a question even as to the constitutionality of State laws fixing the standard of weights and measures or because they have anticipated that Congress would exercise the power granted it by the Constitution. As a result there is confusion and confliction all over the country.

The demand for a standard barrel started many years ago. It is not instigated by the coopers or the barrel makers. It comes from the growers and distributors of merchandise everywhere. The association of which the gentleman from Virginia [Mr. JONES] has just spoken is a typical organization of producers who demand this legislation. Here are three or four thousand potato growers on the eastern shore of Virginia who have small truck farms. They can not pack their potatoes in barrels and ship them to Massachusetts or New York or New Jersey or the Western States, because they may have trouble with the size of the barrel.

The legal barrel of Virginia is 1 inch shorter than that of Massachusetts, New Jersey, and New York. A legal barrel at point of shipment becomes a fraud barrel at destination. The producers have appealed to us from all parts of the country for a national standard. Commission merchants, organizations of fruit growers in the West and on the Pacific coast, have come before the committee for the last four years urging this legislation. It has been advocated by the merchants in the great cities; it has been urged by State and municipal weights and measures officials. The national conference of sealers of weights and measures, which meets annually at the Bureau of Standards in Washington, has indorsed the measure.

Mr. CALDER. Will the gentleman yield?

Mr. TUTTLE. Certainly.

Mr. CALDER. Are the requirements in this bill the same as that in the New York law?

Mr. TUTTLE. They are exactly the same as in New York, New Jersey, Massachusetts, and a number of other States, which have tried to pass uniform legislation in conformity with the recommendations of the Bureau of Standards here in Washington. Dr. Stratton, the director of that bureau, is earnestly in favor of this bill.

The SPEAKER. The time of the gentleman from New Jersey has expired.

Mr. ASHBROOK. Mr. Speaker, I yield two minutes more to the gentleman from New Jersey, and in the meantime I ask unanimous consent that all gentlemen who have spoken on the bill or who may speak on it may have five legislative days in which to extend remarks.

The SPEAKER. The gentleman from Ohio asks unanimous consent that all gentlemen who have spoken on the bill, or may speak upon it, shall have five legislative days to extend remarks. Is there objection?

Mr. MANN. At this time I shall object.

Mr. ASHBROOK. I made the request at the suggestion of gentlemen who had only one or two minutes' time and who wished to have more time.

Mr. MANN. That does not do the House any good. Let us pass the bill, and then I do not care who extends remarks.

The SPEAKER. The gentleman from New Jersey is recognized for two minutes more.

Mr. TUTTLE. Mr. Speaker, this bill provides for the same dimensions of the barrel as the Sulzer bill, which was passed by the Sixty-second Congress. It provides for the barrel which is in common use for dry commodities. It is the legal barrel in many States. It has been demonstrated to be the most practical package. It is the universal flour barrel. This bill was reported favorably by the Committee on Coinage, Weights, and Measures of the Sixty-second Congress and by the same committee of this Congress. It has passed the Senate without a dissenting vote, and it is a practical, wise, and useful measure.

Objections have been offered that the bill should not be mandatory. It has been suggested that its provisions should be permissive and optional instead. I submit that this Congress does not desire to pass an optional or permissive standard bill. We can not have a permissive gallon, bushel, or yard. A law, if it is going to be effective, if it can be enforced at all, must be mandatory.

The object is to carry into execution the power of Congress to fix a standard of measure, and "in the nature of things," ob-

serves Attorney General Bonaparte, in a carefully prepared opinion, "the standard fixed by Congress will be the only legal standard as soon as the power to fix it shall have been exercised." In other words, an act of Congress fixing a standard of measure is a mandatory law. It could not, nor should it, be anything less. A permissive law would in no way remedy the existing evils; something more rigid and positive and direct is absolutely necessary in order to accomplish the good that is aimed at. A permissive law would not provide for a uniform standard. On the contrary, it would contemplate the maintenance of a diversity of standards. It would permit by inference the continuance in use of the various types of smaller barrels, which now give rise to much confusion in the produce business. It would not supplant or supersede the present conflicting State legislation. It would not supply the element of uniformity which is so essential to orderly and fair dealing between sellers and buyers. It would not furnish a safe basis of contract.

The vast majority of producers, distributors, and those having to do with the administration of weights and measures' laws desire mandatory national standards, to the end that fraud may be prevented, that uniformity may be insured, and that trade may be facilitated.

There has been some fear expressed that the interests of the small producer may be injured by the mandatory standard barrel, and that he will be hampered in his dealings with his neighbors. In my judgment, this fear is unfounded. A standard-sized package has a definite, well-defined market value, while packages which are irregular in size and shape are exceedingly difficult for the honest merchant to dispose of, and they afford the unscrupulous dealer an opportunity for robbing the producer of his just due.

The grower, of course, desires to pack his produce in honest and marketable containers, but it is to-day impossible for him to pack in compliance with the laws of the different States. His greatest protection would be a national standard container, which could not be questioned in any market to which his goods may be shipped. Under this proposed law the small producer will not be interfered with in the least so long as no fraud is attempted or perpetrated. He may sell by the pound, the peck, the bushel, the wagon load, or whatever unit is most convenient, but if he uses the barrel as a unit of measure and value, it must be a standard barrel. Moreover, it will be difficult for him to obtain any but barrels of standard dimensions, because practically all barrels available for the shipment of produce are of these dimensions or of greater capacity, as, for instance, the sugar barrel.

But the interests of these small producers are insignificant when compared with the great bulk of producers, both large and small, of all kinds of fruits and vegetables throughout the country, the marketing of whose product involves not only intrastate but interstate movement as well. Fully 90 per cent of our agricultural output enters interstate commerce, and here the trouble begins. Those who ship in barrels are confronted with the difficulties and the embarrassment which arise from the great variety of legalized sizes used in the several States.

A Michigan barrel has a capacity of less than 80 per cent of the lawful Massachusetts barrel. The Virginia barrel is 1 inch shorter than the New Jersey barrel. The Tennessee barrel of potatoes must hold 2½ bushels; a Connecticut barrel 172 pounds; but 160 pounds will go in Kentucky, or 165 pounds in Maine. A North Carolina barrel must have three nails to the hoop, but over in Tennessee four "flour" nails are required. Maryland has one standard for fruits and another for potatoes and other vegetables. Ohio generously provides for a barrel of 2 inches greater circumference than other standard barrels. Some States require that barrels shall be marked standard, others are silent on this point. More than half of the States have not bothered to pass any weights-and-measures legislation at all, and presumably their citizens accept any kind of a package that is handed them.

It is true that we have "gotten along" without this legislation, but it is also true that the extensive interstate exchange of perishable fruits and produce is of comparatively recent origin, and its more recent prodigious growth has made Federal action absolutely necessary. Owing to the inaction of Congress State laws are multiplying which will be a serious handicap to interstate trade, and there is pressing need of national legislation.

Another objection is that this bill is unconstitutional because it applies to intrastate transactions. I can only refer those who feel that we are stretching our authority to the opinions of Charles Earle, Solicitor of the Department of Commerce and Labor, written May 15, 1907; Charles J. Bonaparte, Attorney General of the United States, February 13, 1908; and Albert Lee Thurman, Solicitor of the Department of Commerce, May 5, 1914. These opinions appear in another place in the records of to-day's proceedings and effectively dispose of any contention that Congress has no jurisdiction over the standard measures used in intrastate commerce.

A separate standard is provided for cranberries, because they are the only berries or small fruit shipped in barrels and are decidedly different in character from all other commodities marketed in barrels. It appears that the cranberry can not be packed in the ordinary barrel without serious loss and deterioration, and the container described in this bill is deemed by those familiar with the trade to be the most desirable. The dimensions are those fixed by law in the three States which produce the bulk of the cranberry crop, namely, Massachusetts, New Jersey, and Wisconsin, and the cranberry business has been developed upon the basis of this measure.

The adoption of these standards will be a distinct step forward and will mark the beginning of what I hope and believe will be the establishment of an honest and uniform system of weights and measures applying in all of the United States. It is high time that we act; it is high time that we respond to the wishes of the great body of our countrymen that the present conflicting, inconsistent, incompatible, and contradictory State laws be superseded by such a system of Federal laws as was contemplated by the founders of the Republic. I hope that the House will pass this measure and by so doing add to its reputation for sound, practical, and useful legislation.

Mr. ASHBROOK. Mr. Speaker, I understand gentlemen on the other side wish to be recognized, and I reserve the balance of my time.

Mr. CRAMTON rose.

The SPEAKER. For what purpose does the gentleman from Michigan rise?

Mr. CRAMTON. I wish to be recognized.

The SPEAKER. Is the gentleman opposed to the bill?

Mr. CRAMTON. I am.

The SPEAKER. The gentleman is recognized for one hour.

Mr. CRAMTON. Mr. Speaker, the bill before us has really two purposes, first, to prescribe what shall be a standard barrel, or, rather, what shall be two standard barrels, and, second, to prohibit the sale of certain commodities in any other kind of a barrel smaller than stipulated in the first section. I am entirely in sympathy with the general purpose sought to be secured by the proposed bill. I have no question as to the power of Congress to pass this kind of legislation. I do submit, however, that the bill proposed is more radical and far-reaching than is either necessary or desirable, and hence I am opposed to this particular measure.

It is significant that, although the power to prescribe a standard has existed in the Constitution since the time the Constitution was framed, we have never until this time passed legislation prescribing standards of this kind. It is easy to understand that when we consider the different methods of doing business that have come about because of changes in conditions. Originally the producer and consumer were near together, and because of their nearness and acquaintance they could do business much differently than is possible now when potatoes in Virginia are sought to be shipped all over the country, and apples from Oregon are likewise shipped East. Hence there has grown up, I admit, the need for a standardizing, so that when a contract is entered into for a certain number of barrels of apples it shall be possible for those who are drawing the contract to refer to some kind of a measure that will be well defined and which both parties may understand alike. Also, when the buyer goes into the open market and buys a certain number of barrels of apples, that he may know what he is getting, if he desires to know it. That need brought into existence two years ago a law known as the Sulzer law, which defined a standard apple barrel. That law has been in effect only since the 1st of July a year ago, and still to-day the beneficent operations of that law are the basis not only for this bill, but for the one which follows it from the Committee on Coinage, Weights, and Measures, the standard apple box bill.

The strange thing, however, is that while, as you will hear when the standard-box bill comes before you, there is universal satisfaction with the operation of the Sulzer barrel law in the apple trade, as was testified in the hearings, and as will be urged upon you, and while this satisfaction with the operation of the Sulzer law is the basis of all argument for the Raker box bill—and the Raker bill is patterned after the Sulzer law—and for this barrel bill for other dry commodities, still they have absolutely changed the form of the Sulzer law in extending it in this barrel bill. The Sulzer law is permissive. The Raker standard-box bill which comes before you from this Committee on Coinage, Weights, and Measures with a favorable

report is likewise permissive, and still the same committee comes out with this standard-barrel bill, urges in behalf of it the successful operation of the permissive Sulzer law, and yet makes it absolutely mandatory; and it is because of that mandatory provision that I am now opposing the bill.

Mr. TUTTLE. Mr. Speaker, will the gentleman yield?

Mr. CRAMTON. Yes.

Mr. TUTTLE. The gentleman understands, of course, that the Sulzer law was primarily to fix the grades of apples and to prevent fraud in the apple trade rather than to fix the standard of weights and measures. It would be manifestly impractical to make compulsory grades and to compel shippers to ship their apples according to grades.

Mr. CRAMTON. I understand that the Sulzer law did refer to the grades as well as to the standard of measure, but I do not understand and I do not find anywhere in the hearings that that was the primary object of the bill.

Mr. TUTTLE. I do not think the gentleman has read the hearings very carefully.

Mr. CRAMTON. I have read all of them that I could find. The Sulzer law, as the gentleman said, did provide for other things than the standard measure, but these features of the bill do not especially concern us here; but it did specify a permissive standard of measure just as we propose to do in the Raker box bill. In this bill you propose an absolutely mandatory provision, so that this bill before us extends the Sulzer law in two directions. First, it makes the requirement of the use of the standard barrel mandatory instead of permissive, and then, second, it extends it to all kinds of dry commodities except those excepted in the proviso in section 3, so that not only is this mandatory measure to apply to apples, as did the Sulzer law, but it is to apply to cabbages, potatoes, or any other vegetables or fruit, to sugar, to flour, to crackers, to any other kind of commodity that you can think of that is not sold absolutely exclusively by weight or by numerical count.

Mr. TUTTLE. Mr. Speaker, will the gentleman yield?

Mr. CRAMTON. Very briefly.

Mr. TUTTLE. The gentleman understands that those articles which he has just enumerated are all sold by weight and by numerical count.

Mr. CRAMTON. Not exclusively. Does the gentleman not recollect ever of hearing of people buying a barrel of flour or a barrel of sugar?

Mr. TUTTLE. Flour is sold by weight.

Mr. CRAMTON. I have heard of sugar, and sugar quoted by the barrel, and if it is sold by weight, it is not sold exclusively by weight or by numerical count. The Sulzer law being of a permissive nature and this being mandatory, it becomes incumbent upon me, perhaps, to show something as to what has been the operation of the Sulzer law. My contention is that the thing that is necessary now is to take a moderate, reasonable step, and as that proves satisfactory and the trade in all these various lines becomes accustomed to it, then we can take other steps as we think best, but it is neither desirable or necessary to take a headlong plunge all at once. The Sulzer law, being permissive in terms, has not caused any inconvenience or trouble to the small dealers, who are not interested in the proposition, but has, through the demands of interstate trade, proven mandatory, so that the result desired is accomplished without causing serious inconvenience, criticism, or opposition, which we should avoid where possible. Jobbers in Chicago or New York who desire to buy Oregon apples under the Sulzer law will insist in their contracts that the barrel be branded in accordance with the law.

Mr. COOPER. Mr. Speaker, will the gentleman yield?

Mr. CRAMTON. Yes.

Mr. COOPER. I understand that they do not sell Oregon apples by the barrel, but by the box.

Mr. CRAMTON. That is correct, but if the gentleman will substitute Michigan for Oregon, the example will hold just as well; and there may be some one even in Oregon who would prefer to use barrels. The demand of the trade forces the man who wants to sell in large quantities in interstate trade to comply with the Sulzer law. That is not a matter of theory. There are a lot of enthusiasts in this movement, a lot of officials who, because they become sealers of weights and measures, forthwith want to put their ideas into law and force them into the law of the country. There are other enthusiasts in the produce and fruit business who want to force their ideas on the country. On the other hand, there are some men who ought to know what they are talking about, who are practical men, who speak from experience, and who tell us that the operation of the Sulzer law, so far as apples are concerned, after only a year of operation has brought about wonderful results. At the risk of being tedious I want to refer to what some of those gentlemen have stated. Mr. Whisler, of Medford, Oreg., is acknowledged to have been the author of the standard-box bill that is coming before you. He is president of the Oregon State Horticultural Society and known throughout the country wherever horticulture is known, one of its authorities in this country, and he said before the committee when asked about this matter that he could not say of his own knowledge as to the operation of the Sulzer law, but that he met at the convention of commission merchants in Kansas City a purchaser of Maine apples from Maine, and this man said to him, "I wish I could go before that committee of the House of Representatives in order that I might testify to them as to the advantage which the apple-barrel trade throughout the State of Maine has received from that legislation." That was the permissive Sulzer bill.

Again, hear Mr. S. L. Lupton—president of the Eastern Fruit Growers' Association, Winchester, Va. His statement here is of some length (see Hearings Feb. 12, 1914, p. 60), but the point of it is that in the year that the Sulzer bill has been in effect "practically one-half," he says, "of the apples in our section this year were packed and sold by contract under the provisions of the Sulzer bill." Half of them in the great fruit-growing section of Virginia went under it in the first year. He further says "they were a little timid, not about the barrel feature, but about the packing provision, and hence they did not all go in the first year, because they were afraid they might unconsciously, unintentionally violate the law," but he says "that has worked off, and we expect next year a great many of our growers will overcome that feeling." The permissive form is producing results.

Again, Mr. R. G. Philips, of Rochester, N. Y., secretary of the International Apple Growers' Association, and I am only quoting men who have been brought here by the advocates of this bill and the Raker bill, says:

I could cite you one of the Rose Cliff fruit farm, of Waynesboro, Va. In picking auction sheets of apples that were sold on the Liverpool market in October last, my attention was called to the remarkably high prices that the apples put out by that firm were bringing on the Liverpool market. I looked along down and found "Standard grade, minimum size 2½ inches." All of those apples put out from that farm were packed under the provisions of the Sulzer bill. I know on that one particular shipment of 160 barrels, it brought anywhere from 3 to 10 shillings over any other apples sold at that sale on the Liverpool market, with the exception of 6 barrels of Kings which came from Canada.

The CHAIRMAN. And you think the guaranty to the merchant and the consumer that these apples did come up to those standards established by law had a great deal to do with that?

Mr. PHILIPS. There is absolutely no question about it, and the former president of our association, Mr. Loomis, last year, when the bill had not even gone into effect, packed over 50,000 barrels in accordance with that bill, and his testimony was that in not a single instance among those 50,000 barrels thus packed did he have any complaint or rejection, or any allowances to make, while on the other apples which he handled, which were packed in the old way and branded in the old way, there were constant rejections and constant allowances demanded.

Now, I know apples have been packed in Illinois under the Sulzer bill with excellent results, and every one who has tried it has reaped the reward of doing so; he has been amply paid for it. There is no question but what it was a splendid bill and that the principles of it were sound, and that as soon as we can have a little time—it all takes time to get these things in operation—but there is no question that as soon as we can get a little time to get it going and thoroughly understood it is going to be of tremendous influence in the advancement of the apple industry in the United States.

That is the permissive Sulzer bill. They only want a little time, men who know what they are talking about, to get it in operation and get the desired results, and still this bill before us is to be thrust upon every dry commodity industry in the United States, mandatory; got to get it going inside of a few months. It is ridiculous.

Mr. SISSON. Will the gentleman yield?

Mr. CRAMTON. Yes.

Mr. SISSON. I do not want to divert the gentleman from the line of his argument if he has got anything further on that line, but if the gentleman intends to begin a new line of thought——

Mr. CRAMTON. I have not quite finished.

Mr. SISSON. I wanted to call the gentleman's attention to the enforcing clause of this bill.

Mr. CRAMTON. If the gentleman will pardon me, I will take that up later. I would rather continue on this now.

Mr. SISSON. I did not desire to interrupt the gentleman, but I want to hear what the gentleman had to say in reference to the enforcement of the bill.

Mr. CRAMTON. I think there could be a great deal of improvement of the bill as to its provisions.

Mr. SISSON. Take, for instance, a small shipment of apples from the State of Oregon to New York. I desired to know whether or not the prosecution in New York might not make it dangerous for a man to ship apples unless he had his barrel absolutely right.

Mr. CRAMTON. I will say now I believe the law is so severe in its mandatory form that a man who only has a small business will keep out of interstate trade and lose that trade rather than run the risk of prison or fine for an unintentional violation of its provisions, just as shown in the testimony of Mr. Lupton I read from, who said that they had been timid about this in Virginia even under the permissive Sulzer bill. I now yield to my colleague from Michigan.

Mr. HAMILTON of Michigan. I simply wanted to ask my colleague whether there is any difference in the cubical contents prescribed by the Sulzer law from those prescribed in this bill?

Mr. CRAMTON. I think they are the same. I will say, in this connection, that in both cases it is absolutely an arbitrary standard that has been arrived at. It is not 3 bushels, although we generally think of a barrel as being 3 bushels. It is not 3 bushels, but it is an arbitrary standard which has been arrived at by the wide experience of the apple growers as a desirable standard; and at this time I might say, also, that one of the industries it was urged to force the apple standard upon was the cranberry industry.

Mr. JONES. Will the gentleman yield?

Mr. CRAMTON. In a moment. But the cranberry people were well organized and were wide awake, and they made known the facts about their industry and stated that they could not use this standard, and showed why; and so we have likewise in this bill a cranberry standard barrel and the other standard barrel, and this is what I prophesy, because there was not before that committee a single witness to testify as to the needs or wishes of any industry in this country except the fruit industry and the potato growers of Virginia; and hence, because of a lack of information, after this law has been in operation and forced upon these other industries—the sugar people, the cracker people, and others—we will discover cases where we have imposed a terrible hardship on some industry unintentionally, and they will be coming back here, and there will be a demand for some other barrel that shall be used by some other industry; and hence, instead of having, as my friend from Wisconsin [Mr. COOPER] would have us have, a standard barrel, this bill provides for two standard barrels, and in the future I can see other standard barrels on their way.

Mr. JONES. I would like to ask the gentleman from Michigan whether there is any law in his State standardizing a barrel?

Mr. CRAMTON. There has been some legislation, but I am not entirely familiar with it.

Mr. JONES. Can the gentleman state whether or not a barrel in Michigan is smaller than the barrel provided for in this bill?

Mr. CRAMTON. Perhaps the gentleman from New Jersey can give that information.

Mr. JONES. I have been informed that it is smaller, and I want to say to the gentleman it is also true of my own State that at first, if the gentleman will permit me, the farmers in my State were opposed to this bill because it provided for a larger barrel than is provided for in my State.

But they have come to the conclusion that the important thing is uniformity, and therefore favor this bill.

Mr. CRAMTON. I have not time to yield further, Mr. Chairman. If the gentleman intended to infer at all that my opposition to this bill was because the farmers of my State were using smaller barrels than other States were using, I want to say he is entirely wrong in his inference. I wrote to a number of people in my State—the secretary of the State grange, the head of the Gleaners, and to others, and wanted to get their opinion about this bill and did not receive an answer either for or against.

Mr. JONES. I distinctly said to my friend that my State had a barrel that was smaller as well as his State.

Mr. COOPER. You say that your State has a barrel prescribed?

Mr. CRAMTON. I said I thought so.

Mr. COOPER. The law is mandatory?

Mr. CRAMTON. I said I did not know what the law was.

Mr. COOPER. The gentleman would not be in favor of a law in Michigan which would leave it optional with men to fix the size of a barrel?

Mr. CRAMTON. I am not asking to have Michigan excused from the operation of any Federal law that is a good law. I feel it incumbent to impress it upon you that the Sulzer bill, which is a Federal law, in its permissive form is accomplishing that which it was aimed to accomplish, and so would the Tuttle bill if it followed the form of the Sulzer bill.

In a letter from Mr. Pennington, of Indiana, he says:

> We appreciate so much the good that has been done by the Sulzer bill that we feel that we can not urge too strongly your early and favorable consideration of this box bill, which will, in a measure, put box apples on the same level with barrel apples and protect the interests of all in the same manner

There are many other letters similar.

Also, Mr. C. C. Willis, who is a member of the State Board of Agriculture of Montana, says:

> This bill is of vital importance to the fruit growers of the entire Northwest, as it gives them a standard package, as does the standard barrel to the eastern growers.

Mr. TUTTLE. Will the gentleman yield for a question?

Mr. CRAMTON. Just for a question.

Mr. TUTTLE. May I inquire if the gentleman has received any protest against the passage of this bill from any grower, any producer, any distributor of these commodities which are covered?

Mr. CRAMTON. Mr. Speaker, I may reach wrong conclusions, but I want to say to the gentleman that it is not necessary for me to get a bunch of protests against the bill before I can form a conclusion concerning it. As I just stated a moment ago, I wrote to the men in my State who I thought might be interested, and got no replies for or against. My position on this is absolutely because of my own judgment as to its provisions.

Now, if I can go back again to the operation of the Sulzer bill, Mr. Wagner—and I can not just tell you who he is, but it having been stated by Mr. Reichman before the committee that the Sulzer bill was not worth the paper it was written on, Mr. Wagner stated in part:

> Now, to qualify as an expert, I will say that I have been so engaged for 32 years in handling all of these commodities packed in barrels. As Mr. Reichman has said, as applied to the general subject, this thing is largely theory. We have got to get down to the practical features of it, and I just want to straighten up one or two matters.

And one of them was what Mr. Reichman had said.

> I do want to take exception to one thing that Mr. Reichman said and the gentleman from Vermont, and that is as to the workings of the Sulzer bill. The Sulzer bill, while permissive, has nevertheless worked a revolution in the apple business; and I will take issue with even the gentleman from New York relative to the comparative quantity of short-measure barrels in the city of New York within the past two years as compared with years prior. I come from Chicago, where we have millions of barrels of apples—not quite so many as in New York City—and I want to say that there has not been brought to my attention in the past two years—and I have watched for it—one single case of short-measure barrels for apples.

That is under the permissive Sulzer bill.

Again, there was an additional statement from Mr. R. G. Philips, secretary of the International Apple Shippers' Association, of Rochester, N. Y.:

> Mr. PHILIPS. Mr. Chairman, I feel obliged to make one little statement so that no misapprehension may arise with reference to the Sulzer bill.
>
> At a previous hearing before this committee, as you know, several of us gave our testimony with reference to that bill, and I must take issue with the statement of Dr. Reichman this morning that it is not worth the paper that it is written upon, and what I have said heretofore I am ready to repeat and to prove.

And, again, in the hearings I find the distinguished gentleman from Ohio, now the chairman of the committee, Mr. ASHBROOK, saying:

> I was about to call the gentleman's attention to the fact that the Sulzer bill is optional, and my understanding is, and I believe it is the understanding of the members of this committee, that that bill is working out very satisfactorily; and this present bill is patterned along the same lines as the Sulzer bill, but embraces all other commodities.

This bill is not entirely along the lines of the Sulzer bill, being mandatory instead of optional.

Mr. HAMILTON of Michigan. Will my colleague permit me to submit an inquiry? This bill provides a standard cranberry barrel and a standard apple barrel?

Mr. CRAMTON. No; a standard for all other commodities except cranberries.

Mr. HAMILTON of Michigan. In reality it does not fix a standard barrel, then?

Mr. CRAMTON. It fixes two standard barrels.

Mr. HAMILTON of Michigan. Is it not liable by fixing two standards to produce confusion? Does this, after all, fix a standard? Why should there not be the same standard for cranberries as for other things?

Mr. CRAMTON. The favorite argument of those favoring a mandatory standard is this: "We do not want a yard that is not a yard; we do not want a foot that is not a foot; why permit a barrel that is not the standard barrel?" And still facts shown before the committee absolutely proved that the cranberry people could not do business successfully under this other standard, and we had to give them their kind of a barrel in order to fit their case, and so we are offered in this bill two standard barrels, and there will be some other industry that will find its toes pinched just the same and call for another.

Mr. HAMILTON of Michigan. I was going to ask the gentleman if that is not likely to happen?

Mr. CRAMTON. It is.

Mr. YOUNG of North Dakota. Have not the people who wanted a pork barrel been satisfied yet? [Laughter.]

Mr. CRAMTON. That is rather personal to many here, I am afraid.

I believe I have submitted sufficient testimony to show that the Sulzer bill, so far as the industry it was intended for is concerned, has proven a success; that it has accomplished what it was expected and desired it should accomplish, and therefore that all of the results urged in behalf of this new bill could likewise be accomplished by a similarly permissive bill.

Now, on the other hand, I submit that by a radical, mandatory bill like this we are running all kinds of risks. We are plunging head length into something that we know very little about. As a result we are going to endanger the welfare of lines of business to-day we are not thinking about.

Furthermore, you are going to stir up unnecessary opposition in the minds of people against this whole standardization proposition. For instance, if I should write to my good friend Bullock, up in Lapeer County, and ask him to ship me a barrel of apples, if he did not happen to have at hand just the particular kind of barrel that this bill provides for he would go to the grocery store and get instead a cracker barrel or a cranberry barrel, and by so doing he would be subject to a fine and imprisonment in sending that barrel of apples to me, even though he was satisfied and I was satisfied that he had sent me just as many apples as I had paid for.

Mr. COOPER. Mr. Speaker, will the gentleman yield?

Mr. CRAMTON. Yes.

Mr. COOPER. If this bill should not go into effect until July 1, does not the gentleman think that between now and July 1 his friend Bullock would have time to obtain a standard-sized barrel?

Mr. CRAMTON. I will say to my friend from Wisconsin that my friend Bullock is getting into the habit of using boxes just as people out West are using them. But other farmers needing just a few barrels for the purpose of shipping things to town would not know about the law, and would not know about it the 1st of July next, and they would be caught; and fellows who did not happen to have a lawyer would think they would be obliged to go out of the shipping business because they did not feel sure what all the requirements of the law might be.

Mr. MANN. Mr. Speaker, will the gentleman yield?

Mr. CRAMTON. Yes.

Mr. MANN. Would it not be desirable to amend the bill as to the time at which it takes effect? And will not the general effect of such a law be that the people who manufacture barrels will comply with the law, so that the people who use the barrels will get the right kind of barrels provided for them?

Mr. CRAMTON. I will say to the gentleman that even under a permissive law that would be the case, and even in the case of a permissive law that would work out so far as the great bulk of the trade is concerned. But the small shipper, the man with a few barrels of apples, doing business at home within a small radius, would be the last one to know about the law, and he should be the last one who ought to be required to conform to it unless he wants to.

Mr. MANN. Will the gentleman yield again?

Mr. CRAMTON. Yes.

Mr. MANN. I take it that the small shipper of apples does not make his own barrels?

Mr. CRAMTON. No; he gets them by going to the cooper or going to the grocery store and getting a few barrels there that are available.

Mr. MANN. So that if you passed a law of this kind the effect will be that all the great manufacturers will comply with the law?

Mr. CRAMTON. Yes; in the course of time, whether it is permissive or mandatory.

Mr. MANN. Would it in the course of time be so where it is merely permissive, because in some of the States now the standard of barrels of various articles is different from that provided for in this bill?

Mr. CRAMTON. I do not feel like taking the time just now to repeat all that I have said, but I will say to the gentleman that, in my judgment, in compliance with the demands of the trade, the jobbers in Chicago will specify in their contracts, when we have once defined what a standard barrel is, that their apples will have to be packed in the standard-sized barrels, and that will govern the action of the producers and of the coopers alike.

Mr. TUTTLE. Mr. Speaker, will the gentleman yield?

The SPEAKER. Does the gentleman from Michigan yield to the gentleman from New Jersey?

Mr. CRAMTON. I regret I can not yield. I want to get through, in order to give way to my friend from South Dakota.

Mr. TUTTLE. I wanted to inquire of the gentleman if there were any standard-sized barrels made in Michigan in accordance with the Michigan law?

Mr. CRAMTON. I think we have a law, but I do not know what it is.

Mr. TUTTLE. The standard barrel prescribed there is somewhat smaller and longer than the ordinary flour barrel.

Mr. CRAMTON. I can not yield further to the gentleman.

Now, Mr. Speaker, the hardship and inconvenience and annoyance that this bill is going to cause to the small producers unnecessarily is going to give rise to a feeling of antipathy to the entire proposition of Federal supervision of these matters. I say we ought to go slowly and surely and have each step approved on its merits before we take another step.

Mr. HELGESEN. Mr. Speaker, will the gentleman yield?

Mr. CRAMTON. Yes.

Mr. HELGESEN. As to these small shippers that the gentleman is defending, when they go to the grocery and can not get the standard-sized barrel are they to be prevented from disposing of their products? Is there anything to prohibit the small shipper from selling his apples by the bushel? If he sold them by the bushel, in that case he would comply with the law.

Mr. CRAMTON. No. This bill provides that it shall be unlawful to sell a barrel of apples or fruits of less than the standard capacity of the barrel. It says it is "unlawful to sell * * * a barrel containing fruits or vegetables or any other dry commodity of less capacity than the standard barrels," even if the buyer and the seller and everybody else knows that it is a fraction under the standard barrel. Except for the fractional barrels, the third, the half, and the three-quarters expressly authorized, it is unlawful to fill a barrel smaller than the standard with apples and sell it to anybody, even if you mark all over it the words "This is not as big as the standard barrel," and your invoice bills them by the bushel.

Now, I shall not at this time take up any time in discussing the amendments that I have to offer. I intend to offer one that will make the bill permissive in its operation. There are some other suggestions that I want to make, but at this time I reserve the balance of my time.

The SPEAKER. The gentleman reserves 25 minutes.

Mr. DILLON rose.

The SPEAKER. For what purpose does the gentleman rise?

Mr. DILLON. I am a member of the committee, and I want to discuss this bill.

The SPEAKER. Is the gentleman opposed to it or in favor of it?

Mr. DILLON. I am in favor of it.

The SPEAKER. The gentleman is recognized for one hour.

Mr. DILLON. Mr. Speaker, the Tuttle bill has my hearty support; the Raker bill my opposition. The Tuttle bill proposes a mandatory standard barrel for fruits, vegetables, and other dry commodities. The bill as reported by the committee permits barrels of any form having a capacity of 7,056 cubic inches. It allows the fractional three-fourths, one-half, and one-third barrels. It also establishes a standard cranberry barrel containing 100 pounds.

It prohibits the sale of these commodities in any barrel of less capacity than the standard barrel specified and provides a criminal penalty for those who violate its provisions. The provisions of the bill apply to interstate and intrastate shipments. The bill allows reasonable variations and tolerance under rules and regulations of the Bureau of Standards. It further provides that the provisions of the act shall not apply to commodities sold by weight or numerical count.

The important question is, Shall we have mandatory laws for standard measures or permissive makeshifts? Section 8 of Article I of the Constitution gives Congress the absolute power to fix the standards of weights and measures. For 125 years this congressional power has for all practical purposes remained dormant, during which time the States, under police power, have taken over the governmental function pertaining to weights and measures until 48 legislative bodies are now passing diverse, inconsistent, and chaotic laws.

This is a great national subject which affects the interest of every citizen in the land. Let us set our faces like flint against permissive legislation in reference to standards of weights and measures and enact mandatory laws or none at all.

It will not be amiss to call attention to some of the inconsistent and contradictory laws that are now strangling our commercial and national life. Bills of exchange and commercial paper follow the commercial transactions of our people into all the States. The merchant in Chicago transacts busi-

ness with the citizens of all the States, yet the law governing his commercial paper is controlled by the laws of 48 States.

The makers of the bill of exchange may live in one State, the payee in another, while the indorsers may live in a half dozen States. In one State the holder must protest the paper at maturity, in another he need not do so; in one State he must sue at the first term of court, in another he must pursue his debtor with diligence; in one State his paper is illegal, in another it is valid; in one State his rights are barred by the statute of limitations, in another there is no bar.

The marriage and divorce laws ought to be uniform, because they are national in character. Yet in one State a common-law marriage is valid, while in another it is invalid. A marriage of cousins in one State constitutes holy wedlock, while in another it is made criminal. In one State the colored man may lawfully marry a white woman, while in another such a marriage is prohibited.

The laws of the States in reference to divorce are still more inconsistent and are as diverse as it is possible to make them. The State of South Carolina permits no divorce. New York allows an absolute divorce for adultery only, while many of the States allow the decree on diverse and numerous grounds. Uniformity is nowhere to be found.

The Court of Appeals of New York in People *v.* Baker (76 N. Y., 78) held:

A State may adjudge the status of one of its citizens toward a nonresident, and may authorize to that end such judicial proceedings as it sees fit, but the judgment can have no effect within the bounds of another State so as to fix upon a citizen of the latter a status against his will and without his consent, which is in hostility with the laws of the sovereignty of his allegiance.

In this case the wife obtained a divorce in the State of Ohio, the husband remaining in New York State, thinking the divorce so obtained by the wife was good as to him; he remarried in the State of New York, and on trial for bigamy the court held that the Ohio decree of divorce in favor of the wife did not affect or change his status in New York, and his conviction of bigamy was sustained.

Thus the great court of New York reached the conclusion that the defendant was guilty of bigamy; because his status was not changed by the Ohio divorce he was still married, while his Ohio wife was single; she was restored to the condition of a single person, but he was still married to her; he was not her husband, but she was his wife.

The results of these decisions are such that one may be a married man in one State, but when he crosses the boundary line of the State he suddenly finds himself a single man. The marriage in one State is holy wedlock, but in another State it opens the prison doors for him as a bigamist.

What progress have the States made in establishing uniformity in these matters? Absolutely none. Discord and inconsistencies constitute the fruits of their labors.

No power is adequate, except the national power, to protect our people against the inconsistent laws on subjects that are wholly national in character. The diversity and conflict will continue, and greater will be the peril as the Nation grows older.

THE BUSHEL AS A MEASURE.

The States have certainly juggled the weight of the bushel measure. Here, again, is a shining example of the diversity of our State laws.

A bushel of salt in 10 States is 50 pounds and in 7 States it is 80 pounds. A bushel of onions in Indiana weighs 48 pounds, in Pennsylvania and Rhode Island 50 pounds, in Delaware, Maine, South Dakota, Massachusetts, Minnesota, New Hampshire, North Dakota, and Vermont 52 pounds, and in 20 other States 57 pounds.

A bushel of parsnips in Iowa and Minnesota weigh 42 pounds, while Indiana says they shall weigh 55 pounds. A bushel of dried peeled peaches in Tennessee weigh 26 pounds, while Virginia fixes the weight at 40 pounds. A bushel of pears in Oregon, Montana, and Washington weigh 45 pounds, while in New Hampshire they weigh 58 pounds.

North Carolina, Pennsylvania, and Virginia potatoes are sold at 56 pounds per bushel, while in 37 States they sell at 60 pounds per bushel. Maine fixes the weight of apples at 44 pounds per bushel, while Arkansas, Minnesota, New Jersey, North Dakota, Ohio, Tennessee, and Wisconsin say they weigh 50 pounds per bushel.

In Louisiana barley weighs 32 pounds per bushel, while in California it weighs 50 pounds per bushel. Beets are sold in 5 States at 50 pounds per bushel, while 8 States must sell at 60 pounds per bushel. The weight of buckwheat in California is 40 pounds per bushel, while in Kentucky it weighs 56 pounds per bushel. Broom-corn seed in North and South Dakota weighs 30 pounds per bushel, while across the line in Minnesota it takes 57 pounds to make a bushel.

Shelled corn in many States is 60 pounds per bushel, while ear corn is 70 pounds per bushel, yet you could not get into a bushel more than 30 pounds of ear corn. The weight is evidently based on a sufficient amount of ear corn to make a bushel of shelled corn. Nine States fix red-top grass seed at 14 pounds per bushel. Virginia fixes it at 12 pounds per bushel, yet the clean seed weighs 30 pounds per bushel.

Notwithstanding the fact that 20 States had fixed a bushel of onions at 57 pounds per bushel, Minnesota a few years ago, finding that the actual weight was 52 pounds, made that the weight of a bushel.

The discrepancies are further perpetuated in the subdivisions of the bushel measure. For instance, you would find it impossible to get one-fourth of a bushel of parsnips into a peck measure.

The bushel measure has by custom ceased to be a standard of measurement. In practice it hardly appears at all. The Winchester bushel was established in England in 1701 with a capacity of 2,150.42 cubic inches. In 1826 the imperial bushel was legally established in Great Britain with a capacity of 2,218.192 cubic inches. The English measure of the bushel is 3 per cent larger than the Winchester bushel. The British gallon is 20 per cent larger than the United States gallon.

The National Government in its custom work at ports of entry has adopted the Winchester bushel by custom, not by direct legislation. Some of the States rest their measures upon custom, while others have fixed the number of pounds contained in a bushel by legislative enactment.

The trouble came in defining the contents of the bushel. We have the struck bushel and the heaped bushel of various forms. The heaped bushel was intended to be 25 per cent greater than the struck bushel. By statutory law New York declared for the heaped bushel with contents of 2.815 cubic inches, while Indiana, Ohio, Mississippi, and Maryland declared for the struck bushel of 2,050.42 cubic inches. Nearly all of the other States rest their bushel measure upon custom, while the Government at its ports of entry recognize the struck bushel. The bushel in the United States ranges from 1,925 cubic inches to 2,815 cubic inches.

There is no uniformity, and there never will be any, until Congress legislates and makes mandatory standards.

THE BARREL AS A MEASURE.

The barrel measure does not tie up to any standard whatever. Sometimes it contains three Winchester bushels. The flour barrel is usually 196 pounds and the beef and pork barrel 200 pounds.

In New York the barrel is 7.056 cubic inches, or 904.74 cubic inches more than three Winchester bushels. On August 3, 1912, the Sulzer permissive apple-barrel bill became a law. This barrel contains 7,056 cubic inches. The Delaware barrel contains 11 pecks. Florida has a standard tub for clams and oysters, two of which make a barrel.

The Maine barrel contains 7,000 cubic inches. The Virginia apple barrel, containing 11 pecks, constitutes the Virginia standard. Vermont has a permissive barrel of 100 pounds, 105 pounds, and 196 pounds for flour. Massachusetts has a 150-pound potato barrel; Maine, Massachusetts, and Kentucky a 165-pound potato barrel; Wisconsin a 172-pound potato barrel; and New York a 174-pound potato barrel. Pennsylvania has a 280-pound salt barrel, and Wisconsin has a 200-pound lime barrel. South Carolina measures her beef and pork by the gallon, 30 gallons making a barrel. Many States have legislated upon the dimensions of the barrel, giving diameter at head, the circumference of the bulge on the outside, and diameter of the bulge on the inside.

We look in vain for uniformity in any of our weights and measures. King Solomon 3,000 years ago declared the diverse weights and measures were an abomination to Jehovah. Like grievances led to the declaration in the Magna Charter that there should be but one weight and measure throughout the kingdom.

The States will never establish uniformity in our weights and measures. They have been trying for 100 years and have made a mess of it. The National Bar Association, the governors of the States at their annual meetings, and commercial associations everywhere are demanding uniform laws on subjects that are national in character.

Many of the laws that ought to be uniform will never become so through the activities of the State legislatures. Nothing except an amendment to the Constitution will uproot the evil growing out of inconsistent legislation. However, we have no difficulty except indifference upon the subject of a uniform

system of weights and measures because express power has been given to Congress to establish for the people a uniform system of weights and measures.

What authority is capable of coping with these evils except the strong power of congressional legislation? The framers of our Constitution more than 125 years ago declared that the weights and measures should be controlled by the national power. The States have been justified, under their police power, in legislating upon this great national question, but the time is now at hand when the National Government must step forward and bring order and uniformity out of chaos and end for all time an intolerable condition.

On January 4, 1915, I introduced H. R. 20525, a bill fixing the number of net pounds of various commodities required to make a bushel. If Congress will enact this legislation it will establish uniformity in all of the States for practically all commodities and thus forever put to rest the conflict of State laws that is now hampering and strangling commerce between States.

The Sulzer apple-barrel act was approved on August 3, 1912. It is based upon the interstate-commerce clause of the Constitution, and is permissive only. It permits three grades of apples. The bill under consideration is mandatory in its terms, and the barrel is of the same size specified in the Sulzer Act. It is not confined to interstate shipments, but provides for a standard barrel in intrastate as well as interstate shipments, not only for apples but for all vegetables and dry commodities.

Some 25 or 30 persons interested in standards appeared before the committee and gave their views upon this subject. They were practically unanimous in demanding a mandatory standard.

Mr. Hugh H. Henry, of Chester, Vt., commissioner of weights and measures, said:

If you have not made it mandatory, you have not prescribed a standard; you have simply allowed everybody to have a standard for himself.

Mr. Lucius P. Brown, Knoxville, Tenn., superintendent of weights and measures, said:

Permissive legislation is worse than no legislation at all.

Mr. F. Reichman, of New York, a delegate to the conference on weights and measures, said:

I am thoroughly in favor of mandatory legislation.

Mr. L. A. Fischer, of the Bureau of Standards, said:

I am in favor, of course, of mandatory legislation. * * * We have had more or less permissive legislation in this country, I think, for over a hundred years, and we are in almost the state that China is at the present time so far as our standards for weights and measures are concerned.

Hon. E. E. BROWN, Representative in Congress from Wisconsin, said:

Practically all the cranberry-producing States, all the dealers, all the associations, and all who handle cranberries are unanimous in asking this Congress to fix a standard barrel and make it mandatory and not simply optional.

Hon. T. C. THACHER, Representative in Congress from Massachusetts, said:

I wish to indorse the Tuttle bill and its mandatory features.

Mr. N. P. Wescott, representing the Producer's Exchange of Olney, Va., said:

The only way to establish a uniform standard is to establish a uniform standard by a mandatory enactment which will make this the uniform and only standard for the entire United States.

Mr. William L. Wagner, representing the Western Fruit Jobbers' Association, Chicago, Ill., said:

There is only one place to start anything of this kind, and that is here. What we need absolutely is a national standard.

Mr. A. U. Chaney, of American Cranberry Exchange, New York, said:

We do not care whether you say "standard" or not, so you give us a mandatory standard, whether you call it a standard or a barrel. We do not care what you call it, so it is mandatory and will protect us against these other State laws.

Mr. J. C. Makepeace, of Wareham, Mass., said:

I can not myself see how any harm could come to any man, be he grower or dealer, by a compulsory mandatory bill, not only for cranberries but for all other commodities of a like nature.

Mr. Joseph J. White, New Lisbon, N. J., said:

The people need a national standard, but to be effective for interstate business it should be mandatory, otherwise it would be of no value in relieving the shippers of fruit from the increasing difficulty of trying to conform to conflicting State laws.

Mr. Andrew Bissig, Grand Rapids, Mich., said:

The Wisconsin growers prefer to have a mandatory law on account of the other States.

Out of 25 or 30 persons appearing before the committee not a single person opposed the mandatory features of this bill. The voice of all who gathered at the hearing was to the effect that a permissive law would not remove the existing evils.

The pure-food act was passed for the purpose of protecting the trade on the contents of the package. The law at first was made permissive, requiring the manufacturers to make correct markings on the packages as to contents. Its supporters then claimed that the trade was anxious to comply with the permissive features. What was the result? The trade largely failed to make any markings at all and in numerous instances removed the old markings.

Thus the permissive law proved a failure, so Congress at a later date came to the rescue of the consumers and passed a mandatory law which is now giving fairly good satisfaction.

Massachusetts at first passed a permissive law in reference to the berry basket whereby the contents was fixed, but if the "standard" was not used it should be marked "short." What was the result? Most of the trade put out a basket short in contents and marked it short. The law was a failure, and then the State passed a mandatory standard basket law.

A national permissive barrel would have no effect upon the Virginia standard barrel of 11 pecks. Neither would it have any effect whatever upon the standard barrel prescribed by other States. We would thus have the example of the National Government making permissive laws while the States are making mandatory laws on these same subjects.

If the law is permissive, will the States that have adopted mandatory standards abandon them and take up the Government's permissive barrel? Evidently not. These States would still brand their standard barrel like Virginia does—"Virginia standard."

President Washington in January, 1790, called the attention of Congress to the great importance of uniformity in currency, weights, and measures, and again in December, 1790, called attention to the importance of this subject.

President Adams also called the attention of Congress to uniformity in weights and measures. Yet we now have persons who are advocates of and who are insisting on permissive legislation.

Permissive standards will never make a landing—never will get anywhere. The States are making and will continue to make mandatory standards under their police power, while the National Government, in a sleepy way, is passing permissive laws and proclaiming to the people that they may adopt the standard or that they may have any standard they want if they will only mark it "short."

The demand of the hour is for uniform and mandatory laws that will set aside the mandatory and permissive laws of the States and that will for all time fix a national standard, not under the interstate-commerce clause of the Constitution, but under the sovereign right that gives Congress the power to fix standards of weights and measures, and thus cure the malady that is hampering the trade. [Applause.]

The SPEAKER. Does the gentleman desire to reserve the remainder of his time?

Mr. DILLON. I will reserve the remainder of my time.

The SPEAKER. The gentleman reserves 35 minutes. Now, if there is any member of the committee who desires to fight this bill, the Chair will recognize him. If not, the Chair will recognize any other gentleman in the House who desires time.

Mr. CRAMTON. I desire to yield to the gentleman from Iowa [Mr. TOWNER] five minutes.

The SPEAKER. The gentleman from Michigan [Mr. CRAMTON] yields to the gentleman from Iowa [Mr. TOWNER] five minutes.

Mr. TOWNER. Mr. Speaker, I appreciate the courtesy of the gentleman from Michigan in yielding time to me, because I am very strongly in favor of the bill.

The need for this bill is almost self-evident. When it is known that there is a considerable diversity in the States with regard to their various standards of barrels for fruits and vegetables, and when it is remembered that a very large part of the commerce with regard to such fruits and vegetables is interstate, it becomes evident at once, it seems to me, that there ought to be a uniform-standard barrel.

It is said here by way of objection that this bill, which is drawn for the purpose of securing uniformity in the barrel, would interfere in some way with the rights or the sales of small producers, farmers, and truckmen. It certainly would not interfere with the rights of small dealers, farmers, truckmen, or others unless they proposed to sell by the barrel. It only regulates barrel sales. Gentlemen may argue that the language means otherwise, but, I think, with no effect when they come to examine the terms of the bill carefully.

Section 2 provides that it shall be unlawful to sell a barrel containing fruits, vegetables, or any other dry commodities unless the barrel conforms to this standard. It is regulative only of sales by the barrel. If a man desires to sell a peck or a

bushel or any other amount from an open barrel that is not under any circumstances regulated by the terms of this bill, and it seems to me that when gentlemen come to think about the question carefully they ought to agree that if a barrel of anything of this kind is to be sold the men who purchase it ought to know what they are getting. The men who contract to purchase a certain number of barrels of fruit ought to know what they are getting, so that the contract may be interpreted with accuracy. That is now impossible under existing law. We have the right, as has been said—and it can not be contradicted—to establish this standard whenever we determine so to do, and, Mr. Speaker, the time has come when we ought to do so with regard to these transactions.

This is not the result of the committee's endeavor. This campaign for the procurement of the standard barrel has been going on for some years. It has been difficult to bring all of the parties interested to a degree of unanimity of sentiment with regard to the size of the barrel. Finally, however, that has been secured. There is a general agreement now among all of those interested as to the barrel that is proposed here. Many of the States, merely for the sake of securing some degree of uniformity, have adopted this standard, and there are now more States using it than any other admitted standard. But it is desirable, as all must see, that we have this universal standard throughout the United States. I know of no action that has been taken by any agricultural or horticultural society, or any other body interested, board of trade or otherwise, that has not unqualifiedly approved this legislation. I know of no general interest in this country that has expressed itself that has not favored this legislation. It can harm no one.

The SPEAKER. The time of the gentleman has expired.

Mr. CRAMTON. I yield to the gentleman three minutes more.

Mr. TOWNER. No injury can follow to any person under any circumstances that I can imagine who desires to do a legitimate business. Men who desire to sell ought to be as anxious to know what they are selling as men who desire to buy are anxious to know what they are purchasing. We are not legislating here for the purpose of assisting those who attempt to defraud the people who are buying from them; and if we are not, then to establish a standard can work no injury to any legitimate industry or trade or commerce. Therefore it seems to me that gentlemen should hesitate long before they record themselves as voting against a proposition of this kind, so universally desired by the farmers, so universally desired by the fruit growers, so universally desired by the dealers in these commodities. It seems to me that we shall do no more than our plain duty if, in response to that desire, we to-day pass this bill. [Applause.]

Mr. DILLON. Mr. Speaker, I yield five minutes to the gentleman from Illinois [Mr. MANN].

Mr. MANN. Mr. Speaker, the gentleman from South Dakota [Mr. DILLON] made a very interesting and learned address on this subject, which, so far as the pending bill is concerned, I think is conclusive. In the course of his remarks, however, he referred to the pure-food legislation and stated that at the time of the passage of the pure-food law it contained a permissive quantity of contents provision and that the supporters of the bill stated at that time that a permissive quantity of contents mark would be sufficient and would be generally made use of. It was very natural for the gentleman to make that statement, because the pure-food law contains the right to mark the quantity and contents on the package, but did not require it.

However, as the bill was reported to the House it had a mandatory provision in it for marking the quantity and contents on the package, and the supporters of the bill at that time were in favor of a mandatory provision. It went out because a large number of manufacturers of the country induced their Representatives in Congress to believe that a mandatory provision was not workable. Subsequently the very manufacturers and wholesale dealers who had fought that mandatory provision in the pure-food bill as originally reported to the House waited upon me in my committee room, for I was then still the chairman of the Committee on Interstate and Foreign Commerce, and asked me to prepare a mandatory bill, which they thought was absolutely essential for carrying on the business of the country properly, and that it was workable. That bill afterwards, under the leadership of the gentleman from Georgia [Mr. ADAMSON] when he became chairman, was written into the law and is now the law. It shows progressive ideas in regard to these matters.

I think the present bill and I think both bills pending ought to be passed. I prefer the mandatory provision to apply throughout the country. The people who raise this produce that is put in barrels and the dealers throughout the country who deal in them are generally in favor of a uniform provision. The Constitution of the United States authorizes us to fix the standards of weights and measures. Years ago we passed a law for the use of the metric system, making it permissive. There have been at different times bills reported to the House making the metric system mandatory throughout the United States. These bills have not passed because of the confusion they would work, and because many Members thought it was desirable to first teach the children the use of the metric system instead of imposing it upon us who are older and who can not think in the metric system; but that question is not involved here. It is desirable, in my judgment, to have a uniform standard of weights and measures so far as it is practicable, and it is practicable as to fixing the standard for barrels and, I believe, of other containers of apples.

So that I hope the bill will be passed, although I suggest to the gentleman in charge of the bill that this bill was introduced in 1913 and was reported to the House last June. As introduced it provided for its taking effect the 1st of July next, which was the proper date at the time the bill was introduced. I do not think the bill ought to take effect as to next year's crop. After all, the fixing of standards is directly addressed to the people who manufacture the barrels, and the pack next year ought not to be obligatory under this law either for the packing or the use of the apples during the following winter, because they will be put in barrels next fall for use the following winter.

Mr. ASHBROOK. I expect to offer an amendment making it July 1, 1916, one year later.

Mr. SLAYDEN. Mr. Chairman, I think that this bill will have served a very excellent purpose, whether it is enacted or whether it is defeated, in that it has at least drawn the attention of the American Congress to the fact that we have a chaotic system of weights and measures. Notwithstanding the mandate of the Constitution to provide a national standard of weights and measures, we have, as was shown in the learned address by the gentleman from South Dakota, Judge DILLON, a lot of laws from various States differing in a degree which is perfectly amazing, as revealed in his statement.

Now, I believe that we ought to have and I believe that that is the point to which the committee might confine the exercise of its authority—we ought to have submitted here for the consideration of Congress a bill fixing the standard of measures and weights. I do not believe that these bills ought to be conceived in the interest of the trade in California or the trade in Michigan or the trade in Virginia or anywhere else. I believe that when we declare by law what a barrel is to be it ought to be a barrel for each one of the States in the American Union and for all countries subservient to our laws. I do not believe there ought to be, as is intended in another bill which you will be called upon to consider, a provision for short weight or short measure. I believe that if we declare that a barrel shall contain so much cubic content we ought not to make a provision for a barrel short of that, and when we declare that a box suitable especially for the apple trade shall contain such cubic content we ought not to make a provision for a short measurement, even though the law may require that it shall be branded as short. To me it seems as monstrous as if we were to declare that a pound should contain so many ounces and then specifically make provision for having another pound introduced into commercial transactions containing a fewer number of ounces.

I was not especially impressed with this bill because it was conceived very largely in the interest of the cranberry trade. A hardship perhaps has been worked in that trade, because there had been hasty enactment of laws which compelled them to abandon customs which had been accepted by and were satisfactory to the trade; but, Mr. Speaker, if I have the honor to have any longer service on this Committee on Coinage, Weights, and Measures, I promise now that I shall endeavor to come before the American Congress with a scientifically constructed bill defining our standard measure, and it will make no provision, if I can avoid it, for any departure from those standards. I think that the effort to get a standard of measure, whether it be a box, a barrel, or a pound, which will differ in some sections of the country and under certain conditions of trade, is altogether unsound. I shall support this bill, notwithstanding the fact that I objected to it in the first instance, because it is an earnest endeavor to fix a standard measure, a thing we greatly need in the trade of the country.

Mr. CRAMTON. Mr. Speaker, I have certain amendments which I desire to present, and I desire to take just enough time now to explain them. I offer them, and ask to have them read in the order they are numbered.

The SPEAKER. The Clerk will report the amendments.

The Clerk read as follows:

First amendment offered by Mr. CRAMTON:

Page 2, line 10, after the word "inch," insert: "Barrels complying with the provisions of this section may be branded 'United States standard barrel' or 'United States standard cranberry barrel,' as the case may be. In all contracts when goods are sold by the barrel the word 'barrel' shall be construed to mean a barrel of the capacity herein defined."

Second amendment:

Page 2, line 19, after the word "barrel," insert the words "branded as above provided."

Mr. CRAMTON. Mr. Speaker, the third amendment would strike out, beginning with the word "prosecutions," in line 11, down to and including the word "measures," in line 16, and substitute what I have suggested, on page 3.

The Clerk read as follows:

Third amendment: Page 3, line 11, strike out the following language: "Prosecutions for offenses under this act may be begun upon complaint of local sealers of weights and measures or other officers of the several States and Territories appointed to enforce the laws of the said States or Territories, respectively, relating to weights and measures."

And insert in lieu thereof the following:

"It shall be the duty of each district attorney to whom any local sealer of weights and measures or other officer of the State or Territory appointed to enforce the laws of said State or Territory, respectively, relating to weights and measures, shall present satisfactory evidence of any violation of this act to cause appropriate proceedings to be commenced and prosecuted in the proper courts of the United States for the enforcement of the penalty herein provided."

Mr. CRAMTON. Mr. Speaker, these amendments have in view this——

Mr. FOSTER. Mr. Speaker, before the gentleman begins, will he yield for a question?

Mr. CRAMTON. I am simply proposing to explain these amendments.

Mr. FOSTER. In connection with that, let me ask this question: A barrel of these dimensions is marked a standard barrel. If the gentleman's amendment should be adopted, could you ship apples in another barrel that was not marked standard barrel?

Mr. CRAMTON. Yes. Mr. Speaker, the purpose of these amendments would be to secure this situation. It would first provide a definition of what a standard barrel is in this country, so that if you and I desired to enter into a contract and use that term, the definition is in existence, and it is understood what we mean. In the second place, it would authorize you to brand a barrel, complying with the law, as being a United States standard barrel or a United States standard cranberry barrel. It would also permit you, if you did not so brand the barrel, to use any kind of a barrel that you wanted to. The penalty would be directed to those who use a barrel smaller than the standard barrel provided, but still misbrand it, and therein commit a fraud, and the penalty would be addressed to that fraud. The other amendment is simply a suggestion which came from the Solicitor for the Department of Commerce as to what he thought would be a more satisfactory way to secure the enforcement of the law, and I present it just as he suggested it in a letter to the gentleman from New Jersey [Mr. TUTTLE]. I do not care to argue these amendments, because they are in line with what I said before, but I wish by them simply first to secure the definition of what a standard barrel is, and then to punish the misbranding of barrels under that.

Mr. Speaker, I reserve the balance of my time.

Mr. CULLOP. Mr. Speaker, I desire to be recognized.

The SPEAKER. The gentleman from Indiana is recognized for one hour.

Mr. CULLOP. Mr. Speaker, I want to ask the chairman of the committee some questions about this bill before I vote on it. In the description of a barrel here I find this:

Length of staves, 28½ inches; diameter of head, 16½ inches; distance between heads, 25¼ inches; circumference of bulge, 58½ inches, outside measurement; and the thickness of staves not greater than four-tenths of an inch.

The form, I suppose, does not apply to the thickness of the stave, but to the shape of the barrel. Is that correct?

Mr. ASHBROOK. I think that is correct.

Mr. CULLOP. Now, then, a penalty is fixed for a violation of this act if it should become the law; that is, if some person should be so unfortunate to ship apples or other commodities of that kind in a barrel with staves which were a little over four-tenths of an inch in thickness, that could not affect the quantity, as it would contain the cubic inches required for a standard barrel, yet he could be haled into court and punished. Now, I ask the chairman of the committee if he wants to have that kind of a penal statute written upon the statute books here? I will wait for the gentleman's answer.

Mr. ASHBROOK. I will say to the gentleman that I think the thickness of the stave is a matter of very minor consequence, and, as far as I am personally concerned as a member of the committee, I would have no objection whatever to have stricken out lines 9 and 10.

Mr. CULLOP. Oh, that is just of enough minor concern that some rival in business might bring an honest producer in court and have him fined four or five times the value of the commodity he had shipped from one State to another. I think the parts suggested by the gentleman from Ohio should be stricken out of the bill. It would help it.

Mr. TOWNER. Mr. Speaker, will the gentleman yield——

Mr. CULLOP. Now, if that is the kind of legislation that is to be enacted here, it will meet the derision of the public instead of its commendation.

Mr. TOWNER. Will the gentleman yield?

The SPEAKER. Does the gentleman yield?

Mr. CULLOP. In a moment. Here is proposed to be enacted a statute that would punish a man who would be so unfortunate as to place his commodities in a barrel for shipment and perchance the staves of which the barrel is made should be a hair's breadth more than four-tenths of an inch in thickness. This would be an instrument used to harass honest producers.

Mr. TOWNER. Will the gentleman now yield?

Mr. CULLOP. Certainly.

Mr. TOWNER. Let me ask the gentleman if he will be kind enough to read the first sentence in section 3 and see if he does not think that meets exactly the situation to which he refers. It says:

That reasonable variations shall be permitted and tolerance shall be established by rules and regulations made by the Director of the Bureau of Standards and approved by the Secretary of Commerce.

Mr. CULLOP. Well, if that is to be construed as the gentleman from Iowa construes it, the whole statute is worthless. It would leave it open to a town meeting to be a court to pass upon a standard barrel.

Mr. ASHBROOK. The gentleman is mistaken there.

Mr. CULLOP. I do not think I am.

Mr. ASHBROOK. It says:

Shall be established by rules and regulations made by the Director of the Bureau of Standards and approved by the Secretary of Commerce—

Not by a town meeting.

Mr. CULLOP. Then, you will take the enactment of a penal statute out of the hands of the legislative body and put it in the hands of a bureau, make this a bureau government not only in civil procedure, but in criminal as well. It seems to me that if a statute is to be written upon this subject it ought to be written so that it would be easily understood, free from ambiguity, and that a matter of this kind in the thickness of the staves of a barrel should not be the basis of a prosecution. It does not add in any way to the value of the measure.

The purpose of this is to have a uniform standard of measure and not the particular kind of a barrel in which commodities should be shipped. If you were to name the thickness of the stave, why not name the quality of the stave? Why not name what it should be made from and what kind of wood shall be used for it? Why put in four-tenths of an inch in thickness? Would it be injurious if it was five-tenths of an inch or six-tenths of an inch or perhaps three-tenths of an inch? And yet that is the kind of statute that is proposed here on this subject. It seems to me that the reading of the measure as it will naturally be construed by the courts would make it an instrument of injury and harm and in aid of monopoly, a source from which petty prosecutions could be instituted, to vex and harass rivals in business. I doubt its wisdom, and fear it will prove a great disappointment to its sponsors.

Now, Mr. Speaker, one other thought occurs to me while on this subject. I know not who is urging the passage of this measure. I am not aware of any urgent demand among the producers of commodities for such containers as are here proposed and as this bill requires; but one thing is apparent—it might work a great hardship to those least able to bear it. If this measure is enacted and enforced, it will require considerable cost on the part of certain producers to comply with it, and which cost thereby made necessary will in the end be paid by the ultimate consumers. It will have a tendency to increase the cost of living rather than reduce it. It will add to the cost of production, which must be paid by the consumer. It might be well to consider whether it should be imposed at this time. But if its enactment is necessary, I for one think it advisable to postpone it for a while, and then it could probably be presented in a more satisfactory form.

Mr. Speaker, I reserve the balance of my time.

Mr. ASHBROOK, Mr. SAUNDERS, and Mr. FOSTER rose.

The SPEAKER. The gentleman from Ohio [Mr. ASHBROOK] is recognized.

Mr. ASHBROOK. Mr. Speaker, I desire to offer an amendment and move the previous question on the bill and all amendments thereto to final passage.

Mr. CULLOP. Mr. Speaker, I want to yield five minutes to the gentleman from Illinois [Mr. FOSTER].

Mr. SAUNDERS. Mr. Speaker, the gentleman from Indiana [Mr CULLOP] yielded five minutes to me.

Mr. ASHBROOK. Mr. Speaker, I was recognized.

The SPEAKER. The gentleman from Indiana had quit. [Laughter.]

Mr. ASHBROOK. He had quit, and I was recognized.

The SPEAKER. The gentleman from Ohio [Mr. ASHBROOK] is recognized.

Mr. ASHBROOK. Mr. Speaker, I desire to offer an amendment, as follows:

In section 4, line 20, strike out "fifteen" and insert "sixteen."

Mr. CULLOP. Mr. Speaker——

Mr. ASHBROOK. Now, Mr. Speaker, I move the previous question on the bill and all amendments thereto to final passage.

The SPEAKER. The gentleman from Ohio moves the previous question on the bill and amendments to final passage.

Mr. WINGO. A parliamentary inquiry, Mr. Speaker?

The SPEAKER. The gentleman will state it.

Mr. WINGO. If the previous question is ordered, that will shut off all other amendments?

The SPEAKER. If anybody wants further debate, he can vote against the previous question.

Mr. WINGO. We have had members of the committee controlling most of the time. [Cries of "Regular order!"] Regular order will be the point of no quorum. And I make it.

Mr. ASHBROOK. Mr. Speaker, I move that the House do now adjourn.

Mr. CALDER. Mr. Speaker, pending that I ask unanimous consent——

Mr. WINGO. The point of no quorum was made.

Mr. MANN. The point of no quorum was not declared.

The SPEAKER. Will the gentleman from Arkansas [Mr. WINGO] withhold his point, so that the gentleman can offer a resolution?

Mr. WINGO. I will if the gentleman from Ohio will withdraw his motion for the previous question. Just so long as the parliamentary status is maintained——

The SPEAKER. It will be maintained. The gentleman from New York [Mr. CALDER] offers a resolution, which the Clerk will report.

LATE REPRESENTATIVE PAYNE AND LATE REPRESENTATIVE MERRITT.

The Clerk read as follows:

House resolution 697.

Resolved, That Sunday, February 7, be set apart for services upon the life, character, and public services of the Hon. SERENO E. PAYNE, late a Representative from the State of New York, and of the Hon. EDWIN A. MERRITT, Jr., late a Representative from the State of New York.

The SPEAKER. The question is on agreeing to the resolution.

The resolution was agreed to.

ADJOURNMENT.

The SPEAKER. The gentleman from Arkansas [Mr. WINGO] makes the point that there is no quorum present, and the gentleman from Ohio [Mr. ASHBROOK] moves that the House do now adjourn.

The motion to adjourn was agreed to; accordingly (at 5 o'clock and 16 minutes p. m.) the House adjourned until Thursday, January 7, 1915, at 12 o'clock noon.

EXECUTIVE COMMUNICATION.

Under clause 2 of Rule XXIV, a letter from the Secretary of the Treasury, transmitting copy of communication of the Secretary of the Interior, submitting an estimate of appropriation in the sum of $75,725, for special equipment and furnishing to complete the building for the Columbia Hospital for Women and Lying-in Asylum (H. Doc. No. 1474), was taken from the Speaker's table, referred to the Committee on Appropriations, and ordered to be printed.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. BRUCKNER: A bill (H. R. 20601) providing for the taking up of passports; to the Committee on Immigration and Naturalization.

By Mr. BAILEY: A bill (H. R. 20602) amending sections 3 and 4 of the act of August 8, 1911, entitled "An act for the apportionment of Representatives in Congress among the several States under the Thirteenth Census," so as to give any State entitled to at least three Representatives in Congress the privilege of electing them by proportional representation; to the Committee on Election of President, Vice President, and Representatives in Congress.

By Mr. WITHERSPOON: A bill (H. R. 20603) to repeal section 9 of the personnel act of March 3, 1899; to the Committee on Naval Affairs.

By Mr. BARTLETT: A bill (H. R. 20604) to construct a public building for a post office at the city of Forsyth, Ga.; to the Committee on Public Buildings and Grounds.

By Mr. GILL: A bill (H. R. 20605) to amend the act of Congress of May 9, 1902, to permit the coloration of oleomargarine to look like butter and that no tax be imposed thereon; to the Committee on Agriculture.

By Mr. HAYES: A bill (H. R. 20606) to amend an act entitled "An act making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes," approved July 25, 1912; to the Committee on Rivers and Harbors.

By Mr. DUPRÉ: Concurrent resolution (H. Con. Res. 57) relative to the celebration by the State of Louisiana of the one hundredth anniversary of the Battle of New Orleans, January 8, 9, and 10, 1915; to the Committee on the Judiciary.

By Mr. LINDBERGH: Joint resolution (H. J. Res. 399) authorizing and directing the Federal Reserve Board to investigate the organization of the Federal reserve bank in Chicago, in the seventh Federal reserve district; to the Committee on Banking and Currency.

By Mr. FLOOD of Virginia: Resolution (H. Res. 695) to equalize the salaries of two men styled "cloakroom men" in the Doorkeeper's department of the House; to the Committee on Accounts.

By Mr. LINDBERGH: Resolution (H. Res. 696) authorizing an investigation of the Federal Reserve System; to the Committee on Rules.

By Mr. GARDNER: Resolution (H. Res. 698) directing the Secretary of War to send to the House of Representatives certain information; to the Committee on Military Affairs.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BRUMBAUGH: A bill (H. R. 20607) granting an increase of pension to John O. Smith; to the Committee on Invalid Pensions.

By Mr. BULKLEY: A bill (H. R. 20608) granting a pension to Elizabeth Straka; to the Committee on Pensions.

By Mr. BYRNS of Tennessee: A bill (H. R. 20609) granting a pension to H. E. Rives; to the Committee on Pensions.

By Mr. CANTRILL: A bill (H. R. 20610) granting a pension to Robert L. Bentley; to the Committee on Pensions.

By Mr. DERSHEM: A bill (H. R. 20611) granting a pension to Clara L. Vawn; to the Committee on Pensions.

By Mr. DRISCOLL: A bill (H. R. 20612) granting a pension to Helen Fenzle; to the Committee on Invalid Pensions.

By Mr. DUPRÉ: A bill (H. R. 20613) waiving the age limit for admission to the Pay Corps of the United States Navy in the case of L. George Asbury; to the Committee on Naval Affairs.

By Mr. EDWARDS: A bill (H. R. 20614) for the relief of the heirs of David Beasley, deceased; to the Committee on War Claims.

By Mr. FERRIS: A bill (H. R. 20615) for the relief of the Woman's Board of Domestic Missions, Reformed Church of America; to the Committee on Indian Affairs.

By Mr. FRANCIS: A bill (H. R. 20616) granting an increase of pension to James McMannis; to the Committee on Invalid Pensions.

By Mr. GITTINS: A bill (H. R. 20617) granting a pension to Chester B. Goodenough; to the Committee on Invalid Pensions.

By Mr. GORMAN: A bill (H. R. 20618) granting an increase of pension to Michael O'Sullivan; to the Committee on Invalid Pensions.

By Mr. HAWLEY: A bill (H. R. 20619) granting a pension to Harriet L. Busick; to the Committee on Invalid Pensions.

By Mr. HUGHES of West Virginia: A bill (H. R. 20620) granting a pension to Anna Carver; to the Committee on Invalid Pensions.

Also, a bill (H. R. 20621) granting an increase of pension to Harriett A. Tharp; to the Committee on Invalid Pensions.

By Mr. LOBECK: A bill (H. R. 20622) granting an increase of pension to William G. Otis; to the Committee on Invalid Pensions.

By Mr. LOGUE: A bill (H. R. 20623) granting a pension to Mary Collins; to the Committee on Invalid Pensions.

Also, a bill (H. R. 20624) granting an increase of pension to Matthias Parthemore; to the Committee on Invalid Pensions.

Also, a bill (H. R. 20625) for the relief of Mary E. Egan, administratrix; to the Committee on War Claims.

By Mr. MARTIN: A bill (H. R. 20626) granting an increase of pension to George Wells; to the Committee on Invalid Pensions.

By Mr. MOSS of Indiana: A bill (H. R. 20627) granting an increase of pension to William Davis; to the Committee on Invalid Pensions.

By Mr. RAUCH: A bill (H. R. 20628) granting a pension to George Law; to the Committee on Invalid Pensions.

Also, a bill (H. R. 20629) granting a pension to Harriet E. Stout; to the Committee on Invalid Pensions.

Also, a bill (H. R. 20630) granting an increase of pension to Louisa J. Kimball; to the Committee on Invalid Pensions.

Also, a bill (H. R. 20631) for the relief of Adam K. Danes, deceased; to the Committee on Military Affairs.

By Mr. REILLY of Wisconsin: A bill (H. R. 20632) granting a pension to Adelaide Lee; to the Committee on Invalid Pensions.

Also, a bill (H. R. 20633) granting a pension to Rebecca A. Searls; to the Committee on Invalid Pensions.

Also, a bill (H. R. 20634) granting an increase of pension to William Moses; to the Committee on Invalid Pensions.

By Mr. SHERWOOD: A bill (H. R. 20635) granting an increase of pension to William D. Smith; to the Committee on Invalid Pensions.

By Mr. STEDMAN: A bill (H. R. 20636) for the relief of the estate of R. J. H. Hatchett, deceased; to the Committee on Claims.

By Mr. STONE: A bill (H. R. 20637) granting a pension to Lydia Jane Scott; to the Committee on Invalid Pensions.

Also, a bill (H. R. 20638) granting a pension to Elizabeth Hakes; to the Committee on Invalid Pensions.

Also, a bill (H. R. 20639) granting an increase of pension to Sylvester Tomlinson; to the Committee on Invalid Pensions.

By Mr. TEMPLE: A bill (H. R. 20640) granting a pension to Nathaniel Amon; to the Committee on Invalid Pensions.

By Mr. HOBSON: A bill (H. R. 20641) to establish a chief of naval operations; to the Committee on Naval Affairs.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. BAILEY: Petition of Rhule & Acker, Estep & Floeg, J. G. Metz, A. D. Schmucker, H. H. Patterson, J. A. Simpson, J. B. Snively, and W. D. Dean, all of Williamsburg, Pa., for the passage of House bill 5308, a bill providing for the taxation of mail-order houses for local purposes; to the Committee on Ways and Means.

Also, petition of International Brotherhood of Locomotive Engineers, favoring passage of Cummins-Goeke bills, S. 6165 and H. R. 17894; to the Committee on Interstate and Foreign Commerce.

By Mr. BRUCKNER: Petition of citizens of New York, N. Y., protesting against exportation by the United States of munitions of war; to the Committee on Foreign Affairs.

Also, memorial of New York Board of Trade and Transportation and O. J. Stephens, of New York City, relative to straightening the Harlem River; to the Committee on Rivers and Harbors.

By Mr. BYRNS of Tennessee: Papers accompanying bill granting a pension to H. E. Rives; to the Committee on Pensions.

By Mr. CALDER: Petition of New York Board of Trade and Transportation, relative to straightening the Harlem River; to the Committee on Rivers and Harbors.

Also, petition of J. W. Hughall, of Brooklyn, N. Y., protesting against increased armament; to the Committee on Foreign Affairs.

By Mr. CONRY: Petition of New York Board of Trade and Transportation, favoring S. 3672, to make certain improvements in the Harlem River; to the Committee on Rivers and Harbors.

By Mr. DALE: Memorial of Presbyterian Friedenshischi, of Brooklyn, N. Y., relative to violation of neutrality in United States; to the Committee on Foreign Affairs.

Also, memorial of the American Peace Society, protesting against agitation for increase of armament; to the Committee on Foreign Affairs.

By Mr. DILLON: Petition of citizens of South Dakota, favoring passage of House joint resolution 377; to the Committee on Foreign Affairs.

By Mr. DRUKKER: Petition of citizens of the State of New Jersey, favoring passage of House joint resolution 377; to the Committee on Foreign Affairs.

By Mr. EAGAN: Memorial of the American Peace Society, protesting against agitation for an increase of armament; to the Committee on Foreign Affairs.

By Mr. ESCH: Petition of citizens of West Salem, Curtiss, and Colby, Wis., favoring placing embargo on all contrabands of war; to the Committee on Foreign Affairs.

By Mr. FALCONER: Memorial of the American Peace Society, protesting against agitation for an increase of armament; to the Committee on Foreign Affairs.

By Mr. FESS: Petition of Caesar Creek (Ohio) Monthly Meeting, favoring House bill 16098, to protect the Quaker name from advertising; to the Committee on Patents.

By Mr. FITZGERALD: Petition of Branch 244 of the Catholic Knights of America, favoring protection for Catholic priests and sisters in Mexico; to the Committee on Foreign Affairs.

Also, petition of Cattle Raisers' Association of Texas, favoring protection of cattle industry from diseases; to the Committee on Agriculture.

Also, petition of Broadway Board of Trade, of Brooklyn, N. Y., favoring Hamill civil-service retirement bill; to the Committee on Reform in the Civil Service.

Also, petition of Charles Graff, of New York, and the Philadelphia Branch of the National German-American Alliance, favoring law prohibiting export of arms and munitions of war; to the Committee on Foreign Affairs.

By Mr. GRAHAM of Pennsylvania: Memorial of First German Methodist Episcopal Church, of Philadelphia, Pa., relative to violation of spirit of neutrality in United States; to the Committee on Foreign Affairs.

Also, petition of steamship companies of Puget Sound and Alaska, favoring certain aids to navigation; to the Committee on Appropriations.

By Mr. KENNEDY of Rhode Island: Petitions of Miss Ethel Winant Parks, of Providence, and Ida R. Siegfried, of Newport, R. I., favoring woman suffrage; to the Committee on the Judiciary.

Also, petition of J. Stewart Cumming, of Pawtucket, R. I., relative to Chinese competition; to the Committee on Interstate and Foreign Commerce.

By Mr. KIESS of Pennsylvania: Evidence in support of House bill 20578, for relief of William E. Monroe; to the Committee on Pensions.

By Mr. McCLELLAN: Memorial of citizens of Kingston, N. Y., favoring House joint resolution 377, prohibiting export of munitions of war; to the Committee on Foreign Affairs.

By Mr. MAPES: Petition of citizens of Grand Haven, Mich., favoring passage of House joint resolution 377; to the Committee on Foreign Affairs.

By Mr. PAIGE of Massachusetts: Petition of Carl M. Lorenz and 88 citizens of Webster, Mass., favoring House resolution 377; to the Committee on Foreign Affairs.

Also, memorial of Palmer (Mass.) Council, Knights of Columbus, disapproving of conditions in Mexico; to the Committee on Foreign Affairs.

By Mr. PATTEN of New York: Petition of citizens of New York, favoring Senate bill 3672, to make certain improvements in the Harlem River; to the Committee on Rivers and Harbors.